

OIG Management Activities

Legal Review

The Inspector General Act of 1978, as amended, mandates that our office monitor and review legislative and regulatory proposals for their impact on the Office of Inspector General (OIG) and the National Science Foundation's (NSF) programs and operations. We perform these tasks for the purpose of providing leadership in activities that are designed to promote economy, effectiveness, efficiency, and the prevention of fraud, waste, abuse, and mismanagement. We also keep Congress and NSF management informed of problems and monitor legal issues that have a broad effect on the Inspector General community. The following legislation merits discussion in this section.

Program Fraud Civil Remedies Act of 1986 (PFCRA)

We support a legislative initiative to amend PFCRA to include NSF and the 26 other agencies that are currently excluded from participation under the Act's enforcement provisions. PFCRA enables agencies to fully implement their statutory mission to prevent fraud, waste and abuse by availing themselves of the enforcement capabilities contained within the Act.

PFCRA sets forth administrative procedures that address allegations of program fraud when the claims are less than \$150,000. Currently, the U.S. Postal Service and the executive departments identified in the Inspector General Act of 1978 are the only agencies permitted to use PFCRA. NSF and the other agencies with Inspectors General appointed by agency heads (pursuant to a 1988 amendment to the IG Act) are not included.

We believe that using the enforcement provisions of PFCRA will enhance NSF and other agency recoveries in instances of fraud that fall below PFCRA's jurisdictional threshold of \$150,000. In a March 2006 letter to Congress, the National Science Board formally requested "that Congress amend the PFCRA to include NSF," and provide the agency with its investigative resolution authorities.

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Outreach

During this semiannual period NSF OIG continued to engage in outreach to NSF, other federal agencies and their OIGs, and the national and international research communities. Our office has long been a proponent for the need to establish compliance programs at research institutions that rely on government funds for support. When invited to speak to the research community at conferences, workshops, and meetings, we use the opportunity to explain components of such programs to our colleagues and to demonstrate their value. Interest in this message has grown, especially at the university level. Responding to the public's expectations of increased institutional accountability that is reflected in the well-reported ramifications of incidents of university misconduct, university leaders and research administrators are actively developing programs to ensure compliance with legal and regulatory requirements as well as ethical expectations.

Our outreach activities are intended to inform and educate the research community about all aspects of our mission of prevention and detection of fraud, waste, and abuse. But when speaking to institutions, our message is more concise: compliance systems and programs can effectively address perceived risk, achieve technical compliance with federal requirements, enhance the research enterprise, and contribute to success.

Working with the Federal Community

Dr. Boesz appointed Vice-Chair of ECIE. In early May, Dr. Christine C. Boesz, the National Science Foundation Inspector General was appointed Vice Chair of the Executive Committee for Integrity and Efficiency (ECIE). The ECIE was established in 1992 by Executive Order 12805 to coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs. The Deputy Director for Management of the Office of Management and Budget serves as Chair of the ECIE and its membership includes 33 Inspectors General that were appointed by the head of their respective agencies.

The mission of the ECIE is to 1) address integrity, economy, and effectiveness issues that transcend individual Government agencies, and 2) increase the professionalism and effectiveness of IG personnel throughout the Government. To accomplish their mission, ECIE members conduct interagency and inter-entity audit, inspection, and investigation projects to promote economy and efficiency in Federal programs and operations and address more effectively government-wide issues of fraud, waste, and abuse. The Council members also develop policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled IG workforce. Dr. Boesz succeeds Barry Snyder, the Inspector General of the Federal Reserve Board.

The Inspector General also serves as Chair of the PCIE/ECIE Misconduct in Research Working Group, charged with coordinating efforts within the IG community to improve their capability of identifying, investigating, and preventing research misconduct. NSF OIG continued to participate in the PCIE Inspections and Evaluation Committee, the PCIE/ECIE Computer Forensics Working Group, and the PCIE GPRA Roundtable, as well as provide training at the Inspector General Academy and the Federal Law Enforcement Training Center.

Investigators contribute expertise. Working within the federal Inspector General community offers numerous opportunities for formal and informal training and information sharing. During this semiannual period, NSF OIG investigators interacted with their counterparts in the IG community in a number of capacities. We continue to serve as the facilitators for the ECIE investigative peer review effort, and are planning a meeting in this next period, in addition we

serve on the PCIE/ECIE committee convened to review and revise the Qualitative Assessment Review Guidelines for conducting Investigative peer reviews. For example, we are active in the Grant Fraud Subcommittee of the Department

of Justice National Procurement Fraud Task Force, in which we contributed to: 1) the development of a basic core curriculum for grant fraud investigations; 2) the creation of effective outreach tools for the grant community; and 3) the enhancement of federal certification standards. We also participated in the Regional Procurement Fraud Working Group, hosted by the United States Attorney's Office for the Eastern District of Virginia.

Due to the nature of our work and our experience in grant fraud and research misconduct investigations, we are frequently invited to contribute to training events for others within the IG community or to participate in curriculum reviews or planning meetings. During this semiannual period, we conducted our Fifth Annual Grant Fraud Investigations Training Program. Over 140 investigators, representing 30 federal, state, and local agencies, participated in this event. The response to this training has been overwhelmingly positive and we are now identifying a larger facility in which to hold next year's training.



The Office of Audits hosted a workshop for visiting officials from the NSF of China. Jannifer Jenkins, Arnie Garza (left) and Dr. Boesz (center) pose with workshop participants.

Auditors serve on financial committees. OIG auditors continued to actively participate in the Federal Audit Executive Council (FAEC), which is sponsored by the IG community to discuss and coordinate audit policy and operations government-wide. Auditors met monthly with the Financial Statement Audit Network, a working group of one of FAEC's standing committees, volunteered to help develop guidance to IG offices on auditing agency controls over financial reporting, and worked with other OIGs to survey the community about human resource and training needs. In addition, auditors participated in updating the GAO/PCIE Financial Audit Manual, which helps ensure that financial statement audits of federal agencies are consistent, of high quality, and efficiently performed.

Working with the Research Community

OIG staff participate in conferences. The wide range of workshops, conferences, and other events sponsored by institutions and associations of research professionals offered valuable opportunities for OIG staff members to communicate our message. We were invited to attend a broad array of such events and presented to the international, state, and regional chapters of the Society of Research Administrators International (SRAI), to NSF's Small Business Innovation Research grant recipients, and to NSF's Regional Grant Recipients Seminars.

International activities. We participated in international forums convened to discuss the issues of how to most effectively address research misconduct and what role the various stakeholders should play in the process. Participants in each of these international events were anxious to share information and discuss how best to foster effective research integrity programs. OIG staff participated in events with colleagues from the Scientific and Technological Research Council of Turkey; the Turkish Academy of Sciences; the Standing Committee for Social Sciences of the European Science Foundation; the Swedish Research Council; and Uppsala University of Sweden.

Dr. Fischer and Dr. Boesz pose with fellow representatives to the Global Science Forum meetings in Tokyo.



The Inspector General participated as the U.S. Representative in the deliberations on research misconduct and research integrity of the Global Science Forum (GSF) held in Tokyo on February 22-23. The GSF is part of the Organization for Economic Cooperation and Development comprising 30 full member nations. The meetings were designated a Workshop on Best Practices for Ensuring Scientific Integrity and Preventing Misconduct, and Dr. Boesz presented on how research misconduct investigations are handled within the U.S. The meetings resulted in a

consensus statement to be voted on for adoption at the next GSF meeting. While in Japan, the IG also met separately with the Director General of the Science and Technology Policy Bureau of Japan's Ministry of Education, Culture, Sports, Science and Technology (MEXT) and other accountability officials who wanted to learn more about the U.S. approach.

Meetings with our counterparts from other countries, provide opportunities to address how best to advance our common goal of ensuring integrity in the operation of the research enterprise, and assist individuals and organizations in their efforts to create systems and tools to identify, resolve, and prevent research misconduct or mismanagement. Consequently, these meetings promote an environment of ethical conduct in scientific research and grant administration.

OIG staff present at universities. Members of the NSF OIG provided presentations at 10 universities to inform, and answer questions from university officers and others involved in applying for or administering NSF awards, performing supported research, or conducting university-level inquiries into allegations of research misconduct. Our audiences varied greatly in size and composition. We presented to students, university research administrators, and faculty on a variety of topics including ethical conduct in research, lessons learned from case studies, and techniques for successful research misconduct inquiries and investigations. These presentations are supplemented by fact sheets, brochures, posters, and other outreach material designed to make the most of each opportunity to engage the community and make an impression.

Working with NSF

Our work within NSF continues to advance the Inspector General's goal of maximizing the frequency and effectiveness of communications between OIG personnel and agency personnel. We took advantage of the opportunity to address each of the bi-monthly NSF Conflict-of-Interests briefings to communicate directly to the majority of NSF employees, and explain the OIG mission and responsibilities, our ongoing liaison program with NSF, and the channels through which employees can bring matters to our attention.

OIG staff participated as resource personnel in the NSF Program Managers' Seminars, which provide new NSF staff with detailed information about the Foundation and its activities. These sessions provided OIG staff an opportunity to develop personal and professional relationships with their NSF colleagues and to learn about new developments within NSF program management, while at the same time educating agency staff about the mission and responsibilities of NSF OIG.

Our liaison program built on our prior success in establishing and maintaining effective communication and professional relationships with the individual directorates and offices within NSF. Liaison staff held 30 meetings this semiannual period, in which they solicited suggestions from the directorates and offices regarding issues they considered appropriate for OIG review, and discussed other issues of mutual interest.