

# 06/30 Congressional Roundtable on Racial Profiling

On Wednesday, June 30, 2021 at 3:30 p.m. ET, Representative Jamie Raskin, Chair of the Subcommittee on Civil Rights and Civil Liberties, and Representative Judy Chu, Chair of the Congressional Asian Pacific American Caucus, will hold a [roundtable](#) entitled “Researching while Chinese American: Ethnic Profiling, Chinese American Scientists and a New American Brain Drain.”

The Department of Justice (DOJ) has long [targeted](#) Chinese Americans in extensive investigations into foreign espionage, leading to multiple false arrests of innocent Chinese American scientists. These efforts ramped up in federal agencies under the Trump Administration’s China Initiative, causing numerous scientists to [lose](#) their jobs despite not unveiling chargeable criminal conduct.

This [roundtable](#) will examine the federal government’s alleged racial profiling of Chinese American scientists, and address how the continued harassment harms the broader U.S. scientific community.

**WHAT:** Roundtable entitled “Researching while Chinese American: Ethnic Profiling, Chinese American Scientists and a New American Brain Drain.”

**WHEN:** Wednesday, June 30, 2021 at 3:30 p.m. ET

**WHO:**

- Xiaoxing Xi, Laura H. Carnell Professor of Physics, Temple University\*
- Sherry Chen, Hydrologist, Ohio River Forecast Center, National Weather Service, NOAA\*
- Steven Chu, Former Secretary of Energy; Professor, Stanford University\*
- Randy Katz, Vice Chancellor for Research and United Microelectronics Corporation, Distinguished Professor in Electrical Engineering and Computer Science, University of California, Berkeley\*

\*Affiliation for identification purposes only

The event is open to the public via livestream on YouTube at: <https://bit.ly/3xTy2u3>.

**"Ridiculous Case" - From a Juror in The Mistrial of Professor Anming Hu**

On June 23, 2021, The Intercept published "[Ridiculous Case](#)": Juror Criticizes DOJ For Charging Scientist With Hiding Ties To China." Wendy Chandler, a juror in the trial, said the FBI owes an apology to University of Tennessee Knoxville scientist Anming Hu after a mistrial was declared in the closely watched case.

"It was the most ridiculous case," Chandler said. About the FBI, she added: "If this is who is protecting America, we've got problems." She came away believing that the lead FBI agent in the case had pursued the investigation out of ambition rather than an interest in justice. She also believed that when faced with questions from federal agents, the administrators who had advised Hu on his grant applications caved and hastily sacrificed their employee. "This poor man just got sold down the river by his university and everyone else," Chandler said.

"There has been very clear messaging from the Justice Department to the field offices that this is a massive priority and they should take it very seriously," said Margaret Lewis, a law professor at Seton Hall University. "You combine that with calling it the China Initiative and issues with implicit bias, and you're creating a recipe for unconscious decision-making to occur in a way that can pull you towards certain people as potential suspects."

In February, Maryland state Senator Susan C. Lee, along with a group of civil rights organizations, researchers, and others jointly wrote House Subcommittee on Civil Rights and Civil Liberties Chair Jamie Raskin to request a hearing on investigations of ethnic Asian scientists. She said in the Intercept report, "We just want some accountability, because you're talking about people's lives."

Calls to scrap the China Initiative are mounting. At last week's media briefing organized by five groups, John Yang of Asian Americans Advancing Justice | AAJC urged the U.S. attorney's office to drop Hu's case and asked the Biden administration to declare a moratorium on new cases under the initiative. And a day after the judge declared a mistrial, [Reps. Ted Lieu, Mondaire Jones, and Pramila Jayapal requested](#) that the Justice Department's inspector general investigate the FBI's conduct in the case, as well to address the concerns of racial profiling in the "China Initiative."

"The FBI has a long history of using racial, ethnic, and national origin bias as a proxy for national security threats," said Brennan Center for Justice fellow Michael German, speaking at the media briefing. "This case is a perfect example of the problems with this type of approach." German, a former FBI agent, added that the China Initiative creates pressure on agents to bring cases.

Read the Intercept report here: <https://bit.ly/3xNnBZ3>

In the same evening of June 23, 2021, Advancing Justice | AAJC, APA Justice, APAPA, the Brennan Center, and UCA co-hosted the fifth webinar in a series on the "China Initiative," titled The Mistrial of Professor Anming Hu under the "China Initiative." The webinar featured Rep. Ted Lieu, Maryland State Senator Susan Lee, Professor Anming Hu's defense attorney Phil Lomonaco, Professor Margaret Lewis, and Dr. Guiyou Huang, President of Western Illinois University. The event was moderated by Michael German. Recording of the webinar will be posted at an appropriate time in the future.

Read more about the fifth and previous webinars here: [https://bit.ly/APAJ\\_Webinar\\_Series](https://bit.ly/APAJ_Webinar_Series)

## **Petition to New York University (NYU) President Andrew Hamilton**

On June 24, 2021, Advancing Justice | AAJC, the American Association of University Professors NYU Chapter, and the Union for Graduate Employees at NYU launched a petition to urge NYU President Andrew Hamilton to stop racial profiling Asian American and immigrant professors at NYU and protect their rights to due process. Two tenured professors of Asian descent at NYU Grossman School of Medicine have been unjustly suspended by the university and stripped of proper due process protections in their termination proceedings, limiting their rights to fight this injustice. They are not alone. Across the United States, we are now seeing mass investigations, unjust prosecutions, and employment terminations of Asian American and immigrant professors, researchers, and scholars under the federal government's "China Initiative," leaving careers ruined and lives in shambles. Please do your part by signing the petition here: <https://bit.ly/2TZiku3> and help spread the petition to your friends, colleagues, and organizations.

## **"The China Initiative" and Related Activities**

On June 24, 2021, defense attorneys for Kansas University Professor Franklin Tao, one of the "China Initiative" cases, provided additional arguments of "exceptional circumstances" to support the motion to grant depositions from four witnesses who are located in China and will not travel to the U.S. to testify. Read more about the legal docket at <https://bit.ly/2XzVnRU> and the background of the Tao case at: <https://bit.ly/3fZWJvK>

On June 17, 2021, Reuters reported on at least five visa fraud prosecutions of university researchers launched last year as part of the "China Initiative," All the Chinese scientists have pleaded not guilty to falsifying visa applications to conceal military ties as well as other charges. According to the report, U.S. District Judge William Alsup expressed skepticism about the FBI's failure to inform a Chinese brain researcher at Stanford University of her rights when she was first interrogated, calling its tactics a "gimmick." The judge had previously rejected requests from the prosecution that evidence in her case be kept secret on national security grounds, a decision the U.S. government is appealing. Read more at <https://reut.rs/3xsKdxH>

On June 16, 2021, the Washington Post reported that "Garland inherited a booby-trapped DOJ... No Biden U.S. attorneys have been confirmed yet, and there are tens of thousands of investigations to sift through, none of which come with warning stickers." <https://wapo.st/3gQRdz8>

On June 14, 2021, the Department of Justice (DOJ) updated its online report on the "China Initiative" <https://bit.ly/3jK3O6S>. No new prosecutions were reported, but thousands are still

subject to ongoing FBI investigations. The DOJ online report is not complete and has obvious selection bias in favor of the government's narrative.

John Demers, the longest-serving Trump holdover at DOJ and the head of the "China Initiative," is reportedly leaving at the end of this month <https://politi.co/3iHbzfu>. His replacement, Matt Olsen, has been nominated by the Biden administration, but has not been confirmed by the U.S. Senate.

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