

CLOSEOUT FOR M95120044

On December 6, 1996, a program officer¹ informed OIG of allegations of intellectual theft and inadequate citation that he had received from the complainant.² The complainant alleged that his co-PI³ and another scientist⁴ had published a paper⁵ that misappropriated credit for an electronic database conceived of, and developed by, the complainant, and had failed to provide proper citation for two figures reprinted in the paper from the database. The database is located on the world wide web.⁶ The original site for the database is located at the complainant's institution and, at the time of the allegations, the subject supported a mirror site in Europe. The complainant said that his work on the database was supported by two NSF grants, one was a Small Grant for Exploratory Research (SGER) grant.⁷ The second flowed from the first and was a regular research grant.⁸ The first grant named the complainant as the sole PI and second grant named the complainant and the subject as co-PIs. The complainant said that the subject received no financial support from the second grant and was included in it to assist his efforts in soliciting funds from European scientific agencies.

The complainant claimed that he was the originator of the database described in the subject's paper. He explained that he submitted the SGER grant in response to several NSF sponsored workshops, one of which he had attended. He said he had used funds from this grant to develop the database now in dispute and that the second grant supported further work and refinements on the database. He said he had attended the European workshop convened by the subject and his co-author at which the database and its uses were discussed. The complainant alleged that the subject's paper was not written as a report of that meeting, instead, it reported on the database as if it originated with the co-authors, not the complainant. It failed to give credit to either the complainant or another scientist⁹ who had worked on developing the database. He further alleged that two figures from the electronic database were published in the paper without accession numbers or citations to the database.

The complainant had seen a manuscript of the disputed paper and protested its limited acknowledgment of his and the other scientist's role in developing the database. The

¹ The program officer is Dr. [REDACTED]. He is located in the [REDACTED] of the Division of [REDACTED] in the Directorate [REDACTED].

² The complainant is Dr. [REDACTED]. He is a faculty member in the Division of [REDACTED] at the University [REDACTED].

³ The subject is Dr. [REDACTED]. He is a faculty member in the Division [REDACTED] at the University [REDACTED].

⁴ The scientist is Dr. [REDACTED] from the [REDACTED] at the [REDACTED].

⁵ [REDACTED] and [REDACTED] "[REDACTED]" [REDACTED].

⁶ The web address is [REDACTED].

⁷ Grant [REDACTED] is entitled, "[REDACTED]" The complainant was the sole PI.

⁸ Grant [REDACTED] is entitled, "[REDACTED]" Its co-PIs were the subject and the complainant.

⁹ This fourth scientist is Dr. [REDACTED] from the University [REDACTED].

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complainant said he was assured by the subject that the manuscript would be corrected, but it was not. The complainant said that the subject's co-author had not participated in the development of the database and had not seen a final version of the manuscript.

OIG reviewed the subject's paper, the NSF grants, relevant electronic mail messages sent by the subject and complainant, and an NSF publication¹⁰ that described the workshops held by NSF. The SGER grant did not propose to develop the database but it was included as an outcome of the project in the final report. OIG learned that both the subject and the complainant participated in the NSF workshops and that the subject had been involved in the portions of the complainant's SGER award and second award that developed the database.

In the second proposal's discussion of the work completed under the SGER, the complainant provided a citation to the electronic database that named as authors, in descending order, the subject's graduate student, the complainant's systems engineer, the complainant, and the subject. The second proposal had requested financial support for the subject but it was eliminated when it was funded. Reviewers and the NSF program officer concluded that the subject should secure funding from European sources for the European mirror site for the database. One of the letters sent in support of the second grant cited the "pilot work by [the subject] and [the complainant]" and referred to "the database you and your colleagues are developing" Also, OIG learned that the subject and complainant had co-authored an article¹¹ with the subject's graduate student, the complainant's systems engineer and two others that described the electronic database.

OIG concluded that these materials showed that, while the complainant had a pivotal role in developing the database, the subject and his graduate student had participated in the development of the database, and were, by the authorship credit on both the co-authored article and the database citation, given public credit, along with the complainant and others for the development of the electronic database. Further, the subject had actively participated in the preparation of, and soliciting support from colleagues for, the second proposal.

In contrast to the complainant's allegation, the subject's co-authored paper did appear to be a report of the European workshop. It is, however, less than complete in its explanation of the origins of the database and the complainant's pivotal role in its development. The electronic database instructs users to cite the co-authored article when discussing the database. The subject's paper contains only one citation, it is to the co-authored article. For figures reproduced from the database, authors are instructed to provide an accession number, date of

¹⁰ The publication was entitled, "[REDACTED]"

¹¹ [REDACTED]

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entry into the database, and cite the contributing authors. The two figures in the subject's paper simply cited the original authors of the figures.

OIG learned that the subject's co-author had published a correction in the journal that published the co-authored paper and that the subject had formally resigned from the database project. The complainant told OIG that the process of resolving his dispute with the subject had answered some important questions about authorship and citation for information available on the world wide web.

OIG concluded that the subject should have more fully acknowledged the complainant's role in developing the database in his paper, but that this failure and the incomplete citations for the two figures were not sufficiently serious to be pursued as possible misconduct in science.

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

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