

CLOSEOUT FOR M91110044

In [REDACTED] 1991, [REDACTED], the subject and a faculty member at [REDACTED], contacted OIG to discuss her concerns about a letter authored by [REDACTED], an employee of [REDACTED] and a paid consultant on the subject's NSF grant [REDACTED], entitled "[REDACTED]" [REDACTED] The subject said that the letter contained slanderous information about her and that NSF program officers were among the recipients of the widely distributed letter.

Shortly thereafter OIG determined that two program officers, [REDACTED] and [REDACTED], then program officers in the [REDACTED] Program within the Division [REDACTED] in the Directorate [REDACTED] had received the consultant's letter, and that it had been placed in the subject's grant jacket. OIG reviewed the grant jacket and removed the letter, selected diary notes about this matter, and electronic mail messages exchanged by one of the program officers and the subject that discussed the contents of the letter. These materials were placed in OIG's confidential file on the case.

Upon reviewing the letter, OIG determined that the primary focus of the consultant's concern was a proposal to a private foundation, naming the consultant and the subject as co-PIs, that had been written by the consultant. The proposal had been solely awarded to the subject. OIG learned that after the two had decided to submit a joint proposal, the subject had given the consultant two of her previous proposals to assist the consultant's preparation of the private foundation proposal. Text from the two proposals appeared in the private foundation proposal. One of the factors influencing the foundation's decision to make the award to the subject was that the consultant was relocating to another country which would make it more difficult for her to participate in the project. OIG concluded that the consultant's objections to the private foundation's decisions were not NSF-related and not within NSF's jurisdiction.

In her letter, the consultant also made a variety of negative comments about the subject's general ability to conduct her research. She claimed that the subject was inexperienced and found it difficult to perform her research without the consultant's assistance, that she relied on the consultant's assistance when preparing part of her NSF grant, that she spent insufficient time "in the field," and that the subject's actions adversely affected the careers of several graduate students.

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The subject contacted OIG and provided a copious amount of material responding to these comments. OIG learned that the NSF award was the subject's first and that the award described anthropological field studies in a foreign country which were to be performed while the subject was both on- and off-site. She had consulted with a number of scientists when preparing her grant and had budgeted funds for the consultant in her grant. She had employed the consultant to assist her in selected aspects of the NSF-funded research.

The consultant lived in the foreign country where the subject's research was conducted and was able to provide oversight on the project during those extended periods of time when the subject was required to be at her US institution. Eventually the two developed a more collaborative relationship which resulted in the joint submission of the private foundation proposal. Unfortunately, the consultant also began to move the subject's research project in directions the subject disagreed with, and these disagreements eventually led to the subject's dismissal of the consultant. The consultant wanted to have, or permitted, two graduate students to work on the subject's NSF-supported project. The latter occurred without the subject's knowledge. OIG learned that after becoming aware of the consultant's decisions the subject objected to the students' planned or actual participation in her project.

OIG determined that the negative comments the consultant made about the subject's ability and research progress on her NSF grant in the letter received by the program officers were focussed on her grant management skills. These skills are most appropriately evaluated by program officers, and are reflected in a PI's research progress and results. Each year of a multi-year award, PIs are required to submit a progress report that describes their progress in that year. They must submit a summary of progress on prior NSF grants in a *Results from Prior NSF Support* statement that accompanies subsequently submitted NSF proposals. Program officers evaluate each progress report prior to providing the subsequent year's funding on multi-year awards, and *Prior Support* statements are evaluated by peer reviewers and program officers as part of the competitive peer review that is integral to the funding process. Hence, the issues raised by the consultant in this case are not a matter for OIG's consideration.

Materials provided by the subject suggested that the consultant had not reimbursed the NSF grant for all the funds the subject had advanced to the consultant and that the consultant was not releasing data to the subject that was collected under the subject's NSF award. The subject reviewed her financial records and determined that, while the funds had not been reimbursed to the NSF grant, the consultant had spent it on salaries for two of the subject's research assistants. OIG subsequently learned that the consultant had deposited the data at the research institution with which the subject was affiliated thereby providing her free access to the data.

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Excluding the financial and data access issues, OIG concluded that the other issues raised in this case were either grant management issues most appropriately assessed by program staff or did not fall within NSF's jurisdiction. OIG learned that both the financial and data access issues had been satisfactorily resolved and there was no need for OIG to pursue them further.

Therefore, OIG closed this inquiry, and no further action will be taken in this case.

cc: Staff Scientist, Deputy AIG-Oversight, AIG-Oversight, IG