

Report on Research Compliance Volume 17, Number 2. January 23, 2020 In This Month's E-News: February 2020

By Theresa Defino

◆ **More than two years after Ozgur Tataroglu's paper was retracted, the HHS Office of Research Integrity found that it and two grant applications contained falsifications,** leading to ORI's finding of research misconduct against Tataroglu, a former post-doctoral fellow at the University of Massachusetts (UMass) School of Medicine Department of Neurobiology. ORI announced Jan. 14 that Tataroglu agreed to a three-year plan for supervision should any of his research be funded by the Public Health Service, effective Dec. 30, 2019; he did not admit to wrongdoing, however.

ORI said Tataroglu "engaged in research misconduct by knowingly, intentionally, and/or recklessly falsifying data in bar graphs representing phase shift of circadian clock activity between *Drosophila* without and with heat pulse treatment" in four figures published in a paper in *Cell* in 2015 and retracted in 2017, in a total of five figures submitted in grant applications, and in data in his files. ORI said he "selectively alter[ed] the original *Drosophila* behavior locomotor data in his primary data files," which distorted experimental results. The *Cell* paper was retracted as requested by Tataroglu's coauthors following a misconduct investigation by UMass.

According to the *Cell* retraction notice, which Tataroglu did not sign, "In follow-up experiments, other members of the corresponding author's laboratory were unable to reproduce key observations" in the paper. ORI specified the structure of any supervisory plan, calling for a committee of two-to-three "senior faculty members at the institution who are familiar with Respondent's field of research, but not including Respondent's supervisor or collaborators, [to] provide oversight and guidance." The same committee is required to review any grant applications or papers prior to submission. Both requirements are uncommon in ORI resolution agreements. (1/16/20)

◆ **Saying institutions concurred with its decisions, the National Science Foundation has mostly upheld findings and repayment requests in two audits and one letter issued by the NSF Office of Inspector General (OIG).** A Dec. 23 resolution addresses an audit of the University of Wyoming (UW) covering Oct. 1, 2011, through Sept. 30, 2014, in which auditors questioned a total of \$441,683, consisting of "\$44,330 in unallowable payroll and non-payroll costs incurred due to lack of supporting documentation, \$15,581 in unallowable relocation costs, and \$381,772 of inadequate support for transfer of transactions between awards within and outside of [the] period of performance." UW disputed a total of \$234,407 in questioned costs related to transfers; NSF agreed with UW and allowed them. It disallowed the other amounts as OIG recommended.

In a Jan. 10 resolution of an audit of the University of Texas (UT) at Austin covering costs from Dec. 1, 2013, to Nov. 20, 2016, NSF disallowed \$283,613, the entire amount auditors questioned, which consisted of "\$63,174 of unreasonable transactions, \$58,556 of purchases near the award expiration, \$58,209 of unallocable costs, \$42,947 of costs with inadequate documentation, \$25,767 of unallowable indirect costs, \$15,604 of unreasonable travel costs, \$10,505 of unallowable moving and relocation costs, \$6,947 of unallowable Visa costs, \$1,139 of unallowable promotional items, and \$765 of underspent participant support." In its response to the audit, UT opposed the \$52,619 of charges for computers that auditors said were unreasonable, but in the resolution report, NSF said the university has now agreed to full repayment.

In February 2019, OIG began an audit of the University of South Carolina at Columbia's Established Program to Stimulate Competitive Research award and in June issued an "alert memo" to NSF stating it found a variance of \$83,388 "between the expenditure report received from USC and the amounts identified" in NSF's cash management system. In a Dec. 23 letter to USC, NSF said it was disallowing the \$83,388 "based on USC agreement with the auditor's determinations." NSF also said it "verified the full amount has been repaid via www.pay.gov and that USC subsequently corrected the underlying conditions which led to the cited discrepancy. NSF considers the alert memo findings and questioned costs resolved and closed," the agency said. (1/16/20)

◆ **Without admitting wrongdoing, Dr. Alexander Neumeister, previously a professor of psychiatry and radiology at New York University School of Medicine, accepted a two-year governmentwide debarment** for "knowingly, and/or recklessly falsifying and/or fabricating data in the clinical records of research" funded by a half-dozen National Institute of Mental Health grants, the ORI announced in the Jan. 7 *Federal Register*. The misconduct resulted in "inclusion of falsified and/or fabricated research methods and results" in four publications appearing in 2013 and 2014, ORI said in a rare finding that applies to misconduct in a clinical trial, rather than in basic research.

ORI said Neumeister, whose research included studying the use of opioids and cannabis-like drugs for anorexia, depression and post-traumatic stress disorder, enrolled subjects in "experimental and control groups who did not meet the criteria for entry...rendering the data and/or published results invalid" in the papers, which he agreed to retract or correct. Following the two-year debarment period, which began Dec. 13, 2019, Neumeister also agreed to have his research supervised for two years should he be involved in Public Health Service-funded studies. Neumeister, who previously pleaded guilty to embezzlement related to personal use of research funds, told *Medscape* what ORI called examples of misconduct were "unintentional...regulatory issues." In an interview, Neumeister said he "wanted to advance science, and therefore [the finding is] particularly sad and devastating for me personally, because I never intended to do anything wrong or act against any regulations or anything." (1/9/20)

◆ **In the wake of a new report¹ on ways to combat foreign influences in research**, the Association of American Universities is "encouraged" and will continue to press Congress, the administration and policy makers to "balance the values of openness and collaboration with the need to ensure research security and integrity," according to AAU President Mary Sue Coleman.

Coleman said that the report, completed by the JASON group for NSF, "makes a significant new recommendation: broadening the scope of 'research integrity' to include 'full disclosure of commitments and actual or potential conflicts of interest.' The report goes on to state that potential or perceived conflicts may go beyond financial issues—including collaborative relationships or obligations with foreign governmental and non-governmental entities, including universities. The report recommends that the NSF and universities should treat failure to disclose foreign affiliations or any potential or perceived conflicts of interest the same way they currently treat cases of scientific misconduct," she said.

AAU and other academic and scientific organizations will continue working to "ensure that any responses to these threats carefully balance security with the need to maintain the free exchange of scientific knowledge and the flow of international science talent to our shores," Coleman said. (1/9/20)

¹ Theresa Defino, "JASON Report Suggests Integrity Framework Against Foreign Concerns," *Report on Research Compliance* 17, no. 1 (January 2020), <http://bit.ly/2s9IgKM>.

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