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NSF Misconduct Findings Carry Training, Other Requirements

By Theresa Defino

During the second half of the previous fiscal year (FY), the National Science Foundation (NSF) disagreed with its Office of Inspector General's (OIG) recommendation to debar two investigators who committed research misconduct, defined as fabrication, falsification or plagiarism.^[1]

Debarment is the most severe administrative option open to NSF, which determines sanctions if it agrees with OIG's recommendations that misconduct occurred.

Instead of debarment, NSF typically issues a letter of reprimand, requires interactive training in the responsible conduct of research (RCR), and prohibits service as a peer reviewer or other type of advisor or consultant to the agency. It also mandates that individuals and any institution with which they are associated take steps to ensure the integrity of any future NSF-funded research or supported projects through certifications and assurances. These requirements can be in effect for one year or multiple years. On occasion, they are in place for a period following the conclusion of debarment.

As OIG explained to RRC, "both certifications and assurances are statements NSF requires the subject to provide to NSF contemporaneously with the submission of a document (e.g., a proposal or annual/final report) to NSF." These individuals make certifications, while university officials make assurances.

The individual certifies that the document does not contain plagiarism, falsification or fabrication, and the responsible official at the institution/employer submits an assurance stating the same.

In addition to the two cases for which it did not accept the debarment recommendations, NSF made findings and imposed sanctions in six cases, and decisions are pending in five.^[2] OIG reported NSF's actions for the six-month period ending Sept. 30 in its most recent semiannual report (SAR) to Congress, which covers the last half of FY 2020.^[3] FY 2021 began Oct. 1. OIG does not report the names of individuals or their institutions.

NSF imposed three years of requirements on a principal investigator (PI) who, like others previously,^[4] blamed fabrications on a colleague who later turned out to be fictional.

OIG investigated allegations that the PI inserted plagiarized text in a proposal to NSF, and "noted the PI changed the spelling of words in a British source to American spellings." OIG said the PI "blamed a prospective postdoctoral researcher" for the copied text, but his "university investigated the matter and found no evidence of the postdoc's contribution or that the postdoc even existed. The university held the PI responsible for intentional plagiarism and terminated his faculty position."

The SAR also noted that the PI, somewhat oddly or unbelievably, didn't use a computer and thus "had no evidence of his purported collaboration with the postdoc." As they dug deeper, OIG officials found more plagiarism. "We reviewed the PI's other written work and found that he plagiarized a larger amount of text in a prior NSF proposal." They also found plagiarism in a third proposal submitted to another, unidentified, federal

agency. The series of requirements NSF imposed on the PI, as recommended by OIG, are for three years.

NSF attempted to impose a series of one-year restrictions, as OIG suggested, on an assistant professor who inserted a “student’s plagiarized summary” in her proposal. “NSF required that she comply with all actions imposed by her university, submit certifications and assurances for 1 year, and barred her from serving as a reviewer, advisor, or consultant for NSF for 1 year,” OIG reported, but did not say what the university sanctions were. However, the assistant professor opposed NSF’s requirements. At the time the SAR was completed, her appeal was pending.

NSF also imposed a one-year ban on serving as an NSF reviewer or advisor, and a requirement to provide certifications and assurances on the following researchers:

- A PI who “plagiarized text from nine source documents” into a faculty early career proposal and whose institution did not properly conduct an investigation.^[5]
- A PI “who committed plagiarism when he copied text into one NSF proposal and a figure into a second NSF proposal.”
- A PI “who committed plagiarism in two unfunded NSF proposals.”
- A PI “who plagiarized large amounts of text from multiple sources into two NSF Faculty Early Career Development Program grants.” The PI was also required to “comply with all university-imposed requirements.”

1 Theresa Defino, “OIG FY 20 Report Shows Drop in NSF Debarments for Misconduct,” *Report on Research Compliance* 18, no. 2 (February 2021), <http://bit.ly/2Z7nmZx>.

2 Theresa Defino, “OIG Details Missteps by Universities Handling Suspected Misconduct in NSF-Funded Research,” *Report on Research Compliance* 18, no. 3 (March 2021).

3 National Science Foundation Office of Inspector General, *Semiannual Report to Congress: April 1–September 30, 2020*, NSF-OIG-SAR-63, <https://bit.ly/38Xp4T3>.

4 Theresa Defino, “Research Misconduct Twist: False Data Came From Phantom Colleague at Fictitious Meeting,” *Report on Research Compliance* 16, no. 7 (July 2019), <http://bit.ly/37xXAPU>.

5 National Science Foundation Office of Inspector General, *Semiannual Report to Congress: April 1, 2019–September 30, 2019*, NSF-OIG-SAR-61, <https://bit.ly/39cnJWW>.

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