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### Happy Memorial Day!



"All who shall hereafter live in freedom will be here reminded that to these men and their comrades we owe a debt to be paid with grateful remembrance of their sacrifice and with the high resolve that the cause for which they died shall live eternally."

Dwight D. Eisenhower  
[Luxembourg American Cemetery](#)

## 2022/06/06 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held on Monday, June 6, 2022. Confirmed speakers are:

- [Tobin Smith](#), Vice President for Science Policy & Global Affairs, Association of American Universities
- [Patrick Linehan](#) and [Michelle Nasser](#), Defense Attorneys for Southern Illinois University Professor Mingqing Xiao
- [Hanming Fang](#), Joseph M. Cohen Term Professor of Economics, University of Pennsylvania
- [Nisha Ramachandran](#), Executive Director, Congressional Asian Pacific American Caucus
- [Gisela Kusakawa](#), Assistant Director, Anti-Racial Profiling Project, Advancing Justice | AAJC

The virtual monthly meeting is by invitation only. If you wish to join, either on time or for future meetings, please contact one of the co-organizers of APA Justice - Steven Pei, Vincent Wang, and Jeremy Wu - or send a message to <https://bit.ly/3kxkqxP>. Read past monthly meeting summaries here: <https://bit.ly/3kxkqxP>

## Rep. Ted Lieu Requests Update on Overdue ODNI Report Regarding Protection of Chinese Americans' Civil Liberties

REP LIEU REQUESTS UPDATE ON  
OVERDUE ODNI REPORT REGARDING  
PROTECTION OF CHINESE  
AMERICANS' CIVIL LIBERTIES



On May 26, 2022, Congressman Ted W. Lieu (D-CA) led a letter with Representatives Ed Case (D-HI), Judy Chu (D-CA), and Adam Schiff (D-CA) urging the Director of National Intelligence Avril Haines to provide an update on an overdue report due to the congressional intelligence committees regarding the privacy, civil liberties, and civil rights of Americans of Chinese descent. The Office of the Director of National Intelligence (ODNI) has yet to comply with a legal provision requiring the review of how intelligence operations targeting the People's Republic of China affect the rights of Americans of Chinese descent, along with recommendations to ensure their rights are protected.

The ODNI report is overdue by two years.

Read the letter: <https://bit.ly/3x1L1wt>. Read the press release: <https://bit.ly/3wRMNii>

## The Future and The Past of U.S.-China Scientific Research Collaboration



**National Committee on US-China Relations (NCUSCR).** On June 2, 2022, NCUSCR will host a webinar on The Future of U.S.-China Scientific Research Collaboration. In February 2022, the China Initiative, a program launched by the Trump administration's U.S. Department of Justice (DOJ) in 2018, formally ended. The initiative was an effort to prosecute economic espionage and trade secret theft by the Chinese government. As the first country-specific initiative in DOJ history, it was criticized for targeting academics and researchers of Chinese descent and for failing to meet its goals. Despite the official termination of the program, the impact is still palpable, especially among Asian immigrant and Asian American academic communities. Featured speakers for the webinar are:

- **Yangyang Cheng**, Research Scholar in Law and Fellow at Yale Law School's Paul Tsai China Center
- **Steven Chu**, William R. Kenan, Jr., Professor of Physics and Professor of Molecular & Cellular Physiology, Stanford University Medical School; former U.S. Secretary of Energy
- **Eileen Guo**, Senior Reporter for Features and Investigations, MIT Technology Review
- **Margaret K. Lewis**, professor of law at Seton Hall University, will serve as moderator

Register for the event here: <https://bit.ly/3wSrTPU>

**SupChina.** On May 12, 2022, *SupChina* hosted a Sinica Podcast with **Deborah Seligsohn**, who served as science counselor at the U.S. Embassy in Beijing from 2003 to 2007 and is now a Professor in the Political Science Department at Villanova University. Titled "The Sad State of U.S.-China Scientific Collaboration," the podcast covered the rise and fall of scientific collaboration between the United States and China, starting with the normalization of relationships under the Carter Administration.

According to Professor Seligsohn, both the U.S. and China saw science and technology as a key to development. **Richard Atkinson**, then Director of the National Science Foundation, went to China and proposed a student exchange program, which was strongly endorsed by **Deng Xiaoping**. Collaboration was immediately a huge area of interest. "The NIH and CDC people were immediately excited about things that could be done with Chinese collaborators," she said. Through most of the 1980s, Chinese students mostly came to the U.S. to study and returned to China. Two milestone events changed this pattern.

- Tiananmen led to the U.S. allowing all Chinese who were in the U.S. at the time to stay beyond their visas and creating a completely different dynamic moving forward. An enormous cohort of students settled in the U.S. and got jobs at American universities and created the pathway for their younger peers to come. This leads directly to ideas like the Thousand Talents program and other recruitment tools in China because China was not getting back the students that they wanted.
- The Cox Report shifted focus from commercial disputes to government to government science relations and concerns about the Department of Energy labs as well as NASA.

The U.S. started with a teacher-student model where the we [the United States] were the teachers and the Chinese were the students. Instead of realizing the student has now grown up and can actually teach the teacher something, the fundamental current mindset is it [the rise of China] must be because they stole it, especially when it's applied to academic science, which is not about intellectual property anyway. Professor Seligsohn also discussed the current idea that any aspect of China is apparently due to its autocracy and any aspect of the U.S. is due to its democracy.

"It's a tragedy and it's particularly a tragedy for the Chinese American scientists who are caught in the middle of this thing. Certainly for the ones who are investigated or convicted, their lives are really upended, but I think most scientists of Chinese origin are really very nervous at this point with what the U.S. is going to do and as it became very clear in the Chen Gang case, which is the MIT professor. And this is true of all of them, but it was much more explicit in that case because MIT spoke up for him so eloquently. He's out there creating these relationships in significant part because MIT encouraged him to do so often because the U.S. Department of Energy and other institutions really encouraged MIT to do so. And then suddenly he's being investigated for these same cooperative relationships," Professor Seligsohn said.

Read the transcript or listen to the entire podcast here: <https://bit.ly/3aslMdJ>

**Harvard University.** On May 26, 2022, The Harvard Crimson published "Harvard and the Fight for Foreign Collaboration." According to the comprehensive report, debate over the regulation of foreign money in academia, once an afterthought, has become a microcosm of the U.S.'s attempts to remain the world's top innovator, exposing a tension between the government's

efforts to remain competitive and academia's goals to promote innovation and the free flow of ideas.

In the final two years of Donald Trump's administration, the federal government ramped up efforts to monitor how academia handles money it gets from abroad. The Department of Education launched high-profile investigations into 19 U.S. universities, including some of academia's biggest names: Harvard, Yale, Stanford, MIT. Just two weeks prior, Harvard's campus witnessed an even more jarring run-in with federal investigators: the arrest of **Charles M. Lieber**, then the chair of the school's Chemistry Department, who was hauled out of his office in handcuffs. Lieber, a renowned research chemist and nanoscientist, was charged with lying to government officials about funding he received from the Chinese government.

On Capitol Hill, lawmakers are currently debating new legislation seeking to tighten disclosure requirements for American institutions that receive foreign money. Differing bills were passed in both the House and Senate as part of President Joe Biden's effort to boost innovation and shore up America's competitiveness with China.

Higher education is pushing back.

In an interview from Washington, D.C., last week, Harvard President **Lawrence S. Bacow** said proposals that would lower foreign contribution reporting thresholds to \$0 and require many schools to create more sophisticated disclosure databases would create "enormous burdens" for administrators and faculty alike.

"The government doesn't need to know who's buying somebody else a cup of coffee," Bacow said.

**Terry W. Hartle**, the senior vice president of the American Council on Education, which has led the opposition to the proposal, said bills seeking to police foreign money flowing into universities would only hamper the government's regulatory efforts.

Read more: <https://bit.ly/3afBIQi>

## Are Students from China Welcome to the U.S. Again?

**Secretary of State Antony Blinken.** In a major speech given by Secretary State Blinken on May 26, 2022, he said, "[o]ne of the most powerful, even magical things about the United States is that we have long been a destination for talented, driven people from every part of the planet. That includes millions of students from China, who have enriched our communities and forged lifelong bonds with Americans. Last year, despite the pandemic, we issued more than 100,000 visas to Chinese students in just four months – our highest rate ever. We're thrilled that they've chosen to study in the United States – we're lucky to have them.

And we're lucky when the best global talent not only studies here but stays here – as more than 80 percent of Chinese students who pursue science and technology PhDs in the United States



have done in recent years. They help drive innovation here at home, and that benefits all of us. We can stay vigilant about our national security without closing our doors."

Read more: <https://bit.ly/3t06lQs>

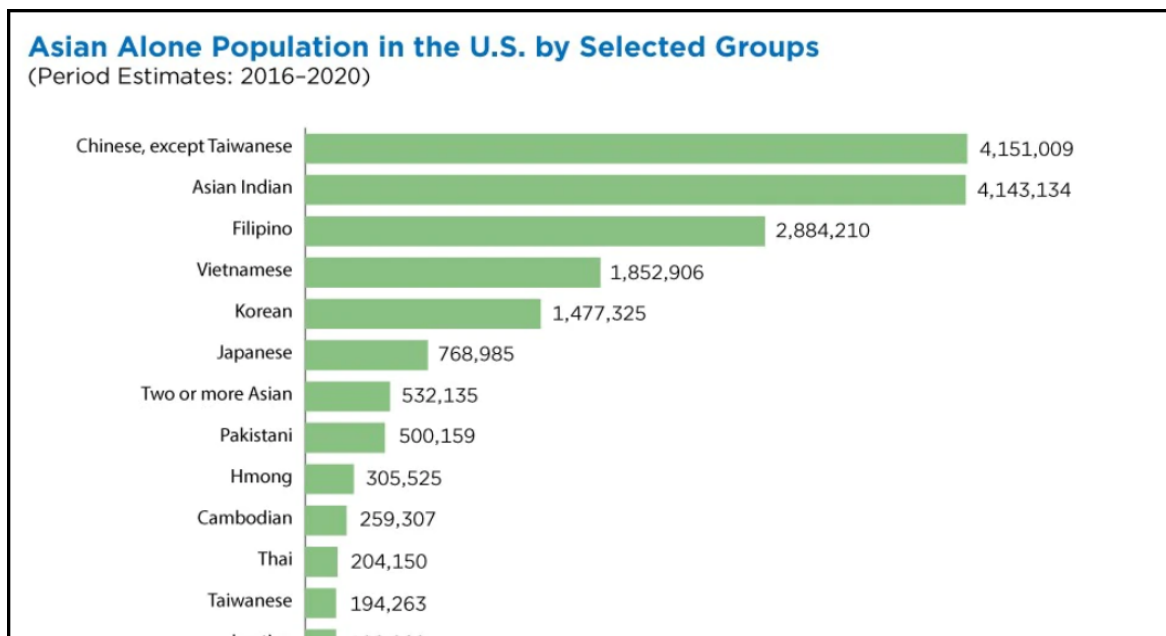
**Presidential Proclamation 10043.** In the last months of the Trump Administration on May 29, 2020, Presidential Proclamation 10043 was issued to suspend entry of certain Chinese students and researchers. According to Wikipedia, a presidential proclamation is a statement issued by a US president on an issue of public policy and is a type of presidential directive. Unless authorized by the US Congress, a presidential proclamation does not have the force of law.

On June 10, 2021, the American Council on Education (ACE), Association of American Universities (AAU), and other U.S higher ed organizations [requested a briefing](#) from the State Department, specifically from representatives of the Bureau of East Asian and Pacific Affairs, the Office of Consular Affairs, and the Bureau of International Security and Nonproliferation, for higher education associations on the implications of Proclamation 10043 on international students and scholars.

On July 27, 2021, *ScienceInsider* [reported](#) that "U.S. visa rejections shattered Chinese students' dreams. Now they're fighting back." On August 10, 2021, *Forbes* [reported](#) that "Biden Keeps Costly Trump Visa Policy Denying Chinese Grad Students."

The Proclamation remains in effect today.

## Latest Census Bureau Data on Asian American, Native Hawaiian or Pacific Islander



On May 25, 2022, the Census Bureau published the latest demographic data on the Asian American, Native Hawaiian, and Pacific Islander population based on the 5-year (2016-2020) estimates from the American Community Survey. They include counts of the subpopulations, where they were born, and where they live. The 2020 Census counted 19.9 million people to be identified as Asian alone and 4.1 million people identified as Asian in combination with another race.

Read more: <https://bit.ly/3PF5B74>

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