



NATIONAL SCIENCE FOUNDATION
OFFICE OF INSPECTOR GENERAL
OFFICE OF INVESTIGATIONS

CLOSEOUT MEMORANDUM

Case Number: I-12060035

Page 1 of 1

We investigated an NSF employee¹ who was allegedly using NSF time and resources to conduct work for a personal consulting business² and may have made award decisions based upon personal relationships. Our investigation found that the employee awarded a supplement to an institution to be used, in part, to employ his step-son; made introductions and/or intervened with his NSF colleagues for the purpose of aiding his consulting business; solicited work for his consulting business from NSF awardees; misused NSF resources; and failed to adequately disclose his activities to his supervisors or in financial disclosure documents. We referred the matter to the Department of Justice who opened a case but ultimately declined to prosecute. We sent a report of investigation to NSF summarizing our findings, upon which the employee immediately resigned. We recommended that NSF debar the employee, his consulting company, as well as a new company he opened following his departure from NSF³. NSF agreed with our recommendation and debarred the employee and his companies for three years.

This case is closed with no further action taken.

[REDACTED]

NATIONAL SCIENCE FOUNDATION
4201 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22230



OFFICE OF THE
DIRECTOR

██████████ 2014

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

Re: Notice of Debarment

Dear Dr.

On ██████████ the National Science Foundation ("NSF") issued you a Notice of Proposed Debarment ("Debarment Notice") in which NSF proposed to debar you directly or indirectly from obtaining the benefits of federal grants for a period of three years. As reflected in the Debarment Notice, NSF proposed to debar you because during your tenure as ██████████ in the ██████████ NSF you violated conflict of interest rules and made award decisions based upon personal and professional relationships. Additional details of your actions in this matter are set forth in the Office of the Inspector General Report of Investigation ("Report"), attached hereto and incorporated herein.

In the Debarment Notice, NSF provided you with thirty days to respond to the proposed debarment. You provided a timely appeal dated ██████████ ("Appeal").

In your Appeal, you first argue that NSF should not debar the company that you most recently created, because ██████████ is engaged in business that is different from your previous company ██████████. You explain that while the companies sounded similar based on language on the ██████████ website, this language was an error on the part of your web developer that has been corrected.

NSF has confirmed that you have changed the wording on the ██████████ website. This change does not affect NSF's debarment determination. It still appears from the wording on the website

¹ As explained in a subsequent communication, the Debarment Notice was mistakenly date stamped ██████████

that [REDACTED] is involved in connecting clients to federal funding opportunities. Your misconduct was directly related to this type of activity.

Next, you assert that debarment will affect opportunities for you to find employment. NSF does not find this argument persuasive. NSF has an obligation to ensure the integrity of federal programs by only conducting business with responsible persons. *See* 2 C.F.R. § 180.110. Your actions have shown a lack of present responsibility, and you are solely responsible for the impact that your misconduct may have on your present employment situation.

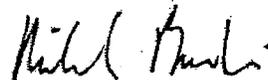
After careful consideration of all of the arguments in your Appeal, including those addressed above, and having considered the seriousness of your actions, NSF has determined that you, [REDACTED] are debarred for a period of three years. The debarment period will begin from the date of this letter.

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 about the foregoing, please contact .
(703) 292-

Sincerely,



Richard O. Buckius
Chief Operating Officer

Attachment: OIG Report of Investigation