

## Summary of March 2020 APA Justice Conference Call

### 0. Introduction

a. Dr. Paul Li, Molecular Biology, Cornell University; Founder, [Calvin J. Li Memorial Foundation](#); former virologist at the Chinese Academy of Sciences; bio attached

Foundation Mission: Promote the welfare of Asian American children; help create a supportive social and family environment that empowers our children to define their own identities and pursue their own dreams

b. Professor Alexander (Alec) Greer, Co-Chair, [Committee of Concerned Scientists](#); [Professor of Chemistry](#), Brooklyn College

### 1. CAPAC updates

a. 02/20 The Hill: [House Democrats launch probe into NIH and FBI suspecting Chinese Americans of espionage](#)

- APA Justice: [Congressional Actions](#)

b. Other

No CAPAC staff present. Rep. Jamie Raskin, who chairs the House Oversight and Reform Subcommittee on Civil Rights and Civil Liberties, and CAPAC Chair Rep. Judy Chu sent letters demanding documents about the two agencies' investigations into whether Chinese Americans were working as spies on behalf of China. Additional details and developments in newly created webpage at [Congressional Actions](#).

Rita Ahrens reported on the CAPAC press conference on coronavirus and xenophobia on February 28.

### 2. Sherry Chen and Yanping Chen Cases

a. 01/27 [Judge denied government's motion to dismiss](#) in Dr. Yanping Chen's case.

Dr. Yanping Chen's privacy case is proceeding after the presiding judge denied the government's motions to dismiss the case.

b. 02/21 POGO: [Upheaval as 2020 Census Looms: Senate Chairmen Scrutinize Commerce Department Watchdog](#)

POGO=Project on Government Oversight. Although the POGO report investigative report is about the 2020 Census, it is the same DOC/IG office to which CAPAC sent a letter requesting an investigation about the MSPB decision in 2018. The Sherry Chen Legal Defense Fund also sent a whistleblower letter and registered an

investigation. The POGO report is very disturbing because it raises serious questions where these requests stand.

### **3. COVID-19, Politics and Racism – Facts and Fears**

Speakers: John Yang, Paul Li

The new webpage captures 2 main aspects: (a) facts and statistics about the coronavirus virus in China, U.S. and rest of the world, and (b) rising anti-Asian racial attacks that inflict physical, economic and social damage to community and American society.

John reported on multiple incidents across the nation including physical and verbal attacks in Chinatowns, taxi drivers refusing passengers in New York, bullying in campuses, business downturns in Houston, and various activities that grew out of fear and hate toward coronavirus. While it is a continuation of the stigma as “perpetual foreigners,” it is also a teaching. AAJC has a webpage for the community and the public to report hate stories at <https://www.standagainsthatred.org/>.

Paul covered these main points:

1) beware of the myth and hidden language behind “asymptomatic transmission”: even you are healthy, you are still a danger. Asymptomatic transmission is not supported by science or clinical evidence, and most of all, not an important driver of the spread of the virus.

2) beware of conspiracy theories of any stripe. No matter where the virus might have first emerged, our common enemy is the virus, not any country or any people.

3) the expansion of definition of espionage could be the key issue behind racial profiling and prosecutions of some CA scientists. Overzealous national security considerations may be impinging on the academic freedom of CA scientists.

Haipei reported on a letter of strong support and solidarity from the Jewish American community. This is a link to the letter issued by the Jewish Council of Public Affairs on February 21: [A Letter of Support to Our Friends in the Chinese American and Chinese Communities](#)

There is a new webpage on [Coronavirus](#) in the APA Justice website that includes links to China CDC, US CDC and WHO; online data on COVID-19 and daily projected total deaths and Wuhan hospital capacity and use; comprehensive analyses by China CDC

and Nobel Laureate Professor Michael Levitt; community webinars and statements; media and related links such as:

- a. 02/23 KOIN: [Chinese-American community leader shares concern on coronavirus](#)
- b. 02/21 CNN: [What's spreading faster than coronavirus in the US? Racist assaults and ignorant attacks against Asians](#)
- c. 02/19 Science: [Scientists 'strongly condemn' rumors and conspiracy theories about origin of coronavirus outbreak](#)
- d. 02/19 OCA: [OCA Urges Proactive Measures by Schools to End Bullying Due to Coronavirus](#)
- e. 02/18 South China Morning Post: [Science vs politics: did the US overreact to the coronavirus outbreak in China?](#)
- f. 02/18 CNN: [Fact-checking Tom Cotton's claims about the coronavirus](#)
- g. 02/17 USA Today: [Top disease official: Risk of coronavirus in USA is 'minuscule'; skip mask and wash hands](#)
- h. 02/14 Washington Post: [The coronavirus and the long history of using diseases to justify xenophobia](#)
- i. 02/05 Washington Post Opinion: [The coronavirus reawakens old racist tropes against Chinese people](#)

#### **4. Racial Profiling/Targeting updates**

- a. High-level Discussion of OCA Paper “Collaborations to Prevent 'Researching While Asian' from Going Viral.”
  - Speaker: Rita Pin Ahrens, Executive Director, OCA - Asian Pacific American Advocates

OCA - Asian Pacific American Advocates recommends a holistic framework for balancing the concerns of the U.S. government to protect American intellectual property and national security interests with the concerns of the American public about racial profiling of researchers with Asian heritage, especially those who are of Chinese descent. In this paper to appear in the Harvard Asian American Policy Review, the authors highlight the factors that contribute to the “Researching While Asian” issue and make recommendations for improved collaboration between the federal government, research institutions, and community organizations to reduce false positive arrests and address community concerns about racial profiling. Rita also reported on the alarming disparate statistics about security clearances in the Bloomberg report: [Mistrust and the Hunt for Spies Among Chinese Americans](#). Rita regrets that an embargoed copy could not be secured for the call.

## b. Racial Profiling and The New Red Scare

Speakers: Frank Wu, Alec Greer

Professor Steven Pei laid out the latest landscape on racial profiling in the February conference call. Frank and Alec continued the discussion from their perspectives.

Frank continues to be a spokesperson on the topic including his comments in Law360 which is attached. Frank was in a recent event where NIH official Michael Lauer was present. Lauer does not believe race is an issue with the NIH investigations and is not sympathetic to expressed concerns. Frank reported on the continuing progress on setting up the legal assistance pilot project with the Asian American Justice Center and developments as the scope of racial bias expands such as efforts to stripping naturalized persons of citizenship, in addition to double and shifting standards.

Alec reported that the Committee of Concerned Scientists (CCS) is an organization committed to helping individuals (doctors, scientists, and engineers) around the world whose human rights have been abused. CCS has worked in behalf of individuals, including Wen Ho Lee, Sherry Chen, Franklin Tao, and Xiaoxing Xi. Related to the profiling issue, CCS recently posted a letter on our website "Should the United States Hide Its Cancer Research from China?" CCS fully agrees with Jeremy's suggestion that the word "cancer" could be replaced by "coronavirus" or "COVID-19" and would still apply. The CCS annual meeting was scheduled for April 19 in New York when Professor Xi and Jeremy were scheduled to speak. However, the meeting was cancelled after the call due to coronavirus concerns.

- 02/25 Bloomberg: [Calpers Top Money Man Is Swept Up in Chinese Espionage Fears](#)
- 02/21 Law360: [Congress Probes Civil Rights Issues In China Investigations](#) (attached)
- 02/20 USA Today Opinion: [On coronavirus, America and China must demonstrate global leadership and join together](#)
- 02/19 South China Morning Post: [US sets sights on Harvard professor and universities over Chinese funding amid heightened fear of IP leaks](#)
- 02/19 NPR (WBUR): [As FBI Tackles Chinese Espionage, Some Fear A New Red Scare](#) (also audio 47:21)
- 02/18 In-depth News: [Incredible Obsession With China's Supposed Malevolence](#)
- 02/13 NPR: [U.S. Response To China's Talent Plan Is Described As Heavy-Handed](#)
- 02/12 Bloomberg: [The U.S. Government's China Crackdown Comes to Harvard](#)

- 02/06 Biophysical Society: [Science and Research in the Global Political Landscape: The US and China](#)
- 09/10/2019 Committee of Concerned Scientists: [Should the United States Hide Its Cancer Research from China?](#)

c. 02/26 MWELA luncheon seminar: [Effective Techniques for Litigating EEO Cases Against Intelligence Agencies](#)

Julie submitted this report about a luncheon seminar by the Metropolitan Washington Employment Lawyers Association.

## 5. Update on Draft Pilot Project Proposal – Frank Wu

See above.

## 6. 2020 Census

Everyone should complete the 2020 Census that will impact our political representation and share of federal funding for the next decade. Although Census Day is April 1, John reminded us that we should expect census forms beginning around the middle of March.

- a. Census Day April 1 is less than one month away
- b. 02/14 New York Times: [Why the Fastest Growing Population in America Is The Least Likely to Fill Out the Census](#)

## 7. Catch-up on all developments: [www.apajustice.org](http://www.apajustice.org)

- a. [Congressional Actions](#). Probe launched by Reps. Raskin and Chu
- b. [Know Your Rights](#). What do you do if the FBI or police contact you for questioning?
- c. [Coronavirus](#). Facts, statistics, analyses, links and related information on COVID-19
- d. [Racial Profiling](#). Dr. Wen Ho Lee and the DOE Task Force Against Racial Profiling
- e. [Books and Reports](#). By Mara Hvistendahl, Mike German, Harvey Silverglate, Wen Ho Lee and Helen Zia, Department of Energy Task Force Against Racial Profiling Final Report

## 8. Upcoming Events

- a. 03/04 Sakharov Prize presentation to Professor Xiaoxing Xi, “Communicating Science to the Public,” Forum on Physics & Society session, American Physical Society, Denver, CO **[cancelled]**

- b. 04/19 Annual Meeting of Committee of Concerned Scientists, New York, NY **[cancelled]**
- c. 06/24-27 United Chinese Americans convention, Las Vegas, NV
- d. 06/27-28 National Civic Leadership Forum, Las Vegas, NV

**9. Next Call**

- a. Next Call: 2020/04/06
- b. Reminder: Post your messages and comments to [apajustice@googlegroups.com](mailto:apajustice@googlegroups.com)

Email Jeremy Wu at [Jeremy.S.Wu@gmail.com](mailto:Jeremy.S.Wu@gmail.com) or Vincent Wang at [wang177@gmail.com](mailto:wang177@gmail.com) to submit agenda items. Thank you.