

107TH CONGRESS
1ST SESSION

H. R. 2747

To require implementation of the National Institutes of Health Guidelines for Research Using Human Pluripotent Stem Cells, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2001

Ms. DEGETTE (for herself and Mr. RAMSTAD) introduced the following bill;
which was referred to the Committee on Energy and Commerce

A BILL

To require implementation of the National Institutes of Health Guidelines for Research Using Human Pluripotent Stem Cells, 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 “Stem Cell Research
5 for Patient Benefit Act of 2001”.

6 **SEC. 2. IMPLEMENTATION OF NATIONAL INSTITUTES OF**

7 **HEALTH GUIDELINES FOR RESEARCH USING**

8 **HUMAN PLURIPOTENT STEM CELLS.**

9 The Director of the National Institutes of Health
10 shall conduct or support research using human pluripotent

1 stem cells from embryos and fetal tissue in accordance
2 with the National Institutes of Health Guidelines for Re-
3 search Using Human Pluripotent Stem Cells, as published
4 in the Federal Register on August 25, 2000 (65 FR
5 51976), and corrected on November 21, 2000 (65 FR
6 69951).

7 **SEC. 3. STUDY ON STEM CELLS BY THE NATIONAL INSTI-**
8 **TUTES OF HEALTH.**

9 (a) IN GENERAL.—The Director of the National In-
10 stitutes of Health shall conduct a study on the following:

11 (1) The current state of knowledge about the
12 following:

13 (A) Biological properties of stem cells ob-
14 tained from embryos, fetal tissues, and adult
15 tissues.

16 (B) Biological differences among stem cells
17 obtained from embryos, fetal tissues, and adult
18 tissues and the significance of these differences
19 for research and medicine.

20 (C) Ability of stem cells to generate tis-
21 sues, including neurons and heart, kidney,
22 blood, and liver tissues, and the potential clin-
23 ical uses of these tissues.

24 (2) Emerging stem cell applications.

1 (3) The effectiveness of the guidelines referred
2 to in section 2.

3 (b) REPORT.—Not later than 5 years after the date
4 of the enactment of this Act, the Director of the National
5 Institutes of Health shall submit a report describing the
6 findings and conclusions of the study to the Committee
7 on Energy and Commerce of the House of Representatives
8 and the Committee on Health, Education, Labor, and
9 Pensions of the Senate.

10 **SEC. 4. STUDY ON THERAPIES ADDRESSING**
11 **IMMUNOLOGICAL REJECTION OF STEM**
12 **CELLS AND DIFFERENTIATED CELLS AND**
13 **TISSUE DERIVED FROM STEM CELLS.**

14 (a) IN GENERAL.—The Secretary of Health and
15 Human Services (in this section referred to as the “Sec-
16 retary”) shall seek to enter into an agreement with the
17 Institute of Medicine under which the Institute, taking
18 into consideration the results of the study authorized by
19 section 3, will conduct a study to—

20 (1) assess the current state of knowledge about
21 therapies, including somatic cell nuclear transfer and
22 therapies using pharmaceuticals, that may be used
23 to address immunological rejection of stem cells and
24 differentiated cells and tissue derived from stem
25 cells;

1 (2) compare the potential therapeutic value of
2 such therapies; and

3 (3) identify safeguards that could be imple-
4 mented to prevent the use of human embryos cre-
5 ated by somatic cell nuclear transfer for purposes
6 other than the development of therapies for diseases.

7 (b) OTHER ENTITIES.—If the Institute of Medicine
8 declines to conduct the study described in subsection (a),
9 the Secretary shall enter into an agreement with another
10 appropriate public or nonprofit private entity to conduct
11 the study.

12 (c) REPORT.—The Secretary shall ensure that, not
13 later than 2 years after the date of the enactment of this
14 Act, the study to be conducted under subsection (a) is
15 completed and a report describing the findings and conclu-
16 sions of the study is submitted to the Committee on En-
17 ergy and Commerce of the House of Representatives and
18 the Committee on Health, Education, Labor, and Pen-
19 sions of the Senate.

20 **SEC. 5. BIOMEDICAL ADVISORY COMMISSION.**

21 (a) ESTABLISHMENT.—There is established a com-
22 mission to be known as the Biomedical Advisory Commis-
23 sion (in this section referred to as the “Commission”).

24 (b) DUTIES.—

1 (1) STUDY.—The Commission shall conduct
2 studies on the following:

3 (A) Bioethical issues arising from research
4 on human biology and applications of such re-
5 search.

6 (B) Emerging biomedical research, includ-
7 ing the ethical, social, legal, and regulatory
8 issues concerning such research and its clinical
9 applications.

10 (2) RECOMMENDATIONS.—Based on the results
11 of the study, the Commission shall formulate such
12 recommendations as it considers appropriate with
13 the goal of realizing the development of effective
14 therapies as quickly as possible, taking into account
15 the relevant ethical, social, legal, and regulatory con-
16 siderations.

17 (c) MEMBERSHIP.—

18 (1) APPOINTMENT.—The Commission shall be
19 composed of 13 members as follows:

20 (A) 1 member appointed by the President.

21 (B) 3 members appointed by the Speaker
22 of the House of Representatives.

23 (C) 3 members appointed by the minority
24 leader of the House of Representatives.

1 (D) 3 members appointed by the majority
2 leader of the Senate.

3 (E) 3 members appointed by the minority
4 leader of the Senate.

5 (2) QUALIFICATIONS.—The members appointed
6 under subparagraphs (B), (C), (D), and (E) of para-
7 graph (1) shall include representatives from the
8 legal, ethical, scientific, medical, patient, religious,
9 and industry communities.

10 (3) CONSULTATION.—All appointments under
11 paragraph (1) shall be made in consultation with
12 members of the communities referred to in para-
13 graph (2).

14 (4) CHAIRPERSON.—The Chairperson of the
15 Commission shall be elected by a majority from
16 among the members of the Commission.

17 (5) TERMS.—Each member of the Commission
18 shall be appointed for a term of 3 years and may be
19 reappointed.

20 (6) VACANCIES.—A vacancy in the Commission
21 shall be filled in the manner in which the original
22 appointment was made.

23 (d) MEETINGS.—The Commission shall meet—

24 (1) at the call of the Chairperson; and

1 (2) at least 2 times but not more than 4 times
2 each calendar year.

3 (e) COMPENSATION AND EXPENSES.—

4 (1) COMPENSATION.—Subject to paragraph (2),
5 each member of the Commission shall be com-
6 pensated at a rate equal to the daily equivalent of
7 the annual rate of basic pay prescribed for level III
8 of the Executive Schedule under section 5314 of title
9 5, United States Code, for each day (including travel
10 time) during which such member is engaged in the
11 performance of the duties of the Commission.

12 (2) PROHIBITION OF COMPENSATION OF FED-
13 ERAL EMPLOYEES.—Members of the Commission
14 who are full-time officers or employees of the United
15 States or Members of Congress may not receive ad-
16 ditional pay, allowances, or benefits by reason of
17 their service on the Commission.

18 (3) TRAVEL EXPENSES.—Each member of the
19 Commission shall receive travel expenses, including
20 per diem in lieu of subsistence, in accordance with
21 applicable provisions under subchapter I of chapter
22 57 of title 5, United States Code, while away from
23 the member's home or regular place of business in
24 the performance of services for the Commission.

25 (f) EXECUTIVE DIRECTOR AND STAFF.—

1 (1) EXECUTIVE DIRECTOR.—

2 (A) APPOINTMENT.—The Commission
3 shall have an Executive Director who shall be
4 appointed by the Secretary of Health and
5 Human Services.

6 (B) PAY.—The Executive Director shall be
7 paid at a rate not to exceed the rate payable for
8 level V of the Executive Schedule under section
9 5316 of title 5, United States Code.

10 (2) STAFF.—

11 (A) APPOINTMENT.—The Executive Direc-
12 tor may appoint such additional personnel as
13 the Executive Director sees fit.

14 (B) PAY.—The staff of the Commission
15 shall be paid in accordance with the provisions
16 of chapter 51 and subchapter III of chapter 53
17 of title 5, United States Code, relating to classi-
18 fication and General Schedule pay rates.

19 (3) APPLICABILITY OF CERTAIN CIVIL SERVICE
20 LAWS.—The Executive Director and staff of the
21 Commission shall be appointed subject to the provi-
22 sions of title 5, United States Code, governing ap-
23 pointments in the competitive service.

24 (g) HEARINGS AND SESSIONS.—The Commission
25 may, for the purpose of carrying out this section, hold

1 hearings, sit and act at times and places, take testimony,
2 and receive evidence as the Commission considers appro-
3 priate.

4 (h) OBTAINING OFFICIAL DATA.—The Commission
5 may secure directly from any department or agency of the
6 United States information (other than information re-
7 quired by any Federal statute to be kept confidential by
8 such department or agency) necessary for the Commission
9 to carry out its duties under this section. Upon request
10 of the Commission, the head of that department or agency
11 shall furnish such nonconfidential information to the Com-
12 mission.

13 (i) ADMINISTRATIVE SUPPORT SERVICES.—Upon the
14 request of the Commission, the Administrator of General
15 Services shall provide to the Commission, on a reimburs-
16 able basis, the administrative support services necessary
17 for the Commission to carry out its responsibilities under
18 this Act.

19 (j) CONTRACTS.—To the extent or in the amounts
20 provided in advance in appropriations Acts, the Commis-
21 sion may contract with and compensate government and
22 private agencies or persons for supplies and services.

23 (k) REPORTS.—The Commission may submit to the
24 Congress and the President such reports as the Congress
25 requests or the Commission considers appropriate.

1 (1) TERMINATION.—The Commission terminates 30
2 days after the date that is 6 years after the date of the
3 enactment of this Act.

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