

107TH CONGRESS  
1ST SESSION

# S. 723

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

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## IN THE SENATE OF THE UNITED STATES

APRIL 5, 2001

Mr. SPECTER (for himself, Mr. HARKIN, Mr. THURMOND, Mr. CHAFEE, Mr. SMITH of Oregon, Mr. HOLLINGS, Mr. REID, Mrs. MURRAY, Mrs. CLINTON, Mr. CORZINE, Mrs. FEINSTEIN, Mr. KERRY, and Mr. INOUE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Public Health Service Act to provide for human embryonic stem cell generation and 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 Act of 2001”.

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

3 Part H of the Title IV of the Public Health Service  
4 Act (42 U.S.C. 289 et seq.) is amended by inserting after  
5 section 498B the following:

6 **“SEC. 498C. HUMAN EMBRYONIC STEM CELL GENERATION**  
7 **AND RESEARCH.**

8 “(a) IN GENERAL.—Notwithstanding any other pro-  
9 vision of law, the Secretary may only conduct, support,  
10 or fund research on human embryos for the purpose of  
11 generating embryonic stem cells and utilizing stem cells  
12 that have been derived from embryos in accordance with  
13 this section.

14 “(b) SOURCES OF EMBRYONIC STEM CELLS.—For  
15 purposes of carrying out research under subsection (a),  
16 the human embryonic stem cells involved shall be derived  
17 only from embryos that have been donated from in-vitro  
18 fertilization clinics after compliance with the following:

19 “(1) Prior to the consideration of embryo dona-  
20 tion and through consultation with the progenitors,  
21 it is determined that the embryos will never be im-  
22 planted in a woman and would otherwise be dis-  
23 carded.

24 “(2) The embryos are donated with the written  
25 informed consent of the progenitors.

26 “(c) RESTRICTIONS.—

1           “(1) IN GENERAL.—The following restriction  
2 shall apply with respect to human embryonic stem  
3 cell research conducted or supported under sub-  
4 section (a):

5           “(A) The research involved shall not result  
6 in the creation of human embryos.

7           “(B) The research involved shall not result  
8 in the reproductive cloning of a human being.

9           “(2) PROHIBITION.—

10           “(A) IN GENERAL.—It shall be unlawful  
11 for any person receiving Federal funds to know-  
12 ingly acquire, receive, or otherwise transfer any  
13 human embryos for valuable consideration if the  
14 acquisition, receipt, or transfer affects inter-  
15 state commerce.

16           “(B) DEFINITION.—In subparagraph (A),  
17 the term ‘valuable consideration’ does not in-  
18 clude reasonable payments associated with  
19 transportation, transplantation, processing,  
20 preservation, quality control, or storage.

21           “(d) GUIDELINES.—The Secretary, in conjunction  
22 with the Director of the National Institutes of Health,  
23 shall issue guidelines that expand on the rules governing  
24 human embryonic stem cell research (as in effect on the  
25 date of enactment of this section) to include rules that

1 govern the derivation of stem cells from donated embryos  
2 under this section.

3       “(e) REPORTING REQUIREMENTS.—The Secretary  
4 shall annually prepare and submit to the appropriate com-  
5 mittees of Congress a report describing the activities car-  
6 ried out under this section during the preceding fiscal  
7 year, and including a description of whether and to what  
8 extent research under subsection (a) has been conducted  
9 in accordance with this section.”.

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