



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: A12100069

Page 1 of 1

NSF OIG received an allegation that a PI (Subject)¹ submitted an NSF proposal (Proposal 1)² containing copied text. Our inquiry identified plagiarism in three NSF proposals (Proposal 1, Proposal 2,³ and Proposal 3⁴) the Subject authored. We referred the matter to his University.⁵

The University's investigation concluded, based on a preponderance of the evidence, that the Subject recklessly committed plagiarism, which "deviates from acceptable scientific best practices related to the responsible conduct of research," and took actions to protect the University's interests.

We reviewed the University's report and did not find it to be complete. Our independent investigation concluded that the Subject knowingly committed plagiarism, which we deemed a significant departure from accepted practice of the Subject's research community. We recommended actions to be taken to protect the federal interest. The Deputy Director concurred with our recommendations.

This memo, the attached Report of Investigation, and letters from NSF's Chief Operating Officer constitute the case closeout. Accordingly, this case is closed.

¹ [REDACTED]. The Subject resigned during the University's investigation and is currently teaching in [REDACTED].

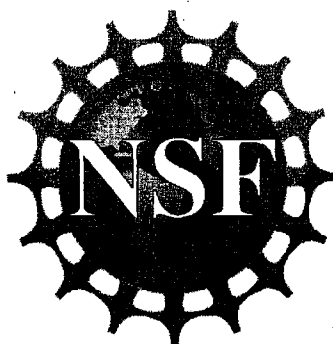
² [REDACTED]

³ [REDACTED]

⁴ [REDACTED]

⁵ [REDACTED]

National Science Foundation Office of Inspector General



Report of Investigation Case Number A12100069

August 19, 2014

**This Report of Investigation is provided to you
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It contains protected personal information, the unauthorized disclosure of which may result in personal criminal liability under the Privacy Act, 5 U.S.C. § 552a. This report may be further disclosed within NSF *only* to individuals who *must* have knowledge of its contents to facilitate NSF's assessment and resolution of this matter. This report may be disclosed outside NSF *only* under the Freedom of Information and Privacy Acts, 5 U.S.C. §§ 552 & 552a. Please take appropriate precautions handling this report of investigation.

Executive Summary

Allegation: Plagiarism.

OIG Inquiry: We identified approximately 536 unique lines, 2 unique figures, 8 unique equations, and 20 unique embedded references from 24 sources copied in three NSF proposals. We referred the matter to the Subject's University.

**University
Investigation:**

The Subject resigned his University post before his Investigation Committee interview. Based on evidence we provided and interviews of students, the Committee concluded the Subject recklessly committed plagiarism, which "deviates from acceptable scientific best practices related to the responsible conduct of research." It also identified a pattern of plagiarism.

The Committee recommended the University issue a letter to the Subject, copied to his supervisors, reporting the finding and stating the Subject "will be subject to administrative sanctions" if considered for re-appointment. The University did not send the Subject a letter, but instead informed his supervisors of the finding and, at the close of the case, will place a memo about this matter in the Subject's personnel file.

**OIG Investigation
and Assessment:**

- **The Act:** Subject submitted three proposals to NSF containing 536 unique lines, 2 unique figures, 8 unique equations, and 20 unique embedded references from 24 sources.
- **Intent:** Subject acted knowingly.
- **Standard of Proof:** A preponderance of evidence supports the conclusion that Subject knowingly committed plagiarism.
- **Significant Departure:** Subject's plagiarism represents a significant departure from accepted practices.
- **Pattern:** Three other declined NSF proposals the Subject submitted contained plagiarism.

OIG Recommends:

- Make a finding of research misconduct against the Subject.
- Send the Subject a letter of reprimand.
- Debar the Subject for a period of 1 year.
- Require certifications from the Subject for a period of 3 years following the debarment period.
- Require assurances from the Subject for a period of 3 years following the debarment period.
- Bar the Subject from participating as a peer reviewer, advisor, or consultant for NSF for a period of 4 years.
- Require certification of completion of a responsible conduct of research training program within one year.

OIG's Inquiry

OIG conducted an inquiry into an allegation of plagiarism within an NSF proposal (Proposal 1).¹ Our review found 236.5 unique lines of text, two figures, seven equations, and 15 embedded references copied from 16 sources,² which comprised the majority of Proposal 1's "Introduction," "Background and Motivation," and "Detailed Research Proposal" sections. We also identified plagiarism in two other NSF proposals the PI (Subject)³ submitted. Proposal 2⁴ contained 171.5 unique lines, one unique equation, and one embedded reference copied from 14 sources;⁵ Proposal 3⁶ contained 128 unique lines and four embedded references copied from three sources.⁷ The copied material comprised a large portion of the "Introduction" and the proposed research in both Proposals 2 and 3.⁸ The following chart illustrates the plagiarism, noting the number of total lines as well as unique lines in Proposals 1-3:

Sources ⁹	Proposal 1	Proposal 2	Proposal 3
A	15 lines		
B	3 lines		
C	2.5 lines		
D	37.5 lines, 1 figure, 15 embedded references		
E	47 lines, 1 equation	37 lines, 1 equation	
F	12 lines	12 lines	
G	9 lines	9 lines	
H	7 lines		
I	5 lines, 2 equations	5 lines, 2 equations	4 lines, 2 equations
J	6.5 lines	33 lines, 1 equation	
K	28 lines		
L	13 lines, 1 figure		
M	10 lines, 4 equations		
N	3 lines	5 lines	
O	16 lines	29 lines	
P	22 lines	22 lines	

¹ Tab 1: [REDACTED]

² Tab 2.

³ [REDACTED] The Subject resigned during the University's investigation and is currently teaching in [REDACTED]

⁴ Tab 3: [REDACTED]

⁵ Tab 2.

⁶ Tab 4: [REDACTED]

⁷ Tab 2.

⁸ Our interview with Proposal 3's program officers determined the plagiarism was not material to the funding decision.

⁹ All of the sources identified are articles, except for Source C, an abstract.

Q		19 lines	
R		25 lines	
S		23 lines	
T		4 lines	
U		3 lines, 1 embedded reference	
V		3 lines	
W			110 lines, 4 embedded references
X			16 lines
Total	236.5 lines, 2 figures, 7 equations, 15 embedded references	229 lines, 4 equations, 1 embedded reference	130 lines, 2 equations, 4 embedded references
Total Unique	236.5 lines, 2 figures, 1 equation, 15 embedded references	171.5 lines, 1 equation, 1 embedded reference	128 lines, 4 embedded references

In total, we identified approximately 536 unique lines, two unique figures, eight unique equations, and 20 unique embedded references copied from 24 sources in Proposals 1-3.

We contacted the Subject about the allegation.¹⁰ He acknowledged that material was inappropriately cited and expressed "sincere regrets."¹¹ Specifically, he said

Due to the time constraints, associated with all [other] scholar activities, I asked my graduate students to help me with the literature review and citations. Unfortunately, due to our miscommunications, fatigue and time constraints these mistakes occurred.¹²

He also said the University did not have a "plagiarism checking system."¹³ Nonetheless, he stated "Indeed this is my own fault for not spending enough time to thoroughly review the proposals before submission, even though there was no intention to plagiarize or not to give someone credit for his/her work."¹⁴ He concluded "... in the future I will prepare and review carefully the proposals so that this kind of incidents will not happen again."¹⁵

Based on the Subject's response, we referred the investigation to the University.¹⁶

¹⁰ Tab 5.

¹¹ Tab 6, pg 1.

¹² Tab 6, pg 1.

¹³ Tab 6, pg 1.

¹⁴ Tab 6, pg 1.

¹⁵ Tab 6, pg 2.

¹⁶ Tab 7.

University Investigation

The University convened an Investigation Committee (Committee), which produced a Summary Report (Report).¹⁷ The Report stated the Subject was not interviewed or involved in the investigation because he resigned prior to his scheduled Committee interview and did not respond to requests for information.¹⁸ The Committee instead interviewed eight students the Subject "advised, mentored, and/or were assigned to his sponsored projects" to determine their involvement in preparing Proposals 1-3.¹⁹

The Report found, "based on the documentation and evidence provided by the Complainant," that the Subject recklessly committed plagiarism²⁰ and that the act "deviates from acceptable scientific best practices related to the responsible conduct of research."²¹ It found no support for the Subject's assertion that the graduate students were responsible for the plagiarism, but noted "that there is no assurance that all students associated with the Respondent, in one capacity or another (mentoring/advising, etc.) have been identified."²²

The Committee determined the Subject acted recklessly because it asserted that the Subject was himself responsible for identifying and correcting plagiarism "regardless of who contributes to the writing;" it did not feel in a position to conclude the act was knowing or intentional (*i.e.*, it did not have sufficient evidence); the Subject erroneously said the University did not have plagiarism detection software when in fact he was issued a software account; and the Subject "waived his right to present his view and express his reasoning when he resigned and did not make himself available to the Committee."²³

To determine pattern, the Committee reviewed seven other proposals the Subject submitted.²⁴ It identified plagiarism in four declined proposals: three NSF proposals²⁵ and one submitted to another Federal agency.²⁶

University Adjudication

The Committee recommended the Deciding Official issue a letter to the Subject, copied to his Department Chair and College Dean, reporting the research misconduct finding, expressing "disappointment and disapproval," stating the Subject "will be subject to administrative sanctions" if considered for re-appointment, and noting that NSF OIG could conduct its own investigation.²⁷

¹⁷ Tab 8.

¹⁸ Tab 8, pg 5-6.

¹⁹ Tab 8, pg 6.

²⁰ Tab 8, pg 6.

²¹ Tab 8, pg 7.

²² Tab 8, pg 6.

²³ Tab 8, pg 6-7.

²⁴ Tab 8, pg 4. Tab 9 includes a list of reviewed proposals and the plagiarism detection software reports.

²⁵

²⁶ Office of Naval Research.

²⁷ Tab 8, pg 7.

The University did not issue the Subject a letter because it did not have his forwarding address. It however informed the Department Chair and College Dean of the finding and, upon case closure, will place a memo about the allegation and finding in the Subject's personnel file.

OIG's Investigation

We reviewed the Report and assessed it for accuracy and completeness. We did not find the Report to be complete. Specifically, the Report failed to identify the standards of the Subject's research community and to provide an analysis of the materials related to pattern. Additionally, for reasons discussed below, we disagreed with the Committee's assessment of intent. Although we could not accept the report in totality in lieu of conducting our own investigation, we relied upon the acceptable evidentiary record the University produced with respect to the matters it did address.

We obtained the Subject's email address²⁸ and sent him the Report and asked him to comment and respond to a few additional questions.²⁹ He did not reply. Our investigation, like the University's, therefore includes no input from the Subject.

To identify the standards of the Subject's research community, we reviewed the Subject's Biographical Sketch.³⁰ The Subject completed his graduate education in North America,³¹ has worked in the U.S. since 2008, and is involved with various professional societies. One society's website includes Guidelines for Professional Conduct that state "Plagiarism constitutes unethical scientific behavior and is never acceptable. Proper acknowledgement of the work of others used in a research project must always be given."³² The website also includes the Federal research misconduct policy and a policy for its own handling of research misconduct allegations.³³ Another professional society³⁴ in whose publications the Subject regularly publishes also has a Code of Ethics³⁵ that states:

4. Properly credit the contributions of others, accept and offer honest and constructive criticism of technical work; and acknowledge and correct errors.

- a. Take care that credit for professional work and accomplishments are given to those to whom credit is properly due.

²⁸ We emailed the Subject at an address we obtained from a third party to confirm it was his current address and to ask his preferred means of communication. The Subject responded to that email, but did not subsequently reply.

²⁹ Tab 10.

³⁰ Tab 1, pg 27-28.

³¹ [REDACTED]

³² American Physical Society. http://www.aps.org/policy/statements/02_2.cfm#supplementary_guidelines1.

³³ <http://www.aps.org/policy/statements/federalpolicy.cfm> and http://www.aps.org/policy/statements/02_3.cfm.

³⁴ American Institute of Aeronautics and Astronautics.

³⁵ <https://www.aiaa.org/CodeOfEthics/> and <https://www.aiaa.org/Secondary.aspx?id=19692&terms=plagiarism>.

- b. Accurately present and explain one's work and its merit, and avoid any act that would promote personal interests at the expense of the integrity, honor, and dignity of the profession.

....

6. Issue statements or present information in an objective and truthful manner, based on available data.

- a. Reject all forms of research or testing misconduct and report all misconduct including fabrication, falsification, and plagiarism when it is observed.

Accordingly, we determined the Subject violated accepted practices of his relevant research community by not crediting others' contributions.

We examined the three NSF proposals the Committee reviewed in determining pattern.³⁶ We found that all three proposals contained at least 100 lines of copied text, with two proposals³⁷ containing more than 225 lines of copied text. Similar to Proposals 1-3, the copied text constituted whole pages of the proposals and was partially contained in the proposed work sections. Additionally, most of the sources identified in these three proposals were different than those identified as sources in Proposals 1-3. We concluded that the Subject exhibited a clear and substantive pattern of plagiarism.

Based on our own investigation, we re-reviewed the Subject's level of intent and determined the Subject acted knowingly, and not recklessly per the Report, in plagiarizing a substantial amount of material into Proposals 1-3. First, the extent and nature of the plagiarism in Proposals 1-3 as well as similar plagiarism found in the three other NSF proposals indicate minimally a knowing act. Second, the Subject provided no evidence to support his assertion that the students inserted the copied text, but rather, in his only communication with our office, acknowledged that Proposals 1-3 contained plagiarism and that he was ultimately responsible. Third, given the Subject's educational and professional experience, the Subject reasonably must have known what constituted adequate attribution of other authors' text and that copying material without adequate citation constituted plagiarism. Lastly, the Subject's unwillingness to cooperate with either the Committee or our office provides us with no reason to assume that plagiarism, which is inherently a knowing act, was done otherwise.

OIG's Assessment

A finding of research misconduct by NSF requires (1) there be a significant departure from accepted practices of the relevant research community, (2) the research misconduct be

³⁶ Tab 9.

³⁷ [REDACTED]

committed intentionally, or knowingly, or recklessly, and (3) the allegation be proved by a preponderance of the evidence.³⁸

The Acts

The Subject submitted three NSF proposals containing extensive plagiarism – 536 unique lines, 2 unique figures, 8 unique equations, and 20 unique embedded references from 24 sources. We concur with the Report that the Subject's actions constitute plagiarism. We further conclude that the acts constituted a significant departure from accepted practices, which we defined above.

Intent

Plagiarism is inherently a knowing act. For reasons detailed above, we disagree with the Committee that the Subject acted recklessly and instead conclude that the Subject acted with a knowing intent in copying extensive and substantive material from a large number of sources into his proposals.

Standard of Proof

OIG concludes that the Subject's actions and intent were proven based on a preponderance of the evidence.

OIG concludes that the Subject, by a preponderance of the evidence, knowingly plagiarized, thereby committing an act of research misconduct.³⁹

OIG's Recommended Disposition

When deciding what appropriate action to take upon a finding of misconduct, NSF must consider:

(1) How serious the misconduct was; (2) The degree to which the misconduct was knowing, intentional, or reckless; (3) Whether it was an isolated event or part of a pattern; (4) Whether it had a significant impact on the research record, research subjects, other researchers, institutions or the public welfare; and (5) Other relevant circumstances.⁴⁰

Seriousness

The Subject's actions are a violation of the standards of scholarship and the tenets of general research ethics and those within his research community. First, the extent and nature of the plagiarism is itself quite serious. Second, the copied text served to misrepresent the

³⁸ 45 C.F.R. §689.2(c).

³⁹ 45 C.F.R. part 689.

⁴⁰ 45 C.F.R. § 689.3(b).

Subject's body of knowledge to the reviewers judging the proposals' respective merit. Third, the Subject placed some of the responsibility on his students and then failed to provide any evidence of this assertion or to continue communication with the Committee or our office.

Pattern

The Committee determined a pattern of plagiarism based on its finding of copied material in four other proposals, including three NSF proposals. Our review of the three NSF proposals identified significant and extensive plagiarism in each proposal. We agree that the Subject exhibited a pattern of plagiarism.

Aggravating Factor

During the investigation, the Subject failed to cooperate with the Committee and with our office. Despite having a signed contract for the next academic year, the Subject resigned suddenly from the University prior to his Committee interview and opted not to respond to the Committee's subsequent requests for information. Similarly, although the Subject responded to our query regarding his preferred means of communication, he did not respond to the specific questions we provided him during our independent investigation.

Subject's Response to OIG's Draft Investigation Report

We sent the Subject a copy of our draft report. He did not respond to our letter.

Recommendation

Based on the evidence, OIG recommends that NSF:

- Send the Subject a letter of reprimand notifying him that NSF has made a finding of research misconduct.⁴¹
- Require the Subject to certify to the Assistant Inspector General for Investigations (AIGI) his completion of a responsible conduct of research training program and provide documentation of the program's content within one year of NSF's finding.⁴² The instruction should be in an interactive format (e.g., an instructor-led course) and specifically include the topic of plagiarism and appropriate citation.
- Debar the Subject for one year.⁴³
- Bar the Subject from participating as a peer reviewer, advisor, or consultant for NSF for a period of four years.⁴⁴

For three years immediately following the debarment period:

⁴¹ A Group I action 45 C.F.R. 689.3(a)(1)(i).

⁴² This action is similar to Group I actions 45 C.F.R. 689.3(a)(1).

⁴³ A Group III action 45 C.F.R. 689.3(a)(3)(iii).

⁴⁴ A Group III action 45 C.F.R. 689.3(a)(3)(ii).

- Require for each document (proposal, report, etc.) to which the Subject contributes for submission to NSF (directly or through his institution),
 - the Subject submit a contemporaneous certification to the AIGI that the document does not contain plagiarism, falsification, or fabrication.⁴⁵
 - the Subject submit contemporaneous assurances from a responsible official of his employer to the AIGI that the document does not contain plagiarism, falsification, or fabrication.⁴⁶

⁴⁵ This action is similar to 45 C.F.R. 689.3(a)(1)(iii).

⁴⁶ A Group I action 45 C.F.R. 689.3(a)(1)(iii).

NATIONAL SCIENCE FOUNDATION
4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230




VIA EMAIL



Dr. 

Re: Notice of Research Misconduct Determination and Proposed Debarment

Dear Dr. 

While employed at the  ("University"), you served as a Principal Investigator ("PI") and primary author on National Science Foundation ("NSF") proposals that contained a significant amount of plagiarized material: approximately 536 unique lines, 2 figures, 8 unique equations, and 20 unique embedded references from 24 sources copied in three NSF proposals. This plagiarism is documented in the attached Investigative Report prepared by NSF's Office of Inspector General ("OIG").

Research Misconduct

Under NSF's regulations, "research misconduct" is defined as "fabrication, falsification, or plagiarism in proposing or performing research funded by NSF ..." 45 CFR § 689.1(a). NSF defines "plagiarism" as the "appropriation of another person's ideas, processes, results or words without giving appropriate credit." 45 CFR § 689.1(a)(3).

A finding of research misconduct requires that:

- (1) There be a significant departure from accepted practices of the relevant research community; and
- (2) The research misconduct be committed intentionally, or knowingly, or recklessly; and
- (3) The allegation be proven by a preponderance of evidence.

45 CFR § 689.2(c)

The University convened an Investigative Committee ("Committee"), however, you resigned from the University before your Committee interview and failed to respond to the Committee's request for information. To determine a pattern, the Committee reviewed seven other proposals

you submitted and identified plagiarism in four declined proposals; three NSF proposals and one submitted to another agency. In addition, the Committee interviewed eight students who assisted in the preparation of the three proposals submitted to NSF and found no support that the graduate students were responsible for the plagiarism. Based on the evidence the Committee concluded that there was a pattern of reckless plagiarism.

The OIG's investigation identified a significant amount of material appropriated without proper attribution, contained in the three proposals that you, as the primary author and PI, had responsibility for preparing. You acknowledge that the material was inappropriately cited, but you fault your graduate students, who you asked to assist you with literature review and citations. You indicated that miscommunications, fatigue, time constraints and a lack of plagiarism detection software, led to your plagiarism.

You bear primary responsibility for preparing the three proposals submitted to NSF, each containing plagiarized text. At your direction, your graduate students prepared the proposals containing plagiarized material, and you failed to review them. You then submitted these proposals without acknowledging any contribution from your graduate students.

In addition, you were in fact issued a plagiarism detection software account by the University but failed to utilize this tool. And, you resigned from the University and failed to respond to the University Committee's inquiry.

Pursuant to NSF's regulations, the Foundation must also determine whether to make a *finding* of research misconduct based on a preponderance of the evidence. 45 CFR § 689.2(c). Based on information in both the OIG Investigative Report and the University investigation and the facts cited above, it is clear that you were aware of what constitutes plagiarism, but chose to disregard accepted practices in the research community, and plagiarized material nonetheless. These facts permit me to conclude that, based on a preponderance of evidence, the plagiarism was committed knowingly and constitutes a significant departure from accepted practices of the relevant research community. I am, therefore, issuing a finding of research misconduct against you.

NSF's regulations establish three categories of actions (Group I, II, and III) that can be taken in response to a finding of misconduct. 45 CFR § 689.3(a). Group I actions include issuing a letter of reprimand; conditioning awards on prior approval of particular activities from NSF; requiring that an institutional representative certify as to the accuracy of reports or certifications of compliance with particular requirements. 45 CFR § 689.3(a)(1). Group II actions include award suspension or restrictions on designated activities or expenditures; requiring special review of requests for funding; and requiring correction to the research record. 45 CFR § 689.3(a)(2). Group III actions include suspension or termination of awards; prohibitions on participation as NSF reviewers, advisors or consultants; and debarment or suspension from participation in NSF programs. 45 CFR § 689.3(a)(3).

In determining the severity of the sanction to impose for research misconduct, I have considered the seriousness of the misconduct, the pattern of plagiarism, as documented in four other cases, and the fact that you resigned from the University without responding to their request for information. See 45 CFR § 689.3(b).

Based on the foregoing, I am requiring that you take the following actions:

- You are required to complete a comprehensive responsible conduct of research training course within one year from the date that the research misconduct determination becomes final, and provide documentation of the program's content. The instruction should be in an interactive format (e.g., an instructor-led course, workshop, etc.) and should include a discussion of plagiarism.
- For a period of three years from the date that the research misconduct determination becomes final, I am requiring that you submit contemporaneous certifications that any proposals or reports you submit to NSF do not contain plagiarized, falsified, or fabricated material.
- For a period of three years from the date that the research misconduct determination becomes final, you are required to submit contemporaneous assurances by a responsible official of your employer that any proposals or reports you submit to NSF do not contain plagiarized, falsified, or fabricated material.
- For a period of four years from the date that the research misconduct determination becomes final, you are prohibited from participating as a peer reviewer, advisor, or consultant for NSF.

All certifications, assurances, and training documentation, should be submitted in writing to NSF's Office of the Inspector General, Associate Inspector General for Investigations, 4201 Wilson Boulevard, Arlington, Virginia 22230.

Debarment

Pursuant to 2 CFR § 180.800, debarment may be imposed for:

- (b) Violation of the terms of a public agreement or transaction so serious as to affect the integrity of the agency program, such as –
 - (1) A willful failure to perform in accordance with the terms of one or more public agreements or transactions;
 - ...
 - (3) A willful violation of a statutory or regulatory provision or requirement applicable to a public agreement or transaction; or
- (d) Any other cause of so serious or compelling a nature that it affects your present responsibility.

In any debarment action, the government must establish the cause for debarment by a preponderance of the evidence. 2 CFR § 180.850. In this case, the OIG Investigative Report and the University investigation support a finding that you knowingly committed plagiarism by

copying approximately 536 unique lines, 2 figures, 8 unique equations, and 20 unique embedded references from 24 sources copied in three NSF proposals. A pattern of plagiarism is documented in four other cases. Thus, your action supports a cause for debarment under 2 CFR §§ 180.800(d).

Length of Debarment

Debarment must be for a period commensurate with the seriousness of the causes upon which an individual's debarment is based. 2 CFR § 180.865. Having considered the seriousness of your actions, as well as the relevant aggravating and mitigating factors set forth in 2 CFR § 180.860, we are proposing your debarment for one year.

Appeal Procedures for a Finding of Research Misconduct and Procedures Governing Proposed Debarment

Appeal Procedures for Finding of Research Misconduct

Under NSF's regulations, you have 30 days after receipt of this letter to submit an appeal of this finding, in writing, to the Director of the Foundation. 45 CFR § 689.10(a). Any appeal should be addressed to the Director at the National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230. If we do not receive your appeal within the 30-day period, the decision on the finding of research misconduct will become final. For your information, we are attaching a copy of the applicable regulations.

Procedures Governing Proposed Debarment

The provisions of 2 CFR Sections 180.800 through 180.885 govern debarment procedures and decision-making. Under our regulations, you have 30 days after receipt of this notice to submit, in person or in writing, or through a representative, information and argument in opposition to this debarment. 2 CFR § 180.820. Comment submitted within the 30-day period will receive full consideration and may lead to a revision of the recommended disposition. If NSF does not receive a response to this notice within the 30-day period, this debarment will become final. Any response should be addressed to Lawrence Rudolph, General Counsel, National Science Foundation, Office of the General Counsel, 4201 Wilson Boulevard, Room 1265, Arlington, Virginia 22230. For your information, I am attaching a copy of the Foundation's regulations on non-procurement debarment and Federal Acquisition Regulations (FAR) Subpart 9.4.

Should you have any questions about the foregoing, please contact [REDACTED], Assistant General Counsel, at (703) 292-[REDACTED].

Sincerely,



Richard O. Buckius
Chief Operating Officer

Enclosures:
Investigative Report
Nonprocurement Debarment Regulations
FAR Regulations
45 CFR Part 689

NATIONAL SCIENCE FOUNDATION
4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
DIRECTOR



VIA EMAIL



Re: Notice of Debarment

Dear Dr. [REDACTED]

On [REDACTED] the National Science Foundation ("NSF") issued you a Notice of Research Misconduct Determination and Proposed Debarment ("Notice"), in which NSF proposed to debar you directly or indirectly from obtaining the benefits of federal grants for a period of one year.

As reflected in the Notice, NSF proposed to debar you for plagiarism. Specifically, you submitted three proposals to NSF containing approximately 536 unique lines, 2 figures, 8 unique equations, and 20 unique embedded references copied without attribution from 24 sources.

In the Notice, NSF provided you with 30 days to respond to the proposed debarment. The period for submitting a response to NSF has elapsed, and NSF has not received a response from you. Accordingly, you are debarred for one year from the date of this letter.

Debarment precludes you from receiving federal financial and non-financial assistance and benefits under non-procurement federal programs and activities unless an agency head or authorized designee makes a determination to grant an exception in accordance with 2 CFR 180.135. Non-procurement transactions include grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance, payments for specified use, and donation agreements.

In addition, you are prohibited from receiving federal contracts or approved subcontracts under the Federal Acquisition Regulations at 48 CFR subpart 9.4 for the period of this debarment. 2 CFR 180.925. During the debarment period, you may not have supervisory responsibility, primary management, substantive control over, or critical influence on a grant, contract, or cooperative agreement with any agency of the Executive Branch of the Federal Government.

Should you have any questions about the foregoing, please contact [REDACTED] Assistant
General Counsel, at (703) 292-[REDACTED]

Sincerely,

A handwritten signature in black ink, appearing to read "Richard O. Buckius". The signature is written in a cursive style with a prominent initial "R".

Richard O. Buckius
Chief Operating Officer