

118TH CONGRESS
1ST SESSION

H. R. 5830

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 29, 2023

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 2023”.

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 shall be treated
9 as a violation of a regulation under section
10 18(a)(1)(B) of the Federal Trade Commission Act
11 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-
12 tive acts or practices.

13 (2) POWERS OF COMMISSION.—The Federal
14 Trade Commission shall enforce this section in the
15 same manner, by the same means, and with the
16 same jurisdiction, powers, and duties as though all
17 applicable terms and provisions of the Federal Trade
18 Commission Act (15 U.S.C. 41 et seq.) were incor-
19 porated into and made part of this section. Any per-
20 son who violates this section shall be subject to the
21 penalties and entitled to the privileges and immuni-
22 ties provided in the Federal Trade Commission Act.

23 (c) DEFINITIONS.—In this section:

24 (1) COMMERCIAL DNA TESTING SERVICE.—The
25 term “commercial DNA testing service” means any

1 person that provides genealogical or ancestry-related
2 information based on an individual’s DNA.

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

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

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