

**42 USC §2000ff-7 | DISPARATE IMPACT****(a) General rule**

Notwithstanding any other provision of this Act, "disparate impact", as that term is used in section 2000e-2(k) of this title, on the basis of genetic information does not establish a cause of action under this Act.

**(b) Commission**

On the date that is 6 years after May 21, 2008, there shall be established a commission, to be known as the Genetic Nondiscrimination Study Commission (referred to in this section as the "Commission") to review the developing science of genetics and to make recommendations to Congress regarding whether to provide a disparate impact cause of action under this Act.

**(c) Membership****(1) In general**

The Commission shall be composed of 8 members, of which

—

(A) 1 member shall be appointed by the Majority Leader of the Senate;

(B) 1 member shall be appointed by the Minority Leader of the Senate;

(C) 1 member shall be appointed by the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate;

(D) 1 member shall be appointed by the ranking minority member of the Committee on Health, Education, Labor, and Pensions of the Senate;

(E) 1 member shall be appointed by the Speaker of the House of Representatives;

(F) 1 member shall be appointed by the Minority Leader of the House of Representatives;

(G) 1 member shall be appointed by the Chairman of the Committee on Education and Labor of the House of Representatives; and

(H) 1 member shall be appointed by the ranking minority member of the Committee on Education and Labor of the House of Representatives.

**(2) Compensation and expenses**

The members of the Commission shall not receive compensation for the performance of services for the Commission, but shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services for the Commission.

**(d) Administrative provisions**

**(1) Location**

The Commission shall be located in a facility maintained by the Equal Employment Opportunity Commission.

**(2) Detail of Government employees**

Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

**(3) Information from Federal agencies**

The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this section. Upon request of the Commission, the head of such department or agency shall furnish such information to the Commission.

**(4) Hearings**

The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out the objectives of this section, except that, to the extent possible, the Commission shall use existing data and research.

**(5) Postal services**

The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

**(e) Report**

Not later than 1 year after all of the members are appointed to the Commission under subsection (c) (1), the Commission shall submit to Congress a report that summarizes the findings of the Commission and makes such recommendations for legislation as are consistent with this Act.

**(f) Authorization of appropriations**

There are authorized to be appropriated to the Equal Employment Opportunity Commission such sums as may be necessary to carry out this section.

*(Pub. L. 110–233, title II, § 208, May 21, 2008, 122 Stat. 917.)*