

### Closeout for M97100030

On October 7, 1997, OIG received a letter from the subject<sup>1</sup> in which she disclosed that she had received a request for data that she had not fulfilled, and she wanted to explain why. She said some of the data was collected under NSF awards,<sup>2</sup> and that she had spoken with an NSF program manager<sup>3</sup> who had advised her to contact OIG. The subject enclosed copies of e-mail requests for the data from the complainants.<sup>4</sup> The complainants asked for some specific data that had appeared in a recent publication. The complainants indicated that when they attempted to obtain the data from a repository maintained by a professional society, only some of the data used in the publication were there, and they would like some of the data that had not been repositied yet. In her letter to OIG, the subject wrote that she had been collecting these data for several years, she was continuing to use the data in her research, and she planned to deposit the data as soon as her upcoming manuscript was accepted for publication.

OIG contacted the program manager who said the complainant was a fast-moving researcher who tended to publish his results rather quickly. The program manager also said the subject did good work as well, but did not publish as rapidly and tended to take her time collecting and publishing data.

OIG contacted the subject who explained that she was working on a manuscript for a special edition of a journal and wanted to preserve the uniqueness of her manuscript, for herself as well as the journal. She indicated that she had been unaware of NSF's policy of encouraging researchers to share data. She said that even though the data had been published in a figure, it was not raw data, but instead was fitted with an algorithm that had been explained in the text. She said she would provide the raw data to a society repository as soon as her manuscript was accepted for publication. OIG suggested that she should inform the complainant of her reasons and work out a suitable arrangement for the sharing of data.

After the subject notified the complainant of her proposed plan, OIG contacted the complainant to see if it was acceptable. He indicated that he had wanted to use the data in a forthcoming publication because it was related to his research. He thought that since the subject had already published the data, it should not have been a problem to share it. However, he had digitized the data from the figure and used that. Since he was moving on to a different topic now, he did not object to the subject's plan to make the data public after the manuscript had been accepted.

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

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<sup>1</sup> (footnote redacted).

<sup>2</sup> (footnote redacted).

<sup>3</sup> (footnote redacted).

<sup>4</sup> (footnote redacted).

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cc: Legal, AIG-Oversight, IG