New Webinar Series: *The Human and Scientific Costs of the "China Initiative"*

The webinar series examines the ramifications of the U.S. Justice Department's "China Initiative on the civil rights and security of Chinese Americans, Chinese immigrants, and Chinese Nationals working in the U.S., as well as the consequences for the broader American society.

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Details:

Asian Americans Advancing Justice | AAJC, APA Justice Task Force, and the Brennan Center for Justice at NYU Law School are partnering to produce a series of webinars to raise awareness of a growing number of federal investigations and prosecutions targeting Chinese Americans, Chinese immigrants, and Chinese nationals in the U.S. particularly scientists and researchers under the umbrella of the "China Initiative."

The first webinar in the series, which is scheduled for September 30 at 8:00 pm EDT, is designed to provide policy-makers, journalists, attorneys, and community advocates with an overview of the "China Initiative" and the efforts civil rights advocates and the scientific community are making to protect the rights of those investigated and targeted under this discriminatory framework.

The participating experts include Nobel laureate, former U.S. Secretary of Energy, and Stanford University professor of physics Steven Chu; Seton Hall University School of Law professor Margaret Lewis; and Asian Americans Advancing Justice | AAJC president and executive director John Yang. The discussion will be moderated by Michael German, fellow with the Brennan Center for Justice at NYU Law School.

Date/Time: September 30, 8:00 pm EDT (virtual via Zoom)

RSVP: https://us02web.zoom.us/webinar/register/WN_hNKVQg9ATX2j4S8DJko5RQ

Background:

From the Chinese Exclusion Act of 1882 through the Cold War, racist and xenophobic tropes painting Chinese and Asian Americans as "perpetual foreigners" and threats to public health and national security influenced U.S. government policy. Today is no different. Through rhetoric, rapidly changing policies, and targeted prosecutions, Chinese American scientists and researchers are again caught in a pattern of suspicion and racial discrimination that has harmed Chinese and other Asian communities in the United States for more than 150 years. While the PRC government unquestionably engages in malign behaviors within its borders and in the international arena, which the U.S. government properly condemns, the Trump administration's rhetoric and actions blur the distinction between the PRC government and individuals of Chinese nationality or ancestry. As in the past, when potential threats arise from abroad, the U.S. national security establishment too often responds by treating entire classes of people defined by their race, ethnicity, religion, or national origin as suspect communities.

As U.S.-PRC tensions have grown over recent years, we have seen increasingly aggressive and misguided investigations of Chinese American scientists resulting in sensationalized charges that allege an intended subversion of U.S. interests. While the Justice Department's abandonment of several of these prosecutions before trial has meant falsely accused scientists experience fewer financial and emotional costs than they would from a full trial, it also deprives them of a public exoneration and an exposure of the racist assumptions underlying these investigations.

Rather than recognize the biases that drove these failed national security investigations, the Justice Department in 2018 initiated an even more assertive strategy, announcing a department-wide "China Initiative." The Justice Department says its goal is to prioritize trade theft cases that benefit the PRC, but its rhetoric has often conflated the actions of individuals into a global conspiracy. Its prosecutions have further sought to amplify administrative oversights into federal crimes of fraud and false statements. Moreover, despite the China Initiative's alleged goal of combating economic espionage, the DOJ's own report on the China Initiative shows that many of the actual charges are not intellectual property theft or economic espionage. Instead, many of the charges are for minor or unrelated offenses including wire fraud, filing false tax returns, and even matters that had previously been handled administratively such as alleged inaccuracies in university conflicts of interest forms.

When the 2019 novel coronavirus outbreak in Wuhan, China, spread into a global pandemic, it opened another vector for the current administration to fuel anti-Chinese bias. High government officials repeatedly called COVID-19 the "China Virus," as anti-Asian hate crimes spiked across the U.S. Once again, spurious public health and national security fears are driving anti-Asian discrimination.

The webinars will include speakers from Chinese American and Asian American advocacy organizations, civil rights groups, academia, as well as experts from scientific and legal communities. The speakers will explore the burden this pattern of investigations inflicts on targeted individuals and communities as well as consequences for the broader American society.

Panelist Bios:

Steven Chu

Steven Chu is professor of Physics, Molecular and Cellular Physiology at Stanford University. He has published in atomic physics, single-molecule polymer and biophysics, ultrasound imaging, nanoparticle synthesis and electrochemistry. Former positions include Secretary of Energy, director of the Lawrence Berkeley National Laboratory, and Department Head at Bell Laboratories. Chu was awarded the 1997 Nobel Prize in Physics for laser cooling and trapping of atoms. He is a member of the National Academy of Sciences, 8 foreign Academies and has 32 honorary degrees. He has undergraduate degrees in mathematics and physics from the University of Rochester and a Ph.D. in physics from the University of California at Berkeley.

Margaret K. Lewis

Maggie Lewis is a Professor of Law at Seton Hall University. She has been a Fulbright Senior Scholar at National Taiwan University, a Public Intellectuals Program Fellow with the National Committee on United States-China Relations, and a delegate to the US-Japan Foundation's US-Japan Leadership Program. Professor Lewis is a member of the Council on Foreign Relations and a Non-Resident Affiliated Scholar of NYU School of Law's U.S.-Asia Law Institute. She is spending the 2020-21 academic year in Taiwan as a visiting scholar at the Judge's Academy and a visiting professor at Academia Sinica.

John Yang

John C. Yang is the president and executive director of Asian Americans Advancing Justice | AAJC in Washington, D.C., where he leads the organization's mission to advance the civil and human rights of Asian Americans and to build and promote a fair and equitable society for all through policy advocacy, education, and litigation. He has served in leadership positions for the American Bar Association, the National Asian Pacific American Bar Association, and the National Council of Asian Pacific Americans, among many others. Prior to Advancing Justice | AAJC, John had served as a political appointee in the Obama Administration, the Asia-Pacific Legal Director of a Fortune 200 company, and as a partner at a large D.C.-based law firm. He also serves on the diversity council for several Fortune 500 U.S. companies.

Moderator: Michael German

Michael German is a fellow with the Brennan Center for Justice Liberty and National Security Program, where his work focuses on intelligence and law enforcement oversight and reform. Mr. German previously served as an FBI special agent for 16 years, specializing in domestic terrorism and covert operations, and as national security policy counsel at the American Civil Liberties Union. He is the author of two books, *Disrupt, Discredit, and Divide: How the New FBI Damages Democracy*, published in 2019, and, *Thinking Like a Terrorist: Insights of a Former FBI Undercover Agent*, published in 2007.

Resources:

Margaret Lewis, "*Criminalizing China*," Journal of Criminal Law and Criminology, Vol. 111, No. 1, 2020, Seton Hall Public Law Research Paper (Forthcoming).

Michael German, "*Disrupt, Discredit, and Divide: How the New FBI Damages Democracy*," The New Press, (2019).

Asian Americans Advancing Justice | AAJC and Advancing Justice | ALC filed an amicus brief in United States v. Tao, providing significant evidence of racial profiling against Asian American and immigrant scientists and researchers.

Asian Americans Advancing Justice | AAJC advocates for an America in which all Americans can benefit equally from, and contribute to, the American dream. Our mission is to advance the civil and human rights for Asian Americans and to build and promote a fair and equitable society for all. Advancing Justice | AAJC is a national 501 (c)(3) nonprofit founded in 1991 in Washington, D.C.

APA Justice Task Force is a non-partisan platform to build a sustainable ecosystem to address racial profiling issues and to facilitate, inform, and advocate on selected issues related to justice and fairness for the Asian American community.

The Brennan Center for Justice at NYU School of Law is a nonpartisan law and policy institute that works to reform, revitalize – and when necessary, defend – our country's systems of democracy and justice.