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Dear Representative:

We understand that the House of Representatives soon will consider legislation to address the complex scientific, moral, and ethical issues related to cell nuclear transfer, commonly referred to as human cloning. I am writing on behalf of the American Bar Association to urge you to support an amendment to preserve the legality of cloning for biomedical research purposes.

The House will have before it a bill sponsored by Representatives Dave Weldon (R-FL) and Bart Stupak (D-MI) that would ban all cloning of human embryos. The Human Cloning Prohibition Act of 2003 (H. R. 534) would make it illegal to clone an embryo for any purpose and would impose fines of at least \$1 million and penalties of up to 10 years in prison on anyone who attempted the procedure. H.R.534 was approved by the House Judiciary Committee on February 12, 2003, by a 19-12 vote.

During House consideration of H. R. 534, an alternative bill is expected to be offered as an amendment that would ban human cloning for the purposes of starting a pregnancy, but would permit cloning for biomedical research purposes. We strongly urge you to support this amendment.

In August 2002, the ABA House of Delegates approved a policy resolution on this complex question that reads:

RESOLVED, that the American Bar Association opposes governmental actions that would a) prohibit scientific research conducted for therapeutic purposes, including research involving cell nuclear transfer that is not intended to replicate a human being, provided that such research is conducted in conformity with accepted research, ethical, and legal safeguards; or b) penalize individuals or entities that participate in such research.

The development of the revolutionary technology that makes cell nucleus transfer possible also has created a tension between the technology's "reproductive" and "therapeutic" potential. On the one hand, the specter of "cloned" human beings is anathema and virtually universally rejected as a legitimate field of scientific

endeavor. On the other hand, the use of nuclear transplantation to produce stem cells for research purposes would allow scientists to understand the fundamentals of human disease in a way never before possible and could lead to markedly improved treatments for a variety of diseases that affect millions of Americans.

From a legal perspective, there is another, vitally important concern at stake: freedom of scientific inquiry, a cherished principle of American law. Governmental action that would ban all forms of cloning, and thereby foreclose all potential avenues of medical advancement offered by therapeutic cloning, poses a direct and serious threat to freedom of scientific inquiry, and thereby to the possible development of means of saving life.

The law is at a crossroads in dealing with this complex challenge. The course chosen by Congress regarding this field of research will be critical to helping either to protect or to diminish freedom of scientific inquiry in the future. We urge you to support a final bill that will permit the continuation of biomedical research involving embryonic stem cells that is undertaken with accepted scientific research safeguards against misuse.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans". The signature is written in black ink on a white background.

Robert D. Evans

Cc: Members of the House of Representatives