

Genetic research, this unraveling of the genetic code, genetic testing will undoubtedly unleash tremendous advances to the benefit of mankind—thrilling advances, possible cures to illnesses today that seem vexing, that we do not fully understand. The potential medical advances from our knowledge of the human genome will be more dramatic than any of the advances that I had the opportunity to directly participate in over 20 years in the practice of medicine—just from this single unraveling of the genetic code.

As we greet the future, as we look at new technology, this is just one example of this body acting proactively, acting preemptively, so that such potential use in a discriminatory fashion of medical advances is kept from hurting the American people. We must take care to protect our body politic, and this legislation does just that. I am pleased by the progress we have made thus far, and I do congratulate each of my colleagues on their dedication to this issue over the last several years.

This legislation stands squarely on our time-tested civil rights laws establishing comprehensive, equitable, fair, consistent, and reasonable protections. I strongly support this bill, and I look forward to its swift passage when we vote on Tuesday, following our recess.

Mr. GREGG. Mr. President, this year we celebrated the 50 year anniversary of the now fabled discovery by Watson and Crick of the double helix. And this year the scientists at the NIH Human Genome Project completed the sequencing of human DNA.

These are major historical developments that will permanently change the course of biological science. The color of our eyes and the treatment of disease are now understood through the lens of genetics. As the science has progressed, so too have reservations with what we will do with this new information we are uncovering. Unlocking our genetic code unleashes new power. And power produces new responsibilities in protecting the privacy of our genetic information and protecting it from misuse.

Scientific advances in field of genetics hold great promise for medical prevention of new treatments and therapies. However, because our public policies lag behind the science, the promise of the Human Genome Project is going unfulfilled. Individuals are afraid to get genetic tests or seek genetic counseling out of fear that they will lose their health insurance or face discrimination in their employment.

After 6 years, numerous hearings, and hours of deliberation, I am pleased the Senate is finally taking up this important legislation, which was unanimously reported out of the Health, Education, Labor, and Pensions Committee on May 21, 2003. I am also pleased that the first civil rights legislation adopted under my chairmanship deals with an issue of truly 21st century concerns. This is the first civil rights act of the 21st century.

Genetic discrimination is an issue that affect all Americans. Everyone has genes. Everyone has hereditary medical traits. It's a non-partisan issue. This is reflected in the fact that this legislation is truly a bipartisan product. For more than a year, the HELP Committee has worked hard to marry together two major pieces of legislation—one sponsored by Senators SNOWE/FRIST/JEFFORDS and the other sponsored Senators DASCHLE and KENNEDY.

This legislation established in Federal law basic legal protections that prohibit discrimination in health insurance or employment based on genetic information.

A key component of the legislation is its privacy provisions. Although current law already contains medical privacy rules covering genetic information, this legislation addresses some additional concerns and closes loopholes that are unique to genetics. For instance, it protects the privacy of genetic information at work and prohibits the use of genetic information in health insurance underwriting.

This bill prohibits an employer from making employment decisions—hiring, firing, etc.—based on genetic information, or even that fact than an individual or family member requested or received genetic services.

This bill prohibits health insurance plans from denying eligibility or enrollment in the health plan based on genetic information. And it prohibits health insurance plans from charging higher premiums based on an individual's—or his or her family member's—genetic information.

Most importantly, the legislation recognizes that all individuals, whether they are healthy or sick, and all medical information, whether genetic or otherwise, should be afforded the same protections under law.

While genetic discrimination may not be widespread at this point in time, this legislation ensures that discriminatory practices will never become common practice. From the past we have learned that employees, employers, insurers and others all work best together when the rules are clear and opportunities for personal achievement and health are available. This legislation tells everyone what is expected of them and avoids the trip wires and uncertainty of some of our existing laws.

Any concerns about new regulations on employers or health plans are far outweighed by the benefits of scientific advances that will further revolutionize the medical field. With no silver bullet solution in sight to cure what ails our expensive and troubled health care system, I believe all stakeholders will welcome reasonable legislation that fosters medical advances that can lead to prevention and cure disease.

It is my hope that the bipartisan spirit that brought the parties together to craft this historic legislation will continue as we seek to realize the full potential of the human genome project.

The PRESIDING OFFICER. Without objection, S. 1053 is considered read a third time.

Mr. FRIST. Mr. President, I yield back all time on both sides, and I ask the bill be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar, Calendar Nos. 388 and 389. I further ask unanimous consent the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

ARMY

The following named officer for appointment as Vice Chief of Staff, United States Army, and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3034:

To be general

Lt. Gen. George W. Casey, Jr., 1204.

NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. David C. Nichols, Jr., 5011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

AUTHORIZING REGULATIONS RELATING TO THE USE OF OFFICIAL EQUIPMENT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 238, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 238) authorizing regulations relating to the use of official equipment.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid on the table, and any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 238) was agreed to, as follows:

S. RES. 238

Resolved, That (a) the Committee on Rules and Administration of the Senate may issue regulations to authorize a Senator or officer or employee of the Senate to use official equipment for purposes incidental to the conduct of their official duties.

(b) Any use under subsection (a) shall be subject to such terms and conditions as set forth in the regulations.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and in consultation with the chairman and the ranking minority member of the Finance Committee, pursuant to Public Law 103-296, appoints Sylvester J. Schieber, of Maryland, as a member of the Social Security Advisory Board for a 6-year term.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, appoints Rene Drouin of New Hampshire, vice Charles Terrell of Massachusetts, to the Advisory Committee on Student Financial Assistance for a 3-year term.

ORDERS FOR FRIDAY, OCTOBER 3, 2003

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. Friday, October 3. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business for up to 30 minutes with the first 15 minutes under the control of the minority leader or his designee and the second 15 minutes under the control of the majority leader or his designee; provided that following morning business the Senate resume consideration of S. 1689, the Iraq/Afghanistan Supplemental Appropriations bill.

The PRESIDING OFFICER. Is there objection?

The assistant minority leader.

Mr. REID. Everyone within the sound of our voice, staff, Members, should understand that tomorrow is a free day. They can come and offer amendments. They might have to wait for a minute until someone else offers an amendment. They can speak as long as they want. Tomorrow is the day that people have the opportunity to offer amendments.

We are going to come back Tuesday after the recess. We have a lot of work to do. If we get amendments laid down, the two leaders can set up a time we can vote on them and finish debating them. So I hope people understand tomorrow is an excellent day for the offering of amendments.

No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. For the information of all Senators, tomorrow morning, as was just pointed out, following morning business, the Senate will resume consideration of the Iraq/Afghanistan Supplemental Appropriations bill. There will be no rollcall votes during tomorrow's session. Senators will have the opportunity throughout tomorrow to come to the floor and offer amendments on the bill. However, no action will occur on any of the amendments tomorrow.

Under a previous order, the next rollcall vote will occur Tuesday, October 14, at 2:30 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 9:36 p.m., adjourned until Friday, October 3, 2003, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate October 2, 2003:

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

JOSE ANTONIO APONTE, OF COLORADO, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2007, VICE MARTHA B. GOULD, TERM EXPIRED.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SANDRA FRANCES ASHWORTH, OF IDAHO, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2004, VICE PAULETTE H. HOLAHAN.

EDWARD LOUIS BERTORELLI, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2005, VICE C. E. ABRAMSON, TERM EXPIRED.

CAROL L. DIEHL, OF WISCONSIN, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2005, VICE WALTER ANDERSON, TERM EXPIRED.

ALLISON DRUIN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2006, VICE REBECCA T. BINGHAM, TERM EXPIRED.

BETH FITZSIMMONS, OF MICHIGAN, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2006, VICE JOSE-MARIE GRIFFITHS, TERM EXPIRED.

PATRICIA M. HINES, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2005, VICE LAVAR BURTON, TERM EXPIRED.

COLLEEN ELLEN HUEBNER, OF WASHINGTON, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2007, VICE JEANNE HURLEY SIMON.

STEPHEN M. KENNEDY, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2007, VICE DONALD L. ROBINSON.

BRIDGET L. LAMONT, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2008, VICE MARILYN GELL MASON, TERM EXPIRED.

MARY H. PERDUE, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2008, VICE FRANK J. LUCCHINO, RESIGNED.

HERMAN LAVON TOTTEN, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE FOR A TERM EXPIRING JULY 19, 2008, VICE BOBBY L. ROBERTS, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. WILLIAM WELSER III, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10 U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. GARRY R. TREXLER

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR COMPONENT OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS:

1. FOR APPOINTMENT:

To be medical director

VINCENT A. BERKLEY
ROBERT D. BREWER III
DAVID J. LIPMAN
GRIFFIN P. RODGERS
JOSE H. RODRIGUEZ
ANDREW A. VERNON

To be senior surgeon

ROBERT F. BRANCHE
ROBERT F. BREIMAN
SCOTT D. DEITCHMAN
JEFFREY L. JONES
DAVID C. RUTSTEIN
HILLARD S. WEINSTOCK

To be surgeon

THOMAS W. HENNESSY
NEWTON E. KENDIG
MARK N. LOBATO
ERIC A. MANN
AUBREY K. MILLER
MARK A. MILLER
ELENA H. PAGE
JAY P. SIEGEL
MARK J. TEDESCO

To be senior assistant surgeon

ELISE A. BELTRAMI
ANTHONY B. CAMPBELL
COY B. FULLEN
JULIE M. MAGRI
JOEL D. SELANKIO
MITCHELL I. WOLFE

To be dental surgeon

MICHAEL R. KWASINSKI
DEBORAH R. NOYES
SUSAN B. TIEDE
RICK D. VACCARELLO
GREGORY WHELAN

To be senior assistant dental surgeon

ROBERT T. DVORAK
DAVID C. FEIST
TANYA T. HOLLINSHED-MILES
JAMES J. PALERINO
ALAN C. PETERSON
STEVEN K. RAYES
KRISTIN E. SHAHAN
LYNN C. VAN PELT
CLAUDIA G. VONHENDRICKS

To be senior nurse officer

ELIZABETH A. AUSTIN
JACQUELYN A. POLDER

To be nurse officer

SUSAN K. FRITZ
LONNA J. GUTTERREZ
DAVID W. KELLY
CAROL L. KONCHAN
STEPHANIE V. MIDDLETON
MAURICE M. SHEEHAN
TONI JOY SPADARO

To be senior assistant nurse officer

KEVIN J. BARTLETT
SALLY E. BROWN
BRIAN R. CRONENWETT
BERNADETTE DAYZIE
IRENE H. DUSTIN
JAMES L. GIBSON
JUDY L. GLENN
DE ALVA HONAHNIE
MARK A. JIMENEZ
EUNICE F. JONES-WILLS
RONALD D. KEATS
JANIE M. KIRVIN
DEBORAH L. LAKE
LESLIE R. LIGHTWINE
LORI M. LUU
STEPHANIE C. MANGIGIAN
MOIRA G. MCGUIRE
DEBRA J. MCKELLIPS
ANTHONY E. MILLKAMP
CATHERINE B. MOSHIER
MICHELE E. NEHREBECKY
MADELYN RENTERIA
JAMES L. VICKROY
BRYAN E. WEAVER
DOMINIC T. WESKAMP

To be assistant nurse officer

FELICIA A. ANDREWS
MICHELLE E. BROWN-STEPHENSON
MICHAEL W. FORBES