

Law Offices
MARTIN PALMER & ASSOCIATES

21 SUMMIT AVENUE
HAGERSTOWN, MARYLAND 21740
(301) 790-0640

R. MARTIN PALMER
KELLY L. CLOPPER

www.martinpalmer.com
E-MAIL: staff@martinpalmer.com

February 27, 2001

The Honorable George Bush
The White House
Washington, DC 20500

Dear President Bush:

Thank you for your letter of November 1 during the course of the campaign in which you indicated that you oppose Federal funding for stem cell research that involves destroying living human embryos.

You have been accoladed for this noble stand by the 'culture of life' community of the United States and the world, and indeed, your stand is in consonance with the will of the United States Congress that added a rider to the stop-gap spending bills for fiscal years 1996, 1997, 1998, 1999, and 2000 and continuing prohibiting Federal funds from being used by the National Institutes of Health (NIH) for human embryo experimentation (copies of applicable laws attached for the edification of your staff).

NIH, that seems to have been taken over during the last administration by individuals that seek to be a law unto themselves, sought to do an end run around the Congress by having the general counsel for the Department of Health and Human Services, Harriet Rabb, (the former Legal Director of the National Abortion Rights Action League) issue a "legal opinion" (she consulted no court) stating that in her opinion it would not be a violation of Federal law to spend Federal funds to experiment upon human embryo stem cells so long as Federal funds were not being used to extract the stem cells from human embryos. A spokesperson for the National Bishops Conference commented that this was "A little like paying to receive the head of John the Baptist on a platter while saying you had nothing to do with killing him." When private labs extract stem

cells from living human embryos to be sold to the government, there is no way to extract the stem cells without killing living human embryos.

This deceit and doublespeak was so characteristic of the last administration, and it was coupled with a massive lobbying campaign by NIH and the others that stood to profit by the multi-million dollar grants that would be handed out, a lobbying campaign that many ranking members of the Senate and the House deemed one of the most intensive they had ever been hit with both on the Hill and in the press. In response, 57 members of the House of Representatives signed onto a letter sent to Donna Shalala, then the Secretary of Health and Human Services, dated March 15, 1999, and 20 Senators signed onto a letter sent to the NIH Office of Science Policy dated February 4, 2000 (copies of both letters attached hereto).

These 77 members of the House and Senate of the United States spoke for the people they represent who have inundated the Congress with letters protesting human embryo experimentation.

Your position is also in agreement with President Reagan's Emancipation Proclamation for Preborn Children (copy enclosed).

Your position is also in agreement with the nation of Germany that, admirably, has led the way for the world out of the pain of their history to pass the Embryo Protection Act that outlaws human embryo experimentation.

Human embryo experimentation is against the Nuremberg Code.

The world dean of geneticists, Dr. Jerome Lejeune of Paris, France, who was to the world of genetics as Einstein was the world of physics, stated that our representative at the Nuremberg trial court following World War II spoke five languages, and he returned from the trials to sum it all up by saying: "It all started in Germany when it was decided there was such a thing as a life not worth living."

Dr. Lejeune also went on to observe when speaking about those that wished to begin the denatured biology of human embryo experimentation:

"But what about frozen embryos? They are accumulated by thousands in a crowded deep freeze tank. The low temperature brings time to a stand still? How is it called

in history, this hopelessness of arrested people, concentrated in hostile place where even the time was also arrested? Do you remember some half a century ago?

Today, people are questioning what to do with frozen embryos. Kill them? Or keep them for experimental benefit? These same questions were asked sixty years ago.

The only answer is very simple. Concentration camps must be forever strictly verboten."

In today's world, there are entire organizations rising up for the adoption of human embryos by couples seeking to adopt children. In this way, a woman of child-bearing age can experience pregnancy and live birth of the child that she adopts so that she is not only the adopted mother but also the birth mother, and the husband as well can experience the joy of his wife giving birth to their adopted son or daughter (copy of affidavit of attorney Ronald Stoddardt, past president of the California Academy of Adoption Lawyers and Executive Director of Christian Adoption & Family Services who heads up the "Snowflakes" embryo adoption program, copy of the brochure of that organization enclosed).

Mr. President, may I respectfully suggest that right now as you hold this letter in your hand, the cure for cancer may lie with one of these frozen human embryos that could grow up to be a future Jonas Salk or Louis Pasteur to unravel this mystery for humankind. What a loss to the human race if instead of allowing this human embryo to live and be born, we were to vivisect it to see what we might learn from its stem cells, hoping to find a clue to the cure for cancer or other human diseases? By conservative estimate, there are over 200,000 living human embryos in the deep freeze of the in vitro laboratories of our nation right now. What is needed is to inspire the American people, in consonance with the culture of life and the protection of the sanctity and dignity of every human life that these very small children orphaned to the concentration can of the deep freeze be placed for adoption.

The leadership of the President of the United States could light this off for the world, and those children that would be saved from the scalpel of the probing experimenters would someday grow up to write the history of the difference that was made as they grew up to fill positions in the worlds of medicine, the arts, science, law, sports, and yes, perhaps even a future President, Congressman, Senator, or member of the U. S.

Supreme Court, and the historians who will reflect on the turning point in history for the culture of life that was brought about by a very narrowly decided election in the United States at one time. Of course, we do not want to leave out the most important citizens of the concentration can--those who will be ordinary members of John Q. Public like myself, the fathers and mothers about the important business of raising sons and daughters to honor God and love their fellow man.

Mr. President, NIH, determined to continue down the road it started on under the Clinton administration, has cranked up its public relations campaign again singing the same old tired song promising cures to all human maladies if they are allowed to begin experimenting upon very small human beings, and in their lobbying campaign to pressure you into their will, they have released to the press a letter signed onto by 80 Nobel Prize winners (they are allied against the 77 members of the House and Senate that represent far greater numbers of Nobel Prize winners of the world who have written to them urging human embryo experimentation never begin in the United States). They have sent this letter to you asking you to allow human embryo experimentation at least in "the beginning stages" (very carefully thought out because they realize that you begin by getting a little, and then you get a lot because once begun, there is no stopping it).

Another Nobel Prize winner, Alexander Solzhenitsyn, who is credited with doing more to bring about the collapse of the Soviet Union in 1991 than any other Russian, had a strong belief in God, and in his 1978 speech at Harvard, "A World Split Apart," he warned of the "humanistic way of thinking which had proclaimed itself our guide, did not admit the existence of intrinsic evil in man, nor did it see any task higher than the attainment of happiness on Earth . . . Thus gaps were left open for evil, and its drafts blow freely today . . ."

Dr. Lejeune stated that "The human embryo is a being, and being human, it is a human being." He added:

"We use the same word for an idea that comes to mind and for a new being coming into existence. In both cases, we speak of conception. This is not a poverty of our vocabulary but implicit recognition. . ."

He also stated:

"When technology gives us control over the very young human being, over the embryo which can be formed in a quasi-alchemical phial, and even brought back from a frozen state, this natural morality teaches us that young as he might be, as fragile as he might be, the human embryo is member of our species and by that fact ought to be protected from all exploitation. He is not stock of spare parts to be drawn on at need. He is not a commodity to be frozen and unfrozen at will. He is not a consumer good for sale or exchange. He is quite precisely our neighbor, our likeness, our brother."

Dr. Lejeune continued:

"At the very beginning, soul and body, spirit and matter, are so interlocked that it is impossible to speak of one without the other. And language never has."

Dr. Lejeune leaves us with this wisdom:

"There remains, however, another question. Our power grows daily. We are going to make new beings (bacteria, vegetable, animals) by ways other than by natural or artificial selection. By that very fact we are certainly going to modify the destiny of man before he perhaps modifies himself. I do not know if we shall be able, during our lifetime, to modify the human brain, but no one can show that this will always be impossible. THE BIOLOGICAL BOMB IS PROBABLY MORE DANGEROUS FOR HUMANITY THAN THE THERMO-NUCLEAR BOMB. Then we will indeed require something to guide us. It will be necessary to establish or rediscover a term of reference. Who can tell whether this will be good or bad? Who will teach us that? In my profession as a physician and geneticist, such questions arise every day.

Of course, there are always some who suggest that we alter morality whenever any innovation seems to require it or a disruption of the mores suggests it. This method has no future because it cannot surmount the decisive difficulty: 'Technology is cumulative, wisdom is not.'

So what are we left with? Wisdom itself: What you have done to the smallest of Mine, you have done unto Me (quoting Christ). If specialists remember that, science

will remain the honest servant of the human family, but if they forget it, if they forget that there exists above all a supernatural morality, everything could be feared from a denatured biology."

Yours very sincerely
and respectfully,

R. Martin Palmer

RMP/mlp

Enclosures

Cc: Tommy Thompson, Secretary of Health and Human Services

PS: Dr. Frank E. Young, M.D., Ph.d., former Commissioner of the U.S. Food and Drug Administration and Dean Emeritus of the School of Medicine of the University of Rochester, in his testimony before the Senate Appropriations Committee in November 1999 (copy enclosed) pointed out that there was an inherent conflict of interest among those who Clinton appointed to the National Bioethics Advisory Committee:

"However, there is an inherent conflict of interest when academicians comprise the vast majority of the membership. A special interest group that stands to "profit" through grants, industrial contracts, or research on the ethical concerns, thereby engendering notoriety, should not propose the recommendations. Any Commission that represents public interest should have broad participation including people with opposing views. Did the scientists learn from the rDNA regulations that public participation is cumbersome and should be avoided? Finally, once the research is initiated there is no turning back. An ethical position should be established first. While not challenging the credentials of any committee member, I contend that the NBAC was not sufficiently independent and sufficiently broad to fulfill this mandate."

Dr. Young continued in his testimony before the Senate:

"Our Declaration of Independence states that 'we hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain

unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.' I contend that the embryo should receive such protection no matter how it is conceived. It is important to note that the embryo is accorded legal protection in many states. Finally, the harvesting of an embryo and the subsequent use of its cells for research might violate the 14th Amendment."

Dr. Young concluded his remarks before the Senate as follows:

"Because each of us will die, it is imperative that we must know the meaning of life and living accordingly. Maintaining the endowment by the Creator 'with certain unalienable rights, that among these are life, liberty and the pursuit of happiness' is as important for the embryo as for the adult. The utilitarian ethical stance of promoting the greatest good could lead to a new eugenics and the sacrifice of the vulnerable to relieve the pain and suffering and extend the life of the living."

The human embryo is INALIENABLE. Guidance is needed for the people of our nation and the world. The world looks to our nation for wisdom. A close friend of Dr. Lejeune has written me from Paris to say that he hopes our new president and those he appoints as leaders in his administration realize how important their leadership is in the world.

May I beg your forgiveness for the length of this letter and close by respectfully proffering to you the text of a proposal of law written by Dr. Lejeune (he told me very humbly that he had written the law) and presented to the French parliament that, unfortunately, was not passed by the Socialist government (copy enclosed). If we were to introduce and pass such a law in this nation (and your leadership would accomplish that) much of the free world would follow and enact this law or similar good laws to protect the heritage of the culture of life in our world and avoid what Dr. Lejeune termed "the dim future for mankind that will come from a denatured biology." Articles 2, 3, and 4 of the law carefully follow in the tradition of our Declaration of Independence that spoke of certain unalienable rights.

Article 2 provides that "THE HUMAN BODY IS INALIENABLE."

Article 3 provides that "THE HUMAN EMBRYO IS INALIENABLE."

Article 4 provides that "THE HUMAN GENOME IS INALIENABLE."
(This is so important now that the human genome mapping project
has been completed with billions of Federal dollars.)

This carefully thought out and shortly worded law is a
legacy that Dr. Lejeune left the world prior to his death at
sunrise on Easter morning in 1994.