

107TH CONGRESS
1ST SESSION

H. R. 2059

To amend the Public Health Service Act to provide for human embryonic stem cell generation and research.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2001

Mr. McDERMOTT introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to provide for human embryonic stem cell generation and research.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stem Cell Research
5 Act of 2001”.

6 **SEC. 2. HUMAN EMBRYONIC STEM CELL GENERATION AND**
7 **RESEARCH.**

8 Part H of the Title IV of the Public Health Service
9 Act (42 U.S.C. 289 et seq.) is amended by inserting after
10 section 498B the following:

1 **“SEC. 498C. HUMAN EMBRYONIC STEM CELL GENERATION**
2 **AND RESEARCH.**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of law, the Secretary may only conduct, support,
5 or fund research on human embryos for the purpose of
6 generating embryonic stem cells and utilizing stem cells
7 that have been derived from embryos in accordance with
8 this section.

9 “(b) SOURCES OF EMBRYONIC STEM CELLS.—For
10 purposes of carrying out research under subsection (a),
11 the human embryonic stem cells involved shall be derived
12 only from embryos that have been donated from in-vitro
13 fertilization clinics after compliance with the following:

14 “(1) Prior to the consideration of embryo dona-
15 tion and through consultation with the progenitors,
16 it is determined that the embryos will never be im-
17 planted in a woman and would otherwise be dis-
18 carded.

19 “(2) The embryos are donated with the written
20 informed consent of the progenitors.

21 “(c) RESTRICTIONS.—

22 “(1) IN GENERAL.—The following restriction
23 shall apply with respect to human embryonic stem
24 cell research conducted or supported under sub-
25 section (a):

1 “(A) The research involved shall not result
2 in the creation of human embryos.

3 “(B) The research involved shall not result
4 in the reproductive cloning of a human being.

5 “(2) PROHIBITION.—

6 “(A) IN GENERAL.—It shall be unlawful
7 for any person receiving Federal funds to know-
8 ingly acquire, receive, or otherwise transfer any
9 human embryos for valuable consideration if the
10 acquisition, receipt, or transfer affects inter-
11 state commerce.

12 “(B) DEFINITION.—In subparagraph (A),
13 the term ‘valuable consideration’ does not in-
14 clude reasonable payments associated with
15 transportation, transplantation, processing,
16 preservation, quality control, or storage.

17 “(d) GUIDELINES.—The Secretary, in conjunction
18 with the Director of the National Institutes of Health,
19 shall issue guidelines that expand on the rules governing
20 human embryonic stem cell research (as in effect on the
21 date of enactment of this section) to include rules that
22 govern the derivation of stem cells from donated embryos
23 under this section.

24 “(e) REPORTING REQUIREMENTS.—The Secretary
25 shall annually prepare and submit to the appropriate com-

1 mittees of Congress a report describing the activities car-
2 ried out under this section during the preceding fiscal
3 year, and including a description of whether and to what
4 extent research under subsection (a) has been conducted
5 in accordance with this section.”.

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