Representative Fogarty Dies at 53

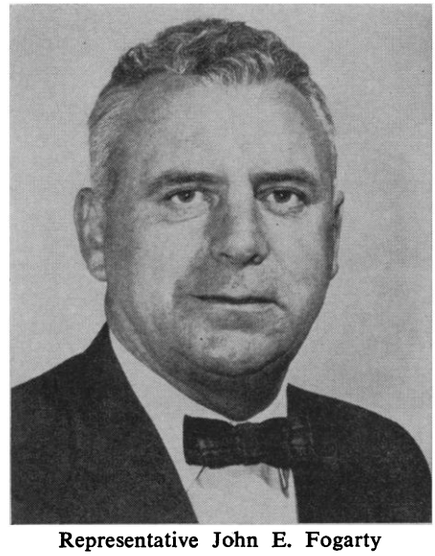
Representative John E. Fogarty, a major political architect of the federal government's vast program of medical research, died Tuesday at age 53 in his Capitol office, a few hours before the opening of the 90th Congress. Death was attributed to a heart attack.

Fogarty, a Rhode Island Democrat who was first elected to Congress in 1940, became chairman of the NIH appropriations subcommittee in 1949 and soon afterwards focused his career on a rapid expansion of the federal commitment to the health sciences. In alliance with his counterpart in the Senate, Lister Hill of Alabama, and NIH director James Shannon, he helped create the phenomenal budgetary growth of NIH, from $46 million in 1950 to the current sum of over $1.2 billion. Despite the budget-cutting intentions of the Eisenhower administration and the strongly conservative makeup of the House Appropriations Committee, Fogarty repeatedly prevailed in his efforts to expand NIH's activities beyond the budget requests the administration sent to Congress.

In the Senate, Hill, too, prevailed (in fact, he would even add funds beyond what Fogarty deemed useful and politically feasible), but the Senate, generally being more liberal in financial matters, provided a more hospitable forum for NIH supporters.

The Kennedy administration restrained Fogarty, to an extent, simply by refusing to spend some of the funds he voted, and in recent years he pulled back a bit for fear of inflaming congressional suspicions toward the rapid growth of funds for science. But the Fogarty-Hill combination never came out with any sum significantly less than the administration requested, and nine times out of ten produced a great deal more. Considering the normal practices of the House Appropriations Committee, Fogarty's performance in behalf of NIH was a personal tour de force without parallel. It is no exaggeration to say that for the past 15 years he was politically the single most important person in medical research in the United States.

Though his formal education ended with a high school diploma and he was a bricklayer by trade when elected to Congress, Fogarty possessed an incredibly deep and extensive lay knowledge of the substance of medical research. "I live this thing all year around," he once said.



Representative John E. Fogarty

One of Fogarty's most potent tactics involved his demand that NIH administrators give a "professional judgment" of their budgetary needs, and not simply a defense of the budget that emerged from pruning at the Bureau of the Budget. In 1962, for example, he paternally chided the director of the National Institute of Mental Health for defending a budget request that was only $4 million above that of the previous year. "How much do you really need?" Fogarty demanded. "I haven't figured it up," the witness said, "but I would say in total we could use somewhere between $117 million and $120 million." That was in a year when the political going was getting tough for medical research, but Fogarty granted nearly $109 million—which was $21 million more than the administration had sought.

In the late afternoon, over drinks in his Capitol office, Fogarty loved to chat about the politics and finances of NIH. During one of these sessions, toward the end of the last Congress, he said that budgetary problems and pressures for more applied research were beginning to plague NIH. "But," he said, "you can tell the scientists, nothing bad is going to happen to medical research. I'll see to that."

—D. S. GREENBERG

Grand Canyon (*Science*, 17 June 1966). Conservation groups such as the Sierra Club, the National Wildlife Federation, the Wilderness Society, and the National Parks Association have been tax-exempt and entitled to receive deductible contributions because they are nonprofit organizations operated for "educational and scientific purposes." However, the pertinent section of the Internal Revenue Code says that, to qualify for this favored tax status, "no substantial part" of the organization's activities shall be the "carrying on of propaganda, or otherwise attempting to influence legislation."

The danger of falling afoul of this vague proscription has long been evident to conservation groups. The Sierra Club is not the only conservation organization to have been examined by IRS in the past decade, and, for fear of losing their tax status, some groups have stepped gingerly on Capitol Hill. For example, the National Wildlife Federation, although it takes positions on conservation issues when invited to testify before congressional committees, does not exhort its members and affiliated groups to appeal to congressmen to take certain actions. Its weekly *Conservation Report*, according to a Federation staff man, tries to present all sides of controversial issues and is neutral in tone. Some conservationists believe that this approach is inadequate. When struggling to prevail over powerful economic and political interests, they contend, conservation organizations must try to activate their members and significant elements within the general public and have them press for the legislative outcome desired.

But even the boldest conservation groups seem to have been influenced at times, and to some degree, by the realization that their tax status could be endangered. The Sierra Club itself, in its *Bulletin* of January 1955, told its members that the tax laws "do not permit [us] to carry on a full-scale legislative campaign, either state or national, to protect our parks." Trustees for Conservation (of San Francisco) and Citizens Committee on Natural Resources (of Washington, D.C.) were created for the specific purpose of carrying on lobbying activities which groups such as the Sierra Club felt they could not safely undertake. Although the two organizations are regarded as useful, some conservationists are convinced that these groups