

What We've Been Doing . . .

FASEB Supports Plan to Delay Implementation of Proposed FOIA Changes

Concerns over the proposed changes to Circular A-110 prompted Representatives James Walsh (R-NY) and David Price (D-NC) to sponsor an amendment which would have delayed for one year a new requirement that research data from federally funded projects be made available under the Freedom of Information Act (FOIA). Last October's Omnibus Appropriations Bill (P.L. 105-277) directed the Office of Management and Budget to open up FOIA procedures to all data produced under federal awards. FASEB has been concerned that these proposed changes would significantly interfere with scientific progress. The Walsh-Price amendment to delay its implementation, however, failed by a vote of 25-33 when it was offered to the FY 2000 Treasury-Postal Service funding bill during House Appropriations Committee consideration on July 13.

Earlier that day, FASEB President William R. Brinkley sent a letter to all members of the House Appropriations Committee urging them to support the Walsh-Price amendment. In his letter, Brinkley stressed the point that "[the proposed expansion of FOIA procedures into the scientific arena] would have unintended and undesirable consequences and could cause great damage to biomedical research."

As this issue of the newsletter goes to press, FASEB is anticipating a possible revision by OMB to the earlier notice of proposed rule making which would soften the impact of the law by excluding confidential patient information from its purview. The FASEB Newsletter will be monitoring these developments and will report on any new actions in its next issue.

FASEB Opposes Animal Welfare Act Coverage of Rats, Mice, and Birds

FASEB and five of its member societies submitted comments in opposition to a proposal to extend Animal Welfare Act (AWA) coverage to rats, mice, and birds. All of the organizations filed statements emphasizing that current regulations are adequate to insure humane treatment of laboratory research animals.

In his May 13 letter to USDA, FASEB President William R. Brinkley, PhD, noted that "[o]ur opposition to the proposed amendment is consistent both with our interest in animal welfare and with our concerns about redundant and counter-productive regulations. The proposed change will increase regulatory burden and redundancy, lead to inappropriate use of resources, and retard progress in research."

Specifically, Brinkley pointed out that USDA itself reports that 90% of the rats, mice, and birds used for research in the U.S. are already covered by voluntary accreditation and/or the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals. Furthermore, these standards often

exceed those in AWA regulations. Brinkley concluded that inclusion of rats, mice, and birds under AWA regulations will "increase the cost and complexity of regulatory activities without producing any measurable benefits to animals or research."

To view the complete text of Brinkley's letter, see www.faseb.org/opa.animal/aphiscomm.html. For copies of the societies' letters, see the websites of APS (www.faseb.org/aps/rats_commentletter.htm) and ASPET (www.faseb.org/aspnet/PAPOSAWA.htm#top). ASNS, AAA, and AAI also submitted comments on this issue.

FASEB Board Members Deliver Funding Message to Capitol Hill

In conjunction with their May meeting, members of the Federation's Board of Directors went up to Capitol Hill to speak to their representatives about the importance of investing in biomedical research. Among these Board members participating in the meetings include Palmer Taylor (ASPET), Sue P. Duckles (ASPET), Mary Barkley (Biophysical), Roger Pederson (SDB), Robert Nissenson (ASBMR), Barry Shane (ASNS), James Schafer (APS), and David Kaufman (ASIP). They were accompanied by the following society public affairs officers: Alice Ra'anan (APS), Jim Bernstein (ASPET), Tracy Lawless (ASNS), Tim Leshan (ASCB), and FASEB Budget Consultant Shirley Ruhe. These sessions provided an excellent forum for the exchange of information between FASEB's working scientists and the key lawmakers and congressional staff who mold, shape, and develop the appropriations bills that fund life sciences research.

Board members spoke on the exciting opportunities that lie ahead in the arena of biomedical research, and the need to capitalize on these possibilities to bring about new ways to treat and cure diseases. In response, they were cautioned by decision-makers on the effect of tight spending caps on discretionary programs, and they were told that the funding situation would "come to a head" this fall. The scientific community was strongly encouraged to keep delivering their message to Capitol Hill in order to create a momentum for increased resources for biomedical research.

FASEB Supports Increased Funding for Shared Instrumentation

Calling it "critical for the success of the biomedical research enterprise to upgrade obsolete, shared instrumentation and to fund new types of shared instrumentation," FASEB announced its support for legislation to provide an authorization of \$100 million for the NIH Shared Instrument Grant (SIG) Program and to lift the current cap on SIG awards from \$500,000 to \$1.5 million. These provisions were part of the "Twenty-First Century Research Laboratories Act."

In a May 5 letter to the bill's author, Senator Tom Harkin (D-IA), FASEB President William R. Brinkley, PhD, stated, "FASEB recognizes the need for building the capacity necessary to support the future growth of NIH-funded research. We believe that research infrastructure is an essential component of this goal, and are in favor of mechanisms that promote it, so long as these funds do not come at the expense of programs for investigator-initiated research. We believe that it is most vital to protect the

funding base for RO1 grants – which fuel the engine that drives progress in biomedical sciences."

The Instrumentation and Infrastructure Needs Subcommittee of FASEB's Science Policy Committee conducted the review of this bill at the behest of Senator Harkin. Subcommittee Chair David Speicher is currently working on a design for a survey on instrumentation needs, with a targeted dissemination date for this fall. ([See the June 1999 issue of the *FASEB Newsletter* for more information on the survey.](#))

FASEB Reviews NIH's Report on the Effect of Regulations on Research

FASEB President William R. Brinkley, PhD, sent a letter to NIH Director Harold Varmus in support of efforts by that agency to reduce regulatory burden and expressed the Federation's gratitude to Varmus for undertaking the critical study on this issue. FASEB's Regulatory Burden Subcommittee of the Science Policy Committee, led by Subcommittee Chair J.R. Haywood, conducted the review of NIH's regulatory burden report.

In his May 5 letter, Brinkley stated that "[t]he report captures the essence of many of the problems facing the research community and contains several excellent suggestions that could enhance its productivity. We encourage timely implementation of the suggestions made by the workgroups, particularly those that require minimal change in existing policy. We also strongly endorse the report's recommendation that some issues should be raised to the level of the Office of Science and Technology Policy, so that policy changes can be coordinated across multiple Federal agencies. This approach would offer the opportunity to not only amend existing regulations, but also initiate changes in laws where appropriate."

Furthermore, Brinkley called on the NIH to implement the report's recommendations as soon as possible. He concluded, "The scientific community stands prepared to work with NIH and other Federal agencies to continue its farsighted efforts to promote research productivity by establishing an appropriate level of regulation and oversight."

Brinkley Speaks at Commonwealth Fund Conference

FASEB President William R. Brinkley spoke at a conference of the Commonwealth Fund on June 14. During his presentation, Brinkley noted the Federation's keen interest in the plight of the Academic Health Centers (AHCs) as much of the nation's biomedical research – and most of its training – takes place in those institutions. Moreover, Brinkley pointed out that funding for research and training is derived largely from clinical revenues in these centers. Unfortunately, he added, managed care and third party providers have siphoned off all of the money that had once been directed to basic science departments. Given that research is not a priority of the managed care industry, Brinkley concluded, the entire research and training enterprise at AHCs has suffered and is in severe jeopardy.

Brinkley briefed the audience on FASEB's policy recommendations in areas that affect AHCs. These recommendations, derived from the Federation's FY 2000 Federal Funding Consensus Conference

deliberations, were on the following topics: Research Planning; Patient-Oriented Research; Graduate Training; Facilities; and Infrastructure. (For details on the specifics of these recommendations, see the FASEB homepage at www.faseb.org/opa/fund2000.)

The Commonwealth Fund is a philanthropic foundation established in 1918 with broad charge to enhance the common good. It carries out this mandate through efforts to help Americans live healthy and productive lives and to assist specific groups with serious and neglected problems. In July 1995, the Fund established the Task Force on Academic Health Centers in response to concerns about the impact of health care financing changes on the mission of the country's 125 academic health centers.

Return to [August 1999 FASEB Newsletter Table of Contents](#)

Return to the [FASEB Office of Public Affairs](#) homepage