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Resolutions of Two 'China Initiative' Cases Favor Investigators

Zhengdong Cheng, a former NASA-funded researcher and Texas A&M University professor, will pay a fine of \$20,000 and restitution of \$86,876, according to a court order entered on Oct. 6 by Judge Andrew S. Hanen of the Southern District of Texas. Hanen also sentenced Cheng to time served; he was imprisoned for 13 months after his arrest in August 2020 on charges related to undisclosed employment and support from Chinese institutions. Indicted on charges of wire fraud, making a false statement and conspiracy on Sept. 22 Cheng pleaded guilty to violating NASA regulations and making a false statement, according to court records reviewed by RRC.

Also last month, former University of Kansas (KU) professor Feng "Franklin" Tao won dismissal of three charges of wire fraud for which a jury convicted him in a related case in April. Tao was the recipient of awards from the Department of Energy (DOE) and the National Science Foundation (NSF). Prosecutors said Tao was employed by Fuzhou University in China but did not disclose this information to KU. Julie A. Robinson, senior district judge for the District of Kansas, ruled that the government "presented insufficient evidence to sustain his convictions for wire fraud" and that his "conduct did not constitute a scheme to defraud, because no reasonable jury could have concluded that he induced either DOE, NSF, or KU to give him money or property that it would not have had it known the truth, and DOE, NSF and KU received all that they bargained for." The jury acquitted him of four other charges; he was tried on a total of eight. Robinson has not sentenced Tao on the false statement charge. Both cases were part of the Trump administration's China Initiative, which sought to crack down on academic researchers believed to be accepting federal research funds while also supported by Chinese or other foreign entities. Researchers were accused of either withholding such involvement from their employers or lying about it.

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