

Report on Research Compliance Volume 18, Number 8. July 22, 2021 OIG Seeks Debarment of Two NSF-Supported PIs, Reveals Machinations Behind Misconduct

By Theresa Defino

“The graduate student claimed that his student was responsible for the plagiarism, although he had no students.”

“As the investigation was being finalized, the graduate copied files on a flash drive, renamed them as the missing data files, and deleted them, in hopes a new forensic review would uncover them.”

These statements reveal the types of excuses, and outright deceptions, that some researchers supported by the National Science Foundation have engaged in to avoid a finding of research misconduct by their institutions and the NSF Office of Inspector General (OIG). Their actions are egregious enough in OIG’s eyes that it has recommended debarment for both of these individuals, the most severe punishment available aside from a criminal prosecution.

Investigators and others funded by Public Health Service agencies, such as NIH, who engage in research misconduct have their names—and those of their institutions—published on the Office of Research Integrity website and in the *Federal Register*. But those benefiting from NSF funds who are similarly found guilty remain anonymous, and tidbits about what they did become known only if included in OIG’s twice-yearly reports to Congress. No institution names are ever disclosed in these reports.

The dissembling graduate student and the information technology (IT) savvy (though not savvy enough) graduate who had just earned a doctorate were described in OIG’s recent semiannual report (SAR) covering the period from Oct. 1, 2020, to March 31, or the first six months of fiscal year (FY) 2021.^[1] Whether NSF will agree with OIG and issue debarments in these cases is unknown, as NSF’s decisions were pending at the time the SAR was completed.

OIG reports research misconduct investigations it has forwarded to NSF for action as well as those for which NSF rendered a decision during the SAR period. Regarding debarments in particular, NSF does not always follow OIG’s recommendations. During FY 2020, for example, OIG reported that NSF did not impose any debarments for research misconduct; OIG said they were warranted in several instances.^[2]

In the recent SAR period, NSF imposed one debarment; OIG recommended two.

Despite Finding, Graduation Was Permitted

The case in which the individual blamed plagiarism on a fictitious student is among those in which the misdeeds were the result of a reviewer stealing from a paper reviewed under confidentiality rules. In addition to trying to shift blame, the student suggested a novel fix for the issue and also claimed OIG had no jurisdiction, among other attempts to avoid a finding. He was, surprisingly, allowed to graduate.

According to OIG, the graduate student, studying in two departments, took text from a journal paper he reviewed and “published that material in a conference paper under his own name.” In one version submitted to the

conference, the student included a citation to the paper, but when the manuscript was later rejected by the journal, he removed the citation.

“After the graduate student’s paper was published, the journal manuscript authors confronted him about the plagiarism,” OIG said. After claiming a student was responsible, this individual “suggested that instead of retracting the paper, he could add the authors of the manuscript as co-authors on another paper he had written that further developed their method.”

The conference paper at issue was retracted during the investigation. The student’s university made a finding of plagiarism, and he was “removed” from the department associated with the plagiarism. Yet, he “remained at the university in the other department until he graduated,” OIG said.

OIG found fault with the university’s investigation although it agreed with the finding. “The university’s report neither explained the investigation committee’s reasoning for its finding nor referred to specific evidence in making its determination,” OIG said, both of which are required when making a misconduct finding.

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