

117TH CONGRESS
1ST SESSION

H. R. 5154

To prohibit commercial DNA testing services from disclosing the genetic information of United States nationals to foreign entities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3, 2021

Mr. BURCHETT introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To prohibit commercial DNA testing services from disclosing the genetic information of United States nationals to foreign entities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Genetic Pri-
5 vacy Act of 2021”.

6 **SEC. 2. PROHIBITION ON DISCLOSING GENETIC INFORMA-**
7 **TION TO CHINA.**

8 (a) PROHIBITION.—A commercial DNA testing serv-
9 ice may not disclose the genetic information of any indi-

1 vidual, or any aggregate of such information, to the Peo-
2 ple's Republic of China, or to any entity under the influ-
3 ence, control, or ownership of the People's Republic of
4 China.

5 (b) ENFORCEMENT BY FEDERAL TRADE COMMIS-
6 SION.—

7 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
8 TICES.—A violation of this section or a regulation
9 promulgated under this section shall be treated as a
10 violation of a regulation under section 18(a)(1)(B)
11 of the Federal Trade Commission Act (15 U.S.C.
12 57a(a)(1)(B)) regarding unfair or deceptive acts or
13 practices.

14 (2) POWERS OF COMMISSION.—The Federal
15 Trade Commission shall enforce this section and the
16 regulations promulgated under this section in the
17 same manner, by the same means, and with the
18 same jurisdiction, powers, and duties as though all
19 applicable terms and provisions of the Federal Trade
20 Commission Act (15 U.S.C. 41 et seq.) were incor-
21 porated into and made part of this section. Any per-
22 son who violates this section or a regulation promul-
23 gated under this section shall be subject to the pen-
24 alties and entitled to the privileges and immunities
25 provided in the Federal Trade Commission Act.

1 (c) DEFINITIONS.—In this section:

2 (1) COMMERCIAL DNA TESTING SERVICE.—The
3 term “commercial DNA testing service” means any
4 person that provides genealogical or ancestry-related
5 information based on an individual’s DNA.

6 (2) GENETIC INFORMATION.—The term “ge-
7 netic information” means, with respect to any indi-
8 vidual, information about such individual’s genetic
9 tests.

10 (3) GENETIC TEST.—The term “genetic test”
11 has the meaning given such term by section 201 of
12 the Genetic Information Nondiscrimination Act of
13 2008 (Public Law 110–233; 42 U.S.C. 2000ff).

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