

NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: A10080067

Page 1 of 1

We received an allegation that a PI plagiarized into his NSF proposal (P1). During our Inquiry, we confirmed the plagiarism in P1 and found additional plagiarism in another proposal (P2) that listed the PI and a co-PI, also from the same university. After writing to both, we concluded an Investigation was warranted, and we referred the matter to the University. The University discovered additional plagiarism and concluded both the PI and co-PI committed research misconduct when they plagiarized. It recommended dismissal for both.

We concurred with the University's conclusions and referred the case to NSF for adjudication, with recommendations to make a finding of research misconduct and take additional actions. NSF concurred with our recommendations and took several actions in response. Accordingly, this case is closed with no further action taken. Our Report of Investigation, NSF's decision, and this Closeout Memorandum constitute the documents for the case closeout.

NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

SEP 28 2012

**CERTIFIED MAIL --RETURN RECEIPT REQUESTED**

[REDACTED]

*Re: Notice of Research Misconduct Determination*

Dear Dr. [REDACTED]

In 2010, you served as a Principal Investigator ("PI") on two proposals submitted for funding to the National Science Foundation ("NSF") entitled, [REDACTED], [REDACTED] and [REDACTED]

[REDACTED]. As documented in the attached Investigative Report prepared by NSF's Office of Inspector General ("OIG"), these proposals contained plagiarized material.

**Research Misconduct and Proposed Sanctions**

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).

Your proposals contained approximately 227 unique lines of text, 47 embedded references and one table copied from eight source documents for which you were responsible. By submitting proposals to NSF that copied the ideas or words of another without adequate attribution, as described in the OIG Investigative Report, you misrepresented someone else's work as your own. Your conduct unquestionably constitutes plagiarism. I therefore conclude that your actions meet the definition of "research misconduct" set forth in NSF's regulations.

Pursuant to NSF regulations, the Foundation must also determine whether to make a *finding* of misconduct based on a preponderance of the evidence. 45 CFR § 689.2(c). After reviewing the Investigative Report, NSF has determined that, based on a preponderance of the evidence, your plagiarism was committed intentionally and constituted 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 institution or individual obtain special prior approval of particular activities from NSF; and 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 reviews 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, and our determination that it was committed intentionally. I have also considered the fact that your misconduct was an isolated incident, and that it had a minimal impact on the research record. In addition, I have considered other relevant circumstances. 45 CFR § 689.3(b).

After assessing the relevant facts and circumstances of this case, I am taking the following actions against you:

- (1) Until September 30, 2015, you must provide certifications to the OIG that any proposal or report you submit to NSF as a PI or co-PI does not contain plagiarized, falsified, or fabricated material;
- (2) Until September 30, 2015, you must obtain, and provide to the OIG, assurances from a responsible official of your employer that any proposal or report you submit to NSF as a PI or co-PI does not contain plagiarized, falsified, or fabricated material;
- (3) By September 30, 2013, you must complete a comprehensive responsible conduct of research training course, and provide documentation of the program's content to the OIG. The instruction should be in an interactive format (e.g., an instructor-led course) and should specifically include a discussion on plagiarism and citation practices; and
- (4) Until September 30, 2015, you are prohibited from serving as a reviewer, advisor, or consultant for NSF.

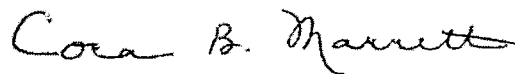
The certifications, assurances, and training documentation should be submitted in writing to NSF's OIG, Associate Inspector General for Investigations, 4201 Wilson Boulevard, Arlington, Virginia 22230.

Procedures Governing Appeals

Under NSF's regulations, you have 30 days after receipt of this letter to submit an appeal of this decision, 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, this decision will become final.

For your information, we are attaching a copy of the applicable regulations. If you have any questions about the foregoing, please call [REDACTED], Assistant General Counsel, at (703) 292-8060.

Sincerely,

A handwritten signature in cursive script that reads "Cora B. Marrett".

Cora B. Marrett  
Deputy Director

Enclosures

- Investigative Report
- 45 C.F.R. Part 689

NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

SEP 28 2012

VIA ELECTRONIC MAIL

[REDACTED]

*Re: Notice of Research Misconduct Determination*

Dear Dr. [REDACTED]

In 2010, you served as a Principal Investigator ("PI") on a proposal submitted for funding to the National Science Foundation ("NSF") entitled, [REDACTED]. As documented in the attached Investigative Report prepared by NSF's Office of Inspector General ("OIG"), this proposal contained plagiarized material.

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45 CFR § 689.2(c).

Your proposal contained 39 lines of text copied from one source document for which you were responsible. By submitting a proposal to NSF that copied the ideas or words of another without adequate attribution, as described in the OIG Investigative Report, you misrepresented someone else's work as your own. Your conduct unquestionably constitutes plagiarism. I therefore conclude that your actions meet the definition of "research misconduct" set forth in NSF's regulations.

Pursuant to NSF regulations, the Foundation must also determine whether to make a *finding* of misconduct based on a preponderance of the evidence. 45 CFR § 689.2(c). After reviewing the Investigative Report, NSF has determined that, based on a preponderance of the evidence, your plagiarism was committed intentionally and constituted a significant departure from accepted practices of the relevant research community. I am, therefore, issuing a finding of research misconduct against you.

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In determining the severity of the sanction to impose for research misconduct, I have considered the seriousness of the misconduct, and our determination that it was committed intentionally. I have also considered the fact that your misconduct was part of a pattern of misconduct, and that it had a minimal impact on the research record. In addition, I have considered other relevant circumstances. 45 CFR § 689.3(b).

After assessing the relevant facts and circumstances of this case, I am taking the following actions against you:

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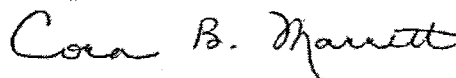
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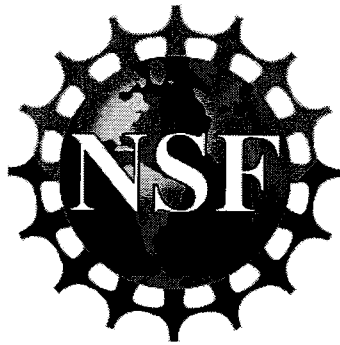


Cora B. Marrett  
Deputy Director

Enclosures

- Investigative Report
- 45 C.F.R. Part 689

# National Science Foundation Office of Inspector General



## Confidential Report of Investigation Case Number A10080067

14 March 2012

**This Confidential Report of Investigation is provided to you  
FOR OFFICIAL USE ONLY.**

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 confidential report of investigation.

Executive Summary

**Allegation:** Plagiarism

**OIG Inquiry:** OIG identified 8 sources from which approximately 189 lines and 21 embedded references were copied into 2 declined NSF proposals by the PI and co-PI. OIG referred the matter to the Subjects' home institution.

**University's Investigation and Action:**

The University found additional material, totaling 272 lines, 47 embedded references, and 1 table that were copied from 10 sources into the 2 proposals. It found Subject 1 committed plagiarism by copying approximately 233 lines of text, 47 embedded references, and 1 table from 9 sources, and Subject 2 committed plagiarism by copying approximately 39 lines of text from 1 source.

The University concluded that, based on a preponderance of evidence standard, both Subjects acted intentionally, departing significantly from the accepted practices of the Subjects' relevant research communities. The University recommended termination from the University for both Subjects.

**OIG Assessment:**

- **The Act:** Subject 1 plagiarized approximately 227 lines of text, 47 embedded references and 1 table from 8 sources, and Subject 2 committed plagiarism by copying approximately 39 lines of text from 1 source.
- **Intent:** Both Subjects acted intentionally.
- **Standard of Proof:** A preponderance of evidence standard supports the conclusion that the Subjects committed plagiarism with a culpable level of intent.
- **Significant Departure:** The actions of both Subjects represent a significant departure from accepted practices.
- **Pattern:** No pattern, outside of the two NSF proposals, was detected for Subject 1 but a pattern was established for Subject 2.

**OIG Recommends NSF:**

- Make a finding of research misconduct against both Subjects.
- Send both Subjects letters of reprimand.
- Require both Subjects to provide certification that they attended a responsible conduct of research class that includes citation practices within 1 year.
- Require both Subjects to provide, for 3 years, certifications stating all documents submitted to NSF are free from plagiarism, falsification, and fabrication.
- Require, for 3 years, both Subjects to obtain assurances from the Research Integrity Officer, or appropriate official, that the Subjects' documents are free from plagiarism, falsification, and fabrication.
- Prohibit both Subjects from serving as a reviewer, advisor, or consultant for 3 years.

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## 1. OIG's Inquiry

Our office received an allegation that a PI<sup>1</sup> (Subject 1) plagiarized material into his NSF proposal (Proposal 1).<sup>2</sup> We reviewed Proposal 1 and another proposal he submitted as PI (Proposal 2)<sup>3</sup> with a co-PI (Subject 2).<sup>4</sup> We determined the proposals contained 189 lines and 21 embedded references copied from 8 source documents.<sup>5</sup>

We contacted the Subjects regarding the allegations<sup>6</sup> and in Subject 1's response<sup>7</sup> regarding Proposal 1, he verified copying sections of text unchanged from Sources 1 and 2<sup>8</sup> to "give full credit to the authors."<sup>9</sup> Subject 1 argued that both sources provided only background material to the proposal. However, Source 1 was not cited in the proposal, and Subject 1 stated this was an act of "honest human error on my part, perhaps caused by my rush to meet the deadline."<sup>10</sup>

Subject 1 denied knowledge of Sources 3-5, instead stating that he used another article as source material in place of Source 4.<sup>11</sup> Subject 1 stated that "I did not copy [the text matching Source 3] from anywhere. Any similarities are merely coincidental."<sup>12</sup> As for the language matching Source 5, he said that it was standard textbook material.

Regarding Proposal 2, both Subjects provided copies of the same response.<sup>13</sup> They acknowledged copying material from Sources 1 and 2 but denied knowledge of Source 3. They pointed out that Source 1 was cited throughout the proposal and stated omitting reference to Source 2 in a second location to avoid being redundant. They stated both these sources provided background material to the proposal, and reiterated copying text whole to "give full credit to the authors."<sup>14</sup> They recognized they could have cited these sources more appropriately:

The only additional thing perhaps we could have done was to put those segments of text within quotation marks (or in italics) to make the citation unambiguous.<sup>15</sup>

Tab A: NSF Proposal

PI: Subject 1, the University (Declined).

Tab A: NSF Proposal

PI: Subject 1, co-PI: Subject 2, the University (Declined).

<sup>5</sup> Proposal 1: Sources 1, 4 and 5 are articles, Source 2 a conference paper and source 3 a website page.

Proposal 2: Source 1 is an article, source 2 a conference paper and source 3 a website page.

<sup>6</sup> Tab A, Inquiry Letters.

<sup>7</sup> Tab B.

<sup>8</sup> All source numbers throughout this report correspond to the original OIG numbering, as marked in Tab A.

<sup>9</sup> Tab B, Subject 1's Response for Proposal 1, p. 1.

<sup>10</sup> *Id.*

<sup>11</sup> The Subject did not show which portions he copied from this source. However, the University used this as a source document in place of OIG's Source 4 in their investigation of Proposal 1 and found a much more substantial amount of copied text, including embedded references.

<sup>12</sup> Tab B, Subject 1's Response for Proposal 1, p. 3.

<sup>13</sup> Tab B.

<sup>14</sup> Tab B, p. 1 in the response from each professor for Proposal 2.

<sup>15</sup> Tab B, p. 1 in the response from each professor for Proposal 2.

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The Subjects asserted that the text matching Source 3 was technically constrained and provided text from other documents to support their response. OIG determined the Subjects' responses did not dispel the allegation.<sup>16</sup> The presence of some copied material in Proposal 1 was neither acknowledged nor explained. We therefore determined there was sufficient substance to the allegation to warrant an investigation and referred the investigation to the Subjects' home institution (the University).<sup>17</sup>

## 2. University Actions

Consistent with University policy, the Provost<sup>18</sup> appointed University faculty members to an *ad hoc* Investigative Committee (Committee) to conduct an investigation. The Committee reviewed paper documents and external hard drives seized from the Subjects. It also interviewed the Subjects individually. It produced an Investigation Report (Report) for the Provost with its findings and conclusions.<sup>19</sup>

The paper documents and hard drives yielded no significant evidence related to the proposals, but did include other papers authored by the Subjects. A Committee member ran several of the Subjects' papers through plagiarism-checking software.<sup>20</sup> He found the Subjects' papers yielded low percentages of matching text to outside sources, under 9% for all papers. However, checks of the proposals returned much higher percentages: 40% for Proposal 1 and 27% for Proposal 2.<sup>21</sup> The Committee member concluded the matching text in the proposals was exceptionally substantial, but found no evident pattern of plagiarism in the Subjects' previous scholarly work. The Committee adopted his findings as part of its investigation.

The Committee's investigation uncovered additional plagiarism in both proposals. The plagiarism software identified a sixth source for Proposal 1, providing another 36 lines of plagiarized text and 23 embedded references. The software identified nine more lines as plagiarized from Source 2 into Proposal 1.<sup>22</sup> The Committee evaluated the document Subject 1 provided to OIG in place of the document OIG identified as Source 4 for Proposal 1.<sup>23</sup> It found an additional 35 lines of plagiarized text and 3 embedded references not previously identified by OIG in the original Source 4.<sup>24</sup> Finally, a fourth document was found to be source of three lines of text in Proposal 2.

The Committee interviewed the Subjects individually.<sup>25</sup> During his interview, Subject 1 remained consistent with his response to our inquiry letter. He acknowledged Sources 1, 2, and

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<sup>16</sup> Based on Subject 1's response, we agreed the language was technically constrained and omitted this as plagiarized.

<sup>17</sup> [REDACTED] Tab C contains the referral letter.

<sup>18</sup> [REDACTED] Interim VP for Academic Affairs and Provost.

<sup>19</sup> Tab E.

<sup>20</sup> Tab E, SafeAssign Results.

<sup>21</sup> The Committee relied mainly on the percentages and did not analyze the copied text in-depth.

<sup>22</sup> See Tab F for complete annotation of all sources in the Proposals.

<sup>23</sup> Tab B, Subject 1's response for Proposal 1.

<sup>24</sup> Tab E, Notes on New Matching Source 4. (As seen in this document, the University named this Source 6, although it is truly a replacement to Source 4.)

<sup>25</sup> Tab E. An audio recording was made of the entire interview and paraphrased notes were taken.

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4<sup>26</sup> were not correctly cited. He agreed it is not common in his field to copy information as he did, and he should have properly cited the sources. However, Subject 1 maintained that he did not copy from Source 3 and that he had properly cited Source 5. His explanations regarding Proposal 2 were similar. He copied Source 1 verbatim since he thought it was written well, thinking he had referenced it better in the proposal. He confirmed there was a large amount of similarity to Source 3 but denied having seen it. Generally, Subject 1 stated that he thought he had properly cited the material as “[i]t was not his intent to take credit for someone else’s work.”<sup>27</sup>

Subject 1 attributed the inclusion of Source 2 into Proposal 2 to Subject 2. Subject 1 did not have a working knowledge with the proposed computational aspect, and asked Subject 2 to join the project because of his expertise. In the interview,<sup>28</sup> Subject 2 said Subject 1 sent Source 2 to him, and he decided to copy it because “it was not necessary to [re]write such a simple thing.”<sup>29</sup> After copying the relevant portion of Source 2 and changing a few of its words, Subject 2 sent the slightly altered text back to Subject 1 for incorporation into the proposal. Subject 2 assumed that both Subjects could and would review the full proposal before final submission. Instead, Subject 2 later signed a signature page and then received an email that the proposal was submitted. He did not look at the proposal again until receiving the Inquiry letter from the OIG. Subject 2 acknowledged that Source 2 was not correctly cited and said in his interview that he would not use other authors’ material without proper citation in the future.

The Committee concluded, using a preponderance of the evidence standard, that the allegations of plagiarism were substantiated, and the plagiarism was a significant departure from the Subjects’ research communities’ accepted practices.<sup>30</sup> The Committee concluded the plagiarism was committed intentionally, knowingly and recklessly.<sup>31</sup> It established no pattern of plagiarism outside of the proposals. The Committee made no recommendations to the University adjudicator.

### 3. University Adjudication

The Provost reviewed the Report<sup>32</sup> and its attachments and recommended the Subjects’ dismissal from the University.<sup>33</sup> Subject 2 resigned, and the University accepted his resignation in lieu of removal.<sup>34</sup> Subject 1 requested a formal hearing<sup>35</sup> in which the Hearing Committee upheld the Investigative Committee’s original findings of plagiarism and research misconduct. A majority of the Hearing Committee members upheld the University’s sanction to terminate

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<sup>26</sup> Subject 1 is referring to the source he identified as Source 4, not the one supplied by NSF. He affirmed that he did not properly cite the alternate Source 4, despite its inclusion in the references.

<sup>27</sup> Tab E, Interview notes with subjects, p. 2.

<sup>28</sup> Contained in audio of Tab F, Interview with Subject 2, with relevant answers starting at 12’45”.

<sup>29</sup> Tab E, Interview Notes with Subjects, p. 4.

<sup>30</sup> Subject 2 was held responsible only for the plagiarism of Source 2, Proposal 2; Subject 1 was responsible for the rest.

<sup>31</sup> The wording in the OIG document asks whether the plagiarism was intentional, knowing, or reckless, descriptions intended to distinguish degree of intent.

<sup>32</sup> Tab E, Investigation Report.

<sup>33</sup> Tab G, Letters 1-3.

<sup>34</sup> Tab H, Letters 1 and 2.

<sup>35</sup> Tab H, Letter 3.

Subject 1's employment, but one member dissented based on Subject 1's length of employment at the University. The Hearing Committee proposed the alternative option for the University to allow Subject 1 to retire or resign,<sup>36</sup> and Subject 1 agreed to retire.<sup>37</sup>

#### 4. OIG's Assessment

OIG assessed the University's reports and additional documents for accuracy and completeness and found the reports both accurate and complete. The University followed reasonable procedures in conducting its investigation, and produced an acceptable evidentiary record. We therefore accepted its evidence and report in lieu of conducting our own full investigation.

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

##### a. The Acts

The University concluded that Subject 1 plagiarized 233 lines of text, 47 embedded references, and 1 table from 9 sources into 2 proposals, and Subject 2 plagiarized 39 lines of text from 1 source into 1 proposal. OIG largely concurs with the University's assessment, but ex-

Source	Proposal 1 (Declined)
1	44 lines; 7 embedded references
2	19 lines
3	8 lines
4	39 lines; 6 embedded references
5	4 lines
6	36 lines; 23 embedded references; 1 table
	<b>Proposal 2 (Declined)</b>
1	74 lines; 11 embedded references
2	39 lines
3	omitted (6 lines)
4	3 lines
<b>Total Lines (unique)</b>	266 lines; 47 embedded references; 1 table

<sup>36</sup> Tab H, Letter 4.

<sup>37</sup> Tab H, Letter 5.

<sup>38</sup> 45 C.F.R. §689.2(c).

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cludes the six lines matching Source 3 in Proposal 2 from Subject 1's act because Subject 1 provided evidence of the technical constraint of that text, so OIG assesses Subject 1 to have plagiarized 227 lines of text, 47 embedded references, and 1 table from 8 sources into 2 proposals. OIG concurs that Subject 2 plagiarized 39 lines from 1 source into Proposal 2. The table below specifies the line count from each source document.

### **b. Intent**

The University identified several contiguous paragraphs of plagiarized text in Proposal 1 and Proposal 2, which neither Subject denied plagiarizing. It thus concluded that both Subjects acted intentionally, knowingly, and recklessly.

OIG distinguishes between these degrees of intent and assesses that both Subjects acted intentionally. OIG normally attributes a subject's plagiarism as knowing, as it is difficult to copy text without knowing one is doing so. In this case, we concluded both subjects intentionally plagiarized because they admitted purposefully copying full pages of text into the proposals without appropriate attribution, at times editing portions to integrate the plagiarized text smoothly with their own. Both Subjects had the education and experience to know better. Subject 1 taught for over 20 years and authored several significant publications, and is a practiced member of his research community. Subject 2 was also found to have acted intentionally not only because of his experience in the research community but also for the pattern NSF established outside Proposal 2, discussed below in Degree of Intent and Pattern. Furthermore, whether material is background does not alleviate responsibility to appropriately cite the source.

### **c. Significant Departure**

The University concluded the Subjects significantly departed from the practices of their larger research communities based on the Subjects' statements to this effect.<sup>39</sup> OIG agrees; significant portions of text were copied nearly verbatim into both proposals. Full credit is only given to authors when such copied text contains explicit reference to the source, which the Subjects did not do. As often as material is copied, citation is necessary; again, the Subjects did not provide citation to the sources where the sources' material was used.

### **d. Standard of Proof**

The University made its determination based on a preponderance of the evidence standard. We concur with the Committee's assessment using the same standard.

OIG concludes, by a preponderance of the evidence standard, that both Subjects intentionally plagiarized, and their acts were significant departures from accepted practices; therefore, we conclude both Subjects committed research misconduct.<sup>40</sup>

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<sup>39</sup> Tab E, Interview Notes with Subjects.

<sup>40</sup> 45 C.F.R. part 689.

## **5.     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.<sup>41</sup>

### **a.     Seriousness**

Both Subjects' actions violated the standards of scholarship and the tenets of general research ethics. Copied text serves to misrepresent one's body of knowledge, inaccurately portraying the proposals' respective merit to the reviewers. Subject 1's plagiarism is substantive; it accounts for large portions of the proposals. Although Subject 2's plagiarism of 39 lines is not as extensive as Subject 1's plagiarism, we conclude the amount of plagiarized material is sufficiently serious to warrant a finding of research misconduct.

### **b.     Degree of Intent**

Both subjects acknowledged plagiarizing from the sources into the proposals, and OIG concluded both subjects acted intentionally. Although Subject 1 noted<sup>42</sup> that he only submitted two proposals and received sparse training in proposal writing, his academic experience is sufficient for him to know copying large portions of material without citations is improper. In Proposal 1, Subject 1 edited the plagiarized material, changing details to make it more relevant to the proposal. Although he spent time changing this text, he did not add citation or any other indicators that the plagiarized words were not his own. By making these minor changes and failing to cite to any sources, it is our conclusion that Subject 1 intended to deceive NSF, implying that the words in the proposal were his. Furthermore, when Subject 1 was asked by OIG to identify any other plagiarized sections in Proposal 1, he provided a replacement source document but did not show the 35 additional lines of text and 3 additional references that were copied from it, as identified in the Committee's investigation.

Subject 2 admitted to copying multiple paragraphs of text knowing he did not include a citation because he assumed Subject 1 would add the appropriate citation when pasting the text into the proposal and that Subject 2 would also have another chance to review it. He never claimed ignorance of the need to properly cite. Subject 2 had received training in writing proposals<sup>43</sup> and had previously submitted proposals. In light of Subject 2's research and academic experience, we conclude his volitional copying of Source 2 constitutes intentional plagiarism.

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<sup>41</sup> 45 C.F.R. §689.3(b).

<sup>42</sup> Tab E, Interview Notes with Subjects.

<sup>43</sup> Tab E, Subjects' CITI Online Training.

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**c. Pattern**

The Committee reviewed both Subjects' prior publications and found no evidence of a pattern for either Subject. We assessed the Committee's findings, and we concur that no evidence exists to support a pattern of plagiarism outside of these Proposals for Subject 1 but found the Committee had not reviewed Subject 2's full record. We evaluated the only proposal (Proposal 3)<sup>44</sup> submitted to the NSF by Subject 2 as the sole PI and found a significant amount of copied text: 131 lines and 3 references from 6 sources.<sup>45</sup> Similar to Proposal 2, Subject 2 copied whole portions of text from the sources, changing a few words to make the text fit his proposal, without properly citing the source authors. The similar pattern evident in both proposals indicates Subject 2's pattern of copying text into his proposals.

*Impact on the research record*

Since the plagiarism occurred in declined proposals, the impact on the research record was minimal.

**6. Subjects' Response**

The subjects did not respond to our draft ROI.

**7. OIG Recommendations**

Based on the evidence and sanctions already imposed by the University, OIG recommends NSF:

- Send letters of reprimand to each Subject informing each that NSF has made a finding of research misconduct against him;<sup>46</sup>
- Require each 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 1 year of NSF's finding;<sup>47</sup>

For a period of 3 years as of the date of NSF's finding:

- For each submission to NSF (directly or through his institution), require:
  - each Subject to submit a certification to the AIGI that the Subject's documents are free from plagiarism, falsification, or fabrication.<sup>48</sup>

<sup>44</sup>

Tab I.

PI: Subject 2. (Declined).

<sup>46</sup> A Group I action (45 C.F.R. §689.3(a)(1)(i)).

<sup>47</sup> Comparable to a Group I action (45 C.F.R. §689.3(a)(1)).

<sup>48</sup> This action is similar to 45 C.F.R. 689.3(a)(1)(iii).

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- each Subject to submit assurances from the Research Integrity Officer or a responsible official of his employer to the AIGI that the contents are not plagiarized, falsified, or fabricated.<sup>49</sup>
- Bar the Subject from participating as a reviewer, advisor, or consultant for NSF.<sup>50</sup>

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<sup>49</sup> A Group I action 45 C.F.R. 689.3(a)(1)(iii).

<sup>50</sup> A Group III action 45 C.F.R. 689.3(a)(3)(ii).