

118TH CONGRESS
2D SESSION

S. 3713

To prohibit the Federal Government from conducting, funding, approving, or otherwise supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, and to prohibit the solicitation or knowing acquisition, receipt, or acceptance of a donation of such tissue.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2024

Mrs. HYDE-SMITH (for herself, Mr. BRAUN, Mr. MULLIN, Mr. COTTON, Mr. THUNE, Mr. DAINES, Mr. LEE, Mr. RISCH, Mr. RUBIO, Mr. LANKFORD, Mr. CRAMER, Mrs. BLACKBURN, Mr. BUDD, Mr. ROUNDS, Mrs. FISCHER, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To prohibit the Federal Government from conducting, funding, approving, or otherwise supporting any research involving human fetal tissue that is obtained pursuant to an induced abortion, and to prohibit the solicitation or knowing acquisition, receipt, or acceptance of a donation of such tissue.

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 “Protecting Life and
3 Integrity in Research Act of 2024”.

4 **SEC. 2. NO RESEARCH INVOLVING HUMAN FETAL TISSUE**
5 **OBTAINED PURSUANT TO AN INDUCED ABOR-**
6 **TION.**

7 (a) IN GENERAL.—

8 (1) IN GENERAL.—No Federal department,
9 agency, or office may conduct, fund, approve, or oth-
10 erwise support any research involving human fetal
11 tissue that is obtained pursuant to an induced abor-
12 tion.

13 (2) DEVELOPMENT OF NEW, ETHICAL CELL
14 LINES.—Subsection (a) does not limit the authority
15 of the head of any Federal department, agency, or
16 office, to develop or support the development of new,
17 high-efficiency cell lines, including for the production
18 of vaccines and genetic vectors, so long as the cell
19 lines are not derived from human fetal tissue that is
20 obtained pursuant to an induced abortion.

21 (3) RESEARCH INVOLVING HUMAN FETAL TIS-
22 SUE OBTAINED AFTER A MISCARRIAGE OR STILL-
23 BIRTH PERMITTED.—Any research of any Federal
24 department, agency, or office on human fetal tissue
25 obtained after a miscarriage or stillbirth shall be
26 conducted or supported in accordance with section

1 498A of the Public Health Service Act (42 U.S.C.
2 289g-1).

3 (4) DEFINITION.—In this subsection, the term
4 “human fetal tissue” has the meaning given such
5 term in section 498A(g) of the Public Health Service
6 Act (42 U.S.C. 289g-1(g)).

7 (b) AMENDMENTS TO THE PHSA LIMITING HUMAN
8 FETAL TISSUE RESEARCH TO TISSUE OBTAINED AFTER
9 A MISCARRIAGE OR STILLBIRTH.—Section 498A of the
10 Public Health Service Act (42 U.S.C. 289g-1) is amend-
11 ed—

12 (1) in the section heading, by striking “**TRANS-**
13 **PLANTATION OF FETAL TISSUE**” and inserting
14 “**HUMAN FETAL TISSUE OBTAINED AFTER A**
15 **MISCARRIAGE OR STILLBIRTH**”;

16 (2) by amending subsection (a) to read as fol-
17 lows:

18 “(a) ESTABLISHMENT OF PROGRAM.—The Secretary
19 may conduct or support research on human fetal tissue
20 obtained after a miscarriage or a stillbirth.”;

21 (3) in subsection (b)—

22 (A) in paragraph (1)(B), by inserting “if
23 the human fetal tissue is intended for trans-
24 plantation,” before “the donation”; and

25 (B) in paragraph (2)—

1 (i) by striking subparagraph (A); and
2 (ii) by redesignating subparagraphs
3 (B) and (C) as subparagraphs (A) and
4 (B), respectively;

5 (4) in subsection (c)(1)(B), by striking “pursu-
6 ant to a spontaneous or induced abortion or pursu-
7 ant to” and inserting “after a miscarriage or”;

8 (5) by amending subsection (g) to read as fol-
9 lows:

10 “(g) DEFINITIONS.—In this section:

11 “(1) HUMAN FETAL TISSUE.—The term
12 ‘human fetal tissue’ means tissue or cells obtained
13 from a dead unborn child pursuant to an induced
14 abortion, a miscarriage, or a stillbirth.

15 “(2) MISCARRIAGE.—The term ‘miscarriage’
16 means the involuntary death of an unborn child who
17 was carried in the womb for a period of less than
18 20 weeks.

19 “(3) STILLBIRTH.—The term ‘stillbirth’ means
20 the involuntary death of an unborn child who was
21 carried in the womb for a period of 20 weeks or
22 more.

23 “(4) UNBORN CHILD.—The term ‘unborn
24 child’ has the meaning given such term in section
25 1841(d) of title 18, United States Code.”.

1 (c) CONFORMING REPEAL.—Section 113 of the Na-
2 tional Institutes of Health Revitalization Act of 1993 (42
3 U.S.C. 289g–1 note) is repealed.

4 **SEC. 3. PROHIBITION AGAINST SOLICITATION OR KNOWING**
5 **ACQUISITION, RECEIPT, OR ACCEPTANCE OF**
6 **A DONATION OF HUMAN FETAL TISSUE**
7 **KNOWING THAT THE TISSUE WAS OBTAINED**
8 **PURSUANT TO AN INDUCED ABORTION.**

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

12 “(1) solicit or knowingly acquire, receive, or ac-
13 cept a donation (excluding any transfer for purposes
14 of autopsy or burial) of human fetal tissue knowing
15 that—

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

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

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

23 (1) by striking subsection (b);

24 (2) by redesignating subsections (c) through (e)
25 as subsections (b) through (d), respectively; and

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

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

4 (B) in paragraph (2), by striking “or
5 (b)(3)”.

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