

## Report on Research Compliance Volume 16, Number 1. January 31, 2019

### NSF OIG Closes Year With Six Debarments; Program Officer, Graduate Student Sanctioned

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An investigator submitted an application to the National Science Foundation (NSF) based on a white paper he received while serving as a program officer (PO) at another federal agency. A college chair who handled plagiarism allegations in his department plagiarized nearly half of a project description in his NSF proposal. Without evidence, another investigator blamed his students for copied text that appeared in his funding request.

These are just three of five recent misconduct cases for which NSF imposed sanctions, as described in the new semiannual report (SAR) to Congress submitted by the agency's Office of Inspector General (OIG). The actions bring to 14 the number of NSF-supported researchers penalized for committing fabrication, falsification or plagiarism in fiscal year (FY) 2018, which ended Sept. 30. Penalties ranged from requiring supervision and assurances of compliance to debarment, which NSF imposed in six cases. All debarments were for one year.

The SAR is the only routine source of details about misconduct in NSF-funded applications, reports and research. Even then, much remains unknown. The names of investigators and institutions are not disclosed; in contrast, HHS publishes those details and more specifics about its misconduct cases in the *Federal Register*, one finding at a time, as sanctions are imposed.

Possible research misconduct is investigated by NSF's OIG, which recommends sanctions to the agency when it believes misconduct has occurred. It is then up to NSF to make a formal finding and impose a penalty. In four recent cases, NSF followed OIG's recommendations in three; it exceeded them in one. The SAR does not detail what punishment befell the PO because he has appealed.

Issued Nov. 30, the newest SAR covers the period from April 1, 2017, through Sept. 30, which closed out FY 2018. In addition to misconduct cases, the SAR recaps OIG's other activities and investigations, including audits and settlements, some of which involve False Claims Act (FCA) violations (see details of all investigations below).

According to OIG data—some of which was provided to RRC—the agency conducted dozens of investigations during the fiscal year (of all types) but ended FY 2018 with just five fewer than when the year began.

SARs also provide valuable details of actions institutions take in response to findings of misconduct, details that typically are not made public. "Issuing letters of reprimand, suspending without pay, and dismissing a Ph.D. student" were among those described in the new SAR. Additionally, universities and other organizations can gain insights into some of the missteps OIG has encountered as it reviews how institutions handled allegations; the recent SAR provides several such examples.

Historically, SARs have included a table showing the number of cases opened, closed and still active at the end of each reporting period. The most recent report omitted this data, but OIG disclosed it to RRC through what the agency treated as a Freedom of Information Act request. OIG will "probably not" be including this information in the future as it looks to "streamline" its SARs, an agency spokesperson told RRC, adding that OIG is not required to report such data.

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