

CLOSEOUT FOR M00010002

This matter was raised with OIG in an August 22, 1996, letter the complainant¹ sent us in connection with another misconduct case. In her letter, the complainant raised the possibility that the subjects² had committed misconduct in science by engaging in a pattern of selective citation that exaggerated the originality of the subjects' contributions to their field.³ The complainant further alleged that the subjects, in widely circulated private correspondence, had recklessly claimed that the complainant had "duplicated" their work and that their claim had harmed her reputation and adversely affected her career.

The complainant and the first subject are former collaborators. Since their collaboration ended, each has done work that draws on and develops ideas they used jointly in their collaboration, and, in doing so, each has cited the other's work. The complainant affirms that the subject has made valuable and original independent contributions that build on their joint work and that scientists have considerable room for discretion in choosing what prior research to cite. However, the complainant suggests that the subjects (1) deliberately slighted the complainant's contributions; (2) recklessly alleged that the complainant committed misconduct by "duplicating" the subjects' work; and (3) unreasonably persist in their allegedly erroneous views of the literature and the complainant's contribution to it while ignoring evidence adduced by the complainant to refute that view. The complainant argues that, in view of their allegations, the subjects have a special responsibility to be scrupulously thorough and fair in their consideration of prior literature.

OIG considered and rejected the possibility that the subjects' actions, taken together, might constitute misconduct in science. We concluded that the complainant's inference that the subjects had intentionally distorted the literature was unwarranted and that, if the subjects' account of the literature was indeed distorted, there were numerous other possible explanations for this.⁴ We determined that any allegedly reckless allegations by the subjects did not occur in the course of proposing, carrying out, or reporting on activities funded by NSF and therefore fell outside our jurisdiction. We concluded that the subjects made significant

¹ Dr. [REDACTED] of the [REDACTED]

² Dr. [REDACTED] of the [REDACTED] at the [REDACTED] (the first subject) and Dr. [REDACTED] of [REDACTED] Company (the second subject).

³ In their paper, "[REDACTED]" ([REDACTED]), the subjects acknowledge support from NSF grant [REDACTED] to the first subject. [REDACTED] is entitled "[REDACTED]"

⁴ Among these are good-faith scientific differences about the significance of different past contributions, personal animosities, and disinclination to attend closely to an unpleasant and contentious issue.

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acknowledgement of the complainant's contributions and, in light of this, their alleged failure to be scrupulously thorough and fair in their accounts of past work, though regrettable if true, could not be construed to be misconduct in science.

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

Cc: Integrity, IG