



Committee of 100

EXTRAORDINARY CHINESE AMERICANS

Ensuring Full Inclusion in America,  
Advancing U.S.-China Relations

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### Committee of 100

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WWW.COMMITTEE100.ORG

November 10, 2022

The Honorable Dick Durbin  
Chair  
Senate Committee on the Judiciary  
711 Hart Senate Building  
Washington, D.C. 20510

The Honorable Chuck Grassley  
Ranking Member  
Senate Committee on the Judiciary  
135 Hart Senate Office Building  
Washington, DC 20510

### Re: U.S. Attorney Nomination of Casey Arrowood

Dear Chairman Durbin and Ranking Member Grassley:

I write today on behalf of Committee of 100 to express our deep concerns over the nomination of Casey Arrowood to serve as U.S. Attorney for the Eastern District of Tennessee. Mr. Arrowood was the lead prosecutor in *United States of America v. Anming Hu (U.S.A. v. Hu)*, an ill-conceived case based on racial profiling and false evidence as part of a Department of Justice initiative targeting American scholars and researchers of Chinese descent.

At Dr. Hu's trial, it was revealed that FBI agents engaged in misconduct to build a false case against him, leading to a mistrial. Despite this, federal prosecutors announced their intention to retry the case. However, the case was dismissed by Judge Thomas A. Varlan, who wrote in his decision: "Even viewing all the evidence in the light most favorable to the government, no rational jury could conclude that [Hu]" was guilty of the crimes for which he was prosecuted.

To be effective, a U.S. Attorney must have the public's trust. Mr. Arrowood's role in *U.S.A. v. Hu* leads us to question whether the Asian American community can trust that he will apply the law in a fair and just manner that does not discriminate against individuals because of their race, color, or national origin.

We strongly urge the Judiciary Committee to investigate the following regarding Mr. Arrowood's involvement in *U.S.A. v. Hu*:

- How much information did Mr. Arrowood have, or should he have had, about FBI's misconduct in this case?
- What role did Mr. Arrowood have in deciding to try the case despite the lack of credible evidence?
- After the revelation at trial that the FBI presented misleading evidence, did Mr. Arrowood urge the Justice Department, or support its decision, to retry the case? Did he recommend against, or object to, retrying the case?

Committee of 100 is a 30-year-old nonprofit organization. Formed in the aftermath of Tiananmen Square at the recommendation of Dr. Henry Kissinger, we promote the full advancement and inclusion of Chinese Americans and constructive dialogue between the U.S. and China

We take seriously the need to safeguard our nation's confidential research. But we are gravely concerned that an unbalanced government effort in the name of research integrity and national security has led and continues to lead to the unjustified targeting of scholars of Chinese ancestry, including Dr. Hu.

Prosecutions brought with false or insufficient evidence damage more than just the defendant. America can most powerfully and effectively safeguard its national and economic security if we continue to attract and retain the best talent from around the world and provide a welcoming environment for scientific and technological collaboration.



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But the conditions created by prosecutions like that against Dr. Hu hamper vital scientific collaboration and create a chilling effect on federally funded research projects.

The insistence to prosecute Dr. Hu, despite a complete lack of evidence that he did anything wrong, tore apart his life – separating him from his family and, at the time, ending his career, which he is now working to rebuild. This has stoked fear in the Asian American scientific community and caused academics across ethnic boundaries to avoid work with scientists and institutions in the People’s Republic of China, no matter how benign the work. These U.S. Government efforts harm America’s reputation and position as the global leader in higher education, especially in science, technology, and medicine, and, over the long term, will undercut U.S. economic and national security.

Further, we have deep concerns about the message this nomination sends to the Asian American community. We are repeatedly forgotten and left out of conversations that affect us directly. This nomination is a perfect example. Less than a year after Dr. Hu regained his freedom and while many researchers and scientists are still being unfairly targeted, one of the main actors involved in these wrongful prosecutions has been nominated to serve as a U.S. Attorney. Asian Americans already suffer from a sense of not belonging. According to a recent survey by The Asian American Foundation (TAAF), only 20 percent of Asian Americans feel they belong and are accepted in the U.S., compared to 33 percent of Black and 42 percent of Latino Americans. The nomination of Mr. Arrowood as the U.S. Attorney for the Eastern District of Tennessee only exacerbates this struggle.

We are available to discuss this matter further and look forward to hearing what the Committee learns about Mr. Arrowood’s role in *U.S.A v Hu*. Please feel free to contact me or Elizabeth Kerr, our director of Public Policy, at [ekerr@committee100.org](mailto:ekerr@committee100.org) to continue this conversation.

Thank you for your service to the United States.

Sincerely,

Gary Locke

Cc:

The Honorable Patrick Leahy (VT)  
The Honorable Dianne Feinstein (CA)  
The Honorable Sheldon Whitehouse (RI)  
The Honorable Amy Klobuchar (MN)  
The Honorable Chris Coons (DE)  
The Honorable Richard Blumenthal (CT)  
The Honorable Mazie Hirono (HI)  
The Honorable Cory Booker (NJ)  
The Honorable Alex Padilla (CA)  
The Honorable Jon Ossoff (GA)

The Honorable Lindsey Graham (SC)  
The Honorable John Cornyn (TX)  
The Honorable Mike Lee (UT)  
The Honorable Ted Cruz (TX)  
The Honorable Ben Sasse (NE)  
The Honorable Josh Hawley (MO)  
The Honorable Tom Cotton (AR)  
The Honorable John Kennedy (LA)  
The Honorable Thom Tillis (NC)  
The Honorable Marsha Blackburn (TN)