

CLOSEOUT FOR M90110038

On November 6, 1990, OIG received an allegation of misconduct from [REDACTED] program director in the [REDACTED] in the Directorate [REDACTED]. A reviewer, [REDACTED], the complainant, told the program director that there was a strong similarity in the text of two [REDACTED] proposals [REDACTED] by [REDACTED], subject one, a PI at [REDACTED] and [REDACTED] by [REDACTED], subject two, a PI at [REDACTED]. The complainant, alleged that subject one plagiarized portions of his proposal from subject two's proposal because subject one had, until recently, worked at [REDACTED] the firm, with subject two and had collaborated with the second subject while employed there. The first subject left to start a new company which did work in the same area as the firm. The complainant reasoned that the first subject had used a proposal written at the firm as a model for his subsequent proposal submissions.

OIG found that the second subject had submitted his proposal after the first subject and was unable to determine which document was the original source of the text in question. Therefore both individuals were considered subjects of the allegation of plagiarism.

OIG compared 27 proposals submitted by either of the two subjects to determine the extent of the copying and to attempt to identify the source proposal. OIG found that all of the proposals showed a remarkable similarity in overall structure, but that only 9 of these proposals contain material in common. Six of these proposals were submitted by subject one and three had been submitted by subject two.

OIG found 30 blocks of text that had been copied from some of the 9 proposals into others resulting in a total of 73 blocks of copied text. Some of the 30 blocks had been copied into several proposals, while others were only copied once. Of the 73 blocks, 39 appeared in the first subject's proposals and 34 appeared in the second subject's proposals. Some of the source blocks contained text describing previous research by others, some described standard methodologies to be used, and still others described the types of experiments to be performed. Some of the blocks of text were one sentence in length, others were much longer.

The two subjects responded to OIG's separate requests for information. OIG learned that, while at the firm, the first subject was the PI on two proposals and several published articles and that these were the source documents for the copied text appearing in the other proposals the first subject submitted after leaving the firm. The second subject, who was still employed by the firm, used this same text in his new proposal submissions to NSF. The second subject stated that his proposals should have contained an acknowledgment to the first subject; however, the firm's President did not permit such acknowledgments because he viewed the first subject as a competitor.

OIG learned that the firm's philosophy, similar to that of other small high-tech firms, was to submit as many proposals as possible to the [REDACTED] program and that it included recycled text from declined proposals into new submissions. It is apparently common practice for commercial institutions to use sections and ideas in one proposal in another proposal even if the PIs on the proposals are different.

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OIG felt that two practices were at work in this case. First, a PI does not have to use citations and indentations or quotation marks to identify material transcribed from a declined proposal into another proposal or from one published paper to another when both were sole-authored by that PI. OIG determined that the first subject was transcribing material from his own previously submitted proposals and published papers. With regard to the allegation of plagiarism the first subject was not required to provide a citation to his own submissions or published papers.

Second, proposals submitted by individuals employed by a firm may contain text that was originally authored by individuals who are no longer employed by that firm. The text produced by any one individual is part of the work the individual is paid to do and therefore the property of the firm and usable by that firm in subsequent submissions which do not include the original author. OIG accepts that proposal text generated by employees as part of their position may be the property of the employer and therefore the employer can use that text in subsequent submissions without obtaining the permission of the original author. The second subject, by using unattributed text from the first subject's proposals written while the latter was an employee of the firm, had not committed plagiarism.

OIG concluded there was no substance to the allegation of plagiarism against either subject and therefore closed this case.

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