

CLOSEOUT OF M96030006

The complainant¹ contacted OIG on March 8, 1996, at the suggestion of a NSF program director.² The complainant had two concerns that he wanted OIG to look into. His first concern was that administrators at his university may have used his ideas and material in proposals other than his. He was primarily interested in determining if either subject 1³ or subject 2⁴ had passed along his ideas to other faculty members for them to include in their proposals since 1994. He mentioned several broad areas that he claims he told subject 1 are important research areas for the future and he thinks some of his ideas within these research areas might have been provided to other researchers at his university. His second concern was that his university had mismanaged his NSF funding and had raised barriers to his accomplishing his work. He said that the university had charged his account for infrastructure support that they should have provided and that sufficient funds were no longer available to pay a subcontracted collaborator.

OIG determined the second concern was a management, not a misconduct in science, issue and OIG contacted the appropriate program officers, who in turn contacted the Division of Grants and Agreements. All parties agreed that it would be handled independently of OIG.

Regarding the first concern, OIG used the IBM data base to determine that neither subject had a record of a NSF proposal submission as a PI or co-PI. OIG examined 19 proposals, submitted by the university since 1994, to search for evidence of overlap between the complainant's ideas and those presented in the proposals. Since the complainant had made only broad allegations of intellectual theft, it was difficult to come to a definitive conclusion based only on his general description of his ideas. OIG requested that the complainant provide evidential material that might help pinpoint his specific contributions that he felt might have been misappropriated.

The complainant provided three documents that he identified as being "clearly in the hands of [subject 1] and his office" and reiterated his concern that his ideas were being fed to other people. Two of the documents he sent were very general and were probably meant to provide motivation and requirements necessary to initiate a collaboration between the university and interested business partners. The concepts and ideas presented in these two files were primarily business-oriented and organizational in structure and would not likely be used in a proposal submitted to NSF. Furthermore, they lacked scientific specificity and uniqueness necessary to make a case for intellectual theft. The third document was more scientific and

¹ (footnote redacted).

² (footnote redacted).

³ (footnote redacted).

⁴ (footnote redacted).

was apparently a seminar the complainant presented. The ideas and concepts were more identifiable as unique to the complainant.

As an example of his concern, the subject indicated that he had heard rumors that some of his ideas were incorporated into a recent proposal submitted to NSF by his university. He added that NSF had subsequently funded this proposal. OIG used FastLane to search all grants awarded to the university during the last five years. The grant mentioned by the complainant was an [REDACTED]

[REDACTED] The PI for this grant had a history, beginning before 1994, of submitting educational proposals. Besides, none of the complainant's documents mention an education component. In addition, there was no apparent overlap between the complainant's ideas and the abstracts of the university's grants since 1994, except for a conference award that listed subject 1 as a committee organizer, but not as a PI. The PI of this grant had organized this conference, with NSF support, several times dating back to 1986, well before the time frame of interest to the complainant. Moreover, this PI had the most overlap of research area with the complainant, but had no proposals (within three years) submitted in the scientific research area the complainant mentions.

OIG determined from reading the proposals and using the FastLane search that there was no evidence for the concerns of the complainant that his ideas had been misappropriated by the subjects, or anyone else in his university, since 1994.

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

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