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## 2023/12/04 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held via Zoom on Monday, December 4, 2023, starting at 1:55 pm ET.

In addition to updates by **Nisha Ramachandran**, Executive Director, Congressional Asian Pacific American Caucus (CAPAC); **Joanna Derman**, Director, Advancing Justice | AAJC; **Gisela Perez Kusakawa**, Executive Director, Asian American Scholar Forum (AASF), confirmed speakers are:

- [Matt Jones](#), Partner, WilmerHale LLP. Matt represents Dr. [Yanping Chen 陈燕平](#), a naturalized U.S. citizen and founder of the University of Management and Technology in Arlington, Virginia. Matt spoke about Dr. Chen's case at the [November 2022 APA Justice monthly meeting](#). He will give us an update on the latest development.
- [Michael Bloch](#), Partner, Bloch and White LLP. Michael represents **Baimadajie Angwang 昂旺**, an ethnic Tibetan from China who served in Afghanistan as a U.S. marine and later joined the New York Police Department (NYPD) as an officer. He is a naturalized U.S. citizen. Angwang was arrested in September 2020, charged with acting as an illegal agent of the Chinese government under the now-defunct "China Initiative." Michael will give us an update on Angwang's case.

A Q&A and discussion session will follow the reports by Matt Jones and Michael Bloch. Confirmed discussants include:

- [Bethany Li](#), Legal Director, Asian American Legal Defense and Education Fund (AALDEF)
- [Paula Madison 罗笑娜](#), Retired, NBCUniversal Executive; Entrepreneur; Journalist
- [Brian Sun 孙自华](#), Partner, Norton Rose Fulbright US LLP
- [Helen Zia 谢汉兰](#), Activist, Author, and Former Journalist

Brian Sun was [part of the legal team](#) representing Dr. **Wen Ho Lee 李文和** in the criminal trial in 2000. Brian later represented Dr. Lee and won a settlement in [a civil lawsuit](#) when Dr. Lee sued the government under the Privacy Act in 2006. Helen Zia co-authored with Dr. Lee and published a book titled "[My Country Versus Me](#)" in 2002.



The virtual monthly meeting is by invitation only. It is closed to the press. If you wish to join, either one time or for future meetings, please contact one of the co-organizers of APA Justice - **Steven Pei** 白先慎, **Vincent Wang** 王文奎, and **Jeremy Wu** 胡善庆 - or send a message to [contact@apajustice.org](mailto:contact@apajustice.org)

## No More "China Initiative" or Section 702 Warrantless Surveillance

### 1. No More "China Initiative" - Sign-on Letter

Led and supported by Asian American coalition members that united to end the first iteration of the DOJ's "China Initiative," which includes Asian American Scholar Forum, Asian Americans Advancing Justice | AAJC, CAA/Stop AAPI Hate, Asian American Employees for Nondiscrimination, Committee of 100, OCA-Asian Pacific American Advocates, Brennan Center for Justice, APA Justice, ACLU, and other key civil rights organizations.

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Johnson, and Democratic Leader Jeffries,

We, the undersigned, respectfully submit this letter to voice our concerns and strong opposition to the language to reinstate the Department of Justice's "China Initiative" in the explanatory materials in the House version of the Fiscal Year (FY) 2024 Commerce, Justice, Science, and Related Agencies (CJS) Appropriations bill, H.R. 5893. We write to provide feedback as the House and Senate enter into

There is a [recent proposal](#) in the US House Subcommittee on Commerce, Justice, Science, and related agencies (CJS) to reinstate the "China Initiative."

The "China Initiative" was launched under the Trump Administration on November 1, 2018. It led to the racial profiling and unjust prosecution of U.S.-based Chinese American and immigrant scholars, scientists and researchers. It upended the careers and lives of many, as well as

reports such as this [Proceedings of National Academy of Science](#) report showing that it created a chilling effect on Asian Americans deterring many from engaging in ordinary activities, like traveling or corresponding with loved ones, for fear of being wrongfully targeted.

The "China Initiative" officially ended under the Biden Administration on February 23, 2022.

On March 23, 2023, *Science* described how [The National Institutes of Health](#) (NIH) conducted its own "China initiative" that has upended hundreds of lives and destroyed scores of academic careers.

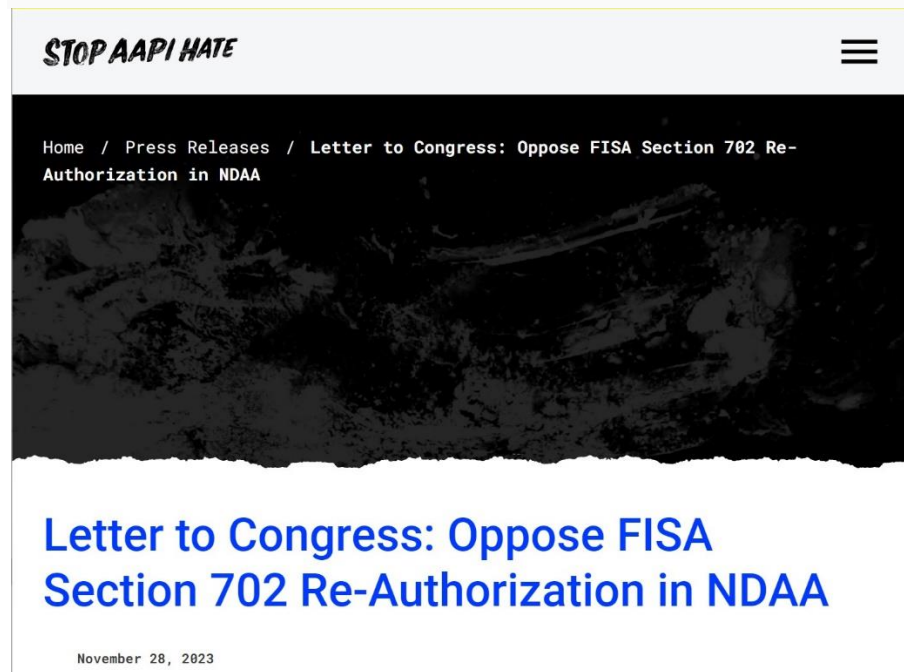
Plainly put, it is unacceptable for Congress to bring it back.

A coalition letter has been prepared to urge Congress to oppose bringing the "China Initiative" back from the dead. Like-minded organizations are urged to sign on by December 7, 2023. APA Justice is a co-signer of the coalition letter.

For more information and support, contact **Gisela Perez Kusakawa** at [gpkusakawa@asforum.org](mailto:gpkusakawa@asforum.org), **Joanna Derman** at [jderman@advancingjustice-aaajc.org](mailto:jderman@advancingjustice-aaajc.org), or **Kenny Nguyen** at [knguyen@stopaapihate.org](mailto:knguyen@stopaapihate.org).

Read the open letter to Congress: <https://bit.ly/3uCGBgx>. Read about the "China Initiative:" <https://bit.ly/2ZC12up>

## 2. No More Section 702 Warrantless Surveillance



On November 28, 2023, a national coalition of 92 civil rights and racial justice organizations sent a letter to all 535 members of Congress, opposing reauthorizing of FISA Section 702 in the National Defense Authorization Act (NDAA) of 2024. APA Justice is a co-signer of the letter.

"Reporting indicates certain Congressional leaders are pushing not only to briefly extend this spying power to provide more time for Congress to debate how it should be reformed, but are further considering reauthorizing legislation, likely for a longer period, from the House Permanent Select Committee on Intelligence (HPSCI). Not only was this legislation not included in either NDAA passed by the House or Senate, it has yet to even be introduced or its legislative text published," the letter said.

In addition,

- Public outlines of the HPSCI legislation reveal that it would serve to expand surveillance of people in the United States in several alarming ways, from targeting immigrants to reviving provisions of the PATRIOT Act that expired years ago.
- It would fail to address alarming threats to civil rights, like the government's purchase of massive amounts of data about American communities without court orders, while depriving members of Congress the opportunity to meaningfully address these threats.
- The HPSCI bill would reauthorize Section 702 without in any way addressing the vast majority of the government's abuses of the authority — abuses that are actively undermining civil rights.

In conclusion, Section 702 must not be reauthorized without a meaningful opportunity for members of Congress to reform the authority and other related warrantless surveillance practices. Including in must-pass legislation any extension would sell out the communities that have been most often wrongfully targeted by these agencies and warrantless spying powers generally. Adding legislation to reauthorize Section 702 during conference that has not been debated by either House or Senate Judiciary Committee or either chamber would amount to a profound procedural and substantive failure.

Stop AAPI Hate urges like-minded organizations and individuals to amplify the coalition letter by making use of a [Social Media Toolkit](#) with sample language and graphics.

For more information, contact **Andy Wong** at [andywong@caasf.org](mailto:andywong@caasf.org).

Read the coalition letter: <https://bit.ly/410Sf0Y>. Read the *WIRED* report on this topic: <https://bit.ly/3uBqJLj>. Concerned individuals may also send their opposition of warrantless surveillance to their Congressional members here: <https://bit.ly/3EFkg3R>.

## Call for a White House Statement of Apology on the Chinese Exclusion Act



**UNITED CHINESE AMERICANS**

美 國 華 人 聯 合 會

Organizations/Individuals Sign-up Form for Supporting the  
Open Letter

**An Open Letter Calling for White House to Issue a Statement of Apology on the  
Occasion of 80th Anniversary of the Repeal of the Chinese Exclusion Act**

Dear President Biden,

On December 17, 2023, it will be the 80th anniversary of the repeal of the Chinese Exclusion Act. This date holds great significance for the Chinese and Asian Pacific American communities across the country, as it marks the end of a dark era of discrimination and injustice.

For more than two generations, the Chinese Exclusion Act tore apart families, denied the Chinese their citizenship and thus their voting rights, and subjected them to discrimination, hate, riots, and even murder. The Chinese community in America, as a result, suffered greatly, and the scars of this legislation continue to be felt to this day.

In 2022, on the occasion of the 80th anniversary of the signing of Executive Order 9066 by President **Franklin D. Roosevelt**, the White House issued a well-received presidential proclamation apologizing for the harm caused to Japanese Americans. This gesture of remorse came 34 years after the US Congress passed a law in 1988 to apologize and provide reparations to the Japanese American community.

United Chinese Americans (UCA) has organized an open letter to President Joe Biden, calling for the White House to issue a statement of apology on the occasion of the 80th anniversary of the repeal of the Chinese Exclusion Act. Like-minded individuals and organizations are urged to sign on to the letter. APA Justice co-signed the letter.

Read and sign on to the UCA letter: <https://bit.ly/3T5jxRG>

## **NYT: Can U.S.-China Student Exchanges Survive Geopolitics?**



At a college fair in Beijing organized by the American Embassy. Giles Soden for The New York Times

Foreign and Chinese students in between classes at Peking University, in 2007. Asafie Bishig for The New York Times

According to the *New York Times* on November 28, 2023, at a college fair organized by the United States Embassy, the students and their parents hovered over rows of booths advertising American universities. As a mascot of a bald eagle worked the crowd, they posed eagerly for photos.

But beneath the festive atmosphere thrummed a note of anxiety. Did America still want Chinese students? And were Chinese students sure they wanted to go to America?

Students have been traveling between China and the United States for generations, propelled by ambition, curiosity and a belief that their time abroad could help them better their and their countries' futures. The first Chinese student to graduate from an American university, **Yung Wing**, arrived at Yale in 1850 and later helped send 120 more students to America.

For the last three years, the number of Chinese students in the United States has fallen. The number of American students in China, meanwhile, plummeted during the pandemic to a mere 350 as of this year compared to more than 11,000 in 2019.

Both Beijing and Washington have acknowledged the importance of restoring exchanges. During his trip to San Francisco this month, China's leader, **Xi Jinping**, declared that China was "ready to invite" 50,000 Americans to study in China over the next five years. The American ambassador to China, **Nicholas Burns**, has insisted that the United States welcomes Chinese students.

But the official rhetoric belies obstacles that both governments have continued to erect, driven by the same nationalism and concerns about national security that have derailed other parts of the relationship. Chinese propaganda regularly depicts the United States as dangerously crime-ridden, and many Chinese are also worried by increased reports of visa denials or border interrogations in the U.S. upon arrival.

For Americans, the appeal of visiting China has dimmed under Mr. Xi, an authoritarian leader who has stoked anti-foreign sentiment. The U.S. government has also prohibited some American students from studying there, and some language-learning programs that it funds have moved from mainland China to Taiwan. Scholarly collaborations at all levels have been eroded by the geopolitical tensions.

Chinese university students are still a robust presence in the United States, with nearly 290,000 in the 2022-23 school year. But many Chinese are concerned about programs like the Justice

Department's now-scraped China Initiative, which critics said discriminated against scientists of Chinese descent.

Other students have had visas revoked or denied under a Trump-era order known as [Proclamation 10043](#), upheld by the Biden administration, that bans students from certain Chinese universities from graduate study in the United States. Washington says those universities — the list is not public — have ties to China's military.

By making Chinese students feel unwelcome, the United States is hurting one of its historic strengths.

The flow of Americans to China has always been much smaller. But Washington recognized the importance of increasing it. In 2010, President **Barack Obama** launched an initiative to send 100,000 American students to China over five years, who the State Department said would be "the next generation of American experts on China."

The Biden administration has also not reinstated the Fulbright program in China, which President **Donald J. Trump** suspended.

Read the *New York Times* report: <https://nyti.ms/47VIAvQ>

## News and Activities for the Communities

### 1. APA Justice Community Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26 9pm Rep. Gene	27 12pm VAAAPIC S	28	29	30	Dec 1 7pm A Virtual F	2
3 9pm Rep. Gene	4 1:45pm APA Jus	5 7:30pm The Rol	6 2:30pm 1882 Fc	7	8	9
10 9pm Rep. Gene	11 2pm Communit	12	13	14	15	16
17 9pm Rep. Gene	18	19	20	21	22	23
24 9pm Rep. Gene	25	26	27	28	29	30
31 9pm Rep. Gene	Jan 1	2	3	4	5	6

**Saturday, December 2**  
7:00pm A Virtual Fireside Chat

**Sunday, December 3**  
9:00pm Rep. Gene Wu's Weekly Town Hall meeting

**Monday, December 4**  
1:45pm APA Justice December 2023 Monthly Meeting

**Tuesday, December 5**  
7:30pm The Role of Chinese Students in America: A Conversation

**Wednesday, December 6**  
2:30pm 1882 Foundation Lecture and Reception - We Are Americans

**Sunday, December 10**  
9:00pm Rep. Gene Wu's Weekly Town Hall meeting

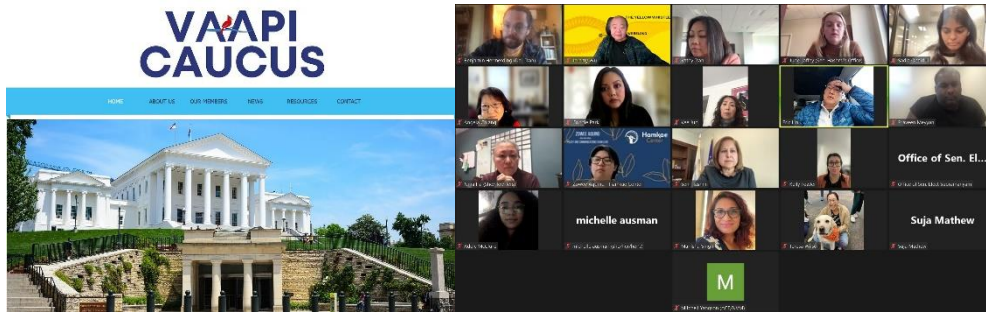
**Tuesday, December 12**  
2:00pm Community Briefing on Section 702

#### Upcoming Events:

- 2023/12/02 A Virtual Fireside Chat
- 2023/12/03 Rep. **Gene Wu's** Weekly town hall meeting
- 2023/12/04 APA Justice December 2023 monthly meeting
- 2023/12/05 The Role of Chinese Students in America
- 2023/12/06 1882 Foundation Lecture and Reception: We are Americans
- 2023/12/10 Rep. **Gene Wu's** Weekly town hall meeting
- 2023/12/12 Community Briefing on Section 702

Visit <https://bit.ly/45KGyga> for event details.

## 2. A Growing Virginia Asian American Pacific Islander Caucus



On November 28, 2023, the Virginia Asian American Pacific Islander Caucus (VA-API Caucus) hosted a stakeholder listening session ahead of the 60-day Virginia state legislative session starting on January 10, 2024. State Delegate **Kathy Tran** serves as the Chair of VA-API Caucus. State Senator **Ghazala Hashmi** is Vice Chair. The 2024 VA-API Caucus has 8 members - 3 state senators and 5 state delegates.

## 3. UCA Virtual Fireside Chat - Journey to Public Service

**JOURNEY TO PUBLIC SERVICE**  
*Virtual Fireside Chat with Representatives  
Ya Liu, Lily Qi and Chao Wu*  
三位华一代州议员的从政道路

**Ya Liu**  
Member of the  
North Carolina  
House of  
Representatives  
刘广亚  
北卡罗莱纳州众议员

**Lily Qi**  
Member of the  
Maryland House  
of Delegates  
齐丽丽  
马里兰州众议员

**Chao Wu**  
Member of the  
Maryland House  
of Delegates  
伍超  
马里兰州众议员

**Haipai Shue**  
Moderator  
President of United  
Chinese Americans (UCA)  
薛海培  
主持人  
美国华人协会会长

**SATURDAY, 12/2/23  
7:00 PM EST**

**REGISTER**

**UCA**  
UNITED CHINESE AMERICANS



**WHAT:** Webinar on "A Virtual Fireside Chat with Representatives Ya Liu, Lily Qi and Chao Wu"

**WHEN:** Saturday, December 2, 2023, 7:00 pm ET/04:00 pm PT

**DESCRIPTION:** <https://bit.ly/3sPpEPD>

**HOST:** United Chinese Americans (UCA)

**MODERATOR:** Haipei Shue, President of UCA

**SPEAKERS:**

- **Ya Liu**, Member, North Carolina House of Representatives
- **Lily Qi**, Member, Maryland House of Delegates
- **Chao Wu**, Member, Maryland House of Delegates

**REGISTRATION:** <https://bit.ly/3N5JY5W>

#### 4. The Serica Initiative Continues; The China Project Ends



On November 7, 2023, The China Project (formerly SupChina) announced its shutdown due to many accusations in both the U.S. and China of working for nefarious purposes for the government of the other. Launched in 2016 with the aim of informing the world about China with a breadth and depth that general interest news organizations cannot devote to one country. It has incurred enormous legal costs and made it increasingly difficult to attract investors, advertisers, and sponsors.

On November 29, 2023, [The Serica Initiative](#), The China Project's New York-based sister nonprofit organization, announced that it will carry forward the mission to both advocating for greater Asian American inclusion and advancing positive social impact in U.S.-China relations.

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