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March 17, 2008

Dr. James J. McCarthy - [AAAS President]
c/o Harvard University
Museum of Natural History
26 Oxford St.
Cambridge, MA 02138

Dear Dr. McCarthy:

Concerning Bruce Alberts: I would prefer to discuss the future and the extraordinary opportunities to build rapid learning systems for all fields of science and for evidence-based government policy. Thus I hope that the members of the Governing Council will step forward, request copies of all supporting documents and minutes of meetings involving the evaluation of Bruce Alberts and other leading candidates for the Editor-in-Chief job at Science, and on the basis of this audit reach a judgment about who should do the new search, and with what standards for due process and integrity. And let us begin to move forward to a more hopeful future.¹

I am writing to bring additional evidence to your attention, in three areas, concerning the historical record established by Bruce Alberts.

1.) The Hiring of Mrs. Barbara Boyle Torrey

As you will recall, a group of decision makers at the highest level of the NAS/NRC system rejected the counsel of the Hamburg/Carnegie Commission and reaffirmed the plan to neuter the social sciences. Next, Bruce Alberts hired Mrs. Barbara Boyle Torrey to supervise the professional social science staff. Her background was well-known, as she had been featured in an earlier ethics and political suppression scandal reported by The Washington Post (enclosed).

As the two attached stories recount, Mrs. Torrey became angry when a young analyst gave a journalist unclassified (and probably accurate) scientific estimates

of the decline of the Iraqi population as a result of the Persian Gulf War in the first Bush Administration. This was a political embarrassment to the Administration because the totals were much higher than the numbers that elected officials had told the public and because of the details (e.g., that 32,000 children had been killed by American-led coalition forces, during the domestic rebellions that followed, and from postwar deprivation). The young demographer acted properly and according to the law, but Mrs. Torrey signed the paperwork necessary to fire her using rationales that later were shown to be invalid.

The hiring of Mrs. Torrey - who I believe can be described accurately as a notorious bureaucratic axe murderer from the first Bush Administration - was a choice that would send vivid, inhibiting messages throughout the NAS/NRC professional staffs. And weaken the ability of Bruce Alberts and the NRC Council to hire and retain first-rate people. It was an astonishing decision. Professional staffs throughout Washington, and leaders of many institutions (e.g., Congress, the press) strongly defend the integrity and independence of professional advice against political encroachment. [For example, the independence of CIA analysts and the independence of Department of Justice decisions concerning federal prosecutors and individual prosecutions.]

Mrs. Torrey's abusive treatment of the young analyst and actions to destroy her career ultimately failed because Mrs. Torrey was criticized by the Committee on Scientific Freedom and Human Rights of the American Statistical Association and by the American Civil Liberties Union; because the young analyst had a high-powered law firm (Covington & Burling) who could fight the Administration on her behalf; and because her integrity and high professional standards were supported in 17 affidavits from colleagues and scholars (including William Julius Wilson, a member of the National Academy of Sciences); and because the Washington Post ran the story. After Bruce Alberts hired the egregious Barbara Boyle Torrey this in-your-face message to social science associations and government professionals was appealed to the NRC Governing Council: Dr. Alberts persevered and kept Mrs. Torrey as his staff supervisor of the social science division.

2.) The Hiring of Richard Atkinson

After the Hamburg/Carnegie Commission failed I became involved in several later rounds to activate mechanisms for self-correction and scientific integrity. One of these projects involved contacting Presidents and Provosts at leading research universities. One of the heroes of this movement was the former head of the University of California system, Jack Peltason, who called the White House Science Adviser's office ("We face these kinds of problems all the time in California. Isn't there something that you can do?"). However after his retire-

ment, his successor Richard Atkinson withdrew the U of CA system from an emerging coalition (in a widely circulated and distressing letter - a copy of which is attached.) Next, Bruce Alberts hired Richard Atkinson (a member of the National Academy of Sciences) to become his scientific supervisor of NAS/NRC social science projects - where he continues to this day, with the “no-initiative/not unless asked”/“don’t rock the boat” record that he (publicly and honorably, on his part) had told many people that he favored before he was appointed.

The professional staffs at the NAS/NRC got the messages from Bruce Alberts via the appointments of Mrs. Torrey and Richard Atkinson and other decisions and guidance. Probably there are other factors affecting the quality of the NAS/NRC’s work in other scientific fields under Bruce Alberts. He produced about 200 reports/year for twelve years: Almost none of these were discussed, or even noted, in Science or The New York Times. [[I cited the Times editorial about the muted scientific advice and muted criticism of government agencies in my letter at the end of January.]²

I fear the risk to the professional staffs at Science who recognize the preferences and history of Bruce Alberts and who must work in an environment that he controls. I do not know why any first-rate scientist would work for Bruce Alberts.

3.) The Destruction of Economic Data Systems

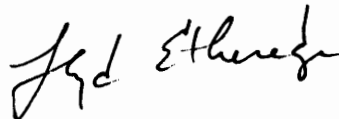
My filing with the Department of Justice included (Tabs 3 and 4) a review of Bruce Alberts’ continuing destruction of innovation in economic data systems.³ First, there was the derailment of the Luce Report. Next, at the beginning of this decade a more recent round of NSF strategic planning (e.g., for infrastructure investments and new data systems) began. Bruce Alberts appointed a liaison but did not support any initiative to survey fresh ideas and honor the NAS/NRC’s traditional and trusted role for agenda setting. This silence occurred also in the context of the continuing, core NSF grant to the NAS/NRC to operate CNSTAT, created to be the nation’s leading scientific advisory body for national statistical systems. Later, when I raised the question of why the National Science Board was ignoring urgent needs in economics, where the models were eroding and coefficients changing without explanation, an email from their Chief of Staff told me that the information they had received (e.g., via the NAS/NRC pipeline) was that there were no new agendas and ideas to recommend. Even after a strong supporting (and warning) letter from Robert Reischauer, a member of the Executive Committee of Harvard’s Board of Overseers and an economist who had directed the Congressional Budget Office, I am not aware that any leadership was permitted by Bruce Alberts. His behavior (and policy of non-leadership) has been consistent with trying to destroy the advancement of the

field. And there are urgent national needs (e.g., current headlines) to have better models and policy tools that work.

In sum: Yes, there are other people who share responsibility for the record of delayed progress during Bruce Alberts' twelve years. But Bruce Alberts had the core advisory contracts to speak for the nation's scientists and envision and articulate opportunities for scientific progress in the public interest, as the estimable President of the Institute of Medicine (in the same building) has done by providing thoughtful and persistent leadership to build a new system for 100 million+ electronic patient health records for data capture and rapid learning. (He also has boldly and diplomatically engaged the safety of hospitals and rates of medical errors with projects that may have saved as many as 100,000 lives/year.)

Bruce Alberts was an accommodating Republican-era President of the National Academy of Sciences. I suspect that he has many people, other than himself, to blame for the limitations of his record: But at best he is like a hospital administrator who claims that the medical errors and quality of care that are his responsibility actually are the fault of the doctors who work in his hospital, and the limitations of the professional staff who are the best that he can hire, and a Board who never asked him to take the initiative to solve specific problems.⁴ There are better and more admirable people. (Perhaps the President of the Institute of Medicine is available?)

Sincerely,



(Dr.) Lloyd S. Etheredge

cc: AAAS Governing Council

Attachments:

- 1.) Barton Gellman, "Census Worker Who Calculated '91 Iraqi Death Toll is Told She Will Be Fired," Washington Post, Mar 6, 1992, p. A6; and idem, "Census Bureau Retracts Firing of Researcher; Flap Over Release of Iraqi Toll Ends," Washington Post, April 12, 1992, p. A5.
- 2.) Letter from Richard Atkinson, March 20, 1996.
- 3.) Letter from Robert Reischauer, December 23, 2002.

1. I assume that the Editor-in-Chief of Nature, and surely many other nominators, can quickly suggest candidates who are a better fit for Science.

2. Letter to Dr. John Holdren of January 31, 2008. Online at www.policyscience.net. The editorial appeared in the The New York Times, May 5, 2005, p. A22.

3. These and other materials are online at www.policyscience.net. The Department of Justice filing is "Breach of Contract, Conspiracy, Fraud, and Coverups Affecting NSF Programs."

4. In fairness to Bruce Alberts - although I cannot reach a judgment until legal proceedings are completed - it is possible that standing-up to David Hamburg, Joshua Lederberg, and the members of the Hamburg/Carnegie Commission has been a policy choice advocated by several very strong personalities within the NAS/NRC system (whose names are not yet part of the public record).

Census Worker Who Calculated '91 Iraqi Death Toll is Told She Will Be Fired
by Barton Gellman.

The Washington Post, Mar 6, 1992. pg. a.06

Late last fall, the Census Bureau assigned a 29-year-old demographer to update the government's population estimate for Iraq. Beth Osborne Daponte quickly found herself drawn into one of the most sensitive political questions of the Persian Gulf War.

How many Iraqis died during the war and its aftermath? The answer, officially taboo in the Bush administration, was indispensable to Daponte's calculations. In January, when a reporter asked for her estimates, she told him: 86,194 men, 39,612 women and 32,195 children died at the hands of the American-led coalition forces, during the domestic rebellions that followed, and from postwar deprivation.

Wednesday evening, after weeks of turmoil during which she was removed from the Iraqi project and her files disappeared from her desk, Daponte was told she is to be fired. Barbara Boyle Torrey, her boss at the bureau's Center for International Research, wrote that Daponte's report included "false information" and demonstrated "untrustworthiness or unreliability." She also accused Daponte of refusing to cooperate with a security clearance investigation.

The White House and Pentagon consistently have sought to suppress discussion of Iraqi casualties, directing analysts and military officers not to provide estimates or professional judgments. Defense Secretary Richard B. Cheney said the day the war ended that "we have no way of knowing precisely how many casualties occurred" during the fighting itself, and predicted that "we may never know."

"I think that Beth is collateral damage in the government's campaign to avoid discussing the question of Iraqi casualties," said William M. Arkin, a former intelligence officer who now does military analysis for Greenpeace. "I think this is an ugly case of retribution."

Frank Hobbs, Daponte's immediate superior, declined to comment. Karen Wheelless, a bureau spokeswoman, said retribution "was not the reason" for Daponte's removal but that she could not discuss the case without violating Daponte's privacy. "Any of us, when we're in trouble, we don't want to look at ourselves as the reason for our trouble," Wheelless said. "That's just human nature."

Daponte, a GS-11 employee, said yesterday she is seeking advice from the American Civil Liberties Union and private lawyers. An aide to Rep. Tom Sawyer (D-Ohio), who chairs a House subcommittee that oversees the census, said Sawyer had been following Daponte's case and planned to investigate her firing.

"Certainly if what she is alleging is true, it would be enormously disturbing," the aide said.

Daponte's firing is based officially almost entirely on a disagreement between the demographer and retired Army colonel Trevor N. Dupuy, a military historian she interviewed as part of her

research. Dupuy told census officials, and confirmed in an interview yesterday, that he did not agree with assumptions about civilian deaths that Daponte attributed to him.

Daponte, who showed her handwritten notes of the conversation to a reporter, said that if she misrepresented Dupuy it was an honest mistake. Dupuy said in the interview that he had "no basis" to believe Daponte had "deliberately distorted what I said."

But in the notice of termination, Torrey described Daponte's reliance on "false information" as "a major violation of trust, for which removal is the only effective sanction."

Experts in federal employment law said it was highly unusual for the government to fire an employee in these circumstances without trying to resolve the discrepancy between Daponte and Dupuy. "She's not the first federal employee to make a mistake, if that's what occurred, and not everybody who makes a mistake gets fired," said Joseph Sellers of the Washington Lawyers Committee for Civil Rights. "It smacks of either retaliation or a whistleblower type of phenomenon, where a person discloses something an agency would prefer not to be aired publicly."

Daponte had no access to classified information in preparing her study. She based it instead on a review of literature on casualty modeling and on the Gulf War. Her estimates - a total of 158,000 Iraqi dead, including 40,000 direct military deaths, 13,000 immediate civilian deaths, 35,000 postwar deaths in the Shiite and Kurdish rebellions, and 70,000 deaths due to the public health consequences of wartime damage to electricity and sewage treatment plants - fall generally within the middle range of other expert calculations.

The information Daponte gave to Robert Burns, an Associated Press reporter who called her in January, would have been available to anyone who came to her office and asked for the Iraqi folder for the "World Population 1992" handbook. Daponte said the file disappeared from her desk shortly after Burns's story appeared in *The Washington Post* and is still missing.

Hobbs and another supervisor later rewrote and released Daponte's report, reducing the number of direct, wartime civilian deaths from 13,000 to 5,000 and eliminating a Daponte chart breaking down the figures for men, women and children.

"I think it's rather scary that if an employee releases public information to the public, they can get fired for it," Daponte said. "My salary had been paid by tax dollars. I thought the public was entitled to know what we had come up with."

Census Bureau Retracts Firing Of Researcher; Flap Over Release Of Iraqi Toll

Ends;

by

Barton Gellman. The Washington Post, Apr 12, 1992. p. A5.

Copyright The Washington Post Company Apr 12, 1992

The Census Bureau, which tried to fire a demographer who made public her unclassified estimate of Iraqi deaths in the Persian Gulf War, has backed down and said she could keep her job.

Beth Osborne Daponte, who worked for the bureau's Center for International Research, was drawn into one of the most sensitive political questions of the gulf war when she received an otherwise routine assignment last fall to update the government's population estimate for Iraq.

To complete her assignment, Daponte, a GS-11 employee, had to estimate how many Iraqis died during the war and its immediate aftermath, a subject the Bush administration has made officially taboo. As recently as Friday, the Pentagon released a three-volume history of the war to oust Iraq from Kuwait that omitted all draft references to Iraqi casualties.

The bureau tried to fire Daponte in March, two months after she responded to an inquiry from the Associated Press about her findings. Daponte's estimates, which the bureau later disputed, were that 86,194 men, 39,612 women and 32,195 children died at the hands of the American-led coalition forces, during the domestic rebellions that followed, or from postwar disease and deprivation.

After weeks of turmoil, during which Daponte was removed from the Iraqi project and warned not to speak again about the war toll, Barbara Boyle Torrey, Daponte's supervisor, gave her notice of termination. Torrey said Daponte included "false information" in her Iraqi report and demonstrated "untrustworthiness and unreliability." She also accused Daponte of refusing to cooperate with a security clearance investigation.

Census officials were apparently unprepared for the intensity of public interest in Daponte's case. After The Washington Post reported the attempt to fire her in early March, Daponte obtained legal assistance from the American Civil Liberties Union and the law firm of Covington & Burling. The American Statistical Association's committee on scientific freedom and human rights took up her cause, and news organizations including NBC News and the Federal Times prepared reports.

On March 26 the Covington & Burling legal team submitted a thick binder of evidence and arguments asserting that the bureau's stated reasons for firing Daponte were "only a pretext" and that "she is being fired for answering media inquiries about Iraqi casualties." Among the 17 colleagues and academics who provided affidavits attesting to her integrity and high professional standards was well-known sociologist William Julius Wilson, who served on Daponte's

dissertation committee at the University of Chicago.

Covington & Burling and the ACLU also obtained documents demonstrating that a security clearance is "not applicable" to Daponte's position as a statistician-demographer.

Daponte's firing, her lawyers argued, violated federal employment law and the First Amendment.

On Friday, after an April 1 hearing, Torrey gave Daponte a letter promising "you will not be removed from your position, and all material referencing the proposed notice will be deleted from the {Census} Bureau's files." Torrey wrote that Daponte had persuaded her that a discrepancy between Daponte's findings and one of her research sources was not, as Torrey previously concluded, "a deliberate falsification."

"It was the usual bureaucratic reaction to bad news, which was to try to squelch it and get rid of the messenger," said Arthur B. Spitzer, legal director of the ACLU's Washington chapter. "They acted in haste, and presumably did not expect Beth to fight as strongly as she did."

Daponte, who said she intends to submit her work on the Iraqi death toll to a demographics journal in which articles are reviewed by peers, said in an interview yesterday that "the bureau needs to be cleaned up and there need to be protections for researchers who come up with information that isn't favorable to the current administration."

Asked whether the Census Bureau would apologize for accusing Daponte of falsifying data, spokeswoman Karen Wheelless said yesterday: "I'm not aware of any apology that's going to be forthcoming. We feel like the issue is one that's behind us now, and that's dropped."



OFFICE OF THE PRESIDENT

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March 20, 1996

Dr. Lloyd S. Etheredge
7106 Bells Mill Road
Bethesda, Maryland 20817

Dear Dr. Etheredge:

Thank you for your letter of January 13 and for sharing your concerns about efforts to establish an empirical foundation for the nation's social and economic policy choices. I appreciate your taking the time to keep us informed of your progress.

I have shared your letter with colleagues here in the Office of the President. It is clear from your correspondence with the President's Council of Advisers on Science and Technology (PCAST) that the potential for ideological bias in the process of policy development is widely acknowledged, but that PCAST has decided not to devote its limited resources to support new research into the issue at this time. While I understand your concerns, PCAST is free to establish its own agenda and the University of California is not in a position to involve itself.

Sincerely,

A handwritten signature in black ink that reads "Dick" followed by a horizontal line.

Richard C. Atkinson
President

cc: Provost King
Associate Vice Provost Poppe
Associate Vice Chancellor Hittelman
Dean Sears
Director Polsby
Coordinator McClain

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December 23, 2002

Dr. Lloyd S. Etheredge, Director
Government Learning Project
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P. O. Box 208215
New Haven, CT 06520-8215

Dear Dr. Etheredge:

Thank you for your letter and thoughtful attachment. I am in complete agreement that the economic data we collect has significant deficiencies that limit our ability to understand the economy's problems and chart future policy.

We don't collect some information that is needed and gather much that we could do without. We collect other data in insufficient detail and almost always take too long to release the data for it to be useful in policy decisions.

As you know better than I, there are many reasons for this situation. What we collect and how we collect it reflects the forces at play in the first half of the last century and those forces do not want to give anything up. Congress has little interest in devoting more scarce budget resources to collect new and better information. Few economists who use the data appreciate its limitations. They have been raised on certain data sets and treat them as if they are part of the underlying environment, not subject to change. They put a premium on continuity and don't want discontinuity in the data sets they know and use.

I don't think I would be as critical as you are about CNSTAT/NCR. I don't think they would have much of an impact even if they had done the studies and made the recommendations you think warranted. Nor do I think universities (Yale or Harvard) or the Fed could make much of a dent in the problem. Rather, I think a presidential or congressional study commission is called for—one with a clear mandate and a promise that added resources will be devoted to strengthening the statistical system based on the commission's report. Unfortunately, the prospects for such an initiative rising to the top of policymakers' lists of things to do is very, very low.

Nevertheless, I wish you well in your efforts.

Sincerely,

