



UNIVERSITY OF MICHIGAN STANDARD PRACTICE GUIDE

Exhibit A: Federal Research Misconduct Policies

The **Public Health Service Office of Research Integrity (ORI)** maintains a list of web sites for the PHS policy on research misconduct and the policies of other federal agencies.

[http://ori.dhhs.gov/policies/federal_policies.shtml].

The Health and Human Services (HHS) Regulations, effective May 17, 2005, appear in 42 CFR Part 50 Parts 50 and 93 and implement section 493 of the Public Health Service Act. Copies of the regulation, entitled iPublic Health Service Policies on Research Misconduct are available from the Office of the Vice President for Research, 3-1289, or at (http://ori.dhhs.gov/documents/42_cfr_parts_50_and_93_2005.pdf, 5/17/05).

PHS must be notified when the institution determines that an investigation is warranted or prior to the decision to initiate an investigation if it has reason to believe that any of the following exist:

- a. Health of safety of the public is at risk, including an immediate need to protect human or animal subjects.
- b. HHS resources or interests are threatened.
- c. Research activities should be suspended.
- d. There is reasonable indication of possible violations of civil or criminal law.
- e. Federal action is required to protect the interests of those involved in the research misconduct proceeding.
- f. The research institution believes the research misconduct proceeding may be made public prematurely so that HHS may take appropriate steps to safeguard evidence and protect the rights of those involved.
- g. The research community or public should be informed.

The **National Science Foundation (NSF)** Regulations, effective March 18, 2002, appear in 45 CFR Part 689. Copies of the regulations, entitled iResearch Misconduct are available from the Office of the Vice President for Research, 3-1289, or at (<http://www.nsf.gov/oig/misconscieng.jsp>)

NSF expects institutions to promptly notify the NSF Office of Inspector General should the institution become aware during an inquiry or investigation that:

- a. Public Health or safety is at risk;
- b. NSF's resources, reputation, or other interests need protecting;
- c. There is reasonable indication of possible violations or civil or criminal law;
- d. Research activities should be suspended;
- e. Federal action may be needed to protect the interests of a subject of the investigation or of others potentially affected; or
- f. The scientific community or the public should be informed.



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Research Misconduct policies of other Federal Research Sponsors:

Department of Defense

DoD INSTRUCTION 3210.7 (May 14, 2004) which implements DoD DIRECTIVE 3216.2/
<http://www.dtic.mil/whs/directives/corres/html/321007.htm>

Department of Energy
70 FR 123, 6/28/05

Department of Labor
68 FR 117, 53861-53866
http://www.dol.gov/_sec/regs/fedreg/notices/2003023248.htm

Department of Transportation
http://ori.dhhs.gov/documents/rmguidancefinal_228002.pdf

Department of Veterans Affairs
<http://ori.dhhs.gov/policies/documents/ViewPublication-VAMisconduct.pdf>

Environmental Protection Agency
<http://ori.dhhs.gov/documents/epapolicy.pdf>

National Aeronautics and Space Administration
14 CFR Part 275, 7/14/2004
<http://edocket.access.gpo.gov/2004/04-15432.htm>

National Endowment for the Humanities
<http://neh.gov/grants/guidelines/researchmisconduct.html>

Smithsonian Institution (not available on-line)

Last reviewed: July 2008, technical revisions only