

has accelerated. The coming years will bring a wave of new genetics-based treatments and more powerful predictive tests for maladies like cancer, Alzheimer's, and heart disease.

Late last year, for example, the FDA approved a new test that helps doctors determine the most effective medications for treating a particular patient's case of everything from heart disease to cancer. Other new measures can detect genes that can spare women with breast cancer the need to undergo chemotherapy and affect an individual's chances of developing lung cancer. When science detects these genetic sequences, doctors and patients can do a great deal to preempt and prevent the conditions they can cause.

However, the information might also be used to harm. If people run a risk of losing jobs, promotions, or insurance policies on the basis of their genes, many will avoid getting tested and learning about them.

By acting now, we are averting widespread discrimination before it happens—before health insurers are tempted to use powerful new gene technology to decide who gets coverage and who does not.

I urge my colleagues to support the Genetics Information Non-Discrimination Act.

Congress should be forward thinking in the policies we set, instead of waiting until catastrophe looms. This is not a political or partisan issue. It is a matter of civil rights.

In the past, Congress has acted to protect the civil rights of its citizens, most notably through the landmark 1964 Civil Rights Act, the Americans with Disabilities Act, and the Health Insurance Portability and Accountability Act.

Today, we take another critical step forward to protect individuals from the threat of discrimination based on their genes by building on those time-tested laws. The Genetic Information Non-Discrimination Act is comprehensive, reasonable and fair. It is both practical and forward-looking.

Once again, I want to recognize the leadership of Senator SNOWE and Senator ENZI and the broad bipartisan coalition that has finally brought us to this day. I look forward to working with my colleagues in the House to send this to the President's desk for his signature.

Mr. President, does the Senator from Massachusetts wish to say anything quickly?

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
Chambliss	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