

# Library of Medicine versus Private Enterprise

*Conflict over proposal to make public and private computer services more competitive hints of information wars to come*

The National Library of Medicine is concerned about proposed legislation that could potentially put its computerized information services in competition with private industry.

The library's director, Martin M. Cummings, is particularly upset because he believes the measure is being advanced as a result of heavy lobbying by a private company, Excerpta Medica, which sees the NLM as a damaging competitor in the medical information business because of its low-cost subsidized services. The contents of its on-line service overlap with MEDLINE between 30 and 40 percent. Cummings also believes this is a case of a foreign firm improperly meddling in the affairs of Congress. Excerpta Medica, based in New Jersey, is a branch of the Dutch company Elsevier, the world's largest publisher of medical literature.

The proposed legislation is in the form of an amendment to Senate bill S. 800, a collection of authorization measures for the National Institutes of Health, in which the NLM resides. It was sponsored by Senate Labor and Human Resources Committee chairman Orrin Hatch (R-Utah).

What the proposed amendment says is that the library must not provide users with information products unless fees are charged that recover the full cost of the services. The amendment would exempt from this provision nonprofit organizations, government agencies, and foreign governments. However, it specifies that exempt organizations will not be permitted to provide information products to any nonexempt entity.

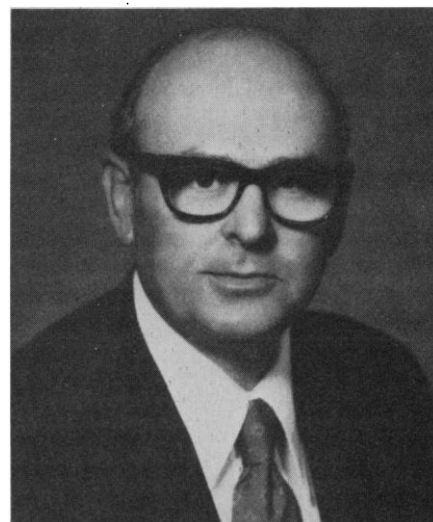
The library's information system, called MEDLARS (Medical Literature Analysis and Retrieval System) encompasses 20 data bases, of which the largest is MEDLINE, which contains indexes to about 600,000 pieces of literature in biomedical research. The library sells on-line information at the rate of \$15 per computer hour—about \$50 less than prevailing rates in the private sector—and also leases its data base. It costs \$50,000, for example, to get one year's MEDLINE tapes. MEDLARS is accessible at more than 1530 institutions, about 300 of which are commercial ventures such as pharmaceutical companies. Cummings says that the library charges users about

70 percent of the costs of preparing the information. So if users were charged the full price, hourly computer costs would go up to about \$22. This would still make services far cheaper than commercial ones.

Nonetheless, Cummings believes that important principles are at stake. The NLM, he says, is a library with a library's purpose—making information available to all who seek it. He regards the computerized data service merely as an extension of the library's functions. He is outraged at the suggestion the NLM—which has been pretty much above criticism since its founding in 1956—is behaving like a commercial entity. "I don't deny that [our information] is cheaper. That's correct and always will be," he says. He absolutely rejects the idea of levying differential charges depending on whether users are profit-making, on the grounds that it violates the principle of equal access. He also says that as a practical matter it would be impossible to determine whether end users of the system were nonprofit or profit-making. And he adds, "The real reason I'm opposed is this makes the private sector more competitive." He believes the proposed amendment is solely designed to "fatten the pocketbook" of a few private companies and has no redeeming social value. "As a citizen I am repelled by it, and as director of this library I am opposed to it." He complains that lawyers for Excerpta Medica have been pestering the library with requests for information: "They're just trying to grind us down . . . we're not going to roll over and play dead for them. They are doing everything they can to damage and destroy this organization."

Allan Fox, Excerpta Medica's advocate in Washington, insists that no one wants to degrade the NLM. Fox, who works at the Washington law firm of Leighton Conklin Lemov and Jacobs, contends that the NLM had gotten into a whole new ball game when it entered the world of computers, and that these extensive services do not fall within traditional library functions. MEDLARS is being aggressively promoted and in many ways it appears similar to a commercial business, he says; therefore, its unnaturally low rates give it an unfair competitive edge. Fox, a former assistant to ex-

New York Senator Jacob Javits, insists that the proposed amendment is consonant with the public good because it is not healthy to have the government controlling the whole medical information business. The "bottom line," says Fox, is that the commercial users of the information should be paying the full cost of



**Martin M. Cummings**

processing it, and the U.S. taxpayer should not be subsidizing (for example) "Swiss drug companies."

Over at the Senate committee, most of the work relating to the amendment has been done by David Kessler, a pediatric resident at Johns Hopkins Hospital. Kessler says he drafted the amendment only after talking with dozens of medical librarians and information specialists (including Cummings), and he believes the public good in this matter would be better served if services to profit-making concerns were not subsidized.

Private information providers, needless to say, favor the amendment. According to testimony prepared for April hearings by Alex Adler, Excerpta Medica's president, his company "finds its continued existence threatened by unfair competition from the United States Government" through the NLM. He also said that, if the current situation persists, "Excerpta Medica and other private concerns could be forced out of the market, leaving the government as the sole source of information about biomed-

ical literature." Said Adler, "Any business, including ours, that goes head-to-head with Uncle Sam and his 'deep pockets' cannot survive." Eugene Garfield, head of the Institute for Scientific Information in Philadelphia (which also competes with MEDLARS), says that despite the fast-growing market, computerized information services are very competitive. "With the advent of the on-line revolution, various subsidized services have made it extremely difficult for other providers," he adds. The NLM may say its data are complementary rather than competing, but "the fact is all the information services are competing today."

Thus, providers of these services dif-

fer with Cummings not only on the MEDLARS' relation to private industry; they also have different concepts of what it ultimately should be. The privates envisage wide-open competition, while Cummings believes that public and private data bases should complement one another.

Whether or not the amendment becomes law, the issues will not go away as long as public (subsidized) and private information systems are vying for the same market. Cummings hopes it will become included in public policy debates and NIH director Donald S. Fredrickson believes it deserves extensive exploration before any laws are changed. Fred-

rickson, unlike Cummings, does not believe a differential fee structure would constitute "a breach of an inalterable philosophical principle." But, he says, the stipulation that exempt organizations not be allowed to supply information to nonexempt ones is completely impractical. How, for example, would a state system deal with requests for services from private physicians? He also foresees complications with foreign entities, where the NLM obtains bibliographic services in exchange for tapes. The amendment will be "bad news," he says, if it is passed in absence of a full understanding of its implications.

—CONSTANCE HOLDEN

## At Long Last, Linus Pauling Lands NCI Grant

*Nobelists' claims about vitamin C to be tested;  
Cancer Institute lends special hand to Pauling to win funding*

Linus Pauling, a Nobelist who has caught the public eye with maverick claims that vitamin C can help prevent cancer, has at last snared a National Cancer Institute grant to study his hypothesis. The grant was approved on his eighth try in 8 years. Pauling will use the \$204,000 allotted for the 2-year grant to study the effects of vitamin C on breast cancer in mice.

Pauling complains that he has failed

Pauling, who has received the Nobel Prizes for chemistry and peace, passed NCI inspection after an all-star NCI ad hoc panel, headed by Bruce Ames of the University of California at Berkeley, made a site visit to the Linus Pauling Institute of Science and Medicine in Menlo Park, California. The group, which also included Richard Peto and Phillippe Shubik, both from Oxford, and Gerald Wogen from the Massachusetts

recently moved to a new location in Palo Alto, a few miles from its previous quarters.

Since 1973, at least four of Pauling's grant applications have been approved, including his latest application. The other three that passed were never funded because of their low rating or "priority score" assigned by a study section. Pauling has requested grants for various vitamin C projects, ranging from a low of \$100,000 in 1973 to a high of \$1 million in 1977, which was to finance both animal and clinical studies.

Pauling says, "We live a hand-to-mouth existence here." But despite the lack of NCI funding, his research in vitamin C has continued with money provided by private donations and the Hoffmann-La Roche Foundation. A spokeswoman from Hoffmann-La Roche says Pauling received a grant for his "interesting theories, but more data needs to be generated to support his ideas."

Unlike many other scientists, Pauling has taken a public and political approach to drum up support for his own grant proposals and vitamin C research in general, but seemingly without much success. During the past decade, his outspoken statements on the virtues of vitamin C have received wide attention. In addition, Pauling has lobbied for himself by writing or speaking to congressmen, senators, and Administration officials, who

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**"We're trying to make discoveries, not elaborations on old breakthroughs," Pauling says. The medical establishment "doesn't know how to recognize new ideas that are worthwhile."**

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repeatedly to secure NCI funding because his unorthodox ideas on the role of vitamin C in cancer prevention never took hold in the mainstream of medical thinking. On the other hand, NCI officials say that his proposals were never very well presented. Pauling's proposal was approved only after NCI went to great lengths to help him correct weaknesses in his application, detailing every change needed to meet the institute's substantive and technical requirements.

The grant application submitted by

Institute of Technology, recommended changes in Pauling's experimental design, particularly in the proposed biostatistical analysis of the data. Pauling complied.

Specifically, Pauling will study the influence of different dietary doses of vitamin C on tumor development in a strain of mice, C3H/HE, in which the incidence of spontaneous breast cancer is high. His funding is to begin in a few months as soon as he arranges for an adequate animal laboratory for his institute, which