News and Comment

NIH and Fountain: Part of Problem Is that an Atmosphere of Suspicion Has Enveloped the Relationship

In the strained relationship that has developed between Congress and the National Institutes of Health, the principal figure on the congressional side is Representative L. H. Fountain, a reserved, religiously devout North Carolinian, little known outside of Capitol Hill and his home district but generally admired in both places as an industrious and conscientious public servant.

As a man who is clearly satisfied to be a lineman on a field crowded with flamboyant, aspiring quarterbacks, Fountain could probably disappear tomorrow without causing a political ripple. His departure, however, would probably be applauded within the medical research community, for it has now become a fairly popular pastime to vilify Fountain as the man who forced NIH into adopting increasingly restrictive administrative practices. He is, indeed, the man, but if medical research finds some satisfaction, as it does, in asserting that Fountain doesn't know what research is all about, it should also be willing to acknowledge that it doesn't know what Fountain is about; this is unfortunate, for in looking over the cast of congressional characters, it is plain that medical research could do far worse than fall under the jurisdiction of L. H. Fountain.

Politically safe in a district where he no longer encounters even primary opposition, Fountain is a five-term Democrat who came up the very hard way. His father died when he was five, and thereafter it was a life of penny-scraping to get through college and law school and finally into Congress by unseating an incumbent with 29 years' service. Along the way, he came to accept the not-unreasonable view that money is a valuable commodity and that, when the government doles it out for a stated purpose, it's not asking too much to ask for assurance that the money is going for that purpose. If NIH finds it hard to accept this view for the research process, Fountain finds it hard to accept NIH's view that the ethical standards of the scientific community are a sufficient safeguard of public funds.

If his views are hard for NIH to swallow, NIH's manner of dealing with him is equally hard to swallow, for it is marked by a series of ineptitudes that are difficult to comprehend. The result is that Fountain and NIH are now involved in long-running hostilities, which wouldn't matter very much, except for the fact that tremors from their row are producing disturbing effects in laboratories across the country. Unhappily, whatever can be said about the conflict, neither side can be accused of statesmanship or any serious effort to comprehend the responsibilities of the other, and, in this situation, probably the only safe conclusion is that medical research and Congress have fallen into a deplorable state of misunderstanding.

First Fountain Report

Fountain, a 50-year-old political middle-of-the-roader, is chairman of the House Intergovernmental Relations Subcommittee, a standing investigatory body that includes NIH in its broad jurisdiction. The task of the subcommittee is to promote the efficient and economical use of federal funds, and in 1959, attracted by that traditional catnip for congressional attention, rapid budgetary growth, the subcommittee began to look into NIH. The result was a mildly worded report issued in 1961, containing a series of recommendations for administrative changes, aimed principally at obtaining assurances that NIH grantees were using government funds for the purpose for which they were granted. This, of course, is easy to recommend but difficult to achieve when the guiding assumption of NIH is that the grantee should be as unhampered as possible by paper work and inquisitive bookeepers from Washington. Nevertheless, NIH director James A. Shannon, with some reservations, wrote Fountain that he considered the report "excellent." Meanwhile, Shannon's superior, Surgeon General Luther L. Terry, wrote, "may I compliment you upon a searching and constructive inquiry into the growing and complex set of activities administered by the National Institutes of Health. I am confident that many of the committee recommendations will be adopted more easily by reason of your independent recognition of their significance."

Fountain then withdrew from the field and waited, only to find, as NIH officials later conceded, that virtually nothing was being done to comply with the recommendations. The publicly stated reason was that NIH found it difficult to hire the type of administrative personnel who could perform the delicate task of checking without intruding. Persons with this capability are unquestionably in short supply, and NIH can be excused for not having assembled such a staff overnight. However, according to one high NIH official, the problem ran deeper than the difficulties of recruiting.

"Fountain is right that nothing was done after the first report. At that time, we had no comprehension of the seriousness of the matter. We had differences among ourselves as to what should be done, and as a result, we did nothing. Some people felt that no changes were needed, and there was a feeling that time would pass and the whole thing would be forgotten."

If this approach had worked, it wouldn't have been the first time that a government agency had sidestepped congressional recommendations, but the decision to do nothing was accompanied by a policy, formally or informally arrived at, of making believe that Fountain wasn't there. Instead of looking upon the Fountain committee as a permanent fixture in NIH's political environment, one to be courted and educated in the problems of administering a massive, nationwide research effort. NIH chose to regard it as nuisance that was best forgotten. NIH officials, for example, never made an effort to get acquainted with Fountain. He has been to NIH to visit constituents working there, but outside of one invitation from the NIH administration, which he was unable to accept, he has not been in-

vited to tour NIH's impressive facilities. There is nothing to suggest, of course, that his views would be altered by a walk through a laboratory, but the lack of personal contact between Fountain and the officials who feel afflicted by him does not contribute to better understanding. (Fountain himself, it might be added, has not gone out of his way to become acquainted with NIH or its grantees, but since NIH needs him more than he needs NIH, it would seem that the burden is on NIH.) Nor has understanding been furthered by relations between NIH and Fountain's chief aide in the investigation, Delphis C. Goldberg, a studious, persistent worker who joined the committee staff in 1956 after receiving a Ph.D. from Harvard in political economy and government.

Goldberg, after innumerable frustrations and delays in trying to obtain information from NIH, feels that NIH is going to budge only as far as the committee pushes it and he has no high hopes about NIH's good faith in its dealings with the committee. While stressing that he agrees with NIH that the desirable goal is to achieve accountability without interfering with the research process, he adds that "they [NIH] have a tendency to romanticize research, to try to convince you that it cannot be subjected to any sort of accountability. Before we came along, they were operating in a never-never land. They were not operating according to the rules of the government. They clothe themselves in a mystique, and they constantly act as if nothing is important unless they decide it's important. When we point out undesirable practices to them, they answer that they didn't know they were going on. It's an ostrich approach. They see only what they want to see. They talk of achieving excellence, but by excellence, they mean passability."

Last year, after Fountain found that his initial recommendations had been largely unheeded, the committee called NIH in for a second hearing. The result was a sharply worded, highly critical report that dissolved NIH's complacency about ignoring Fountain. A direct outgrowth of this report was the issuance, at the beginning of this year, of the *Public Health Service Grants Manual,* which put into effect many of the accountability recommendations that are now causing cries of distress among NIH grantees.

Fountain and Goldberg tend to discount these cries as further examples of NIH's attempt to exaggerate the difficulties of responding to their demands for accountability.

L. H. Fountain

"There are many complaints about the requirement for estimating time spent on grant projects," Goldberg said. "They tell us that you can't possibly figure out how much time a man spends on research, that you can't figure in the time that he uses for meditation and so forth. But that's a lot of nonsense, part of the effort to romanticize research and create the impression that it is beyond accountability." Goldberg, who circulates among scientists at NIH and elsewhere in quest of material for the committee, added, "it just isn't that hard to come up with a reasonable estimate of how much time a man is giving the government in return for a grant."

An Unhappy Relationship

In response to the charge that NIH has been forced into precipitately adopting regulations to satisfy the committee, Fountain says he doesn't think this is a likely possibility. "I don't think NIH has overreacted to us," he said. "When you look into the history of their response to us, you see that there's no danger that they'll go too far. And if they do, we'll be the first to call them on it. Our aim is not to interfere with research. We simply feel that it is possible to support research and still have some reasonable accountability for public funds."

To this Goldberg adds, "NIH is so tied up with its grant recipients that we don't see how they can possibly do anything that runs against the interests of their people."

NIH officials, who are aware of these sentiments, comment, "We have an unhappy relationship with Fountain," but they don't have any proposals ready at hand for improving that relationship. "We were aware of many of these problems before Fountain was," they explain, "but there is no doubt that he precipitated events. Still, we can't get a sense of his constructive intent. Fountain and Goldberg are interested in what's happening with grant X and what's going on at institution Y, but they don't seem to comprehend that the problem at this point is not to pick on examples here and there, but to carefully evolve policies that will provide accountability without interference."

The best way to do this, they contend, is to make the grantee's institution responsible for protecting the use of public funds. "But many institutions are not equipped for this task, and it is a long and difficult process to bring them to meet this responsibility," one NIH official explained. "We would have preferred to move slowly in this process, but with Fountain pressuring us, we have been forced into some steps that, frankly, we would not have taken, at least at this time. We were concerned about the use of grant funds for salaries, but I don't think we would have adopted the time-estimating rules without Fountain. We would have preferred to see the time rules evolve slowly."

NIH officials agree that they are reluctant to give information to Fountain, and that complaints about poor cooperation on their part are, to some extent, well based. "We have appointed one man to serve as our liaison with the committee and to supply them with the information that they request, but it's true that we're reluctant to give them information. We just don't know how it's going to be used."

The chilliness of the relationship is partially explained by the fact that Fountain's committee is an investigatory one, and that it wasn't established to pile up reports saying everything is okay. The function of an investigatory committee is to find things that are amiss, and it is customary for federal agencies to have as little as possible to do with investigatory committees that have them under surveillance. Nevertheless, this principle can be followed out the window, which is what seems to have happened in the case of NIH. It

might as well be realized that L. H. Fountain is now a permanent fixture in the politics of medical research and that no good can come of maintaining only distant relations with him.

Fountain has made it clear that his interest in NIH is neither short-range nor casual. "My feeling is," he said, "that the committee will have to keep surveillance over NIH indefinitely, particularly because of the wide range of discretion that they have in using funds."

At the moment, no date has been set for further hearings, but material is being collected, some of it not particularly flattering to NIH (disappointed grant applicants are the source of some of it), and before the session is out it is probable that Congressman Fountain and NIH will meet again in the hearing room. In the meantime, would it be too impertinent to suggest that since Fountain and Shannon are in the same business—promoting the public welfare—they might find something useful to discuss over lunch?—D. S. GREENBERG

Space Controversy: Senate Committee To Hear Scientists on Moon Program

Controversy over the high priority assigned to the lunar landing program is beginning to bubble through the scientific community and will be the subject of a Senate hearing on 10 and 11 June. Meanwhile, the latest entry in the conflict is a public statement by eight prominent scientists in defense of the space effort. Perhaps the most noteworthy thing about the statement is that, while pro-space sentiments abound, the New York *Times* felt it was sufficiently significant at this time to be given front-page attention.

The hearing, called by the Aeronautical and Space Sciences Committee, is scheduled to receive testimony from Philip H. Abelson, Lloyd V. Berkner, Lee Du Bridge, H. H. Hess, Polykarp Kusch, C. S. Pittendrigh, Simon Ramo, Martin Schwarzschild, Frederick Seitz, and Harold C. Urey.

The statement of the eight scientists who endorsed the Apollo project reads as follows.

"Some members of the scientific community have criticized the Apollo project, which is aimed at the achievement of the manned lunar landing in this decade. The critics assert that the scientific benefits of space research can be gained by heavier reliance on robot instruments, with the manned flight program carried out at a slower and less expensive pace.

"This criticism raises important issues regarding the motives which underlie the United States space effort. In 1961 the Congress responded to the call by President Kennedy for a vigorous space program, including a commitment to the manned lunar landing within the decade, by voting overwhelmingly in favor of the funds requested. The support was reaffirmed in 1962.

"Was this support tendered for scientific reasons primarily, or was it motivated by a broader concern with national interests and national goals?

"We believe that the support given to the enlarged space program by the people and the Congress was not based primarily on scientific grounds. We believe it was based on a conviction that this program will, for many reasons, make an important contribution to the future welfare and security of the United States.

"On this basis we take issue with those of our scientific colleagues who criticize the Apollo program by contending that it does not have scientific value. We regard the criticism as invalid for two reasons.

"First, man-in-space makes an essential contribution to the scientific objectives of lunar exploration. The exploration of space will pose an immense variety of challenges, unexpected opportunities and unforeseen obstacles. In the early stages of experimentation, automatic apparatus is effective. In later stages, when important questions have to be answered by difficult experiments, very complicated instruments must be developed to attempt a crude imitation of human judgment and flexibility. Robot instruments will always play an important role in the exploration program, but situations are bound to arise in which the human performance is indispensable for achievement of the scientific objectives. A sound approach requires both the development of automatic instrumentation and a vigorous program to achieve an early capability for manned exploration.

"Second, science plays an important role in lunar exploration but is not the sole objective of that project. The momentum and significance of the lunar program are derived from its place in long range United States plans for exploration of the solar system. The heart of those plans is man-in-space. Although it is the responsibility of the scientist to see that research is a strong element within the framework of the program, nevertheless, the impetus of the program is not derived from scientific research alone. Therefore, the pace of the program cannot be set only by the steady flow of scientific developments. It is essential that it be influenced also by the urgencies of the response to the national challenge.

"In making these remarks we wish to stress that the space effort is a national program which warrants the interest, criticism and active participation of the entire scientific community."

The statement was signed by Maurice L. Ewing, Robert Jastrow, Joshua Lederberg, Willard F. Libby, Gordon J. F. MacDonald, Lyman Spitzer, Harold C. Urey, and James A. Van Allen.—D.S.G.

Civil Defense: New Program in Race with Growing Apathy and Apathy Is Pulling Ahead

Cracks in the wavering foundation of the Administration's civil defense policy opened wider last week, when the abolition of civil defense in the state of Oregon coincided with the inauspicious opening of a broad civil defense review by the House Armed Services Committee. The modest program of surveying, marking, and stocking areas in existing buildings that offer some hope of fallout protection has aided states and local communities in achieving some protection for some of their citizens for some of the time, but it has never been popular, either in or out of Congress. Views of fallout protection have always shifted between the opinion that it costs relatively little and may possibly be of some use, and the opinion that given the strategic uncertainties, shelters for fallout alone are a cruel joke. If last week's events are a sound indicator, the latter view is gaining adherents, leaving some doubt that the Administration's program will survive intact.

What Oregon has done is to respond belatedly to an invitation issued by President Kennedy in his first major statement on civil defense, in May 1961. "Every American citizen and his community," Kennedy said, "must decide for themselves whether this form of survival insurance [fallout shelters] justifies the expenditure of time, effort and money. For myself, I am convinced that it does." Oregon, however, is apparently convinced that it does not. Two weeks ago the City Council of