



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A03060039

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In April 2003, we received an anonymous allegation that a Program Director (PD)¹ had allowed panel reviewers to participate in the evaluation of, discussion of, and voting on proposals from their home institutions, which was a conflict of interests (COI). We reviewed the panels the PD ran to determine which reviewers might be conflicted with which proposals. We found one of the PD's panels² in which two reviewers (reviewer1³ and reviewer2⁴) were not recused from discussions and voting on proposals from their home institutions.

We spoke with the PD who said he had prepared a COI list, but he had not included reviewers who were from the same institutions as the PIs and co-PIs because he was not aware COIs extended to everyone at the same institution; he thought the COI only applied department-wide. We discussed with him NSF's form 1230P and explained his incorrect interpretation of COIs.

In addition to NSF Form 1230P, which the panelists were required to sign and return, the panelists were briefed on COIs by a different Program Director in the PD's division.⁵ Despite these two measures, reviewer1 and reviewer2 were not recused from the panel when proposals from their home institutions were discussed and voted upon.

We wrote to the two reviewers seeking their explanations. Reviewer1 said she did not know the PI from her institution, but once she recognized he was from her institution she neither discussed nor voted on his proposal. Reviewer2 said he had taught ethics and therefore determined for himself that he did not have a COI. Thus, he did not recuse himself from discussion or from voting. He noted his vote did not make a difference though. Reviewer2 essentially acknowledged that rather than following NSF policy, he used his own definition of a COI, applied his definition to himself, and determined for himself his lobbying and voting positively

¹ (footnote redacted).

² (footnote redacted).

³ (footnote redacted).

⁴ (footnote redacted).

⁵ (footnote redacted).



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for a proposal from his own institution was not a COI.

Since the panel minutes did not record individual votes, there is no way to disprove reviewer1's account, and the allegation against her is not sustainable. Since reviewer2 admitted he did not follow NSF's policy, we sent him a letter explaining why NSF has a COI policy and it was up to NSF interpret it, not him. We advised him to follow NSF's guidance the next time he reviews proposals for it. This case is closed.