

2024/09/09 APA Justice Monthly Meeting

APA Justice Meeting – Monday, 2024/09/09
1:55 pm Eastern Time / 10:55 am Pacific Time

1. CAPAC Updates

Speaker: Nisha Ramachandran, Executive Director, Congressional Asian Pacific American Caucus (CAPAC), nisha.ramachandran@mail.house.gov

Nisha reported that CAPAC is preparing for the upcoming "China Week," during which they expect heightened anti-China rhetoric from the House, particularly due to current US-China tensions. While CAPAC is not taking positions on certain bills outside their scope, they are updating messaging guidance for Democratic House members on how to criticize the Chinese government without harming Asian and Chinese American communities. This guidance will be shared with all House members.

Two bills of concern are HR 1398, which seeks to reinstate the China Initiative, and the farmland ownership bill, HR 9465. CAPAC, alongside a coalition of advocacy organizations like Advancing Justice | AAJC, opposes both bills. CAPAC plans to issue vote recommendations to the entire Democratic caucus, urging a "no" vote, and is actively engaging Democratic leaders to address these concerns.

The China Initiative bill is expected to be voted on soon, possibly by Wednesday. The farmland ownership bill raises concerns due to its broad definitions of "foreign persons," which include visa holders and possibly even green card holders, leading CAPAC to oppose it. CAPAC is working closely with the House Financial Services Committee and other groups to fight these bills on multiple fronts.

2. Anti-Profiling, Civil Rights & National Security Program - Asian Americans Advancing Justice | AAJC

Speaker: Joanna YangQing Derman, Director, Anti-Profiling, Civil Rights & National Security Program, Advancing Justice | AAJC

Joanna reported that the House Republicans are preparing for a busy agenda at the start of what they have controversially termed "China Week." Advancing Justice | AAJC has sent a letter to House leadership expressing strong objections to the use of this term, citing concerns

that it could foster belligerent rhetoric, potentially endangering the Asian Pacific American community.

During "China Week," the House is expected to vote on a number of US-China-related pieces of legislation. Two bills, in particular, have raised significant concerns, prompting opposition from AAJC and a coalition of advocacy and civil rights groups.

The first is HR 9456, which addresses U.S. agricultural land transactions. While AAJC supports the principle of including the Secretary of Agriculture on the Committee on Foreign Investment in the United States (CFIUS), there are concerns about how this bill defines "foreign persons".

The second bill, HR 1398, essentially seeks to reestablish the defunct "China Initiative" under a different name. Over 70 organizations have signed a letter urging Congress to reject this initiative, with additional signatures being collected.

A panel is also being organized in collaboration with CAPAC for Congressional staffers, featuring impacted scholars including Professors Gang Chen, Anming Hu, and Franklin Tao.

3. Update from Asian American Scholar Forum

Speaker: Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum (AASF), gpkusakawa@aasforum.org

Gisela reported that on the National Institutes of Health's (NIH) recent statement in support of Asian American scholars, as well as the decision matrix and accompanying memorandum on the agency's policies and procedures for risk assessment and mitigation regarding foreign interference in NIH-funded research.

AASF does not agree with the full content of the NIH package, but notes that transparency and openness is very important. Having the policies written and making them publicly available is an important first step.

AASF hosted a roundtable earlier this year with NIH leadership to address issues affecting Asian American researchers. AASF emphasized the need for clarity in guiding scholars through the complex research environment.

AASF is also hosting a public forum with NIH on September 19, 2024, where NIH Director Dr. Monica Bertagnoli and Deputy Director Dr. Lawrence Tabak will discuss recent updates and take questions.

AASF is actively working to ensure Asian American scholars have a voice in policy discussions and appreciates CAPAC's support in this effort. In addition, AASF continues to advocate for the reinstatement of Dr. Franklin Tao at the University of Kansas, focusing on local efforts to support the broader Asian American community.

AASF is partnering with organizations like Stop AAPI Hate to organize a congressional briefing and press conference during the "China Week," featuring scholars like Professors Gang Chen,

Anming Hu, and Franklin Tao. The event aims to address issues impacting Asian American scholars and encourages local academics to participate.

4. Update from APIAVote

Speaker: Christine Chen, Co-Founder and Executive Director of Asian Pacific Islander American (APIA) Vote

APIAVote is the nation's leading national, nonpartisan organization to engage, educate, and empower Asian Americans and Pacific Islanders (AAPIs) to strengthen their voices and create impact. Since 2007, APIAVote's mission is to work with local and state community based organizations (CBOs) to mobilize AAPI communities in electoral and civic engagement.

Christine discussed efforts to increase voter participation among Asian Americans, Native Hawaiians, and Pacific Islanders. Only half of our family and friends, who are qualified and ready, register and turn out to vote.

She highlighted a significant increase of 10 points in voter turnout in 2020 but noted that participation still lags other groups. Voter registration has grown, though recent data showed a 2% drop in registration for 38 states compared to four years ago.

To address this, APIAVote is encouraging more events around National Voter Registration Day (September 17). Chen emphasized the importance of early and mail-in voting, which is the preferred method for 73% of the community.

APIAVote is investing in outreach efforts and working with local partners, including sending out 4 million pieces of translated mail, phone banking, digital ads, and door-to-door canvassing in battleground states.

Chen also mentioned the need for volunteers to support phone banking and their election protection hotline. She stressed the importance of reaching out to new and first-time voters, especially in battleground states, and ensuring they are informed about their ballots.

We could, either individually or as an organization, volunteer to staff phone bank. APIAVote will be phone banking every day for the entire month of October. It would be ideal to get 30 to 50 phone bankers at a time. Organizations may make it a group activity, coordinate with APIAVote to come to the DC office for 3-4 hours on selected days. APIAVote also needs volunteers who have language skills in 9 different languages.

If you are located in specific states, APIAVote will introduce you to local partners.

We are only 60 days away from Election Day. The Democratic and Republican parties were still not doing enough to reach out to our communities earlier this year. About 25% of Asian American voters in Georgia and Nevada are first time voters.

Christine emphasized the importance of voter turnout to demonstrate the political power of the Asian American and Pacific Islander community and influence legislation.

5. Update from the Asian American Legal Defense and Education Fund (AALDEF)

Speakers: Jane Shim, Director, Stop Asian Hate Project, Asian American Legal Defense and Education Fund (AALDEF)

- 2024/08/07 AALDEF: [The Red-Baiting of Dr. Chen and the Dangerous Target It Puts on All Asian Americans](#)
- 2023/05/22 Florida SB 264 Lawsuit: [SHEN v. SIMPSON \(4:23-cv-00208\)](#)

The Asian American Legal Defense and Education Fund (AALDEF) is a national organization founded in 1974 to protect and promote the civil rights of Asian Americans. It is a key member of the legal team that filed suit against Florida's alien land bill known as SB 264 in 2023. More recently, it filed an amicus brief with 11 Asian Pacific American organizations in support of Dr. Yanping Chen's privacy rights lawsuit.

Jane reported on the Chen v. FBI case, where an educator, Dr. Chen, is suing the government for leaking her personal information to a Fox News reporter. The FBI had previously investigated Dr. Chen, but no charges were filed. Despite this, Fox News ran stories implying she was spying for China, leaking personal family information in the process. Dr. Chen's lawsuit focuses on privacy violations.

The court has subpoenaed the reporter to reveal the former Fox News reporter's source. The former reporter has invoked First Amendment press freedoms and refused. The case is now on appeal in the D.C. Circuit, with amicus briefs from both sides, including one from Senator Ted Cruz.

The brief filed by Dr. Chen's supporters highlights the harm caused by irresponsible media reporting, especially in cases of government surveillance and discrimination against Asian Americans. While freedom of the press is crucial, they argue Dr. Chen's civil and privacy rights should take precedence in this case.

The next step is for the appeals court to schedule oral arguments, with a decision to follow later.

6. A Program for Progressive China Policy

Speakers:

- Tori Bateman, Director of Advocacy, Quincy Institute
- Sandy Shan, Director, Justice Is Global

Sandy led off the discussion of a brief titled "[A Program for Progressive China Policy](#)," as the House starts the "China Week." She emphasized the urgent need for a positive policy agenda to replace the current confrontational and hawkish approach toward China, which has fueled animosity between the two nations and escalated xenophobic attacks against Asian and Asian American communities in the U.S.

Authored by Jake Warner, Quincy Institute's Acting Director of East Asia, and co-produced by Justice Is Global and the Institute for Policy Studies, the brief is the result of five years of discussions across the progressive community. It draws on the expertise of policy specialists and grassroots organizers from sectors such as climate, labor, peace, and Asian Pacific American organizations.

The brief addresses a significant gap in current U.S. policy, which has been dominated by fearmongering nationalists, militarists, and authoritarians. It presents a comprehensive framework for addressing the real challenges posed by China's rise, particularly for progressives who are conflicted about U.S.-China relations.

While the brief acknowledges valid concerns about the People's Republic of China—including its association with long-term economic struggles faced by American workers and human rights violations under its authoritarian regime—it argues that a confrontational, exclusionary approach would only empower nationalistic and illiberal forces in both countries. Such an approach would also undermine progressive goals like shared prosperity and ecological sustainability.

The brief examines key facets of the U.S.-China relationship, including jobs, the economy, trade, technology, industry, policy, human rights, and democracy. It outlines areas of alignment and disagreement among progressives and proposes widely supported reforms.

Ultimately, the brief advocates for a high-road approach to U.S.-China relations—one that reduces geopolitical tensions, uplifts workers globally, promotes ecological sustainability, and avoids escalating into a new arms race.

Tori introduced Quincy Institute as a transpartisan foreign policy think tank. While in the current context of progressive efforts, Quincy Institute engages with people across the political spectrum on issues related to anti-war and restrained foreign policy.

Quincy Institute's focus on U.S.-China relations has intensified in recent years due to concerns over the unbalanced, confrontational approach being adopted by Congress. It fears this approach could lead to military or economic conflict in the future.

Quincy Institute has been presenting this progressive policy framework on Capitol Hill, hoping it will guide legislators through complex votes on suspension bills and those related to China Week. Many of these bills, though addressing real issues, often target China or adversarial nations without solving the underlying problems, further exacerbating geopolitical tensions.

Quincy Institute has received positive feedback from many offices, especially regarding how hawkish rhetoric around U.S.-China relations is being used for political gain. This posturing can be harmful to the U.S.-China relationship, the Asian American community, and broader global cooperation. It is crucial that we push for a healthy relationship between the two nations, which is essential not only for the U.S. and China but also for the rest of the world.

This framework is particularly relevant for China Week, where we see bills focused on excluding China from markets, research, and education. Unfortunately, there is little focus on promoting coexistence between the U.S. and China—key to a constructive future. Where are the bills advocating for educational exchanges or climate cooperation? These are critical areas that Congress should be addressing, but instead, the current rhetoric is stoking tensions.

This hostile environment also undermines the ability to work on pressing global threats like climate change and pandemics. By framing everything as a U.S.-China competition, we are limiting progressive policy solutions across the board. Many of the bills, even if they tackle real problems, weaken their impact by focusing solely on China's involvement. They fail to address the broader issues at hand, leaving U.S. companies free to continue problematic practices.

Quincy Institute hopes this framework can be a useful tool for organizations that care about fostering a healthy U.S.-China relationship. Tori requests feedback or ideas as Quincy Institute plans to revise and re-release the framework. It welcomes opportunities to support Hill visits or events—whether it is having Jake Warner join as a speaker or helping to provide progressive framing for these discussions.

7. Q&A and Discussions

8. Next Meeting

Next monthly meeting will be held on Monday, October 7, 2024, starting 1:55 pm ET/10:55 am PT