



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: I-19-0056-O

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We received an allegation of whistleblower retaliation from a student who worked after graduation as an unpaid research assistant at a university research laboratory partially funded by NSF. As part of his allegation, the complainant alleged that a laboratory faculty member removed him from his unpaid position in the laboratory as an act of retaliation for making allegations against the faculty member, who is also an NSF-funded principal investigator. He alleged further retaliation by the university's leadership for its alleged interference with his Ph.D. application to another university. We provided the complainant with our standard Complaint Form to collect additional information about the allegation of retaliation, so that our office could determine whether it had jurisdiction to investigate. Our jurisdictional analysis determined that this office does not have jurisdiction to proceed with an investigation of the complaint under 41 USC § 4712 because (a) as an unpaid research assistant the complainant was not an "employee" of the university, as required by the statute, and (b) the disclosures about the faculty member did not pertain to misconduct involving a specific NSF grant (to either the faculty member who removed him, or other faculty members associated with the laboratory), a gross waste of Federal funds, or a threat to health or safety.

Accordingly, this case is *closed* and no further action will be taken.