



Wade Weems, Chang Liu and Kairu Huang on U.S. Enforcement After the China Initiative in Caixin Global

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The U.S. Department of Justice's (DOJ) China Initiative has long been criticized for unfairly targeting Chinese nationals and people of Chinese descent, particularly professors and researchers. Its termination, however, does not signal relief – rather, the U.S. is moving on to a new Nation-State Threats Strategy, which has broader goals, targets and tools in mind. Kobre & Kim's China-based lawyers Wade Weems and Chang Liu, together with specialist analyst Kairu Huang, unpacked the coming enforcement risks for Chinese entities in an article for *Caixin Global*.

Unlike the China Initiative, which focused on economic espionage by China, the Nation-State Threats Strategy addresses threats from a range of countries – including China but also Russia, Iran and North Korea – and concentrates on a broader enforcement scope, including defending national security, economic security and democratic institutions. The strategy will also deploy a wider range of tools beyond criminal enforcement, utilizing broader whole-of-government efforts within the U.S. and abroad.

It is therefore likely that many of the enforcement trends seen in the past five years involving China will continue and perhaps even expand. The DOJ maintains that the Chinese government and its agents remain a long-term law enforcement priority, and, considering the department's past mistakes in the China Initiative, Chinese companies and citizens could continue to be falsely targeted by various enforcement actions, from criminal prosecution to sanctions. With an emphasis on cooperation within the government and with other governments, it is likely that this approach will be more effective than the China Initiative.

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