



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A02050030

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Complainant¹ alleges intellectual theft committed by the subject² in documents submitted by the subject to the National Science Foundation to support a change-in-scope for an ongoing NSF project.³ The change in scope for the subject's project was approved, and occurred in conjunction with the subject's move to another institution, resulting in the issuance of a new NSF grant number.⁴ Complainant and subject were prior research collaborators funded under an umbrella NIH grant at the complainant's institution.⁵ Complainant states that text and data from the NIH project were provided to the subject for the NSF change-of-scope document with the understanding that collaborative work would continue, and that the complainant would be listed as a coPI on the NSF grant.

The proposal jacket shows that the complainant does not appear as a coPI on the new NSF grant, nor is the work proposed by the subject a collaboration between complainant and subject. Approximately 35% of the subject's NSF change-of-scope document is duplicated from the NIH proposal text for the joint work of the complainant and the subject, on which both the complainant and the subject are listed as PIs for that particular section. The published collaborative work of the complainant and the subject is referenced in the NSF change-of-scope document. Proposed experiments and investigations not found in the NIH proposal are evident in the subject's NSF change-of-scope document.

Since both the complainant and the subject are listed on the NIH grant, each has rights to reuse the proposal text, and rights for use of results that were generated in that NIH project. Subject used the results of the NIH work in the NSF change-of-scope document with proper attribution and acknowledgment of previous collaborative work between the subject and the complainant. Further and distinct work described in the NSF change-of-scope document does not overlap with the work supported by NIH. Agreements between the complainant and the subject on terms or areas of future collaboration are not subject to NSF evaluation.

There is no basis for further inquiry, investigation, or action. Accordingly, the case is *closed*.

¹ Redacted
² Redacted
³ Redacted
⁴ Redacted.
⁵ Redacted

	Agent	Attorney	Supervisor	AI GI
Sign / date				