

Finklea Quits as Chief of Occupational Health Institute

Occupational health experts in and out of government were surprised to learn recently that John F. Finklea, the activist, controversial director of the government's occupational health research arm, the National Institute of Occupational Safety and Health (NIOSH) resigned suddenly on 6 January. Rumors sprang up immediately that this was another abrupt firing by Health, Education, and Welfare (HEW) Secretary Joseph A. Califano, and that Finklea's enemies conspired to remove him—but these turned out to be false. The official to whom Finklea reported, William Foege, director of HEW's Center for Disease Control (CDC), says that Finklea resigned voluntarily and had previously discussed the possibility with him in private for several weeks. Finklea will become a special assistant to Foege at CDC headquarters in Atlanta.

High officials in the Department of HEW confirmed, however, that HEW has been rethinking the role of NIOSH, which has been beset by problems since it was founded in 1972 as a sister agency to the Department of Labor's Occupational Safety and Health Administration (OSHA), the regulatory agency that sets standards in the workplace. NIOSH is meant to provide technical support to OSHA while remaining independent from it, but the relationship has never been a smooth one. OSHA officials are wont to criticize NIOSH and Finklea; now they hint that NIOSH should be merged into OSHA. Over at HEW, both Foege and the Assistant Secretary for Health, Julius Richmond, say that NIOSH will stay where it is, and be strengthened by becoming able to draw on some of CDC's personnel and methods for the conduct of workplace surveillance and epidemiology.

But NIOSH's problems, and the setting for Finklea's departure, go beyond the standard bickering among federal agencies with closely related missions. The field of occupational health seems to be riddled with bitterness, personal feuds, and attacks on the integrity of individuals to an extent rarely found in government science activities.

Finklea was brought in as director of NIOSH because, despite having been accused of biasing a major pollution study while at the Environmental Protection Agency, he commanded respect as a strong administrator. He then proceeded to redirect NIOSH's varied activities around the issuing of criteria documents, which outline the scientific case that a substance constitutes a human health hazard. And he succeeded. NIOSH had issued only 23 such documents when he came; to date it has issued 88. Thus it has made OSHA, which is meant to hold hearings and set standards on the basis of each document, look like the one doing the foot-dragging.

But these moves, which many people felt were long overdue, by no means assured NIOSH smooth sailing. Several senior NIOSH scientists, apparently partly in disgruntlement with Finklea, have moved to OSHA. Some of

these have also been accused of biasing a study showing that beryllium is a carcinogen in humans (*Science*, 2 December 1977). Likewise, some labor representatives, instead of applauding Finklea's actions, accuse NIOSH of not having gone far enough. Finally OSHA, which under a new assistant secretary, Eula Bingham, is determined to make up for years of inactivity under the Republicans, has become more and more active, such as in announcing a sweeping new policy for regulating workplace carcinogens. Nonetheless, OSHA's dealings with NIOSH have worsened, and Bingham is reported to be one of those who wanted Finklea to resign.

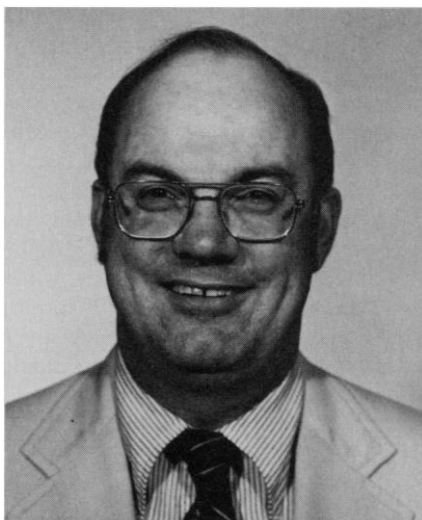
Such backbiting among officials extends to the scientific level where the determination of whether a substance is a worker hazard—and especially whether it poses a cancer risk—is not only technically difficult but hard to do without encountering charges of pro-labor or pro-management bias. One respected occupational health scientist gave this report of a technical advisory meeting: "We were sitting there, trying to decide whether we could call some substances 'stronger' carcinogens or 'weaker' carcinogens, and then we realized we couldn't use those words without someone accusing us of being biased."

And asked about his relations with a prominent labor official, one scientist replied, "We've had our ups and downs. He once publicly accused me of being pro-cancer."

In the beryllium proceeding, it is now up to OSHA to accept or reject the NIOSH evidence and propose a new exposure standard if it decides beryllium is a human carcinogen. During hearings on the subject last fall the question was raised as to whether Joseph K. Wagoner, a NIOSH scientist now at OSHA who co-authored a study advocating the human carcinogenicity of beryllium, would have a conflict of interest if he took part in OSHA's regulatory decision, which will include an evaluation of the merits of his study.

In the hearing, Wagoner said he thought he would not participate in the OSHA decision. But now OSHA director Bingham apparently oblivious to the conflict of interest issue—has written a letter stating that Wagoner will indeed participate in the beryllium decision and other decisions regarding occupational carcinogenesis.

Whether this level of carrying on is what motivated Finklea to resign is not clear. Certainly such dealings are among the matters prompting the current HEW review by Foege and Richmond. And HEW's decisions regarding NIOSH, and the problems of occupational health research, could rebound on the Carter Administration generally. For if OSHA goes ahead and issues controversial new standards on the basis of poor scientific data, affected industries could get the standards overturned by the courts, thus giving the Administration a black eye in its relations with organized labor.—DEBORAH SHAPLEY



John F. Finklea