



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: A13030043

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A research scientist from an outside institution, on duty at NSF as an NSF Program Officer<sup>1</sup> (PO) pursuant to an Intergovernmental Personnel Act assignment, ignored guidance provided to her by the Designated Agency Ethics Official (DAEO) and her division Conflicts Official (CO) with regard to the management of a cooperative agreement on which her home institution was a subawardee. The DAEO and CO told her that her role was limited to providing subject matter technical expertise and that she could not participate substantially in the management of the agreement. However, her section head<sup>2</sup> subsequently told her that she could do everything regarding managing the award except sign documents uploaded to the NSF eJacket award management system. Two fellow program officers<sup>3</sup> also followed the section head's guidance and facilitated the Subject's participation.

Her activities included attending project oversight committee meetings with awardee and subawardee representatives (including from her home institution). She also reviewed numerous quarterly reports and funding requests, and drafted analyses and funding recommendations for fellow POs to sign and upload, which included funding for her home institution. Contemporaneous emails from the Subject, the section head, and one of the two fellow POs who acted as the PO of record for the cooperative agreement at various times<sup>4</sup> indicate that they were aware that the Subject continued to engage in conduct that was inconsistent with advice provided by the CO and DAEO, and thought that they could maintain an appearance of compliance by attaching an unconflicted PO's name to emails drafted, determinations made, and actions taken by the conflicted PO.

The PO's conduct established an apparent violation of 18 U.S.C. § 208. We therefore referred the matter to the Department of Justice, which declined prosecution. The Subject's conduct also established an apparent violation of the administrative conflict-of-interests standards. We recommended NSF review these violations and determine if the PO, her fellow POs, and the section head violated conflicts standards, and if so, take appropriate action. NSF determined that the PO, her section head, and one fellow PO<sup>5</sup> did violate the standards, and took administrative action against them appropriate under the circumstances (all three had either returned to their home institutions or retired).

Accordingly, this case is *closed*.

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]