



NATIONAL SCIENCE FOUNDATION  
OFFICE OF INSPECTOR GENERAL  
OFFICE OF INVESTIGATIONS

## CLOSEOUT MEMORANDUM

Case Number: A02040029

Page 1 of 1

Our office received an allegation that the subject<sup>1</sup> plagiarized text in an NSF proposal. The institution conducted an investigation and provided us with a copy of its investigation report. The institution determined that the subject had committed an act of misconduct in research. The investigation report recommended, and the institution took the following actions:

- Sent a letter of reprimand from the Provost of the University to the subject
- Required the subject to complete a course on ethics and integrity in research and rules of citation of source material
- Suspended the subject from submitting research proposals to state and Federal agencies for a period of one year
- Required written certification by the subject's department chair or other university official for a period of two years thereafter affirming that any proposal submitted by the subject contains no plagiarism

Additionally, the institution did not renew the subject's academic contract.

Our review of the institution's investigation report determined that the investigation was thorough, fair and accurate, and we concur with its conclusions. Based on the institution's report and our own investigation, we recommended that NSF find that the subject committed research misconduct, and take the following three actions:

- Issue a letter of reprimand informing the subject that NSF has made a finding of research misconduct against him.
- Debar the subject from participation in Federal programs for a period of one year from the date of an agency finding of research misconduct.
- Require certification and assurances for two years following the end of the debarment period by a responsible official of the employer that proposals submitted by the subject are free of plagiarism.

Our investigation report, the NSF Deputy Director's letter reflecting his decision, and this memo constitute the closeout for this investigation.

Accordingly, this case is closed.

---

<sup>1</sup> Redacted

NATIONAL SCIENCE FOUNDATION  
4201 WILSON BOULEVARD  
ARLINGTON, VIRGINIA 22230



OFFICE OF THE  
DEPUTY DIRECTOR

CERTIFIED MAIL --RETURN RECEIPT REQUESTED



Re: Notice of Misconduct in Science Determination

Dear [REDACTED]

The National Science Foundation (NSF) has concluded that you committed misconduct in science when you engaged in plagiarism in two proposals that you submitted to NSF in [REDACTED]

NSF's research misconduct regulation in effect at the time the misconduct occurred defined "misconduct" to include "plagiarism, or other serious deviation from accepted practices in proposing, carrying out, or reporting results from activities funded by NSF." 45 CFR §689.1(a). The NSF's Office of Inspector General's Investigation Report establishes that you copied text from several source documents in your proposals, without proper attribution and without the authors' permission. The report indicates that you did not provide citations to most of the source documents. Although you did provide a citation to one of the source documents, you did not distinguish the copied material in a manner which apprised the reader of the extent to which you verbatim copied text from this source document.

By submitting proposals to NSF that copy text of another without adequate attribution and distinction, and without the author's permission, you misrepresented someone else's work as your own. It also undermines the integrity of your proposal.

I therefore have determined that your copying in NSF proposals without providing appropriate attribution to the original authors' works constitutes plagiarism and a significant departure from accepted practices under NSF's regulations. See 45 CFR §689.2. I also agree with [REDACTED] [REDACTED] conclusion that you acted recklessly when you failed to properly cite to the source documents or distinguish the copied material.

In deciding what response is appropriate, NSF has considered the seriousness of the misconduct, whether it was deliberate or careless, whether it was an isolated event or part of a pattern, and

whether the misconduct had a significant impact on the research record, research subjects, other researchers, institutions, or the public welfare. 45 C.F.R. §689.3.

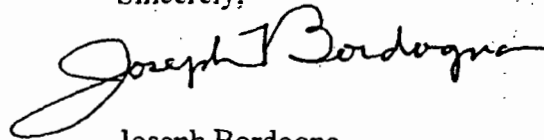
It is disconcerting that you submitted plagiarized text on more than one occasion to the Foundation. However, I have considered several mitigating factors in this case. First, you cooperated in the investigation and accepted responsibility for your misconduct. Second, you immediately notified two other Federal agencies about your failure to include proper citations in proposals that you had submitted to them. Third, at the time that the misconduct occurred, you were a relatively inexperienced researcher. Fourth, the majority of the plagiarized material was in the background section of your proposals and it came from published sources. Fifth, I believe that you acted recklessly rather than intentionally. I am also taking into account the measures taken by your University to address the misconduct, including prohibiting you from submitting proposals to Federal agencies for the past year.

In light of these mitigating factors, I am issuing this letter as an official reprimand. In addition, if you are the principal investigator or co-principal investigator on any proposal submitted to the National Science Foundation within two years from the date of this letter, you must submit to the Associate Inspector General for Investigations, Office of Inspector General, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia, 22230, a copy of such proposal, together with a written certification indicating that, to the best of your knowledge, your proposal does not contain anything that violates NSF's scientific misconduct regulations at 45 CFR Part 689.

You indicate that you have learned a valuable lesson from this experience and I hope that this will be an anomaly in your career. This finding of misconduct in science does not preclude you from applying for NSF funding in the future or serving as a merit reviewer.

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

Sincerely,



Joseph Bordogna  
Deputy Director

Enclosures (3)  
Investigative Report  
NSF's Misconduct in Science Regulations (2)

## Summary

The Office of Inspector General (OIG) has concluded that the subject<sup>1</sup> knowingly plagiarized from published works, and as part of that plagiarism, failed to cite those publications, in order to save time and minimize his effort in the preparation of text for his proposals. The subject's plagiarism appeared in two NSF proposals, and was part of a pattern of action that resulted in similar plagiarism in proposals submitted by the subject to [REDACTED]. The subject's university conducted an investigation that concluded with a finding of misconduct in research by a preponderance of the evidence. We concur with that finding.

We recommend that NSF take the following actions as a final disposition in this case:

- NSF should issue a letter of reprimand informing the subject that NSF has made a finding of research misconduct against him.
- NSF should debar the subject from participation in Federal programs for a period of one year from the date of an agency finding of research misconduct.
- NSF should require certification and assurances for two years following the end of the debarment period by a responsible official of the employer that proposals submitted by the subject are free of plagiarism.

## OIG's Inquiry

On April 18, 2002, our office received an allegation that text in a submitted NSF proposal<sup>2</sup> (Tab 1) was plagiarized from several published sources. We compared the proposal with the alleged source material and established that there were identical sections of text in the proposal and the source documents. We also found several additional apparent instances of plagiarism; the source documents for each instance of alleged plagiarism were not referenced in the proposal.

Source documents<sup>3</sup> for the alleged plagiarism are found at Tab 2, with overlapping portions of text highlighted and cross-referenced to the proposal at Tab 1. Small changes

[REDACTED]

in verb tense and the occasional insertion of additional sentences in the text sections duplicated within the proposal were noted in comparisons.

We wrote to the subject and the two co-PIs of the submitted proposal on June 6, 2002 and asked for their perspectives on the alleged plagiarism. The letter to the subject is at Tab 3; identical letters were sent to the co-PIs. The co-PIs both stated (response letters received via email, and attached at Tab 4) that proposal sections containing the duplicated material were composed by the subject. In his written response of June 12, 2002 (Tab 5), the subject assumed responsibility for the duplicated texts. The subject also sent a supplementary response letter dated June 13, 2002 also included at Tab 5.

The subject states that the sources of the duplicated text are neither cited nor referenced in the submitted proposal (with the exception of one source which appears as a reference for a figure and not the text duplicated).<sup>4</sup> He also states that since the text was used for general descriptions already known in the scientific communities, he did not consider it necessary to cite the references from which the texts were taken.<sup>5</sup>

Two of the source documents (Documents 2 and 5) are authored by researchers at a national laboratory where the subject was previously employed, and with whom collaborations were proposed. With respect to duplication of text from these publications, the subject suggests that since the collaboration was apparent within the body of the proposal, he did not consider providing citations to papers of collaborators from which text in his proposal was taken.<sup>6</sup>

In the supplementary response letter from the subject dated June 13, 2002 (Tab 5), the subject further explains his duplication of text by writing that:

Since time was so limited, I was mainly focusing on the main body of the project description. I couldn't pay much attention to introduction of the proposal and explanation of the ... model. I barely finished the proposal on the last day of the deadline of the proposal. I only reviewed the main body of the project description. If I had enough time to prepare the proposal, I must not have made a stupid judgment on citation by myself. I must have cited properly on the sentences you highlighted.

A second letter was sent to the subject on June 19, 2002 (Tab 6) that asked 1) if the subject had specific permission to use the verbatim passages of text duplicated from the source

---

[REDACTED]

<sup>4</sup> Reference 29 in the proposal is Document 2 in the above list. The reference appears in the caption for Figure 2 in the proposal, which is Figure 2 in the document. There is no citation for the duplicated text that appears in the proposal.

<sup>5</sup> [REDACTED]

<sup>6</sup> [REDACTED]

documents authored by the researchers at the national laboratory, and 2) specifically how the extensive verbatim passages from publications neither cited nor referenced came to appear in the proposal.

The subject's response to our second letter is attached at Tab 7. In response to the first additional question, the subject states that before departure from the national laboratory, he had several meetings with his colleagues to discuss future collaborations. The subject asked that NSF consider these meetings as a type of oral permission for the use of verbatim passages of uncited text.<sup>7</sup>

In response to the second question, the subject again states that because the plagiarized text was for a model widely used in the field, and because the general facts and needs in the field had been well identified, he "didn't quite consider putting citations on the sentences."<sup>8</sup>

In his second response letter, the subject also writes specifically that: "There is no additional text in the proposal that was copied from another source but is not properly distinguished and attributed . . . . I have never knowingly used any material that was not properly distinguished and attributed in any other proposals for which I was the Principal Investigator."<sup>9</sup> However, a further analysis of the proposal, completed after the subject's second response was received, showed that an additional six lines of text were taken verbatim from another article (plagiarized text highlighted and cross-referenced to the proposal).<sup>10</sup> This source document (Tab 8) is also not referenced within the proposal.

We then examined other NSF proposals submitted by the subject.<sup>11</sup> The original proposal examined in conjunction with the allegation is called proposal A, and these additional proposals examined in the inquiry are termed proposals B, C, and D. Proposals B and C did not appear to contain any text duplicated from published documents. Proposal D (Tab 9), however, contains about 35% text in common with proposal A. The overlapped text includes some of the same verbatim plagiarized passages as in proposal A, and these source documents are, as in proposal A, not included as references in proposal D. The

7

8

10

11



material.”<sup>17</sup> The subject indicated to the committee that two proposals submitted to other Federal agencies also included the same plagiarized text identified within the NSF proposals, and that he had contacted the program officers at those agencies to provide corrections to his submissions by providing correct attributions for the text.<sup>18</sup>

The university investigation committee concluded that each of the instances of text duplication in proposals A and D constituted an instance of plagiarism by the subject.<sup>19</sup> However, the committee questioned whether the subject had a clear understanding of scholarship standards and practices of proper citation. The committee cited the subject’s contention that the plagiarized materials were in the introduction of the proposal and provided only background and context as evidence of a flawed understanding of citation expectations and practices. The committee therefore concluded that

considering the indications of the state of mind cited any individual instance of plagiarism in the December or February Proposal could reasonably be judged to have been an unwitting or careless act. However, the pervasiveness of the instances of plagiarism, 25 in the two proposals, increases the severity of this finding. The committee therefore concludes that, even considering the mitigating factors, taken in aggregate the plagiarism in the two proposals constitutes recklessness on the part of ... [the subject].<sup>20</sup>

The investigation committee therefore unanimously concluded that the collective actions of the subject “represent reckless disregard of these standards of scholarship and as such constitute misconduct in research.”<sup>21</sup>

The university investigation committee recommended the following actions (university investigation report (Tab 12), page 6):

- A letter of reprimand from the Provost of the University be sent to the subject
- The subject be required to complete a course on ethics and integrity in research and rules of citation of source material
- The subject be suspended from submitting research proposals to state and federal agencies for a period of one year
- Written certification by the subject’s department chair or other university official be required for a period of two years thereafter affirming that any proposal submitted by the subject contains no plagiarism

---

<sup>18</sup> Collected information provided by the subject included as Appendix 5 (supplementary material) of the university investigation report (Tab 12).

<sup>19</sup> University investigation report, page 4, marked with #.

<sup>20</sup> University investigation report, page 5, as marked.

<sup>21</sup> University investigation report, page 6, as marked.



The subject's response to the university investigation report was dated April 14, 2003, and is included within the report (page 6A1 of the report at Tab 12). The subject stated that he understood the findings and recommendations of the committee.

The Provost accepted the report of the university investigation committee. In a letter (Tab 13), the Provost detailed the adjudicative actions of the university taken in this case:

- non-renewal of the subject's academic contract with the university, effective at the end of the 2004 academic year
- prevention of submission of any grant proposals through the university
- review of all research publications submitted by the subject
- completion by the subject of a course on ethics and integrity in research

We sent a letter to the university on May 22, 2003 asking for issues of clarification on the burden of proof used by the investigation committee in reaching its conclusion, and specifically whether the investigation committee examined any other proposals submitted by the subject for instances of plagiarism. The university replied by letter on July 14, 2003 that the burden of proof used by the investigation committee was a preponderance of the evidence, and that the committee did not evaluate instances of plagiarism in any but the two NSF proposals identified in the referral letter (Proposals A and D).

#### **OIG's Assessment**

NSF's misconduct regulation, 45 C.F.R. part 689, was revised in 2002. The alleged plagiarism by the subject occurred before April 17, 2002, the effective date of NSF's revised regulation. Accordingly, the university investigation committee applied, and we apply, the definition of "misconduct" from the version of NSF's regulation in effect when the misconduct occurred. A finding following the procedures of the current regulation (45 C.F.R. § 689.2(c) (2002)) 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 the evidence.

We believe that the university's investigation report is accurate and complete, and that the committee followed reasonable procedures.<sup>22</sup> NSF OIG therefore accepts the report of the university's investigation committee in lieu of conducting its own investigation.<sup>23</sup>

#### **Departure from Accepted Practices**

The subject submitted two proposals to NSF that contain multiple instances of plagiarism, with text taken verbatim from multiple source documents. The subject did not cite the

---

<sup>22</sup> 45 C.F.R. § 689.9(a).

<sup>23</sup> We accept the conclusions of the university investigation committee with the exception discussed in this report under "Intent."

sources from which the texts were taken, nor differentiate the plagiarized text in any way from the remainder of the proposal text. The extent of the plagiarism in NSF proposals was a [REDACTED]

[REDACTED]). Many of the same plagiarized sources are used in both NSF proposals submitted by the subject, but some plagiarized documents are unique to each proposal. We therefore conclude that the preponderance of the evidence shows that the subject did plagiarize significant amounts of text, and different texts, into each of two proposals submitted to NSF. The university investigation committee finds that the instances of lack of proper citation depart significantly from the standards of scholarship,<sup>24</sup> and we concur with that finding.

#### Intent of the Subject

We believe that the subject's intent was to save time and effort in proposal preparation by using, without attribution, the words of others in providing the requisite background material for his proposed research. Our assessment of intent is supported by the subject's own words in describing his actions under a perceived time pressure of a deadline for proposal submission.

The university investigation committee concluded that the extent of repetition of the plagiarism elevated the subject's actions to a significant departure from the standards of scholarship in the field, and that the subject's conjoined actions were reckless. However, the subject stated to the university committee that he retyped each of the sections of plagiarized text as opposed to cutting and pasting the text from electronic files (see footnote 16). It is difficult to conceive that the subject could retype verbatim text from the work of others, and not consider this a "knowing" action. We conclude that each act of retyping verbatim text represented a knowing act of plagiarism, and that the preponderance of the evidence shows that the individual knowingly plagiarized extensive amounts of text into two separate NSF proposals.

#### Burden of proof

The subject admits to the extensive plagiarism identified in two separate NSF proposals, and in proposals submitted to [REDACTED]. The university investigation committee concludes, and we concur, that the allegations of plagiarism are proven by a preponderance of the evidence.

#### **Subject's Response**

A draft copy of this report was sent to the subject; his comments were conveyed in a letter dated September 10, 2003 (Tab 14). In his defense, the subject cites his other two NSF proposals that were examined, which did not appear to contain any plagiarized text, as evidence of his proper citation practices when there was a greater amount of time for proposal preparation. The subject also notes his efforts to correct the attributions related to

---

<sup>24</sup> University investigation report, page 6, as marked.

the same textual plagiarism in proposals submitted to [REDACTED]. In conclusion, the subject asks that his plagiarism be considered unintentional and not part of a pattern of behavior.

The subject's response to our draft report reiterates issues that have previously been addressed within his letters to us as part of the OIG inquiry and his interactions with the investigation committee of the university. They are addressed within the report of the investigation committee and within our recommendations below.

### OIG Recommendations

In deciding what final actions are appropriate when misconduct is found, NSF officials should 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 (45 C.F.R. § 689.3(b)).

We conclude that the subject's plagiarism was serious: the subject acted knowingly when he copied [REDACTED].

The subject claims that he was constrained by time in preparation of his proposal. However, these NSF proposals were submitted seven weeks apart, undercutting an explanation based on deadline pressure. The subject in his letters to NSF asks that we consider his discussions with his potential collaborators as a "type of oral permission" to use text verbatim from the publications of those proposed collaborators at the national laboratory (see footnote 7). However, the subject provided no evidence to the university investigation committee that he had permission to use text from publications of his proposed collaborators, or from the authors of any of the other source documents.<sup>25</sup> We must conclude that the subject's actions of using that text verbatim, without permission, attribution, identification, or citation, were knowing and intentional.

The subject provided a statement to the university committee that disclosed that the same plagiarism identified in the NSF proposals also appeared in proposals submitted [REDACTED]. Upon receipt of the original inquiry letter from NSF OIG, the subject contacted program officers at those agencies to make corrections in the attributions of the submitted proposals. Based on the extensive plagiarism in two proposals submitted by the subject to NSF, and the admission by the subject of plagiarism in proposals submitted to [REDACTED], we conclude that the plagiarism by the subject was part of a pattern of behavior.

Although both NSF proposals were declined, and the university investigation report indicates that the proposals to the other Federal agencies were also declined, program

---

<sup>25</sup> Information from the university investigation report, page 3; location is marked.

officers and reviewers invested their time and efforts to review and consider four different proposals of the subject that were significantly plagiarized. The co-PIs on one NSF proposal have been drawn into our inquiry of allegations of misconduct.

In consideration of other circumstances, we note that the subject suggested that proposals are not held to the same standards of scholarship as are publications. However, the NSF Grant Proposal Guide (NSF 01-02) states clearly and specifically (page 2) that:

*NSF expects strict adherence to the rules of proper scholarship and attribution. The responsibility for proper attribution and citation rests with authors of a proposal; all parts of the proposal should be prepared with equal care for this concern. Serious failure to adhere to such standards can result in findings of misconduct in science.*

The subject's lack of experience in the preparation of proposals by the subject is also noted, but we conclude that this cannot be used to excuse such serious and extensive plagiarism. As described earlier, two other proposals submitted to NSF by the subject were examined and appeared to contain no plagiarism. We also examined one sole-authored publication by the subject and found no evidence of plagiarism. We note also the subject's voluntary contacts with program officers overseeing the other proposals in which plagiarism appeared, and his cooperation with our own inquiry and the university investigation.

The subject's employment contract at the university will terminate at the end of academic year 2004. The subject may seek to secure Federal funding after moving to another university or to the private sector. We conclude the subject's plagiarism warrants a finding of research misconduct. The university's adjudication actions are appropriate, but do not adequately protect the Federal government's interests should the subject again seek Federal funding. Therefore, we recommend that NSF take the following actions as final disposition in this case:

- NSF should issue a letter of reprimand informing the subject that NSF has made a finding of research misconduct against him<sup>26</sup>.
- NSF should debar the subject from participation in Federal programs for a period of one year from the date of an agency finding of misconduct in science and engineering<sup>27</sup>.
- NSF should require certification and assurances for two years following the end of the debarment period, by a responsible official of the employer, that proposals submitted by the subject are free of plagiarism<sup>28</sup>.

---

<sup>26</sup> A letter of reprimand to the individual is a Group I action (45 C.F.R. § 689.3 (a)(1)(i)).

<sup>27</sup> Debarment of an individual is a Group III action (45 C.F.R. § 689.3(a)(3)(iii)).

<sup>28</sup> Certification of proposals by a responsible official is a Group II action (45 C.F.R. § 689.3(a)(2)(ii)).