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FORMER NATIONAL INSTITUTES OF HEALTH OFFICIAL SENTENCED FOR LYING ABOUT
OUTSIDE EMPLOYMENT

Failed to Disclose Consulting Income Earned in Part From Work Done on
Government Time

Greenbelt, Maryland - U.S. District Judge Deborah K. Chasanow sentenced Jack W. Snyder, age 57, of Potomac, Maryland, today to one year probation and ordered him to perform 160 hours of community service, on a felony charge of making a false statement on his annual financial disclosure form, announced United States Attorney for the District of Maryland Rod J. Rosenstein and Acting Assistant Attorney General Rita M. Glavin of the Department of Justice Criminal Division. Judge Chasanow also ordered Snyder to pay a \$200,000 fine. On the form, Snyder denied that he had received income from a private consulting business, when in fact he had received approximately \$165,234 in gross income from that business in 2005.

"Government employees owe their loyalty to the taxpayers," said U.S. Attorney Rod J. Rosenstein. "If government employees want to earn outside income related to their official work, they can do so after truthfully disclosing the matter and obtaining approval."

According to his plea agreement, from August 25, 2002, until March 2, 2007, Snyder was Associate Director of the Division of Specialized Information Services (SIS) at the National Library of Medicine (NLM), part of the National Institutes of Health (NIH). NIH falls under the United States Department of Health and Human Services. Snyder was the senior NLM official at SIS and reported directly to the Director of the NLM.

Prior to his employment with NLM, according to court documents, Snyder operated a litigation consulting business, Medico-Legal-Forensic Services (MLFS), and he consulted and testified as an expert witness in a variety of health related areas, in criminal and civil matters in state and federal courts across the country. When he began working at NLM, Snyder was instructed by an NLM ethics employee to cease his litigation consulting business. However, unbeknownst to NLM, Snyder continued to operate MLFS and earn outside income throughout his employment with NLM.

As an HHS employee, Snyder was required to seek approval for participation in outside activities, including outside employment, from supervisors and ethics officials. Snyder also was required to file an annual summary of his participation in outside activities and any compensation received in connection with these activities. Finally,

Snyder was required to file both a confidential and public annual financial disclosure report, on which he had to report income, reimbursements, and compensation from outside activities.

According to the statement of facts, during Snyder's employment at NLM, agency officials sent several agency-wide e-mails, advising NLM staff, including Snyder, of changes to ethical rules and requesting that all NLM employees disclose their participation in outside activities and seek permission for their continued involvement in such activities.

According to court documents, at no time during his employment with NLM did Snyder request approval for his consulting with MLFS or include his participation in or income from MLFS on any of the required reports. On his federal income tax returns for 2003 through 2005 Snyder reported gross wages from NLM of \$468,810 and from MLFS of \$589,450. Snyder filed the required financial disclosure reports and the necessary forms requesting approval of other outside activities, such as his positions with a professional journal, associations, and educational institutes but never reported his activities with MLFS.

According to the plea agreement, in addition to not reporting his outside employment with MLFS, Snyder utilized NIH time and physical resources to carry out his outside business activities, receiving a substantial number of telephone calls and facsimiles at his NIH workplace and using his NIH-assigned computers to prepare expert reports and invoices in connection with his litigation consulting business. In addition, Snyder traveled to various locations throughout the United States to meet with attorneys, prepare to testify, and testify as a witness in litigation during NIH business hours without taking annual leave.

NIH records reflect that Snyder used only three days of annual leave during the first three years of his employment and took no annual leave in 2004. From 2005 until his resignation from NIH on March 2, 2007, Snyder used 17 days of annual leave. Upon leaving NIH, Snyder was paid \$22,738.32 for 264 hours of unclaimed annual leave.

United States Attorney Rod J. Rosenstein and Acting Assistant Attorney General Rita M. Glavin thanked the Department of Health and Human Services - Office of Inspector General for its investigative work. Mr. Rosenstein and Ms. Glavin commended Assistant United States Attorney Stacy Dawson Belf of the District of Maryland and Trial Attorney AnnaLou Tirol of the Criminal Division's Public Integrity Section, which is headed by Section Chief William M. Welch, II, who are prosecuting the case.

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