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## Patriot Missile to Get Physicists' Scrutiny

To some, the Patriot missile was a hero during the 1991 Persian Gulf War: It appeared to stop Scud warheads dead in their tracks. To others, like Ted Postol, an MIT physicist and weapons analyst, the Patriot was a duck out of water. Now the American Physical Society (APS) wants to settle the debate.

Two years ago, Postol argued that the Patriot anti-aircraft system was forced to take on a job beyond its capabilities and that the Pentagon exaggerated its effectiveness as a Scud-buster. Postol reached his own conclusions based on commercial TV videotapes: The Patriot, he said, may not have stopped a single warhead. So he called for an independent technical review. The



Targeted. APS plans a new study of Patriot.

Army's study concluded that the Patriot had been effective. Several other reviews reached equivocal judgments, but no expert group compared Postol data with the Army's. That is what APS is proposing to do now.

On 21 November, the APS executive council voted to take a close look at the Patriot's record as part of a major study. "We

think it is important for the public to be well informed on this subject" because "the nation is going to spend a lot of money" on theater missile defenses in coming years, says Israel Jacobs, a research executive at General Electric who chairs APS's Panel on Public Affairs.

But APS will undertake the study only if it can gain access to classified data. This shouldn't be impossible, although APS may not get much help from the Army. Spokesman Major Mark Samisch says he doubts there's need for another Patriot study, nor does he think the Army will want to share its classified data.

## NAS Ponders Windfall For FSU Scientists

What would you do with \$10 million to help researchers in the former Soviet Union (FSU)? Don't scramble for an answer: The question is for the National Academy of Sciences (NAS).

The money appears in the 1994 defense appropriations bill, passed last month, which gives the Department of Defense \$400 million to reduce the military threat from the ex-Soviet states. The NAS money is a small share,

but it's the only portion for FSU scientists. NAS officials have few restrictions on their spending spree: A report accompanying the bill says only that the money is intended "for technical and linguistic support." One idea they're considering is to create a database of U.S. scientists, by specialty and project, to spur collaborations with FSU colleagues. Another option is a clearinghouse of programs run by U.S. agencies that, once compiled, would reveal gaps FSU research-

ers might fill. A third possibility is a grants program to provide seed money for research ventures with commercial potential, a complement to \$60 million in defense funds for "U.S.-Russian joint-venture companies."

Congress even gave the academy a financial incentive to do the job right. The legislative report requests the secretary of defense to consider "the extent to which any additional portion of the \$400 million might be used effectively by the academy."

## Lawsuit Sends Warning to E-Mail Gossips

Electronic bulletin boards are the intellectual bazaars of the 20th century: They offer a wide range of free-flowing opinion, from scholarly dissertations to gripes about colleagues. Say something nasty, however, and you better be able to back it up. Take the case of Epitope Inc., a biotechnology company in Beaverton, Oregon, which has sued a St. Louis securities broker for alleged defamatory statements made by e-mail.

For many scientists who use e-mail regularly, the case sends a chilling message: They must watch their electronic tongues. "There are still folks out there who feel electronic bulletin boards are privileged—but they're wrong," says Brian Ek, spokesman for Prodigy Services Co., which runs a national board.

Prodigy's bulletin board lies at the heart of the Epitope dispute. In a complaint filed in U.S. District Court in Portland on 18 October, Epitope alleges that broker Karl Kipke, who resigned from Kansas City-

based Kidder, Peabody & Co. last month, made "false and misleading defamatory statements" about Epitope. Logging on as "William Smith" three times last August, Kipke claimed, among other things, that the Food and Drug Administration (FDA) would send a warning letter to Epitope in August requiring the firm "to cease all U.S. sales of Orasure," a saliva-collection kit to test for nicotine. An FDA spokesman says the agency did not issue a warning letter this year to Epitope, although it did issue a letter in July 1991, demanding that Epitope cease marketing Orasure kits for AIDS antibody testing, a use FDA is still considering.

In its lawsuit, Epitope alleges that Kipke's statements "were intended to and did negatively affect the value of Epitope shares." The company seeks more than \$5 million in damages. In an answer to the complaint filed on 18 November, Kipke admits he authored the articles but denies they were defamatory.

## GATT Attack Races Deadline

Tension is rising at U.S. science agencies over an international trade deal that could undermine their efforts to work with industry. As *Science* went to press, federal science policy makers were working overtime to persuade U.S. trade representatives to modify a clause in the General Agreement on Tariffs and Trade (GATT), now being negotiated in Geneva, that calls for steep tariffs on products of government-industry research partnerships (*Science*, 5 November, p. 839). The policy makers would like to change GATT's language, but time is running out.

U.S. trade negotiators are racing to finish a draft text of the 116-nation trade treaty so the Administration can approve it by 15 December, a deadline set by Congress. Ironically, it was the United States that 2 years ago lobbied to insert a provision allowing countries to levy tariffs on imports from government-industry partnerships. Then, U.S. trade officials were worried about competitive threats from Airbus and other European projects. Now, however, the Clinton Administration is keen on encouraging similar partnerships at home; problem is, U.S. trade officials still consider foreign subsidies a threat and are reluctant to back down on the hard-won language.

But some members of Congress are trying to turn the screws on the trade reps, and last week, a bipartisan group of 17 wrote to President Clinton, urging him to remove the research provision from the draft GATT text. The lawmakers, led by Representative George Brown (D-CA) and Senator Jeff Bingaman (D-NM), argue that the provision is ill-considered in light of Clinton's own technology policy.

Federal officials say the fate of the research clause may rest in Vice President Al Gore's office. So far Gore has not weighed in against it, and unless he does, the research subsidy tariff could become a reality.