

March 17, 2023

Michael Hochberg, Ph.D.
New York, New York
By email to: longwalls@periplo.us

Dear Dr. Hochberg:

I write today to thank you for – and to confirm for the record – your ongoing contributions to the discussion of the evolving relationship between the United States Government, the Chinese Communist Party [CCP], the people of China, the American business community, and the American people. It has been, and continues to be, a fascinating conversation.

We have been discussing these critical relationships since we met on the margins of the Annual Meeting of the Mackinder Forum held in Washington D.C. from October 24 to 27, 2018. That meeting came at a formative time for me, as it occurred as I was preparing for Senate confirmation hearings. Earlier in 2018, President Donald J. Trump had nominated me to serve as Assistant Secretary of State for Democracy, Human Rights, and Labor (DRL). Our mutual friend and colleague, Dr. John Baker, had recommended that I meet with you and your father, Dr. Leonard Hochberg. The goal of the meeting was for me to hear, first-hand, about how the Chinese exploit our open economic system by stealing advanced technologies developed in the United States and force American companies to share intellectual property with Chinese partners as a precondition for entering the Chinese market.

Because I was personally aware of the inability of those who had had their property stolen by the Chinese government to seek recovery in American courts because of the Foreign Sovereign Immunities Act, *see, e.g., Rong v. Liaoning Province Government*, [452 F.3d 883](#) (D.C. Cir. 2006), I was very interested in what you had to say. A significant, and under-appreciated, role of State Department officials is to help Americans navigate the sometimes-difficult terrain one encounters when doing business in and with other countries. China is, by far, one of the most challenging.

During our conversation in October 2018, you shared the substance of your essay, “A Long Telegram for the 21st Century.” I was so impressed that I asked you to give me a copy so that I could share it with colleagues at State and on Capitol Hill when (and, at that time, “if”) I were to be confirmed as Assistant Secretary of State. Because sending such a document by email was unthinkable given your ongoing work in China and my pending nomination, we met in New York City in December 2018. You shared an electronic copy of “A Long Telegram,” and another document that I had asked you to draft: an untitled speech outlining, in blunt terms, the one-sided,

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adversarial nature that all non-Chinese individuals and businesses have with CCP-controlled entities – wherever they do business, but especially in China.

Both documents are a refreshing departure from the anodyne, narrative-affirming, official position papers that the State Department provided in my briefing books and in-person briefings. In hindsight, I am not surprised that “A Long Telegram” had been under consideration with a prestigious journal but, after nearly a year, the editors refused to accept, reject, or provide feedback on the essay. While I have no idea which journal sat on your work, I am confident that I know why.

One of the great revelations during my time as Assistant Secretary was the relentlessly conformist thinking of the American foreign policy establishment. Much is written about the way in which lawyers and lobbyists advance their careers by alternating service on the Hill, in the federal agencies, and corporate law firms. In much the same way, defense contractors cycle among Defense and Intelligence (IC) agencies, the Hill, the uniformed services, and the myriad defense contractors without which DoD could not function, it should come as no surprise that there is also a diplomatic equivalent of the “military-industrial complex.”

Many of those who shape our foreign policy studied international relations under academics whose writings rarely (if ever) examine the outcomes of the policies they administered as diplomats. Suitably trained in conformist thinking, but lacking in any real, practical experience on the ground, our budding diplomats then join the Foreign Service; become career employees; work as House and Senate staffers, or join the ranks of the contractors who actually do the day-to-day work. Agencies such as State, USAID, NIH, Treasury, Commerce, and the IC provide billions annually in foreign assistance through grants and contracts to compliant government contractors, think tanks, NGOs, and academics. Creative or innovative thinking about *any* established policy – especially writings that question the narrative or that ask hard questions about “outcomes” – can put careers, academic appointments, and grants at risk. Small wonder that the editors of the journal sat on your essay. Too risky. Best to say nothing – especially if your academic institution also takes money from China.

Though I could easily recount how conformist and ideological thinking affects our foreign policy toward other countries, the problem is particularly acute with China. Because the Assistant Secretary of DRL is, by statute, the designated “lead” for the federal government on matters of Internet freedom, democracy programs, and the conditions of labor, every day of my service featured a China-specific discussion. Whether the issue *du jour* involved tech issues such as the operation of the Great Firewall of China or the need to interdict Chinese supply chains that include goods or services employing slave labor, one could not begin to understand the challenges without paying close attention to Chinese strategy and tactics.

The knowledge you shared about Chinese tactics was invaluable, not only to me, but also to my colleagues at State. Unlike many who purport to be experts on China, your experience as a co-founder of several software and hardware Nano-photonics startups, gave you a unique vantage

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point on how the Chinese maneuver to secure the intellectual property of American companies, and, eventually, to steal the tangible property as well. My colleagues at State were, generally speaking, well aware of these problems, and more-than-willing for the political leadership of the Department to take a strong stand. I am proud to say that we did so on a number of fronts – from critical infrastructure coalition building, to efforts to ensure that supply-chains are free of slave labor, to the Uyghur genocide declaration.

All of this is to say that, despite all that has happened since you wrote these two documents, both of them still offer original insights and are well worth a careful read. Early on, you questioned why the United States should support the Communist Party’s brutal efforts to transform China from a largely rural society to an economic powerhouse. Magical thinking about China’s role in what the West imagines to be a “rules based international order” is not foreign policy.

You also raised the then-heretical, but now widely accepted, proposition that “decoupling” economically from China would be necessary to preserve American leadership in advanced technology development. Your experiences and those of others who have worked or interacted with Chinese “national champions” know all too well the business and political risks inherent in dealing with entities under the direct control of the Chinese Communist Party (including the People’s Liberation Army), but these risks are routinely downplayed by the foreign policy establishment. The media is silent as well, but that is a story you already know far too well.

Now that China is busily decoupling from the United States and, in the process, exposing just how dependent upon China our country has become for everything from antibiotics and acetaminophen to iPhones and rare earth metals, the American foreign policy establishment *continues* its magical thinking. In the name of “climate change,” the U.S. Government is pushing a “Red New Deal” that rewards disastrous Chinese environmental policy and grants labor trafficking waivers for the import of solar panels and wind turbines produced with slave labor. Worse, American officials allow Chinese companies controlled by the CCP to purchase thousands of acres of prime farmland in the United States that just “happen” to be located within miles American military bases. The American people have yet to understand just how it happened that millions of dollars from the National Institutes of Health/National Institute of Allergy and Infectious Diseases [NIH/NIAID] made their way into Chinese government controlled institutions that produced the now infamous SARS-COV-2 virus.

“Nothing to see here,” I guess.

I am thrilled to learn that you will be posting these two documents to Substack. I join you in the hope that your contributions will advance the debate in the United States regarding the appropriate ways and means by which to protect the advanced technologies that are essential to our national security. Substack is a truly independent forum for writers with experience and fresh ideas. I am happy to lend my support, and to participate in any discussions in which you would find my input useful.

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Please allow me to close with one final observation in light of the flood of revelations from the “Twitter Files” being released almost daily. Just as the erstwhile editors sat on your article back in 2018 to avoid challenging the “China narrative,” the American foreign policy establishment dares not utter “inconvenient truths” about the Chinese Communist Party’s [CCP] strategic goals and the bribery, theft, brutality that are the hallmarks of its “business” model. Thank you for contributing your thoughts and experience to the effort to expose not only the CCP and their agenda, but also those who protect and collaborate with them.

Sincerely,



Robert A. Destro

Professor of Law &

Assistant Secretary of State for Democracy,
Human Rights, and Labor (2019-2021)