

## US budget

# Congress scrambles last-minute omelette

Washington

CRUCIAL decisions on arms control, science budgets, a replacement space shuttle and environmental clean-up were all crammed into the days before the final gavel ended the 99th Congress last Saturday. After first performing what is now the annual ritual of letting the government run out of money, Congress passed a \$576,000 million spending bill and raced off for two weeks of campaigning before next month's national elections.

The major spending bill, known as a continuing resolution, received final approval on Saturday. The legislation, containing virtually all appropriations for the entire federal government, will require some time to decipher. The National Institutes of Health received more than \$6,100 million, more than the amount requested by the Reagan administration. The National Science Foundation (NSF) escaped cuts proposed by the House of Representatives, ending with an appropriation of \$1,622.9 million, approximately \$63 million less than had been requested. Congress said that NSF should spare programmes in global geoscience, ocean studies, astronomy and minority programmes from the now necessary cuts.

The National Aeronautics and Space

Administration (NASA) budget, also determined late in the game, includes \$2,400 million for a fourth shuttle orbiter. This money is extra to other NASA programmes, not in place of them as many at the agency had feared. The Department of Energy budget allows research on the Superconducting Supercollider to continue, but reiterates the demand that the Energy Department submit specific plans on how it plans to finance the project.

Congress and President Reagan nearly reached an impasse over the continuing resolution when the president objected to language on arms control included in the proposed legislation (see *Nature* 322, 765; 1986). Democrats in the House of Representatives sought to force the president to halt production of chemical weapons, abide by the terms of the SALT II treaty and refrain from further nuclear tests so long as the Soviet Union did likewise.

Under the final compromise, the Pentagon may proceed with procurement of 155-mm shells containing binary nerve gas, but the procurement of the much criticized Bigeye bomb is delayed one year (although \$90 million was released for a facility to build the bomb). On the nuclear testing issue, Congress traded its insistence on a moratorium for an agreement

from the President to submit to the Senate for ratification the Threshold Test Ban Treaty (signed in 1974) and the Peaceful Nuclear Explosions Treaty (signed in 1976). The president has also vowed to work towards a comprehensive test-ban treaty. The bill also contains a strong but not binding form of words urging the president to abide by the terms of SALT II.

Money for the Strategic Defense Initiative (SDI) was held to \$3,530 million, well below the \$5,400 million the administration was seeking. A proposal that caused great consternation in Europe to limit contract SDI work to US companies failed to survive into law.

Among the bills that foundered at the end was the extension to the Price-Anderson Act, which originally established the limits of liability for nuclear power plants in the event of an accident. Under the present law, each operating plant would be liable for up to only \$5 million per accident, an amount generally reckoned insufficient to cover the cost of a major accident. The proposed extension would have raised the liability limit to \$63 million per accident per reactor. The legislation died when a proposed compromise failed to coalesce support from both environmental groups and the nuclear power industry necessary for the bill to pass.

A bill restoring to life the moribund Superfund toxic waste clean-up programme was signed into law last week. The president had threatened to veto the bill, objecting to the cost of \$9,000 million over 5 years allowed by Congress as well as to the broadly based corporate tax enacted to pay for the programme. Congress also threw together a \$1,700 million omnibus drug bill setting tougher penalties for trafficking in illegal drugs, establishing programmes for crop eradication and substitution and providing new funds for education and rehabilitation.

A major effort to redefine steps for compensating victims of childhood vaccine-related injuries achieved a half-way existence. Congress passed certain changes to the legal system for pursuing claims, but failed to enact an excise tax on vaccines that would pay for an insurance pool to cover claims. The legislation will have no effect until measures are passed to raise the revenue to pay for it. Both the Department of Health and Human Services and the Justice Department oppose the legislation, and President Reagan may veto it.

Allowing the government to run out of money, as happened twice before stop-gap measures could be passed, does not endanger critical government functions, but can have some odd consequences. During one such funding gap last Friday, a call to the White House Press Office was answered with the curt statement, "I'm sorry, the White House is closed".

Joseph Palca

## Unapproved drugs for export

Washington

IN the pandemonium of its last few hours, the 99th Congress finally passed a long-fought measure to allow US pharmaceutical and biotechnology companies to export drugs and biologicals before they have been approved for use in the United States. Foreign importers will have to certify that products will not be re-exported. If signed into law by the President, the measure would be a boon for the industries. But the measure was included in a package of health measures that includes controversial legislation to compensate childhood victims of reactions to vaccines and could yet draw a presidential veto.

The biotechnology industry has found itself hampered by the present laws forbidding the export not only of drugs but of any biologically active substances not approved for domestic use. The new act specifies 21 countries to which exports of drugs and biologicals will be permitted because they are deemed to have adequate regulatory systems of their own.

Companies wanting to export unapproved drugs must still request permission

from the Food and Drug Administration to do so, giving 90 days' notice. And the drug in question must already have received an "investigational new drug" permit, required before clinical trials.

The drug export legislation is opposed by some who believe it represents a double standard, allowing drugs to be used abroad that have failed to gain approval at home. But manufacturers point out that no other countries have similar export restrictions and that many countries approve drugs more quickly than FDA.

The legislation was held up in Congress for several months by Representative Henry Waxman (Democrat, California), who wanted to condition his approval on the Senate's accepting a congressional study of pharmaceutical labelling practices in developing countries. Many pharmaceutical companies reportedly omit warning information on products for the domestic market. But Waxman eventually agreed to the drug export provision when it became clear that some of his favoured health legislation, including vaccine compensation, would otherwise die. Tim Beardsley