

## CLOSEOUT FOR M99090047

On 23 September 1999, we received an allegation of plagiarism. The complainant<sup>1</sup> alleged that the subject<sup>2</sup> copied text, equations, tables, and figures from two published papers<sup>3</sup> into his two NSF proposals to the Small Business Innovative Research (SBIR) program<sup>4</sup> without appropriate citations. Some of the tables and figures allegedly copied from the publications were slightly different in the proposals.

We wrote to the subject, seeking his comments on the allegation. The subject shared the allegation with his supervisors, and company representatives<sup>5</sup> asked to meet with us to provide information about the company's proposals. They explained that the company submitted many proposals to different agencies, and, although it attempted to make sure everything in them was correct, it was difficult to check every detail. The president informed us that he had "taken actions to insure improved quality of all [their] proposals."

In his written response, the subject explained that one of the authors of both publications<sup>6</sup> was formerly an employee of the subject's company and was currently a consultant. The proposals explicitly referred to the author as a participant in the proposals and the project. The subject said that the author had actively participated in the preparation of the proposals, under the subject's supervision, and had given him oral permission to use these materials. As a result, he did not believe he needed to cite the original sources. Further, the subject explained that the differences between some of the figures and tables were the result of continued collaborative research by his company and the author on the work described in the publications. As part of the subject's response, he included a letter from the author that confirmed this information.<sup>7</sup>

In our letter to the subject, we asked if he had ever submitted an identical or similar version of either of these proposals to any other federal agency. The subject provided copies of several proposals, one of which was essentially identical to one of the NSF proposals in this inquiry. We noted that this other proposal had been submitted to the National Aeronautics and Space Administration (NASA) one month after the NSF proposal,<sup>8</sup> but the subject had failed to indicate

<sup>1</sup> The complainant, [REDACTED] is a [REDACTED]

<sup>2</sup> The subject, [REDACTED] is the [REDACTED]

<sup>3</sup> The two publications are: [REDACTED]

<sup>4</sup> NSF proposal, [REDACTED] entitled [REDACTED] was signed and submitted by the subject as the sole PI to NSF on [REDACTED] NSF proposal, [REDACTED] entitled [REDACTED]

[REDACTED] was signed and submitted by the subject as the sole PI on [REDACTED]

<sup>5</sup> On 15 February 2000, [REDACTED] and [REDACTED]

[REDACTED] came to our office to provide additional information.

<sup>6</sup> [REDACTED] is presently employed at the [REDACTED]

<sup>7</sup> We contacted the consultant, who verified that he had written the letter with the supporting information.

<sup>8</sup> NASA proposal, entitled [REDACTED] was submitted by the subject as the sole PI on or after [REDACTED] It is essentially the same as NSF proposal, [REDACTED] entitled [REDACTED]

submitted to NSF on [REDACTED]

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on the NASA proposal that he had submitted the essentially identical proposal to NSF, which was still pending at the time. Like all SBIR agencies, NASA requires the company submitting a proposal to disclose all submissions of similar proposals to other agencies.<sup>9</sup> Because we do not have jurisdiction in this matter, we referred this information to the NASA OIG.

We determined that the subject's actions did not deviate from accepted practices in this case because the author, a former employee of and current consultant for the company, had been integrally involved in and aware of the preparation of the proposals in anticipation of being employed by the company if either proposal was funded; and the author had given the company permission to use the published material in the proposals. It is notable in this regard that, unlike other NSF proposals, SBIR proposals do not provide for Co-Principal Investigators.

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

c: Investigations, IG

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<sup>9</sup> NASA SBIR 99-1 Solicitations, Chapter 3 (3.2.4), Technical Proposal, Part 11: "Similar Proposals and Awards."  
"The offeror will inform NASA of related proposals and awards and clearly state whether the SBC has submitted currently active proposals for similar work under other Federal Government program solicitations or intends to submit proposals for such work to other agencies . . . ."