National Science Advisory Board for Biosecurity

Codes of Conduct
Working Group

Progress Report
March 30, 2006

Working Group Charge

- **Goal: To foster a culture of responsibility among life scientists who are potentially conducting dual use research.**

- **Premise: Codes of conduct are an important tool in promoting professionalism and responsible behavior and thus a key element of the NSABB charge.**

Working Group Charge

"To provide recommendations on the development of a code of conduct for scientists and laboratory workers that can be adopted by professional organizations and institutions engaged in the performance of life science research."

- To identify issues pertinent to the conduct of DUR that a code should address.

- To develop standards and principles that can be included in a formal educational and training program to promote appreciation for codes of conduct in the life sciences.

Working Group Participants

Voting Members

- Murray Cohen
- Claire Fraser
- John Lumpkin
- Mark Nance
- Diane Wara

Ex Officios

- Jason Boehm (OSTP)
- Jamie Fly (DoD)
- Robert Mikulak (DoS)
- Jan Nicholson (CDC)
- Stuart Nightingale (DHHS)
- Gerald Parker (DHHS Alt.)
- Kerry Patterson (DoD)
- Caird Rexroad (USDA)
- Scott Steele (DoJ)
- Helen Quill (NIH)

Preparatory Activities

- **Preliminary teleconferences were conducted to establish a work plan and timelines for the group.**

- **Discussions identified a need for expert opinion to enlighten the Working Group members.**

- **An on-site meeting was held to solicit advice from thought leaders relative to development of a code (October 2005).**

Working Group Findings

- Codes are not procedural guidelines.

- Codes provide general guideposts for responsible and ethical behavior.

- Codes are useful in promoting a "culture of responsibility," one of the NSABB aims.

- Codes can be international in scope.

Working Group Findings

- Most codes are voluntary and help to define standards and expectations of its adherents.

- Codes are typically adopted by societies and associations to instill and promote a sense of professionalism.

- Broad input from the research community, especially intended adherents and thought-leaders, promotes acceptance and support for a code.

Working Group Analysis

- **Existing codes were surveyed to identify core values and standards relevant for a code that emphasizes biosecurity concerns.**

- **These elements were prioritized and organized.**

Working Group Analysis

The Working Group then considered:

- **Target audience**

- **The value of contextual information, such as:**

  - What are the concerns associated with DUR?
  - How valuable is education in preventing misuse of DUR information?
  - How will a Code be used?

- **Structure and format:**

  - Other codes, such as the GE "Spirit and Letter," were used as models for a logical and accessible presentation of concepts.

Proposed Approach

The draft code will consist of three major sections:

- **Preamble**
  - Provides an introductory overview of "dual use" research
  - Describes the utility of codes.
  - Suggests how this code may be used.

- **Core Guiding Principles**
  - States the fundamental tenets of responsible behavior

- **Body of the Code**
  - Articulates additional principles consistent with the core tenets
  - Maps to various phases of the research process.

Proposed Approach

Major principles identified to date include:

- Awareness about dual use research;

- Forethought in research planning and conduct;

- Consideration for the safety and security of others;

- Training and educating students and technicians;

- Compliance with applicable guidelines and rules;

- Responsible communication practices.

Public Input on the Proposed Approach

The proposed approach must be tested and then benefit from more robust input from the research community

- Focus Groups;

- Publication and dissemination (NSABB Web site, Listserv, other means);

- Regional townhall-style forums;

- Participation at annual conferences of key scientific groups.

Initial Evaluation of Proposed Approach: Focus Groups

- Focus groups were organized to provide feedback to the Codes Working Group that could be used to further refine the development of a draft code.

- Participants included practicing scientists, administrators, leaders in scientific and professional organizations, local oversight personnel, and ethicists.

Focus Groups Cont'd

- **Each session was structured to last approximately 3 hours with questions and discussions targeted toward the types of participants involved.**

- **General attitudes towards codes and dual use research concerns were sampled.**

- **The group was also asked to comment on the draft set of core principles.**

Focus Groups Cont'd

- **Focus group sessions are still in progress, but preliminary feedback has been received from practicing life scientists, association leadership, and administrators.**

- **Wrapping up focusing groups with session targeted at ethicists.**

Focus Group Responses Codes in General

- **Most participants had experience with codes and found that they had a positive impact personally.**

- **Participants discussed the distinctions they perceived between a code of conduct, a code of ethics, guidelines, and regulations.**
  - **In particular, discussion contrasted prescriptive guidelines with the more general behavioral standards articulated by codes.**
  - **Mixed views about the level of detail helpful in a code of conduct.**

Focus Group Responses Codes in General

- **Opinions varied regarding the ability of codes to influence behavior.**
  - **Those who intend to do wrong will not be deterred by a code.**
  - **Codes often express behavioral standards that ought to be self-evident.**
  - **A code can be helpful in clarifying or reinforcing behavioral principles, particularly**
    - **For those inexperienced in research,**
    - **Where standards may not be obvious,**
    - **Where ethical choices benefit from clearly articulated standards.**
  - *"A code can make good people better"*

Focus Group Responses Dual Use Research

- A clear understanding of the term "dual use research" is pivotal to assessing the value and impact of a code of conduct.

- Many individuals agreed that a code would be an effective tool to raise awareness about "dual use" research concerns in the life sciences; a code will
  - Catalyze discussion in the community about dual use
  - Serve as an educational tool for individuals
  - Enhance sensitivity to the possible misuse of research results

Focus Group Responses Working Group's Approach

- **In general, the NSABB code of conduct should:**

    - Include principles unified by a clear underlying philosophy regarding the dual use research concern

    - Add value and not redundancy to the body of existing codes in the life sciences

    - Have a clear scope

    - Have a clear audience

Focus Group Responses Working Group's Approach

- **In general, the NSABB code of conduct should also:**

  – **Be concise and compelling**

  – **Articulate realistic expectations**

  – **Have a peer-oriented voice, speaking to scientists as professionals**

  – **Be positive in tone and convey the value of the scientific endeavor**

Focus Group Responses Working Group's Approach

- **Participants agreed with the Working Group's aim to:**

  – **Emphasize the importance of public trust to the research enterprise**

    - Codes can demonstrate scientists' concern for the quality, ethics, and safety of their activities
    - Codes can show that organizations are attending to the oversight of their activities

Focus Group Responses Working Group's Approach

- **Additional concerns**
  - **The scientific community must be a part of the process in developing a code; essential for:**
    - **Appropriate content**
    - **Broad acceptance**
  - **Implementation of an NSABB code may necessitate a commitment to increased educational efforts and the resources necessary to support them.**

Next Steps – Finish Drafting Code

- **Evaluate all focus group suggestions; develop draft code accordingly.**

- **Take into account the work products of the other NSABB working groups (e.g., Criteria and Communications).**

Next Steps –
Ensure Broad Public Input

- **Publication and dissemination inviting input**
  - **NSABB Web Site**
  - **Federal Register**
  - **Listserv**

- **Hold Regional Townhall Style Meetings**
  - **Targeting Summer 2006**
  - **Will explore themes developed through the Focus Groups**
  - **Widely publicized to encourage broad participation by the life sciences community**

Next Steps – Ensure Broad Public Input

The Working Group invites suggestions on:

- Ensuring ample vetting of the code; and

- Promoting acceptance within the scientific community.