Transcript for Welcome Address

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

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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
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.