

To the office of U.S. Representative Christopher H. Smith

Re: HR 5160 (119th Congress), Stem Cell Therapeutic and Research Reauthorization Act of 2025 • Latest action (2026-07-21): Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 464.

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Stem Cell Therapeutic and Research Reauthorization Act of 2025 - Fiscal Responsibility and Sunset Version

The measure, as described from the official record: Reauthorize federal funding for the National Cord Blood Inventory and the C.W. Bill Young Cell Transplantation Program to maintain and expand the availability of stem cell therapies for patients with blood cancers and other disorders.

THE PROPOSAL

This Act reauthorizes the National Cord Blood Inventory and the C.W. Bill Young Cell Transplantation Program for five fiscal years, beginning October 1, 2025. The Secretary of Health and Human Services shall continue to award grants to qualified cord blood banks and transplant centers to expand the inventory of donated cord blood units and to facilitate stem cell transplants. To ensure fiscal discipline, total authorized appropriations are capped at \$50 million per year, a 10% reduction from the previous authorization level. The Secretary shall submit a biennial report to Congress on program outcomes, including cost per transplant, inventory growth, and patient access metrics. The program shall automatically sunset on September 30, 2030, unless Congress reauthorizes it by law. No funds may be used for research involving human embryonic stem cells beyond the existing statutory limits under the Dickey-Wicker Amendment. Enforcement shall be through grant conditions and annual audits by the HHS Office of Inspector General.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	General Treasury revenue (no new tax or fee)
Funding Amount	\$50 million per year for 5 years (\$250 million total)
Sunset Years	5 years
Oversight Body	Health and Human Services Office of Inspector General (annual audits); HHS Secretary (biennial reports to Congress)
Enforcement Mechanism	Grant conditions requiring compliance with reporting, spending limits, and prohibition on embryonic stem cell research; non-compliant grantees forfeit future funding and must repay misused funds.
Effective Date	October 1, 2025

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1 (Spending for general welfare)
- Tenth Amendment (states retain flexibility to operate their own cord blood programs outside the federal grant framework)

Concerns with the measure as written:

- No significant constitutional concerns—the original bill operates within the spending power (Article I, Section 8, Clause 1) and supports a legitimate federal interest in public health.
- Minor concern: the bill could be seen as preempting state-level cord blood banking efforts, but it is structured as a voluntary grant program, leaving state participation optional.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Democratic priorities honored: continued federal investment in stem cell therapies for life-threatening diseases, maintaining access for underserved populations, and preserving the existing cord blood network. Republican priorities honored: spending cap reduction, sunset provision, prohibition on embryonic stem cell research (consistent with Dickey-Wicker), and enhanced oversight to prevent waste.

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