

CLOSEOUT FOR M96020004

On February [REDACTED] 1996, a message was posted to an electronic bulletin board that announced the settlement of a defamation law suit against Dr. [REDACTED] the subject and [REDACTED]. The subject's former research technician, Ms. [REDACTED], alleged that the subject, as the Department [REDACTED] chairman, had defamed her in a memo to Department staff issued after he had fired her. The former technician alleged that the subject had plagiarized her research data in a published research article. OIG found that the subject had been a recipient of NSF support since 1973 and considered it possible that the alleged misconduct might have occurred under an NSF award. OIG could find no information in the bulletin board message about whether or how the technician's allegation of misconduct in science had been resolved.

In response to OIG's request for information, the subject said that his technician had been fired because she repeatedly refused to comply with a Department policy about the use of research equipment. She subsequently made an allegation that a discovery she had made (the data allegedly plagiarized) was published as figure 1 in a paper¹ authored by the subject and his graduate student [REDACTED]. She was not credited with the discovery nor did she receive authorship on the paper. The subject said that the university had formed two separate inquiry committees and both had concluded that the allegation did not have substance. One of the committees was formed to examine the allegation against the student and the second, formed under the university's Policy on Ethics in Research, examined the same allegation against the student, the subject, and a member of the student's dissertation committee. The subject said the committees concluded that dated photographs taken by the technician and by the student showed that they had independently and contemporaneously made the discovery shown in the figure. The subject said that the research discussed in the paper was not supported by NSF funds.

OIG obtained a copy of the paper and found that the technician was acknowledged for "technical assistance and expert advice." Public Health Service and private foundation funds supported the research. No NSF funds were acknowledged. The University Counsel confirmed the information the subject provided to OIG and also furnished a copy of the report by the Ethics in Research inquiry committee. The committee concluded that the technician and student had made independent and overlapping discoveries. The subject had said that none of the technician's data was used in the paper and her contributions warranted an acknowledgment, not authorship. The committee concluded that none of the three subjects was "guilty of theft of scientific data."

¹ The paper was entitled "[REDACTED]"

" It was published in [REDACTED]"

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OIG concluded there was evidence that there was no substance to the technician's allegation. OIG also concluded that since no NSF funds were used on this project, the allegation, even if it were determined to have substance, was not within NSF jurisdiction.

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

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