

But Erich Bloch, former director of the National Science Foundation, defends the idea, if not its implementation. "Science Watch is a wake-up call to the community, although there was much wrong in the first attempt," says Bloch, who is on the organization's board. Kay, a lawyer with Podesta Associates who has worked closely with a number of science and technology groups, says the message should be: "Don't give up the attempt to energize the community—but do it better."

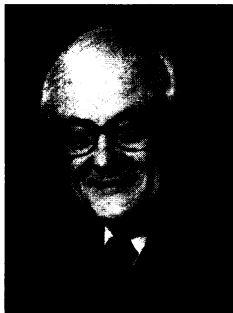
Some research organizations have taken that message to heart over the past few years. The Federation of American Societies for Experimental Biology (FASEB), for example, has emerged in recent years as a lobbying powerhouse on behalf of funding increases for the National Institutes of Health (NIH). "A decision was made several years ago to put a strong emphasis on advocacy of biomedical research," says FASEB executive director Michael Jackson. And the organization is spending money to back up that rhetoric: One year ago, the group set aside \$1.5 million for a 3-year series of public affairs projects, including the hiring of a lobbyist.

FASEB has a research and analysis operation to keep track of issues and avoid surprises, and it prods members to make frequent contact with lawmakers. Last fall, it set up a system to reach thousands of university biologists around the country via e-mail to warn them about budget and policy fights. After one notice was sent out about an impending congressional budget decision on NIH, over 1000 letters deluged Capitol Hill urging support for the institutes. And FASEB's activities are bolstered by many other groups. For example, a nonprofit advocacy organization called Research!America has commissioned polls and surveys that record a high level of interest among Americans in greater federal support for biomedical research.

Jackson points to NASA and to defense contractors as models that scientists should consider in toning up their political muscle. NASA has a well-established public relations network and a mission that captured the imagination of a generation of Americans, Jackson notes, while contractors are not shy about touting their role in providing the advanced technology that the nation needs to defend its borders and its interests. In contrast, the science and university community has tended to believe that "its virtues are self-evident," says Langenberg. "There's the feeling that it is demeaning" to worry about politics. He says that while Pings might get a decent response from AAU members if he sends out an urgent notice, "it's hard to generate a flood of 50,000 telegrams."

"The idea that the Democrats put us up to this is 100% totally false."

—Roland Schmitt



Leading from strength

But Western Union and electronic mail aren't the only ways to be effective in politics. Two of the greatest assets that the scientific community holds, say Kay, Bloch, Pings, and others, are its high credibility with the public and lawmakers, and the large, almost ubiquitous presence of its major employer—the university. Some, like Vest, sense an increased willingness over the past few years to marshal such clout. His university, for example, has begun to convene

meetings with congressional staffers to discuss a particular topic. But others like Langenberg are skeptical that the implications of the federal budget squeeze have sunk in.

Schiff believes that scientists cannot wait to overhaul their message and their tactics. "People have to pull together a more detailed case about what direction research is taking and why it is important," he says. "And the case has to be more than clichés." Arguing that more funding for science today will provide bigger paybacks in the future, he says, is trite and, even if true, doesn't set science apart from the rest of those seeking federal funds.

Whether researchers cope successfully with the changing fiscal environment in Washington will depend not just on what they say, but also their willingness to sell it. "There is a reluctance to do the hard, slogging work to win the hearts and minds of elected officials," Langenberg says. Kay thinks that the community can learn a lesson from the Science Watch imbroglio. "The bottom line," he says, "is that if you are going to be political, you'd better be good."

—Andrew Lawler

NATIONAL ACADEMY

Judgment Pries Open Expert Panel

While much of the government operates in a glare of publicity, the National Academy of Sciences (NAS)—a private body chartered by Congress—has always worked behind closed doors. Now, the NAS, which forms expert panels that advise the government on scientific matters, may be dragged into that spotlight. Last week, a court ruled in favor of an animal-welfare group, which had argued that the work of an NAS panel should have been publicly accessible. The court rejected the NAS's contention that, as a private body, it is exempt from laws requiring government bodies to open their meetings to the public.

The academy says it is still analyzing the decision and expects to appeal the case. But NAS Executive Director William Colglazier said shortly before the decision that it was "probably one of our most important lawsuits." An adverse decision, he said, could "put a big crimp in the way the academy operates." According to a brief submitted by the academy's lawyers, the ruling will pave the way for lawsuits to force other committees to open up their operations.

The suit, originally filed against the Department of Health and Human Services (HHS) in 1994 by the Animal Legal Defense Fund and two other groups, claimed that an NAS panel revising the federal *Guide for the Care and Use of Laboratory Animals* should have been subject to the 1972 Federal Advisory Committee Act (FACA), which mandates public access to meetings and materials used by a government

advisory panel. The plaintiffs cited a passage buried in a Supreme Court decision 8 years ago in a different FACA case, in which the court referred to the academy as an example of a "quasi-public" institution that would be subject to the law if it formed a panel whose advice was "utilized" by a federal agency.

The plaintiffs lost in the U.S. District Court in Washington, D.C., but a three-judge panel of the D.C. appeals court overturned that ruling on 10 January. The judges agreed that the animal-guidelines committee "must be regarded as utilized by HHS because [HHS] relies on the committee's work product and because [the panel] was formed by the NAS, a quasi-public entity." Washington, D.C., attorney Eric Glitzenstein, who argued the case, says the ruling may apply to any academy panel formed at the request of a federal agency, except in matters involving national security, personal privacy, or trade secrets. Adds Washington, D.C., lawyer Robert Charrow, a former HHS attorney, "If they don't open the meetings, someone's going to sue them and hold up this opinion."

The NAS argued that opening up its panels "would seriously undermine the Academy's independence," and "candid exchange among committee members ... would be inhibited." The academy hopes this argument will persuade the court to rehear the case; if not, it could appeal to the Supreme Court. But Charrow predicts the decision will stand.

—Jocelyn Kaiser