

(ii) shall not be made available to the public.

(4) Time for report

Each report required under subparagraph (A)² shall be—

(A) submitted not later than 180 days after August 3, 2007; and

(B) updated not less frequently than annually thereafter, to include any activity to use or develop data mining engaged in after the date of the prior report submitted under subparagraph (A).²

(Pub. L. 110-53, title VIII, § 804, Aug. 3, 2007, 121 Stat. 362.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (c)(3)(B)(i), is act July 26, 1947, ch. 343, 61 Stat. 495, which was formerly classified principally to chapter 15 (§ 401 et seq.) of Title 50, War and National Defense, prior to editorial reclassification in Title 50, and is now classified principally to chapter 44 (§ 3001 et seq.) of Title 50. For complete classification of this Act to the Code, see Tables.

CHAPTER 21F—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION

Sec.

- 2000ff. Definitions.
- 2000ff-1. Employer practices.
- 2000ff-2. Employment agency practices.
- 2000ff-3. Labor organization practices.
- 2000ff-4. Training programs.
- 2000ff-5. Confidentiality of genetic information.
- 2000ff-6. Remedies and enforcement.
- 2000ff-7. Disparate impact.
- 2000ff-8. Construction.
- 2000ff-9. Medical information that is not genetic information.
- 2000ff-10. Regulations.
- 2000ff-11. Authorization of appropriations.

§ 2000ff. Definitions

In this chapter:

(1) Commission

The term “Commission” means the Equal Employment Opportunity Commission as created by section 2000e-4 of this title.

(2) Employee; employer; employment agency; labor organization; member

(A) In general

The term “employee” means—

(i) an employee (including an applicant), as defined in section 2000e(f) of this title;

(ii) a State employee (including an applicant) described in section 2000e-16c(a) of this title;

(iii) a covered employee (including an applicant), as defined in section 1301 of title 2;

(iv) a covered employee (including an applicant), as defined in section 411(c) of title 3; or

(v) an employee or applicant to which section 2000e-16(a) of this title applies.

(B) Employer

The term “employer” means—

(i) an employer (as defined in section 2000e(b) of this title);

(ii) an entity employing a State employee described in section 2000e-16c(a) of this title;

(iii) an employing office, as defined in section 1301 of title 2;

(iv) an employing office, as defined in section 411(c) of title 3; or

(v) an entity to which section 2000e-16(a) of this title applies.

(C) Employment agency; labor organization

The terms “employment agency” and “labor organization” have the meanings given the terms in section 2000e of this title.

(D) Member

The term “member”, with respect to a labor organization, includes an applicant for membership in a labor organization.

(3) Family member

The term “family member” means, with respect to an individual—

(A) a dependent (as such term is used for purposes of section 1181(f)(2) of title 29) of such individual, and

(B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).

(4) Genetic information

(A) In general

The term “genetic information” means, with respect to any individual, information about—

(i) such individual’s genetic tests,

(ii) the genetic tests of family members of such individual, and

(iii) the manifestation of a disease or disorder in family members of such individual.

(B) Inclusion of genetic services and participation in genetic research

Such term includes, with respect to any individual, any request for, or receipt of, genetic services, or participation in clinical research which includes genetic services, by such individual or any family member of such individual.

(C) Exclusions

The term “genetic information” shall not include information about the sex or age of any individual.

(5) Genetic monitoring

The term “genetic monitoring” means the periodic examination of employees to evaluate acquired modifications to their genetic material, such as chromosomal damage or evidence of increased occurrence of mutations, that may have developed in the course of employment due to exposure to toxic substances in the workplace, in order to identify, evaluate, and respond to the effects of or control adverse environmental exposures in the workplace.

(6) Genetic services

The term “genetic services” means—

(A) a genetic test;