

## Closeout for M97050016

A program manager<sup>1</sup> notified OIG that he and another program manager<sup>2</sup> had received an e-mail from a scientist<sup>3</sup> notifying them that she was withdrawing as a collaborator on the subject's<sup>4</sup> pending proposal.<sup>5</sup> Her e-mail contained statements that we interpreted as an allegation that, in his proposal, the subject misrepresented the current state of knowledge in the field as well as his contributions to it.

We learned the scientist and the subject had worked together and they had published a paper together. The scientist, who was out of the country for a period of time near the deadline for submission of the proposal to NSF, apparently had not received a timely copy of the proposal from the subject before its submission. Nonetheless, she had agreed to collaborate with the subject on the project described in his proposal. When she received a copy of the proposal, she felt that some of the material the subject had incorporated into it originated from a draft manuscript (that was eventually published<sup>6</sup>) the subject had obtained from her co-author<sup>7</sup> while she was out of the country. She said the subject did not have permission to use information in his proposal that was cited to her and her co-author as "pers. comm." She believed that the subject was taking credit for her research, and that he misappropriated her research goals and projects by representing them as his own.

OIG compared the scientist's published paper with the subject's proposal. There was some similarity in the text and descriptions of results, and the subject had attributed the material in his proposal that overlapped to the scientist and her co-author as a "pers. comm."

We asked the subject for his explanation of the similar material in his proposal. The subject described his research with the scientist and a collaborator<sup>8</sup> and a resulting joint publication. He said he invited the collaborator and the scientist to be co-PIs on a future NSF proposal<sup>9</sup> and said he kept them informed about the nature of the proposal and his research intentions. He said the proposal was declined so he decided to revise and resubmit it. The subject wrote that he sent copies of his revised proposal (the proposal of concern to the scientist) to the collaborator and the scientist to examine so they could determine if they wanted to participate as co-PIs. The subject said he removed the scientist as co-PI due to time

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

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<sup>8</sup> (footnote redacted).

<sup>9</sup> (footnote redacted).

constraints related to her absence from the country. He told her the proposal probably wouldn't get funded and perhaps she could be a co-PI upon resubmission.

The subject explained the origin of the questioned material included in his proposal. He wrote that he was not aware of, nor had he seen, the scientist's manuscript when the proposal was submitted to NSF. He told us that the scientist's co-author had given him a copy of a document, and the subject said the document had been provided without restriction. (The co-author confirmed that he had given the subject the document without conditions on its use because he believed they were all collaborators). From his discussion with the co-author, the subject knew the scientist was involved in the project and therefore decided to reference them both in his citation, even though he had only spoken to the co-author and the document did not list any authors. He said other questioned information in his proposal came from an e-mail message the scientist had mailed to him of her own volition, without conditions while they were collaborating.

We compared the subject's proposal to the document the co-author provided to him. The subject's proposal contained information originating from the scientist's and co-author's document and which he cited as "pers. comm." Although the subject could have cited the document as "unpublished" rather than "personal communication," the subject gave credit to the scientist and her co-author for the ideas of theirs that he used in his proposal.

We also examined the subject's most recent proposal (see fn. 5) that is a resubmission of the proposal in question. In this third proposal, the subject has removed some of the information that he had attributed to the scientist. The information from the document that remains in the proposal is now cited to the scientist's and co-author's published paper.

Regarding the allegation that the subject misappropriated the scientist's research goals, we note that the subject, scientist, and co-author have all previously collaborated and jointly published papers on projects closely related to the research described in the subject's proposal. Indeed, it was likely that the scientist, co-author, and subject would collaborate on the research described in the subject's proposal. The subject acknowledged the co-author (who has been practicing in this area for longer than either the subject or scientist) for the general direction and goals of the project. It is also very probable that the research goals of these individuals became aligned during their collaboration. Finally, as noted above, the subject referenced the scientist and co-author for the information that he obtained from their document.

Based on the information we have, this inquiry is closed and no further action will be taken on this case. However, we informed the subject that his actions of including information from the scientist's documents, when it was assumed that they would be working together, and then removing the scientist as a co-PI while

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keeping in his proposal the same level of research that the scientist would have performed under the collaboration, were less than collegial.

cc: Legal, AIG-Oversight, IG