

oped a "popular belief, reinforced from time to time by official statements of both Governments, . . . that both the XM-1 and the Leopard were bidding to become the Army's next main battle tank."

The situation was ripe for misunderstanding, and misunderstandings duly ensued. Europeans watched the developing tank competition with keen interest. It seemed to offer a test case of the Defense Department's oft proclaimed

commitment to NATO standardization as well as to the "two-way street," the political codeword for the Europeans' desire that the United States should buy more of their military equipment.

The competition did not proceed auspiciously. As was noted before the event by a General Accounting Office report of July 1976, "The Leopard's chances for selection as the main battle tank are slim." The tank is a prestige weapon, and no army would lightly buy

another's if it could build its own. In the XM-1 the U.S. Army seemed at last to have a winner, which it would have been even more reluctant to abandon. Congress, which often writes Buy American clauses into defense bills, did not embrace the idea of the competition. When it appeared that the Leopard 2AV would not be ready in time—to compete with the XM-1 it had to be fitted with the Chobham armor the Germans had declined in 1969—Congress directed that

Senate Approves a Permanent Ethics Commission

The National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, which has been hard at work for almost 4 years, will be going out of business in October. However, there is a strong likelihood that it will continue its functions as a permanent presidential commission. A bill to that effect, introduced by Senator Edward M. Kennedy (D-Mass.), was passed by the Senate on 26 June and although the House has never evinced much interest in a permanent commission, a Kennedy aide says discussions with the House health czar, Paul Rogers (D-Fla.), indicate that "something can be worked out."

The national commission, established by law in 1974 to report to Congress and the Department of Health, Education, and Welfare (HEW), is generally regarded as having performed creditably. It has produced several major reports, notably on fetal research, research on children and institutionalized populations, and on psychosurgery. It is soon to publish a report on institutional review boards—which the 1974 legislation requires be formed to monitor the research ethics in all organizations that conduct HEW-funded research on human subjects. It will also be producing a handbook, called the Belmont report, containing detailed ethical guidelines to promote the three principles of "justice, beneficence, and respect for persons" in research with human subjects.

The Kennedy measure is the latest in a decade of Senate initiatives spearheaded in large part by Walter Mondale before he left the Senate for the vice presidency. The proposed commission would continue the work of the present commission, but it would cover all federal agencies and no longer be confined to looking at research sponsored by HEW. Its authority would also be expanded in that it would be allowed to look into specific research programs and not just general policies.

The commission's staff director, Michael Yesley (who will soon be leaving to become a senior social scientist at the Rand Corporation in Santa Monica), says that two of the key areas the new commission would be concerned with are the ethics of practice in government-supplied health care and the ethical implications of future research—supplying a sort of "early warning system" on DNA research, for example.

The Kennedy bill itself explicitly calls for special studies in four areas: the requirements for informed consent, the advisability of developing a uniform definition of death, the implications of genetic counseling, and an assessment of

current practices designed to ensure individual privacy in medical and research records.

Budget authorization for the commission would be \$6 million a year through fiscal 1982. The President has not taken a stand on the commission (although he opposes the proliferation of such bodies in principle); HEW secretary Joseph Califano is said to be personally opposed to it because he thinks each agency should take responsibility for itself. However, the Senate report says "the independence of the commission is absolutely essential in order for human subjects to be adequately protected."

The Kennedy staffer expressed confidence that the bill will become law. Kennedy has made it clear that his health subcommittee will not take up any of the pending measures under the Public Health Service Act until the commission bill has gone through Congress. This, he says, "is an exact replay" of the way Kennedy got the 1974 legislation through.

Meanwhile the commission's report on institutional review boards (IRB's) is expected to appear some time next month. IRB's have been operating in somewhat higgledy-piggledy fashion over the past 4 years, and there has been confusion over the respective responsibilities of IRB's and peer review systems in evaluating proposed research. According to a draft report issued in April, most federal IRB's adhere basically to policies established by HEW, but uniform standards would be much more efficient.

The report therefore proposes that HEW be established by law as the sole authority for determining the proper makeup of the boards, for accrediting them, and for monitoring their performance. This "would not substantially change current practice but would reduce the burden on IRB's to interpret and apply the regulations to which they are subject," says the report. According to a commission staff member, "some agencies [the Central Intelligence Agency in particular] might not like HEW reviewing their intramural research," but most agencies would welcome an arbiter to ensure uniform policies.

The proposed legislation would also significantly extend federal guidance of IRB's by requiring that federal standards apply to any agencies, public or private, that receive federal money for health care delivery—whether or not they get federal money for research.

According to Yesley, the IRB report "is perhaps the commission's single most important report" because IRB's are the mechanism through which all the new federal guidelines are put into practice.—C.H.