

MAXINE SINGER

National Institutes of Health
Bethesda, Maryland 20014

February 22, 1979

Dr. David Hamburg
President
Institute of Medicine
2101 Constitution Avenue
Washington, D.C. 20418

Dear Dave:

As you may already be aware, a confluence of onerous events has resulted in a major deterioration of morale among the scientific staff of the National Institutes of Health (NIH) and most especially among those involved in the intramural scientific programs. Many of us are concerned that the results will be disastrous for this excellent institution, an institution built by the dedication of its staff, its leadership, and the Congress of the United States over the past 30 odd years. As you know, the NIH hold a preeminent position, internationally, in the areas of medical and biological research. Recent developments, should they be allowed to proceed, would no doubt leave the United States with either no such institution, or a mediocre endeavor incapable of fulfilling the desire of the American public for the best possible research directed toward alleviation of human ills.

The events of which I write are independent of one another in cause, but their predicted effects are interrelated and reinforce one another. They are inimical to an atmosphere supportive of high quality scholarship. The events in question result generally from application of new laws and principles which may themselves have reasonable and desirable ends. However, the mechanisms proposed for achieving these ends were clearly not designed with a research institution in mind.

The most serious foreseeable consequence will be the departure of senior distinguished scientists for other institutions as well as an inability to replace those individuals by others of comparable stature. Furthermore, the atmosphere will no longer be hospitable for promising young investigators who might consider making their scientific careers at the NIH.

There may still be time and opportunity to ameliorate the effects of these events on NIH. Special attention to the needs of a research institute might yield procedural modifications that would

permit the spirit and intent of the new laws to be maintained, while making the details of their application appropriate to the NIH. As President of the Institute of Medicine you are in a position to inform the relevant authorities and discuss with them the special requirements of NIH. There are few matters that seem to me as important, from the point of view of the Institute of Medicine, than the maintenance and nurturing of our country's major contribution to the world's potential for research in biology and medicine.

The matters to which I have referred are as follows:

1. The formation of the Federal Executive Service within the civil service is a serious problem for NIH scientists in the supergrade classifications. Members of the Service can be moved from one job to another. Thus, scientists might be moved to different jobs, or different places, should supervisors or superiors so decide. Furthermore, promotions and increases in pay, as well as continued employment, will depend on periodic evaluations. The criteria for evaluation involve managerial and supervisory skills, not scientific expertise or productivity.
2. The Ethics in Government Act of 1978 has two major provisions which present difficulties. First there are the restrictions on employment after departure from the federal service. Because virtually all employment appropriate for senior NIH staff would involve institutions that are dependent on Federal grants and contracts, anyone who is a GS-17 or above will be effectively barred from ever leaving the NIH. Second, the financial reporting requirements of the Act present severe problems to members of the NIH scientific staff. Most of them are sympathetic with the intent of the law and will willingly declare their own financial interests although they have serious questions about the public availability of the information. However, many have moral difficulty with the requirement to disclose the financial interests of spouses and children to the inevitable inspection by the press and others whose interests may be far removed from ethics in government. This serious invasion of the privacy of their families may well be a burden not outweighed by the advantages of working at NIH. This is especially so since a very large number of the affected intramural staff have absolutely no responsibilities for decisions concerning policy or grants and contracts and the contribution of their disclosures to the general ethical standards of the government is obscure indeed.

3. The Department of HEW recently decided to limit travel expenditures by the NIH. Rather than decreasing the funds available for travel, and permitting the NIH to determine the most appropriate distribution of the more limited funds, the Department itself has assumed responsibility for approving each proposed trip by scientific staff. In establishing the information needed for decision making DHEW insists that those attending meetings to present papers be distinguished from those who are going to listen and learn. The latter must be designated "observers" in distinction to "participants". The NIH scientists are rightly concerned that such distinctions indicate a total lack of understanding of the purpose of scientific meetings on the part of those now responsible for approving travel. Furthermore, the proposed time schedule for approvals by DHEW suggests that in many instances approvals may be expected only a few days or weeks before the travel is to take place. The fact that many meetings are arranged up to a year ahead of time does not seem to be understood. We stand a very good chance of becoming like the Russians, and having to postpone commitments until shortly before a meeting is scheduled to start. Also, at this point, there is no way to know whether the importance of meeting attendance for younger investigators will be properly appreciated.
4. NIH's authority to approve travel by scientists when the travel is funded by others has now been transferred to DHEW. The long standing custom of the NIH, a liberal policy regarding receipt of payment "in kind" from the sponsoring organizations, thus recognizing the customs of a community based on collegiality, will apparently be ended. Complex arrangements whereby the inviting institution will reimburse the NIH for the costs of travel for seminars or meetings will be instituted. One can well imagine that there will be fewer invitations for participation by NIH scientists. One NIH administrator informed us the other day that in all likelihood the new rules would require that we ask our hosts at other institutions whether they personally paid for a dinner, or whether they took it from department funds. If the latter, we would then be required to pay our share, report that to NIH, be reimbursed by NIH, which would in turn require reimbursement from the host institution. In addition to the embarrassment attendant on such peculiar arrangements, the general effect is to make the scientists feel as though they are assumed to be criminals. In addition, this matter, as well as that described in 3 above, have enormously increased the amount of paper work required in arranging for any travel.

Dave, I know that distinguished NIH scientists who have habitually turned down important opportunities at other institutions are now seriously considering leaving the NIH. You are one of few individuals outside the NIH itself (and thereby free of the taint of self-interest) who can help explain these problems in meaningful settings. I urge you to discuss these matters with other NIH people and establish for yourself the accuracy of my information and the seriousness of the situation. Then, if you agree, bring the power of the Institute of Medicine and your position as its President, to bear on these important issues. I understand that the Secretary of the DHEW has been informed of some of these problems by the NIH Assembly by Scientists, our equivalent of a faculty senate. There are rumors that he may have been impressed by their concerns and may visit the NIH and speak to the staff early in March. It would be important for him to hear from an independent source, prior to that meeting, just how fragile a scholarly institution is and how important it is to respond promptly to these concerns.

Sincerely yours,

Maxine Singer