

(regardless of when implemented) that prohibits, or in effect prevents—

(1) the maintaining, establishing, or operation of a unit of the Senior Reserve Officer Training Corps (in accordance with section 654 of title 10, United States Code, and other applicable Federal laws) at the institution or subelement); or

(2) a student at the institution (or subelement) from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 516. (a) DENIAL OF FUNDS FOR PREVENTING FEDERAL MILITARY RECRUITING ON CAMPUS.—None of the funds made available in this Act may be provided by contract or grant (including a grant of funds to be available for student aid) to any institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that the institution (or any subelement thereof) has a policy or practice (regardless of when implemented) that prohibits, or in effect prevents—

(1) entry to campuses, or access to students (who are 17 years of age or older) on campuses, for purposes of Federal military recruiting; or

(2) access to the following information pertaining to students (who are 17 years of age or older) for purposes of Federal military recruiting: student names, addresses, telephone listings, dates and places of birth, levels of education, degrees received, prior military experience; and the most recent previous educational institutions enrolled in by the students

(b) EXCEPTION.—The limitation established in subsection (a) shall not apply to an institution of higher education when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the institution (or subelement) has ceased the policy or practice described in such subsection; or

(2) the institution has a longstanding policy of pacifism based on historical religious affiliation.

SEC. 517. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

The CHAIRMAN pro tempore. Pursuant to the order of the House of today, the gentleman from New York [Mr. SOLOMON] and a Member opposed each will control 2½ minutes.

The Chair recognizes the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the amendment I am offering with the gentleman from Cali-

fornia [Mr. POMBO] has passed the House several times, most recently on the VA-HUD appropriation bill.

Mr. Chairman, in many places across the country, military recruiters are being denied access to educational facilities, preventing recruiters from explaining the benefits of an honorable career in our Armed Forces to our young people. Likewise, ROTC units have been kicked off several campuses around the country.

What my amendment would intend to do would be to prohibit any of these funds from going to contractors or colleges or universities that do not allow military recruiters on campus to offer these honorable careers in our military or where they have a policy of banning Reserve Officer Training Corps organizations on their campus I would hope that the Members would once again unanimously approve this amendment.

Mr. Chairman, this amendment today would simply prevent any funds appropriated in this act from going to institutions of higher learning which prevent military recruiting on their campus or have an anti-ROTC policy.

Mr. Chairman, institutions that are receiving Federal taxpayer money just cannot be able to then turn their back on the young people who defend this country.

It is really a matter of simple fairness, and that is why this amendment has always received such strong bipartisan support and become law for Defense Department funds.

Mr. Chairman, recruiting is the key to our all-volunteer military forces, which have been such a spectacular success.

Recruiters have been able to enlist such promising volunteers for our Armed Forces by going into high schools and colleges and informing young people of the increased opportunities that a military tour or career can provide.

That is why we need this amendment.

A third part of the amendment would also deny contracts or grants to institutions that are not in compliance with the law that they submit an annual report on veterans hiring practices to the Department of Labor.

In the same vein, this is simple common sense and fairness to the people who defend our country, Mr. Chairman.

All we are doing here is asking for compliance with existing law.

I urge a "yes" vote on the amendment.

Mr. PORTER. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Illinois.

Mr. PORTER. Mr. Chairman, we believe this is also a good amendment and would accept it.

Mr. SOLOMON. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

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AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . (a) Limitation on Use of Funds for Agreements for Department of Drugs.—None of the funds made available in this Act may be used by the Secretary of Health and Human Services to enter into—

(1) an agreement on the conveyance or licensing of a patent for a drug, or another exclusive right to a drug;

(2) an agreement on the use of information derived from animal tests or human clinical trials conducted by the Department of Health and Human Services on a drug, including an agreement under which such information is provided by the Department of Health and Human Services to another on an exclusive basis; or

(3) a cooperative research and development agreement under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) pertaining to a drug.

(b) EXCEPTIONS.—Subsection (a) shall not apply when it is made known to the Federal official having authority to obligate or expend the funds involved that—

(1) the sale of the drug involved is subject to a reasonable price agreement; or

(2) a reasonable price agreement regarding the sale of such drug is not required by the public interest.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Vermont [Mr. SANDERS] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as many Members know, the U.S. taxpayer is the single largest supporter of biomedical research in the world, spending \$33 billion in 1994 alone for biomedical and related health research. Unfortunately, our taxpayers are unwittingly being forced to pay twice for drugs because this Congress is deeply beholden to the very profitable giant drug companies.

Members heard it right, our constituents are not getting a fair return on the investment of their hard-earned money, paying twice for pharmaceutical breakthroughs, first as taxpayers and second as consumers. This harms consumers, and it is a form of corporate welfare to many of the world's largest corporations.

The bottom line of this amendment is that when taxpayers spend billions and billions of dollars in developing a new drug, the taxpayer as a consumer should get a break and we should not be giving all of this research over to the private industry who then sells the product to our consumers at outrageous profits.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say on this side of the aisle I will be willing to accept the gentleman's amendment. I think it is a good public interest amendment.

Mr. PORTER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] is recognized for 5 minutes.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman is repeating his amendment that was defeated last year on a 141-284 vote. It relates to the reasonable pricing clause that was in effect for NIH cooperative research and development agreements, CRADA's, and license agreements until April 1995.

This provision was originally put in place in response to public concern about the pricing of the AIDS drug AZT, even though AZT had not been developed through a CRADA or exclusive license. It was controversial from the start, and NIH decided to conduct an extensive review of the policy. They held public hearings, consulted with scientists, patient and consumer advocates, and representatives of academia and industry.

The director of NIH, Dr. Varmus, concluded after this review that, and I quote, "The pricing clause has driven industry away from potentially beneficial scientific collaborations with Public Health Service scientists without providing an offsetting benefit to the public."

The review also indicated that NIH research was adversely affected by an inability of NIH scientists to obtain compounds from industry for basic research purposes. No other Federal agency has a reasonable pricing clause. No law or regulation expressly requires or permits NIH to enforce such a provision. No comparable provision exists for NIH extramural grantees like universities to impose price controls on the licensees of products they develop with NIH funds.

Contrary to the impression some may have, the principal function of NIH research is not to develop drugs. NIH supports the basic research that is the foundation for the applied research that the drug companies do. NIH focuses on research that is critical for eventual application, but which is not specific enough to meet the profitability test that private industry requires.

The drug companies focus their research on bringing products to market and their investment is considerable. In 1994, the industry supported almost \$14 billion in health research and development, which is more than half the entire U.S. public and private investment.

While it is appealing to think that reimposing the reasonable pricing clause may lower health care costs and benefits to consumers, we must face the possibility that it will drive drug companies out of their collaborative ventures with NIH and ultimately deny patients access to important lifesaving drugs.

I doubt that anyone in this Chamber has a detailed understanding of the im-

pact of this complex issue. I would like to rely on Dr. Varmus' judgment in this matter and the decision of the Clinton administration. I might add, I would hope that Congress does not try to intervene, and for these reasons I must strongly oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Chairman, I rise in support of the Sanders amendment. Consider the case of levamisole. Eleven million dollars in N.I.H. research led to the discovery that this drug to prevent worms in sheep could also prevent some 7,000 cancer deaths each year. No pharmaceutical company paid for this research, the American taxpayer did. But, what happened when a pharmaceutical company entered the picture? A drug that costs 6 cents a dose for sheep skyrocketed to \$6 a dose for colon cancer patients.

A few years ago, the television program "Primetime Live" highlighted the problem of levamisole costs in the State of Florida. In Florida, some people were so desperate for levamisole they turned to the black market, where sheep pills are ground up into human-sized doses.

Asked about that price differential between the sheep and human products, the pharmaceutical executives simply said, "A sheep farmer probably would not pay \$6 a pill," but, "someone dying of cancer that pays \$1,200 for a treatment regimen, whose life is saved, is getting one of the most cost-effective treatments they can ever get."

Well, I resent paying for the development of a drug and then paying 100 times what a sheep farmer pays for it.

This is an outrageous abuse of public funds. Let's make sure we get our money's worth on our investment. Support the Sanders amendment.

Mr. PORTER. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] has 2 minutes remaining, and the gentleman from Vermont [Mr. SANDERS] has 2½ minutes remaining.

Mr. PORTER. I have the right to close, am I correct?

The CHAIRMAN. The gentleman is correct.

Mr. SANDERS. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Chairman, I rise in strong support of the Sanders amendment to restore a reasonable pricing clause for drugs that are developed at taxpayer expense. Let me make it clear, this affects, this amendment only affects those drugs that are developed at taxpayers' expense. It does not affect any drugs that are developed solely by the private sector and by the pharmaceutical companies themselves.

Mr. Chairman, I am a strong supporter of taxpayer accountability. Taxpayers who fund this biomedical re-

search to the tune of billions of dollars should not be forced to pay excessive prices for the drugs that they themselves have helped develop, but that is exactly what is happening.

Mr. Chairman, the drug companies are now free, after getting taxpayers' money to develop their product, to gouge those very same people 10, 20 times the cost of their own product. They charge that to the American people who are paying for their research. The American people end up paying twice.

Now, is that not nice? This is a corporate form of welfare, and it has got to stop. Drug companies are making fortunes off the backs of working people. If they developed the product themselves at their own expense, the Government should not step in. But we have continually said in this Congress that we want to cut down the expenses of Government, cut down welfare. This is welfare for the rich, for the corporations. The American people should not be insulted by being forced to pay for the research of a company who then turns around and gouges them for the price of the product that has been developed.

Mr. Chairman, I support the Sanders amendment.

Mr. SANDERS. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I thank the gentleman from Vermont for yielding me the time.

Mr. Chairman, this amendment is about simply fairness. It says that when taxpayers foot the bill for research, they should not have to pay again for it at the drug counter. We invest millions of dollars in pharmaceutical research. More than 40 percent of all U.S. health care research and development comes from the U.S. taxpayer.

This amendment, the Sanders amendment, says that drugs developed with taxpayer dollars cannot be sold back to the taxpayers at excessive prices. Without a reasonable pricing clause, the taxpayers pay to develop the drug, only to get their pockets picked when they go to the pharmacy.

In the 1990's, the drug industry was the Nation's most profitable, with an annual profit of 13.6 percent, more than triple the average of the Fortune 500 companies. So while the argument goes that they invest a great deal in R&D, there is plenty left over for them to give back to the taxpayer, and that is what this amendment calls for.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in closing, I just want to repeat that we have already voted on this. It lost by a margin of better than two-to-one the last time it was voted on.

There are times when we simply have to trust the officials that we have chosen. The Clinton administration has chosen Dr. Varmus to head the NIH. He

has looked into this extensively. He believes very strongly that this amendment is ill-advised. He believes that it is counterproductive to achieving the purpose for which it is intended, and I would simply urge Members to listen to his professional and scientific judgment and to reject the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PORTER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to House Resolution 472, further proceedings on the amendment offered by the gentleman from Vermont [Mr. SANDERS] will be postponed.

AMENDMENT OFFERED BY MR. CAMPBELL

Mr. CAMPBELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL: Page 87, line 12, strike "or" and insert a semicolon.

Page 87, line 14, insert before the period the following:

; or public health assistance for immunizations with respect to immunizable diseases, testing and treatment for communicable diseases whether or not such symptoms are actually caused by a communicable disease

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California [Mr. CAMPBELL] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from California [Mr. CAMPBELL].

Mr. CAMPBELL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is my hope that this will not be a controversial amendment at all.

A bit of background. An amendment was added to the original bill by my colleague and friend from California [Mr. RIGGS] putting a restriction on the funding of any benefits where the Federal official in charge of distributing those benefits was aware that the recipient was an illegal alien, not legally present in the United States. To his own amendment, the gentleman from California [Mr. RIGGS] added an exception, the exception being where the kind of service was appropriate to a medical emergency.

But this language was not parallel with the language that is presently in conference in the immigration bill. That language covers not only medical emergencies but communicable diseases. I, therefore, went to the gentleman from California [Mr. RIGGS] and asked whether he would have any objection to making his language conform to the language in the immigration bill by the addition of the language in my amendment. He informed me it was agreeable, and it is my hope that the minority will also find it

agreeable, and at the appropriate time I will yield to my colleague from Colorado who might have another request on this point.

This amendment would add an additional exception, to guarantee that medical service is provided for communicable diseases and those symptoms of conditions that may reflect communicable diseases, even if they do not actually reflect communicable diseases, because obviously the sick person, the individual who is ill would not know if the symptoms of which he or she complains were caused by a communicable condition or not.

So the entirety of the amendment adds to the exceptions such public health assistance for immunizations with respect to immunizable diseases, and treatment for symptoms of communicable disease, whether or not such symptoms are actually caused by a communicable disease.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield.

Mr. CAMPBELL. I yield to the gentleman from Colorado.

□ 2000

MODIFICATION TO AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I ask unanimous consent that the gentleman's amendment be modified by language that has been filed at the desk.

The CHAIRMAN. Does the gentleman from California [Mr. CAMPBELL] yield for the purpose of that request?

Mr. CAMPBELL. Mr. Chairman, I was attempting to accommodate the gentleman. If the Chair would instruct me as to the proper way to proceed, I would do so.

The CHAIRMAN. The Chair is trying to ascertain whether or not the gentleman has yielded to the gentleman from Colorado for the purpose of allowing a modification.

Mr. CAMPBELL. I did indeed. That is a correct statement, Mr. Chairman.

The CHAIRMAN. The clerk will report the modification.

Mr. SKAGGS. Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

Mr. RIGGS. Mr. Chairman, reserving the right to object, I do so for the simple reason that I have not had a chance to confer with the gentleman from Colorado or see his language.

Mr. SKAGGS. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. Further reserving the right to object, I yield to the gentleman from Colorado.

Mr. SKAGGS. Mr. Chairman, I would be pleased to explain it to the gentleman. Through understandable and good faith inadvertence, this particular item was not dealt with in the catalog of pending items. It has, I think, agree-

ment on the part of both sides, having to do with really requiring a report on an MSHA matter. I do not believe there is any controversy. I appreciate the gentleman's forbearance.

Mr. RIGGS. Mr. Chairman, further reserving the right to object, I am reliably informed that the gentleman's unanimous-consent request is not really germane to the issue which concerns me, which is the language that I inserted in the bill.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of gentleman from Colorado [Mr. SKAGGS] to dispense with the reading of the modification?

There was no objection.

The CHAIRMAN. Is there objection to the modification of the amendment offered by the gentleman from Colorado [Mr. SKAGGS]?

There was no objection.

The CHAIRMAN. The modification is agreed to.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. SKAGGS; At the end of the amendment, add the following:

SEC. . The Mine Safety and Health Administration shall not close or relocate any safety and health technology center until after submitting to the Committee on Appropriations of the House of Representatives a detailed analysis of the cost savings anticipated from such action and the effects of such action on the provision of services, including timely on-site assistance during mine emergencies.

Mr. CAMPBELL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. RIGGS].

Mr. RIGGS. Mr. Chairman, I believe that the amendment offered by my good friend, the gentleman from California [Mr. CAMPBELL], is an important amendment. It does have the effect of perfecting or refining the language that I incorporated into the committee bill during the full committee markup.

My amendment in the full committee was intended, as the gentleman knows, to codify and strengthen current law by prohibiting the use of any funds provided under this legislation to provide any illegal alien with any direct benefit under the jurisdiction of the Departments of Labor, Health and Human Services, and Education, with the exception of emergency medical services or those services and benefits mandated by the Federal courts that the States provide to illegal aliens.

Mr. Chairman, I want to mention that my amendment was intended to mirror language in California's Proposition 187, which was a statewide ballot initiative, and it ultimately became a referendum in our State.

Mr. CAMPBELL. Mr. Chairman, I have no time left to reserve; is that correct?

The CHAIRMAN. The time of the gentleman from California [Mr. CAMPBELL] has expired.

Does any Member claim the time in opposition to the amendment?

Mr. TORRES. Mr. Chairman, I am opposed to the Campbell amendment.

The CHAIRMAN. The gentleman from California [Mr. TORRES] is recognized for 5 minutes.

Mr. TORRES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in reluctant support of the amendment offered by my esteemed colleague from California.

While he is trying to temper the language Mr. RIGGS included in the bill to restrict Federal benefits to undocumented individuals, we need more than tempering, we need to defer to the committees with jurisdiction.

Let me reiterate what I said in committee—

We ought to let these difficult and complex issues be sorted out by the committees in charge of immigration law, rather than as part of the appropriations process.

The amendment offered by Mr. CAMPBELL provides an exception for only one of many programs that are provided under this bill. It does not provide for an exception for compensatory education for the disadvantaged, special education, worker safety programs, substance abuse and mental health services, child welfare services, family support and preservation programs and many others.

In committee, I tried to strike the restrictive language that Mr. RIGGS offered in subcommittee—in this effort I was seeking to permit the authorizers to do their work. To my dismay, my amendment lost by a close vote, 23 to 24.

Mr. Chairman, we have an immigration bill awaiting conference that addresses these very concerns. Both the House and Senate bills would eliminate the eligibility of unlawful immigrants to all Federal programs funded in whole or in part by Federal, State, or local government funds, with certain exceptions.

I am extremely wary of the application of the language in section 514. It is not known how it would affect the expenditure of funds by State and local entities nor how it would affect the ability of non-profits and churches to use their own funds to assist ineligible immigrants in affected programs.

I am also wary of the likely increase in discrimination against Hispanics and Asians. The unfortunate result may be that some eligibility workers act out their prejudices by denying services to those they think are here unlawfully, because of appearance, accent or other characteristics.

By applying willy-nilly the restriction of Federal funds to children, to the elderly and to the poor, the results are much more complex than saving a few dollars.

Let me tell you why:

No. 1, in most cases it is already illegal to provide Federal benefits to undocumented individuals.

No. 2, in the case where the courts mandate the provision of Federal benefits, will we restrict benefits that may be associated with that program? Take the case of education, will this bill restrict the provision of Head Start or assistance in raising math and science education levels or vocational education?

The bill, in effect, would permit these children to go to school, but not enjoy any of the tools to get an education.

Let me conclude my remarks regarding this provision by reading from a letter sent to members of the Appropriations Committee from Education Secretary Riley:

I am writing you concerning Section 514 of the 1997 Labor-HHS-Education Appropriations bill. This provision, which was added during subcommittee consideration, is extremely vague and its intent and likely impact are both highly unclear. As you know, the Administration is strongly opposed to any provision that might be read to jeopardize any child's right to full participation in public elementary and secondary education, including preschool programs.

I ask my colleagues to remember that we have a bill that addresses this very issue. Ultimately, the Riggs language is pure political folly—for the purpose of playing to the chorus of immigrant bashers.

Mr. Chairman, I urge my colleagues take into consideration the underlying intent of this Riggs language which Mr. CAMPBELL has tried to modify, when they vote on the Campbell amendment.

Mr. CAMPBELL. Mr. Chairman, will the gentleman yield?

Mr. TORRES. I yield to the gentleman from California.

Mr. CAMPBELL. Mr. Chairman, I appreciate the gentleman yielding.

I believe that the amendment that I offered to the language of the gentleman from California [Mr. RIGGS] improves the bill language and that I am expanding the exceptions.

The CHAIRMAN. All time has expired.

The question is on the amendment, as modified, offered by the gentleman from California [Mr. CAMPBELL].

The amendment, as modified, was agreed to.

#### AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment, number 14.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . . None of the funds made available in this Act may be used to make any payment to any health plan when it is made known to the Federal official having authority to obligate or expend such funds that such health plan prevents or limits a health care provider's communications (other than trade secrets or knowing misrepresentations) to—

(1) a current, former, or prospective patient, or a guardian or legal representative of such patient;

(2) any employee or representative of any Federal or State authority with responsibility for regulating the health plan; or

(3) any employee or representative of the insurer offering the health plan.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Vermont [Mr. SANDERS] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I intend to withdraw this amendment, and I believe I will be entering into a colloquy with the majority leader in a moment, but before I do that I want to talk about what this amendment is about and why we offered it.

This amendment touches on an issue that is of growing consequence to tens of millions of Americans as this country moves from traditional health care to HMO's and to managed care. What this amendment deals with is the need to break the gag rules that are being imposed by insurance companies and HMO's on our physicians and how they relate to their patients.

It seems to me pretty clear that if a doctor-patient relationship means anything, that when we walk into the doctor's office we want to know that our physician is being honest with us, is telling us all of the options that are available to us. We do not want to see that our physicians cannot tell us an option because an HMO or an insurance company might think that that option is too expensive and that that insurance company has told the doctor not to convey that option to us. That is not what the doctor-patient relationship is supposed to be about.

That is what my amendment deals with, specifically with Medicare and Medicaid. The fact of the matter is there is a bill moving past the House, gaining widespread support, offered by the gentleman from Iowa [Mr. GANSKE] and the gentleman from Massachusetts [Mr. MARKEY], which addresses this issue and makes it broader. It goes beyond Medicare and Medicaid, dealing with all health care providers, and I strongly support that bill.

Mr. Chairman, I yield 1 minute and 15 seconds to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Chairman, I rise in support of this amendment that would free Medicaid and Medicare patients from the gag rules imposed on many health care professionals and their patients.

As a cosponsor of the Ganske-Markey-Nadler legislation and the author of the Health Care Consumer Protection Act that would place many more restrictions on HMO's, I am keenly aware of the dangerous effect that can result from efforts to cut costs by HMO's at the expense of patient care.

In many cases health care professionals are told they may not give patients a full assessment of their health

care needs; they may not tell the patient the full truth about available treatment options because it could cut the profit margin for the HMO if the patient actually gets the treatment he or she needs. Under these gag rules doctors are often compelled to lie to their patients. Patients are prevented from receiving a true assessment of their medical needs. This is nothing short of immoral.

Health care providers should not be barred from providing health care. Patients seeking medical treatment have a right to an honest assessment of their needs and of available treatment options. Patients seeking medical treatment have a right to an honest assessment of their needs.

Mr. Chairman, I urge my colleagues to join me in supporting this amendment that would lift the gag rule at least for Medicare and Medicaid recipients.

Mr. PORTER. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Illinois [Mr. PORTER] is recognized for 5 minutes.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. ARMEY], the majority leader.

Mr. ARMEY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I understand the gentleman from Vermont [Mr. SANDERS] intends to withdraw the amendment after he and I discuss a few points.

I wonder if I might, Mr. Chairman, address the gentleman by pointing out that a majority leader will seek to bring a similar bill, H.R. 2976, before the House under suspension of the rules pending minority approval.

□ 2015

I understand the gentleman's concern that the bill be moved quickly enough to allow action by both Houses before the end of the session, and the majority leader will seek to accomplish that.

Let me just add, I know we have talked about this statement before, but if the gentleman would bear with me, let me just add, as we have discussed, of course, the majority leader will act in all good faith and intention to accomplish precisely what I have said. But as the gentleman understands, that will be done in full consideration of the rights of any committee of jurisdiction to which jurisdiction has been assigned. And I pledge to the gentleman my cooperation and my support and my encouragement in this effort at each juncture along the line.

Mr. SANDERS. Mr. Chairman, I thank the majority leader very much for his comments, and I ask unanimous consent to withdraw my amendment.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Vermont?

There was no objection.

AMENDMENT NO. 5 OFFERED BY MRS. LOWEY

Mrs. LOWEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mrs. LOWEY: Page 85, line 14, strike "(a)".

Page 85, line 15, strike the dash and all that follows through "(1)" on line 16.

Page 85, line 17, strike "; or" and all that follows through page 86, line 4, and insert a period.

Mr. CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York [Mrs. LOWEY] and a Member opposed will each be recognized for 15 minutes.

The Chair recognizes the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment with the gentlewoman from Connecticut [Mrs. JOHNSON] to strike the ban on early-stage embryo research contained in this bill. The ban will bar the Federal Government from pursuing lifesaving research.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from Connecticut [Mrs. JOHNSON].

Mrs. JOHNSON of Connecticut. Mr. Chairman, I rise today in strong support of the Lowey amendment to lift the current ban on Federal funding for human embryo research. Lifting this ban would not allow the creation of human embryos solely for research purposes. Embryos would be donated by patients undergoing in vitro fertilization treatment, who would offer them after their treatment was successful.

These are pre-implantation embryos. We must keep in mind that this kind of research does not involve human embryos or fetuses developed in utero or aborted human fetal tissue.

Much like our current organ donor efforts, the donation of embryos can improve the health and well-being of millions of Americans—and even save lives. Human embryo research can enable hospitals to create tissue banks which would store tissue that could be used for bone marrow transplants, spinal cord injuries, and skin replacement for burn victims.

Medical research on human embryos also shows promise for the treatment and prevention of some forms of infertility, cancers, and genetic disorders. This research may also lead to a reduction in miscarriages and better contraceptive methods.

The National Institutes of Health and their human embryo research panel has recommended how to address the important moral and ethical issues raised by the use of human embryos in research. The panel developed guidelines to govern this kind of federally funded research. Their strict standards ensure that the promise of human benefit from embryo research in compelling enough to justify the research project.

Most importantly, whether or not we allow Federal funding and regulation of

pre-implantation embryo research, this research will continue to be done in the private sector, but without the consistent ethical and scientific scrutiny that the Federal Government and NIH can provide.

I know that our differences on this issue come from deeply held religious and philosophical views. And those views, everyone's views, need to be respected. But the potential therapeutic and scientific benefit this research holds must be taken into account and the value of Federal protocols governing this research is also important as we move forward. Please support the Lowey amendment to allow this vital research to continue.

The CHAIRMAN. Is there a Member who claims the time in opposition?

Mr. DICKEY. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. DICKEY] for 15 minutes.

Mr. DICKEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, this is not a bill about research or science; it is an attack on the sanctity of life. It is an attack on the moral conscience of our Nation. The current law, as signed by the President, passed in this House and the Senate, provides that there shall be no Federal money given for the creation or the experimentation of a human embryo. That law has been the law since President Carter signed an executive order when he was President, and every President has done that since then.

This is distinguished from fetal tissues, which is a legitimate, though I have objections to it, a legitimate scientific effort. In that particular matter, fetal tissue research comes after an abortion, and we were told at that time that Parkinson's disease and diabetes was in the scope of what we were trying to do. Here we have no direct promise, no testimony, no science at all telling us that we might have anything to come from this.

Mr. Chairman, this is what Nazi Germany did during that time. No results. After 17 years of private research, there have been no results. There is still no prohibition against the private research, and it can still go on.

We might hear in this discussion that there is a spare-embryo circumstance. There are no spare embryos when these are lives. We cannot allow Federal funds to be used to terminate lives, for the creation or the experimentation which is a lethal experimentation because it is eliminating lives is not acceptable.

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield myself 15 seconds.

Mr. Chairman, just to respond to my dear friend, the gentleman from Arkansas [Mr. DICKEY], I find it very offensive to compare this debate to the activity in Nazi Germany. In fact, perhaps the gentleman compares all the research that is being done at the National Institutes of Health to Nazi Germany.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. PORTER], chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, this is a very, very sensitive subject obviously; one that NIH has looked into very, very extensively.

Mr. Chairman, I listened to the testimony of Dr. Eric Wieschaus, who won the Nobel Prize last fall for his work with embryo development, and he testified in response to my question that he felt NIH should support human embryo research.

Dr. Varmus, the head of NIH, has made compelling arguments to support this research because of the potential advances it could generate in knowledge about fertility, miscarriage, and contraception. It could also lead to breakthroughs in the use of embryonic stem cells, which have great promise in transplantation for treatment of diseases such as leukemia, spinal cord injury, immune deficiencies, and blood disorders.

Mr. Chairman, the creation of spare embryos is a necessary and inevitable part of in vitro fertilization and it seems to me, at the very bottom line, that given the potentials for addressing and overcoming and preventing human disease, their use in research gives meaning to their existence which would otherwise simply not exist. They would be discarded in the normal course of events.

Mr. Chairman, this would give meaning to their existence; would help in biomedical breakthroughs; and I think the amendment of the gentleman from New York for that reason deserves support, and I urge Members to support it.

Mr. DICKEY. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi [Mr. WICKER], cosponsor of this bill.

Mr. WICKER. Mr. Chairman, I thank the gentleman from Arkansas for yielding time, and I rise in opposition to the Lowey amendment and in support of the language adopted by the Committee on Appropriations and reported to this floor by a bipartisan vote.

The language that is in the legislation right now, Mr. Chairman, is current law. It was adopted last year by the House of Representatives. It was passed by the Senate. It was signed by President Clinton. We have no threat of a veto if we keep this current language in the bill.

Let me try to frame this issue further by saying what this issue is not about. This issue has nothing to do with the so-called woman's right to choose. It has nothing to do with that aspect of the abortion debate. It has nothing to do with fetal tissue research. That is a separate issue entirely.

This issue also has nothing to do with making anything illegal. The language that is in the committee bill would not make anything illegal. It would permit private research which is

ongoing to continue. Private embryo research is legal now, and it would continue to be legal.

Further, the language that is in the bill now would not do anything to the present status of in vitro fertilization or the private research that is going on in that regard.

What the Lowey amendment would do, however, is cause our Government to embark into an area of research which we have never, never before been willing to do as a government. As the chairman of the subcommittee stated, this is a very sensitive issue. It is also a very important issue for millions of Americans. As a matter of fact, 76 percent of Americans oppose funding for the type of research that the Lowey amendment would sanction. This goes to the very profound questions of human life and to very sensitive questions of bioethics.

Proponents of the Lowey amendment say there is a distinction between spare embryos and embryos created for research purposes. But the leading experts say there is no distinction. Let me quote Dr. Robert Jansen of the National Health and Medical Research Council. He says,

It is a fallacy to distinguish between surplus embryos and specially created embryos in terms of embryo research. The reason I say this is that any intelligent administrator of an in vitro program can, by minor changes in his ordinary clinical way of doing things, change the number of embryos that are fertilized.

Mr. Chairman, this amendment would begin this Government down a very slippery slope. The Federal Government has never funded this research. Let us leave it to the private sector, and let us respond to the 76 percent of Americans who say do not use tax dollars to fund embryo research.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California [Mr. WAXMAN].

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Mr. Chairman, I rise in support of the Lowey amendment which would strike the bans on this research that could lead to lifesaving results. Early-stage embryo research is vital as it has the potential to address treatment and prevention of infertility, people who want children, want to bring in life into this world.

It could lead to cures for childhood cancer and genetic disorders such as cystic fibrosis, muscular dystrophy, mental retardation and Tay-Sachs. It could lead to the reduction, if not the elimination, of miscarriages.

Why should the Government not conduct this research? The reason the Government should conduct the research is that they have these embryos that are otherwise going to be discarded.

Mr. Chairman, I think it is important to understand this is very important research. The National Institutes of Health, through the universities and

other research centers throughout the country, is the leading premier research activity in this Nation. We should not stop the research that could lead to these important breakthroughs.

What this amendment does not involve: It does not involve genetic engineering. It does not involve the sale or creation of embryos.

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It does not involve the examination or use of human embryos developing inside the woman. Rather, the embryos to be used in this research are to be donated by couples who have undergone various medical treatments, including in vitro fertilization that helped them conceive.

After the medical procedures are complete, these embryos are otherwise just going to be discarded. In other words, the embryos used in this type of research would be less than 14 days old. The amendment would not permit the creation of embryos solely for research purposes.

I support the amendment.

I rise today in support of Congresswoman LOWEY's amendment, which would strike the ban on early-stage-embryo research. Essentially, this amendment would permit life saving research on embryos, which would otherwise be discarded.

Early-stage-embryo research is vital, as it has the potential to address the treatment and prevention of infertility, childhood cancer, and genetic disorders, such as cystic fibrosis, muscular dystrophy, mental retardation, and Tay-Sachs disease. It may help lead to the reduction and prevention of miscarriages. Furthermore, early-stage-embryo research could help us learn more about what causes birth defects and ultimately teach us how to prevent them. And, it could also improve the success of bone marrow transplants, repair spinal cord injuries, and help develop improved methods of contraception.

However, also important, is what this amendment does not involve. It does not involve genetic engineering; it does not involve the sale or creation of embryos; and it does not involve the examination or use of human embryos developing inside the woman.

Rather, the embryos to be used in this research would be donated by couples, who have undergone various medical treatments, including in vitro fertilization, that help them conceive. After the medical procedures are complete, these embryos are usually discarded.

In other words, the embryos used in this type of research would be less than fourteen days old. They would consist only of a few cells with no developed organs and no sense of feeling. This amendment would not permit the creation of embryos solely for the purposes of medical research. Instead, it would allow this crucial research to be performed on already existing embryos that would ultimately be discarded.

For all of these reasons, prohibiting early-stage embryo research will hold the health of millions of Americans hostage to anti-choice politics, and as a result would severely restrict the quality of our scientific and medical research. This amendment would greatly benefit people with cancer and leukemia, people who

are unable to have children, children with birth defects, people who suffer from or carry genetic diseases, and people with spinal cord injuries and nervous system disorders, and I urge my colleagues to vote in support of it.

Mr. DICKEY. Mr. Chairman, I yield 2 minutes and 30 second to the gentleman from New Jersey [Mr. SMITH].

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Chairman, I rise in strong opposition to the Lowey amendment which would appropriate taxpayer funds for harmful experimentation on and then the destruction of so-called test tube babies. The Lowey amendment reverses current law and guts the pro-life Dickey-Wicker amendment which the Committee on Appropriations wisely adopted and seeks to extend into fiscal year 1997.

I believe the gentleman from Arkansas [Mr. DICKEY] and the gentleman from Mississippi [Mr. WICKER] deserve high praise for their deep reverence for and sensitivity to human life. Their amendment to the Labor-HHS bill last year has prevented Federal funds from being used to turn test tube babies into human guinea pigs who are wanted and desired only for their research utility.

The Lowey amendment is yet another manifestation of an extremist pro-abortion mindset that regards human life at its most vulnerable stages as innately worthless, expendable and cheap. The Lowey amendment dehumanizes and trivializes the miracle of human life.

Mr. Chairman, like so many other ethical problems that Congress has been called upon to unravel in the last few years, this issue gained currency with the Clinton administration. The problem was this: There is no question that interesting information could be obtained by cutting up living human embryos to see what makes them tick. This is also true of unborn children at all stages of gestation, newborn babies, 3-year-olds and adults. Many things can also be learned from experiments on cadavers or on animals, but for some purposes there is just no substitute for cutting up living human beings.

If researchers could only be allowed to set aside certain individuals for these purposes, the rest of us might deserve some benefit, or so the argument goes. Yet somehow deep down all of us know that this is wrong. Even some supporters of abortion on demand generally recognize that an unborn child still has some value, some real value and this dehumanizes those children.

The illogic of the Lowey amendment is its tacit admission on the one hand that it is unethical and immoral to federally fund the creation of human embryos in a petri dish for the purposes of scientific experiments while at the same time declaring it ethical and worthy of Federal outlays to perform harmful experiments on and again then to destroy what is euphemistically called spare embryos.

If the private sector makes them, the Feds will take them, keep them alive. Let them develop, perform all kinds of harmful experiments on them and then destroy them. If federally funded researchers need more embryos on whom to perform ghastly experiments, no problem. The network of IVF clinics will produce them, and this commodity of human life will then be poured down the drain.

Mr. Chairman, I ask Members to vote against the Lowey amendment.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, in a few hours, we will be asked to vote on a bill which increases funding for the National Institutes of Health by 6.9 percent. That funding increase is certainly a step in the right direction.

But at the same time that this Congress is increasing funding of medical research, we are trying the hands of medical researchers.

Early stage human embryo research, Mr. Chairman, is one of the most promising methods of medical research currently at our disposal. It is ridiculous that Members of Congress, most of whom are not scientists, I might add, want to tie the hands of researchers at the National Institutes of Health. Who knows how best to do this job? They do. This is like telling the people at NASA, Mr. Chairman, to build the space station but forget about using computer technology in doing so.

The Lowey amendment simply will reverse the ban on human embryo research.

Mr. DICKEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I rise in strong opposition to the Lowey amendment. I speak up not so much as a scientist who had done basic science research or a physician who has actually studied embryology but mainly as a concerned citizen. This is clearly a very controversial issue.

I think it is inappropriate to use taxpayers funds for this kind of a purpose, and it is a very dubious scientific benefit, contrary to some of the claims that have been made by the gentleman from California as well as others. I can even quote from people who were involved in studying this issue. Dr. Brigid Hogan, a scientific expert on the NIH Human Embryo Research Advisory Panel, said: "We are not going to be curing anybody of these tumors by doing research. On the other hand, the basic biology is extremely interesting."

That is what we are talking about funding here, a very controversial, ghastly subject according to many Americans, including myself, and it is just going to be very, very interesting. Furthermore, we have a quote from Daniel Callahan, president of the Hastings Center, which is an IVF institute.

He said: The NIH advisory panel "report notes that four countries already allow embryo research and that it has been going on for some years in private laboratories in this country. Yet not a single actual benefit derived so far from that research is cited to back the claims of great potential benefits from having even more of it."

We are not outlawing this research. We are saying we are not going to use Federal dollars for that purpose.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN], a member of the committee.

Mr. DURBIN. Mr. Chairman, one of the miracles of our generation is in vitro fertilization. A husband and wife unable to have a child through this discovery are able to join together the sperm and the egg in a glass dish and create an embryo that is implanted in the would-be mother that leads to a beautiful child. Can there be anything more wondrous than this in the time that we live in?

What the gentlewoman from New York [Mrs. LOWEY] is suggesting is that during this process in this same dish more than one embryo is created. There they are as small as a period, the little dot pinhead. What the gentleman from Arkansas wants to do is to prohibit the doctors from even looking at these embryos, these spare embryos created to see if there is some problem that might lead to a miscarriage. For them, that is an exploitation of life. For me, it is ridiculous to reach these extremes. These are wanted children, husbands and wives trying their best to bring loving children into this world. To prohibit all research on this embryo is going way beyond what is necessary. I support the Lowey amendment.

Mr. DICKEY. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri [Mr. VOLKMER].

(Mr. VOLKMER asked and was given permission to revise and extend his remarks.)

Mr. VOLKMER. Mr. Chairman, I rise in strong opposition to the Lowey amendment, which would require taxpayers' money to be used for research on live human embryos. I ask all Members to vote against it. This language does not, the language in the bill does not stop research on human life embryos. It does stop taxpayers' money from using it.

Mrs. LOWEY. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. FAZIO], a member of the committee.

Mr. FAZIO of California. Mr. Chairman, I rise in support of this amendment to strike the Dickey-Wicker amendment from this bill.

It is clear that the Members who have offered it and have placed it in the bill are not opposed to in vitro fertilization or at least that has been their statement. They seem to be not opposed to research when it is done at Sloan Kettering or private research facilities, only when the National Institutes of Health, the primary research

institution in this country is involved. I find this very hard to understand.

These embryos come from those who would want to have a child. It for them is a pro-life effort. They want, through in vitro fertilization, to create life. And as part of that process, they will—voluntarily—allow embryos that would otherwise be discarded or deteriorate to be used in research to help solve some of the most fundamental health care crises that impact American lives, families, individuals, people we all know and love.

These are people who simply want to be part of a solution to these health care crises. We ought to allow them to be part of it. We ought not to ban the NIH from involvement.

Mr. Chairman, I rise in strong support for the amendment offered by the gentlewoman from New York [Mrs. LOWEY]. The Lowey amendment would strike the ban on early-stage embryo research that is currently in the underlying bill.

If this ban remains in place, the Labor-HHS appropriations bill will bar the Federal Government from pursuing life saving research.

The research currently banned by this bill could lead to important medical advancements in the fight against miscarriages, birth defects, infertility, cancer and genetic disease, leukemia, spinal cord injuries, immune deficiencies, and blood disorders.

Such life-giving research is supported by the American Medical Association, the American Academy of Pediatrics, the American Association of Cancer Research, and the Association of American Medical Colleges, to name but a few.

The Lowey amendment simply allows research on embryos that would otherwise be discarded or allowed to naturally deteriorate. The embryos used for research are originally created by couples attempting to have a child through in vitro fertilization and other medical procedures.

These embryos are generally discarded once the procedures are completed, however, the couple can give its permission for the embryos to be used in research.

These embryos are less than 14 days old. They consist of just a few cells, and have not yet developed internal organs or a spinal cord.

It should be also noted that early-stage embryo research does not include cloning, genetic engineering, or the use of aborted fetal tissue.

Earlier this year, the President announced that use of Federal funds to create embryos solely for research purposes would be prohibited. In light of this Executive order and stringent NIH guidelines, we can be assured that this research will be conducted with appropriate safeguards and the highest levels of integrity.

This ban shuts the door on important biomedical research which has benefited millions of Americans who suffer from painful and costly diseases.

I urge my colleagues to support the Lowey amendment.

Mr. DICKEY. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I rise today in strong opposition to the Lowey amendment. This amendment

was rejected when it was offered in the full Appropriations Committee and I want to urge my colleagues to reject it today.

The supporters of this amendment claim that this funding will be used only to do experiments on "spare" embryos that would be discarded anyway.

We, as a Congress, have already addressed this question. In 1985, Congress was made aware of abuses in some NIH research programs. These programs were conducting risky experiments on unborn children who were scheduled for abortions. At that time we wisely enacted a law insisting that federally funded research should treat these children the same as children intended for live birth. This law protects human embryos in the womb at every stage and is still in effect today. There is no reason that it should not be extended to protect human embryonic children outside the womb.

Where will these spare embryos come from? The majority will come from women involved in infertility programs.

What about the personal health risk for women who are involved in fertility programs? Women are given drugs to help them superovulate. This allows the doctors to harvest multiple eggs for fertilizing, freezing, and then implantation in the woman.

The drugs used for this process have many serious side effects for a woman, including a heightened risk of malignant ovarian cancer. How would the government be able to know whether or not a clinic was deliberately risking a woman's health in order to produce additional embryos for research?

Supporters of this amendment will also argue that we need this research in order to find cures for cancer and other deadly diseases. It is interesting to note that over 17 years of privately funded research of this type have produced no significant results, only the suggestion that if there were Government funds available could there possibly be a breakthrough.

Even a member of NIH's Human Embryo Research Panel admitted that "we're not going to be curing anybody of these tumors by doing research. But on the other hand, the basic biology is extremely interesting." I hardly think that Federal funds should be used for highly controversial research just so that some scientist without a conscience can be kept interested.

I was recently made aware of a letter from Dr. Robert White, who is a professor and director of neurological surgery at Case Western Reserve University which happens to be one of the premier medical schools in this country. He was given the opportunity to appear before the Human Embryo Research Panel that is responsible for making recommendations about research in this area. Dr. White noted that all of the research recommended by this panel could be just as easily conducted on embryos of lower animal species such as monkeys and chimpanzees. Dr. White also expressed his deep concern that there were only one or two individuals with any real scientific training or experience in the area of human embryo research on this panel. Only two people on a

panel that is going to decide the moral appropriateness of this research?

Research that will affect the lives of millions of Americans.

How do Americans feel about this type of research? A poll taken by the Tarrance Group revealed that 74 percent of Americans were opposed and that men and women were equally opposed to this type of research.

If we pass this amendment we will be saying as a Congress that we are not interested in funding programs that help create, protect, or enhance human life but we'll give you money to experiment on young life and then destroy it. I urge my colleagues to vote "no" on this amendment. It is the right and morally responsible vote.

Mrs. LOWEY. Mr. Chairman, I yield myself 20 seconds to read the list of groups that support this amendment: The American Medical Association, the American Medical Women's Association, the American Pediatric Society, the American Psychological Society, the American Society of Human Genetics, the American Society for Reproductive Medicine, the Association of Academic Level Centers, the Association of American Medical Colleges, the Association of American Universities, and on and on and on.

Mr. Chairman, I am very honored to yield 1 minute to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentlewoman from New York for yielding me time, and I proudly rise in support of her amendment.

Let us talk a little bit about this. When you do in vitro fertilization, let us face it, you are not going to have any embryos unless the people are willing to consent to give up the egg and the sperm. There is no way a doctor can capture those from someone and steal them from them and they walk down the street. So you have two willing people involved here.

Second, you have a dish of embryos and you cannot implant all of them in the uterus because the threat of multiple birth would crowd out each other. So then what you have is some embryos that are going to be discarded or might be used for research, if and only if the consenting adults agree.

I cannot imagine what is controversial about that. I think that is the most pro-life position of all, pro-quality of life. I think it is very, very important we stand firm and not yield to the flat Earth caucus on this issue.

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Mr. DICKEY. Mr. Chairman, I yield a minute and a half to the gentleman from Oklahoma [Mr. COBURN].

Mr. COBURN. Mr. Chairman, I rise in opposition to this amendment. I understand this is a complex issue, but after 17 years of research not one person in this body can stand up and tell me one positive medical outcome that has come from this research. There is none in the scientific literature, there is none projected. We hear: could, might, may. The fact is there is no proof, there is no scientific study at this time of any quantifiable benefit.