

Calendar No. 140

107TH CONGRESS  
1ST SESSION

**H. R. 2505**

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IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2001

Received

AUGUST 2, 2001

Read the first time

AUGUST 3, 2001

Read the second time and placed on the calendar

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**AN ACT**

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Human Cloning Prohi-  
3 bition Act of 2001”.

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

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

7 **“CHAPTER 16—HUMAN CLONING**

“Sec.

“301. Definitions.

“302. Prohibition on human cloning.

8 **“§ 301. Definitions**

9 “In this chapter:

10 “(1) HUMAN CLONING.—The term ‘human  
11 cloning’ means human asexual reproduction, accom-  
12 plished by introducing nuclear material from one or  
13 more human somatic cells into a fertilized or  
14 unfertilized oocyte whose nuclear material has been  
15 removed or inactivated so as to produce a living or-  
16 ganism (at any stage of development) that is geneti-  
17 cally virtually identical to an existing or previously  
18 existing human organism.

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

22 “(3) SOMATIC CELL.—The term ‘somatic cell’  
23 means a diploid cell (having a complete set of chro-

1       mosomes) obtained or derived from a living or de-  
2       ceased human body at any stage of development.

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

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

7               “(1) to perform or attempt to perform human  
8       cloning;

9               “(2) to participate in an attempt to perform  
10       human cloning; or

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

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

18       “(c) PENALTIES.—

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

22               “(2) CIVIL PENALTY.—Any person or entity  
23       that violates any provision of this section shall be  
24       subject to, in the case of a violation that involves the  
25       derivation of a pecuniary gain, a civil penalty of not

1 less than \$1,000,000 and not more than an amount  
 2 equal to the amount of the gross gain multiplied by  
 3 2, if that amount is greater than \$1,000,000.

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

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

“16. Human Cloning ..... 301”.

14 **SEC. 3. STUDY BY GENERAL ACCOUNTING OFFICE.**

15 (a) IN GENERAL.—The General Accounting Office  
 16 shall conduct a study to assess the need (if any) for  
 17 amendment of the prohibition on human cloning, as de-  
 18 fined in section 301 of title 18, United States Code, as  
 19 added by this Act, which study should include—

20 (1) a discussion of new developments in medical  
 21 technology concerning human cloning and somatic  
 22 cell nuclear transfer, the need (if any) for somatic  
 23 cell nuclear transfer to produce medical advances,  
 24 current public attitudes and prevailing ethical views  
 25 concerning the use of somatic cell nuclear transfer,

1 and potential legal implications of research in so-  
2 matic cell nuclear transfer; and

3 (2) a review of any technological developments  
4 that may require that technical changes be made to  
5 section 2 of this Act.

6 (b) REPORT.—The General Accounting Office shall  
7 transmit to the Congress, within 4 years after the date  
8 of enactment of this Act, a report containing the findings  
9 and conclusions of its study, together with recommenda-  
10 tions for any legislation or administrative actions which  
11 it considers appropriate.

Passed the House of Representatives July 31, 2001.

Attest:

JEFF TRANDAHL,

*Clerk.*

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