By Mike McNamee

Legislation that would create a permanent body to oversee federally-sponsored research involving human subjects in medicine and the social sciences is under consideration in the Senate. Senator Edward M. Kennedy, D-Mass., has introduced a bill to create a National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research with broad powers to oversee and review all research involving humans as experimental subjects.

The proposed commission would replace a Secretary's Commission which Congress established two years ago within the Department of Health, Education, and Welfare to investigate use of human subjects in HEW-sponsored research. The Kennedy bill would give that commission status as a "presidential commission," allowing it to investigate any research in which the federal government is involved.

A major proposal of the Kennedy bill is the addition of four Senators and four Congressmen, along with the Secretaries of Defense and HEW and the Director of Central Intelligence, as non-voting members of the commission. This change, according to Senate health subcommittee counsel Allan Fox, will give the group access to classified research which the Department of Defense or intelligence agencies might claim could not be reviewed by a civilian panel because of "national security requirements."

"The congressmen and the secretaries all have, by virtue of their positions, the highest security rankings available," Fox said. "They can act as a preliminary review panel to screen national security information and decide which cases can be presented to the commission in what form."

The new commission would work in much the same way as the old one, Fox said, picking which research areas it would want to investigate and making suggestions directly to the agency involved. "The group can't veto research or impose sanctions, but if an agency head doesn't want to go along with its suggestions, he must publish his reasons," Fox said. "The commission has been very, very effective in the past."

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