

in retrospect, his controls were unreliable. Such criticism could undercut the impact of the results in court.

Attorney Mark Johnson points out that knowledge of Bergdoll's data probably gave Procter & Gamble an unfair advantage in earlier litigation. Until recently, lawyers arguing against the company were citing the wrong scientific theories to buttress their arguments. "By knowing your opponent is on a false lead, it's easy to encourage it . . . and win," he said. "I think it was an incredible advantage [to Procter & Gamble]."

Procter & Gamble says that it is entirely up to Bergdoll to decide to publish or not. "The idea that we suppressed his

data is preposterous," says company spokeswoman Sydney L. McHugh. Are Bergdoll's data preliminary? "We're not about to second guess Dr. Bergdoll," McHugh said.

As a result of all the hubbub, Bergdoll now says he plans to submit a manuscript to a journal within the next month. He bases his change of heart on the fact that the *National Law Journal* printed a chart of his test results and that the results are being misinterpreted. The meaning of the results "has been blown way out of proportion," he said.

Sharing data with a sponsor "is normal procedure," Bergdoll said. Asked whether his disclosure of data to Procter

& Gamble alone could have given the company unfair advantage in litigation, Bergdoll replied, "I don't know about that. I'm not involved in the legal aspects. . . I don't know why the big fuss about this data."

None of the lawyers questions a researcher's right to prevent disclosure of his or her test results if they are regarded as preliminary. But attorney Bergman points out that Bergdoll reported his data to Procter & Gamble, that some of the results were presented at a scientific meeting and that Procter & Gamble says it confirmed Bergdoll's results. Johnson put it this way: "How long is 'preliminary' preliminary?"—**MARJORIE SUN**

Universities Gag on Research Controls

The presidents of three major research universities have sent a letter to Under Secretary of Defense Richard DeLauer protesting the latest Defense Department proposals for controlling the release of unclassified but militarily sensitive information. They are particularly upset by a provision that would give the department control over the publication of individual research papers in some fields.

The letter is the latest salvo in a long battle over the Reagan Administration's attempts to curb the release of unclassified information that it deems militarily sensitive. The Defense Department's proposal goes well beyond what the universities have been willing to accept in the past and is viewed as a violation of a researcher's right to decide what to publish.

An internal Defense Department committee approved the proposal several weeks ago and it was brought up at a meeting between defense officials and university representatives on 22 March. The university people said in no uncertain terms that it was unacceptable and that message has now been strongly reinforced by the letter to DeLauer. The letter, which was signed by the presidents of Stanford, Massachusetts Institute of Technology, and California Institute of Technology, has not been made public.

The department is proposing three different levels of control over the publication of papers from research it supports. The restrictions would be spelled out in advance in individual contracts so that universities would know what is required of them before they agree to do the research.

- In areas that are not deemed to be sensitive, papers would have to be sent to the department at the same time as they are submitted to a journal for publication. They would be submitted to the department solely for its information.

- In sensitive areas of basic research, a researcher would be required to send papers to the department 60 days before submission for publication. The department's review would be purely advisory, and the final decision on publication would be left to the researcher.

- The third area is the one that is causing most of the problems. The department wants to see papers derived from grants and contracts in sensitive areas of exploratory

development 90 days before submission for publication, and it wants the right to insist on changes or withhold publication.

A Defense Department official also told *Science* that, in addition to these prepublication controls, the department may require that foreign nationals be barred from participation in some sensitive research projects, particularly those involving exploratory development.

When these proposals were aired at the 22 March meeting of an advisory panel on Defense-university relationships, representatives from Stanford and Caltech said they would not accept Defense Department contracts that take away the university's control over publication. Edith Martin, deputy under secretary of defense for research and advanced technology, then provoked a sharp exchange by asking just how much money the universities were willing to give up for their principles. She also suggested that if some universities will not take Defense contracts on these terms, others will.

Gerald Lieberman, vice president for academic affairs at Stanford, pointed out that Stanford's own policies, which were laid down in the 1960's, prohibit the acceptance of any research grant or contract which requires approval by an outside body before the results can be published. David Wilson, executive assistant to the president of the University of California, told Martin that many of the universities with which the department would want to work would refuse to participate in the sensitive areas. The University of California, he said later, "would not yield to any sponsor authority over final approval for publication."

The amount of Defense money going to the universities in the category that would be most tightly controlled is relatively small. Lieberman says, however, that some work that Stanford is now doing would probably fall into this area, but "there is no way of telling."

Although the department's proposal has not yet formally been issued in a policy directive, one Defense official said that it has already been accepted as de facto policy. Nevertheless, an informal group including Wilson and Martin has agreed to meet to try to work out something more palatable to the universities.—**COLIN NORMAN**