tenance of the telescope, says project scientist Ed Weiler of NASA headquarters. As a result, "people have made sacrifices" to get ends to meet, says Burrows. For example, he says, the new wide-field camera will span a field just three-quarters the size of the old one. There are other science losses, too; to fit COSTAR onto the scope, the astronauts will have to remove the high-speed photometer—a device useful for monitoring rapid brightness changes, such as pulsar pulses, nova explosions, and other stellar outbursts.

Despite the inevitable losses and the risk of still greater ones, most astronomers strongly favor the repair mission as planned. The risks of bringing the telescope back to Earth are even greater, they say. If a drop of oil spills on the main mirror somewhere in transit, for instance, it would be blinded, says Space Telescope Science Institute astronomer Tod Lauer—unable to reflect ultraviolet light. "When we [astronomers] think of taking the telescope down we get the same gut-level feeling that we get about pointing it at the sun," says Weiler. "It means death to the program either way." Weiler and other scientists say they believe they've convinced the panel not to pull their telescope back to Earth. "People will realize that we're doing this right," he says. "I'd be extremely surprised if they decided to take it back down."

–Faye Flam

PROPRIETARY RIGHTS

Scripps-Sandoz Deal Comes Under Fire

Just 2 months after the Scripps Research Institute signed a contract with Sandoz Pharma that would give the Swiss pharmaceutical company first rights to all Scripps technology in return for a total of $300 million in research support, the deal has come under investigation by federal authorities. In response to an angry letter from Congress, the National Institutes of Health (NIH) last week agreed to look into the propriety of the arrangement and the reasons why NIH had not been informed about the deal before it became final.

The Sandoz deal came under scrutiny after a 19 January editorial in the *San Diego Union Tribune* criticized the arrangement because it will give Sandoz rights to the fruits of federally funded research. When the contract takes effect in 1997, Sandoz will have right of first refusal to all Scripps technology over the following decade, including any technologies developed under NIH research grants (*Science*, 4 December 1992, p. 1570). Scripps currently gets about $100 million a year from NIH, which would add up to at least $1 billion over the 10-year period covered by the Sandoz deal. The deal, the *Union Tribune* charged, would allow Sandoz to achieve a "leveraged buyout of a $1 billion federal research effort."

"We're in full legal compliance with everything NIH requires."
–Richard Lerner

Scripps president Richard Lerner acknowledges that Sandoz is indeed getting the rights to federally funded results, but he points out that the Sandoz deal is similar to several others around the country. He notes that in 1991, for example, the Dana-Farber Cancer Institute struck a similar deal with Sandoz to exchange intellectual property rights for research funds, and in 1990 another Swiss drug company, CIBA-GEIGY, agreed to set up a new arthritis research program at the University of California, San Diego, in exchange for exclusive licenses. In both those examples, however, the drug companies have exclusive access only to the research they sponsor, but Lerner argues that his approach avoids situations in which drug companies "cherry pick" and steer their support toward the most applied research at the institutions. At Scripps, he says, researchers will continue to pursue whatever topics they see fit.

The *Union Tribune* editorial got the attention of Representative Ron Wyden (D–OR). In a 2 February letter to NIH Director Bernadine Healy, Wyden charged that when the agreement takes effect, "in essence, Scripps becomes a [federally subsidized] Sandoz laboratory." What is "most troubling about this deal" he wrote, was that NIH had not reviewed, nor, apparently, had an opportunity to review the deal before it was signed. He asked NIH to investigate the arrangement and to respond to a list of questions about it.

NIH spokeswoman Johanna Schneider says Healy "shares Congressman Wyden's concerns about the entire arrangement....It's troubling. We want to look into it immediately." In particular, she says, NIH's general counsel will examine whether any mechanisms exist for a federally funded institution such as Scripps to notify NIH of planned ties with industry and, if none is found, will investigate the possibility of creating such a mechanism. "We're in full legal compliance with everything NIH requires," Lerner responds. Scripps had not informed NIH about the arrangements, he says, because "we wouldn't have even known who to inform." NIH is expected to finish its review of the case later this month.

–Christopher Anderson

AIDS RESEARCH

Shalala Backs Reorganization

Testifying at her first congressional hearing since being appointed, Secretary of Health and Human Services (HHS) Donna Shalala last week put the Clinton Administration prominently on record in support of a proposal to revamp the National Institutes of Health's (NIH) Office of AIDS Research (OAR). The proposal, contained in legislation now before the Senate, has drawn fire from some scientists and NIH officials who contend that it would add another layer of bureaucracy to AIDS research (*Science*, 5 February, p. 753).

Slipped into the bulging NIH reauthorization bill, the Senate proposal aims to improve planning and coordination of AIDS research at the 21 NIH institutes by strengthening OAR's authority over NIH's AIDS budget and establishing a discretionary fund for the OAR director to use as he or she sees fit. (The House has yet to introduce a similar amendment.)

Opponents of the Senate bill include the NIH directors, who on 22 January sent a memo to NIH Director Bernadine Healy spelling out their fears that the budget process would be "severely disrupted" by the proposed changes, which "may inadvertently be detrimental" to AIDS and non-AIDS research. Healy sent the memo along to Shalala. Both NIH and HHS had held this memo close to the vest, but Shalala quickly agreed to release it when members of the House subcommittee on health and the environment asked her about it during her 3 February testimony.

Shalala told the subcommittee, which is chaired by Representative Henry Waxman (D–CA), that while she doesn't believe that "a reorganization alone will yield improvements in science necessarily," HHS supports the bill because it hopes that a fortified OAR will provide "a clearer view of where we're going." And Shalala stressed that if the move backfires and impedes AIDS research, "we will be the first ones back here at this table to tell you that we have a structure that doesn't work."

Prominent scientists outside NIH have lined up on both sides of the issue, offering Congress impassioned testimonies of their own, but a staffer for Waxman believes a bill can be hammered out that will be acceptable to both sides. "Most parties don't seem that far apart," he says. The staffer says Waxman likely will introduce a more concrete plan for restructuring OAR when the House subcommittee marks up the NIH reauthorization bill during the week of 15 February. The Senate is expected to vote on its version of the bill during the same week.

–Jon Cohen