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107TH CONGRESS
1ST SESSION

H. R. 2505

AN ACT

To amend title 18, United States Code, to prohibit human cloning.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Human Cloning Prohibition Act of 2001''.

SEC. 2. PROHIBITION ON HUMAN CLONING.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 15, the following:

''CHAPTER 16—HUMAN CLONING

''Sec.
''301. Definitions.
''302. Prohibition on human cloning.

''§ 301. Definitions

''In this chapter:

''(1) HUMAN CLONING.—The term 'human cloning' means human asexual reproduction, accomplished by introducing nuclear material from one or more human somatic cells into a fertilized or unfertilized oocyte whose nuclear material has been removed or inactivated so as to produce a living organism (at any stage of development) that is genetically virtually identical to an existing or previously existing human organism.

''(2) ASEXUAL REPRODUCTION.—The term 'asexual reproduction' means reproduction not initiated by the union of oocyte and sperm.

''(3) SOMATIC CELL.—The term 'somatic cell' means a diploid cell (having a complete set of chro-

mosomes) obtained or derived from a living or deceased human body at any stage of development.

"§ 302. Prohibition on human cloning

''(a) IN GENERAL.—It shall be unlawful for any person or entity, public or private, in or affecting interstate commerce, knowingly—

''(1) to perform or attempt to perform human cloning;

''(2) to participate in an attempt to perform human cloning; or

''(3) to ship or receive for any purpose an embryo produced by human cloning or any product derived from such embryo.

''(b) IMPORTATION.—It shall be unlawful for any person or entity, public or private, knowingly to import for any purpose an embryo produced by human cloning, or any product derived from such embryo.

''(c) PENALTIES.—

''(1) CRIMINAL PENALTY.—Any person or entity that violates this section shall be fined under this title or imprisoned not more than 10 years, or both.

''(2) CIVIL PENALTY.—Any person or entity that violates any provision of this section shall be subject to, in the case of a violation that involves the derivation of a pecuniary gain, a civil penalty of not

less than $1,000,000 and not more than an amount equal to the amount of the gross gain multiplied by 2, if that amount is greater than $1,000,000.

''(d) SCIENTIFIC RESEARCH.—Nothing in this section restricts areas of scientific research not specifically prohibited by this section, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 15 the following:

''16. Human Cloning ..... **301''.**

SEC. 3. STUDY BY GENERAL ACCOUNTING OFFICE.

(a) IN GENERAL.—The General Accounting Office shall conduct a study to assess the need (if any) for amendment of the prohibition on human cloning, as defined in section 301 of title 18, United States Code, as added by this Act, which study should include—

(1) a discussion of new developments in medical technology concerning human cloning and somatic cell nuclear transfer, the need (if any) for somatic cell nuclear transfer to produce medical advances, current public attitudes and prevailing ethical views concerning the use of somatic cell nuclear transfer,

and potential legal implications of research in somatic cell nuclear transfer; and

(2) a review of any technological developments that may require that technical changes be made to section 2 of this Act.

(b) REPORT.—The General Accounting Office shall transmit to the Congress, within 4 years after the date of enactment of this Act, a report containing the findings and conclusions of its study, together with recommendations for any legislation or administrative actions which it considers appropriate.

Passed the House of Representatives July 31, 2001.

Attest:

Clerk.

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