

“It’s asinine to think there’s a terrorism motive”

A scientist’s perspective on the “smuggling” charges against University of Michigan postdocs

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The political frame-up of University of Michigan (U-M) researchers and Chinese citizens Yunqing Jian and Chengxuan Han continues. Both Jian and Han remain in federal custody without bond, facing up to 20 years in prison for what under ordinary circumstances would result in a fine for failing to follow protocol. Jian is charged with conspiracy, smuggling, false statements, and visa fraud related to the fungus *Fusarium graminearum*, while Han faces charges of smuggling common non-hazardous biological materials (*C. elegans* roundworms and plasmids) and making false statements. Plea negotiations are underway for both researchers.

The International Youth and Students for Social Equality (IYSSE) is the only organization at U-M that has called for the defense of Jian and Han.

On Wednesday, Stephen St. Clair of the *World Socialist Web Site* spoke with a scientist from Oakland University in Rochester, Michigan about the scientific context behind these cases. The scientist preferred to remain anonymous.

Stephen St. Clair (SSC): In our email correspondence you indicated that it seemed obvious to you that the Jian arrest was politically motivated. Could you please elaborate?

Oakland University Scientist (OUS): All the coverage was about *Fusarium graminearum* being a potential agroterrorism agent, and that’s completely absurd. You’ve got a pathogen that’s already present, it’s basically ubiquitous across lots of different countries. You can have infections in the seeds of the crops—we’re shipping grain overseas all the time, you think it’s not getting spread around that way? What kind of an idiot would try to use this as an agroterrorism agent?

The motivation doesn’t make any sense. What possible gain could they have by trying to release this supposed agroterrorism agent? It’s like saying someone is polluting the environment because they pissed into a pond that’s used by cattle.

You’d have to be an idiot to think that this was something you could use to threaten somebody. It’s already there. It doesn’t make any sense that they were motivated by terrorism.

I’m not going to name any names, but I’ve known scientists that have smuggled specimens rather than dealing with all the paperwork for transporting specimens. It’s something that is not that uncommon, and there are a lot of perverse incentives for it, because it is kind of a pain to get permits. In a lot of cases it’s hard for people to see that transport as being ethically problematic. Even if you’re aware that you’re supposed to have a permit, if the potential harm is really, really small, then it’s mostly a matter of not wanting to get caught. Meanwhile there’s all of this time pressure, especially on early-career people like postdocs, to get papers out. I guess I don’t find it all that surprising that some ambitious young

postdocs had access to some specimens that they could use in their research and then they tried to transport them and didn’t take the time to fill out the permit paperwork. That doesn’t surprise me. What does surprise me is that there is anything more than a nominal fine involved.

SSC: In the case of Chengxuan Han, the material is even more innocuous. She too is being held in federal custody, facing 20 years, but her case involves charges of sending roundworms, *C. elegans*—

OUS: What?

SSC: And plasmids on filter paper through the mail without the proper permits, not involving any pathogens or parasites, just *C. elegans*.

OUS: Really? She’s transporting *C. elegans*?

SSC: Yes, same issue as Jian, that she lied to the investigator and transported material without proper paperwork, and she’s facing 20 years for that.

OUS: God...(incredulous, reading from article) “Gorgon declared the case was ‘part of an alarming pattern that threatens our security.’” Transporting some *C. elegans* threatens our security? What?

SSC: What are the responsibilities of a primary investigator when an early-career scientist engages in this kind of informal transport?

OUS: You try to provide advice to them about what they need to do and what isn’t allowed. I would take some responsibility for my student having done something that skirted a regulation or whatever. There has been a lot of regulatory creep in scientific research over the years. The amount of time it takes to check all the boxes has gone up almost exponentially. So it’s pretty common for people to try to cut corners. I’m not surprised by any of this. I don’t think any of it is surprising. I’m almost surprised that you need a permit to transport *C. elegans*.

SSC: The press release from the Department of Justice, by the way, is headlined “Alien from Wuhan, China charged with making false statements and smuggling biological materials.”

OUS: Christ...

SSC: That’s the issue here, that she’s associated with the city of Wuhan and the Wuhan lab lie. She’s being associated with this false narrative. This is even more explicitly politicized than the Jian case. At the *World Socialist Web Site*, we link these arrests to an escalating anti-China campaign—

OUS: Yeah.

SSC: And a continuation of the “China Initiative” from the first Trump administration, where they prosecuted Chinese scientists, mostly on paperwork issues, and that this is part of the preparation for war with China. This year Oakland University ended its partnership with Chinese universities under pressure from right-wing congressman John

Moolenaar.

Have you noticed anything on campus related to this, a chilling effect on scientific collaboration with China?

OUS: (laughs) Chilling effect? Yes. People are pulling back on some things. The biggest thing is the fear that grants will be cancelled, and also trying to figure out how to write proposals when the law requires you to say certain things and the administration will cancel your grant for saying those things.

For example, with National Science Foundation (NSF) grant proposals, the way the regulations are written, you need to state what the broader societal impacts of your research are going to be. That's supposed to be a really heavily-weighted part of the proposal, these broader societal impacts. This is all coming from Congress, and the way it had been interpreted by the NSF is that you would need to write about a whole slew of different things, a lot of which related to Diversity, Equity, and Inclusion issues.

So it had become essentially impossible to write the broader impact section for a grant if you weren't talking about equitable access to research, or underserved and underprivileged groups. If you didn't talk about those things there was no way you could get funded, it's basically a required component. Some of that is the way that NSF staff had interpreted congressional mandates, but ultimately it all came downstream from what the legislative branch had required.

Now we've got this list of keywords, and if it's in there they're going to flag your grant. And those are keywords you couldn't help but use to deal with the broader impacts requirements. It gives them free rein to cancel any NSF grant, because any NSF grant that was funded in the last 10 years or so is going to have language about historically marginalized groups and equity. It was basically impossible to write a grant that was fundable without talking about those things. So if they don't like your grant they can find places where you talked about that and cancel it.

SSC: What are the consequences for scientific advancement of the current environment?

OUS: For some of us, we're investing less time in submitting those grants. I don't know. It's not going to be positive. I don't imagine that they care, the people that are implementing this stuff.

I totally missed that that second story was about *C. elegans*. That's insane.

SSC: This all comes on the heels of Marco Rubio announcing on May 28 that he was going to aggressively revoke the visas of Chinese students, and go through their social media posts to find objectionable language. The Jian arrest was June 2, the Han arrest was the following Sunday.

What do you think about the way these cases have been reported in the corporate media?

OUS: I think science reporting has been getting worse anyhow. It's starting to feel par for the course, unfortunately. I'm not shocked that it would be reported in a politicized way, especially after all the crap that went down with the Daszak group during the pandemic. I was shocked by that at the time, but after seeing what they went through it doesn't surprise me much anymore.

SSC: We've written extensively about Dr. Daszak. Benjamin Mateus just did a three part interview with him in May. The persecution of scientists for doing scientific work is unacceptable in a democratic society.

hard.

SSC: Definitely, it could be unethical, it could be illegal. The scale of the punishment and response to it is a political issue.

OUS: Yeah, for the *C. elegans* thing I don't see an ethics issue at all. I don't think there's any ethics issue there. There may be a legal issue if they're required to have a permit. I see no ethical issue there at all. It's a completely innocuous thing to be shipping. I could dig up some soil in my backyard and mail it to my mother and it would probably have some *C. elegans* in there. Am I going to be jailed for that?

SSC: It depends on who you are and who is being targeted.

OUS: I guess. It might be a legal issue, it's not an ethical issue, not in terms of shipping *C. elegans*. It's hard for me to think of something more innocuous.

The crop pathogen issue, that is actually a pathogen that affects economically important crops. I think in that case the researchers should've been aware that some kind of permitting might be necessary. That seems more like someone trying to cut corners because it would've taken a long time to get the permit and they couldn't afford to wait that long. If you've got a plane ticket and you're leaving the country you're not going to be able to afford to wait a couple months for a permit to be approved, so they took a risk. They probably shouldn't have done that. It's not worth jailing someone over though.

And I will tell you, I'm 100 percent confident that these people were not doing this for a nefarious purpose. What would be the motivation? It's completely asinine to think that there's any kind of terrorism motive there. That's nuts. Were they foolish to try to smuggle a plant pathogen in? Yeah, that was probably a bad choice. There's no amount of jail time that would be proportionate to that offense. I could see fining whoever had made the decision to do that. It's very clearly, to me, not a terrorism issue, and it's amazing to me that it made any kind of news.

SSC: Thank you so much. Is there anything else you want to add?

OUS: It's just all so awful. At what point could any of my students end up being charged, or me be charged for doing something? If you want to study anything outside of your immediate vicinity, then sometimes you have to transport specimens. That's a part of the process, and it definitely can be hard to find the information that you want about what regulations, what permits you need to apply to. That's not as easy to figure out as you might expect.

The people transporting pathogens should've known that they should've gotten a permit. I understand the potential motivations behind not getting one, because it's time-consuming and we're all under a lot of time pressure. Mailing *C. elegans* though, I'm honestly surprised that it requires a permit, so I'm really not surprised that a researcher may not have known that they needed a permit.

Good luck and thanks for working on this. What a nightmare.



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What do you think of our call to defend Jian and Han?

OUS: I think it's important that someone's speaking out. It feels a little bit like screaming into a void though. I guess I'm glad someone's speaking out against it. It's complicated when someone broke a law and they're caught breaking that law. I do think there needs to be some consequence to that. When it's a question of when someone actually did break a law and the problem is that the response is completely out of scale with what they did, then it becomes a nuanced argument and nuance is