

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
1348 Isabelle Avenue,
Mountain View, CA 94040

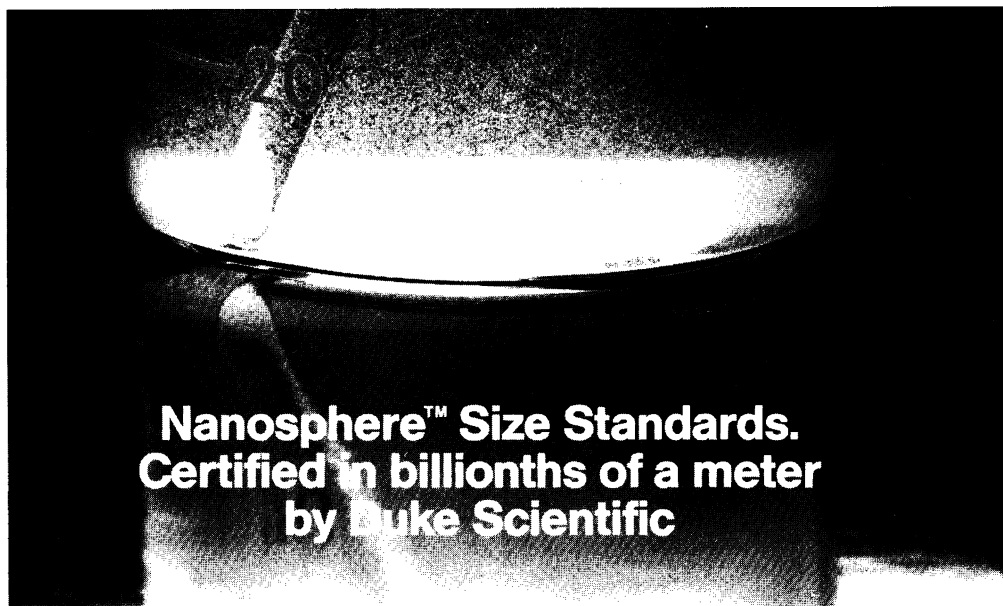
Eliot Marshall's article about Howard Wilshire was a welcome exposure of a dark side of government. Two items, however, need clarification.

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.