

CLOSEOUT OF M-92090034

A diary note by Dr. Donald Buzzelli and a letter to Professor [REDACTED] from Dr. Donald Buzzelli, dated September 22, 1992 and September 28, 1992, respectively, will serve as the closeout for this case.

Catherine M. Flynn 9/28/92
Catherine M. Flynn
Staff Associate for Oversight

James J. Zurwink 9/28/92
for Donald E. Buzzelli
Senior Scientist, Office of Oversight

Montgomery K. Fisher 9/28/92
Montgomery K. Fisher
Deputy Counsel to the Inspector General

cc: Inspector General

NATIONAL SCIENCE FOUNDATION

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



SEP 28 1992

Personal and Confidential

Certified Mail

Professor [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Professor [REDACTED]

Thank you for your letter of September 8, 1992. We have carefully considered the materials you provided and have concluded that this matter does not constitute misconduct under the NSF Misconduct Regulation, 45 C.F.R. Part 689. Our jurisdiction is limited to misconduct that "has occurred in proposing, carrying out, or reporting results from activities funded by NSF". From the materials you provided it appears that this matter involves no NSF proposals or awards. Hence, we plan to take no further action and now consider this matter closed.

Sincerely yours,

A handwritten signature in cursive script that reads "Peggy A. Stocker, Ph.D.".

for Donald E. Buzzelli, Sc.D., Ph.D.
Senior Scientist, Oversight

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Notes on M92090034

I have examined the file on this new case. The complainant is [REDACTED], a Professor of [REDACTED] at the [REDACTED]. He is complaining against three other professors in his department, [REDACTED] and [REDACTED]. They have allegedly made false claims of authorship in applications for university merit pay. [REDACTED] is arguing that these actions are plagiarism under University and NSF regulations.

He took this matter to the Dean of Arts and Sciences and also to the Court of Common Pleas, and was unsuccessful both times. His attorney contacted Monte Fisher earlier this year asking for an affidavit that NSF would consider such misrepresentations to be misconduct in science under its regulation. Monte did not give that assurance, but the subject later sent the complaint to us anyway.

Nothing in this case mentions NSF proposals or awards. The complainant should be told that NSF has no jurisdiction in this matter, and the case should be closed.

Donald E. Buzzelli

Donald E. Buzzelli
September 22, 1992