

117TH CONGRESS
1ST SESSION

H. R. 563

To amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from conducting or supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Mr. LUETKEMEYER (for himself, Mr. MOONEY, Mr. GAETZ, Mr. PALAZZO, Mr. JOYCE of Pennsylvania, Mr. ALLEN, Mr. DUNCAN, Mr. NORMAN, Mr. WEBER of Texas, Mr. TIFFANY, Mr. LAMBORN, Mr. KELLY of Pennsylvania, Mr. BANKS, Mr. JORDAN, Mr. WRIGHT, Mr. CHABOT, Mr. BUDD, Mr. SESSIONS, Mr. CARL, Mr. FEENSTRA, Mr. GROTHMAN, Mr. POSEY, Mr. GRAVES of Louisiana, Mr. BABIN, Mr. BIGGS, Mr. WALTZ, Mr. ARRINGTON, Mr. ROSE, Mr. STAUBER, Mr. LAMALFA, Mr. GOOD of Virginia, Mr. HARRIS, Mr. KUSTOFF, Mr. GIBBS, Mr. KELLY of Mississippi, Mr. LATTA, Mr. GUEST, Mr. ROY, Mr. LOUDERMILK, Mr. MOORE of Alabama, Mr. SMITH of New Jersey, Mr. LATURNER, Mr. ROGERS of Kentucky, Mr. ROSENDALE, Ms. HERRELL, Mrs. MILLER of Illinois, Mr. JACKSON, Mrs. LESKO, Mr. STEUBE, Mr. FORTENBERRY, Mr. JOHNSON of Louisiana, Mr. DUNN, and Mrs. BOEBERT) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to prohibit the Secretary of Health and Human Services from conducting or supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, 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 “Protecting Life and
5 Integrity in Research Act of 2021”.

6 **SEC. 2. NO RESEARCH BY HHS INVOLVING HUMAN FETAL**
7 **TISSUE OBTAINED PURSUANT TO AN IN-**
8 **DUCED ABORTION.**

9 (a) IN GENERAL.—The Public Health Service Act is
10 amended by inserting after section 498A of such Act (42
11 U.S.C. 289g–1) the following:

12 **“SEC. 498A–1. NO RESEARCH INVOLVING HUMAN FETAL TIS-**
13 **SUE OBTAINED PURSUANT TO AN INDUCED**
14 **ABORTION.**

15 “(a) IN GENERAL.—The Secretary may not conduct
16 or support any research involving human fetal tissue that
17 is obtained pursuant to an induced abortion.

18 “(b) DEVELOPMENT OF NEW, ETHICAL CELL
19 LINES.—Subsection (a) does not limit the authority of the
20 Secretary to develop or support the development of new,
21 high-efficiency cell lines, including for the production of
22 vaccines and genetic vectors, so long as the cell lines are
23 not derived from human fetal tissue that is obtained pur-
24 suant to an induced abortion.”.

1 (b) CONFORMING AMENDMENTS.—Section 498A of
2 the Public Health Service Act (42 U.S.C. 289g–1) is
3 amended—

4 (1) in subsections (a)(2), (c)(1)(B), and (g), by
5 striking “or induced” each place it appears; and

6 (2) in subsection (b)(2)—

7 (A) by striking subparagraph (A); and

8 (B) by redesignating subparagraphs (B)
9 and (C) as (A) and (B), respectively.

10 **SEC. 3. PROHIBITION AGAINST SOLICITATION OR KNOWING**
11 **ACQUISITION, RECEIPT, OR ACCEPTANCE OF**
12 **A DONATION OF HUMAN FETAL TISSUE**
13 **KNOWING THAT THE TISSUE WAS OBTAINED**
14 **PURSUANT TO AN INDUCED ABORTION.**

15 (a) IN GENERAL.—Paragraph (1) of section 498B(c)
16 of the Public Health Service Act (42 U.S.C. 289g–2(c))
17 is amended to read as follows:

18 “(1) solicit or knowingly acquire, receive, or ac-
19 cept a donation (excluding any transfer for purposes
20 of autopsy or burial) of human fetal tissue knowing
21 that—

22 “(A) a human pregnancy was deliberately
23 initiated to provide such tissue; or

24 “(B) the tissue was obtained pursuant to
25 an induced abortion; or”.

1 (b) CONFORMING CHANGES.—Section 498B of the
2 Public Health Service Act (42 U.S.C. 289g–2) is amend-
3 ed—

4 (1) by striking subsection (b);

5 (2) by redesignating subsections (c) through (e)
6 as subsections (b) through (d), respectively;

7 (3) in subsection (c), as redesignated—

8 (A) in paragraph (1), by striking “(a), (b),
9 or (c)” and inserting “(a) or (b)”; and

10 (B) in paragraph (2), by striking “or
11 (b)(3)”; and

12 (4) in subsection (d), as redesignated, by
13 amending paragraph (1) to read as follows:

14 “(1) The term ‘human fetal tissue’ means tis-
15 sue or cells obtained from a dead human embryo or
16 fetus after a spontaneous or induced abortion, or
17 after a stillbirth.”.

18 **SEC. 4. AUTHORIZATION FOR HHS RESEARCH ON FETAL**

19 **TISSUE AND CORRESPONDING REPORTING.**

20 Section 498A of the Public Health Service Act (42
21 U.S.C. 289g–1) is amended—

22 (1) in the section heading, by striking “RE-
23 SEARCH ON TRANSPLANTATION OF FETAL TISSUE”
24 and inserting “RESEARCH ON FETAL TISSUE”;

25 (2) in subsection (a)(1)—

1 (A) by striking “research on the transplan-
2 tation of human fetal tissue for therapeutic
3 purposes” and inserting “research on human
4 fetal tissue”; and

5 (B) by adding at the end the following:
6 “Notwithstanding any other provision of law,
7 any research of the Department of Health and
8 Human Services on human fetal tissue shall be
9 conducted or supported in accordance with this
10 section.”; and

11 (3) in subsection (b)(1)(B), by inserting “if the
12 fetal tissue is intended for transplantation,” before
13 “the donation is made”.

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