

Clearing of researcher in 'Baltimore affair' boosts demand for reforms

Washington. Ten years after charges of scientific misconduct were first levelled against her, Thereza Imanishi-Kari, an immunologist at Tufts University Medical School in Boston, has been cleared of wrongdoing by the appeals board of the US Department of Health and Human Services (DHHS).

The board's decision, released in Washington last Friday, overturns a highly publicized ruling in 1994 by the Office of Research Integrity (ORI) of the National Institutes of Health (NIH), which found Imanishi-Kari guilty of scientific misconduct and fraud (see *Nature* 372, 391; 1994).

This followed allegations that data in a laboratory notebook concerning experiments on gene expression in transgenic mice, carried out between 1984 and 1986 at the Massachusetts Institute of Technology (MIT) in collaboration with David Baltimore, then head of the MIT's Whitehead Institute, appeared to contradict data published in a paper in the journal *Cell* at the end of this period.

The Imanishi-Kari affair has become more than a solitary case of alleged scientific

misbehaviour; for many, it now represents the worst aspects of government handling of scientific misconduct allegations. By overruling the ORI verdict, the appeals board has opened the door to calls for reform of the current system for dealing with allegations of scientific misconduct.

But the most immediate impact of the appeals board ruling is to clear Imanishi-Kari herself. "This is absolutely fantastic, but I haven't had time to enjoy it," she said the day after the verdict. "I am so pleased that there are some honest people who can make a fair judgement."

Imanishi-Kari currently works as a research associate in the department of pathology at Tufts. She held a faculty appointment at the university until the ORI verdict forced the university to strip it from

her, although university officials have allowed her to continue her laboratory research pending the result of the appeal.

The case began in 1986, when the allegations against her were made by Margot O'Toole, a postdoctoral research fellow in Imanishi-Kari's laboratory. O'Toole took her concerns to both MIT and Tufts University, which was considering Imanishi-Kari for a position at the time. Officials at both institutions decided that the dispute was of a kind "not uncommon in science".

O'Toole's persistence in questioning the *Cell* paper led the NIH to set up a panel of inquiry. This found errors in the paper requiring correction, but no evidence of "fraud, misconduct, manipulation of data, or serious conceptual error". But by then the House of Representatives, through John Dingell (Democrat, Michigan), chairman of the oversight and investigations subcommittee of the Committee on Energy and Commerce, had opened hearings into the matter.

Baltimore's spirited public defence of Imanishi-Kari at the hearings led to the case becoming informally known as "the Baltimore affair", even though Baltimore himself was never accused of misconduct. (His intervention also cost Baltimore the presidency of Rockefeller University.)

Dingell, a tireless critic of the 'self-policing' policy of the US scientific community, enlisted the US Secret Service to conduct forensic studies of some of Imanishi-Kari's laboratory notebooks, including analysis of their paper and ink, as well as the radiation counter tapes they contained, to establish the dating of relevant experiments.

According to the Secret Service forensic experts testifying before the appeals board, there were some inconsistencies that could be construed as fabrication of data. But they were quick to add under questioning that they had no previous experience in analysing laboratory notebooks.

Nevertheless, ORI eventually found Imanishi-Kari guilty on 19 counts of scientific misconduct and banned her from receiving federal research grant money for ten years. Imanishi-Kari appealed against the verdict to the DHHS departmental appeals board in November 1994, and the verdict was finally delivered last week.

The panel appointed to hear the appeal has now ruled that "no debarment be imposed" and that "no other administrative actions should be taken", effectively closing the case for good.

But the publicity that has surrounded the case means that its fallout is likely to be ►

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Seth Resnick

Imanishi-Kari: likely to seek reinstatement.

Problems of integrity are 'pervasive'

Washington. The chairman of a congressionally-mandated commission on misconduct in research has hit back at critics who claim that the recommendations of a recent report by the panel are too draconian, and has warned that problems of integrity are now "pervasive" in US science.

Kenneth Ryan, professor emeritus at Harvard Medical School and chairman of the Commission of Research Integrity (CRI), says that its proposals must be acted on because the scientific community has ignored a report published in 1992 by the National Academy of Sciences, which recommended extensive self-regulation of scientific conduct.

He also predicted that Donna Shalala, the health secretary, will implement most of the CRI's recommendations, despite the protests of scientists and groups such as the Federation of American Societies for Experimental Biology (see *Nature* 381, 639; 1996).

"It isn't the commission that is on trial here — it is the scientific community," he told a seminar in Washington last week organized by George Washing-

ton University and the American Association for the Advancement of Science.

Ryan hit out at scientists who have attacked the 12-man panel for its failure to include "distinguished" scientists. "That's such an easy thing for scientists to say," said Ryan. "The twelve were chosen to represent the public interest, not scientists' interests."

Congress set up the panel in 1993, and Shalala is now considering its recommendations. "I'm very, very cynical about the scientists who are protesting so much" about the CRI findings, Ryan said. "I'd like to see them stand up for what was in the National Academy of Sciences report."

Speaking before the final verdict, delivered four days later, in the long-running case involving David Baltimore, the Nobel prizewinner, and Thereza Imanishi-Kari (see above), he also warned scientists not to draw comfort from the result. "If Imanishi-Kari is exonerated, I can see a lot of people saying that there is 'no problem'. But there is more to [scientific integrity] than these high-profile cases."

Colin Macilwain