

Turbulent Times for Chinese Americans

Setting the Context

2023 Committee of 100 Annual Conference
San Jose, California

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Founder, APA Justice; Member, Committee of 100

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05/05/2023

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1

Good morning!


My name is Jeremy Wu. I am a member of C100 and founder of the APA Justice task force.

May is Asian American, Native Hawaiian, and Pacific Islander Heritage Month. From our culture to our contributions to the American society, there is a lot to celebrate.

However, Chinese Americans are also in turbulent times. My task this morning is to give you some context to lead into the conference.

This Is Not New - Turbulent Times Never Ended

Chinese Exclusion Act




Nicknames
Enacted by
Effective

Chinese Exclusion Act of 1882
the 47th United States Congress
May 6, 1882


House Passes Resolution of Regret for Chinese Exclusion Act

06/19/2012




Rep. Jerry Chu discusses the passage of his legislation at a press conference in Washington, D.C. (Photo by Larry Shrago)

05/05/2023




Internment of 120,000 Japanese Americans during WWII



THE GREAT APOLOGY



FACEism: President Ronald Reagan's apology for the US internment of Japanese Americans during World War II - ABC7 Los Angeles

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The Red Scare: How Joseph McCarthy's Anti-Communist Hysteria Left a Mark on the U.S.

Qian Xuesen

Qian and his family joined the President Cleveland before his departure from Los Angeles, 1955

[More details](#)

First of all, let us be clear.

This is not new. Turbulent times never ended since the arrival of the first Chinese Americans in the U.S.

The Chinese Exclusion Act became law of the land on May 6, 1882. Discrimination was legal. It took more than 130 years for Congress to regret this set of laws. C100, and in particular member Michael Lin, played a significant role in this congressional regret.

During World War II, 120,000 persons of Japanese descent were interned under Presidential Executive Order 9066 in 1942. It took more than two generations for President Reagan to offer The Great Apology in 1988.

After World War II, Senator Joseph McCarthy created the "Red Scare." One of the victims of the anti-communist hysteria was Qian Xuesen, a co-founder of the Jet Propulsion Lab. Qian and his family were forced to return to China in 1955. He later became the "Father of Chinese Rocketry."

McCarthyism is now a dictionary term for the discriminatory practices of that period.

Murder of Vincent Chin 陈果仁

In 1982, the horrific baseball bat beating death of Vincent Chin on the eve of his bachelor party, and the miscarriage of justice that allowed his two white killers to be freed without spending a night in jail, ignited the modern Asian American civil rights movement and built a multiracial, multicultural coalition united for equal justice and human dignity which stands as a landmark of American history.

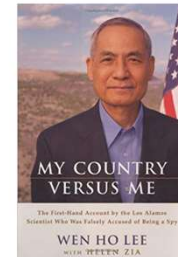


In 2022, 40 years later, the lessons of building solidarity and unity to obtain justice for Vincent Chin brings people together to counter division and hate, and inspire older and younger generations to link arms to work for positive change.

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Dr. Wen Ho Lee 李文和



Judge James Parker



Revisiting Judge Parker's Apology to Dr. Wen Ho Lee

重温帕克法官对李文和博士的道歉

Jeremy Wu
Retired, Federal Government
March 12, 2018

Jeremy Wu
Retired, Federal Government
March 12, 2018

3

About 40 years ago when Japan was a rising economic power and before there were any anti-hate laws, Vincent Chin, a Chinese American, was mistaken to be Japanese and was beaten to death on the eve of his bachelor party. His two white killers never spend a night in jail. The injustice ignited the modern Asian American civil rights movement. Helen Zia, a former C100 member, and Frank Wu, a former C100 chair, have been integral parts of this movement that continues today.

At the turn of the century, judge James Parker made an extraordinary apology to Dr. Wen Ho Lee, a nuclear scientist at the Los Alamos National Laboratory, for the harsh treatment Dr. Lee received. Dr. Lee was falsely accused of being a spy for China.

C100 was fully engaged in Dr. Lee's case, from founders I.M. Pei and Henry Tang to members like Brian Sun, Alice Young, Helen Zia, and many more.

A reunion between Judge Parker and Dr. Lee was planned but delayed due to the pandemic. Unfortunately, Judge Parker passed away last year.

Start of Current Turbulent Times

2001/09/11



05/05/2023



Balbir Singh Sodhi
First murder victim after 9/11

RACIAL PROFILING AND ISLAMOPHOBIA

After 9/11, Muslims and people of Arab and South Asian descent became targets of government practices that result in racial profiling.

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Section 702 Amendment to
Foreign Intelligence Surveillance Act (FISA)
In **2008**

Used by the government to conduct
warrantless surveillance of international
communications, including those of
Americans.



4

From my perspective, our current turbulent times started with 9/11. The terrorist attack was a national tragedy.

Domestically, Balbir Singh Sodhi, a South Asian American in Arizona, was the first murder victim after 9/11. Muslims and people of Arab and South Asian descent were subject to racial profiling under government policies and practices.

Our government applied questionable practices soon after 9/11. In 2008, the Foreign Intelligence Surveillance Act or FISA was amended with Section 702. Loopholes in Section 702 allow the government to conduct warrantless surveillance of American citizens through intercepted emails and other international communications.

May 21, 2015



05/05/2023

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5

May 21, 2015, was a fateful day.

The Congressional Asian Pacific American Caucus or CAPAC held a press conference in Washington DC after the criminal prosecution of Sherry Chen was dropped. Sherry Chen was a hydrologist with the National Weather Service in Ohio. She was accused of spying for China.

22 Congressional members signed a joint letter requesting then-Attorney General Loretta Lynch for an independent investigation to review whether racial profiling was a factor in the Sherry Chen case and in the policy and practices of the Department of Justice.

Also in the picture were then freshman Congressman Ted Lieu and Congressman Mike Honda who represented the district including San Jose.

I was there on behalf of C100 with founder Henry Tang and former chair Clarence Kwan.

Little did we know at that time that Professor Xiaoxing Xi of Temple University was arrested by the FBI at gunpoint that same morning. He was also accused of spying for China.



Professor Xi's case was dropped on September 11, 2015. In two short years, four Chinese American scientists in academia, private industry, and the federal government, all born in China and naturalized U.S. citizens, were accused of passing secrets to China, only to have their cases all dismissed.

APA Justice was created in response to CAPAC Chair Judy Chu's call in the Fall of 2015. Steven Pei, Vincent Wang, and I are co-organizers of the voluntary task force. For a short time, it appeared promising that the Department of Justice would tighten the rules for espionage cases.

That would change under the Trump administration when it launched the “China Initiative” in November 2018. The initiative continued for more than three years until it was ended by the Biden administration in February 2022.

I believe a major turning point was the publication of two MIT Technology Review reports on the same day in December 2021.

The first report is summarized by this chart in the middle. The red bars show the increasing prosecutions of scientists and researchers, most of them were of Chinese origin. The second report shows the Department of Justice was deleting the dropped or dismissed

cases in its online “China Initiative” report. It was changing facts.

"China Initiative" Cases

Sorted by alphabetical order of last name; click on link to visit individual web page.

- Case #49 Simon Saw-Teong Ang (洪思忠)
- Case #58 Baimadajie Angwang (昂旺)
- Case #74 Gang Chen (陈刚)
- Case #20-02 Li Chen (under development)
- Case #52 Zhendong Cheng (成正东)
- Case #53 Lei Guan (关雷)
- Case #36 Anming Hu (胡安明)
- Case #XX Haizhou Hu (胡海周)
- Case #37 James Patrick Lewis (under development)
- Case #38 Xiao-Jiang Li (李靖江)
- Case #48 Charles Lieber
- Case #XX Shaorong Liu (刘绍荣)
- Case #54 Turab Lookman (特拉伯-鲁克曼)
- Case #34 Wanzhou Meng (孟晚舟)
- Case #XX Meyya Meyyappan (under development)
- Case #33 Shan Shi
- Case #43 Chen Song (宋琛)
- Case #45 Juan Tang (唐娟)
- Case #19 Franklin Tao (陶丰)
- Case #39 Qing Wang (王擎)
- Case #44 Xin Wang (王欣)
- Case #70 Mingqing Xiao (肖晴庆)
- Case #67 Lin Yang (under development)
- Case #30 Yanqing Ye (under development)
- Case #XX Xiaoming Zhang (under development)
- Case #46 Kaikai Zhao (赵凯凯)
- Case #31 Zaosong Zheng (郑壮松)
- Case #41 Song Guo Zheng (under development)
- Case #20-01 Yu Zhou (under development)

UNDER THE DOME

We are all Gang Chen

Why we pushed back when the US government accused our colleague of fraud.

By Yoel Fink and Yasheng Huang June 29, 2021

Trial reveals federal agents falsely accused a UT professor born in China of spying

Jamie Satterfield
Knoxville News Sentinel

Published 10:00 p.m. ET June 13, 2021

Fed. prosecutors dismiss criminal case involving former Cleveland Clinic doctor with ties to China

FBI charges into medical research provided to China dismissed

U.S. Drops Case Against Police Officer It Had Called an 'Insider Threat'

Baimadajie Angwang, a New York Police Department officer, had been accused of spying for China. Prosecutors said the charges were dismissed after new information had come to light.

Beyond "China Initiative"

Sorted by alphabetical order of last name; click on link to visit individual web page.

- Sirous Asgari
- Sherry Chen (陈露芬)
- Yanping Chen (陈燕平)
- Pearlie Epling-Burnette
- Xiang-Dong Fu (under development)
- Kun-Liang Guan (under development)
- Haifan Lin (林海帆)
- Wuyuan Lu (under development)
- Dongfang Shao (邵东方)
- Wei Su (苏伟)
- Weihong Tan (谭卫红)
- Chunzai Wang (王春在)
- Li Wang
- Xifeng Wu (吴息凤)
- Ning Xi (席宁)
- Xiaoxing Xi (郗小星)
- Yue Xiong (under development)
- Haoyang Yu (于浩洋)

05/05/2023

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7

APA Justice worked with MIT Technology Review, including information about individual cases under and beyond the "China Initiative."

These two lists of individual cases are posted at the APA Justice website and continue to grow.

For example, the case of New York Police Department Officer Angwang, a naturalized US citizen of Tibetan ethnicity, was dismissed in January. Officer Angwang came to the US when he was 17 and served as a US marine in Afghanistan. He was accused of spying for China under the "China Initiative."

None of these cases against scientists and researchers involved economic or national security. Most are persons of Chinese origin involving inaccurate filing of forms.

The notable case of MIT Professor Gang Chen started the "We are all Gang Chen" movement among academics and scientists. The trial of University of Tennessee Professor Anming Hu revealed federal agents used false evidence to accuse him of spying for China.

Prosecutions

"I am the luckiest among the unlucky."

MIT Professor Gang Chen

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United States v. Chen (1:21-cr-10018)
District Court, D. Massachusetts

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Last Updated: Jan 6, 2023, 5:40 p.m. EST
 Assigned To: Paul B. Saris
 Referred To: Donald L. Cabell
 Date Filed: Jan 19, 2021
 Date Terminated: Jan 20, 2022
 Date of Last Known Filing: April 26, 2022

DOCKET ENTRIES PARTIES AND ATTORNEYS

Search this docket Filed: MM/DD/YYYY to: MM/DD/YYYY

Document Number	Date Filed	Description
1	Jan 13, 2021	ELECTRONIC NOTICE of Case Assignment (Frm. Mary) (1:21-cv-01011-OLC) (Entered Main Document Case Assign)

05/05/2023

Investigations

INTELLIGENCE



The Chinese Threat is Real: FBI Says They Average a New Counterintelligence Case Every 12 Hours

Christopher Burgess / Feb 8, 2022

"Of the nearly **5,000** active FBI counterintelligence cases currently underway across the country, almost **half are related to China**."

Christopher Wray, FBI Director
July 7, 2020

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Surveillance

MENU **LAWFARE**

FISA REFORM

FISA Section 702 (2008-2023?)

By **Adam Klein** Tuesday, December 27, 2022, 8:30 AM

"Traditional" FISA, which requires lengthy applications to the secret FISA court, was used in fewer than **500** cases last year. Section 702, which doesn't require individual court orders, can cover orders of magnitude more targets: more than **230,000** in 2021.

Professor Gang Chen has described himself as the luckiest among the unlucky. MIT supported him.

Prosecutions also allow discovery of facts and evidence that help to defend those who are wrongly accused.

There are thousands who are subject to endless investigations by the FBI for which very little is known. For many years now, the FBI director has said that new counterintelligence cases related to China are growing on the average of one every 10 or 12 hours.

We know even less about those who are under secret surveillance. There were reportedly more than 230,000 targets under warrantless surveillance in 2021. The number was in the millions only a decade earlier.

Science

PALL OF SUSPICION
The National Institutes of Health's "China initiative" has upended hundreds of lives and destroyed scores of academic careers

23 MAR 2023 • BY JEFFREY MERVIS

Dr. Michael Lauer
head of NIH's extramural research

91% China
For 225 of the cases China was the country of concern.

85% male
199 of the targeted scientists are men.

81% Asian
182 of the targeted scientists self-reported as Asian.

156 removed
63% of 246 targeted scientists were taken off their NIH grants.

53 banned
21% of 246 targeted scientists were banned from applying for National Institutes of Health grants.

Science Editorial: "The institutions and the NIH need to resolve this. Given the information available in the public domain, the scientific community could easily conclude that this is a xenophobic program to harm Chinese scientists and cut off international scientific cooperation. The federal government needs to figure out a way to let the NIH and the institutions reassure the community that this is all worth it."

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The Washington Post

Asian American doctors and nurses are fighting racism and the coronavirus
Across the country, Asian Americans have reported a sharp increase in verbal abuse and physical attacks

By Tracy Jan
May 19, 2020 at 5:39 p.m. EDT

STOP AAPI HATE

ASIAN IS NOT A VIRUS, RACISM IS

Less than two months ago, Science Magazine published a shocking investigative report about the National Institutes of Health conducting its own mini "China Initiative."

Hundreds of lives were upended, and scores of academic careers were destroyed. An uncounted number of scientists were fired or suspended, some without due process. A Science Magazine editorial stated that "given the information available in the public domain, the scientific community could easily conclude that this NIH initiative is a xenophobic program to harm Chinese scientists and cut off internal scientific cooperation."

All this was happening when Asian American doctors and nurses were fighting both racism and the coronavirus.

Across the country, Asian Americans faced verbal abuse, physical attacks, and various incidents of hate.

Turbulent Times Again in the Name of Security

Legalizing Discrimination



05/05/2023

Return of McCarthyism

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Warrantless Surveillance

Angwang
昂旺

Section 702 is up for reauthorization; it expires on Dec. 31, 2023.

10

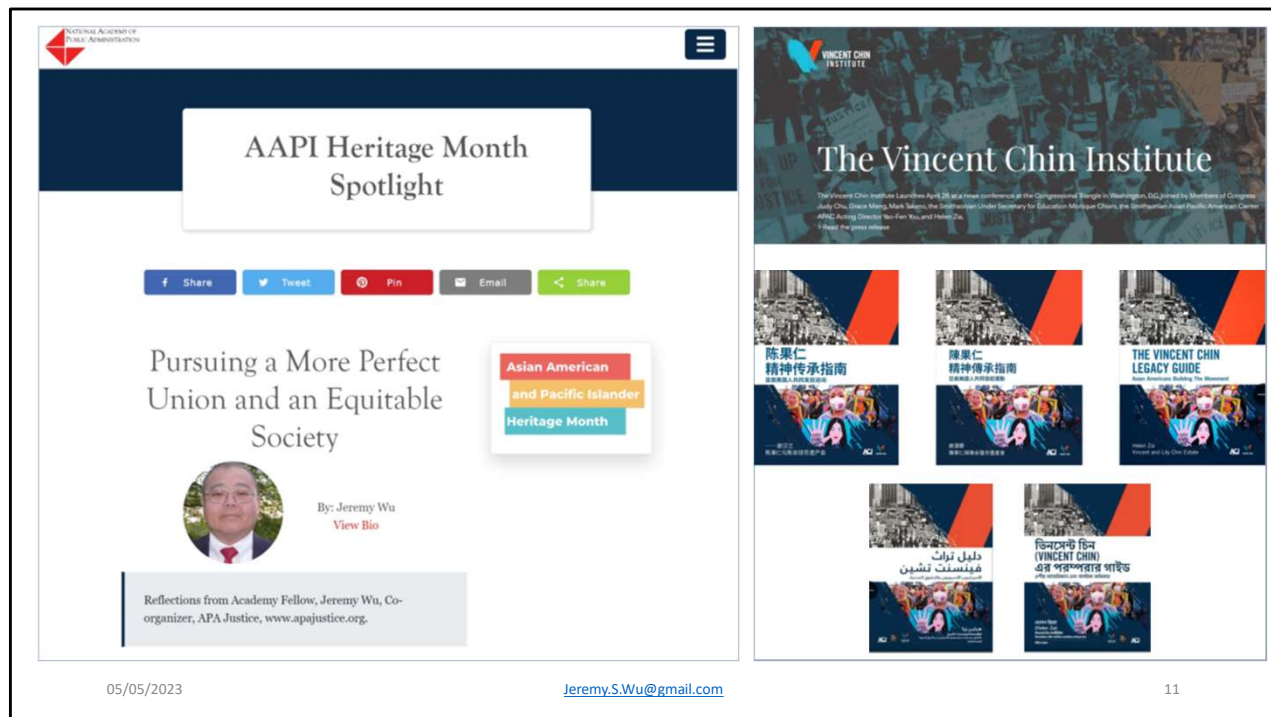
Today, discriminatory Alien Land Laws and similar bills such as Texas Senate Bill 147 are being revived at the state level. Congress is considering similar bills in the name of economic and national security.

More than a hundred years ago, discriminatory Alien Land Laws were enacted to target Japanese Americans and bar Asian immigrants from owning land. These state laws were deemed unconstitutional, and yet we see the revival of the same laws and rhetoric to legalize discrimination.

Today, we also see the return of McCarthyism. The targets include CAPAC Chair Judy Chu, Professor Gang Chen, and C100 members such as Dominic Ng and Walter Wang.

On this slippery slope, no one in the Asian American and immigrant communities will be safe and spared from anti-Asian hate and discrimination.

Today, we also see individuals like Professor Xi and NYPD Officer Angwang fell victim to warrantless surveillance. Section 702 is up for reauthorization this year. It will be another battleground for our civil rights and civil liberties.



My remarks today are spotlighted by the National Academy of Public Administration to start the AANHPI Heritage Month.

The vicious cycle of recurring inequity must stop with our government taking the lead to give due attention and protection to the Asian American and immigrant communities as we pursue a more perfect union and an equitable society.

On April 26, the Vincent Chin Institute was launched. The second edition of the Vincent Chin Legacy Guide was also released. It is available in Arabic, Bengali, Simplified Chinese, Traditional Chinese, and English. It will be available in Korean, Spanish, and Vietnamese. The Legacy Guide provides further education about the history of anti-Asian discrimination and racism in the United States and a set of recommendations based on lessons learned from the past four decades.



Thank you, Agnes, Oscar, Li-En, and the Yellow Whistle Team!

05/05/2023

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12

As I end my remarks this morning, I would like to thank C100 founder Oscar Tang and his wife Agnes, as well as Li-En Chong and the entire Yellow Whistle Team of which I am a proud member.

For the past two years, you have been the inspiration of many by distributing half a million yellow whistles across the country with the powerful message of “We Belong.”

We do what we do for this little boy who stands up and blows the whistle, and all the boys and girls of our future generations.

Thank you and have a great conference.