

formed sterilization have been discovered, most of them involving operations on black teenagers or women on welfare performed by doctors in the South. The Relf family has sued the local family planning officials and federal health officials for \$5 million and American Civil Liberties Union (ACLU) lawyers on the national and local level have entered a number of cases. Statistics on sterilizations are incomplete. HEW says that 25,000 adults were sterilized in federally aided birth control clinics from mid-1972 to mid-1973. The North Carolina State Eugenics Board reports that between 1960 and 1968 1620 persons (1583 were women, 1023 black) were sterilized in North Carolina; 55.9 percent were under 20 years old. Twenty-six states have eugenics statutes permitting the sterilizations of minors or mental incompetents, or both, but they vary widely.

On 6 February, in response to the growing controversy, HEW issued a set of regulations that would permit federal funds to be used for nontherapeutic sterilizations of minors and mental incompetents only if certain protective procedures prescribed in the regulations are followed. These procedures must be followed even if parental consent is granted. Sterilizations in these cases will have to be approved by a review committee of at least five members appointed by "responsible authorities of the program or project"; two of the members must be representatives of the population served by the project. The regulations require that "no member of the Review Committee be an officer, employee, or other representative of the program under which the procedure is proposed." According to the regulations, both sexes would have to be represented on the committees. Besides committee approval of the sterilization

of a minor or mental incompetent, a court must determine that the operation is "in the best interest of the patient." An amendment to the Social Security Act will also make the regulations apply to any sterilization financed by Medicaid or Social Security.

For HEW's critics, the new regulations seem to raise more problems than they have resolved. Criticism of the regulations ranges from opposition to any federal aid at all for sterilizations, to technical points about the review committees and how they are chosen. The regulations are being issued at a time when debate about state regulation of reproduction and contraception is at a fever pitch. Roman Catholic and "right-to-life" groups, hard at work trying to reverse the recent pro-abortion trend, oppose any state or federal aid for sterilizations. At the other extreme is an increasingly growing minority, some of them state legislators, who are

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Pentagon's R & D Clients Include MIT, El-Azhar

Massachusetts Institute of Technology is still the largest university recipient of Department of Defense (DOD) funds, according to a DOD analysis of its top 500 R & D contractors in fiscal 1973. With \$124 million in military contracts, MIT ranked 15th, a notch below IBM and one above Westinghouse. Top industrial contractor is McDonnell Douglas which performed \$431 million of R & D work.

Other nonprofit organizations sharing in Pentagon largesse were Johns Hopkins University (\$76 million), Stanford Research Institute (\$26 million), Stanford University (\$6.5 million), Pennsylvania State University (\$6.5 million), and the University of California at San Diego (\$6 million). El-Azhar University, Cairo, the world's foremost Islamic center of higher learning, received \$365,000 in DOD funds from the Office of Naval Research to develop a method of discriminating among closely related strains of pathogenic bacteria by their susceptibility to viruses.

Also billed among the Pentagon's top clients are six government agencies.

The National Academy of Sciences (classified as a government agency by the Pentagon comptroller) received \$3 million in contracts, some of it performed at Aberdeen Proving Ground, Aberdeen, Maryland, and Picatinny Arsenal, Dover, New Jersey. (The academy's work at these locations consists of the employment of a handful of postgraduate students who work on nuclear investigations at Aberdeen and "general physics," including explosive materials, at Dover.) The Commerce Department executed DOD contracts at its locations in Boulder, Colorado; Coral Gables, Florida; and Gaithersburg, Maryland. Other small-time U.S. government employees of the Defense Department include the Smithsonian Institution and the Small Business Administration.—N.W.

ORV's in California Desert Inspire Court Suit

The Bureau of Land Management's plan for regulating off-road vehicles (ORV's) in the California Desert (Science, 1 February) is now under legal attack by the Environmental Defense Fund, the Sierra Club, and the Society

for California Archeology. A suit filed recently by the three groups in the U.S. District Court in Los Angeles alleges that this BLM interim management plan for ORV's violates several presidential executive orders and federal laws, including the National Environmental Policy Act (NEPA), the Antiquities Act, the National Historic Preservation Act, and the Endangered Species Conservation Act.

The plaintiffs seek an immediate ban on off-road travel by vehicles on the BLM desert lands. These lands would remain closed to such use until the BLM shows that the management plan has been revised to conform to the aforementioned acts and executive orders. The California desert receives heavy use from motorcycles, four-wheel-drive vehicles, and dune buggies. The BLM has not yet prepared the environmental impact statement required by NEPA, and, in the plaintiffs' view, this alone is enough to make the new management plan unlawful. Less than 4 percent of the BLM lands are closed to ORV's under the plan, although off-road use is restricted in most of the desert.

Assisting the plaintiffs is an informal scientific steering committee of about 3 dozen members who will provide technical advice and, when the need arises, expert testimony. Among the

proposing laws requiring the sterilization of welfare recipients and mental incompetents, in order to relieve what they term is the burden on the taxpayer and the state of caring for their children. Members of this latter group are worried that the guidelines will create too many obstacles to sterilization.

Still another group is mounting a serious challenge to the regulations and federal sterilization policy. Led by the ACLU and including such groups as Ralph Nader's Health Research Group, the Mental Health Law Project (another patients' rights group), and 14 other women's and civil rights groups, the civil libertarians oppose sterilization of anyone unable to consent himself or herself. In effect, they oppose any sterilization of minors or mental incompetents. (The ACLU also questions about whether prisoners and welfare recipients, because of the institutional

pressures to which they are subject, can give voluntary consent.) In a 29-page policy paper on the proposed regulations issued last fall, the ACLU stated "that while some minors may still get pregnant or impregnate, the net cost to society is much lower than the possible abuses which would continue to flow from provision by the government for the sterilization of unwitting minors." HEW firmly rejects this view, holding "that it is the conviction of the Department that outright prohibition on federal financial participation in sterilization of such persons could result in an unfair denial of services to the medically indigent."

Beyond these objections, most civil libertarians have questions about HEW's review committees. In fact, they wonder whether *any* review committee would be safe from abuse. Brenda Fasteau of the ACLU's Women's Rights Project points out that there are many

similarities between the HEW review committees and North Carolina's State Eugenics Board, which approved the sterilization of 18-year-old Ruth Nial Cox in 1965 without her or her mother's understanding. (Miss Cox is suing state officials for \$1 million.) Charles Halpern of the Mental Health Law Project says he doubts that a review committee appointed by local officials of a project will be truly independent. "It would be easy for them to choose community people they know would follow their recommendations," says Halpern. Senator Kennedy, whose Protection of Human Subjects Act passed the Senate last fall, supports the concept of review boards but wants them created by the act's independent National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, not by HEW or the project directly involved. Critics are also troubled by the power given

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more active members are Robert Stebbins of the Museum of Vertebrate Zoology, University of California, Berkeley, and Sylvia Broadbent, head of the Department of Anthropology, University of California, Riverside. The Environmental Defense Fund hopes to begin putting out a newsletter regarding environmental problems associated with ORV's, in the California Desert and elsewhere.—L.J.C.

Institute Scrubs Three Committees

In an unusual act of organizational renunciation a few weeks ago, John R. Hogness, president of the Institute of Medicine of the National Academy of Sciences, did away with three committees on the grounds that they turned out to be somewhat less than useful. Each had been appointed for 3 years; he did them in on their first anniversary.

The committees were "overview" panels, instructed to survey developments in their assigned areas, identify problems in need of solution, and propose ways of solving them. The areas were education in the health professions, science policy for medicine and

health, and national health care plans. Like the institute itself, the committees' members were drawn from a variety of disciplines. Given their broad charge and diverse make-up, the overview committees apparently just never managed to zero in on their target.

"As a result of . . . evaluation and consultation, I have come to the conclusion that the overview committees are not an effective means of gaining the ideas and guidance of Institute members," he wrote persons who had been on them, acknowledging that the committees had been given "an almost impossible job."

The response to his letters has been, he says, "almost uniformly enthusiastic."—B.J.C.

Salk Worth \$2.4 Million to March of Dimes

The National Foundation/March of Dimes is probably unique among medical charities in having conquered the disease it was set up to combat. Polio overcome, the foundation has gone marching on, now with birth defects and the Salk Institute at La Jolla, California, as its principal *raison d'être*.

Last year the foundation collected \$42.7 million from the public, of which \$10 million was saved, \$11 million absorbed by fund raising and overhead, and \$22 million spent on scientific research. From the last category the foundation still contributes heavily, at the rate of \$2.4 million a year, to the Salk Institute. The foundation's trustees have insured Salk's life for this amount, which they say is because of the asset of his name in fund raising. The annual premium paid on the policy is \$93,700. The premium is based on a rate of \$40 per \$1000 of insurance which, foundation officials note, is the normal rate for a man of Salk's age.

Could not the Salk Institute stand on its merits in asking the public for money? "Scientifically yes, but in terms of appealing to the individual, of course not, no more than MIT could," says trustee Melvin A. Glasser.

The Salk Institute is devoted to basic research of interest to its members, although lately financial pressures have forced a drift toward cancer. So far, the foundation has contributed more than \$30 million to the institute, of which some \$18 million has gone to the construction of the building. About \$2 million remains to be given before the last mortgage payment is made in 1975.—N.W.