

benefits” from commercial development of the research.

It is doubtful that the guidelines are intended to bar future NIH funding from stem-cell lines that are currently eligible — or, indeed, from the hundreds of lines that are now in use but are not among the score of US-approved lines. That would contradict US President Barack Obama’s intention, stated on 9 March, to “expand NIH support for the exploration of human stem cell research”. The NIH should explicitly state that the informed-consent provisions apply only to newly created lines. All previously eligible lines should continue to be eligible, and existing non-eligible lines should become so — provided that the latter were created in accordance with guidelines issued by the US National Academies or the International Society for Stem Cell Research.

A much less clear-cut issue is whether federal funding should support work on lines created from sources other than leftover embryos. The NIH’s draft guidelines currently exclude support for research on lines created through somatic-cell nuclear transfer (SCNT), also known as therapeutic cloning. And they prohibit funding for lines created through the generation of an embryo from an unfertilized egg cell.

Power vacuum

The US president’s delay in naming an NIH director is symptomatic of a widespread problem.

As *Nature* went to press, US president Barack Obama had still not nominated a director for the National Institutes of Health (NIH), the \$30.3-billion agency that is the world’s largest funder of biomedical research. Regardless of when a director is named, the delay is already too long: Obama took office 136 days ago. In the interim, the NIH has been forced to navigate multiple sensitive issues under temporary leadership, including decisions about how to spend a massive \$10 billion in economic stimulus money; the drafting of guidelines for expanded federal funding of human embryonic stem-cell research (see above); and the launch of a proposal to tighten conflict-of-interest reporting requirements for its extramural investigators.

Moreover, the problem goes well beyond the NIH. The installation of senior agency leaders, most of whom have to be nominated by the president and confirmed by a majority vote of the US Senate, seems to go ever more slowly with each passing administration.

Granted, the Obama White House has been trying. As of Monday the Senate had confirmed 145 people for a total of 373 jobs that need filling, which is not too different from the pace set by the incoming Bush administration in 2001. But that still leaves only 4 of 21 Senate-confirmable posts filled at the Department of Health and Human Services (HHS). Among those HHS posts still waiting for a permanent occupant — in addition to the NIH directorship — are the assistant secretary for health, the top public health adviser to the new HHS secretary, Kathleen Sebelius; the assistant secretary for planning and evaluation, her top policy adviser; and the assistant secretary for preparedness and response, her top adviser on bioterrorism and other public-health emergencies.

Some investigators have protested this provision of the guidelines, arguing that the NIH should not cut off any avenues of research. Their contention is somewhat hypothetical, however, because no one has yet shown conclusive evidence that SCNT can successfully create a human embryo. Regardless of this, the ethical issues involved are extremely sensitive. Polls consistently show that a majority of the American public is willing to pay for research on stem cells derived from embryos that would be discarded otherwise. But it is not clear that a majority would support the use of taxpayers’ money to study stem cells from embryos created and destroyed for research purposes alone. So unless the scientists arguing for federal funding of research on SCNT-derived stem cells can make a much stronger case, by spelling out the specific situations in which the research might be warranted and explaining how they will ensure proper oversight of the work, the NIH’s proposed exclusion should stand.

At the same time, however, the NIH should affirm that it will revisit its draft guidelines as the science progresses. The past decade shows us that basing research policy on arbitrary cut-off dates does not serve science or the public interest well. ■

Even appointments that don’t require Senate confirmation have been slow to materialize. Richard Besser, the acting director at the Centers for Disease Control and Prevention, was left to deal with the emergence of swine flu — Thomas Frieden, Obama’s permanent appointee for the job, won’t begin work until 8 June.

Other science agencies are in similar straits. At the National Oceanic and Atmospheric Administration, Jane Lubchenco was confirmed as administrator in mid-March, but she still lacks a chief scientist and two assistant administrators, one for atmosphere and one for oceans. No nominees are in sight. At NASA, the two top posts went unfilled until 23 May, when Obama finally nominated former space-shuttle astronaut Charles Bolden as administrator and Lori Garver as his deputy. But no Senate hearings have yet been scheduled for them. And at the National Science Foundation, there is still no nomination for a deputy director — a key strategic post that encompasses the duties of chief operating officer.

This dilatory pace is partly a result of Obama’s promise to run a squeaky-clean administration staffed by officials not beholden to lobbyists or other moneyed interests. But it is mostly the result of the Senate confirmation process, which in recent decades has become increasingly obsessed with savaging nominees over even the most minor slip-ups on taxes or nannies. To minimize the chances of embarrassment, the administration now requires Senate-confirmable nominees to fill out lengthy vetting questionnaires. These are so onerous that many feel compelled to spend their own money hiring accountants and lawyers to help fill them in. Other qualified people simply refuse to go through such an ordeal, and take themselves out of contention.

The administration and the Senate together must find a way to restore common sense to this process. Given the challenges faced by the United States, ranging from nuclear proliferation to climate change and potential pandemics, its government needs to recruit the best minds it can find — without subjecting them to a protracted, politically motivated vetting process that does nothing to solve real problems. ■