

In This Issue #406

- Professor Franklin Tao Files Lawsuit Against University of Kansas
- Estate of Dr. Jane Wu's Lawsuit Against Northwestern University Moving Forward
- Trump Tries Again to Limit Birthright Citizenship
- Controversial Rule Changes at Census Bureau
- News and Activities for the Communities

Professor Franklin Tao Files Lawsuit Against University of Kansas

KANSAS REFLECTOR

NEWS POLITICS ENVIRONMENT PODCASTS OPINION

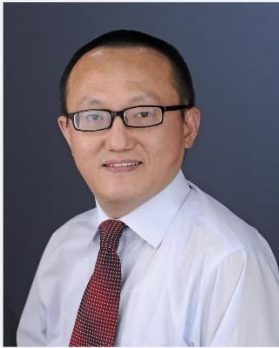
COURTS AND CRIME EDUCATION

NEWS BRIEFS

Kansas professor falsely accused of espionage wants university to pay for firing, harm to reputation

BY ANNA KAMINSKI - AUGUST 10, 2026 5:00 PM



Franklin Tao 陶丰

Docket ID: 2:19-cr-20052
District Court, D. Kansas
Date filed: Aug 21, 2019
Date ended: January 18, 2023
10th Circuit Appeals Court
Appellate Case 23-3013
Acquittal: July 11th, 2024

According to [Kansas Reflector](#) on August 10, 2026, **Feng "Franklin" Tao 陶丰**, a Chinese American chemist and former tenured chemical engineering professor at the University of Kansas (KU), filed a new federal lawsuit on July 21, 2026, alleging KU's handling of his case caused lasting harm to his career and reputation — the latest chapter in a saga that began when he became one of the first professors arrested under the first Trump administration's "China Initiative" in 2019.

Background: An anonymous tip accusing Professor Tao of espionage prompted KU to notify the Department of Justice (DOJ) and build a case against him. He was federally indicted and criminally convicted of making a false statement — a conviction later overturned on appeal.

The lawsuits: This is Professor Tao's second suit against KU. He first sued in 2025 seeking reinstatement and alleging discrimination. This newest suit alleges KU retaliated against him because of that 2025 discrimination complaint, and claims the university violated state and federal workplace discrimination protections.

Central dispute — the faculty review board: Professor Tao's lawsuit centers on KU's decision to convene a temporary faculty review board composed of non-tenured faculty to evaluate the

charges against him. Professor Tao argues this composition created an inherent conflict of interest, since non-tenured faculty members' careers remain subject to KU's discretion — undermining the independence the review process was supposed to guarantee. He raised objections to the board's makeup, but the board dismissed his concerns in March 2026, leaving him — per the lawsuit — "unable to contest the charges against him, unable to secure reinstatement, and indefinitely denied the fair process to which he is entitled."

Where things stand: KU had not responded to the lawsuit as of the article's publication (August 10, 2026). Professor Tao accepted a non-tenured position in Arizona in April 2026. He is seeking compensation for lost wages, plus unspecified damages for reputational injury, emotional distress, and pain and suffering.

Read APA Justice Impacted Person Profile on Professor Tao: <https://bit.ly/4i0WZLw>

Estate of Dr. Jane Wu's Lawsuit Against Northwestern University Moving Forward



According to [Evanston RoundTable](#) on July 16, 2026, a Cook County Circuit Court judge largely rejected Northwestern University's (NU) motion to dismiss a lawsuit brought by the estate of Jane Wu, a former Feinberg School of Medicine professor who died by suicide in July 2024 after the university shut down her research lab.

The ruling: At a hearing on July 16, Judge **Jonathan Clark Green** denied Northwestern's motion to dismiss on eight of the nine counts in the suit — including false imprisonment, medical malpractice, and discrimination based on national origin. He asked Dr. Wu's estate's attorney, **Thomas Geoghegan**, to file an amended complaint by July 30 addressing only the ninth count, related to breach of contract over NU's denial of tenure. NU must file its amended response by August 20, with a status hearing set for August 27 to begin discussing discovery — meaning the case is likely headed into that phase.

Background: Dr. Wu, a China-born naturalized U.S. citizen, became the subject of a National Institutes of Health (NIH) administrative investigation in 2019 into her ties to China, conducted

as part of the Trump administration's "China Initiative." No charges were ever filed, and the NIH closed its investigation in 2023 — but according to the lawsuit, Feinberg leadership simultaneously cut her salary, citing lack of funding during the investigation period, and imposed new requirements for her to apply for future grants. In February 2024, NU closed part of her lab and reassigned her research team. The suit alleges the university "misleadingly" told her in May 2024 she could still apply for NIH funding, only to announce the closure of her remaining lab days later.

Her background: Dr. Wu held a medical degree from Shanghai Medical University and a PhD in cancer biology from Stanford, joined NU's faculty in 2005 after two years at Vanderbilt, and published 176 peer-reviewed articles and three books over her career.

Community response: More than 1,000 academics — from 44 states and over 300 institutions — signed a letter in February, sponsored by the Asian American Scholar Forum (AASF) and the Federation of Asian Professor Associations, calling on NU to apologize for its treatment of Dr. Wu. AASF Executive Director **Gisela Perez Kusakawa** called the ruling significant for "ensuring that universities respond appropriately to allegations and protect their faculty from discrimination." Dr. Wu's daughter, **Elizabeth Rao** — executor of her mother's estate — said in a statement that her "grief and anguish" over the university's treatment of her mother continues, and that the family is proceeding with the case.

AsAmNews Report: In the [AsAmNews](#) report on July 16, two key legal details were added to the *RoundTable* report: NU's failed jurisdictional argument that no claim existed to transfer after Dr. Wu's death, and its failed argument that a psychiatric-unit transport "supported by reasonable grounds" could not support a false imprisonment claim — both rejected by Judge Green. It also includes a fuller AASF statement praising the ruling as a step toward "accountability and civil rights protections in American higher education."

The Daily Northwestern Report: According to [Daily Northwestern](#) on July 31, 2026, NU's legal assertion in Dr. Wu's case that tenure rights were not breached has alarmed faculty leaders, leading to demands for a reaffirmation of tenure standards.

In a May 18 brief supporting dismissal of the case, NU's lawyers argued that the Faculty Handbook's endorsement of American Association of University Professors' (AAUP's) "1940 Statement of Principles on Academic Freedom and Tenure" does not create "individually enforceable contractual rights" — characterizing the handbook's language as "an endorsement of an educational philosophy, not a contractual incorporation." This directly contradicts how many faculty view the handbook, which NU-AAUP President **Jorge Coronado** described as effectively "a contract with the University." Coronado said faculty were "completely aghast" by the university's position, calling tenure "the foundation for academic freedom."

NU-AAUP officers sent a letter on July 9 to University President **Mung Chiang** and Provost **Erik Luijten** asking them to affirm NU's commitment to tenure under AAUP standards and the

Faculty Handbook. Faculty Senate leadership sent a similar letter. After the court largely denied NU's motion to dismiss on July 17, Luijten responded on July 21 by affirming "commitment to academic freedom" and citing Faculty Handbook definitions — but NU-AAUP Treasurer **Michael Peshkin** said officers felt this stopped short of directly affirming the institution of tenure itself.

Incoming Faculty Senate President **Rebecca Zorach** said she hopes the legal position is not an accurate reflection of NU's actual stance, warning "there will certainly be a fight ahead" if it is. She and Peshkin both warned the implications extend well beyond Dr. Wu's case: if courts were to accept NU's interpretation that the handbook does not create enforceable rights, it could undermine tenure protections for all faculty and potentially allow arbitrary dismissals. Coronado echoed this, saying the same arguments used against Dr. Wu "could apply to any faculty member." Peshkin called the university's timing especially reckless given heightened scrutiny of higher education under the Trump administration, while Zorach noted tenure-track positions are already shrinking nationally, representing a broader "erosion of tenure" this case risks accelerating.

Read APA Justice Impacted Person Profile on Dr. Wu: <https://bit.ly/JaneYingWu>

Trump Tries Again to Limit Birthright Citizenship



According to multiple media reports, President **Donald Trump** signed two new executive orders on August 6, 2026, once again seeking to narrow birthright citizenship — just five weeks after the Supreme Court ruled 6-3 in *Trump v. Barbara* that his original 2025 attempt was unconstitutional.

Background

Trump's first-day-in-office 2025 order sought to deny citizenship to children born to undocumented or temporarily-present parents. It was blocked almost immediately and never took effect. On June 30, 2026, the Supreme Court struck it down, reaffirming that the 14th Amendment guarantees citizenship to nearly everyone born on U.S. soil.

What the New Orders Do

The first order carves out specific categories the administration argues fall outside constitutional protection — children of foreign government employees, of designated foreign terrorist group members, and of parents "engaged in fraudulent activity to obtain citizenship." The second targets "birth tourism," directing the Secretaries of State and Homeland Security to crack down on foreign nationals who travel to the U.S. specifically to give birth.

Legal Groups Move to Clarify the *Barbara* Ruling Still Applies

On August 11, the same coalition that won *Trump v. Barbara* — the ACLU, ACLU of New Hampshire, ACLU of Maine, ACLU of Massachusetts, Legal Defense Fund, Asian Law Caucus, and Democracy Defenders Fund — filed a motion in the New Hampshire federal court where the case originated, rather than pursuing an entirely new lawsuit. The motion asks the court to make "unquestionably clear" that the citizenship of babies covered by the existing class-action ruling remains protected despite Trump's new order, arguing: "The Supreme Court confirmed that there are no additional exceptions beyond those recognized in *United States v. Wong Kim Ark*, 169 U.S. 649 (1898), and the Fourteenth Amendment is not subject to executive (or legislative) revision. President Trump's continued resistance to that principle calls for this Court's renewed intervention."

"President Trump may not like the fact that birthright citizenship is a constitutional right, and he may not like that he lost in the Supreme Court, but that is really beside the point," said **Cody Wofsy**, deputy director of the ACLU's Immigrants' Rights Project and lead counsel. "It's well past time for these illegal and cruel attacks on children's citizenship to end."

Asian Law Caucus Executive Director **Aarti Kohli** called the new order "a desperate and brazen attempt to bypass the Supreme Court's decision," adding: "As the court has already affirmed, it's the Constitution, not the president, who determines who is American... Immigrant communities know that our rights are on the line, especially when the government uses us as scapegoats. The Trump administration already lost once and it will lose again." Legal Defense Fund Deputy Director of Litigation **Amia Trigg** said the groups "will not stand idly by as the executive branch blatantly ignores the court's authority in its crusade against American children," while Democracy Defenders Fund's **Norm Eisen** called the new attempt "as constitutionally futile as it is cruel."

Why This Matters for AANHPI Community

Asian American legal organizations have been central to this fight from the start — Asian Law Caucus and Advancing Justice—AAJC were both named plaintiffs' counsel in the original case. The constitutional principle at stake traces directly to *United States v. Wong Kim Ark* (1898), in which the Supreme Court affirmed a Chinese American man's citizenship by birth despite his parents' Chinese nationality —

decided during the era of the Chinese Exclusion Act. Advocates have repeatedly cited that case as a reminder of what's historically at stake when birthright citizenship is narrowed.

Rep. **Grace Meng**, Chair of the Congressional Asian Pacific American Caucus (CAPAC), said in a statement, "President Trump still believes he can decide who gets to be an American, even after the Supreme Court rejected his unlawful attempt to end birthright citizenship just weeks ago. The Constitution does not bend to the whims of any president, and Trump will soon learn that his latest executive orders will suffer the same defeat as his last."

Controversial Rule Changes at Census Bureau



Several developments have kept the Census Bureau in the news recently, with the most immediate controversy centering on the noise-infusion ban we covered in [APA Justice Newsletter Issue #405](#) — plus two other significant, related fights over Census methodology.

Talking Points Memo (*TPM*) [reported](#) August 7 that Census Bureau officials, speaking publicly at a major statistical conference, conceded that the June 4 rule banning "noise infusion" privacy techniques will make it impossible for the agency to publish certain data it has historically released — a development *TPM* notes "could especially harm minority groups." Bureau representatives denied the policy change had political objectives, though *TPM* reports that experts and advocacy groups believe otherwise.

Salil Vadhan, a computer scientist who advised the Bureau on its use of differential privacy and attended the conference, said: "I saw the order as taking us back several decades in the tool kit for disclosure avoidance and privacy protection." Experts have also criticized the process itself, telling *TPM* the Commerce Department failed to seek expert input as is customary for this kind of policy shift — "making it an administration political process instead of a public process with expertise in oversight."

Georgetown's Center for Children and Families separately [reported](#) that the underlying order — Commerce Department Administrative Order (DAO) 216-26 — was made effective immediately, with no opportunity for the standard public comment or expert review process, warning it threatens both health policy research and broader federal data systems.

Separately, in March 2026, more than 60 members of Congress — led in part by CAPAC Chair **Grace Meng** and Congressional Hispanic Caucus Chair **Adriano Espaillat** — sent a [bicameral letter](#) to the Commerce Department opposing proposed changes to the Census Bureau's 2026 Operational Test, a key preparation exercise ahead of the 2030 count. The letter warned that the proposed changes — cutting test sites from six to two, reducing the respondent pool by 75%, replacing the standard census form with the longer American Community Survey, and adding a citizenship question — would make an accurate count "impossible" and undermine a decade's worth of federal funding and representation.

NPR [reported](#) in February that the citizenship-question proposal arrived amid a broader Republican redistricting push, with some GOP lawmakers separately pursuing efforts to exclude non-citizens entirely from the population counts used to allocate congressional seats — despite the 14th Amendment's requirement that apportionment be based on the "whole number of persons in each state." Multiple GOP-led states have also filed lawsuits seeking to force the Bureau to subtract undocumented residents and certain visa holders from those counts.

Why This Matters for AANHPI Community

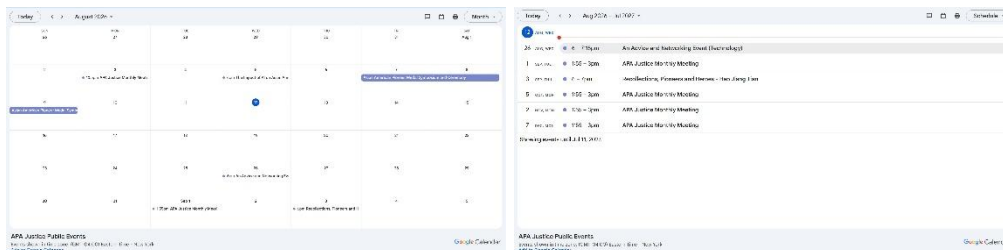
Taken together, these developments — the noise-infusion ban, the citizenship question, and reduced test-site sampling — compound concerns we raised about the accuracy and reliability of Census data affecting Asian Pacific American communities specifically. Reduced granularity and smaller sample sizes tend to disproportionately affect smaller or geographically dispersed populations, a category that includes many AANHPI subpopulations that already face undercounting and disaggregation challenges.

What's Next

None of these rule changes appear to have been reversed in response to expert or congressional pushback so far. With the 2026 Operational Test serving as a dress rehearsal for the 2030 census, how these disputes are resolved in the coming months will likely shape both the accuracy and privacy protections of the next full decennial count.

News and Activities for the Communities

1. APA Justice Community Calendar



Upcoming Events:

2026/08/26 C100: An Advice and Networking Event (Technology)

2026/09/01 APA Justice Monthly Meeting

2026/09/03 C100: Recollections, Pioneers and Heroes - Hao Jiang Tian

Visit <https://bit.ly/3XD61qV> for event details.

###

APA Justice Task Force is a non-partisan platform to build a sustainable ecosystem that addresses racial profiling concerns and to facilitate, inform, and advocate on selected issues related to justice and fairness for the Asian Pacific American community. For more information, please refer to the APA Justice website at www.apajusticetaskforce.org. We value your feedback. Please send your comments to contact@apajustice.org.

Copyright © 2026 APA Justice, All rights reserved.

You are receiving this email because you opted in or have expressed interest.

Our mailing address is:

APA Justice P.O. Box 1242 McLean, VA 22101 USA

We do not share, sell, rent or trade any of your information with third parties unless you provide explicit consent. [Read our Privacy Policy here.](#)