



December 9, 2018

Ms. Rachel Whetstone
Chief Communications Officer
Netflix Media Center
100 Winchester Circle
Los Gatos, CA 95032

Dear Ms. Whetstone:

On behalf of Asian American Coalition for Education (AACE), I am writing to you to condemn Netflix's October broadcasting of a segment from *Patriot Act with Hasan Minhaj*, titled "Affirmative Action," in which the host, Mr. Hasan Minhaj, viciously ridiculed and vilified outstanding AACE leaders. These courageous leaders and proud Americans are tirelessly fighting for Asian-American children's civil rights and equal education rights for all Americans.

Over the years, Harvard and other selective American colleges have been unlawfully using *de facto* racial quotas, racial stereotypes and higher admissions standards to discriminate against Asian-American students. Strong evidence, in both qualitative and quantitative fashions, has been amply narrated by discriminated-against Asian-American students such as Jian Li, Michael Wang and Hubert Zhao, acknowledged by former admissions officers including Sara Harberson and Michele Hernandez, and well researched by reputable scholars including Daniel Golden, Thomas Espenshade and Ron Unz. More recently, Students for Fair Admissions revealed indisputable evidence that Harvard has engaged in systematic discrimination against Asian-American applicants based on analyses of over 160,000 application records of the school.

Sadly, to endorse a political agenda aimed at entrenching and prolonging racial discrimination against Asian Americans and intimidating those who don't subscribe to a highly partisan take on diversity, Mr. Minhaj launched a ferocious attack on prominent civil rights leaders in our community by promoting his skewed and bigoted opinions in the "comedy" segment of "Affirmative Action." Mr. Minhaj is terribly wrong and unapologetically ignorant in his opinions on affirmative action and the Asian-American fight for equal education rights.

First, AACE is defending Asian-American children's civil right, and our position on equal education is supported by the majority of Americans. The 14th amendment to the U.S. Constitution guarantees the equal protection of the laws to every U.S. Citizen. The Title VI of the Civil Rights Act of 1964 prohibits racial discrimination by any institution receiving federal

funding. Under this legal framework, AACE is in pursuit of equal education rights for Asian-American children and children of all racial groups. Our views are also in line with prevalent public attitudes toward selecting talents in higher education. According to a 2016 Gallup poll, seven in ten Americans say merit should be the only basis for college admissions. Our firm belief in merit-based college admissions resonates with Dr. Martin Luther King's vision: "I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character." It is Mr. Minhaj who is betraying Dr. King's vision of equality by promoting perpetual discrimination against Asian-American children with vicious verbal attacks and gross stereotypes.

Second, Mr. Minhaj's on-stage acts to attack personal characters and integrity of civil rights leaders from Asian-American communities are both tasteless and despicable. Throughout his show, Mr. Minhaj could not substantiate any evidence or sound reasoning to defend Harvard's blatant discrimination against Asian Americans. Instead, he went at great lengths to disparage critics of Harvard's admissions policy using vulgar and anti-immigrant language. His venomous insults were particularly directed at several outstanding members of our organization. AACE is truly outraged by Mr. Minhaj's inflammatory categorization of Asian-American civil rights advocates as "the worst kind of Americans," implying these selfless civil rights leaders are as bad as criminals, gangsters, human traffickers, drug smugglers and murderers.

Contrary to what Mr. Minhaj's has portrayed, those AACE leaders he attacked possess many admirable virtues and characters that must be embraced in our society. Ms. Swan Lee is an exceptional writer and a devoted mother who has volunteered countless hours to grassroots campaigns and community activities to carry forward our cause of equal education rights. Dr. Ajay Kothari is a prestigious scientist and has, for the past three decades, made great contributions to American ingenuity. He was honored by the National Federation of Indian American Associations for his achievements in aerospace engineering. Instead of telling the true story of a first-generation Indian American achieving the American dream while giving back to the American society as a true patriot, Mr. Minhaj maliciously mocked Dr. Kothari's accent and cherry-picked insignificant minutiae of his humble beginning.

Mr. Yukong Zhao, the cofounder and president of AACE embodies true American character and identity. Coming from an underprivileged background, he identifies compassionately with struggling families of living with limited means. After witnessing the devastations of the last financial crisis, Mr. Zhao published a book and wrote many columns in Orlando Sentinel to share Confucian wisdom on education, money management and family, with the intention to help struggling families throughout America. He also reached out to Urban League and CityYear, in an effort to improve K-12 education in African-American communities. In the show, Mr. Minhaj used Mr. Zhao's book and an isolated negative Amazon review to ridicule Mr. Zhao, in an attempt to distort Mr. Zhao's true character. To add insult to injury, Mr. Minhaj even attacked Mr. Zhao's son, Hubert who was unfairly rejected by Ivy League schools after Mr. Zhao embarked on a courageous journey against their discriminatory admissions practices.

As a matter of fact, AACE fights for equal education rights for children of all racial groups. We never advocate discrimination of any kind against any race. On the account of helping America better address educational issues in inner cities and poor communities, AACE supports a

reasonably administrated affirmative action policies that are based on socioeconomic disadvantages, which are likely to favor more black and Hispanic children than Asians. To our dismay, Mr. Minhaj intentionally ignored these reasonable and bighearted policy positions AACE holds and denigrated our organization for a laughable purpose of getting a rise out of his audience. He also intentionally distorted the great personal characters of Ms. Swan Lee, Dr. Ajay Kothari and Mr. Yukong Zhao, just to proclaim his moral high grounds which are bizarrely aligned with politics. Half truth is no truth at all. With their altruism in advancing and practicing a cause they truly believe in, Ms. Swan Lee, Dr. Ajay Kothari and Mr. Yukong Zhao belong to "the best kind of Americans." On the contrary, casting cheap jokes and heartless insults on Asian-American civil rights leaders and their children showcases Mr. Minhaj is unfit to be a producer and should be ashamed of himself.

Third, under the disguise of an "investigation journalist," Mr. Minhaj is nothing more than a biased political activist who defends a failing policy that prolongs the sufferings and disadvantages of many of its intended beneficiaries—black and Hispanic children, to the detriment of many Asian-American students. He conveniently "forgot" to discuss an ugly truth: race-based college admissions is just a small bandage used by myopic politicians to cover up an entrenched wound — failing K-12 education in too many black and Hispanic communities. This deep-seated wound is the real root cause behind a lack of racial diversity in America's selective universities. According to a New York Times article published on August 24, 2017, "Even with Affirmative Action, blacks and Hispanics are more underrepresented at top universities than 35 years ago." Race-based policies have failed these communities!

As a hypocritical political activist, Mr. Minhaj does not challenge politicians such as the New York Mayor Mr. de Blasio who failed underrepresented students in his city who lag behind miserably in terms of educational performance. Under de Blasio's watch, math and English proficiency rates among black and Latino students from grades 3 through 8 are less than 50% of those among Asian and Caucasian students. But to cover up incompetence, he tried to "reform" the admissions system of New York Specialized High Schools from merit-based to race-based.

By the same token, while chanting slogans of diversity and inclusions, Mr. Minhaj never applies critical thinking in his examination of many colleges that disproportionately promote progressive values at the expense of conservative viewpoints on their campuses. He only cares about racial diversity, not a deeper diversity of minds and ideals. Ironically, Mr. Minhaj falls short of demonstrating minimum qualities an "investigation journalist" must embrace, such as objectivity and analytical thinking. He is actually a political tool who engages in marketing race-based identity politics.

While given the opportunity and stage to present a truthful examination of affirmative action, this Netflix program "Affirmative Action" is nothing but a blatant display of anti-Asian discrimination, filled with racial stereotypes, anti-immigrant bigotry, accent mocking, and character distortions.

By broadcasting and promoting Mr. Minhaj's "Affirmative Action" program, Netflix is taking a *de facto* stance supporting Harvard and many other politically powerful institutions and their egregious discrimination against Asian Americans, one of the smallest and most politically

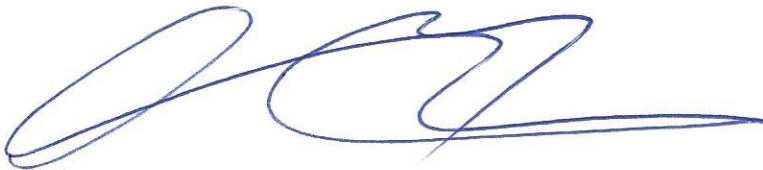
vulnerable racial groups in America. We are extremely disappointed that Netflix, an icon in the entertainment industry, has gone so low to become a platform of suppressing Asian-American communities' fight for our children's civil rights. Your reckless action is a disgrace to millions of Asian-American children who refuse to be discriminated against simply because of their race or their skin color.

If Netflix wants to retain your standing among the American public and in Asian-American communities, you owe Ms. Swan Lee, Dr. Ajay Kothari and Mr. Yukong Zhao a sincere apology. In addition, I urge you take immediate actions to stop broadcasting Mr. Minhaj's "Affirmative Action" program and ensure that you will not present any programs that distort and intimidate Asian-American civil rights activism in the future!

To be clear, we support freedom of speech and we are open to fair and meaningful dialogues with Mr. Minhaj and others who hold different viewpoints. However, we strongly condemn Mr. Minhaj's vicious personal attacks on AACE leaders and your act of suppressing Asian-American communities' civil rights activism.

I look forward to hearing back from you.

Sincerely,



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