

that he had ample line management experience as head of the big science Accelerator Technology Division at Los Alamos and this gives Knapp an advantage over other NSF directors in accomplishing the aims of his reorganization.

The missing deputy director and assistant directors deprive the foundation of administrative horsepower. Knapp, however, says he has been impressed by the competence and hard work of the career officials who have taken up the slack and by the quality of the staff as a whole. Such comments and Knapp's commitment to excellence have gone over well at elitist NSF and he appears to be well regarded by the rank and file. The booming basic research budget has been good for morale.

Knapp, an advocate of lean management, has relied heavily on NSF regular, Richard S. Nicholson, in the absence of the presidential appointees. Nicholson emerged into the upper strata of NSF management as an assistant to Richard Atkinson, NSF director in the late

1970's. A veteran of the chemistry division which is a traditional source of NSF leadership material, Nicholson is knowledgeable about the foundation and regarded as an effective executive officer. In the recent reorganization, Nicholson, who held the title of executive assistant, was given the new-to-NSF title of staff director. There has been some muttering on Capitol Hill about Nicholson being de facto deputy director, but this seems prompted largely by irritation at the Administration's tardiness in filling the statutory management slots.

Knapp's relations with Congress so far seem to have been correct if a little remote. One staff member of a committee that deals with NSF in the Democratically controlled House describes congressional attitudes toward Knapp as "neutral." Knapp has not established the kind of informal rapport with NSF's Hill patrons managed by such previous directors as William D. McElroy and H. Guyford Stever, who each had an easier command of Capitol Hill camaraderie.

The staffer describes Knapp and Keyworth as "not good politicians." And says of the former that "You can argue that Knapp doesn't need to be. But if he gets into trouble, if something blows up like the MACOS controversy [a furor over a school behavioral science course sponsored by NSF] or the peer review issue in the 1970's, he has little in the way of good will to draw on."

On the other hand, Knapp appears to be operating in complete harmony with the Executive, including the OMB. And another favorable budget appears to be in prospect.

The early test of Knapp's policies will come with the implementation of the engineering initiative and reactivation of the science education program and, perhaps, when Knapp's new policies on grant administration begin to affect the grantees. At the end of the first year of Knapp's tenure at NSF, then, it is possible to identify a definite style in his directorship, but still too early to assess the substance.—JOHN WALSH

## NIH Bill Passes House

*Legislators strike a middle ground by adding some new programs, but not as many as Waxman wanted*

In its closing hours before recess, the House of Representatives finally passed major legislation concerning the National Institutes of Health (NIH). The bill, a product of intense negotiations, is an amalgamation of earlier versions that had been the subject of controversy for several months. The core of the House bill retains the permanent operating authority of NIH but includes several new provisions as well. As expected, the House created a National Institute of Arthritis and a National Institute on Nursing. NIH officials wanted neither. On the other hand, a measure that would have banned fetal research was defeated—apparently to the surprise of the prolife lobby. All in all, members of the biomedical community will probably find the compromised House bill fairly palatable, but the game is not over yet. When Congress returns in January, the Senate must still vote on its own version of an NIH bill and then the legislation will go to conference where a few more compromises are likely to be struck.

The House bill, which passed on 17 November, was the result of bargaining between Henry Waxman of California,

Democratic chairman of the health and environment subcommittee and Republicans James Broyhill of North Carolina and Edward Madigan of Illinois. Earlier in the year, Waxman introduced a bill that evoked a hue and cry from representatives of the biomedical associations, primarily because the bill assigned NIH numerous new programs in the form of line item authorizations.

Waxman's bill was also controversial because it deleted certain language in the Public Health Service Act, a change that critics claimed would undermine the basic legislative authority of NIH. Margaret Heckler, secretary of the Department of Health and Human Services in October wrote to Waxman that his bill "would tacitly reject the premise of NIH's operation over the last 40 years." Opponents of the change also alleged that the deletion would eliminate the "fallback" authority for NIH's two largest programs, the National Cancer Institute and the National Heart, Lung, and Blood Institute. These two institutes are the only ones of NIH which are periodically renewed. Fallback authority permits the institutes to continue to receive

appropriations even if their authorizations expire. Aides to Waxman disagreed, contending that the transfer was merely a technical cleanup of the law and that it retained the fallback authority.

Opposition to Waxman's bill by organizations such as the Association of American Medical Colleges became so heated that Broyhill and Madigan developed substitute legislation that included the same funding levels for NIH, but contained none of the special line items. Both measures would have established the arthritis institute (*Science*, 19 August, p. 726).

It was from these two proposals that a compromise bill was born. Legislators and their staffs negotiated for the past few weeks but declined to disclose any details until shortly before the legislation was brought to the House floor last week. The only major debate on the floor centered on fetal research and, after that issue was settled, the bill passed by voice vote.

In the end, Waxman agreed to drop all new line item authorizations that his original bill contained and settled for language that merely wrote the programs

into law without assigning them specific funding. He dropped his plan to delete the language related to fallback authority and several other provisions. Waxman, for example, deleted a measure that would have transferred the National Institute for Occupational Safety and Health from the Centers for Disease Control to NIH. Energy and Commerce Committee chairman John Dingell (D-Mich.) tried to restore the language when the bill came to the floor, but failed. An authorization of \$4 million for the National Center for Health Care Technology was scrapped with the agreement that the provision will be considered later as a separate bill. And the National Center for Health Statistics and the National Center for Health Services Research will not be transferred to NIH.

Waxman, however, won on several other counts:

- The bill creates the President's Commission on the Human Application of Genetic Engineering. The proposal, originally sponsored by Albert Gore, Jr. (D-Tenn.), establishes a 15-member panel that would monitor developments in this area and consider related ethical issues. The commission was given a life-span of 3½ years.

- A new National Commission on Orphan Diseases was created which will comprise 20 individuals, including scientists and patients with rare diseases. The purpose of the group is to bring visibility to uncommon diseases and more funding for research.

- The National Cancer Institute is authorized to support at least 55 cancer centers for each year through fiscal year 1986. This provision was included to ensure the survival of some 50 existing cancer centers. Last year, NCI, faced with a tight budget, tried to eliminate a number of cancer centers. (Subsequently Congress passed an appropriations bill that restored the money.)

- By fiscal year 1986, 25 centers for research and disease prevention would be established across the country. Most of them would probably be located at the 23 schools of public health in the United States. The bill also requires that each institute of NIH create a new position of Assistant Director for Prevention. Waxman's original bill had called for an assistant director within the office of the NIH director, but this proposal was cut from the final measure.

The creation of the Institute on Nursing was not part of the compromise bill but was proposed by Madigan on the floor and went unopposed by Waxman. The legislation does not specify any money for the institute and it is not clear

what its specific function would be. Nursing issues are currently the responsibility of the Health Resources Administration, but apparently nurses are not happy with this home.

The defeat of a proposed ban on fetal research was the consequence of patient and skillful maneuvering. Human experimentation is already governed by the Department of Health and Human Services regulations, which, department Secretary Margaret Heckler recently stated, "provide necessary and appropriate safeguards." But these assurances do not satisfy Representative William Dannemeyer (R-Calif.). Last year, he unsuccessfully pushed legislation that would have brought fetal research to a virtual halt. This year, he initially agreed to compromise language proposed by Waxman that would merely have given the existing regulations force of law. But then Dannemeyer decided he preferred his original proposal. As a result, Waxman dropped any mention of the issue in the compromise bill. When the legislation was introduced on the floor, Danne-

mentation is the development of important biomedical knowledge which cannot be obtained by other means." The amendment passed by voice vote. Some legislators who voted for the Dannemeyer amendment also approved the Chandler amendment. A Dannemeyer aide blamed the loss on "apathy and defection" by other legislators.

NIH sources say, in general, that they are pleased with the bill and that it struck a middle ground between the versions first proposed by Waxman, and Madigan and Broyhill. The Administration had stated before the floor vote that the Madigan-Broyhill proposal was preferable to Waxman's, but the bill that passed "isn't too bad," said one NIH official.

Attention will now be focused on the NIH bill in the Senate, where it has been bottled up for several months. Although the bill is ready for floor action, the Senate, like the House, has been fighting over fetal research legislation. Senator Jeremiah Denton (R-Ala.) wants to amend the bill with the Dannemeyer legislation, but this is adamantly op-

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**The fact that fetal research may continue was the consequence of patient and skillful maneuvering by its proponents. A Dannemeyer aide blamed the loss on "apathy and defection" by other legislators.**

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meyer proposed an amendment that would have banned research on living fetuses before an abortion unless the research is for the purpose of benefiting the child. The House went on to pass the Dannemeyer amendment by voice vote. That seemed to be the end of the issue because House floor rules bars the introduction of an amendment to an amendment. But an hour later, after legislators had considered additional, but minor changes to the bill, a relatively unknown congressman, Rod Chandler (R-Wash.) rose and introduced an amendment that, in effect, nullified the Dannemeyer language without actually amending it, and achieved Waxman's compromise position—codifying the existing regulation. By then, at 9:30 p.m., only about 100 legislators were on the floor and most were apparently unaware of what the freshman congressman was actually saying. The amendment says that nothing in the bill "shall be construed to restrict research or experimentation on a living fetus if the risk to the fetus . . . is minimal and the purpose of the research or

posed by Senator Bob Packwood of Oregon, also a Republican. As a result, Packwood has put a hold on the bill as a way of deterring Denton.

It is uncertain whether a compromise in the Senate can be achieved. Denton recently won the backing of Senator Orrin Hatch (R-Utah), chairman of the Labor and Human Resources Committee, who had previously opposed the plan. According to one well-placed source, the White House leaned on Hatch to support the measure, but this apparently is not quite enough to assure smooth passage of the bill. Hours after the House NIH bill passed, Senate committee aides, thus inspired, seriously considered pushing the bill through on the last day before recess but then dropped the idea. But that does not necessarily mean that there is a lull in the action until Congress resumes the session. In the meantime, the groups who lost something in the House bill will probably be busy lobbying to get their favorite project into the Senate's version.—MARJORIE SUN