

It seems to me that perhaps you have chosen the more sensational method of going about this, whereas if you were really sincerely interested, wouldn't you have chosen some perhaps less sensational approach, but a more effective approach?

Mr. PAYTON. I think, again, that this relates to the situation I described earlier, and that was that many of us had not considered the question at that point. I have already made it rather clear, I believe, that many students have not had the question presented to them. They are not either conversant or aware of what these gifts represent.

I can speak for myself in that I was not aware of when these things were being provided to me. I was not aware that they had actually come to the university until the week that they were in the bookstore and were to be presented.

At that time, as I said, we felt that to simply leave the articles there would possibly fail in our communications with the industry. And I think that we have an obligation to communicate with them if we are truly going to have a relationship with them. And I see no way that we can get around that.

I think that there is a proper relationship. I think we have to have communications. I think that you are suggesting that next year an earlier communication telling them a certain number of students, if so chosen on their part, will not be receiving or accepting the gifts, then they need not send them.

I might comment here that I think it is presented in some of the other testimony and it is true also at the school, University of California San Francisco School of Medicine, that at least one of the gifts provided by the Lilly Co., the leather black bag in the senior year now is distributed on an optional basis, such that the student receives a letter explaining that this gift is available and he must return a card saying that he is desirous of receiving this gift.

So that if this is any indication, there may come a day shortly when they will make these things entirely optional so that the student must actively solicit or seek some sort of gift from the company.

Mr. DUFFY. Mr. Payton, are you aware—I am informed by representatives of the Lilly Co. that this year the optional acceptance of these gifts exceeded 90 percent.

Mr. PAYTON. That very well could be.

Mr. DUFFY. I would be curious to hear your comments on that.

Mr. PAYTON. I think that the information presented earlier that on the order of 200 students in the country have returned the instruments—that certainly was an active process on their part—is very valid. That would probably give you a fair representation of the number of individuals that have some insight into the situation.

I think that to feel that we are now going from two-tenths of a percent, or whatever the figure quoted was, to maybe 10 percent not utilizing this service provided by the industries, that represents a significant achievement on our part. And I would hope that further discussions that we would have with fellow students would increase that number.

Mr. DUFFY. Thank you, Mr. Payton.

Senator NELSON. Let me say, Mr. Payton, my father used to say to me, "It is never too late to raise an ethical question and never too late to question past policies."