

From: [Pollack, Ann](#)
To: [Sharma, Anuj \(HHS/OASH\)](#)
Cc: [Runko, Alexander \(HHS/OASH\)](#); [Wakimoto, Roger M](#)
Subject: RE: Letter from VCR Wakimoto
Date: Friday, September 16, 2022 10:41:00 AM
Attachments: [image001.png](#)
[image002.png](#)

Dear Anuj,

Thank you (and Alex) for taking such prompt action to correct the *Federal Register* notice. Vice Chancellor Roger Wakimoto and I very much appreciate it.

Ann

From: Sharma, Anuj (HHS/OASH) <Anuj.Sharma@hhs.gov>
Sent: Friday, September 16, 2022 7:41 AM
To: Pollack, Ann <APollack@research.ucla.edu>
Cc: Runko, Alexander (HHS/OASH) <Alexander.Runko@hhs.gov>
Subject: RE: Letter from VCR Wakimoto

Dear Ms. Pollack,

I am writing to inform that ORI issued a correction to remove National Institutes of Health (NIH) grant, UL1 TR000124, from the findings of research misconduct published earlier in the Federal Register. The correction can be found here [2022-20070.pdf \(govinfo.gov\)](#)

Thank you.

Best Regards,
Anuj Sharma

Anuj Sharma, Ph.D.
Health Scientist Administrator
Division of Investigative Oversight
Office of Research Integrity
1101 Wootton Parkway Suite 240
Rockville, MD 20852

Email: anuj.sharma@hhs.gov
Desk: (240) 453-8800



From: Sharma, Anuj (HHS/OASH)
Sent: Monday, September 12, 2022 11:27 AM
To: Pollack, Ann <APollack@research.ucla.edu>
Cc: Runko, Alexander (HHS/OASH) <Alexander.Runko@hhs.gov>; OVCR <ovcr@conet.ucla.edu>
Subject: RE: Letter from VCR Wakimoto

Dear Ms. Pollack,

Thank you for providing further clarification on the grant involvement. ORI will issue a correction in the Federal Register specific to this grant number, but it may take some time to go through the process. I will keep you updated. In the meantime if you have any questions or have any other information to share, please do not hesitate to contact me.

Best Regards,
Anuj Sharma

Anuj Sharma, Ph.D.
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Desk: (240) 453-8800



From: OVCR <ovcr@conet.ucla.edu>
Sent: Friday, September 9, 2022 5:31 PM
To: Sharma, Anuj (HHS/OASH) <Anuj.Sharma@hhs.gov>
Cc: Runko, Alexander (HHS/OASH) <Alexander.Runko@hhs.gov>; Pollack, Ann <APollack@research.ucla.edu>
Subject: Letter from VCR Wakimoto

Dear Dr. Sharma:

Hope this email finds you well. Enclosed please find a letter from VC Wakimoto. If you have any questions, feel free to reach out to Associate Vice Chancellor Ann Pollack.

Best regards,
Alejandra

Alejandra Elizalde

Office Administrator

UCLA Office of Research & Creative Activities

Email: aelizalde@conet.ucla.edu

Web: <https://research.ucla.edu/>

August 16, 2022

VIA EMAIL

Anuj Sharma, Ph.D.
Health Scientist Administrator
Division of Investigative Oversight
Office of Research Integrity
U.S. Department of Health and Human Services
Email: Anuj.Sharma@hhs.gov

Re: DIO 7163

Dear Dr. Sharma:

I am writing to follow up your telephone conversations with Ann Pollack, Associate Vice Chancellor – Research, and to seek your help in making a factual correction to the record of the findings of research misconduct in DIO case 7163. As Associate Vice Chancellor Pollack advised when you spoke last week, the notice of findings of research misconduct against Janina Jiang, M.D., Ph.D., that appeared in the August 5, 2022 *Federal Register*, indicates that the first allegation involves a figure that was incorporated into a proposal that UCLA submitted to the National Institutes of Health (NIH) to support UCLA's Clinical and Translational Science Institute (CTSI). In actuality, that figure was incorporated into a proposal entitled "A Novel Therapeutic Vaccine to Clear Early Cancerous Cervical HPV Infection" that was submitted to the Iris Cantor Women's Center at UCLA as part of an intramural granting program supported by funds from the CTSI award.

The proposal for "A Novel Therapeutic Vaccine to Clear Early Cancerous Cervical HPV Infection," was *not* submitted to NIH. Figure 6 in the internal proposal was *not* incorporated into the California NanoSystems Institute (CNSI) proposal that UCLA submitted to NIH.

I urge you and others at ORI to consider a factual correction of the August 5, 2022 *Federal Register* notice.

Sincerely,

Roger M. Wakimoto

Roger M. Wakimoto
Vice Chancellor for Research and Creative Activities
Research Integrity Officer

cc: DIO Director Alex Runko, Office of Research Integrity
Associate Vice Chancellor-Research Ann Pollack

September 9, 2022

VIA EMAIL

Anuj Sharma, Ph.D.
Health Scientist Administrator
Division of Investigative Oversight
Office of Research Integrity
U.S. Department of Health and Human Services
Email: Anuj.Sharma@hhs.gov

Re: DIO 7163

Dear Dr. Sharma:

I am writing again to update our request regarding the report to ORI that led to factual errors in the August 5, 2022 *Federal Register* notice pertaining to the findings of research misconduct against Janina Jiang, M.D., Ph.D. I initially wrote to you on August 16, 2022, to follow up on your telephone conversations with Ann Pollack, UCLA Associate Vice Chancellor – Research.

The *Federal Register* notice erroneously states that a figure was incorporated into a proposal that UCLA submitted to the National Institutes of Health (NIH) to support UL1 TR000124, the UCLA Clinical and Translational Science Institute (CTSI), for the period June 1, 2011- August 31, 2016. This statement is false. The figure was not part of UCLA CTSI UL1 TR000124 and was **not** submitted to the NIH.

Dr. Jiang did **not** receive any funding from UCLA CTSI UL1 TR000124 at any time. A review of all UCLA CTSI UL1 TR000124 documents, which includes the original grant submission and all progress reports and records reveals no evidence whatsoever of any support or data related to Dr. Jiang. The *Federal Register* notice states that the ORI found that Dr. Jiang “engaged in research misconduct by knowingly and recklessly falsifying and/or fabricating flow cytometry data” that was included in the UCLA CTSI grant UL1 TR000124. This data was **not** incorporated into the UCLA CTSI application for funding of UL1 TR000124.

I recently learned that the clarification previously provided was incorrect. When I wrote to you on August 16th, I had understood that CTSI funds provided by NIH had been used to support the project. But I have since learned that the seed grant that included Dr. Jiang’s work was funded by unrestricted gift funds from the Iris Cantor UCLA Women’s Health

Center in the Division of General Internal Medicine through an internal funding program co-sponsored by the Iris Cantor UCLA's Women's Health Center and the CTSI. The proposal was **not** funded by the UCLA CTSI grant UL1 TR000124 nor any other UCLA CTSI funding. ORI, therefore, has no jurisdiction over the first allegation.

The erroneous initial information about the source of funding for Dr. Jiang's research was based on information provided to the Inquiry and Investigation Committees during their work. This erroneous information was reflected in the reports that UCLA provided to ORI as well as in the clarification provided by Associate Vice Chancellor Pollack. After the *Federal Register* notice was published, another source directly involved with primary documentation, reviewed detailed records of UCLA CTSI funding expenditures, contacted me and provided additional evidence that reflects the true source of funding used to support work for this internally supported proposal. A review of all UCLA CTSI UL1 TR000124 documents, which includes the original grant submission and all progress reports and records, substantiates that no NIH UCLA CTSI UL1 TR000124 funding was awarded to Dr. Jiang.

Please let me know whether this letter is sufficient or whether UCLA needs to provide your office with an updated investigation report reflecting this corrected information. This current information underscores the urgent need for ORI to correct the *Federal Register* notice. The *Federal Register* provides the public with reliable information about government activities. Once published in the *Federal Register*, that information is publicly available. Anyone with access to the internet can find this information, and it will remain available indefinitely. Information in the *Federal Register* is understandably viewed as authoritative and thus relied on by a broad range of individuals and organizations. See, e.g., 44 U.S.C. § 1507 (“[P]ublication in the Federal Register of a document creates a rebuttable presumption— (1) that it was duly issued, prescribed, or promulgated”).

It is for all of these reasons that we strongly urge the NIH to rectify the record by publishing a correction in the *Federal Register* indicating that **no NIH** funds were used in support of the proposal in which the falsified/fabricated figure related to allegation one appeared. UCLA has already received inquiries regarding the August 5th *Federal Register* notice and its contents. We cannot know each and every party who has reviewed the notice thus far, who might review it in the future, or how it may be used. We respectfully request that ORI issue a correction to the official record in the *Federal Register* that reflects a complete and accurate picture of what occurred in this case.

It is urgent that the correct factual information be immediately and accurately presented in the Federal Register.

If you have questions, please contact Associate Vice Chancellor Ann Pollack at Apollack@researach.ucla.edu or (310) 794-0387.

Sincerely,

Handwritten signature of Roger M. Wakimoto in cursive script.

Roger M. Wakimoto
Vice Chancellor for Research and Creative Activities
Research Integrity Officer

cc: DIO Director Alex Runko, Office of Research Integrity
Associate Vice Chancellor-Research Ann Pollack