

## NSF: Kennedy Pours Trouble on Oiled Waters

A National Science Foundation grant to an energy policy analyst who is also receiving support from the oil industry has ignited a hot dispute between the office of Senator Edward M. Kennedy (D-Mass.) and partisans of the Foundation.

The dispute reveals seldom seen facets of the political interplay between congressional staffers and the supposedly nonpolitical NSF. It also raises questions about the adequacy of the review procedures used by NSF and the extent to which the Foundation can, or should, look into the other sources of funds supporting its grantees.

On 24 August, Kennedy asked the General Accounting Office, an arm of Congress, to investigate NSF's handling of two grants to William A. Johnson, an economics professor at George Washington University and director of the university's Energy Policy Research Project. Kennedy's staff was particularly disturbed because Johnson, the recipient of oil industry money, has prepared papers under his NSF grant espousing energy regulatory policies that support the views of the oil industry but conflict with Kennedy's own views.

In his letter calling for the investigation, Kennedy said that he was "gravely concerned" over "the manner in which the Foundation has awarded grants for energy policy research." He also expressed "serious doubt" as to "whether the Foundation has been diligent in weighing the impact of outside funding on the findings of the policy analysts it supports."

But grantee Johnson and some NSF partisans retort that, if there is anything improper going on, it is to be found in the behavior of Senator Kennedy's own staff. They allege that one staff member in particular—Anne Strauss, the professional staffer for Kennedy's subcommittee on NSF—has been "harassing" and "intimidating" NSF officials in an apparent effort to get Johnson's grant terminated. Such tactics, they insist, are an improper injection of politics into the NSF award-making process.

Johnson has written a letter to Kennedy pledging full cooperation with any investigation but also requesting a meet-

ing to make the senator "aware of the activities of certain members of your staff which, in my judgment, seem to have exceeded the bounds of Congressional staff authority. . . . In at least one instance, a member of your staff has tried to intimidate an executive branch official and influence his decisions regarding the allocation of public funds." Johnson told *Science* that, while he referred to staff members in the plural, he had in mind only Strauss.

### NSF Alleges Intimidation

The NSF staffer whom Strauss allegedly sought to intimidate—James L. Plummer, program manager for the grants—has described his dealings with her in an internal NSF memorandum. He claimed that in a series of telephone calls in June Strauss made "accusations" against him and the Foundation, "improper" requests for information about reviewers of the grant proposals, and a threat that "you'd better hope that you personally are on the record somewhere as being against all these grants." Plummer charged that this threat was "completely unethical and probably illegal. It was a clear attempt to intimidate an executive branch official and influence his decisions regarding the allocation of public funds . . . blacklisting tactics are no less objectionable when they are practiced by the left than when they are practiced by the right."

Such allegations are stoutly denied by Kennedy's office. After reviewing the matter with Strauss, Edward T. Martin, Kennedy's administrative assistant, told *Science*: "I'm satisfied that she acted properly and within the jurisdiction of her duties as a staff member." He noted that Plummer's memorandum is not a transcript of conversations but simply Plummer's version of what he sensed the conversations were about. "The conversations were in no way intended as a personal threat to him," Martin said. Similarly, Strauss said that Plummer's version contains "inaccuracies and misrepresentations" but added that it would serve no good purpose to rebut Plummer point by point. Strauss also noted that, although Plummer urged NSF to complain about her calls, NSF's general

counsel concluded that no action was required.

The grants to Johnson were made by the Office of Energy Policy, a unit that served as staff support for the President's science adviser back in the days when the science adviser and the director of NSF were the same man. Johnson received an initial grant of \$60,000 in 1974 followed by a continuation grant of \$70,000 in 1975. (The Treasury Department paid NSF \$20,000 toward the continuation grant after Johnson, at NSF's request, sought to interest other agencies in the project.) Johnson currently has an application for yet another \$35,000 continuation grant pending at NSF.

These NSF funds have provided the major support for preparation of a series of papers on federal oil and gas policies that were intended to assist the science adviser and other federal officials to formulate the government's energy policies. The papers have included such titles as "The Case Against Further Regulation of the Major Oil Companies," "How Federal Regulations are Putting Independent Oilmen Out of Business," and "Why U.S. Energy Policy Has Failed." Johnson also provided several briefings to the staff of the science adviser and, at the request of NSF, he gave a 3-hour presentation in April to the staff of the Trade Commission.

Kennedy's staff became dubious about the project not long after it was launched. At one point, Strauss discovered that NSF's files on energy policy contained a paper by Johnson that strongly opposed mandatory oil allocation—a policy being pushed by Kennedy. The paper was not prepared as part of the grant (Johnson recalls that it was actually a speech) but it was on a list of publications NSF was making available to interested legislators. Strauss describes the material as "flamboyant—it did not seem to us to be scholarly work." So Kennedy staffers summoned NSF officials to Capitol Hill and, according to Strauss, "we talked about ways to be sure this would not happen again."

Johnson, meanwhile, became concerned that pressure from Kennedy's staff might lead NSF to terminate his project. So he griped to friendly staffers elsewhere on Capitol Hill and they produced a letter to NSF—dated 25 April 1975—that sought to exert some counter-pressure. The letter, signed by five senators, praised Johnson's papers as "extremely useful," called his analyses "as thorough as any we have seen," and noted that Johnson "has been willing, often on short notice, to appear before different Congressional committees and

to meet with us individually to discuss energy policy. We plan to draw upon his work in the future and we appreciate NSF's providing him with the necessary financial support." The letter was signed by Senators Bill Brock (R-Tenn.), Clifford P. Hansen (R-Wyo.), Paul J. Fannin (R-Ariz.), Paul Laxalt (R-Nev.), and John V. Tunney (D-Calif.). The signature of Laxalt, in particular, served to counter the Kennedy thrust. The NSF pays particular attention to complaints from Kennedy since he is chairman of the Senate subcommittee that has legislative jurisdiction over the Foundation. But Laxalt is the ranking Republican on that subcommittee, also in a position to do NSF good or ill.

Johnson told *Science* he did not write the letter for the five senators or even ask that it be written. He said he finds it somewhat embarrassing because "I don't believe there should be any political influence one way or the other." He also claims that "Anne Strauss's objections came very close to resulting in our grant not being continued."

Strauss recalls that two events triggered her latest round of inquiries to NSF. One was a newspaper advertisement by Mobil Oil Corp. that quoted extensively from a recent paper by Johnson and three associates entitled "Competition in the Oil Industry." The ad trumpeted the study's findings that the oil industry is one of the least concentrated in the nation, that the oil companies have not engaged in anticompetitive behavior, and that no special legislation [such as Kennedy backs] is needed to break them up. The ad made no mention of NSF. Johnson says he was not paid for the use of his material.

The other was an inquiry about Johnson's project from an organization known as the Energy Action Committee, which is directed by a former Kennedy staffer and is opposed to Johnson on many issues. Johnson reports that he got called from the same group asking about his sources of private funding, but he refused to divulge the information. At about the same time, Kennedy's staff—and the staff of another senator as well—began questioning NSF about the project. NSF's Plummer charges that Kennedy's office in effect was "being used by a private lobbying organization to obtain information from NSF that might not otherwise have been provided by Professor Johnson." But Strauss says she has no knowledge of any calls Energy Action may have made to Johnson. She says she has "enormous respect" for the group and thought the organization's concerns were worth investigating.



William A. Johnson

After the controversial telephone calls, Kennedy's office sent NSF a long list of questions designed to uncover the circumstances surrounding the grant to Johnson and what other sources of funding he might have. The Foundation, meanwhile, obtained a letter from Johnson describing his sources of support. That letter indicates that, in addition to the \$130,000 in NSF funds, Johnson's research unit has received \$85,000 from some 50 companies associated with the Independent Oil Marketers' Conference and another \$40,000 from another group of marketers known as the Southern Caucus of the National Oil Jobbers Council. The companies involved, according to Johnson, are independent and not controlled by the major oil companies. Their contributions, Johnson told *Science*, have largely paid for the salaries of research assistants who have contributed to many of the papers prepared for NSF and performed other tasks. Johnson has also received some \$25,000 in consulting and speaking fees over the past 2 years from a variety of organizations, including major oil companies.

In his letter calling for an investigation, Kennedy was highly critical of NSF's failure to detect that Johnson was receiving industry funding for papers that were intended to influence the science adviser. He noted that Johnson had stated clearly in his grant applications that NSF would not be his only source of support. Yet the Foundation, he said, "made no effort to determine the source of that outside funding—some \$125,000—and did not learn until one month ago, following inquiries from the Subcommittee, that this support came from elements of the oil industry which hold clear and well-defined positions on divestiture and other subjects of Dr.

Johnson's inquiries." Johnson contends that he informed NSF officials verbally about the nature of his industry funding and they raised no objections. But NSF, in replying to Kennedy's list of questions, says it did not get that information until recently.

Whether it matters that Johnson received industry funding is not clear. Kennedy's statements suggest that the funding had an "impact" on Johnson's findings. But Strauss says she does not necessarily feel that NSF should have refused to make the grant—merely that NSF should have inquired about Johnson's outside funding, been more aware of his biases before making the grant decision, and perhaps found a way to indicate, on the publications generated, the nature of his non-NSF funding.

The Foundation has not indicated what it would have done if it had known in advance that Johnson was receiving money from oil interests. Johnson says he had no qualms about accepting support from the two marketing groups because he and they share a "deep concern" about U.S. regulatory policy and efforts to break up the oil industry. But he indicates that he is not bound to parrot an industry line and has, in fact, reached some conclusions which disturb some of his industry backers. He also claims that neither he nor the marketing groups had firm positions in advance of his project on whether the big oil companies should be forced to divest.

Paul Craig, a California energy official who was deputy head of the Office of Energy Policy at the time the initial grant was awarded, says the relevant issue is whether the funding affected Johnson's point of view—a question he is not in a position to judge. But Craig notes that Johnson's opposition to regulation was well known at the time the grant was awarded. The purpose of the award, Craig says, was to make sure this viewpoint was well articulated alongside opposite viewpoints that were also being fed into the science advisory apparatus from a variety of sources. At one point a debate between Johnson and another NSF grantee who takes "polar opposite" positions on many issues was staged for the benefit of the science adviser's staff, according to Craig. Kennedy staffer Strauss was in attendance.

Kennedy has also criticized the adequacy of the review given Johnson's grant proposals. According to Strauss, Johnson's original proposal was reviewed by two NSF officials (one of whom had previously worked for Johnson at the Federal Energy Office) and one outsider, a professor at Pennsylvania State University. His second propos-

al was reviewed by five NSF officials (including one former colleague of Johnson's) and an official of the Treasury Department who had worked with Johnson there. Even NSF officials agree that the review process might be considered incestuous. But they note that the policy papers prepared for the science adviser were not subjected to the usual review mechanisms applied to research grants; the review mechanism for policy papers at NSF has since been tightened. They also suggest that Johnson is a competent individual who would probably pass a stiffer review process. The 40-year-old research professor graduated *summa cum laude* from Syracuse University, earned a doctorate in economics from Harvard, and served successively as a senior economist for the RAND Corporation, a senior economist for the Council of Economic Advisers, an energy adviser to Treasury Secretary William E. Simon, and assistant administrator of the Federal Energy Office, before becoming a research professor at George Washington.

As this issue went to press, Kennedy's staffers were scheduled to meet with investigators from the General Accounting Office to discuss what the GAO might be able to do to determine what, if anything, NSF has done wrong and what, if anything, should be done about it.

—PHILIP M. BOFFEY

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## RECENT DEATHS

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**Lyle R. Dawson**, 71; former head, chemistry department, University of Kentucky; 16 April.

**David M. Dennison**, 75; professor emeritus of physics, University of Michigan; 3 April.

**Carl R. Doering**, 86; former professor of preventive medicine and public health, University of Oklahoma; 27 March.

**Austin S. Edwards**, 91; former head, psychology department, University of Georgia; 2 March.

**Thomas J. Edwards**, 52; professor of education, State University of New York, Buffalo; 24 March.

**Frank G. Everett**, 69; professor emeritus of dentistry, University of Oregon Health Sciences Center; 14 April.

**Francis D. Farrell**, 92; former president, Kansas State University; 13 February.

**Morris Fishbein**, 59; research microbiologist, Food and Drug Administration; 26 March.

**Frederick L. Fitzpatrick**, 76; professor emeritus of natural sciences, Teachers College, Columbia University; 20 April.

**Burns N. Gafford**, 75; professor emeritus of electrical engineering, University of Texas, Austin; 2 April.

**Howard R. Garris**, 66; former professor of plant pathology, North Carolina State University; 30 April.

**John G. Geisler**, 90; professor emeritus of chemistry, University of Dayton; 3 February.

**Donald H. Glew**, 51; professor of medicine, George Washington University; 19 March.

**Isidor Greenwaid**, 88; professor emeritus of biochemistry, New York University School of Medicine; 7 February.

**Walter S. Guthmann**, 68; former chairman of chemistry, Roosevelt University; 2 March.

**Paul Gyorgy**, 82; professor emeritus of pediatrics, University of Pennsylvania; 1 March.

**Leo A. Haak**, 72; professor emeritus of social science, Michigan State University; 3 April.

**Charles W. M. Hart**, 70; former professor of anthropology, University of Wisconsin, Madison; 25 February.

**Charles C. Hatley**, 91; professor emeritus of physics, Duke University; 16 April.

**Werner Heisenberg**, 74; former director, Max Planck Institute for Physics and Astrophysics; 1 February.

**Thorfin R. Hogness**, 81; former professor of chemistry, University of Chicago; 14 February.

**Harry Hoijer**, 71; professor emeritus of anthropology, University of California, Los Angeles; 4 March.

**Henry H. Hymes**, 55; associate professor of geography, Tennessee State University; 25 February.

**Simon T. Kao**, 54; associate professor of mathematics, University of New Mexico; 25 February.

**Max Kleiber**, 83; professor emeritus, University of California, Davis; 5 January.

**Herschel T. Manuel**, 88; professor emeritus of educational psychology, University of Texas, Austin; 21 March.

**Luther L. Mays**, 71; former professor of psychology, Northern Virginia Community College; 18 February.

**George V. McCauley**, 93; former professor of physics, Northwestern University; 19 April.

**George C. McGregor**, 70; former professor of physics, Providence College; 8 February.

**Paul A. Menegat**, 74; former associate professor of education, Pacific University; 11 February.

**John A. P. Millet**, 87; professor emeritus of psychiatry, New York School of Psychiatry; 18 February.

**Clifford T. Morgan**, 60; visiting professor of psychology, University of Texas; 11 February.

**Wilder G. Penfield**, 85; neurologist and founder, Montreal Neurological Institute; 5 April.

**Sumner T. Pike**, 84; former chairman, Atomic Energy Commission; 21 February.

**Michael Polanyi**, 84; former professor of physical chemistry, University of Manchester; 22 February.

**Ralph W. Powell**, 86; professor emeritus of mechanical engineering, Ohio State University; 30 January.

**Fraser P. Price**, 58; professor of polymer science and engineering, University of Massachusetts, Amherst; 25 February.

**Harry H. Ransom**, 67; chancellor emeritus, University of Texas; 19 April.

**Robert B. Rice**, 75; former chairman of mechanical engineering, North Carolina State University; 3 March.

**Mary J. Rouse**, 51; professor of education, Indiana University, Bloomington; 15 February.

**Albert O. Seeler**, 60; professor of medicine, Massachusetts Institute of Technology; 12 February.

**Curtis Singleterry**, 76; former professor of chemistry, Aurora College; 8 February.

**George L. Slate**, 77; professor emeritus of pomology, Cornell University New York State Agricultural Experiment Station, Geneva; 16 April.

**Leslie M. Smith**, 72; professor emeritus of entomology, University of California, Davis; 10 February.

**Ivan S. Sokolnikoff**, 75; former professor of mathematics, University of California, Los Angeles; 23 April.

**Benjamin Spector**, 82; professor emeritus of anatomy and the history of medicine, Tufts University; 17 February.

**Samuel Van Valkenburg**, 84; former director, Graduate School of Geography, Clark University; 18 April.

**Mark H. Watkins**, 72; professor emeritus of anthropology, Howard University; 24 February.

**Harry K. Wells**, 64; former associate professor of psychology and philosophy, Hartwick and Bloomfield College; 8 February.

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*Erratum:* In the report "Aflatoxin production by a variant of *Apergillus oryzae* (NRRL strain 1988) on cowpeas (*Vigna sinensis*)" by N. El-Hag and R. E. Morse [192, 1345 (1976)], the third sentence in the legend to Table 1 should read "This strain produced aflatoxin on rice (expressed as micrograms per kilogram . . .)." Also, the heading for columns 2 and 3 of Table 1 should read "Aflatoxin ( $\mu\text{g}/\text{kg}$ ) from *A. oryzae*."