

Session with Harry Weyher, President of the Pioneer Fund, and Robert Gordon, professor of sociology at the Johns Hopkins University and co-director (with Linda Gottfredson) of the Project for the Study of Intelligence and Society.

Meeting of University of Delaware Senate
Committee on Research

March 20, 1990

Moderator: Thank you for coming.

Another person: Do you want the door closed?

Moderator: Yes, please. I would like to call to order this meeting of the University of Delaware Senate Committee on Research called by the charge of President Trabant of the University to consider the questions raised by William Frawley in his letter of October 31st concerning the Pioneer Fund and other matters. While we're waiting for the tape to get going, I think we introduced ourselves, but I just wanted to, again, welcome Mr. Harry Weyher. Am I pronouncing that correctly?

Mr. Weyher: Yes.

Moderator: From the Pioneer Fund and Mr. Robert Gordon,

Professor Gordon: Professor Robert Gordon

Moderator: Professor Gordon from Johns Hopkins University. Thank you. We had understood that Mr. Carpenter, Edward Carpenter, would be here.

Mr. Weyher: He was out of town and didn't come. I called your secretary.

Moderator: I just got that message, right now. As you can see, as you've been waiting to see, we are making tapes of the meeting so that the two missing members of the committee,

Professors Settles and Klein will be able to see them at a later time, so that we will have a record of any discussion we have, because we'd like to hear your views and we have questions for you as well. I think I did introduce Susan Faw, who is the counsel who has been retained for the, to give legal advice to the Committee and, we've had a number of meetings last week already, and the format of these is basically to give you an opportunity to make any statements, comments that you have initially, and Professor Gordon, if he wants as well, and then we have some questions we'd like to make to you. If you want to make. We have received things that just came today, so you have been pretty well up-to-date. If there's other material you want to convey orally, I think. Go ahead.

Mr. Weyher: I can make about a one minute statement. As I guess you know, I came down with Ned Carpenter, and we talked with the President's Committee some weeks back. Since then, we sent him quite a bit of written material. We think that we have answered every charge that's contained in the Frawley letter or charges that we've heard otherwise. In other words, we don't think there's anything left open. If there is, we'll get it for you, if you want to see the other directors, I'll bring them down. They've all said they're willing to come. Or if there's any other materials you want, I'll bring down, or if there are

any other witnesses that you'd like to see, I'll try to get them, I think I probably can. That's point one.

The other point is to get this thing in focus. These charges that have been made against us in the Frawley letter and any others related to them, are old charges, there's nothing new there. They started about eight, in some cases a little more recently, about eight years, six years ago. We ignored 'em all these years.

Our directors have been concerned about 'em, of course, but we thought that nobody would pay any attention to them, because it was so outlandish, and because it was being published in fringe publications, which are mentioned in some of the documents we gave to you. In 1989, that changed because this fellow Mehler, who's stirring up all this mess, started visiting the campuses. He started with the University of Western Ontario, which is the first one we know of, and his technique is to call all the tabloid papers around and get in touch with 'em and try to get these charges printed there. They're very newsy, kind of juicy kind of tidbits for tabloid papers. Try to enlist some of the faculty, if he can, and in each case he's been able to, and then try to get some students to take part in it. He went to the University of Western Ontario first, that was January, February of this year, then before mid-year, I forget the month, he went

to the University of Minnesota and stirred up the same business there, and then he appeared here at the University of Delaware. This is the third university at which he's made a stop in '89, and as a result of that change in tactics, before that he just published articles and not taken any other steps, but since he's changed his tactics, he's got a lot of people stirred up and so we are answering all the charges now for the first time. So, that's why I'm here, and go ahead.

Moderator: Professor Gordon, did you want to say something?

Professor Gordon: I've written a four-page letter that I could read to you, if you wish. I could also distribute it and I also have some extemporaneous remarks that are not in the letter that I would be happy to make. How do you want to pursue?

Moderator: I would prefer, if you'd be willing, to distribute the letter, or we can distribute, make copies of it, and to ask you to summarize it and make your extemporaneous comments, so that we'll have time to have a discussion.

Professor Gordon: Very good. Well, . . .

Moderator: Is that acceptable?

Professor Gordon: Quite. I actually brought copies of the letter. The letter calls attention to the fact, which some of you may not be as acutely aware of it as those of us who do research in these areas, that federal funding for this kind of

research has virtually dried up, and one can see, in the record for example, Shockley's efforts as a member of the National Academy of Sciences to get them to pursue this back in the '70s and the difficulties he had, even with such a prestigious group. Now when one takes into account that the NAACP here in Delaware has protested the, the funding of this research on this campus from the Pioneer Fund, and one multiplies their potential political impact across the country, and one realizes that Congress funds the National Science Foundation and the National Institutes of Health, who would be the usual federal sources for this kind of research, one could appreciate, I think, without too much difficulty, how leery these agencies might be about funding in this area. So, therefore, in my letter I call attention to the old thesis of John Kenneth Galbraith about American capitalism, the theory of countervailing power, in which he develops the idea that the private sector plays a very useful role vis-a-vis the federal government or the central government, in offsetting biases and tendencies that may accrue as a result of concentrations of power in any one locus and, in fact, this is the source of the praise that he has about the American system, is that power is diffused. Now, private funding agencies, private foundations play a countervailing role, both with respect to each other and with respect to the concentration of huge

amounts of money in the federal government, which is subject to taxpayer approval or disapproval, as we saw with the recent controversy about the funding from the National Institute of the Humanities or the National Endowment of [the Arts] Humanities about the photographic exhibition in Washington that depicted homo-erotic art, for example. The papers were full of that, protesting or defending the use of tax money for that purpose. So, you can see that controversial topics are not, are subject to certain vicissitudes in funding from the federal government.

Now, having interdicted the flow of federal funds for this kind of research, it appears that the activists are now going after the last private foundation that's courageous enough to be active in this area. I know a number of foundations that have approached me and expressed great interest, but at the last minute have developed cold feet in terms of funding in this area. There are a lot of people out there that realize that the kinds of issues that we do research on are important and that the research is good. I think I should also, perhaps, mention, which is not in the letter, that the project that I jointly run with Linda Gottfredson called the Project for the Study of Intelligence and Society, has a mailing list of approximately 1,000, more than 1,000 slightly, individuals, mostly academics or professionals, some journalists, in many different disciplines,

who have volunteered to be on the mailing list as a result of receiving materials or having some colleague receive materials and informing them about it and to whom we mail items that we think may potentially be of interest to them. I'm not claiming that being on the mailing list implies disagreement or agreement with our research. There are people on the mailing list whom I know from personal acquaintance object to some features of the research. So this is not a vote, it's simply an indication of academic interest in the importance of the research. We also receive, of course, messages from these people, some of them encouraging, some of them a bit argumentative, but all of them appreciative, generally. I also have had it brought to my attention that Dean Gouldner, Helen Gouldner of this University, has questioned the mailing of one set of our materials to, as it was put, the admissions offices of medical schools. To set the record a bit straight, the mailing was to deans of medical schools and that was not a large mailing, there are only about 123 medical schools in the United States. The item that was mailed was a book review that I did, a review/essay really, that has appeared in this journal, I brought up two copies along that you can have, of a book written by a National Academy of Sciences member, Professor Bernhard Davis, who happens to be Jewish since these things seem to be taken very seriously around here, who was

involved in a controversy at Harvard Medical School in the 1970s when he wrote an editorial in the New England Journal of Medicine about the lowering of standards that had occurred at Harvard Medical School as a result of an across the board 20% minority quota that was in force at the school and which is still in force to this day. That set off an enormous hullabaloo, and Davis was publicly attacked, widely, in somewhat the same way that the Pioneer Fund is under attack now, although, as is typical in these instances, he received numerous messages of support in private. Jensen has a whole drawerful of such communications and I refer to those people as "closet Jensenists" - they're academics who are unwilling to stand up publicly. In view of the fact that an educational issue was involved and Davis now being retired, having written a new essay in which he revealed more about this incident than he had revealed while still active at Harvard Medical School, this book was deemed worthy of review by the National Association of Scholars, a group of people who put out this journal, "Academic Questions," and I wrote the review called "Thunder From the Left." Now, the review supplements the narrative in Davis' book with data from the Association of American Medical Colleges and the Journal of Medical Education, which is put out by them, including a Minority Affairs subgroup that they have to monitor compliance with affirmative action

goals in medical schools, and I discussed these various forms of data in conjunction with Davis' book and in conjunction with other knowledge in the literature about the role of general intelligence with respect to performance on the MCAT exams and with respect to performance in medical school - there is extensive literature on this. I had not realized, ever, I never dreamt that the communication of scientific information of that sort, general information, would be subject to questions by members of the academy, and I'm shocked even that the issue has arisen. I am also responsible for the suggestion, but not the implementation of the idea that two special Journal issues that Linda Gottfredson had a role in guest editing of the Journal of Vocational Behaviour which are packed with some of the latest research by some of the world's outstanding experts on the role of vocational employment tests in job performance, be sent to members of the Supreme Court. This apparently found its way into the record through an anonymous communication protesting that this had been actually carried out, although it never was. I should like to make clear that since my father worked in a courthouse all of his life, and since I was an expert witness in the case Larry P. v. Wilson Riles in California, that I am acutely aware of the sensitivity of communications to members of the bench, and also to the fact that being lawyers, no offense,

they are not scientists and are therefore sometimes very badly misinformed, having to depend on newspapers about psychometric issues. So I consulted two professors of Constitutional Law at opposite ends of the political spectrum as to the propriety of my communicating materials of this sort to the Supreme Court, and I was assured by both that there was no impropriety, although both of them expressed doubt as to whether the mailings would actually find their way into the hands of the Supreme Court justices, since they probably would be received by their staffs, which sounded plausible to me. I want you to know that as a citizen of the United States, I do feel that I have every right to mail material to anybody I please and I intend to go ahead with this proposal eventually. I've just been too busy to implement it.

Oh, now to return to the substance of my letter, I have one copy . . .

Moderator: Excuse me, We'll have to ask you to be relatively brief, we only have a few more minutes before we would like to turn to questions.

Professor Gordon: Ok, sure. In the letter, I discussed a piece of psychological, social psychological research, by Stanley Milgram, known as the small world phenomenon, in which Milgram demonstrated that you can link, by interpersonal means, any two persons in the United States chosen randomly on the average with

five intermediaries, which is contrary to the intuition that most people have, that it would require hundreds of acquaintanceship linkages to link two people so chosen. It turns out that the average person logs five hundred contacts with others in the course of 100 days. By exploiting the potential in these networks for tying them together, one can get easily from any two individuals in a very small number of steps. When you restrict that to a scientific network, which is even smaller, it's not surprising that the potential for establishing guilt by association should be great, since almost any two people in that network working in that area will have met or had some contact with each other somewhere along the way. The letter then goes on to call attention to the classic statement by Henry Steele Commager on guilt-by-association tactics during the McCarthy era, which are so eloquent that I won't try to paraphrase them here. I will leave them in the form of the quotation in the letter.

I could call attention to a couple of other quick matters. I brought copies of my vita to distribute, I brought copies of a brief reply by Professor Arthur Jensen to comments about his research by Jerry Hirsch, who's one of the mentors of Barry Mehler and who is widely known as an unfair polemicist in this controversial area, so you can see how petty Hirsch's criticisms of Jensen's work are, especially given that Jensen is the author

of some 350 scientific articles and five written books and one edited book. I've brought copies of scientific papers, copies of the titles of scientific papers from the Minnesota Center for Twin and Adoption Research, which was attacked by Mehler, and which was described in his scandalous article, "The Foundation for Fascism," as having depended mainly on the media for diffusion of its results. As you'll see as of April 1989 there are thirty publications listed. I brought copies of a newspaper op-ed piece that I did recently, in 1989, concerning a book by Snyderman and Rothman, called The IQ Controversy, in which they surveyed experts in twelve different academic subdisciplines as to various controversial issues, including the question of whether the black-white difference in mean IQ of about 18 points might have a genetic component, and the astonishing finding was produced that 53% of the experts thought that there was a genetic component in the black-white IQ difference, which startled even Arthur Jensen, who didn't believe the figure would be that high, and we can attribute the discrepancy between the expectations of those of us who are in the field and this result to the anonymity of the reporting mechanism in the survey and to the pluralistic ignorance that occurs as the result of intimidation in academia over this issue.

Moderator: Excuse me, I have to interrupt. We do have other matters to ask about. Could you give us copies of all of these materials that you brought?

Professor Gordon: These materials are here.

Moderator: And are they all things that can be put into the open record?

Gordon: They are all things that can be put in the open record.

Moderator: Very good. Thank you very much. I'm sorry to cut you off. Professor Gottfredson is coming at four and we don't want to keep her waiting, since we know that she has a very busy schedule, we all do. Sitting on the chair of the committee, I'd like to start with some questions that I have for Mr. Weyher. Am I correct in understanding from the material that you've sent that the current directors of the Pioneer Fund are Randolph Speight, who served from 1975 to the present, who's an attorney, . . .

Mr. Weyher: No, he's a former investment banker with Shearson, Hamill. He's retired now.

Moderator: Investment banker. Mr. William D. Miller, who's been on the board since 1983, who's an engineer.

Mr. Weyher: Yes.

Moderator: Marion A. Parrott, who's been on the board since 1973, an attorney? John B. Trevor, on the board since 1959, also an engineer.

Mr. Weyher: That's John B. Trevor, Jr. He's often confused with his father in numerous papers.

Moderator: And, yourself, Harry Weyher, you've been on the board since 1958 . . .

Mr. Weyher: Yes.

Moderator: And you are an attorney and are you chairman of the Pioneer Fund?

Mr. Weyher: I'm president.

Moderator: I wasn't sure of the proper title.

Mr. Weyher: I might tell you that nobody gets any salaries or director's fees or other benefits.

Moderator: We do understand that. According to your report, you've had 19 directors in all in the history of the organization, which was founded in 1937. How are directors appointed?

Mr. Weyher: They appoint their own successors. Whenever one drops out, the remaining four appoint another.

Moderator: I see. Have you ever had a director who was a member of a minority group?

Mr. Weyher: We've had a woman and a Jew. We've never had a black.

Moderator: In your November 1st, 1989 description of the Pioneer Fund which was sent to President Trabant, you list "all grant recipients 1937-1989, including 26 colleges and universities and 20 organizations and foundations." I think you've stated elsewhere that you do not make grants to individuals?

Mr. Weyher: Correct.

Moderator: Why do you not make grants to individuals?

Mr. Weyher: Primarily because it wouldn't serve our functions, which are research, and secondarily because you can't do it under the tax law without having a program that you submit to the Internal Revenue Service, have it approved by them in advance. We've never done that, we could if we wanted to, but we have never done it.

Moderator: There is currently a legal impediment, but it would be something that you could address if you wished.

Mr. Weyher: Yes.

Moderator: I take it, I haven't checked them, this is a complete list of all the grants that you've made.

Mr. Weyher: Correct.

Moderator: Many of these institutions have received grants on numerous occasions. I believe the University of Delaware, so far, three times. Would you say that it is a common practice for the Fund to make repeated grants to the same organizations over a number of years, rather than deliberately seeking new grantees?

Mr. Weyher: Yes, we've never sought grants. We don't seek them. Every organization on there came to us and asked for a grant. It is common for us to repeat. We've been at the University of Minnesota, for example, for 11 years. This year will be the twelfth.

Moderator: On November 21st of 1989, you provided a list of all grants made between 1985 and 1989, with amounts and descriptions.

Mr. Weyher: Yes.

Moderator: According to my figures, and I've ignored the fact that some of the grants were in Canadian dollars and some in pounds sterling, I've just taken them as dollars, I couldn't work the various mathematical things, I'm an art historian, not a mathematician, shouldn't have to deal with it. In 1985, I see thirteen grants totalling \$530,000; 1986, 20 grants totalling \$569,000; 1987, 18 grants totalling \$778 and some change; 1988, 22 grants totalling \$864,000; in 1989, 15 totalling about \$658,000. I don't want to check your exact figures, but does

that sound more or less right, in terms of the number of grants and the amount of money that's involved?

Mr. Weyher: Yes.

Moderator: On average then, you've made for the last five years, approximately 18 grants per year. How many applications have you received during that period?

Mr. Weyher: I don't have an exact count of them, but probably about twice that many.

Moderator: So that about half of them have been rejected?

Mr. Weyher: Yes. Plus there would be about as many as both those added together that are just don't deserve serious consideration - a student writing in and saying I need help with tuition, we just write them a polite letter back.

Moderator: What has been the basis for the rejection of those that have been rejected?

Mr. Weyher: Some of them are outside our field, some of them seem to be from professionals in institutions, but the professionals themselves didn't seem to have the background to do what they wanted to do.

Moderator: They were unqualified, you thought, for the project?

Mr. Weyher: Yes. For example, a very small college wanted to make a what-do-you-call-it, a genome layout, and that's a huge deal, it takes billions of dollars. We didn't want to fund.

Moderator: Thank you. You also stated . . . I'm sorry, did you have something? In your November 1st, 1989 memorandum describing the Pioneer Fund, which was mailed to President Trabant, with a cover letter on November 15, you stated that the Pioneer Fund "never originates any research projects and never suggests the desired result of any research" and further that "to ensure the impartiality of the research, as a matter of policy the Fund does not request reports about the research and it often does not know the results except from public information." Does the Pioneer Fund itself make reports of any kind concerning its activities, other than filing tax returns?

Mr. Weyher: No.

Moderator: You don't make any annual reports to the board, as the board?

Mr. Weyher: Not written reports, no.

Moderator: Does the Pioneer Fund distribute a newsletter discussing its activities and available funds?

Mr. Weyher: No.

Moderator: Does it distribute flyers describing the Fund's interests in soliciting applications for funds?

Mr. Weyher: No.

Professor Gordon: It's listed in a manual for foundations.

Moderator: So I understand, it's listed in the Foundation Handbook.

Mr. Weyher: Occasionally, a manual such as that will write us and say tell us about yourself. They get our name from, there's a tax list of all exempt foundations, thousands of them, we're in there and we get these questions, we furnish very skeletal information to those manuals we are in.

Moderator: Thank you. How does one apply to the Pioneer Fund for a grant? Do you have an application form or a description of application procedures, a list of materials you want or anything like that?

Mr. Weyher: No. They simply write us a letter.

Moderator: How many copies of the proposal, or letter in this case, must be submitted by the applicant?

Mr. Weyher: One.

Moderator: What do you send applicants who inquire or want to know whether their project is, in fact, appropriate for funding by the Pioneer Fund if they make inquiries? Do you send a description of the Fund?

Mr. Weyher: We send a one-page form letter back that, each one is typed individually, simply puts one sentence from the charter of what we're interested in, and says if you have a project like this you can apply in a one page letter.

Moderator: Would you be willing - I have not seen that -would you be willing to provide us with a copy of that form letter.

Mr. Weyher: Yes. I believe I sent one down, but I'll send another.

Moderator: I might have misplaced it, there were lots of things you had sent.

Professor Gordon: I might add, as an applicant to the Fund, that the, it's, you know, it's a relief not to have to fill out a standard form, which often has a lot of categories that are not particularly appropriate to the research, that you have to fill in doggedly and somewhat pedantically, and at the same time a challenge, because it's sort of a projective test to provide the kind of information that would justify a grant.

[unintelligible] Many small foundations operate in a similar fashion.

Moderator: Are there any deadlines for applications? Can one apply at any time, or does the board only meet four times a year and applications have to be in six weeks before that or . . .

Mr. Weyher: No, it doesn't.

Moderator: . . . it takes them as they come in?

Mr. Weyher: Take 'em as they come in. I circulate copies of everything to the other four members, call them and it's done. We can do one in a day if there's some reason for it.

Moderator: Thank you. After receiving an application for funding, what do you do? I think you've already in part answered that - do you have a peer review procedure?

Mr. Weyher: No.

Moderator: How then do you establish the academic merits of a proposal? For example, in 1989, last year, the Pioneer Fund made a \$100,000 to Atlas Economic Research for "continuation of study of evolutionary theory re: characteristics and intelligence of Mongoloids". What does that term "Mongoloids" refer to here?

Mr. Weyher: It refers to any Asians, particularly in this country. That particular thing is more of an, as much an economic study as anything else. Business Week said that the Japanese are building new plants in this country - five automobile plants. They're building them in areas where there are no minority groups to avoid the kind of problems the Pioneer Fund sometimes researches. They wanted to find out the economic attributes of that sort of problem.

Moderator: I see. But your description of the project is that it's the study of evolutionary theory about the characteristics and intelligence of Mongoloids. Are, are you or

any of the members of your board scholars in the area of evolutionary theory?

Mr. Weyher: No, but on that kind of thing we would call other people that we do know. If it's a new project and I didn't know much about it, I might call three or four people very quickly and I would tell the other trustees what they'd said.

Moderator: I see. . . .

Mr. Weyher: That one, I particularly knew the professionals who were going to work on it.

Moderator: Ok. Thank you. In 1988, you received your first application from the University of Delaware. In your list provided to the President on November 15th, on page 5, the amount of the proposal is listed as \$34,000 and the description is "same." The immediately preceding description is for a grant at the University of Minnesota of "study of twins reared apart and adopted siblings." Was it your understanding that this was also the purpose of the University of Delaware application or is that simply a misprint?

Mr. Weyher: No, I read that on the plane, I had the same question you did. If you look further down, you'll see University of Delaware for another grant. A paralegal made this thing. She did it from 1989 backward, and then it was typed the other way, so "same" refers to further down the page, instead the other way.

Moderator: Thank you. We all understand how those things happen. Whom did you approach for a scholarly judgment on Professor Gottfredson's proposal?

Mr. Weyher: I don't recall, but whoever it was, she was very well known, possibly Dr. Jensen, possibly Dr. Bouchard. I call them very often, because they are so highly regarded themselves.

Moderator: Are either of the individuals that you named, Professors Jensen or Bouchard, have they received grants from the Pioneer Fund?

Mr. Weyher: Both of them. Or their universities.

Moderator: Thank you. You stated in your November 1st, 1989 description of the Pioneer Fund that I referred to earlier that you do not require reports from grantees. Do you require that grantees send you a copy of any publications carried out with Fund support?

Mr. Weyher: No.

Moderator: Do grantees send such copies of their own accord?

Mr. Weyher: Sorry, say that again.

Moderator: Do such grantees send such copies of their own accord?

Mr. Weyher: Some do. But we have had occasions where they don't.

Moderator: Do you keep them?

Mr. Weyher: I keep some, if it seems to be very novel, I keep it, and I toss the others.

Moderator: But you don't have a library of work carried out with Pioneer funds?

Mr. Weyher: Well, we have some file cabinets full, but still by no means complete.

Moderator: Do you ask grantees not to send you copies of the work carried out with Pioneer support?

Mr. Weyher: No, no.

Moderator: You make no statement about this one way or the other?

Mr. Weyher: No, our policy is to give the money in response to their proposal. We don't modify the proposal, or make up the rules or anything, is we give the money and then good-bye. We leave them on their own.

Moderator: Thank you. Does the Pioneer Fund require acknowledgement of its support in publications carried out with Pioneer funds?

Mr. Weyher: No.

Moderator: Does it usually receive such acknowledgement?

Mr. Weyher: Not more than 10% or 20% of the time. The University of Minnesota always gives us credit, there are a few books that scientists have written which have thanked us up front. Others, most of the rest are completely silent. Many of our projects incidentally get funds from more than one source.

Moderator: Yes, I understand. Thank you.

Professor Gordon: Could I supplement that? I inquired about that when I first received money from the Pioneer Fund. I was informed that they neither seek credit nor avoid credit, and my particular policy then was not to mention them, because I realized they were already under attack, and my research would generate a lot of heat, and I didn't want to encumber the Pioneer Fund with more difficulties that I would generate, not that I was concerned about them.

Moderator: Thank you. To return to that November 1st memorandum from which I just quoted, it states in its opening paragraph that its purpose is "to describe the Pioneer Fund and its history since its organization in 1937 so that grantees may become fully familiar with the Fund." Who are the grantees mentioned here? Do you mean, in this particular case, for example, the University of Delaware, as a grantee, or Professor Gottfredson?

Mr. Weyher: No, the grantee would be the university.

Moderator: The grantee would be the university.

Mr. Weyher: But that, when we first, when we made our first grant to the University of Delaware, that memo had not been written, that was intended for grantees after that date.

Moderator: That was my next question: was this memo drawn up as a standard form of information some time ago, and if so, when?

Mr. Weyher: No, it was in 1989, after this fellow, Mehler, began creating the stir that he has created, we felt we should have something of this sort to hand anybody who asked.

Moderator: Earlier in 1989 than November 1st?

Mr. Weyher: I don't remember. The first version of the memo that you have was done in that fall, fall '89.

Moderator: The one we have is dated November 1st of 1989.

Mr. Weyher: There've been some since. I don't recall whether there was one before it.

Moderator: Was it then or is it now routinely distributed to grantees?

Mr. Weyher: No. If they ask us any questions about ourselves, then I mail that out.

Moderator: Was it, then, drawn up with specific reference to the controversy at the University of Delaware?

Mr. Weyher: No, it was drawn up to with respect to the controversy that he was creating at all these universities in 1989.

Moderator: Did you draw it up alone or with other members of the board, or with others?

Mr. Weyher: I drew it up, but I circulated drafts of it to the others and got comments. I circulated drafts also to a few scientists that dealt with us to see if this was the kind of thing a university might like to know.

Moderator: Was the contents of the description of the Pioneer Fund in that memo of November 1st discussed with Professor Gottfredson before it was mailed to President Trabant?

Mr. Weyher: I don't think so. I don't recall discussing it with her.

Moderator: Thank you. On November 2nd of 1989, you compiled a list of diseases studied under Pioneer Fund grants which was part of the same memo sent to President Trabant. I'm including AIDS, periodontal disease, sickle-cell anemia, schizophrenia, psychoses, heart disease and a number of others. Is there any common denominator among these diseases that explains the involvement of the Pioneer Fund in work related to them?

Mr. Weyher: They're genetic and heritable.

Moderator: Genetic and heritable diseases. You would consider AIDS a genetic and heritable disease?

Mr. Weyher: It's related to that. It may not be directly heritable but, for example, the Leukemia Foundation is researching AIDS because so many leukemia victims get it and they don't know exactly what the connection is other than blood transfusions. And in some of the work on evolution that's being done by Professor Rushton at Western Ontario and at other places, too, AIDS seems to be more, seems to be grouped in human groups a bit more frequently than it would be by the law of chance.

Moderator: Would you say that study of these of these hereditary diseases has been a major focus of the Fund's support?

Mr. Weyher: Oh, no. Minor. I might add that race also is minor, probably direct studies of race would be not more than 20% of our expenditures, if that.

Moderator: Not more than 20%. How would you estimate the percentage of the studies of hereditary diseases as a part of your budget?

Mr. Weyher: It's only a guess, because, for example, at the University of Minnesota they study these diseases along with all the other things, but probably not more than 5%.

Moderator: Well, according to the figures, some of it I've looked up, the grant for the study of Tay-Sachs disease is \$1,000

in a year in which you spent about \$650,000. That comes out to less than 2/10 of 1%. Would that be a fair . . . ?

Mr. Weyher: I'm sorry?

Moderator: That comes to less than 2/10 of 1%. Is that a fair figure?

Mr. Weyher: Yes. We're interested in diseases, but it's not the major interest.

Moderator: The original charter of the Pioneer Fund was drawn up in 1937 with two purposes: (a), as it is listed, "to provide or aid in providing for the education of children of parents deemed to have such qualities and traits of character as to make such parents of unusual value as citizens." Has any such aid ever been given by the Pioneer Fund?

Mr. Weyher: No.

Moderator: There is a grant under 1941 in your cumulative list to the Pioneer Fund scholarships for Army Air Corps children? Was that something else, then?

Mr. Weyher: Yes, that was not under this. The provision that you have is one that you have in front of you is one that Mehler has made such a fuss about, which originally provided for gifts to children of white inhabitants of 13 southern states. The Air Force grant was to people who were not from any particular state and there was no specification as to race, and

what happened there is that some of the people, of the then directors, I was not a director, I had it looked into and asked people about it, with General Hap Arnold, who was the commanding general of our Strategic Air Force during the War and at that time was a lower echelon general just before the War, World War II, worked this out. And the thing that they were working on was that they decided that at the salaries in the military at that time, the Air Force being a part of the Army in those days, the pilots could not have children if they were concerned about them going to college. And the idea was to take the pressure off them of financing a college education for those children, so they could have whatever they normally would without that financial pressure.

Moderator: Are there any current plans to begin making scholarship grants under this provision of the charter?

Mr. Weyher: No.

Moderator: Why was this provision then changed in 1985 so that the 1937 reading that aid should be "given to children who are deemed to be descended predominantly from white persons who settled in the original thirteen states prior to the adoption of the Constitution of the United States and/or from related stocks" was retained with the sole deletion of the word "white."

Mr. Weyher: Because of the fact that Mehler and these other people have been making tabloid newspapers stories that here come the racists giving scholarships to whites, so we simply struck out the word "white" which didn't stop them. They still now quoted the way it was before we amended it.

Moderator: What does it then mean that the current charter, as amended in 1985, still refers to making grants to "related stocks to descendants of the thirteen original states"?

Mr. Weyher: Well, it

Moderator: What does the stock mean, what is a stock related to?

Mr. Weyher: Probably in that case, it was related to the country from which they came, and there was a big, and if you're asking about blacks, there was a big black stock.

Moderator: Is anyone excluded from this statement as it stands, in your opinion.

Mr. Weyher: Whoever wasn't here, which might include Asians, you see, there were very few Asians at that time in those thirteen states.

Moderator: You would not regard Asians as members of the same stock as the inhabitants of . . .

Mr. Weyher: No, I don't think in the sense that they used it in 1938. I talked to the man who drafted this charter. His

name was Henry Guild. He was a prominent, well-to-do Boston lawyer with a blue chip law firm there, and he explained to me what they were trying to do. Where they used race, for example, in there, they were referring to the human race. Things like that that were misconstrued later. It is a 1937 charter, and we cleaned it up slightly in our language just to modernize it.

Moderator: If I understand you correctly, it's my, that you amended this in 1985 because of the misunderstanding that you wanted to restrict your efforts for what you call, human race betterment to white Anglo-Saxons only. [unintelligible] not accurate?

Mr. Weyher: No, I think you're mixing up two completely different . . .

Moderator: This is from a different clause. This is under part (b),

Mr. Weyher: No, the human race only was on research.

Moderator: Yes.

Mr. Weyher: And it is in a sentence that refers to the human race and then it refers to the race, and it's obviously a reference back, but not to somebody like Mehler it's not. But this thing, the other part that you read is in a different section of the charter, the scholarship section . . .

Moderator: I do understand that. But you do see the purpose of the Pioneer Fund is to promote human race betterment?

Mr. Weyher: Human race. Yes, that's correct.

Moderator: And you amended the charter in 1985 to correct the misunderstanding by Mehler or whomever that in so doing, you referred to white Anglo-Saxons only.

Mr. Weyher: That's a different section, that's the scholarship section, the white Anglo-Saxon only.

Moderator: But why not simply have deleted the entire non-operable clause (a).

Mr. Weyher: Because the people who founded the thing and put up the money put it in there, and someday I'm going to be dead and I would like the people coming after me to know what the founders were trying to do.

Moderator: Why not have made, in making your revision, to say that grants will be made to children of parents, being of such good character as likely to produce good citizens, regardless of race, religion or origin. Would this change not have been more effective as an answer to your critics?

Mr. Weyher: Well, it might have been, but I wanted to change it the least amount that I could. I didn't write the charter, I didn't put the money in the Fund, I wanted to carry out there, leave their intent there as a historical record of what the people ...

Moderator: You wanted to leave the intent of 1937 . . .

Mr. Weyher: In 1937,

Moderator: intact as much as possible?

Mr. Weyher: In 1937, the provision of that sort was in the charter of many universities.

Moderator: There were many segregated universities in 1937.

Mr. Weyher: Absolutely. I bet you there were 20, 30 very prominent universities with a provision like that right in their own charters.

Moderator: I think that's correct. This has been pointed out by others. The question before the committee is, in part, that the University of Delaware has changed a good deal in those fifty-three years and I was trying to ask about the changes in the Pioneer Fund charter.

Mr. Weyher: Well, that may be, but two things. One, we were never going to use the section in which those words appear, I didn't think. And secondly, I didn't think it was up to me to try to change a thing like that that somebody else had written in and they had put their money in there. I don't believe in changing somebody else's objectives, somebody else's targets if he's the one that paid for the whole thing.

Moderator: Am I correct in understanding that the directors, the current directors of the Pioneer Fund could change the charter?

Mr. Weyher: They could.

Moderator: They did in 1985 when they

Mr. Weyher: They could with the consent of a judge, that's right.

Moderator: The last question I wanted to ask is the second purpose of the Pioneer Fund, according to your 1937 charter, and as amended, is "to conduct or aid in conducting study and research into the problem of heredity and eugenics in the human race generally and such research in respect to animals and plants as may throw light upon heredity in man and to conduct or aid in conducting research and study into the problems of race betterment," corrected in 1985 to "human race" betterment.

Mr. Weyher: Yeah.

Moderator: . . . "with respect to any studies so made or in general with respect to heredity and eugenics." In 1989, the Pioneer Fund granted \$50,000 to FAIR, Foundation for Immigration Reform, for what you described in November 21st memorandum as "studies re: immigration policy questions" and made grants to FAIR of \$30,000 in 1987 for "study of various illegal immigration policy questions." Can you explain how the study of illegal or legal immigration policy is related to your charter?

Mr. Weyher: Because illegal immigrants are a big part of our demography in this country, the demographics of our country

now have to include about 6 million illegal Hispanics, at least it's one number you hear, and as well as others, and they simply are collecting information about that. Where do they work? Can they support themselves? What are their families like? What will they contribute to the country? Do we need more schools for them? There are millions of those questions that they look into.

Moderator: Those don't seem to me to be questions having to do with the study of hereditary. Would you characterize them as questions related to the study of eugenics?

Moderator: Are we on again? Yes. Thank you, Mr. Weyher, very much.

Mr. Weyher: Yeah, one other thing, everybody seems to be very interested in the 1937 charter. It never seemed to us be important to write a document that we could hand out to the press and say this is what we are and what we've done, because we'd decided among ourselves not to use the scholarship provision and I don't see how it does anybody any good for us to cut that out. Mehler makes a big issue of that - why didn't they cut it out? We decided not to use it, that seems to me to be the equivalent, and I sort of object to his advising us on things like that. When its perfectly clear

Moderator: Professor Sylves had a question.

Sylves: [unintelligible] Can we assume that if Barry Mehler disappeared from the face of the earth there would not be any controversies whatsoever about Pioneer and its support and so on? Is he the crux, is he the devil incarnate that's created all of this havoc? Is he the sole source of this entire problem?

Mr. Weyher: No, he's not the sole source by any means. He's the one who's making the most noise and is calling up newspapers and stirring up the faculty and probably . . .

Sylves: I understand this, but if he was out of the picture . . .

Mr. Weyher: The answer is no, we still would have a lot objection. We've had it beforehand, we'll have it the rest of our life. That's why we have the directors that we do. There are none of us that can be hurt very badly by somebody like Barry Mehler. We're willing to take the abuse. There will be more, but nothing like he's stirred up - he's obsessed with us. He's spent his whole life on nothing but us, almost.

Sylves: Okay. Can I follow up? Does Pioneer accept donations to the Foundation? In other words, if I had a million dollars and I wanted to give it to the Pioneer Foundation, can I give it to your Foundation?

Mr. Weyher: Yes.

Sylves: I can give it to you?

Mr. Weyher: Yes.

Sylves: If I put provisos on it, that it had to be used for certain purposes, would the board review what the purposes are and determine whether that was consistent with what the Foundation's charter said?

Mr. Weyher: I'm sure they would.

Sylves: So, therefore, you could conceivably turn down my donation to your Foundation, if it wasn't considered to be suitable for the purposes of your charter?

Mr. Weyher: Correct.

Sylves: Do you think the University of Delaware has the same right, given the content of its charter, to turn down monies that are offered to it?

Mr. Weyher: You can turn down anything you want to, but don't please, don't say turn down, because we're not offering you any. You can just don't ask us for it, and you won't ever hear from us. We, we make grants only if we're asked for grants.

Sylves: Well, I'm just saying your Foundation reserved the right to screen donations that come with qualifiers that shape what purposes the money can be used for. But I can infer that perhaps you don't want the University of Delaware to use the same judgment in determining the purposes to which or the sources from which the monies come to this school, what we allow to make

judgments as a university, I mean, you're very concerned about the integrity of your charter for your Foundation. We have a charter here we have to be concerned with, too, as a university.

Mr. Weyher: You can make whatever decisions you want to. We don't question your power to make decisions.

Moderator: Any other questions?

Professor Gordon: I think there would be questions about the conflict in any university between the various priorities a university has including open inquiry and the ability of faculty members to pursue the kinds of research that they're supposed to do in order to be promoted and to establish their reputations in their fields and to get funding for that. My university and I'm sure yours, for example, constantly encourages faculty members to seek out obscure sources of support other than the federal government, including some from the federal government, for support of their research activities. There's hardly a week that goes by that I don't get a, some kind of sheet describing esoteric sources of support from the university. So that, if the university is going to single out particular kinds of research that are going to be subject to this treatment, then very serious and very grave questions are going to arise, I think, about other aspects for which universities are mandated to exist and other priorities that . . .

Moderator: Has Professor Gottfredson arrived?

Sylves: This is my last comment. Just a follow up.

Moderator: Let me, I know I've allotted a lot of time, but I wondered if any other member of the committee had questions they wanted to ask. No. Rick. Go ahead.

Sylves: I'll pass.

Moderator: Pass. No, go ahead, we have time for one more question at least.

Sylves: Okay. I'm just concerned. It appears to me that the Foundation has given money to professors who have gone outside their universities and incorporated themselves in certain ways and applied. Is that so?

Mr. Weyher: Yes, that's correct.

Sylves: Okay, that's all I wanted to know. In other words if a university was, if a university had reservations about accepting money from Pioneer, the professors at those schools have taken the option, you've honored them with professors that have essentially left the campus, incorporated themselves, reapplied, got the money, and done the research.

Mr. Weyher: I don't know of a single one that did that because a university objected to us.

Profesor Gordon: Yes, there's not a single one who that did that because the university objected to it, and let me tell you

as one who's looked into that avenue of support, that it's a pain in the neck to fund your research by that process. There are heavy reporting requirements to the I.R.S., you have to establish a board of trustees and incorporate yourself as a private foundation and you're deprived of many of the on-campus bookkeeping and support activities, including access to the campus facilities, and so it's a heavy handed accounting, it's a heavy handed accounting, that's the kind of intellectual tax that has the power to destroy.

Moderator: Any other questions, I think that's, can someone make a very quick . . . Professor Gottfredson is waiting.

Sharp: Did Professor Gottfredson request your aid, basically, in defending the Pioneer Fund on the University of Delaware campus? Would you have gone to President Trabant to report about the Fund?

Mr. Weyher: She didn't request our aid in the thing. I don't see that she needs any aid. She stands up pretty well for herself. We were concerned about our own reputation.

Sharp: So, you two came independently came to the University of Delaware, then, to defend . . .

Mr. Weyher: Yeah, I talked to her to see what was happening, but we would have come anyway, no matter who the professor was, or whether they asked us, if you would let us come.

Moderator: Thank you very much, indeed. I appreciate your coming from out of town on relatively short notice.

Mr. Weyher: I repeat, I'll be glad to come back, I'll be glad to bring down the other directors, I'll be glad to send you anything you want. We, we have no secrets.

Moderator: The only thing I know of at this time is the one item that I think you made a note of.

Mr. Weyher: I'll fax it down tomorrow.

Moderator: Great, thank you very much. I don't have a fax. I think mail will do.