

# President Vetoes NIH Bill

*He objects to creation of new institutes and other managerial changes; the veto sets the stage for another round of dispute next year over NIH policy*

On 30 October, President Reagan vetoed legislation that would have established new research institutes on arthritis and nursing within the National Institutes of Health (NIH). The veto, which NIH officials welcomed, is likely to set the stage for another round of dispute on Capitol Hill next year over biomedical research policy.

Reagan's action will not affect NIH's record-breaking \$5.15-billion budget for next year. That was approved by Congress in separate legislation, which the President is expected to sign.

The immediate effect of the veto will be to block the establishment of the arthritis and nursing institutes and to prevent the implementation of a variety of other managerial changes that the legislation prescribed for NIH. But it also sweeps aside some delicately crafted compromises on fetal and animal research that fell far short of the outright prohibitions and tough restrictions that antiabortion groups and animal rights advocates had sought. Renegotiating these issues on Capitol Hill next year could prove tricky.

In a statement setting out his reasons for the veto, Reagan said he objected to the legislation because it would create "unnecessary, expensive new organizational entities," usurp the Administration's authority to set policy for NIH, and overburden some institutes with managerial requirements.

The Administration has long opposed the creation of the arthritis and nursing institutes, arguing that they are not needed and that the costs of establishing them would siphon funds from research. Reagan's veto statement offered another objection, however. It said that the reorganization is "premature in light of a study of the NIH organizational structure" conducted by the Institute of Medicine, which is scheduled for release in mid-November. The study, which was originally requested by NIH director James B. Wyngaarden, in part to head off the legislation, was delivered to NIH on 16 October, 3 days before the bill reached Reagan's desk. According to sources who have seen it, the report does not rule out the creation of new institutes but sets out criteria that should be taken into account and emphasizes that such a step

should be taken deliberately and carefully. It says nothing explicitly about the desirability of an arthritis or a nursing institute, however (*Science*, 2 November, p. 517).\*

Reagan's veto message also targeted provisions in the legislation that would have established a variety of boards, commissions, and committees to plan and coordinate work on orphan diseases, learning disabilities, lupus erythematosus, and spinal cord injury. These bodies, according to the statement, are not needed.

A central complaint that the Administration has consistently raised about the legislation is that it constitutes an attempt to manage NIH from Capitol Hill because it specifies in some detail how most of the institutes should be orga-

---

## Renegotiating rules on fetal and animal research could be difficult.

---

nized. The veto statement also objects to provisions that would have created new positions at NIH, required the submission of numerous reports to Congress, and exempted NIH's peer review committees from oversight by the Office of Management and Budget.

Although the Administration raised these objections while the bill was making its way through Congress, a veto was not widely anticipated. For one thing, the measure had strong bipartisan support and Senator Orrin Hatch (R-Utah), one of the President's staunchest conservative allies, even wrote a letter to Reagan on 19 October urging him to sign it. For another, many of the provisions in the legislation were strongly backed by powerful interest groups and a veto on the eve of the election risked upsetting some important constituencies.

The Department of Health and Human

---

\*The National Academy of Sciences, of which the Institute of Medicine is a part, has scheduled release of the report to coincide with a dinner it is holding on 14 November. Because of the study's implications for the veto debate, *Science* requested a copy but was turned down. NIH is also refusing to release it before the Academy's dinner. A request to NIH for a copy under the Freedom of Information Act, which was filed on 19 October, had not been acted upon by the time *Science* went to press.

Services (HHS), the Office of Science and Technology Policy, and the Office of Management and Budget are all said to have recommended a veto, however. The Administration had two options: Reagan could veto the bill by simply failing to sign it within 10 days of the measure reaching his desk, or he could take the more public route of making a statement setting out his objections. The second option was urged by HHS in order to send a strong message to Capitol Hill in preparation for a resumption of the battle over the bill when Congress convenes next year. With Reagan riding high in the polls and at least one interest group—the American Nurses Association—having already endorsed the Mondale-Ferraro ticket, the advantages of making a well-publicized veto apparently outweighed the political risks.

The veto has not gone down well on Capitol Hill, where committees in both the House and Senate have been struggling for 2 years to write the legislation. Committee staff are also upset that the President, in his veto message, appeared to take undue credit for budget increases for NIH. "Each year since taking office, I have requested increases for biomedical research. In 1985, the NIH will receive its largest increase in appropriated funds in history," Reagan said. In fact, the Administration has requested virtually no increases for the agency and Congress has been responsible for adding substantial sums to the requests.

Because Congress has adjourned for the year, it has no opportunity to override the veto. Staff members in the House predict, however, that Representative Henry Waxman (D-Calif.) will reintroduce the bill and attempt to bring it to the floor soon after Congress convenes next year.

The Senate Committee on Labor and Human Resources will probably hold hearings on the bill, however, and it is unlikely that it will be approved by the Senate in exactly the form it was passed this year. For example, the Senate only reluctantly went along with the House in sanctioning creation of a nursing institute, and it may not approve the measure next year.

Getting agreement on fetal research and research involving animals may also

prove troublesome. Several proposals that would have placed restrictions on animal research and possibly entailed considerable expense in upgrading facilities gained support in Congress over the past few years. But the bill that was finally approved included a compromise that was generally acceptable to biomedical researchers. In essence, it required NIH to come up with guidelines much along the lines it recently proposed and directed that a study of the whole issue be conducted by the National Academy of Sciences, if it were willing to do it. Animal rights groups are sure to push for something stronger next year.

Reaching a compromise on fetal research was even more difficult. Several key senators pushed for a complete ban on research on fetuses, while the version of the bill approved by the House would essentially have put into law regulations

governing fetal research that have been in effect for a decade. In the end, the House version prevailed, but with the important proviso that there would be a 3-year moratorium on some types of fetal research pending a study of the issue by a congressional bioethics commission. The commission was also established by the bill. (The moratorium would not have had any immediate practical effect since there is no mechanism in place in the federal government for approving the experiments it would cover and thus they cannot at present be undertaken.)

It took months to negotiate that compromise, and a rerun of the battle may be no smoother. Moreover, there is some concern that a very restrictive fetal research amendment will be proposed when the bill is brought to the House floor.

The NIH bill was not the only health-

related legislation Reagan vetoed on 30 October. He also refused to sign the Health Service Act Amendments, legislation that would have extended the legal authority for several programs that provide financial support to medical and nursing students. As with the NIH bill, the veto does not affect appropriations, which were included in separate legislation. In his veto message, Reagan claimed that the bill would be too expensive, and that increasing support for health professionals is not needed because the country is facing a surplus of doctors and nurses.

At least one bill did get through, however. Reagan signed legislation that establishes an Office of Disease Prevention and Health Promotion in HHS and requires the establishment of 13 university-based centers for disease prevention.

—COLIN NORMAN

## Industry Studies the Environment

This month, for the first time, the corporate world has taken the initiative in organizing an international conference to consider how the resources of industry can be better applied to management of the environment, particularly in developing countries.

The World Industry Conference on Environmental Management, to be held in Versailles in mid-November, will bring together some 300 representatives from heavy hitters in the wood products, petroleum, mining, chemical and steel industries.

In addition to discussing how to set up new mechanisms for mutual information exchange and cooperation with local governments, the conferees will talk about new approaches to problems such as ground-water pollution, pesticide use, hazardous waste, and deforestation.

The idea for the conference was originally broached by Mustafa Tolba, secretary of the United Nations Environment Program (UNEP), but what got it off the ground were the efforts of the Washington-based coalition Business Roundtable and its environmental task force, headed by David M. Roderick of U.S. Steel Corp. Interest also was generated at a meeting at the Carter Center in Atlanta co-hosted by former President Jimmy Carter and Environmental Protection Agency head William Ruckelshaus, and at a gathering in Aspen, Colorado, convened by Robert O. Anderson, chairman of the board of Atlantic-Richfield.

Among other executives promoting the conference is George Mitchell of Mitchell Energy Corp., who has been convening periodic conferences on global concerns in Woodlands, Texas. A Mitchell aide says that even 4 or 5 years ago global problems "were not really on the first line of concern except for a small handful of companies."

But now, says a conference organizer, "the climate has changed a great deal," and there has been a "sharply increased awareness" of growing global interdependence. With it may be occurring an expanded perception of

corporate self-interest. The conference also signals a softening of industry's adversarial stance toward UNEP, which is sponsoring it along with the International Chamber of Commerce.

What appears to be happening is that multinationals are taking the first steps, in their own style and at their own cautious pace, toward a coherent approach to global environmental and economic issues that have received widespread publicity over the past 15 years.

Industry has by and large failed to embrace *Global 2000*, the frightening document issued at the end of the Carter Administration, not only because of the perceived antifree-market bias but because businessmen did not feel the report took into account the effect of new developments such as resource substitution.

Last year, Business International did a survey of business leaders internationally and came up with its own report, *Toward an Unlimited Future*. The establishment of an international coalition, "Global 100," which now has about 37 members, resulted. According to a Business International spokeswoman, the coalition will be addressing a series of "bottom line issues" and its first manifesto, on international debt and national deficits, will be issued on 13 December.

One thing big companies are going to need if they are to assume more responsibility in managing the world is better information. The Council on Environmental Quality, which has been slogging away at this Administration's answer to *Global 2000*, asked the World Wildlife Fund to find out about the private sector's resource and environmental data needs. Wildlife found that although companies rely heavily on government data, almost 90 percent said it is not timely enough; nor is it easily accessible. Study director Joel Horn reported that companies' interests tended at first to be rather parochial but that their outlook seemed to broaden during the year of the survey.—CONSTANCE HOLDEN