

"China Initiative" Case Against Dr. Qing Wang Dropped

On July 15, 2021, the Department of Justice (DOJ) moved to dismiss its case against Dr. Qing Wang without prejudice. Dr. Wang was born in China, began his work at the Cleveland Clinic in 1997 and became a U.S. citizen in 2005. He specialized in breakthroughs in heart disease at the Lerner Institute of the Cleveland Clinic—one of the world's leading research centers.

Dr. Wang was arrested on May 14, 2020, and was charged with false claims and wire fraud related to more than \$3.6 million in grant funding that Dr. Wang and his research group received from the National Institutes of Health. DOJ released this statement: "The United States Attorney's Office moved to dismiss the complaint, without prejudice, against Qing Wang, a.k.a. Kenneth Wang. The Office has made this decision after a review of the case and will decline further comment at this time." Originally listed as one of its "China Initiative" cases, DOJ has deleted Dr. Wang's case from its online report.

Read more about Dr. Wang's case at: <https://bit.ly/3euMRvR>

Lack of Transparency and Accountability from Federal Agencies

On July 16, 2021, ACLU and Advancing Justice | AAJC filed an administrative appeal to the FBI's decision to close their joint FOIA request for records related to the "China Initiative." FBI has played a central role in the "China Initiative." The original request was made on April 15, 2021 for 8 categories of data and documents. FBI responded that "[t]he FBI Central Records System (CRS) is indexed according to investigatory interests, and it is not arranged in a manner that allows for the retrieval of information in the form you have requested. . . Therefore, your request is being administratively closed." ACLU and Advancing Justice | AAJC contend that the response violates the requirements of FOIA. Read more at <https://bit.ly/3BfRUdy>.

"Dialogue without data is a waste of time." According to a July 9, 2021 Science Magazine report, that was what members of the [National Science, Technology, and Security Roundtable](#) (Roundtable) told Inspectors General at the National Science Foundation (NSF), the Department of Energy (DOE), and the National Institutes of Health (NIH) in its third meeting on July 7-8, 2021. Without baseline data, members of the Roundtable cannot determine the scope of the problem on foreign countries "trying to steal federally funded research" and what the research community can do to minimize risks. Read more at <https://bit.ly/3ARPHEQ>.

Among the findings of the July 13, 2021 Senate Committee's investigative report on [Abuse and Misconduct at the Commerce Department](#) was

- Overclassification allowed the unit to block the release of investigative files for criminal targets whose cases proceeded through the judicial system and to

members of the public requesting documents through the Freedom of Information Act.

On February 20, 2020, Reps. Jamie Raskin and Judy Chu [sent letters to NIH and FBI](#) seeking information related to news reports that these institutions are targeting Chinese-American scientists as potential spies. About 18 months later, there has not been a satisfactory response to this Congressional request.

[Section 5712 of FY20 National Defense Authorization Act](#) mandated a report to specifically be (1) a review of how the policies, procedures, and practices of the intelligence community that govern the intelligence activities and operations targeting the People's Republic of China affect policies, procedures, and practices relating to the privacy and civil liberties of Americans of Chinese descent who may be targets of espionage and influence operations by China; and (2) recommendations to ensure that the privacy and civil liberties of Americans of Chinese descent are sufficiently protected. An unclassified version of the report was due from the Director of National Intelligence, acting through [the Office of Civil Liberties, Privacy, and Transparency](#), in June 2020. It has not been produced or released 14 months later.

On June 17, 2021, APA Justice sent a letter to Erika Moritsugu, Deputy Assistant to the President and Asian American and Pacific Islander Senior Liaison at the White House, urging the Biden-Harris Administration to respond to these and other standing Congressional and FOIA requests and provide full data and information publicly to justify the continuation of the "China Initiative" and related racial profiling policies and practices. Read more at <https://bit.ly/3xv5KWJ>

In addition to the apparent lack of transparency and accountability from these federal agencies, it appears that DOJ engages in manipulation of information. In particular, DOJ had listed Dr. Qing Wang as one of the "China Initiative" cases since his arrest in May 2020. It was still part of its online report as recently as July 1, 2021, but has since been deleted. The deliberate action confirms that the online report is selectively biased to fit the DOJ narrative and, combined with the lack of transparency, create an illusion about the the program as "successful." To date, there is no accounting of how many "China Initiative" cases there are while massive amounts of taxpayers' money have poured into it. View the before-and-after comparison of the online report about Dr. Qing Wang's case here: <https://bit.ly/36GLbvd>

CAPAC in Action

CAPAC Issues Messaging Guidance to House Members. On July 16, 2021, the Congressional Asian Pacific American Caucus (CAPAC) issued a [Messaging Guidance on Rhetoric and Anti-Asian Hate](#) to all members of the U.S. House of Representatives. The letter states that

- "Time and time again history has taught us the horrific impact xenophobic rhetoric can have on Asian Americans. This is reason enough to end the use of rhetoric that stokes hatred. But it is notable that this type of rhetoric isn't only dangerous to Asian Americans, it's harmful to the United States' long-term interests. Our country faces global security challenges such as climate change, supply chain disruption, and nuclear proliferation that require collaborative bi-lateral and multi-lateral solutions. Our leaders' use of xenophobic rhetoric undermines our ability to work with other countries to pursue those solutions."

Read the Washington Post report here: <https://wapo.st/3wPATDv>

Rep. Ted Lieu Demands Justice for Asian Americans Falsely Accused of Espionage. Congressman Ted Lieu is circulating a letter to House members in requesting a Department of Justice (DOJ) investigation into the repeated, wrongful targeting of individuals of Asian descent for alleged espionage, citing racial profiling repeatedly play out in the false accusations of spying alleged against [Wen Ho Lee](#), [Sherry Chen](#), [Xiaoxing Xi](#), [Anming Hu](#) and [others](#). His letter also asks for an update on the [department-wide implicit bias training](#) that was mandated under then Attorney General Loretta Lynch in 2016. You can help by contacting your U.S. Representative and urging her/him to sign on to this form: <https://bit.ly/3kwCoEh> before close of business on **Thursday, July 22**. You can find your Representative here: <http://bit.ly/3oFbokb>. Thank you.

2021/07/12 Monthly Meeting Summary Posted

Summary of the July 12 APA Justice meeting is now posted at <https://bit.ly/36NDiUO>. In the meeting,

- **Anisah Assim**, Policy Analyst of CAPAC, reported on CAPAC's role in the June 30 Congressional Roundtable and its continuing efforts including the Senate Committee report on the targeting of Department of Commerce's Asian American employees.
- **Sonal Shah**, President of the Asian American Foundation, described the three parts to TAAF's mission - as a funder, a convener, an incubator - with its strategic approach to meet long-term objectives to secure equitable investment in the Asian American community, build infrastructure, and change the anti-Asian hate narrative. In response to a question from the audience about federal agencies' conflicting role to protect and yet wrongfully target Asian Americans, Sonal suggested working persistently with Congress and the White House, using APA Justice to identify issues and the APA Justice ecosystem to make sure that we are collectively going to the various federal agencies and educating them about the Asian American community.
- **Lee Wong**, Chair of West Chester Township of Ohio and an American patriot, reported that assaults on Asian Americans continue everyday and should not be

tolerated. Our democracy is participatory. We must expand our mindset to join events and enter a variety of career choices including public service. "They need to step up now, not only when they are in trouble. They need to be always proactive to support one another."

- **Christina Lu**, Director of the "We Belong" Yellow Whistle Project, reported on the rapid growth to all 50 states and has over 150 community outreach partners. The number of yellow whistles has increased to 500,000, half of which has been spoken for and distributed. Christina is working with community organizations, law enforcement, as well as university campuses, LGBTQ, Jewish American, and African American communities.
- **Gisela Kusakawa** reported on the Advancing Justice | AAJC statement in the Congressional Roundtable and a letter urging the acting U.S. attorney to drop the charges against Professor Anming Hu while providing a civil rights and legal perspective into the framework. **Vivin Qiang** reported on the submission of a joint petition to NYU President Andrew Hamilton on the unjust suspension of 2 tenured professors who are of Asian descent at the NYU Grossman School of Medicine. The petition urges the NYU president to immediately stop racial profiling Asian American and immigrant professors and protect their rights to due process.
- **Maryland State Senator Susan Lee** commended the team efforts in the June 30 Congressional Roundtable, but cautioned that there is still a lot of work ahead of us. Federal agencies have not provided timely and substantive responses to Congressional and public inquiries to explain and justify their profiling policies and practices.

The next APA Justice monthly meeting is scheduled for August 2, 2021. Meeting summaries are posted here: <https://bit.ly/3kxkqxP>

Media Coverage of Congressional Roundtable and Senate Committee Investigative Report

On July 15, 2021, the American Institute of Physics (AIP) published a comprehensive report titled "Protests Growing Against Justice Department's China Initiative." While Raskin and Chu agreed it is important to combat espionage, they cited a history of DOJ ultimately dropping charges against ethnically Chinese researchers as evidence the initiative rests on shaky foundations and racial profiling. They also condemned the initiative for focusing on cases that only involve allegations of concealed ties to Chinese institutions with no associated misappropriation of research, arguing it has added another way that researchers can fall victim to unjust accusations." Read more about the AIP report here: <https://bit.ly/2TjmGkC>

On July 17, 2021, the New York Times reported on the front page of its print version: [Commerce Unit Went 'Rogue,' Senate Report Says, Targeting Chinese Americans](#). Similar headline stories were published by Axios, CNN, The Hill, and USA Today after the release of the investigative

report by [the Senate Committee on Commerce, Science, and Transportation](#) titled [Abuse and Misconduct at The Commerce Department](#). Read more at: <https://bit.ly/2UPe7OL>

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