

June 22, 2015

Dear Members of OCPA and the ethnically Chinese Scientific Community,

Many of you are aware of the indictment of our colleague, Prof. Xiaoxing Xi (Temple University) of wire fraud, by the US Department of Justice, on Thursday, May 21, 2015. Prof. Xi was charged with four counts of wire fraud in an alleged scheme "involving the exploitation of technology for the benefit of third parties in China."

Potentially, this case has far-reaching ramifications for US-China scientific exchange and collaborations, and could adversely affect the existing collaborations of many OCPA members, and members of our community, with their colleagues in China. The issue of collaboration with Chinese colleagues and institutions is relevant not only to our immediate community, but to many of our non-ethnically Chinese colleagues as well. Many of you have already expressed your concerns to OCPA.

The leadership at OCPA has been monitoring the situation closely. We are proactively finding ways to safeguard the well-being and advocate for a fair and proper treatment of Prof. Xi in this case, despite the fact that OCPA does not have detailed knowledge of the specifics of this case at the current time. Simultaneously, the OCPA leadership is reaching out to the American Physical Society, to find ways to help clarify the guidelines for international collaborations.

The OCPA leadership has recently been in contact with the American Physical Society (APS) regarding this case. APS President Sam Aronson has expressed to us the continued strong support by the APS for scientific exchange and collaboration between US scientists and their Chinese colleagues.

In the current climate, many cases of alleged improper handling of scientific and technological information by ethnically Chinese are appearing with increasing frequency in the media, for instance, the New York Times story on hydrologist, Sherry Chen:

http://www.nytimes.com/2015/05/10/business/accused-of-spying-for-china-until-she-wasnt.html?_r=0 ,

whose indictment of spying for China in 2014 was abruptly dropped five months later. The article went on to say that since President Barack Obama announced a new strategy to fight back against Chinese hackers and paid insiders passing trade secrets and confidential information out of the US (2013), there has been a more than 60 % increase in the rate of economic espionage cases brought by the US Attorney's office. More than half of them are China related.

It is the view of OCPA that as scientists working in the US, we must abide the laws, rules, and regulations of the country, in all of our international collaborations, and

certainly, in those with China. The OCPA leadership urges our colleagues and the entire community to carefully review the rules and guidelines set by the funding agencies, from which research funding is derived, and any contractual agreements with US companies, to which the researchers have entered.

OCPA upholds the importance of international scientific exchanges and collaborations as they bring benefits to the advancement of science and technology in the United States and elsewhere. At the same time, it is our duty to follow the law, and thus we urge the OCPA membership and the entire community to redouble our attention to the proper protocols of international collaboration, and to abide by such laws and regulations.

In such cases of indictment, even if later dropped, or if the accused are eventually acquitted, they still negatively affect the individuals as well as the perception of the entire community by the public. It could potentially damage the reputation and ability to carry out scientific research. Therefore, as a community, we must be extra careful to differentiate between academic freedom and unlawful transfer of information and technology.

OCPA is committed to working with other scientific organizations to emphasize our stance on these kinds of matters, that all parties concerned have to be mindful in preserving the good spirit of scientific collaboration across national boundaries; international collaborations can promote innovative research and have become increasingly important.

The OCPA leadership will continue to monitor this case involving Prof. Xi, to help ensure its proper handling, while at the same time, work to help clarify the protocols of international engagement, to help relieve the pressure many of us may feel regarding the proper way to carry out collaborations with our Chinese colleagues. We must all work diligently to help assure that our efforts and collaborations are mutually beneficial to the US and to China, and to the scientific community world-wide.

If you have concerns regarding this case or its ramifications on your research collaboration, please contact OCPA directly:

<http://www.ocpaweb.org/new/officers/OCPA-Officers-2015-2016.pdf> .

With Best Regards,
Albert M. Chang

OCPA President