

Union Calendar No. 12

108TH CONGRESS
1ST SESSION

H. R. 534

[Report No. 108-18]

To amend title 18, United States Code, to prohibit human cloning.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2003

Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. SENSENBRENNER, Mr. SMITH of Texas, Mr. CHABOT, Mr. LUCAS of Kentucky, Mr. CANNON, Mr. HALL, Mr. KELLER, Ms. HART, Mr. TAYLOR of Mississippi, Mr. DELAY, Mrs. MYRICK, Mr. BACHUS, Mr. BLUNT, Mr. FLETCHER, Mr. NORWOOD, Mr. PITTS, Mr. SHIMKUS, Mr. STEARNS, Mr. SMITH of New Jersey, Mr. VITTER, Mr. GOODE, Mr. WOLF, Mr. BRADY of Texas, Mr. HOEKSTRA, Mr. KILDEE, Mr. ADERHOLT, Mr. WICKER, Mr. COSTELLO, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Kentucky, Mr. SHUSTER, Mr. GOODLATTE, Mr. PICKERING, Mr. BURTON of Indiana, Mr. HUNTER, Mr. CANTOR, Mr. GUTKNECHT, Mr. HAYWORTH, Mr. MILLER of Florida, Mr. MCCREERY, Mr. RYUN of Kansas, Mrs. JO ANN DAVIS of Virginia, Mr. WILSON of South Carolina, Mr. BOOZMAN, Mr. LINDER, Mr. MICA, Mr. SHADEGG, Mr. TERRY, Mr. COLLINS, Mrs. MUSGRAVE, Mr. KENNEDY of Minnesota, Mr. PENCE, Mr. ROGERS of Michigan, Mr. TIBERI, Mr. RYAN of Wisconsin, Mr. FORBES, Mr. KING of Iowa, Mr. EVERETT, Mr. AKIN, Mr. OSBORNE, Mr. TANCREDO, Mr. CAMP, Mr. DUNCAN, Mr. CRENSHAW, Mr. KING of New York, Mr. WAMP, Mr. FOSSELLA, Mr. COMBEST, Mr. HAYES, Mr. TIAHRT, Mr. BURNS, Mr. HOSTETTLER, Mrs. EMERSON, Mr. ISSA, Mr. CRANE, Mr. FEENEY, Mr. BUYER, Mr. FERGUSON, Mr. GRAVES, Mr. DOOLITTLE, Mr. BARRETT of South Carolina, Mr. GREEN of Wisconsin, Mr. SULLIVAN, Mr. ROGERS of Alabama, Mr. BROWN of South Carolina, Mr. KINGSTON, Ms. ROS-LEHTINEN, Mr. POMBO, Mr. RENZI, Mr. HYDE, Mr. WHITFIELD, Mr. WELLER, Mr. PETRI, Mr. TOOMEY, Mr. BURGESS, Mr. DEMINT, Mr. HERGER, Mr. ORTIZ, Mr. REYES, Mr. MOLLOHAN, Mr. MANZULLO, Mr. NEY, and Mr. LAHOOD) introduced the following bill; which was referred to the Committee on the Judiciary

FEBRUARY 25, 2003

Additional sponsors: Mr. STENHOLM, Mr. SOUDER, Mr. CARTER, Mr. JOHN, Mr. ENGLISH, Mr. SKELTON, Mr. ROGERS of Kentucky, Mr. McNULTY, Mr. BERRY, Mr. FRANKS of Arizona, Mr. CHOCOLA, Mr. BISHOP of Utah, Mr. JONES of North Carolina, Mr. BARTON of Texas, Mr. SCHROCK, Mr. PUTNAM, Mr. REHBERG, Mr. BAKER, Mrs. MILLER of Michigan, Mr. OXLEY, Mr. FOLEY, Mr. MCINTYRE, Mrs. CUBIN, Mr. RAHALL, Mr. TURNER of Ohio, Mr. CULBERSON, Mr. WALSH, Mr. BILIRAKIS, Mr. FLAKE, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. SESSIONS, Mr. BURR, Mrs. BLACKBURN, Mr. SANDERS, and Mr. BEAUPREZ

FEBRUARY 25, 2003

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend title 18, United States Code, to prohibit human
cloning.

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 “Human Cloning Prohi-
5 bition Act of 2003”.

6 **SEC. 2. PROHIBITION ON HUMAN CLONING.**

7 (a) IN GENERAL.—Title 18, United States Code, is
8 amended by inserting after chapter 15, the following:

9 **“CHAPTER 16—HUMAN CLONING**

 “Sec.

 “301. Definitions.

 “302. Prohibition on human cloning.

10 **“§ 301. Definitions**

11 “In this chapter:

1 “(1) HUMAN CLONING.—The term ‘human
2 cloning’ means human asexual reproduction, accom-
3 plished by introducing nuclear material from one or
4 more human somatic cells into a fertilized or
5 unfertilized oocyte whose nuclear material has been
6 removed or inactivated so as to produce a living or-
7 ganism (at any stage of development) that is geneti-
8 cally virtually identical to an existing or previously
9 existing human organism.

10 “(2) ASEXUAL REPRODUCTION.—The term
11 ‘asexual reproduction’ means reproduction not initi-
12 ated by the union of oocyte and sperm.

13 “(3) SOMATIC CELL.—The term ‘somatic cell’
14 means a diploid cell (having a complete set of chro-
15 mosomes) obtained or derived from a living or de-
16 ceased human body at any stage of development.

17 **“§ 302. Prohibition on human cloning**

18 “(a) IN GENERAL.—It shall be unlawful for any per-
19 son or entity, public or private, in or affecting interstate
20 commerce, knowingly—

21 “(1) to perform or attempt to perform human
22 cloning;

23 “(2) to participate in an attempt to perform
24 human cloning; or

1 “(3) to ship or receive for any purpose an em-
2 bryo produced by human cloning or any product de-
3 rived from such embryo.

4 “(b) IMPORTATION.—It shall be unlawful for any per-
5 son or entity, public or private, knowingly to import for
6 any purpose an embryo produced by human cloning or any
7 product derived from such embryo.

8 “(c) PENALTIES.—

9 “(1) CRIMINAL PENALTY.—Any person or enti-
10 ty that violates this section shall be fined under this
11 title or imprisoned not more than 10 years, or both.

12 “(2) CIVIL PENALTY.—Any person or entity
13 that violates any provision of this section shall be
14 subject to, in the case of a violation that involves the
15 derivation of a pecuniary gain, a civil penalty of not
16 less than \$1,000,000 and not more than an amount
17 equal to the amount of the gross gain multiplied by
18 2, if that amount is greater than \$1,000,000.

19 “(d) SCIENTIFIC RESEARCH.—Nothing in this sec-
20 tion restricts areas of scientific research not specifically
21 prohibited by this section, including research in the use
22 of nuclear transfer or other cloning techniques to produce
23 molecules, DNA, cells other than human embryos, tissues,
24 organs, plants, or animals other than humans.”.

1 (b) CLERICAL AMENDMENT.—The table of chapters
2 for part I of title 18, United States Code, is amended by
3 inserting after the item relating to chapter 15 the fol-
4 lowing:

“16. Human Cloning 301”.

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