

117TH CONGRESS
2D SESSION

H. R. 8600

To amend title 18, United States Code, to criminalize abuse with respect to assisted reproductive technology, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2022

Mrs. BICE of Oklahoma (for herself and Ms. SHERRILL) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to criminalize abuse with respect to assisted reproductive technology, 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 “Protecting Families
5 from Fertility Fraud Act of 2022”.

6 **SEC. 2. ABUSE WITH RESPECT TO ASSISTED REPRODUC-**
7 **TIVE TECHNOLOGY.**

8 (a) IN GENERAL.—Chapter 109A of title 18, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

1 **“SEC. 2249. ABUSE WITH RESPECT TO ASSISTED REPRO-**
2 **DUCTIVE TECHNOLOGY.**

3 “(a) OFFENSE.—Whoever, in any circumstance de-
4 scribed in subsection (b), knowingly misrepresents the na-
5 ture or source of DNA used in assisted reproductive tech-
6 nology (including any treatment or procedure that involves
7 the handling of human oocytes or embryos such as in vitro
8 fertilization, gamete intrafallopian transfer, and zygote
9 intrafallopian transfer) or assisted insemination (including
10 any procedure that involves the handling of sperm includ-
11 ing intrauterine insemination) shall be fined under this
12 title, imprisoned for not more than 10 years, or both.

13 “(b) CIRCUMSTANCE DESCRIBED.—For the purposes
14 of subsection (a), the circumstances described in this sub-
15 section are that—

16 “(1) the defendant or victim traveled in inter-
17 state or foreign commerce, or traveled using a
18 means, channel, facility, or instrumentality of inter-
19 state or foreign commerce, in furtherance of or in
20 connection with the conduct described in subsection
21 (a);

22 “(2) the defendant used a means, channel, fa-
23 cility, or instrumentality of interstate or foreign
24 commerce in furtherance of or in connection with
25 the conduct described in subsection (a);

1 “(3) any payment of any kind was made, di-
2 rectly or indirectly, in furtherance of or in connec-
3 tion with the conduct described in subsection (a)
4 using any means, channel, facility, or instrumen-
5 tality of interstate or foreign commerce or in or af-
6 fecting interstate or foreign commerce;

7 “(4) the defendant transmitted in interstate or
8 foreign commerce any communication relating to or
9 in furtherance of the conduct described in subsection
10 (a) using any means, channel, facility, or instrumen-
11 tality of interstate or foreign commerce or in or af-
12 fecting interstate or foreign commerce by any means
13 or in manner, including by computer, mail, wire, or
14 electromagnetic transmission;

15 “(5) any instrument, item, substance, or other
16 object that has traveled in interstate or foreign com-
17 merce was used to perform the conduct described in
18 subsection (a);

19 “(6) the conduct described in subsection (a) oc-
20 curred within the special maritime and territorial ju-
21 risdiction of the United States, or any territory or
22 possession of the United States; or

23 “(7) the conduct described in subsection (a)
24 otherwise occurred in or affected interstate or for-
25 eign commerce.”.

1 (b) RACKETEERING ACTIVITY.—Section 1961(1) of
2 title 18, United States Code, is amended by inserting “sec-
3 tion 2249 (relating to abuse with respect to assisted repro-
4 ductive technology),” after “(relating to nuclear mate-
5 rials),”.

6 (c) TABLE OF CONTENTS.—The table of sections for
7 chapter 109A of title 18, United States Code, is amended
8 by adding at the end the following:

“2249. Abuse with respect to assisted reproductive technology.”.

