

CLOSEOUT OF M-91090036

Two letters, dated April 29 and June 5, 1992, from Dr. James J. Zwolenik to [REDACTED] will serve as the closeout for this case.

June 5, 1992--Closeout Date

NATIONAL SCIENCE FOUNDATION

1800 G STREET, N.W.
WASHINGTON, D.C. 20550



OFFICE OF
INSPECTOR GENERAL

JUN 5 1992

Personal and Confidential

CERTIFIED MAIL

[REDACTED]

Dear Dr. [REDACTED]:

This is to acknowledge receipt of your letter of May 5, 1992, and the enclosures thereto.

In the materials you have sent us to date, we could find no factual evidence connecting your allegation of retaliation for reporting alleged misconduct at the [REDACTED] during the 1960's and the proposing, conducting or reporting of research under any specific NSF award. Thus, we lack jurisdiction in this matter and must now consider this matter closed.

Sincerely yours,

James J. Zwolenik

James J. Zwolenik, Ph.D.
Assistant Inspector General
for Oversight

cc: [REDACTED]

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NATIONAL SCIENCE FOUNDATION
1800 G STREET, N.W.
WASHINGTON, D.C. 20550



OFFICE OF
INSPECTOR GENERAL

APR 29 1992

Personal and Confidential

CERTIFIED MAIL

[REDACTED]

Dear [REDACTED]

Please be advised that the Counsel to the NSF Inspector General determined that I do not have a conflict of interest in the matters you have brought to us. This is in response to your letter of [REDACTED], 1992, and all related correspondence you have submitted to the National Science Foundation (NSF), Office of Inspector General (OIG) since August 1991.

We have carefully reviewed the extensive correspondence and documents you sent us. Our understanding of your allegation is that you have been the victim of retaliation for reporting, along with others, the misuse of state funds, materials, equipment, and facilities at the [REDACTED] during the 1960's. You state that this retaliation has continued to the present time in the form of professional blacklisting by the [REDACTED] NSF, and other segments of the scientific community.

The NSF definition of misconduct in science and engineering does include retaliation against good faith whistleblowers. However, our jurisdiction with regard to retaliation is limited to misconduct that "has occurred in proposing, carrying out, or reporting results from activities funded by NSF."

In the materials you sent us, we could find no factual evidence connecting your allegations of misconduct at the [REDACTED] during the 1960's to the conduct of research under any specific NSF award. The fact that you may have had an NSF grant at the time you alleged misuse of state resources does not give us jurisdiction in a matter unrelated to an NSF award.

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Further, the materials you sent us do not provide any factual evidence to support your allegation that NSF has retaliated against you for certain allegations you made against various officials of the [REDACTED] during the 1960's.

Unless we receive new, specific information within fifteen days, we shall consider (1) that your allegation of retaliation by the [REDACTED] falls outside the jurisdiction of NSF Misconduct Regulation, 45 C.F.R. Part 689, and (2) that your allegation of retaliation by NSF lacks substance. In both instances we shall consider these matters closed.

Sincerely yours,

James J. Zwolenik

James J. Zwolenik, Ph.D.
Assistant Inspector General
for Oversight