NSF Sets Ground Rules for Enterprising Grantees

The National Science Foundation (NSF) has put out the word to its grantees that they should not use NSF-funded equipment in ways that would undercut commercial laboratories.

NSF's key point, expressed in a statement accompanying the recently completed guidelines on the subject, is that "It is contrary to NSF's intent for grantees to use NSF-supported instrumentation or facilities to provide services for a fee in direct competition to private companies that provide equivalent services."

The guidelines are not intended to inhibit NSF grantees—mostly universities, government laboratories, and other nonprofit organizations—from performing tests or experimental procedures with government-funded equipment for other universities or governmental organizations.

The guidelines are the product of 5 years of discussion between NSF and private laboratories, notably through the American Council of Independent Laboratories (ACIL), a private lab trade organization.

According to ACIL executive secretary Joseph O'Neil, private labs view the issue as a "continuing problem" since, for decades, "some professors at some universities have used university equipment and students to provide services to private clients."

Attention focused on NSF in the mid-1970's when the foundation launched a program to establish regional instrumentation facilities meant to promote the sharing by universities of state-of-the-art equipment. ACIL had no argument with the idea, but the centers seemed to increase the possibilities of grantees going into the marketplace, so ACIL raised the issue of controls with NSF.

Foundation officials say a study was made and no serious abuses were discovered, but the absence of any NSF rules on the subject prompted them to carry out the discussions that produced the guidelines.

In addition to instructing grantees to avoid competing with the private labs, the guidelines also advise that grantees should not provide any outside service that "detracts from the performance of their obligation under the grant."

An NSF official said that it was necessary to walk a fine line in formulating the guidelines discouraging use of NSF-funded equipment to compete with the private sector because the foundation is being pushed these days to promote cooperation between universities and industry.

In the guidelines, NSF makes clear that it will not involve itself in the adjudication of disputes that may arise on the issue. The foundation was apparently determined not to be drawn into differences that might develop between employees and employers, that is, faculty and administration, over the use of equipment.

No penalties are mentioned for violations of the guidelines, and NSF is apparently counting on the effect of clearly serving notice on the issue to avoid trouble.

ACIL's O'Neil says the private labs regard the guidelines as a "significant step in the right direction, although not the final answer," and notes that his members think that Office of Management and Budget's government-wide policy on procurement of services from outside commercial sources needs to be tightened up.

—JOHN WALSH

NIH to Review Emory in Darsee Case

After an investigation that took more than a year, an internal committee at Emory University has concluded that John R. Darsee falsified data in some eight papers and 43 abstracts he coauthored with prominent Emory faculty (*Science*, 27 May, p. 936). Now the National Institutes of Health (NIH) is about to undertake a review of Emory's review of the case. According to Mary L. Miers of the office of the director, the extent of the NIH follow-up will not be determined until staff members travel to Atlanta for a preliminary evaluation.

Darsee, who was caught fabricating data in dog experiments at Harvard where he was a cardiology fellow (*Science*, 1 April, p. 31), was in training at Emory from 1974 to 1979 during which time he engaged in research on patients. The NIH inquiry, Miers says, will focus on that research, which allegedly took place in the NIH-funded clinical research center, and which should have required approval from the university's institutional review board. Emory officials state that no patients were harmed because the clinical data Darsee reported were never collected, but NIH is concerned about another aspect of the issue. According to Emory's report, some of the experiments Darsee described would "probably have been unacceptable" to the review board that approves human studies. NIH wants to know why the experiments therefore were not questioned after they appeared in print. The Emory inquiry was initiated only after the case broke at Harvard.

Whether NIH will vigorously pursue questions about Emory's pattern of supervision of young researchers—a central issue in the NIH review of Harvard—is not yet decided.

—BARBARA J. CULLITON

Darsee Apologizes to New England Journal

Among the now-retracted papers John R. Darsee coauthored with Emory University faculty are two that were published in *The New England Journal of Medicine*—one in 1979, the other in 1981. In an 11 May letter to journal editor Arnold S. Relman, a copy of which was obtained by *Science*, Darsee agrees that the papers should be retracted. Reasons for the retractions are cited in letters from Darsee's coauthors, Donald O. Nutter and Steven B. Heymsfield. Darsee says their letters are "valid criticisms" of the manuscripts.

"I am deeply sorry for allowing these inaccuracies and falsehoods to be published in the Journal and apologize to the editorial board and readers of the New England Journal, to Emory University, and to my coauthors," Darsee wrote. "Dr. Nutter and Dr. Heymsfield are impeccably honest researchers whose names appeared on these papers in good faith. Neither of them was aware of any inaccuracies nor were they responsible for any of them." All three letters will appear in the 9 June issue of the journal.

—BARBARA J. CULLITON