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## **Hatch-Feinstein Bill Gives Green Light to Human Embryo Farms**

WASHINGTON (Feb. 5, 2003) – A bill being introduced today in Congress, falsely labeled as a bill to make “human cloning a crime,” actually “would give a green light to the establishment of human embryo farms,” said a spokesman for the National Right to Life Committee (NRLC). The bill, to be proposed by Senators Orrin Hatch (R-Utah), Dianne Feinstein (D-Ca.), and others, would permit the cloning of human embryos, and reportedly make it a crime to keep any such embryo alive past two weeks of age.

**“This bill doesn’t really ban any human cloning – it bans human clone survival, which is a radically different thing,”** said NRLC Legislative Director Douglas Johnson. **“This bill would give a green light to the establishment of what President Bush has called human embryo farms.** It is incorrect to say that we think it does not go far enough – rather, it is a step in the wrong direction. It does not represent common ground, and it will not become law.”

When very similar legislation was proposed last year by the same group of senators, it was criticized as unworkable by the Justice Department. Moreover, Secretary of Health and Human Services Tommy Thompson sent a letter to Senator Brownback warning that such a bill would face a presidential veto. Thompson wrote, “The President does not believe that ‘reproductive’ and ‘research’ cloning should be treated differently, given that they both require the creation, exploitation, and destruction of human embryos . . . the Administration could not support any measure that purported to ban ‘reproductive’ cloning while authorizing ‘research’ cloning, and I would recommend to the President that he veto such a bill.”  
([www.nrlc.org/Killing\\_Embryos/ThompsonoBrownback.pdf](http://www.nrlc.org/Killing_Embryos/ThompsonoBrownback.pdf))

In his January 28 State of the Union address, President Bush repeated his past calls for Congress to approve legislation to ban all human cloning. The President warned in an April 10, 2002 speech that unless such legislation is made law, human “embryo farms” may begin operation in the United States. The approach supported by the President has been reintroduced as the Brownback-Landrieu bill (S. 245) and the Weldon-Stupak bill (H.R. 234). **The Brownback/Weldon legislation bans the cloning of human embryos, but explicitly permits any cloning of human cells (including stem cells) or tissues that is accomplished without creating and killing a human embryo.** For citations in which the bioethics panels under both Presidents Clinton and Bush, NIH, and prominent pro-cloning researchers have explicitly acknowledged that somatic cell nuclear transfer will create a human embryo, see [www.nrlc.org/Killing\\_Embryos/factsheetembryo.html](http://www.nrlc.org/Killing_Embryos/factsheetembryo.html)

In contrast with the Brownback/Weldon bills, the Hatch-Feinstein bill does not restrict the creation

## PHONY CLONING BAN INTRODUCED, PAGE 2

of cloned members of the species *Homo sapiens*. Instead, the Hatch-Feinstein bill would make it a crime to allow such a cloned human embryo to *survive* past two weeks of age. Under Hatch-Feinstein, federal law enforcement would be given the unethical responsibility of seeking the destruction of every cloned human embryo.

Johnson dismissed as “transparent evasions” various statements by the bill’s sponsors that their legislation would permit research only on “unfertilized eggs” that could not become “human beings.”

“Cloning is, by definition, reproduction without sexual fertilization, so every cloned mammal alive today is unfertilized,” Johnson noted. “If an human embryo created by cloning instead of fertilization is implanted in a womb, is born, and lives to be eighty, she will still be unfertilized – but she will be human. NRLC believes that every member of the human species should be recognized as a human being with intrinsic human rights, regardless of the circumstances of his or her creation.”

Some of those who say that clones are not really “human” because they are unfertilized may not have considered the ominous implications of their argument. In a press release dated February 5, 2002, Senator Hatch said, **“No doubt somewhere, some -- such as the Raelians -- are trying to make a name for themselves and are busy trying to apply the techniques that gave us Dolly the Sheep to human beings. Frankly, I am not sure that human being would even be the correct term for such an individual heretofore unknown in nature.”** As Slate.com columnist Will Saletan commented (“Killing Eve,” December 31, 2002), “The first cloned baby – Eve or whoever comes after her – won’t be fertilized. If fertilization is a prerequisite to humanity, as Hatch and Feinstein suggest, that baby will never be human. You can press the pillow over her face and walk away.”

Last year, researchers reported harvesting tissue from cloned cows at six and eight weeks of fetal development, and from cloned mice at the newborn stage, in what were widely reported as breakthroughs for so-called “therapeutic cloning.” Already, some policymakers are opening the door to “fetus farming” with human clones. The New Jersey legislature appears to be close to giving final approval to a bill that would permit cloned humans to be grown through any stage of fetal development, or even to birth, to obtain tissues for transplantation, as long as they are not kept alive past the “newborn” stage. (SB 1909, as amended) Four members of the President’s Council on Bioethics wrote to Gov. James McGreevey to warn about the bill’s radical implications. ([www.nationalreview.com/document/document020303c.asp](http://www.nationalreview.com/document/document020303c.asp)) For additional information on cloning, including the statements by Secretary Thompson and the Justice Department referred to above, see [www.nrlc.org/killing\\_embryos/index.html](http://www.nrlc.org/killing_embryos/index.html)