

June 5, 2008

Massachusetts Institute of Technology
77 Massachusetts Ave.
Cambridge, MA 02139-4307

Dear Sir or Madam:

Sometime in the next few weeks, the Project On Government Oversight (POGO) will update its Federal Contractor Misconduct Database (<http://www.contractormisconduct.org/>), a compilation of information from public resources regarding government contractors, including MIT. I have enclosed the findings relevant to your company, and I am seeking verification of this data.

Any response would be greatly appreciated, as the accuracy of this information is in the best interest of all parties. Out of fairness to MIT, please be assured that any response received by POGO will be posted on the website along with the data.

The biggest change we will be making to the database is the inclusion of more federal contractors (the top 100). We are also adding new instances that we have found in recent months and updating instances already in the database with new information. Please note that the database also includes pending instances, but these are kept separate from resolved instances and are not included in the totals.

If you have any questions, I can be reached at (202) 347-1122. Thank you for your time and consideration.

Sincerely,

Neil Gordon
Investigator

Enclosure

Instances

1. Guy v. MIT (Drug-Related Wrongful Death)

Date: 07/06/2005 (Date of Settlement Announcement)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: \$0

Disposition: Settlement

Synopsis: MIT student Richard A. Guy, Jr. died in his dormitory from asphyxiation by nitrous oxide inhalation on August 31, 1999. His family filed a wrongful death lawsuit against MIT in August 2002, alleging that, although Richard was not blameless, the school's lack of dormitory supervision and poor coordination among health services were the proximate causes of his death. Both sides settled the suit out of court in June 2005, establishing the Rick Guy Fund to provide a minimum of 10 years of funding for at least five incoming freshmen to attend pre-orientation programs.

2. Krueger v. MIT (Alcohol-Related Wrongful Death)

Date: 09/13/2000 (Date of Settlement)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: \$6,000,000

Disposition: Settlement

Synopsis: In September 2000, MIT paid \$6 million to the family of student Scott S. Krueger, who died in 1997 of alcohol poisoning after engaging in excessive drinking at his fraternity house. Former MIT President Charles M. Vest publicly apologized to the family for MIT's role in Krueger's death. Of the settlement total, \$4.75 million was for compensatory damages and the remaining \$1.25 million went toward establishing scholarships in Krueger's memory.

3. Violations of Environmental Laws

Date: 04/01/2001 (Date of Settlement - approximate)

Misconduct Type: Environment

Enforcement Agency: EPA

Contracting Party: None

Court Type: Civil

Amount: \$555,000

Disposition: Settlement

Synopsis: As a result of the operations of its laboratories and research facilities, MIT generates and stores various hazardous wastes and other toxic substances. In 1998, the EPA conducted an inspection at MIT to evaluate compliance with air, water and waste regulations. While inspectors did not find any alarming conditions, they found numerous violations indicating inadequate housekeeping practices and a need to improve its environmental management system. In April 2001, the Department of Justice Environment and Natural Resources Division settled a case with

MIT involving violations of the Resource Conservation and Recovery Act (RCRA), the Clean Air Act (CAA) and the Clean Water Act (CWA). MIT agreed to pay a \$150,000 civil penalty and institute an environmental management system and three other environmental projects costing \$405,000: a storm water management system, a web-based compliance assistance program, and a collaboration with the local public schools to develop and implement an environmental curriculum.

4. Shin v. MIT (Accident-Related Wrongful Death)

Date: 04/03/2006 (Date of Settlement Announcement)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: Undisclosed

Disposition: Settlement

Synopsis: On April 3, 2006, MIT and the parents of student Elizabeth H. Shin announced that they reached a settlement for an undisclosed amount in the wrongful death lawsuit filed against university administrators and doctors. Shin died in her dormitory room in April 2000 from self-inflicted burns. The Cambridge Fire Department and the Suffolk County medical examiner ruled the death a suicide, but both parties later came to an agreement that the death was a tragic accident. The suit Shin's parents filed in 2002 sought over \$27 million in damages.

5. Research Reactor Radiation Exposure

Date: 12/19/2007 (Date of NRC Inspection Report)

Misconduct Type: Labor

Enforcement Agency: NRC

Contracting Party: NRC

Court Type: Administrative

Amount: \$0

Disposition: Investigative Finding

Synopsis: The Nuclear Regulatory Commission launched a special inspection of the Massachusetts Institute of Technology's research nuclear reactor after MIT reported a worker at the facility may have been exposed to an excessive dose of radiation. On October 17, 2007, MIT reported that the worker had a radiation measurement of four rems for the period between July 1 and September 30, or 80 percent of the total radiation a person can be safely exposed to in a year. In December 2007, the NRC cited MIT for two violations at the facility: "One violation relates to the failure to conduct radiological surveys that are reasonable under the circumstances to evaluate the magnitude and extent of radiation levels and the potential radiological hazards. The other violation relates to the failure to provide adequate training in the health protection problems associated with exposure to radiation and/or radioactive material, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed."

6. Carpenter v. MIT (Suicide-Related Wrongful Death)

Date: 09/01/2006 (Date of Settlement Announcement)

Misconduct Type: Health

Enforcement Agency: Non-Governmental

Contracting Party: None

Court Type: Civil

Amount: Undisclosed

Disposition: Settlement

Synopsis: On April 30, 2001, MIT student Julia M. Carpenter died in her dormitory room from what the Suffolk County medical examiner determined was a suicide, caused by acute cyanide poisoning. In June 2003, her parents filed a \$20 million wrongful death lawsuit, charging that MIT and various employees were negligent in failing to prevent their daughter's suicide. In September 2006, MIT and the Carpenters reached a settlement, the details of which were not released to the public.