

Special Projects UNT Federal Investigation

Critics: Program open for abuse

Supporters find benefits in university employees' work for government

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By Matthew Zabel / Staff Writer

EDITOR'S NOTE: *This is the second of two stories on a federal investigation at the University of North Texas.*

A federal program that allows university employees to work for a short time in government is wide open for abuse, critics say, but others say the program is an effective way to bring the latest science and technology into government.

Federal investigators continue to look into one such arrangement that the University of North Texas and the U.S. Defense Department formed in 2004.

Through that agreement in November 2004, UNT appointed Dr. Klaus Schafer to work at the Pentagon and paid his salary retroactively, even though he had never worked at UNT.

The program, part of the Intergovernmental Personnel Act, allows employees of local and state governments, universities, Indian tribes and other organizations to work for up to four years in a federal job.

The Defense Department currently has 57 agreements, said Cheryl Irwin, a Pentagon spokeswoman, and "each of the assignments has been determined to be of mutual concern and benefit to the Federal agency and to the non-Federal organizations."

Recently, the department used such agreements to transfer experts in science and technology; acquisition and logistics; foreign affairs, and other specialized skill areas, she said.

Dr. Peter Leitner, a former adviser at the Pentagon, testified before a congressional committee on government reform in 1999 that the Defense Department used the law to hire people without competition while avoiding overusing political appointments.

The program is "a nice idea, but the problem is you get all kinds of carpetbaggers," said Leitner, now on the faculty at George Mason University. "They don't divorce themselves from their heritage."

People come from universities or federal laboratories into high government positions and suddenly they

have the authority to divert grant money back to their home institutions, he said.

Federal audits in the past decade have noted problems with these agreements in the Department of Homeland Security, the Departments of Veteran Affairs, the National Aeronautics and Space Administration, the National Science Foundation and others.

In December 2005, federal auditors determined that the Department of Homeland Security did not keep records well enough regarding its use of the program and that it had no documented way to guard against conflicts of interest.

In a 1997 report, auditors chastised the Veteran's Health Administration for using IPAs in order to avoid a hiring freeze and for using the program excessively, beyond what the law intended.

Auditors for NASA in 2000 determined that organization had several high-ranking people who were employed under the program, but those people were not required to file financial disclosure reports or even to discuss possible conflicts with an ethics counselor.

In 2004, the Office of Personnel Management reported that the National Science Foundation used the act to appoint a majority of its assistant directors and that "such a high percentage of temporary employees does not assure leadership continuity at NSF."

The National Science Board responded, saying the foundation's use of IPAs "provides a valuable source for science and technology leadership that enhances the quality of the organization in both the long- and short-term."

Joseph Burt, director of human resource management for the science foundation, said the organization did not have to make any changes as a result of that audit.

The IPA program continues to be an extremely important tool, he said, because it helps the foundation keep up with the newest trends in science research.

"We've got more than 25 years' experience in using these IPAs," Burt said. "It allows us to continue bringing in the freshest ideas from the scientific community, and it allows the community to have a voice in the NSF and the direction it is going."

The scientists who come in on such agreements help the foundation evaluate applications for research grants. Those scientists bring to the foundation a current perspective on where research is going in their particular field.

While they are there, they get a broader perspective on current research trends in fields related to theirs, he said.

Burt stressed the foundation thoroughly reviews each applicant to make sure each one is qualified and to resolve any possible conflicts of interest beforehand.

Besides the agreement that is the subject of the current investigation, UNT has used several IPA agreements in recent years.

For example, Dr. Tom La Point, a UNT biology professor and director of the university's Institute for Applied Sciences, won federal IPA awards totaling \$391,084, through the Army Corps of Engineers

between September 2004 and August 2005, according to the university's annual research report in January.

La Point said that program has been successful for several years at UNT.

With the federal money, UNT has been able to assign some university employees to work with the corps at the Lewisville Aquatic Ecosystem Research Facility, La Point said. At that center, located in Lewisville, researchers study harmful aquatic plants and look for ways to control their spread, he said.

The grants pay for the employees' salaries and benefits and some of UNT's administrative costs. Those researchers also help some UNT graduate students on their research projects.

La Point said that because those agreements are working well, he does not expect UNT's investigation of Schafer's IPA agreement to affect them.

UNT spokeswoman Deborah Leliaert said the ongoing investigation would not stop UNT from using IPAs down the road, but "they will receive very close scrutiny to ensure the agreements meet our obligations under the statutes and federal regulations."

Dr. Hans Mark, an aerospace engineering professor and former chancellor at the University of Texas, said that IPAs greatly benefit both the federal government and the university when they are used correctly.

The government benefits by attracting people with unique expertise and skills whom the government could not hire otherwise, he said.

When those people finish their terms, they return to their universities or other institutions with knowledge that helps them make their research more relevant and practical.

"The idea is good, but in practice someone from the private sector can hold a government job for several years," Mark said. "That is not the way the law was intended."

Mark also has worked in government as secretary of the Air Force, deputy administrator for NASA and director of defense research and engineering for the Defense Department.

He estimated 10 percent of IPAs are abused, tainting a worthwhile program for the vast majority who use it correctly.

"It's not something to repeal the act for; it's something to admonish the people who abuse the program," Mark said.

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