



**Robert Roe:** "The first step to solving a problem is admitting that the problem exists."

## Representative Roe Rides to the Rescue

*The House science committee chairman believes scientists should bear primary responsibility for maintaining scientific integrity*

### Ethics In Science

A FIGHT IS BUILDING in the U.S. House of Representatives over fraud, misconduct, and conflict of interest in science. The

battle will be between those who think that problems in science should be subject to congressional legislation and those who believe that solutions properly rest with universities and federal science agencies like the National Institutes of Health and the National Science Foundation. Only a few weeks after the highly publicized initial salvos were fired by Representative John Dingell (D-MI) and his staff on the House oversight and investigations subcommittee, the defenders of science have now emerged, and many scientists may begin to breathe a sigh of relief.

At congressional hearings last week, Representative Robert A. Roe (D-NJ) went out

of his way to say that he and the members of his science committee—Democrat and Republican alike—are sympathetic to the research community as it struggles with these contentious issues.

In sharp, calculated contrast to the recent Dingell hearings on the so-called "Baltimore affair"—hearings run like a criminal trial—(*Science*, 12 May, p. 643), Roe's hearing on "maintaining the integrity of scientific research" was characterized by friendly questioning as the committee probed witnesses about how institutions respond to outright fraud, whether there should be formal courses in scientific ethics, and whether to give legal immunity to whistleblowers and university investigating panels acting in good faith.

Roe set the tone for the day when he commended the scientific community for recognizing that fraud and conflict are real problems. He said that "the first step to

solving a problem is admitting that the problem exists," adding that "There will be no greater force for maintaining the integrity of scientific research than the science community itself."

It was music to the ears of the 15 witnesses from federal agencies, universities, scientific societies, and scientific journals who had been called to testify.

Although sentiment generally ran against intrusive federal legislation, something of a consensus emerged on the need for legislation in one area—liability for libel. Journal editors worry about printing retractions of fraudulent or simply erroneous articles, for instance, unless each coauthor agrees. The fear, *Science* editor Daniel E. Koshland, Jr., testified, is that a coauthor who does not want to retract a paper will sue both his colleagues who do and the journal that goes along with them.

And attorney Barbara Mishkin, of the Washington firm of Hogan & Hartson, noted that even if journals are right, most of them "don't have enough money to defend a lawsuit."

Mishkin testified that "There is considerable anecdotal evidence that academic institutions often fail to report confirmed (or admitted) cases of misconduct because they fear litigation."

Indeed, the Massachusetts Institute of Technology came in for criticism from Roe for just that failure. MIT "quietly dismissed" a scientist for falsifying his thesis data and forging letters of recommendation, Roe said. That same researcher went on to falsify data at the U.S. Geological Survey (*Science*, 23 June, p. 1436). MIT's failure to notify others "most surely contributed" to the fraud the Survey suffered, Roe said.

Mishkin argues that protective legislation would be a good remedy for this problem. "Congress should enact legislation that would afford immunity for good faith reporting of scientific misconduct by academic institutions and scientific journals," Mishkin said.

Science committee member Harry Johnston (D-FL), who had the last word as the hearing was gavelled to a close, saw that idea as the take home message from the day. The committee, he said, would consider immunity legislation.

But if the scientists sitting at the Roe hearings were feeling safer for having some champions for their cause, just down the corridor Representative Ted Weiss (D-NY) was threatening to legislate conflict-of-interest policy (see page 23). Weiss, like Dingell, is not impressed with promises that scientists can police themselves. The battle lines are becoming increasingly finely drawn.

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