

CLOSEOUT FOR M96100033

On 7 October 1996, an NSF staff person¹ informed OIG of an allegation of misconduct in science he received in a letter from a researcher,² the complainant, about the subject's,³ research program. The complainant alleged that the subject committed intellectual theft when he inappropriately used another scientist's⁴ concept paper or submissions to NSF to change the direction of his research program. The complainant alleged that the subject's research program was funded by NSF.

Two NSF proposals⁵ submitted by the scientist, and one proposal⁶ submitted by the subject in 1995, are relevant to this case. The three proposals describe the same type of research on a specific molecule, and the scientist's proposals predate the subject's. There was, however, no obvious connection between the scientist's proposals and the subject. The project described in the subject's 1995 proposal is in an area of research that is different from that described in his earlier proposals.

The scientist's concept paper predates his submissions to NSF and briefly describes the novel research idea that is described in greater detail in his proposals. In 1993, while in the process of finding a tenure-track position, the scientist provided the concept paper to academic search committees at institutions that invited him for an interview. One year after the scientist had interviewed at a particular institution,⁷ the subject was hired by it. Shortly thereafter, the subject submitted his 1995 proposal to NSF. We asked an NSF expert⁸ to compare the scientist's proposals and 1993 concept paper to the subject's 1995 proposal. Our expert concluded that "there is a strong possibility that at least one of the ideas proposed by [the subject] in his NSF proposal had common origins with the concept paper of [the scientist] or in conversations with individuals who had discussed this subject with [the scientist]."

¹ The program officer is Dr. [REDACTED] the Director [REDACTED] in the Directorate for [REDACTED]

² The researcher is Dr. [REDACTED] faculty member in the Department [REDACTED]

³ At the time OIG was informed of the allegation, the subject was a faculty member in the Department of [REDACTED] at [REDACTED] University in [REDACTED]. The subject is currently a member of the Department of [REDACTED] at [REDACTED]

⁴ The scientist is [REDACTED]

⁵ The proposals are [REDACTED] and [REDACTED]. Both proposals were titled, [REDACTED]. The first was received by NSF on [REDACTED] and the second, a revision of the first, on [REDACTED]. Both were declined.

⁶ Proposal [REDACTED] is entitled, [REDACTED]. It named the subject as the sole PI. It was received by NSF on [REDACTED] and an award was made on the basis of this proposal on [REDACTED]

⁷ The institution is [REDACTED]

⁸ Our expert was Dr. [REDACTED] the executive officer for the Division [REDACTED] in the Directorate for [REDACTED]

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In response to our request for information about the allegation of intellectual theft, the subject told us that he had the idea for this research project late in 1993 or early 1994, after visiting the institution, but before beginning his employment there. He submitted the first proposal describing this idea to a private foundation in spring 1994. He provided materials and publications to document his subsequent efforts related to this project. Although these materials demonstrated that the subject has actively worked in this area since 1994, they did not address the alleged theft of ideas from the 1993 concept paper. In response to our request for information about papers, projects, or conversations that existed or occurred before 1994, the subject provided a diskette containing the file of a proposal draft that discussed one property of the molecule that was important to both the scientist's and the subject's proposals. The file's creation and last modified date predated the delivery of the 1993 concept paper to the institution.

Although the information from the subject did not disprove the allegation that he benefited from the inappropriate use of the concept paper, his information demonstrated his active interest in this molecule at approximately the same time that scientist provided his concept paper to the institution. We, therefore, concluded there was insufficient substance to the allegation of intellectual theft to proceed with additional inquiry. This case is closed and no further action will be taken.

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