See No Evil, Speak Little Truth, Break Rules, Blame Others

John R. Mashey 08/19/12

Executive Summary *

The title describes how George Mason University (GMU) handled some simple academic misconduct complaints. Recent Freedom of Information Act (FOIA) replies have exposed more details of a process that was at best incompetent, *but so absurd that it may have been driven by strong external forces, such as key donors and politicians.*

Background

GMU Professor **Edward Wegman** was recruited to study the 1999 climate "hockey stick" of Michael Mann, Raymond Bradley and Malcom Hughes. He led the 2006 "Wegman Report" (WR) promoted to Congress as "independent, impartial, expert" work by a team of "eminent statisticians." *That description was mostly false.* Much of the work was done by very junior people, and was pervaded by incompetence, even on statistics.

I allege plagiarism and some falsification, starting no later than 1996, by Wegman and some of his students, especially co-author **Yasmin Said**. **Obvious plagiarism has been found on roughly 80 pages of various documents, such as the Wegman Report, four doctoral dissertations and seven papers, four of which were Federally funded.** Wegman and Said wrote two papers with substantial plagiarism in a Wiley journal they co-edited with **David Scott**. By June 2011, GMU had been told of all.

In December 2009 Canadian blogger "Deep Climate" started finding and documenting problems in the Wegman Report. Based on those, in March 2010 Bradley lodged the first of three plagiarism complaints with GMU **President Alan Merten**, labeled here consistent with a master list [a]-[r] of documents. So **[m.1, m.2]** are parts of the WR:

[m.1] 2.5 pages (2.5p hereafter) of the Wegman Report paleoclimate text, taken from Bradley's book, mentioned, but not properly cited.

In May 2010, Bradley sent two more, to **VP Research Roger Stough**:

[m.2] 5.5p of Social Networks Analysis in the Wegman Report.

[n] 1.5p subset of **[m.2]**, re-used in a Federally-funded 2008 paper in an Elsevier journal *Computational Statistics and Data Analysis (CSDA).*

Three plagiarism experts were later quoted in *USA Today* describing these as "obvious," even "shocking" plagiarism.

See No Evil

Copy-paste-edit plagiarism must rank among the simplest misconduct cases to assess, but it took GMU nearly two years to write an *absurd* result for 4 pages of 9.5p first reported, ignoring the other 5.5p and 70p more.

In early August 2010, nearly five months after Bradley's first complaint, the GMU inquiry committee finally met, but once seemed enough. Two weeks later, about the same time key Wegman+Said files suddenly vanished from his GMU server, Wegman posted on Facebook:

> 'Want to know a bad week? All in the same week**.** 1) accused of plagiarism, felony, anti-science, misleading Congress because of your climate science testimony, **2) have a rule made up, which only applied to you, that blocks you from mentoring graduate students, …**'

By the end of September 2010 the committee wrote a 7-page inquiry report recommending investigation and that Bradley be informed. He was not.

In March 2011, five months later, GMU decided to investigate. Stough convened a committee from the School of Public Policy, Provost Office and Physics. The 200-day investigation yielded a 9-page report in October 2011, again recommending Bradley be informed. Again, he was not.

In February 2012, **Provost Peter Stearns** described the report in a letter to the GMU faculty, but not to Bradley or other complainants. My summary:

[m.1] Plagiarism rejected, claimed as mere paraphrasing in a background section and that the work was repeatedly referenced. *Readers can examine the comparisons themselves.*. Much text was copied, none was quoted, and there was one vague reference to Bradley(1999).
Wegman often claimed that unacknowledged use of others' text in introductory sections was not plagiarism. GMU clearly agreed.

[m.2] Never mentioned, although it was 5.5p of trivially-edited, unquoted text, of which **[n]** was a subset. It had no citations at all.

[n] Plagiarism accepted, "in contextual sections" due to "poor judgment." Elsevier had forced retraction months in May 2011, making this hard to avoid, although Stearns' wording minimized its impact.

Opposing rulings for **[m.2]** and **[n]** *make no sense.*

GMU had taken nearly two years to rule *absurdly* on 4 pages of text. Stearns also said explicitly that nothing else was being investigated.

Wegman had tried to avoid *CSDA* retraction **[n]** by claiming that **[m.2]** was original work for the Wegman Report by his student **Denise Reeves**. She wrote 5.5p and was only acknowledged for unspecified help, whereas David Scott had seemingly contributed only three pages, but was second author, ahead of Yasmin Said. Then, parts of **[m.2]** were re-used near-verbatim in **[n]** and later two PhD dissertations, with no acknowledgment. No matter who did what, plagiarized text was used in four separate documents, *hinting at a pervasive behavior pattern in Wegman's group.* The other 70p were documented and reported to GMU by October 2010 or June 2011, but never mentioned by Stearns. Many plagiarized sources were copyrighted, *seemingly a cause of no concern at GMU.*

Speak Little Truth

Stough gave Bradley untrue or misleading information, made *odd* excuses for delays, broke promises and never once notified him on completion of reports, despite recommendations from both committees. Others got even less. For instance, in October 2010, misconduct expert Rob Coleman had alleged plagiarism in three PhD dissertations. In May 2011, having heard nothing, he asked and was told that these were personnel matters so there would be no comment. *Apparently, PhD plagiarism was fine at GMU.*

By FOIA, Provost Stearns wrote clear untruths. For example, he **fabricated** an extra investigation committee, claiming that one handled the WR, another the *CSDA* article, *perhaps to justify the **[m.2]-[n]** conflict*. Stearns claimed GMU took this case seriously. *Readers might wonder*.

Break Rules

The process took almost twice as long as the nominal schedule, due to three large schedule slips with little evidence of serious effort to catch up. Purported reasons made little sense, given the timing of the slips.

GMU policy says "**Pursues diligently all significant issues and leads,"** but GMU ignored **[m.2]** and 70p more of related problems.
GMU's ruling on **[m.1]** contradicted its own and Federal policies.

Four papers noted Federal funders. *One might wonder if they were told.*

Finally, GMU ignored its own rule on "retaliation."

Blame Others

Universities must guard good-faith complainants from retaliation, not engage in it themselves. Unnamed people were blamed for inappropriate publicity and unfair complaints about the slow process. Wegman and Stearns both claimed that Bradley had violated a confidentiality rule. That was false *and might rise to defamation*, but helped incite bloggers to attack Bradley. A FOIA reply from GMU's **Phil Hunt** made a false claim about lack of cooperation by Bradley. Someone must have supplied this to him.

If GMU treats a distinguished researcher like this and ignores additional external complainants, one can only guess how GMU treats internal complainants, especially junior ones. Does this process encourage good-faith complaints or strongly discourage them?

Other schools have handled far trickier cases more openly, more quickly and *more competently*. GMU receives substantial Federal funding, which demands consistently-good oversight, *something not found in this case*,.
Is it time for an institutional debarment until GMU proves it can do that?

Report overview

Section **§1** introduces known plagiarism chains and compares the slow actual GMU timeline for a simple case versus GMU nominal policy and several complex cases at other schools. FOIA replies are annotated to expose new untruths and contradictions and resolve ambiguities.
§2-**§4** give thumbnail images of side-by-side comparisons to show roughly 80 pages of alleged plagiarism. As soon as convinced, readers might skim those and skip to **§6.1**, which annotates Provost Stearns' untruthful letter to his own faculty and gives details of seeming GMU retaliations.
§7 offers one checklist of plagiarism and falsification plus another of actions that GMU *ought to consider for its own credibility.*

§8 concludes the report, including possible reasons for GMU's *absurd* defense of the WR. **Charles Koch** and allies play leading roles in the funding and governance of GMU. It is also well-connected with climate anti-science advocates such as Virginia Attorney General **Ken Cuccinelli** or the Free Market Environmental Law Clinic's **David Schnare,** who teaches FOIA tactics to GMU law students. Details are in Appendices.
GMU seems a major nexus of anti-science advocacy and training.

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Sections added or seriously revised since [MAS2012a] are marked *.

For the key discussions, the reader might skim **§1, §6, §7, §8,** with Front Matter for reference, about 18 pages. Most of the rest is backup detail.

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*Dr. Mashey is an easy-to-Google semi-retired Bell Labs (1973-1983) / Silicon Valley (1983-) computer scientist, corporate executive and a nonprofit Trustee. He has worked with a wide variety of scientists and engineers, many of whom have used software or hardware he helped create. In graduate school, he wrote software used to help educate tens of thousands of students over the following decade. He has lectured at hundreds of universities, on software, computer architecture or Silicon Valley entrepreneurialism.
He was profiled in *Science* for his efforts against climate anti-science:
www.desmogblog.com/science-article-recognizes-john-mashey
He is a member of AAAS, AGU, APS, ACM, and IEEE CS.
JohnMashey (at) yahoo DOT com PLEASE REPORT ERRORS, UPDATES DO OCCUR,

Original version,MAS2012a, 03/16/12, Minor update 06/21/12 to fix some broken URLs

Front Matter *

Advice on reading this report

Given names and titles are generally omitted for brevity, no discourtesy intended to any. Opinions and speculations[1] are *Italicized*, **Emboldening** in quotes is mine.

Wikis are considered useful starting reference sources, not authoritative. Most readers could study **§1** and **§2,** then quickly glance at **§3-§4,** included to detail 70p more alleged plagiarism, then read **§6-§8**, and appendices for backup and possible explanations for GMU's *strange* acts.

Online readers may find it useful to open 2 separate windows on the PDF, one for Front Matter. Use Full Search in lieu of an Index.
Some discussion is regretfully complex, inherent in dissecting an opaque, confusing process of which people spoke untruths and contradictions.
Truth emerges only over time and the process of exposing it is hardly done.

WebCitation URLs for archived files are often included , especially important files might disappear, as they have before, either accidentally or purposefully. As noted in [MAS2010a §A.11], GMU files have sometimes disappeared after being identified. In one case, a key lecture file not only disappeared, but its existence was edited out of the GMU seminar record.

Acknowledgements.

Infinite thanks to Canadian blogger "Deep Climate" (DC) for unearthing the first, long-overlooked plagiarism cases, plus many more. Nothing would have occured without his discoveries and vast amount of work.

Thanks also to Rob Coleman and Ted Kirkpatrick for much help over the last few years, and to a community effort by *andrewt, terry* and others who helped find more cases, submitted complaints or offered advice. Many thanks to Dan Vergano for doing good journalism.
Thanks to several more anonymous reviewers.

[1] This report has some similarities to military intelligence reports or criminal investigations, where some facts are known, but speculation is sometimes needed to enumerate ideas for "connecting the dots" among purposefully obscured acts.

Glossary

AFP	Americans for Prosperity (a key Tea Party sparkplug)
ARL*	Army Research Laboratory
ARO*	Army Research Organization
CSDA	*Computational Statistics and Data Analysis,* Elsevier journal
DARPA*	Defense Advanced Projects Agency
DC	Canadian blogger "Deep Climate" (person*), Deep Climate* (blog)
DHHS	US Department of Health and Human Services
DoD	US Department of Defense
FOIA	Freedom of Information Act
GMI	George C. Marshall Institute (think tank)
FMELC	Free Market Environmental Law Clinic, i.e., David Schnare
GMELC	George Mason Environmental Law Clinic, aka FMELC
GMU	George Mason University, Fairfax, VA
IHS	Institute for Humane Studies, GMU (C.G.Koch is Chairman)
K&P F	Knowledge and Progress Fund (C.G.Koch)
LTDL	Legacy Tobacco Documents Library (UC San Francisco)
NIAAA*	National Institute on Alcohol Abuse and Alcoholism (in DHHS)
NSWC	Naval Surface Warfare Center
ORI	Office of Research Integrity, research watchdog of DHHS[2]
SNA	Social Network Analysis, mis-applied in WR, *CSDA* [SAI2008]
SoPP	School of Public Policy at GMU
WR	Wegman Report (2006)[3]

Notation:

[a]-[r]	Documents alleged to contain plagiarism, charted in **§1.1.** [m] is the Wegman Report (WR), [n] the *CSDA* paper [m.1] was reported by Ray Bradley in March 2010 [m.2] and [n] were reported in May 2010
(A)-(J)	Major process milestones, derived from GMU policy, **§1.2.**

* Wegman and/or students acknowledged these agencies for funding.

[2] ori.hhs.gov main ORI page
ori.hhs.gov/research-misconduct-0 research misconduct, especially plagiarism
ori.hhs.gov/case_summary 2011: Jagannathan, Lushington, Visvanathan, Weber

[3] republicans.energycommerce.house.gov/108/home/07142006_Wegman_Report.pdf 91p

Frequently-cited references

MAS2010	03/15/10	Crescendo to Climategate Cacophony[4]
MAS2010a	09/26/10	Strange Scholarship in the Wegman Report[5]
MAS2011	01/04/11	Strange Inquiries at George Mason University[6]
MAS2011a	05/26/11	Strange Tales and Emails – Said, Wegman, et al[7]
MAS2011b	05/27/11	Strange Falsifications in the Wegman Report[8]
MAS2011d	10/30/11	Curious coincidences at George Mason University …[9]
MAS2012	02/13/12	Fake Science, Fakexperts, Funny Finances, Free of tax[10]
MAS2012a	03/16/12	See No Evil at George Mason University[11]
MAS2012b	07/13/12	Ed Wegman Promised Data to Rep. Henry Waxman…[12]
SAI2008	Social networks of author–coauthor relationships,[13] *CSDA* paper	
STE2012	02/22/12	GMU Provost Peter Stearns letter to faculty[14]
VER2010	10/08/10	University investigating prominent climate science critic[15]
VER2010a	11/22/10	Experts claim 2006 climate report plagiarized[16]
VER2010c	11/23/10	Wegman report round-up[17]
VER2011	05/15/11	Climate study gets pulled after charges of plagiarism[18]
VER2011a	05/16/11	Retracted climate critics' study panned by expert[19]
VER2012	02/22/12	Univ. reprimands climate science critic for plagiarism[20]

[4] www.desmogblog.com/crescendo-climategate-cacophony 185p
[5] deepclimate.org/2010/09/26/strange-scholarship-wegman-report 250p
[6] www.desmogblog.com/gmu-still-paralyzed-wegman-and-rapp-still-paranoid 45p
[7] www.desmogblog.com/mashey-report-reveals-wegman-manipulations 17p
[8] www.desmogblog.com/wegman-report-not-just-plagiarism-misrepresentation 12p
[9] www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli
[10] www.desmogblog.com/fake-science-fakexperts-funny-finances-free-tax 213p
[11] www.desmogblog.com/see-no-evil-george-mason-university 44p
[12] www.desmogblog.com/ed-wegman-promised-data-rep-henry-waxman-six-years-ago-where-it
[13] Yasmin H. Said, Edward J. Wegman, Walid K. Sharabati, John T. Rigsby, "Social networks of author–coauthor relationships," *Computational Statistics & Data Analysis* 52 (2008) 2177 – 2184. Recvd 8 July 2007; accepted 14 July 2007.
[14] content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegmand-/1
retractionwatch.files.wordpress.com/2012/02/stearnslettermashey.pdf
[15] content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-/1 UPDATE 05/26/11 on Walsch comments
[16] www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm
[17] content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1
[18] www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm

Further reading

Raymond S. Bradley, *Global Warming and Political Intimidation*, 2011.
Michel E. Mann, *The Hockey Stick and the Climate Wars…*, 2012.

Key people

Most are discussed in [MAS2010a], page numbers there by default.
Stanley Azen, USC, Editor-in-Chief of *CSDA* [MAS2011a]
Joseph Barton (R-TX), **Ed Whitfield** (R-KY), US Representatives who got Wegman recruited and promoted the WR
Milton Johns, lawyer for Wegman and Said, [MAS2011d].
Steven McIntyre, retired mining consultant, Ontario, Canada. With McKitrick, created talk that acted as WR blueprint [MAS2011a, p.17].
Ross McKitrick, Prof. Economics, U of Guelph, Ontario, Canada
David Schnare, GMU JD, GM Environmental Law Clinic**, §A.6.2.**
Pat Michaels, was at U VA, now CATO. In 2010, was a GMU Distinguished Senior Fellow, taught course for School of Public Policy.
Fred Singer, SEPP [MAS2012] long affiliated with GMU's Institute for Humane Studies in the 1990s, worked closely with GMI.

Contributors to WR and related work (Wegman, associates)
Edward J. Wegman, GMU
David W. Scott, Rice University, minimal role, p.187
Yasmin H. Said, PhD 2005 (Wegman), Johns Hopkins University (2005-2006), then back at GMU by date of WR release.
An unknown 4th person, who later dropped out
WR contributions were acknowledged from 2 Wegman students:
John T. Rigsby III, Naval Surface Warfare Center, MS 2005
Denise M. Reeves, MITRE, PhD 2009
Walid Sharabati, PhD, 2008. Unmentioned in the WR, he contributed much of the response to Rep. Stupak in 2006.

[19] content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1
[20] content.usatoday.com/communities/sciencefair/post/2012/02/george-mason-university-reprimands-edward-wegmand-/1

GMU administration – 2011 and 2012

Wegman is shown twice as per *Connect2Mason*:[21]

> *'Wegman holds a 30 percent appointment in the Department of Statistics, but his 70 percent, majority appointment is in the School of Physics, Astronomy, and Computational Science in the College of Science.'*

Those marked (➔) were certainly involved, plus at least one of the Deans, one of whom seems responsible for a 5-month delay. Since no name has appeared, this report just uses "the Dean."

January 2011, July 2012, with organizational changes noted:

➔President **Alan G. Merten,**[22] now **Angel Cabrera**
J. Thomas Hennessy, Jr. SoPP, Chief of Staff, Office of President
➔Provost **Peter Stearns**[23]
➔VP for Research and Economic Development **Roger R. Stough**[24]
Also a 20-year Professor of Public Policy (SoPP), relevant later.[25]
➔ Assistant to VP Stough **Donna Sherrard**[26]
? Dean, College of Science, **Vikas Chandhoke**[27] *(likeliest Dean)*
(2011) Dept. Hd, Computational and Data Sci, D. Papaconstantopoulos [28]
(2012) Director, School of Physics, Astronomy, and Computational Sciences (SPACS) Michael Summers[29]
➔Professor Edward **Wegman**[30] (70%)
? Dean, Volgenau School of Info. Tech. and Engr, Lloyd J. Griffiths[31]
Department Chair, Statistics, William F. Rosenberg[32]
➔Professor Edward **Wegman**[33] (30%)

The Board of Visitors[34] was led by Rector Ernst Volgenau, recently replaced by C. Daniel Clemente. The current Board and others are:

'C. Daniel Clemente **Rector**
Nancy Mitchell Pfotenhauer **Vice Rector**[35]
Edward J. Newberry **Secretary**

Board Members
Karen Alcalde
B.G. Beck
Reginald J. Brown
Kimberly O. Dennis
Kathleen M. deLaski
Anthony R. Jimenez
Carol Kirby
Mark F. McGettrick
Stuart Mendelsohn
Steven P. Mullins
Robert F. Pence
M. Siddique Sheikh'

Faculty Representative
June Tangney

Student Representatives
Steven Scott
Alexander Williams

Faculty Committee Representatives
David S. Anderson
Gerald Hanweck
Michael Nickens
Martin Perlin'

[21] www.connect2mason.com/content/university-committee-finds-professor-guilty-research-misconduct-document
[22] www.gmu.edu/resources/visitors/bio.html. retired➔ Ángel Cabrera July 2012.
[23] provost.gmu.edu/stearns; provost.gmu.edu/integrity/index.html (by Stearns)
[24] policy.gmu.edu/tabid/86/default.aspx?uid=80 (URL changed)
[25] www.webcitation.org/69bhBF8iw archived
[26] provost.gmu.edu/seniorstaff
[27] cos.gmu.edu/about/administration OK
[28] cds.gmu.edu/node/15; as of 03/05/11 cds.gmu.edu/node/36
[29] spacs.gmu.edu/content/about-spacs
[30] cds.gmu.edu/node/40
[31] volgenau.gmu.edu/about_ite/dean.php ➔ Kenneth Ball, August 2012.
[32] statistics.gmu.edu/pages/people.html
[33] statistics.gmu.edu/people_pages/wegman.html

[34] bov.gmu.edu **§A.5** discusses some other key members of the Board of Visitors, such as Vice Rector **Nancy Mitchell Pfotenhauer** (Independent Women's Forum, Koch Industries), Members **Kimberly Dennis** (Searle Freedom Trust, DONORS TRUST) and **Mark F. McGettrick** (EVP/CFO of Dominion Resources).
Some of these entities have long been involved in funding climate anti-science activities. Koch Industries and Dominion have been major contributors to VA AG Ken Cuccinelli.
[35] Recently named Vice-Rector, she was on BoV in mid-2011.

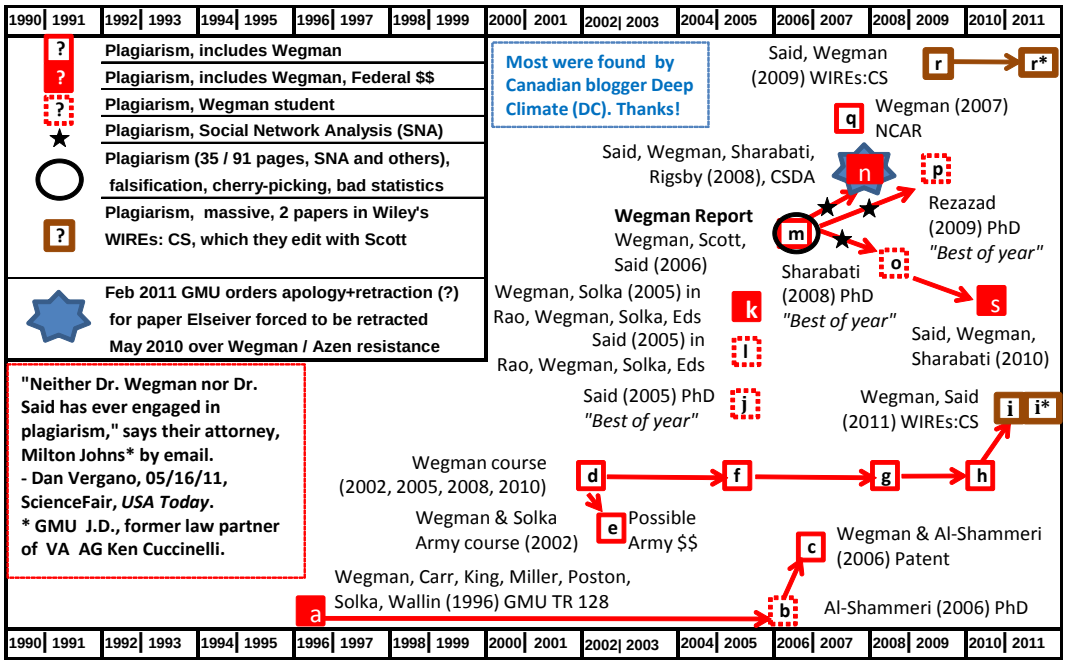
1 Introduction

1.1 Plagiarism chains by Wegman and/or his students

This chart alleges a long history of repeated plagiarism by Wegman and some of his students, totaling 80+ pages of text.
Bradley sent an earlier revision of this chart to GMU 06/06/11, lacking only details of paper [r], called [n] in that earlier version.

Wegman and some of his students often "borrowed" text with poor or usually no attribution, then made trivial changes. Sometimes, unattributed Wikipedia text was copied, while adding some of its citations as disconnected references. They often introduced errors, some ludicrous, especially when departing from the original text. **§1.4** illustrates this plagiarism style, found pervasively.

Some parts of the WR seemed to show a kind of falsification, not by faking data, but by plagiarizing, then weakening or inverting expert conclusions without basis. Wegman and his lawyer Milton Johns claimed there has never been plagiarism. *Readers may assess that claim by scanning **§2- §4** until they get tired of it.*



Relevant summary sources, generally link back to sources of first identification. Formal complaints have made to GMU on all but q.

a, b, c	deepclimate.org/2010/12/02/wegman-et-al-miscellany	Earliest, 4th PhD
a	www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA313999&Location=U2&doc=GetTRDoc.pdf	ARMY ARO
d, e, f, g, h, i	deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour	Successive iterations of course
	and deepclimate.org/2011/05/15/wegman-and-said-2011-part-2	Eventually → WIREs:CS color
j, o, p	deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review	Said, Sharabati, Rezazad PhDs
m,n	deepclimate.org/2010/07/29/wegman-report-update-part-1-more-dubious-scholarship-in-full-colour	WR total: 10 pages
m, n, o, p, q	deepclimate.org/2010/09/26/strange-scholarship-wegman-report	WR: +25 pages, total 35
m	deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style	Bad statistics, cherry-picking
q	deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf	MAS2010a p.70 slides (minor)
m	www.desmogblog.com/wegman-report-not-just-plagiarism-misrepresentation	Alleged falsification
k,l	deepclimate.org/2011/06/07/mining-new-depths-in-scholarship-part-1	2 articles in famous series
r	deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship	WIREs: CS from Wikipedia
s	deepclimate.files.wordpress.com/2011/06/strange-scholarship-w-5-7a.pdf	Sharabati PhD + new antecedents
*l, *r	deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors	Cover-up, see **§5.3**

1.2 GMU process, complaints, chronology *

This section explains the chronology for GMU's handling of complaints. GMU VP Roger Stough gave first complainant Bradley inconsistent and sometimes false stories **(§6.2)** and the process had 3 major slips (gray below). The first inquiry committee meeting (D) was held, not by Day 28, but on Day 142, but it wrote its report within schedule (E). The Dean then took ~5 months to decide (F) an investigation was required. Finally, the investigation used 6+ months, not 4, to produce its 9-page report (H).

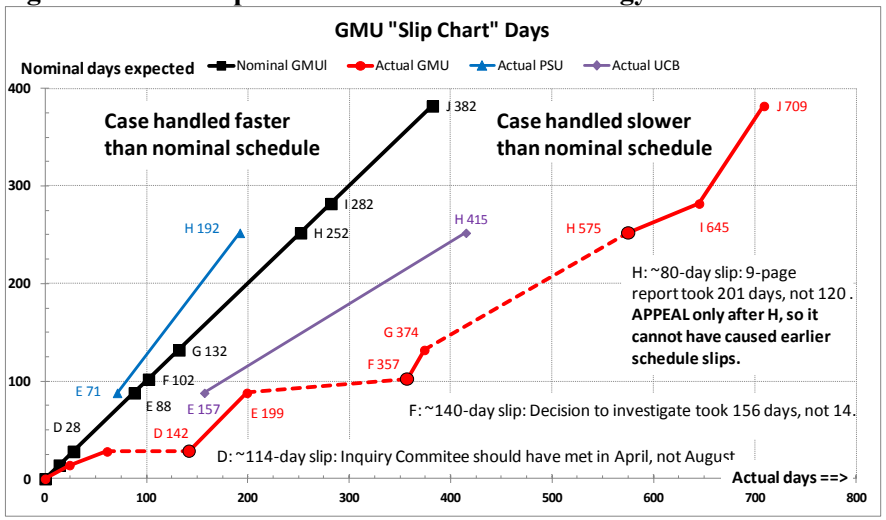
Figure 1.2.1 Nominal intervals, chronology derived from GMU Policy

Dates		Interval (days)		Elapsed (days)		Late	Stage	GMU policy timeline, approximate, given
Nominal	Actual	Nom.	Actual	Nom.	Act.	(days)		(as soon as possible) everywhere, challenges.
03/15/10	03/15/10	0	0	0	0	0	A	Allegation (no later, estimated)
03/29/10	04/08/10	14	24	14	24	10	B	See if inquiry warranted (estimated)
04/12/10	05/15/10	14	37	28	61	33	C	If so Provost appoints committee; challenge?
04/12/10	08/04/10	0	81	28	142	114	D	Dean:First meeting of inquiry committee
06/11/10	09/30/10	60	57	88	199	111	E	Inq. Com. completes report. Investigate? (Y/N)
06/25/10	03/07/11	14	158	102	357	255	F	Dean/Director determines. Investigate? (Y/N)
07/25/10	03/24/11	30	17	132	374	242	G	VP convenes investigation committee
11/22/10	10/11/11	120	201	252	575	323	H	Invest. Comm reports, try 120 days; VP Y/N
12/22/10	12/20/11	30	70	282	645	363	I	Possible appeal
04/01/11	02/22/12	100	64	382	709	327	J	President writes decision on appeal

Stough several times promised Bradley a report by the end of September 2010, then in October promised him one late that month. **None ever came**. Although under no legal requirement, Bradley kept collegially quiet about the complaint for over 6 months of delays, excuses and failed promises. The complaint had been revealed in August by Wegman on Facebook. Later, more plagiarism and some falsification was reported, **§3, §4.** Through 03/16/11, Wegman wrote or said things *a lawyer might have advised against*, but by 05/15/11, he had retained a well-connected lawyer, **Milton Johns** [MAS2011d] and stopped talking. On 05/31/11, GMU *strangely* requested an interview with Bradley. *Why was an interview even needed for a well-documented plagiarism case? Why did it take 442 days to ask? Might they have hoped to grill Bradley?*

The "Slip Chart" next compares elapsed days of nominal schedule (black) with GMU's actual process (red). It had 3 major slips, shown as dashed lines to (D), (F) and (H). Although the GMU process reasonably allows various exceptions and challenges, this *seemingly-simple* case took 575 days (not 252) to reach (H). *Is this evidence of sincere effort?*

Figure 1.2.1a "Slip Chart" of Nominal Chronology versus ~Actual



For context, blue and purple lines show key stages (E) and (H) in other misconduct cases, far more complex than GMU's, at Pennsylvania State University (PSU) and University of Colorado, Boulder (UCB), **§A.7.**[36]

GMU took nearly two years to assess 9.5p of text, ignoring 5.5p and all else.

Days to Inquiry Report (E)	Days to Invest. Report (H)	Investigation Length (Days)	School
199	575	201	GMU
157 (est)	415 (est)	118	UCB
71	192	121	PSU

Unlike GMU, UCB and PSU followed their own rules and even made their reports public. As at Rice University [MAS2011a, p.1] they acted quickly. Credible universities take misconduct complaints seriously, to fulfill their responsibilities to their students, faculty [37] and taxpayers. Wegman was senior author, so was also responsible no matter who did actual copying.

[36] Timelines differ: blue, purple points are comparable to red, not black. At a rate of 2p/year, handling all complaints could take GMU ~40 years.

[37] A reputation for misconduct laxity does no favor to a school's honest faculty and students and people charged publicly deserve the chance for a proper review. PSU carefully investigated a mass of ill-formed, ill-informed complaints against Michael Mann and exonerated him. NSF ratified both result and process.

Figure 1.2.2 details the history of complaints that began in March-May 2010, first covering just 9.5 pages of text from the WR and *CSDA*, **§2.** GMU rarely gave meaningful status information, and when it did, was often wrong or misleading. For instance, on 08/17/10, Stough told Elsevier's **John Fedor** that the first Inquiry meeting would be the week of 08/23/10. By FOIA, it had already taken place 08/04/10.
~~Strikethroughs~~ show claimed dates later shown false by FOIA.

This complex chronology records the current understanding as it has evolved, necessarily confusing, but required to record GMU's behavior. Isolated events may have ambiguous interpretations, but they often combine to form much less ambiguous patterns.

"GMU info on" gives date when GMU said something, often regarding some other date in past or future.
Src: Number in normal font number is a page in [MAS2011].
Italic font number is a page in [MAS2012a].
B is email from Ray Bradley to GMU
H is email, FOIA replies from GMU's Phil Hunt
Contra: FOIA (red diamond) contradicts other statement (red circle), implying false or misleading statements.

Readers might want to skip this detailed chronology on first exposure.

Figure 1.2.2a Actual chronology, see [MAS2011] for early details

Actual Date	Elaps Days	Stage	Late	GMU info on	Src	Contr	GMU Real chronology Events
03/05/10	-10				24		Bradley letters sent to GMU, Rice for complaint {a} here, found in §2.1
03/15/10	**0**	**A**			29		Allegation 1 received by Rice (+GMU) [m]
03/24/10	9				29		Rice inquiry done (E), cleared Scott
04/08/10	**24**	**B?**			29		GMU VP Roger Stough acknowledges receipt of Bradley letter
05/13/10	59				30		Allegation 2 -WR SNA, [SAI2008], funding [m. n], called {b} and {c} here, found in §2.2 and §2..
~~04/30/10~~	~~46~~	~~C?~~		07/28/10	31	●	Stough to Bradley: committee work TBD end of Sept; says inquiry comm. formed April (no)
05/15/10	**61**	**C**	33	**04/09/12**	H	◆	**Hunt : Inquiry committee appointed, contradicts Stough's claim of April**
08/04/10	**142**	**D**	**114**	**04/09/12**	**H**	◆	**Hunt : First inquiry meeting contradicts Stough 08/17/10**
				04/26/12	H		Hunt : Were there any other meetings? NA
08/16/10	154				31		Emails 08/16-08/17, Elsevier (John Fedor) <-> Stough
08/17/10	155				32		Stough to Fedor (Elsevier): report by end of September / earlier (yes, but not to Bradley)
08/21/10	159				33		Wegman on Facebook: "Want to know a bad week?"
08/23/10	161	Between 08/16 -08/23					**Key long-lived Wegman+Said files disappear, Said talk edited out of record. [MAS2010a, §A.11]**
~~08/23/10~~	~~161~~	~~D?~~		08/17/10	32	●	Stough: First inquiry meeting, early next week, contradicts Hunt FOIA 04/09/12
09/30/10	199	E?		07/28/10	31		Stough: report promised on 07/28 for end of September (yes, but not sent to Bradley)
10/08/10	207			10/08/10	42		Walsch: "Confirms … is now **investigating** allegations … plagiarism … fabrications
09/30/10	**199**	**E**	**97**	**04/26/12**	**H**	◆	**Hunt : report actually was done on 09/30/10, after draft on 09/21/10. 7-page report.**
~~10/11/10~~	~~210~~	~~E?~~			41	●	Stough: "a while yet until we have completed the review of your plagerism allegation"
							Very misleading, repeatedly-promised inquiry report was already done. Bradley never told.
10/24/10	223				*15*		Formal report to GMU of PhDs [j, o, p] by Rob Coleman
10/28/10	227				*16*		Formal report to GMU of [MAS2010a] [j, m, n, o, p, q] by John Mashey
11/04/10	234						Wegman reply to FOIA: claims Bradley violated confidentiality [MAS2011b, p.16]
01/03/11	294						MAS2011 ends here.

Figure 1.2.2b Actual chronology, extending [MAS2011]

Actual Date	Elaps Days	Stage	Late	GMU info on	Src	Contr	GMU Real chronology Events
02/01/11	323			04/26/12	H		Hunt : inquiry committee recommended complainant be notified (should be part of E)
03/07/11	**357**	**F**	**255**	**04/09/12**	**H**		**Hunt : Determination that investigation was warranted**
03/08/11	358			04/09/12	H		Hunt : Mason committee chair appointed, i.e., investigation
03/16/11	366						*CSDA* : Wegman begs Elsevier & Azen to avoid retraction[MAS2011b, pp.4-10]
03/22/11	372			04/09/12	H		Hunt : Official decide that >60 days needed for inquiry (strange, since inquiry report done)
03/24/11	**374**	**G**	242	**04/09/12**	H		**Hunt : 1st Investigation committee meeting**
04/27/11	408			04/09/12	H		Hunt : 2nd Investigation committee meeting
05/15/11	426				*3*		[VER2011] 1st mention of Wegman's lawyer, Milton Johns
05/16/11	427						*CSDA* : "Retracted climate critics' study panned by expert," Dan Vergano, *USA Today*
05/19/11	430				*15*		Stough reply to Coleman inquiry on PhDs. "Personnel matter" so no comment.
05/25/11	436				*24*		Nature editorial "Copy and Paste" urges GMU to haste
05/26/11	437			05/26/11	*3*		05/26/11 Update to [VER2010]: GMU's Walsch says still in inquiry phase [wrong]
05/31/11	442				*5*		GMU 1st contact Bradley to request interview. Why for simple plagiarism? Why then?
06/06/11	448				*5*		Formal report to GMU of [a, b, c,d, e, f, g, h, I, k, l, s; m falsification; r note] via Ray Bradley
06/07/11	449				B		Phone Interview starts with Bradley: not completed, since Wegman no-show
06/08/11	450				B		GMU asks for 06/10, Bradley says leaving for Peru, will answer emails instead, none happen
06/10/11	452			04/09/12	H		Hunt : 3rd Investigation committee meeting , interviews Wegman
08/18/11	521				B		Bradley emails Donna Sherrard: "I never heard anything more." and asks of status.
08/19/12	888				B		Sherrard answers: "The matter is still under review."
09/07/11	541				B		GMU asks for interview 09/14 11A or 09/23 3PM: Bradley reiterates offer for emails, none come.
09/30/11	564			04/09/12	H		Hunt : 4th Investigation committee meeting
10/05/11	569			04/26/12	H		Hunt : Draft investigation report
10/11/11	**575**	**H**	323	**04/26/12**	H		**Hunt : Final investigation report (FOIA says August 11, wrong, assume 10/11/11). 9-page report.**
				04/26/12	H		Hunt : committee recommended complainant be notified (did not happen)
11/16/11	611			04/26/12	H		Hunt : VP provides copy of final report to respondent (took 42 days from receiving report)
12/20/11	**645**	**I**	363	**04/26/12**	H		**Hunt : Appeal requested (done at end of ~30-day limit, allowing for Thanksgiving(?))**
02/22/12	709	**J?**					President issues written decision within 100 days of the appeal (OK, done in <= 64 days)
02/22/12	**709**	**J**	327	**02/22/12**	*26-27*		**Stearns announces result to faculty, complains about Bradley in interview**
							Stearns describes 2 separate investigation committees, each unamimous. FOIA: False.
							"Stearns says the university is not investigating any other complaints."
03/06/12					B		Bradley writes letter to Stough, §6.4
04/09/12					H		Hunt: claims Bradley refused interview, was given many dates.

1.3 FOIA requests and replies *

Vergano sent several FOIA requests to GMU's Philip Hunt,[38] and has posted replies at DocumentCloud. Texts are shown at left with commentaries at right. Generally, FOIA answers were assumed correct, except for a date typo and *a false/misleading claim that likely originated elsewhere*. Some conclusions here clearly depend on correct FOIAs, and if new information emerges, conclusions may change, as they have before.

04/09/12 (copied to Thomas M Moncure, John H. Blacksten)[39]

'Good evening. Per your request, please see the information below.
The Mason committee chair was appointed on March 8, 2011
> March 24, 2011 - 1st meeting of Mason committee
> April 27, 2011 - 2nd meeting of Mason committee
> June 10, 2011 - committee interviewed Ed Wegman
> no interview with Bradley - he refused - was offered many dates
> Sept. 30, 2011 - final meeting of Mason committee ❶

>> 1) Under the policy heading "Initiation of Inquiry", when did the responsible officer of the University appoint the inquiry committee?
May 15, 2010
>> 2) What was the date of the inquiry committee's first meeting?
August 4, 2010
>> 3) On what date did the responsible University official determine that more than 60 days was needed for a final inquiry report, if such an extension was granted?
>> March 22, 2011 ❷
>> 4) Under the policy heading "Initiation of Investigation", on what date was the determination made that an investigation was warranted?
>> March 7, 2011 ❷
>> 5) When did the investigating committee first meet?
>> March 24, 2011
6) On what other dates did it meet?

April 27, 2011 - 2nd meeting of Mason committee
June 10, 2011 - committee interviewed Ed Wegman
no interview with Bradley - he refused - was offered many dates
Sept. 30, 2011 - final meeting of Mason committee'

Commentary

❶ *False/misleading comments about Bradley refusals portrayed him as uncooperative to anyone unaware of the real history,* **§6.**

Hunt was not asked about interviews, but just volunteered that comment. On 05/31/11, Bradley was asked for a phone interview by Stough's assistant **Donna Sherrard** and he agreed for 06/07/11.[40] The call started, including GMU University Counsel, but the interview could not be completed. Bradley was told that Wegman (and presumably lawyer) got the date/time wrong. On 06/08/11, GMU asked Bradley for 06/10/11, but he was preparing for a Peru field trip and declined. He offered to answer questions by email, but none came. On 09/07/11, Sherrard asked again:

'The committee that is investigating your complaint against Edward Wegman would like to interview you via telephone. Please let me know your availability for the following dates/times:
Wednesday, Sept. 14th, 11:00 AM
Friday, Sept. 23, 3:00 PM'

Again, Bradley offered instead to answer email questions, but none came. **Bradley had accepted the first date, but Wegman failed to attend.** Bradley declined a short-notice request that conflicted with preparations for a field trip. Later GMU offered him 2 specific times in the first few weeks of the school term, 18 months into this entire process. ***All this seems odd: plagiarized text is its own witness, regardless of complainant.***

❷ As seen in next FOIA reply, the inquiry report was completed 09/30/10, within 60 days of the (only) meeting. *It seems strange that an extension was granted for a report completed almost 6 months earlier.*
Q: who decided this?
When an inquiry recommends investigation, with Federal agencies involved, as with the *CSDA* paper, the agencies must be informed.[41] *Perhaps in October 2010, GMU wanted to avoid informing the Federal agencies at that time, so delayed the official decision ~5 months.*

[38] supportingmason.gmu.edu/contactus.html; www.webcitation.org/69yFF09iO
[39] www.documentcloud.org/documents/405453-foia-request-gmu-hunt-4-9-2012.html

[40] *Perhaps the sudden wish to interview Bradley was related to the May 2011 appearance of lawyer Milton Johns, past law partner of VA AG Ken Cuccinelli.* GMU policy says "The committee notifies the respondent at least 14 days in advance of the scheduling of … any interview he or she is entitled to attend." *Apparently 14-day notice does not generally apply for the busy complainant, who gets denigrated for not agreeing to an interview on a few days' notice.*
[41] ori.hhs.gov/ori-responses-issues#11 for example

04/26/12 Copied to John H. Blacksten, answers in Bold[42]

'Questions are as follows. Dates the university provided in previous responses are included.
1) INITIATION OF INQUIRY (05/15/10)
"Provost appoints an inquiry committee and a chair of that committee from among individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegation."

Q1.1: Including the chair, how many people were on the inquiry committee(s) (After any challenges.) – **3** ❸

Q1.2: What were the departmental affiliations of the chair and the rest of the committee? **Chair - School of Public Policy, Department of Public & International Affairs, Department of Philosophy** ❹

2) INQUIRY PROCESS First meeting (08/04/10)
Q.2.1 Were there any other inquiry meetings, and if so, when were they? **NA**

"After completing its initial review of the evidence, the committee prepares a draft inquiry report."
Q.2.2 What was the date of the draft inquiry report? **September 21, 2010**

"The inquiry committee completes the inquiry, including the preparation of a final inquiry report...
Q.2.3 What was the date of the final inquiry report? **September 30, 2010** ❺

Q.2.4 How many pages long was it? **7** ❻

"The inquiry committee completes the inquiry, including the preparation of a final inquiry report that includes any comments received from the respondent, within 60 days of the committee's first meeting unless the Dean or Director determines, and documents in the inquiry record, that the circumstances warrant a longer period.' Extension granted (03/22/11)
Q.2.5 Can you check that the 03/22/11 date is correct? ❼

[42] www.documentcloud.org/documents/405454-foia-response-gmu-hunt-4-26-2012-usa-today-foia.html

Commentary

❸ The letter from Provost Stearns in **§6.1** ❶ seemed to claim existence of two separate inquiry committees or perhaps complaints sent separately to the same committee.[43] All other communications, including Stough's replies to Bradley and FOIA replies, **describe only one inquiry committee, one meeting and one report.**

❹ By Policy 4007, the Provost appoints this committee (C), whose departmental composition might seem *slightly odd* for complaints about paleoclimate and social network analysis,[44] as the committee should:

'have the necessary expertise to evaluate the evidence and issues related to the allegation.'

However, the composition might make perfect sense if the Provost thought the copy-paste-edit plagiarism obvious, as did the plagiarism experts quoted by *USA Today* [VER2010a]. Indeed, the committee needed only one meeting. The School of Public Policy (SoPP) was also represented on the investigation committee and Stough is a Professor in SoPP as well.

❺ The committee started late, met once on 08/04/10 (D), but then acted within schedule budget. (E) The Dean would have attended that meeting. Responsibility for the 114-day slip is vague. *Surely, between Provost and Dean, they could have selected a committee that could achieve the specified schedule.*

❻ The committee produced a 7-page report, taking 57 days, within allotted time. It is not obvious why this required this much time.[45]

❼ Apparently 03/22/11 was correct. As noted earlier, it seems *strange to grant an extension 6 months after 09/30/10, when the inquiry report had been completed.*

[43] Whatever *that* means. Elsewhere, such as in **§A.7.1**, if relevant new information arrives in a timely fashion, it is normally sent to a committee to be integrated.
[44] *If the WR was an anti-science effort to affect public policy by misleading Congress, then the strong presence of SoPP is unsurprising.*
[45] In industry, this would be treated as a golden opportunity to recover from the accumulated schedule slip. GMU slipped big, *gave weak excuses poorly related to the actual causes*. Slips happen, but big slips and poor excuses are not viewed with favor in competitive private enterprises.

04/26/12 Copied to John H. Blacksten, answers in Bold (cont)

3) RESULTS OF INQUIRY
"A recommendation as to whether the complainant should be notified of the results of the inquiry"

Q.3.1 Did the committee recommend the complainant be notified or not? **Yes, February 1, 2011** ⑧

4) UNIVERSITY DETERMINATION BASED ON INQUIRY (03/07/11)

5) INITIATION OF INVESTIGATION - first meeting (03/24/11)
"Vice President begins the investigation by convening the first meeting of an investigation committee. The Vice President appoints the investigation committee and a chair of that committee from among individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegation. Members of the inquiry committee may not serve on the investigation committee unless their expertise is essential."

Q5.1: Including the chair, how many people were on the investigation committee(s) (After any challenges.) **3** ⑨

Q5.2: What were the departmental affiliations of the committee(s)+chair? **School of Public Policy, Provost Office and Physics Department** ⑩

I understand:
04/27/11 2nd meeting of investigation committee
06/10/11 3rd meeting of investigation committee, to interview Dr. Wegman
09/30/11 4th meeting of investigation committee

Commentary

⑧ The committee recommended Bradley be notified, but he was not.
Q: Who overrode the committee recommendation?
⑨ The letter from Provost Stearns in **§6** ① clearly claimed the existence of two separate investigation committees:

> 'Each charge, again separately, was then submitted to a faculty investigatory committee**. These committees, after careful consideration, have just returned their findings**; these findings have been upheld by the President.'

This cannot mean inquiry and investigation committees, as the former had returned its findings 09/30/2010. **All other communications, including FOIAs, describe only one investigation committee and report.**

⑩ By Policy 4007, the Vice-President (Stough) appoints the investigation committee. Here, departmental mix seems *odd* for complaints on the WR topics. The School of Public Policy was included on both committees.[46] Stough's C.V. shows him to be a 20-year GMU SoPP faculty member, experienced in academic affairs:[47]

> '● **Vice President for Research & Economic Development**– 2008 to present
> ● President, George Mason Intellectual Properties, Inc. – 2008 - present
> ● Northern Virginia Endowed Chair, Eminent Scholar & **Professor of Public Policy – 1990 to present**
> ● Associate Dean for Research, Development and External Relations, School of Public Policy – 2002 to 2008
> ● Associate Dean for Academic Affairs, School of Public Policy –1999-2002'

Donna Sherrard contacted Bradley several times for the investigation and is listed as Stough's (and only his) assistant. *The investigation committee seems more closely related than typical committees elsewhere,* **§7.** *Unlike the inquiry committee, it reached an absurd result, taking 200 days.*

Stearns	Stough		← Named by
Inquiry Comm	Invest.Comm	Stough	Department Affiliation
X			Dept of Public & Interntl Affairs
X			Philosophy
X	X	X	School of Public Policy
	X	X	Provost Office
	X		Physics

[46] See **§A.6**, regarding Patrick Michaels, who has taught at least one SoPP course. At least one other course has used one of his books. This may or may not matter.
[47] www.webcitation.org/69bU91uu5

04/26/12 Copied to John H. Blacksten, answers in Bold (cont)[48]

6) RESULTS OF INVESTIGATION
"Prepares a draft investigation report"

Q6.1 What was the date of this report? **October 5, 2011** ⓫

"The committee then prepares a final investigation report to the Vice President."

Q6.2 What was the date of the final investigation report? **August 11, 2011** ⓬

Q6.3 How many pages long was it? **9 pages** ⓭

"Includes a recommendation as to whether the complainant should be notified of the results of the investigation and, if so, which parts of the report, if any, should be included in the notification"

Q6.4 Did the committee recommend the complainant be notified or not?**Yes.** ⓮

7) UNIVERSITY DETERMINATION BASED ON INVESTIGATION

"The Vice President provides a copy of the final investigation report and the university's decision to the respondent."

Q7.1 When did that occur? **November 16, 2011** ⓯

"If the decision is that the respondent committed research misconduct, the Vice President provides notice to the respondent that he or she may appeal the decision by filing a request for reversal or modification of the decision and grounds for that request with the President within 30 days of receiving the university's decision."

Q7.2 In an interview, your public affairs office referenced appeals channels to explain the length of this investigation. Was there an appeal, and if so, when? **Appeal requested on December 20, 2011. (no further information at this time)** ⓰

[48] The reader might compare these FOIAs, which seek specific, narrow information about a process in which misconduct had already been found, with the "fishing expeditions" by VA AG Ken Cuccinelli and David Schnare **§A.6.2.**

Commentary

⓫ This date makes sense, a week later than the 4th committee meeting.

⓬ *This date cannot be right.* October 11 is assumed, although it had to lie between October 5 and November 16, from other information.

⓭ A 9-page report took 4 meetings and 200 days. Nominal was 120.

⓮ Here, another committee recommended Bradley be notified, but he was not, again. He has still gotten no report or even a final letter.
Q: Who overrode the committee recommendation?

⓯ This does bound the latest date of the report.

⓰ Wegman appealed it, *apparently at the end of the allowable time*.

> 'As sanction, Professor Wegman has been asked to apologize to the journal involved, while retracting the article; and I am placing an official letter of reprimand in his file.'

Since Stearns said the investigation claimed the WR to have no misconduct, *this seems to imply that he appealed the reprimand by Stearns,* **§6**. *The article had been retracted already and apologizing to his old friend Stanley Azen did not seem onerous.*

Since Stearns seems to have written clear untruths about the committee structure, one might wonder about the actual contents of the reports. One might also wonder about the composition and deliberations of the investigation committee. The absurd result might hint at careful choice of committee or possible pressure. GMU has not released any report.

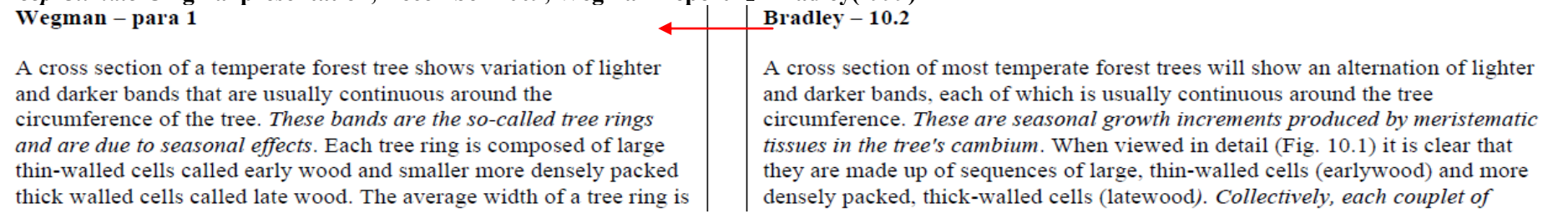
Readers of earlier versions of this report [MAS2012a] can skip to **§6** for the updated analysis of Stearns' letter to GMU faculty and issues regarding possible retaliation against Bradley. Readers new to this might read enough of the next few sections to assess the credibility of the claims of plagiarism and misconduct, then skip to **§6** when they get tired of seeing repetitive copy-paste-edit behavior (cyan and yellow).

1.4 Plagiarism by copy, paste and trivial change

Shown below is a sample of DC's earliest side-by-side presentations, followed by July 2010's color updates, **in the style used throughout**.

Documents with alleged plagiarism always appear at left, the antecedent(s) at right, with similar cyan/yellow highlighting.
This kind of plagiarism claims no invention or new ideas, but uses near-verbatim text to present an illusion of expertise and credibility.

***Deep Climate* Original presentation, December 2009, Wegman Report ← Bradley(1999)**



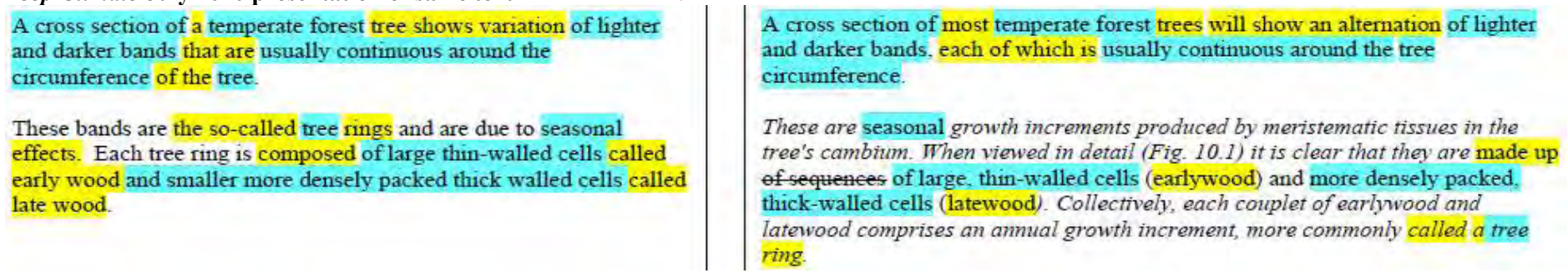
Wegman – para 1

A cross section of a temperate forest tree shows variation of lighter and darker bands that are usually continuous around the circumference of the tree. *These bands are the so-called tree rings and are due to seasonal effects*. Each tree ring is composed of large thin-walled cells called early wood and smaller more densely packed thick walled cells called late wood. The average width of a tree ring is

Bradley – 10.2

A cross section of most temperate forest trees will show an alternation of lighter and darker bands, each of which is usually continuous around the tree circumference. *These are seasonal growth increments produced by meristematic tissues in the tree's cambium*. When viewed in detail (Fig. 10.1) it is clear that they are made up of sequences of large, thin-walled cells (earlywood) and more densely packed, thick-walled cells (latewood). *Collectively, each couplet of*

***Deep Climate* July 2010 presentation of same text**



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These bands are the so-called tree rings and are due to seasonal effects. Each tree ring is composed of large thin-walled cells called early wood and smaller more densely packed thick walled cells called late wood.

A cross section of most temperate forest trees will show an alternation of lighter and darker bands, each of which is usually continuous around the tree circumference.

These are seasonal *growth increments produced by meristematic tissues in the tree's cambium. When viewed in detail (Fig. 10.1) it is clear that they are* made up ~~of sequences~~ of large, thin-walled cells (earlywood) and more densely packed, thick-walled cells (latewood). *Collectively, each couplet of earlywood and latewood comprises an annual growth increment, more commonly called a tree ring.*

DC's early versions are clear enough with careful reading, but this copy-paste- trivial-change process is made quickly visible by highlighting identical, mostly in-order words in cyan. Once readers accept the cyan's validity,[49] it can be ignored, making trivial changes obvious, yellow. The rest is paraphrasing (which DC often showed in *Italics*) or unidentifiable.

Of the WR's 91 pages, 35 were eventually found to follow this style, also found in other efforts by Wegman and/or his students, totaling 80+ pages. In many cases, ~50% of the words were marked cyan, 20-30% yellow. **Trivial changes do not happen by accident.** Making enough of them is a minimal-effort way to defeat simpler automated plagiarism checkers.

The next sections offer side-by-sides to back the claims of **§1.1** They use the same style, except one that highlights alleged likely falsifications red. Cases are gathered into 3 groups, organized by dates by which GMU is known to have been formally notified:[50]

§2 Reported to GMU no later than May 2010.
Color versions appeared by July, were reported to GMU by October.
§3 Reported to GMU no later than October 2010
§4 Reported to GMU no later than June 2011

Wegman has consistently claimed there has been no plagiarism, and GMU mostly agreed. *Academics, especially, might read this and give opinions.*

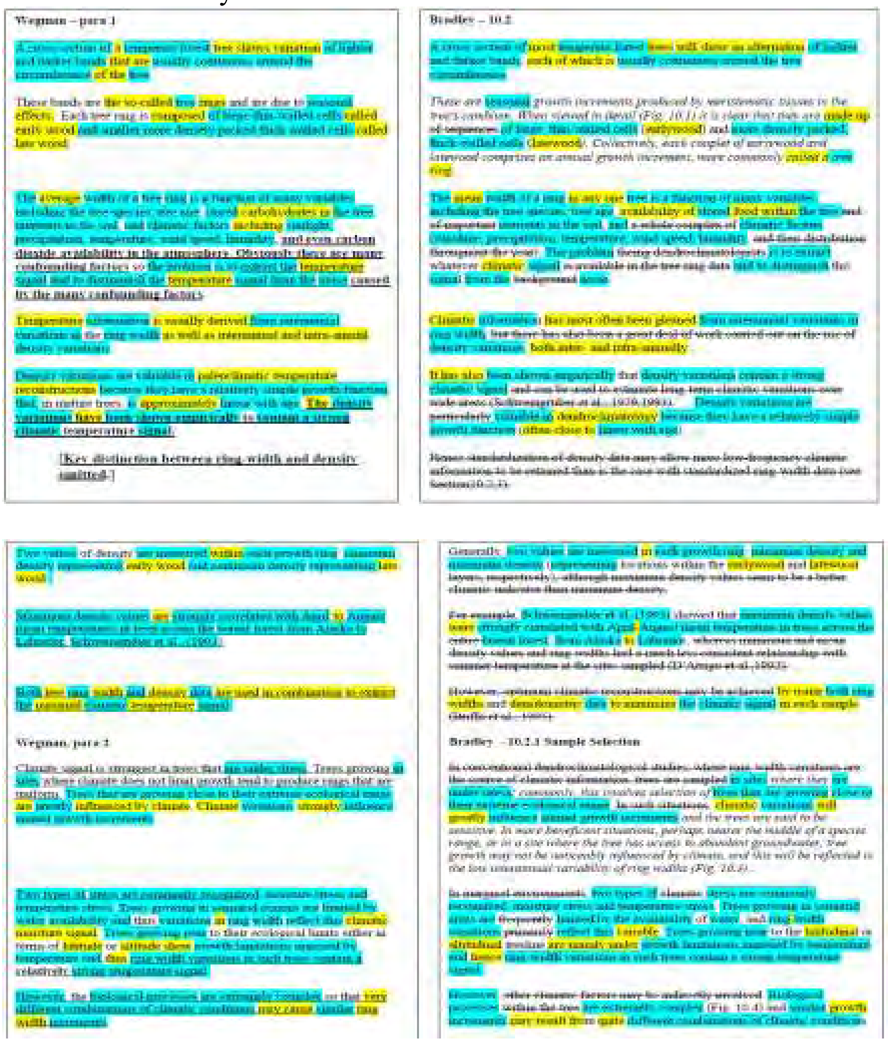
[49] Later, comparisons were made easier by reformatting texts to align cyan words.

[50] Many were discussed earlier at *Deep Climate, which a diligent committee might have monitored.* Formal complaints were made by Bradley and other people.

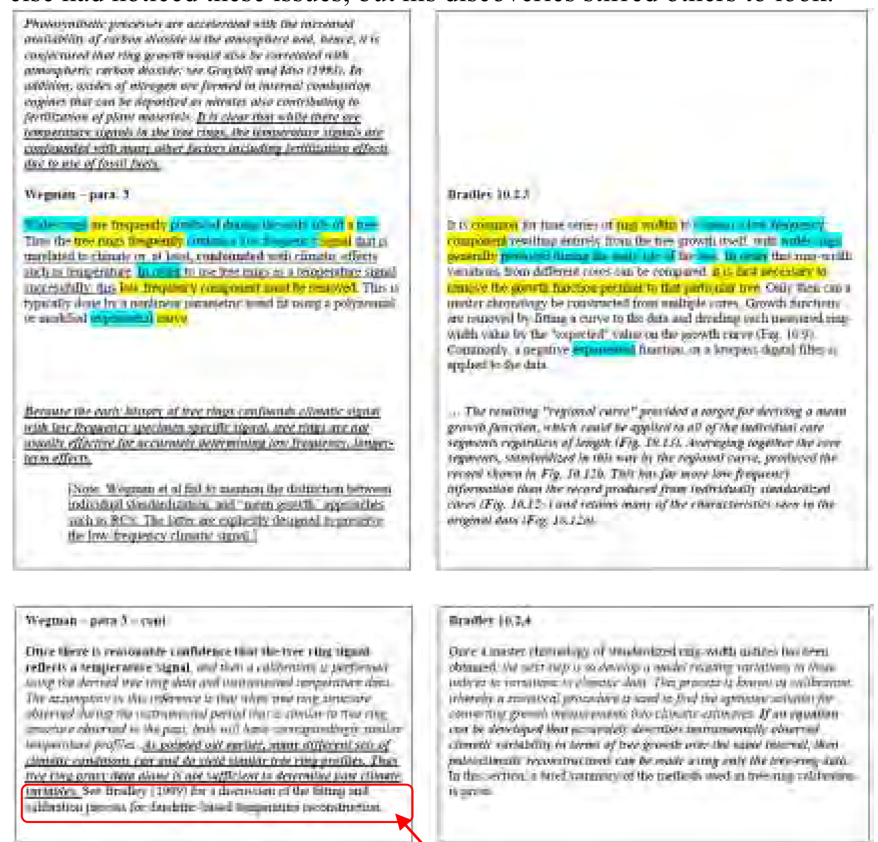
2 Reported by May 2010 to GMU by Ray Bradley

2.1 WR tree rings, ice cores and corals [m.1]

WR tree rings, pp.13-14. This was DC's first discovery, 2009, later colorized.[51] Bradley identified this to GMU in March 2010.[52]



DC's first few posts are noted here, [53] as examples of breakthrough detective work. Although many people had examined the WR, nobody else had noticed these issues, but his discoveries stirred others to look.



The tree-ring text had one limiting reference to Bradley, no quote marks.

Non-experts might study the text and be impressed by the WR's seeming mastery. Experts tend to glance only quickly at introductory material, so apparently no one (not even Bradley!) noticed the numerous problems, which went beyond plagiarism into misrepresentation / falsification.[54]

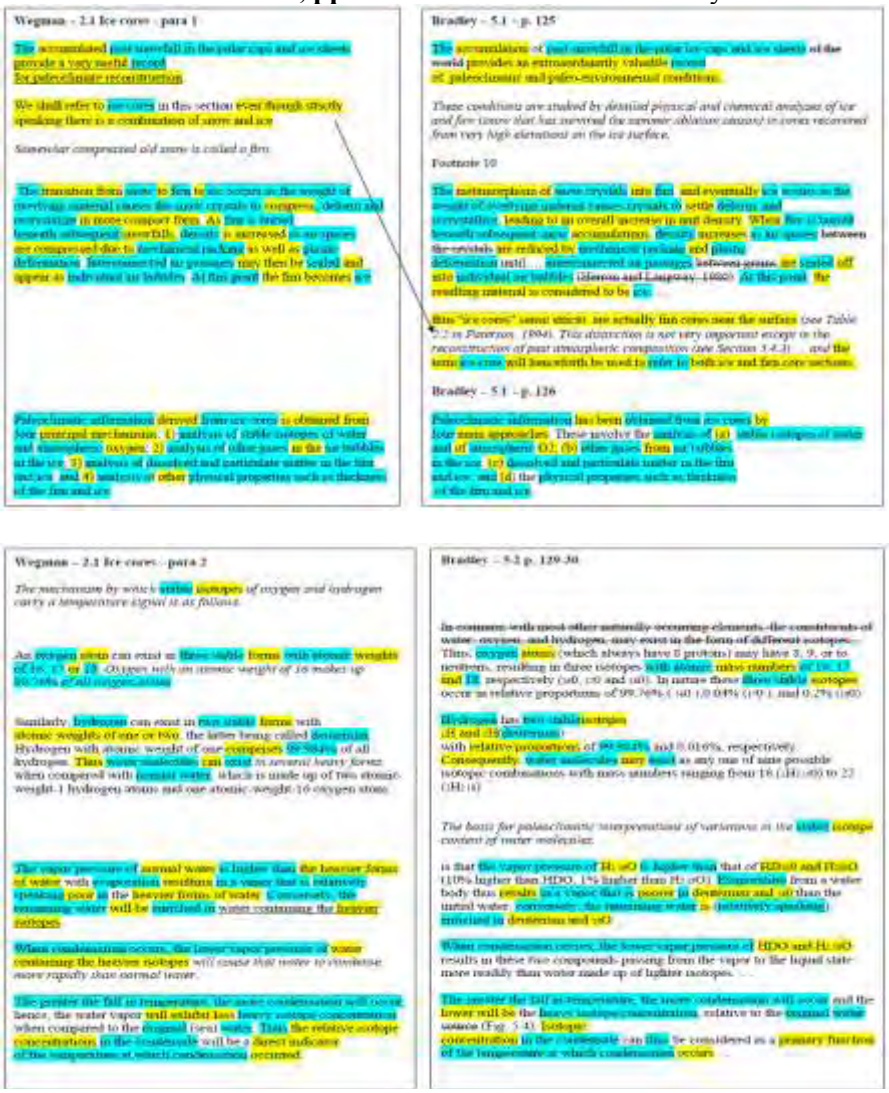
[51] deepclimate.files.wordpress.com/2010/07/wegman-bradley-tree-rings-v20.pdf

[52] MAS2011 p.24. Highlighting here, as elsewhere: cyan for identical, yellow for trivial changes. Cyan is a clear problem, yellow is troublesome. White is unknown.

[53] deepclimate.org/2009/12/17/wegman-report-revisited
deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1

[54] MAS2011b illustrates alleged falsification issues, introduced here in **§4.1.**

WR ice cores and corals, pp.14-15. DC found these in early 2010.[55]



Bradley had been properly cited for several tables earlier in the WR,[56] but few would guess that the tree-ring, ice-core and coral material was mostly his. His **only** mention in 2.5p, with no quote marks anywhere, was a limiting pointer to a more detailed topic, even described erroneously:

> "See Bradley (1999) for a discussion of the fitting and calibration process for **dendritic**-based temperature reconstruction." [57]

GMU verdict on Bradley text: not plagiarism, just paraphrasing

> 'The committee investigating the congressional report has concluded that no scientific misconduct was involved. **Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced** and the committee found that the paraphrasing did not constitute misconduct. This was a unanimous finding.' -[STE2012]

"Copy-paste- trivial-change, inject-errors and then sprinkle a few citations" was acceptable to the committee and administration
If this is representative of GMU policy, plagiarism must be pervasive.

[55] deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2
deepclimate.files.wordpress.com/2010/10/wegman-bradley-ice-cores-corals-v3.pdf

[56] The WR's tables introduced errors, some *ludicrous*.
See [MAS2010a, **§W.2.1**] about "ions, speleothrems and **phonology**."
While researchers might like 1000-year old sound recordings, none are available.

[57] *Dendritic* means "branching like a tree," and also describes drainage systems.
The correct phrase is "dendrochronological temperature reconstruction."
Quite often, copied text was correct, but departures introduced silly errors.
The WR even misspelled a key word ("Quaternary") of Bradley's book title.

2.2 WR Social networks analysis [m.2] *

WR pp.17-22. DC found these April 2010.[58] Bradley forwarded them to GMU in May.[59] The red circle shows a mis-edit from "movement between places and statuses" to the silly "movement between places and statues." This error persisted in 2 PhD dissertations, Sharabati [o] and Rezazad [p].

[58] deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship
deepclimate.files.wordpress.com/2010/07/wegman-social-networks-v-2.pdf

[59] MAS2011 p.30

GMU verdict on WR social networks text above: never mentioned.
[STE2012] never mentioned the 5.5p section of the WR shown here, but only stated the unanimous decision of no plagiarism and no academic misconduct in the Congressional report, **§6.1.** Since the *CSDA* article was plagiarism,[60] this finding was *an absurd contradiction*, as DC explained.[61]

In addition, the explanation given by Wegman was *odd*:

> 'we thought it would be useful to **provide some boilerplate background**[62] on social networks for the Congressmen and their staffers. …
> When Denise *(Reeves)* returned from her short course at Carnegie-Mellon**, I took her to be the most knowledgeable among us on social network analysis,** and I asked her to write up a short description we could include in our summary. She provided that within a few days, **which I of course took to be her original work.**' [MAS2011a, pp.6-8]

If it was her original work (5.5p of 91p), why was she not a coauthor? Who did the trivial edits and why? Why were parts then included without credit in *CSDA* and dissertations? She had met with a GMU misconduct committee and said "her academic integrity is not being questioned." [VER2011a] **GMU knew all this in May 2011.** GMU policy says:

> 'The misconduct be committed intentionally, knowingly, or **recklessly**,'

Lead authors are usually thought responsible to avoid recklessness. Why was one of two key WR thrusts based on a grad student's short course?

[60] This seems inescapable, since Elsevier had already demanded retraction.

[61] "GMU contradictory decisions on Wegman: Plagiarism in *CSDA*, but not in 2006 congressional report."
deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report

[62] *Readers might examine the actual text and assess whether it is a) appropriate background for Congress or b) an attempt to fake expertise.*

2.3 Social networks in *CSDA* paper (2008) [n]

DC had found [SAI2008] by April 2010.[63] Bradley reported it to GMU in May.[64] It had a 1.5p subset of WR's 5.5p, also shown in a 3-way comparison.[65] They fixed the silly "statues" here, but not in later PhDs.

A funding issue also appeared:

> "Acknowledgements The work of Dr. Said is supported in part by Grant Number F32AA015876 from the National Institute on Alcohol Abuse and Alcoholism. The work of Dr. Wegman is supported in part by the Army Research Office under contract W911NF-04-1-0447. Both were also supported in part by the Army Research Laboratory under contract W911NF-07-1-0059."

[STE2012] stated (and is annotated in §6.1):

> "Concerning the *Computational Statistics* article, the relevant committee did find that **plagiarism occurred in contextual sections of the article**, as a result of poor judgment for which Professor Wegman, as team leader, must bear responsibility. This also was a unanimous finding. As sanction, Professor Wegman has been asked to apologize to the journal involved, while retracting the article; and I am placing an official letter of reprimand in his file."

CSDA publisher Elsevier already forced a retraction in May 2011, over strong objections from Wegman and resistance from E-i-C Azen:[66]

> "This article has been retracted at the request of the Editor-in-Chief and co-Editors, as it contain portions of other authors' writings on the same topic in other publications, without sufficient attribution to these earlier works being given. The principal authors of the paper acknowledged that text from background sources was mistakenly used in the Introduction without proper reference to the original source. Specifically, the first page and a half of the article (pp. 2177–2178) contain together excerpts from Wikipedia (first paragraph), **Wasserman and Faust**'s "Social Network Analysis: Methods and Applications" (pp. 17–20) ISBN 10: 0-521-38707-8; ISBN 13: 978-0-521-38707-1. Publication Date: 1994, and **W. de Nooy, A. Mrvar and V. Bategelj**'s "Exploratory Social Network Analysis with Pajek"" (pp. 31, 36, 123, and 133) ISBN 10: 0-521-60262-9; ISBN 13: 978-0-521-60262-4. Publication Date: 2005. The scientific community takes a strong view on this matter and apologies are offered to readers of the journal that this was not detected during the submission process.
>
> One of the conditions of submission of a paper for publication is that authors declare explicitly that their work is original and has not appeared in a publication elsewhere. The re-use of material, without appropriate reference, even if not known to the authors at the time of submission, breaches our publishing policies."

The 1.5p **[n]** text was plagiarism, but not the 5.5p WR text **[m.2]** from which it was excerpted? *Neither that nor Wegman's explanations make sense.* Unmentioned by Stearns, the bold sources above are copyrighted.

Elsevier verdict on *CSDA*: plagiarism (over Wegman objection)
GMU verdict on *CSDA* social networks: plagiarism
(likely inescapable, but minimized by GMU as "contextual.").

[63] deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship
deepclimate.files.wordpress.com/2010/04/wegman-social-networks1.pdf
[64] MAS2011 p.30
[65] MAS2010a pp.118-128

[66] MAS2011a pp.11-12. Azen is still E-i-C of *CSDA*.
news.sciencemag.org/scienceinsider/2011/06/journal-retracts-disputed-network.html
www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm

3 Reported by October 2010 to GMU by John Mashey

3.1 WR Principal Components Analysis, Noise [m]

WR pp.15-17. DC published these 07/29/10,[67] commenting:

> "Finally, the PCA and noise model section discussed above clearly contains the least "strikingly similar" material. **But the surprise here is that there is any at all.** Not only that, but changes made by Wegman et al have apparently introduced errors. Moreover, the sheer number of apparent sources and relative brevity of the antecedent passages means that additional antecedents can not be ruled out."

GMU verdict on WR PCA: never mentioned.

[67] deepclimate.org/2010/07/29/wegman-report-update-part-1-more-dubious-scholarship-in-full-colour

3.2 WR Miscellany and magnets [m]

By July 2010, the public total was 10p in the WR, 1.5p in *CSDA*. By then, many other problems had been found in the WR. Of its 80 references, many from grey literature, only 40 were cited.[68] The most bizarre was: [69]

> 'Valentine, Tom (1987) "Magnetics may hold key to ozone layer problems," *Magnets*, 2 (1) 18-26.
> *This uncited reference alone raises a serious question of basic scholarly competence*[70]. *It is utterly bizarre, especially in a report criticizing the quality of review elsewhere.* I could not find an online copy, but a 1987 ozone article is at best irrelevant bibliography-padding.
> "MAGNETS *In Your Future"* was an obscure fringe-science magazine, for which Valentine wrote articles and later served as Editor. He had a long history of writing on fuel-less engines, psychic surgery (books, see Amazon) and conspiracy theories for a tabloid, *The National Tattler*. His Bio states of that work: *"(Miracle editor—had to come up with a miracle a week!)"*
> Some examples and background are:
> web.archive.org/web/20050208000510/tomvalentine.com/html/about_tom1.html his Biography
> www.rexresearch.com/evgray/1gray.htm#1 "Man Creates Engine That Consumes No Fuel…"
> www.rexresearch.com/elxgnx/elxgenx.htm "electrogenic agriculture"
> www.rexresearch.com/nemes/1nemes.htm#magnets invention suppression
> His later talk show often promoted "black helicopters" conspiracies:
> en.wikipedia.org/wiki/Black_helicopter
> For more discussion, and credits to various people, see :
> scienceblogs.com/deltoid/2010/05/wegman_and_black_helicopters.php'

DC's work had stirred me to examine the WR's "Summaries of Important Papers," which I found to be rife with errors, biases and distortions, plus 25p more of plagiarism. Fortunately, it required no sleuthing to discover the relevant papers, just tedious work to analyze and display plagiarism and other problems. About 50% of the words were colored cyan, i.e., identical, in-order,[71] plus 20-30% trivial changes in yellow.
Copy-paste-trivial-change is not proper paraphrasing or summarization.

[68] This indicates likely *bibliography-padding*.
[69] MAS2010a p.180
[70] It probably deserves a color code all its own.
[71] DC sometimes colored obvious text movements cyan, likely a better hint at the editing process. I usually omitted those in favor of strict in-order selection. Each way has its advantages, but yield ~similar results for this plagiarism style.

3.3 WR Summaries of Important Papers [m]

Summaries pp.67-92. Uncolored text near bottom of most pages is often not part of the WR, but editorial comment.
By word count, ~50% of the total Summaries text was essentially in-order identical, and another ~30% trivial change plus obvious paraphrase.
p.200 of [MAS2010a]

p.203

p.206

p.209

p.212

GMU's own Writing Center explained good paraphrasing to avoid plagiarism and show understanding.[72] By contrast, this was cut-paste-edit and show ignorance by injecting errors and distortions. As usual, the side-by-side presentation approximately doubles the page count.
p.215

p.218

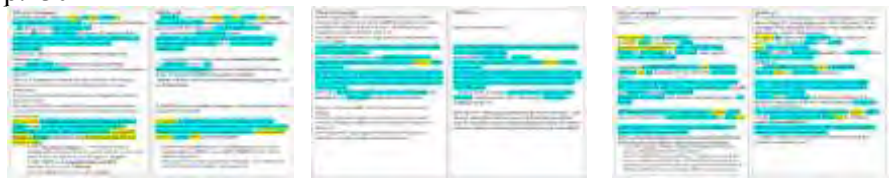
p.221

p.224

p.227

[72] http://web.archive.org/web/20110719201904/http://writingcenter.gmu.edu/resources-template.php?id=1 REDONE http://writingcenter.gmu.edu/?p=509
OR MAS2010a pp. 189-191

p.230



p.233

p.236

p.239

p.242

p.245

p.248

Those added 25 more WR pages with substantial plagiarism, thus totaling 35 of 91 WR pages, plus 1.5p of *CSDA*.
[MAS201a] was mentioned by Dan Vergano at *USA Today* 10/08/26, [73] who contacted plagiarism experts and on 11/22/10 wrote:
"Experts claim 2006 climate report plagiarized:"[74]

> '"The matter is under investigation," says GMU spokesman Dan Walsch by e-mail. In a phone interview, Wegman said he could not comment at the university's request. **In an earlier e-mail Wegman sent to Joseph Kunc of the University of Southern California, however, he called the plagiarism charges "wild conclusions that have nothing to do with reality."**
> The plagiarism experts queried by USA TODAY disagree after viewing the Wegman report:
> • "**Actually fairly shocking**," says Cornell physicist **Paul Ginsparg** by e-mail. "My own preliminary appraisal would be 'guilty as charged.' "
> •"If I was a peer reviewer of this report and I was to observe the paragraphs they have taken, then I would be obligated to report them," says **Garner** of Virginia Tech, who heads a copying detection effort. "There are a lot of things in the report that rise to the level of inappropriate."
> •"The **plagiarism is fairly obvious** when you compare things side-by-side," says Ohio State's **Robert Coleman**, who chairs OSU's misconduct committee.

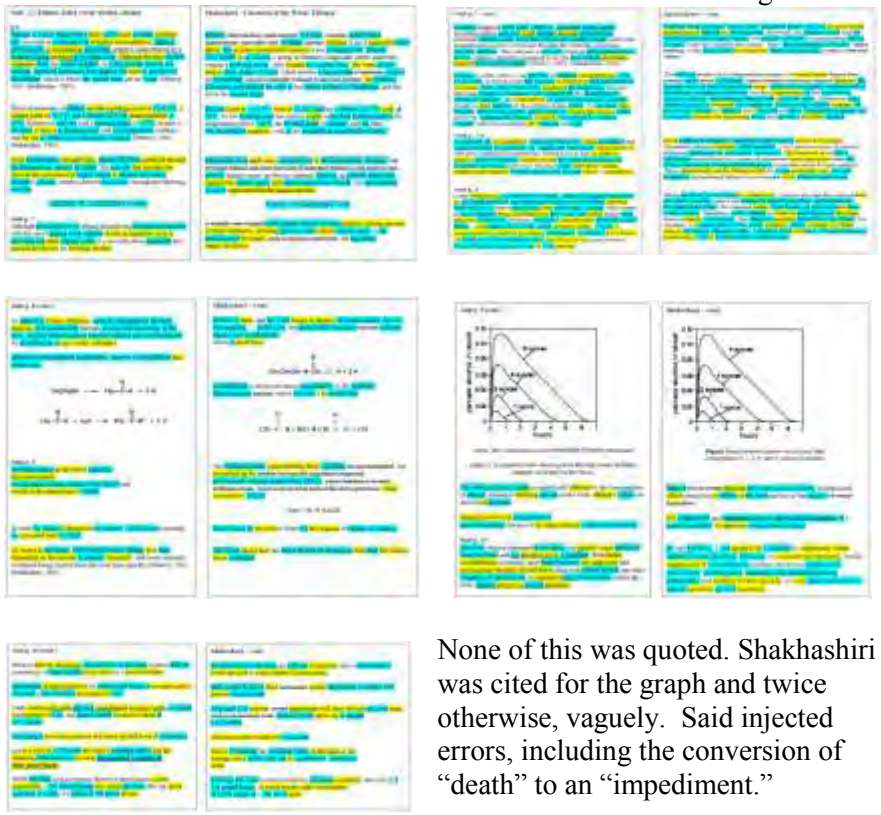
Vergano continued with "Climate science critic responds to allegations"[75] and "Wegman report round-up."[76]

GMU verdict on the 25 pages of WR "summaries" text: never mentioned.

[73] VER2010
[74] VER2010a In May 2011, Walsch then changed to still be in inquiry.
[75] www.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism_N.htm
[76] VER2010c

3.4 Yasmin Said PhD dissertation (2005) "best of year" [j]

This was originally identified by *terry*, 08/03/10, causing others to investigate further. DC later offered a detailed analysis.[77] The "cut-paste-trivial-change, with errors, sometimes silly" style was by now familiar. Her PhD used 5 pages from University of Wisconsin Professor Bassam Shakhashiri's ethanol web page. As often seen elsewhere, 50% of the words were in-order identical and another 20% were trivial changes.



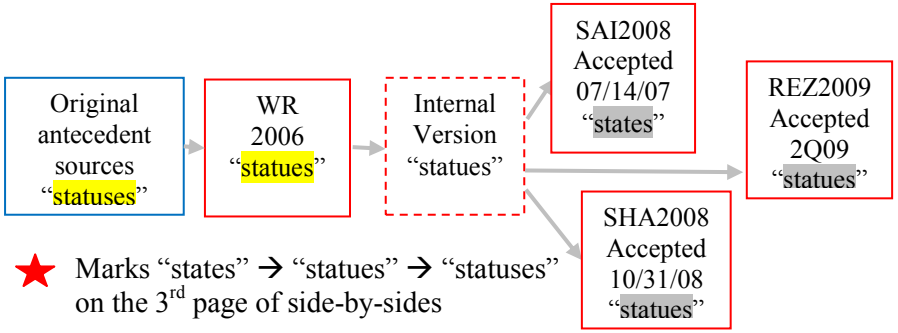
None of this was quoted. Shakhashiri was cited for the graph and twice otherwise, vaguely. Said injected errors, including the conversion of "death" to an "impediment."

GMU verdict on Said dissertation: personnel matter, no comment.
Yasmin Said was a GMU Research Assistant Professor, as of 02/29/12.[78]

[77] deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review; deepclimate.files.wordpress.com/2010/09/said-dissertation-shakashari.pdf
[78] peoplefinder.gmu.edu/index.php?search=yasmin+said&group=faculty
But by June 2012, she was no longer found there.

3.5 Walid Sharabati PhD dissertation (2008)"best of year" [o]

DC had actually identified Sharabati(2008) or [SHA2008] in comments 04/24/10,[79] with more discussion later.[80] The dissertation had ~2.5p of the SNA text from the WR[81] given to him by Wegman, who got them from Denise Reeves.[82] It also had other issues, such as extreme bibliography-padding. It, the *CSDA* article and WR were compared in a triple side-by-side, with annotations for Rezazad's dissertation, but are omitted here, since redundant. The overall flow appeared to be:



GMU verdict on Sharabati dissertation: personnel matter, no comment.

3.6 Hadi Rezazad PhD dissertation (2009) "best of year" [p]

DC discussed [REZ2009], the 4th re-use of the WR SNA text(~ 8 pages).[83]
GMU verdict on Rezazad dissertation: personnel matter, no comment.

3.7 Wegman slides, NCAR, 2007 [q]

Wegman copied a few of Mann's own slides into a doubt-casting talk to an expert audience . This was minor, but just too ironic to avoid mention. [84]

[79] deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship/#comment-3371
[80] deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review
[81] MAS2010a p.118, 152
[82] .MAS2011a p.7
[83] deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review
deepclimate.files.wordpress.com/2010/09/rezazad-wegman-social-network.pdf
[84] MAS2010a p.70

3.8 October 2010 formal complaint on dissertations [j, o, p]

10/24/10. Ohio State U Professor Rob Coleman, filed a formal complaint:

'**Subject**: alleged plagiarism in GMU doctoral dissertations
Date: 24 Oct 2010 14:22:34 -0400 … *(copy to pbecker @ GMU)*
Dear Vice President Stough,
I allege plagiarism in three George Mason University doctoral dissertations:
(1) Yasmin H. Said (2005), supervised by Edward A. Wegman;
(2) Walid Sharabati (2008), supervised by Edward A. Wegman;
(3) Hadi Rezazad (2009), supervised by Edward A. Wegman.
These alleged cases of plagiarism have been publicly documented in an extensive analysis by John R. Mashey, which can be found in the Mashey Analysis.[85] This document also contains details of alleged plagiarism by Professor Wegman, charges I understand are pending at GMU. Additional information and a detailed analysis of the specific instances of alleged plagiarism can be found at this discussion of GMU Dissertation Review.[86] Specific sections of the Mashey Analysis relevant to the three allegations are (1) Appendix A.9, p.87; (2) Appendix W.5.7, p.152; (3) Appendix W.5.10, p.159. Items (2) and (3) are part of a extensive series of alleged plagiarism summarized in Appendix W.2.3, pp.118-128, and extended in W.5.6, pp.148-151, as the problem appears in a paper by Said, Wegman, Sharabati and (another GMU student) John Rigsby.

Although instances of plagiarism in doctoral dissertations are relatively rare, the consequences can be significant. The Ohio State Committee on Academic Misconduct recently heard such a case, and the sanctions included withdrawal of the Ph.D. degree. (I am Chair of this committee.) Information on this case can be found in this news article.[87] You may also know that an extensive series of plagiarized M.S. theses at Ohio University in Athens, and the extremely poor response by the administration there has made Ohio University a laughingstock with respect to academic integrity.

The information in the above links is extensive and somewhat difficult to wade through. If you require further information from me, if the included links do not work, or if you need a more concise summary, please do not hesitate to ask.
Robert S. Coleman, Professor and Vice Chair for Graduate Studies, Department of Chemistry, Ohio State University'

[85] deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf
[86] deepclimate.org/2010/09/15/wegman-report-update-part-2-gmu-dissertation-review
[87] www.courthousenews.com/2010/08/26/29882.htm

About 8 months later, having heard nothing, Coleman inquired and got:

'On 5/19/11 6:54 AM, Roger Stough wrote:
Dear Dr. Coleman, thank you for your inquiry regarding this matter. It is **currently treated as a personnel matter** at Mason and thus is confidential. So **I am sorry that I cannot give you more information.** Thanks again, Roger'

05/19/11. Coleman replied, further:[88]

'Dear Vice President Stough,
Thank you. I should have noted that GMU's misconduct policy differs from our, in that in the Ohio State policy the Complainant is notified of the results of the initial inquiry and has the right to challenge the decision. We also have a specific process for graduate students, wherein the Complainant is also notified of all decisions along the way.'

05/19/11. Stough continued:

'Rob, thank you for letting me know how your suystem works. **We are learning that our policies re. Reserch Misconduct need revision.** Yor note will be helpful in that. Thanks again. Roger'

OSU's policies are well within the norms for research universities and Coleman certainly had experience drafting and implementing them. GMU's processes almost seem designed to discourage complaints, **§A.1.**

Plagiarized SNA text was used 4 times, in the WR, *CSDA* and Sharabati and Rezazad dissertations. Wegman claimed he thought it was Denise Reeves' original work, included in the WR and then in the [SAI2008], but without credit.[89] Coleman filed these complaints, all for relatively-simple, well-documented plagiarism. They have effectively disappeared.

GMU verdict on dissertations: personnel matter, no comment whatsoever.

[88] Coleman had written much of the current version of OSU's misconduct policy, which complies with Federal guidelines. From perusal of a dozen or so policies of well-known research universities, complainants are indeed typically informed of the key decisions, sometimes including membership of an inquiry committee. **§A.1** links to a quick sample of misconduct policies. Federal guidelines include: Federal Register / Vol. 65, No. 235 / Wednesday, December 6, 2000, OSTP frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=2000_register&docid=00-30852-filed.pdf pp.76260-76264. Primary definition of research misconduct.
[89] [MAS2011a, p.7, 4]

3.9 October 2010 formal report [j, m, n, o, p, q]

10/28/10. It was hard to imagine that GMU had overlooked the coverage in *USA Today* and elsewhere, but just in case, during October 2010, I sent formal complaints to GMU regarding the dissertations and other items, which finally seems fair to publish, given:

"**Stearns says the university is not investigating any other complaints**."[90]

'From: Roger Stough <EMAIL>
Date: October 28, 2010 3:54:18 PM PDT
To: John Mashey <EMAIL>
Subject: Re: Further allegations of plagiarism in Wegman Report
Dear Dr. Mashey, I have forwarded this information to the appropriate authorities at Mason in accordance with your process for these matters. Thanks for sending this information to us. Sincerely, Roger Stough

On 10/28/2010 11:01 AM, John Mashey wrote:
Dear Sir:

You have probably seen:
content.usatoday.com/communities/sciencefair/post/2010/10/wegman-plagiarism-investigation-/1

I am the author of the 250-page report mentioned there.
Appendix W.2.1 covers the alleged plagiarism of Bradley(1999).

Appendix W.2.3 covers the alleged plagiarism of several social networking texts, including the re-use in a later article and several PhD dissertations, discussed in further detail in Appendix W.5.

I believe you are already aware of those.

Appendix W.2.2 covers alleged plagiarism of several sources on principle components, somewhat marginal by comparison.

As cited there, the sections are discussed in more detail, including inks to highlighted side-by-side comparisons at:
deepclimate.org/2010/07/29/wegman-report-update-part-1-more-dubious-scholarship-in-full-colour/
In total, those account for about 10 pages of the Wegman Report.

In addition, my 60-page Appendix W.11 alleges plagiarism of 25 more pages, showing the cut--paste nature of the Summaries of Important papers. Of the total words, about 50% are exact, locally in-order copies of text (highlighted cyan), and another 30% are trivial changes, rearrangements, etc. All the text is shown in highlighted side-by-side comparisons.

In addition, while it is sometimes difficult to draw the line between incompetent error and deliberate misrepresentation, many changes shown in W.11 seem more likely to be the latter.
Likewise, some changes made to Bradley's text might be judged either misrepresentation or fabrication, difficult to distinguish given the vague citation. if needed, a more detailed analyss is under way and can be provided later.

Appendix A.11 mentions relevant files that disappeared from GMU servers sometime between August 16 and August 23. Presumably these can be obtained from backups, but if not, I do have copeis of them all.

Sincerely

John R. Mashey, PhD'

GMU thus had complaints alleging substantial plagiarism by obvious copy-paste-trivial-change, all presented in colored side-by-sides:

~35	pages in WR
~1.5	pages in *CSDA* article, which acknowledged Federal funding
~5	pages in Said dissertation (2005)
~2	pages in Sharabati dissertation (2008)
~8	pages in Rezazad dissertation (2009)

That totals 50+ pages, another 30+ would be found later.

Misrepresentation was also mentioned above, as DC had identified dubious problems in 2009. Since GMU never contacted me for more information, it was months before a reasonably simple example was created. It often takes some knowledge of the domain and literature to recognize misrepresentation / falsification / fabrication. Complainants assumed that plagiarism would be obvious enough, so no one bothered with falsification. Much of the WR was arguably falsification or misrepresentation of various kinds, but just one example is given, next.
Meanwhile, DC and others kept looking and yet more was to emerge.

[90] VER2012

4 Reported to GMU by June 2011 via Ray Bradley

On 06/06/11, for an investigatory committee conference call the next day, Bradley sent and in the call, University Counsel acknowledged receipt:

- An earlier plagiarism list and graph,[91] where [n] was Said and Wegman (2009), reported to Wiley, but not then completely documented.
- A link to [MAS2011b] discussed below.
- A copy of *andrewt*'s notes, see **§4.2** at *right.*

By some date/time mix-up, Wegman did not appear, so no interview occurred then, or for other reasons, later. But the committee was informed.

4.1 WR tree rings example of alleged falsification [m]

WR pp.13-14. Plagiarism is much easier for non-experts to see than falsification. [MAS2011b, 12 pages] illustrated the latter (red) and compared different kinds of falsification, with examples from Ward Churchill's case. One kind of falsification is obvious when non-experts copy an expert's text and then **weaken or invert** its conclusions,
The last red sentence directly contradicted Bradley's book, with no basis.
This is highlighted WR text, not a side-by-side comparison.

GMU verdict on alleged falsification: never mentioned.

[91] i40.tinypic.com/311ru6q.jpg

4.2 Wegman, then Al-Shameri copy Grossman PhD [a, b, c]

On 12/02/10, DC reported some earlier findings, started by *andrewt* 11/29/10, and color-formatted on next page:[92]

> 'We also had andrewt's discovery of two paragraphs[93] from a 1995 GMU PhD dissertation, showing up (decidely out of context) in a 1996 article on statistics software by Wegman and several of his proteges. David Grossman's dissertation *Integrated Structured Data and Text: A Relational Approach* is here,[94] while the technical report *Statistical Software, Siftware and Astronomy* by Wegman et al can be found here,[95] with an unformatted version here.[96]
>
> And to top it off, the same two paragraphs, plus seven more from Wegman et al, can be found almost verbatim as section 1.4.2 in Wegman student Faleh Al-Shameri's 2006 PhD dissertation. That **dissertation is embedded in their joint patent application**[97] for "Automated generation of Metadata" (for use in a data and text mining context) .

Some people had conjectured that the pervasive plagiarism style first appeared with Yasmin Said's dissertation in 2005, but in fact, a similar cut-paste-trivial-change approach is seen in the next page. This acknowledged funding from ARO 32850.12-MA, i.e., the Army Research Office (ARO), Funding Number DAAH04-94-G-0267.

Andrewt reported this to GMU in December 2010, but Bradley also sent GMU the (non-colored) text in June 2011.

The following page converted *andrewt*'s texts to cyan/yellow display.

[92] deepclimate.org/2010/12/02/wegman-et-al-miscellany
[93] deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style/#comment-6606
[94] citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.54.1326&rep=rep1&type=pdf
[95] www.dtic.mil/cgi-bin/GetTRDoc?Location=U2&doc=GetTRDoc.pdf&AD=ADA313999 May 1996
[96] www.galaxy.gmu.edu/papers/astr.html seems to have disappeared. www.webcitation.org/5y4y1UmYs is an archived copy.
[97] www.freepatentsonline.com/y2010/0223276.html pp.103-104 of PDF patft.uspto.gov/netahtml/PTO/srchnum.htm Patent **8,145,677,** granted 03/27/12, dl.acm.org/citation.cfm?id=1145152 is reference to dissertation of same title

Wegman, Carr, Ring, Miller, Poston, Solka, Wallin
"Statistical software, siftware and astronomy,"
GMU Technical Report No, 128, pp.27-28 (1996)
in Statistical Challenges in Modern Astronomy II, pp.27-28 (1997)

Both DBMS and information retrieval systems provide some functionality to maintain data. DBMS allow users to store unstructured data as binary large objects (BLOB) and information retrieval systems allow users to enter structured data in zoned fields. However, DBMS offer only a limited query language for values that occur in BLOB attributes. Similarly, information retrieval systems lack robust functionality for zoned fields. Additionally, information retrieval systems traditionally lack efficient parallel algorithms. Using a relational database approach to information retrieval allows for parallel processing since almost all commercially available parallel engines support some relational database management system.

An inverted index may be modeled as a relation. This treats information retrieval as an application of a DBMS. Using this approach, it is possible to implement a variety of information retrieval functionality and achieve good run-time performance. Users can issue complex queries including both structured data and text.

The key hypothesis is that the use of a relational DBMS to model an inverted index will:
1) Allow users to query both structured data and text via standard SQL. In this fashion, users may use any relational DBMS that supports standard SQL;
2) Allow implementation of traditional information retrieval functionality such as Boolean retrieval, proximity searches, and relevance ranking, as well as non-traditional approaches based on data fusion and machine learning techniques;
3) Take advantage of current parallel DBMS implementations so that acceptable run-time performance can be obtained by increasing the number of processors applied to the problem.

Almost-identical language appears in Al-Shameri's dissertation and in patent 8,145,677, in section 1.4.2.3.

GMU verdict on plagiarism of Grossman: never mentioned.

David Grossman, Integrated Structured Data and Text: A Relational Approach, PhD Dissertation, Fall 1995, GMU. pp.1-2

Both DBMS and IR systems provide some functionality to maintain data ~~that is not intuitive to their approach~~. DBMS allow users to store unstructured data in Binary Large Objects (BLOB) and IR systems allow users to enter structured data in zoned fields. However, DBMS offer only a limited query language for values that occur in BLOB attributes. Similarly, IR systems lack robust functionality for zoned fields. Additionally, IR systems traditionally lack efficient parallel algorithms.

An inverted index may be modeled as a relation. This treats IR as an application of a DBMS. Using this approach, it is possible to implement a variety of IR functionality and achieve good run-time performance. Users can issue complex queries including both structured data and text.
~~A request to find articles containing vehicle and sales published in journals with over 5,000,000 subscribers requires a search of unstructured data to find the keywords vehicle and sales, and structured data to locate circulation data.~~

Our key hypothesis is that the use of a relational DBMS to model an inverted index will:
Allow users to query both structured data and text via standard SQL. In this fashion, users may use any relational DBMS that supports standard SQL. Allow implementation of traditional IR functionality such as Boolean retrieval, proximity searches, and relevance ranking.

Take advantage of current parallel DBMS implementations so that acceptable run-time performance can be obtained by increasing the number of processors applied to the problem.

4.3 Wegman and Solka(2005) in Rao, Wegman, Solka, Eds [k]

DC analyzed 2 articles, 06/07/11 [98] in the *Handbook of Statistics: Data Mining and Data Visualization* (Elsevier, 2005), edited by C.R. Rao, Edward Wegman and Jeffrey Solka.[99] DC writes of Wegman and Solka (2005):

> 'Sections 3 (The Computer Science Roots of Data mining), 5 (Databases), 6.2 (Clustering) and 6.3 (Artificial Neural Networks) **appear to be largely derived from unattributed antecedents**; these include online tutorials and presentations on data mining, SQL and artificial neural networks, as well as Brian Everitt's classic Cluster Analysis. All the identified passages, tables and figures were adapted from "copy-paste" material in earlier course lectures by Wegman. … ***Several errors introduced by editing and rearrangement of the material are identified, demonstrating the authors' lack of familiarity with these particular subject areas.***'

This was a more complex use of material for which no simple side-by-side was done, but DC observed this was another article with Federal funding:[100]

> 'The work of E.J.W. was supported by **the Defense Advanced Research Projects Agency via Agreement 8905-48174** with The Johns Hopkins University. This contract was administered by the Air Force Office of Scientific Research. The work of JLS was supported by the Office of Naval Research under "In-House Laboratory Independent Research."'

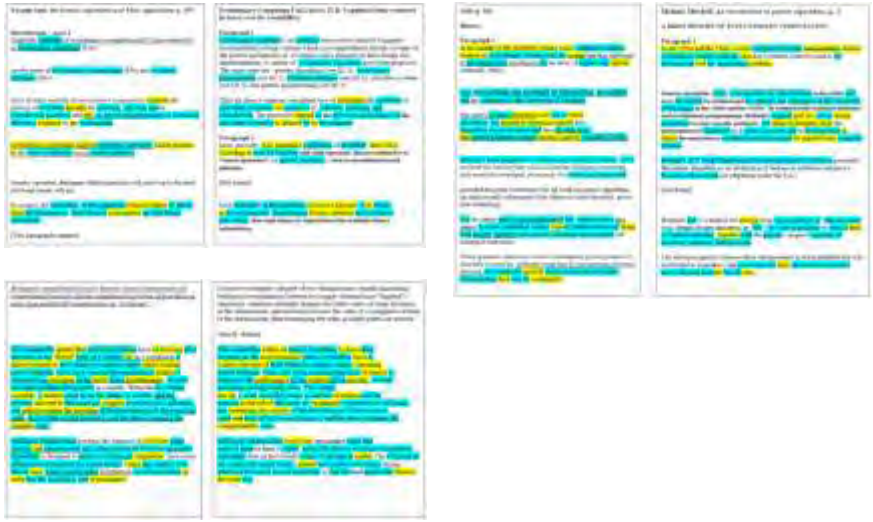
GMU verdict on Wegman and Solka(2005) plagiarism: never mentioned.

4.4 Said(2005) article in Rao, Wegman, Solka, Eds [l]

This covered the 2nd article, "On Genetic Algorithms and their Application."
DC detailed some errors and changes that worsened the text, but said

> 'At least this time, she managed to interweave strikingly similar material from three different sources, instead of just copying one.'

Some text showed a familiar cut-paste-edit pattern:[101]



GMU verdict on Said (2005) article plagiarism: never mentioned.

4.5 WR Bad statistics and cherry-picking

DC (and then Nick Stokes) showed[102] that not only did the WR use bad statistics, but in fact, must have been taken directly from Steve McIntyre's analysis, which used a 1:100 cherry-pick to select "hockey-stick" graphs. This was more specific than [MAS2010a, p.134], in which I had written:

> "Given all this, I had resolved to avoid the real statistics analysis in the WR, *but eventually realized there was none."*

4.5.1 WR Statistics code promised, hidden for years

This part is new and was not reported to GMU in 2011.
Wegman needs to release the code promised to Henry Waxman in 2006 and hidden under *false pretenses*.[103] Purposeful cherry-picking is usually considered falsification. Given DC's evidence above, I allege that *the hidden code seems likely to have the same problem. GMU needs to get code public, to prove or disprove an allegation of falsification.*
If the code has "been lost" one can only assume it is like McIntyre's.

---

[98] deepclimate.org/2011/06/07/mining-new-depths-in-scholarship-part-1
A version had been available several days earlier, although perhaps not publicly, explaining the 06/05/11 date in i40.tinypic.com/311ru6q.jpg.

[99] This is one in a series edited by Rao, a truly eminent statistician. Solka had been a Wegman student, now at the NSWC, which also employed John T. Rigsby III, a coauthor of the *CSDA* article and acknowledged for WR help. No claim is made of plagiarism by Solka, since this material came through Wegman's course.

[100] deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report/#comment-12109

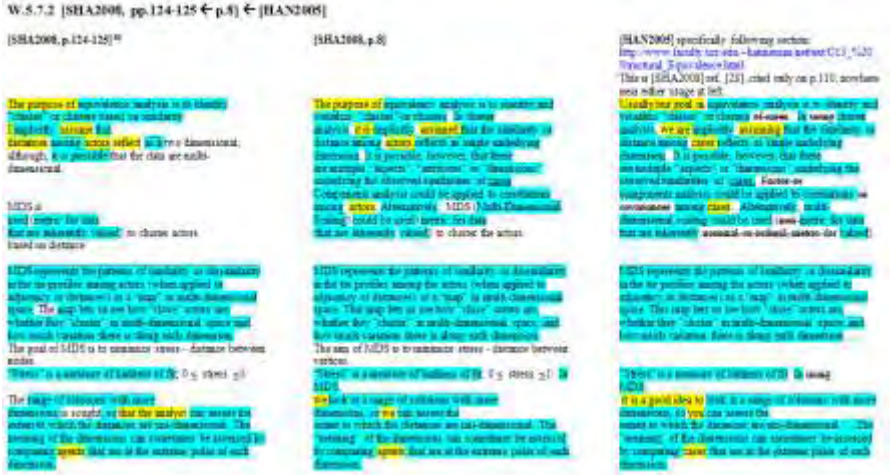
[101] deepclimate.files.wordpress.com/2011/06/said-genetic-algorithms-v10.pdf

[102] deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style DC moyhu.blogspot.com/2011/06/effect-of-selection-in-wegman-report.html Stokes *Readers with appropriate technical backgrounds might study these.*

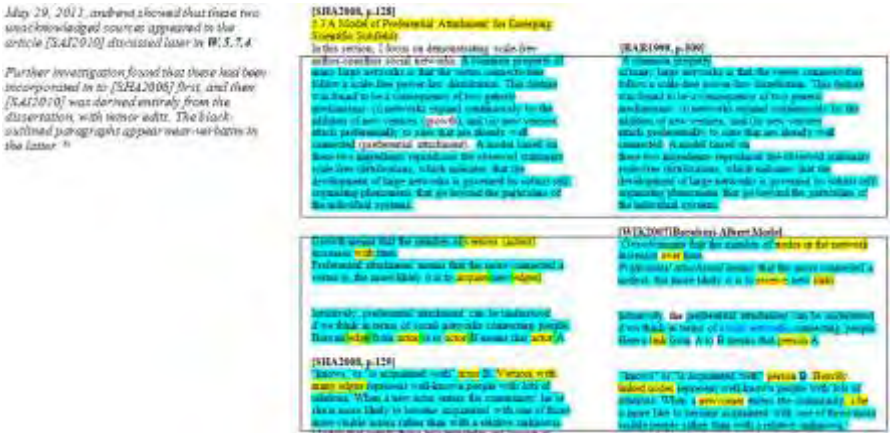
[103] www.desmogblog.com/ed-wegman-promised-data-rep-henry-waxman-six-years-ago-where-it The code was hidden by claiming untrue Navy involvement.

4.6 Sharabati (2008) additions; Said, et al (2010) [o, s]

[MAS2010, §W.5.7][104] had documented Sharabati's re-use of SNA text in his PhD, called [SHA2008] below. Later, *andrewt* found additional sources that got documented in an expanded §W.5.7.[105]
The previously-found antecedents of [SHA2008] were joined by [HAN2005], which got re-used in [SHA2008, p.8, then pp.124-125].



Then, [SHA2008] included material from [BAR1999, WIK2007]



[SHA2008, §4.3, pp.128-144] was converted to a conference paper and later published in the proceedings.[106] Sharabati was a co-author, so the transformation itself might plausibly not be considered plagiarism.[107]

Unlike the SNA text re-used often elsewhere, [BAR1999, WIK2006] did flow through [SHA2008] into [SAI2010], leading to claim of plagiarism in the latter.

PhD students reasonably adapt parts of their dissertation to create publishable papers and sometimes supervisors become coauthors.
Here, the authorship order was Said, Wegman, Sharabati, although the work originated almost entirely from Sharabati's dissertation.

They acknowledged the same 3 Federal contracts as in [SAI2008]:

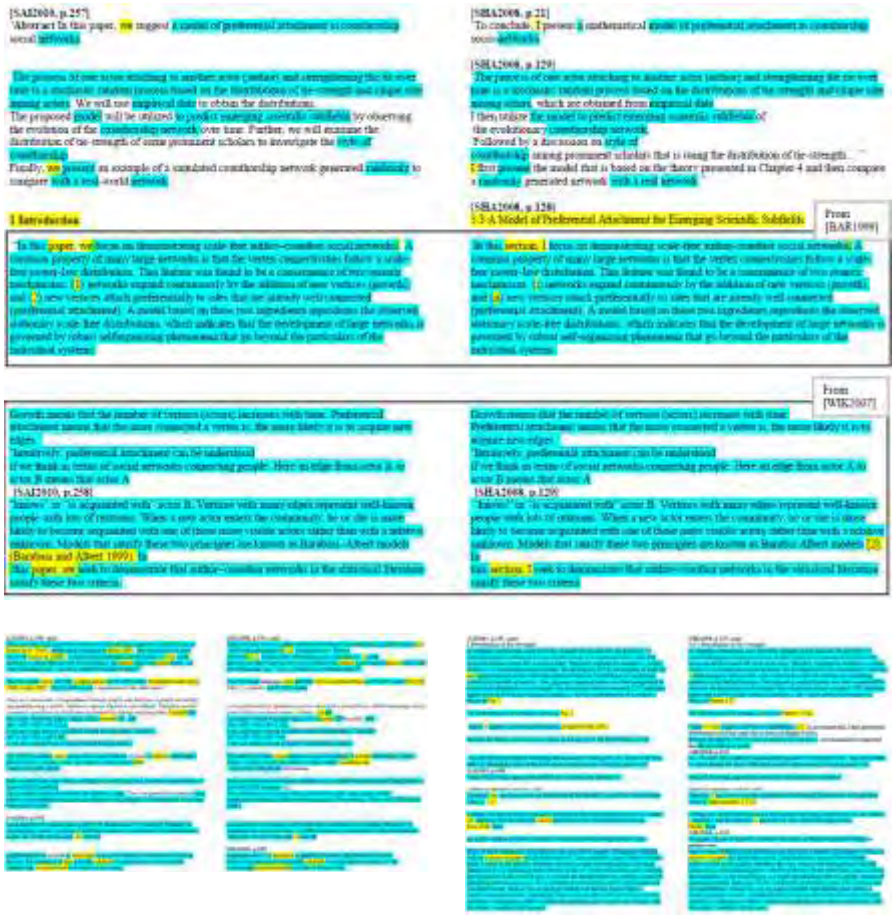
> "Acknowledgements The work of Dr. Said is supported in part by Grant Number F32AA015876 from the National Institute on Alcohol Abuse and Alcoholism. The work of Dr. Wegman is supported in part by the Army Research Office under contract W911NF-04-1-0447. Both were also supported in part by the Army Research Laboratory under contract W911NF-07-1-0059."

Black boxes at left show [SHA2008] ← [BAR1999, WIK2007].
The boxes on next page show same text, [SAI2010] ← [SHA2008].

[104] deepclimate.org/2010/09/26/strange-scholarship-wegman-report
[105] deepclimate.files.wordpress.com/2011/06/strange-scholarship-w-5-7a.pdf

[106] [**SAI2010**] Yasmin H. Said, Edward J. Wegman, andWalid K. Sharabati, "Author–Coauthor Social Network and Emerging Scientific Subfields," F. Palumbo et al. (eds.), *Data Analysis and Classification*, Studies in Classification, Data Analysis, and Knowledge Organization, DOI 10.1007/978-3-642-03739-9_30, ©Springer-Verlag Berlin Heidelberg 2010, pp.257-268.
[107] Of course it copied the [BAR1999, WIK2007] plagiarism problems.

[SAI2010] is now compared to [SHA2008]. **Only the black-boxed texts are alleged to be plagiarism, of [BAR1999, WIK2007].**
The rest are included to show the clear derivation from [SHA2008].
Subsections were reordered. Minor edits made some improvements, some marginal. "I" was changed to "we" everywhere. Citations were fixed to match the journal style. Some references were made more precise.
The paper was effectively a part of Sharabati's (unreferenced) dissertation.



On 06/06/11, the new [MAS2010, §W.5.7][108] was reported to GMU.

GMU verdict on [SAI2010] plagiarism: never mentioned.

The article was published by Springer-Verlag in a proceedings issue.

Plagiarism was alleged, with reference to [MAS2010, §W.5.7]:
On 06/10/11, this was emailed to the Proceedings Editors:
Francesco Palumbo, Carlo Natale Lauro and Michael Greenacre.
On 06/18/11, that email was forwarded to the Series editors:
Hans-Hermann Bock, Wolgang Gaul, and Maurizio Vichi
On 10/14/11, the 2nd email was forwarded to Springer Editorial Director:
Martina Bihn

Editors, Springer verdict on [SAI2010]: no acknowledgement of receipt.

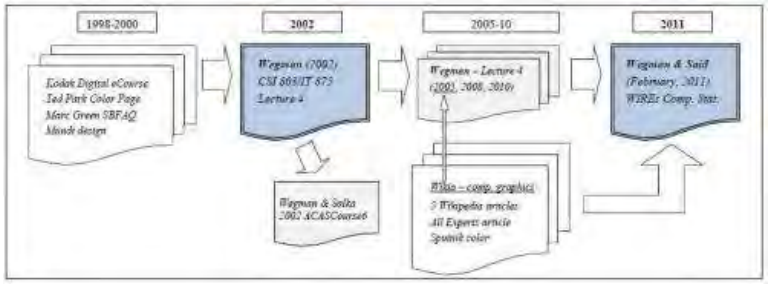
[108] deepclimate.files.wordpress.com/2011/06/strange-scholarship-w-5-7a.pdf

4.7 WIREs:CS Wegman and Said (2011) [d, e, f, g, h, i]

DC found[109] that a Wegman lecture on color [d, 2002] was derived from various antecedents, poorly referenced, used by him and Jeff Solka in a course for the Army [e, 2002]. The lecture evolved [f, 2005] → [g, 2008] → [h, 2010]. Then in 2011, this was converted to an article in Wiley's *WIREs: Computational Statistics* (WIREs:CS), a "peer-reviewed" journal **edited by Wegman, Said and David Scott**.[110]

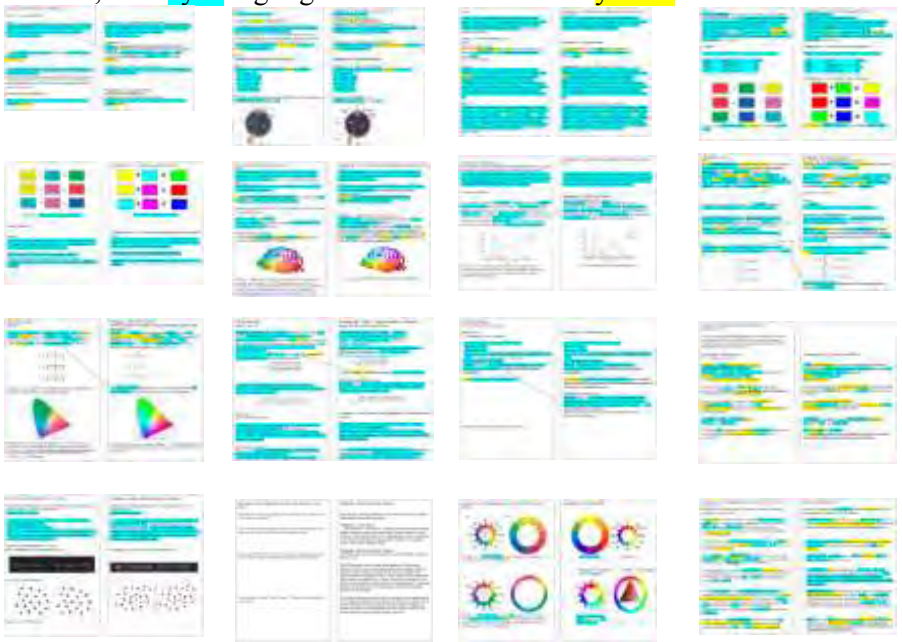
This plagiarism was far more complex than the others. DC explained:[111]

> 'A recent article by Wegman and Said in WIREs Computational Statistics opens up a whole new avenue of inquiry – and reveals a remarkable pattern of "flow through" cut-and-paste that goes even beyond Said et al 2008. *Colour Design and Theory* (published online in February) is based largely on a 2002 course lecture by Wegman. However, this is no case of simple recycling of material, for most of the earlier lecture material came from obscure websites on colour theory and was simply copied verbatim without attribution. Now much of it has shown up, virtually unchanged, nine years later. And the old material has been augmented with figures and text from several more decidedly non-scholarly sources, including – wait for it – five different Wikipedia articles. This tangled web is probably best approached with a flow diagram showing the relationship of the two works in question, along with the main unattributed antecedents (taken from the introduction to my detailed analysis of Wegman and Said 2011).[112]



> As seen in the above figure, the unattributed antecedents of Wegman and Said 2011 fall into two distinct groups:
> 1. **More than 90% pages of content in Wegman 2002 contain content identical to six online sources available at that time**, including a Kodak tutorial on digital colour and a web page on color theory by Ted Park. In turn, much of this material found its way into Wegman and Said 2011, again unattributed for the most part.
> 2. **Additional unattributed material in Wegman and Said 2011, both text and figures, can be traced to five different Wikipedia articles**, as well as other non-academic online sources, such as All Experts and Wiki Graphics. '

Read DC's detailed analysis for the real thing, but this is the general idea, as usual, with cyan highlight for identical text and yellow for trivial edits:



DC's further discussion[113] enumerated various additional problems and hinted at other issues with WIREs:CS that had been discovered by then. On 06/06/11, this was reported to GMU.
GMU verdict on Wegman and Said (2011) plagiarism: never mentioned.

[109] deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour
[110] The WR authorship was Wegman, Scott and Said, although Scott is believed to have only written a few pages. He has remained silent about WR issues.
[111] deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour
[112] deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf
[113] deepclimate.org/2011/05/15/wegman-and-said-2011-part-2

4.8 WIREs:CS Said and Wegman (2009) [r]

Although published earlier, this[114] was found later, in April 2011 and reported to Wiley then (as per next section), but not until October 4 did DC produce a complete public analysis.[115] DC summarized:

> 'As the title implies, the article was meant to provide a broad overview of mathematical optimization and set the stage for subsequent articles detailing various optimization techniques. However my analysis, entitled *Suboptimal Scholarship: Antecedents of Said and Wegman 2009*,[116] demonstrates the highly problematic scholarship of the "Roadmap" article.
>
> - No fewer than 15 likely online antecedent sources, all unattributed, have been identified, including 13 articles from Wikipedia and two others from Prof. Tom Ferguson and Wolfram MathWorld.
> - Numerous errors have been identified, apparently arising from mistranscription, faulty rewording, or omission of key information.
> - The scanty list of references appears to have been "carried along" from the unattributed antecedents; thus, these references may well constitute false citations.'

People expect review articles to be written by those who have at least demonstrated mastery of a field. Here, two Editors-in-Chief stitched together Wikipedia pages to create an error-plagued article,[117] whose "peer review" if any must surely have been managed by the remaining E-i-C. DC's 34p analysis explains many errors and problems beyond the pages at right.[118] Cyan highlights identical text, yellow trivial edits.

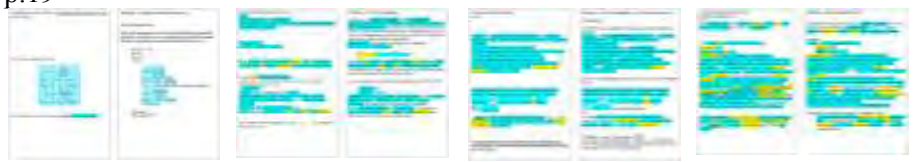
This issue was on the chart sent to GMU 06/06/11 and had they asked, early analyses were available. Dan Vergano inquired later about this.[119]

p.7 of DC analysis

p.11

p.15

p.19



p.23

p.27

These 2 articles were reported to Wiley, as described shortly. As with GMU, Rice (for Scott on WR) and Elsevier (*CSDA*), the reports were originally kept confidential to await reasonable progress in their handling. Rice and Elsevier did so expeditiously, Elsevier against strong resistance. GMU verdict on Said and Wegman (2009): never asked for information.

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[114] Yasmin H. Said and Edward J. Wegman, "Roadmap for Optimization", *Wiley Interdisciplinary Reviews: Computational Statistics[WIREs Comp Stat],* Volume 1, Issue 1, pages 3-11, July/August 2009. Online July 13, 2009.

[115] deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship

[116] deepclimate.files.wordpress.com/2011/10/said-wegman-2009-suboptimal-scholarship-v12.pdf

[117] *The quality of the Wikipedia pages was higher.*

[118] For DC's detailed discussion of other problems, background in the relevant mathematics and computing topics is helpful or necessary. For example, experts might be surprised to find "iterative" and "recursive" treated as synonyms. Plagiarism is easier to see for domain non-experts.

[119] content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1 Neither GMU nor Wegman replied to questions.

5 Reports to others regarding Wegman, Said or GMU

5.1 Past plagiarism concerns, accreditation by SACSCOC

The following includes (good) GMU advice from Stearns in2001, *although provost.gmu.edu/integrity section seems to have (temporarily?) vanished, perhaps coincidental, but odd.*

> **"The major conclusion of the Task Force was that large segments of both students and faculty ignore the Code's provisions**. We need to remedy this. George Mason is, and will remain, an honor code university. The university maintains an active Honor Code committee, and it does take action after appropriate inquiry. … Finally, it is essential the faculty themselves set a high standard in academic integrity. **We are periodically reminded that researchers and teachers do not always live up to the norms we urge on our students.**"[120] this one is at least archived.
>
> "Foreign students should be given guidance/direction on the criteria surrounding plagiarism. Explain the differences between plagiarism and reciting. …One way to assist the international student population is to carefully educate them early in their first semester about American definitions of plagiarism, cheating and academic dishonesty. **Teaching students to paraphrase, and to cite all sources, including work found on the Internet, should reduce plagiarism charges.**"[121]

[MAS2011] noted that GMU's next accreditation review was Spring 2011,[122] that GMU's handling of complaints might be an issue, and that a review of PhD supervision practices seemed in order.[123]

In May, 2011, *Nature* urged GMU to speed its investigation, noting:[124]

> 'Perhaps it should fall to accreditation agencies to push for speedy investigations. **Tom Benberg**, vice-president of the Commission on Colleges of the Southern Association of Colleges and Schools — the agency that accredits George Mason University — says that **his agency might investigate if the university repeatedly ignored its own policies on the timing of misconduct inquiries.** To get the ball rolling, he says, **someone would have to file a well-documented complaint.**'

05/25/11. That seemed promising, so I emailed Dr. Benberg: VP of Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), copying its President Belle Wheelan:

> 'I had discussions with Dr. Cravey in January, who kindly explained the procedures, and I submitted 2 paper copies[125] of relevant materials to Dr. Whelen, [126] before January 15, but have never heard anything back, and forgotten about it in the press of other issues.'

I explained the materials sent and brought him up to date with the *CSDA* retraction and related issues. SACSCOC published a process for third-party comments, which I had followed[127] in my original complaint, **§A.2.**

05/31/11. I got a letter from Dr. Wheelan noting that SACSCOC had indeed received my material in January and later forwarded it to GMU.

Of course, GMU already had seen most of the material, but this certainly assured formal delivery, including [MAS2011], which had recorded the details of their handling through January 2011.

12/05/11. SACSCOC quietly reaffirmed accreditation for GMU,[128] among other schools.

SACSCOC has a policy on integrity and accuracy in institutional representation, [129] *but that may apply only to a school's relationship with SACSCOC, not with the school's own integrity in dealing with complaints.*

As of 08/16/12 I have heard nothing else from SACSCOC.

SACSCOC verdict: accreditation renewed, no feedback on complaint.

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[120] provost.gmu.edu/integrity/index.html; www.webcitation.org/660B3wBFO
[121] provost.gmu.edu/integrity/jf.html As of 08/16/12, no longer found
[122] provost.gmu.edu/accredit As of 08/16/12, no longer found
[123] deepclimate.org/2010/09/26/strange-scholarship-wegman-report, W.5.2, W.5.7, W.5.10, It also seems strange to have a postdoc co-supervising a dissertation.
[124] www.nature.com/nature/journal/v473/n7348/full/473419b.html

[125] That was the format SACSCOC required, rather than electronic. I had several email exchanges with Dr. Cravey, who was helpful.
[126] Sic. Dr. Belle Wheelan is the President of SACSCOC.
[127] www.sacscoc.org/pdf/Third%20Party%20Comment%20by%20the%20Public-Final.pdf
[128] www.sacscoc.org/2011%20December%20Actions%20and%20Disclosure%20Statements/11cract%20december.pdf
[129] sacscoc.org/pdf/081705/integrity.pdf

5.2 Reporting Editors' plagiarism to Wiley [i, r]

When substantial plagiarism is found in articles by 2 Editors-in-Chief and 3rd E-i-C is a long-time, close associate, the only recourse is the publisher, details in **§A.3.**

03/28/11 I sent email to Wiley, including:

"I am writing to report massive plagiarism in an article by Wegman and Said, "Color theory and design" in the recent issue of this journal they edit with long-time associate David Scott."

03/30/11 Wiley's Stephen Quigley[130] replied, copying Janet Bailey.[131]

"We are in receipt of your email dated March 28, 2011 regarding "substantial plagiarism by editors Wegman and Said."

04/24/11 I sent more issues to Quigley, including:

'I am afraid further problems have appeared, …

1) Problem: Dr Yasmin Said's affiliations on WIRES:CS masthead are either false or obsolete.

2) Problem: Further plagiarism has been found in WIRES:CS Vol 1, Issue 1, Said and Wegman, "Roadmap for optimization."'

04/26/11 Quigley replied, copying Bailey:

'Please be advised that we are in receipt of your second email on various issues dealing with the editors of WIRE: Computational Statistics. We are reviewing the facts. **Should any changes to the record be warranted, those will be made on the record.'**

05/09/11 Ted Kirkpatrick sent Wiley more detailed analysis of Said and Wegman

05/15/11 I emailed to Quigley:

'1) Further information on the "Color article" is:
deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/'

09/08/11 I emailed Quigley:

'Now that it has been 5 months, might I assume that Wiley has determined that no changes to the record are warranted*? … * That is:

1) Wegman and Said (2011)

2) Said and Wegman (2009), as documented in more detail by Ted Kirkpatrick

3) Said's claimed Professorship at Oklahoma State University. '

09/15/11 Quigley replied:

'In response to your most recent email (of September 9), it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record.'

10/04/11 DC published the detailed analysis,[132] covered by Vergano.[133]

[130] Associate Publisher, Wiley-Blackwell, Marblehead, MA.

[131] I think she is/was Vice President and Publishing Director, Physical Sciences Books and References, Wiley, Hoboken, NJ. She was copied on email exchanges.

5.3 Wegman, Said, Scott and Wiley [i*, r*] *

DC made another surprising discovery March 2012.[134] Wegman and Said quietly reworked their papers to reword copied text, include more citations and fix the errors enumerated by DC and others. The only comments were:

Wegman and Said, Color Theory and Design [i] ➔ [i*] PDF mod 01/03/12

'This article, first published online on February 4, 2011 in Wiley Online Library (www.wileyonlinelibrary.com), **has been revised at the request of the Editors-in-Chief and the Publisher.** References and links have been added to aid the reader interested in following up on any technique.' …

'ACKNOWLEDGMENTS

As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia articles. Early discussion in the sections on Human Visual System and Color Theory were based on Park2 and Eastman Kodak,5 which are now no longer directly accessible. Much of the discussion in the section on 'Color Deficiencies in Human Vision' and the subsection on 'Hardwired Perception' is based on material in Green. The inspiration of Marc Green is hereby gratefully acknowledged.'

Said and Wegman, Roadmap for Optimization [r*] PDF mod 01/10/12

'This article, first published online on July 13, 2009 in Wiley Online Library (www.wileyonlinelibrary.com), has been revised at the request of the Editors-in-Chief and the Publisher. References and links have been added to aid the reader interested in following up on any technique.' …

ACKNOWLEDGEMENTS

As with any overview article, this discussion was synthesized from many sources including the cited Wikipedia and Mathematica articles. There is no intent in this article to claim that this article represents original research work on our part, but this article is offered with the intent of providing the Roadmap to the field. **We are grateful to the two external referees who reviewed this article and whose suggestions have much improved the discussion.'**

In late June 2011, Wegman and Said silently disappeared from the masthead, leaving only Scott. The GMU directory no longer listed Said.[135] Wiley Board and executives have refused to acknowledge any problem.

[132] deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship

[133] content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1

[134] deepclimate.org/2012/03/16/wiley-coverup-complete-wegman-and-said-redo-hides-plagiarism-and-errors The E-i-C's have written 7+ articles for WIREs:CS.

[135] deepclimate.org/2012/07/13/wegman-and-said-leave-wiley-journal-and-said-disappears-from-gmu The Wegman/Said/Scott/Wiley story is not yet done.

6 Stearns' untruthful letter to faculty plus commentary *

6.1 Stearns Letter [STE2012]

GEORGE MASON UNIVERSITY

Office of the Provost

4400 University Drive, MS 3A2, Fairfax, Virginia 22030
Phone: 703-993-8776; Fax: 703-993-9645

All Faculty Announcement
February 22, 2012
Dear Colleagues,

I write concerning the scientific misconduct charges leveled at Professor Edward Wegman. Charges were made from several sources, concerning an article Professor Wegman co-authored in *Computational Statistics and Data Analysis*, and concerning a report to a congressional committee entitled "Ad Hoc Committee Report on the 'Hockey Stick' Global Climate Reconstruction". **As the University's scientific misconduct policy Number 4007 stipulates, both charges were submitted (each separately) to a committee of inquiry,** which found that the actions warranted an investigation. ❶ Each charge, again separately, was then submitted to a faculty investigatory committee**.** These **committees**, after careful consideration, have just returned their findings; ❷ these findings have been upheld by the President. ❸

While University actions to this point have been confidential, as our policy properly stipulates, the case has received wide publicity from other sources, however inappropriately. ❹ **The University has been publicly criticized for its failure to render judgment and even for not caring much about the charges. While our procedure is indeed prolonged, in part because of federal requirements and in part to assure due process, any implication of lack of concern is entirely misplaced.** ❺

The committee investigating the congressional **report has concluded that no scientific misconduct was involved**. Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced and the committee found that the paraphrasing did not constitute misconduct. This was a unanimous finding. ❻

Concerning the *Computational Statistics* article, the relevant committee did find that **plagiarism occurred in contextual sections of the article**, ❼ as a result of **poor judgment** for which Professor Wegman, as team leader, must bear responsibility. This also was a unanimous finding. As sanction, Professor Wegman has been asked to **apologize to the journal involved, while retracting the article; and I am placing an official letter of reprimand in his file.** ❽ Finally, because of the nature of the offense and its impact on the University, I am issuing this public statement. I believe that given the details in the committee report, these sanctions are appropriate to the nature and level of misconduct involved.
Sincerely,
Peter N. Stearns, Provost'

Copy-paste-trivial-edit plagiarism may hard to find, but once displayed is the simplest form of academic misconduct to verify. People may argue over which author(s) actually plagiarized, but the team leader is generally held responsible, too. Experts thought this plagiarism clear [VER2010a].

❶ Policy 4007 requires an inquiry committee, but does not require two.[136] The ambiguous wording implies two committees, *which makes no sense*.

Bradley sent 3 claims in 2 letters, somehow converted into "both charges." The red grouping requires duplicating/splitting Bradley's 2nd allegation to have one committee handle the WR and one the *CSDA* paper.

03/05/10 Alleg. 1	**§2.1 [m.1]**	or	**[m.1]**	2.5p WR paleoclimate
04/27/10 Alleg. 2	**§2.2 [m.2]**	or	**[m.2]**	5.5p WR SNA text
	§2.3 [n]	or	**[n]**	1.5p WR SNA subset in *CSDA*

By FOIA, the (one) inquiry committee wrote one report, 7 pages, 09/30/10, after meeting once, 08/04/10. After a slow start, it worked to schedule.

❷ Stough and assistant Donna Sherrard always wrote "a committee" or "the committee."[137] By FOIA, the (only) investigation committee wrote one report, 9 pages, ~10/11/11. Its members were from Physics, the School of Public Policy, and the Provost Office. "Committees" is clearly untrue.
If Stearns was willing to fabricate clear untruths about the actual committees, *why would anything else in the letter be trustworthy?*

❸ *What exactly did President Merten uphold?*

❹ There was no legal requirement for confidentially by outside parties or even any request for it. Bradley acted collegially, kept silent, even after GMU *stonewalled*[138] and misled him for 6 months. Wegman himself revealed the complaint in August, via Facebook.
Bradley said nothing publicly until Dan Vergano called him and asked.
If "inappropriately" applies to others, then GMU should name them, after reviewing its policy on "retaliation." Otherwise, it should formally retract this vague innuendo and apologize for it. Next page: ❺ ❻ ❼ ❽

[136] As seen in **§A.7,** universities often bundle related complaints together.
[137] MAS2011, pp.31-32.
[138] MAS2011, p.8, 07/28/10; p.9 08/16/10, ❻ *Bradley's patience was amazing.*

The entire text is repeated here for ease of reference and context:

> I write concerning the scientific misconduct charges leveled at Professor Edward Wegman. Charges were made from several sources, concerning an article Professor Wegman co-authored in *Computational Statistics and Data Analysis*, and concerning a report to a congressional committee entitled "Ad Hoc Committee Report on the 'Hockey Stick' Global Climate Reconstruction". **As the University's scientific misconduct policy Number 4007 stipulates, both charges were submitted (each separately) to a committee of inquiry,** which found that the actions warranted an investigation. ❶ Each charge, again separately, was then submitted to a faculty investigatory committee**.** These **committees**, after careful consideration, have just returned their findings; ❷ these findings have been upheld by the President. ❸
>
> While University actions to this point have been confidential, as our policy properly stipulates, the case has received wide publicity from other sources, however inappropriately. ❹ **The University has been publicly criticized for its failure to render judgment and even for not caring much about the charges. While our procedure is indeed prolonged, in part because of federal requirements and in part to assure due process, any implication of lack of concern is entirely misplaced.** ❺
>
> The committee investigating the congressional report has concluded that no scientific misconduct was involved. Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced and the committee found that the paraphrasing did not constitute misconduct. This was a unanimous finding. ❻
>
> Concerning the *Computational Statistics* article, the relevant committee did find that **plagiarism occurred in contextual sections of the article**, ❼ as a result of **poor judgment** for which Professor Wegman, as team leader, must bear responsibility. This also was a unanimous finding. As sanction, Professor Wegman has been asked to **apologize to the journal involved, while retracting the article; and I am placing an official letter of reprimand in his file.** ❽ Finally, because of the nature of the offense and its impact on the University, I am issuing this public statement. I believe that given the details in the committee report, these sanctions are appropriate to the nature and level of misconduct involved.
> Sincerely,
> **Peter N. Stearns, Provost'**

❺ "concern is entirely misplaced." The reader might review **§1.2**'s comparison of GMU nominal policy versus actual schedule.

❻ Again, Bradley sent 3 claims in 2 letters, converted into "both charges"

03/05/10 Alleg. 1	**§2.1**	**[m.1]**	or	**[m.1]**	2.5p WR paleoclimate
04/27/10 Alleg. 2	**§2.2**	**[m.2]**	or	**[m.2]**	5.5p WR SNA text
	§2.3	**[n]**	or	**[n]**	1.5p WR SNA subset in *CSDA*

If the committee actually wrote what Stearns' claimed,[139] they acted unanimously in unambiguous violation of academic norms and Federal guidelines, [140] with GMU administration in total support. The red grouping fits Stearns' fabricated 2-committee claim, but implies the WR committee ignored **[m.2]**, 5.5p of near-verbatim text with no attribution, while a separate *CSDA* committee ratified Elsevier on 1.5p subset **[n]**.

Stearns ignored **[m.2]**, then GMU refused to investigate 70+ pages more of alleged plagiarism and some falsification. **§3** was reported 5 months before the investigation committee even met, and **§4** supplied to GMU 4 months before the draft report.

❼ Elsevier took this seriously and demanded retraction over strong resistance from Wegman. Wegman has repeatedly claimed that unattributed use of text in introductory sections was fine and apparently Stough, Stearns and Merten agreed. *Some GMU undergrads will cheer.*

❽ Wegman thus had to apologize to his long-time friend, Stanley Azen,[141] retract an already-retracted paper, and have a reprimand placed in his file. *Perhaps academics can comment: are these harsh penalties?*

Stearns wrote clear untruths to his own faculty. With the exception of the inquiry (once started), this entire policy-violating process was *absurd*, especially in comparison with the more complex examples in **§A.7.**

---

[139] *By no means assured, given Stearns' untruths about committee(s). Perhaps they did write this, but under pressure. Perhaps someone else rewrote it. Does anyone in GMU administration understand misconduct?*

[140] ori.hhs.gov/research-misconduct-0 is fine discussion.

[141] MAS2011, p.11. Azen tried to help Wegman avoid the retraction. If there is any public apology by Wegman (for anything), I have not seen it.

6.2 Stough's treatment of Bradley, Bradley's last email

To review Stough's treatment of Bradley, see [MAS2011] sections, whose key texts are shown here. These interactions are all Stough gave him.

A.2.3 04/08/10 Stough to Bradley

'I have initiated our policy for handling such matters. The process may have several stages and each of these take **a fair amount of time** unless the initial stage comes to an unequivocal conclusion. If the latter occurs I will be in touch with you on the outcome much sooner than if it goes through the full inquiry and investigation stages that of course involve forming peer working groups for completion.
I thank you for bringing this to our attention. **I will communicate the outcome when the process runs its due course**.'

Stough never mentioned Policy 4007 or even requested confidentiality. "Fair amount" is rather uninformative and the final promise was not kept.

A.2.6 07/28/10 Stough replies to Bradley notes 05/13/10 and 07/13/10.

'**The committee was formed in April 2010**. It's work has been slowed with the checkerboard summer absence of the faculty members constituting the inquiry committee from campus. I expect the committee to complete their work by the end of September, 2010.'

By FOIA, the Provost appointed the committee 05/15/10.

A.2.7 08/16-08/17/10 Stough replies to Bradley, John Fedor of Elsevier

'Following that a committe was formed but it was not possible to get the very highly qualified team of three on the committee together even for an initial formative meeting due to end of semester congestion and the fact that at least one of the members was away from campus at all times until the end of this week. **The initial meeting of the Inquiry meeting is being scheduled for early next week** at which time the Committee will go to work on this matter. The **committee has been asked to prepare a report on the inquiry with recommendations before the end of September and sooner if at all possible**. So we are moving with dispatch at this point.'

By FOIA, the committee had already held its only meeting 08/04/10.

A.2.14 10/11/10 Stough replies to status request by Bradley

'Dear Dr. Bradley, our process has taken a bit longer than expected. So it will be a while yet (**a few weeks I would guess**) **before we have completed the review of your plagerism allegation.** Thanks, Roger'

By FOIA, the final inquiry report was completed 09/30/10.

Might a busy, distinguished academic be irked by this treatment?

Bradley email to Stough, 03/16/12

'Dear Dr Stough,

I have have seen posted on the web a statement by GMU Provost Stearns that the Committee of Investigation has found no basis for my complaint that Dr Wegman plagiarized sections of my book.

First, let me say that I find it quite astonishing that GMU did not even have the courtesy to write to me directly, which one would have thought was the least they could do given that it I filed the complaint in the first place. That is just plain ignorance.

Second, the committee found that, "*Extensive paraphrasing of another work did occur, in a background section, but the work was repeatedly referenced and the committee found that the paraphrasing did not constitute misconduct*."

Your students will no doubt take comfort in knowing that plagiarism in "a background section" is not so bad as in a main section, and that "extensive paraphrasing" is acceptable practice at GMU. Good luck in applying that policy to your student papers.

Finally, **I have seen statements that seem to imply that I was under some obligation not to speak to the press. I was never asked by GMU to keep my complaint secret--indeed, such a request would have been absurd. I was not a party to your investigation.**
For the record, I did not seek to publicize the matter, and the hopelessly intransigent process which you implemented at GMU led others to conduct their own investigations, and **at that point I was asked to comment**. I was glad to do so.

Overall, I think this has cast a real shadow over academic standards at GMU Given the open access of published work, you have simply opened the floodgates for future litigation, when you could have taken a more principled stance.

Sincerely
--
Raymond S. Bradley
Distinguished Professor
Director, **Climate System Research Center**'

No reply was received from Stough.

6.3 Other comments

A student publication, *Connect2Mason*[142] added:

> '"The conduct applied to introductory elements of an article **not to the essential research findings** of the article," said Stearns. "Had it been a more serious case, the sanctions would have been more serious."

Plagiarism of introductory material is still plagiarism, as per ORI or NSF.
*There **were** no essential research findings in WR or CSDA* [MAS2010a].
SNA experts strongly "panned" the SNA work [MAS2011a, p.7, ❷].

[VER2012] sheds additional light on this whole process.

> '"**We took these charges very seriously**,"[143] Stearns said, in a telephone interview, adding that the university will forward the investigation reports to federal authorities. …'[144]
>
> A university spokesman, Dan Walsch,[145] **said the university would not release the investigation reports to the public.** He partly blamed the length of the investigation on appeals of the committee findings that traveled to the office of GMU President, Alan Merten. "**They released it all very suddenly**," said Walsch.

The committee unanimously found no academic misconduct in the WR,
The *CSDA* decision was already made by Elsevier in May 2011.[146] GMU had already been criticized for its tardiness.[147] In **§1.2** , it is clear that the long delays were not due to appeal to Merten, but to 3 major schedule slips else where. *None of this makes much sense, including the "sudden release." Perhaps ORI wrote to them? Walsch has often seemed confused.*

[142] www.connect2mason.com/content/university-committee-finds-professor-guilty-research-misconduct-document; http://www.webcitation.org/69yF7Wv6s
[143] *Does the reader believe that?*
[144] This is required. They also had to notify when investigation recommended.
[145] Walsch has often seemed to have been confused:
www.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism_N.htm "GMU spokesman Dan Walsch said in an e-mail that the university is investigating the matter."
VER2010a '[Update: GMU spokesman Dan Walsch clarified in the May 26, 2011, *Nature* journal that the year-old investigation is still in its preliminary "inquiry" stage, rather than a full investigation.'. Confusion may not be Walsch's fault.
By FOIA, Walsch told Vergano another untruth. Maybe he was just confused?
[146] MAS2011a pp.6-9 annotated Wegman's attempt to avoid a retraction by Elsevier, who obviously did not accept it. See also VER2011, VER2011a.
[147] www.nature.com/nature/journal/v473/n7348/full/473419b.html

[VER2012] continues:

> 'In the phone interview, GMU's **Stearns complained that Bradley had discussed the plagiarism publicly after filing his complaint,** " instead of allowing the university process to be completed."[148] Stearns added that in the future his university would look for steps to streamline such investigations, as this one took about two years.
>
> Although a number of reports by Columbia University statistician Andrew Gelman and others have noted more instances of possible plagiarism in work by Wegman and his team, **Stearns says the university is not investigating any other complaints.'**

GMU has thus ignored all other complaints (**§1.1, §3, §4)**, of which 3 more included Federal money [a, k, s]. **This clearly violates GMU policy. §A.1:**

> **'In conducting the investigation, the committee –**
> **(a) Uses diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of the allegations;**
> **(b) Interviews each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent; and**
> **(c) Pursues diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of additional instances of possible research misconduct, and continues the investigation to completion.'**

GMU received multiple well-documented formal complaints, but delayed, broke its own policies on intervals and process, ignored recommendations to inform Bradley and often told him untruths about status.
GMU seemed unable or unwilling to handle simple misconduct cases, but managed to defend the major missions of the WR [149] by declaring no problems there.

GMU then blamed Bradley and impugned his reputation, seen next.

[148] MAS2011 recorded the process in detail, including relevant emails. *It is hard to see how October 2010 publicity delayed the first meeting from April to August.*
[149] MAS2010a, p.1. 'the real missions were: #1 claim the "hockey stick" broken and #2 discredit climate science as a whole.' Bradley's March complaint dealt in part with #1 and his May complaint on SNA encompassed #2.

6.4 Retaliation?

GMU University Policy 4007 (**§A.1**) states:

> '"Retaliation" means an adverse action taken against a complainant, witness, or committee member by a member of the university community in response to –
> (a) A good faith allegation of research misconduct; or
> (b) Good faith cooperation with a research misconduct proceeding.'
> and
> '(b) Complainants, witnesses, and committee members. **The university undertakes all reasonable and practical efforts to protect and restore the position and reputation of any good faith complainant**, witness, or committee member and to counter potential or actual retaliation against those persons.'

Generally, universities are supposed to protect the reputations of good faith complainants, not actively impugn complainants' reputations to the press, which might possibly be considered defamation.[150] The two issues are:

- **In FOIA, false claim about Bradley refusal of interview §6.4.1.** It is unknown if this story has been repeated inside GMU or told to others outside, but if GMU was willing to volunteer it to Vergano, it may well have been spread to others.
- **False claims of nonexistent confidentiality requirement §6.4.2 a) c).** This spread across the Internet in 2010 and 2011, helping generate many personal attacks on Bradley. It started with Wegman, but was later effectively supported by Stearns, **§6.3**.

6.4.1 Bradley labeled as refusing interview, given many dates FALSE

In 04/09/26 FOIA reply, Philip Hunt wrote (**§1.3** ❶ for details):

> '> June 10, 2011 - committee interviewed Ed Wegman
> > **no interview with Bradley - he refused - was offered many dates'**

This was false/misleading. Who told this to Hunt? Who else did they tell? Some people **had to know** Bradley had accepted a 06/07/11 interview: Donna Sherrard, Stough's assistant, Investigation committee, University Counsel, Wegman and lawyer Johns, even if they got date/time wrong.

It is unknown whether Hunt's comment came from the investigation report or whether he was told this story, *at best misleading*. *GMU owes Bradley a clear public retraction of this false/misleading claim.*

[150] www.citmedialaw.org/legal-guide/virginia-defamation-law 1 year
www.citmedialaw.org/legal-guide/massachusetts-defamation-law 3 years

6.4.2 Confidentiality requirement claimed broken - FALSE

Bradley lodged plagiarism complaints based on examples found and published by DC December 2009-April 2010, so they were public.[151]

Stough neither mentioned confidentiality nor even pointed Bradley at GMU policy.[152] Even if he had, there was **never** a legal requirement on Bradley or any other complainant in this case for confidentiality.[153] Bradley in fact kept politely quiet through 6+ months of *runaround*.

Wegman first revealed existence of complaint on Facebook, 08/21/10.[154]

Only after [MAS2010a] was published 09/26/10, after the Stough-promised inquiry report (09/30/10) had not arrived and after Vergano asked Bradley, did he ever say anything public about the complaint.

a) GMU (2010): Wegman claimed in reply to Vergano FOIA that Bradley had broken a confidentiality requirement.[155] The general idea was accepted and repeated by others, a few of which are shown on next page.

b) GMU (2012): Stearns wrote in letter to faculty:[156]

> 'While University actions to this point have been confidential, as our policy properly stipulates, the case has received wide publicity from other sources, however inappropriately.'

c) GMU (2012): Stearns complained about Bradley speaking [VER2012], implying he had interfered with the process.

[151] deepclimate.org/2009/12/17/wegman-report-revisited
deepclimate.org/2009/12/22/wegman-and-rapp-on-tree-rings-a-divergence-problem-part-1/
deepclimate.org/2010/01/06/wegman-and-rapp-on-proxies-a-divergence-problem-part-2
deepclimate.org/2010/04/22/wegman-and-saids-social-network-sources-more-dubious-scholarship
[152] MAS2011, p.29 -§A.2.3, p.31-§A.2.4
[153] If someone disagrees, please cite the law or signed agreement that claims this.
[154] MAS2011, p.33
[155] [MAS2011a, p.16]. FOIAs do not work the way Wegman claimed.
[156] Does this vague claim include Bradley? Who else might it include? *GMU should be specific (remembering "retaliation rule) or withdraw this comment.*

Climate Audit, Steve McIntyre, 10/18/10-10/21/10[157]
McIntyre attacked Bradley in various ways, starting with fanciful, ill-informed claims of plagiarism by Bradley of Harold Fritts' book.

The Blackboard, Lucia Liljegren, 10/18/10.[158]
Opinions are offered by many who clearly know little of plagiarism.

Watts Up With That, Anthony Watts 05/30/11[159]

> 'What is doubly bizarre is that apparently this FOIA request has led to the discovery that Dr. Ray Bradley, Mann co-author with the hockey stick paper "MBH98", apparently committed academic misconduct in his zeal to smear Wegman. From Climate Audit:
> …the README included by George Mason stated the "documents may not be forwarded to a third party". **It also included the GMU policy on academic misconduct, stating Bradley had violated the confidentiality terms – a point not reported by USA Today:**'

Wegman seemed not to understand FOIA and he was certainly wrong on the confidentiality violation.
He owes Bradley an apology for this, among many things.[160].

American Spectator, **Paul Chesser**, ATI, 09/14/11or at ICECAP[161]

> 'While George Mason investigated his allegation, Bradley violated a confidentiality requirement about forwarding Wegman's work to third parties. And as Climate Audit's Steve McIntyre has shown, Bradley is selective in who he gets mad at for plagiarism (friends are okay), and of course, self-examination of his own reproduction of others' work is non-existent.'

The 1st part is at best wrong,[162] and the 2nd refers to McIntyre's earlier inventions *and may well be defamation.*
All this was part of an Internet-amplified attack on Bradley. The reader might peruse the vitriolic comments in many of the threads at left to get a feel for this behavior pattern. Few commenters seemed to know anything about plagiarism and academic misconduct, but they had strong opinions and many were sure that Bradley had to be at fault.

A more-informed view, by lawyer Brian Schmidt was found here:[163]

> 'The alleged confidentiality requirement and violation seem wrong. Prof Bradley wasn't an employee of GMU acting in the scope of his employment when he complained that GMU Professor Wegman was stealing Bradley's work, so Bradley could tell GMU to go stuff it when it talks about its confidentiality policy. They'd have to prove he signed a confidentiality agreement instead if they feel like whining.
>
> This FOI response isn't itself confidential and in no way binds the recipient to confidentiality. …
>
> Meanwhile, some commenters at Climate Audit try mightily to clear up confusion between criminal threats versus FOI requests, and **between narrowly targeted FOI request of GMU versus the 9,000 page FOI request that has also been asked of UVa in addition to the criminal witchhunting**.'

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[157] [MAS2011, p.8] fn7 Note: archived versions are especially important here.
climateaudit.org/2010/10/18/bradley-copies-fritts
www.webcitation.org/613rdvnae
climateaudit.org/2010/10/20/bradley-copies-fritts-2
www.webcitation.org/613rfiHUR
The false story spread around the Internet: Google: "bradley copies fritts" Then:
climateaudit.org/2010/10/21/bradley-tries-to-deal attack Bradley for being nice.
http://www.webcitation.org/68wqw6D9a
wattsupwiththat.com/2010/10/21/blackmail-or-lets-make-a-deal Steven Mosher
http://www.webcitation.org/5tjYsR9j7

Watts invented a story, then Bradley posted a straightforward explanation, for which he was fiercely attacked (of many examples, Sean Peake"s "Fix bayonets"):
http://wattsupwiththat.com/2010/11/24/dr-ray-bradleys-amazing-photo
www.webcitation.org/5uaUlqp1z archived page from WUWT
[158] rankexploits.com/musings/2010/maybe-rapp
[159] wattsupwiththat.com/2011/05/30/the-washington-post-produces-a-bigoted-editorial-against-the-public-right-to-know; www.webcitation.org/69KgxTC7o
[160] Wegman has yet to publicly admit the slightest problem.

[161] spectator.org/archives/2011/09/14/mann-acts/print;
www.webcitation.org/69KWTtqZS
icecap.us/index.php/go/in-the-news/P56; www.webcitation.org/69KhWWxH0
Chesser was at ATI, which has sued University of Virginia to get Mann's emails, following failed attempts by VA AG Ken Cuccinelli.
[162] Vergano got the material and forwarded it, not Bradley.
[163] backseatdriving.blogspot.com/2011/06/strange-george-mason-university.html

7 Unfinished business summary for GMU *

7.1 See no evil

The following table enumerates misconduct complaints for GMU.
Complaint: **P**lagiarism or **F**alsification/Fabrication
Reporter: **R**ay **B**radley, **J**ohn **M**ashey, **R**ob **C**oleman
Complaints against:
Author. A complaint is alleged for every red **A.**
help? Thanked for help, may or may not have written text or code
Supervisor of PhD.
Editor
Scott is listed only for completeness(*), although no responsibility of GMU. He is not accused of any misconduct, and is believed to have written only 3 pages of the WR, but has not withdrawn his name from the WR. He was the only other Editor on the WIREs papers authored by Wegman and Said. *Some day, he may be willing to be forthright.*

Federal Funding (Wegman, unless otherwise noted)
1 NIAAA, F32AA015876 (Said)
2 ARO, W911NF-04-1-0447
3 ARL, W911NF-07-1-0059 (Wegman, Said)
4 ARO 32850.12-MA, Funding Number DAAH04-94-G-0267
5 DARPA, via Agreement 8905-48174
GMU Act: **Rej**ect, **Ign**ore, **Acc**ept.
Red shows clear violation of policy "Pursues diligently" **§6.3.**
Check: a handy checklist for actions needed to build some credibility.
Suggested Action: It may make sense to do many of these together , as UCB did in **§A.7.1.** For example, complaints **§2.1** and **§4.1** focus on the same text and might be combined, assuming paleoclimate expertise.
GMU might try to be as open as UCB and PSU, and perhaps rework its policy to be less opaque. GMU might want to consider copyright issues.
GMU might need to get an entire outside investigation team for this. Would anyone trust Stough and Stearns to manage this? Why?

Complaint Section	Description	Document Codes in §1.1	Complaint	Date Reported to GMU	Reporter	Wegman	Said	Rigsby	Reeves	Sharabati	Rezazad	Al-Shameri	Scott	Federal Funding	GMU Act	Check (16)	Suggested Action
§2.1	WR tree rings, ice-cores and corals	m.1	P	03/05/10	RB	A	A						*		Rej	1	WR: Retry absurd ruling
§2.2	WR Social networks analysis	m.2	P	05/13/10	RB	A	A	h?	h?				*		Ign	2	WR: stop ignoring
§2.3	Social networks in *CSDA* paper (2008)	n	P	05/13/10	RB	A	A	A		A			*	1,2,3	Acc		
§3.1	WR Principal Components Analysis, Noise	m	P	10/28/10	JM	A	A						*		Ign	3	WR: stop ignoring
§3.3	WR Summaries of Important Papers	m	P	10/28/10	JM	A	A						*		Ign	4	WR: stop ignoring
§3.4	Yasmin Said PhD dissertation (2005) "best of year"	j	P	10/28/10	JM	S	A								Ign	5	Is plagiarism in GMU PhD OK?
§3.5	Walid Sharabati PhD dissertation (2008)"best of year"	o	P	10/28/10	JM	S	S			A					Ign	6	Is plagiarism in GMU PhD OK?
§3.6	Hadi Rezazad PhD dissertation (2009) "best of year"	p	P	10/28/10	JM	S	A				A				Ign	7	Is plagiarism in GMU PhD OK?
§3.8	October 2010 formal complaint on dissertations	j, o, p		10/24/10	RC	*Complaint summaries*											
§3.9	October 2010 formal report	j, m, n, o, p, q		10/28/10	JM	*not counted twice*											
§4.1	WR tree rings example of alleged falsification	m	F	06/06/11	RB	A	A						*		Ign	8	WR: need paleoclimate expertise
§4.2	Wegman, then Al-Shammeri copy Grossman PhD	a, b, c	P	06/06/11	RB	A						A		4	Ign	9	Stop ignoring; 3 complaints
§4.3	Wegman and Solka(2005) in Rao, Wegman, Solka, Eds	k	P	06/06/11	RB	A								5	Ign	10	Stop ignoring
§4.4	Said(2005) article in Rao, Wegman, Solka, Eds	l	P	06/06/11	RB	E	A								Ign	11	Stop ignoring
§4.5	WR Bad statistics and cherry-picking		F	06/06/11	RB	A	A	h?					*		Ign	12	WR: need paleoclimate+statistics
§4.5.1	WR Statistics code needs to be released, 6 years late			New	JM											13	Get Wegman to release code
§4.6	Sharabati (2008) additions; Said, et al (2010)	o, s	P	06/06/11	RB	A	A			A				1,2,3	Ign	14	Stop ignoring
§4.7	WIREs:CS Wegman and Said (2011)	d, e, f, g, h, i	P	06/06/11	RB	A	A						E		Ign	15	Stop ignoring
§4.8	WIREs:CS Said and Wegman (2009)	r	P	06/06/11	RB	A	A						E		Ign	16	Stop ignoring

7.2 Speak little truth, break rules, blame others

The following table enumerates some of the problems with the process.

Problem:

False statement, clearly

Misleading (perhaps false, or maybe implied/broken promise of future)

Violation of Policy 4007, for large schedule slips or other process issues

Retaliation (either denigrating Bradley (or me), or *R?* where Stearns made vague claims without specifying offenders (who, if complainants, might well claim retaliation as well.)

?? Readers might decide. *I think these are nonsense.*

GMU. The people are Wegman and his lawyer Johns, GMU administration / committee. Walsch and Johns are spokespeople. They may have lied, but easily may have been confused or given false information to say.

Others shows who were given information (*).

Check: a handy checklist for actions needed to build some credibility.

Suggested Public Actions: the GMU administration has treated Ray Bradley abysmally and given false information to *USA Today* and its own faculty. *The pattern of false or misleading comments, policy violations and even retaliation is astonishing. From the evidence in this report, would readers trust any of the GMU administration listed below (red) to manage misconduct proceedings as a credible research university should?*

				GMU								Others				
Section	Description	Problem	Date	Wegman	Johns	Merten	Stearns	Stough	Dean	Invest com	Walsch	Hunt	Bradley	*USA Today*	Faculty	Check	Suggested Public Actions
§1.2.2	Inquiry committee formed in April	*M*	07/28/10					X					*			1	*Apologize to Bradley*
§1.2.2	Inquiry report by 09/30/10 or earlier	*M*	07/28/10					X					*			2	*Apologize to Bradley*
§1.2.1	Large slip before first inquiry meeting (D)	*V*	08/04/10						X							3	*Give explanation, not excuses*
§1.2.2	Inquiry committee 1st meeting week of 08/23/10	*F*	08/17/10					X					*			4	*Apologize to Bradley*
§1.2.2	Inquiry report by 09/30/10 or earlier	*M*	08/17/10					X					*			5	*Apologize to Bradley*
§1.2.2	University **investigating** alleged plagiarism, fabrications	*M*	10/08/10								X			*			*May have confused inquiry/investigation*
§1.2.2	A few more weeks before completed review	*M*	10/11/10					X					*			6	*Apologize to Bradley*
§1.2.2,6.4	Wegman FOIA says Bradley violated confidentiality	*RF*	11/04/10	X										*		7	*Retract (incl blogs), apologize to Bradley*
VER2010a	"wild conclusions that have nothing to do with reality."	*??*	11/22/10											*		8	*Prove it, I'll fix any erroneous claims*
VER2010b	"speculation and conspiracy theory ... simply not true"	*R*	11/23/10	X										*		9	*Prove it, I'll fix any erroneous claims*
§1.2.1	Large slip before decision to investigate (F)	*V*	03/07/11						X							10	*Give explanation, not excuses*
VER2011	"Neither Dr. Wegman nor Dr. Said has ever engaged in plagiarism,"	*??*	05/25/11		X									*		11	*Really?? First appearance of Milton Johns*
§1.2.2	University still in inquiry stage	*F*	05/26/11								X			*		12	*"No comment" is OK, untruth is not*
§1.2.1	Large slip in investigation (~201 days vs 120) (H)	*V*	10/11/11							X						13	*Give explanation, not excuses*
§6.3,6.4	Stearns complained about Bradley speaking	*R*	02/22/12				X							*		14	*Retract, apologize to Bradley*
§6.3	Length partly blamed on appeals to President	*M*	02/22/12								X			*		15	*Retract, clarify the actual delays*
§6.1 ❶	2 inquiry committees	*M*	02/22/12				X								*	16	*Clarify 1 ommittee*
§6.1 ❷	2 investigation committees	*F*	02/22/12				X								*	17	*Retract, apologize to faculty, Bradley*
§6.1 ❹	inappropriate publicity	*R?*	02/22/12				X								*	18	*Either prove inappropriate or retract innuendo*
§6.1 ❺	implication of concern is entirely misplaced	*??*	02/22/12				X								*		*Really? ~ 2 years for 2.5p+1.5p (§2.2 ignored)*
§6.1 ❻	*Absurd* , false statements about **§2.1** {a}	*VF*	02/22/12				X			X					*	19	*Retract, redo investigation with real comm.*
§1.3,6.4	No interview with Bradley, he refused, offered many	*RF*	04/09/12				? Told Hunt					X		*		20	*Whoever told Hunt: retract, apologize*
§7.1,6.3	Ignored complaints, starting with §2.2 {b}; Stearns: no more	*V*	02/22/12			X	X	X	X	X						21	*Apologize to all complainants, really investigate*
§3.8,§A.1	Policy 4007 seems opaque, designed to discourage complainants						X									22	*To be taken seriously, clean this up*

8 Conclusion *

Academics need to evaluate this whole process, *but GMU's response to a relatively-simple complaint seems absurd.* Academics of my acquaintance express disbelief, in particular, that any university seems to trifle with the NHHS research watchdog ORI, which covers complaints [n, s]. Likewise, other funding agencies may take a dim view of such behavior if they know. *Other academics may want to offer opinions as the GMU approach could tarnish the "brand" of academe as a whole, even though it should not.*

No over-generalization should be made about the GMU faculty,[164] but top GMU administrators and some faculty were involved throughout.

- President Merten got the original complaint and he handled the appeal.
- Provost Stearns formed the inquiry committee and announced results.
- VP Stough was primary contact for complaints, named investigators.
- The Dean of Science needed to recommend an inquiry and investigation.
- GMU Assistant Attorney General **Thomas Mancure** was CC'd.

Why has GMU behaved so far outside academic norms?
At least 4 hypotheses have been proposed for this *bizarre* behavior.

- ***GMU wished to defer this until after SACSCOC accreditation in 2011.*** Accreditation occurred anyway. *Normal process may have been fine.*
- ***GMU may have broken its rules in such a way as to incur threat of legal action by Wegman, using a well-connected lawyer.*** However, GMU was moving glacially long before Johns appeared.
- ***The WR may well have been part of an effort to mislead Congress, possibly a felony [MAS2010a, p.88]. Perhaps someone thought admission of misconduct in WR would open the door to worse charges.*** *GMU and Wegman both knew of earlier felony speculation* [MAS2010a, p.34, #29-30.]. *Perhaps this GMU process might some day rise to a case of obstruction of justice, 18USC§1519, for those involved.*
- ***GMU may be so enmeshed in funding by Kochs, Scaife, Searle, etc and involved with thinktanks and politicians pursuing climate anti-science, that it simply could not allow criticism or retraction of the WR. Obviously, that has to be speculation,*** **but see §A.5, §A.6.**

[164] Unlike the WR, no guilt-by-association whatsoever is implied here. I have met and communicated with credible GMU academics and have heard of many others. From outside, most of GMU (but not all parts) seems like a typical university.

GMU faculty, administration, Board *From the data, I would guess that:*

- *Some are 100% with Wegman and verdict of "no misconduct in WR." Key GMU people are involved with anti-science promoters*, **§A.6.**
- *GMU is large. Some faculty may not find the verdict relevant, or care.*
- *Some are likely appalled, but few if any have spoken publicly, perhaps fearing consequences. I sympathize, but schools **must** handle misconduct to keep their bargain with the public and its financing.*

GMU students.
A few current GMU students (or people claiming to be) seem unhappy.[165] Others seem fairly supportive of Wegman.[166] GMU has earlier recognized plagiarism issues. *The reader might wonder if GMU handles student plagiarism the same way or much more harshly. Neither answer is good.* Generally the authors included in **§1.1** have yet to speak about this and the 4th original member of the WR team is yet unknown [MAS2010a, p.91].

WHAT NOW?
*GMU has badly broken the bargain American universities make with their funders and the rest of academe. Taxpayers may be unhappy funding any research at a school whose administration has shown that it **could not:***

- handle even a simple misconduct complaint and tell the truth about it
- follow its own policies on intervals, but take ~2 years to assess 9.5 pages, ignore 5.5p of the most obvious plagiarism, thus doing just 4
- follow its own policy on diligent investigation and pursue complaints
- say anything on complaints of 3 PhDs except "Personnel matter." Dissertations are public. Past students are not "personnel."
- treat a distinguished academic with normal courtesy, but instead tell him almost nothing, mislead him on status, break promises, then blame him falsely, perhaps with acts rising to retaliation/defamation by GMU itself.

Perhaps it is time for a first-ever institutional debarment until GMU has shown consistent ability to act within academic and Federal norms.[167]

[165] deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report/#comment-11957
[166] www.connect2mason.com/content/university-committee-finds-professor-guilty-research-misconduct-document
[167] I know this would be a hardship, but the many honest academics at GMU might take existing grants elsewhere for their sake and the sake of their students.

A.1 GMU University Policy 4007, nominal chronology

The text[168] is annotated with event labels [A] and nominal elapsed days **[+N days]**, ignoring the many "as soon as possible" notes and possibilities of challenges. For something as simple as a few pages of obvious copy-paste-trivial change plagiarism, one would expect most steps to go faster. The rest should be assumed as quoted except for red annotations in [brackets]. Bold is mine. The interested reader should consult the actual Policy, which is much longer.

Under "Results of Inquiry" is found:

> "(f) A recommendation as to whether the complainant should be notified of the results of the inquiry…"

And under "The committee then prepares a final investigation report to the Vice President" is found:

> "(h) Includes a recommendation as to whether the complainant should be notified of the results of the investigation"

GMU procedures seem to allow zero notification to a complainant.[169]
A quick sample of 6 research universities showed that all required that the complainant be notified of the results of inquiry and investigation.[170] Many allowed comments at various stages on drafts and told complainant of committee memberships as those were done. See Rob Coleman in **§3.8.**

By comparison, GMU policy seems quite opaque, allowing GMU to tell complainants almost nothing about intermediate decisions or schedules, making it almost impossible to know if complaints are actually being taken seriously or just ignored. It is unclear if students get analogous treatment.

'Subject: Misconduct In Research and Scholarship
Responsible Parties: Vice President for Research and Economic Development, Deans and Institute Directors, Provost, President …'

'Research misconduct" means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

(a) Fabrication is making up data or results and recording or reporting them.
(b) Falsification is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.
(c) Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.'

'Notifying Federal agencies as required
For proceedings that involve Federal support and research misconduct as defined by the funding agency, the university meets the reporting requirements of the funding agency relating to the decision whether an investigation is warranted. The university may be required to provide the research records and evidence reviewed during the inquiry, transcripts or recordings of any interviews, and copies of all relevant documents, among other materials. The university also meets the reporting requirements of the funding agency pertaining to –
(a) Any plans to close a case at the inquiry, investigation, or appeal stage on the basis that the respondent has admitted guilt, a settlement with the respondent has been reached, or for any other reason than a finding that an investigation is not warranted or that no misconduct occurred; and
(b) The outcome of the investigation and any administrative actions against the respondent.'

'2. Conduct of research misconduct proceedings.
Making an allegation'
[A] [0 **assumed when complaint reaches right person, can take ~week**]
'An allegation of research misconduct may be made by disclosing the alleged misconduct to the respondent's Dean or Institute Director, the Vice President for Research and Economic Development, or any other member of the university's administrative or professional faculty (or, if the allegation involves Federal support and research misconduct as defined by the funding agency, to an official of that agency) through any means of communication. Allegations received by a person other than the respondent's Dean or Institute Director should be promptly referred to the Dean or Director.

[168] universitypolicy.gmu.edu/4007res.html; www.webcitation.org/65v5bf0CL
The current version is Sept 22, 2011, but a quick scan of the quoted text showed no obvious changes since January 2011 when this text was excerpted.
[169] Bradley has received no notice and GMU claims not to be investigating other complaints, so of course no one else has gotten anything.
[170] guru.psu.edu/policies/Ra10.html Pennsylvania State U
www.upenn.edu/almanac/v49pdf/030506/misconduct.pdf U Pennsylvania
orc.osu.edu/files/2011/01/Misconduct_Policy.pdf Ohio State U
www.research.northwestern.edu/ori/misconduct Northwestern U
https://policy.itc.virginia.edu/policy/policydisplay?id=RES-004 U Virginia
www.president.umd.edu/policies/docs/III-110A.pdf U Maryland

The complainant has a duty to make the allegation in good faith. Bad faith allegations will be treated seriously. If at any point in a research misconduct proceeding the Vice President or the respondent's Dean or Institute Director believes that the allegation was not made in good faith, that official refers the matter for appropriate handling under existing university procedures. In addition, if the respondent is a member of the faculty, he or she may bring a grievance under the grievance provisions of the Faculty Handbook.

Eligibility to conduct a research misconduct proceeding

Only university employees may serve on an inquiry or investigative committee in a research misconduct proceeding. However, the university may obtain the advice of non-employees with relevant expertise at any stage of the proceeding, including the preliminary assessment of the allegation. Except in extraordinary circumstances, the majority of a committee's members are tenured faculty.

Preliminary assessment of allegation

Within 14 days of receiving an allegation of research misconduct (or as soon as possible if this time limit cannot be met), the respondent's **Dean or Institute Director assesses the allegation to determine if an inquiry is warranted** and notifies the Vice President and the Provost of his or her determination.'

[B][+14 days]

'Except in extraordinary circumstances, an allegation that is not made in writing or subsequently reduced to writing and supported by specific evidence does not warrant an inquiry.An inquiry is warranted if the alleged conduct meets the definition of research misconduct in this policy and is sufficiently credible and specific so that potential evidence of research misconduct may be identified. If the alleged conduct fails to meet these criteria, no inquiry is conducted. If the alleged conduct meets these criteria, the Dean or Director determines if it involves Federally-supported research, as described in the regulations of the funding agency, or other support under an agreement between the university and another party.

A research misconduct proceeding is not discontinued as a result of the termination of a respondent's employment or the respondent's refusal to cooperate in the conduct of the proceeding.

Initiation of inquiry

The purpose of an inquiry is to conduct an initial review of the evidence to determine whether to recommend that an investigation be conducted. **Within 14 days of receiving a determination that an inquiry is warranted** (or as soon as possible if this time limit cannot be met), the **Provost appoints an inquiry committee and a chair of that committee** from among individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegation. **The Dean or Institute Director then makes a good faith effort to provide notice to the presumed respondent, if any.** This notice includes a statement of the allegation, a description of the inquiry process, the identities of the members of the inquiry committee, and all applicable university policies.

[C][+28 days]

The respondent may challenge a member of the inquiry committee on the basis of conflict of interest or bias by submitting the challenge in writing to the Provost within five days of receiving the notification. The Provost determines whether and with whom a challenged member is replaced. The respondent may challenge the replacement in the same manner. If the inquiry subsequently identifies additional respondents, the Dean or Director promptly provides notice to them in the same manner.

Inquiry process '

[D] [+28 days]

At the inquiry committee's first meeting, the Dean or Institute Director reviews the charge with the committee and discusses the allegations, any related issues, the appropriate procedures for conducting the inquiry, and the timeframe for completing it. The committee reviews the evidence and may interview the complainant, the respondent, and others with knowledge of relevant circumstances. After completing its initial review of the evidence, the committee prepares a draft inquiry report and gives the respondent a reasonable opportunity to provide written comments on it. **The inquiry committee completes the inquiry, including the preparation of a final inquiry report that includes any comments received from the respondent, within 60 days of the committee's first meeting** unless the Dean or Director determines, and documents in the inquiry record, that the circumstances warrant a longer period.'

[E] [+88 days]

'Results of inquiry

The inquiry committee prepares an inquiry report to the Dean or Institute Director in which it recommends whether an investigation should be conducted. An investigation is warranted if there is a reasonable basis for concluding that the alleged conduct falls within the definition of research misconduct under this policy and preliminary information-gathering and preliminary fact-finding from the inquiry indicates that the allegation may have substance. The committee's inquiry report contains the following:

(a) The name and position of the respondent;
(b) A description of the allegations of research misconduct;
(c) Any Federal or other external support involved, including, for example, grant numbers, grant applications, contracts, and publications listing that support;
(d)The basis for recommending that the alleged actions warrant an investigation;
(e) Any comments on the report by the respondent;
(f) **A recommendation as to whether the complainant should be notified of the results of the inquiry and, if so, which parts of the report, if any, should be included in the notification and whether the notification should require that the information be maintained confidentially**; and
(g) Any recommendations the committee may have to refer any of its findings to other university officials for appropriate action, if the committee does not recommend that an investigation be conducted.

University determination based on inquiry

Within 14 days of receiving the inquiry report (or as soon as possible if this time limit cannot be met), the Dean or Institute Director determines whether to conduct an investigation, provides notice to the respondent of this determination, provides the respondent a copy of the inquiry report and this policy, acts on the other recommendations of the inquiry committee, and notifies the Vice President of the determination and provides the Vice President with a copy of the documentation. The university counsel reviews the determination for legal sufficiency.'

[F] [+102 days]

'Initiation of Investigation

The purpose of an investigation is to determine whether research misconduct, as defined in Part II, occurred and, if so, by whom and to what extent. A finding of research misconduct requires that –
(a) The misconduct be committed intentionally, knowingly, or recklessly; and
(b) The allegation be proven by a preponderance of the evidence; and
(c) There be a significant departure from accepted practices of the relevant research community.

The university has the burden of proof in making a finding of research misconduct. The respondent has the burden of going forward with, and proving by a preponderance of the evidence, any affirmative defenses and any mitigating factors relevant to a decision to impose administrative actions.

Within 30 days after determining that an investigation is warranted, the Vice President begins the investigation by convening the first meeting of an investigation committee.

[G] [+132 days]

'The Vice President appoints the investigation committee and a chair of that committee from among individuals who do not have real or apparent conflicts of interest in the case, are unbiased, and have the necessary expertise to evaluate the evidence and issues related to the allegation. **Members of the inquiry committee may not serve on the investigation committee unless their expertise is essential**.

The Vice President provides notice of the commencement of the investigation to the respondent within seven days after determining that an investigation is warranted. This notice includes a statement of the allegation, a description of the investigation process, and the identities of the members of the investigation committee. The respondent may challenge a member of the investigation committee on the basis of conflict of interest or bias by submitting the challenge in writing to the Vice President within five days of receiving the notification. The Vice President determines whether and with whom a challenged member is replaced. The respondent may challenge the replacement in the same manner.

Investigation process

At the investigation committee's first meeting, the Vice President reviews the following: the allegations, the findings of the inquiry, the procedures and standards for conducting the investigation, confidentiality obligations, the need for an investigation plan, the possible penalties for a finding of misconduct, and the timeframe for completing the investigation. The university counsel accompanies the Vice President at the first meeting of the investigation committee and remains available to advise the committee during its investigation.

If the investigation discloses any allegation against the respondent not addressed during the inquiry or in the initial notice of the investigation or any allegation against an additional respondent, the committee reports the allegation to the Vice President, who refers it to the respondent's Dean or Institute Director for a preliminary assessment of the allegation and other appropriate steps as provided in this policy. If that officer finds that the allegation meets the definition of research misconduct in this policy and is sufficiently credible and specific, he or she provides the respondent against whom the allegation is made notice of the decision to pursue the allegation within a reasonable time.

In conducting the investigation, the committee –

(a) Uses diligent efforts to ensure that the investigation is thorough and sufficiently documented and includes examination of all research records and evidence relevant to reaching a decision on the merits of the allegations;

(b) Interviews each respondent, complainant, and any other available person who has been reasonably identified as having information regarding any relevant aspects of the investigation, including witnesses identified by the respondent; and

(c) Pursues diligently all significant issues and leads discovered that are determined relevant to the investigation, including any evidence of additional instances of possible research misconduct, and continues the investigation to completion.

The committee ensures that any interview conducted during the investigation is recorded, that a transcript of the recording is prepared, that the interviewee is provided a copy of the transcript for correction and the opportunity to comment on its contents, and that the transcript and any comments of the interviewee are included in the record of the investigation. The respondent may attend interviews of the complainant and witnesses and direct questions to them.

The committee notifies the respondent at least 14 days in advance of the scheduling of his or her interview and any interview he or she is entitled to attend so that the respondent may prepare for the interview and arrange for the attendance of legal counsel or another authorized representative to advise the respondent at the interview, if the respondent wishes. [171]

Results of investigation

After gathering and examining the relevant evidence, the investigation committee –

(a) Prepares a draft investigation report;

(b) Gives the respondent a copy of the draft report, and, concurrently, a copy of, or supervised access to, the evidence on which the report is based; and

(c) Provides notice to the respondent of his or her opportunity to **provide written comments on the draft report within 30 days of the date on which he or she received it.**

The committee ensures that any comments submitted by the respondent are considered and included in the final investigation report. The committee also gives the university counsel a copy of the draft investigation report to review for legal sufficiency.

The committee then prepares a final investigation report to the Vice President. In the report, the committee –

(a) Describes the nature of the allegations of research misconduct;

(b) Describes and documents any Federal or other external support, including, for example any grant numbers, grant applications, contracts, and publications listing that support;

(c) Describes the specific allegations of research misconduct considered in the investigation;

(d) Includes the university policies and procedures under which the investigation was conducted;

(e) Identifies and summarizes the research records and evidence reviewed, identifies any evidence taken into custody but not reviewed, and summarizes the reasons why any evidence was not taken into custody;

(f) Provides a finding as to whether research misconduct did or did not occur for each separate allegation of research misconduct identified during the investigation, and if misconduct was found, (i) identifies it as falsification, fabrication, or plagiarism and whether it was intentional, knowing, or in reckless disregard; (ii) summarizes the facts and the analysis supporting the conclusion and considers the merits of any reasonable explanation by the respondent and any evidence that rebuts the respondent's explanations; (iii) identifies the specific Federal or other external support, if any; (iv) identifies any publications that need correction or retraction; (v) identifies the person or persons responsible for the misconduct; and (vi) lists any current support or known applications or proposals for support that the respondent or respondents have pending with any Federal agency;

(g) Includes and evaluates any comments made by the respondent on the draft investigation report;

(h) **Includes a recommendation as to whether the complainant should be notified of the results of the investigation and, if so, which parts of the report, if any, should be included in the notification**;

(i) Includes any recommendations it may have for administrative actions relating to the conduct found; and

(j) Includes any recommendations it may have to assist the complainant or any other person who was harmed by the conduct found.

The committee uses its best efforts to complete the investigation within 120 days of the date on which it began. For proceedings that involve Federal support and research misconduct as defined by the funding agency, if the committee is unable to complete the investigation within the time prescribed by the funding agency, the Vice President communicates with the agency regarding any requirements relating to an extension. For other proceedings, the Vice President grants an extension for good cause.

[H] [+252 days]

[171] *Can the complainant have a lawyer? If so, who pays for them?*

University determination based on investigation

Upon receiving the final investigation report, the Vice President reviews the report and makes a determination on behalf of the university as to whether research misconduct occurred and, if so, by whom, and whether the university accepts the findings of the investigation. The Vice President recommends to the Provost what administrative actions, if any, the university should take against the respondent, taking account of the recommendations in the final investigation report. The university counsel reviews the determination and the recommendation of the Vice President for legal sufficiency. **The Provost determines what administrative actions, if any, the university takes against the respondent, except that the provisions of the Faculty Handbook regarding a dismissal for cause apply to that action.**

The Vice President provides a copy of the final investigation report and the university's decision to the respondent. If the decision is that the respondent committed research misconduct, the Vice President provides notice to the respondent that he or she may appeal the decision by filing a request for reversal or modification of the decision and grounds for that request with the President within 30 days of receiving the university's decision.'
[I] [+282 days]

'The President generally issues a written decision on the appeal, including the reasons for the decision, **within 100 days** of the date the appeal is filed. If the university is unable to complete the appeal within the time prescribed by a funding agency, the Vice President communicates with the agency regarding any requirements relating to an extension. The Vice President provides notice of the President's decision to the respondent.'
[J] [+382 days]

The following also is relevant, given false claims about Bradley:
*

'"Retaliation" means an adverse action taken against a complainant, witness, or committee member by a member of the university community in response to –
(a) **A good faith allegation of research misconduct**; or
(b) Good faith cooperation with a research misconduct proceeding.'

and

'(b) Complainants, witnesses, and committee members. **The university undertakes all reasonable and practical efforts to protect and restore the position and reputation of any good faith complainant, witness, or committee member and to counter potential or actual retaliation against those persons**.'

Compared to many other academic misconduct policies that I have read, the GMU policy seems opaque, almost designed to discourage good-faith complaints, even from distinguished external academics. Given this, one might wonder about the treatment of internal complainants, especially junior faculty or students.

A.2 Complaint to SACSCOC 01/15/11

This was the text of actual complaint of the Third Party Comment form.[172]

A. Provide a clear statement describing the institution's performance in terms of compliance with the Commission's standards for accreditation, the *Principles of Accreditation*.

'1) **GMU appears to have an integrity problem in handling a well-documented complaint of obvious plagiarism against GMU's Prof. Edward Wegman.** After almost 10 months, complainant Prof. Ray Bradley of UMass-Amherst has yet to receive even a simple *inquiry* report. GMU does not seem to be following its own standard policies.

2) **Prof. Wegman has publicly promoted (in USA Today) a view of plagiarism that totally contradicts normal academic practice**. GMU has yet to repudiate this view after almost 2 months.

3) **Plagiarism appears in a paper funded by 3 Federal agencies, none relevant to the paper. This was reported in May 2010 to GMU.**

4)**There seems to be pattern of lax supervision of PhD dissertations around Wegman.**

Cut-and-paste plagiarism appears in PhD dissertations of 4 of Wegman's students [4a*, 4b*, 4c*, 4d] of whom 3(*) received departmental "best dissertation of year awards."

The first dissertation with plagiarism, that of Yasmin Said (2005) seemed weak. As a post-doc, she later co-supervised with Wegman 3 dissertations, Sharafi (2007, D.A.), Sharabati (2008, PhD), Belayneh (2008, PhD). Many schools would not allow such supervision by a young, non-tenure-track research assistant professor. I know policies vary.

Some social networks material was plagiarized 4 times, including an article and 2 dissertations, Sharabati(2008) and Rezazad (2009). Less than half of Sharabti's references were ever cited, but he included several absurd statements. Either no one noticed any of this or objections were overridden.

SUMMARY:

Counting 2 complaints by Bradley (March/May), the 4 PhD dissertations, and another complaint regarding another 25 pages plagiarism in the "Wegman Report," at least 7 academic misconduct cases have been filed, all but one at least 2 months ago. The original cases and the laggardly handling were profiled in USA Today, a strong incentive to handle related cases expeditiously, but this does not seem to be happening. By contrast, Rice University handled a similar, related case with alacrity and integrity.

GMU policies easily allow an inquiry report within the 2 months for simple cases, if treated seriously. As of this writing, none have yet appeared. As is clear from the documentation, key people in GMU administration must have known about this for a long time. The PhD supervision issues are also part of a worrisome long-term pattern.

Of course, this might be isolated to Wegman and his students or it might be more pervasive.

Thus, **the issue is the pattern of GMU's poor handling** of very straightforward plagiarism cases against faculty members and PhD students.

I have not been an academic since I finished by PhD, but have spoken at hundreds of universities, have many senior academic friends, visit the Stanford campus almost every week, and people are generally fairly surprised by all this, as it harms the general "brand" of academe as a self-policing community.'

B. Describe the documentation produced to support your comments

'Paper copies are provided. Pointers to online versions to allow easy checking of backup sources,

1) John R. Mashey, Strange Inquiries at GMU … and even stranger comments, 01/04/11, 45 pages. (SIGMU2 hereafter)
www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20inquiries%20v2%200_0.pdf

2) Dan Vergano, USA Today, Wegman report round-up, 11/23/10.
content.usatoday.com/communities/sciencefair/post/2010/11/wegman-report-round-up/1

Dan Vergano, USA Today, Climate science critic responds to allegations, 11/22/10.
www.usatoday.com/weather/climate/globalwarming/2010-11-22-plagiarism_N.htm

3) John R. Mashey, Strange Scholarship in the Wegman Report, 09/26/10, 250 pages. SSWR.
deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf

The following are the most relevant excerpts, provided on paper. They are embedded in a complex story, so the URL above is provided just in case. The print package includes pp.1-7 (Cover sheet, Contents, Executive Summary, Glossary, Key people), plus:

pp.148-151 (next), but covered briefly in SIGMU2, pp. 3, 8, 30.

4) SSWR, as above.

4a) p.87, A.9, Said (2005) dissertation, alcohol plagiarism.

4b) W.5.7, p.152 Sharabati (2008) dissertation, which also has other oddities indicating poor supervision or inattention on the part of the committee. Social networks plagiarism.

4c) W.5.10, p.159 Rezazad (2009) dissertation. Social networks plagiarism.

4d) Al-Shameri dissertation (2006). This was discovered after SSWR was written, documented in several blog discussions, from which I've excerpted the relevant parts. deepclimate.org/2010/12/02/wegman-et-al-miscellany/'

[172] www.sacscoc.org/thirdparty/Third-Party%20Comment%20Form.doc

A.3 Email exchanges with Wiley *

When substantial plagiarism is found by 2 Editors-in-Chief and the 3rd is a long-time close associate of theirs, the only recourse is the publisher. [173]
A history of interactions with Wiley follows:

On **03/28/11**, I sent email to Wiley, including:

> "I am writing to report massive plagiarism in an article by Wegman and Said, "Color theory and design" in the recent issue of this journal they edit with long-time associate David Scott.
> onlinelibrary.wiley.com/doi/10.1002/wics.v3.2/issuetoc
> Normally, I would report such to the editors, but that didn't seem likely to be useful in this case.
> If I need to send this elsewhere, please advise. …
>
> 3) The plagiarism was discovered and exhaustively documented by Canadian blogger "Deep Climate," a fine investigator who prefers to remain anonymous. Of course, near-verbatim plagiarism is easily demonstrable, and he has done a detailed analysis, posted publicly at:
> deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour
> It includes a 22-page side-by-side analysis of the paper with the antecedent texts:
> deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf
>
> This plagiarism chain started in 2002, with material used in lectures, an Army ACAS course, and finally in Wegman and Said (2011). Commenters on that post have already identified Wegman/Said plagiarism in two more articles.
>
> 4) Wegman and his students now have a long history of using other people's work, usually via cut-and-paste with a little editing, with at-best vague and often zero citation. In addition to various articles and book chapters, the 2006 Wegman Report for Congress, this includes 4 PhD dissertations, including Said's.
>
> 5) That issue of the WIRES journal has 10 articles, of which:
> 3 are by Wegman's past students: Martinez, Moustafa, Chow
> 1 is the Wegman and Said article
> 1 is by Scott
> 1 is by a colleague of Scott's at Rice, Wickham
> ---
> All this may be perfectly fine, but is somewhat disconcerting to see such a concentration of authors."

On **03/30/11**, Wiley's Stephen Quigley[174] replied, copying Janet Bailey.[175]

> "We are in receipt of your email dated March 28, 2011 regarding "substantial plagiarism by editors Wegman and Said." Before we initiate an internal investigation, we need specific evidence of your claim since, as I am sure you are aware, we do not take such an allegation lightly."

On **03/30/11**, I replied to Quigley, including:

> "Sir: thank you for your prompt attention to a circumstance whose distressing nature I understand.
> I suggest reading 2 recently-posted files:
> deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/
> That gives an overview, context and some examples and I would suggest reading that first.
>
> Then see:
> deepclimate.files.wordpress.com/2011/03/wegman-said-color-theory-and-design-antecedents-v12.pdf
> That is a 22-page detailed writeup, summarizing the various antecedents of Wegman&Said(2011), including 16 detailed pages of side-by-side comparison, using a color scheme that quickly shows the cut-and-paste/edit work, and that Deep Climate and I have employed in earlier analyses, including the one that led to:
> www.usatoday.com/weather/climate/globalwarming/2010-11-21-climate-report-questioned_N.htm"

[173] In the *CSDA* case, E-i-C Stanley Azen was an old associate of Wegman's and wrote, MAS2011a, p.11:

> 'So, I have two thoughts. The first thought is to have Ed's response reviewed by an expert (e,g" lawyer, or ethics person) at Elsevier, with the goal of helping Elsevier make the appropriate decision as to whether additional "punishment" (e.g., withdrawing the paper) is needed. The 2nd thought is that we agree that proper "punishment" has already occured, and we go forward with Ed's recommendation of providing an errata sheet for publication in CSDA.'

There, Elsevier followed normal policy, drove the process and eventual retraction.

[174] Associate Publisher, Wiley-Blackwell, Marblehead, MA.

[175] I think she is/was Vice President and Publishing Director, Physical Sciences Books and References, Wiley, Hoboken, NJ. She was copied on all email exchanges after the first.

On **04/24/11**, I sent more issues to Quigley, including:

'I am afraid further problems have appeared, beyond the plagiarism reported to Wiley 03/28/10, detailed in:
deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/
I sympathize with the awkwardness of all this and I apologize for any errors, as this was assembled in some haste.

OVERVIEW
1) Problem: Dr Yasmin Said's affiliations on WIRES:CS masthead are either false or obsolete.
2) Problem: Further plagiarism has been found in WIRES:CS Vol 1, Issue 1, Said and Wegman, "Roadmap for optimization."
Much of it seems cut-and-paste from Wikipedia articles. …

3) There are also some disquieting concerns, which may or may not rise to actual problems. Wiley may want to check the review processes at WIRES:CS and clarify how this really works, as there seems to be confusion. About 28% of the papers are authored by the Editors themselves or people with obvious close ties. The scope of WIRES:CS seems a bit broad for good review coverage, even understanding the interdisciplinary approach.

1) PROBLEM: DR YASMIN SAID'S AFFILIATIONS ARE EITHER FALSE OR OBSOLETE
onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html[176]
www.wiley.com/bw/editors.asp?ref=1939-5108&site=1 both show:
"Yasmin H. Said, Professor, Oklahoma State University,
Ruth L. Kirschstein National Fellow, George Mason University"

a) Said has ***never*** been an employee of OSU and certainly not a Professor. She was offered an Assistant Professor job in March 2009, for Fall 2009. She later requested a lighter teaching load, granted by OSU. Then, around August, she asked to defer her arrival by a semester, which was not agreed, so she resigned that position. For a few months, both she and OSU did think she would be starting there in the Fall. For background, see Appendix A.6.5, "Odd loose ends at Wiley Interscience" p.83 of:
deepclimate.files.wordpress.com/2010/09/strange-scholarship-v1-02.pdf
If confirmation is needed from OSU, I can provide relevant contacts. …

2) PROBLEM: FURTHER PLAGIARISM: WIRES:CS Vol 1, Issue 1, Said and Wegman ,"Roadmap for optimization" (SW2009)
onlinelibrary.wiley.com/doi/10.1002/wics.16/abstract
Part of this article seemed to have come from Wikipedia, but more has been found since:
deepclimate.org/2011/03/26/wegman-and-said-2011-dubious-scholarship-in-full-colour/#comment-8486
I think a thorough comparison document will be prepared by an associate in next week or two, but a few hours' efforts sufficed to find Wikipedia pages, circa mid-2009, all of which have text with striking similarities, although SW2009 occasionally has extra errors.
en.wikipedia.org/w/index.php?title=Karush%E2%80%93Kuhn%E2%80%93Tucker_conditions&oldid=303189545
en.wikipedia.org/w/index.php?title=Linear_programming&oldid=302228577
en.wikipedia.org/w/index.php?title=Simplex_algorithm&oldid=269565766
en.wikipedia.org/w/index.php?title=Karmarkar%27s_algorithm&oldid=292855439
en.wikipedia.org/w/index.php?title=Simulated_annealing&oldid=301539847
For example, here is a cut-and-paste with minimal trivial edits, a plagiarism style seen often involving Said:
Said and Wegman: p.9 Simulated annealing (zero citations)
"Simulated annealing is a probabilistic metaheuristic global optimization algorithm for locating a good approximation to the global minimum of a given function in a large search space. For many problems, simulated annealing may be more effective than exhaustive enumeration provided that the goal is to find an acceptably good solution in a fixed amount of time, rather than the best possible solution."

en.wikipedia.org/w/index.php?title=Simulated_annealing&oldid=301539847 (July 2009)
" **Simulated annealing (SA)** is a generic probabilistic metaheuristic for the global optimization problem
of applied mathematics, namely locating a good approximation to the global minimum of a given function in a large search space. … For certain problems, simulated annealing may be more effective than exhaustive enumeration — provided that the goal is merely to find an acceptably good solution in a fixed amount of time, rather than the best possible solution."

One might ask if **anyone** actually reviewed this paper, as it has problems beyond plagiarism. The approach seems to take uncited Wikipedia pages, copy a few of the references found in Wikipedia, but often detached as "further reading" or equivalent. …'

[176] http://www.webcitation.org/5zTFlnebI has archived version form 06/15/11.

On **04/26/11**, Quigley replied, copying Bailey:

'Please be advised that we are in receipt of your second email on various issues dealing with the editors of WIRE: Computational Statistics. We are reviewing the facts. Should any changes to the record be warranted, those will be made on the record.'

On **05/09/11**, Kirkpatrick sent Wiley a more detailed analysis of Said and Wegman(2009)

On **05/15/11**, I emailed to Quigley:

'1) Further information on the "Color article" is:
deepclimate.org/2011/05/15/wegman-and-said-2011-part-2/
2) Also, while not involving Wiley, you may want to be aware of USA Today article:
www.usatoday.com/weather/climate/globalwarming/2011-05-15-climate-study-plagiarism-Wegman_n.htm
Said, Wegman, Sharabati, Rigsby(2008) to be retracted from Computational Science and Data Analsyis.'

On **05/26/11**, I emailed Quigley, labeled "FYI, NO REPLY NEEDED"

'Again, while not directly involved in the Wegman/Said issues with Wiley, additional context from the Elsevier case may be useful to you:
3) Followup to USA Today article, i.e., text for which there was insufficient room in print version.
content.usatoday.com/communities/sciencefair/post/2011/05/retracted-climate-critics-study-panned-by-expert-/1
4) An annotated analysis of Wegman's email to Elsevier that was mentioned in Vergano's article.
www.desmogblog.com/sites/beta.desmogblog.com/files/strange%20tales%20v%201%2001.pdf
5) A related Editorial in Nature yesterday.
www.nature.com/nature/journal/v473/n7348/full/473419b.html'

On **09/08/11**, I emailed Quigley:

'Now that it has been 5 months, might I assume that Wiley has determined that no changes to the record are warranted*? …
* That is:
1) Wegman and Said (2011)
2) Said and Wegman (2009), as documented in more detail by Ted Kirkpatrick
3) Said's claimed Professorship at Oklahoma State University.
onlinelibrary.wiley.com/journal/10.1002/%28ISSN%291939-0068/homepage/EditorialBoard.html '

On **09/15/11**, Quigley replied:

'In response to your most recent email (of September 9), **it is against Wiley policy to comment on editorial processes to third parties, but, rest assured that any changes to the record will be made on the record.'**

In early September, by **09/16/11**, the masthead changed Said's identification from:
"Professor, Oklahoma State University" to:
"Professor, George Mason University" and then later to:
"Assistant Professor, George Mason University"[177]

On **10/04/11**, DC published the detailed analysis,[178] and as often occurred at *Deep Climate*, interesting comments added more data.

On **10/05/11**, Dan Vergano wrote on the topic,[179] noting:

'Now, following work by Columbia University statistician Andrew Gelman[180] finding more botched copying of Wikipedia in a separate 2009 WIRES CompStats review article by Wegman, *Deep Climate* has released an analysis finding 13 blocks of copied Wikpedia text in the review article. Other text appears lifted from another researcher's textbook and Wolfram MathWorld. (Wegman and Said are editors in chief of the journal in which the review article appears, incidentally.)
Wegman and his attorney, Milt Johns, have not replied to an e-mailed request for comment on the complaints about the *WIRES CompStat* article. Johns has previously denied any plagiarism by the researchers. …
George Mason University, under fire for an 18-month investigation[181] into acknowledged copying in the retracted study, did not reply to a request for comment on the latest news. …
All told, at least five published papers by Wegman and Said appear to suffer from plagiarism-related defects, summarizes the analysis. "It's a dismal chronology," concludes the Deep Climate blogpost.'

Several people spent months contacting Wiley Board and executives to get them to acknowledge the problem and take action to regain credibility. Wegman and Said did disappear from the masthead, but the revised articles remain as peer-reviewed publications. More is to come on this story.

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[177] She was a GMU Research Assistant Professor. She never took the job at OSU.
[178] deepclimate.org/2011/10/04/said-and-wegman-2009-suboptimal-scholarship
[179] content.usatoday.com/communities/sciencefair/post/2011/10/more-wikipedia-copying-from-climate-critics/1
[180] andrewgelman.com/2011/09/another-wegman-plagiarism-copying-without-attribution-and-further-discussion-of-why-scientists-cheat
[181] www.nature.com/nature/journal/v473/n7348/full/473419b.html

A.4 Funding for Wegman, Said

American universities are envied worldwide. Students and their families may sacrifice for the chance to earn degrees kept credible by universities who reward honest work and discourage cheating.[182] Any student who takes the long road to a PhD deserves good supervision and the knowledge that other PhDs were earned, too.[183]

Our universities also perform a great deal of crucial research,[184] often funded publicly. Academic freedom is important and often universities lead in discovering truths, some awkward. *But there is a bargain:*

- The public expects agencies to allocate funds well and monitor them competently. By definition, some research fails, as expected. "Golden Fleece" award were sometimes unfair, but agencies should fund those with plausible competence who might produce useful work.
- Research misconduct inevitably happens, but good universities jealously guard their reputations. **They have clear policies for investigating complaints and they actually follow those policies.[185]** When needed, they take strong actions. Most researchers at a school may well be honest, but if a school cannot follow academic norms for misconduct, how can anyone trust it? *A few bad apples can ruin trust for the rest.*

Papers [a, k, n, s] acknowledged Army funding, **§1.1**. Papers [n, s] included NIAAA funding for Said.[186] It is hard to understand why either Army or the NIAAA should fund work [SAI2008] [n], which:[187]

- was a baseless attack on scientists in another field
- plagiarized SNA text, poorly, with errors
- was written by people with little or no credible experience in SNA
- was sent to journal that did not publish SNA, just had a friendly Editor
- was strongly criticized by real SNA experts

Wegman and Said acknowledged funding from the same agencies for [SAI2010] [s]. Again the relevance is unclear and the paper was a section of Sharabati's dissertation, **§4.5.** *Why was the government paying?*

Wegman part-time students Denise Reeves (MITRE) and John T. Rigsby III (NSWC) helped with the WR. If they did the work as GMU students, they should have been so listed.[188] If Reeves did the work on MITRE time, *there could be a funds mis-use.* NSWC might have been involved in another way.[189] David Ritson quoted Wegman:

> '"Our report was review of those papers and was not federally funded. Our report called for disclosure of federally funded work. Material based on our report is being prepared for peer review journals at present. It is not clear to me that before the journal peer review process is complete that we have an academic obligation to disclose the details of our methods. Nonetheless, I assure you that as soon as we are functional again, **I will create a website that fully discloses all supporting material related to our report to the extent possible. (Some of the code we used was developed by former and current students working at the Naval Surface Warfare Center in Dahlgren, Virginia and may not be disclosed without approval through the Navy's public release process.)**"

That website never happened. *This certainly hid the code until DC found Steven McIntyre's original equivalent 4 years later.*[190] ***This was false.***[191]

---

[182] When teaching computer science years ago, I told students I would flunk anyone caught cheating. Every term, a few tried and I flunked them. Hardworking students told me how much they appreciated that, because they had earned their grades and potential employers knew that.

[183] This report alleges plagiarism and possible other quality issues in 4 PhD dissertations, of which 3 got "Best Departmental Dissertation of Year" awards.

[184] University research has necessarily grown to try to fill gaps left by downsizing of research in industrial R&D groups like Bell Laboratories.

[185] MAS2011 applauded Rice for its alacrity. GMU's *opaque, confused, glacially-slow, process-violating* treatment of well-documented plagiarism complaints can be contrasted with UCB and PSU's cases in **§A.7**.
As a Penn State grad, I might be biased, but readers can compare the cases.
11/22/09 Barrage of emails, letters, phone calls
guru.psu.edu/policies/Ra10.html policy
02/03/10 www.research.psu.edu/orp/documents/Findings_Mann_Inquiry.pdf
06/04/10 live.psu.edu/pdf/Final_Investigation_Report.pdf

[186] MAS2010a §A.6, §A.7 discussed the Army and other funding known then.

[187] MAS2011a p.6, p.7 ❷ Two SNA experts derided this paper publicly.

[188] *NSWC and MITRE labels obscured the fact that WR was almost entirely done by GMU people, including a new PhD (Said) and grad students Reeves, Rigsby.*

[189] deepclimate.org/2010/10/24/david-ritson-speaks-out
David Marchette and Jeffrey Solka were past students.

[190] deepclimate.org/2010/11/16/replication-and-due-diligence-wegman-style

[191] www.desmogblog.com/ed-wegman-promised-data-rep-henry-waxman-six-years-ago-where-it The climate code did not belong to the Navy.

A.5 GMU funding *

A.5.1 GMU funding from C.G.Koch and allies

Like many universities, GMU gets most of its research funding from the Federal Government, directly or indirectly, shown on later pages.

GMU appeared often in the tobacco archives, legacy.library.ucsf.edu, but a major funding source is for health research, *an odd juxtaposition*.

GMU has a strong political Libertarian/small-government theme, [192] especially clear in the Mercatus Center, Institute for Humane Studies (IHS), Economics, Law and Economics Center, Public Policy, and the Law School, whose most famous graduate may be VA AG Ken Cuccinelli, well-known for his repeated U VA lawsuits, **§A.6.**

GMU is strongly connected with thinktanks and others that do climate and environmental anti-science and help tobacco companies. More analysis is needed, but frequent funders of climate anti-science [MAS2010, MAS2012] *seem very influential.*

DONORS CAPITAL+DONORS TRUST form a conduit for money from some of the same donors [MAS2012, pp.65-68], but anonymizes it.
Charles Koch can give:

- Personally, directly to any of these (not public)
- Through C.G.Koch Foundation (public)
- Through C.L.Lambe Foundation (public)
- Through the Knowledge and Progress Fund (K&P F) [193] (public)
- Through DONORS, whose donations are public, but not the original donors. Money could arrive through any of the previous routes. DONORS TRUST and CAPITAL have transferred funds in both directions.

In addition, donations can:

- Go directly to entities with their own EINs, such as Mercatus and HIS.
- Go to the GMU Foundation, but tagged for Mercatus, IHS.
- Go to GMU Foundation, but tagged for Law and Economics Center [194] or other entities inside GMU that have no EIN, such as Economics.
- Be tagged as general operating expenses or completely untagged.[195]

It is very difficult to track the money through this maze.
On next page, Koch funding of GMU and Mercatus seem synchronous with a large jump in DONORS funding there. DONORS is designed to anonymize funding, so nothing can be proved, but it hints at possible movement to a less-visible path in last few years. Koch has given about the same amount of money through K&P F to DONORS, as DONORS has given to GMU, but the actual sources are hidden. *One would guess that GMU knows which actual soruces are giving via DONORS.*

On next page are summaries of some key donors' gifts to the GMU Foundation, Mercatus Center and IHS.[196] Many other foundations give as well, especially to the GMU Foundation, so this is a small fraction of overall giving, which is spread over many activities.[197] It is easy to miss donations, so these may be considered lower bounds.

The core foundation group's donations to MC+IHS were 25-33% of total contributions from 990s, easily enough for strong influence, even without Board membership or Chairman role.

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[192] That's fine. The oddity is the combination of anti-science efforts (tobacco, climate) and small-government policy efforts in some parts of GMU, while other parts seek and get substantial science and large-government funding.

[193] www.eri-nonprofit-salaries.com/index.cfm?FuseAction=NPO.Summary&EIN=541899251
This is funded by Koch, seems to give only to DONORS. Of course, funds need not be given from DONORS until later years, so this is very hard to follow.

[194] LEC is specifically mentioned, given appearances in the LTDL, such as: legacy.library.ucsf.edu/tid/off46a00/pdf, in which GMU sought money from RJ Reynolds for the LEC, noting past support.

[195] Foundations and their major donors talk, and may well have a shared agreement on the uses of funds, whether written in Form 990s or not
When C.G.Koch gives nearly $5M for "General/operating support; Program Development, (2009), is it possible he has any idea or influence on its usage?

[196] As seen in , **§A.6,** Koch chairs IHS and is on the Board of Mercatus, which was cofounded by his lieutenant Richard Fink, who is also on the IHS Board.

[197] Some donations go to obvious non-advocacy purposes, such as Visual and Performing Arts, Zotero (www.zotero.org/about, *nice work*), etc. However, much of the money is so vaguely described that it is hard to know its real intent.

~$ in 1,000s to DONORS	2005	2006	2007	2008	2009	2010	Total
K&P F (Koch) ➔ DONORS	390	3210	1,125	1,240		2,000	7,965

~$ in 1,000s to GMU	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**Total**
C. G Koch F + C. Lambe F	3,450	350	408	2,873	5,119	3,667	**15,767**
DONORS CAPITAL+TRUST	164	370	1,020	800	495	1,020	3,869
Searle Freedom Trust		145	174	169	443	1150	2,080
S. Scaife F + Carthage F	350	350	200	200	250	250	1,600
Earhart F	299	203	48	192	161	135	1,037
L&H Bradley F	85	95	85	90	90	65	510
TOTALS	**4,348**	**1,513**	**1,934**	**4,324**	**6,457**	**6,287**	**24,863**
TOTAL Contribs (990)	**26,980**	**21,134**	**23,001**	**22,720**	**46,067**		

~$ in 1,000s to Mercatus	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**Total**
C. G Koch F	1,015	3,900	2,683	1,050	600	0	**9,248**
DONORS CAPITAL+TRUST	1	104	276	156	107	1,157	1,800
Searle Freedom Trust		100	150	230	250	250	980
S. Scaife F	80	80	80	80	50	50	420
Earhart F	83		20	45	60	30	238
L&H Bradley	10	10	10				30
TOTALS	**1,189**	**4,194**	**3,218**	**1,561**	**1,067**	**1,487**	**12,716**
Total Contributions (990)	**6,562**	**4,846**	**6,561**	**9,631**	**8,042**	**11,603**	**47,245**

~$ in 1,000s to IHS	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**Total**
C. G Koch F		1,082	886	1,169	2,461	2,160	**7,757**
DONORS CAPITAL+TRUST	14	168	1,088	757	27	364	2,428
Searle Freedom Trust	315	245	73	250	300		1,183
S. Scaife F	50	50	50	0	35	35	220
Earhart F	30		137				167
L&H Bradley F	15	35	40	30	25	5	150
TOTALS	**424**	**1,580**	**2,273**	**2,216**	**2,848**	**2,564**	**11,905**
Total Contributions (990)	**2,935**	**3,049**	**5,764**	**6,059**	**6,324**	**9,163**	**33,295**

GMU+MC+IHS TOTALS	**5,961**	**7,287**	**8,101**	**9,004**	**10,372**	**10,337**	**49,483**
C.G.Koch totals	**4,465**	**5,332**	**3,976**	**5,092**	**8,079**	**5,827**	**32,772**
C.G.Koch %	**75%**	**73%**	**54%**	**63%**	**78%**	**56%**	**66%**
Foundation Sponsored Research[198]			**5,453**	**6,718**	**6,637**		

Even given calendar years vs fiscal years, and different categorizations, donations from just these foundations to GMU, Mercatus and IHS are nearly 2X larger than the total foundation **research** funding for GMU.

[198] irr.gmu.edu/factbooks/1011/Factbook1011_Sponsored.pdf and next page

A.5.2 Sponsored research expenditures

GMU gets most of its research funding from government and a very small fraction of its funding from private industry, *which seems curious, given the strong free-market/private enterprise/small government views for which GMU is known.*

The most recent Factbook gives some detail on sponsored research:[199]

TABLE 8.1 Expenditures by Sponsor Type, FY 2009-2011 (Dollars)

	FY 2009	FY 2010	FY 2011
Federal Sources			
Federal	67,336,712	69,949,715	60,164,604
Federal funds passed through state	6,014,699	5,265,661	6,109,124
Federal funds passed through industry, non-profit and universities	10,097,690	10,211,552	11,641,786
Federal funds passed through local governments/schools	163,562	292,488	271,962
Subtotal	83,612,664	85,719,417	78,187,475
Other Sources			
Associations/Non-Profit	2,373,951	1,826,373	1,296,928
Foreign Entities	3,105,348	2,118,304	1,549,565
Foundations	6,718,537	6,637,356	6,787,948
Industry	1,309,144	759,540	733,132
Local Government/Schools	705,633	776,799	1,301,268
Revenue/Other Governments	405,429	339,892	163,050
State (including SCHEV)	1,490,083	1,619,730	712,700
Universities	443,809	489,165	824,917
Subtotal	***16,551,932***	***14,567,159***	***13,369,507***
Total	$100,164,596	$100,286,575	$91,556,982

Note: Numbers may not add up to subtotals/totals due to rounding.
** Pooled expenditures not included.*

From previous page:[200]

~$ in 1,000s GMU,MC,IHS	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**Total**
GMU+MC+HIS TOTALS	**5,961**	**7,287**	**8,101**	**9,004**	**10,372**	**10,337**	**49,483**
C.G.Koch totals	**4,465**	**5,332**	**3,976**	**5,092**	**8,079**	**5,827**	**32,772**

C.G.Koch and close allies, who jointly fund many thinktanks active in climate science,[201] form a major funding source for GMU, *but very likely not for research, since their numbers are larger than those claimed for foundation research funding.*

[199] irr.gmu.edu/factbooks/1112/Factbook1112_Sponsored.pdf pp.2-6
[200] Foundations use calendar years, GMU's fiscal year seems to be July-June.
[201] Many other familiar foundations appear as donors to GMU, MC or IHS, but this seemed enough to make the point. None of this is a surprise of course, but the numbers seemed worth recording.

A.5.3 Sponsored research expenditures

The 4 largest sources are marked. The funds from Koch and close allies are definitely not negligible on this scale, would rank roughly #3 in 2010.

TABLE 8.2 Expenditures by Federal Agencies, FY 2009 - FY 2011 (Dollars)

	FY 2009	FY 2010	FY 2011
Agency for International Development	25,654	0	0
Department of Agriculture	376,524	307,434	278,057
Department of Commerce	3,521,937	4,353,119	4,173,611
Department of Defense	13,200,642	17,106,725	15,131,050
Department of Education	3,036,451	2,998,257	4,051,162
Department of Energy	2,182,675	2,168,787	2,637,016
Department of Health and Human Services *	20,483,668	18,093,719	7,234,686
Department of Homeland Security	849,247	1,302,938	1,427,609
Department of Interior	630,765	525,796	294,251
Department of Justice	1,266,177	1,405,123	1,265,399
Department of State/USIA	130,979	613,249	1,594,998
Department of Transportation	1,558,786	1,403,629	2,095,467
Environmental Protection Agency	10,032	0	0
FDIC	17,638	30,688	206,154
General Services Administration	758,590	689,396	707,625
NASA	9,116,130	8,234,626	7,025,298
National Endowment of Humanities/Arts	575,085	532,961	592,195
National Science Foundation	5,888,252	6,564,194	7,649,883
Small Business Administration	2,320,792	2,639,130	2,932,939
Other Federal Agencies**	1,386,689	979,944	867,205
Subtotal Direct Federal Funds	***$67,336,712***	***$69,949,715***	***$60,164,604***
Federal Funds Passed Through State	***$6,014,699***	***$5,265,661***	***$6,109,124***
Federal Funds Passed Through			
1) Industry	7,266,862	6,777,265	6,757,489
2) Associations/Non-profits	1,002,570	805,251	1,163,797
3) Local Governments and Schools	163,562	292,488	271,962
4) Universities	1,828,258	2,629,036	3,720,500
Subtotal Federal Funds Passed Through 1,2,3 and 4	**$10,261,252**	**$10,504,040**	**$11,913,748**
Total Federal Agencies Expenditure	**$83,612,664**	**$85,719,417**	**$78,187,475**

** Includes construction grant funds from Department of Health and Human Services (DHHS) for Regional Biocontainment Lab (RBL): FY09 $9,740,200, FY10 $11,841,683, FY11 $416,817.*
*** FY09: U.S. Institute for Peace, Library of Congress, National Libraries, Securities and Exchange Commission, IMLS, NARA, Veterans Affairs, Congress, and National Gallery of Art; FY10: Smithsonian, Securities and Exchange Commission, Central Intelligence Agency, USPS, USIP, Federal Trade Commission, Library of Congress, NHPRC, IMLS; FY11: Smithsonian, Securities and Exchange Commission, USPS, USIP, Federal Trade Commission, Library of Congress, NHPRC, IMLS, NARA, NEA.*

~$ in 1,000s GMU,MC,IHS	2005	2006	2007	2008	2009	2010	Total
GMU+MC+HIS TOTALS	5,961	7,287	8,101	9,004	10,372	10,337	49,483
C.G.Koch totals	4,465	5,332	3,976	5,092	8,079	5,827	32,772

A.5.4 Expenditures by Mason Organizational Unit

Again, figures from the Factbook are:

TABLE 8.4 Expenditures by Mason Organizational Unit, FY 2009 - FY 2011 (Dollars)

Academic Units	FY 2009	FY 2010	FY 2011
COLLEGE OF EDUCATION AND HUMAN DEVELOPMENT (CEHD)			
Center for the Advancement of Public Health	493,195	0	0
Center for Restructuring Education	255,165	0	0
College of Education and Human Development	2,369,648	7,763,278	9,003,549
Kellar Institute for Human Disabilities	5,598,170	0	0
School of Recreation, Health and Tourism	77,515	502,470	553,053
CEHD Subtotal	***$8,793,694***	***$8,265,748***	***$9,556,602***
COLLEGE OF HEALTH AND HUMAN SERVICES (CHHS)			
Center for Chronic Illness and Disease	280,237	226,530	371,034
Center for Discovery Science and Health Informatics	0	0	0
Center for Health Policy Research and Ethics	0	6,629	359,933
Department of Global and Community Health	0	13,285	64,518
Department of Health Administration and Policy	838,668	698,904	517,468
Office of the Dean	230,973	15,240	110,619
School of Nursing	270,863	369,282	607,543
Social Work	45,833	50,595	67,438
CHHS Subtotal	***$1,666,575***	***$1,380,465***	***$2,098,553***
COLLEGE OF HUMANITIES AND SOCIAL SCIENCES (CHSS)			
Communication	378,090	572,734	781,977
Center for Biodefense[3]	16,617,675	13,424,183	1,847,349
Center for Social Science Research	174,755	205,845	220,837
Criminology, Law and Society Program (formerly Admin of Justice	4,779,416	4,774,700	3,458,390
Economics	2,205,658	1,687,112	1,498,965
English (Association of Writers and Writing Programs)	1,239,885	1,211,731	1,144,221
History and Art History	3,751,838	3,223,180	2,871,415
Modern and Classical Languages	41,661	54,247	646
New Century College	270,056	597,562	633,616
Office of the Dean	23,719	341,022	131,630
Philosophy	0	0	52,997
Psychology	4,101,717	4,498,074	5,314,331
Public and International Affairs	678,817	696,997	666,214
Religious Studies	14,775	41,283	67,960
Sociology/Anthropology	59,230	41,941	40,017
Women's Studies	0	39,040	0
CHSS Subtotal	***$17,719,616***	***$17,985,467***	***$16,883,214***
COLLEGE OF SCIENCE (COS)			
Atmospheric Oceanic and Earth Sciences	1,286,391	1,568,490	1,263,384
Bioinformatics and Computational Biology[1]	733,973	824,761	*
Center for Applied Proteomics	1,749,348	1,886,120	1,815,428
Center for Clean Water and Sustainable Technologies	0	39,659	0
Center for Computationals Fluid Dynamics[2]	1,606,007	1,207,827	*
Center for Computational Material Science[2]	331,665	325,643	*

Note, for fields containing asterisks, please refer to the following numbers accompanying Academic Units (Continues on next page)
[1] See SSB
[2] See SPACS
[3] Center for Biodefense includes construction grant funds from Department of Health and Human Services (DHHS) for Regional Biocontainment Lab (RBL): FY09 $9,740,200, FY10 $11,841,683, FY11 $416,817.

TABLE 8.4 Expenditures by Mason Organizational Unit, FY 2009 - FY 2011 (Dollars) *(Continued)*

Academic Units	FY 2009	FY 2010	FY 2011
COLLEGE OF SCIENCE (COS) *(Continued)*			
Center for Earth Observing and Space Research	6,063,883	4,791,374	3,891,814
Center for Intelligent Spatial Computation	18,149	55,007	0
Center for Quantum Studies[2]	97,742	391,941	*
Center for Spatial Information Science and Systems	1,586,230	1,448,228	1,688,683
Chemistry and Biochemistry	218,906	84,592	61,378
Computational and Data Sciences[2]	1,123,705	1,457,020	*
Computational Statistics Center	0	33,651	0
Environmental Sciences and Public Policy	440,288	425,538	1,384,898
Geography and Geoinformation Science	825,430	912,752	2,027,967
Life Sciences	284,767	298,533	1,046,866
Mathematical Sciences	487,795	522,044	922,388
Microbiomic Analysis Center[4]	0	407,256	*
Molecular and Microbiology[1]	285,431	457,760	*
Office of the Dean	722,276	446,051	158,770
Physics and Astronomy[2]	1,919,458	2,429,286	*
School of Systems Biology (SSB)	0	0	1,294,368
School of Physics/Astronomy and Computational Sciences (SPACS)	0	0	6,666,356
COS Subtotal	***$36,399,118***	***$33,437,716***	***$24,069,649***
COLLEGE OF VISUAL AND PERFORMING ARTS (CVPA)			
Office of the Dean	0	108,924	62,650
Music	25,586	N/A	0
CVPA Subtotal	***$25,586***	***$108,924***	***$62,650***
SCHOOL FOR CONFLICT ANALYSIS AND RESOLUTION (SCAR)			
SCAR Subtotal	***$535,838***	***$419,929***	***$1,108,949***
THE VOLGENAU SCHOOL OF ENGINEERING (VSE)			
Air Transportation Systems Research Center	1,673,746	1,559,201	1,467,407
Applied Information Technology	986,428	750,685	454,023
C4I Center	3,776,841	5,058,644	3,154,493
Civil, Environmental, and Infrastructure Engineering	67,461	177,807	655,402
Computational Statistics Center	34,536	0	0
Computer Science	1,328,008	1,300,466	1,860,727
E-Center for E-Business	93,484	246,276	55,822
Electrical and Computer Engineering	3,023,329	3,374,350	4,388,551
Intelligence and Security Research Center	0	33,690	0
Learning Agents Center	315,268	581,854	659,204
Office of the Dean	525,183	402,343	93,841
Secure Information Systems Center	3,112,101	3,244,450	4,012,637
Statistics	228,993	179,978	248,416
Systems Engineering and Operations Research	1,147,310	1,315,837	1,495,644
VSE Subtotal	***$16,312,689***	***$18,225,583***	***$18,546,168***

Note, for fields containing asterisks, please refer to the following numbers accompanying Academic Units

(Continues on next page)

[1] *See SSB*

[2] *See SPACS*

[4] *Center for Biodefense includes construction grant funds from Department of Health and Human Services (DHHS) for Regional Biocontainment Lab (RBL): FY09 $9,740,200, FY10 $11,841,683, FY11 $416,817.*

TABLE 8.4 Expenditures by Mason Organizational Unit, FY 2009 - FY 2011 (Dollars) *(Continued)*

Academic Units	FY 2009	FY 2010	FY 2011
SCHOOL OF LAW (LAW)			
LAW Subtotal	***$3,664,601***	***$4,637,048***	***$3,534,383***
SCHOOL OF MANAGEMENT (SOM)			
SOM Subtotal	***$346,607***	***$482,158***	***$382,706***
SCHOOL OF PUBLIC POLICY (SPP)			
SPP Subtotal	***$9,623,978***	***$7,966,811***	***$8,152,498***
KRASNOW INSTITUTE (KRAS)			
KRAS Subtotal	***$3,154,946***	***$4,990,955***	***$5,137,340***
Administrative Units			
ACADEMIC AFFAIRS			
Academic Affairs	18,865	39,296	58,535
Office of the Provost	287,051	1,388,019	914,290
Professional Training and Development	1,018,847	407,694	359,617
Robinson Professors	15,390	0	0
Academic Affairs Subtotal	***$1,340,153***	***$1,835,008***	***$1,332,441***
ADMINISTRATION			
Administration/Facilities	0	808	0
Environmental Safety and Risk Management	10,424	1,370	132,223
Sustainability	0	0	11,785
University Police	73,703	0	8,923
Administration Subtotal	***$84,127***	***$2,178***	***$152,930***
INFORMATION TECHNOLOGY			
Library	318,130	312,666	315,150
Information Technology Subtotal	***318,130***	***312,666***	***315,150***
UNIVERSITY LIFE			
Early Identification Program	150,783	210,152	184,548
Student Services/Sexual Assault Services	28,155	25,566	39,201
University Life	0	200	0
University Life Subtotal	***$178,938***	***$235,918***	***$223,749***
University Total	**$100,164,596**	**$100,286,575**	**$91,556,982**

Note, for fields containing asterisks, please refer to the following numbers accompanying Academic Units

[1] *See SSB*

[2] *See SPACS*

[4] *Center for Biodefense includes construction grant funds from Department of Health and Human Services (DHHS) for Regional Biocontainment Lab (RBL): FY09 $9,740,200, FY10 $11,841,683, FY11 $416,817.*

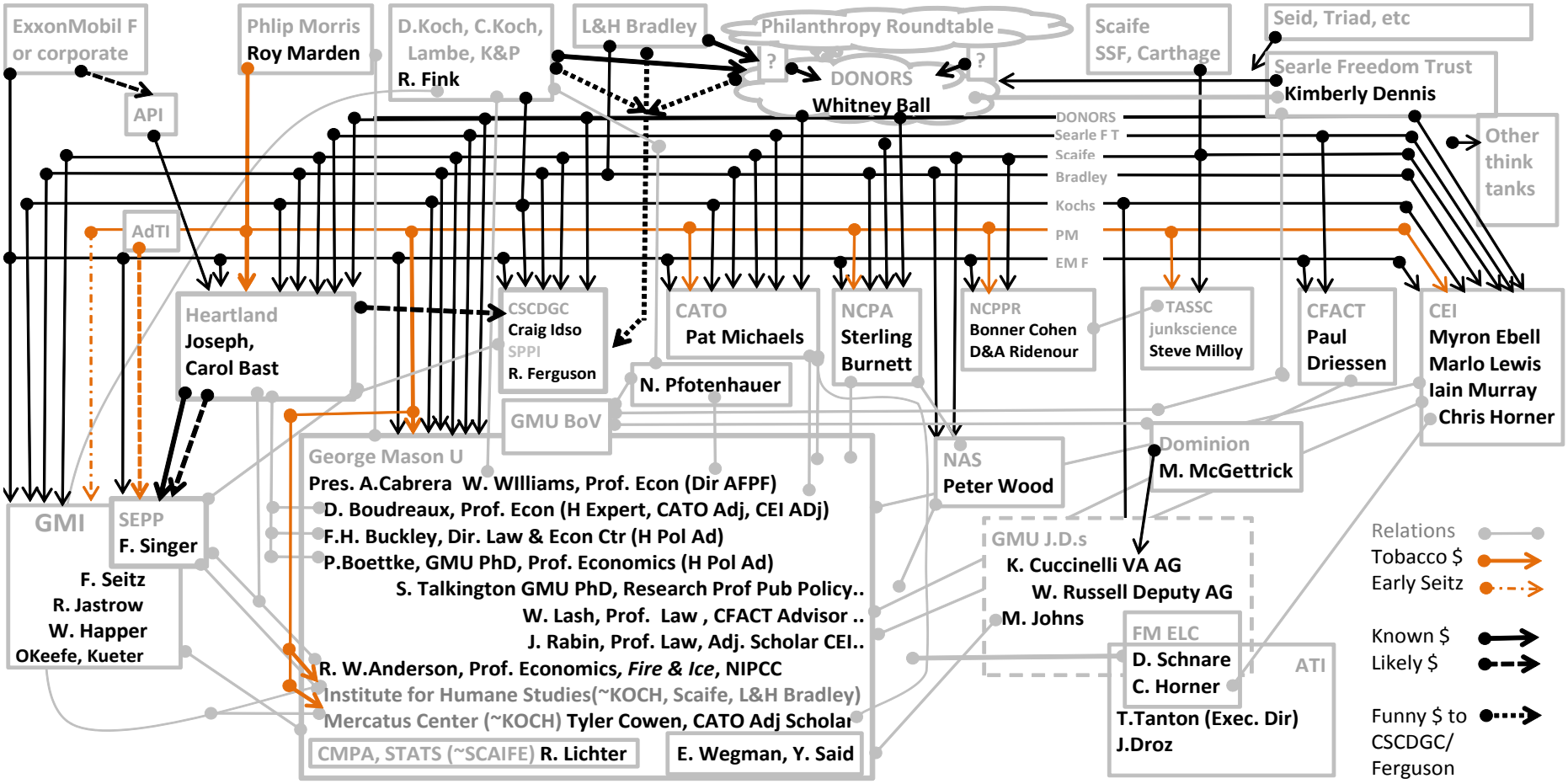
A.6 GMU – a nexus of anti-science *

A.6.1 GMU connections with funders, think tanks

GMU is tightly integrated into the climate and tobacco anti-science machinery described in [MAS2010, MAS2012]. GMU, Mercatus Center, Institute for Humane Studies (IHS), Center for Media and Public Affairs (CMPA), and Statistical Assessment Service (STATS) have gotten substantial money from the same funders as shown in [MAS2012, Figure ES-1], which highlighted flows of money and memes. This chart replaces (red) memes with (grey) relationships. A few (CSCDGC, NCPPR, TASSC) were kept for the context of actions favored by the funders, even though no direct connections with GMU have been found yet.

GMU and its faculty have many relationships with the think tanks here, most covered in [MAS2010, §A.6.1], including CEI and GMI, whose efforts led to the WR. "Other think tanks" reminds the reader that this is just a small subset of the connections, [MAS2012, §0.6].

Readers can ignore details in this complex chart in favor of the message: ***in the machinery of anti-science, some big gears are located at GMU.***



As seen in **§A.5**, GMU and its institutes are well-connected with climate anti-science funders and advocates, especially the **Koch**s, [202] who have also provided some funds for Cuccinelli,[203] along with other energy companies. **Richard Fink** is the President of the Charles G. Koch Foundation, Cofounder of GMU's Mercatus Center[204] and a Director of GMU's Institute for Humane Studies (IHS),[205] among others.[206] Koch's **Kevin Gentry** was also involved with both. [207] Charles Koch is on the Mercatus Board and Chairs IHS, so Koch money flows through at least 3 foundations, tax-free, then ends up back under Koch/Fink control.

Many thinktanks involved in climate anti-science have long taken tobacco money [MAS2012] and became well-practiced in doubt creation. GMU is well-located geographically to interact with many of the most active think tanks.[208] GMU and GMU economist Robert Tollison are found often in the tobacco archives.[209] GMU's Law and Economics Center was consistently funded by Roy Marden of Philip Morris [MAS2012 Fig. F.4], $165K 1993-2001[210] and presented as one of the "Key Allies."[211] Mercatus appeared less often, but got tobacco money,[212] as did IHS.[213]

[202] www.newyorker.com/reporting/2010/08/30/100830fa_fact_mayer
[203] www.vpap.org/committees/profile/money_in_industry2/2038?end_year=2010&filing_period=all&lookup_type=year&sector=6&start_year=2008 Energy -> Gas Under Utilities, see Dominion Resources (i.e., BoV member McGettrick)
[204] www.desmogblog.com/koch-and-george-mason-university
[205] www.sourcewatch.org/index.php?title=Institute_for_Humane_Studies
[206] web.archive.org/web/20100608165359/www.cgkfoundation.org/about/foundation-staff/14
[207] web.archive.org/web/20090607214316/www.cgkfoundation.org/about/foundation-staff/15
[208] maps.google.com/maps/ms?hl=en&ie=UTF8&msa=0&msid=107940825189517771981.0004815492d08b0c445f9&ll=38.882481,-76.978455&spn=0.771829,1.253815&z=10
[209] legacy.library.ucsf.edu search for Tollison or George Mason University, each gets more than 10,000 hits.
[210] legacy.library.ucsf.edu/tid/oqe79h00 $10K 1999 actual for example.
[211] legacy.library.ucsf.edu/tid/smj61b00 p.10, note says "train judges" legacy.library.ucsf.edu/tid/ygs57c00/pdf Marden: "major group affiliation"
[212] legacy.library.ucsf.edu/tid/npo83c00 for example. $10K in 1999
[213] legacy.library.ucsf.edu/tid/tgs57c00 $25K in 1991, claim $50K in 1992. That was found only after writing MAS2012, adds IHS to tobacco-related groups.

In 1999, Joseph Bast's letter to Marden mentioned GMU's David I. Fand and Walter Williams as members of Board of Advisors.[214]

Marden was affiliated with the GMU Law and Economics Center.[215] He spoke at GMU 04/19/01:[216]

> "The changes I've seen at Philip Morris over the last 17 years . . . and especially the last few . . . aren't cosmetic . They don't just run skin-deep - they cut to the heart and soul of who we are, and want to be, as a corporation . . . a corporation that wants to succeed in the court of public opinion as well as in the marketplace . And I think our actions over the last few years reflect that desire ."

GMU Board (of Visitors)

Nancy Mitchell Pfotenhauer[217] was a grad assistant for GMU's Walter Williams, worked for Koch Industries as a lobbyist, ran the Independent Women's Forum[218] and then AFP.[220] **She is now Vice-Rector of GMU.**

Kimberly Dennis[221] chairs Searle Freedom Trust, which donated specifically to Heartland for climate anti-science. [222] She is Chair for DONORS TRUST and Vice-Chair for DONORS CAPITAL FUND,[223] major conduits for specifically funding Heartland's climate anti-science.

Mark F. McGettrick[224] is Executive VP and CFO of Dominion Resources, a large energy and utility company, 46% coal-powered.[225]

[214] legacy.library.ucsf.edu/tid/yiv90h00
[215] legacy.library.ucsf.edu/tid/ygs57c00/pdf
[216] legacy.library.ucsf.edu/tid/orh12c00
[217] bov.gmu.edu/bios/pfotenhauer.html
[218] www.sourcewatch.org/index.php?title=Independent_Women%27s_Forum Also mentioned in MAS2012, pp.39-41. IWF (Claudia Barlow) asked Philip Morris for money and got some. legacy.library.ucsf.edu/tid/fxy77d00/pdf "Philip Morris has been a friend to IWF in the past for good reason . (Two years ago you gave us a $15,000 grant) . **After all, who 'ya gonna call when you need a sensible, intelligent woman's voice?**" PM exists by addicting children.
[220] en.wikipedia.org/wiki/Nancy_Pfotenhauer has a good summary
[221] bov.gmu.edu/bios/dennis.html
[222] MAS2012 p.58
[223] MAS2012 p.66
[224] bov.gmu.edu/bios/mcgettrick.html

GMU JDs

GMU graduates[226] Virginia Attorney General **Ken Cuccinelli** and assistant **Wesley Russell** have spent 2+ years[227] driving dubious attacks on the University of Virginia and climate researcher Michael Mann, with the most recent relying heavily on the WR.[228]

This was recently rejected, with prejudice, having cost U VA half a million dollars for defense and an unknown amount to VA taxpayers.[229] Cuccinelli has been funded by the Kochs, Dominion and other coal and gas interests.

Another effort continues, via The American Tradition Institute (ATI), with **Chris Horner** (CEI) and especially **David Schnare**[230], another GMU JD (1999). He founded the George Mason Environmental Law Clinic around August 2011 and later changed its name to the Free Market Environmental Law Clinic,[231] whose staff is him and Horner.

Schnare is an Adjunct Professor at the GMU School of Law[232] and was teaching a course there Summer 2012:[233]

> 'This course is an introduction on how to sue the government when it does what it should not do.'

See **§A.6.2** for more detail. This teaches FOIA, Data Quality Act, etc. **GMU JD Milton Johns, who had been Cuccinelli's law partner has been representing Wegman and Said since May 2011 or earlier.** [234]

[225] en.wikipedia.org/wiki/Dominion_Resources
[226] politics.usnews.com/opinion/blogs/john-farrell/2010/05/18/Virginia-AG-Cuccinellis-Questionable-Campaign-Contributions.html See Terry Wolfe.
[227] www.ucsusa.org/scientific_integrity/abuses_of_science/va-ag-timeline.html
[228] voices.washingtonpost.com/virginiapolitics/New%20Mann%20CID.PDF www.realclimate.org/index.php/archives/2010/10/cuccinelli-goes-fishing-again
[229] www.ucsusa.org/scientific_integrity/abuses_of_science/va-ag-timeline.html
[230] www.desmogblog.com/david-schnare
[231] fmelawclinic.org, 501(c)(3), has not legally changed name yet.
[232] www.law.gmu.edu/faculty/directory/adjunct/schnare_david
[233] www.law.gmu.edu/assets/files/academics/schedule/2012/summer/SCHNARE_FederalismLitPrac-S.pdf
[234] www.desmogblog.com/curious-coincidences-george-mason-university-ed-wegman-milton-johns-and-ken-cuccinelli

GMU Faculty (past or current)

This section does not claim wrongdoing on anyone's part, but simply shows that GMU faculty have long been connected with thinktanks involved with tobacco or climate anti-science [MAS2010, MAS2012]. *Some economics professors seem to espouse strong opinions that contradict mainstream climate science, which they are certainly free to do.*[235] *They are also free to help tobacco companies, as some have done.* ***They seem to be concentrated in Economics, Law, and Public policy.***

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R. Warren Anderson Professor of **Economics**, published *Fire and Ice* via Heartland and contributed to Fred Singer's Heartland NIPCC reports.[236]

Peter J. Boettke, Professor of **Economics,** is listed as a Heartland Institute Policy Advisor.

Donald J. Boudreaux, was Chairman of the **Economics** Department 2001-2009,[237] is now Director of the **Center for Study of Public Choice**,[238] is a Heartland Expert, a CATO Adjunct Scholar, an Adjunct Analyst at CEI, and spoke at Heartland's 2008 climate conference.[239]

Francis H. Buckley is[240] or was[241] Director of the **Law and Economics Center and** is a Heartland Policy Advisor.[242]

Tyler Cowen is a Professor of **Economics**, is Chairman & CEO of the Mercatus Center, [243] Vice-Chair of IHS, and an Adjunct Scholar at CATO.

William H. Lash, III (deceased) Professor of **Law**, was on the Advisory Board of CFACT [244] and attended the interesting meeting described later.

[235] *Of course, others are free to say that such opinions are at best worthless*.
[236] MAS2012 pp.35-36
[237] economics.gmu.edu/people/dboudrea
[238] www.gmu.edu/centers/publicchoice
Robert Tollison used to run this and it had a long history with tobacco.
[239] www.desmogblog.com/donald-j-boudreaux
[240] www.law.gmu.edu/faculty/directory/fulltime/buckley_francis
[241] web.archive.org/web/20100823025829/www.lawecon.org/about
[242] heartland.org/fh-buckley
[243] mercatus.org/tyler-cowen; Mercatus and IHS Form 990s

Jeremy Rabkin is Professor of **Law**[245] and Adjunct Scholar at CEI.[246]

David Schnare is an Adjunct Professor of **Law**. See **§A.6.2** for details.

Scott Talkington, GMU PhD, was/is Research Professor of **Public Policy**, was a Research Director for the National Association of Scholars.[247]

Robert Tollison, past director of GMU's **Center for the Study of Public Choice**[248] spoke at a 02/08/00[249] Frontiers of Freedom (active in climate anti-science) meeting that included attendees:
ALEC: 1;
Americans for Tax Reform: 1;
CATO Institute: 1,
ExxonMobil: Randy Randol [MAS2012 p.29],
Federalist Society: 1,
Frontiers of Freedom: 3 (SPPI's Robert Ferguson was later at FoF),
GMU Law School: Prof. William Lash,
Heritage Foundation: 1,
Philip Morris: 3, including Roy Marden [MAS2012].

Walter E. Williams of the GMU **Economics** Department is closely involved with Koch groups such as AFP.[250] He also promoted climate anti-science. As of 11/04/10, [251] of the 17 items on his home page, 4 were:
> "***Global Warming: The Other Side*** This is another look at manmade global warming and expose of U.S. government data manipulation.
> ***Truth About Global Warming: Weather Channel Founder John Coleman***
> **Update: More Than 700 International Scientists Dissent Over Man-Made Global Warming Claims**
> **Global Warming Petition Project**'

[244] www.sourcewatch.org/index.php/Committee_for_a_Constructive_Tomorrow
[245] www.law.gmu.edu/faculty/directory/fulltime/rabkin_jeremy
[246] cei.org/adjunct-scholar/jeremy-rabkin
[247] www.frc.org/get.cfm?i=WX10L13; chronicle.com/blogs/innovations/guest-post-bottling-nonsense-mis-using-a-civil-platform on NAS
[248] legacy.library.ucsf.edu search for "George Mason" "Public Choice"
[249] legacy.library.ucsf.edu/tid/dvd62c00/pdf
[250] www.everydaycitizen.com/2010/01/under_melting_ice_with_walter.html
[251] web.archive.org/web/20101104201441/econfaculty.gmu.edu/wew econfaculty.gmu.edu/wew/ accessed 11/05/10, but then it changed.

However, by 02/04/11, the first 2 had disappeared and somewhat later, the others, so by now they are all gone.[252] The timing might be accidental, or might be informative, in light of the publicity GMU was getting in late 2010 regarding the Wegman Report. He attended a 1994 CATO meeting "Cutting through the smoke."[253] He was on Philip Morris's list of helpers that included Heartland's Joseph Bast and others on the earlier chart.[254]

Well-known climate anti-science spokespeople – Singer and Michaels
Both are especially well-connected at GMU:

Fred Singer cosponsored a 1993 event with GMU there:
> 'SIPP1993 – Singer, GMU, Moore, GMU International Institute– 06/24/93 —Scientific Integrity in the Public Policy Process‖ www.sepp.org/Archive/conferences/conferences/sippp.html[255]
> People: This was Singer's first listed conference; speakers included Fred.Smith (CEI), Peter Huber (Manhattan), Jastrow, Lindzen, Singer, Robert Hahn (AEI). Seitz attended.'

Singer then affiliated with IHS Studies 1994-2000. He spoke in a colloquium series at GMU 02/29/12.[256]
For 2008-2009, his IRS forms claimed Frederick Seitz as Chairman of his SEPP thinktank,[257] working an hour a week, although deceased early 2008.

Patrick J. Michaels[258] is affiliated with CATO and as a Distinguished Senior Fellow and Adjunct Professor, in the **School of Public Policy** taught a GMU Public Policy course in 2010. [259]

[252] econfaculty.gmu.edu/wew accessed 03/04/12, 08/13/12.
[253] legacy.library.ucsf.edu/tid/ocq44b00
[254] legacy.library.ucsf.edu/tid/lsk01b00
[255] Broken link. Use www.webcitation.org/5nSKrv8oZ
[256] deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report/#comment-12186
[257] MAS2012 p.22
[258] www.desmogblog.com/patrick-michaels www.desmogblog.com/skeptics-prefer-pal-review-over-peer-review-chris-de-freitas-pat-michaels-and-their-pals-1997-2003
[259] policy.gmu.edu/portals/0/syllabi/2010_2/PUBP710.pdf

The syllabus has many credible references, such as Spencer Weart's *The Discovery of Global Warming.* On the other hand, it has:[260]

'Michaels and Knappenberger, 2009., Scientific Shortcomings in the EPA's Endangerment Finding from Greenhouse Gases. *Cato Journal* (accepted for publication in September 2009),'

One could teach a good course from the syllabus, but equally, it could well be taught as a playbook for attacking climate science.

DC found the syllabus[261] *for Environmental Economics 335,*[262] in whose recommended reading list both Singer and Michaels appear. Texts were:

'Texts: There are five books required for successful completion of this course. These include:
The Skeptical Environmentalist by Bjorn Lomborg . (BL)
The Ultimate Resource 2by Julian Simon (JS)
Global Warming and Other Eco-Myths by Ronald Bailey (RB)
Free Market Environmentalism by Terry Anderson and Donald Leal (AL)
The Doomsday Myth by Charles Maurice and Charles Smithson (MS)'

For Week 10, "Global warming, Ozone Hole and Acid Rain" books are:

'Patrick **Michaels**, Meltdown
Patrick **Michaels**, Sound and Fury: The Science and Politics of Global Warming
Robert **Balling**, The Heated Debate
Dixy Lee Ray, Trashing The Planet
S. Fred **Singer**, Global climate change, Human and Natural Influences'[263]

Most of GMU gets government money to do science, while a few parts teach anti-science and train law students in the Data Quality Act and use of FOIAs, although likely not against GMU.

Others

NCPA's H. Sterling Burnett has often written for Heartland's Environment and Climate News, coauthored a report in 2006[264] with Richard Simmons, who had been at the Mercatus Center and was then with ALEC.

A possible rationale for the absurd misconduct process

This absurd misconduct process may be normal at GMU or not.[265] *GMU gets money from the same foundations that fund climate anti-science, cooperates with the key thinktanks and has hosted some well-known climate anti-science advocates. From the evidence of several course syllabi, GMU's SoPP and Law School seem to teach ideologically-based anti-science.*[266] *GMU and subsidiaries also have long histories of cooperation with tobacco companies.*

VA lawyers leading attacks on climate scientists are GMU graduates. GMU may well know Rep. Joe Barton (R-TX) and Sen. James Inhofe(R-OK). None of these would likely have been happy with criticism of the WR, nor would have Charles Koch, Richard Fink, Nancy Pfotenhauer, etc.

Thus, parts of GMU get funded to do science, other parts and allies get funded to attack science whenever convenient, as in climate or tobacco. GMU seems to be split into two very different entities: a large normal university and another part dedicated to advocacy and its training.

Academic freedom is crucially important to protect, but if funders want to pay academics to attack science and scientists, can they do that tax-exempt? Does the US support universities for research and education or for advocacy? Free speech is guaranteed, but not tax-free funding of political advocacy, a revocable privilege.

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[260] www.cato.org/pubs/journal/cj29n3/cj29n3-8.pdf; www.webcitation.org/69yLojFH8
One need only compare pp.12-13 on agriculture with the 2011/2012 droughts.

[261] deepclimate.org/2012/02/22/gmu-contradictory-decisions-on-wegman-plagiarism-in-csda-but-not-in-congressional-report/#comment-12185

[262] economics.gmu.edu/system/syllabuses/5964/original/Rustici%20335%20001.pdf?1327592471; http://www.webcitation.org/69qhhIEIO
mason.gmu.edu/~trustici Taught by Dr. Thomas Rustici, Economics

[263] www.desmogblog.com/skeptics-prefer-pal-review-over-peer-review-chris-de-freitas-pat-michaels-and-their-pals-1997-2003 p.6 shows relationships.
These students are not learning science, but anti-science.

[264] www.ncpa.org/pub/st291?pg=8; www.webcitation.org/69yM3LyCq

[265] Napoleon gave advice on malice versus incompetence, but they can coexist..

[266] Studying some of these books in a political science course might make sense, but presenting them as credible sources regarding climate science is no different from teaching students that medical science's findings on tobacco are hoaxes. Such teaching is consistent with VA legislators' actions disallows the phrases global warming or climate change in a forthcoming report on coastal flooding. www.usnews.com/news/articles/2012/06/13/global-warming-text-was-removed-from-virginia-bill-on-rising-sea-levels-

A.6.2 George Mason Environmental Law Clinic aka Free Market ELC

David Schnare founded the George Mason Environmental Law Clinic in August 2011 and by 12/24/11 changed its name to the Free Market Environmental Law Clinic (FMELC),[268] located at his Burke, VA Home. He and Chris Horner (CEI, ATI) are the staff.[270] Its Donations page has:[271]

> 'The IRS has granted 501(c)(3) status to the Clinic. The Clinic's EIN is 45-1602963.
>
> The FME Law Clinic provides legal representation and research. **The Clinic is organized to provide a platform to train law students** and provide them clinical experience while offering public interest law services. **Originally incorporated as the George Mason Environmental Law Clinic**, the Directors of FME Law engaged in a **friendly and supportive discussion with the Dean of the George Mason University School of Law** and recognized that the clinic could better perform its function by servicing multiple law schools as a stand-alone clinic. The Board thus directed a name change to reflect this broadened purpose. Until completion of the legal transition to its new name, the Clinic is doing business as the Free Market Environmental Law Clinic but must retain its original name for banking and tax purposes.
>
> In choosing to operate as a law clinic independent of any specific law school, it replicates the successful approach used by many other law clinics. **It remains in close cooperation with George Mason University's School of Law and provides both academic courses and clinical opportunities for GMU Law students and is expanding its externship program to other law schools that have a doctrinal focus on law and economics.'**

Schnare is an Adjunct Professor at the GMU School of Law[272] and taught '**Law 276-001 Federalism Litigation Practice'** Summer 2012:[273]

> 'This course is an introduction on how to sue the government when it does what it should not do.'[274]

The syllabus matches FMELC material.[275]

The Student Page expands on the relationship with GMU:[276]

> 'FME Law provides clinical externship opportunities in conjunction with law schools aligned with a law and economics curriculum. Currently, FME Law has openings for three students affiliated with the George Mason University School of law, as described below.
>
> The **Mason Law** externship program is designed to allow students who have completed one-third of their legal education to perform work outside the law school, for academic credit, under the supervision of an FME Law attorney. Students interested in completing a **supervised externship for academic credit** should review the **externship application packet** and complete the forms contained therein. **Submit your forms to the Career, Academic and Alumni Services in Room 370**.
>
> **Current Externship Opportunities**
>
> **Federalism Opportunities:**
>
> We seek two students to assist in researching (1) who may bring suit challenging a federal mandate on a state; and, (2) the degree to which an unconstitutional federal mandate on a state is abrogated by the level of federal funding. This work will examine how to extend the rulings in Printz v. United States, 521 U.S. 898 (1997), New York v. United States, 505 U.S. 144, 120 L. Ed. 2d 120, 112 S. Ct. 2408 (1992) and Bond v. United States, 131 S. Ct. 2355 (U.S. 2011) to environmental mandates on local and state agencies and bodies. Students will conduct legal research and prepare sections of a journal article, based on their research. Students will be acknowledged as co-authors to final reports of the research.
>
> **Research Transparency:**
>
> The Law Clinic has received information that Virginia university professors are not following basic scientific processes by failing to keep research logs required not only as a necessity to allow duplication of their research, but as required under universities' policies. **We seek a student to draft multiple Freedom of Information Requests to certain universities in order to determine the degree to which university faculty are failing to follow proper scientific and policy procedures.** After assessment and drafting of a summary report on findings, the student will offer causes of action available to redress any negative findings, which can include drafting and assisting in prosecuting a verified petition for mandamus and injunctive relief under the Virginia FOIA, if appropriate.'

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[268] fmelawclinic.org, has not legally changed name
[270] fmelawclinic.org/?page_id=160; www.webcitation.org/69xmZglK7
[271] fmelawclinic.org/?page_id=36; www.webcitation.org/69s2kxJ9e
[272] www.law.gmu.edu/faculty/directory/adjunct/schnare_david
[273] www.law.gmu.edu/assets/files/academics/schedule/2012/summer/SCHNARE_FederalismLitPrac-S.pdf
[274] Thus, Schnare pursues scientists like Mann, Hansen, Dessler, Hayhoe.
[275] www.webcitation.org/69x9WhoYW ; See especially Lecture 7, "Data Quality Act." Any unfamiliar with its abuse and **Jim Tozzi**'s role in creating it might read Chris Mooney, *The Republican War on Science(2005),* especially Ch.9. *While it sounds plausible, it is a crucial tool for "paralysis by analysis."*
[276] fmelawclinic.org/?page_id=32; www.webcitation.org/69sR4vxOm

Schnare describes its Legal Assistance:[277]

> 'The Free Market Environmental Law Clinic prosecutes cases that hold governments accountable when they violate their own rules, the law or the Constitution. Central to our strategy is a petition-litigation practice that requires courts to reevaluate prior decisions, hold agencies and government employees to account, and put false science on trial.
>
> In addition to coordinating with legal experts to identify strong plaintiffs, we serve as a clearing-house for expert witnesses, research, amicus briefs, and consultations to like-minded litigators nationwide.
>
> **We conduct "offensive" rather than "defensive" litigation.** If you have a problem with an environmental regulatory agency, whether local, state or federal, and you believe they have stepped outside the fair playing field, you may be our customer, and we would like to hear about your problems. If we are not able to undertake your case, we will advise on who else may be able to, or how you may otherwise find relief from your problem.'

As in [MAS2012, §0.4], a 501(c)(3)s can lose that status if it makes statements that use distorted facts (*IRS-2E)*, or inflammatory or disparaging terms (*IRS-3E)*. Their litigation page has a list of efforts[278]

> The FME Law Clinic provides litigation and research services to qualified clients. We concentrate on cases involving landmark free-market pro-environmental litigation; use of open records and data quality laws to force greater governmental accountability and transparency; and, **cases that allow the Clinic to help create the next generation of free market oriented attorneys. The Clinic has paired with the American Tradition Institute in order to prosecute three cases, described below.**[279] In addition, the Clinic has an active Freedom of Information Act practice.
>
> **Active Cases**
>
> **Occoquan Watershed Coalition v. EPA**
>
> FME Law is representing the Occoquan Watershed Coalition (OWC) in a law suit against the U.S. Environmental Protection Agency. …

American Tradition Institute v. University of Virginia

(records of Dr. Michael Mann, Freedom of Information Act Petition filed May 16, 2011)

American Tradition Institute's Environmental Law Center[280] and Virginia Delegate **Robert Marshall**[281] asked a Prince William County judge, under the Commonwealth's Freedom of Information Act, to expedite the release of documents withheld by the University of Virginia that pertain to the work of its former environmental sciences assistant professor Dr. Michael Mann. The legal action followed a delay by UVA of more than four months since ATI and Del. Marshall made their original request on Jan. 6. Twelve months after the initial request the matter remains in court with UVA seeking to deny the public copies of emails for which they paid.

The court has ordered the parties to identify exemplar emails that will serve as the basis for legal challenges to UVA's refusal to release 12,000 emails that chronicle the history of keystone efforts in the early climate change alarmism. We expect this matter will end up in the Supreme Court of Virginia and if successful its **discovery and production will prove invaluable to energy policymaking**[282] at the state and federal levels domestically, as well as internationally.

American Tradition Institute v. State of Colorado, et al. *(filed April 4, 2011)*

American Tradition Institute's Environmental Law Center filed a lawsuit in federal court challenging the constitutionality of Colorado's Renewable Energy Standard, based upon evidence that the state's law violates the Commerce Clause of the U.S. Constitution. The Commerce Clause reserves the regulation of interstate commerce to the federal government. …

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[277] fmelawclinic.org/?page_id=34; www.webcitation.org/69sR4vxOm

[278] fmelawclinic.org/?page_id=9; www.webcitation.org/69s2LDIj7

[279] The only actual ATI staff listed 08/12/12 are Horner, Schnare and Thomas Tanton, who often writes for Heartland Institute's *Environment and Climate News*, [MAS2012, **§X.2}.** www.atinstitute.org/about/staff-board-of-directors Schnare and Horner essentially "paired" with themselves.

[280] That part of ATI is Horner and Schnare.

[281] delegatebob.com/meet-bob; http://www.webcitation.org/69yMBgsus Bob Marshall's son Joe is a GMU graduate who does the website for Robert Ferguson's SPPI, a part of the Center for the Study of Carbon Dioxide and Global Change [MAS2012, §K.3**].**

[282] *Really? Exactly how would paleoclimate research from then affect energy policy? Later papers have confirmed the general findings, while refining them, as is normal in real science. This is all part of the never-ending attack on the 1999 hockey stick paper. I find nothing wrong with reasoned pushback against bad regulation, or exposure of real misconduct, but Schnare and Horner have demonstrated often that their efforts do not fit those categories.*

Resolved Cases

American Tradition Institute v. National Aeronautics and Space Administration

(records of Dr. James Hansen, Freedom of Information Act Petition filed June 21, 2011)

On June 21, 2011 American Tradition Institute's Environmental Law Center filed a lawsuit in federal district court in the District of Columbia to force NASA to release ethics records for Dr. Hansen. The action followed NASA's denial of ATI's federal Freedom of Information Act request with NASA, seeking records detailing whether and how 'global warming' activist Dr. James Hansen of NASA's Goddard Institute for Space Studies (GISS) has complied with applicable federal ethics and financial disclosure laws and regulations, and NASA Rules of Behavior.

This case forced NASA and the U.S. Office of Governmental Ethics to change its policy on release of public documents as well as how NASA and others implement their ethics responsibilities (poorly). It has resulted in an ongoing investigation by the U.S. House of Representatives Committee on Government Operations.'

FOIA Actions

§ **University of Virginia** – Requested Mann emails associated with his academic duties. This matter is now before a Virginia Circuit Court for failure of UVA to meet its responsibilities under the Virginia FOIA and to challenge the University's claims that 12,000 emails are exempt from FOIA. Mann has entered the case as a party (defendant). As of early 2012 we are in motions practice on our effort to proceed to discovery.

§ **University of Virginia** – Requested Michael Mann's research logs or the written authorization allowing Mann to take his log upon his departure from UVA. The University responded stating it did not have a log and had no release authorization. UVA also refused to inquire as to whether Mann actually kept a research log. As such, FME Law has effectively established that he kept no research log which is why no one, including Mann, can duplicate the research underpinning his **infamous**[283] Hockey Stick-shaped reconstruction of global temperature.[284]

§ **University of Virginia** – Requested evidence that 15 faculty members who engaged in publishing peer-reviewed scientific papers actually kept research logs associated with that research. The University requires faculty to maintain such logs so that others can duplicate the research using the exact same methods. Of the 15, only one research log was found, and it belonged to a clinical assistant. Not one faculty member appears to have kept a research log.

§ **George Mason University** – Requested and received the Wegman records sought by USA Today, thereby establishing what is proper, and what are disparate, implementation practices under Virginia's FOI law by different universities or, arguably, depending on the published views of the subject of the FOI request. **Professor Wegman's emails document the validity of the deconstruction of the Mann Hockey Stick.**[285]

§ **National Aeronautics and Space Administration (NASA)** – Requested Jim Hansen's ethics compliance records regarding outside employment and other activity. We established that Dr. Hansen received approximately ten times his salary in gifts, outside employment and speaking fees, all as a result of his environmental advocacy. Should he choose to testify again in Congress he now has specific, troubling questions to answer. His records show he and his supervisors failed to properly follow the NASA ethics requirements. On behalf of ATI Law, the FME Law Clinic filed to force release of the records in the U.S. District Court for the District of Columbia. NASA settled the matter, releasing all records sought, and we are in the fee-recovery stage of this litigation.

§ **Harvard-Smithsonian** – Requested records provided Greenpeace regarding correspondence associated with the Soon/Baliunas. These were received in a timely fashion. **Soon and Baliunas published a landmark paper debunking the argument that the Medieval Warming Period was only a Northern Hemisphere phenomena, showing it was a global event.**[286]

[283] Famous, *IRS-3E,* award-winning. www.egu.eu/awards-medals/hans-oeschger/2012/michael-mann

[284] *False*, *IRS-2E* The research has been effectively replicated many times and code and data made available.

[285] False, *IRS-2E.* I allege that the Wegman Report was not only wrong, but employed falsification of the basic statistics, **§4.5**.

[286] False, *IRS-2E*. Rather than being a landmark paper, it was so bad that the incoming Editor-in-Chief and several more editors quit because the Publisher would not allow retraction. www.desmogblog.com/skeptics-prefer-pal-review-over-peer-review-chris-de-freitas-pat-michaels-and-their-pals-1997-2003.

§ **Harvard-Smithsonian** – Requested additional correspondence reflecting the efforts revealed in "Climategate" emails to seek the dismissal of Soon and Baliunas in response to their having published particular research. These documents have not been produced on a timely basis and may require litigation to free them.

§ **National Science Foundation** – Requested Verardo/Mann correspondence. Mann refused to release fundamental data and results used to support his Hockey Stick temperature reconstruction. When the same data was sought from the National Science Foundation, who provided the grant for Mann's research, NSF's Verardo refused to provide the data. ATI sought the email correspondence between Mann and Verardo associated with this matter. NSF claimed it possessed no such records though on appeal FME Law provided certain responsive correspondence which is already publically available on the internet, and noted our ability to establish the existence of more. FME Law appealed this response. NSF's responded on January 19, 2012 seeking a ten-day extension to consult internally, as is permitted by statute.

§ **National Science Foundation** – Requested additional documents associated with the Verardo/Mann discussions on disclosure of Mann's data. After invoking statutory authority for a ten-day extension to consult internally, as the request seeks certain records produced by the general counsel's office, NSF promised a response by February 2, 2012.

§ **National Science Foundation** – Requested other Verardo/Mann Correspondence during the time of NAS panel on climate change for a broader window of time than the original request sought. NSF has promised a response by January 25, 2012.

§ **University of Arizona** – Requested correspondence among Hughes, Mann and Overpeck associated with efforts to have journal editors fired on the basis that they accepted papers critical of Mann.[287] UofA has acknowledged receipt of the FOIA but has not responded and are under no specific statutory time constraint. This may require litigation to force production in a reasonable period of time.

§ **U.S. Department of Justice** – Requested copies of documents associated with the release of emails from the University of East Anglia (Climategate), beginning in 2009 and through the recent British criminal investigation, in which DOJ has participated. A response was due on January 19, 2012.

§ **Texas Tech** – Requested documents of erstwhile "climate" chapter contributor Professor Katharine Hayhoe to, from and citing Newt Gingrich, and his forthcoming book on environmental issues. The University refused to produce the documents, producing one redacted email affirming Hayhoe was indeed engaged by Gingrich's co-author to produce the chapter, as well as the chapter's inclusion in the book as of December 7, 2011, despite Gingrich claims to the contrary days later. FME Law has appealed this unlawful redaction and filed a complaint with the Texas Attorney General regarding TTU's admission that they violated the Texas transparency laws by failing to seek the AG's approval before withholding responsive information. FME Law requested the AG compel TTU to produce responsive records, and submitted a second request going back to the date of the first request for Hayhoe's chapter, in 2007.[288]

§ **U.S. Environmental Protection Agency** – Requested copies of policies and internal guidance on how the agency processes citizen petitions authorized under the First Amendment to the U.S. Constitution. This is the first step in a planned examination on whether EPA processes petitions from those it endorses as compared to those who criticize the agency.

Prospective Cases

ATI v. US. Forest Service – ATI is seeking support for, and asked FME Law to prepare, a FOIA, Endangered Species Act and Data Quality Act petition-litigation action to force full implementation of National Forest Management Plans that require logging in order to prevent forest fires that causing destruction of endangered species habitat and which would also create new timber and mill jobs and reinvigorate a moribund national timber industry.

A_ Association v. EPA – The FME Law Clinic is preparing a petition-litigation action to force EPA to revise rules costing over $60 billion and which fail to properly target the actual source of harmful PM2.5 air pollutants, regulating industries that do not contribute to the hazard and failing to regulate some that do.'

[287] False, *IRS-2E* This is the same Soon / Baliunas / de Freitas case.

[288] *This is harassment of a good climate scientist, Katharine Hayhoe, for no obvious reason other than her pro bono writing of a chapter for New Gingrich that got her attacked by Marc Morano and company.*
ATI also pursued Texas A&M's Andrew Dessler.
www.southernstudies.org/2012/07/climate-science-attack-group-turns-sights-on-texas-professors.html

Schnare (and John Droz, a Fellow at ATI) have been active recently:

08/04/11
ATI and Delegate Robert Marshall, Affidavit by Schnare.[289]
'Director of nascent George Mason Environmental Law Clinic'

12/01/11
Daren Bakst, David Schnare and John Droz to speak:[290]
'RALEIGH -- Experts from the John Locke Foundation, American Tradition Institute, and George Mason University will meet Tuesday, Dec. 6, in Morehead City to poke holes in the stories coastal North Carolina residents have been hearing about wind power.'

12/05/11
"The Truth About Wind Power on the Coasts of North Carolina[291]
'RALEIGH -- Experts from the John Locke Foundation, American Tradition Institute, and George Mason University will meet Tuesday, Dec. 6, in Morehead City to poke holes in the stories coastal North Carolina residents have been hearing about wind power.'

12/06/11
"Social activism replaces inquiry at UNC-Wilmington"[292]
'There we were; in the belly of the beast; conservatives waiting to be regurgitated by the liberal leviathan—lurking in its comforting lair. … However, students, faculty and other activists were not there to learn about the negative side of wind energy, such as its excessively high costs, wasteful use of land, low value and inefficiencies that make it uneconomical unless subsidized heavily by government.'

The North Carolina legislature has done its best to ignore science on sea level rise,[293] with ATI's John Droz, Jr a leader in that effort.[294]

Both North Carolina and Virginia are expected by scientists to see higher than average sea level rise.[295] NC first tried to ignore the science, then deferred it. VA went further, banning the term "sea level rise" from a report on coastal flooding.[296]

California, which takes sea level rise seriously,[297] subsidizes NC and especially VA through Federal tax transfers.[298] *In light of the strong Tea Party organizations there, this seems a bit ironic.*

FMELC seems to harass universities, scientists and the EPA, waste their time,[299] and train GMU students to do it also.[301] As is often the case, the same people appear in multiple organizations whose actual substance is unclear, but can be used to simulate more support than really exists.

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[289] www.ucsusa.org/assets/documents/scientific_integrity/2011-08-24-schnare-affadavit.pdf
[290] www.carolinajournal.com/exclusives/display_exclusive.html?id=8514
[291] www.crystalcoastteaparty.com/workshop-the-truth-about-wind-power-on-the-coasts-of-north-carolina
[292] wilmington.johnlocke.org/blog/?p=6010
[293] news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html
[294] news.sciencemag.org/scienceinsider/2012/07/update-revised-north-carolina-se.html
[295] www.washingtonpost.com/national/health-science/built-on-sinking-ground-norfolk-tries-to-hold-back-tide-amid-sea-level-rise/2012/06/17/gJQADUsxjV_story.html
[296] thinkprogress.org/climate/2012/06/10/496982/virginia-lawmaker-says-sea-level-rise-is-a-left-wing-term-excises-it-from-state-report-on-coastal-flooding/?mobile=nc
[297] www.bcdc.ca.gov/planning/climate_change/2008-04-16_forum.shtml
[298] taxfoundation.org/article/federal-taxes-paid-vs-federal-spending-received-state-1981-2005 As of 2005, CA made the largest net transfer Federal government, VA received the largest excess. The ratios and rough amounts were
CA 0.78 -$47B (Federal spending received – Federal taxes paid)
NC 1.08 $ 7B
VA 1.51 $35B
Thus, CA gets $0.78 back for every dollar sent, and some of the money goes to NC and VA. *As sea level rise occurs, one might wonder if NC and VA will seek to spend Federal funds(including California money) to deal with it.*
[299] www.epa.gov/climatechange/endangerment/petitions.html for example. Petitions and amazingly-patient responses to assertions of untruth and challenges of well-proven science from lawyers and lobbyists. For some general discussions, see series of posts via rabett.blogspot.com/search?q=%22eli+can+retire%22
[301] Some of these FOIAs are "fishing expeditions," ." often rejected. Contrast with the limited FOIAs in **§1.3.**

A.7 Comparisons with other cases – UCB and PSU *

A.7.1 University of Colorado Boulder (UCB) – Ward Churchill

[MAS2011b, p.12] noted this famous case, which had a few similarities to the GMU's, but was far more complex, requiring specific field expertise, study of many documents and multiple interviews, with much more falsification/fabrication. The 125-page UCB Investigation Report[302] includes part of the relevant misconduct policy (pp.106-112). Current policies[303] include UCB Guidelines and Procedures for Responding to Allegations of Misconduct (2009).[304] The voting membership included several people outside UCB, *somewhat unusually:*[305]*:*

> ' Chair: **Marianne Wesson**, Professor of Law, Wolf-Nichol Fellow, and President's Teaching Scholar, University of Colorado at Boulder
> **Robert N. Clinton**, Foundation Professor of Law, Sandra Day O'Connor College of Law, Arizona State University
> **José E. Limón**, Director, Center for Mexican-American Studies and Mody C. Boatright Regents Professor of American and English Literature, University of Texas at Austin
> **Marjorie K. McIntosh**, Distinguished Professor of History, University of Colorado at Boulder
> **Michael L. Radelet**, Professor and Chair, Department of Sociology, University of Colorado at Boulder'

The 05/09/06 Investigation Report, pp.113-115 described the complex process, using Stage code letters to match GMUs, inserted below:

> 'In **March 2005, the Interim Chancellor forwarded (A) to the Standing Committee on Research Misconduct (hereinafter SCRM) a letter containing allegations** of research misconduct against Professor Ward Churchill. The SCRM appointed a subcommittee of six, known as the Inquiry Committee, to conduct a preliminary inquiry into these allegations. In **June 2005, the Interim Chancellor forwarded additional allegations** to the SCRM, and they were referred to the same Inquiry Committee. The referrals contained nine allegations in sum. In the course of its work the Inquiry Committee met with Professor Churchill, received written responses from him, interviewed other witnesses, and consulted documents. On **August 19, 2005, the Inquiry Committee submitted its report to the SCRM**; **(E)** the report found seven of the nine original allegations worthy of further investigation. **In October 2005, the Chair of the SCRM requested the participation of Professors McIntosh, Radelet, and Wesson in the next, or investigative**, phase of the matter; we agreed. Believing that the inclusion of qualified and expert individuals from outside the University of Colorado was desirable, the SCRM also requested the participation of Professor Bruce Johansen of the University of Nebraska at Lincoln and Professor Robert Williams of the University of Arizona. Professors Johansen and Williams initially agreed to serve in November 2005, but within a few weeks, dismayed by certain aspects of the process and the intensity of the surrounding publicity, they resigned from the Committee. In December 2005, Professors Clinton and Limón agreed to serve on the Committee.
> Before the Committee was at full strength, on November 11, 2005, Professors McIntosh, Radelet, and Wesson met for planning purposes with the Chair of the SCRM, representatives of the Office of University Counsel, Eric Elliff and Stephen Dunham of Morrison & Foerster, and University of Colorado staff assistant Linda Morris. …
> The **Committee met all together for the first time on January 11, 2006**. (G) Professor Churchill did not attend this meeting, as it was for purposes of planning and coordination. Professors Clinton. …" (many meetings)

The final investigation report was published 05/09/06.

- The inquiry was far more complex than GMU's, but UCB still produced an inquiry report **(E)** about 2 months after the 2nd set of allegations, about 5 months after the first allegations were received.
- Collecting the investigation committee was difficult, but once started, it did its complex work in 118 days (01/11/06 (G) - 05/09/06 (H)).
- Reaching Stage (H) took ~400-430 days total, to produce a 125-page report, compared to GMU's 575 for a 9-page report on a simpler case.

The Churchill case has to be one of the messiest, complex and most contentious misconduct cases that is publicly documented, but UCB did publish the investigation report, unlike GMU.

The next case not only published the end result, but published both Inquiry and Investigation reports on completion, even naming the Investigation Committee at the end of the Inquiry stage.

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[302] web.archive.org/web/20060523111342/www.colorado.edu/news/reports/churchill/download/WardChurchillReport.pdf original has moved or been removed
[303] www.colorado.edu/VCResearch/integrity/researchmisconduct/index.html
[304] www.colorado.edu/VCResearch/integrity/researchmisconduct/scrm_rules.pdf
As do some other schools, UCB labels retaliation as academic misconduct.
[305] They explain why this was done. Many policies allow for outsiders, but local faculty members seem more typical, although from a range of departments.

A.7.2 Pennsylvania State University – Michael Mann

Universities not only have the duty to protect the public from research misconduct, but to protect faculty from widespread false claims, as in the "Climategate" affair.[306] The 02/03/10 PSU Inquiry Report said:[307]

> 'Beginning on and about November 22, 2009, The Pennsylvania State University began to receive numerous communications (emails, phone calls and letters) accusing Dr. Michael E. Mann of having engaged in acts that included manipulating data, destroying records and colluding to hamper the progress of scientific discourse around the issue of anthropogenic global warming from approximately 1998. These accusations were based on perceptions of the content of the widely reported theft of emails from a server at the Climatic Research Unit of the University of East Anglia in Great Britain.
>
> Given the sheer volume of the communications to Penn State, the similarity of their content and their sources, which included University alumni, federal and state politicians, and others, many of whom had had no relationship with Penn State, it was concluded that the matter required examination by the cognizant University official, namely Dr. Eva J. Pell, then Senior Vice President for Research and Dean of the Graduate School. The reason for having Dr. Pell examine the matter was that the accusations, when placed in an academic context, could be construed as allegations of *research misconduct*, which would constitute a violation of Penn State policy.
>
> On November 24, 2009, Dr. Pell decided that the matter should be examined by the process articulated in RA-10. …(A)
>
> **At the time of initiation of the inquiry, and in the ensuing days during the inquiry, no formal allegations accusing Dr. Mann of research misconduct were submitted to any University official.** As a result, the emails and other communications were reviewed by Dr. Pell and from these she synthesized the following four formal allegations….
>
> On November 30, 2010, a letter was delivered by Dr. Pell to Dr. Mann to notify him formally of these allegations and Dr. Pell's decision to conduct an inquiry under RA-10. …
>
> From November 30 to December 14, 2009, staff in the Office for Research Protections culled through approximately 1075 of the emails that were purloined from a server at the University of East Anglia. …
> On January 8, 2010, Dr. Foley convened the inquiry committee to discuss their present thinking on the evidence presented in the emails and other publically available materials. ….' (meetings, interviews)

Given a flood of inchoate complaints just before Thanksgiving, a key personnel change (Pell ➔ Foley) and Christmas, PSU took 71 days to produce a 10-page Inquiry Report, (E) after much work and multiple interviews.[308] The committee rejected the first 3 synthesized allegations, but the 4th required further research on relevant norms of accepted practice, which differ among disciplines. They named a varied investigatory team:

> '**Sarah M. Assmann,** Waller Professor Department of Biology
> **Welford Castleman,** Evan Pugh Professor and Eberly Distinguished Chair in Science, Department of Chemistry and Department of Physics
> **Mary Jane Irwin,** Evan Pugh Professor
> Department of Computer Science and Electrical Engineering
> **Nina G. Jablonski,** Department Head and Professor
> Department of Anthropology
> **Fred W. Vondracek,** Professor
> Department of Human Development and Family Studies

The committee examined much documentation and did 5 interviews, then wrote its report (06/04/10) (H),[309] having taken 121 days.

> 'The Investigatory Committee, after careful review of all available evidence determined that there is no substance to the allegation against Dr. Michael E. Mann, Professor, Department of Meteorology…'

Many people who showed little understanding of academic procedures declared the PSU procedure would be "whitewash," before it even began. NSF reviewed the PSU results and not only ratified them completely, but showed that PSU had followed the rules expected of research schools.[310] Time line comparisons are graphed in **Fig. 1.2.1a**. Honest delays can happen, but PSU and UCB worked diligently to make schedules.

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[306] www.skepticalscience.com/Climategate-CRU-emails-hacked.htm
Every serious investigation agreed there was no wrongdoing.
Disclosure: my BS (Math), MS and PhD (CMPSC) are all from Penn State.

[307] www.research.psu.edu/orp/documents/Findings_Mann_Inquiry.pdf 02/03/10

[308] Compare to VP Stough's excuses and false dates, MAS2011, p.32.

[309] live.psu.edu/pdf/Final_Investigation_Report.pdf

[310] www.nsf.gov/oig/search/A09120086.pdf 5 pages. *If people are unfamiliar with such material and misconduct policies, they are entitled to publish opinions, as they often did in this case, but others are entitled to ignore ignorance.*