

## Insurance Bill to Protect Gene Data?

The campaign to prevent insurance companies from using genetic test results to deny people health coverage seems to be making some headway in Congress: In March, the House approved a medical insurance reform bill barring such discrimination. And the Senate this week passed an insurance bill containing some of the provisions.

The House's plan would ban health insurers from obtaining a person's genetic data without authorization, and it would prohibit companies from treating genetic information as evidence of a "pre-existing condition" and using this as a basis for denying coverage. And last week during a Senate debate, Senators Nancy Kassebaum (R-KS) and Edward Kennedy (D-MA) amended their insurance bill to bar employer-based plans from denying coverage based on genetic data—a change approved by the full Senate this week.

Wendy McGoodwin of the Council for Responsible Genetics in Boston calls the bills "a step in the right direction," although she notes they apply only to people changing jobs. A House-Senate panel must now decide which provisions to include in a final bill.



**Fertility risk?** Center might examine reproductive hazards of chemicals linked to Gulf War syndrome.

## New Center to Weigh Reproductive Risks

The tide of claims that synthetic chemicals may be harming our ability to reproduce is rising faster than the ability of scientists to assess them. So the National Institute of Environmental Health Sciences (NIEHS) has proposed a way to cut through the hype and give the country timely, accurate information on the risk of these chemicals to human reproduction.

The idea is to establish a center through the interagency National Toxicology Program (NTP) in Research Triangle Park, North Carolina to examine the myriad chemicals—from drugs to pesticides and pollutants such as dioxin—that can affect human fertility and development. The center would coordinate the work of expert panels that would

review the data on individual hazards, judge their potential for harm, and identify gaps in existing research. The panels would follow a model for evaluating reproductive risks developed by a team led by the Institute for Evaluating Health Risks in Washington, D.C. Industry, government agencies, and international health groups would chip in to provide an annual budget of \$400,000 to \$1 million.

"A lot of misinformation has gone out about reproductive risks," says Michael Shelby of NIEHS, who's heading the proposal. "There needs to be some respected source to explain what we know and don't know."

NTP's board of scientific counselors responded "enthusiastically" to a presentation of the plan last week, Shelby says. The next step is to meet with industry groups. If all goes well, the center could get under way in 1997.

## Behavioral Surveys In Distress?

After failing to get changes made in a bill that could hinder surveys of adolescent behavior, social scientists are taking a new tack: They are trying to persuade the Senate not to vote on the bill at all.

The Family Privacy Protection Act, which was passed by the House a year ago, would bar researchers from surveying minors about risky behaviors without first getting their parents' written permission (*Science*, 15 December 1995, p. 1747). Last week Senator John Glenn (D-OH) introduced an amendment in a committee for a less restrictive bill, but it was voted down.

The bill is expected to be debated on the Senate floor in a few weeks and could pass with the survey limitations unchanged, says the American Psychological Association's Pat Kobor. Research groups, she adds, are scrambling to impress on senators "why this could have unintended negative consequences" and are urging them to put off action.

## Green Bill Reconciles Polar Opposites

The National Science Foundation (NSF) and environmental groups have reconciled their differences over protecting the Antarctic environment, ending a 3-year battle and paving the way toward passage of a bill that would implement a 1991 international treaty. The only remaining U.S. roadblock, say congressional sponsors, is a crowded legislative calendar.

"I know of no controversy on this bill," declared Representative Robert Walker (R-PA), chair of the House Science Committee, before a hearing last week on H.R. 3060, the Antarctic Environmental Protection Act he introduced last month. "I think we can move quickly through the House, but I could use some help lighting a fire under the Senate." A Senate staffer for one of two panels that must act on a companion bill, S. 1645, says that legislative activity is "possible" later in the year. Five other countries, including Russia and Japan, must also act before the treaty goes into effect.

The bill takes the middle ground on several knotty issues. One part recognizes that the National Environmental Protection Act applies to U.S. activities in Antarctica—a feature NSF had long opposed—but makes no provision for citizen suits, a demand by environmental groups. It also requires NSF to concur with the relevant federal agencies in regulating waste—halfway between NSF's preference to run the show and activists' wish to give other agencies the lead role. "It strikes a delicate balance," says one NSF official, adding "if [Congress] messes with this bill, the whole agreement could unravel."

The message seems to have gotten through. Ranking Representative George Brown (D-CA) startled members by declaring he had nothing to add to Walker's quizzing of the State Department's Eileen Claussen and NSF Director Neal Lane. In return, both Claussen and Lane said they could offer no changes to Walker's bill. "Just do it, please," said Claussen.

## Alabama Challenges Fraud Award

A federal court could decide later this year whether to throw out a \$1.6 million settlement given to a former graduate student in a suit against the University of Alabama, Birmingham (UAB), for plagiarism. Last week the university appealed a verdict handed down in May 1995 in which a federal district court ruled that UAB had defrauded the National Institutes of Health by taking credit in grant applications for work done by epidemiologist Pamela Berge for her doctorate at Cornell (*Science*, 26 May 1995, p. 1125). Berge's victory sent a shock wave through the academic community. The reason: Berge had bypassed the system that normally handles scientific misconduct charges and filed her allegations instead in a Baltimore federal court.

UAB, shaken by the decision, has filed an appeal to the U.S. 4th Circuit Court of Appeals in Richmond, Virginia. Six universities and several academic lobbies, including the Association of American Medical Colleges, have filed amicus curiae briefs supporting UAB.

The court should never have agreed to hear the case, argues the school's attorney, Washington, D.C., lawyer Barbara Mishkin, because the basis for Berge's suit—the federal False Claims Act—was not designed to arbitrate disputes over scientific credit. Mishkin notes that a different judge in the same court dismissed a similar case in 1995, writing that "the legal process is not suited to resolving scientific disputes. ..." Berge has 30 days to respond to the appeal, and oral arguments could be presented as early as August.