



DEPARTMENT OF HEALTH &amp; HUMAN SERVICES

Public Health Service  
Centers for Disease Control  
and Prevention (CDC)

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**Memorandum**

Date: May 14, 2009

From: Chief, Developmental Disabilities Branch, Division of Birth Defects and Developmental Disabilities, National Center on Birth Defects and Developmental Disabilities (M/S-687)

Subject: Reprimand for improper conduct

To: Diana Schindler

This is an Official Reprimand effective on the date of receipt. A copy of this Official Reprimand will be made part of your Official Personnel Folder for a period of two (2) years. This reprimand may be used as a factor in determining an appropriate penalty if further infractions occur.

**Charge: Unethical or improper use of official authority or credentials**

**Specification 1:** As part of an ongoing investigation related to funding irregularities with the Denmark Cooperative Agreement (-018305 and DD-0230), CDC staff members were authorized to search all e-mails of those in authority related to the Denmark Cooperative Agreement. In so doing, it was discovered that a long term relationship of a romantic nature has been ongoing between you and the Principal Investigator (PI) for the Denmark project, Dr. Poul Thorsen. During this review, it was also noted that information of a sensitive/budgetary/programmatic nature was shared by you with the grantee (Dr. Thorsen). In addition, intense advocacy to the point of impartiality and lack of objectivity on your part for the Denmark project has been witnessed and reported by others to your immediate supervisors. Because of this personal relationship and your official activities as the scientific lead for the Denmark project, there is an appearance of impropriety and lack of appropriate judgment on your part related to the project. Information about the nature of the relationship was apparently known by many outside CDC and has subsequently come to the attention of leadership within the NCBDDD as well as at Emory University where Dr. Thorsen now has an academic appointment. Because of the perceived conflict of interest and lack of objectivity related to the project, you are being directed to suspend all activities as the lead Science Collaborator for this Cooperative Agreement. You will be able to complete analyses already begun, as to be determined by your immediate supervisor.

Prior to your continued work on any of the various potential scientific publications relative to the Denmark cooperative agreements, I am requesting that you meet with me to develop a prioritized list of the planned scientific manuscripts that fulfill the strategic public health imperatives of the Developmental Disabilities Branch and the Division of Birth Defects and Developmental

Disabilities. This listing should include a reasonable timeframe for completion of the manuscripts, planned publication timeframe, and percent of your time engaged in that planned publication.

A separate letter of direction will be provided to you. This letter of direction will outline your future activities related to both this and other scientific responsibilities within the Division of Birth Defects and Developmental Disabilities.

In the future, I expect that your behavior will remain at the highest level of professionalism and in compliance with CDC guidelines for ethical conduct consistent with a CDC level GS-15 Senior Scientist and CDC lead for scientific activities.

Further acts of misconduct in this manner will result in disciplinary action being taken against you. Other potential actions considered, but rejected, for this first offense included 1-Day Suspension, 5-Day Suspension, 14-Day Suspension, 30-Day Suspension, and Removal. By way of this letter, I am notifying you that this type of behavior is unacceptable and any further infraction will result in immediate Removal (dismissal), as per Human Resources Manual Instruction 752: Discipline and Adverse Action, Issuance March 20, 2009; Section 3h, page 20. By way of this letter, I am notifying you that we take seriously this type of conduct, particularly in light of your position as Scientific Collaborator on this funded project and as you hold a GS-15 position within NCBDDD. We hope that this letter of reprimand makes CDC's position in this matter clear to you.

Also please note that you have the right to grieve this official reprimand under the Administrative Grievance Procedures. If you decide to file a grievance, the grievance should be submitted to me in writing, no later than twenty (20) workdays from the effective date of this action, and should identify the facts giving rise to the grievance and the relief requested.

In addition, you are reminded that the CDC/ATSDR Employee Assistance Program (EAP) provides professional, confidential counseling and referral services for CDC and ATSDR employees who are experiencing personal situations which may affect their quality of life or their ability to perform on the job. For more information, call (404) 639-2880, or visit <http://intranet.cdc.gov/ohs/OCCUHT/TL/ea/eaocoe.htm>. Also, LifeCare (800-873-4636) assists employees in proactively managing daily responsibilities and life events. If you have not already been in contact with a consultant from one or more of these resources and believe it would be beneficial to you, you are encouraged to do so. Upon request, I can authorize official time for you to engage in these services.

*Marshall Y. Yeargin, M.D.*  
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