

November 24, 2021

/via certified mail/

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

RE: Two Requests on Pending Review of “China Initiative”

Dear Mr. Garland,

- 1. To ensure credibility and integrity for the review process, we request the Department of Justice to release the official scope and boundaries of the “China Initiative” and a complete list and a formal count of the “China Initiative” cases since the program was launched in November 2018.**

On November 19, 2021, the online report on the "China Initiative"¹ was refreshed for the first time since June 14, 2021. Our preliminary finding shows that about 20 cases have been removed, including all the recently dismissed or acquitted cases of 7 scientists and researchers - Anming Hu, Qing Wang, Chen Song, Xin Wang, Juan Tang, Kaikai Zhao, and Guan Lei.

This is a very significant change because there were 71 "China Initiative" cases in the June 14 report, a copy of which is preserved and used for comparison.² The Department of Justice (DOJ) has not defined the scope and boundaries of the "China Initiative" since it was launched in November 2018. There has not been an official count of "China Initiative" cases for the past three years.

The unannounced and unexplained removal of cases that have been on record under the “China Initiative” is alarming. Mr. Matthew Olsen was sworn in as the Assistant Attorney General for National Security on November 1, 2021. According to your congressional testimony to the House Judiciary Committee³ on October 21, 2021, Mr. Olsen is slated to conduct an independent and thorough review of the “China Initiative.” Without any explanation of the noted changes to the online report, we are concerned that it may create another misleading or distorted impression of the "China Initiative."

The APA Justice Task Force has been tracking “China Initiative” cases, including a list that shows 23 cases covering 24 scientists.⁴ These cases match closely the Law360 report ['Overheated': How A Chinese-Spy Hunt At DOJ Went Too Far](#) on September 28, 2021.

¹ Department of Justice (2021/11/19). Information About the Department of Justice’s China Initiative and A Compilation of China-Related Prosecutions Since 2018. <https://bit.ly/3jK3O6Sv>

² Wayback Machine. Information About the Department of Justice’s China Initiative and A Compilation of China-Related Prosecutions Since 2018, June 14 2021 report captured on November 17, 2021. <https://bit.ly/3qRe7fb>

³ U.S. House Committee on The Judiciary (2021/10/21). Oversight of the United States Department of Justice. <https://bit.ly/3kfrAZV>.

⁴ APA Justice. "China Initiative" Scientist Cases. <https://bit.ly/3cvTsVo>

2. We request the Department of Justice to include letters and comments from almost 2,000 faculty members, scholars, and administrators nationwide as part of the thorough review of the “China Initiative.”

On November 3, 2021, we sent you a letter co-signed by 841 faculty members, scholars, and administrators from 202 universities and educational institutions across all 50 states plus the District of Columbia and Puerto Rico.⁵ We endorsed the letter sent to you by 177 Stanford faculty members,⁶ calling for the termination of the “China Initiative.”

The nationwide campaign is continuing until the “China Initiative” has ended. To date, University of California at Berkeley, Temple University, Princeton University, and Southern Illinois University faculty members have also endorsed the Stanford letter and sent their letters to you. In total, 1,959 faculty members from 223 institutions nationwide have joined the call as of November 23, 2021. The latest counts and comments are posted publicly online.⁷

Yours Sincerely,

/s/ Steven Pei

/s/ Vincent Wang

/s/ Jeremy Wu

Co-organizers, APA Justice Task Force

<https://www.apajustice.org/>

contact@apajustice.org



cc:

The Honorable Matthew Olsen, Assistant Attorney General for National Security

The Honorable Judy Chu, Chair, Congressional Asian Pacific American Caucus

The Honorable Ted Lieu, Member, U.S. Congress

⁵ APA Justice (2021/11/03). Nationwide Faculty Members Support Stanford Colleagues’ Call to End the “China Initiative.” <https://bit.ly/3k59Kc4>

⁶ Winds of Freedom (2021/09/08). Stanford Faculty Members Open Letter to AG Garland to End the “China Initiative.” <https://bit.ly/3tD4Gzt>

⁷ APA Justice. End the “China Initiative.” <https://bit.ly/2ZC12up>.