

CLOSEOUT FOR M-93070036

On 14 July 1993, [REDACTED] brought an allegation of misconduct in science to OIG's attention. The allegation involved NSF proposal [REDACTED] entitled [REDACTED] submitted by the subject, [REDACTED], and co-PI, [REDACTED] at the same institution. In his *ad hoc* review of the subject's proposal, the complainant, [REDACTED] explained that he had been told by [REDACTED] (the other scientist), [REDACTED] that the subject planned to submit an NSF proposal that contained an original thesis idea misappropriated from the other scientist's graduate student. The reviewer said that he thought the subject's proposal contained the alleged misappropriated idea.

OIG contacted the other scientist who said the co-PI on the subject's proposal could only have learned about the idea from the subject. Consequently, OIG did not consider the co-PI as a subject in this inquiry. The other scientist explained that the student planned to discuss his idea at [REDACTED] an informal international workshop. The other scientist said that he was concerned that someone at the workshop might misappropriate the idea. Consequently, he contacted the subject, who was invited to attend the workshop, and requested that he assist them in protecting the idea. The other scientist explained that they shared the idea with the subject before the workshop because the subject was an expert in the student's area of study and because he agreed to assist them in protecting it at the workshop.

About two weeks after the workshop, the other scientist said that the subject informed him of his plans to submit an NSF proposal. The brief oral description of the NSF proposal provided by the subject made the other scientist think it contained the idea. The other scientist wrote to the subject to express his concern about the apparent similarities between the idea and the NSF proposal. He requested the subject not submit the proposal. The other scientist said the subject insisted that the proposal did not contain the student's idea and that the other scientist and the student's thesis committee should read the proposal and judge the matter before asking him not to submit it. The other scientist explained, however, that he and the committee decided not to read the proposal because the student had still not developed the idea thoroughly. The other scientist said the subject argued that they had no right to make this demand without at least reading the proposal. The other scientist told OIG that, although he agreed with the subject in principle, he was doubtful that reading the proposal would change his mind.

[REDACTED]

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The other scientist explained that, subsequently, several experts, who knew about the idea, read the subject's NSF proposal. One expert concluded that "the overlap was complete within the range of a Ph.D. program." Other experts determined that the approach presented in the proposal was "unsophisticated," and no further action by the other scientist to stop the subject from submitting the proposal was necessary. In contrast, OIG determined that the subject's NSF proposal was detailed and contained specifics about how and what was to be accomplished.

OIG asked the other scientist and the student to provide information documenting the development of the student's idea. They provided copies of the student's notes made before, during, and after the workshop, the schedule and minutes of the workshop, a two-page overview of the idea submitted by the student to the thesis committee a month after the workshop, and other documents. The documents revealed that the student's thesis idea was very general with no uniquely identifiable attributes. For example, the student provided notes he had taken when he visited the subject to discuss his idea before the workshop. These notes consisted mostly of reminders that the student read and expand on information published by the subject. The official minutes of the workshop included information about a paper the subject presented that was very similar to the student's idea, but the workshop minutes contained no information about a paper or a discussion by the student about his idea. Finally, OIG noted that the two-page overview of the idea submitted by the student to the thesis committee a month after the workshop was still very general with no clearly identifiable unique features.

The evidence showed that, at the time of the workshop, the student's idea was still evolving, a process that, according to the record, continued for at least a month after the workshop. OIG determined that there was no evidence that the subject's proposal contained an idea that was uniquely identifiable as the student's.

We concluded that the subject's prior publications, workshop presentation and detailed NSF proposal submission suggested that the subject independently developed the ideas expressed in the proposal and that, although there may have been some overlap between the student's current interest and the subject's prior interests, the subject had not taken the student's ideas. OIG concluded that there was no substance to the allegation that the subject misappropriated the student's idea and used it in his proposal.

This inquiry was closed and no further action will be taken.

cc: Staff Scientist, Deputy AIG-Oversight, AIG-Oversight, IG