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### Department of Justice Moves to Dismiss the Case of MIT Professor Gang Chen

On January 20, 2022, U.S. Attorney Rachel Rollins filed [a motion to dismiss](#) the case of MIT Professor Gang Chen. According to motion, "As a result of our continued investigation, the government obtained additional information bearing on the materiality of the defendant's alleged omissions. Having assessed the evidence as a whole in light of that information, the government can no longer meet its burden of proof at trial. Dismissal of the Indictment is therefore in the interest of justice." Read more about the Gang Chen case: <https://bit.ly/3iCQf8W>

[New York Times](#) and [MIT Technology Review](#) have reported on the breaking news.

### CAPAC Leaders Met with Assistant Attorney General Matt Olsen on "China Initiative"

On January 19, 2022, leaders of the Congressional Asian Pacific American Caucus (CAPAC) met with Assistant Attorney General for National Security Matt Olsen on "China Initiative" concerns. After the meeting, CAPAC Chair Rep. Judy Chu (CA-27) issued [the following statement](#):

"I am so grateful to Assistant Attorney General Olsen for meeting with CAPAC today to listen to our concerns about the Department of Justice's China Initiative program. As the Department continues a thorough review of the program, I am appreciative that Mr. Olsen took time to hear more about the impact the China Initiative is having on our Asian American communities. CAPAC has long been calling for an end to the China Initiative, a Department of Justice program that began in the previous Administration. In the meeting, CAPAC members expressed their views that this initiative has fallen far short of its stated goal of addressing economic espionage, and has instead resulted in numerous false accusations against Chinese researchers and scientists based on their ethnicity. I thank Assistant Attorney General Olsen for

his leadership on this important issue and for meeting with us to hear our concerns as part of the review process.”

## **OSTP Briefing on NSPM-33: APA Justice Statement and Questions**

On January 18, 2022, the Office of Science and Technology Policy (OSTP) hosted a briefing on [NSPM-33 Implementation Guidance](#) (Guidance) for the Asian American, Native Hawaiian, and Pacific Islander (AANHPI) communities. The stated goal of the Guidance is to provide clear and effective rules for ensuring research security and researcher responsibilities in the implementation of National Security Presidential Memorandum 33 (NSPM-33). The APA Justice Task Force participated in the briefing.

APA Justice is encouraged by the OSTP leadership and the constructive efforts and progress that many key federal agencies have made to date. They are positive and heading in the right direction. We are also thankful for their outreach to our communities. In moving forward, we request OSTP's continuing engagement with the Asian American academic/research and civil rights communities and their strong support of our active participation.

More specifically, the APA Justice requests cover three major topics:

1. The creation of a centralized website including the current non-classified disclosure policies, oversight and enforcement practices, and research security programs, as well as revisions and new products that will be rolling out. One-stop websites such as [data.gov](#) and [usajobs.gov](#) provide transparency and promote consistency so that grant applicants, academics, and the public can access, review, and measure progress.
2. The establishment of a transparent and consultative process for the research and civil rights communities to identify, report, and track issues and problems. We seek to prevent and avoid repeating [the disturbing part of the DARPA risk matrix experience](#) while creating the opportunity to produce constructive and positive results.
3. The continuing engagement of the AANHPI research and civil rights organizations with scheduled meetings to address key issues that have consequential impact on the implementation of NSPM-33. Examples include (a) the shared understanding of the roles and responsibilities of law enforcement and national intelligence in research integrity and misconduct issues and (b) existing laws, rules and regulations, and pending legislation that may complicate the implementation.

**Alert: Columbia University-FBI Symposium on Academic Research Security.** The Federal Bureau of Investigations (FBI) is continuing its publicity campaign. On February 1, 2022, the Columbia University will host a symposium on Academic Research Security in partnership with the FBI. Invitations to this symposium are extended to New York City area presidents, chancellors, provosts, vice presidents of research, ethics and compliance officers, internal

auditors, chief information officers, and campus security officers. However, it does not include faculty members.

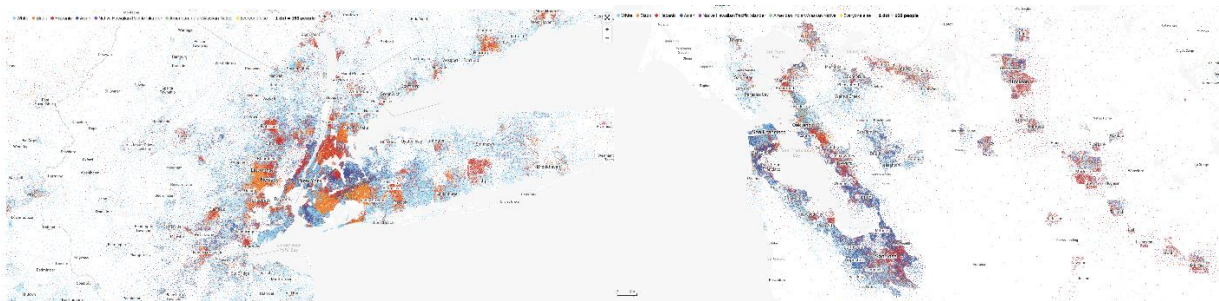
## DOC/Census Bureau: Political Interference, Scandal, and Interactive Map on Race and Ethnicity in US

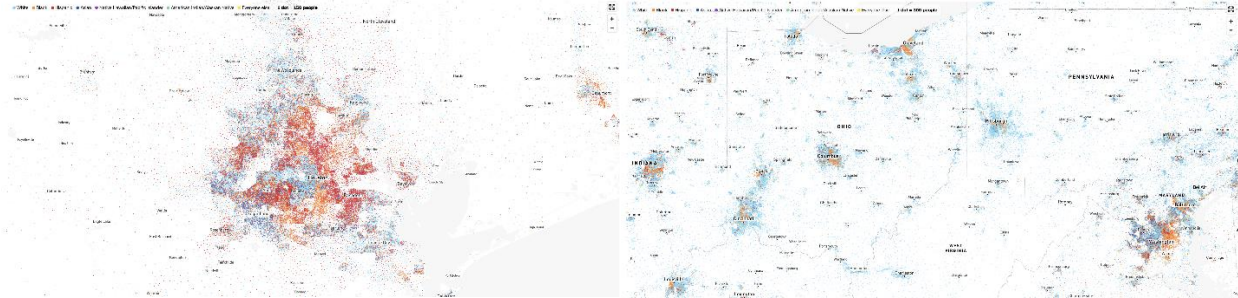
On January 18, 2022, the Washington Post published [The audacious timeline of Trump's failed plot on the census and citizenship](#), detailing the scandalous attempt to politicize the 2020 Decennial Census from the swear-in of Wilbur Ross as Secretary of Commerce in February 2017 to the final day of the Trump administration on January 20, 2021. Both the [New York Times](#) and [NPR](#) also reported on the unprecedented political meddling on January 15, 2022.

On December 12, 2021, APA Justice reported in [newsletter issue#102](#) that Laura Furgione, then Deputy Director of the National Weather Service (NWS) who proposed the firing of Hydrologist Sherry Chen, is now the Chief Administrative Officer at the Census Bureau. In a ruling against the Department of Commerce by the Merit System Protection Board, the judge wrote, "In short, Ms. Furgione [the proposing official] and Admiral Devany [the deciding official] seemed more concerned about being right than doing the right thing. Based on the unyielding nature of their testimony, I would not have been surprised if they rejected that  $2 + 2 = 4$ ."

CNN has posted [an interactive map on race and ethnicity across the U.S.](#) based on 2020 Census data. Dots are placed randomly within each census tract to represent population density and racial makeup. There are approximately 73,000 census tracts in the nation, each census tract contains between 1,200 to 8,000 people. One dot represents as low as 150 people. Learn and use the map:

A few samples of the interactive map: <https://cnn.it/3rzwwMd>





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