



**Legal headache**  
Tug-of-war over rights to skeleton of Native American  
p548



**Coming together**  
New lease of life for Japanese fusion experiment  
p549



**Warming up**  
More samples ready as Stone Age iceman defrosted  
p550



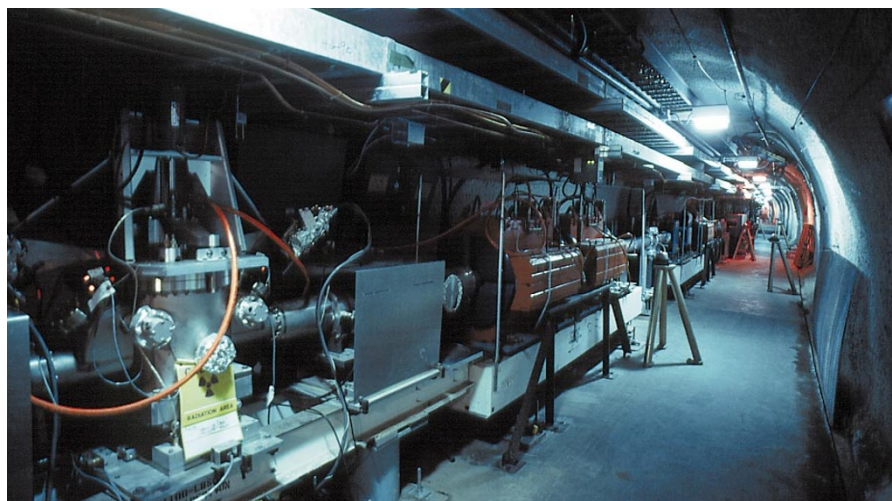
**Tough decision**  
US finally gives abortion pill the go-ahead  
p553

# US considers moves to relieve morale crisis at energy labs

**Colin Macilwain, Washington**

Ever since March 1999, when allegations of Chinese spying at the Los Alamos National Laboratory in New Mexico burst into public view, draconian security measures have been imposed at Los Alamos and other laboratories run by the US Department of Energy (DoE). But following the release of Wen Ho Lee, the Taiwan-born scientist accused of passing on nuclear secrets, on 13 September, scientists are cautiously optimistic that the measures — which have caused a crisis of morale at the labs (see *Nature* 407, 447–448; 2000) — will begin to be rolled back.

Last week, several developments suggested that the worst of the storm may be passing and that Washington is preparing to take steps to repair the damage caused by the espionage investigation. On 25 September, a report prepared by former Republican senator Howard Baker and former Democrat representative Lee Hamilton — two highly respected figures in Washington — denounced the impact of recent Federal Bureau of Investigation inquiries into the temporary disappearance of two computer hard drives at Los Alamos in May. “The most worrisome known consequence of the hard-



Energy stall: the Stanford Linear Accelerator Center does no classified work, but is still restricted.

drive incident is the devastating effect on the morale and productivity of the laboratory,” their report said.

Two days later, at a National Academy of Sciences (NAS) meeting on scientific communication and national security, Neal Lane, science adviser to President Bill Clinton, acknowledged that new security controls at

the laboratories “have overshoot the mark”. Lane said that scientists there “have been subjected to sensational allegations by the press and by Congress”, leading to “a siege mentality at the laboratories”.

The next day, negotiators from the two houses of Congress agreed a budget bill for the DoE that would restore the sum of money that the weapons labs’ directors can spend on science at their own discretion from 4% to 6% of their budgets. The reduction of this fund a year ago had curtailed some of the basic, non-classified research that attracts top scientific talent to the laboratories (see *Nature* 402, 449; 1999).

But the increased bureaucracy resulting from the security clampdown is also causing problems at DoE labs that do not do classified research. “There are two distinct problems,” explains Wolfgang Panofsky, a leading physicist and veteran of the Los Alamos Manhattan Project, now at the Stanford Linear Accelerator Center (SLAC) in California. “The weapons laboratories are demoralized, and the rest of the DoE laboratories have all this paperwork and regulation to deal with.”

Energy department officials now say that they intend to work with the National Nuclear Security Administration (NNSA), the semi-autonomous agency established to

## Novartis axes UK transplant centre

**Jessa Netting**

The Swiss drug company Novartis is set to sidestep mounting controversy over its xenotransplantation research in Britain by shutting its UK subsidiary Imutran. It is collaborating with the US-based company BioTransplant to set up a company that will conduct the research in Massachusetts.

Imutran researchers have transplanted pig organs into monkeys, with a view to developing the technique for use in humans. But some scientists are concerned about the potential for retroviruses — inactive and harmless in the pig genome — to become infectious in humans. In addition, animal rights activists have campaigned against Imutran’s research.

The Campaign for Responsible

Transplantation, a pressure group critical of xenotransplantation, branded the move by Novartis as an attempt to duck the negative public sentiment in Europe and to take advantage of a more relaxed regulatory climate in the United States.

But Paul Herrling, head of global research at Novartis, dismisses the idea that the plan was a response to recent bad publicity. He does concede, however, that the United States already has defined regulatory criteria that would allow human trials.

Novartis will invest \$30 million over three years to take a two-thirds stake in the new company, with BioTransplant owning the other third. It says all relevant Imutran operations will move to the new company. ■

▶ <http://www.crt-online.org>

run the weapons laboratories, to make a new start in their efforts to improve both security and morale. "We realize that the way things are now is not going to work," says Marshall Combs, an adviser to energy secretary Bill Richardson. "This is going to be a new time. We are going to pull this off."

But researchers and managers at the DoE labs warn that rebuilding morale will be difficult. Los Alamos suffered another blow last week, with reports that senior staff there, including the director John Browne, will be disciplined by the University of California for their role in the hard-drive incident. At the NAS meeting, ample evidence was presented of the toll the crisis is taking at its weapons labs as well as at the DoE's huge network of non-weapons labs.

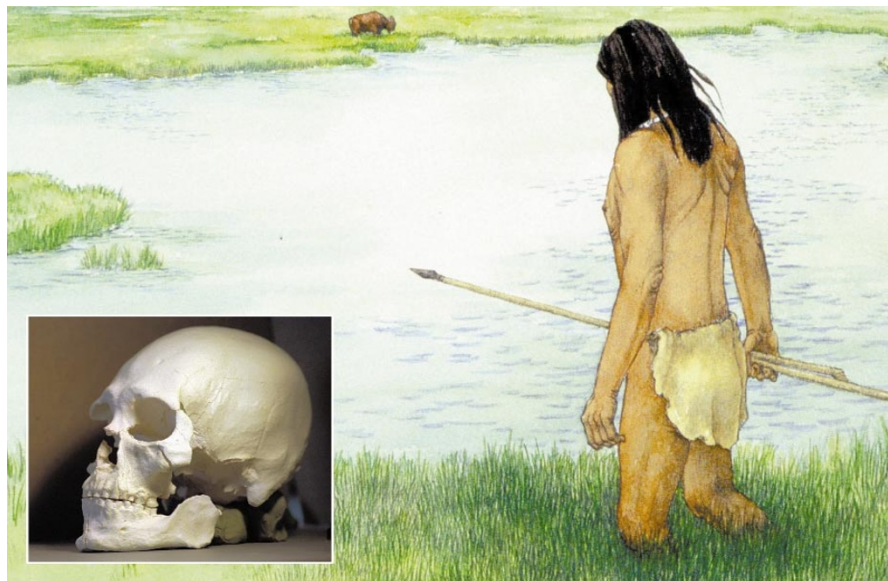
Jonathan Dorfan, director of SLAC, which does no classified work at all, says the agency nonetheless faces "an unrelenting affront to the open research environment" characterized by "ill-conceived, one-size-fits-all directives". In June 1999, he says, there were 11 security directives pertinent to SLAC; now there are 31, with 21 more in draft. According to Ned Sauthoff of the Princeton Plasma Physics Laboratory, one draft asks researchers to get permission before making an international phone call.

Dorfan wants laboratories such as SLAC exempted from the rules. But the case for exemption is complicated by the intermediate status of predominantly civilian laboratories such as Brookhaven in New York and Argonne in Illinois, which perform small amounts of classified work.



Lee: release from prison has prompted optimism.

The best hope for a new beginning at the laboratory complex is perhaps the congressionally mandated NNSA, which has assumed responsibility for all of their nuclear weapons-related work. Will Harper, the Princeton University physicist and former assistant energy secretary, who organized last week's NAS meeting, predicts that the NNSA will prove effective — once it establishes autonomy on a par with that enjoyed, for example, by the National Institutes of Health within the health department. John Gordon — a former physics researcher and later a general in the Air Force — was appointed this summer as the NNSA's first administrator. Whereas other senior posts in the government will rotate after next month's elections, Gordon has been told by both political parties that he will serve for at least three years, ensuring continuity. ■



Culture clash: an artist's impression of Kennewick man, whose remains are caught up in a legal battle.

## Researchers fight for access to Native American skeleton

### Rex Dalton

Defiant researchers are taking the US government to court over its plan to return the much-debated 'Kennewick man' skeleton to Native American tribes for reburial.

Nearly four years ago, eight researchers sued the federal government to secure the right to study the ancient specimen, which was found in 1996 on federal land by the banks of the Columbia River near Kennewick, Washington.

But last week, after a procedural delay in the lawsuit, the US Department of the Interior ruled that the skeleton, which is 80% complete, should be turned over to five Native American tribes for reburial. The decision was based on the Native American Graves Protection and Repatriation Act, which provides for the reburial of historic human remains.

The scientists now claim that the government is misinterpreting the law and blocking important research on one of the oldest and most intriguing specimens from the early peopling of the Americas, where only a dozen skulls over 8,000 years old have ever been found.

Partial analysis of the specimen indicates that it may be the remains of a man from Asia. The researchers want the legal right to examine the skeleton, and their lawyers will seek trial of the case at the US district court in Portland, Oregon.

Government lawyers declined to discuss the case, referring enquiries to the office of the interior secretary, Bruce Babbitt, where the decision was made. His spokeswoman, Stephanie Hanna, says Babbitt "feels all

relevant evidence has been gathered" and that it shows "a cultural affiliation" to the tribes that desire reburial.

But the government's decision was branded as "ludicrous" by the archaeologist Robson Bonnicksen, director of the Center for the Study of the First Americans at Oregon State University and a plaintiff in the lawsuit. Bonnicksen wants access to the skeleton to study its bone mineralization.

The skeleton's age — estimated by radiocarbon dating at more than 9,300 years — means there is no way to link it to the specified Native American tribes.

For the Native American tribes in Washington and Oregon, however, the reburial of Kennewick man has become a symbol of control of historic human remains and of their legal rights. Armand Minthorn, board member of the Confederated Tribes of the Umatilla Indian Reservation, called the scientists' research plans "blatant desecration of sacred human remains".

Douglas Owsley of the Smithsonian Institution's National Museum of Natural History, says the lawsuit "is not against Native Americans". Owsley, who is suing as an individual, and biological anthropologist Richard Jantz of the University of Tennessee at Knoxville, another party to the suit, want to take 65 cranial measurements, comparing the resulting three-dimensional picture of the skull with a computerized database of 4,500 previously collected specimens.

The possibility of an amicable agreement to allow both study and reburial appears remote, with both sides accusing the other of unwillingness to negotiate. ■