

ACD Working Group on Foreign Influences on Research Integrity Update

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Deputy Director for Extramural Research, NIH

Friday, June 12, 2020
Virtual Meeting



ACD Working Group for Foreign Influences on Research Integrity



Sam Stanley, MD
President, Stony Brook University



Jeff Balser, MD, PhD
President & CEO, Vanderbilt
University Medical Center



Michael Drake, MD
President, Ohio State University



Larry Tabak, DDS, PhD
Principal Deputy Director,
NIH (Co-chair)



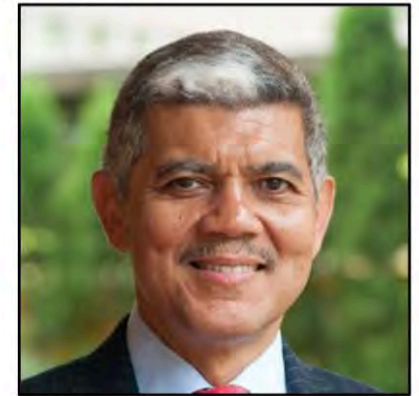
Maria Zuber, PhD
Vice President for Research, MIT



Ana Mari Cauce, PhD
President, Washington
University



Wallace Loh, PhD, JD
President, Maryland University



M. Roy Wilson, MD, MS
President, Wayne State
University (Co-chair)



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

National Institutes of Health
Bethesda, Maryland 20892

August 20, 2018

Dear Colleagues:

For many decades, the
participated in producti
universities and academi
discoveries that have le
NIH is proud to help su
diverse perspectives an

The NIH-funded biome
successful, must be fai

NIH Advisory Committee to the Director (ACD)

ACD Working Group for Foreign Influences on Research Integrity

December 2018 Report



- U.S. scientists routinely collaborate productively with investigators in foreign countries ... We must rely on productive research collaborations with foreign entities.
- Individuals violating laws/policies represent a small proportion of scientists working in and with U.S. institutions. We must not reject brilliant minds working honestly and collaboratively to provide hope and healing.

- Failure to disclose substantial foreign resources
 - Foreign employment arrangements
 - Foreign grant support: overlap, duplication, over-commitment
 - In many cases, American institutions unaware
- Failure to disclose significant foreign FCOI, patents
- Peer review violations

United States Senate
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
Committee on Homeland Security and Governmental Affairs

Rob Portman, Chairman
Tom Carper, Ranking Member

Threats to the U.S. Research Enterprise: China's Talent Recruitment Plans

STAFF REPORT

PERMANENT SUBCOMMITTEE ON
INVESTIGATIONS

UNITED STATES SENATE



“Thousand Talent Plan members sign legally binding contracts with Chinese institutions, like universities and research institutions. The contracts can incentivize members to lie on [US] grant applications, set up ‘shadow labs’ in China ... and, in some cases, transfer U.S. scientists’ hard-earned intellectual capital. Some of the contracts also contain nondisclosure provisions and require the Chinese government’s permission to terminate the agreement These provisions are in stark contrast to the U.S. research community’s basic norms, values, and principles.”

- Case developments
 - Civil
 - Criminal
 - Compliance
- Awareness campaign, institutional outreach
 - OSTP, JCORE
 - Institutional – e.g. AAU / APLU survey



Department of Justice

FOR IMMEDIATE RELEASE
THURSDAY, DECEMBER 19, 2019
WWW.JUSTICE.GOV

Office of Public Affairs
(202) 514-2007
TTY (866) 544-5309

DEPARTMENT OF JUSTICE REACHES \$5.5 MILLION SETTLEMENT WITH VAN ANDEL RESEARCH INSTITUTE TO RESOLVE ALLEGATIONS OF UNDISCLOSED CHINESE GRANTS TO TWO RESEARCHERS

WASHINGTON — The Department of Justice announced today that Van Andel Research Institute (VARI) has agreed to pay \$5,500,000.00 to resolve allegations that it violated the False Claims Act by submitting federal grant applications and progress reports to the National Institutes



THE UNITED STATES ATTORNEY'S OFFICE
NORTHERN DISTRICT *of* GEORGIA

[U.S. Attorneys](#) » [Northern District of Georgia](#) » [News](#)

Department of Justice

U.S. Attorney's Office

Northern District of Georgia

FOR IMMEDIATE RELEASE

Monday, May 11, 2020

Former Emory University professor and Chinese “Thousand Talents” participant convicted and sentenced for filing a false tax return

MOFFITT'S CHINA INTERNAL INVESTIGATION ABSTRACT*Summary of Foreign Influence Issues****Conclusions***

The participation by the Moffitt leaders and faculty in the Talents programs and other Chinese activities violated multiple Moffitt policies and federal grant standards, including:

- Receiving personal payments from an entity (TMUCIH) with which Moffitt itself does business, without disclosing those payments to the Moffitt Board of Directors and without disclosing those payments in the Moffitt faculty financial disclosure process;
- Agreeing to devote substantial personal time (at least two to three months annually) to these personally compensated activities in China, in direct conflict with their full-time commitments to Moffitt;
- Receiving personal payments and other research support from Tianjin and other Chinese sources, without disclosing this support as part of federal grant applications and in the course of financial disclosures for federal grants purposes;
- Receiving personal cash honoraria and personal travel benefits during their visits to China, without reporting these to Moffitt; and
- Opening personal bank accounts in China to receive these unreported funds.

NIH Case Work to Date

Observation	Number (%)
Scientists of possible concern	399 (-)
Notification from FBI	121 (30%)
Self-disclosed (from institution)	44 (11%)
Screen positive / negative / pending	251 (63%) / 76 (19%) / 72 (18%)
Scientists NIH contacted institution	189 (-)
Notification from FBI	60 (32%)
China country of foreign support	175 (93%)

NIH Case Work (N=189)

Finding	Number (%)
Undisclosed foreign grant	133 (70%)
Undisclosed talents award	102 (54%)
Undisclosed foreign company	17 (9%)
Undisclosed foreign patent	7 (4%)
Peer review violation	9 (5%)
Any NIH violation	154 (81%)
Violation of institutional rules	70 (37%)
Termination or resignation	54 (29%)
Institutional removal from NIH system	77 (41%)

Preliminary: Subject to change



Scientist Characteristics (N=189)

Finding	Number (%) or Median (IQR)
Active NIH grants (N=285)	143 (76%)
At least 2 active grants	77 (41%)
Peer review last 2 years	100 (53%)
Age (years)	56 (48-59)
Race	Asian 82%, White 14%
Sex	Male 82%, Female 17%

Scientists with Active Grants (N=143)

Finding	Number or Median (IQR)
Number of active grants	285
Grants involving:	Animals 76%, Humans 24%
NIH grant support per scientist	\$678K (\$383K to \$1.29M)
Total dollars of all active grants	\$164 million
Number of states	27
Number of cities	59
Number of IC's	17

Preliminary: Subject to change



Institutional Findings (N=87)

Finding	Number (%)
Number institutions contacted	87
Acknowledged non-compliance	62 (71%)
Institutional rules violated	49 (56%)
Mentioned new measures	47 (54%)



Off the Press CSIS



AMERICA CHALLENGES CHINA'S NATIONAL TALENT PROGRAMS

BY DAVID ZWEIG AND SIQIN KANG | No. 4 | MAY 2020

"Another major problem is the Foreign Thousand Talents Plan, through which China hires senior American researchers, sometimes in secret, who transfer the product of their own research to China. However, while such action is not necessarily illegal, it does transfer IP created with U.S. taxpayer funds to China for which American researchers receive handsome rewards. Going forward, China should make the TTP more transparent, the U.S. should be more transparent about its investigations, and the two sides should carry out extensive dialogue."

<https://www.csis.org/analysis/america-challenges-chinas-national-talent-programs>

- Implementing ACD recommendations
- Extensive institutional outreach has yielded results
- Working closely with other agencies and stakeholders
- We reiterate the importance of the contribution of foreign scientists to biomedical research; we must not create a climate that is unwelcoming to them

Incomplete Thank You

- NIH
 - Larry Tabak, Carrie Wolinetz, Jodi Black, Patricia Valdez, Sally Amero, Michelle Bulls, Julie Muroff, Kate Tapley, Mike Shannon, Bill Cullen, Liza Bundesen, Megan Columbus, Renate Myles, Katrina Pearson, Rick Ikeda, Jess Mazerik, Nicole Garbarini, Minna Liang, Francesca Bosetti, Tara Schwetz, others
- FBI, DOJ, DNI
 - John Brown, Don Lichay, Tam Dao, Melody Hounsell, Jeff Stoff, John Napier, Jason Vanthomme, John Hartnett, Tim Clifton, Melissa Abbate, others
- Non-federal organizations
 - Wendy Streitz, Lisa Nichols, Sarah Rovito, Toby Smith, Lizbet Boroughs, Ross McKinney, Marcia McNutt, others
- DHHS
 - Michael Schmoyer, Lisa Aguirre, Alisa Hudgens, Les Hollie, Michael Oberlin, Francis Montoya, Justin Bidwell, Jason Scalzo, Adam Layton, others
- State
 - Jonathan Margolis, Andrew Hebbeler, Megan Frisk, Staci Rijal, Riju Srimal, others
- OSTP and other research agencies
 - Rebecca Keiser, Jeremy Ison, Bindu Nair, Helena Fu, Aaron Miles, others
- Dozens of VPRs and institutional compliance / integrity leaders

