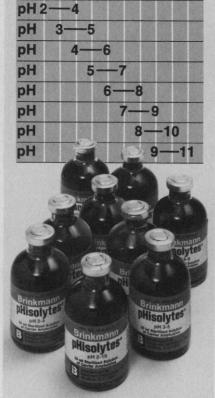
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LETTERS

Availability of Grant Applications

A year ago, the District of Columbia Court of Appeals ruled that, since "a noncommercial scientist's research design is not literally a trade secret or item of commercial information," scientists' grant applications to governmental agencies [for example, the National Institutes of Health (NIH), the National Institute of Mental Health (NIMH), and the National Science Foundation] are not exempt from disclosure under the Freedom of Information Act (News and Comment, 15 Nov. 1974, p. 614). This decision raises important questions for the scientific community. For example, if scientists generally avail themselves of their legal right to obtain copies of their colleagues' grant applications, will applicants include less information in their applications, thus making it more difficult for study sections to evaluate them? Will colleagues with shared scientific goals tend to become secretive competitors, and will meaningful scientific exchange be reduced?

NIH has received several hundred requests for copies of grant applications, including recently two from members of the NIH intramural scientific staff. These latter two requests, together with the more general implications of the court decision, prompted the Inter-Assembly Council of the Assemblies of Scientists of NIH and NIMH (1) to transmit the following memorandum to the intramural scientific research staffs of NIH and NIMH. (It should be emphasized that the intramural staff are not involved in the grants process, either as applicants or administrators, and that, before the court decision, they did not have, nor seek, grant applications.)

As you know, applications for Research Grants have always been considered by the National Institutes of Health and the National Institute of Mental Health to be privileged documents. No scientist, either in or out of government, has had access to them other than the members and consultants of the relevant scientific review panels. Now, as required by the Freedom of Information Act, NIH and NIMH will make available upon proper request any and all approved and funded Grant Applications after informing the principal investigator and the applicant institution in the course of deleting any potentially patentable material. Renewal applications will similarly be made available prior to approval since they are considered to be continuations of previously approved and funded grants.

The Inter-Assembly Council of the Assemblies of Scientists of the National Institutes of Health and National Institute of Mental Health, while fully recognizing the legal right of scientists to make such a request, strongly urges that NIH and NIMH Intramural scientists voluntarily continue to act according to past practice and not request copies of Grant Applications. We advocate this policy because we fear

the effectiveness of the Peer Review system may be diminished and biomedical research impeded if applicants believe their Grant Applications will be widely circulated.

This recommendation is subject to revision should professional scientific societies adopt appropriate guidelines.

We suggest that all scientists adopt a similar policy and urge the professional scientific societies to consider the ethical questions raised by, and the practical consequences of, the availability of grant applications under the Freedom of Information Act (1).

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Notes

 The intramural research scientists of all but one of the constituent institutes of NIH and NIMH have organized themselves into assemblies of scientists (roughly analogous to faculty senates); the Inter-Assembly Council consists of approximately 75 delegates from these Institute assemblies.

Earthquake Damage

The article by Page, Blume, and Joyner "Earthquake shaking and damage to buildings" (22 Aug., p. 601) gives an excellent description of earthquake damage that might be expected in the San Francisco area of California. However, potential earthquake damage in other parts of the country where construction is also governed by the Uniform Building Code cannot be inferred from Page et al.'s discussion of the Bay area. Unfortunately, the code is not applied as uniformly as its name implies. For example, Indiana has recently adopted the Uniform Building Code without its earthquake requirements, in spite of the fact that (indeed because) a part of the state is in zone 3, the zone of highest risk of damage. Different parts of the country may have compensating design criteria, such as those that relate to lateral loads due to winds. However, the general lack of appreciation of the dynamic character and damage that can be caused by seismically induced loads may result in a rather grim picture should large earthquakes like the Mississippi Valley (New Madrid) earthquakes of 1811-1812 or the Charleston, South Carolina, earthquake of 1886 reoccur in areas where seismic code provisions are not applied.

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We share the concern that extensive and

serious earthquake damage may occur in seismically active parts of the country in which the Uniform Building Code has

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