



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: I-18-0084-O

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We initiated this investigation pursuant to an allegation from another agency regarding the principal investigator (PI) on an NSF SBIR Phase I award. An initial review of eJacket revealed the PI may have held a full-time position as an associate professor at a university during the period of the Phase I award in violation of the SBIR program's primary employment requirement.

We interviewed the PI, who admitted to holding a full-time position as an associate professor during part of the Phase I award. The PI stated he believed he had not violated the primary employment requirement because he took enough time off from the university to work 100% of his time for the small business so that his aggregate time with the small business was more than 50% over the duration of the award. The PI subsequently provided documentation of the time he took off from the university.

We referred the case to the appropriate U.S. Attorney's Office for civil prosecution, which declined to take the case. We provided the PI and small business with a Questionable Practices letter advising that the PI's employment status with the university had violated the SBIR program's primary employment requirement and that the PI must remain primarily employed with the small business for the entire duration of any future SBIR awards.

Accordingly, this investigation is closed.