

Canadians protest over rare species bill

[MONTREAL] More than 600 Canadian scientists have written to the prime minister, Jean Chrétien, demanding that planned legislation to protect endangered species is based on scientific criteria. The signatories include Nobel laureate Michael Smith and 13 fellows of the Royal Society of Canada.

At present, Canada has no such federal legislation, and its previous draft bill (Bill C-65), which died in 1997 because of an impending general election, was considered seriously flawed by the scientists.

The letter complains that the government has ditched two vital factors from its proposed new legislation: habitat protection, and the exclusive right of scientists to identify and list species at risk.

By giving the cabinet the power to override scientific decisions on species that should be on the list, the government would let political considerations interfere with the listing process, the letter adds.

"This is unacceptable," say the scientists. "Scientific findings – and scientific findings alone – should determine if a species needs to be listed as endangered. Scientists, by their expertise and independence, are better situated than politicians to judge the state of a species."

They add: "Canada's endangered species are too imperiled, too close to extinction, and too precious to be held hostage to lobbyists, political manipulation, or simple ignorance."

Jamie Smith and Geoff Scudder of the University of British Columbia's Centre for Biodiversity Research and David Schindler of the University of Alberta's biological sciences department were primarily responsible for drafting the letter, which was posted on the

web site of the UBC biodiversity centre (<http://www.zoology.ubc.ca/biodiversity>).

The scientists' concern has been heightened by the government's removal of the voting rights of most of the non-governmental scientists on the supposedly independent Committee on the Status of Endangered Wildlife in Canada (COSEWIC) charged with identifying and listing such species.

Bill C-65 would have given the federal cabinet the power to override the committee's list. "This would reduce COSEWIC to merely recommending that a species be listed, and would mean that species which are scientifically known to be at risk could be legally neglected," say the scientists.

They point out that two previous letters from scientists, in 1995 and 1997, emphasized that species at risk cannot be protected without protecting their habitats.

"These habitats can be geographically dispersed and are not confined within political boundaries, but must each be effectively protected to ensure a species' well-being," their letter argues. "Over 80 per cent of the species listed by COSEWIC are at risk because their habitats are threatened, and more species are being listed yearly (from 291 to 307 this year alone)."

The scientists argue that the new bill must improve on Bill C-65, which would have protected the habitats of fewer than half of Canada's endangered species. It also failed to protect the habitats of most species that cross Canada's international borders.

The letter describes this omission as being "radically at odds with Canada's treaty obligations" and a guarantee that Canada would contribute to the decline of species



Big bird: protestors want scientists to decide if species like this whooping crane are endangered.

elsewhere. "To be effective, the new bill must create a national legal standard for habitat protection for all species, not fragments of protection for a few species."

Amir Ataran, a biologist and lawyer who has coordinated the group, says that powerful lobbyists for industries such as forestry and mining oppose any legislation that threatens their interests.

Ataran says another factor is that in Canada the protection of endangered species is an area of overlapping jurisdictions between provincial and federal governments, and this can lead to conflicting interests. While the federal government does not want to offend the provinces, its priorities are social benefits and national unity, so legislation for endangered species becomes a "sacrificial lamb".

According to Ataran, the scientists hope that, by going public, they will put pressure on the federal government and force it to modify the new bill.

David Spurgeon

Varmus wish list guides senators in fight for biomedical funding

[WASHINGTON] A key US senator says he will push for considerably more money for the National Institutes of Health (NIH) in 2000 than the 2.1 per cent increase President Bill Clinton has requested of Congress.

Senator Arlen Specter (Republican, Pennsylvania), chairman of the Senate appropriations subcommittee responsible for approving NIH funding, said last week that he would use as a "guidepost" in drafting next year's spending bill a "professional judgement" budget provided by NIH director Harold Varmus.

Specter said Varmus had told him last month that the NIH could usefully spend an increase of 24 per cent, raising its budget by \$3.7 billion to \$19.3 billion.

But, when asked by Specter about the figure at a hearing of the subcommittee last week, Varmus emphasized that it was based on a complete lack of constraints — "what

we could do under optimal conditions". It was therefore considerably higher than the sum the NIH actually requested of Clinton's Office of Management and Budget last autumn. That figure was a 10 per cent increase, according to an NIH official.

In the budget he submitted to Congress on 1 February, Clinton requested considerably less than NIH had suggested, asking for an increase of \$320 million, or 2.1 per cent (see *Nature* 397, 377; 1999).

It would be extraordinarily difficult for Congress to land a \$3.7 billion increase for NIH, as it is restricted by caps on discretionary spending in a 1997 budget law. These caps would force Congress to raid other agencies in the large spending bill of which NIH is a part in order to provide NIH with any substantial increase.

But, as budget surpluses begin to mount up, the political will to keep the budget caps

in place seems to be eroding. Both parties in Congress are looking for ways to undo the caps, possibly creating the opportunity for yet another generous NIH increase.

Apparently pointing in this direction, Specter introduced a resolution in January declaring the Senate's sense that biomedical research spending should be boosted by \$2 billion in the coming year.

And John Porter, chair of the House subcommittee that funds NIH, echoed Specter's interest in Varmus's 'professional judgement' budget in an interview with *Nature* last week.

Porter said he intends to keep NIH on course to double its budget over five years. That would require a 15 per cent increase in 2000, like the 15 per cent hike Congress gave the agency in 1999.

Both Specter and Porter are urging Congress to lift the caps.

Meredith Wadman