

CLOSEOUT FOR CASE M-95050016

On 24 April 1995, OIG received allegations of misconduct in science in a letter from the complainant,¹ that focused on the processing, declination and reconsideration of her NSF proposal.² The complainant alleged that the program officer, subject #1,³ along with the five *ad hoc* reviewers of her proposal, failed to follow NSF's policies and procedures in evaluating her proposal and, as a result, they discriminated against her by not providing a fair evaluation of her proposal based solely on its scientific merit. According to the complainant, this included subject #1's failure to use a 24-page version of her proposal (a preproposal) and 4 volumes of supplementary documents when he reviewed her proposal. She had provided subject #1 with this additional information 1 week before she submitted her proposal. She further alleged that the cognizant Assistant Director (AD), subject #2,⁴ failed both to provide a fair reconsideration of her proposal's substance and to assess fairly and impartially subject #1's and the *ad hoc* reviewers' evaluation of her proposal.

OIG reviewed the complainant's proposal jacket including her preproposal and supplementary documents and additional information she provided in support of the allegations. In addition, OIG reviewed the documentation in support of the conclusions of the two reconsiderations requested by the complainant: the initial reconsideration conducted by subject #2 to reevaluate subject #1's and the *ad hoc* reviewers' declination decision and the subsequent reconsideration handled by NSF's Deputy Director (DD) to examine subject #2's reconsideration decision. We also interviewed subjects #1 and #2.

Subject #2's reconsideration reviewed the complainant's concerns about subject #1 and the *ad hoc* reviewers. First, subject #2 determined that subject #1's selection of reviewers was appropriate and that they were "competent and knowledgeable" in the area of study represented by the complainant's proposal. Second, subject #2 determined that subject #1 acted appropriately when he did not use the preproposal and supplementary documents in the review of the complainant's proposal. NSF's *Grant Proposal Guide* imposes a strict format for all proposals including a 15-page maximum for the project description.⁵ Because the complainant had not

¹ The complainant, [REDACTED] is [REDACTED]

² The complainant's declined NSF proposal [REDACTED] was entitled [REDACTED]

³ Subject #1, [REDACTED] is [REDACTED]

⁴ Subject #2, [REDACTED] is [REDACTED]

⁵ On page 5, NSF's *Grant Proposal Guide* (NSF 94-2) states that "the Project Description . . . may not exceed 15 pages." Further, it states that "Conformance to the 15-page limit will be strictly enforced and may not be exceeded unless the deviation has been specifically authorized" (page 5). On page 3, it states that "Any

CLOSEOUT FOR CASE M-95050016

obtained the required written waiver from the cognizant AD or designee to exceed the 15-page limit for her proposal, subject #1 was justified in not including the additional information, which would have resulted in her proposal exceeding the maximum number of pages. Finally, subject #2's reconsideration included an analysis of the *ad hoc* reviewers' comments that showed they did adhere to the National Science Board's criteria for the evaluation of an NSF proposal. Subject #2 concluded that the complainant's proposal was submitted, accepted, and reviewed normally and fairly. He found that the complainant's proposal did take over 8 months to process, but concluded that there was no evidence that subject #1 had delayed the process intentionally. Subject #1 explained to OIG that the complainant had included in her proposal a list of scientists to exclude from the review of her proposal. Because many of these scientists were experts in the field of study represented by her proposal, subject #1 said that he had difficulty selecting reviewers.

The DD's reconsideration included a review of the complainant's concerns about subject #2's handling of the initial reconsideration as well as a review of the complainant's original concerns about the processing and review of her proposal. The DD agreed with subject #2's conclusions that the complainant's proposal had been processed normally and evaluated fairly. The DD also found that two of the five *ad hoc* reviewers used to review her proposal had been suggested by the complainant and that the *ad hoc* reviews were uniformly negative in describing her proposal's lack of clarity and novelty. The reconsideration analysis stated that "[t]he review ratings and narrative evaluations substantiate [subject #1's] determination that this proposal [was] non-competitive, and the decision not to fund it." The DD upheld the original declination decision. In addition, subject #2's alleged mishandling of the initial reconsideration was determined to be unsubstantiated and no evidence was found for any discrimination against the complainant by subject #1, subject #2, or the *ad hoc* reviewers.

OIG concluded that there was no substance to the allegations that subject #1 or the *ad hoc* reviewers had discriminated against the complainant either by 1) not providing a fair evaluation of the scientific merits of the proposal, or 2) failing to follow NSF's policies and procedures in evaluating the proposal. OIG concluded that there was no substance to the allegations that subject #2 failed to provide a fair evaluation of the proposal's substance or that subject #2 failed to assess fairly and impartially subject #1's and the *ad hoc* reviewers' evaluation of her proposal.

This case was closed and no further action will be taken.

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

deviations from these instructions [including the page limits] must be authorized in advance by NSF." In this case the authorization would have required the "written approval of the cognizant NSF Assistant Director or designee" (page 3).