

To: President Robbins and Provost Folks, University of Arizona

CC: Vice Provost for Faculty Affairs Andrea Romero,
Associate Vice Provost of Diversity and Inclusion

From: The University of Arizona Faculty of Chinese Heritage Association (UAFCHA)

Date: February 1, 2022

Re: Concerns of Faculty of Chinese Heritage related to the over-executed “China Initiative”

Dear President Robbins and Provost Folks:

Happy Lunar Chinese New Year to you all!

On behalf of the faculty of Chinese Heritage at the University of Arizona, we write this letter to express our serious concerns about recent injustices experienced by Chinese-American scientists across the nation. We are wholeheartedly grateful to you, and the entire leadership team, for your support of UA Chinese American faculty over the years. Chinese American scholars, comprising faculty (about 190 faculties of Chinese Heritage, with about 160 being tenured or tenure-track faculties), postdocs, graduate students, and undergraduate students, which in number represent a major group of scientists on campus, have made numerous notable contributions to the success of UA in research, teaching and service. Examples include the most recent work in addressing the COVID-19 pandemic, in drug development targeting SARS-CoV-2, as well as the expansion of the area of quantum research at UA.

However, owing to the recent emergence of the "China Initiative" from the U.S. Department of Justice (DOJ), which is politically-motivated and specifically targets Chinese Americans, our academic freedom, justice, racial equality, and even personal safety are increasingly in jeopardy, which will inevitably and negatively affect our work and life at UA. The unpredictability of the issue and the anxiety generated from it, as briefly presented below, have already impacted our physical and emotional wellbeing. We feel the urgent need to relate our concerns to the UA leadership, and request that this leadership take all measures necessary to prevent the occurrence of unwanted events, and to anticipate and ameliorate unforeseen adverse developments in the future.

In November 2018, under the Trump administration, the DOJ established the highly controversial “China Initiative” program. Its stated goals are to increase the focus “on the investigation and prosecution of trade secret theft and economic espionage, to better counter threats posed by Chinese foreign investment and supply chain vulnerabilities.” Since that time, the China Initiative has been not only overly executed, but also developed into a racial profiling tool under the guise of national security. This initiative continues under the Biden Administration.



Since the beginning of the China Initiative, the DOJ has carried out hundreds of discriminatory investigations and prosecutions against Asian Americans and Asian immigrants, particularly focusing on scientists of Chinese descent working in academic science and technology institutions. The DOJ and other federal agencies, e.g. NIH, simply target individuals having any Chinese connections, including family or professional links, rather than on evidence of theft or espionage. Many examples exist of University faculty members that have been dismissed from tenured positions and prosecuted for failure to disclose academic activities in China. However, when the facts were thoroughly examined, most of these cases were simply the result of administrative errors, due to a lack of clarity in disclosure rules. Furthermore, the great majority of these so-called "espionage charges" were eventually dropped due to the lack of evidence. In one recent example, in Federal court, FBI agents falsely accused Professor Anming Hu of the University of Tennessee of spying for China based solely on a Google search (<https://www.knoxnews.com/story/news/crime/2021/06/17/anming-hu-case-jurors-trump-china-initiative-trial-deadlocked/7712463002/>). While jurors criticized this case being "ridiculous", with the case being ultimately dropped, the damage had already been done. These baseless accusations caused the targeted individuals, such as Dr. Hu, and their families great suffering, irreparable damage to their careers, and great financial and personal hardship. In another recent case, Prof. Gang Chen from the Massachusetts Institute of Technology was charged of misbehavior for work that he did, and freely disclosed on behalf of the MIT. This case was recently dismissed as well. A recent New York Times article revealed the difficult time that Prof. Chen has experienced in the past year (<https://www.nytimes.com/2022/01/24/science/gang-chen-mit-china.html>) and the damage that it has caused. While we completely understand and support urgency to protect the national security and interests of the United States, systematically targeting an entire ethnic group of scientists violates the US Constitution, is discriminatory and immoral, and simply wrong.

These cases have far-reaching effects on Asian scholars, particularly Chinese-Americans. We are specifically concerned that, as a consequence of racial profiling of Chinese and other Asian American scientists, our careers will be jeopardized due to inadvertent or innocent errors, which are inappropriately exposed and substantially amplified by profiling and by the presumption of guilt of an entire racial class by an unchecked prosecutorial power. The DOJ China Initiative could launch falsified accusations against individual faculty and force universities to comply, as exemplified by the recent case from the University of Tennessee and MIT. While DOJ bears no consequences of these false accusations, the career and life of the accused faculty will be destroyed, and the reputation of a university tarnished.

At the level of academic institutions, in response to the "China Initiative" and related policies, the line between enforcement of certain policies and racial profiling has been increasingly blurred. Many institutions have started creating an institutional culture that automatically suspects and scrutinizes the record of any faculty who have Chinese sounding names or had or have collaborations with scientists in China. Asian (often Chinese) American faculty now are easy targets of scrutiny and bear high legal risk in grant applications,

recognizing that obtaining federal grants is essential for progression to tenure and promotion. In fact, the threat of racial profiling against Chinese and Asian American scholars is forcing many top research scientists to leave the U.S. or halt applications for federal grants, inevitably hurting U.S. competitiveness in science and technology.

To address these concerns, we would like to meet in person with both of you, at your convenience, to discuss how best we might achieve the following goals:

1. To increase clarity and consistency in policies and rules regarding the declaration of conflicts of interest; to provide legal guidance to faculties on preparing research contracts and grants to avoid pitfalls in an ever-evolving legal environment; and to provide a checklist of disclosures to funding agencies and to the internal reporting of conflicts of interest.
2. To provide training to administrative officers who work with faculty, for the sentiments and sensitivities surrounding the China Initiative, so that they are aware of the concerns, and can remind faculty and students of their individual rights during inquiries.
3. To set up an advocacy/advisory office or have designated personnel for faculty and students, separate from the usual functions of the general council, to ensure faculty's legal rights during any inquiries; and to support initial legal consulting for faculty members involved in any inquiries.
4. To provide career training opportunities to increase Asian-American faculty representation in the leadership and key committee positions in the university, so that our voices as part of the diversity groups are presented, as well as dealing with issues relevant to China's influence.
5. To communicate with our Congressional delegation, other AAU universities, relevant government agencies, and the public regarding the concern of the DOJ's "Chinese Initiative" and racial profiling practice against Chinese and other Asian-American scientists.

Thank you very much for your continuous support and your accommodation of our request for a meeting with you.

We look forward to communicating with you in person soon.

Sincerely,
University of Arizona Faculty of Chinese Heritage Association (UAFCHA)