



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

**CLOSEOUT MEMORANDUM**

Case Number: A10110088

Page 1 of 1

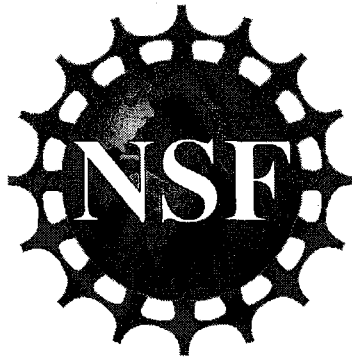
Our investigation determined that the Subjects<sup>1</sup> fabricated claims of academic degrees and professional employment experience in proposals submitted to NSF, and that each of the proposals contained extensive copied text from uncited sources, constituting plagiarism. In light of this misconduct, NSF debarred the Subjects and their company from directly or indirectly obtaining the benefits of Federal grants for five years.

This memo, the attached Report of Investigation, and the letters from NSF with a notice of proposed debarment and the final debarment notice constitute the case closeout. Accordingly, this case is closed.

<sup>1</sup>

[REDACTED]

# National Science Foundation Office of Inspector General



## Report of Investigation Case Number A 10110088

10 July 2012

**This 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 report of investigation.

**Executive Summary**

**Allegations** Fabricated claims of academic degrees, professional employment experience, and plagiarism in proposals submitted to NSF.

**Subjects** [REDACTED]

**OIG's Investigation** Our investigation showed that the Subjects fabricated claims of academic degrees and professional employment experience in two NSF proposals, and in one NIH proposal. We also established that each of three proposals submitted by the Subjects contained extensive copied text from uncited sources, constituting plagiarism.

**OIG Action** We referred the case to the U.S. Attorney's Office for the [REDACTED]. The office declined the case for criminal prosecution because there was no monetary loss to the government. This report is sent to NSF for appropriate action.

**OIG Recommendation** OIG recommends that NSF issue a government-wide debarment of the Subjects, and the organization [REDACTED] for five years.

## I. Factual Background

The Subjects<sup>1</sup> as PI and/or coPI submitted two proposals<sup>2</sup> to NSF, and one<sup>3</sup> to NIH. We assessed an allegation of plagiarism in the first NSF proposal.

## II. OIG Investigation

As part of our assessment, we examined NSF proposal submission histories for the PI and coPI.<sup>4</sup> Within a one-month period starting July 1, 2010, the Subjects submitted twelve versions of the first proposal to NSF that were either withdrawn or returned without review by NSF for various reasons. The thirteenth version of the proposal was accepted by NSF and subsequently evaluated in NSF's merit review process. The PI signed as Authorized Organizational Representative on all NSF proposals.

We completed database searches on the PI, the coPI, and their organization.<sup>5</sup> The organization<sup>6</sup> is a [REDACTED] corporation established in June 2010, with the PI as the registered agent. The search revealed that the PI had a criminal history, including charges and convictions involving forgery and fraudulent documents. In examining the group of thirteen versions submitted to NSF by the Subjects, we noted inconsistencies in the biographical sketches for the PI and coPI that raised significant questions regarding their academic credentials and employment positions.

### *Fabricated Claims by the Subjects in their biographical sketches in NSF proposals*

#### *Fabricated academic credentials*

In the biographical sketches of thirteen versions of the first NSF proposal, the PI<sup>7</sup> consistently claimed an "undergraduate" (degree) in 1976 from the [REDACTED], and a doctorate in 1982 from the [REDACTED]. A claim of a second doctorate from the [REDACTED] is less consistently listed in the proposals, being described variously as awarded either in 1986 or 1990. A "masters" is sometimes claimed as being awarded from [REDACTED] in 1978, or sometimes from [REDACTED] in 1986. On the cover pages of the thirteen versions of the first NSF proposal, the PI specifically claimed a Ph.D. degree awarded in 1982.

<sup>1</sup> [REDACTED]

<sup>2</sup> The first (Tab 1) was [REDACTED]

was returned without review, because it was deemed not to be substantially changed from the first submission.

<sup>3</sup> [REDACTED]

(this proposal was also declined).

<sup>4</sup> NSF proposal histories for the PI and coPI are attached at Tab 2.

<sup>5</sup> Search results for the PI and coPI are available for examination by NSF officials upon request.

<sup>6</sup> [REDACTED]

<sup>7</sup> [REDACTED]

In the biographical sketches of ten versions of the first NSF proposal, the coPI<sup>8</sup> consistently claimed a "bachelor" degree in 1976 from [REDACTED], and a second "bachelor" degree in 1978 from [REDACTED]. In most proposals, he claimed a 1980 doctorate from the [REDACTED] and a 1982 post-doctorate position at the [REDACTED]

We contacted educational institutions listed in the biographical sketches for both Subjects to establish the validities of the claimed degrees.<sup>9</sup> For each ([REDACTED]), we requested a system-wide search under all possible names and at all possible campuses for the claimed academic degrees. All three systems responded.<sup>10</sup> None of the degrees claimed by the Subjects were awarded by these institutions. We therefore conclude that claims of academic credentials by the Subjects in the biographical sketches of the NSF proposals are fabricated. The purpose of these fabrications was to provide an appearance of professional academic credentials that the Subjects did not possess.

*Fabricated claims of professional employment experience*

The PI claimed, on his biographical sketches, periods of employment at [REDACTED] [REDACTED]<sup>11</sup> and "Department of Corrections," or in "private practice" (implicitly as a psychologist). The periods of claimed employment overlap with periods of his incarceration.<sup>12</sup> We conclude that employment information provided by the PI on his biographical sketches is fabricated.

University records also contradict the coPI's claim of employment as a postdoctoral researcher.<sup>13</sup> We conclude that the employment information provided by the coPI on his biographical sketches is fabricated.

In sum, we conclude the Subjects' claimed employment and professional expertise are fabricated. The purpose of these fabrications was to provide an appearance of professional credentials and experience that the Subjects did not possess.

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<sup>8</sup> [REDACTED].

<sup>9</sup> Biographical sketches for [REDACTED] (PI on all thirteen proposals) and [REDACTED] coPI on ten proposals) are assembled at Tab 3 along with a spreadsheet that summarizes the educational degree claims.

<sup>10</sup> Compiled university responses are at Tab 4.

<sup>11</sup> [REDACTED]. At the time the PI claimed to be employed at [REDACTED], he was incarcerated in [REDACTED].

The overlapped periods are revealed in the criminal records check referred to in Footnote 3.

<sup>13</sup> Records from the [REDACTED] are at Tab 4.

### *Plagiarism in NSF and NIH Proposals*

The Subjects' merit-reviewed NSF proposal<sup>14</sup> contained 279 lines of text and 21 embedded references copied from 10 source documents.<sup>15</sup> The text from four sources was copied in its entirety into the proposal. The 21 embedded references in the copied text comprise the entirety of the "References Cited" section of the proposal. To place this copying in perspective, a full 5 out of 6 pages of the project description (about 80%) consists of text copied verbatim from the sources, and used without quotation, citation, or reference. We conclude that the Subjects intentionally committed plagiarism in this proposal.

After receiving a declination from NSF on the first merit-reviewed proposal, the PI and coPI submitted a second proposal to NSF.<sup>16</sup> We assessed this proposal and found 131 new lines of text copied from 8 new source documents.<sup>17</sup> Approximately 7 of 11 pages (65%) of this proposal is text copied verbatim from the sources, and used without quotation, citation, or reference. We conclude that the Subjects intentionally committed plagiarism in this proposal.

During our investigation, we learned that the Subjects submitted a proposal to the National Institutes of Health (NIH).<sup>18</sup> We obtained a copy of the proposal from NIH, and determined that the NIH proposal is identical to the merit-reviewed NSF proposal, other than required formatting differences. The copied text in the proposals is identical.

Based on the extensive verbatim plagiarism, we conclude that the Subjects intentionally plagiarized in proposals submitted to NSF and NIH.

### *Conclusions*

Based on the evidence we obtained, we conclude that the Subjects intentionally and purposefully fabricated their credentials in multiple proposals submitted to NSF. The Subjects claimed multiple academic degrees they did not earn, and professional employment experience they did not possess. We also conclude that the Subjects committed intentional plagiarism in NSF proposals.

### **III. Referral to the Department of Justice**

We referred this case to the United States Attorney in the [REDACTED] for possible prosecution.<sup>19</sup> The AUSA agreed with our conclusion that the PI and coPI misrepresented their academic credentials and professional work experiences. However, the

<sup>14</sup> [REDACTED], declined for funding.

<sup>15</sup> The annotated proposal and annotated source documents are included at Tab 5.

<sup>16</sup> [REDACTED]  
[REDACTED] This proposal was returned without review, because it was deemed not to be substantially changed from the previous submission.

<sup>17</sup> The annotated proposal and annotated source documents are included at Tab 6.

<sup>18</sup> [REDACTED]

<sup>19</sup> Possible violations include 18 U.S.C. § 1001: False statements; 18 U.S.C. § 1343: Wire Fraud; and 18 U.S.C. § 371: Conspiracy to Defraud the United States.

AUSA concluded that since no federal funds were awarded, there was no loss to the government. The case was declined for prosecution.<sup>20</sup>

#### IV. Subject's Response to Draft Report of Investigation

We sent a draft copy of our report of investigation to both Subjects (the PI and the coPI). In his email responses,<sup>21</sup> the PI denied any responsibility in preparation of two proposals submitted to NSF and one to NIH. The PI stated:

First off let me say we had nothing to do with NSF or NIH. We have a third person involved when we started [REDACTED] [REDACTED] was on our board and he was in charge of getting the funding. What he did with the NSF and the NIH is not familiar to us at all.

and

Neither [REDACTED] are holders of psychology or sociology degrees. [REDACTED] holds AA in business management from [REDACTED] and [REDACTED], [REDACTED].

and

Mr. [REDACTED] is no longer associated with this organization.<sup>23</sup>

Additionally, the PI stated:

We originally hired [REDACTED] to do the paperwork to file a 501(c)(3) application. They informed us that there must be three people on the board to get the paperwork filed. [REDACTED], [REDACTED], and [REDACTED] is Treasurer. That was the original board members from June 10, 2010 until December 15, 2011. [REDACTED] wanted to do all the work for acquiring grants and funds in which to get this organization off the ground. It was agreed that this organization was to be a legit organization. Our intentions were and still are to help put a stop to [REDACTED] [REDACTED] in the United States. Both [REDACTED] did not know anything about the NSF or the NIH being contacted. [...] [REDACTED] informed us at our quarterly meeting that he was moving to Saint Lewis and he did not want to be a part of this organization on December 15, 2011. We have not

<sup>20</sup> The AUSA's declination letter is at Tab 7.

<sup>21</sup> Tab 8.

<sup>22</sup> We note that the IRS Form 1023 provided to us, which the PI states he prepared, lists degrees for [REDACTED] as 1) Associate degree in Business management, 2) Associates degree in Psychology, and 3) Associates degree in Computer Science. As noted, we established that the [REDACTED] has not awarded any degrees to [REDACTED].

<sup>23</sup> Subject's email of February 13, 2012.

heard from him since then. [REDACTED],  
[REDACTED] and did not have a phone.

In an attachment to a later email, the PI provides a copy of the [REDACTED] documents that list [REDACTED] as the Treasurer of [REDACTED]. The documents include a resume for [REDACTED], which consists, in its entirety, of:

[REDACTED]  
Education: Associates degree in Psychology.  
Work experience: Almost one year Drug and alcohol counseling.  
Position in Non profit: Treasurer <sup>26</sup>

We sent a letter to [REDACTED] at the indicated address informing him of our desire to speak with him about his participation with the organization. He called us in response. He asserted that he never worked for nor was ever associated with [REDACTED] that he never composed or submitted any proposals for funding. He stated that he knew [REDACTED] only through [REDACTED]'s son, with whom he had worked in the past in a screen-printing business. We followed up the phone conversation with a letter to a new address he provided to us during the phone conversation, but the letter was returned to us, citing an incorrect address.

[REDACTED] name does not appear in any of the NSF proposals as an author, or in any capacity as affiliated with [REDACTED]. All email correspondence between NSF and [REDACTED] lists the PI as the sender and recipient of messages, and the PI is listed as the Authorized Organizational Representative on all proposals submitted to NSF.

The PI provided corrected information for the identity of the coPI;<sup>27</sup> we revised the report accordingly. Based on information provided by the PI, we attempted to contact the coPI at an alternate address, but we received no response.

Reviews for the first reviewed NSF proposal submitted by the Subjects were emailed back to the PI at the email address provided in the proposal.<sup>28</sup> The second NSF proposal submitted by the Subjects was returned without review, and this notification was also sent to the PI by email. The PI stated that he was totally uninvolved with the preparation and submission of these NSF proposals bearing his name as PI and as authorized organizational representative.

We conclude that the PI's assertion is not credible, and it is untenable that the PI was: 1) unaware of the initial submissions of twelve proposals and their withdrawal or return; 2) unaware of the declination of the proposal merit-reviewed by NSF; 3) unaware of the reviews provided for that proposal; 4) unaware of the second NSF proposal submission and return

<sup>24</sup> Subject's email of February 15, 2012.

<sup>25</sup> IRS Form 1023 attachment. The PI states that these documents were not filed because of the cost of doing so.

<sup>26</sup> Subject's email of February 17, 2012 and last page of IRS Form 1023 (attachment).

<sup>27</sup> [REDACTED]

<sup>28</sup> The PI stated that [REDACTED] also had the password to and used the organization's email address.



without review; and 5) unaware of the proposal submission to NIH. This asserted non-involvement by the PI with requests for funding, including detailed budget requests, contrasts with the PI's involvement with the preparation of documents to establish the organization as a 501(c)(3) entity.

## **V.     OIG Recommendation for Debarment**

### **A.     Authority for Debarment**

In debarment actions, the burden of proof lies with NSF to demonstrate by a preponderance of the evidence that cause for debarment exists.<sup>29</sup> NSF may debar an individual for the reasons listed in 2 C.F.R. §180.800 (b),(c), or (d), if it establishes by a preponderance of evidence that the individual being considered for debarment engaged in a “[v]iolation of the terms of a public agreement so serious as to affect the integrity of an agency program . . . such as . . . a willful violation of a statutory or regulatory provision or requirement applicable to a public agreement or transaction. . . .”<sup>30</sup> or if NSF determines there is “any other cause of so serious a nature as that it affects present responsibility.”<sup>31</sup> Moreover, NSF may impute the fraudulent, criminal, or other improper conduct of any officer, director, shareholder, partner, employee, or other individual associated with an organization, to that organization *when the improper conduct occurred in connection with the individual’s performance of duties for or on behalf of that organization, or with the organization’s knowledge, approval or acquiescence.*<sup>32</sup>

In this case, if the Subjects did not prepare the proposals, as claimed by the PI, their acquiescence in allowing the submission and review of three proposals requesting almost six million dollars in funding, without their explicit review, approval, or knowledge, is evidence a lack of present responsibility. As explained above, based upon the record evidence, we concluded that it was not credible that these proposals were prepared and submitted without the involvement of the Subjects. We therefore conclude that the Subjects fabricated their educational credentials and work experience in three proposal submissions to two federal agencies, and that each proposal was intentionally plagiarized. The fabricated information the Subjects provided to NSF constituted material information pertinent to NSF’s decision-making process. The Subjects’ actions distort the validity of the merit review process, constitute a violation of the underlying precepts of that public transaction, and provide evidence of a lack of present responsibility.

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<sup>29</sup> 2 C.F.R. §§ 180.850(a) and 180.855.

<sup>30</sup> 2 C.F.R. § 180.800(b)(3).

<sup>31</sup> 2 C.F.R. § 180.800(d).

<sup>32</sup> 2 C.F.R. § 180.630(a).

## **B. Evidence that Cause for Debarment Exists**

The debarment regulation lists 19 factors that the debarring official may consider, if applicable,<sup>33</sup> when determining whether there is adequate evidence that a cause for debarment exists. The following factors are pertinent to this case:

### **Frequency or Duration of Incidents<sup>34</sup>**

Fabricated claims of educational degrees and fabricated claims of employment and professional history are pervasive in the numerous versions of proposals submitted to NSF with the Subjects listed as PI and coPI. Further, there was substantial plagiarism in all submitted proposals.

### **Pattern of Wrongdoing<sup>35</sup>**

Previous civil and criminal convictions for forgery and fraud committed by the PI constitute a relevant part of a pattern of behavior, along with submission of the proposal to NIH with identical fabricated claims and plagiarism.

### **Role in Wrongdoing<sup>36</sup>**

The Subjects submitted or acquiesced to fabricated claims of educational degrees and professional employment experience in fourteen proposals submitted to NSF, and one to NIH, and the rampant plagiarism has not been refuted.

### **Position Held by Subject<sup>37</sup>**

The Subjects and the organization are synonymous. Therefore, their actions can be imputed to the organization, and we conclude that action against both the Subjects and the organization is warranted.

## **C. Recommendation**

We recommend that NSF debar the Subjects and their organization for five years. Debarments that exceed three years may be imposed by the debarring official after consideration of the factors listed above.<sup>38</sup> In this case, the Subjects' actions are egregious. The Subjects fabricated, or allowed fabrication, of their academic credentials and professional employment experience in an attempt to make their personal qualifications for performing the proposed research appear credible. Their proposed research is described in a project description that substantially plagiarized from the work of others, seriously departing from the most elementary

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<sup>33</sup> 2 C.F.R. § 180.860.

<sup>34</sup> 2 C.F.R. § 180.860(b).

<sup>35</sup> 2 C.F.R. § 180.860(c).

<sup>36</sup> 2 C.F.R. § 180.860(f).

<sup>37</sup> 2 C.F.R. § 180.860(k).

<sup>38</sup> 2 CFR §180.865 (b).

standards of scholarship. Although the Subjects' NSF proposal was declined for funding, the Subjects had a history of submitting proposals for federal funding, and may submit future proposals to NSF or other Federal agencies,<sup>39</sup> or may induce others to do so under their organization's name. Debarment is an appropriate action to protect Federal interests and prevent the award of Federal funds to the Subjects in the future.

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<sup>39</sup> The PI specifically indicated an intention to submit future proposals to other federal agencies (email of February 26, 2012).

NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

DEC 4 2012

**CERTIFIED MAIL --RETURN RECEIPT REQUESTED**



*Re: Notice of Proposed Debarment*

Dear [REDACTED]:

In light of your misconduct, this letter serves as formal notice that the National Science Foundation ("NSF") is proposing to debar you from directly or indirectly obtaining the benefits of Federal grants for five years. During this period of debarment, you will be precluded from receiving Federal financial and non-financial assistance and benefits under non-procurement Federal programs and activities. In addition, you will be prohibited from receiving any Federal contracts or approved subcontracts under the Federal Acquisition Regulations ("FAR"). Lastly, during this debarment period, you will be barred from having 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.

*Reason for Debarment*

NSF is proposing debarment against you based upon a referral from NSF's Office of Inspector General ("OIG"). In accordance with the OIG's investigative report, you fabricated claims of academic degrees and professional employment experience in two NSF proposals, as well as one proposal submitted to the National Institutes of Health ("NIH"). In addition, each of these three proposals contained extensive copied text from uncited sources, constituting plagiarism.

### *Regulatory Basis for 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 any agency program, such as –

(3) A willful violation of a statutory or regulatory provision or requirement applicable to a public agreement or transaction; or

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(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. Your misconduct, as set forth in the OIG's investigative report, supports a cause for debarment under 2 CFR 180.800(b)(3) and (d).

### *Length of Debarment*

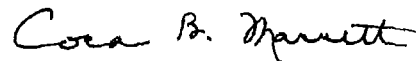
Debarment must be for a period commensurate with the seriousness of the causes upon which an individual's debarment is based. 2 CFR 180.865. Generally, a period of debarment should not exceed three years but, where circumstances warrant, a longer period may be imposed. *Id.* Having considered the seriousness of your actions, as well as the relevant aggravating and mitigating factors set forth in 2 CFR 180.860, we are proposing debarment for a period of five years.

### *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 proposed debarment. 2 CFR 180.815, 180.820. Comments 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 you choose to submit 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, we are attaching a copy of the Foundation's regulations on non-procurement debarment and FAR Subpart 9.4.

Sincerely,

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

Cora B. Marrett  
Deputy Director

Enclosures:  
OIG Investigative Report  
Nonprocurement Debarment Regulations  
FAR Regulations

NATIONAL SCIENCE FOUNDATION

4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

MAR 05 2013

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

[REDACTED]

*Re: Notice of Debarment*

Dear [REDACTED]

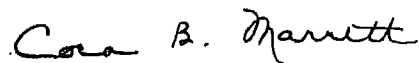
On December 4, 2012, the National Science Foundation ("NSF") issued to you a Notice of Proposed Debarment ("Notice"), in which NSF proposed to debar you from directly or indirectly obtaining the benefits of Federal grants for a period of five years. As reflected in the Notice, NSF proposed your debarment for fabricating claims of academic degrees and professional employment experience in three proposals submitted to the Federal Government, and for including plagiarized materials in these proposals. In that Notice, NSF provided you with thirty days to respond to the proposed debarment.

Over thirty days have elapsed and NSF has not received a response. Accordingly, you are debarred until December 3, 2017. 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 regarding the foregoing, please contact Eric S. Gold, Assistant General Counsel, at (703) 292-8060.

Sincerely,

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

Cora B. Marrett  
Deputy Director



NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230

DEC 4 2012



OFFICE OF THE  
DEPUTY DIRECTOR

**CERTIFIED MAIL --RETURN RECEIPT REQUESTED**



*Re: Notice of Proposed Debarment*

Dear [REDACTED]:

In light of your misconduct, this letter serves as formal notice that the National Science Foundation ("NSF") is proposing to debar you and [REDACTED] (the "Company") from directly or indirectly obtaining the benefits of Federal grants for five years. During this period of debarment, you and the Company will be precluded from receiving Federal financial and non-financial assistance and benefits under non-procurement Federal programs and activities. In addition, you and the Company will be prohibited from receiving any Federal contracts or approved subcontracts under the Federal Acquisition Regulations ("FAR"). Lastly, during this debarment period, you and the Company will be barred from having 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.

*Reason for Debarment*

NSF is proposing debarment against you and the Company based upon a referral from NSF's Office of Inspector General ("OIG"). In accordance with the OIG's investigative report, you fabricated claims of academic degrees and professional employment experience in two NSF proposals, as well as one proposal submitted to the National Institutes of Health ("NIH"). In addition, each of these three proposals contained extensive copied text from uncited sources, constituting plagiarism.

### *Regulatory Basis for 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 any agency program, such as –

(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. Your misconduct, as set forth in the OIG's investigative report, supports a cause for debarment under 2 CFR 180.800(b)(3) and (d). Moreover, your misconduct occurred in connection with your performance of duties for or on behalf of the Company, or with the Company's knowledge, approval, or acquiescence. Thus, NSF may impute your conduct to the Company in accordance with the government-wide debarment regulations. 2 CFR 180.630.

### *Length of Debarment*

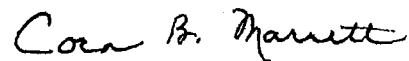
Debarment must be for a period commensurate with the seriousness of the causes upon which an individual's debarment is based. 2 CFR 180.865. Generally, a period of debarment should not exceed three years but, where circumstances warrant, a longer period may be imposed. *Id.* Having considered the seriousness of your actions, as well as the relevant aggravating and mitigating factors set forth in 2 CFR 180.860, we are proposing debarment for a period of five years.

### *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 and the Company 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 proposed debarment. 2 CFR 180.815, 180.820. Comments 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 you choose to submit 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, we are attaching a copy of the Foundation's regulations on non-procurement debarment and FAR Subpart 9.4.

Sincerely,

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

Cora B. Marrett  
Deputy Director

Enclosures:

OIG Investigative Report

Nonprocurement Debarment Regulations

FAR Regulations

NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

MAR 27 2013

**VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

[REDACTED]

*Re: Notice of Debarment*

Dear [REDACTED]

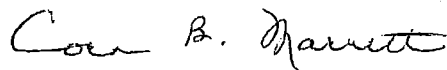
On December 4, 2012, the National Science Foundation ("NSF") issued to you a Notice of Proposed Debarment ("Notice"), in which NSF proposed to debar you and [REDACTED] (the "Company") from directly or indirectly obtaining the benefits of Federal grants for a period of five years. As reflected in the Notice, NSF proposed the debarment of you and your Company for fabricating claims of academic degrees and professional employment experience in three proposals submitted to the Federal Government, and for including plagiarized materials in these proposals. In that Notice, NSF provided you with thirty days to respond to the proposed debarment.

Over thirty days have elapsed and NSF has not received a response. Accordingly, you and the Company are debarred until December 3, 2017. Debarment precludes you and the Company 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 and the Company 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 regarding the foregoing, please contact Eric S. Gold, Assistant General Counsel, at (703) 292-8060.

Sincerely,

A handwritten signature in cursive script that reads "Cora B. Marrett". The signature is written in dark ink and is positioned above the printed name and title.

Cora B. Marrett  
Deputy Director