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## Committee of 100 New Study: Racial Disparities Against Chinese and Asians in Espionage Prosecutions

BY Xu JIn, SEPTEMBER 22, 2021, China News Service

On September 21st local time, Committee of 100 released a new detailed study "*Racial Disparities in Economic Espionage Act Prosecutions: A Window into the New Red Scare*," co-lead with Andrew Chongseh Kim, an attorney with Greenberg Traurig, LLP and visiting Scholar at South Texas College of Law, which analyzed court filings for all cases charged under the EEA from 1996 to 2020 and provides empirical data that individuals, particularly those with Chinese or Asian names, are disproportionately and adversely impacted under the EEA. The study analyzed court filings for all cases charged under the EEA from 1996 to 2020: 276 individual defendants charged across 190 cases, as coded in the Federal PACER (Public Access to Court Electronic Records) system.

Such allegations have had a disproportionately negative impact on Asian groups, including the Chinese. **People of Chinese and Asian descent are punished twice as severely** as that of other ethnic groups, and many accusations involving the "China Initiative" have nothing to do with the theft of commercial secrets.

Results of the study show that the proportion of Asian Americans and Chinese in the number of accused has increased sharply in the past decade.

In total, 1 in 3 Asian Americans accused of espionage may have been falsely accused. The first time 69% of defendants of Asian descent and 78% of EEA defendants of Chinese descent, learned they had been charged was when they were arrested, generally with handcuffs. Instead, most defendants with Western names received a formal letter summoning them to court to face the charges against them.

The analysis stated that academic researchers are engaged in basic science research, and they share their research results with the world. In this context, the notion of "commercial secrets" in science is inherently illogical. Excessive crackdowns on "Chinese spies" are subverting the lives of ordinary Asian Americans and fueling racial prejudice and discrimination against Asian groups.

“We must recognize the racial stereotyping that the Chinese and Asian American communities have had to deal with for over two centuries, starting with the ‘Yellow Peril’ of the 19th century to the ‘perpetual foreigner’ stereotype that still exists today,” said Zheng Yu Huang, President of Committee of 100. “This research is critical to understanding the racial discrimination and implicit bias that are the byproducts of a rush to ensure national security, which is making America a less attractive place for immigrants of all backgrounds. America is a place of law and justice, where our diversity is our strength.”

“We spent thousands of hours analyzing federal court filings and Department of Justice press releases. Unfortunately, the data reveals that Asian Americans and others of Asian descent are treated differently by our justice system,” said Andrew Chongseh Kim. “People of Asian descent are more likely to be accused of spying even though they are less likely to actually be convicted of those charges. Perhaps more troubling, the DOJ is much more likely to publicize allegations of spying when they involve people with Asian names. ”

Committee of 100 is a non-profit U.S. leadership organization of prominent Chinese Americans committed to the dual missions of promoting the full participation of Chinese Americans in all aspects of American life and constructive relations between the United States and Greater China. Earlier this year, Committee of 100 released a commissioned report “From Foundations to Frontiers,” which looked at 175 years of Chinese American contributions. (END)