

*Office of
Inspector General*



NSF Regional Grants Conference
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Kenneth L. Busch
Investigations, Office of Inspector General

Jayne Hornstein
Audit, Office of Inspector General

OIG works with NSF and the research community

We investigate allegations of:

- Fraud, waste, and abuse
- Research misconduct
- Violations of law, regulation, directive, or policy

We conduct audits:

- Financial
- Performance

We perform outreach:

- Presentations
- Briefings
- Informational brochures



Cases

Plagiarism, intellectual theft,
fabrication and falsification (data or credentials)

- in proposals (awarded and declined)
- in work supported by NSF (publications and reports)

Contract over-charging
Inappropriate costs

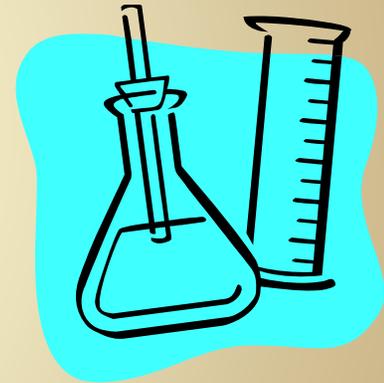
False certifications

- Federal Financial Report
- Cost sharing
- Human subjects



NSF Regulation on Research Misconduct

- Tracks OSTP's Federal policy on research misconduct
- Defines **F**abrication, **F**alsification, **P**lagiarism
 - violation of peer review
 - defines “research” and the “research record”
- Final Rule - 67 FR 11936 (March 18, 2002)
- NSF Misconduct Regulation - 45 CFR Part 689



<http://www.nsf.gov/oig/misconscieng.jsp>

Proposal Certifications

- Compliance with award terms and conditions
- Accuracy and completeness of statements
- Conflict-of-interest policy
- Drug-free workplace
- Debarment and suspension
- Lobbying (proposal >\$100,000)



**Providing false information is a
*criminal violation (18 USC §1001).***

Guiding Standards for Investigations

- Focus on substantive issues with a link to NSF
- Refer to institution as the usual procedure
- Maintain confidentiality
- Rely on carefully documented evidence
- Produce accurate and timely reports
- Preponderance of evidence standard

Confidential

Outcomes of Allegations and Cases



- Inquiry/Investigation of criminal, civil, administrative allegations
- Refer to federal, state, local authorities, or to OIG audit
- Criminal or civil outcomes may include:
 - Prosecutions or Settlement Agreements
 - Fines; Reimbursements; Compliance Agreements; Incarceration
- Administrative outcomes include:
 - Termination/Restrictions on Awards; Certifications; Assurances; Debarments; Reprimands; Retractions

Responsible Conduct of Research (RCR) Requirement

January 2010

When submitting a proposal to NSF, the Authorized Organizational Representative is required to complete a certification that the institution has a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduates, graduate students, and postdoctoral researchers who will be supported by NSF to conduct research. While training plans are not required to be included in proposals submitted to NSF, institutions are advised that they are subject to review upon request (text from the NSF GPG).

www.nsf.gov/publications/pub_summ.jsp?ods_key=rcrfaq

Audits

- ARRA
- Financial audits
- Performance audits
- OMB Circular A-133 /Single audits

ARRA Recipients

Separate ARRA funds from regular grant funds
(CFDA 47.082)

Submit recipient quarterly reports on time

Report “credible” evidence of wrongdoing to OIG
Post whistleblower protection notices for employees
Avoid retaliation against whistleblowers

Ask if you have questions

Document approvals and conversations with NSF

OIG Oversight of ARRA Awards

Expenditures

- Consistent with ARRA purpose and goals
- Subject to appropriate internal controls

Compliance with requirements, including special ARRA provisions

Investigate allegations of retaliation, wrongdoing

ARRA and A-133 Audits

ARRA awards will be treated as “high-risk” and emphasized in FYs 2010-2013

Report ARRA funds separately on Schedule of Expenditures of Federal Awards (CFDA 47.082)

Type B programs will be major programs at least once in the next 3 years

Single audit/ A-133 audit reports

- Review independent auditor's report
- Review additional comments to management
- Review findings and questioned costs

- May review work of auditors
- May conduct on-site audit of grantee

- Refer resolution of audit findings to NSF

Common Areas for Audit Findings

- Costs
- Award administration
- Cost sharing

Cost Determinations

Costs must be allowable, reasonable, allocable, documented, consistent in the treatment of costs

Unsupported expenditures

- Reimbursements not documented (invoices, etc.)
- Time and effort not timely, not signed/certified

Unallowable expenditures

- Direct charges for costs in the indirect pool
- Overload salary (unless NSF-approved)
- Meals, alcohol

Award Administration

- Financial Management System
 - Project Accounting
 - Segregation of Duties
 - Approvals, Procedures for determining allowable costs
 - Budget compared to actual expenditures
- Accuracy and timeliness of reporting, notifications
- Effort reporting, equipment inventory maintained
- Participant support documented per award

Subrecipient Monitoring

Awardee is responsible for oversight of the Subawardee

- Written agreements
 - Flow-down award terms/Federal requirements
 - Reporting of costs and performance
- Assess and monitor subrecipient award administration
 - Site visits, other contacts
 - A-133 audits
 - Ensure timely and appropriate corrective action

Cost sharing

- No Federal funds
- Track cost sharing per award (no duplication)
- Documented and certified (AOR for >\$500,000)
 - Valuation at actual/fair market value
 - Report annual and cumulative amounts
 - Both awardee and subawardee cost sharing

How might we interact with each other?

You have access to OIG

- Ask questions, assistance to resolve issues
- Report matters that are or may be improper
- Receive outreach seminar or training session

We may call upon you to participate

- As an advisor or expert
- Performance and financial reviews
- Inquiry or investigation

OIG Outreach

Presentations, seminars, and on-site visits

Designed for students, PIs, and administrators

Topical fact sheets and brochures

Briefings, conference presentations

OIG Semiannual Report

www.nsf.gov/oig/outreach_all.jsp



When should you contact OIG?

Report significant administrative or financial problems

Report allegations of wrongdoing

- Research misconduct
- Fraud /theft involving NSF funds
- Violation of regulation, directive, or policy

NSF Hotline

Request an outreach visit

Contact NSF OIG

- Internet: www.nsf.gov/oig/
- E-mail: oig@nsf.gov
- Postal Mail:
4201 Wilson Blvd., Arlington, VA 22230
- Phone: 703-292-7100
- Hotline: 1-800-428-2189

Information on-line

OIG General

- www.oig.nsf.gov
- www.nsf.gov/oig/recovery.jsp

Regulations / NSF Proposal and Award Policies and Procedures

- www.gpoaccess.gov/cfr.index.html
- www.whitehouse.gov/omb/circulars
- www.nsf.gov/pubs/policydocs/pappguide/nsf10_1/index.jsp?org=NSF

More information on-line

NSF Recovery Act Website:

www.nsf.gov/recovery/

Recipient Reporting Website:

www.nsf.gov/recovery/reporting.jsp

The Responsible Conduct of Research (RCR) requirement is implemented in the *NSF Proposal and Award Policies and Procedures Guide*. RCR FAQs are available on the Policy Office website at:

www.nsf.gov/publications/pub_summ.jsp?ods_key=rcrfaq



Celebrating
60 *Years*
of Discovery