108TH CONGRESS
2D SESSION

H. R. 3960

To authorize the use of Federal funds for research on human embryonic
stem cells irrespective of the date on which such stem cells were derived,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2004

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred
to the Committee on Energy and Commerce

A BILL

To authorize the use of Federal funds for research on human
embryonic stem cells irrespective of the date on which
such stem cells were derived, 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 Replenish-

5 ment Act of 2004".

6 **SEC. 2. FINDINGS.**

7   The Congress finds the following:

8   (1) Scientists have shown they can direct

9   human embryonic stem cells to develop into insulin-

1 producing cells that might help cure juvenile diabe-

2 tes. Up to 100 million Americans may benefit from

3 research in this area.

4 (2) Parkinson's disease is a very common

5 neurodegenerative disorder that affects more than 2

6 percent of the population over 65 years of age.

7 (3) Several laboratories have been successful in

8 developing methods to induce embryonic stem cells

9 to differentiate into cells with many of the functions

10 of dopamine-producing neurons used to relieve the

11 symptoms of Parkinson's disease.

12 (4) Without Federal funding for research relat-

13 ing to human embryonic stem cells—

14 (A) the Nation's top academic researchers

15 at universities, medical schools, and teaching

16 hospitals would be precluded from joining in the

17 search for cures;

18 (B) progress in this search would be much

19 slower; and

20 (C) the United States would lag behind

21 and loose its leadership role in scientific

22 achievement and discovery.

23 (5) On August 9, 2001, the President an-

24 nounced that Federal funds may be used for re-

25 search on human embryonic stem cell lines only if—

1   (A) prior to the President's announce-

2   ment—

3   (i) the derivation process (which com-

4   mences with the removal of the inner cell

5   mass from the blastocyst) had already been

6   initiated; and

7   (ii) the embryo from which the stem

8   cell line was derived no longer had the pos-

9   sibility of development as a human being;

10   (B) the stem cells involved were derived

11   from an embryo that was created for reproduc-

12   tive purposes;

13   (C) the embryo was no longer needed for

14   such purposes;

15   (D) informed consent was obtained for the

16   donation of the embryo; and

17   (E) no financial inducements were pro-

18   vided for donation of the embryo.

19 **SEC. 3. FEDERAL FUNDING OF STEM CELL RESEARCH.**

20   (a) DERIVATION DATE.—Notwithstanding the Presi-

21 dent's announcement regarding stem cell research on Au-

22 gust 9, 2001, and the notice published by the National

23 Institutes of Health on November 7, 2001, entitled "No-

24 tice of Criteria for Federal Funding of Research on Exist-

25 ing Human Embryonic Stem Cells and Establishment of

1 NIH Human Embryonic Stem Cell Registry'' (NOT–OD–

2 02–006), Federal funds may be used for research on

3 human embryonic stem cells irrespective of the date on

4 which the derivation process for such stem cells was initi-

5 ated or completed.

6 (b) RULE OF CONSTRUCTION.—Except with respect

7 to the derivation date requirement described in subsection

8 (a), this section shall not be construed to affect the re-

9 quirements made applicable to human embryonic stem cell

10 research in guidelines and notices published by the Na-

11 tional Institutes of Health.

12 (c) ADMINISTRATIVE REVIEW.—The Director of the

13 National Institutes of Health shall—

14 (1) review the guidelines and notices published

15 by the National Institutes of Health with respect to

16 human embryonic stem cell research; and

17 (2) revise such guidelines and notices to the ex-

18 tent necessary to ensure the availability of not less

19 than 60 stem cell lines that are scientifically fit for

20 distribution for research purposes.

○