

## Congress Forces Rocky Flats Testimony

In a bare-knuckle power play, the House science oversight subcommittee has won a showdown with the Department of Justice that will allow the subcommittee to deepen its probe of the department's criminal investigation of the Rocky Flats nuclear weapons plant. This unusual victory has the potential not only to reveal new details of the way the Department of Energy has managed its heavily polluted nuclear weapons complex, but also to give Congress an additional edge in overseeing uncooperative executive branch agencies.

Spurred by stories of intentional environmental neglect, Michael Norton, the U.S. attorney in Colorado, in 1989 opened a criminal investigation of Rockwell International, the contractor that managed Rocky Flats until 1990. But



**Rocky terrain.** The Rocky Flats weapons plant, site of sparring between Congress and the Justice Department.

higher-ups at Justice settled the case last May, allowing Rockwell to pay a fine of \$18.5 million while admitting only technical environmental violations. Although the fine was the second-largest environmental penalty ever assessed against a polluter, critics assailed the no-contest settlement as a slap on the wrist.

As a result, the science subcommittee decided to pursue its

own investigation of Justice's criminal case. Investigators soon found, however, that the department had instructed its attorneys and FBI agents not to answer questions that would reveal "internal advice, opinions, or recommendations" regarding the case, effectively stalling the subcommittee's probe. Frustrated, the subcommittee appealed to the White House, and when that led no-

where, threatened on 2 October to hold Norton in contempt of Congress if he refused to answer questions about Rockwell's plea bargain. Three days later, the department backed down and agreed to lift the interview restrictions.

The subcommittee now expects either to hold hearings or to release a public report on the plea bargain, although neither action is scheduled soon.

## EOSDIS Planning in Disarray

As NASA gears up to spend more than \$1 billion on a new earth sciences database, it is hearing warnings from a number of sources that it should invest much more generously in basic computer science in connection with the project—and that it needs to get cracking on recruitment of able scientists.

The sharpest recent criticism of the project—the Earth Observing System Data and Information System (EOSDIS)—comes in a recent review by a panel of the National Research Council. This 11-member group, chaired by Charles Zraket of Harvard University, takes the EOSDIS managers to task for a "continued 'business as usual' approach," which the 29 September report notes "will pose serious and unacceptable risks" to the system's successful implementation.

In particular, the panel would like to see the project give a leadership role to "practicing senior earth scientists respected in their research communities," and get computer scientists "intimately involved" in developing and managing the

EOSDIS project. It also urges NASA to take a lead role in coordinating agencies' efforts to create a "truly interoperable" data archive. But the Zraket group notes that it "has seen no indication in its discussions [with NASA] that the required changes will be made."

So far, NASA has responded only in generalities: Greg Hunolt, an earth sciences program officer at NASA, says, "We take those comments very seriously," and adds that the recommendations "are being actively reviewed."

## Changes in Misconduct Policies on the Way

Long-awaited changes in the way the Public Health Service (PHS) investigates alleged scientific misconduct are beginning to take shape. Within the next 4 months, PHS officials say they hope to set out new rules for the agency's Office of Research Integrity (ORI), the successor to NIH's controversial Office of Scientific Integrity.

According to members of a PHS advisory committee who received a preliminary, 45-page

draft of the proposed rules, PHS will offer a new definition of "research misconduct" to replace the existing—and widely disliked—definition of "scientific misconduct." The new definition encompasses "plagiarism, fabrication, or deliberate falsification of data, research procedures, or data analysis," as well as other "deliberate misrepresentations" in conducting and reporting research. Like the existing definition, it also specifically exempts error, differences of opinion, and judgments about data.

The new rules will also lay out specific criteria under which ORI can intervene in a university-run investigation, clarify the workings of the PHS Alert system (through which granting agencies are warned about scientists whose work is under question), and spell out the details of quasi-judicial hearings PHS will offer any researcher formally accused of misconduct since 29 May. Accused scientists won't have to wait until PHS publishes its rules to request a hearing, either—officials are planning an interim announcement that will allow hearings to begin in current cases within weeks.

## Healy for President?

If having one's name dropped as a potential future candidate during a presidential debate seems likely to fuel a scientist's political ambitions, keep an eye on NIH Director Bernadine Healy. During last Thursday's faceoff between the major presidential contenders, a studio audience member asked when the candidates expected a woman or an African-American on a winning presidential ticket. Independent candidate Ross Perot answered this way: "OK, I can think of many possibilities.... How about [Supreme Court Justice] Sandra Day O'Connor as an example? How about Bernadine Healy?"

Healy spokeswoman Johanna Schneider played down the prime-time publicity, saying that Healy was "flattered" at a mention that "came as a surprise to us" but insisted that "she doesn't have any intention of running." Still, Schneider says the national attention "bodes well for [Healy's] leadership here"—a not-so-subtle suggestion that Healy's boosted stature may improve her chances of retaining her job under a possible Clinton administration.