

CLOSEOUT OF M90100040

An allegation of intellectual theft, a form of plagiarism, was brought to the attention of OIG by [REDACTED] a program officer in the Directorate for [REDACTED] on October 5, 1990, based on information he had received from the complainant, [REDACTED] (from the Department of [REDACTED] at the [REDACTED]). The complainant had reviewed proposal [REDACTED] S1). S1 was submitted by the subject, [REDACTED] (from the School of [REDACTED] at the [REDACTED]). Both the complainant and the subject were once graduate students of [REDACTED] the other informant in this case. The complainant informed [REDACTED] of the similarity he had observed between S1 and two of his proposals: [REDACTED] (C1), and a proposal (C2) he had submitted to the [REDACTED] Board of Science and Technology (NCBST) in 1987. The complainant alleged that the intellectual content of S1 was derived, without acknowledgment or permission, from either C1 or C2, the complainant's proposals. The complainant alleged that the subject had reviewed one or both of these proposals.

OIG determined that the subject had not reviewed the complainant's C1 proposal. All records of C2 had been destroyed in accordance with the standard record retention policy of that organization so that it could not be determined if the subject had reviewed it. A comparison of the text of C2 (provided by the complainant) and the available NSF proposals submitted by both the subject and complainant revealed that the most recently submitted proposals by these individuals described similar research projects. However, it was also apparent that different intellectual routes had been taken by these two investigators to arrive at a similar research topic. Both the complainant and the subject received their Ph.D.'s in the same field on similar topics, under the same individual. Further, the content of the subject's S1 proposal was, in part, the result of the progressive incorporation of the suggestions made by the reviewers of each of his previously declined NSF proposals.

Because of the independent development of converging themes in the research pursued by these two individuals, and because we were not able to show that the subject reviewed any of the complainant's proposals, explicit evidence substantiating the allegation of intellectual theft could not be found.

In a letter to OIG the complainant alluded to additional misconduct by the subject based on the content of a paper published by the subject. These allegations included the physical theft of data and samples mentioned in that paper, intellectual theft, and a failure both to cite NSF grant support and to provide appropriate authorship credit. The complainant did not provide evidence for these allegations, but referred OIG to the other informant.

When contacted, the second informant stated that he had described the application of a particular technique to the subject. The subject used that application to collect the data reported in his published paper. The second informant suspected that the subject had collected the data for that paper in the second informant's lab. However, the second informant did not possess evidence that could prove either that the samples for the experiments reported in that paper were collected in his lab or that the experiments were performed in his lab. The paper was published

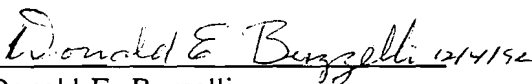
two years after the subject had received his Ph.D., and three years after he had accepted a position with his current employer, allowing sufficient time for the data to be collected outside of the second informant's lab.

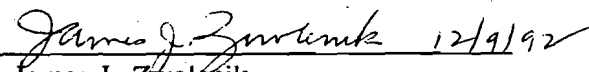
Discussing novel research applications is part of the normal scientific process. Being part of this creative process does not automatically provide authorship rights to the discussants; one must usually actively participate in the research effort. Four other individuals were named as authors on the paper with the subject, and an individual acknowledged for technical assistance is currently employed at the same institution as the subject. These facts support the position that the reported research was not done in the second informant's laboratory.


Therefore, OIG determined that there was not enough evidence to warrant pursuing these allegations further.

This case is closed without a finding of misconduct.

Concurrence:


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