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First Jail Term for Undisclosed Foreign Support Appealed; NIH's Lauer Laments 'Tragic' OSU Case

By Theresa Defino

To his supporters and colleagues, Song Guo Zheng, MD, PhD, was the most productive worker they've seen in 50 years, publishing nearly 300 papers, a man who lived modestly and was "at the forefront" of research into autoimmune disorders to which he "devoted his professional life." Yes, he made mistakes when he failed to report all of the support and positions he held in China, but he did not benefit personally.

To NIH and other government officials, the former chair of Ohio State University's (OSU) Division of Rheumatology and Immunology in the Department of Internal Medicine was a liar, a criminal and a forger whose actions, influenced by ties to China, led to a "tragic" loss of nearly \$4 million in federal research dollars and may have tainted the studies they funded.

Zheng, 58, who pleaded guilty in November to making false statements, has been in prison since his arrest on May 22, 2020.^[1] This May, Algenon Marbley, chief judge for the Southern District of Ohio, sentenced him to 37 months in prison.^[2] To date, his is the harshest sentence for this type of crime.

In addition, relying heavily on a statement submitted by Michael Lauer, NIH deputy director for extramural research, Marbley ordered Zheng to repay \$3,429,705.22 in grant funds. Zheng also must pay OSU more than \$400,000 to cover its costs in responding to the government's investigation of his actions. He will also be deported to China at the conclusion of his sentence.

According to Steven Nolder, Zhen's appellate attorney who is challenging the 37 months, Zheng is "suffering mightily in [prison] as he was taken from a county jail in Ohio, sent to the transfer center in Oklahoma, then moved to a U.S. penitentiary in Pennsylvania, and just a couple of days ago was shipped back to Oklahoma."

Prisoners call what Zheng has been subjected to "diesel therapy," Nolder said; the goal is to "move the prisoner to make them uncomfortable...no other reason to willy-nilly move the prisoner."

China Ties Fortified During Job Insecurity

Zheng could hardly have imagined such would be his fate when he came to the United States more than two decades ago.

His first position here was in 2000, when he joined the University of Southern California (USC) as a postdoctoral fellow in the Division of Rheumatology and Immunology in the Keck School of Medicine, following what Zheng's attorney Daniel Collins called a "long academic and research career in China." After three years, he was appointed an assistant professor and later associate professor, a position he held until 2012.

According to the scenario Collins, with Faegre Drinker Biddle & Reath LLP, presented in court documents, Zheng's ties with China were strengthened when he was unable to obtain a tenured post at USC. He applied for positions at U.S. institutions as well as in China, and "Sun Yat-sen University (SYSU) recruited Dr. Zheng, and

sponsored his application in November 2012 to participate in the Hundred Talent Plan.”

During this period, “universities encouraged collaboration with scientists around the globe,” Collins wrote in court documents, “and Dr. Zheng never hid the fact that the National Natural Science Foundation of China (NNSFC) recognized Dr. Zheng with an ‘Outstanding Young Investigator Award’ from 2008 to 2011.”

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