



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: I03110046

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On 29 October 2003, an NSF employee<sup>1</sup> contacted NSF's Designated Agency Ethics Official<sup>2</sup> (DAEO) to discuss a possible conflict of interests. The employee explained that she was serving on a Technical Review panel for a contract. When filling out the annual financial disclosure form she became aware that her husband held stock in one of the companies bidding for the contract. The company's stock is not publicly traded, and her husband's stock was worth approximately \$120,000.

The DAEO advised the employee that she did indeed have a conflict and should recuse herself from the panel. The DAEO promptly notified OIG of the possible criminal violation of 18 U.S.C. § 208.

We interviewed the employee. She stated that during the course of filling out her annual financial disclosure form she realized that she needed to also include any stock/shares held in any retirement fund. She stated that her husband was a former employee of a privately held company,<sup>3</sup> which had submitted a bid for the [REDACTED] contract. She had been aware that he used to work for the company but had been unaware that his retirement account with the company consisted of company stock. She stated that she followed the DAEO's advice and recused herself from the panel and returned all documents.

We concluded that because the employee (1) was unaware of her husband's financial interest when she participated in the panel, and (2) followed the DAEO's advice and recused herself from the panel and returned all documents, there is no violation. Accordingly, this case is closed.

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<sup>1</sup> footnote redacted

<sup>2</sup> footnote redacted

<sup>3</sup> footnote redacted