

Case Studies of Asian Americans Accused of Espionage

Criminalizing ordinary academic activities under the guise of national security concerns has a chilling effect on scholarship and innovation.

National security concerns have increasingly been weaponized against Asian Americans over the past decade, as has happened many times since the late 1900s. A particular low was the China Initiative that operated between 2018 and 2022.

It was launched by the Department of Justice under the first Trump administration, notionally to address economic espionage and intellectual property theft attributed to the Chinese government. It resulted in a new wave of racial profiling that called into question the loyalty of Asian American scholars, particularly individuals of Chinese descent.

Demands for the second Trump administration to revive the initiative are alarming. It did little but criminalize ordinary academic activities—as evidenced by three failed recent legal cases against researchers reviewed here (see also the Gorski & Toomey memo elsewhere in this report). The initiative fostered a climate of fear and suspicion that did grave harm to individuals, wasted resources in law enforcement, and damaged science and higher education in the United States (see also the Huang memo elsewhere in this report).

CASE STUDIES

Without concrete evidence, the U.S. government was able to derail each of these scholars' careers and label them as spies.

In 2021, Gang Chen, a professor at MIT, was charged with wire fraud and failure to report a foreign bank account—not espionage. But U.S. Attorney **Andrew Lelling claimed** Chen was involved in efforts to promote China's scientific development. These allegations were absent from the criminal complaint. Chen sought sanctions against Lelling, noting that public statements speculating about his mindset were inappropriate. The court denied these.

On January 20, 2022, the **prosecution dropped all charges**. By then, Chen had been placed on paid leave and barred from campus. He has since returned to his lab. However, after the ordeal he describes as a “living hell,” he feels uncertain about applying for U.S. government research funding again.

Another professor, Xiaoxing Xi at Temple University, faced similar accusations of being a “technological spy.” In May 2015, the FBI raided his home, detaining his family and interrogating him about a publicly known device called a “pocket heater.” **The government alleged** that Professor Xi violated an agreement by sharing information about the heater with colleagues in China. Xi was indicted on four counts of wire fraud. The indictment alleged that **Xi exploited the device** “for the benefit of third parties in China...in an effort to help Chinese entities become world leaders in the field of superconductivity.”

In this case, the government relied on the Foreign Intelligence Surveillance Act (FISA) to conduct warrantless investigations against an American citizen. Despite the lack of evidence supporting the claims, the case persisted under the overarching narrative of espionage. Ultimately, the **charges against Xi were dismissed**, but not before significant emotional and professional damage had been inflicted.

Anming Hu, an associate professor at the University of Tennessee, became the first scholar to face trial under the China Initiative. In February 2020, Hu was arrested on charges of wire fraud and making false statements related to allegations that he concealed his affiliation with a Chinese university while applying for a NASA grant. Although the charges were unrelated to espionage, he was painted as a national security threat and a spy.

The investigation began after the FBI noted Hu's alleged participation in China's Thousand Talents Program, a recruitment initiative aimed at attracting overseas scholars and entrepreneurs. In July 2021, after a mistrial, the court **dismissed all counts against Hu**, concluding that no rational jury could find he intended to defraud NASA.

All three cases illustrate a persistent pattern of casting suspicion on Asian Americans in academia simply because of their heritage, and using espionage as an underlying rationale, without levying the actual charge. This increased scrutiny and unwarranted targeting was one of the troubling trends that led to the founding of the **Asian American Scholar Forum (AASF)** in 2021.

It is essential that the United States attracts international talent and collaborations to maintain its leadership in science.

CHILLING EFFECT

This hostile environment has had a chilling effect on the Asian American academic community. A **survey of over 1,300 faculty members** found that while 89% wish to contribute to U.S. science and technology, 72% feel unsafe, and 42% fear conducting research here. Additionally, 61% feel pressured to leave the United States, particularly junior faculty and federal grant recipients. Due to these fears, nearly half—45%—plan to avoid federal grant applications, especially in engineering and computing.

The climate of fear has led to a notable increase in scientists returning to China. This is a loss for American society. As highlighted in a **recent report** by the National Academies of Sciences, Engineering, and Medicine, it is essential that the United States attracts international talent and collaborations to maintain its leadership in science and technology.

While there are legitimate national security concerns related to U.S.-China relations (see also the Hung memo elsewhere in this report), scapegoating Asian Americans is a cheap political ploy. It undermines collaboration and innovation in academia. And it undermines the core values of the United States without making anyone safer.

FURTHER READING

Kaiser, Jocelyn. “NIH Director Offers Support for Asian Researchers.” *Science* 385, no. 6711 (2024): 816. <https://doi.org/10.1126/science.ads6029>.

Gilbert, Natasha, and Gemma Conroy. “U.S. Extends Science Pact with China: What It Means for Research.” *Nature*, August 25, 2023. <https://doi.org/10.1038/d41586-023-02701-7>.



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