

August 27, 2007

Ms. Holly Adams  
Inspector General  
Office of Naval Research  
Department of the Navy  
875 North Randolph Street  
Suite 1425  
Arlington, VA 22203-1995

Re: BDIG 011, 28 FEB 07

Dear Ms. Adams:

This letter is Purdue's formal response to the sixth allegation set out in your March 29 email to me. That allegation reads: "In June 2006, pursuant to Dr. Suslick's allegation that Dr. Taleyarkhan committed fraud, Purdue University officials did not conduct an inquiry into those allegations in violation of their own process."

As I noted in my initial response to the sixth allegation, it does not allege "Scientific Misconduct" as defined in ONR's October 2003 "Process For Handling Scientific Misconduct Allegations." The sixth allegation is directed at the review process, not at the research process.

The allegation contends that Purdue violated its "own process," presumably a reference to Purdue University Executive Memorandum No. C-22, "Policy on Integrity in Research." Therefore, the allegation rests on the premise that Dr. Suslick submitted a research misconduct allegation to Purdue in June 2006, which should have triggered the formation of an inquiry committee under the C-22 policy. Purdue rejects this premise, for several reasons.

The allegation appears to refer to Dr. Suslick's June 1, 2006 transmittal to Purdue of a March 4, 2006 email. Dr. Suslick's June 1 transmittal describes the March 4 email as follows:

As a member of the DARPA supported scientists that visiting [sic] Taleyarkhan's labs, I thought you might like to see the independent assessment that I made at that time. To that end, please find below my email (sent to Bill Coblenz) (DARPA grant officer), Peter Schmidt (the ONR grant officer) and Seth Putterman (the formal PI of the grant from which subcontracts to Taleyarkhan and myself were made).

Ms. Holly Adams  
August 27, 2007  
Page Two

The March 4 email (which appears to be part of a longer string that Purdue did not receive until mid-2007, during the evidence-gathering by the current inquiry committee) refers to a "memo from DARPA" regarding "consequences of fraud in a Federal contract" and suggests that DARPA send that memo to specified Purdue administrators. Thus, the March 4 email appears to be discussing *with DARPA* a potential fraud allegation. Copying Purdue on deliberations regarding a potential fraud allegation by DARPA does not trigger Purdue's C-22 policy.

Purdue received no research misconduct allegation from DARPA or ONR in 2006. If Dr. Suslick's "independent assessment" should have triggered Purdue's C-22 policy, then it should also have triggered ONR's Process For Handling Scientific Misconduct Allegations. But apparently DARPA and ONR did not view Dr. Suslick's comments as such a trigger.

The March 4, 2006 email on its face does not allege research misconduct. The March 4 email appears to describe poor laboratory techniques in a live demonstration. The March 4 email is expressly equivocal about whether Dr. Suslick witnessed incompetence or fraud: "I'm not quite decided whether Rusi is also just fooling himself or has actually crossed the line into fraud."

Dr. Suslick's June 1 transmittal itself does not allege any specific fabrication, falsification, or plagiarism by Dr. Taleyarkhan. Dr. Suslick's June 1 transmittal indicates that his view had "hardened" against Taleyarkhan between March 4 and June 1, and states that his "hardened" view is due to a combination of rebuttal proofs, an erratum published by Taleyarkhan, and unspecified information from a journalist. Scientific rebuttal is not in itself an allegation or evidence of research misconduct. Publication of an erratum is in itself not a remarkable event in scientific research. Obviously undisclosed information in the possession of a journalist is neither evidence nor an allegation under Purdue's C-22 policy.

Dr. Suslick's June 1 statement "that Taleyarkhan's claims are flat out fraud" appears to refer to sonofusion claims published by Dr. Taleyarkhan based on work that he performed at Oak Ridge National Laboratories, prior to coming to Purdue. This reading of Dr. Suslick's June 1, 2006 statement is corroborated by his April 22, 2007 submission to Purdue (copy enclosed). In that statement, Dr. Suslick lists four allegations, and the first two allegations are squarely directed at Dr. Taleyarkhan's pre-Purdue research at ORNL. Purdue does not have jurisdiction to investigate allegations directed to research performed at ORNL.

Dr. Suslick's April 22, 2007 submission to Purdue specifically carves out the March 4, 2006 email from Dr. Suslick's list of four "Charges" and instead refers to it as only "Personal Observations." Thus, Dr. Suslick himself appears to view his March 4, 2006 email as *evidence* but not as an *allegation*.

Ms. Holly Adams  
August 27, 2007  
Page Three

Since March 2006, Purdue has worked hard to identify sonofusion-related allegations that require attention under the C-22 policy. Those efforts have now been completed. In this regard, the difference between Dr. Suslick's June 1, 2006 communication and his April 22, 2007 communication to Purdue is instructive. While the March 4 and June 1, 2006 emails were, in retrospect, predicates to the allegations that Dr. Suslick submitted in April 2007, they were not themselves allegations within the meaning of Purdue's C-22 policy.

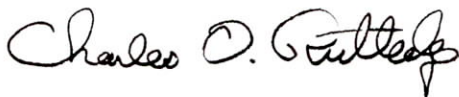
Let me also note that Dr. Suslick's June 1, 2006 e-mail to Dr. Dunn was not the first time that Dr. Dunn had been informed of Dr. Suslick's March 4, 2006 message. In fact, a copy of Dr. Suslick's March 4, 2006 e-mail had been forwarded to Dr. Dunn on Sunday, March 5, 2006 by Purdue's Dean of Engineering Linda Katehi, and this message was included in material provided by Dr. Dunn to the Examination Committee appointed on April 17, 2006 "to discover and examine facts and circumstances surrounding concerns described in recent articles on sonofusion research at Purdue ...". Please note that this was NOT an inquiry committee because Purdue had not received any allegations at this time.

Dr. Dunn received Dr. Suslick's June 1, 2006 message just as the Examination Committee was finalizing its report. We regret that Dr. Dunn failed to explicitly acknowledge receipt of the message and to inform Dr. Suslick that he was already aware of its content.

In hindsight, we recognize that it was a mistake to not follow through at that time on Dr. Suslick's invitation to discuss the matter further. We have tried to remedy this error in the inquiry just completed by not only soliciting allegations and evidence from Dr. Suslick, but also sending an investigator to interview Dr. Suslick on his home campus to ensure that we had the full benefit of his knowledge.

Thank you for your continuing support of Purdue's efforts to address these matters.

Sincerely,



Charles O. Rutledge, Ph.D.  
Vice President for Research