H. R. 2376

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2011

Ms. DeGETTE (for herself and Mr. DENT) 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 stem cell research, including human embryonic stem cell research, and for other purposes.

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 “Stem Cell Research Advancement Act of 2011”.

SEC. 2. FINDINGS.

The Congress finds as follows:

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

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

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

SEC. 3. HUMAN STEM CELL RESEARCH.

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

“SEC. 498E. HUMAN STEM CELL RESEARCH.

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

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

“(1) The stem cells were derived from human
embryos that have been donated from in vitro fer-
tilization clinics, were created for the purposes of re-
productive treatment, and were in excess of the clin-
ical need of the individuals seeking such treatment.

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“(2) It was determined through consultation with the individuals seeking reproductive treatment that the embryos to be donated would never be implanted in a woman and would otherwise be discarded.

“(3) The individuals seeking reproductive treatment donated the embryos with written informed consent and without receiving any financial or other inducements to make the donation.

“SEC. 498F. GUIDELINES.

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

“(1) maintain guidelines applicable to the conduct or support of human stem cell research by the Department of Health and Human Services;

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

“(3) update such guidelines as scientifically warranted.

“SEC. 498G. PROHIBITION AGAINST FUNDING FOR HUMAN CLONING.

“(a) PROHIBITION.—The Secretary shall not use any funds for the conduct or support of human cloning.
“(b) GUIDELINES.—The Secretary shall update the guidelines maintained under section 498F for consistency with subsection (a).

“(c) DEFINITIONS.—In this section, the term ‘human cloning’ means the implantation of the product of transferring the nuclear material of a human somatic cell into an egg cell from which the nuclear material has been removed or rendered inert into a uterus or the functional equivalent of a uterus.”.

SEC. 4. REPORTING REQUIREMENTS.

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

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

and

(2) by inserting after subparagraph (K) the following:

“(L) Human stem cells.”.