



September 12, 2003

The Honorable Bill Frist  
Majority Leader  
The Honorable Tom Daschle  
Minority Leader  
United States Senate  
The Capitol  
Washington, DC 20510

Dear Senator Frist and Senator Daschle,

I'm writing to encourage you to schedule S. 1053, the Genetic Information Nondiscrimination Act of 2003, for Senate floor action as quickly as possible. This important legislation, which is the product of extensive bipartisan cooperation and compromise, will finally establish a much needed federal prohibition against genetic discrimination and will enact a national standard for ensuring the privacy of personal genetic information.

As you both know, the sequencing of the human genome has brought about a dramatic transformation in the way scientists understand the human condition. This transformation is fundamentally altering the ways in which research on some of our most complex diseases is being conducted and how new diagnostics and therapeutics are being developed.

At Affymetrix, through our GeneChip® technology, we see first hand the application of genetics in basic research and the clinic. Knowledge gained from the Human Genome Project is already making a positive difference in people's lives, in their individual diagnosis and treatment decisions, a trend we know will continue to accelerate in the years ahead.

But we also know that public confidence and support is critical to advancing the medical applications of human genetics. Many people are rightly concerned about the possible misuse of their personal genetic profile, either by an employer or by an insurer. More than half of the states have passed legislation banning genetic discrimination and federal workers are protected under an executive order. But this system still leaves too many people uncovered and creates confusion around regulation and standards.

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S. 1053, the product of considerable effort by Senator Gregg, Senator Kennedy, your Senate colleagues and staff, addresses these concerns. It also follows on a tradition that started with the Human Genome Project, the notion of crafting sound public policy as the progress in human genetics continues.

I would also argue that the significance of S. 1053 goes beyond genetics. For more than two generations, Congress has worked to craft legislation prohibiting discrimination based on race, gender, religion, ethnicity and physical disability. While many of these measures have been difficult to achieve, I do believe we become a stronger country each time we have sought to include rather than exclude more of our citizens under laws that prohibit discrimination and guarantee their basic rights.

2003 marks the 50<sup>th</sup> anniversary of Watson and Crick's discovery of the DNA double helix. I can think of no better way to celebrate this landmark anniversary than by passing S. 1053 and affirming yet another basis, that of genetics, on which all Americans are seen as equal under the law.

Thank you for your thoughtful consideration.

Sincerely,

A handwritten signature in black ink that reads "Stephen Fodor". The signature is written in a cursive, flowing style with a prominent flourish at the end.

Stephen P.A. Fodor, Ph.D.  
Founder, Chairman and CEO