



support (N=147) and/or participation in foreign talents programs (N=119). Institutions have executed or enabled employee separations (e.g., terminations, resignations, or early retirements) in 79 cases and removed scientists from NIH grants without employment actions in 39 other cases; thus, institutions have removed 118 scientists from funding support.

- He translates the NIH progress report into a foreign language and submits it to the foreign funding agency as evidence of progress in his foreign university laboratory.

Consequence When the American medical school learned of these previously undisclosed activities, it

- took an employment action and
- refunded the NIH >\$1 million for duplicative funding

Case Study #2 Conflict of interest

- NIH-funded scientist is employed by an American medical school on a 12 month schedule.
- He owns majority equity interest in a foreign company valued at \$20 million. The company is receiving patents and selling products derived from his American NIH-funded research.
- The American medical school is aware of the scientist's ownership in the foreign company.
- On annual internal disclosure for 2011, the scientist disclosed his ownership in the foreign company.

- Talents shortlisting notification
- Signed Talents contract which includes financial support for research
- Signed foreign university contract and
- Funded foreign grants, along with correspondence indicating that the scientist played an active role in writing the proposals
- o When confronted, the scientist continued to deny any foreign activities other

Consequence The American medical school took an employment action.

Case Study #4 Overcommitment and dishonesty after the fact

- o NIH-funded scientist is employed by
  - An American medical school on a 12-month schedule and
  - A foreign university on a full-time contract
- o The American medical school is unaware of the full-time foreign contract
- o Through his foreign affiliation, the scientist has been supported on five foreign grants over the past seven years; at least two foreign grant awards are active. None of the foreign grants have been mentioned in any NIH grant document.
- o The scientist cites the foreign grants as sources of support in multiple publications.
- o NIH contacts the American medical school, asking about the undisclosed foreign grants.
- o The American medical school states that the scientist denies receiving any foreign funds.
- o When the NIH pushes back, the American medical school locates several foreign grant applications that clearly identify the scientist as the PI. Furthermore, foreign web sites, along with publications, identify the foreign grants as linked to the PI.
- o The scientist now claims that the apparent link between him and the foreign grants is because he allowed his name to be used as PI in order to help a former student now based in the foreign country. The scientist insists he never even read the grant (the grant in which he is designated as PI).
- o Upon further investigation, the American medical school determines that the PI in fact played a major role in writing the grant and in overseeing the work supported by the grant at the foreign university. The American medical school found that he spent an inordinate amount of time away from campus, far more than allowed under outside activity rules.

Consequence: