

108TH CONGRESS  
2D SESSION

# H. R. 4682

To amend the Public Health Service Act to provide for human embryonic stem cell research.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2004

Mr. CASTLE (for himself, Ms. DEGETTE, Mr. DOOLEY of California, Mr. BASS, Mrs. BIGGERT, Mr. GIBBONS, Mr. GILCHREST, Mr. GREENWOOD, Mr. HOUGHTON, Mrs. JOHNSON of Connecticut, Mr. KIRK, Mr. KOLBE, Mr. LEACH, Mr. RAMSTAD, Mr. SHAYS, Ms. BALDWIN, Mr. BROWN of Ohio, Mr. EVANS, Mr. LANGEVIN, Mrs. MALONEY, Mr. WAXMAN, Mr. STARK, Mr. MOORE, Mrs. CAPPS, Mr. HOYER, and Ms. SOLIS) 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 embryonic stem cell research.

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 Enhancement Act of 2004”.

1 **SEC. 2. HUMAN EMBRYONIC STEM CELL RESEARCH.**

2 Part H of title IV of the Public Health Service Act  
3 (42 U.S.C. 289 et seq.) is amended by inserting after sec-  
4 tion 498C the following:

5 **“SEC. 498D. HUMAN EMBRYONIC STEM CELL RESEARCH.**

6 “(a) IN GENERAL.—Notwithstanding any other pro-  
7 vision of law, the Secretary shall conduct and support re-  
8 search that utilizes human embryonic stem cells in accord-  
9 ance with this section.

10 “(b) REQUIREMENTS.—The Secretary shall conduct  
11 or support research that utilizes human embryonic stem  
12 cells if the following requirements are met:

13 “(1) The stem cells were derived from human  
14 embryos that have been donated from in vitro fer-  
15 tilization clinics, were created for the purposes of  
16 fertility treatment, and were in excess of the clinical  
17 need of the individuals seeking such treatment.

18 “(2) Prior to the consideration of embryo dona-  
19 tion and through consultation with the individuals  
20 seeking fertility treatment, it is determined that the  
21 embryos will never be implanted in a woman and  
22 would otherwise be discarded.

23 “(3) The individuals seeking fertility treatment  
24 donated the embryos with written informed consent  
25 and without receiving any financial or other induce-  
26 ments to make the donation.

1       “(c) GUIDELINES.—Not later than 60 days after the  
2 date of the enactment of this section, the Secretary, in  
3 consultation with the Director of NIH, shall promulgate  
4 guidelines to carry out this section.

5       “(d) DETERMINATION.—In determining whether this  
6 section authorizes or prohibits the conduct or support of  
7 research using a particular human embryonic stem cell  
8 line, the Secretary—

9               “(1) shall apply the requirements of subsection  
10       (b) regardless of the date on which the stem cell line  
11       is derived from a human embryo; and

12              “(2) shall apply the guidelines promulgated  
13       under this section only if the stem cell line is derived  
14       from a human embryo on or after the date described  
15       in subsection (c).

16       “(e) REPORTING REQUIREMENTS.—The Secretary  
17 shall annually prepare and submit to the appropriate com-  
18 mittees of the Congress a report describing the activities  
19 carried out under this section during the preceding fiscal  
20 year, and including a description of whether and to what  
21 extent research under subsection (a) has been conducted  
22 in accordance with this section.”.

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