

**OPENING STATEMENT: FULL COMMITTEE MARKUP ON
"THE GENETIC NONDISCRIMINATION ACT"
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SENIOR REPUBLICAN MEMBER
EDUCATION AND LABOR COMMITTEE
FEBRUARY 14, 2007**

Mr. Chairman, before we begin, I'd like to commend my colleague, Representative Judy Biggert, for her years of work and dedication on this important issue. She's been persistent and effective on so many issues that have come before this Committee and this Congress, and she should be commended for adding this important bill to her list of legislative accomplishments.

As Mr. Kline said at the outset of the subcommittee hearing on this bill, I believe the title of the legislation before us – "The Genetic Nondiscrimination Act" – embodies a proposition that all members of our Committee and, indeed, our Congress would endorse. Simply put, no employee should face discrimination on the basis of his or her genetic makeup or on any characteristic other than his or her ability to do the job. Similarly, no employee should risk his or her health insurance status simply because of the possibility that they might someday develop an illness.

This bill was drafted with those fundamental principles in mind, and I believe in the weeks since that initial subcommittee hearing, we've taken steps toward ensuring the bill we pass out of the full Committee

ensures those principles are fulfilled, while minimizing the potential for unintended consequences.

I thank you and your staff for drafting the Chairman's mark that addresses many of the concerns raised at the subcommittee hearing on this bill and in the weeks that have followed. In particular, I am pleased your substitute amendment embodies the same logic as a past executive order issued by President Clinton to ensure this bill would not inadvertently serve as a broad, new federal mandate requiring all insurance plans and employers to cover all treatments related to genetic-related conditions. That's exactly the type of unintended consequence we were seeking to avoid, and I'm pleased we were able to work this out.

This and other issues we were able to work through over the past couple of weeks demonstrate how a Committee process is meant to work. We were presented with well-intentioned legislation; heard meaningful testimony on it and its potential impact on employers and employees alike; raised and debated legitimate concerns; and worked together to bridge the gap between where we began two weeks ago and where we stand today. I thank the staff from both sides of the aisle for making this is reality.

As we move forward, I thank you and your staff for continuing your work with us to ensure the underlying bill bars genetic discrimination for

all persons, including those *in utero*. It is my understanding that, at this point, all concerns have yet to be addressed, but discussions continue. And I am grateful for your commitment to working with us in the weeks ahead.

Again, Mr. Chairman, I thank you, Mr. Kline, Mr. Andrews, and Mrs. Biggert for your work and the work of your staffs in getting us to this point. The purpose of the bill before us today is unquestionably right. And, after several weeks of work, I believe the legislative content of it is moving very strongly in the right direction as well.

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