

Mr. KENNEDY. Just for 30 seconds, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, at the outset, I see my chairman, Senator ENZI, who has taken the chair of our committee. I commended him for bringing this legislation up, and I say to you, Mr. Leader, we thank you for your willingness to schedule this legislation. It is of enormous importance. We have had a good debate and discussion about all of the concerns families are faced with without this kind of protection. We thank you very much, and Senator REID, for getting this legislation up and giving us a chance to express the Senate view on this matter.

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. FRIST. Mr. President, for the information of Members, we will be voting in a few moments on the genetic nondiscrimination bill. For the remainder of the day, we will be working on the Lebanon resolution, the committee funding resolution, and some military nominations that have been reported by the Armed Services Committee.

As I mentioned earlier this morning, we will convene tomorrow for the reading of Washington's Farewell Address. However, we do not expect any business to be transacted tomorrow.

We are hoping to begin consideration of the bankruptcy bill that was passed out of the Judiciary Committee today when the Senate returns following the President's Day break. I will be working with the Democratic leader on that agreement and will announce more on that later today.

We have had a good week of work, completing action on the Chertoff nomination, the Nazi War Crimes Working Group extension, the nomination of Robert Zoellick and, in a moment, passage of the nondiscrimination legislation.

Having said that, I hope and expect that this will be the last vote of this week. I want to discuss a few items with the Democratic leader, and we should be able to announce shortly whatever other plans are for later today.

GENETIC INFORMATION NON-DISCRIMINATION ACT OF 2005—Resumed

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 306) to prohibit discrimination on the basis of genetic information with respect to health insurance and employment.

Mr. FRIST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on the passage of the bill.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Pennsylvania (Mr. SPECTER).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN) is necessarily absent.

I further announce that if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "yea."

The PRESIDING OFFICER (Mr. COLEMAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 11 Leg.]

YEAS—98

Akaka	Dole	Martinez
Alexander	Domenici	McCain
Allard	Dorgan	McConnell
Allen	Durbin	Mikulski
Baucus	Ensign	Murkowski
Bayh	Enzi	Murray
Bennett	Feingold	Nelson (FL)
Bingaman	Feinstein	Nelson (NE)
Bond	Frist	Obama
Boxer	Graham	Pryor
Brownback	Grassley	Reed
Bunning	Gregg	Reid
Burns	Hagel	Roberts
Burr	Harkin	Rockefeller
Byrd	Hatch	Salazar
Cantwell	Hutchison	Santorum
Carper	Inhofe	Sarbanes
Chafee	Inouye	Schumer
Chambless	Isakson	Sessions
Clinton	Jeffords	Shelby
Coburn	Johnson	Smith
Cochran	Kennedy	Snowe
Coleman	Kerry	Stabenow
Collins	Kohl	Stevens
Conrad	Kyl	Sununu
Cornyn	Landrieu	Talent
Corzine	Lautenberg	Thomas
Craig	Leahy	Thune
Crapo	Levin	Vitter
Dayton	Lieberman	Voinovich
DeMint	Lincoln	Warner
DeWine	Lott	Wyden
Dodd	Lugar	

NOT VOTING—2

Biden Specter

The bill (S. 306), as amended, was passed.

Mr. DOMENICI. Mr. President, I am pleased to have supported the "Genetic Information Nondiscrimination Act of 2005," a bill that will prohibit discrimination based on genetic information with respect to employment and health insurance. This bill represents much cooperation on the part of my colleagues, and I want to thank them for all the hard work done on this important issue.

I am extremely pleased with today's passage of the Genetic Information Nondiscrimination Act as it marks a great milestone for those of us involved in the Human Genome Project. It seems only a short time ago that the Human Genome Project was created as a joint effort between the Department of Energy and the National Institutes of Health. What progress we have made.

In the last 2 years, there have been many events celebrating the completion of maps of the human genome. The

genome map has brought a promise of improved health through revolutionary new treatments for illness and disease. The ultimate result of mapping the human genome is a complete genetic blueprint, a blueprint containing the most personal and most private information that any human being can have. We will now have a wealth of knowledge of how our countless individual traits are determined. And perhaps more important, we will have fundamental knowledge about the genes that can cause sickness and sometimes even death.

Our personal and unique genetic information is the essence of our individuality. Our genetic blueprint is unique in each of us. However, as genetic testing becomes a more frequently used tool, we now must begin to address the ethical and legal issues regarding discrimination on the basis of genetic information. Questions regarding privacy and confidentiality, ownership and control, and consent for disclosure and use of genetic information need to be carefully considered.

An unintended consequence of this new scientific revolution is the abuses that have arisen as a result of our gathering genetic information. Healthy people are being denied employment or health insurance because of their genetic information. By addressing the issue of nondiscrimination, we are affirming the right of an individual to have a measure of control over his or her personal genetic information.

Genetic information only indicates a potential susceptibility to future illness. In fact, many individuals identified as having a hereditary condition are, indeed, healthy. Some people who test positive for genetic mutations associated with certain conditions may never develop those conditions at all. Genetic information does not necessarily diagnose disease. Yet many people in our society have been discriminated against because other people had access to information about their genes, and made determinations based on this information that the individual was too risky to ensure or unsafe to employ.

While the issue is complex, our objective is clear; people should be encouraged to seek genetic services and they should not fear its discriminatory use or disclosure. The Genetic Information Nondiscrimination Act is an important first step toward protecting access for all Americans to employment and health services regardless of their genetic inheritance. There is simply no place in the health insurance or employment sector for discrimination based solely upon genetic information.

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2005

Mr. ENZI. Mr. President, I rise to speak on the promise of genomics.

"Dazzling thrilling astonishing breathtaking". Even for a group given to hyperbolic speech, the language my