

CLOSEOUT FOR CASE M99030008

On 12 March 1999, OIG received allegations of misconduct in science from the complainant,¹ who alleged that the subject² fabricated data, misrepresented data, and plagiarized material.

We did not have jurisdiction to pursue about half of the allegations. These included allegations of plagiarism, fabrication of data, application for a patent using plagiarized and fabricated data, and publication of results that the subject knew were incorrect but failed to retract. However, we reviewed these allegations to determine if any should be forwarded to an agency with jurisdiction.³ We determined that there was insufficient substance to inform the involved agency of these allegations.

We had jurisdiction over the following allegations of misconduct against the subject:

Allegation 1: The subject allegedly misrepresented data when he used the same figure in papers 1 and 2.⁴ According to the complainant, because these papers involved different experimental approaches, the subject's use of the same figure in both papers misrepresented results in one of them. Paper 1 acknowledged NSF support.⁵ Our review determined that the subject did use the same figure in papers 1 and 2, but that he did nothing wrong. The figure depicted the analysis of a bulk standard sample that was used in both studies. There was no substance to allegation 1.

Allegation 2: The subject allegedly published two identical sets of figures in papers 3 and 4.⁶ Paper 4 acknowledged NSF support.⁷ We compared the two sets of figures and determined that they were not identical. There was no substance to allegation 2.

¹ The complainant, [REDACTED] is a [REDACTED]

² The subject [REDACTED] is a [REDACTED]

³ We identified the following agencies: [REDACTED]

⁴ Paper 1 is [REDACTED]

⁵ Paper 2 is [REDACTED]

⁶ NSF award [REDACTED] entitled [REDACTED]

[REDACTED] was submitted by [REDACTED]

⁷ Paper 3 is [REDACTED]

Paper 4 is [REDACTED]

⁸ See footnote 5.

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Allegation 3: The subject allegedly published the same data in two different journal articles, papers 5 and 6,⁸ each of which presented these data as new research. Both papers acknowledged NSF support.⁹ We determined that papers 5 and 6 were part of a series of reports on the same topic. Paper 5, the intended second paper, referenced paper 6, but was actually published one month before paper 6. Because the papers were part of a series, we observed some overlap with the data presentation. Such overlap is not uncommon in papers that are part of a series. Our review determined that the two papers also contained different results and conclusions. There was no substance to allegation 3.

Allegation 4: The subject claimed many "patents pending" in his NSF proposals, but allegedly has received very few actual patents. Consequently, the complainant alleged that the subject exaggerated the number of patents for which he had applied. We found no substantive information that supported this contention. There was insufficient substance to pursue allegation 4.

We also reviewed information from the institution's inquiry into these allegations. The institution's report concluded that none of the complainant's allegations warranted investigation.

This inquiry should be closed and no further action will be taken.

cc: Integrity, IG

⁸ Paper 5 is [REDACTED]

[REDACTED] It was received by the journal
accepted for publication. Paper 6 is [REDACTED]

⁹ See footnote 5.