

CLOSEOUT FOR CASE M-96110039

On 13 November 1996, a program officer¹ (the first program officer) brought an allegation of misconduct in science to OIG's attention. The complainant² alleged in a telephone call to the first program officer that he had been told that ideas in his NSF proposal³ had been misappropriated (intellectual theft) into another NSF proposal. According to the first program officer, the complainant knew only the state⁴ in the U.S. from which the other proposal originated. This information, however, enabled the first program officer, with the assistance of a second program officer,⁵ to identify the likely NSF proposal⁶ and subjects #1 and #2.⁷ OIG considered two allegations in this case: the misappropriation of ideas by the subjects and the breach of the confidentiality of peer review by an unknown individual(s) who provided the complainant with confidential information about a proposal.

OIG observed that subject #1 had received the complainant's proposal to review about 2 weeks prior to the submission of his NSF proposal. In a letter to NSF, mailed prior to the submission of his own proposal, subject #1 declared a conflict of interests, explaining that he was preparing a proposal for submission to NSF on the same topic. Consequently, he did not submit a review. The first and second program officers said that, other than both proposals focusing on the same study area, the complainant's and the subjects' proposals were dissimilar, proposing different projects and theories. OIG's comparison of the two proposals concluded that the subjects' proposal contained no ideas that could be considered unique to the complainant's proposal. There was no substance to the allegation that the subjects misappropriated ideas from the complainant's proposal.

OIG contacted the complainant. The complainant identified a colleague⁸ who, he said, had told him about an NSF proposal she had received for review that was similar to the

¹ The first program officer, [REDACTED]

² The complainant, [REDACTED]

³ NSF proposal, [REDACTED]

[REDACTED] was signed by the complainant as PI

⁴ The state was [REDACTED]

⁵ The second program officer, [REDACTED]

⁶ NSF proposal [REDACTED]

[REDACTED] was signed by subjects #1 and #2 as PI and co-PI, respectively.

⁷ Subject #1, [REDACTED]

[REDACTED] subject #2, [REDACTED]

⁸ The colleague, [REDACTED]

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complainant's NSF proposal. The complainant said that the colleague told him nothing else about the proposal. He claimed that it was the first program officer who had identified the subjects' state. In a second conversation with OIG, the first program officer reiterated that it was the complainant who had provided the state of origin of the subjects' proposal.

OIG's inquiry was unable to determine how or from whom the complainant had obtained information about the submission of a proposal from another state. Consistent with NSF's policy to keep reviewers' identities confidential, OIG will neither confirm nor deny whether the colleague was a reviewer. However, the information apparently learned by the complainant had nothing to do with either the proposal's content or the identify of its PIs. If a breach of confidentiality occurred, it did not involve specific information about the proposal's content. OIG concluded that there was insufficient substance to pursue the alleged breach of confidentiality of peer review further.

This case is closed, and no further action will be taken.

cc: Staff Scientist, Attorney, AIG Oversight, IG