

1 MR. CASTEEN: I was struck myself by the shift in
2 emphasis between the first and second panel. I realize that the
3 final speech did not do this, but the shift from institutional
4 science to science considered geographically as to states. I
5 realize that's really part of what's going on, but is there any
6 kind of ultimate truth on either side of that discussion, or is
7 it really a matter of how one cuts the cake?

8 DR. VAITUKAITIS: I think it is just something that
9 happened because of the geography in this country and the have-
10 not states for the most part, but not all of them. You probably
11 shouldn't use the "have-not" states -- those with small
12 portfolios of research come from states that have very few
13 people. There are some states out in the Midwest that have fewer
14 individuals in their population collectively than Washington,
15 D.C. And I think it is a reflection of that.

16 And some other states, there are states that the state
17 legislatures have never chosen, and maybe could not have invested
18 in higher education in that state.

19 After World War II, several states invested pretty
20 heavily -- Michigan, North Carolina. But a lot of the topnotch
21 state universities, the California system, are a reflection of
22 very heavy input by the state and private sectors.

23 And the IDeA and the EPSCOR states, for the most part,
24 were not advantaged by that type of approach.

25 MR. JOHNSTON: Well, if you are looking for ultimate
26 truth, it is in the eye of the beholder. What you really have to
27 decide is what is it that you want to accomplish? I mean, there
28 are various things you could want to accomplish.

29 First, you could be outraged at earmarking. I suggest
30 that if you really look at the earmarks, you would not be so
31 outraged because there is some pretty good science. And a lot of
32 those earmarks are things that are going to be done anyway, they
33 just happened to put it in that state. I mean, LBJ put the space
34 program in Texas. It was going to be put somewhere; that's
35 politics. You are not going to get away from that kind of
36 politics.

37 But are you really concerned about the outrage of it?
38 I don't think so.

1 Secondly, you could be concerned about the balanced
2 budget. You know the \$2 billion you spend on earmarks is too
3 much, and you want to get the budget more in balance. I don't
4 believe that's what this is all about. I really don't.

5 I mean, I heard those arguments with the SSC and it
6 was, I forget the figure, it was 1/150 of 1 percent of the
7 budget, and all of that with all the budget heat it generated.

8 I suggest that what this is really about is you want to
9 move those earmarks to AAU states, AAU institutions. Isn't that
10 what this is about?

11 If that's what it is about, then you are not going to
12 be successful. The exact opposite is going to occur, because all
13 of these Senators from these states that may not have a lot of
14 people, you've got two votes per state no matter what the size
15 is. And to the extent you can get people to be interested in
16 science, they are going to be supporters of science. You know,
17 they've got a little program there, and they get interested in
18 cancer or whatever, they are probably going to support the NIH
19 program more enthusiastically as they learn something about it
20 and get a stake in it.

21 So I say the ultimate truth depends on what you are
22 trying to accomplish. And believe me, if it is to move the money
23 from non-peer review to peer review, it is not going to work. It
24 never has worked. I can demonstrate time and time again that it
25 doesn't work. It is just the opposite.

26 MR. CASTEEN: All right, thank you. George, and then
27 let's move to a general discussion. We have about 30 minutes for
28 this part of the program.

29 MR. LEVENTHAL: An observation -- and again, I am
30 George Leventhal from AAU, the Association of American
31 Universities.

32 Senator Johnston, it is so helpful to have you here,
33 and I guess what -- the juxtaposition between your remarks and
34 Dr. Vaitukaitis' remarks made me wonder about those institutions
35 that have benefited over time from earmarks.

36 And then what happens to an institution like that when
37 an influential Senator or Congressman who has been a patron for
38 that institution moves on in life, or party control of the

1 chamber changes, or you know, time marches on?

2 In part, to answer your question, Senator, I do believe
3 that our intent, at least from AAU, is to spark conversation
4 within the academic and scientific communities -- and I am
5 repeating myself now -- in terms of professional standards and
6 practices. What is the mechanism by which research funds are
7 allocated? What are trends and changes in the funding of
8 research, and are those in the best interest of public policy and
9 science policy?

10 And I know from the standpoint of my boss, he believes
11 strongly that the universities that I work for, the "haves", the
12 successful universities, ought to assist in capacity-building
13 among other institutions.

14 But as I listen to Judy Vaitukaitis about these
15 institutions that don't even play in the lottery, those
16 institutions that aren't even part of the peer review culture,
17 the question that comes to my mind is, what is it about the
18 academic and scientific culture in those institutions that have
19 benefited from earmarks? Will they be able, over the long term,
20 to be competitive?

21 It seems to me that what the institutions ought to be
22 looking for in terms of being able to succeed in a peer review
23 system is permanence, being permanently successful. Because if
24 Senator Johnston moves on in life, or if Chairman Livingston, you
25 know, moves on and isn't chairman anymore, then if there are
26 institutions in a state like Louisiana who have benefited from
27 the good efforts of those Louisiana politicians, but then things
28 change, are those institutions still able to win support? What
29 happens, just to close, to an institution like -- and I don't
30 mean to pick on these good institutions -- but Loma Linda
31 University in Jerry Lewis' district, or Wheeling Jesuit
32 University in West Virginia. If they are in the top five in the
33 Chronicle's list, over the long term, are those institutions
34 going to continue to benefit from research success when, you
35 know, time waits for no man, when their patrons are no longer in
36 the positions that they are?

37 MR. JOHNSTON: Well, the answer is some will and some
38 won't. Those "have" institutions, I mean how did they get to be

1 "have" institutions? To a very large extent, with federal money.
2 I mean, how did, you know, Stanford? I used to work with SLAC,
3 Stanford Linear Accelerator. I mean, that wasn't built with
4 California money. That was built with federal money. And they
5 are good. I continued, when I was chairman, to support them.

6 And some will survive and some won't. I can think of
7 two right now. The University of Alabama wasn't much until it
8 started its medical program, and they have done great work. And
9 by the way, I got a letter from one of the people there who said
10 they are having trouble -- they've got some of the best people in
11 the world -- they are having trouble with the competition to keep
12 their people.

13 So some will survive and some won't. But \$ billion out
14 of \$44 billion is just not an awful lot, and not too much, in my
15 judgment. Sure, you've got Jerry Lewis, who is a great guy, and
16 he is going to put a few dollars for awhile in his area. My
17 guess is most of them are going to be very useful to the
18 taxpayer. Don't ever think it's that easy to get an earmark. I
19 mean, a lot of people think you just go in and, there is all of
20 this federal largesse.

21 We used to have about two or three earmarks a year on
22 energy and water. That's all. And you had about 45 requests.
23 And you had a press looking down at you. Now you think it's easy
24 to get those earmarks and that you need no justification? You
25 just go in and say, "We want to have a study on" -- well, let me
26 give you one here that was peer-reviewed. A study of why people
27 fall in love. That was from the National Science Foundation.
28 Peer-reviewed.

29 You know these kind of examples. Everybody says, "Oh,
30 there they go again." Those are the great exceptions. When you
31 have a government as big as this one, you are going to have those
32 kind of wasteful things. There is no way you can eliminate it.
33 From peer-reviewed, or non-peer-reviewed, or government-
34 instituted. But I think we ought to keep our eye on the ball.
35 And the ball, in my judgement, as a strong supporter of science,
36 is more money for science, because if you look at the trends in
37 this country on what we spend in science and research, and
38 applied science, it's not nearly enough. It's not nearly enough

1 as the competition ought to do. And a lot of these areas, the
2 government is the only one who is going to do these kind of
3 things.

4 So I say, let's get in there and promote as much good
5 science as we can.

6 MR. CASTEEN: Okay. Just in case you have something
7 you would like to raise in this session and you weren't here
8 before, I am going to ask you to use this microphone, unless your
9 voice is extraordinarily loud. And will you begin with your name
10 and your organizational affiliation.

11 Anyone who would like to take part?

12 MR. CASEY: I'm Kevin Casey from Harvard University.
13 And Senator Johnston, there was a moment a week or so ago where I
14 thought earmarking was very easy because Senator McCain had done
15 a press conference and released the list that had -- his pork
16 best hits list. And Harvard University had a \$3 million grant at
17 the Institute of Politics, and we didn't even ask for it. So I
18 thought that was pretty easy. That's the easiest work I had done
19 all year so far. But it turns out it was not at Harvard
20 University, it was at St. Anselm's in New Hampshire.

21 But I just had an observation that I think part of the
22 growth of earmarking may be an outgrowth of the success of some
23 of the arguments that many of us have been making to members of
24 Congress urging them to support research. And that is that we
25 have been talking about how we are economic engines, and in
26 places like Massachusetts, and California, and Texas, and New
27 York, that we have spurred the economy, we are the cutting edge
28 of the international economy. So we have to keep investing in
29 this innovation system.

30 Well, members are saying, what about my economic
31 engine? And this must be a great thing for my state if it is
32 Montana or elsewhere. So in listening to Ray, it made me think
33 that this criteria might be something that goes a long way to
34 establishing some credibility in terms of the way some
35 institutions are going about seeking or helping Senators
36 determine where the money should go in their districts. I was
37 kind of interested in the level of thought that you put into the
38 various five or six points that you talked about in Florida.

1 MR. BYE: Well, I talked to Rich Harpel of NASULGC,
2 about talking to this panel last Thursday, so I put four or five
3 days worth of thought into it, Kevin.

4 But seriously, those are basically the criteria that I
5 have tried to use basically since I have been at Florida State.

6 I mentioned in my talk that I came to FSU from the
7 National Science Foundation, and I think I brought a large
8 segment of what 23 years of being inculcated there with me to
9 Florida State. I have not, and would not, ever do anything that
10 would affect a well- established, well-running peer review
11 process.

12 And again, as I said in my paper, I think that the
13 process works best at the National Science Foundation, and the
14 National Institutes of Health. There may be pockets of other
15 kinds of quality review processes elsewhere in other agencies,
16 but those are two that, at least from my standpoint and in my
17 discussions with my faculty, I don't think there is never any
18 question about that we won't earmark in those agencies.

19 I think, that the point that somebody made about a
20 particular university -- I am certainly not going to pick on Mr.
21 Lewis or a particular Member -- which may have influential members
22 expands dramatically during a certain period of time, I think
23 that what I tried to suggest is that, I think we all have to go
24 at this in a responsible fashion. It is awfully easy to just
25 think that you've got four years with this subcommittee chairman.

26 And with the term limits for chairmen being what they are, there
27 is a process that comes to bear on people in universities that
28 see this as their window of opportunity.

29 And I think that's a terrible way to do it, because
30 what happens when you really go overboard in a situation like
31 that is that you fail to build the long-term capacity to be able
32 to continue to utilize, whether it's instrumentation, whether
33 it's facilities, or whether it's a particular kind of research
34 capacity that you are trying to build up in your faculty. You
35 lose the capacity to continue that without that kind of crutch.

36 And so for that reason, I have tried to put in this
37 roughly two-year rule; if faculty can't get it done, if they
38 can't develop relationships in that period of time, to continue

1 to attract funding without that kind of help, then probably we
2 made a mistake in trying to say to that agency that they were
3 missing the boat in not funding that work in the first place.

4 So we do try to operate on those criteria. I mentioned
5 to you that we have not received funding for infrastructure --
6 buildings -- as part of this process. That doesn't mean that we
7 don't need them. But we just feel like that there are other ways
8 of going about that. And so I shared some of the feelings of the
9 first panel that people were concerned about a lack of a federal
10 program in that area. That may very well be needed, but we
11 haven't used the process in that fashion.

12 MR. CASTEEN: Yes, sir.

13 MR. FARNHAM: Thank you. I'm Peter Farnham, and I work
14 at the American Society of Biochemistry. I was very struck,
15 Senator Johnston, by the numbers that you mentioned of the number
16 of earmarks, the requests that you have received, as well as the
17 number that you funded.

18 And the reason I say that is that things have
19 apparently dramatically changed since you left the Senate. I was
20 talking to a member of the House Appropriations Committee staff
21 who told me that the subcommittee for which he works received
22 more than 4,000 requests for earmarks, an average of 20 to 30 per
23 member making requests. So that's a huge number. And I have
24 difficulty considering this to be reasonable. I think that if we
25 were talking about numbers now that you were dealing with, I
26 don't think we would even be having this meeting, quite frankly.

27 MR. JOHNSTON: Well, really, when I said 13 or 14, what
28 I was thinking about is 13 or 14 Senators, which is about the
29 entire membership of the committee. And each Senator, indeed, had
30 multiple requests.

31 But a lot of those requests are to increase or decrease
32 an allocation for a particular function, not a line item. I
33 mean, they might want to increase the amount of money for
34 renewable energy, for example, or for another function. I don't
35 think you would have thousands of requests for line items in the
36 sense of, put this at my university.

37 But if they are, I can tell you they are exceedingly --
38 those that get granted are exceedingly small. I mean, we have

1 talked about health. Of Health and Human Services, according to
2 this OMB study, total funded grants were \$20.5 billion and
3 research performed at congressional direction was \$159 million,
4 which is -- somebody do the percentage on that. It is less than
5 1/10 of 1 percent, I think, in the area of at least health.

6 So I don't know how many requests there are now, but
7 most of those are not for a traditional line item earmark.

8 MR. CASTEEN: Yes.

9 MR. SAM: Good afternoon. My name is Lee Sam from
10 Tuskegee University. In the first panel, the question was asked
11 to the panelists, are smaller schools and minority-serving
12 institutions at a disadvantage in the earmarking process? And
13 the OMB person answered, "Well, no. I couldn't make that
14 argument."

15 So I am going to pose that same question to either of
16 the three of you. Are smaller institutions or minority-serving
17 institutions at a disadvantage? I mean, I just want an honest
18 answer. It can be whether the school has a champion in Congress,
19 or whether they don't, what you think on that.

20 MR. JOHNSTON: I hate to monopolize this with the
21 answers. If you look at the record, the answer is a very clear
22 yes. I mean, very little for traditional minority schools.

23 And for that reason, we did a lot in my state. I mean,
24 sometimes you would have to generate the programs, and we did
25 that at Southern. Xavier has a program with Tulane, and they
26 have done terrific work.

27 So the answer is, yeah, and part of the way to solve
28 that problem is through the political process with earmarks. And
29 you go back and you look, in my state, at least, and look at the
30 other minority things that we funded, I think they measure up
31 pretty well.

32 You've got to have a capability to do it. It's got to
33 pass the test of showing to your colleagues that it is good, and
34 a very skeptical press. But, you know, that's a political
35 question to some extent. Scientific question, but it's a
36 political question. And it is a legitimate political question.

37 You know, in my state years ago when we had not one
38 minority member of the state police, I thought it was very

1 legitimate to say, let's figure out this allocation process so we
2 end up with a different result. And that's what we need to do,
3 and that's part of the purpose of a lot of this earmarking, to
4 end up with a different result, build the expertise. I mean, I
5 think it's very important to have centers of expertise in every
6 university, and every kind of university.

7 DR. VAITUKAITIS: At the National Institutes of Health
8 we are the part that helps support infrastructure in
9 institutional building, and Tuskegee is part of our Research
10 Centers and Minority Institutions Program and has done very well
11 within that.

12 But separately, we also have the only NIH- authorized
13 construction facilities program. And we advise reviewers up
14 front to review the applications such that need is a key element,
15 in addition to the kind of research to be carried out, the
16 quality of that research. Small institutions and minority
17 institutions do very well within that system.

18 The problem is, the NSF 1998 report on facilities cited
19 a need of \$5.8 billion in unmet funding for upgrading facilities
20 for biomedical research; that does not include other kinds of
21 research. So there is a huge backlog in that more than half of
22 the laboratories in this country cannot carry out sophisticated
23 research. So through a variety of mechanisms, we have to try to
24 fix that problem. Separately, Congress has as a set-aside
25 for centers of excellence within the construction program, which
26 includes many of the minority-serving institutions, but several
27 majority institutions, as well. And minority-serving
28 institutions do well through that mechanism.

29 MS. SCHEMAN: Carol Scheman, University of Pennsylvania.
30 I probably shouldn't bring this up, Senator, but I can't help
31 myself. I was at the AAU before, many, many years ago, about
32 when this debate began, and I need to remind all of us that two
33 institutions who started this debate were Columbia University and
34 the University of Pennsylvania, my university, and we are hardly
35 "have-nots", and went after some major earmarking.

36 And I think that -- the reason I bring it up is the
37 importance of the debate is, I think, not because there is a
38 great need for the "haves" to hold onto it, although we certainly

1 do want to hold onto it and have more. But I think the debate
2 was caused by, as Kevin Casey, my colleague from Harvard, brought
3 out, which is he made the argument of more key economic
4 development. And that led reasonably and, I think directly, to
5 members of Congress saying, "We need economic development, too."

6 And that caused that to happen.

7 But something is lost, I think, in all of this; it is
8 how fragile merit-based allocation really is. To the largest
9 extent, I think most people have no idea what it's about.

10 I remember a debate in the Senate in which I was having
11 -- there was a conversation that was followed by another
12 conversation in which a colleague of yours thought when we were
13 talking about peer-review, we were talking about the House of
14 Lords. It struck a lot of people as very funny, but there is
15 simply no reason why people don't know what peer-review is.

16 So that what's at risk here is this very, very narrow
17 way of allocating what you rightly point out are public funds.
18 We have no right, our faculty has no right, to tax dollars.
19 Members of Congress have in their wisdom, over a course of many
20 years, delegated and allowed these peers, these people who nobody
21 really knows who they are, to make decisions on allocating vast
22 amounts of wealth, vast amounts of public money. And we should
23 be very grateful for that. And I would say that we are.

24 The thing I think I am worried about is that it has
25 worked very well as science policy. And what is at risk is
26 confounding the argument so that it gets lost, and we lose that
27 ability, that route of good science policy.

28 With that, Ray, I have to tell you that I had tears in
29 my eyes when you were talking because I remember standing side by
30 side with you for many years on this. And I have struggled with
31 the same thing since I went to Penn and I know how hard the
32 struggle is. I can tell you that my problem with the principles
33 you set out, which I thought were really very interesting, are
34 that absent the debate that I just tried to outline, that that's
35 what merit-based allocation is, I think it is a slippery slope.
36 Thank you.

37 MR. JOHNSTON: May I just say something that is implicit
38 in your question, there is some trend to non-peer-reviewed

1 science. I don't see that trend. I mean, I don't see that \$2
2 billion congressionally mandated out of \$44 billion is a trend.
3 And particularly when I look at health, which is what everybody's
4 concerned about, I don't see that \$159 million out of \$20.5
5 billion is a trend, unless it is a trend away from congressional
6 allocation.

7 MS. SCHEMAN: I don't necessarily think it's a trend,
8 although I worry about where it's clumping up into rich areas. I
9 know that I argued with faculty at the University of Pennsylvania
10 all the time, they can't have it both ways. You know, you can't
11 benefit so extraordinarily -- and we were number one or number
12 two in the highest funding last year and the year before -- and
13 also go after earmarks. You have to pick a system in which you
14 are going to live with.

15 MR. JOHNSTON: So who says you have to pick a system? A
16 lot of universities don't.

17 MS. SCHEMAN: No, I just meant within the institution.
18 I worry less about trends than I worry about the fact that we
19 have an agreement with science policy in which Members of
20 Congress, and I am talking about your peers during that period of
21 time, understood what we were doing and understood doing it the
22 other way. I think there are a whole bunch of newer members of
23 Congress, younger Members of Congress, who haven't a clue what we
24 are talking about. And that's what really worries me.

25 I know you clearly do. And I know you clearly
26 understand doing it differently. But I think that there are
27 many, many members who don't.

28 MR. JOHNSTON: Well, first of all, an awful lot of
29 universities, I won't name them all, I was meeting with one this
30 morning who runs with the rabbits and barks with the dogs -- and
31 don't think there are not a lot of them -- and so you don't have
32 to pick, and they don't pick.

33 But believe me, there is no trend. You say all of
34 these new ones are coming in; they don't understand. Look at the
35 figures. This is from OMB. It's from the budget, pages 136 and
36 137, when I tell you in Health and Human Services, \$20.5 billion
37 total, only \$159 million congressionally-directed. Now come on.
38 I mean is that too much? You've got to be serious, really.

1 A PARTICIPANT: What are the figures for NASA?

2 MR. JOHNSTON: Well, that's \$20 million out of \$44
3 million, that's almost half.

4 A PARTICIPANT: If you looked at Energy or NASA or some
5 of the other science agencies --

6 MR. JOHNSTON: Energy is \$139 million congressionally
7 directed out of \$4.6 billion. What's that percentage? Is that 1
8 percent? It's not much.

9 MR. CASTEEN: Yes.

10 A PARTICIPANT: This is a very gooey problem and I
11 suspect it's actually just a small piece. I mean, we talked
12 about earmarks. But the fact of the matter is Congress reshapes
13 the federal budget that is submitted by agencies. The agencies
14 very often have peer-review panels that go with the advisory
15 committee that can deal with peer-reviews, make recommendations,
16 and the agencies bring forth new programs. And Congress,
17 rightfully so, Constitutionally so, reshapes it.

18 And I am wondering, as I have been listening to this
19 discussion and listening to Senator Johnston's percentage of 2
20 percent, the reaction is to the whole federal budget, the R&D
21 budget. If you look to see what the advisory committees are
22 saying and then match that up to what actually comes out of
23 Congress, are these numbers so terribly different? I don't know,
24 but I suspect it isn't.

25 I would also make one other observation and that is
26 that we stop. We need to go back to the era of late 1940s and
27 early 1950s, when a lot of this process was put into place, and
28 it was an era in which eminent members of the science community
29 had a working relationship with people in government. That has
30 largely disappeared. We relied on those relationships, and we
31 didn't argue those points back in the '50s. A little bit before
32 my time, but not much.

33 And certainly I think that has changed, and I would say
34 tremendously, over the years. What we are questioning is that we
35 have of Members of Congress who will listen to a certain person
36 who may not have the scientific credentials that we necessarily
37 acknowledge today, and we might have 40 years ago. I think
38 that's another piece to it.

1 But I don't know if there is a solution to this
2 problem. And I guess I'll go along with what Senator Johnston
3 just said. This is something that is needed, that works to a
4 large extent. But it gets very much out of control and perhaps
5 we need to really speak up about it. And I guess I am not sure
6 we are at that point yet.

7 MR. JOHNSTON: Well, let me say one other point. So
8 much of the competition for money is not between, for example,
9 institutions that are both after the same grant in health. Let
10 me just give you an example of something that I am trying to get
11 earmarked right now in the Congress.

12 We've got a company that's got a technology to put
13 carbon fibers around steel structures to strengthen them against
14 terrorists and explosions. We had the request in before the
15 events of September the 11th.

16 This is competing not with health, but it is competing
17 with some defense project out there. That's the kind of judgment
18 they need to make. The Congress ought to look at this and say,
19 "Well, these people who want to do it, are they the best? Are
20 they good, and can we afford that? Do we need it?" That's the
21 kind of competition for earmarks that more than likely is to be
22 determined by earmarks. Another example, is the competition
23 between fusion and high-energy physics.

24 It's not between two groups who both want to study
25 throat cultures, or something. As these figures indicate for the
26 National Institutes of Health, almost all of it is peer-reviewed.
27 Maybe 1/100 of 1 percent is not. That's about all in health. So
28 we are not talking about health, we are talking about these other
29 fields.

30 MR. CASTEEN: Yes, sir.

31 MR. HARPEL: Rich Harpel from the National Association
32 of State Universities and Land Grant Colleges. This is just an
33 observation here, and sort of a follow-up on the previous
34 comment.

35 Is the effect intended or unintended perhaps of where
36 the debate and dialogue occurs with respect to whatever the
37 project or program might be? The fact that there was a time in
38 our history where a lot of that discussion occurred within a

1 structure that involved and engaged scientists with politicians,
2 I think, is a very important thing. The loss of an office like
3 OTA within Congress is just another example of the fact that the
4 gulf gets widened. And so institutions thrash about trying to
5 find out what's the best tap to gain an audience, whether that is
6 with an agency or with a member of Congress.

7 The sad consequence is -- and having spent most of my
8 career at an academic institution -- is the amount of money that
9 gets expended by an institution in chasing earmarks. That's
10 where I think people ought to start thinking as to how
11 investments pay off, or do not pay off, because that has been a
12 real increase, I think. As institutions look around and see the
13 success of one or another of their fellow institutions in the
14 state or across the country, they realize that they have to start
15 making different kinds of investments in gaining a hearing
16 because there are no typical or normal mechanisms to engage in
17 that dialogue anymore.

18 MR. JOHNSTON: Well, you could say that. You could
19 also say that the money spent within the institution to get good
20 people to come up with ideas does just that -- generates great
21 ideas in science, and a good way to package, and put it together,
22 and make it work, and pass the muster of the Congress and a
23 critical press.

24 MR. HARPEL: I didn't mean the quality of science, I
25 meant the hiring the consultants that gain access and open doors.
26 There is a lot of money going to that.

27 MR. JOHNSTON: Do you know how much?

28 MR. HARPEL: I don't know how much.

29 MR. JOHNSTON: Well, see, that's the thing. So much is
30 anecdotal. You read somebody is making a lot of money on this,
31 and it's peanuts. I mean it's, in the first place, \$2 billion
32 out of \$44 billion for all earmarks. And how much do they spend
33 on -- I mean, it's just not a problem.

34 You try to go after those problems and again, what are
35 you trying to accomplish? Let's keep your eye on the ball, is
36 what I say.

37 MR. TURMAN: I'm Richard Turman. I am currently at the
38 AAU. I was going to provide some observations, both because I

1 think it is helpful to use the data that is in front of us, and
2 because the issue on the table is like the one that we had when I
3 worked at OMB actually. The \$150 million detailed is actually not
4 within NIH, but within the Department of Health and Human
5 Services. But almost all of the cash is in the Health and Human
6 Resources Administration, which is, itself following the criteria
7 that Ray Bye laid out in the table. Congress avoids earmarks in
8 NIH and NSF. So it's helpful for me to look at the table. It's
9 just that HHS includes other agencies that Congress does earmark
10 totally -- a set of facilities cash that goes to a person. So in
11 this case, for NIH, earmarks are actually zero.

12 I'm going to draw a larger point; it's that this table
13 also shows us some history in a way because the Department of
14 Agriculture would not have been one of the agencies that people
15 would have said, "We don't do it here." So that's been reflected
16 in the cash totals in the table, that's tradition. But I think
17 10 years ago other agencies might have been on that list. Right
18 now it is NIH and NSF. The question is that 10 years ago, NASA
19 was on that list and NASA -- to take a snapshot of this year --
20 is now at \$200 million. And as George was alluding to earlier,
21 it is a question of how much cash increase NASA had, and how much
22 portion that \$219 million was. The question is, 10 years ago
23 NASA would have been on that list, too. And it's off and is no
24 longer on that list. What does this portend in the future? What
25 do we do now?

26 The other observation I was going to make is that I
27 believe the Chronicle data indicated a portion of this is just a
28 snapshot because OMB is not -- they collected this actually from
29 two years. This is the first year it was clean enough to
30 present. But the data the Chronicle has indicated has gone
31 something like, you know, whether it's \$250-\$500 million to \$1
32 billion, whatever the number reaches, it has gone up quite
33 dramatically over a period of years.

34 MR. BYE: Let me make a comment or so there. In
35 looking over a fairly narrow range of projects that was on the
36 Chronicle list, it is clear to me that those are not science
37 projects in every instance. I mean, putting windows in sea walls
38 is not a scientific project.

1 It just strikes me as that list, quite honestly, and
2 maybe the \$1.68 billion is more expansive and probably overstates
3 what the real problem is.

4 The second point I would make is that it is a little to
5 me like maybe is the glass half full or half empty? You know, if
6 NASA would have been fenced off 10 years ago, maybe what the
7 approach here ought to be is to challenge agencies and
8 departments to strengthen their peer review programs in such a
9 way that the GAO reviews them and determines that they are merit
10 review agencies, and then move them into that same category with
11 NSF and NIH.

12 Right now I don't think that, in all due respect to
13 Kathy and the folks at NASA, I am not sure NASA is as strong a
14 peer review agency as maybe it was 10 years ago. Or secondly, it
15 certainly is not as strong as the National Science Foundation and
16 NIH's peer review.

17 And so I think if you really want to try to protect the
18 system, you start with what is really at the core of the concern
19 here. And that is, the merit review process. If you want to
20 protect merit review, you have got to start somewhere. And where
21 I have started is with NIH and NSF.

22 But it strikes me as there is a way to encourage
23 agencies to try to strengthen the programs in ways that will get
24 them classified, if you will, through a GAO review, or whatever,
25 as a program or an agency that utilizes peer review. And then
26 move them into that fenced off category.

27 And my guess is that the Congress would probably
28 consider that as significant, as they have respected NSF and
29 NIH's processes. But I think right now, when you start throwing
30 programs from the Department of Justice, USAID, Transportation,
31 and HUD, into the peer -review mechanism and say that the
32 Congress is earmarking programs in those areas, I am like Senator
33 Johnston, why not? There doesn't seem to be a better way of
34 doing review within those agencies.

35 So I guess my concern is, I would try to provide some
36 carrots as incentives to the agencies to strengthen their peer
37 review activities, and to try to get them in a position that they
38 could be recognized as agencies that effectively utilize merit

1 review processes.

2 MR. CASTEEN: Okay, one last question or comment.

3 MR. MALAKOFF: David Malakoff with Science magazine.
4 This is a question I guess for the ex-Senator. From a political
5 perspective, the administration has appeared to decide to pick
6 this fight. They have called the community in and have rallied
7 the community on this issue. There were even suggestions at one
8 time that the community might send the White House a letter
9 expressing their views strongly about this issue.

10 From a political point of view, is this a good, smart
11 thing for the administration to be doing?

12 MR. JOHNSTON: Well, the administration really wants to
13 run with the rabbits and bark with the dogs. I mean, they are on
14 the one hand saying, "Go get 'em. Give us a letter," and
15 everything. You watch the President. He's going to sign all
16 these bills. And he is not going to -- you know, he's got the
17 veto. That's the atom bomb.

18 He can tell Energy and Water, for example, that I am
19 going to veto your bill if you don't take out these earmarks.
20 You know, an earmark where you designate flood control for
21 Southeast Louisiana, which might have had twelve inches of rain
22 in one hour, and 10,000 people flooded out in their homes. And
23 he is going to tell them to veto the money for that? No, he's
24 not going to do that. I mean, that's not serious, and it's not
25 going to happen.

26 I tell you, I believe with a lot of experience, that it
27 is not a problem. It is simply not a problem. I mean it is a
28 problem that we don't have enough money for science. I mean, I
29 met with university people and top scientists who support high-
30 energy physics and nuclear physics -- and we looked at the trends
31 in the last few years, how money has gone down. And how money
32 has gone down in other areas, except for health. I mean, NIH,
33 you know, continues to go up. It is very sexy, and very popular.

34 But other areas of science are not so popular and we
35 need more money. We need more support. We need more people
36 involved in science. And yes, it is a problem that not enough
37 Members of Congress know about science.

38 But the way you get them involved in science is not to

1 say, "You can't have anything to do with making a decision; leave
2 it all to the peers." That's not the way you do it.

3 I submit to you, this group ought to pull together
4 behind the best science we can get. I mean, promote good
5 science. Don't just try to throw cold water on something where
6 you are not going to be successful, and it is not going to
7 achieve your purpose.

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