

Closeout for M98040013

In January of 1998, OIG received the first of three telephone calls from the complainant¹ who alleged his colleagues misappropriated his ideas and used them in proposals to NSF and other agencies. He provided details in a document, which arrived on April 20, 1998, that described a professional situation that had deteriorated significantly over a period of more than a decade.

The complainant's document indicated that he and three colleagues submitted a proposal (the complainant was the PI and his colleagues were the co-PIs) to NSF in 1988 (the proposal).² The proposal was declined, and the complainant alleged his colleagues (subjects 1, 2, and 3) committed intellectual theft when they subsequently, with his Chairperson's (subject 4) knowledge and assistance, submitted variations of this proposal to NSF without him.³ The complainant said the second of these NSF proposals was funded (the grant). The complainant felt he should have been given some of the grant money and included in the project because he was the one who had suggested the research topic, and he believed their grant was based on his ideas. He said the subjects told him that after assessing the reviewers' comments on the proposal, they used only their ideas in the grant, and that they had removed his contributions from the grant.

Obtaining accurate, verifiable recollections about who contributed what to a proposal 10 years ago would be difficult. Each person named on the grant has an NSF-submission record that indicates research activities in this general area before working with the complainant and abilities to develop an NSF proposal. Therefore, given the age of the complaint, the nature of collaborations, and the existence of prior interest on the part of the subjects in the research project, we believe there is insufficient substance to pursue this allegation.

The complainant also alleged that in 1988 subject 4 included his name as a co-author on a laboratory manual the complainant alone had written in 1978. The complainant said parts of that laboratory material were used, without his permission, but with subject 4's permission, by other faculty members (subjects 5 and 6) in their 1993 laboratory equipment proposal to NSF.⁴ The complainant said that shortly after he told subject 5 he was the original author of material in the proposal, subject 4 asked him to sign a letter giving subject 5 permission to use material from his laboratory manual in subject 5's proposal. The complainant agreed at the time, but now says he was pressured into signing the letter. After the passage of so much time, it would be difficult to establish the extent of subject 4's contribution, if any, to the laboratory manual, or the extent to which he would have

¹ (footnote redacted).

² (footnote redacted).

³ (footnote redacted).

⁴ (footnote redacted).

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been free—as co-author—to give permission to others to use portions of it. The complainant's statements do not indicate that subjects 5 or 6 did anything improper—they believed they had legitimate permission from subject 4 to use the material, and additionally, obtained written permission from the complainant to use the information. We do not have jurisdiction over the alleged actions of subject 4, that he inappropriately put his name on the laboratory manual as co-author, because they were not related to NSF activities.

Thus, there is insufficient evidence to proceed with an investigation into the first allegation of plagiarism, and we lack jurisdiction with respect to the second allegation. This inquiry is closed and no further action will be taken on this case.

cc: Integrity, IG