

In the Senate of the United States,

July 9, 2007.

Resolved, That the bill from the House of Representatives (H.R. 710) entitled “An Act to amend the National Organ Transplant Act to provide that criminal penalties do not apply to paired donations of human kidneys, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Charlie W. Norwood*
3 *Living Organ Donation Act”.*

4 ***SEC. 2. AMENDMENTS TO THE NATIONAL ORGAN TRANS-***
5 ***PLANT ACT.***

6 *Section 301 of the National Organ Transplant Act (42*
7 *U.S.C. 274e) is amended—*

8 *(1) in subsection (a), by adding at the end the*
9 *following: “For purposes of this section, human organ*
10 *paired donation and similar practices, as defined by*

1 *the Secretary, shall not be considered to involve the*
2 *transfer of a human organ for valuable consider-*
3 *ation.”; and*

4 *(2) in subsection (c), by adding at the end the*
5 *following:*

6 *“(4) The term ‘human organ paired donation’*
7 *means the donation and receipt of human organs in*
8 *a circumstance in which each of the following applies:*

9 *“(A) An individual (referred to in this*
10 *paragraph as the ‘first donor’) desires to make a*
11 *living donation of a human organ specifically to*
12 *a particular patient (referred to in this para-*
13 *graph as the ‘first patient’), but such donor is*
14 *biologically incompatible as a donor for such pa-*
15 *tient.*

16 *“(B) A second individual (referred to in*
17 *this paragraph as the ‘second donor’) desires to*
18 *make a living donation of a human organ spe-*
19 *cifically to a second particular patient (referred*
20 *to in this paragraph as the ‘second patient’), but*
21 *such donor is biologically incompatible as a*
22 *donor for such patient.*

23 *“(C) Subject to subparagraph (D), the first*
24 *donor is biologically compatible as a donor of a*
25 *human donor for the second patient, and the sec-*

1 *ond donor is biologically compatible as a donor*
2 *of a human organ for the first patient.*

3 *“(D) If there is any additional donor-pa-*
4 *tient pair as described in subparagraph (A) or*
5 *(B), each donor in the group of donor-patient*
6 *pairs is biologically compatible as a donor of a*
7 *human organ for a patient in such group.*

8 *“(E) All donors and patients in the group*
9 *of donor-patient pairs (whether 2 pairs or more*
10 *than 2 pairs) enter into a single agreement to*
11 *donate and receive such human organs, respec-*
12 *tively, according to such biological compatibility*
13 *in the group.*

14 *“(F) Other than as described in subpara-*
15 *graph (E), no valuable consideration is know-*
16 *ingly acquired, received, or otherwise transferred*
17 *with respect to the human organs referred to in*
18 *such subparagraph.”.*

19 **SEC. 3. REPORT.**

20 *Not later than 1 year after the date of enactment of*
21 *this Act, and annually thereafter, the Secretary of Health*
22 *and Human Services shall submit to the appropriate com-*
23 *mittees of Congress a report that details the progress made*
24 *towards understanding the long-term health effects of living*
25 *organ donation.*

1 **SEC. 4. NO IMPACT ON SOCIAL SECURITY TRUST FUND.**

2 *Nothing in this Act (or an amendment made by this*
3 *Act) shall be construed to alter or amend the Social Secu-*
4 *urity Act (42 U.S.C. 301 et seq.) (or any regulation promul-*
5 *gated under that Act).*

Attest:

Secretary.

110TH CONGRESS
1ST SESSION

H. R. 710

AMENDMENT