

End The "China Initiative" and Racial Profiling

On March 2, 2021, Inside Higher Ed published [Reconsidering the "China Initiative."](#) providing a comprehensive look at the 2-year program as well as a dozen or so individual university-based cases including MIT professor Gang Chen and Kansas University professor Franklin Tao. Three professors from the University of Arkansas, Fayetteville; the University of Tennessee, Knoxville; and Texas A&M University have also been charged with allegedly concealing ties to Chinese universities or companies from the National Aeronautics and Space Administration, second only to the National Institute of Health (NIH). None of them involve economic espionage or trade secret thefts.

The Third Webinar in [a series on the "China Initiative."](#) co-hosted by APA Justice, was cited in the report. CAPAC Chair Rep. Judy Chu described the chilling effects of racial profiling on the Asian American community. San Francisco State University President Emeritus Dr. Leslie Wong expressed his surprise "that presidents and chancellors haven't taken a stronger systematic approach by not only protecting their Chinese scientists and researchers, but by developing policies by which a number of systemic offices are involved to prevent the kinds of mistakes that are being pursued by federal agencies." "Part of the problem," he said "was that prior to 2016, universities were rewarded for having partnered research relationships with international universities, and all of the sudden that was reversed, and so you had people on NIH, NSF grants, five-year, six-year renewable grants with a partner in China, saying, 'What do I do now?'" A video for The Third Webinar on Building Coalition Against "China Initiative" Discrimination is available here:

<https://www.youtube.com/watch?v=4bG7Ck67ypY&t=189s> (1:16:13).

[Since a January 5, 2021 letter to President-elect Biden](#) led by Asian Americans Advancing Justice, the Brennan Center for Justice, and the APA Justice Task Force calling for the end of the "China Initiative" and further steps necessary to combat the pervasive racial bias and targeting of Asian American and Asian immigrants, there has been a steady stream of opinion articles to end or completely rebuild the "China Initiative" from the ground up, including [SupChina](#), [Lawfare](#), and [The Atlantic](#).

With massive mobilization of government resources and spending of taxpayers' dollars, the "China Initiative" has been notoriously lacking in accountability and transparency. [NIH](#) and the [Federal Bureau of Investigations \(FBI\)](#) have failed to provide a meaningful response to letters from Reps. Jamie Raskin and Judy Chu when responses were expected a year ago on March 5, 2020. The Department of Justice's online report on the "China Initiative" is incomplete and highly selective to fit its narrative. Even with its inherent bias, only a quarter of the "China Initiative"

cases are charged for economic espionage and trade secret thefts - the main stated objective of the program.

The FBI has a long history of domestic propaganda campaigns from which Asian Americans and immigrant communities would inevitably become victims. The "Fifth Column (1939-1945)" was associated with the internment of 120,000 persons of Japanese ancestry to be interned during World War II, about two-thirds of them were native-born American citizens. It was assisted by Dr. Seuss. In 1988, President Reagan signed the Civil Liberties Act to compensate more than 100,000 people of Japanese descent and offered a formal apology.



In the 1990s, the "Thousand Grains of Sand" theory was advanced to implicate the disloyalty of persons of Chinese origin to the U.S. Dr. Wen Ho Lee, a naturalized U.S. citizen and a nuclear physicist at the Los Alamos National Laboratory, was

investigated for five years and then incarcerated in solitary confinement 24 hours a day under armed guards. He was allowed one hour a day for exercise and was shackled with leg and hand irons whenever he was moved from one location to another. He could speak only with his attorneys and immediate family members, who could make non-contact visits one hour per week. [Judge James Parker apologized to Dr. Lee](#) for the treatment he received in 2000. The judge released Dr. Lee for time served (278 days) and remarked in his apology, “[t]he executive branch has enormous power, the abuse of which can be devastating to our citizens.”

Today's FBI campaign term is "non-traditional collectors," especially scientists, researchers, and students of Chinese origin. Despite its tough rhetoric, the Cato Institute noted that the federal government has released no systematic data on espionage or provided estimates about how serious of a threat it is to justify apparent ethnic targeting. The Cato Institute conducted [a comprehensive risk-benefit report](#) and did not find unusual espionage threat from Chinese Immigrants in the U.S. over a 30-year period covering 1990-2019.

On March 1, 2021, Science reported [NIH director apologizes for ‘structural racism,’ pledges actions](#). Responding to concerns about discrimination against Black people, NIH Director Francis Collins issued an unusual public apology for what he called “structural racism in biomedical research” and pledged to address it with a sweeping set of actions. Is systematic racism in NIH limited to only African Americans? Will the Biden Administration review the racial profiling situation in NIH and other federal agencies according to the letter and spirit of the [Executive Order](#) and [Presidential Memorandum](#)?

On March 4, 2021, John Yang, President and Executive Director of Advancing Justice | AAJC and a coalition of activists visited the White House and met with Policy director Susan Rice to discuss ways the Biden administration could help stem the tide of anti-Asian hate. Read more at <http://bit.ly/38gTHlu>

Advancing Justice | AAJC has launched a petition to tell President Biden to stop the racial profiling of Asian Americans and Asian immigrants and end the Justice Department’s “China Initiative.” Please sign the petition

here: <http://bit.ly/EndChinaInitiative>. The campaign also asks concerned individuals to send a letter to your Members of Congress and ask them to take action. A letter template is provided and can be personalized and sent from here: <http://bit.ly/EndChinaInitiative-Letter>. Please ask your friends, neighbors, and colleagues to join.

Harvard Professor Charles Lieber Goes to Trial

On March 2, 2021, the Harvard Crimson published [As Scientists Rally to His Defense, Lieber Rules Out Plea Deal, Plans To Stand Trial](#). “At this time, Your Honor, there is no possibility of a plea and there will be a trial,” Marc L. Mukasey, Lieber’s counsel, told Magistrate Judge Marianne B. Bowler of the U.S. District Court of Massachusetts. In July 2020, a superseding indictment charged Harvard University Professor Charles Lieber that he lied to federal investigators who were examining funding he had received from the People's Republic of China and for tax offenses.

On March 4, 2021, [Voice of America reported](#) on a public letter that questioned the federal government’s prosecution of Lieber describing the case as unjust. The letter was co-signed by 41 professors from several American universities — including seven Nobel laureates. “In the name of combatting economic espionage, the Department of Justice has increasingly scrutinized members of the academic community,” the letter reads. “Despite his standing in the scientific community — or perhaps because of it — he has become the target of a tragically misguided government campaign that is discouraging U.S. scientists from collaborating with peers in other countries, particularly China,” the letter supporting Lieber states. “In so doing, it is threatening not only the United States’ position as a world leader in academic research, but science itself.”

The scientists also criticized Harvard University for failing to indemnify and support Lieber in his legal proceedings. Harvard's stance contrasts MIT’s decision to come to the defense of MIT professor Gang Chen.

Professor Lieber is one of the 62 selectively reported "China Initiative" cases, which DOJ uses to deny racial profiling against Chinese American

scientists. Professor Chen is not on the DOJ online report.

"We are all Gang Chen"

In the January/February 2021 issue, MIT Faculty Newsletter raised the question: [Why Have We, a Group of MIT Faculty, Signed the Letter in Support of Gang Chen?](#) and provided the answer: **Because if such a prominent citizen of our country, a loyal American**, a person who has raised his children here, a beloved teacher and scientist who has dedicated his creativity and energy to his students and MIT and this country, is criminally targeted for routine scientific and educational activities, we are all at risk.

Whereas the brunt of this case is certainly personal, felt primarily by Professor Chen, his family and his friends, the impact of the DOJ's "China Initiative" campaign reaches far beyond the Chen residence and affects us all. This campaign that our colleague Gang Chen got caught up in appears to be a deliberate attempt to intimidate rather than an effort to increase compliance.

We are aware of many MIT faculty and students of Chinese heritage who feel targeted, fearful, and intimidated. All of us understand the disastrous impact of this campaign on science, on research, and on education – and frankly on the future of this country. We are concerned about the emergence of clear signs of ethnic targeting of scientists of Chinese heritage who are loyal citizens of this country. We view the persecution of researchers of Chinese heritage as damaging to our national interests and to the quality of research in this country. One cannot embrace science and facts while creating an atmosphere of fear for scientists.

Over 1,100 have signed the "We are all Gang Chen" petition. You can join here: <https://bit.ly/36A4kiw>.

Webinars

On March 6, 2021, the Chinese American Scholars Forum hosted a point-counterpoint webinar on DOJ's "China Initiative," featuring Seton Hall University law professor Margaret Lewis and Jay Bratt, Chief of the Counterintelligence and Export Control Section of the National Security Division in the Department of Justice. Among the many questions raised but remained unanswered from the

webinar is: why is DOJ criminalizing university professors for administrative reporting requirements in the pretext of national security when their rules and procedures are changing, inconsistent, and confusing? It creates "Gotcha" situations where the government can selectively investigate and prosecute without adequate checks and balances. Video recording of the webinar is available here: <https://www.youtube.com/watch?v=SOKeNzI7L2c>. (video 2:06:54)

On March 8, 2021, Colorado State University will host a webinar titled "Scientific Espionage, Open Exchange, and American Competitiveness," featuring Professor Xiaoxing Xi of Temple University. Register for the event here: <http://bit.ly/2NYEu1k>

On March 11, 2021, SupChina will host a webinar titled "The China Initiative: The ethnic targeting of Chinese scientists and the subsequent brain drain," featuring Catherine Pan and James Mulvenon. Register for the event here: <http://bit.ly/3q1fuDQ>

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