

***System Name:***

Debarment/Scientific Misconduct Files.

***System Location(s):***

Office of the Director, National Science Foundation, Arlington, Virginia 22230.

***Categories of Individuals Covered by the System:***

Persons, including applicants for NSF grants and contracts, NSF grantees, contractors, and principal investigators, who are the subject of suspension, debarment or scientific misconduct proceedings.

***Categories of Records in the System:***

Case files on persons considered for debarment, suspension, or misconduct in science, including communications between the Agency and the respondent, inter-agency and intra-agency communications regarding proposed or completed debarments or suspensions or misconduct in science, investigative files, witness statements and affidavits, staff working papers, testimony transcripts, hearing exhibits, and a record of any findings.

***Authority for Maintenance of the System:***

Section 11(a), National Science Foundation Act of 1950, as amended (42 U.S.C. 1870(a); Federal Acquisition Regulation (FAR) 9.4; 48 CFR ch. 25; 45 CFR parts 620 and 689; Executive Order 12549 (February 18, 1986).

***Purpose(s):***

Information contained in this system of records is used to protect the Federal Government from the actions prohibited under the Foundation's scientific misconduct, debarment and suspension regulations, make decisions regarding debarment, suspension, and misconduct in science, ensure that other Federal agencies give effect to debarment and suspension decisions rendered by the Foundation and ensure that the Foundation gives effect to debarment and suspension decisions rendered by other Federal agencies.

***Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of such Uses:***

Information from this system may be disclosed to:

1. The General Services Administration to compile and maintain the "Lists of Parties Excluded from Federal Procurement or Non procurement Programs".
2. A congressional office in response to an inquiry from the congressional office on behalf of a person for information pertaining to that person.
3. A Federal, state, or local government agency, in response to its request, or at NSF's initiative, when relevant to that agency's civil or criminal statutory, administrative, regulatory, enforcement, investigative, or prosecutorial purpose.
4. A Federal agency involved in debarment or scientific misconduct actions involving the same person.
5. Federal, State, or local government agencies where those parties may have information the Foundation seeks to obtain in connection with a scientific misconduct, suspension, or debarment action.
6. A Federal agency in response to its request in connection with the issuance of a security clearance, the award of a contract or grant, the issuance of a license or permit or other benefit by the requesting agency.
7. A Federal agency where records in this system of records pertain to the hiring or retention of an employee, or disciplinary action or other administrative action concerning an employee.
8. The Department of Justice or a court or other adjudicative body, when information from the system is relevant to litigation or anticipated litigation and one of the following is a party or potential party in the matter: (a) A National Science Foundation; (b) a National Science Foundation employee in his or her official capacity or a current or former National Science Foundation employee when the Department of Justice is considering representing the person in his or her official capacity; (c) the United States or another Federal, State or local agency and the National Science Foundation determines that the litigation or anticipated litigation will affect the National Science Foundation.
9. An awardee institution, at the request of that institution or at NSF's initiative.
10. Other persons involved in or affected by the suspension, debarment or scientific misconduct action, including witnesses, awardee institutions, or any other person who has information, documents, or knowledge relevant to the suspension, debarment, or scientific misconduct action.
11. NSF merit review groups or peer reviewers if the information bears directly on a person's scientific integrity or if necessary to provide an accurate account of relevant facts.
12. A Federal, State or local agency, Federal contractor or grantee, for the purpose of verifying the identity of an individual debarred or suspended by the Foundation.

13. The Department of Justice for the purpose of obtaining advice on whether particular records are required to be disclosed under the Freedom of Information Act.

***Policies and Practice for Storing, Retrieving, Accessing, Retaining, and Disposing of Records in the System:***

***Storage:***

These records consist of file folders stored in file cabinets.

***Retrievability:***

These records are retrieved by the name of the individuals.

***Safeguards:***

Records are accessible only by authorized Foundation personnel.

***Retention and Disposal:***

These records are maintained for an indefinite duration.

***System Manager(s) and Address(es):***

General Counsel, National Science Foundation, Office of the General Counsel, 4201 Wilson Boulevard, room 1265, Arlington, Virginia 22230.

***Notification Procedure:***

Individuals seeking to determine whether information about themselves is contained in the system should write to the system manager at the above address.

***Record Access Procedures:***

See "notification procedures" above.

***Contesting Record Procedures:***

Individuals wishing to contest the contents of records in this system should contact the system manager at the above address.

***Record Source Categories:***

Federal, State and local officials, private persons, respondents and their legal representatives.