



National Asian Pacific American Bar Association

Honorable Loretta E. Lynch
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

November 16, 2015

Dear Attorney General Lynch:

As Asian Pacific American, civil rights, and civil liberties organizations, we write to express our alarm regarding what appears to be a trend of recent cases in which Asian Americans have been arrested and indicted, and suspected of economic espionage, only to have all of their charges dropped. To address our growing concern, we request that you conduct an independent investigation to determine whether race, ethnicity or national origin played a part in any of these recent cases.

We appreciate that the Department of Justice does not have a policy to use race or any other civil rights classification to target federal employees for arrest, surveillance, security clearance denials, other adverse actions, or any other purpose. Nonetheless, we believe that an independent investigation is required to adequately respond to the question of whether any federal agency has an ongoing pattern and practice of people of color being singled out by federal law enforcement and prosecutors.

We are deeply troubled by the seeming pattern of treatment of Americans whose civil rights and civil liberties are being impinged upon because of their national origin or ethnic heritage without full support of the facts. Espionage threats from foreign nations appear to have created a climate in which both investigators and prosecutors are rushing into indictments against Americans who happen to be minorities—which calls into question the protections of these Americans' basic civil rights and civil liberties.

Several cases, such as those of award-winning federal hydrologist Sherry Chen and celebrated head of Temple University's physics department Dr. Xiaoxing Xi, have had all charges dropped, but not before wreaking irreparable damage on these individuals' lives, including their careers and reputations. Other cases also have resulted in the withdrawal of indictment or acquittal on all charges.

We firmly believe that otherwise innocent actions by Americans must not become suspicious simply because of the person's ethnic surname or perceived national origin.

We join the 42 Members of Congress in urging you to lead the Department of Justice in a full and independent investigation regarding the apparent pattern and practice of minorities being singled out for arrest and indictment by federal officials. We recognize that you may not be able to publicly discuss the specifics of any case, but we trust your leadership and believe that if you investigate this important matter, you will take any actions necessary to ensure that there is no such pattern and practice—or appearance of one—in the future.

Thank you for your attention to this request. If you have any questions, please contact Nisha Ramachandran at the National Council of Asian Pacific Americans (nisha@ncapaonline.org).

Sincerely,

National Council of Asian Pacific Americans (NCAPA)
National Asian Pacific American Bar Association (NAPABA)

American Civil Liberties Union (ACLU)
APACSA
Asian Americans Advancing Justice-AAJC
Asian Americans Advancing Justice-Asian Law Caucus
Asian Americans Advancing Justice-Chicago
Asian Americans Advancing Justice-Los Angeles
Asian American Bar Association of the Greater Bay Area
Asian American Bar Association of Greater Chicago
Asian American Bar Association of New York
Asian American Bar Association of Ohio
Asian American Bar Association of South Florida
Asian American Business Development Center
Asian American Federation of Florida
Asian American Lawyers Association of Massachusetts
Asian American Psychological Association

Asian & Pacific Islander American Health Forum (APIAHF)
Asian Chamber of Commerce of Arizona
Asian Community Development Council (ACDC)
Asian Counseling and Referral Service
Asian Law Alliance
Asian Pacific American Bar Association of Los Angeles County (APABA-LA)
Asian Pacific American Bar Association of Silicon Valley
Asian-Pacific American Bar Association of Virginia
Asian Pacific American Women Lawyers Alliance
Asian Pacific Partners for Empowerment, Advocacy and Leadership (APPEAL)
Association of Asian Pacific Community Health Organizations
AZAPIAVote Table
Chinese for Affirmative Action
Chinese American Citizens Alliance
Committee of 100
Council For Fil-Am Orgs, Central Florida
Council on American-Islamic Relations
Dallas Asian American Bar Association
Filipino Advocates for Justice
Filipino Lawyers of Washington (FLOW)
Florida Chinese Federation
Georgia Asian Pacific American Bar Association (GAPABA)
Indian-American Bar Association of Chicago (IABA)
Indo-US Chamber of Commerce of NEFL
Japanese American Citizens League (JACL)
Korean American Bar Association of Chicago
Korean American Family Services, Inc. (KFAM)
Leaders Forum
Leadership Education for Asian Pacifics, Inc. (LEAP)
Mile High JACL
NAACP
National Association of Social Workers
National Filipino American Lawyers Association
National Korean American Service and Education Consortium
National Network for Arab American Communities (NNAAC)
National Queer Asian Pacific Islander Alliance (NQAPIA)
OCA - Asian Pacific American Advocates
OCA South Florida Chapter
OneAmerica

Orange County Korean American Bar Association
Oregon Asian Pacific American Bar Association
Pan Asian Lawyers of San Diego
People For the American Way
San Diego Chinese Attorneys Association
Sikh American Legal Defense and Education Fund (SALDEF)
South Asian Americans Leading Together (SAALT)
South Asian Bar Association of North America
Southeast Asia Resource Action Center (SEARAC)
Thai American Bar Association
The Center for APA Women
The Sikh Coalition
The Vietnamese Association of Jacksonville
Vietnamese American Bar Association of Southern California
YWCA USA
80-20 National Asian American PAC FL

cc: Representatives Ted W. Lieu, Judy Chu, and Keith Ellison
cc: Representative G.K. Butterfield, Chair, Congressional Black Caucus
cc: Representative Linda T. Sánchez, Chair, Congressional Hispanic Caucus
cc: Congressional Asian Pacific American Caucus