

Congress of the United States

Washington, DC 20510

September 9, 2025

The Honorable Chairman
Congressman Tom Cole
House Committee on Appropriations
H-307 The Capitol
Washington, DC 20515

The Honorable Chair
Senator Susan Collins
Senate Committee on Appropriations
S-128 The Capitol
Washington, DC 20515

The Honorable Ranking Member
Congresswoman Rosa DeLauro
House Committee on Appropriations
H-307 The Capitol
Washington, DC 20515

The Honorable Vice Chair
Senator Patty Murray
Senate Committee on Appropriations
S-128 The Capitol
Washington, DC 20515

Dear Chairman Cole, Ranking Member DeLauro, Chair Collins, and Vice Chair Murray,

We write to express our strong concern about language directing the Department of Justice (DOJ) to reinstate the National Security Division (NSD)'s China Initiative in the House Appropriations Committee's accompanying report for the Fiscal Year (FY) 2026 Commerce, Justice, Science, and Related Agencies (CJS) bill.

As the House Appropriations Committee prepares to consider its FY2026 CJS Appropriations Bill, we strongly urge you to strike the following language from the accompanying report:

“Countering Espionage by the PRC.—The Committee believes it was deeply irresponsible for the Department to end its China Initiative. The Committee understands that the Department established the China Initiative in 2018 in response to troubling trends indicating 80 percent of all economic espionage prosecutions brought by the Department allege conduct that would benefit the Chinese state, and that there was at least some nexus to China in around 60 percent of all trade secret theft cases. The initiative’s goal was to identify and prosecute those engaged in trade secret theft, hacking, and economic espionage as well as protecting our critical infrastructure against external threats through foreign direct investment and supply chain compromises. Additionally, the initiative aimed to combat covert Chinese efforts to influence the American public and policymakers. Within funds provided, the Committee directs the National Security Division to reestablish an office dedicated to countering espionage and influence efforts against American businesses, research institutions, and academia emanating from the PRC.”¹

¹ U.S. House. Committee on Appropriations Commerce, Justice, Science, and Related Agencies Subcommittee. (2024). Explanatory Materials for the Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2026 [HMKP-119-AP00-20250724-SD002.pdf](#)

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While language to reinstate the “China Initiative” has been proposed in each of the last two fiscal years, Congress has rejected its inclusion in enacted government spending bills, and we further urge House and Senate appropriators to continue opposing any effort to insert this language in the FY2026 CJS bill or accompanying materials at any stage.

The DOJ first launched the China Initiative in November 2018. The China Initiative’s stated goal was to “identify and prosecute those engaged in trade secret theft, hacking, and economic espionage as well as protecting our critical infrastructure against external threats through foreign direct investment and supply chain compromises.”² In the more than three years that this program existed, federal prosecutors charged dozens of individuals with various types of fraud and conspiracy, acting as an agent of a foreign government, unlawful export, money laundering, and other charges.

Prosecutors pursued criminal charges in all these cases rather than utilizing civil penalties or administrative remedies. Meanwhile, the DOJ never provided a formal explanation of why or how it labeled cases as part of the China Initiative. It also never made data publicly available on these cases.³

This prosecutorial initiative was a blunt instrument wielded against anyone who had “some nexus to China.”⁴ An unacceptably high number of the aforementioned cases ended in dropped charges, dismissals, and acquittals because prosecutors could not prove allegations.⁵ Over the course of this initiative, an increasing number of cases had to do with false statements and the failure to make disclosures—not espionage, theft, or spying—specifically by academics and researchers of Chinese descent.⁶ Chinese American and Chinese researchers and scholars—who have made valuable contributions to science, technology, and academia in this country for decades—reported that they felt targeted by a racial profiling campaign and fearful of conducting research.⁷ Several of the most high-profile cases not only had severe consequences for individuals personally and professionally, but they also cast a chilling effect on scientific inquiry and academic freedom in the United States.⁸

We fully recognize the utmost importance of ensuring U.S. national security and preventing espionage from adversaries on our most sensitive U.S. technology and research. However,

² Ibid.

³ Guo, E. (2022, May 11). The US crackdown on Chinese economic espionage is a mess. We have the data to show it. *MIT Technology Review*. <https://www.technologyreview.com/2021/12/02/1040656/china-initiative-us-justice-department>

⁴ U.S. Department of Justice. National Security Division. (2021, November 19). Information about the Department of Justice’s China Initiative and a Compilation of China-Related Prosecutions Since 2018

⁵ Nakashima, E. & Nakamura, D. (2021, September 15). China Initiative aims to stop economic espionage. Is targeting academics over grant fraud ‘overkill’?. *The Washington Post*. https://www.washingtonpost.com/national-security/china-initiative-questions-dismissals/2021/09/15/530ef936-f482-11eb-9738-8395ec2a44e7_story.html

⁶ Ibid.

⁷ Ibid.

⁸ Xie, Y., Lin, X., & Li, J. (2023, June 27). Caught in the crossfire: Fears of Chinese-American scientists. *Proceedings of the National Academy of Sciences of the United States of America*, 120(27) <https://www.pnas.org/doi/10.1073/pnas.2216248120>

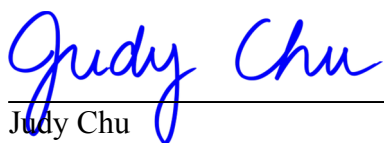
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ending the DOJ's China Initiative did not hamper federal law enforcement efforts to counter threats from the Chinese Communist Party and other regimes. Following the DOJ's strategic review of the China Initiative, then United States Assistant Attorney General for National Security Matthew Olson announced in February 2022 the NSD's new Strategy for Countering Nation-State Threats. This strategy takes "a comprehensive approach" and allows the NSD greater flexibility as it "work[s] with the FBI and other investigative agencies to assess the evidence of intent and materiality, as well as the nexus to our national or economic security" of specific threats.⁹ Despite suggestions otherwise, federal agencies have not stopped their critical work to counter espionage and other threats by adversarial governments.

A budget is a representation of our priorities and values. It would be both a misallocation of resources and a backsliding for civil rights to restart the China Initiative. We appreciate your support for forward-looking solutions to the problems our nation faces, as well as our shared commitment to American values of freedom and fairness. We urge you to strike this language from the House CJS materials and to exclude it from any final government spending bill or accompanying materials.

Sincerely,



Judy Chu
Member of Congress



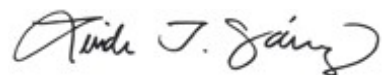
Mazie K. Hirono
United States Senator



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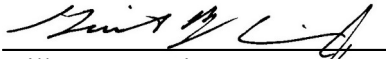


Henry C. "Hank" Johnson, Jr.
Member of Congress

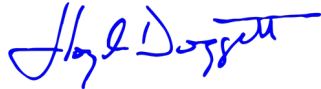
⁹ U.S. Department of Justice. Office of Public Affairs. (2022, February 23). Assistant Attorney General Matthew Olsen Delivers Remarks on Countering Nation-State Threats. <https://www.justice.gov/opa/speech/assistant-attorney-general-matthew-olsen-delivers-remarks-countering-nation-state-threats>.

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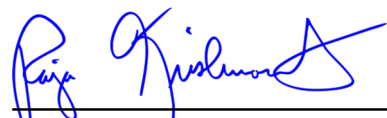
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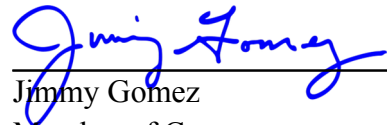
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