

110TH CONGRESS  
1ST SESSION

# S. 30

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## AN ACT

To intensify research to derive human pluripotent stem cell lines.

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 “Hope Offered through  
5 Principled and Ethical Stem Cell Research Act” or the  
6 “HOPE Act”.

1 **SEC. 2. PURPOSES.**

2 It is the purpose of this Act to—

3 (1) intensify research that may result in im-  
4 proved understanding of or treatments for diseases  
5 and other adverse health conditions; and

6 (2) promote the derivation of pluripotent stem  
7 cell lines without the creation of human embryos for  
8 research purposes and without the destruction or  
9 discarding of, or risk of injury to, a human embryo  
10 or embryos other than those that are naturally dead.

11 **SEC. 3. HUMAN PLURIPOTENT STEM CELL RESEARCH.**

12 Part H of title IV of the Public Health Service Act  
13 (42 U.S.C. 289 et seq.) is amended by inserting after sec-  
14 tion 498C the following:

15 **“SEC. 498D. HUMAN PLURIPOTENT STEM CELL RESEARCH.**

16 “(a) IN GENERAL.—The Secretary shall conduct and  
17 support basic and applied research to develop techniques  
18 for the isolation, derivation, production, or testing of stem  
19 cells, including pluripotent stem cells that have the flexi-  
20 bility of embryonic stem cells (whether or not they have  
21 an embryonic source), that may result in improved under-  
22 standing of or treatments for diseases and other adverse  
23 health conditions, provided that the isolation, derivation,  
24 production, or testing of such cells will not involve—

25 “(1) the creation of a human embryo or em-  
26 bryos for research purposes; or

1           “(2) the destruction or discarding of, or risk of  
2           injury to, a human embryo or embryos other than  
3           those that are naturally dead.

4           “(b) GUIDELINES.—Not later than 90 days after the  
5           date of the enactment of this section, the Secretary, after  
6           consultation with the Director of NIH, shall issue final  
7           guidelines that—

8           “(1) provide guidance concerning the next steps  
9           required for additional research, which shall include  
10          a determination of the extent to which specific tech-  
11          niques may require additional animal research to en-  
12          sure that any research involving human cells using  
13          these techniques would clearly be consistent with the  
14          standards established under subsection (a);

15          “(2) prioritize research with the greatest poten-  
16          tial for near-term clinical benefit;

17          “(3) consistent with standards established  
18          under subsection (a), take into account techniques  
19          outlined by the President’s Council on Bioethics and  
20          any other appropriate techniques and research; and

21          “(4) in the case of research involving stem cells  
22          from a naturally dead embryo, require assurances  
23          from grant applicants that no alteration of the tim-  
24          ing, methods, or procedures used to create, main-  
25          tain, or intervene in the development of a human

1 embryo was made solely for the purpose of deriving  
2 the stem cells.

3 “(c) REPORTING REQUIREMENTS.—Not later than  
4 January 1 of each year, the Secretary shall prepare and  
5 submit to the appropriate committees of the Congress a  
6 report describing the activities carried out under this sec-  
7 tion during the fiscal year, including a description of the  
8 research conducted under this section.

9 “(d) RULE OF CONSTRUCTION.—Nothing in this sec-  
10 tion shall be construed as altering the policy in effect on  
11 the date of enactment of this section regarding the eligi-  
12 bility of stem cell lines for funding by the National Insti-  
13 tutes of Health.

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
15 is authorized to be appropriated such sums as may be nec-  
16 essary to carry out this section.

17 “(f) DEFINITIONS.—In this section:

18 “(1) NATURALLY DEAD.—The term ‘naturally  
19 dead’ means having naturally and irreversibly lost  
20 the capacity for integrated cellular division, growth,  
21 and differentiation that is characteristic of an orga-  
22 nism, even if some cells of the former organism may  
23 be alive in a disorganized state.

24 “(2) HUMAN EMBRYO OR EMBRYOS.—The term  
25 ‘human embryo or embryos’ includes any organism,

1 not protected as a human subject under part 46 of  
2 title 45, Code of Federal Regulations, as of the date  
3 of enactment of this section, that is derived by fer-  
4 tilization, parthenogenesis, cloning, or any other  
5 means from one or more human gametes or human  
6 diploid cells.

7 “(3) RISK OF INJURY.—The term ‘risk of in-  
8 jury’ means subjecting a human embryo or embryos  
9 to risk of injury or death greater than that allowed  
10 for research on fetuses in utero under section  
11 46.204(b) of title 45, Code of Federal Regulations,  
12 and section 498(b) of this Act.”.

13 **SEC. 4. NATIONAL AMNIOTIC AND PLACENTAL STEM CELL**  
14 **BANK.**

15 (a) IN GENERAL.—The Secretary of Health and  
16 Human Services shall enter into a contract with the Insti-  
17 tute of Medicine for the conduct of a study to recommend  
18 an optimal structure for an amniotic and placental stem  
19 cell bank program and to address pertinent issues to maxi-  
20 mize the potential of such technology, including collection,  
21 storage, standards setting, information sharing, distribu-  
22 tion, reimbursement, research, and outcome measures. In  
23 conducting such study, the Institute should receive input  
24 from relevant experts including the existing operators of

1 federal tissue bank programs and the biomedical research  
2 programs within the Department of Defense.

3 (b) REPORT.—Not later than 180 days after the date  
4 of enactment of this Act, the Institute of Medicine shall  
5 complete the study under subsection (a) and submit to the  
6 Secretary of Health and Human Services and the appro-  
7 priate committees of Congress a report on the results of  
8 such study.

Passed the Senate April 11, 2007.

Attest:

*Secretary.*

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