

companies or Health Maintenance Organizations, can make all health care decisions, including whether or not to share individual genetic histories with a potential employer, insurer, or other third party. Therefore, instead of creating more Federal regulations and bureaucracies, my colleagues should increase individual control of health care by passing legislation expanding Health Savings Accounts and individual health care tax credits and deductions.

Mr. HOLT. Madam Speaker, I rise today in strong support of H.R. 493, the Genetic Non-Discrimination Act (GINA). As a cosponsor of this important legislation since I first came to Congress, I am delighted that it is finally being considered by the House of Representatives.

As humans, we have a genetic destiny that we cannot control. The genes we are born with are the genes we will die with, and it is wrong for any employer to fire, refuse to hire, or deny insurance to an employee based on that individual's genetic composition. It is unconscionable for employers to require their employees to submit to a genetic test or to secretly obtain genetic information, only to use the genetic information against the employees.

The Human Genome Project was created to provide a genetic map of the human body to aid the scientific and medical communities in their fight against some of the most insidious diseases and afflictions suffered by humanity. It is a great irony and a tragedy that this research is now being used as justification to fire or refuse to hire employees who have no control over their genetic destinies.

As a member of the Education and Labor Committee, I participated in hearings on GINA which highlighted the existing loopholes in federal and state laws protecting an individual's health information. Lacking a strong and clear national law prohibiting genetic discrimination, employees have been fired or denied insurance coverage based on this most personal of information.

Today, the House will act to end genetic discrimination in hiring and firing decisions. GINA will protect prospective and current employees from discrimination based on a genetic predisposition regardless of what state they live in. It will provide strong protections to those individuals who may suffer from actual genetic discrimination now and in the future. This legislation would pose a nominal cost to employers, but provide priceless protections for American workers and peace of mind for their families.

New Jersey, along with 32 other states, already prohibits genetic discrimination in decisions on hiring, firing, or benefits. However, only 25 states prohibit employers from requiring genetic information from their employees. Worse yet, only 10 states prohibit employers from obtaining genetic information or genetic tests of employees through any means.

This vital legislation is supported by more than 200 groups and associations including: the Hereditary Disease Foundation, the American Association for the Advancement of Science, the American Jewish Congress, the American Association of People with Disabilities, the American Society of Human Genetics, the March of Dimes, the NAACP, the National Fragile X Foundation, the National Hemophilia Foundation, the National Council of La Raza, Citizens for Quality Sickle Cell Care, the Coalition for Genetic Fairness, the Cornelia de Lange Syndrome Foundation, the

Cystic Fibrosis Foundation, The National Workrights Institute, the Religious Action Center for Reform Judaism, Rett Syndrome Research Foundation, the Spina Bifida Association of America and many others.

Madam Speaker, it is long past time for the Genetic Non-Discrimination Act to become law. I urge my colleagues to vote for this important legislation, which will protect the rights of American workers and their families.

Mr. STARK. Madame Speaker, I am pleased that we are finally passing the Genetic Information Nondiscrimination Act.

This is a bill that has languished in Congress more than a decade. The Senate has twice passed earlier versions of this bill with unanimous votes, but the House has always blocked action.

It's good to see that times have changed. Members from both sides of the aisle—as well as the President support the bill before us.

As I hope most of you know, this bill does something very simple, but something very important as well. It protects people's genetic information and family history from being used by health plans or employers to discriminate against them. Enactment of this law is critical to protect patients and for genetic science to advance.

Recent breakthroughs in medical science have made genetic testing available to more patients, but with these breakthroughs comes the fear that patients may be discriminated against by insurance companies and/or employers if they are pre-disposed to suffer from a disease or other condition.

We are here today to make sure that patients can undergo genetic tests which could help with treatments or cures without fear that the results will keep them from affordable, reliable health care.

This legislation is an overdue and important step toward ensuring that our laws governing patient rights are as current as the latest medical technology.

I urge strong support for this bill.

Mr. SHAYS. Madam Speaker, as an original cosponsor of H.R. 493, I rise in strong support of this legislation and am grateful we are finally considering it. The objective of this bill is simple: preventing both health insurance companies and employers from using genetic information to discriminate against individuals.

In the past decade, science has made remarkable advances on the human genome. Genetic tests are already available to measure an individual's likelihood of developing specific diseases. In fact, soon every individual will have a genetic profile available that predicts the diseases for which they are more at risk, and what side effects to which they are more susceptible. These genetic advances will make health care pre-emptive and ultimately save the health care system—and consumers—money.

While these advances hold amazing potential, they also hold potential for abuse. For example, health insurance companies could charge higher rates—or even deny coverage—to individuals who are determined to be at higher risk for certain disease or illnesses. Similarly, employers could screen applicants for certain positions based on their genetic make-up to get the individuals least likely to develop diseases.

Our laws need to keep pace with medical advancement. If Americans are afraid of retribution from their health insurance company

or from their employer if they get genetic testing done, none of the medical advances that are possible will be achieved. We simply must move forward in this critical area of science, which is why I urge passage of this legislation.

Mr. GEORGE MILLER of California. Madam Speaker, with that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 493, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

COMMUNICATION FROM THE HONORABLE JOHN E. PETERSON, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN E. PETERSON, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 25, 2007.

Hon. NANCY PELOSI,
Speaker, of the House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, I have been served with a judicial subpoena for documents issued by the United States District Court for the Middle District of Pennsylvania.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

JOHN E. PETERSON,
Member of Congress.

PROVIDING FOR CONSIDERATION OF H.R. 1332, SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007

Mr. ARCURI. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 330 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 330

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1332) to improve the access to capital programs of the Small Business Administration, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived