

Overall

After 1/2006 PRL paper published, and Nature prints series of articles (1) Fraud/Fabrication; (2) Allegations from LT/TJ ref. research misconduct.

Since 3/2006 through 3/2008 (over 2 years of stress), 4 separate committee investigations and inquiries:

~ 75 to 100 allegations in total → Down to 2 minor infractions

2006 Exam. Cmte, (█s Cmte.) Conclusions

No findings of misconduct -broad-brush statements that initiate formal inquiry into invited allegations from Purdue.

2006 Inq. C Conclusions:

→ exonerates on charges of NED paper and claims of independence

May 2007 – USCongress / ONR-IG / NYTimes/Nature → LT and other charges 100

Of 75-100 allegations, 2007 Inq.C breaks down reviews to

33 allegations:

-→ Fraud/Fabrication

→ Plagiarism

→ Others (NED paper independence, Fed. Funds/sponsorship, Press release,...)

Conclusions: All charges of Fraud/Fabrication dismissed
11 allegations ref. plagiarism/others moved to Inv.C 2007

March, 2008 Inv.C Conclusions:

All charges of plagiarism, federal funds/acknowledgment,... dismissed

Draft conclusion on potential for research misconduct on 2 counts (a) compelling student to be co-author of NED paper, (b) wrongfully claimed independence of Xu/Butt NED work in 1/2006 PRL paper by RT et al.

- 2006 C-22 Inq.C that specifically considered these same allegations found no misconduct
- Report language reads like that from a prosecuting attorney looking for a guilty verdict on any count possible
- Conclusions based on cherry-picked facts, glaring omissions of evidence

- Completely disregard first-hand evidence and affidavits from DM, ET, JJ and students of RT as well as from colleagues that directly bear on the allegations where misconduct conclusions are reached.
- Affidavits of omitted individuals include charges of discrimination, reprisal, intimidation, abuse of authority, abuse of State funds, abuse of tenure/promotion process of Purdue,....

IMPACT ON RT TEAM (Rensselaer, Russian Academy of Sciences, ORNL)

- There is no guarantee that the report will remain confidential and not leaked to Press; Glaring omissions of fact and substance and the positioning of vitriol-based language can intentionally cause severe harm.
- Press/Detractors → Sound bites
- FINDING OF MISCONDUCT on ANY ALLEGATION → = FRAUD/FAB IN PUBLIC MIND.
- Per past performance Congress/ONR/NYTimes/.. will get a hold and report on negative language → Severe harm on reputations of several individuals and institutions
- Possible disbarment from receiving federal funding for X years.

** Report as written and concluded is NOT ACCEPTABLE **

MESSAGE FROM KEALEY → Highly Disturbing/damaging

- RT is required to go along to Press and Federal Govt. and agree to the Report as written and to the approach followed by
- For formality, RT is asked to provide input to the Draft Inv.C report
- Inv.C conclusions are unchangeable regardless of what RT provides as fact or correction of facts; demanded by 4/1/08 → **Prejudicial to Appeal Rights of RT.**
- If not, there will be severe punishment to RT
- If RT goes along Purdue will offer him a paid Sabbatical as compensation

PROACTIVE STEPS ALREADY TAKEN (incl. numerous submissions to PU)

- Letter to Journal (where plagiarism was alleged) MST Editor-in-Chief clarifying and correcting per recommendations of reviewers and Inq.C (2007)
- Letter and clarifications related to independence level of NED confirmation works to Wayne State University with their agreement to post on web-site for record
- PRL Journal itself
 - o Article-Response to charges of fraud made by UCLA (published)
 - o Article-Response to questions on data by UIUC (published)
 - o Erratum (2006) – published (detector type system clarifications)
 - o Erratum (2007) – published (typos, statistics corrections)
 - o Erratum (2008) – Under review (Level of Independence of Confirmation studies on sonofusion)
 - o Full Theory Paper on Fusion Spectra for Expts. To Settle Fraud charges of UCLA computations (Under Review Considerations/Revisions)

WHAT RT et al. TEAM WOULD LIKE TO REQUEST TO MOVE FORWARD

1) Revise conclusions of misconduct

Why? Because these are untrue and unsupportable

- A. Butt to be co-author initiated by RT (Sworn affidavit statement by Y. Xu is omitted in Report; it was Y. Xu who asked for inclusion, asked for permission from AB as well as RT; RT agreed for due-diligence and requested that AB document to RT via email after he did what was agreed upon; AB sent email after day long checks/analyses → RT did not delve any further; It was between two consenting adults; AB himself has not alleged misconduct)
- RT vs statement “these observations are now independently confirmed” in 1/06 PRL paper (This statement was included not by RT but by co-authors RTL and RCB with total agreement of all participants). Purdue Press Release is cited as evidence of RT’s wrongful intent (Press Release request was initiated by LT not RT; LT served as Technical Supervisor as Project PI –paid for YXu’s work, provided lab. , technical assistance, oversight and LT ASKED TO BE INCLUDED AS SPONSOR and OVERSIGHT PROVIDER – LT overrode RT’s suggestion to Purdue Press writer E. Venere. All these points are omitted in report).

2) Purdue to take Proactive Steps to Repair Damage caused to RT

- Remove hate-language in Inv.C report, tone it down and remove personal attack statements and conclusions ref. RT’s ability to mentor students,..
- Remove language ref. flouting of Copyright Laws (this is wrong and unsupportable)
- Strong Press Release exonerating RT of misconduct esp. targeted to the issues related to fraud/fabrication
- Ads. In newspapers/journals (per P.Dunn)
- Help to RT to regain reputation and compensate for life impacts