APA Justice Submits Comments to The President’s Advisory Commission on AANHPI

The President’s Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders will hold an all-day in-person public meeting at the White House on March 14, 2023, from 9:30 am to 5:30 pm ET.

The meeting is the fifth in a series of federal advisory committee meetings regarding the development of recommendations to promote equity, justice, and opportunity for AANHPI communities. The meeting is open to the public and will be live streamed. There will be no opportunity for oral public comments during the meeting. However, written comments are welcomed throughout the development of the Commission’s recommendations and may be emailed to AANHPICommission@hhs.gov.

Register for the event here: http://bit.ly/3mOyGJ0

Co-chaired by Health and Human Services Secretary Xavier Becerra and United States Trade Representative Ambassador Katherine Tai, the 25-member Commission complements the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI), both of which were established by the President in May 2021. In addition to the
Co-Chairs and the Commission, announced speakers in the public hearing include Erika L. Moritsugu, Deputy Assistant to the President and AANHPI Senior Liaison, and Krystal Ka’ai, Executive Director, WHIAANHPI.

On March 10, 2023, APA Justice submitted the following comment titled “Pursuing a More Perfect Union and an Equitable Society” to the Commission:

Equity means the consistent and systematic fair, just, and impartial treatment of all individuals, including the Asian American and immigrant communities.

However, from the Chinese Exclusion Act of 1882 to the internment of 120,000 Japanese Americans during the Second World War, persons of Asian origin have been scapegoated in the name of national and economic security when discrimination was legalized by laws and executive orders.

Since the Second World War, anti-Asian hate in one form or another has ebbed and flooded pending on the rise and fall of U.S. relations with Asian nations and domestic politics that stoke fear, suspicion, and hostility against Asian Americans as disloyal and cannot be trusted as Americans.

This form of racial profiling has been instigated by our own government, repeatedly explained away and justified under the cover of national security that sacrifice the civil and human rights of the Asian American and immigrant communities.

This inequity has disastrously high and painful costs to not only these communities but also our nation. It ruins individual lives and inhibits our participation and progress in the American society. It damages our global leadership in science and technology and ironically our national security. It undermines our fundamental American values as a nation of primarily immigrants except for Native Americans, Hawaiians, and Pacific Islanders.

During the “Red Scare,” the government drove Dr. Qian Xuesen, a co-founder of the Jet Propulsion Laboratory, back to China. He would later become the “Father of Chinese Rocketry” for the People’s Republic of China.

At the turn of the century, the unjust prosecution and mistreatment of Dr. Wen Ho Lee, a nuclear scientist at the Los Alamos National Laboratory, led to an apology from the presiding judge on behalf of the judicial branch of our government.

Prior to and during the “China Initiative” launched in November 2018, hundreds of, and perhaps more, scientists and researchers of Asian and particularly Chinese origin in academia, government, and private industry were wrongfully targeted for extensive surveillance, endless investigations, and unjust prosecutions.

The victims include a hydrologist at the National Weather Service whose work was to calibrate and implement flood models to help save lives along the Ohio River, a New York Police Department officer who also served as a U.S. marine in Afghanistan, and an award-winning
scientist who spent 24 years with the U.S. Army’s Intelligence and Information Warfare Directorate.

Despite their stated intent to protect the nation, government policies and practices have again created a chilling effect on our communities, resulting in the loss of talents that are needed our scientific leadership and denying us of the opportunity to participate fairly and fully in the American society.

Xenophobic political rhetoric from the past administration and some elected officials during the COVID pandemic fueled the resurgence of racism, leading to the loss of lives, especially for the vulnerable elderly of our communities, and the report of more than 11,500 incidents of anti-Asian bias since 2020.

Today, we see discriminatory alien land bills being revived in Texas, Georgia, Montana, North Dakota, Tennessee, Virginia, Wyoming, and a total of more than a dozen states. The U.S. Congress is considering similar bills that threaten the civil and human rights of the Asian American and immigrant communities, again in the name of national security. If enacted into law, they will deny Asian Americans and the immigrant communities directly and indirectly from owning homes and business properties.

More than a hundred years ago, discriminatory Alien Land Laws were enacted first in California and then to other states to target Japanese Americans and bar Asian immigrants from owning land. These laws were deemed unconstitutional under the 14th Amendment in 1952, and yet 70 years later we see the same laws and rhetoric being brought up again.

Today, we also see the return of McCarthyism - the practice of making unfounded accusations of disloyalty, subversion, and treason, carried out under Senator Joseph McCarthy in the period 1950-54, to blacklist, slander, and attempt to destroy reputable innocent Americans.

Today’s McCarthyite targets include a world-renowned MIT professor, a presidentially appointed business leader, and the Chair of the Congressional Asian Pacific American Caucus. Anyone who is of Asian origin or simply has a nexus to China may become a target tomorrow.

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

This vicious cycle of recurring inequity must stop with our government taking the lead to give due attention and protection to the civil and human rights of the Asian American and immigrant communities.

In our pursuit of a more perfect union and an equitable society, there must be consistent and systematic fair, just, and impartial treatment of all individuals. They include the Asian American and immigrant communities.

In implementing The National Strategy to Advance Equity, Justice, and Opportunity for AANHPI Communities, we urge the Commission to start with a commissioned study of the inherent problems to seek short-term relief and long-term solutions, enhance internal and public education, and adopt an exemplary requirement similar to the White House Office of Science
and Technology Policy that “agencies must implement NSPM-33 provisions and related requirements in a nondiscriminatory manner that does not stigmatize or treat unfairly members of the research community, including members of ethnic or racial minority groups.”

**Attack on Congresswoman Judy Chu - Return of McCarthyism?**

According to a report by the Sacramento Bee on March 6, 2023, anti-Asian American activity has become not only more frequent in recent years but has become a persistent source of political tension, including the questioning of Rep. Judy Chu’s "either loyalty or competence" by Rep. Lance Gooden. Rep. Chu chairs the Congressional Asian Pacific American Caucus. There is a pattern in all this that is frightening to many Asian Americans.

“Many scholars and Asian and Pacific Island citizens, I among them, believe that some Americans regard Asians as ‘perpetual foreigners’ somehow attached to Asia no matter how long they have lived here in the U.S., even if they have been here for many generations,” said Gabriel Chin, professor of law at the University of California, Davis.

A lot of people remember when the consequences of such suspicions were dire. “There is no relationship, none, zero between an American who happens to be of Asian descent and foreign governments. When we conflate those issues that’s how we get a Japanese-American internment,” said Rep. Ted Lieu, citing the internment of Japanese-Americans during World War II.

“It’s racist. It’s disgusting. And it’s just lays the groundwork for questioning AAPIs in this country and it lays the groundwork for more AAPI hate,” said Chu of Gooden at the House Democrats’ Issues Conference in Baltimore. “And it also reinforces a terrible stereotype that we have to deal with. For all the time we’ve been in this country, that we are foreigners in our own land. Even though we have been in this country for decades,” said Chu, a Los Angeles native.

Some Republicans were critical of their colleague. China committee Chairman Mike Gallagher criticized Gooden’s remarks. “We should not question anybody’s loyalty to the United States,” Gallagher told CBS’ “Face the Nation.” “That is out of bounds. It’s beyond the pale.”

Rep. Raja Krishnamoorthi, the committee’s top Democrat, also issued a polite warning. “We have no quarrel with the Chinese people or people of Chinese origin. That’s why we should never engage in anti-Chinese or anti-Asian stereotyping or prejudice,” he told the panel. “Comments that question the loyalty of Asian-American Members of Congress are completely unacceptable and must be rejected. These comments only feed the scapegoating and targeting of Chinese Americans, further endangering them and other Asian Americans.” In fact, he said, “this xenophobia and stereotyping is what the CCP (Chinese Communist Party) would want to happen.”


**Statements and Condemnations:**

UConn Professor Won $1.4 million Payout for Wrongful Termination

According to a report by CT Insider on March 6, 2023, a respected University of Connecticut (UConn) liver disease researcher has won a $1.4 million settlement after an arbitrator found the university wrongly fired her for allegedly failing to disclose financial connections to China.

Hearst Connecticut Media uncovered the pay out, which placed Professor Li Wang sixth on a list of the state’s highest paid employees in 2022, after obtaining documents from UConn through state Freedom of Information law. UConn had not previously disclosed the payment for Wang’s expected termination publicly.

A liver physiologist with a proven ability to obtain research funding, Wang was hired by UConn in 2014 and was scheduled to be terminated on September 20, 2019. She resigned the day before her termination became effective.

Michelle Williams, UConn associate vice president for research, informed Wang in a March 2019 letter that because she did not disclose her Chinese connections on NIH grant applications she was being suspended as a researcher for three years. The National Institutes of Health (NIH) backed UConn’s allegations and in letters to UConn officials agreed with its decisions regarding Wang. A January 2022 letter to a top UConn official – sent several months after the arbitrator ruled against UConn - shows that Michael Lauer, NIH director for extramural research, continued to support the university’s handling of Wang.

The arbitrator assigned by the American Arbitration Association to Wang’s case came to very different conclusions than the NIH and UConn in November 2021.

The “university did not have just cause to suspend Dr. Wang’s research, just cause to terminate Dr. Wang,” arbitrator Peter Adomeit wrote in his decision. “She did not falsify any record or provide false information.”

The arbitrator ordered UConn to reinstate her to her job, provide all back pay and annual raises, return research equipment, pay operating expenses, and relocate her office to UConn Health in Farmington.
According to a report on March 7, 2023, UConn told Inside Higher Ed that Wang is not an employee and has not been one since September 2019.

Professor Li Wang appears to be one of several hundred researchers who were subject to NIH investigations under the now-defunct "China Initiative."

Read more about the story of Professor Li Wang at http://bit.ly/3SVF3GH

### Building A Sustainable Platform and Pipeline for AAPI Leadership in Higher Education

On March 9, 2023, a webinar was convened as part of the 2023 Conference on Diversity, Equity and Student Success: Can We Handle Truth? Ellen Junn, President, California State University, Stanislaus; Les Wong, President Emeritus, San Francisco State University; and Frank Wu, President, CUNY Queens College, discussed the importance of creating a platform for collaboration and synergy among AAPI leaders who have reached the position of president/chancellor in higher education, and a sustainable pipeline to support ascending AAPI leaders.

Joyce Moy, Former Executive Director, Asian American/Asian Research Institute (AAARI), City University of New York, served as the moderator. The event was organized by Soniya Munshi, Interim Executive Director, AAARI, CUNY.


### JCRC Hosts Evening of Jewish and Asian Pacific Islander Community Building and Collaboration
The Jewish Community Relations Council (JCRC) of Greater Washington hosted a dinner of regional Jewish and Asian American and Pacific Islander (AAPI) leaders on March 12, 2023.

Elected officials, community leaders, clergy and other distinguished guests from Montgomery County, Fairfax County, and the District of Columbia, attended the event to welcome San Francisco AAPI leaders and Jewish leaders who are traveling together on a solidarity mission to New York and DC to strengthen relationships between their communities. It was an excellent evening of good food and networking that will enhance friendship, collaboration, and mutual support between our own communities in the Washington DC region.

Over 80 people participated in the event highlighted by remarks by Maryland Secretary of State Susan Lee and Ron Halber, Executive Director of JCRC of Greater Washington, among other distinguished speakers.

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