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Campaign to Oppose The Nomination of Casey Arrowood to Be The Next U.S. Attorney for the Eastern District of Tennessee



The White House [announced](#) the nomination of **Casey Arrowood** to be US Attorney for the Eastern District of Tennessee on July 29, 2022. The [Senate Judiciary Committee](#) logged the nomination as [PN2444](#) on August 1, 2022. Academics, elected officials, civil rights groups, and community organizations across the country have raised grave concerns about this nomination - -- It will further erode public trust in our judicial system and increase the chilling effect on U.S. science and technology.

Mr. Arrowood was the lead prosecutor of Professor [Anming Hu](#), the first academic to go to trial in the summer of 2021 under the now-defunct "[China Initiative](#)." After the jury deadlocked and a mistrial was declared, Mr. Arrowood pursued a retrial. At that point, Judge Thomas Varlan [acquitted](#) Professor Hu of all charges against him.

The nomination of Mr. Arrowood is an affront to our Asian American and Pacific Islander, immigrant, scientific and academic, and other communities. It opens a new wound when we still need to heal from the targeting and fallout before and during the "China Initiative."

In an exclusive interview with [Tennessee Lookout](#) on August 11, 2022, Professor Hu called for

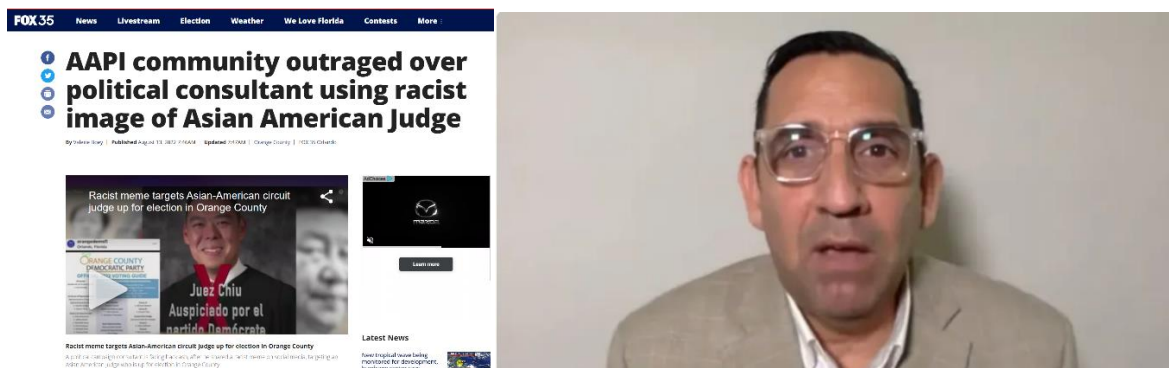
President Joe Biden to withdraw the nomination of Mr. Arrowood. “My case was a case of wrongful prosecution, and I believe (if Arrowood is confirmed) similar things will happen again and will damage long term the U.S. (government’s) reputation,” Professor Hu said. “If you do something wrong, you should have consequences. Instead, (Arrowood) is getting rewarded. It is very unfair. I do not think this is a reasonable nomination.”

On August 20, 2022, Professor Hu and his family sent a [letter to the White House](#) calling for President Biden to rescind the nomination of Mr. Arrowood.

[APA Justice](#), [Asian American Scholar Forum](#), Tennessee Chinese American Alliance, and [United Chinese Americans](#) strongly support Professor Hu’s position and is launching a nationwide campaign to oppose the nomination. In two separate letters, we call for [the White House](#) to withdraw the nomination and [the Senate Judiciary Committee](#) to take no action on the nomination until an investigation and a hearing of the perspectives of the Asian American and scientific communities have been completed.

Concerned organizations and individuals in the U.S. are invited to co-sign these two letters here: <https://bit.ly/OpposeArrowoodNomination>

Outrage Over Racist Image of Asian American Judge



According to [FOX35](#) on August 13, 2022, the Central Florida Asian Americans and Pacific Islanders (AAPI) community is outraged after a political consultant used what has been described as a racist image of an Asian American Circuit Court judge, who is running for re-election. Experts say it's low politics and the judge deserves an apology.

The image shows Judge Vincent Chiu between two Chinese Communist Party leaders, Mao Zedong and President Xi Jinping. It has a big, red "X" on it and a graphic that reads "China's judge." Political campaign consultant Xavier Villacias admits he showed it during his podcast and posted it his Facebook page.

Villacias is a media strategist hired by Circuit Court judicial candidate Aldo Bartolone, who is

Chiu's opponent. Bartolone denies having anything to do with the picture of Chiu between the two communist leaders. During a recent candidates panel, hosted by the [Greater Orlando Asian American Bar Association](#) (GOAABA), Bartolone condemned it. "When I was made aware of that, he was terminated immediately. I demanded that he delete whatever it was that he put out there," he explained. "It was never my intention to target the Asian community, to target Vincent Chiu."

In a statement, Judge Chiu wrote, "I am saddened that a paid staffer from my opponent's campaign has engaged in such racialized attacks against me, especially in a judicial campaign. These attacks are nothing new to people of color and speak to how much work remains to be done in our society. But the way our community stands together against such attacks speaks to how far we have come. I have no interest in playing the politics of division. Instead, I continue to commit to the work of serving everyone in our community and striving for justice and equity when our community votes to retain me as their Circuit Judge."

The China Trap - U.S. Foreign Policy and the Perilous Logic of Zero-Sum Competition



In the September/October issue of *Foreign Affairs*, Cornell University Professor **Jessica Chen Weiss** published a comprehensive essay on "[The China Trap - U.S. Foreign Policy and the Perilous Logic of Zero-Sum Competition](#)." Estimated read time is 26 minutes.

According to the article, competition with China has begun to consume U.S. foreign policy. Seized with the challenge of a near-peer rival whose interests and values diverge sharply from those of the United States, U.S. politicians and policymakers are becoming so focused on countering China that they risk losing sight of the affirmative interests and values that should underpin U.S. strategy. The current course will not just bring indefinite deterioration of the U.S.-Chinese relationship and a growing danger of catastrophic conflict; it also threatens to

undermine the sustainability of American leadership in the world and the vitality of American society and democracy at home.

There is, of course, good reason why a more powerful China has become the central concern of policymakers and strategists in Washington (and plenty of other capitals). Yet well-warranted alarm risks morphing into a reflexive fear that could reshape American policy and society in counterproductive and ultimately harmful ways. Without a clear sense of what it seeks or any semblance of a domestic consensus on how the United States should relate to the world, U.S. foreign policy has become reactive, spinning in circles rather than steering toward a desired destination.

Leaders in both Washington and Beijing claim to want to avoid a new Cold War. The fact is that their countries are already engaged in a global struggle. The United States seeks to perpetuate its preeminence and an international system that privileges its interests and values; China sees U.S. leadership as weakened by hypocrisy and neglect, providing an opening to force others to accept its influence and legitimacy.

Even in the absence of a crisis, a reactive posture has begun to drive a range of U.S. policies. Washington frequently falls into the trap of trying to counter Chinese efforts around the world without appreciating what local governments and populations want. Lacking a forward-looking vision aligned with a realistic assessment of the resources at its disposal, it struggles to prioritize across domains and regions. It too often compromises its own broader interests as fractious geopolitics make necessary progress on global challenges all but impossible. The long-term risk is that the United States will be unable to manage a decades-long competition without falling into habits of intolerance at home and overextension abroad. In attempting to out-China China, the United States could undermine the strengths and obscure the vision that should be the basis for sustained American leadership.

A fixation on competition brings costs and dangers in the United States. Aggressive U.S. efforts to protect research security, combined with increased attacks against Asian Americans, are having a chilling effect on scientific research and international collaboration and are jeopardizing the appeal of the United States as a magnet for international talent. A 2021 survey by the American Physical Society found that 43 percent of international physics graduate students and early career scientists in the United States considered the country unwelcoming; around half of international early career scientists in the United States thought the government's approach to research security made them less likely to stay there over the long term. These effects are particularly pronounced among scientists of Chinese descent. A recent study by the Asian American Scholar Forum found that 67 percent of faculty of Chinese origin (including naturalized citizens and permanent residents) reported having considered leaving the United States.

The climate of insecurity and fear is also having pernicious effects on democracy and the quality of public debate about China and U.S. policy. The desire to avoid appearing "soft" on China permeates private and public policy discussions. The result is an echo chamber that encourages analysts, bureaucrats, and officials to be politically rather than analytically correct. When individuals feel the need to out-hawk one another to protect themselves and advance professionally, the result is groupthink. A policy environment that incentivizes self-censorship

and reflexive positioning forecloses pluralistic debate and a vibrant marketplace for ideas, ingredients critical to the United States' national competitiveness.

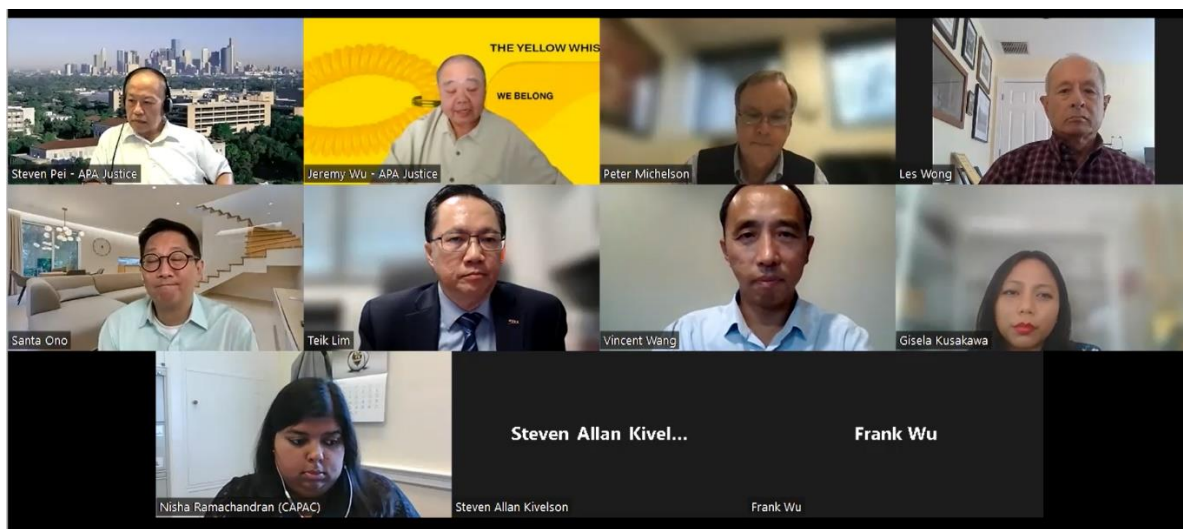
From the World War II internment of Japanese Americans to the McCarthyism of the 1950s to hate crimes against Muslim and Sikh Americans after September 11, U.S. history is replete with examples of innocent Americans caught in the crossfire of exaggerated fears of the “enemy within.” In each case, overreaction did as much as or more than the adversary to undermine U.S. democracy and unity. Although the Biden administration has condemned anti-Asian hate and stressed that policy must target behavior rather than ethnicity, some government agencies and U.S. politicians have continued to imply that an individual’s ethnicity and ties to family abroad are grounds for heightened scrutiny.

The United States must do much more to invest in the power of its example and to ensure that steps taken to counter China do not undermine that example by falling into the trap of trying to out-China China. Protective or punitive actions, whether military, economic, or diplomatic, should be assessed not just on the basis of whether they counter China but also on how they affect the broader system and whether they reflect fidelity to U.S. principles.

Professor Chen Weiss served as a Council on Foreign Relations International Affairs Fellow on the Policy Planning Staff at the U.S. Department of State from August 2021 to July 2022. In a [LinkedIn post](#), she said, "I hope this essay can contribute to a broad effort to rebuild a domestic consensus around how the United States relates to the world, on terms that are defined less by beating China than strengthening ourselves. I look forward to the conversation and welcome the debate."

Read more about Professor Chen Weiss' *Foreign Affairs* essay: <https://fam.ag/3CiE2IA>

2022/08/01 Monthly Meeting Summary Posted



The August 1, 2022, APA Justice monthly meeting summary has been posted at <https://bit.ly/3wbGZk4>. We thank the following speakers for their valuable insight:

Nisha Ramachandran, Executive Director of Congressional Asian Pacific American Caucus (CAPAC). Nisha provided updates on the successful CAPAC efforts in the CHIPS and Science Act and related activities to ensure none of the provisions that would harm the AAPI community were included in the final bill.

Peter Michelson, Stanford University Senior Associate Dean, and Steven Allan Kivelson, Stanford Professor. Peter and Steven shared their thoughts on their *The Hill* opinion on "Repair the Damage Done by DOJ Wrongly Targeting Chinese Scientists." Although the Department of Justice (DOJ) announced the ending of the China initiative, we are still living with the consequences of it. One of the core foundational aspects of research at American universities is openness, communication, and collaboration. Immigration to the United States, particularly those working in STEM fields, have been crucial to the U.S. The China Initiative did a lot to undermine the attractiveness of the United States as a destination for talent. Science and technology have been lost or are being lost due to blindsided hostility and paranoid actions taken by the United States. Their next articles will be about a small set of stories of Chinese scientists who made significant contributions to the U.S., including Qian Xuesen and a colleague at the faculty of Hong Kong University of Science and Technology who played a central role in a major development in the field of physics. The latter was recently offered and accepted a faculty position at UC Santa Barbara, but his visa application was rejected by the U.S. following a year-long ordeal.

Gisela Kusakawa, Assistant Director of Advancing Justice | AAJC and Jeremy Wu, Co-organizer of APA Justice. Gisela and Jeremy reported on rapid development and passage of the CHIPS and Science bill and intense efforts to block the insertion of the Portman Amendment, which would in effect mandate federal agencies to create and run their own mini-China Initiatives. The compromise bill contains provisions on research security. Among them are a government-wide prohibition on federal grantees participating in foreign talent recruitment programs that have "malign" intent, and a requirement that NSF-funded institutions disclose funding in excess of \$50,000 they receive from foreign entities associated with any "country of concern." The coalition that had successfully pushed the DOJ to end the China initiative continues to monitor and prevent so many of the consequences and harms that come from it. It is crucial that this coalition expands to include many of the immigrant rights groups and education groups. Gisela outlined some of the ongoing efforts to expand the coalition.

Les Wong, President Emeritus, San Francisco State University; Frank Wu, President, Queen's College, City University of New York; and Santa Ono, President-Elect, University of Michigan. Les, Frank, and Santa explored the creation of an executive network of university leaders of Asian descent. The model minority myth is real, and the glass ceiling, or some called the Bamboo series, is real. Asian Americans may be overrepresented in some segments at the entry level, but are dramatically underrepresented at the dean, provost, president, chancellor, and board of director levels. Asian American women are tenured at lower rates. Asian American leaders are not receiving sufficient support for their career success. Initial efforts are underway to set the stage for a national organization to provide support for Asian American

executives new to their positions or in the pipeline not only about getting the job, but holding on to it. Initial vision and goals include: provide general support; address bias (such as China initiative), or the glass ceiling, etc.; and cultivate a pipeline to help train new professors and new deans.

Read more about the August meeting summary here: <https://bit.ly/3wbGZk4>. Read past meeting summaries here: <https://bit.ly/3kxkqxP>

Events and News for the Communities

How the Inflation Reduction Act Helps AA and NHPI Communities. On August 19, 2022, the White House released a [Fact Sheet](#) on How the Inflation Reduction Act Helps Asian American, Native Hawaiian, and Pacific Islander Communities, covering three primary areas: lower health care costs; combat climate change and lower energy costs; and make the tax code fairer.

MIT Professor Gang Chen helps discover 'game changer' months after espionage charges. According to [Yahoo News](#) on August 18, 2022, Professor [Gang Chen](#) previously accused of espionage assisted in the discovery of what the Massachusetts Institute of Technology (MIT) has dubbed the “best semiconductor material ever found.” Professor Chen was among the number of Chinese researchers in U.S. universities who were prosecuted over alleged ties to the Chinese government in recent years. Last year, he was arrested by federal agents but was eventually cleared by the Department of Justice of espionage charges due to a lack of evidence. Eight months later, he was among the team at MIT, the University of Houston, and other research centers that discovered that cubic boron arsenide is better at conducting heat and electricity than silicon.

Federal Agencies Purchase Personal Data That Circumvent Warrants. According to [Gizmodo](#) on August 16, 2022, Reps. Jerrold Nadler and Bennie Thompson have issued requests to a host of federal law enforcement agencies, including the FBI and Department of Homeland Security, demanding details of alleged purchases of Americans’ personal data. The lawmakers accuse the seven federal agencies of using commercial dealings with data brokers and so-called location aggregators to sidestep warrant requirements in obtaining Americans’ private data. The lawmakers said companies trading in data have been known to package and sell a range of personal information, including, among others, records of internet browsing activity and precise locations. “While law enforcement investigations necessitate some searches, improper government acquisition of this data can thwart statutory and constitutional protections designed to protect Americans’ due process rights,” the congressmen said.

The CIS Ombudsman's Webinar Series on International Student Issues. On August 25, 2022, the Department of Homeland Security’s Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) will host a webinar titled "Interagency Engagement on International Student Issues." Only designated school officials and responsible officers are invited. During the engagement, representatives from the Department of State, U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement, and U.S.

Customs and Border Protection will share updates and answer questions about issues affecting international students.

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