the Democrats, they want to come back and they want to raise taxes on all taxpayers, including reinstating the marriage tax penalty.

COMMENDING MATHEMATICAL BREAKTHROUGH

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from California (Mr. MCNERNEY) is recognized during morning hour debates for 5 minutes.

Mr. MCNERNEY. Madam Speaker, the American Institute of Mathematics, MIT, Cornell University, University of Michigan, University of Utah, and the University of Maryland together created a mathematical breakthrough this week made possible by congressional support of the National Science Foundation.

The breakthrough involves defining the detailed structure of a geometric object called E8, the largest of the exceptional Lie groups used to study symmetry. E8, one of the most complicated structures ever studied, is a 248-dimensional Lie group used to explore the symmetries of a 57-dimensional object. Mapping out such an object is a magnificent achievement of the human mind.

Connections between E8 and string theory indicate that physical applications of E8 will eventually emerge.

The participants are to be commended for their work that has expanded the limits of human knowledge and brings hitherto unknown beauty and power to grace our human condition.

GENETIC INFORMATION NONDISCRIMINATION ACT OF 2007

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Madam Speaker, last week the Energy and Commerce Committee marked up H.R. 493, Genetic Information Nondiscrimination Act. Two other committees of jurisdiction have also voted on this same bill.

Many people have been remarking that we have been working for over a dozen years on this particular piece of legislation and this subject. I count myself among them because in 1995 I was proud to be named the first chair of the Congressional Task Force on Medical Records and Genetics by then-Commerce Committee Chairman Tom Bliley. Indeed, in the Health Insurance Portability and Accountability Act of 1996 (HIPAA) markup, I was successful in adding two words to a list of protections: ''Genetic information,'' which is in the HIPAA law today.

I have continued my engagement, authoring bills in the last several Congresses to prohibit genetic nondiscrimination in health insurance. While I agree conceptually with the intent, this particular piece of legislation I have mentioned earlier, gives rise to many concerns.

First, I can support legislation which would surgically target what people are fearing: They worry about being excluded or charged a higher rate from a health insurance agent or fired or not hired in the first place by an employer because of predictive, speculative genetic information that in no way exhibits in their current health status.

However, with the wording ''request or require,'' which is in the bill, this bill goes beyond that to cast a shadow upon any use of genetic information by a health plan or physician. This bill should ban misuse of genetic information, but not impede the flow of information between provider, patient and plan.

Let's not stifle health services, pharmacies, health records services, health counseling or health education. I think we should not fear beneficial, patient-friendly medical opportunities. We should harness those, while drawing a tighter box around the misuses that are feared. Ban misuses, not ban all uses.

Secondly, I am troubled by the rather murky, broad definitions in this legislation. In particular, by the definitions of ''genetic test'' and ''genetic information.'' This legislation does not clarify that information regarding current health status is not exempted by the bill's prohibition. For example, the mere fact that someone has an O or AB blood type, also detects that person has the O or AB genotype, which under the definition of this bill is a genetic test. This bill could ensnare the most routine lab test of a health exam: A blood panel to check for heart, kidney or liver functioning.

And beyond health applications, at the Health Subcommittee March 13 hearing, Dr. Francis Collins, head of the National Human Genome Research Institute, acceded as much. When Ranking Member NATHAN DEAL questioned him if this bill, GINA, covers certain tests, Dr. Collins answered: ''To the extent that those tests are conducted in a way that conducts genotypes, mutations, or chromosomal changes, they would qualify as a genetic test.'' These include forensic DNA identification tests, tests for organ donors to match organ tissues, paternity tests, and tests to select safer and more effective drugs based on your genetic profile. For example, if the bill means to sweep in genetic tests performed on cancer tumors, it will prevent tests such as Her 2 genetic tests given to women with breast cancer, designed to determine if their tumors are responsive to drug therapy. Such therapy is both risky and very costly for patients without such a specific gene marker.

In the employment setting, this bill muddies what an employer will be able to do in a worker's compensation or occupational substance abuse situation; very important. Currently, an employer has the right, in fact, the legal responsibility, to conduct drug tests in the name of public safety for cause, and to examine medical records in a work comp case to determine the nature of an injury. If a blood test, therefore a genetic test, is included in the medical record, a hapless employer could have an unintentional disclosure on their hands.

Finally, it is unclear if this legislation will preempt or create an unworkable patchwork with the nearly 40 States' genetic bans.

Most have a bright line distinction between "current health" versus "genetic", and excluding paternity and forensic uses. Florida's law does. And, the author of the legislation, Representative SLAUGHTER, did herself include current health wording in prior versions of her legislation.

Genetic information is personal, powerful, permanent, and sensitive. Let us continue to work to make this bill a tool for protecting Americans against ill uses of their genetic profile, while not impeding the flow of information, routine employment activity, and the delivery of health care.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 45 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order at noon.

PRAYER

The Reverend Roy Smith, Arkansas Conference of the United Methodist Church, Little Rock, Arkansas, offered the following prayer:

Our holy and gracious God, we are grateful to be here in this place today. These Representatives have been entrusted by the citizens of this country to govern our Nation. In the midst of a world of rapid change, of challenge, of diversity and need, this is a solemn and daunting task. It is an extraordinary responsibility and challenge which calls for courage and conviction, integrity and honor, understanding and compassion, intelligence and commitment.

As these Members of Congress gather today to do the important work before them, O God, in Your grace draw near. Send us Your compassion, Your courage, Your wisdom, Your strength and Your understanding. May the will and work of this House be carried out so the people of this land may live in freedom and hope and share in your bountiful blessings. May our Nation be a beacon of freedom and hope in the world today.

We pray in Your holy name. Amen.