

Closeout Memorandum for M99030009

On March 3, 1999, the complainant¹, a post-doctoral fellow, alleged that the subject² and his collaborator³ (the co-subject) defrauded NSF in an NSF-funded award, violated animal regulations, misappropriated dissertation research results, refused to release research results, and retaliated against the complainant for reporting these complaints to the subject's institution.⁴ We confirmed with the Provost⁵ of the subject's institution that these allegations had been received by that institution and we formally deferred inquiry of this case to the subject's institution.

Based upon all the evidence received and reviewed, the institution's inquiry committee concluded that there was no substance to any of the allegations of fraud, violation of animal regulations, misappropriation of research, refusal to release research results, or retaliation.

We received the institution's inquiry report dated March 24, 2000. Based on our review of the report and accompanying evidence, we concluded the following:

Regarding allegations of fraud – there was sufficient documentation to support the co-subject's claimed level of work, which was sufficient to support the amount of funds paid to the co-subject.

Regarding allegations of violation of animal regulations – there was sufficient evidence that the NSF-funded experiments were appropriately reviewed and approved by the institution's Animal Care and Use Committee.

Regarding the allegations of misappropriation of research results – there was no evidence that the co-subject presented the complainant's work as his own. The subject and co-subject provided authorship credit to the complainant, among other authors. There was also no evidence that the subject provided undue authorship credit to the co-subject at the expense of other collaborators, including the complainant.

Regarding the allegation of a refusal to release research results – the evidence indicates that the subject never stated to the complainant that the complainant could not publish his research results, and that in fact the complainant is free to publish his results whenever he is ready to do so.

Regarding the allegation of retaliation – there is insufficient evidence to conclude that any retaliatory acts occurred. The subject was not obligated to provide a letter of reference nor was the complainant entitled to continue to have ongoing access to research

¹ Redacted.

² Redacted.

³ Redacted.

⁴ Redacted.

⁵ Redacted.

facilities/data after the completion of his degree program or the tenure of his employment at the institution.

The institution's Inquiry Committee report describes a fair, accurate, and thorough evaluation of the facts relevant to the allegations. We have used the committee's report and the accumulated evidence in forming our own conclusion and recommendation. We concur with the committee's findings. This case is closed.

cc: Investigations, IG