

Ethics Commission Named

The National Research Act, signed into law on 12 July, created a federal commission on ethics that, among other things, is charged with deciding what to do about the present moratorium on fetal research (*Science*, 2 August). During the last 2 months, the names of literally hundreds of persons have been put forth as candidates to serve on this commission whose decisions will have a significant effect on the conduct of biomedical research. "Everyone thinks he's an ethicist if he thinks he knows right from wrong," said one Health, Education, and Welfare (HEW) official who added that the infighting that went on in the process of paring a list of hundreds down to 11 individuals was intense. On 10 September, HEW Secretary Caspar Weinberger announced the names of the 11 he had chosen.

Officially called the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, the ethics commission has 2 years during which to investigate a number of issues set forth in the law. Fetal research is the one that must be dealt with first. In addition, the commission must deal with the complex problems of obtaining informed consent from children, prisoners, and the mentally ill when they are asked to participate in experiments. The ethics of psychosurgery is another topic on the agenda.

Legally, the ethics commission is a creature of HEW and its decisions, the experimental guidelines it will recommend will apply only to research funded by HEW. However, many individuals in Congress are anxious to have guidelines that apply more broadly to all government agencies, and the commission is asked to come up with a mechanism to make the rules for performing experiments on people uniform.

Ironically, one such mechanism, if you can call it that, already exists but it is not one established for the purpose of bringing all federal agencies into willing conformity with each other. Take a hypothetical situation. As things stand now, if a university researcher, supported by funds from the Department of Defense, conducts an experiment that violates HEW standards, the Secretary of HEW can withdraw all HEW funds from that researcher's university, even though only the DOD-sponsored experiment gave offense. It is a powerful means for persuasion, although most HEW officials doubt the secretary would take such an extreme measure. What is needed is a saner government-wide policy.

The ethics commission exists today in large part because of efforts by Senator Edward M. Kennedy (D-Mass.) and his staff to get Congress to create it, in spite of some opposition in the House. The commission is widely regarded as being modeled on the federal commission Senator Walter Mondale (D-Minn.) proposed several years ago in the wake of the furor over organ transplantation.

The 11 Weinberger asked to serve are: Joseph V. Brady, professor of behavioral biology, School of Medicine, Johns Hopkins University; Robert E. Cooke, vice-chancellor for health sciences, University of Wisconsin; Dorothy S. Height, president, National Council of Negro Women, Inc.; Albert R. Jonsen, adjunct associate professor of bioethics, School of Medicine, University of California; Patricia King, professor of law, Georgetown University Law Center; Karen A. Lebacqz, assistant professor of christian ethics, Pacific School of Religion; David W. Louisell, professor of law, University of California, Berkeley; John Kenneth Ryan, chairman, department of obstetrics and gynecology, Harvard Medical School; Donald W. Seldin, professor and chairman, department of internal medicine, University of Texas Southwestern Medical School; Elliot Stellar, provost and professor of physiological psychology, University of Pennsylvania; and Robert Turtle, lawyer, Washington, D.C.

Charles U. Lowe, former scientific director of the National Institute of Child Health and Human Development, is expected to be executive director of the commission staff. Lowe is now at HEW as a special assistant for pediatrics.—B.J.C.

cedures for consideration of both the international political and the military aspects of foreign policy. . . ." The report goes on to develop the point as the following excerpt indicates.

In urging this, we were not merely paying lip service to the ideal of a unified foreign policy. We are interested in finding ways to achieve that goal. We are concerned with the practical aspects of making the technical world of military requirements compatible with the constraints of diplomacy and international politics, and these practical aspects are essential to the development of a sound national security policy. The ultimate decisions about a successor to Polaris or the B-52 are too serious to be reached without taking diplomacy and foreign policy into consideration.

However urgently such decisions may be needed in order to get choices made and funded, we wish to emphasize that they concern the strategic weapon systems that the United States believes will be most conducive to peace, security, and economy during the period beginning about ten years from now and stretching to the year 2000. To make such decisions without regard, for example, to the economics of energy, the foreign policy of China, the political complexion of Western Europe, the developmental and diplomatic status of the sea beds, the extent of nuclear proliferation, or the technology of international terrorism would merely be to bury one's head in the shifting sands of today's military technology.

3) Congress is at a disadvantage in dealing with the Pentagon because of limits on congressional access to information and expertise. The CED report urges Congress to clear a path through the thickets of the security classification system by "enacting legislation establishing its own bipartisan procedure for certifying individuals and organizations cleared for access to security information." With respect to expertise, the report suggests that Congress both strengthen the capabilities of its own staff to deal with the military budget and weapon systems and also find new sources of analysis and advice beyond Capitol Hill. Primarily, CED thinks Congress would profit from a relationship with a new "institute for research and evaluation," which the report sees as being "both loyal to Congress and independent of it." The report also asks Congress to encourage responsible analysis of the military budget by organizations and individuals outside government.

The concept of a think tank with a special link to Congress is not original with CED and, in fact, a fair amount of planning and missionary work in the cause of an independent research