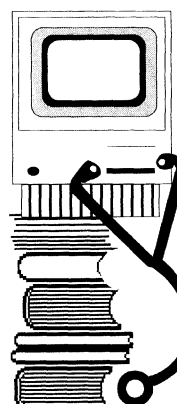


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U.S. taxpayers, must in addition pay a proportional share of creation costs.

I find puzzling Atkinson's assertion that the NLM does not have a "wide distribution" mechanism in place. The fact that there are more than 30,000 individuals and organizations, including the libraries at his institution, who regularly search the more than 12 million records in the NLM's databases would argue otherwise. The 4 million searches each year of files at NLM, the like number of searches of NLM files on commercial information vendors, the 42 medical schools and hospitals who mount NLM subsets, 16 overseas partners, and the nine licensed commercial CD-ROM Medline products also bespeak our having made at least a start at "wide distribution" of records of the periodical literature.

With respect to catalog records for books, NLM provides online services to users and also serves the general library community by means of the data it provides through tapes. The latter has proven an efficacious route over the years, since medical books per se constitute only a small percentage of the books acquired by a general or university library. Thus, NLM's cataloging data are made available to bibliographic utilities such as the Research Libraries Information Network, the Western Library Network, the Online Computer Library Center (OCLC), and to companies that produce and distribute CD-ROM's. The arrangement of long-standing, with OCLC, has been in existence for more than 20 years. In fact, it has been estimated that more than \$3.5 million is saved each year by medical libraries in the United States who use NLM cataloging data from a variety of sources and are thus freed from the expense and labor of doing their own cataloging of the medical literature.

The implication that NLM seeks to solve a "budget crunch" by charging fees that are higher than access or reproduction costs is not correct. The scientific community should know that any fee collections above the costs of access, as in the case of foreign use, are not used by the NLM, but are returned to the U.S. treasury.

DONALD A. B. LINDBERG  
Director, National Library of Medicine,  
Bethesda, MD 20894

## Ethics and USGS

Eliot Marshall's commentary on the ethics debate at the U.S. Geological Survey (USGS) (News & Comment, 3 Nov, p. 570) sheds welcome light on some of the on-going issues, but inevitably included factual errors. Here I attempt to correct the

more important ones and to emphasize the fundamental issues as I see them.

Contrary to statements in the article, I was not acting as an adviser to Friends Aware of Wildlife Needs (FAWN), nor is it true that "Wilshire at one point suggested that FAWN subpoena him as a USGS expert, even though federal employees are not allowed to testify as experts against the government." Government employees can testify in such cases, with appropriate clearance.

My role in the El Dorado National Forest plan for off-road vehicle development was independent of FAWN and began with my review (as a private citizen) of the U.S. Forest Service's environmental assessment. Much later FAWN president Karen Schambach invited me to see the site. I walked around the area with Schambach on my own time on a Sunday afternoon. I made no measurements and took no notes, but this was later characterized by Dallas Peck as a "survey" made for FAWN in violation of the USGS Organic Act. Subsequently, FAWN requested my testimony, and in response I consulted appropriate USGS officials about the procedures FAWN would be required to follow. USGS instructed FAWN to subpoena me if they wanted my testimony. At no time did I suggest to FAWN that I be subpoenaed.

Marshall's article states that the Administrative Digest (AD) 993, which caused so much furor last summer, "was later withdrawn and general advice to use 'sound judgment'" was given. AD 993 was amended, not withdrawn (as of 15 November 1989 it was issued to new employees). The Zen committee product (AD 1009) modified AD 993's blanket proscription of all private activities related to USGS functions only by giving explicit permission to participate in professional society activities.

Another issue highlighted in Marshall's article relates to "advocacy." Peck has recently stated the USGS position in a letter to James Gutmann at Wesleyan University: "Presentation and interpretation of research results in the furtherance of a position taken by a public interest group in a matter of dispute is advocacy" (emphasis in original). When a USGS scientist presents and interprets research results in the furtherance of the government's position, it is considered "objective scientific support," but when the same scientist presents and interprets objective scientific results which happen to contradict the government's position, it suddenly becomes prohibited advocacy. Surely such an official policy does more to undermine the integrity and impartiality of the USGS than anything any individual scientist could ever say or do.

The FAWN case has resolved only the narrow issue that there was no evidence to support the charges against me. The broader issues that remain unresolved are (i) the present USGS administration's attempt to use the Organic Act to deny information and the expertise of federal scientists to public-interest groups when environmental policy is in dispute; (ii) the continued threat in AD 993 of unconstitutional infringements of employee's private activities and suppression of free speech; and (iii) violation of the principles of due process and equal treatment under the law through unequal applications of the Organic Act's prohibitions against executing surveys and examinations. It is hard to escape the conclusion that the selective application of the Organic Act is politically motivated.

The oath of office sworn by all USGS employees is that we will support and defend the Constitution of the United States. The credibility of USGS, in my opinion, is best maintained by honoring that oath and not by suppressing the freedoms granted by the Constitution to satisfy the transient political aims of any particular administration.

HOWARD WILSHIRE  
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Mountain View, CA 94040

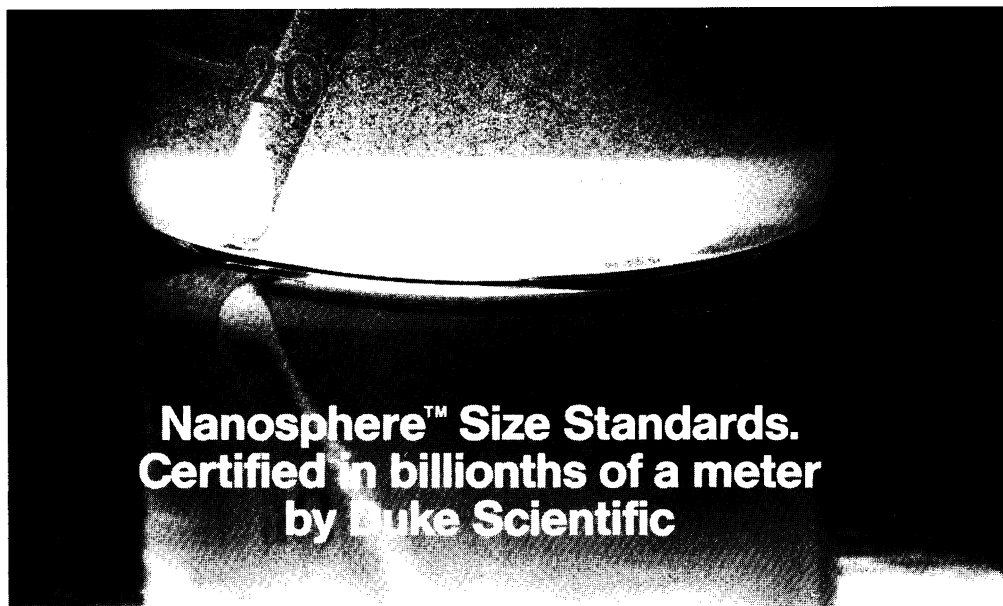
Eliot Marshall's article about Howard Wilshire was a welcome exposure of a dark side of government. Two items, however, need clarification.

At no time did FAWN ask Wilshire's advice on "how to prevent the Forest Service from building a playground for motorcyclists." FAWN already had very competent legal counsel. Wilshire's role was limited to addressing, independently, the soils section of an environmental assessment prepared by the U.S. Forest Service for the project.

At my invitation, he subsequently visited the site of the proposed project. When we asked him to testify at a court hearing, Wilshire responded that we must go through USGS channels to obtain his testimony, even as a private citizen.

It was Wilshire's superiors who described a subpoena as the proper way to proceed. And it was the U.S. Attorney (who represents the Forest Service in this case) who insisted he testify as a government employee, because restrictions could then be placed on his testimony.

The "resolution" of the Wilshire case leaves unanswered two big questions: First, can a public interest group (and the public) be denied access to the expertise, gained at public expense, of government scientists, when that expertise does not further the political goals of the government?



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Second is the constitutional issue: Can government scientists be denied the right to speak as private citizens on politically hot subjects?

Standing on its own, it is tough to swallow the USGS's concern for its credibility as the motive for Wilshire's harassment. But Forest Service attempts to silence a Fish and Game biologist who was also to testify at that hearing, and their threat of a boycott of my employer's small business, which brought about my own dismissal (the three incidents all occurred within 2 weeks of the court hearing), make it unlikely the action against Wilshire was anything but an attempt to crush scientific dissent.

FAWN ultimately won its suit. The weakness of the government's defense of the dirt bike project explains their reliance on eliminating FAWN's witnesses.

KAREN SCHAMBACH  
President, Friends Aware of Wildlife Needs,  
Post Office Box 603,  
Georgetown, CA 95634

*Response:* Wilshire was not an adviser to FAWN, but he did meet with FAWN's president, Karen Schambach, toured the dis-

puted Rock Creek area with her, and spoke with FAWN's attorney Sharon Duggan about the impending lawsuit. When Duggan asked him for an affidavit, Wilshire responded that he would have to get clearance—whether to testify as a private citizen or as a USGS employee—and that FAWN would have to submit a formal request for his testimony. In explaining this to Duggan, Wilshire's attorney has written, Wilshire "noted that he believed his testimony would carry more weight as a USGS employee . . . ." FAWN later subpoenaed Wilshire as a percipient (not an expert) witness, but never asked him to testify.

As for the status of Administrative Digest 993, USGS personnel chief Maxine Willard informed *Science* that the relevant section has been "withdrawn" and is considered void.

—ELIOT MARSHALL

*Erratum:* In the caption of figure 2 (p. 1401) of the article "Ferroelectric memories" by James F. Scott and Carlos A. Paz de Araujo (15 Dec., p. 1400), the credit should have read, "[Figure reproduced by permission of Raymond Fedorak, Naval Air Defense Command]."

*Erratum:* In the News & Comment article by Marjorie Sun "Investors' yen for U.S. technology" (8 Dec., p. 1238), the name of the computer company Poqet Computer Corporation was misspelled.