the present institute, diabetes research would virtually be left with its own institute anyway. The diabetes organizations found the reasoning acceptable and stopped pressing for their own institute. In fact, they have now thrown their support behind the arthritis institute legislation. A diabetes lobbyist says, "Even though we don't get our own institute, we come pretty darn close."

There were several factors underlying the acquiescence of the diabetes groups. During the past few years, the budget for diabetes research at NIH has expanded by about 400 percent to $131 million in 1981. Diabetes research also has had consistently strong support by Secretary of Health and Human Services Richard Schweiker, who was very active on behalf of diabetes research when he was a U.S. senator. It received a token salute from the Administration during the past year when the institute's name was changed to include "diabetes" and when the institute was elevated to bureau status within the department. Moreover, for the first time in the history of the 31-year-old institute, a diabetes researcher—Lester Salans—was appointed in June to head the institute. With all this activity, the two major national diabetes organizations, which had earlier been divided on whether to press for a separate institute, decided to jettison their efforts for a new institute.

With a compromise in hand, the arthritis and diabetes organizations sought to reverse the damage wrought by the Madigan amendment. Their next move was to persuade the committee to exempt the creation of an arthritis institute from the moratorium. They won. So the way things stand now, the House NIH reauthorization bill includes a provision calling for a ban on new institutes for 2 years while the Institute of Medicine conducts a review. With the exemption, however, Congress may establish an arthritis institute.

On the Senate side, the arthritis institute proposal is embodied in a bill by itself (S. 1939) and is not part of an NIH reauthorization measure. The Labor and Human Resources Committee held a hearing on the bill on 20 July. But two key senators on the committee, Orrin Hatch (R–Utah) and Edward Kennedy (D–Mass.), are not committed as yet. Again, Mary Lasker made a point to call committee members. She went so far as to visit Kennedy herself. But a Kennedy aide said that the senator wants to reexamine the overhead cost estimates projected by NIH which are disputed by arthritis institute supporters.

Hatch, who faces a tough reelection race, seemed to lean toward favoring the proposal at the hearing, albeit hesitantly. A staff aide says that Utah constituents have mounted tremendous forces to back the bill. One thing is fairly sure, "Hatch will not lead the fight against the bill on the floor," the aide says. "It is very difficult to fight this." In the aide's opinion, the reasons for the new institute are not scientific. He also adds that with today's tight budget at NIH, the arthritis groups "can't expect to get more money with neon lights." The possibility of opening the floodgates to more institutes is worrisome to him.

There is speculation that the committee will not vote on the bill which already has 38 cosponsors. Some congressional aides predict that Goldwater will introduce the proposal as an amendment to the Senate's version of the NIH reauthorization bill. Once incorporated in this manner, the measure would have an easier time gaining approval.

At this point, there appear to be few options to halt the proposal. A Madigan aide says that the Illinois legislator is hoping that the arthritis exemption is kept out of the Senate bill, which would then provide a point of potential compromise when the reauthorization bills go to conference. A Waxman aide indicated that the subcommittee chairman is still not enthusiastic about the arthritis institute. The fact that the proposal was not in the original NIH bill suggests that the new institute "is not his favorite idea." A Hatch aide says that the Institute of Medicine study is "the only hope against this arthritis proposal." The other possibility, which is less likely, is that Congress may not get around to voting on the NIH bills during this session because it still has an extremely full calendar. This was the case 2 years ago. After elections, the arthritis proposal may have a more difficult time winning acceptance.

But right now, the momentum of the issue may be overwhelming. Wyngaarden says unhappily, "If the will of the people as expressed by Congress is to create an arthritis institute, then we'll make it the very best institute we can." The proposal for a review of NIH by the Institute of Medicine provides a reasonable alternative because it addresses a legitimate question that has been talked about for years but never tackled. Now that NIH has grown to a $3.6-billion budget and has a sizable bureaucracy, the time seems ripe to review the way the institutes are divided up. Unfortunately, the Madigan amendment, though scientifically more rational, is not a magnet for votes by either politicians or their constituents.—MARJORIE SUN

Hawaiian Milk Problems Stir Little Action

Federal regulators recently decided not to intervene in a continuing dispute over the contamination of Hawaiian milk by heptachlor, a carcinogenic pesticide. The contamination was discovered in January by state officials, who delayed an announcement for several months and—in the eyes of some critics—worried more about the condition of the dairy industry than the health of the state's population. The state's behavior brought requests from Hawaiian citizens and scientists for federal intervention to limit public exposure and to monitor local dairies (*Science*, 9 July, p. 137).

Officials at the Environmental Protection Agency (EPA) expressed little sympathy for these concerns. "We believe that the Hawaii Department of Agriculture is doing an excellent job in investigating the Hawaii heptachlor milk contamination problem, and that they and the state Department of Health have the situation well under control," declared Edwin Johnson, EPA's director of pesticide programs, in a June letter recently received by *Science*.

Johnson also informed the Food and Drug Administration (FDA) that there was no reason to lower the federal limit on heptachlor in milk, thereby diminishing the continued exposure of Hawaii's citizenry. "A review of the pertinent data in our files indicates that no imminent hazard to human health will be posed by exposure at or near the current federal limit," Johnson said. "Chronic effects are not likely to result and even short-term or subacute effects are not anticipated." The FDA, citing this recommendation, told the state's health officials that the current limit (0.3 part per million) seems perfectly adequate, even though it is twice the limit already established by the World Health Organization.

Asked how he came to this conclusion, Johnson said that it was largely "intuitive" and "based on a quick cut." He noted that virtually everyone—in Hawaii and elsewhere—already has residues of heptachlor in their bodies. Consequently, he said, additional short-term exposure poses only a minor, incremental risk. In 1976, when most uses of heptachlor were banned,

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EPA used the same logic to reach a different conclusion. Russell Train, then EPA's administrator, concluded in a heptachlor suspension notice that "although any single component of human exposure may not appear to be significant, it alone poses a cancer hazard to certain of the more susceptible individuals and together with the several other components of human exposure poses a serious cancer threat." This view apparently no longer prevails in the federal government.

In his letter to FDA, Johnson said that it may be appropriate to lower the exposure limit "as heptachlor epoxide residues continue to decline in Hawaii cattle and their milk"; in other words, when local dairies would not suffer adverse financial impact. Asked about this, Johnson says that it was only his preliminary view, and that the whole affair is still under review.

—R. Jeffrey Smith

Guatemalan Doctor Set Free

A well-known Guatemalan physician seized by his government on 24 June was released on 29 July into the hands of the International Red Cross shortly after a privately sponsored three-man mission traveled to Guatemala to look into the case.

Juan Jose Hurtado, a 56-year-old pediatrician and anthropologist had been running a rural medical clinic since the 1976 earthquake, which displaced many of Guatemala's Indian population. Hurtado worked with the many relief groups that came to the country and trained foreign health workers. He was abducted in front of his clinic, the subject of government allegations that he had been involved in supporting Communist guerrillas. Prevailing theory among observers was that he was seized as a possible hostage to exchange for the son of the Interior Minister who had been kidnapped by guerrillas the day before.

At any rate, a group of professional associations, coordinated by the AAAS clearing house on science and human rights, got together and dispatched a three-man mission to Guatemala City. Sponsors included the Institute of Medicine of the National Academy of Sciences which has made its political debut in this arena with the recent formation of a committee on scientific freedom and human rights. The mission, comprised of Robert Hinshaw of Bethel College in Kansas, Jonathan Fine of Physicians for Social Responsibility, and Juan Mendez of Americas Watch Committee, met with various Guatemalan officials amidst considerable local press coverage. Hurtado was released 2 days after their return home and was expected within days to emigrate to the United States with his wife and daughter. Hurtado is one of the few persons in Guatemala in recent years whose disappearance following abduction by the government has not been permanent.

—Constance Holden

Small Power Producers Look to Congress for Help

Solar energy enthusiasts, who have not had much to cheer about lately, are hoping for a boost from Congress before it adjourns for the year in October. Legislation that would require utilities to buy power from small producers and cogenerators at relatively high prices is nearing a vote in committees in the House and Senate. The bills are being vigorously opposed by several utility companies, however, and they are hoping to keep the legislation bottled up for the rest of the congressional session.

The bills would remove some of the regulatory and financial uncertainties now facing small power producers, such as owners of windmills and small hydroelectric facilities. The uncertainties have arisen because an appeals court last January threw out key provisions of a federal law—the Public Utility Regulatory Policies Act (PURPA)—that was beginning to open up a market for small power producers and cogenerators (*Science*, 26 June 1981, p. 1479).

PURPA requires utilities to hook up to small power producers and buy electricity from them at "just and reasonable" rates. The court suit, which was brought by the American Electric Power Co. and Consolidated Edison, challenged regulations written by the Federal Energy Regulatory Commission (FERC) to implement PURPA. The utilities were particularly exercised by FERC's interpretation of "just and reasonable" to mean that the utilities should pay a price equivalent to whatever it would cost them to generate the electricity themselves—a so-called "full avoided cost" rate.

The appeals court in essence told FERC to go back and rewrite some of its regulations, a process that could take 2 years. The uncertainty resulting from this action is already hurting what was a flourishing business. Investors are said to be less willing to put up money until the regulatory problems are cleared up, and several projects have been put on the back burner.

Congress may, however, step in to void the court ruling. Bills introduced by Senator Gordon Humphrey (R–N.H.) and Representative Richard Ottinger (D–N.Y.) would amend PURPA by stating explicitly in the law that utilities should pay full avoided costs for electricity purchased from small producers and cogenerators. State public utility commissions would, however, have some flexibility under the legislation to set lower rates in unusual circumstances. Ottinger's bill is scheduled to be marked up by the commerce subcommittee, which he chairs, on 11 August. Humphrey is also hoping to bring his bill to a subcommittee vote at about the same time.

The Humphrey and Ottinger bills are similar in most respects, but they differ on one important point. Humphrey's version would permit utilities to set up unregulated subsidiaries for cogeneration, which would then be able to sell power to the parent company at the full price established by PURPA. This provision, which is generally opposed by alternative energy enthusiasts who are concerned that utilities will simply squeeze small cogenerators out of business, is not included in Ottinger's bill. That could be a problem if the legislation ever goes to conference committee.

Given the logjam of legislation awaiting congressional action, it is difficult to predict the prospects for these bills. "I'd say we have between a 30 and 70 percent chance of getting a bill through," says one committee staff member.

Solar power advocates are pushing hard. "These bills are a top priority for us," says Solar Lobby coordinator Richard Munson.***—Colin Norman***