

Closeout for M96060017

The Assistant Director (AD)¹ sent a memorandum to the Inspector General on June 24, 1996, requesting an investigation of allegations of misconduct that a PI (the complainant) made concerning the review and reconsideration of his declined proposal.² The subjects of the inquiry are the two program managers³ responsible for the review and evaluation of the proposal.

Based in part on the merit review panel's assessment, the program managers declined funding for the PI's proposal. The PI disagreed with the panel's scientific assessment of his proposal and wrote to one of the program managers. The PI claimed that the panel's scientific statements were wrong and that the panel was probably negatively biased by a panel member⁴ who was hostile to his group. At first, he requested a reconsideration, but then withdrew his request and decided to resubmit the proposal. However, the program managers reexamined his proposal, the individual panelist's reviews, and the panel summary for bias and accuracy. They reported to the PI that the panel was not biased against him and tried to justify some of the reasons for the declination of his proposal. Unhappy with their response, particularly the explanation of the panel's scientific criticism, the PI renewed his request for a reconsideration on scientific grounds. The proposal was reevaluated by a different merit review panel (composed of some new members in addition to some of the previous panel members) who, in agreement with the previous panel's evaluation, expressed doubt that the PI's proposal was theoretically and experimentally realizable. The PI wrote to the AD and said that the panels had "falsified facts" and that his and the panels' differing views should be not considered as disagreements between experts, but rather as misconduct in science. The PI also suggested he had been discriminated against and requested a reconsideration from the AD. As stated above, the AD referred the allegations to OIG. The AD reported that the reconsideration upheld the original decision to decline the proposal.

After speaking with the PI, OIG learned that he was not making an accusation of misconduct in science *per se*, but rather was alleging improprieties in the review and reconsideration of his proposal. The PI suggested that the panels' review of his proposal was biased and incorrect, and that the reconsideration addressed only procedural and not substantive issues. OIG agreed with the PI that this was not a misconduct case and treated this inquiry as an oversight matter.

¹ Footnote redacted.

² Footnote redacted.

³ Footnote redacted.

⁴ Footnote redacted.

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OIG reviewed the individual panelists' proposal evaluations, the two panels' summaries, and independently interviewed both program managers. The panelists had a broad range of expertise that drew from three different fields of science with backgrounds sufficient to review the content of the PI's proposal, and included both theoreticians and experimentalists. Additionally, one of the panelists had expertise on the specific topic of the proposal.

None of the documents contained any statements that should be interpreted as discrimination by the panels against the PI. Both program managers said that no one on the panel made any derogatory, discriminatory, or biased comments against the PI and that the evaluation was based only on a scientific assessment of the proposal.

The PI disputed the panels' criticism of his methodology and said that it was an "established fact" that his methodology would give him the results he sought. One of the program managers said that in instances where there is a disagreement as to what constitutes an established fact, and "there was no obvious error on the part of the contendeers, the fact should not be considered established." The program managers said that it was not just the opinion of one panelist, but the entire panel that contended the "established fact." The program managers stated that they relied on the panels' opinions that the PI's theoretical model was inadequate to describe his proposed experiment.

The PI alleged that the panel attributed scientific statements to him that he did not make in his proposal, and then used those ("falsified") statements as justification for a bad rating. The "falsified" statements were about the mathematical assumptions upon which the theoretical model in the PI's proposal was based. The PI did not specifically state the mathematical assumptions the panel criticized in the Panel Summary. However, it was the unanimous opinion of both panels that the PI's model was based on prior work that incorporated the questioned mathematical assumptions, and therefore, the PI was incorrect in judging what mathematical assumptions were required by his model. The program managers agreed with the panels' opinion.

OIG concluded that:

- there was no obvious bias in the panels' unanimous conclusions that the PI's proposal was scientifically flawed;
- neither panel discriminated against the PI; the negative rating of his proposal was for scientific reasons; and
- during the review, evaluation, and reconsideration of the PI's proposal, both procedural and substantive issues were addressed.

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

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