




# RESEARCH COMPLIANCE NEWSLETTER

Issue 6, Spring 2013

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*This newsletter is prepared by the Office of Compliance and is intended to provide you with current information about research compliance issues. For additional information, to view past newsletters, or to provide comments about this or any future issues of this newsletter, please contact the Office of Compliance at (213) 740-8258 or at [complan@usc.edu](mailto:complan@usc.edu).*

## Former UCLA Professor to Plead Guilty to Defrauding Government

Dr. Alfred Wong, a former UCLA physics professor, has agreed to plead guilty to federal fraud charges and pay almost \$1.7 million for turning in false invoices related to DOD-sponsored nanotechnology research.

According to federal prosecutors, about 10 years ago, Wong and two companies he founded -- Non-Linear Ion Dynamics Inc. and the International Foundation for Science, Health and the Environment -- received more than \$25 million dollars in DOD contracts spread across both entities. Dr. Wong also founded a third company, Alfred Wong Technologies, that submitted fictitious invoices to Non-Linear Ion Dynamics for the manufacture and sale of nanotechnology components. However, Dr. Wong failed to inform the government that both companies were his, and that Alfred Wong Technologies did not have the capacity to do any manufacturing.

Wong also submitted false vouchers through the International Foundation and NID to the Department of the Interior for improvements on his privately owned land and for equipment and labor costs that were not related to the government contract.

In addition to agreeing to plead guilty, Wong agreed to pay a total of \$1,686,000 in fines, restitution, and damages to the government and UCLA.

Read the full article here: <http://touch.latimes.com/#section/600/article/p2p-75848177/>

## DHHS and NIH Salary Cap for 2013 Remains at \$179,700

The NIH salary cap on extramural grants will remain at the Executive Level II salary level -- \$179,700 -- for the 2013 government fiscal year. NIH first reduced the salary cap from the Executive Level I rate to the Executive Level II rate in 2012.

As always, investigator effort can only be charged to an NIH award in proportion to the effort expended on the award. For example, if an investigator performs 10% effort in a given month on an award subject to the cap, he or she can charge 10% of the monthly cap rate. The monthly cap rate would be \$179,700, divided by 12 months, or \$14,975. The allowable NIH salary charge for the month would be 10% of \$14,975, or \$1,497.50. Any difference between 10% of the investigator's monthly salary and \$1,497.50 has to be paid from

another source.

The NIH has published additional guidance, available at:  
<http://grants.nih.gov/grants/guide/notice-files/NOT-OD-13-064.html>

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### **UCLA Chemistry Professor Ordered to Stand Trial in Fatal Lab Fire**

UCLA chemistry professor Patrick Harran has been ordered to stand trial on felony charges stemming from a laboratory fire that killed a staff research assistant in 2009. This is believed to be the first criminal prosecution arising from an academic lab accident. Dr. Harran faces more than four years in prison if convicted.

Both Dr. Harran and UCLA contend that the research assistant's death was accidental and that she chose not to wear a protective lab coat. Prosecutors, however, allege that the research assistant did not receive appropriate training on how to handle the chemicals that set her clothes on fire and led to her death.

The Los Angeles County District Attorney's Office previously brought felony charges against the University of California (UC) Regents as well. The UC Regents entered into a settlement agreement where they accepted responsibility for the laboratory conditions that led to the research assistant's death. As part of the agreement, UC agreed to develop safety training for principal investigators and lab staff, including written standard operating procedures and minimum requirements for personal protective equipment.

Read the full story here: <http://www.latimes.com/local/lanow/la-me-ucla-prof-20130426,0,1938374.story>

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### **NIH Researchers at NYU Accused of Commercial Bribery and Failing to Disclose Conflicts of Interest**

Three medical researchers at New York University (NYU) working on a National Institute of Health (NIH) grant have been charged with accepting a bribe from a Chinese medical-imaging company in exchange for providing information about their magnetic-resonance-imaging research. In addition, the researchers were accused of failing to disclose to NYU and the NIH financial relationships between the company and a research institute sponsored by the Chinese government.

A spokesman for NYU's Langone Medical Center said the university was "deeply disappointed" by the researchers' alleged misconduct. The three researchers have been suspended from NYU and the university is continuing to cooperate with the investigation.

For additional information, please see: <http://www.justice.gov/usao/nys/pressreleases/May13/ZhuYudongetalArrestsPR.php>

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### **NIH Graduate Student Compensation Review**

The Office of Compliance recently completed a review of graduate

student compensation charges to National Institute of Health (NIH) sponsored projects in fiscal year 2012. Since 2001, the NIH has set per student limits on the total amount of graduate student compensation that can be awarded and charged to NIH sponsored projects. Total compensation includes salary, stipends and fringe benefits. The award limit is tied to the Ruth L. Kirschstein National Research Service Award (NRSA) zero-level stipend amount. For fiscal year 2012, the limit was \$39,264 ([NOT-OD-12-033](#)).

Twenty-one accounts across the university were reviewed representing roughly \$406,000 worth of expenses. Charges did not exceed the cap for any of the students reviewed and our review was concluded with no findings. Thank you to all who helped in this review.

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USC Office of Compliance | University Gardens Building | 3500 S. Figueroa Street | Suite 105 | Los Angeles | CA | 90089-8007