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Explainer on HR 1398, Protect America’s Innovation and Economic Security from CCP Act

What is HR 1398?

[HR 1398](#) would establish a “CCP Initiative” (Chinese Community Party Initiative) in the Department of Justice (DOJ). The program aims to investigate and prosecute cases of alleged economic espionage and develop strategies on “nontraditional collectors” of information, including researchers in labs and universities.

The House Judiciary Committee held a markup of the bill on May 22, 2024.

Targeting scholars, scientists, and academics with any perceived connections with China echoes the harmful and discriminatory targeting of Asian American scholars and scientists, particularly those of Chinese descent, under the now-defunct “China Initiative.”

In other words, HR 1398 attempts to reinstate the “China Initiative” by another name.

Why is this bill being proposed now?

The DOJ’s “China Initiative” was launched in 2018 with the alleged purpose of combating economic espionage and trade secret theft. The “China Initiative” is rooted in a long and troubling history of scapegoating Asian Americans as “perpetual foreigners” and “threats,” from the Chinese Exclusion Act of 1882 to the incarceration of Japanese Americans during World War II, and the racist rhetoric spread by government officials about the origins of the COVID-19 pandemic.

On February 23, 2022, after strong and united opposition from academic groups and civil rights advocates calling out the program’s discriminatory impact on the Asian American scientific community, the DOJ formally announced an end to the “China Initiative,” admitting that the program was “not the right approach.”

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While this was a crucial step towards addressing the historic and long standing concerns of bias against and profiling of Asian Americans, the road to addressing the harms caused by the program is long.

Not only did the “China Initiative” devastate the lives of scholars who were targeted and their families, it also created a chilling effect for Asian American scholars and scientists for fear of prosecution, deterring them from engaging in normal activities such as applying for federal grants, conducting research, or even traveling with family. A [report](#)¹ published in the Proceedings of the National Academy of Sciences (PNAS) by AASF scientists shed light on the widespread fear experienced by scientists of Chinese descent in the U.S. during the course of their routine research and academic activities:

- 89% of respondents said they would like to contribute to the U.S. leadership in science and technology, but 72% feel unsafe in the U.S. and 61% feel pressure to leave the U.S.
- Professors were deterred from normal activities, with 42% feeling fearful of conducting research, and 45% intending to avoid federal grant applications, especially senior faculty, mainly due to fear.

AASF continues to work to address these harms and advocate for academic freedom and openness.

What’s at stake?

HR 1398 would reinstate the “China Initiative,” and restarting the program under any name raises renewed concerns of racial profiling and discriminatory targeting of Asian American scholars, particularly scholars of Chinese descent.

¹ Yu Xie, Xihong Lin, et al., Caught in the crossfire: Fears of Chinese–American scientists, 120 PNAS 27 (2023). In that report was a national survey of professors of Chinese descent in the US, with over 1,300 people responding between December 2021 and March 2022.

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Reinstating the “China Initiative” would also exacerbate the existing chilling effect and discourage talented scholars and scientists from contributing to U.S. scientific innovation. And this may further result in a significant loss of talent and hurt our country’s ability to remain a global leader in science and technology, to the detriment of all.

The House has also previously attempted to reinstate the “China Initiative” in the FY 2024 Commerce, Justice, Science, and Related Agencies (CJS) Appropriations bill, H.R. 5893. AASF and coalition partners led nearly 50 organizations in [opposition](#) of the bill. We worked with Congressional Asian Pacific American Caucus leaders, who also led [efforts against the bill](#), calling out the dangers of any reinstatement. With this united opposition, advocates succeed in getting the reinstatement language removed from the final bill.

AASF continues to push back against HR 1398 and any attempt to reinstate the “China Initiative.”

If you have any questions or would like to learn more, please reach out to AASF’s Executive Director, Gisela Perez Kurasawa, at gpkusakawa@asforum.org.

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