

CLOSEOUT FOR M95030007

On March [REDACTED] 1995, Dr. [REDACTED] program director in the [REDACTED] Program in the Division of [REDACTED] of the Directorate for [REDACTED] informed OIG of a telephone call she had received from Dr. [REDACTED] the complainant. The complainant, a faculty member in the Department of [REDACTED] at [REDACTED] University, had served as a *ad hoc* reviewer for proposal [REDACTED] entitled, [REDACTED]. The proposal's principal investigator was Dr. [REDACTED], the subject and a faculty member in the Department of [REDACTED] at the University [REDACTED]. In the telephone conversation, the complainant alleged that the subject's proposal contained text plagiarized from an unpublished manuscript the complainant had co-authored with his graduate assistant and that one proposed study described already completed research.

The complainant told OIG that he had submitted the manuscript for publication, but it had been rejected. He had shown the manuscript to the subject who had made suggestions for improvement. This original manuscript was the foundation for an on-going collaboration between the subject and the complainant. The complainant said that he considered the manuscript "dead" and that he and the subject were developing a new manuscript that they intended to publish. This new manuscript was a follow-on to the original manuscript and corrected some procedural errors in the experiments reported in the original manuscript. The complainant said that he had participated in the design of the study he alleged was already completed, but said he had neither participated in the collection of data nor seen any of the data. He merely understood that it was completed. The complainant described a number of serious problems that he and the subject had working together which led to a poor working relationship. The two were working collaboratively and separately in a very specific research area and were in the unusual position of both collaborating and competing with each other.

OIG compared the complainant's manuscript with the subject's proposal and found approximately two pages of text in the introduction and six references in the bibliography that had been copied from the manuscript. The text was not offset from the proposal text and did not contain a citation to the complainant's manuscript.

In response to OIG's request for information about the copying, the subject explained that he and the complainant had been collaborating for some time. They had completed the follow-on study, and the complainant was responsible for writing the new manuscript. He had not seen the new manuscript but he had asked, and anticipated, that the text he copied would appear in that manuscript. He said the complainant had not met the deadline he had given for completing the draft of the new manuscript. The complainant was presenting a talk on the new manuscript's research at an up-coming regional scientific meeting. The subject said that he felt he was entitled to use the text from the original manuscript because he would be an author on the new manuscript. OIG confirmed the subject's information with the subject's two graduate students, one of whom was the co-author on the original manuscript.

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The complainant confirmed that he was responsible for writing the new manuscript, that the subject had requested that the text in question appear in the new manuscript, and that he had not begun writing it yet. He confirmed that he was giving a presentation based on their collaborative work at a regional conference in one week.

OIG concluded that the subject should have offset the copied text and cited the complainant's original manuscript as its source because the new manuscript did not yet exist. At OIG's request, the subject submitted proposal pages that offset the text copied from the original manuscript. He included a reference to the original manuscript in his proposal's bibliography. The proposal was amended to include the corrected pages.

In response to OIG's questions about the allegedly completed study described in his proposal, the subject said that he had completed a pilot project for that study. He explained that that research was not dependent on NSF funds, and progress on the study had continued after he submitted his proposal. He considered his collected data "preliminary," and has now concluded that the study has a fundamental design flaw. The study was not essential to the work proposed. He said it was his understanding that it improved his proposal to include discussions of preliminary data. It is a tradition within the scientific community to describe preliminary results in research proposals, and NSF program officers encourage PIs to discuss preliminary research in proposal submissions. The subject's discussion of a study that was the focus of a pilot project does not deviate from accepted practices and is not, in this case, an issue of misconduct in science.

OIG concluded that the subject should have offset the text he copied from the complainant's paper, but that his realistic expectation that this text would appear in a manuscript he was co-authoring with the complainant mitigated the seriousness of his action. In other circumstances these actions might have led to further inquiry and a possible investigation. OIG concluded that the subject's corrections to his proposal appropriately remedied the copying without offset or attribution. OIG concluded that the subject's discussion of his pilot project in his proposal was appropriate and not an issue of misconduct in science.

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

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