

# ACD Working Group on Foreign Influences on Research Integrity Update

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Deputy Director for Extramural Research, NIH

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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)



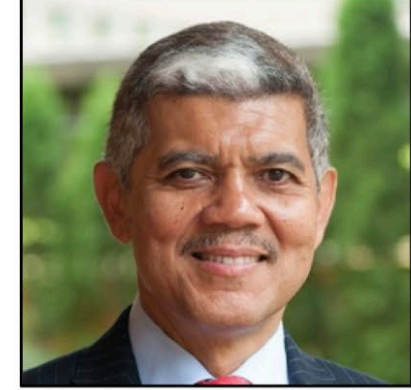
Maria Zuber, PhD  
Vice President for Research, MIT



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](http://WWW.JUSTICE.GOV)

Office of Public Affairs  
(202) 514-2007  
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## **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







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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%)
<b>Scientists NIH contacted institution</b>	<b>189 (-)</b>
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%

**Preliminary: Subject to change**

## 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%)

**Preliminary: Subject to change**

# 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

