

SHOOK, HARDY, MITCHELL & BACON

815 GRAND AVENUE
KANSAS CITY, MISSOURI 64106
TELEPHONE 474-8550
AREA CODE 816

DAVID R. HARDY
EUGENE P. MITCHELL
CHARLES L. BACON
DAVID H. CLARK
LARRY D. BAUER
FRANK P. BEERIE
FREDERICK DEHLE
WILLIAM T. SHINE
JOHN C. BOOS
DONALD R. HOEL
EVERETT A. OLSON, JR.
JOHN T. MARTIN
DAVID W. SMITH
WILLIAM E. WAUGH, JR.

FRANK R. SLODGE (1934-1940) SAM U. SCORCE (1908-1950) EDGAR SHOOK (1894-1970)

JAMES H. OTTMAN
OF COUNSEL

RUSSELL S. NOBLEY
LEE E. STANFORD
DAVID R. HARDY
WILLIAM C. ZIMMERMAN
ROBERT E. HERTHOLD
PATRICK MELARNEY
C. KEITH LARSON
JOHN C. MONICA
CHARLES R. WALL
HARVEY L. RAPLAN
SAM L. COVILLE
DAVID H. ROBERTS

June 13, 1972

Thomas F. Ahrensfield, Esq.
DeBaun Eryant, Esq.
Frederick P. Haas, Esq.
Cyril F. Hetsko, Esq.
Henry C. Roemer, Esq.
Arthur J. Stevens, Esq.
Addison Yeaman, Esq.

I have two separate matters to present to you for your consideration, and because of time limitations involved in each, would appreciate an early decision. Since I will be out of the office for several days preparing a lawsuit, please speak with Don Noel in my absence.

1. Dr. Carl Seltzer.

The CTR has recently confirmed its \$40,000.00 commitment to Harvard University to support the work of Dr. Seltzer for the academic year 1972-1973. The academic year begins on July 1 and ends on June 30 the following year.

We are advised that due to Dr. Seltzer's administrative tenure situation with the University it is necessary for a commitment to be made to Harvard by June 30, 1972, for continuation of support of his work for the academic year 1973-1974. Dr. Hockett reports that unless the University has, by June 30, 1972, a commitment for Dr. Seltzer's support for the academic year 1973-1974, the University is required to notify Dr. Seltzer on July 1, 1972, of his termination as of June 30, 1973.

Although Dr. Seltzer plans to retire about July 1, 1974, he hopes to continue with his department at the University on a consulting basis after retirement. His department head will, of course, have an active role in the decision to permit Dr. Seltzer to continue with the department under a consulting arrangement. In view of this consideration, a slight increase in support for academic year 1973-1974 would be appropriate.

LG 2002573

June 13, 1972
Page 2

I therefore request authorization for the CTR to notify Harvard University of a support commitment for Dr. Seltzer's work from July 1, 1973, to June 30, 1974, in the sum of \$42,500.00.

2. Dr. Thomas F. Mancuso - Research Proposal.

This is the project Bill Shinn discussed with several of you on May 24.

For various reasons, we believe there is a continuing need for the support of open-minded studies on environmental and industrial exposures and their relationship to diseases such as lung cancer.

During our recent review of the Administration's January 31 message to Congress on the environment (and particularly the references attributing 90% or more of lung cancer and chronic obstructive lung disease to cigarettes), we observed that smoking has clouded the examination of environmental issues. We believe it will continue to do so and that relatively fair-minded scientists who have interests in environmental and occupational pollution should be supported. One such scientist is Thomas F. Mancuso, M.D.

Dr. Mancuso is an epidemiologist with outstanding credentials. He is a recognized authority on environmental and industrial exposures. Dr. Mancuso, for example, has been invited to chair a session of the "Meeting of a Working Group to Review the Biological Effects of Asbestos" to be held at the International Agency for Research on Cancer at Lyon, France, on October 2 through 5, 1972. We feel that his participation at this meeting and his work as a member of the committee preparing the report of the conference can be most important. Drs. E. C. Hammond and I. S. Selikoff are scheduled as participants at the meeting. Travel expenses for Dr. Mancuso to attend this meeting and to deliver speeches or present papers at other European locations are included in the first year's budget.

Dr. Mancuso is a protegee of Dr. W. C. Hueper, who was formerly Chief, Environmental Cancer Section of the National Cancer Institute. Dr. Hueper is the author of Chemical Carcinogenesis and Cancers, which contains the following statement, "Although it has been claimed . . . mainly on the basis of statistical evidence, that cigarette smoking is the principal cause of lung cancer accounting for up to 95 percent of all pulmonary cancers in

June 13, 1972

Page 3

males, an objective and sober analysis of all information on the epidemiology, etiology and pathology on this subject scarcely upholds such far-reaching allegations."

Dr. Mancuso is willing to speak up. For example, in his remarks at the AAAS meeting in Philadelphia on December 28, 1971 (attached), he criticized some of the participants at the meeting (Hammond and Selikoff) for focusing too much attention on smoking and ignoring the "tremendous number of variables in the microchemical environment which have not been undertaken and which have not been considered."

Dr. Mancuso has recently submitted the enclosed proposal (attachments referred to in the proposal are omitted) to CTR. In brief it would generate and utilize data to show relationships between diseases, including cancer of the lung, and factors such as (1) place of birth and early life environment, (2) subsequent occupational-environmental exposures, (3) race, etc.

This proposal was considered by the SAB at its meeting on June 9, 1972. We are advised that although the research proposal was deemed to be of unquestionable high quality and scientific merit, it did not receive funding approval. Apparently this epidemiological project in competition with other proposals did not receive a sufficiently "high priority" for funding.

Dr. Mancuso is ending a ten-year period during which he has been supported by HEW. We believe that this opportunity to encourage Dr. Mancuso's interest in particular problems which face the tobacco industry (e.g., claimed synergistic effects of smoking and industrial pollutants, such as asbestos) deserves your support.

After learning of the Scientific Advisory Board's decision, we spoke with Dr. Hockett and Dr. Mancuso about the possibility of funding at least a portion of his proposal. Based on these discussions, I request approval of a special project funding of Dr. Mancuso for that portion of his proposal described as Project A in the sum of \$75,000.00. Dr. Mancuso would be required to prorate these funds under his present budget for Project A. This should enable Dr. Mancuso to produce information or manuscripts which could be considered in determining if additional support is warranted. In this regard, I request authorization to indicate to Dr.

9/105,749

SHOOK, HARDY, MITCHELL & BACON

June 13, 1972
Page 4

Mancuso that we will seriously consider additional funding toward the end of his first year's work on Project A. //

I will look forward to hearing from you.

Sincerely,


David R. Hardy

DRH:bes

cc: Lester Pollock, Esq.
Alexander Holtzman, Esq.

LG 2002576