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Media/Community Briefing on the End of the "China Initiative;" Growing Reactions

MEDIA/COMMUNITY BRIEFING:
THE END OF THE "CHINA INITIATIVE"

3pm ET | 2pm CT | 12pm PT
TUESDAY, MARCH 1

What does the Department of Justice's announcement to end the "China Initiative" mean? What are its implications for Asian American/immigrant communities and pending cases under the "China Initiative"?

REP. JUDY CHU
(CA-27, CAPAC Chair)

REP. TED LIEU
(CA-11)

PETER R. ZEIDENBERG
Partner, Asiatix

GANG CHEN
Carl F. Casper Endowed Professor of Power Engineering, Massachusetts Institute of Technology (MIT)

PATRICK TOOMEY
Senior Staff Attorney, ACLU

JOHN C. YANG
President and Executive Director, Advancing Justice - AAC

GISELA KUSAKAWA (MODERATOR)
Assistant Director of Anti-Racism, Pretrial Project, Advancing Justice - AAC

REGISTER: bit.ly/chinainitiative

Note: Briefing will not be recorded. Questions for our speakers? Email them to Joy De Guzman, Manager of Community Engagement, at jdeguzman@advancingjustice-aac.org

"China Initiative" 2018/11/01 – 2022/02/23

1,210

DAYS

A media/community briefing on the end of the "China Initiative" will be held on March 1, 2022. Rep. Judy Chu, Chair of Congressional Asian Pacific American Caucus (CAPAC) and Rep. Ted Lieu will provide their remarks and responses. A panel of speakers will discuss the meaning of the Department of Justice's announcement, the implications for the Asian American/immigrant communities and pending cases under the "China Initiative." Three cases against academics are known to be pending trial:

- Texas A&M University Professor [Zhendong Cheng 成正东](#)
- Kansas University Professor [Feng "Franklin" Tao 陶丰](#)
- Southern Illinois University Professor [Mingqing Xiao 肖明庆](#)

Register to attend the briefing: <https://bit.ly/chinainitiative>.

APA Justice assembles media reports and reactions to the end of the "China Initiative" in the [End The "China Initiative"](#) web page. Here is a sampling of the reports, statements, and editorials:

- ACLU: [ACLU Commends Biden Administration for Ending Discriminatory "China Initiative," But Fundamental Reforms Are Still Needed](#)
- Advancing Justice|AAJC: [Commends End to China Initiative, Calls for Transparency and Vows to Watch Dismantling Closely](#)
- APA Justice: [Statement on DOJ Announcement to End the "China Initiative"](#)
- *Antiwar.com*: [Is DoJ's 'China Initiative' Going Away? Don't Bet on It](#)
- CAPAC: [CAPAC Members Welcome End of China Initiative](#)
- Committee of 100: [Comments on the Department of Justice's Changes to the China Initiative](#)
- *MIT Technology Review*: [The US government is ending the China Initiative. Now what?](#)
- OCA: [Asian American Civil Rights Groups Express Cautious Optimism After DOJ Concludes Review of China Initiative](#)
- *Politico*: [DOJ's 'China Initiative' is dead but racial profiling fears are still very much alive](#)
- Quincy Institute: [DOJ needs to investigate past discrimination against Asian Americans](#)
- *Science* editorial: [The China Initiative must end](#)
- *Science* editorial: [We Are All Gang Chen](#)
- *Science*: [Controversial U.S. China Initiative gets new name, tighter focus on industrial espionage](#)
- UCA: [UCA Applaud Demise of DOJ's China Initiative, Calling for Accountability Under the New Guideline](#)
- *Wired*: [The US Fixation on Chinese Espionage Is Bad for Science](#)
- *Yale Daily News*: [DOJ announces end of Trump-era China Initiative](#)
- 俄州亚太联盟: [美国政府为何终止臭名昭著的“中国行动”](#)

Read more: <https://bit.ly/35arley>

AAASE's Inaugural Distinguished Lecture on The Contributions of Asian Americans in U.S. Science and Engineering



The Contributions of Asian Americans in U.S. Science and Engineering

Inaugural Distinguished Lecture of for Asian American Academy of Science and Engineering (AAASE)
25 February 2022

- The development of our scientific and technological excellence.
- Immigrants have added immensely to our scientific and technological excellence.
- How should we respond to rising international competition in science and technology and in the theft of intellectual property?

On February 25, 2022, Dr. Steven Chu, Stanford Professor, Nobel Laureate, and former Secretary of Energy, delivered the inaugural distinguished lecture hosted by the Asian American Academy of Science and Engineering (AAASE). Rep. Judy Chu, Chair of Congressional Asian Pacific American Caucus (CAPAC) The lecture on **The Contributions of Asian Americans in U.S. Science and Technology** covered:

- **The development of our scientific and technological excellence.** The U.S. innovation machine has been the greatest in the world, including the long-distance telephone line, Ford Model T assembly line, Edison's carbon filament light bulb, the first airplane, the first transistor, and integrated circuits. The U.S. was not always the innovators, but made improvements on them. Dr. Chu said, "You can achieve technical excellence and transform the world. You don't have to invent it. You can take it from other people, other places, other countries, and improve on it. This is what the United States has done. That is also what other countries are doing today."
- **Immigrants have added immensely to our scientific and technological excellence.** The U.S. benefited from the brain gains as a result of political events in the world - from Germany and Italy in the 1930s-1940s; China in 1949, the Cultural Revolution, and Tiananmen Square; and the collapse of the Soviet Union and Jewish emigration. Graduate students and postdocs in foreign countries came to study in America because we are free, open and welcoming society. Most of these students became U.S. citizens and raised their families in the U.S. However, the U.S. has not always been welcoming to all immigrants, including Dr. Chu's family. The Chinese Exclusion Act became law in 1882. Severe quotas on people from Asia and Africa were not phased out until the mid-1960s. And yet, immigrants have added immensely to our scientific and technological excellence, with immigrants and children of immigrants making up more than half of the Nobel Prizes received by the U.S. They play essential roles in our national defense and are instrumental in top U.S. companies.
- **How should we respond to rising international competition in science and technology and in the theft of intellectual property?** Dr. Chu referenced a finding in the [JASON report](#) that the [National Security Decision Directive \(NSDD\) 189](#), established in 1985 and reaffirmed in 2001 and 2010, defines fundamental research and continues to inform policy today. The Biden administration has not yet done so. Under NSDD 189, "no restrictions may be placed upon the conduct or reporting of federally-funded fundamental research that has not received national security classification." And yet our science agencies erected barriers and obstacles as antithesis to NSDD 189 and fundamental research. Dr. Chu cited a white paper commissioned by the [Committee of 100](#) in measuring the chilling effects of the changed policies and practices, "On the "China Initiative," Dr. Chu questioned the veracity of [the number of FBI China-related counterintelligence investigations](#) reported by FBI Director Wray [see note below]. In a deeper dive into the "China Initiative" cases against academics, Dr. Chu cited the dismissed "China Initiative" cases of Professor Anming Hu, Professor Gang Chen, Dr. Qing Wang, and five researchers accused of covering up their military service in the Chinese People's Liberation Army. He summarized the effects on innocent scientists by quoting former U.S. Attorney Andrew Lelling, "**if we were looking for general deterrence, which we were, we've achieved that. Researchers are terrified now.**" Dr. Chu recalled that China's 12th five-year plan (2011-2015) bears a remarkable resemblance to the goals he was pursuing while he was Secretary of Energy. "What

China wants in their five-year plan is what the U.S. wanted in the Obama administration," he said. Today, [China is rapidly closing the gap with the U.S. on research spending](#).

In closing, Professor Chu quoted President Eisenhower's response to Sputnik, "Never shall we cease to hope and work for the coming of the day ... when the scientists can give his [and her] full attention not to human destruction, but to human happiness and fulfillment." Watch the video: <https://bit.ly/36K2dvd> (2:10:00)

Note: Is There a Math Problem or Is FBI Director's Talking Point Outdated? On July 7, 2020, FBI Director Wray said in a speech to [the Hudson Institute](#), "[w]e've now reached the point where the FBI is opening a new China-related counterintelligence case about every 10 hours. Of the nearly 5,000 active FBI counterintelligence cases currently underway across the country, almost half are related to China."

On January 31, 2022, Wray told the [Ronald Reagan Presidential Library](#), "When we tally up what we see in our investigations, over 2,000 of which are focused on the Chinese government trying to steal our information or technology... The bureau is opening new cases to counter Chinese intelligence operations every 12 hours or so."

There were 573 days or about 13,750 hours between Wray's two speeches. Whether the number of investigations was increasing at the rate of one new case per 10 or 12 hours, the apparent discrepancy of well over 1,000 investigations has not been explained by the FBI director. Lack of transparency and accurate supporting data do not help to inspire public trust and confidence in the FBI rhetoric.

When Assistant Attorney General Matt Olsen announced the end of the "China Initiative" on February 23, 2022, there was also no accounting of the number of prosecutions or taxpayers' dollars expenditures on the "China Initiative."

Science Editorials: "We are all Gang Chen" and "The China Initiative Must End"

The thumbnail shows the top portion of a Science journal cover. It features the Science logo, the text 'Current Issue First release papers', and the title of the editorial 'We are all Gang Chen'. A small portrait of Gang Chen is visible on the right side of the cover.

Science Current Issue First release papers

EDITORIAL

We are all Gang Chen

EDITORIAL | EDITORIAL

The China Initiative must end

We are all Gang Chen. According to the editorial titled "**We are all Gang Chen**" by MIT Professor Gang Chen in *Science Magazine*, "[r]ampant wrongful prosecutions terrorize innocent people—everywhere. The scientific community is not immune to this." Although he was exonerated after 2 years, he is painfully aware that he is the luckiest among the unlucky. Many other Chinese American scientists are being unfairly investigated for similar alleged "crimes." Or they are simply leaving the country to avoid being targeted. His ordeal taught him that politics affects science and scientists, and that universities and funding agencies must stand up for faculty who are wrongfully prosecuted under the Department of Justice's (DOJ's) "China Initiative."

What gave Gang Chen hope and ultimately saved him is a lesson for all universities. MIT leadership, under President L. Rafael Reif, supported him morally and financially, and the university made its support public. MIT professor Yoel Fink [and Yasheng Huang] organized faculty support, which led to [an open letter](#), signed by over 200 MIT faculty. The letter used facts to tear apart the criminal complaint and ended with a rallying statement: "**We are all Gang Chen.**" A similar [online petition](#) launched by Northwestern University professor G. Jeffrey Snyder was signed by [currently 1481] individuals. [In open letters](#), faculty from about 230 universities in the country called on the DOJ to stop the "China Initiative." The fundraising that his daughter launched reached its goal in 1 day and helped raise awareness of other Chinese American scientists in a similar plight. New civil rights organizations joined forces with existing ones to fight for justice and eliminate the "China Initiative." These collective voices helped compel the government to drop all charges.

MIT has supported other faculty under similar investigation, but other universities have mostly remained silent. Dr. Chen urges university leaders, trustees, and alumni associations to protect their faculty from a campaign that is misdirected. The DOE should have spoken up when it counted in the prosecution against Dr. Chen. That is a lesson for all federal agencies.

Dr. Chen devoted his life to science and education and never thought that he would get involved in activism. But he is now. People need to raise their voices so that the government and public understand the evil of wrongful prosecutions. He calls on Congress to investigate the wrongdoings of the government in his case and similar cases. And he calls for continued vigilance to end the "China Initiative," however it is repositioned by the DOJ. As Martin Luther King Jr. wrote from a Birmingham jail, "**Injustice anywhere is a threat to justice everywhere.**"

Read more about Dr. Chen's editorial: <https://bit.ly/3Ind6l1>. Watch Dr. Chen's talk in the February 2022 APA Justice meeting: <https://bit.ly/3rRI9Q1>

The China Initiative must end. According to a companion editorial by the *Science Magazine*, four years after the launch of the "China Initiative," there is scant evidence that the amount of illegal activity turned up was worth the heartache and expense of running the initiative, and very little, if any evidence, was found showing that actual trade secrets were transferred prematurely to China. Enough really is enough—it is time to end this waste of resources and attention.

US federally funded research efforts—and those of many other countries—have always had an underlying nationalistic agenda—a point sometimes forgotten by the recipients of federal

funding. Each year at the congressional budget hearings, representatives from federal science agencies and scientific societies present the case for more science funding which to many researchers would be considered shockingly nationalistic. In recent years, this involves talking about the rise of Chinese science and how it is a threat to US economic and military success.

What's striking is the cognitive dissonance between this nationalistic message and the way that science is actually conducted. Scientific progress relies on collaboration, on recruiting the best possible talent to important scientific problems, and on publicizing these findings to the entire world. Year after year, scientific leaders go to Congress and request increases in funding using the rhetoric of nationalism, all while realizing that this approach is in conflict with the values and expectations of bench scientists. Further, when the yearly request for funding comes around, the agencies are always willing to adopt policies that put administrative burden and blame on individual institutions to better protect the overall enterprise. This doctrine of doing what it takes to get the money is nothing new; it has attended science policy for 75 years.

It is therefore no surprise that when the China Initiative was announced, the National Institutes of Health dutifully began sending letters to universities demanding they audit the China connections of prominent researchers. The whole effort became an exercise in determining whether correct forms were being filled out, something college professors are notoriously bad at doing, especially in recent years when the administrative burden of holding federal grants has escalated significantly.

The failure of the "China Initiative" to produce any results shows the serious flaws in the reasoning behind it. There are actual incidents of scientific information being transferred to China prior to publication in the US, but it is an immense overreaction to send university administrators into a frenzy auditing the forms of their productive faculty when they have so much work to do facilitating the research itself. More importantly, this effort has a chilling effect both on establishing legitimate and important collaborations with China, and even more importantly, it sends exclusionary and discriminatory signals to researchers of Chinese descent who are making such important contributions to research in the US.

What should be done? The federal government needs to wind down the China Initiative immediately and go back to managing the small number of legitimate issues on an episodic basis. The Department of Justice has said they were retiring the name of the initiative but "broadening" the effort and not winding down any of the 2,000 cases that are currently open; that is unlikely to make much difference. The funding agencies need to stop the practice of piling more administrative burden on researchers and institutions every time Congress gets another erroneous idea about scientific research; this is where enough truly is enough. The institutions need to take a stronger stand against these efforts. And finally, researchers who accept federal grants need to understand that they are participating in an effort steeped in a nationalistic agenda over the last 75 years. Only by understanding the full context of how federal funding is achieved can faculty members participate in the conversation about how to improve both the quality of science and the humaneness and compassion of the system.

Read more about this *Science* editorial: <https://bit.ly/3HnX0Gi>

2022/03/07 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held on Monday, March 7, 2022. **Senator Roger Wicker**, Ranking Member of the Senate Commerce, Science, and Transportation has agreed to send a video due to a schedule conflict. Featured speakers include **Dr. Rebecca Everly**, Executive Director, International Human Rights Network of Academies and Scholarly Societies; **Haipei Shue**, President, United Chinese Americans; **Patrick Toomey**, Senior Staff Attorney, ACLU; **Adam Shelton**, Fellow, Institute for Justice; and **Francis Slakey**, Chief External Affairs Officer, American Physical Society. Updates on the Congressional Asian Pacific American Caucus and Advancing Justice | AAJC will be provided by **Nisha Ramachandran** and **Gisela Kusakawa** respectively.

The monthly meeting is by invitation only. If you wish to join, either one time or for future meetings, please contact one of the co-organizers of APA Justice - Steven Pei, Vincent Wang, and Jeremy Wu - or send a message to contact@apajustice.org. Read past monthly meeting summaries here: <https://bit.ly/3kxkqxP>.

Update on Anti-Asian Hate Crime Against Burmese Family in Texas

Tri-Caucus to Host Congressional Forum on Rise in Anti-Asian Bigotry During the COVID-19 Pandemic
Monday, August 10, at 1:00 pm ET

The Congressional Asian Pacific American Caucus (CAPAC), the Congressional Hispanic Caucus (CHC), and the Congressional Black Caucus (CBC) will host a congressional forum on the rise of anti-Asian bigotry during the COVID-19 pandemic.

- Rep. Judy Chu, CAPAC Chair
- Rep. Andy Kim
- Rep. Joaquin Castro, CHC Chair
- Rep. Al Green
- Rep. Karen Bass, CBC Chair
- Rep. Barbara Lee
- Rep. Mark Takano
- Rep. Bobby Scott
- Rep. Ted Lieu

ASIAN PACIFIC AMERICAN CONGRESSIONAL CAUCUS (CAPAC)

On February 24, 2022, the Washington Post reported [Texas man accused of attacking Asian family over racist coronavirus fears pleads guilty to hate-crime charges](#). On March 14, 2020, a 21-year-old Texas man, Jose Gomez III, attempted to kill a Burmese man, Bawi Cung, and his young child in Midland, Texas, because he thought they were Chinese — and therefore, he said, responsible for the coronavirus pandemic. He slashed the 6-year-old boy’s face. “The blade entered millimeters from [the boy’s] right eye, split his right ear, and wrapped around to the back of his skull,” prosecutors said. Gomez then stabbed a White employee, Zach Owen, who had intervened to stop the attack.

Gomez has pleaded guilty to federal hate-crime charges. It was the latest victory for the Justice Department (DOJ) in its prosecution of hate-crime cases. A federal jury found three White men who chased and killed a Black jogger, Ahmaud Arbery, guilty of hate crimes.

DOJ officials said that while Gomez was pinned down after being subdued, he yelled to the family, "Get out of America!" Gomez later told local authorities that he had never seen the father before but had perceived him as a "threat" because he supposedly "came from the country who started spreading the disease around." He admitted to trying to kill the father and the 6-year-old in an effort to "stop the threat." Gomez faces a maximum sentence of life in prison and a total of \$750,000 in fines.

Read more about the touching community solidarity efforts behind the haste crime story: <https://bit.ly/3swPJA2>

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