

## CLOSEOUT FOR M95060022

On 11 May 1995 an NSF program officer<sup>1</sup> informed OIG of an electronic mail message he had received from the complainant<sup>2</sup> who said he was concerned about the subject's<sup>3</sup> disposition of anthropologically important specimens. Specifically, the complainant alleged that the subject had, upon retiring, destroyed anthropologically important bones excavated in a foreign country.<sup>4</sup> The complainant said the specimens had been excavated with NSF support. He said the subject allegedly asserted that the specimens were his property and that this was a violation of NSF's rules. The complainant said these specimens were important to future research in this area and the subject's actions had effectively halted further research. He provided OIG with a letter from the subject in which the subject provided another researcher at a different institution<sup>5</sup> with selected specimens and specified that they were on "permanent curatorial loan."

The subject told OIG that the specimens had been an important source of archaeological information but that most were re-interred at the site of the excavation and only selected ones were studied further in the U.S. Several years ago, he returned the remainder to the foreign country's museum because he no longer needed them. He said a recent discovery in the U.S. had superseded his in importance. He provided a copy of his resume which showed that the specimens in question had been extensively studied, shared with other researchers, and described in the scientific literature. He said he was aware of the allegations and that they had surfaced after he and his long-time collaborator had "divorced" during a dispute about a proposal<sup>6</sup> they jointly submitted to NSF in 1992. He recommended that OIG review the proposal and interview an NSF program manager<sup>7</sup> familiar with the debate about the specimens.

The 1992 NSF proposal described the original discovery of the specimens, stated that their excavation in the early 1970's had relied partially on NSF support, and described the scientists' plans for further excavation at the site of the original discovery. It stated that the

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<sup>1</sup> Dr. [REDACTED] was an NSF program officer in the Division of [REDACTED] in the Directorate for [REDACTED]

<sup>2</sup> The scientist, Dr. [REDACTED] is a faculty member in the Department of [REDACTED] at [REDACTED] University, [REDACTED]

<sup>3</sup> The scientist was [REDACTED], a retired member of [REDACTED] Program in the College of [REDACTED] at [REDACTED] University, [REDACTED]

<sup>4</sup> The specimens were removed from the [REDACTED] in [REDACTED]

<sup>5</sup> The researcher is [REDACTED] in the Department of [REDACTED] at [REDACTED] University.

<sup>6</sup> Proposal [REDACTED] is entitled "[REDACTED]" and named the complainant as the PI and the subject as the co-PI.

<sup>7</sup> The program manager is [REDACTED].

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foreign country had no legislation governing archaeological research and only permission from the land owner was required for excavation. The proposal said that the museum owns the site from which the samples were excavated. The proposal also said that the museum would be the "final repository of all excavated materials" and that only "materials requiring specialized analysis will be carried to the U.S. After analysis in the U.S., artifacts and skeletal materials will be returned to [the foreign country] for final deposition; the [specimens] probably will be reburied at [the site]. Artifacts excavated at [the site] in the early 1970s were returned to [the foreign country] in the summer of 1980 . . . ." The proposal contained letters of endorsement from officials in the foreign country that stipulated that newly excavated materials would be returned to that country.

The NSF program manager said the subject and the complainant had not gotten along for some time and, because they could not resolve their differences, they had withdrawn the 1992 proposal, while it was in the process of being funded by NSF. He said no matter what the subject's private motivation for returning the specimens, the subject's efforts to re-inter human remains after extensive scientific investigation would currently be viewed as acceptable by the scientific community.

In a subsequent conversation with the complainant OIG learned that the museum had received the subject's shipment of specimens and had then shipped them to the complainant. The complainant currently has these specimens as well as specimens he had not returned to the subject. The complainant said the subject's shipment of specimens to the researcher at the different institution remain at that institution.

OIG determined that, over 20 years ago, NSF provided support for the research effort that resulted in the collection of the specimens in question. The specimens have been extensively studied by a number of scientists, and described in the published scientific literature. Subsequently, the subject either returned the specimens to the foreign country or allowed specimens he had provided to other scientists to remain in those scientists' laboratories.

NSF, through its policy on data sharing (See the *Grant General Conditions*, Article 36), encourages scientists to share "within a reasonable time, the data, samples, physical collections and other supporting materials created or gathered in the course of the work." The evidence supports the conclusion that the subject shared the specimens he collected with a number of scientists, published data in the open scientific literature, and subsequently disposed of them in acceptable manners. OIG concluded that the complainant's allegation was without substance. This inquiry is closed and no further action will be taken.

cc: Staff Scientist, Deputy AIG-Oversight, AIG-Oversight, IG