

gene is incorporated into a plant and starts functioning, it should no longer be allowed patent protection," says one breeder in Holland, where the Ministry of Agriculture has recently written to the Ministries of Economic Affairs and Justice in support of the claim that plant breeders' rights should be given precedence over patents.

This argument receives enthusiastic support from UPOV's headquarters in Geneva. Heribert Mast, the agency's vice secretary-general, argues that "there is no need for better protection" than that provided by the existing system of plant breeders' rights, that "the seed firms are content" with the way things now work, and that the pressure for change is coming from industrial attorneys "who only understand the patent system."

Ironically, many of UPOV's criticisms of demands from chemical companies for greater patent protection for plants are shared by Third World groups who, in the past, have been the most vocal critics of plant breeders' rights, claiming that they have led to environmentally damaging agricultural practices and the monopoly control of crops by multinational seed companies.

"We still feel that plant breeders' rights are wrong, but the type of threat raised by companies being able to patent individual genes and the plants containing them is even worse," says Henk Hobbelink, Amsterdam-based coordinator of the "seeds campaign" of the International Coalition for Development Action.

The high emotions running on each side of the debate have been reflected in the controversy generated in several OECD countries by an early draft of the agency's experts' report, which claimed that breeders' rights were a "less appropriate" form of protection than patents for "plants produced by genetic engineering methods."

In the final report approved last week (and shortly to be published under the title "Biotechnology and Patent Protection") the language has been toned down. While arguing the need for "stronger protection than is possible at present," it suggests that innovators be allowed "the choice of the type of protection most appropriate to secure a proper return on his investment."

Schumacher at Bayer, and other industrial attorneys, suggest that it should be possible to operate with a "double" system of protection—provided that patent claims are not superseded by plant breeders' rights.

Several countries, reflecting a prag-

matic acceptance of the new rules of the game among plant breeders, now appear to be moving in this direction, hoping that they can find a compromise formula that will not require time-consuming changes either in domestic law or international conventions.

Mast at UPOV claims that "double protection would lead to legal insecurity" since rights claimed under one sys-

tem could be challenged under the other (indeed, it is currently disallowed under the UPOV convention, which requires countries to choose between the two systems). But some observers feel that the organization will eventually be forced to compromise and accept plant patents in some form, even where these compete with traditional forms of breeders' rights.—**DAVID DICKSON**

DOD Program Proves Attractive

A proposal to channel substantial sums of money from the Department of Defense into academic science through a new Universities Research Initiative has been warmly received by the armed services committees on Capitol Hill. But the ink had scarcely dried on the proposal before efforts were begun to siphon some of the money off through pork-barrel politics.

The initiative, for which the Pentagon has requested \$25 million in fiscal year 1986, is intended to shore up university research in areas of potential interest to defense. The funds, which the Pentagon plans to increase to \$100 million a year by 1988, would be spent on such items as fellowships, instrumentation, and projects linking academic, industrial, and defense scientists (*Science*, 19 April, p. 303).

The House Armed Services Committee was so enamored with the idea that last month it upped the Pentagon's request to \$200 million for 1986 alone. The Senate Armed Services Committee was also highly supportive but approved the program at the level requested. A House-Senate conference committee will eventually come up with a compromise figure.

The proposal has yet to be acted upon by the House and Senate appropriations committees, which exert a more powerful hold on the Pentagon's purse strings, but the congressional action so far suggests that the program has attracted a good deal of political support.

It has also attracted the attention of Senator Alfonse d'Amato (R-N.Y.), who apparently decided it would provide an opportunity for him to do his alma mater, Syracuse University, a favor. At d'Amato's request, Senator John Warner (R-Va.) proposed an amendment to the defense authorization bill when it was being considered by the Senate Armed Services Committee, requiring that \$1 million of the Universities Research Initiative be spent at Syracuse University for computer science and related activities. The amendment was accepted and is now written into the bill passed by the committee.

This raid on the program has incurred the wrath of the Association of American Universities (AAU), which consists of 50 of the nation's largest research universities and has been enthusiastically supporting the Universities Research Initiative. The association discussed the episode at its spring meeting last month, following which AAU president Robert Rosenzweig fired off a letter to the members of the House Appropriations subcommittee on defense asking them to reverse the Senate's action.

"The attempt to earmark these funds for a single research program, no matter how meritorious it is thought to be, preempts the commonly accepted practice of soliciting competing applications and having them reviewed by qualified professionals," Rosenzweig wrote. "The Universities Research Initiative was devised specifically to bolster institutions whose health is especially important to the research programs of the Department of Defense. To open it at the very beginning to decisions made on different grounds altogether would severely compromise a valuable new enterprise," he added.

An aide to d'Amato said that the senator recently toured the facilities at Syracuse and spoke with the chancellor. He came away impressed with the potential for rapid growth and simply "wants to support them in what they are trying to do . . . What more can I say?"—**COLIN NORMAN**