

NIH and Congress: Agency Rebuts Fountain Subcommittee Charges

Last October the House subcommittee on intergovernmental relations, chaired by Representative L. H. Fountain (D-N.C.), issued a bitter attack on the administration of grant programs by the National Institutes of Health (*Science*, 3 November 1967). The attack—one of the severest critiques ever directed at a federal research agency—resulted in substantial bad publicity for NIH and was considered potentially damaging to the agency's efforts. At the time there was no official rebuttal from NIH, largely because the Fountain Committee's volleys caught the agency completely by surprise. But now, after several months of internal review, the Department of Health, Education, and Welfare, NIH's parent organization, has finally produced a low-keyed justification of its programs. In a cover letter transmitting the report to Fountain, Secretary John Gardner said the internal review had convinced him that "the structure and approach of the departmental grant-management processes are basically sound." The response to Fountain's charges was prepared primarily by NIH, but the report reflects internal review "at all levels" of the parent department—a notable change from the previous practice of letting NIH fight its own battles with Fountain.

Fountain's group had charged NIH with a wide variety of failures, including "irresponsible" administrative procedures, "weak and ineffective central management," favoritism in the distribution of money, and support of "research of less than good quality." As a result of its findings, the Fountain committee made 17 recommendations to correct NIH's alleged shortcomings. In its rebuttal, the agency adopts a diplomatic tone in an apparent effort to avoid further antagonizing the hostile Fountain. Secretary Gardner's cover letter says the department has "no disagreement in substance" with 14 of Fountain's 17 recommendations. But a closer reading of the report itself reveals that NIH stands firmly behind

the actions that brought about Fountain's most stinging accusations.

The NIH response to Fountain includes a detailed rebuttal of his specific charges and an attempt to put the charges in broader context. NIH asserts that the nation's progress in the medical and health-related sciences over the past two decades has been "impressive," and that, while there have been problems associated with rapid growth, "such misadventures do not characterize the whole." Noting that NIH has been the subject of 11 major inquiries since 1956 (three of them by Fountain), the agency quotes excerpts from two recent studies that were "conducted under most distinguished and publicly responsible superintendence." In the first study cited, a presidential committee chaired by Dean E. Wooldridge concluded in 1965 that "there are few, if any, one billion dollar segments of the Federal budget that are buying more valuable services for the American people than that administered by the National Institutes of Health." In the second study cited, an American Medical Association commission reported in 1967 that, while NIH has experienced "normal" growth problems, "on balance the public has benefited immensely."

Perhaps the single most damaging charge leveled by Fountain involved NIH's implementation of the Health Sciences Advancement Award (HSAA) program, an effort to develop new "centers of excellence" in research and research training. Fountain's diligent staffman, Delphis C. Goldberg, found evidence in NIH files that, while the HSAA program was first announced publicly on 22 April 1966, NIH staff members had met with representatives of selected universities a full year earlier to help them shape applications for HSAA funds. Grant applications from Cornell University, the University of Virginia School of Medicine, and Michigan State University (MSU) were actually given final approval 7 months before the program was publicly announced, though the MSU ap-

plication was later transferred for funding under another NIH program. The Fountain committee charged that these "non-competitive" procedures were "irresponsible, unscientific and contrary to the best interests of the academic community and government."

The committee further contended that the HSAA program lacked clear legal authority and was launched without adequate study of the needs of various types of institutions for development funds, and without careful formulation of program objectives and policies.

NIH, while professing to respect and prize "the tradition of public administration that gives all potentially eligible claimants equal access to appropriated funds," nevertheless contends it is sometimes necessary to negotiate with a limited number of institutions for a small-scale pilot program to develop sound objectives and procedures before extending a new program to a large number of institutions. (This NIH argument, incidentally, was cited in the Fountain report but obviously proved unconvincing to the subcommittee.)

As NIH explains it, the HSAA program was launched

... in cooperation with institutions which seemed to present not only problems that were fairly typical of a class of potentially eligible institutions, but also opportunities that promised a high return of information from such investment. The results of a pilot program of this sort could be expected to define more sharply the classes of institutions most appropriate, the nature of the activities most desirable to support, the significance of award size and duration on the effort achieved, and the problems associated with attempting to exert a catalytic influence. . . . In the event that the feasibility study did not yield encouraging results, a pilot program launched cautiously, pragmatically and without extravagant promises could be terminated before large sums of money had been committed. . . . To attract a large number of universities into embarking on such an exercise, when the funds available were barely sufficient for an experiment on a very small scale (2-4 awards during the first year), seemed tantamount to raising false hopes . . . and to encouraging on a major scale an investment of university funds, energy and time [in preparing an HSAA application] that would, at least in the short haul, be almost totally unproductive. . . . Clearly the few institutions initially accepted for participation were advantaged, but in the long run it was felt that the program which evolved out of the experiment would be far more fair and equitable to the total universe of eligible institutions. . . . In retrospect, and from a broader viewpoint, it probably would have been better to have provided for a larger degree of choice in making the final selections for this begin-

NEWS IN BRIEF

● **GODDARD ON LSD:** James L. Goddard, commissioner of the Food and Drug Administration, has endorsed, in a seemingly reluctant manner, a provision in an administration-supported bill that would make possession of LSD and similar dangerous drugs a misdemeanor. Goddard endorsed the bill during a hearing of a House Commerce Subcommittee on 26 February. Goddard had been scheduled to testify before a Senate Judiciary Subcommittee a week earlier but canceled that appearance. This led to speculation that the Administration was attempting to silence him since he was believed to oppose the provision in the bill that would make possession of LSD illegal. However, Goddard testified that although he has felt that "it would be unwise to provide penalties which might mark a large number of young people just entering adulthood as criminals because they were found in possession of a small amount of drugs for personal use" that he now is supporting the administration's proposal because law enforcement agencies believe the law would be unenforceable without such a provision. Goddard said the main problem is to educate "people not to abuse drugs of all kinds." The bill, H.R. 15355, would make possession of LSD and similar drugs a misdemeanor punishable by up to 1-year imprisonment and a \$1000 fine. There is now no federal penalty against the possession of LSD, although possession of marijuana is punishable by from 2 to 10 years' imprisonment.

● **STATE-SUPPORTED R & D:** New York, New Jersey, Illinois, and Pennsylvania were the leading states in supporting research and development activities in state agencies during 1964 and 1965, a new National Science Foundation publication reports. State agencies, excluding state colleges and universities, spent \$93 million in 1965 and \$77 million in 1964 for research, development, and R & D facilities, the report states. Of those funds, about 60 percent were supplied by state governments and 40 percent by the federal government. The new publication *R & D Activities in State Government Agencies, Fiscal Years 1964 and 1965* is available, at 45 cents a copy, from the U.S. Government Printing Office, Washington, D.C. 20402.

● **SCIENCE AND LOCAL PROBLEMS:** The National Science Foundation and the Southern Interstate Nuclear Board (SINB) are supporting a 1-year project designed to promote the use of science and technology in solving state and local problems. The project will include a conference in mid-September in Louisville, Ky., at which federal, state, and academic representatives from a number of disciplines, including science, technology, planning, and health, will assess the role of science and technology in local affairs. SINB is a nonfederal, publicly supported advisory and developmental agency for the nuclear and space fields. It was established by interstate compact among the 17 contiguous states which make up the Southern Governors' Conference.

● **GOVERNMENT LAB AT PRINCETON:** A federal laboratory, the Geophysical Fluid Dynamics Laboratory (GFDL), will move from Washington, D.C., to Princeton University in the fall. The laboratory conducts theoretical research in meteorology. It was organized in 1955 for the U.S. Weather Bureau and was moved in 1966 from the Weather Bureau to the newly created Environmental Science Services Administration. Joseph Smagorinsky, director of GFDL, said that the motivation for the move "was to seek the opportunity for our research workers to participate in the academic process, not only to enhance their productivity and diversity, but to contribute to the training of creative scientists." Under the agreement between Princeton and GFDL, the laboratory and the university will design an interdepartmental graduate program. Scientists at the GFDL may hold faculty appointments; however, all laboratory personnel will retain their civil service status. The laboratory operates on an annual budget of around \$2 million and has about 55 employees. At Princeton, the lab will be housed in a new building 3 miles from Princeton's main campus. A ten-member university committee, under the chairmanship of Courtland D. Perkins, recommended the move to the university. Perkins is associate dean of the school of engineering and applied science and chairman of the department of aerospace and mechanical science.

ning program. Nonetheless, the Department is persuaded that the conditions which prevailed at the time justified NIH's exercise of limited experimental option, even though the number of institutions involved might have been larger.

On the question of legal authority for the HSAA program, NIH cites opinions from the comptroller general and the general counsel of HEW that the program already has specific statutory authorization.

A second major criticism made by the Fountain committee involved NIH's substitution of a single cost-sharing grant, totaling at least \$22.6 million over 5 years, for 41 grants and three contracts previously in effect at the Sloan-Kettering Institute for Cancer Research. The committee expressed concern over removing such a large sum from competition and from outside review. It also noted that several Sloan-Kettering research proposals had been turned down by NIH in recent years on the grounds that they were "unimaginative," "unsophisticated," or "disappointing." The committee found it "a questionable practice" to give Sloan-Kettering discretion to finance these same projects from a single cost-sharing grant.

NIH replies that "many of the broad problems in cancer are not amenable to solution by individual and independent scientists" but require a "general plan of attack." The agency notes that Sloan-Kettering is one of about a dozen American research institutions wholly devoted to the investigation of cancer and argues that "such programs can best be reviewed and most intelligently supported as a whole." Thus, while NIH review groups may have disapproved some Sloan-Kettering projects as "unimaginative," such judgments were made from the viewpoint of a specific discipline and did not reflect "the importance or necessary relationship of the individual project to the broader research setting or program objectives of which it may be an integral part." NIH says a single comprehensive grant simplifies administration, results in a better total picture of the grantee's operations, and provides Sloan-Kettering with financial security, thus enhancing its ability to recruit the best-qualified investigators. The agency further points out that its agreement with Sloan-Kettering provides for an annual comprehensive review of the scientific content of Sloan-Kettering programs by selected consultants of the National Cancer Institute and for institute approval of all program changes.

Use of single grant support will "obviously be limited," NIH says, but the technique "will be cautiously extended to other institutions where considered appropriate."

On the question of scientific quality, NIH rejects Fountain's assertion that there has been "continued lowering of research standards." Indeed, says NIH, "the available evidence . . . suggests quite the opposite trends."

Fountain's allegation, which had also been made in reports issued by his subcommittee in 1961 and 1962, was based largely on an analysis of priority ratings assigned by NIH study sections to applications found acceptable for support. In 1956, for example, 40 percent of the approved grant applications were rated in the highest priority class, but in 1966 only 26 percent made the top category. In rebuttal, however, NIH cautions that the priority scores are less a measure of absolute scientific quality than a means of ranking applications that have already been deemed worthy of support. The scores thus reflect subjective decisions about what kind of work most needs to be done,

as well as judgments on scientific merit. Two projects of corresponding scientific quality might well end up with different priority scores.

Moreover, NIH argues that it is misleading to compare scores from the relatively small program of 1956 with scores from a 1966 program that is "of a wholly different order of magnitude." In this context, NIH hints that there may indeed have been some drop in quality from the early years, for in 1956 "only established investigators, research programs and institutions were being supported," whereas in recent years NIH has deliberately provided support "not only for men who have achieved distinction but for the men of promise." Nevertheless NIH argues that since 1960, the end of the initial period of rapid growth, the distribution of priority scores has remained virtually constant. In fact there has been an increase in the highest priority group over the past 2 years, from 22 percent in 1965 to 30 percent in 1967.

NIH also notes that the quality of its research rated high in outside

evaluations published by the Wooldridge Committee in 1965 and by the American Medical Association in 1967. The Wooldridge group found an "impressively low" ratio of ill-advised projects and "good evidence that the average quality is steadily improving." This is not likely to impress the Fountain committee, which considered the Wooldridge report and rejected its findings, at least partly on the basis of an analysis by Harold Orlans, of the Brookings Institution.

What happens next in the feud between NIH and Fountain is largely up to the subcommittee. Though NIH acknowledges merit in a few of Fountain's charges and recommendations, neither the congressman nor his subcommittee staff are expected to be pleased by the NIH response. Assuming the subcommittee genuinely believes NIH is guilty of "inadequate administrative performance"—and there is no reason to doubt the sincerity of this belief—Fountain may well push for hearings on the matter, a prospect that NIH administrators find none too inviting.—PHILIP M. BOFFEY

University of Hawaii: Turmoil after President's Surprising Resignation

The feelings associated with the Vietnam war have helped upset several American universities and colleges recently, but seldom has the disruption been so severe as it has been at the University of Hawaii. An understanding of the complex dispute at Hawaii may well help other universities wishing to avoid bitter division in these politically turbulent times.

During Thomas H. Hamilton's 5-year service as president, the University of Hawaii has made considerable progress in moving from an institution noted for its near-by surfing to a university of academic quality. It is the only university in the state, and Hawaii's citizens care a great deal about the university's future and activities. Consequently, Hawaii residents were understandably distressed when Hamilton abruptly resigned on 23 December over a ten-

ure case involving a Vietnam war protester.

In the following weeks, many of Hawaii's professors and citizens tried to persuade Hamilton to change his mind. But Hamilton, who served as head of the state university system of New York from 1959 until 1962, has remained firm in his intention to leave Hawaii. Since he made his determination clear to the university and to the trustees in January, the angry furor has seemed to subside. But the precipitating event for his departure, the tenure case of political scientist Oliver M. Lee, is still undecided. The present lull is almost surely only a warning of future storms which will further lash the university.

Oliver M. Lee has been on the faculty of the University of Hawaii since 1963, but in that relatively brief time

he has become perhaps the best-known professor in the state. Lee, who is 40, was born in China, the son of a Chinese Nationalist diplomat father and a German mother. He came to the United States at the age of 18 and became a naturalized citizen 9 years ago. He is a graduate of Harvard College. After doing some graduate work at Boston University and Johns Hopkins, Lee received his Ph.D. from the University of Chicago. Before coming to teach at Honolulu, Lee held a teaching post at the University of Maryland.

In the context of American political views, Lee is far to the "left" in his orientation. He is not only intellectually "left," but he is also a political activist. Lee is a vehement critic of the Vietnam war and carries placards in political demonstrations such as those held when President Johnson makes periodic stops at the Honolulu airport. Some groups, including an organization called "We, the Women" and the Waikiki Lions Club, have been highly critical of Lee's presence on the faculty. Last May, 40 members of the Waikiki Lions urged Hamilton not to renew Lee's contract.

Until the latter part of May of last year, Hamilton and other university of-