

Report on Research Compliance Volume 16, Number 7. July 01, 2019 NIH: Examples of Foreign Influence in Research Include Employment Agreement, Secrecy Pledge

By Theresa Defino

Amid talk that some signs of foreign influences in research may simply reflect a failure to report allowable support, Larry Tabak wanted to be clear about two important points. “We have to continue to acknowledge the extraordinary contribution that foreign scientists make to the biomedical research enterprise. We have to say that over and over and over,” said Tabak.

Yet NIH’s principal deputy director did not deflect from a hard truth.

“There [is] a small number of people who are doing some incredibly egregious things. This is calculated theft. This is calculated dishonesty. And in those instances, nobody would disagree, when shown the actual evidence, that we have to take very, very strong action,” said Tabak during last month’s meeting of the Advisory Committee to the Director (ACD).

Among the evidence of foreign entanglements NIH officials shared at the ACD meeting are employment contracts that, when taken with the investigator’s home duties, equal 16 months of work in a year; pledges to hide patents; and “massive” downloads of information on flash drives.

NIH itself has not revealed specific actions it has taken regarding investigators other than to say it has “reached out” to some 60 institutions with requests to conduct their own inquiries. Similarly, it has referred 18 investigators to the HHS OIG, which probes possible cases of grant fraud and other civil violations of law.

But several institutions—most publicly the University of Texas MD Anderson Medical Center and Emory University—have described terminating several investigators for accepting foreign support and not declaring it (“Senate Holds Hearing on Foreign Influences in Research,” RRC E-Alert, June 6, 2019).

Tabak was joined in his remarks at the ACD meeting by Michael Lauer, NIH deputy director for extramural research, who gave an update on what the agency has been doing regarding foreign research influences since the committee’s last meeting in December. At that gathering, a working group made a series of recommendations (“NIH Embraces Efforts to Thwart Foreign Entities, Recommends Similar Strategies for Universities,” RRC 16, no. 1). In sum, Lauer said NIH was acting on nearly all of the recommendations; he also highlighted resources helpful to institutions struggling to respond to threats from foreign governments.

As he noted in his presentation, and as NIH Director Francis Collins had first described last August, there are three primary areas of concern regarding foreign influences:

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