

Letter to Judge Varlan to Dismiss Anming Hu Case

APA Justice plans to send a letter by certified mail to Judge Varlan on Friday, August 20, 2021, urging him to dismiss the case and acquit Professor Hu in the best interest of justice and fairness. Interested organizations may view and sign on to the letter here: <https://bit.ly/SignonLetter2JudgeVarlan>. Otherwise, individuals and organizations are encouraged to send their letters directly to Judge Varlan.

On August 4, 2021, the Committee of Concerned Scientists [sent a letter](#) to U.S. District Judge Thomas Varlan, who presides over Professor Anming Hu's case in Knoxville, Tennessee. On August 2, 2021, Carl Patton, Professor Emeritus at Colorado State University, also [wrote to](#) Judge Varlan. Both letters called for the dismissal of Professor Hu's case and have been entered into [the legal docket](#).

First Statistics on "China Initiative" and Blog

On August 18, 2021, Dr. Jeremy Wu published the first statistics on 71 "China Initiative" cases from an online report by the Department of Justice. It identifies only 17 or 23.9% of the 71 cases have at least one charge under the Economic Espionage Act. There are 154 defendants, of which 136 are persons and 18 are entities such as commercial firms. New York, California, and the District of Columbia account for 30 or 42.3% of the 71 cases.

These results are reported in a blog that draws attention to the lack of transparency in the "China Initiative" that not only fails to address growing racial profiling concerns but also enables targeting with biased information, xenophobic labels, and pretextual prosecutions. The 71 known "China Initiative" cases are incomplete and selectively reported by DOJ. Analysis based on biased data will generate biased results. Dr. Wu calls for DOJ to release a complete list of "China Initiative" cases, each of which can be identified by a simple PACER code, along with its definition and criteria of a "China Initiative" case. He also identifies the need to develop a data system in the fight against racial profiling as Congress is taking a deeper look and is expected to play an important role in protecting the civil rights and civil liberties of the Asian American and immigrant communities.

Read more at <https://bit.ly/3ARcDn0>

"China Initiative" and Related News

On August 11, 2021, the Chronicle of Higher Education published "Has the Hunt for Chinese Spies Become a Witch Hunt?" Critics worry the "China Initiative" could diminish international collaboration, weaken academic freedom, and discourage Chinese and Chinese-American

scientists from working at U.S. universities. Many fear it already has. Read more at <https://bit.ly/3iWU6j5>

On August 10, 2021, Dr. Eric Lander, Director of the Office of Science and Technology (OSTP) at the White House, released a statement on Clear Rules for Research Security and Researcher Responsibility. OSTP is working on the implementation of a National Security Presidential Memorandum (NSPM-33), issued under the Trump administration, to “strengthen protections of United States Government-supported R&D against foreign government interference and exploitation” while “maintaining an open environment to foster research discoveries and innovation that benefit our nation and the world.” Over the next 90 days, OSTP will work with the National Security Council staff, fellow Cabinet agencies, and other federal agencies through the National Science and Technology Council over the next 90 days to address three major areas: (1) Disclosure Policy, (2) Oversight and Enforcement, and (3) Research Security Programs. Three principles are outlined to guide this work: (1) Protect America’s Security and Openness, (2) Be Clear, and (3) Ensure Policies Do Not Fuel Xenophobia or Prejudice.

On the last point, Dr. Lander's statement said, "We have to assiduously avoid basing policies or processes on prejudice — including those that could fuel anti-Asian sentiments or xenophobia. Prejudice is fundamentally unacceptable, and will backfire because it will make it harder to attract the best scientific minds from around the world. We must affirm the integral role of Asian-Americans, Native Hawaiians, Pacific Islanders, and people of all national origins in this country; welcome international students and scholars; and avoid casting aspersions on people because of their identity or origins.

In designing policies, we should also avoid actions that are pointless or performative, such as requiring scientists to return honorary degrees from Chinese universities. And, it should never be acceptable to target scientists for investigation based on their race or ethnicity. In protecting our nation, we must uphold its fundamental values." OSTP invites ideas on NSPM-33 implementation by email to researchsecurity@ostp.eop.gov.

Read more at: <https://bit.ly/37UiOKo>

Combating Anti-Asian Hate and Yellow Whistle

On August 18, 2021, NextShark reported that Derik Barreto, a San Francisco man, has been charged with 31 hate crimes over vandalism, burglary of 20 Chinese-owned businesses. The attacks occurred between April and August this year. Read more at <https://bit.ly/3qdS0ti>

On August 12, 2021, AP reported that more than 9,000 anti-Asian incidents since pandemic began. The frequency of anti-Asian incidents — from taunts to outright assaults — reported in the United States so far this year seems poised to surpass last year despite months of political and social activism. Read more at <https://bit.ly/3D1t2XA>

On August 4, 2021, [SFCause](#) worked with San Francisco Police Department, Advocates 11,

and SFALERT to distribute multilingual anonymous tip line cards and Yellow Whistles across all of San Francisco. Pictures below include SFCause Chair Dennis Wu with Mayor London Breed:



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