

CLOSEOUT FOR M95010004

This case came to OIG on January 23, 1995, when Dr. [REDACTED], a program director in the [REDACTED] Program of NSF's Division of [REDACTED], supplied us with evidence of possible misconduct in science. The alleged misconduct involved a proposal submitted to NSF by Dr. [REDACTED] of the [REDACTED] (Subject #1).¹ It was alleged that the proposal made inappropriate use of a proposal² submitted by another scientist, Dr. [REDACTED] of the Department of [REDACTED] at the [REDACTED] (the complainant). Dr. [REDACTED], a colleague at the complainant's university, had made the program director aware of the allegation. The colleague expressed concern that Dr. [REDACTED] (Subject #2), a senior scientist at Subject #1's institution whom the complainant had suggested to NSF as a possible reviewer for the complainant's proposal, might have violated the integrity of NSF's confidential merit review process by sharing the complainant's proposal with Subject #1. According to the program director, the colleague alleged that unusual "phrases and references" in the complainant's proposal appeared in Subject #1's proposal and suggested that Subject #1 had misappropriated the complainant's work.

OIG contacted the complainant to get more specific information about what material he believed had been misappropriated from his proposal. The complainant said that there were remarkable similarities between Subject #1's research strategy and his own and claimed that the colleague shared this judgment. OIG asked the complainant for a specific, preferably written, description of the similarities, but the complainant, despite OIG's repeated requests, did not provide one. OIG examined the two proposals and did not notice any similarities in strategy that suggested that one proposal had been used as a source for the other. OIG concluded that this general allegation, in the absence of specifically described similarities, lacked substance and could not be meaningfully pursued.

The complainant also alleged that Subject #1 in his proposal used forms of expression that, though unusual in English writing generally, were characteristically

¹ The proposal, [REDACTED], was entitled "[REDACTED]". Subject #1 was the sole PI. NSF declined to fund the proposal.

² The proposal, [REDACTED], was entitled "[REDACTED]". The complainant was the sole PI. NSF declined to fund the proposal.

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used by the complainant, a non-native speaker of English. The complainant cited this alleged fact as evidence that Subject #1 had made inappropriate use of the complainant's proposal. When OIG examined the proposal, we did not notice remarkable similarities in writing style that substantiated the complainant's inference of inappropriate use. The evidence bearing on the one specific example that the complainant cited to us did not support his allegation.

The complainant alleged that Subject #1 cited unusual sources in the research literature, including unpublished conference proceedings, that were cited in the complainant's proposal. The complainant cited this as evidence that Subject #1 had made inappropriate use of the complainant's proposal. OIG examined the reference lists in the two proposals. We concluded that, although there was some overlap, this was not remarkable for two scientists working in related areas and was not evidence of that Subject #1 had misused the complainant's proposal.

OIG concluded that the allegation that Subject #1 had misappropriated material from the complainant's proposal lacked substance. Subject #1's alleged misappropriation was the only evidence supporting the allegation that Subject #2 had violated the integrity of the confidential merit review process. OIG therefore concluded that this allegation lacked substance as well.

This inquiry is closed and no further action will be taken on this case.

cc: Acting Deputy AIG-O, AIG-O, IG