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## Scientist's complaint backed

By Joyce Howard Price  
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A preliminary federal investigation supports a government scientist's complaint that he was shown bias by Smithsonian Institution colleagues after a science journal he edited published a report on the theory of "intelligent design."

However, the Office of Special Counsel informed the complainant, Richard Sternberg, that it is ending the probe into the case because of jurisdictional questions and the Smithsonian's refusal to "voluntarily participate in any additional investigation" into his grievance.

"They will legally challenge our jurisdictional authority," James McVay, principal special assistant to the special counsel, told Mr. Sternberg in an 11-page letter dated Aug. 5. Mr. McVay added he does not think Mr. Sternberg could win that fight.

Asked to comment on Mr. McVay's findings, Michele Urie, spokeswoman for the Smithsonian Museum of Natural History, said, "We've heard nothing from the Office of Special Counsel."

Intelligent design challenges the Darwinian theory of evolution, contending that the origins of life forms are better explained by an unspecified intelligent agent than by such unguided processes as natural selection and genetic mutation.

Mr. Sternberg, a research associate at the Smithsonian's Museum of Natural History, said he was "singled out for harassment and threats" by others at the Smithsonian, who viewed him as a "creationist" after the publication of the intelligent design article last year.

Mr. Sternberg said Mr. McVay "found strong support for my complaint" and cited "concrete examples" of where Smithsonian personnel demonstrated "discrimination" against him for perceived religious and political views.

Mr. McVay cited e-mail in which Mr. Sternberg was described as a "creationist." He said one message asserted that Mr. Sternberg had "extensive training as an orthodox priest" and that the paper he published was a "sheer disaster," which made the institution a "laughingstock."

Mr. Sternberg, 41, who holds two doctorates in evolutionary biology, is employed at the National Center for Biotechnology Information, part of the National Institutes of Health (NIH). As part of his duties there, he does research at the Smithsonian.

As Mr. McVay pointed out, Mr. Sternberg is classified as a Title 42 scientist -- a federal classification that, under a recent ruling, is denied "protections offered under the offices of" the Office of Special Counsel.

In addition, Mr. McVay said the initial probe "supports the [Smithsonian's] contention that you are not an employee" and therefore are not covered "under the jurisdictional statutes imposed upon OSC."

From December 2001 until last fall, Mr. Sternberg served as managing editor of the Proceedings of the Biological Society of Washington. In the August 2004 issue of the journal, Mr. Sternberg published an article on intelligent design written by Stephen C. Meyer, a fellow at the Discovery Institute in Seattle.

In his complaint with the special counsel, Mr. Sternberg said he was belittled by a Smithsonian supervisor and other employees after the article appeared. He said museum authorities contacted his employers at NIH, seeking his ouster.

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