



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A11060046

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NSF OIG received an allegation that: NSF grant recipients¹ (PI² and Subject³) did not comply with NSF data sharing policy; the Subject falsified/fabricated his research; the cognizant PO⁴ had a conflict of interest (COI) in enforcing the data sharing policy; the Subject's University⁵ is not enforcing federal data sharing laws; and the University retaliated against a Complainant for being a whistleblower.

We reviewed the award letter and the then relevant NSF policies, interviewed the PO, contacted the Subject, and requested information from the University.

Based on our review, the Subject, who was at the time a graduate student, was not aware of the award language and believed in good faith he had satisfactorily addressed requests for access to award data. In addition, data requests were made approximately seven years after the award's final report submission. We found the Subject's handling of the data reasonable under the circumstances, and sent him a letter reminding him of NSF's requirements regarding data sharing and data retention on all current and/or future NSF awards.

Regarding the allegation of data fabrication/falsification, we reviewed and concurred with the University's 2007 inquiry conclusion⁶ that found no evidence of fabrication or falsification.

Regarding the remaining allegations, we found no evidence to substantiate that the PO favored the PI and Subject in this matter due to a COI, or that the University is not enforcing data sharing laws. We also determined that the whistleblower retaliation matter is outside our jurisdiction.

Accordingly, this case is closed.

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the Subject's dissertation research overseen by the PI.

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⁶ Institutions are not required to inform NSF OIG of inquiries that do not result in investigations.

The award, though awarded to the PI, funded