CLOSEOUT FOR M97120047

This case came to OIG on December 2, 1997, when Dr. [redacted], a program officer in NSF's [redacted] Program in the Division of [redacted] informed us of an allegation of intellectual theft. The program officer had received a letter from Dr. [redacted] (the complainant) of the Department of [redacted] at [redacted] University. The complainant requested that his proposals not be sent for review to Dr. [redacted] (the first subject) and several of his collaborators, including [redacted] (the second subject). The complainant alleged that the subjects had "blatantly plagiarized" work that he had done in collaboration with Dr. [redacted]. In a statement accompanying his letter to the program officer, the complainant elaborated on this allegation, claiming that the plagiarized work appeared in a journal article co-authored with [redacted] (the third subject).

OIG has jurisdiction only over misconduct that occurs "in proposing, carrying out or reporting results from activities funded by NSF" (45 C.F.R. §689.1(a)(1)). OIG examined the complainant's letter and statement. They contain no evidence or allegation that the alleged intellectual theft occurred in the course of proposing, carrying out, or reporting on activities funded by NSF. According to NSF records, none of the subjects has ever been a principal investigator on an NSF award. We concluded that we lacked jurisdiction over the allegations in this case.

The complainant also alleged that the first subject or one of his collaborators had reviewed a proposal that the complainant had previously submitted.[1] Consistent with NSF policy to keep the identity of reviewers confidential, OIG neither affirms nor denies that the first subject or any of his collaborators reviewed the proposal. The complainant alleged that the reviewer in question made incorrect remarks about the proposal and speculated that the reviewer may have done so intentionally. The complainant supplied no evidence to support this speculation and presented his inference about the reviewer's intent as merely probabilistic. OIG concluded that this allegation lacked substance.

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

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[1] The proposal, [redacted], was entitled "[redacted]" NSF declined to fund it.