

Closeout for M95030013

The complainant¹ wrote to the program manager² describing allegations of intellectual theft and a violation of the confidentiality of the peer review process against the subject.³ The program manager notified the Deputy Division Director who sent a memorandum to OIG on March 30, 1995, informing it of the allegations. OIG learned that the complainant had been sent the subject's NSF proposal⁴ to review and returned it to NSF unreviewed because he believed that the proposal contained ideas similar to ones in his previous proposals, and he could not objectively comment on it. Specifically, the complainant alleged that distinct ideas were taken from some combination of his a) three NSF proposals, b) two NIH proposals, or c) one other proposal to a private organization⁵ and incorporated into the subject's proposal. The complainant noted however, that it was possible that the subject had independently developed the ideas, and that much of the subject's proposal was a straightforward extension of the subject's earlier work.

OIG learned that the subject had received one of the complainant's NSF proposals⁶ to review. However, the complainant's proposal was sent to the subject *after* the subject submitted his NSF proposal that the complainant received for review. This was the only proposal submitted to NSF by the complainant that the subject reviewed. OIG learned from NIH that the subject had not reviewed either of the two proposals submitted by the complainant to NIH. OIG learned from the private organization that the subject had not reviewed the proposal the complainant submitted to it. Thus, OIG concluded there was no substance to support the allegation that the subject violated the confidentiality of the peer review process.

OIG identified approximately three sentences of text in the subject's proposal that were substantially similar to text in the complainant's proposal to the private organization. The text was not cited to the complainant and, as presented, would be considered as text written by the subject. OIG asked an independent, qualified scientist⁷ to review the two proposals for further evidence of overlap between them, with a particular focus on the ideas the complainant alleged were taken from his proposal. The scientist was unable to identify any overlap of ideas, methodology, or text, other than the words in the three sentences already identified by OIG. The scientist said that it was his opinion that the two proposals were distinct.

OIG asked the complainant to clarify his allegation, i.e., specifically to identify the text, ideas, or methodology that he believed was misappropriated by the subject.

¹ (footnote redacted).

² (footnote redacted).

³ (footnote redacted).

⁴ (footnote redacted).

⁵ (footnote redacted).

⁶ (footnote redacted).

⁷ (footnote redacted).

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OIG asked the complainant to clarify his allegation, i.e., specifically to identify the text, ideas, or methodology that he believed was misappropriated by the subject. The complainant looked at the proposals in detail and could find no overlap other than that already identified, and was unable to provide further information. Regarding the text that appeared in both the subject's and complainant's proposals, the complainant told OIG that he had given several seminars on this research topic, including a presentation at the subject's university. It is possible that the use of the words and phrases identified by OIG in the subject's proposal arose from the complainant's use of them during one of his colloquia rather than by plagiarizing the complainant's material. With the exception of the three sentences, both the independent scientist and the complainant agree that the proposals contain no overlapping ideas, methodology, or text.

OIG concluded that given the lack of overlap, the complainant's statement that the subject may have independently developed the ideas in his proposal, and our finding that the subject had not reviewed the complainant's proposal, it is reasonable to conclude, as the scientist did, that these proposals are distinct. Although similar words and phrases appeared in both the subject's and complainant's proposals, there was no clear evidence that the subject had substantially copied from the complainant's proposal. OIG concluded that there was insufficient substance to the allegations of intellectual theft and verbatim plagiarism to pursue this inquiry.

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

cc: Legal, AIG-Oversight, IG