

109TH CONGRESS
1ST SESSION

S. 1520

To prohibit human cloning.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2005

Mrs. FEINSTEIN (for herself, Mr. HATCH, Mr. KENNEDY, Mr. SPECTER, Mr. HARKIN, Ms. SNOWE, Mrs. BOXER, Ms. COLLINS, Mrs. CLINTON, Mr. CHAFEE, Mr. LAUTENBERG, Mr. STEVENS, Mr. DURBIN, Mr. LIEBERMAN, Mr. KERRY, Mrs. MURRAY, Mr. SALAZAR, Ms. STABENOW, Ms. MIKULSKI, Mr. JEFFORDS, Mr. INOUE, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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 Ban
5 Act of 2005”.

6 **SEC. 2. PURPOSES.**

7 It is the purpose of this Act to prohibit human
8 cloning.

1 **SEC. 3. PROHIBITION ON HUMAN CLONING.**

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

4 **“CHAPTER 16—PROHIBITION ON HUMAN**
5 **CLONING**

“Sec.

“301. Prohibition on human cloning.

6 **“§ 301. Prohibition on human cloning**

7 “(a) PROHIBITIONS ON HUMAN CLONING.—It shall
8 be unlawful for any person or other legal entity, public
9 or private—

10 “(1) to conduct or attempt to conduct human
11 cloning;

12 “(2) to ship the product of nuclear transplan-
13 tation in interstate or foreign commerce for the pur-
14 pose of human cloning in the United States or else-
15 where; or

16 “(3) to export to a foreign country an
17 unfertilized blastocyst if such country does not pro-
18 hibit human cloning.

19 “(b) PROTECTION OF RESEARCH.—Nothing in this
20 section shall be construed to restrict practices not ex-
21 pressly prohibited in this section.

22 “(c) PENALTIES.—

23 “(1) CRIMINAL PENALTIES.—Whoever inten-
24 tionally violates paragraph (1), (2), or (3) of sub-

1 section (a) shall be fined under this title and impris-
2 oned not more than 10 years.

3 “(2) CIVIL PENALTIES.—Whoever intentionally
4 violates paragraph (1), (2), or (3) of subsection (a)
5 shall be subject to a civil penalty of \$1,000,000 or
6 three times the gross pecuniary gain resulting from
7 the violation, whichever is greater.

8 “(3) FORFEITURE.—Any property, real or per-
9 sonal, derived from or used to commit a violation or
10 attempted violation of the provisions of subsection
11 (a), or any property traceable to such property, shall
12 be subject to forfeiture to the United States in ac-
13 cordance with the procedures set forth in chapter 46
14 of title 18, United States Code.

15 “(d) RIGHT OF ACTION.—Nothing in this section
16 shall be construed to give any individual or person a pri-
17 vate right of action.

18 “(e) DEFINITIONS.—In this section:

19 “(1) HUMAN CLONING.—The term ‘human
20 cloning’ means implanting or attempting to implant
21 the product of nuclear transplantation into a uterus
22 or the functional equivalent of a uterus.

23 “(2) HUMAN SOMATIC CELL.—The term
24 ‘human somatic cell’ means any human cell other
25 than a haploid germ cell.

1 “(3) NUCLEAR TRANSPLANTATION.—The term
2 ‘nuclear transplantation’ means transferring the nu-
3 cleus of a human somatic cell into an oocyte from
4 which the nucleus or all chromosomes have been or
5 will be removed or rendered inert.

6 “(4) NUCLEUS.—The term ‘nucleus’ means the
7 cell structure that houses the chromosomes.

8 “(5) OOCYTE.—The term ‘oocyte’ means the fe-
9 male germ cell, the egg.

10 “(6) UNFERTILIZED BLASTOCYST.—The term
11 ‘unfertilized blastocyst’ means an intact cellular
12 structure that is the product of nuclear transplan-
13 tation. Such term shall not include stem cells, other
14 cells, cellular structures, or biological products de-
15 rived from an intact cellular structure that is the
16 product of nuclear transplantation.”.

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