

THE HONORABLE GEORGE MILLER  
STATEMENT ON H.R. 493,  
THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2007  
FULL COMMITTEE MARK UP BEFORE THE  
U.S. HOUSE COMMITTEE ON EDUCATION AND LABOR  
FEBRUARY 14, 2007

I am pleased that one of the first bills being marked up by the Committee on Education and Labor is H.R. 493, the Genetic Information Nondiscrimination act of 2007. This legislation is sponsored by two of my distinguished colleagues, Congresswoman Louise Slaughter, chair of the House Rules Committee, and Congresswoman Judy Biggert, a member of this committee.

This bill is long overdue.

The Human Genome Project started a revolution in science and medicine nearly 20 years ago by identifying the specific chromosomes within genes that make up the human body. Once scientists identified and understood these genetic building blocks, they developed tests that identified genetic markers for diseases that could, but may never, occur.

We understand that this scientific revolution can and will save lives. It can save children from devastating illnesses. Once these tests and treatments become more widely available, they will help us live longer lives, free of debilitating disease.

The key to unlocking this scientific revolution is to assure individuals of genetic privacy and nondiscrimination when they undergo genetic testing and counseling. Many Americans already forgo testing for fear of losing their jobs or their health insurance. In a 2003 National Institutes of Health Study, 39 percent of individuals surveyed cited fear of losing health insurance as the most distressing issue related to genetic testing.

A 2006 Cogent Research survey found that 85 percent of respondents believed that, without protections, employers would use genetic information to discriminate; 64 percent believed that insurers would use the information to deny critical coverage.

There is a clear need for us to pass a law to protect genetic information from discriminatory uses. We all suffer if fears of lost jobs or health insurance stifle these scientific advances.

That is why 41 states have passed laws to prohibit discrimination in the individual health insurance market. In addition, 34 states have passed laws to prohibit employers from discriminating in the workplace. Even the federal government has banned discrimination against federal government employees.

Every American worker deserves this protection.

The Genetic Information Nondiscrimination Act does two things:

First, it prohibits genetic discrimination by group health plans and insurers that offer health benefits through group health plans. It also protects the privacy and confidentiality of this personal information.

Second, the bill prohibits the use of genetic information by employers to discriminate against employees.

Employers and insurers will be subject to monetary and other penalties for violating this law. These provisions will be enforced by the U.S. Equal Employment Opportunity Commission and the Department of Labor. In addition, individuals who were harmed by the unauthorized use of genetic information can go to court to protect their rights.

I am pleased that this legislation enjoys widespread support within the committee. I am also glad that we were able to address some concerns raised by members that enabled them to join in support of this bill.

Companion legislation has already been passed twice by the U.S. Senate and was recently reported out again by the Senate Committee on Health, Education, Labor and Pensions.

We must do all that we can to ensure genetic privacy and nondiscrimination.

I urge this committee to favorably report the bill to the full House today.