

September 15, 2015 Press Conference

Committee of 100 Statement (www.Committee100.org)

The Committee of 100 and six partner organizations who represent millions of Asian Americans wrote a joint letter to Attorney General Lynch on September 4 (<http://bit.ly/1EOL6Vh>) to express concerns about the appearance of a pattern of wrongful investigations and prosecutions of Chinese Americans on the basis of race and national origin.

The Department of Justice dismissed all charges against Professor Xiaoxing Xi (<http://nyti.ms/1UMCxf9>) last Friday, following similar incidents against Dr. Sherry Chen (<http://nyti.ms/1IzGifl>), and Guoqing Cao and Shuyu Li (<http://on.wsj.com/1M34pJZ>). They are all U.S. citizens of Chinese descent accused of espionage or sharing sensitive technology and information with China, only to have the charges subsequently dropped within the last ten short months.

We understand that the government has elevated its focus on the national security and economic challenges posed by China. However, DOJ's ensuing rush of multiple criminal prosecutions directed at Chinese Americans, calling into question the "loyalty" of the defendants, is akin to racial profiling and xenophobic prejudice, reminiscent of the McCarthy era which destroyed the lives of countless loyal and innocent American citizens.

Irresponsible prosecutions and inflammatory rhetoric embarrass our government and undermine civil liberties of which our country values so deeply. In addition to destroying the careers and reputation that Asian Americans have fought hard to achieve, it also adds to the invidious and false perception about the "loyalty" of Chinese Americans. Quoting Professor Xi, "This is not a joke. This is not a game."

DOJ and prior AGs have noted and issued guidance that there is no place for the use of race and ethnicity in law enforcement practices. Specifically AG Eric Holder issued "Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation or Gender Identity" (<http://1.usa.gov/1Kj8CFD>) in December 2014, declaring that biased practices were no longer to be engaged as they were ineffective. AG Holder also noted that racial bias only promoted harmful stereotypes.

Our Asian American community has suffered in the past during the mistreatment of 110,000 Japanese Americans during World War II and the internment of our own citizens. These painful experiences have taught us that when we see injustice, we must speak out.

We are again experiencing painful, overreaching and wrongful prosecutions brought against many of our citizens, which demonstrate the overzealousness used by some federal prosecutors as previously in the Wen Ho Lee case (<http://bit.ly/1icB712>).

We call upon AG Lynch to take serious action and provide thoughtful supervision to US prosecutors in cases of economic espionage and other federal crimes. We seek assurance that federal prosecutors are made cognizant of the need to refrain from rushing to judgment due to race, ethnicity, or national origin, lest they continue to misread innocent conduct, make impulsive decisions and set into motion destructive and irreversible consequences on the lives of innocent Americans.

Over the past few years, the Committee of 100 has been providing voluntary training to the Chinese American and other Asian American communities, particularly those in the technology sector or sensitive positions in Silicon Valley, Los Angeles, San Francisco, Seattle and Washington. Training is given by Committee members who are experts in these fields, providing background, relevant laws, legal interpretations and case studies to raise community understanding about these topics and urge self-protection not to be caught in the whirlpool.

Our next seminar “Trade Secrets and Economic Espionage: Legal Risks in Advancing Technology between the U.S. and China” will be held tomorrow near Capitol Hill. It will feature Committee of 100 member and renowned lawyer Brian Sun and co-founder Henry Tang. Professor Xi, Dr. Chen, and their lawyer Mr. Zeidenberg will also participate in a panel. It is open to the public and media. (<http://bit.ly/1J2scVO>)

2015年9月15日新闻发布会 百人会声明 (www.Committee100.org)

代表百万计亚裔的百人会和6个专业和社区组织於9月4日联名致信司法部长林奇 (<http://bit.ly/1EOL6Vh>) 对不正当引用种族和原籍国为基础而针对调查和起诉华裔的明显趋势表示关切。

司法部上周五撤销对郝小星教授所有指控 (<http://nyti.ms/1UMCxf9>)，紧接陈霞芬博士 (<http://nyti.ms/1lzGJfl>) 和曹国庆及李樹玉的类似案件 (<http://on.wsj.com/1M34pJZ>)。他们都是华裔美国公民，最近短短10个月间各被指控为中国从事间谍活动或对中国提供敏感技术和信息，但随后所有的指控都被撤销。

我们了解政府面对中国的国家安全和经济挑战而提升焦点重视。不过，司法部随后仓促的把众多的刑事诉讼矛头直指华裔公民，质疑被告的“忠诚”，类似于以种族定性形象和仇外的偏见，让人联想起麦卡锡时代曾摧毁了无数的忠实无辜美国公民的生命。

不负责任的起诉和煽动性的言论为我们的政府蒙羞，破坏我们国家如此深刻珍重的公民自由价值观。除了摧毁亚裔一直努力争取的事业和声誉，这也增加了对他们的“忠诚”误解和虚假形象，令人发指。引用郝教授，“这不是一个玩笑。这不是一场游戏。”

司法部和前任部长已经注意到并发出指导，执法过程中绝对没有使用种族和渊源的空间。2014年12月，前任司法部长埃里克·霍尔德发布了《指导联邦执法机构关于种族，渊源，性别，原国籍，宗教，性取向或性别认同的用途》 (<http://1.usa.gov/1Kj8CFD>)，宣布有偏见的做法已不可再采用，因为它们是毫无效果的。前部长霍尔德还指出，种族偏见只会促进有害的刻板形象。

亚裔过去已经遭受了各种苦难。第二次世界大战期间，11万日裔美国人受到虐待，把我们自己的公民拘留起来。这些痛苦的经历告诉我们，当我们看到不公正，我们必须站出来说话。

我们目前再次面对众多公民被提出痛苦，越权和错误的起诉，显示部份联邦检察官重返类似李文和案的过份热衷狂妄 (<http://bit.ly/1icB712>)。

我们呼吁司法部长林奇采取认真的行动，对美国检方在经济间谍活动和其他联邦犯罪案件提供合理的监管。我们力求保证联邦检察官认识到避免以种族，渊源或原国籍仓促定论的必要，以免他们继续误读无辜的行为，做出冲动的决定，启动破坏性和不可逆转的后果，冤枉无辜的美国公民。

过去几年来，百人会一直为华裔及其他亚裔社区义务进行培训，特别是针对硅谷、洛杉矶、三藩市、西雅图和华盛顿等地从事科技行业或身处敏感职位的人士。培训由百人会在该领域的专家会员主讲，介绍该领域的背景、相关法律、司法解释、及案例等，以提高华裔和亚裔社区对该议题的了解，敦促自保，以免卷入漩涡。

我们下次的讲座“商业秘密和经济间谍：在推进美国和中国之间技术交流的法律风险”将于明天临近国会大厦举行，由百人会成员著名律师孙自华与创办人邓兆祥主持，郝小星教授，陈霞芬博士和他们的律师柴登伯格先生亦会参加。讲座对公众和媒体开放。恭请各位参加。
(<http://bit.ly/1J2scVO>)

2015 年 9 月 15 日新聞發佈會 百人會聲明 (www.Committee100.org)

代表百萬計亞裔的百人會和 6 個專業和社區組織於 9 月 4 日聯名致信司法部長林奇 (<http://bit.ly/1EOL6Vh>) 對不正當引用種族和原籍國為基礎而針對調查和起訴華裔的明顯趨勢表示關切。

司法部上週五撤銷對郝小星教授所有指控 (<http://nyti.ms/1UMCxf9>)，緊接陳霞芬博士 (<http://nyti.ms/1lzGJfl>) 和曹國慶及李樹玉的類似案件 (<http://on.wsj.com/1M34pJZ>)。他們都是華裔美國公民，最近短短 10 個月間各被指控為中國從事間諜活動或對中國提供敏感技術和信息，但隨後所有的指控都被撤銷。

我們了解政府面對中國的國家安全和經濟挑戰而提升焦點重視。不過，司法部隨後倉促的把眾多的刑事訴訟矛頭直指華裔公民，質疑被告的“忠誠”，類似於以種族定性形象和仇外的偏見，讓人聯想起麥卡錫時代曾摧毀了無數的忠實無辜美國公民的生命。

不負責任的起訴和煽動性的言論為我們的政府蒙羞，破壞我們國家如此深刻珍重的公民自由價值觀。除了摧毀亞裔一直努力爭取的事業和聲譽，這也增加了對他們的“忠誠”誤解和虛假形象，令人發指。引用郝教授，“這不是一個玩笑。這不是一場遊戲。”

司法部和前任部長已經注意到並發出指導，執法過程中絕對沒有使用種族和淵源的空間。2014 年 12 月，前任司法部長埃里克·霍爾德發布了《指導聯邦執法機構關於種族，淵源，性別，原國籍，宗教，性取向或性別認同的用途》(<http://1.usa.gov/1Kj8CFD>)，宣布有偏見的做法已不可再採用，因為它們是毫無效果的。前部長霍爾德還指出，種族偏見只會促進有害的刻板印象。

亞裔過去已經遭受了各種苦難。第二次世界大戰期間，11 萬日裔美國人受到虐待，把我們自己的公民拘留起來。這些痛苦的經歷告訴我們，當我們看到不公正，我們必須站出來說話。

我們目前再次面對眾多公民被提出痛苦，越權和錯誤的起訴，顯示部份聯邦檢察官重返類似李文和案的過份熱衷狂妄 (<http://bit.ly/1icB712>)。

我們呼籲司法部長林奇採取認真的行動，對美國檢方在經濟間諜活動和其他聯邦犯罪案件提供合理的監管。我們力求保證聯邦檢察官認識到避免以種族，淵源或原國籍倉促定論的必要，以免他們繼續誤讀無辜的行為，做出衝動的決定，啟動破壞性和不可逆轉的後果，冤枉無辜的美國公民。

過去幾年來，百人會一直為華裔及其他亞裔社區義務進行培訓，特別是針對矽谷、洛杉磯、三藩市、西雅圖和華盛頓等地從事科技行業或身處敏感職位的人士。培訓由百人會在該領域的專家會員主講，介紹該領域的背景、相關法律、司法解釋、及案例等，以提高華裔和亞裔社區對該議題的了解，敦促自保，以免捲入漩渦。

我們下次的講座“商業秘密和經濟間諜：在推進美國和中國之間技術交流的法律風險”將於明天臨近國會大廈舉行，由百人會成員著名律師孫自華與創辦人鄧兆祥主持，郝小星教授，陳霞芬博士和他們的律師柴登伯格先生亦會參加。講座對公眾和媒體開放。恭請各位參加。
(<http://bit.ly/1J2scVO>)