

## CLOSEOUT FOR M98070018

On July 7, 1998, OIG received an allegation from an NSF program officer<sup>1</sup> that the subject<sup>2</sup> may have committed misconduct in science. It was alleged that after submitting a proposal<sup>3</sup> to another agency,<sup>4</sup> the subject submitted a nearly identical proposal<sup>5</sup> to NSF without disclosing that fact as required on the NSF proposal cover page or in the *Current and Pending Support* section. Neither proposal was funded.

The substantive texts of both proposals were strikingly similar. The primary difference between the two proposals was the omission from the NSF proposal of about a page of material that appeared in the other proposal. The project summaries for the two proposals were also identical except for different rationales for the relevance of the work to each agency. We wrote the subject and asked him why he submitted largely identical proposals to the two agencies, and did not indicate that fact on either the cover page or the *Current and Pending Support* sections of the NSF proposal, which was submitted more than a month after the proposal to the other agency.

In his response, the subject explained that at the time he submitted the proposals, he had been attending several meetings abroad and was thus under extreme time pressure; as a result, he had not examined those pages very thoroughly. In our view, the subject had not sufficiently explained the failure to disclose the largely identical proposal, and accordingly we found that there was sufficient substance to warrant further inquiry. We deferred that inquiry to the subject's institution,<sup>6</sup> which was in the best position to determine whether this was an isolated instance of duplicate proposal submission, or part of a pattern. In deferring the inquiry, we indicated that the actions in question could be considered misconduct in science, or administrative misdeeds.

The subject's institution initiated a "preliminary investigation," which was conducted by a "preliminary investigating officer." In addition to examining the events leading to the duplicate proposal submission discussed above, the preliminary investigating officer considered whether the subject made the required disclosures in the cover sheets and *Current and Pending Support* sections of 15 other proposals that the subject had submitted to federal agencies.

The preliminary investigating officer determined that the subject had not personally filled out either the duplicate proposal box or the *Current and Pending Support* form; rather, he relied on two administrative assistants who prepared these documents based on previous grant applications and records that they maintained. Although the subject had an opportunity to review and make changes on these documents, he failed to undertake a thorough review or institute a better tracking system. As a result of relying on this procedure, almost all of the proposals examined had errors

---

<sup>1</sup> [Redacted].

<sup>2</sup> [Redacted].

<sup>3</sup> [Redacted].

<sup>4</sup> [Redacted].

<sup>5</sup> [Redacted].

<sup>6</sup> [Redacted].

## CLOSEOUT FOR M98070018

or omissions in the *Current and Pending Support* section. Among these proposals there was only one other set of duplicate proposals. Although the duplication was not disclosed on the cover sheet, only one of these proposals was funded, so, as was the case for the duplicate proposals previously brought to OIG's attention, there was no issue of receipt of duplicate funding.

The preliminary investigating officer believed that the subject's actions were errors, and that the individual errors were not committed knowingly. However, she concluded that the subject knowingly adopted a procedure that would lead to the errors. Therefore, in the officer's view, the subject used a procedure that produced a high frequency of errors, and was "sufficiently divergent from acceptable practices" to fall within NSF's definition of misconduct in science, even though the errors were in a section that does not have an impact on the scientific integrity of the proposal. The officer believed, however, that the fact that the errors were not in the scientific portion of the proposal should be considered in determining the appropriate sanctions. Moreover, because the officer found only one other instance of duplicative submissions, she characterized the subject's actions as a pattern of inattention to detail, rather than an effort to hide attempts to receive duplicate funding. She considered his behavior to be misconduct in science.

Based on the report of the preliminary investigating officer, the Chancellor<sup>7</sup> of the institution formally censured the subject. In addition, the Chancellor required that the subject's future proposals to all funding organizations be reviewed and certified by the Dean for a period of three years. The Chancellor, however, did not express his views as to whether the subject had committed misconduct in science; he did not adjudicate the preliminary investigating officer's conclusion.

In OIG's view, the main finding of the preliminary investigation was that the subject repeatedly failed to identify errors in the *Current and Pending Support* sections of his proposals, and failed to disclose duplicative submissions in two instances. This pattern of errors was the result of a faulty procedure in which he did not review documents prepared by administrative assistants. The subject's proposals usually had errors in the *Current and Pending Support* section; the errors were not limited to the duplicative submissions. The errors did not affect the scientific integrity of the proposals, nor did the subject knowingly intend to hide duplicative submissions. While we agree that the use of such a faulty procedure was unacceptable, our conclusions are independent of the institution's report, and we believe this case is best characterized by the subject's negligent submission of undisclosed duplicative proposals.

We believe that the Chancellor's censure of the subject, and required review and certification of the subject's proposals, are sufficient to protect the government's interest in ensuring that the subject's future *Current and Pending Support* sections are accurate and that duplicative proposals are neither funded nor submitted without disclosure.

---

<sup>7</sup> [Redacted].

## **CLOSEOUT FOR M98070018**

Moreover, the subject has apologized for his actions and has undertaken to improve the accuracy of his submissions. Accordingly, this inquiry is closed and no further action will be taken.

cc: Integrity, IG