Congress has just convened, with one of the largest turnovers in membership in some 60 years. A new President has just been sworn in, and the largest turnover in administration in 12 years is currently underway. In this environment, it is difficult to anticipate what will happen in the legislative arena. It is not just a matter of determining the issues of interest, but also a matter of determining what the priorities will be for dealing with issues. Many of the key Congressional staff who track biotechnology and intellectual property rights issues appear to believe that there are important issues that will be addressed, but they remain uncertain as to which issues and when. No clear leadership has emerged—yet.

Despite this uncertainty, it is possible to identify some of the concerns and events that may shape future debates regarding intellectual property rights. Public concern about the safety of developing and releasing new organisms will remain a critical issue. Regarding plants, this concern could be galvanized in response to the new rules proposed by USDA (November 1992) regarding easement of regulations on field trials of genetically engineered plants. The new rules may prove controversial enough to trigger Congressional hearings or legislation. Another issue that will drive debates about genetic resources will be the concern of key members of Congress regarding the use of federal funds for research on the development of herbicide resistant plants. It will be argued that such research may foster greater chemical and fertilizer use; moreover, some will argue that the benefits of such research will accrue to the private sector and therefore should be sponsored by the private sector. A bill to prohibit the use of federal funds for such research was introduced in the last Congress and will likely be reintroduced. Similarly, a bill was introduced in the last Congress that deals with labelling of genetically engineered foods; it is expected that it will be reintroduced and that it will receive significant public attention. More directly, a bill introduced by Senator DeConcini (D-AZ) during the last session (S.654), which deals specifically with the biotechnology patenting process, will likely be reintroduced.