

109TH CONGRESS  
1ST SESSION

# H. R. 1357

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2005

Mr. WELDON of Florida (for himself, Mr. STUPAK, Mr. SENSENBRENNER, Mrs. MILLER of Michigan, Mr. WOLF, Mr. OBERSTAR, Mr. CANTOR, Mr. RYUN of Kansas, Mr. MURTHA, Mr. PITTS, Mr. HOSTETTLER, Mr. SULLIVAN, Mr. FERGUSON, Mr. NEUGEBAUER, Mr. GARRETT of New Jersey, Mr. BUYER, Mr. CHABOT, Mr. TAYLOR of Mississippi, Mr. AKIN, Ms. FOXX, Mr. SHUSTER, Mr. NORWOOD, Mr. SMITH of New Jersey, Mr. WHITFIELD, Ms. ROS-LEHTINEN, Mrs. JO ANN DAVIS of Virginia, Mr. BERRY, Mr. WILSON of South Carolina, Mr. DELAY, Mr. SHIMKUS, Mr. BRADY of Texas, Mr. TERRY, Mr. KENNEDY of Minnesota, Mr. SOUDER, Mr. BILIRAKIS, Mr. MCINTYRE, Mr. SESSIONS, Mr. PETRI, Mr. BAKER, Mr. RENZI, Mr. HAYES, Mr. BACHUS, Mr. TANCREDO, Mr. TIAHRT, Mr. GOODE, Mr. BURGESS, Mr. STEARNS, Mr. BARRETT of South Carolina, Mr. MCCOTTER, Mr. COSTELLO, Mr. KING of Iowa, Mr. MCHENRY, Mr. NEY, Ms. HART, Mr. KINGSTON, Mr. SKELTON, Mr. MOLLOHAN, Mr. WAMP, Mr. FOSSELLA, Mr. HERGER, Mr. ADERHOLT, Mr. HAYWORTH, Mr. BROWN of South Carolina, Mr. SHADEGG, Mr. GUTKNECHT, Mr. JONES of North Carolina, Mr. LUCAS, Mr. GRAVES, Mr. GINGREY, Mr. BOUSTANY, Mr. WALSH, Mr. MILLER of Florida, Mr. WESTMORELAND, Mr. THORNBERRY, Mr. MCCAUL of Texas, Mr. BISHOP of Utah, Mr. RYAN of Wisconsin, Mr. BLUNT, Mr. POMBO, Mrs. MYRICK, Mr. EHLERS, Mr. PENCE, Mr. SAM JOHNSON of Texas, Mrs. CAPITO, Mr. WICKER, Mr. EVERETT, Mr. GREEN of Wisconsin, Mr. DAVIS of Kentucky, Mr. PICKERING, Mr. FORBES, Mrs. BLACKBURN, Mr. WELLER, Mr. FITZPATRICK of Pennsylvania, Mr. MARSHALL, Mrs. CUBIN, Mr. FRANKS of Arizona, Mr. PLATTS, Mr. DUNCAN, Mr. ROGERS of Michigan, Mr. INGLIS of South Carolina, Mr. LEWIS of Kentucky, Mr. GOODLATTE, Mr. CRENSHAW, and Mr. HALL) introduced the following bill; which was referred to the Committee on the Judiciary

# 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 2005”.

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:

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

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

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

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

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

12                  “(1) to perform or attempt to perform human  
13          cloning;

14                  “(2) to participate in an attempt to perform  
15          human cloning; or

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

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

23          “(c) PENALTIES.—

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

4           “(2) CIVIL PENALTY.—Any person or entity  
5           that violates any provision of this section shall be  
6           subject to, in the case of a violation that involves the  
7           derivation of a pecuniary gain, a civil penalty of not  
8           less than \$1,000,000 and not more than an amount  
9           equal to the amount of the gross gain multiplied by  
10          2, if that amount is greater than \$1,000,000.

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

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

**“16. Human Cloning ..... 301”.**

