

the idea that exposure to toxic chemicals from the Love Canal dump might be associated with increased frequencies of chromosomal aberrations." In the spring of 1980, an "exploratory" study conducted for the Environmental Protection Agency indicated that some Love Canal residents had unusual patterns of aberrant chromosomes (*Science*, 13 June 1980, p. 1239).

The "subjects" in the present study, which was coordinated by CDC, included 29 persons who had lived directly adjacent to Love Canal and 17 individuals whose chromosomes had been analyzed in the EPA test. "In neither group did frequencies of chromosomal aberrations . . . differ significantly from control levels," as measured in 44 persons living in another part of Niagara Falls, CDC reports.

The data, CDC says, need to be interpreted cautiously because, among other things, of the difficulty in knowing the extent of Love Canal residents' exposure to toxic chemicals years ago. Noting difficulties with this kind of study, CDC concludes that even "... had evidence of increased chromosome damage been found in this study, it would still have been impossible to know whether those findings might correlate with or predict later occurrence of clinical illness." In short, science in this area is not yet able to come up with the kinds of definitive answers one might like.

—BARBARA J. CULLITON

"Baby Doe" Squad Adviser Says HHS Was Insensitive

When the Department of Health and Human Services (HHS) implemented its controversial "Baby Doe" regulations in March, it sought out physicians who would be available as consultants to its "Baby Doe squads"—teams of investigators from the office of civil rights. Frederick H. Wirth, a neonatologist at Eastern Virginia Medical School in Norfolk, agreed to serve.

Before a U.S. federal court struck down the Baby Doe regulations in April (*Science*, 29 April, p. 479), Wirth was called on to help investigate an anonymous allegation that newborn Siamese twins were being left to die at

a hospital in Rochester, New York. Disillusioned by that ill-fated experience, Wirth says he would not be available to HHS again.

In a telephone interview with *Science*, Wirth recalled that when he was first contacted by HHS officials, he was asked if he would be willing to respond to a "call for consultation" about the care and feeding of handicapped infants who might be born in the region. "No one used the word 'complaint,'" he said.

When Wirth next heard from HHS, he was not asked to consult on a Virginia case. Rather, he was asked to fly immediately to Strong Memorial Hospital in Rochester to see the Siamese twins. "The call to go to Rochester was really a plea," Wirth reports. "They said there were no physicians available in New York State who would go."

Once in Rochester, Wirth was "astounded" to learn that the Baby Doe squad team was already on the scene reviewing the patients' charts but that the parents had not given permission. Nor had Wirth been given any special authority to review a patient's chart in a state in which he had no license to practice medicine. "The Office of Civil Rights . . . failed to protect me from legal exposure during the review process," Wirth notes. "More importantly, the OCR failed as well to protect the rights of the family and other health care providers." Wirth left Rochester without ever seeing the twins.

According to Wirth, the squad members "stated that they had not considered the rights of the patient's privacy, nor my rights for protection from legal action." Based on information provided by Strong Memorial, the squad leader reported that reasonable care was being given the infants. Says Wirth, "Although I agree with the intent of the law to prevent discrimination, I was appalled by the insensitive and arbitrary manner in which it was being enforced."

For his part, Wirth believes that complex decisions about the care of handicapped infants should be made, when necessary, with the advice of an in-hospital review body, as has been recommended by the President's Commission for the Study of Ethical Problems in Medicine. "Instead of accepting the positive and reasonable suggestions [of the Commission], HHS decided to intrude into a delicate

and complex process of ethical decision-making," Wirth observes.

At present, the Reagan Administration is working on a new version of the regulations which the court struck down on procedural grounds and Baby Doe bills are pending before Congress. HHS's chief spokesman says, "We're not going to give up."

—BARBARA J. CULLITON

Musical Chairs at OSTP

The Office of Science and Technology Policy (OSTP) seems to be having trouble getting its act together in the area of export controls. OSTP is supposed to be coordinating a study of controls on scientific communication as part of a White House effort to develop a comprehensive policy on the export of technology with potential military applications (*Science*, 3 June, p. 1021). But responsibility for the study within OSTP has just changed hands for the third time in 6 months.

OSTP first got into the debate over export controls late last year, when it was directed by President Reagan to come up with a policy for controlling sensitive scientific information. The study was planned by Gerson Sher, who was on detail to OSTP from the National Science Foundation. But Sher left before the study got under way and responsibility was passed to James Ling. Then, in February, OSTP's effort was made part of a broader White House study of export controls, and responsibility shifted again. The cup was passed to Louis Montulli. Montulli, however, announced at the AAAS meeting that he has taken a job in the Department of Energy (see p. 1258). Responsibility for the study has now landed on the desk of Wallace Kornack.

All this raises the question of just how strong a voice OSTP is likely to have in the debate over export controls that is now reverberating around the Administration. Perhaps one clue is that, according to a spokesman, OSTP was not consulted when the Administration recently drew up a bill to amend the Export Administration Act, the key piece of legislation governing technology transfer, which in the past has been used to restrict scientific communication.

—COLIN NORMAN