

Closeout for M94100031

This case came to OIG on October 2, 1994, when [REDACTED] of [REDACTED] (the complainant) sent an electronic mail message to us concerning a possible conflict of interest by a reviewer of a proposal he submitted. The complainant had received a poor rating from one reviewer for his proposal [REDACTED] entitled [REDACTED]. " He expressed concern that [REDACTED] of [REDACTED] (the subject), who has competed with the complainant for certain industrial work, might have reviewed the proposal unfairly. He opined that this competitive relationship constituted a conflict of interest that should have disqualified the subject as a reviewer.

Choosing to review a proposal despite the alleged conflict involved in this case does not violate NSF rules. This decision falls in a grey area where individual judgments about what constitutes a conflict of interest may reasonably differ. Even if the complainant's suspicion about the reviewer's identity were accurate and the complainant's allegation of a competitive relationship were correct, the subject would be guilty of no more than bad judgment in not alerting the program officer to the competitive relationship and choosing to review the proposal.

OIG decided that, even if the complainant's suspicion about the reviewer's identity were correct, we would not recommend that NSF reevaluate its decision to decline the proposal. The program officer has told OIG that, even if the reviewer in question had rated the complainant's proposal excellent rather than poor, the proposal would have been declined based on the content of the other reviews. He also explained that other reviewers who gave the proposal low ratings had not been influenced by the reviewer's opinion. Even if this review were biased by conflict of interest, there would thus be no need for NSF to reevaluate its decision to decline the proposal, as this decision is amply supported by the record independent of the review in question.

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

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