Closeout of M91030017

This is a case forwarded to OIG [redacted] on March 13, 1991 by the [redacted] Officer at the [redacted] the [redacted]s who believed that the materials that she had received from a faculty member, [redacted] (the complainant) who lost tenure, contained a charge that the university had mishandled his allegation concerning scientific misconduct at other institutions.

The complainant, [redacted] College [redacted] at [redacted], who was denied tenure, made an appeal to the university on its decision. In his appeal, he explained to the university that the progress of his NSF-supported research was prevented by "questionable science and publication practices of other researchers [the subjects] at other institutions" in his field.

Specifically, the complainant wrote that, over a period of ten years, the errors in some published articles adversely affected the progress of scientists like himself. He also stated that the failure of his Department at the university to act on documented and possible misconduct demonstrated negligence in ensuring proper administration and use of grant money provided by the United States Government.

The [redacted] Officer then wrote to OIG and requested a review of the matter, since she believed that there was "insufficient evidence of misconduct on the part of other researchers for us to request an official review by other institutions".

The complainant, who received a copy of the above letter to OIG from the university, wrote to OIG and said that the materials that he submitted to the university were documents which he had prepared strictly for internal use within the university. He also said that these materials were prepared by him in support of his efforts to obtain tenure. He further wrote: "It is not evident that NSF has jurisdiction in this case since the two laboratories in question are in Europe".

OIG's inquiry indicated that NSF lacks jurisdiction over the subjects or their institutions in [redacted] and [redacted] and therefore has no authority to review the university's handling of this matter. For the record, NSF notes the university's statement that it had considered the complainant's allegations and found insufficient evidence of misconduct.

Since there is no actionable misconduct involved here, this case can now be closed with letters of explanation to the [redacted] Officer at the university and the faculty member involved.

CC: Inspector General (IG)
Assistant IG for Oversight

[redacted]
September 3, 1991

[redacted]
Concur: James J Zuiderveik

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