

Raskin Letter Delivered

During today's APA Justice meeting, Maryland Senator Susan Lee and Terry Lierman announced that an alliance of prominent scientific and civil rights leaders and organizations nationwide representing thousands of individuals have delivered a letter requesting that US Representative Jamie Raskin (D-MD), Chair of the House Subcommittee on Civil Rights and Civil Liberties, conduct an oversight hearing to address the profiling of scientists and scholars of Chinese or Asian descent based on the misguided perception that simply being of Chinese or Asian descent or having ties to China make them prone to espionage.

Organizations and individuals are urged to stand up and speak out against racial profiling. The human and scientific costs of racial profiling must be heard. Those who wish to join this alliance effort can be included as additional sign-ons here: <http://bit.ly/36uwUSE>. In addition, please contact your congressional delegation to inform and urge each member to support the hearing. We thank Senator Lee and Terry for their tremendous leadership in this effort.

The effort will be moving on to the next phase of preparing for the House hearing, including the identification of witnesses, assembly of facts and evidence, and preparation of testimonies.

Read the full package including the letter, a press release, and reference materials: <https://bit.ly/3kyUvH9>. Contact APA Justice at contact@apajustice.org for additional information.

Issues with the "China Initiative"

On January 28, 2021, Bloomberg Law published an opinion titled "Biden's DOJ Needs to End War on Chinese-American Scientists." "The Biden Justice Department needs to reevaluate the Trump administration's 'China Initiative' and refocus its enforcement priorities on the harm it was meant to address—the theft of trade secrets by China—and put an end to harassment of supremely talented Chinese-American scientists in the U.S., says Arent Fox partner Peter R. Zeidenberg. Read more at <https://bit.ly/39qWIAV>

On January 26, 2021, Seton Hall University law professor Margaret Lewis discussed her concerns around the Department of Justice's prosecution of the "China Initiative" in an online webinar titled "Criminalizing China," hosted by the Centre for Chinese Law. "I think Professor Chen's case really highlights two major concerns with the China initiative," she said, "we have an over-emphasis on national security and we have an under-emphasis on bias." Professor Lewis offered ways forward for the US government to continue to protect American intellectual property while at the same time avoiding the many pitfalls of the "China initiative." Read more at <http://bit.ly/39D3T9k> including video recording (1:01:37).

On January 26, 2021, SupChina published an opinion by Professor Lewis titled "Gang Chen's case should be the end of the DOJ's 'China Initiative.'" Read more at <http://bit.ly/3oluZpn>

On January 22, 2021, Wall Street Journal reported on [Justice Department Weighs Amnesty for Academics to Disclose Foreign Funding](#). The proposal comes as faculty members escalate opposition to criminal cases and the U.S. balances international academic collaboration with proper disclosure. APA Justice has received the following initial reactions to the report:

1. There is not yet a formal amnesty program, so this is a purely hypothetical situation. It is impossible to comment on the wisdom of applying for an amnesty program that has not been formally introduced. If this were to happen, then a great deal of analysis would have to be done to determine whether the program is worth entering into.
2. I hope those thinking of participating in such a program get proper legal advice to make sure they aren't inadvertently putting a target on their backs. While we have to wait to see what the proposed program looks like, I am afraid it is similar to the Countering Violent Extremism programs were to counterterrorism efforts.

Presidential Memorandum and Follow Up Actions

On January 26, 2021, President Biden issued a Presidential memorandum on [Condemning and Combating Racism, Xenophobia, and Intolerance against Asian Americans and Pacific Islanders in the U.S.](#) This is welcomed change to the Asian American community from previous years. Advancing Justice | AAJC, APAPA, Committee of 100, UCA, and other Asian American organizations have issued support statements.

In announcing the memorandum, President Biden said, “we are in a battle for the soul of this nation, and the truth is our soul will be troubled as long as systemic racism is allowed to exist.” While “China Initiative” is just unacceptable as “China Virus,” the COVID-19 virus and the injustice virus of racial profiling will still exist even if the labels are removed. We will be pressing for more sweeping changes in the months ahead.

On January 29, 2021, the Washington Post reported on "[Susan Rice wants every federal agency to focus on racial equity.](#)" According to the report, Rice, who heads the president’s Domestic Policy Council, has already become the face, the energy and ultimately the person responsible for turning the words into results. “Every agency will place equity at the core of their public engagement, their policy design, and program delivery to ensure that government resources are reaching Americans of color and all marginalized communities — rural, urban, disabled, LGBTQ+, religious minorities, and so many others,” Rice said in a press conference.

Upcoming Webinar

On February 6, 2021, the Chinese American Scholars Forum will host a webinar titled "What Chinese American Scientists Should Pay Attention To At This Time," featuring attorney Brian Sun. Organizers for the online webinar include Association of Chinese

Scholars in Computing, Peking University Alumni Association of New England, Chinese-American Chemistry & Chemical Biology Professors Association, Peking University Alumni Association of Washington DC, Chinese-American Oceanic and Atmospheric Association, North America Tsinghua Alumni Academia Club, US Chinese Scholar Association of Combustion Institute, North America Federation of Tsinghua Alumni Associations, International Chinese Statistical Association, and The Society of Chinese Bioscientists in America (SCBA). Read more with registration link at <http://bit.ly/36xLLM5>

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