

## MicroGeneSys: NIH Faces Down DOD

In a remarkable about-face, the Department of Defense (DOD) has apparently decided to transfer its controversial \$20 million appropriation for testing the MicroGeneSys therapeutic AIDS vaccine to the National Institutes of Health (NIH) to help fund a large-scale test of not one but several such vaccines.

As *Science* went to press, the agreement, which is only the latest twist in the story of the appropriation, was being scrutinized by lawyers for DOD and NIH's institutional parent, the Department of Health and Human Services (HHS). The agreement resulted from a meeting on 7 April between NIH Director Bernadine Healy, Food and Drug Administration (FDA) commissioner David Kessler—both of whom had strongly objected to testing only the MicroGeneSys vaccine—and DOD's acting assistant secretary for health affairs, Admiral Edward Martin. According to several sources, what came out of that meeting was an agreement to let NIH run the trial as NIH saw fit.

The conflict between NIH and DOD over

the appropriation began last fall when Congress made the \$20 million appropriation. The legislated trial incensed many researchers because it bypassed scientific peer review. Healy convened a blue-ribbon panel that concluded the \$20 million should be spent testing several therapeutic AIDS vaccines. DOD's own expert panel agreed that other vaccines than the one from MicroGeneSys should also be tested—but only if money allowed.

That's where matters stood until *Science* reported on 2 April that DOD cost analyses showed the \$20 million would only support a trial with the MicroGeneSys product. The congressional legislation stipulated that the trial could be stopped if, by 6 April, the NIH director, the FDA commissioner, and the secretary of defense all objected in writing. And on 2 April, HHS Secretary Donna Shalala wrote Defense Secretary Les Aspin and warned him Healy and Kessler were planning to file objections. "I urge you to review the NIH and FDA recommendations before making a final decision on this trial," wrote Shalala.

But the forces supporting the single-vaccine trial were also gathering. Late in March, Senator J. Bennett Johnston, a Louisiana Democrat who played a key role in the \$20 million appropriation after being lobbied by MicroGeneSys representative Russell Long, a former Democratic senator from Louisiana, wrote a letter to DOD asking what was happening with the trial. On 2 April the Army responded to Johnston that Army researchers were developing a plan to conduct a large-scale test of the MicroGeneSys vaccine alone. Long himself was also applying pressure to keep the MicroGeneSys trial on track, knowledgeable sources told *Science*.

With forces arrayed on both sides, the White House had to step in to help broker a deal. By 7 April, DOD had changed its position and was ready for a multivaccine trial. But when details of the meeting between Martin, Kessler, and Healy were published, along with a quote from Shalala saying she expected the matter to be resolved within 24 hours, DOD officials threatened to call the arrangement off. So far, though, the truce is holding. A meeting between NIH and DOD representatives is scheduled for 13 April to work out final details.

—Jon Cohen

## SCIENTIFIC MISCONDUCT

### NIH Fraudbusters Get Busted

Walter Stewart and Ned Feder, the National Institutes of Health (NIH) researchers whose dogged pursuit of cases of alleged scientific misconduct turned research fraud into a national issue—and made them pariahs in their own community—are off the fraud beat. Last week NIH's National Institute of Diabetes and Digestive and Kidney Diseases (NIDDK), the institute where Stewart and Feder have worked for nearly 20 years, abolished their lab, split them up, and reassigned them to basic scientific research and administration.

Many in the basic-research community feel the move was long overdue. Stewart and Feder, they say, have helped create a climate of fear in many research laboratories. Ironically, their bosses made the move not because of Stewart and Feder's effect on science but because they had strayed outside of science. Earlier this year, they got on the case of Stephen Oates, a University of Massachusetts historian who has been accused of plagiarizing portions of three biographies he had written. Stewart and Feder have developed a "plagiarism machine" (scanners and Macintosh computers with software designed to detect similarities between documents), and, after analyzing the

Oates-authored biographies, they alleged that Oates had lifted hundreds of passages from previous works (*Science*, 9 April, p. 151).

Oates, who denies the charge, responded that Stewart and Feder, as scientists rather than historians, were not competent to distinguish literary plagiarism from harmless repetition of phrases. He took his case to members of Congress, Health and Human Services Secretary Donna Shalala, and the NIH inspector general, saying it was improper for Stewart and Feder to use federal money to investigate a private citizen.

Last week, NIH agreed. In 9 April memos, NIDDK informed Stewart, a chemist by training, that he would be reassigned to the Laboratory of Chemical Physics on 1 May; Feder, a cell biologist, was told to go to the extramural grant division to be an administrative reviewer. Their "work in the area of scientific practice, including the analysis of plagiarism, has progressively moved outside the mission, responsibility, and authority of NIDDK," L. Earl Lawrence, the institute's acting deputy director, told the two. An NIDDK spokeswoman says the Oates complaint was "one of several factors" in the decision. "It demonstrated how far afield they had gone."

**"It's about time that the government...shut them down."**

—David Baltimore

Representative John Dingell (D-MI), the congressional investigator who has encouraged and protected Stewart and Feder in the past, was on a congressional recess and neither he nor his staff was available for comment. But NIDDK officials says Dingell's office was informed of the decision to reassign the two researchers and did not object.

Stewart and Feder aren't taking the institute's action passively. Last week, they fired off a five-page memo to Lawrence, arguing that they are being unfairly treated, and that they "can demonstrate the relevance of our work on scientific misconduct to the mission of NIH."

And they have their supporters. Drummond Rennie, West Coast editor of the *Journal of the American Medical Association*, says that what Stewart and Feder have done is to "behave like scientists and go after facts when allegations are made. To dismantle their operation on a technicality would be a tremendous mistake."

But researchers who have been on the other end of Feder and Stewart's magnifying glass welcomed the news. "I'm relieved," says Nobelist David Baltimore, a Rockefeller University biologist who has fought the two for some 5 years over a disputed 1987 paper in *Cell*. Stewart and Feder's "apparent scientific rigor is nothing of the sort—they don't understand the issues they get involved in. It's about time that the government realized that it was paying for this kind of antischolarship activity and shut them down."

—Christopher Anderson