

THE HUMAN GENOME PROJECT, DNA SCIENCE AND THE LAW:
THE AMERICAN LEGAL SYSTEM'S RESPONSE TO
BREAKTHROUGHS IN GENETIC SCIENCE

WELCOME ADDRESS

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SPEAKER

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DEAN PIKE: Good morning. This is very unusual. I'm not used to the room quieting so quickly when I start class. I'd like to welcome students, faculty, and distinguished guests to the fall symposium sponsored by the Washington College of Law and the *American University Law Review*.

The topic for the symposium today is The Human Genome Project, DNA Science and the Law: The American Legal System's Response to Breakthroughs in Genetic Science.

As a tax lawyer, I believe—and I'm sure everybody on the panel has thought of this—that the human genome bears certain similarities to the Internal Revenue Code. It's incomprehensible to the non-expert; also, interest groups have been able to turn it into an unexpected source of profit. As the experience of Al Capone demonstrates, it's an effective crime-fighting tool, and many believe that enforcement of the tax law represents a serious threat to the privacy of many American citizens. Today's symposium will address these issues, not from the perspective of the tax law, rather, it examines the impact of decoding the human genome, often dubbed "the instruction book for life" on the same legal disciplines—intellectual property, criminal law, and privacy.

We're honored to have an extraordinarily distinguished group of scholars and practitioners participate in this symposium. The issues they will discuss today include "How do the traditional forms of intellectual protection apply to genes in genetic research?" "Who, if anyone, owns DNA sequences?" "What are the legal issues that arise from increasing use of DNA in the criminal justice arena, including development of DNA databases and indictments based on DNA evidence?" "What legal means exist or are needed to maintain privacy and confidentiality in the use of genetic information?" Finally, "What is the proper role of ethical and religious considerations and the legal responses to these issues?"

Today's symposium will shed light on some of these issues. These matters have engendered serious disagreements from thoughtful analysts with differing perspectives. Our panelists will share these perspectives with us today, perhaps shedding some heat as well as light on these topics.

This morning, our first panel will address the legal dilemmas of intellectual property in genetic science. The second panel will

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discuss how the criminal justice system needs to balance societal interests and civil liberties with the development of DNA science. Our third panel will debate the privacy and discrimination concerns that arise from genetic profiling.

In addition, we're honored to have Dr. Kathy Hudson as the keynote speaker for today's symposium. She will speak later but, just to let you know, Dr. Hudson is the Director of the Office of Policy and Public Affairs of the National Human Genome Institute of the National Institutes of Health. In this capacity, she has led efforts to identify potential barriers that can impede the fair and equitable development of genetic information to public health.

Our panelists today, as I said, include a remarkably talented group of legal scholars, current and former government officials, private practitioners, and scientists. I want to express the law school's appreciation for their participation in today's symposium.

And finally, I want to thank the members of the *Law Review* for their effort in organizing today's event.

I'm now going to turn the microphone over to Josh Sarnoff, who will moderate our first panel.