

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4808

To amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2010

Ms. DEGETTE (for herself, Mr. CASTLE, Mr. LANGEVIN, Ms. BALDWIN, Mrs. CAPPS, Mr. CARNAHAN, Mr. DENT, Mr. GENE GREEN of Texas, Mr. KIRK, and Mr. PERLMUTTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes.

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 Advancement Act of 2009”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1           (1) On March 9, 2009, President Barack  
2           Obama issued Executive Order 13505, entitled “Re-  
3           moving Barriers to Responsible Scientific Research  
4           Involving Human Stem Cells”.

5           (2) On July 7, 2009, the National Institutes of  
6           Health issued guidelines on human stem cell re-  
7           search.

8           (3) The scientific field of stem cell research is  
9           continually advancing.

10 **SEC. 3. HUMAN STEM CELL RESEARCH.**

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

14 **“SEC. 498D. HUMAN STEM CELL RESEARCH.**

15           “(a) IN GENERAL.—Notwithstanding any other pro-  
16           vision of law, the Secretary shall conduct and support re-  
17           search that utilizes human stem cells, including human  
18           embryonic stem cells.

19           “(b) ELIGIBILITY.—Human embryonic stem cells eli-  
20           gible for use in research under subsection (a) shall include  
21           stem cells that meet each of the following:

22           “(1) The stem cells were derived from human  
23           embryos that have been donated from in vitro fer-  
24           tilization clinics, were created for the purposes of re-

1 productive treatment, and were in excess of the clin-  
2 ical need of the individuals seeking such treatment.

3 “(2) It was determined through consultation  
4 with the individuals seeking reproductive treatment  
5 that the embryos to be donated would never be im-  
6 planted in a woman and would otherwise be dis-  
7 carded.

8 “(3) The individuals seeking reproductive treat-  
9 ment donated the embryos with written informed  
10 consent and without receiving any financial or other  
11 inducements to make the donation.

12 **“SEC. 498E. GUIDELINES.**

13 “The Secretary, in consultation with the Director of  
14 NIH, shall—

15 “(1) maintain guidelines applicable to the con-  
16 duct or support of human stem cell research by the  
17 Department of Health and Human Services;

18 “(2) review such guidelines not less than every  
19 3 years; and

20 “(3) update such guidelines as scientifically  
21 warranted.

22 **“SEC. 498F. PROHIBITION AGAINST FUNDING FOR HUMAN**  
23 **CLONING.**

24 “(a) PROHIBITION.—The Secretary shall not use any  
25 funds for the conduct or support of human cloning.

1       “(b) GUIDELINES.—The Secretary shall update the  
2 guidelines maintained under section 498E for consistency  
3 with subsection (a).

4       “(c) DEFINITIONS.—In this section, the term ‘human  
5 cloning’ means the implantation of the product of trans-  
6 ferring the nuclear material of a human somatic cell into  
7 an egg cell from which the nuclear material has been re-  
8 moved or rendered inert into a uterus or the functional  
9 equivalent of a uterus.”.

10 **SEC. 4. REPORTING REQUIREMENTS.**

11       Section 403(a)(5) of the Public Health Service Act  
12 (42 U.S.C. 283(a)(5)) is amended—

13           (1) by redesignating subparagraph (L) as (M);

14           and

15           (2) by inserting after subparagraph (K) the fol-

16           lowing:

17                   “(L) Human stem cells.”.

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