

## CLOSEOUT FOR M-94040011

On April 5, 1994, [REDACTED]

[REDACTED] brought a letter that contained allegations of misconduct in science to OIG's attention. She informed us that the complainant, [REDACTED] a faculty member at [REDACTED] (institution A) [REDACTED] in her role as a panel member for the NSF program, [REDACTED], reviewed NSF proposal [REDACTED]

[REDACTED] This proposal was submitted by five subjects<sup>1</sup> at [REDACTED] (institution B). The complainant alleged that some ideas in the subjects' NSF proposal plagiarized ideas from a meeting of members of a regional consortium. It was at this meeting that representatives from institution A discussed their future proposal to be submitted to the consortium, which also funded selected activities by its member institutions. In addition, the complainant alleged that the subjects misrepresented information in their NSF proposal when they indicated that institutions A and B planned to collaborate on the work supported by the subjects' NSF award and present the information at a future conference at institution B. She stated that the future conference was to be held at institution A and that she could find no documentation that supported institution A's willingness to collaborate on their NSF supported work. Finally, the complainant was concerned that the subjects' previous work with a prior NSF award had been too focused on institution B and that this was contrary to the other institutional consortium members' expectations. OIG determined that the focus of a study was best determined by the investigators, and its results are best evaluated by the scientific community. The focus of that study, as such, is not an issue of misconduct in science.

With regard to the allegations of intellectual theft and misrepresentation, OIG reviewed the subjects' NSF proposal, the complainant's letter, and information provided by the program director. OIG contacted the complainant for additional information, including a copy of institution B's proposal to the consortium.

OIG learned from the complainant that the consortium meeting was held specifically to develop ideas for the future direction of the consortium. One of the five subjects was in

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attendance as institution B's representative. At this meeting institution A's members presented their ideas for the future proposal to the consortium. The complainant indicated in a subsequent discussion with OIG that there was no expectation of confidentiality with respect to ideas discussed at this meeting and ideas were openly shared.

OIG asked the complainant to provide examples of work done by institution A that allegedly appeared in the subjects' NSF proposal. She provided no examples for OIG to evaluate. When questioned further with respect to possible examples of intellectual theft, the complainant contradicted her letter to the program director and said that she was not concerned about the use of ideas from the consortium meeting—such ideas were openly shared.

OIG determined that there was no substance to the allegation of intellectual theft. The complainant provided no evidence to support her allegation and OIG could find no evidence to indicate any ideas had been improperly used by the subjects in their NSF proposal.

The complainant focused her concerns on the fact that she could find no documentary evidence that a collaborative relationship existed between institutions A and B, a relationship discussed in the subjects' NSF proposal. She conjectured that the subjects had probably assumed that their proposed NSF work would be a part of the collaborative relationship that already existed between the consortium colleges, and more specifically, between institutions A and B.

OIG determined that the subjects' NSF proposal merely stated that the conference was jointly sponsored and that the NSF PIs expected to discuss the results of their work at the conference. There was no commitment that this conference had to take place at institution A.

OIG concluded that there was no substance to the allegation that the subjects had misrepresented a collaborative relationship between institutions A and B in their NSF proposal.

This case was closed.

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