

NEWS

Loopholes in oversight rules revealed

Documents released under the Freedom of Information Act raise questions about how the US Department of Energy (DOE) oversees investigations of misconduct at its science facilities. During such oversight, government officials do not always retain records of the investigations, it has emerged.

DOE officials overseeing an investigation into alleged misconduct at Oak Ridge National Laboratory in Tennessee approved the investigatory panel's findings at a meeting that government officials left without keeping copies of key investigative records. This is according to a 13 November ruling by attorneys at the DOE — issued in response to a Freedom of Information Act request by this reporter.

The story begins in March 2006, when a reviewer for the journal *Nature Physics* alleged that a manuscript submitted by Oak Ridge researchers in the group headed by electron microscopist Stephen Pennycook contained inappropriately manipulated data. An investigation panel convened by the lab's deputy director for science and technology, James Roberto, exonerated Pennycook and others of wrongdoing in July 2006, but other scientists expressed doubts (see *Nature* 444, 129; 2006). In January this year, the DOE said that Oak Ridge, which is run by the not-for-profit company UT-Battelle under a 5-year, US\$6.3-billion contract, had reopened the investigation. "Once again, the committee concluded there was no evidence of misconduct," an Oak Ridge spokesman told *Nature*.

According to the November ruling, DOE officials approved this first finding at a meeting last year with lab officials where they were



Government officials oversaw a misconduct investigation at Oak Ridge National Laboratory.

shown copies of a panel's investigation report in binders marked "do not duplicate", and reviewed the process that the panel used to arrive at its finding of "no misconduct". The lab officials then took the binders back, the ruling says. It adds that although the DOE officials felt that it was "very important" to confirm the panel was objective and composed of people who did not work at Oak Ridge, they apparently did not keep a record of who those investigators were. Last week, Oak Ridge named Paul Peercy of the University of Wisconsin-Madison and David Williams of the University of Alabama in Huntsville, as two panel members.

"Copies of the report were returned as is normal practice with confidential documents," says Oak Ridge's spokesman, Mike Bradley. "Department of Energy officials were not at any time restricted from access to the report," he adds.

The freedom-of-information ruling cites a standard clause in the contract between the DOE and UT-Battelle as evidence that the company

"clearly intended to retain control over the report of investigation". That clause says that records relating to investigations "conducted under an expectation of confidentiality" will be considered the contractor's property. In 2005, Raymond Orbach, director of the DOE Office of Science widened the clause to cover misconduct reports from all US national labs run by the DOE.

In the Oak Ridge case, the DOE did later receive a copy of the investigation report, which the recent ruling orders Orbach's office to consider for public release — overruling his deputy, Patricia Dehmer, who had refused to do so. But Oak Ridge says that it was sent not for oversight but "for informational purposes only".

"Can a government agency fulfil its oversight responsibilities with this degree of access?" asks C. K. Gunsalus, an attorney and misconduct expert at the University of Illinois at Urbana-Champaign. She says that other science-funding agencies employ oversight experts who routinely receive and retain not only investigation reports, but the data at issue and the names of people involved, and analyse these in detail — a process that for a complex case might well take longer than one meeting.

Bioethicist Arthur Caplan of the University of Pennsylvania, Philadelphia, says he can't understand why the DOE introduced a rule relinquishing control of investigation reports. "Why would they give up supervisory powers?" he asks.

Officials in Orbach's office plan to meet this week to discuss the matter.

Eugenie Samuel Reich

13 November ruling

♦ www.oha.doe.gov/cases/foia/tfa0213.pdf

OAK RIDGE NAT'L LAB.

Deforestation on the agenda at climate meeting

Deforestation issues must be included in global talks on carbon-emissions control, experts say.

European companies seeking to offset their greenhouse-gas emissions under the Kyoto Protocol are pumping billions of dollars into clean-energy projects in the developing world. But the protocol does not include funding initiatives to prevent deforestation, which is responsible for some 20% of global carbon emissions.

Eying an economic opportunity

that could put money in the hands of those who preserve native forests rather than chop them down, tropical countries are now banding together to alter the rules after the Kyoto accord expires in 2012. The first step is to ensure that deforestation is on the agenda at Bali, Indonesia, where international negotiators will gather next week for the latest round of United Nations climate-change talks.

"All of the big countries [with tropical forests] have gotten

together to tell the world that they support the same fundamental idea," says Doug Boucher, who works on the issue for the Union of Concerned Scientists, an environmental watchdog based in Cambridge, Massachusetts. Boucher points out that Indonesia has become an international leader on the issue despite being virtually absent from the debate just six months ago. "We may look back on this in a couple of years as having been a turning point," he says.

The idea that deforestation must be addressed in any cohesive response to global warming is not new. Although reforestation projects were allowed during the Kyoto deliberations a decade ago, the question of halting deforestation was dropped, largely because of technical questions. How does one verify a decline in deforestation? And how can anyone be sure that the problem hasn't just moved elsewhere?

A decade after the Kyoto talks, advocates say the issue is ready



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Brazil to boost science spend

"Don't you come back into my office asking for more money until 2010." Brazilian president Luiz Inácio Lula da Silva's playful admonishment to his science minister came after the president's announcement last week of a remarkable US\$28-billion package for science and technology over the next three years. The spending promised is equivalent to 1.5% of the country's GDP — currently, science receives about 1% of GDP.

The investment is part of a federal plan to improve academic research and to counter the lack of technological innovation in the industrial sector, which is a special cause of concern. Most researchers in Brazil are still employed in the public sector, which has helped to energize the academic community, with the number of scientific publications increasing by around 9% a year since 2000. Now, 2% of the world's scientific publications are Brazilian — ranking it 15th in the world.

But despite this, the private sector is losing out because of an absence of qualified researchers. Brazil is responsible for just 0.1% of all the patents registered globally each year, according to a 2007 report by the Organisation for Economic Co-operation and Development. To address this, the government's new science plan includes extensive grants and tax breaks for research projects conducted by private companies. Funding for postgraduate qualifications will also continue



President Lula: science for industry.

to increase to expand the still insufficient scientific workforce, particularly in key fields including biofuels, nuclear technology, climate change and Amazon-related studies. The new plan also includes measures to reduce bureaucracy and excessive legislation.

Although the scientific community supports the measures, many researchers remain sceptical. Some fear that the still-evident cogs of bureaucracy will block a lot of funding before it can be spent usefully. "There was a period where projects would be approved, funding would be allocated, and then the money never came — nobody would get anything, it was surreal," says Luiz Eugênio Mello, head of the Brazilian Society of Experimental Biology. "That memory is still very fresh. But overall, the plan has good intentions and good ideas."

A common complaint concerns the heavy taxation and regulatory control over imports of research equipment. "A European researcher who needs a product can get it the next day. Here we wait three to six months for it," Mello says. "There's no way we can be competitive like that."

No surprise then that the most warmly applauded moment during Lula's speech last week came when he vowed to streamline the import of scientific instruments. On paper at least, the future of science in Brazil looks promising.

João Medeiros

to take the stage in Bali. Advances in aerial and satellite monitoring should help in answering the first question, and the tropical nations have developed various policy solutions to the second.

Costa Rica and Papua New Guinea led the Coalition for Rainforest Nations in a proposal to revive the question at the climate talks in Montreal in 2005. Recently, Indonesia has joined Brazil and other major countries in the 'Forestry 11' coalition, which includes 11 nations

representing some 85% of the world's tropical forests, according to the Union of Concerned Scientists.

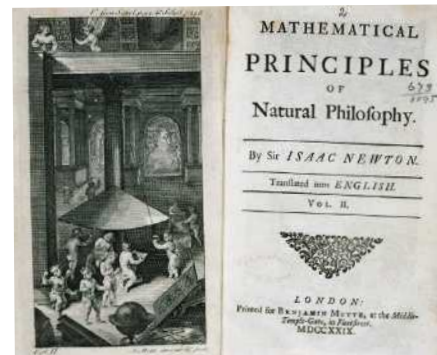
The proposals vary, but all tend to focus on verified emissions reductions, as opposed to upfront payments on projects intended to achieve certain targets. The Coalition for Rainforest Nations, for instance, proposes that deforestation be tracked on a national level, with carbon credits being sold only after a decrease in national emissions in that

sector had been verified.

Although these nations have not endorsed a single idea, Boucher says, they are united in their efforts to ensure that deforestation has a clear place on the agenda for post-Kyoto deliberations.

"Deforestation is front and centre," says Steve Ruddell of Forecon, a consultancy based in New York that works on carbon markets and forestry issues. "It's still not a done deal, by any means, but I think the time is right."

Jeff Tollefson



CORBIS

Now in Arabic...

Hundreds of science books, including classics by Isaac Newton and Stephen Hawking, will be translated into Arabic for the first time. The ambitious plan by a non-profit group in Abu Dhabi has the backing of the Crown prince and funding from the Abu Dhabi Authority for Culture and Heritage.

The project, called Kalima ("word" in Arabic), is an attempt to address the fact that, although there are more than a quarter of a billion Arabic speakers worldwide, only a few hundred books are translated into Arabic each year. The group is working with more than 20 publishers throughout the Arab world. It plans to help them acquire, translate, publish and distribute about 100 books in Arabic every year. Around a quarter of these will be science titles.

"There is a particularly large gap in the Arab library of books in the natural-science category," says Karim Nagy, the Egyptian entrepreneur and book collector who directs the project. "We have therefore purposely placed a heavier weighting on it."

One book already translated is *A Briefer History of Time*, Stephen Hawking's revision of his best-seller (see above). Next year, Kalima will translate books by Niels Bohr, Werner Heisenberg, Max Planck and Richard Feynman into Arabic, and prepare Arabic versions of recent works by Roger Penrose, Steven Weinberg and Freeman Dyson. Other scientists to be translated include Stephen Jay Gould, Stephen Wolfram and James Watson. Eventually, Nagy hopes also to begin translating Arabic books into English and other languages.

