

Taking Reproductive Toxins Seriously



According to an EPA official, federal agencies aren't required to regulate toxins such as mercury for their effects on reproduction.

■ Senator John Glenn (D-OH), annoyed because federal agencies have claimed they don't have the authority to regulate chemicals for potential reproductive hazards, is planning legislative action over the next year or so to get environmental and worker protection agencies back in line.

Three weeks ago, the General Accounting Office (GAO) criticized federal agencies for inadequate regulation of chemicals that might cause birth and developmental defects (*Science*, 4 October, p. 25). But in a 2 October hearing before the Senate Governmental Affairs Committee, an official of the Environmental Protection Agency (EPA) said the agency didn't have the authority to require developmental and reproductive toxicity testing for all new chemicals. While EPA often seeks such testing data for new pesticides, said Linda Fisher, EPA assistant administrator for pesticides and toxic substances, it doesn't routinely require companies to supply such information on non-pesticides because it doesn't think the law requires it.

A Senate aide, however, says that EPA's interpretation is a "narrow" reading of its authority that is contradicted by the legislative history of health and environmental protection laws. As several of these laws come up

for reauthorization in the next year or two, the aide says, Glenn plans to add explicit language so the federal agencies understand that they not only have the authority to regulate reproductive toxins, but that they should exercise it more often.

Floor Fight in Congress

■ For years, it's been one of the greatest political power plays in Washington. Fifty-nine members of the House Appropriations Committee, their hands placed firmly on the government's funding spigot, get to dictate how the discretionary portion of the federal budget will be spent—frequently against the wishes of their 376 colleagues. Shortly, however, the 376 plan to challenge the power of their appropriating brethren.

Influence in the House is supposed to be divided between "authorizing" committees, which mandate how the federal government should spend its money, and the appropriations committee, which actually does the spending. Theoretically, this arrangement gives the authorizers a check on the appropriators, since the appropriations committee is forbidden to spend money on unauthorized programs.

But appropriators have long ignored such technicalities, and

Gallo Investigation Raises New Questions

■ With the NIH misconduct investigation of intramural AIDS researcher Robert Gallo now in its final stages, controversy appears to be heating up again. An unreleased sequence analysis of T-cell cultures Gallo used to develop a blood test for AIDS has raised new questions for investigators. Meanwhile, one member of a scientific panel advising NIH's Office of Scientific Integrity (OSI) in its investigation has accused the office of ignoring its advisers, noting that despite OSI promises, the panel has not seen the analysis and has scarcely been consulted since NIH decided to rewrite the draft investigative report.

The sequence analysis by Roche Diagnostic Research, the details of which were first reported last Sunday in the *Chicago Tribune* and independently confirmed by *Science*, shows unequivocally that the virus Gallo isolated and called HTLV-IIIb was actually a virus now known as LAV-LAI, isolated several months earlier by French researchers at the Pasteur Institute.

The analysis also reveals that a controversial "pool" of viral cultures Gallo's associate Mikulas Popovic developed for the blood test work contained seven distinct viruses, none of which bore any similarity to LAV-LAI. At first glance, that result appears to bolster Gallo's contention that he didn't need the French virus to develop the blood test. But the analysis also demonstrated that one clone from the pool appeared to grow no virus, in contradiction to data Gallo and Popovic reported in a 1984 *Science* paper. There are now two questions investigators must address. How did a pool containing no LAV-LAI produce an isolate of LAV-LAI? And why was a clone with no virus frozen for storage and apparently misrepresented in the *Science* paper?

"These important new data absolutely do not prove misappropriation [of the French virus]," says an NIH source close to the investigation. "But they make it all the more critical to address that question."

Gallo's defenders denied that any misappropriation had taken place, saying that Gallo's cultures appear to have been contaminated by the French virus. They added that they had no explanation for the contradictory data in the *Science* paper.

An OSI statement last week noted that the report "contains no evidence that the French isolate was misappropriated by Dr. Gallo or his staff," adding that OSI had earlier determined that Gallo had "no need to appropriate the virus." But Suzanne Hadley, until July the leader of the Gallo probe, said the latter assertion was "completely untrue."

OSI intends to include the sequence analysis in its final report on the Gallo investigation. But it first will have to mend fences with its scientific panel. One member says OSI's failure to involve the panel in rewriting the final report is "quite disturbing," and complained that NIH was making statements about the case without consulting the experts. "When things don't go the way NIH wants, they exclude the people who they originally asked to be included," the panel member says.



Robert Gallo

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so long as no one objects to an appropriations bill on the floor of the House, the money flows where the committee points. The full House goes along because appropriations bills frequently contain little plums for individual congressmen—a new research building here, a new post office there—and everyone gets along by going along.

But now some members of the authorizing committees are looking for a particularly egregious example of unauthorized spending to which they can object, with the hope of voting down the bill on the House floor. Such action, they hope, will teach the 59 that the appropriations tail must stop wagging the congressional dog.