SCIENCESCOPE

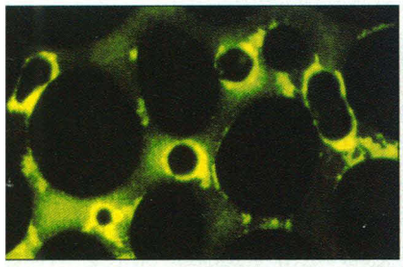
edited by JOCELYN KAISER

DOE Serves Up Bioremediation Funds

Name a pollutant—whether it be mercury, a radionuclide, or a rogue polychlorinated biphenyl—and there's probably some microbe that would love to have it for dinner. But finding ways to clean up waste products by having organisms digest them poses a host of scientific and technical challenges, such as the need to get oxygen to microbes buried in tainted soil. This month, the Department of Energy (DOE) will announce plans to spend $10 million in 1997 on research to help solve its multibillion-dollar pollution problem.

The Natural and Accelerated Bioremediation Research program (NABIR) is a 10-year effort to find pollutant-munching bugs and plants that could detoxify metals, radionuclides, and radioactive mixtures at weapons sites owned by DOE. Eligible topics range from genetic engineering to microbial ecology and the dynamics of nutrient flow. NABIR has already made awards to scientists who will serve as "team leaders," and later plans to fund field centers where researchers can try out their bugs.

In an unusual feature, NABIR will also spend $500,000 to examine the societal aspects of bioremediation, including concerns about transgenics. NABIR's Web site is http://www.lbl.gov/NABIR.



J. WAN/LAWRENCE BERKELEY LAB

Cleaning up. Toluene-eating biofilm of *Pseudomonas putida*.

Roche Wins Points in Patent Dispute

A decision by the European Patent Office (EPO) in Munich, Germany, could tip the balance back in favor of the Swiss drug company Hoffmann-La Roche in its long-running legal battle in the United States with the biotech company Promega over a patent for a key enzyme in the polymerase chain reaction (PCR), which is used in virtually every molecular biology lab. Following a hearing last week before examiners, Roche announced that EPO plans to grant its main patent pending for Taq polymerase, the core of an $85 million market.

Promega, based in Madison, Wisconsin, is trying to invalidate a U.S. patent on Taq held by Roche, arguing that the patent was described in prior publications. And lately, Promega appeared to have the upper hand. A judge recently concluded that the patent did not adequately specify the purity of the enzyme and that information had been withheld from the U.S. patent office (*Science*, 23 August, p. 1039).

But Roche now hopes the European decision, which involved the same data, will help its case in the United States. It may have "a qualitative effect on the judge and jury," says a Roche spokesperson. Promega, for its part, issued a statement after the hearing, saying "the scientific community cannot judge the merits of this latest claim" because Roche hasn't made details public.

Larry Stults, an Atlanta patent attorney not involved in the case, observes that while foreign patents usually have little influence in the United States, EPO's decision might provide "additional levers" for Roche if there is a pretrial settlement.

Science Satellite Fails

The ailing U.S.–Argentinian–Italian space mission called Scientific Applications Satellite–B (SAC-B) is in a coma, and it is unlikely to be revived. Launched on 4 November, the $17 million mission went sour when the third stage of the Pegasus rocket carrying it failed to separate (*Science*, 8 November, p. 907). SAC-B reached orbit, but the rocket problems had sent the satellite into a slow tumble, so its solar panels were not always facing the sun. This prevented SAC-B from generating enough energy, and last week it fell silent.

Universities Chide NIH On Emergency Aid

Marvin Cassman, director of the National Institute of General Medical Sciences (NIGMS), is learning—if he didn't know it already—that scientists and university chiefs don't always see things the same way, especially when it comes to divvying up grant money.

This became painfully clear this fall after Cassman offered 12-month "bridge grants" to help research teams who don't score well enough in proposal reviews to be funded. Cassman's aim was to keep productive groups together while they take another shot at a grant. Scientists may welcome the offer, but university officials found it unfair. The reason: NIGMS would cap at 25% the overhead costs payable to schools whose faculty accept such help. That is far lower than rates for regular grants (sometimes 60% or more) negotiated under rules set by the Office of Management and Budget (OMB).

Cassman has received critical letters from at least two academic agents: Cornelius Pings, president of the Association of American Universities; and Milton Goldberg, head of the Council on Governmental Relations. Pings expressed his "disappointment" that NIGMS was proposing a reimbursement policy that differs from OMB rules, one that would result in "significant cost shifting ... to the university." Goldberg warned that the grants could reinforce an impression that such overhead fees are "frivolous."

Cassman responded to Goldberg in a 23 October letter, saying that NIGMS had received a waiver from some OMB reimbursement rules. A tight budget prevents NIGMS from paying schools the full rate on bridge grants, Cassman explained.

Goldberg and Pings have been invited to a "workshop" on overhead costs at the National Institutes of Health with NIH assistant director Wendy Baldwin on 4 December.

Tests of Ancient Man's DNA Halted

American Indians' claims of an ancient skeleton as their ancestor have led federal officials to stop scientific research on some of the oldest human remains discovered in North America.

After painstakingly extracting DNA from a finger bone of a 9300-year-old human skeleton found by the Columbia River in Washington state, anthropologists at the University of California, Davis, have been told to halt their analysis while lawyers sort out who has rights to the remains. The Army Corps of Engineers, which has jurisdiction over the area where the skeleton was found last summer, told the scientists in a 19 October letter to stop their work and send the corps the sliver of bone and their lab notes, says Davis's David Glenn Smith.

Smith's lab had been analyzing the DNA as part of a coroner's investigation of the skeleton, one of only a few of such completeness and antiquity to be unearthed in North America. The skeleton, a male, was particularly intriguing because it may have Caucasoid features (*Science*, 11 October, p. 172). Scientists are eager to look for DNA markers indicating whether the man was of Asian or other ancestry. And graduate student Frederika Kaestle, just before she was told to stop working, was getting preliminary results on that question, but Smith says, "The results are inconclusive until we can do [at least] another extraction of DNA from the bone."

Meanwhile, a battle is raging over who owns the full skeleton. One tribe wants to rebury it immediately, claiming the right to do so under a 1990 law. But last month, anthropologists won a court order blocking the corps from returning the skeleton before scientists can argue for a chance to study it.