

CLOSEOUT FOR M-96090023

On 5 September 1996, an NSF Deputy Division Director (DDD)¹ brought OIG a letter from complainants 1 and 2.² The complainants alleged that an NSF program officer³ (the first program officer) mismanaged their Small Grants for Exploratory Research (SGER) proposal.⁴ Specifically, the complainants alleged that the first program officer: 1) delayed processing the SGER proposal so that other applications on the same topic could be considered, reducing the chances that their proposal would be funded; 2) failed to inform the complainants of the SGER proposal's declination in a timely fashion; 3) reviewed the SGER proposal externally, which, according to the complainants, was not permitted; and 4) intentionally distorted, manipulated, and misinterpreted information contained in their SGER proposal so that it would be declined.

Allegation #1: OIG was informed that NSF expected decisions on SGER proposals to be made in less than the 6 months. The processing of the complainants' SGER proposal took about 5 months. The complainants claimed that the first program officer told them that it would be processed in 2 to 3 months.

SGER proposals, which are intended for exploratory and/or high risk innovative research projects, are internally reviewed by an appropriate program officer. According to the SGER program guidelines, a PI is encouraged to consult with the appropriate program officer before submitting a proposal in order to determine whether the proposed project would be appropriate. As such, SGER proposals are not in competition with unsolicited basic research proposals.

OIG learned that, in this case, the first program officer had encouraged the complainants to submit the SGER proposal describing an idea that appeared in the complainants' earlier declined standard NSF proposal.⁵ After the complainants submitted the SGER proposal, its processing involved several steps. First, the first program officer

¹ [REDACTED] is the Deputy Director in the Division of [REDACTED] Directorate [REDACTED]

² Complainant #1 is [REDACTED] and complainant #2 is [REDACTED] Both work in the [REDACTED]

[REDACTED] (the first program officer) was, at the time, a program officer in the [REDACTED] Directorate [REDACTED] The first program officer was employed by NSF under the Intergovernmental Personnel Act and has since returned to his home institution.

⁴ The complainants' NSF proposal [REDACTED] is entitled [REDACTED]

⁵ NSF proposal [REDACTED] entitled [REDACTED] was submitted by complainant #1 as the PI and complainant #2 as the co-PI. It was declined.

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explained that, after reviewing the complainants' SGER proposal, he requested that the complainants provide additional information to strengthen it. According to the first program officer, the complainants provided additional information, but it was not what he had asked for. Second, although the first program officer disagreed with some of the complainants' interpretations in the SGER proposal and was inclined to decline the proposal, he asked a second program officer⁶ for an opinion. Third, the first program officer explained that, after the second program officer reviewed the proposal and agreed that it should be declined, the first program officer continued to wait for the complainants to provide the information he had originally requested, which they did not do. Fourth, the processing of the SGER proposal's file coincided with, and became commingled in, the processing of a large number of unsolicited basic research proposal files, increasing the time for the program's written notification to the complainants about the declination decision. All of these steps increased the processing time for the complainants' SGER proposal. There is no substance to the allegation that the first program officer delayed the SGER proposal so that other applications on the same topic could be considered, reducing its chances for funding.

Allegation #2: The complainants alleged that they did not receive notification of the SGER proposal's declination in a timely fashion and that the submission date for their proposal on NSF's FastLane was incorrect. The complainants explained that they called the NSF program about 3 months after the proposal had been submitted to find out about their SGER proposal's progress and were told that it had been declined. The complainants subsequently received written notification of its declination. OIG determined that it is common practice for NSF programs officers to inform PIs orally about recommended decisions prior to official written notification. In this case, the complainants called the program and received the information. OIG concluded that there was no substance to the allegation that the first program officer failed to notify the complainants of their proposal's declination in a timely fashion.

The complainants explained that NSF's FastLane listed their SGER proposal's submission date as several months after they had sent it to NSF. When proposals are received by NSF they are logged-in by the Proposal Processing Unit (PPU) and then by the Division into NSF's computerized database. OIG learned that, although the complainants' proposal had been entered into the database appropriately by PPU, the first program officer had failed to enter the proposal into the database for the Division because he was unaware that this was necessary. When the first program officer's failure was discovered, the Division logged-in the complainants' SGER proposal. We were informed that the submission date for proposals that appears on NSF's FastLane is generated at the time all required input data for a proposal are entered into the computerized database. Therefore, NSF's FastLane submission date the complainants' observed was that date on which the

⁶ The second program officer [REDACTED]

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Division made the final entry of information about the SGER proposal. The DDD wrote to the complainants explaining these events. OIG concluded that the first program officer's failure to log-in the complainants' proposal in the Division was an honest mistake.

Allegation #3: The complainants claimed their SGER proposal was reviewed externally, an action that they alleged is not permitted. The second program officer explained that she observed several discrepancies between the complainants' SGER proposal and their earlier standard NSF proposal. In one instance, she noted that a co-author on one of the complainants' manuscripts listed in the earlier proposal, was not included as a co-author on the same manuscript in the SGER proposal's references. She contacted the co-author⁷ to learn more about the manuscript and his collaborations with the complainants. She said she did not discuss the complainants' SGER proposal or ask the co-author to review the proposal. The co-author provided the second program officer with his negative assessment of his prior collaborative effort with the complainants, a portion of which was described in the SGER proposal. The second program officer's diary note indicates that her declination recommendation was, in part, based on the information she received from the co-author. The co-author followed up the discussion with a written summary of this research effort.

OIG learned that, at the time of the division level signoff on the declination, the DDD asked the program officers to explain the consultation with the co-author and any use of the information obtained from the co-author in arriving at the decision to decline. The requested explanation was provided and the DDD concluded that the explanation "did not reflect particularly good judgment, but did not, [the DDD] felt, represent a reason to question the decision to decline the SGER proposal." OIG concluded that the DDD's timely review of the procedures followed by the program officers, in this case, ensured that NSF's decision was appropriate and that any deficiencies in the proposal handling process would be corrected by the program.

Allegation #4: The complainants listed six points they thought showed that the first program officer intentionally distorted, manipulated, and misinterpreted information in the SGER proposal. OIG determined that five of the points involved disagreements between the first program officer and the complainants over the interpretation of data or experimental techniques. Because of the first program officer's own concerns about their disagreements, he requested an independent evaluation of the SGER proposal by the second program officer. Honest disagreements over interpretations and experimental techniques are neither uncommon nor aberrant and are not considered matters of misconduct in science.

The sixth point involved what the complainants termed the first program officer's "tone," in particular, his alleged use of the term "[REDACTED]." They believed the use of the term "[REDACTED]" showed that the first program officer was questioning their ability to interpret data

⁷ [REDACTED]

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and doing it in an accusatory fashion. The complainants suggested that the first program officer's rejection of the SGER proposal was related to this earlier alleged comment. Although we considered it to be exceedingly unlikely that there was anything inappropriate about the first program officer's purported use of the term "[REDACTED]" we nevertheless endeavored to address the complainants' concerns. The first program officer told OIG he could not remember using this term. OIG's review of the complainants' earlier NSF proposal showed that one *ad hoc* reviewer, who rated it as poor, stated that "[t]his suggests that the pattern of [the [REDACTED]] presented as preliminary data may be [REDACTED] [sic]" We have no evidence that the first program officer used the term in his discussions with the complainants, but, if he did, it was likely that he was repeating the reviewer's comment from the earlier proposal.

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

cc: staff scientist, AIG-Oversight, legal, IG.