

112TH CONGRESS  
1ST SESSION

# 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.

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## 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

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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 2011”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) On March 9, 2009, President Barack  
9 Obama issued Executive Order 13505, entitled “Re-

1 moving Barriers to Responsible Scientific Research  
2 Involving Human Stem Cells”.

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

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

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

9 Part H of title IV of the Public Health Service Act  
10 (42 U.S.C. 289 et seq.) is amended by inserting after sec-  
11 tion 498D the following:

12 **“SEC. 498E. HUMAN STEM CELL RESEARCH.**

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

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

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

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

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

10 **“SEC. 498F. GUIDELINES.**

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

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

16           “(2) review such guidelines not less than every  
17           3 years; and

18           “(3) update such guidelines as scientifically  
19           warranted.

20 **“SEC. 498G. PROHIBITION AGAINST FUNDING FOR HUMAN**  
21 **CLONING.**

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

1       “(b) GUIDELINES.—The Secretary shall update the  
2 guidelines maintained under section 498F 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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