

2024/02/05 APA Justice Monthly Meeting

**APA Justice Meeting – Monday, 2024/02/05
1:55 pm Eastern Time / 10:55 am Pacific Time**

1. Review of 2023 and Remarks of 2024 from Erika

Speaker: Erika Moritsugu, Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander Senior Liaison, The White House

Erika begins by expressing gratitude to Jeremy, Vincent, and Stephen for their leadership. She describes her position as Deputy Assistant to the President and Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Senior Liaison at The White House and the novelty of her position as the first of its kind created under the Biden Administration. Erika acknowledges her colleagues Ting Wu and Barbara Holston who were also at the meeting.

Erika extends her Lunar New Year greetings to everyone, with the blessing of prosperity, luck, and success for the New Year of the Dragon.

Erika reviews the Year of the Rabbit (also the Year of the Cat under the Vietnamese Zodiac) and notes the following accomplishments as a community and as an administration that is committed to the community.

In particular, the White House Initiative on AA and NHPI

- Traveled to roughly half of the country with plans to connect with community members in additional states and territories in 2024,
- Hosted the inaugural Mental Health Summit focused on improving equity and access to behavioral health care for the AA and NHPI communities,
- Launched a series of in-person regional economic summits, connecting thousands of community members with federal resources through summits in Philadelphia, Chicago, New York City, Seattle, Honolulu, and Atlanta. It advances the President's Investing in America agenda to extend economic opportunity and provide entrepreneurs with the tools and resources that they need to thrive.
- Published the first-ever National Strategy to advance equity justice and opportunity for AA and NHPI communities. It is being implemented through the interagency working group of senior level Executive Branch officials in coordination with about four dozen federal agencies and White House officials.

President Biden recently welcomed members of the President's Advisory Commission on AA and NHPI to the White House and issued an executive order to renew the Commission through September 2025. New permanent staff were hired to support the Commission.

President Biden also issued the first-ever proclamation recognizing the Asian American and

Native American Pacific Islander-Serving Institutions (AANAPISI) programs and celebrating the impact they have in empowering generations of AA and NHPI students.

While Erika and her team are proud of what has been accomplished for our communities, by our communities, and with our communities so far, they also know that there is still more to do in ensuring equity, justice, opportunity, and safety for AA and NHPI in the new year.

In 2024, Erika and her team will continue to advance the President's Investing in America agenda and set a goal of increasing the share of federal contracting dollars going to small businesses owned and controlled by socially and economically disadvantaged individuals by 50%, continue to make long overdue investments in infrastructure, unleash a clean energy and manufacturing boom, and create good paying jobs, as well as to lower costs for American families by strengthening our supply chain, cracking down on junkies, and lowering prescription drug costs.

Erika then turns to issues that she has worked with APA Justice for not only the past few years, but also back to the days when she was a pro bono counsel with Jeremy in a community organization in his working days and in his retirement.

On research security, the Biden-Harris Administration remains committed to making sure that the US government assiduously avoid basing policies or processes on prejudice, including those that could fuel anti-Asian sentiments or xenophobia.

The Administration is committed to affirming the integral role of AA and NHPI and people of all national origins in this country and supporting collaboration with international partners when it is in our interest. The White House is aware of the perceptions, biases, stereotypes and efforts to implement research security policies that may be influenced.

The Federal government continues to collaborate with researchers and research institutions to develop guidance to

1. Protect America security and openness with the understanding that basic research needs the global community to thrive,
2. Ensure the guidance is going to be clear to researchers, and
3. Ensure that the guidance does not fuel or reinforce xenophobia or prejudice.

The Administration is committed to continue to engage with America's remarkable and diverse community of researchers and institutions. Erika expresses appreciation to the meeting participants for their partnership, trust, and faith to get this done right and to uphold these core values.

On the People's Republic of China, although the United States and the PRC are in competition, the Administration remains committed to maintaining open lines of communication and responsibly managing that competition.

The Administration is keenly aware that the United States and the PRC are economically interdependent and share interest in addressing transnational costs and reducing the risk of conflict. It also expects the PRC to be a major player on the world stage for the foreseeable future.

That means that even if we compete, we want to find ways to live alongside one another.

Last year the Administration launched a period of intensive diplomacy. It was an all-hands-on-deck effort across the cabinet, scanning the full range of the relationship with the PRC.

The Administration was direct about our differences, including PRC, on support for Russia's war against Ukraine, and cross-strait issues.

The meetings were also used to find space to coordinate on issues where our interests overlap, culminating in the summit between President Biden and President Xi in Woodside, California, where progress was made on three major issues.

1. President Biden and President Xi started counter narcotics cooperation,
2. Announcement of military-to-military communication that has been frozen for more than a year,
3. Announcement of a new dialogue aimed at managing the risk of artificial intelligence.

The Administration knows the communities' real and valid concerns about being impacted here by the tensions in the US-PRC relationship. That is why they will also continue to double down on their efforts to protect the Chinese American and all AA and NHPI diaspora here at home.

The President repeatedly said hate must have no safe haven in America. And this Administration is going to continue to combat hate-fueled violence in whatever form it takes.

It is committed to providing our community with safety, opportunity, and justice that every American deserves. Erika and her team do this work at the direction of a president and a vice president who see us, hear us, and value us.

Recent events from the pandemic to the spike in deadly violence and hate, and the Maui wildfires and events of life and death, reminded us of how critical it is for the government to be responsive to the community. That is the responsibility that Erika and her team, along with the White House Initiative and other components in the White House, have the honor to work on for the last few years.

But Erika and her team also know that they cannot do, should not do, and do not want to do any of this without engagement, activism, and partnership with community leaders like all at the meeting.

Erika sends a thank you – a big Mahalo Nui Loa - for what we do for our communities and for sharing the space at the meeting.

2. Update on Appeals Court Temporary Ban on Florida SB 264

Speakers:

- Clay Zhu, Partner, DeHeng Law Offices
- Ashley Gorski, Senior Staff Attorney, National Security Project, ACLU
- Patrick Toomey, Deputy Director, National Security Project, ACLU

On February 1, 2024, The Eleventh Circuit Court of Appeals temporarily halted the enforcement of Florida's alien land law, known as SB 264, against two Chinese immigrants who have challenged the statute in court.

On very short notice, Clay, Ashley, and Patrick of the legal team agreed to speak at the meeting and provided updates on the ruling for the ongoing lawsuit which was filed after Florida passed the alien land law last May.

The legal team including The American Civil Liberties Union (ACLU), ACLU of Florida, DeHeng Law Offices PC, the Asian American Legal Defense and Education Fund (AALDEF), and the law firm Quinn Emanuel immediately challenged the law, filing a lawsuit in the Northern District of Florida and moved for a preliminary injunction due to the harm that has been inflicted to all the Chinese buyers as well as the property registration requirements.

The District Court judge did not agree to the motion. The legal team appealed to the Court of Appeals in August and requested to expedite the appeal process on an emergency basis to enjoin the law at least for the duration of the appeal because sometimes it takes the Appeals Court many months to hear the case and write its decision.

The legal team is grateful for the decision that was issued. It prevents Florida from enforcing SB 264 against two of the plaintiffs. Although technically the injunction is very narrow, it is a very good sign because the court's reasoning was that the plaintiffs are substantially likely to prevail on their argument that Florida's law is preempted or trumped by federal law.

There is already a federal statute that regulates real estate purchases that potentially implicate national security, the court said. It is likely that this Florida law conflicts with that federal law. Under the Constitution, the federal law controls and for that reason the Florida law is very likely unconstitutional.

This is a very good sign for the litigation to go forward. The adopted legal theory, if it is embraced ultimately by the Appeals Court, is one that could reach many other people who are contending with the hardships posed by this state law.

Oral arguments are scheduled in Miami the week of April 15. It is unclear whether any of the same judges will hear the full appeal. The legal team is looking ahead to the April date.

Many organizations, particularly the Florida Asian American Justice Alliance (FAAJA), and individuals have been supporting the litigation. They have held rallies and filed amicus briefs to support the cause.

3. CAPAC Updates

Speaker: Nisha Ramachandran, Executive Director, Congressional Asian Pacific American Caucus, nisha.ramachandran@mail.house.gov

Nisha was not able to attend the meeting. She sent the following report, which Jeremy Wu read at the meeting:

“Sincere apologies but CAPAC won’t be able to join today’s monthly call due to a conflict. Wanted to just uplift the letter Chair Chu, Sen Hirono, and Rep Meng sent to leadership about concerns related to appropriations language reinstating the China Initiative. Also if you’d like to share, CAPAC Members met last week with OSTP Director Arati Prabhakar where we had very productive discussions about research security.

“Finally glad to see the court halting of the FL land law and also want to wish everyone a happy lunar new year!”

4. Anti-Profiling, Civil Rights & National Security Program - Asian Americans Advancing Justice | AAJC

Speaker: Joanna YangQing Derman, Director, Anti-Profiling, Civil Rights & National Security Program, Advancing Justice | AAJC

Joanna did not have an update report. She yielded her time back to the meeting.

5. Update from Asian American Scholar Forum

Speaker: Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum (AASF), gpkusakawa@asforum.org

Gisela expresses gratitude for recent efforts by Rep. Grace Meng and others opposing the reinstatement of the China initiative and recognizing the Biden administration's actions in ending it and the release of NSPM 33 to harmonize disclosures.

She highlights ongoing opposition efforts and the importance of community support in this endeavor, including monitoring the development of bills to revive the China Initiative with a coalition of 50 organizations.

Next, Gisela announces AASF's upcoming annual event – a symposium on July 27 - focusing on emerging technologies. AASF plans to honor Asian American pioneers and involve high school students in celebrating Asian American history and innovation. The symposium will feature top scientists in AI, life sciences, and other emerging technologies. Gisela encourages community participation.

AASF emphasizes the importance of Asian American representation in shaping policies and regulations for emerging technologies. Gisela will share conference information with partners including APA Justice.

AASF celebrates Asian American scholar excellence and strives to shift away from the environment of scapegoating.

Gisela discusses AASF's accomplishments in the past year, including its growth and mobilizations to improve the climate on university and college campuses, support of individual cases, as well as advocacy efforts with the Biden administration, Congress, federal agencies, community partners.

AASF operates behind the scenes with partners listening to stories of people on the ground and seeing how AASF can make sure that their stories are not just collateral damage, but that on a high level AASF can change many of these policies that are directly impacting them.

Gisela highlights the launch of a pioneer project and collaboration with the National Asian Pacific American Smithsonian Museum, which was shared by the National Science Foundation Director in which over 18,000 viewers.

AASF is committed to preserving the history of Asian American scholars and addressing urgent issues, such as incidents of profiling at the border and impacts of a restrictive Florida law that restricts Florida's public colleges and universities from hiring researchers and graduate students from several countries of concern that include China and Iran. AASF has prepared an explainer and is working on an impact assessment specifically for professors.

Gisela emphasizes the importance of keeping Congressional members aware and community support and involvement in their efforts.

In conclusion, Gisela expresses appreciation for support and hopes for continued growth and advocacy for the Asian American scholar community in the upcoming year.

6. The Quincy Institute for Responsible Statecraft

Speaker: Lora Lumpe, Chief Executive Officer, Quincy Institute for Responsible Statecraft

- 2023/11/13 [Joint Letter to Presidents Joe Biden and Xi Jinping](#)

Lora expresses gratitude for previous speakers and introduces the Quincy Institute. It is a relatively new, standard think tank of about 4 years old. Its website is located at <https://quincyinst.org/>

Quincy Institute has a global focus. One of its core areas is the US-China relationship. Its founding principle is that the US has come to rely too much on the use of military force. Quincy Institute focuses on promoting an international relations theory called restraint, which calls for a use of force only when vital national interests are at stake. It prioritizes diplomatic solutions.

Lora emphasizes the importance of finding positive areas of cooperation between the US and China. Quincy Institute has organized coalition calls and conferences to advocate for a more constructive US-China relationship.

Quincy Institute is staffed with experts in US China security relations from a hard security perspective. It is currently focusing on senior-level crisis prevention and management led by Michael Swaine who has been leading a bilateral dialogue between former Department of Defense officials and People's Liberation Army (PLA) for about 20 years.

Quincy Institute is pleased with the recent reinitiation of top-level dialogue, but crisis prevention mechanisms need to go a lot further.

Another focus area for the Quincy Institute is trade, tech, and environment. Quincy Institute has been working to identify positive areas of cooperation where proactive engagement is vital between the U.S. and China, not just parallel activity to meet the needs of the moment.

In this Congress, there have been about 600 bills initiated, cutting across almost every committee. Almost every one of them is hostile toward China and focuses on a threat or an alleged threat posed by China to US national interests. One of the few bills that is positive is restoration of the Fulbright program, but it does not require an act of Congress to resume that program.

Quincy Institute has an online publication called Responsible Statecraft that publishes about a thousand pieces of journalism and analysis a year - some from the staff and some from outside scholars.

Prior to the meeting of Presidents Biden and Xi last November, Quincy Institute organized a coalition call to bring together people from different sectors including academic, national security, climate, farm and agriculture.

The Institute believes that broad sectors of American civil society want a decent workable relationship, and yet so much of what we see in the media, coming out of Congress, and often from the White House, is pointing to China as a threat.

Consequently, Quincy Institute and the coalition called on the two presidents to engage in a more concerted effort to strengthen the bilateral relationship.

Quincy Institute also held a half-day long conference with foreignpolicy.com – a main platform for Washington thinkers on US foreign policy to reframe or ask some different questions about the US China relationship, including panels on economy and national security.

On trade and technology, Quincy Institute tries to sharpen the contradiction between the alarmist view or zero sum take and its perspective on cooperation and diplomacy.

Quincy Institute also engages in investigative journalism, frequently looking at the sources of influence in the making of US foreign policy, such as foreign government funding of think tanks as well as corporate funding of think tanks and news outlets, trying to at least raise questions about whether those sources of financial support may in fact be impacting some of the analysis, commentary, and reporting that comes out.

Lora refers to the Quincy Institute website with several pieces of in-depth analyses on the US-Taiwan-China relationship and paths to preventing conflict, pointing to the fundamental need of education on the One-China policy that has played a role in maintaining peace and allowed for the growth and development of Taiwan for the past 45 years.

Lora encourages others to view them as allies in promoting a more diplomatic approach to US-China relations and expresses her enthusiasm for collaboration and look forward to working closely with others in the future.

Contact Tori Bateman, outreach coordinator, at Tori@quincyinst.org. Visit the Quincy Institute website at <https://quincyinst.org/>.

7. US Heartland China Association

Speaker: [Min Fan](#), Executive Director, [US Heartland China Association](#) (USHCA)

- 2023/12/15 USHCA: [U.S. Heartland Mayor's Delegation to China 2023](#) (YouTube video 8:25)
- 2023/11/27 USHCA: [U.S. Heartland Mayors Bridge the Mississippi and Yangtze communities with Historic China Visit](#)

Min uses this presentation for her talk: <https://bit.ly/3HTc5Cu>

US Heartland China Association (USHCA) was started by the late Senator Adlai Stevenson, Illinois, almost 20 years old originally under the name of Midwest-US China Association. Bob Holden, former Governor of Missouri, is the current Chair of USHCA. USHCA is a 501(C)3 nonprofit organization. It does not lobby.

USHCA is funded by American sources including membership dues, Heartland community supporters, private donations, grants from private foundations, corporate sponsors, and contributions from state governmental agencies.

Through organizing people-to-people exchanges in culture, education, and business, USHCA promotes a stable and productive US-China relationship to protect and advance the interests of the American Heartland so that:

- Farmers in the Heartland can continue to expand our exports to China. China is our number one market. It is essential to stay engaged with China. US Secretary of Agriculture Tom Vilsack met with his counterpart from China for the first time a few weeks ago in Washington DC. The White House has done a full-court press to build bridges, and USHCA supports the agriculture community. China has one fifth of the world's population but only one tenth of the arable land. The US is the world's number agricultural producer. USHCA has convened three annual agriculture roundtables. Delegations from three provinces in China attended the recent roundtable in St. Louis last April. This year's roundtable will be held in Shandong Province in June of this year.
- Educational institutions in the Heartland can remain competitive and continue to attract the best talent from around the world, including China, where the highest percentage of our college international students come from.
- Companies headquartered in the Heartland can remain competitive in the global economy by continuing to do business in and sell products to China.
- The Heartland community and leaders have the resources to better understand and engage with China.

USHCA publishes an annual report - [Why China Matters to the Heartland](#). It is a valuable resource that can be downloaded from the USHCA website at [this link](#). It provides, for example, data on goods and service exports, job creation, Chinese Americans and Chinese students living in each state. In addition to projects, USHCA

also holds virtual events where representatives from education, culture, trade, and government across the Heartland states talk about why China matters to them.

- Heartland students can have the opportunities to develop a global mindset through learning about the Chinese language and culture.

USHCA also wants to ensure that the Heartland community continues to have resources to help the youths to be globally aware and understand the Chinese culture and the language at a time when some states are defunding Chinese language learning. It is not, as some are saying, equivalent to promoting communist propaganda.

USHCA launched the Heartland China Teacher Award last year, recognizing 10 teachers from Arkansas, Iowa, Kentucky, and Oklahoma who work to maintain curiosity about the Chinese language and Chinese culture. USHCA is in discussion with the China Institute in New York City as they are planning to bring students and the superintendent from New York state to China this summer. Students and communities in the Heartland do not have such opportunities. USHCA is partnering with larger organizations on the coast to make sure that interests of the Heartland community are supported.

There are a lot of bridges to the world. Where bridges exist, communities flourish. USHCA has a bi-partisan network of many former governors, ambassadors, and local officials.

USHCA works with them to build community connections. In 2020, in the depth of the pandemic, USHCA was one of the first NGOs that brought people from the US and China together via Zoom to talk about education, public health, and development programs that are in the best interest the Heartland community.

USHCA realizes that promoting people-people exchange is at a very difficult time. With travel opened up, delegations from China are coming to the Heartland, including recent delegations led by the Vice Governor of Jiangsu Province and the Vice Mayor of Nanjing City coming to St. Louis.

Min sees some hesitation on both sides. The Chinese side is worried about being locked up in a small black room in the customs office. The US side is worried about being held hostage in China. There is fear and the other side looks strange after no exchanges for three years.

USHCA believes that bringing back exchanges is very important. It received support from the Ford Foundation and the Luce Foundation to promote Yangtze River and Mississippi River city-to-city exchange on energy transition, climate change, and green economy. Six mayors coming from five different states in the Heartland visited Hong Kong, Wuhan, Nanjing, Suzhou and Shanghai.

When they came back, some were attacked for visiting Communist China even though they followed visits by Senator Chuck Schumer, cabinet secretaries, and Governor Newsom.

The overall negative atmosphere of anything related to China is deep in the Heartland local communities. On the other hand, one of the new mayors reached out and wanted to understand what is behind the anti-Asia and anti-China sentiment. She said she was going to COP28 to talk about global climate collaboration and she had never been to China.

Min said there are politicians whose mindset is shut. There are also elected officials who are curious and interested in learning.

The communities have a role to play.

8. Justice Is Global and Rollout of US-China Climate Cooperation Bill

Speaker: Sandy Shan, Executive Director, [Justice is Global](#)

- 2020 Justice Is Global: [Averting a New Cold War](#)
- 2022 Justice Is Global: [How to Counter the Politics of Scapegoating](#)

Sandy introduces Justice is Global's mission of organizing everyday people to advocate for policy changes promoting an equitable and sustainable future. They have focused on challenging narratives that blame China for economic and social issues in the US, recognizing the connection between such narratives and anti-Asian racism.

Sandy uses a 4-slide presentation in her talk: <https://bit.ly/4byMnRe>. She was joined and supported by her colleague Valentina Dallona.

Sandy has found in her work that ordinary people desire for something better, not scapegoating, not zero-sum competition between the US-China, but a positive vision that could improve their lives. And she believes US-China cooperation to address climate change is the positive vision people desire.

[\[Slide 2\]](#)

Through deep canvassing that builds emotional connections and exchanging lived experiences, Justice is Global engages communities susceptible to anti-China rhetoric, fostering conversations about the benefits of US-China cooperation, particularly in addressing climate change.

In 2022, Justice is Global conducted more than 600 conversations with rural Wisconsinites, discussing the benefits of a cooperative US-China relationship. Nearly 50% of participants shifted away from anti-China narratives toward interdependence and cooperation. Importantly, these discussions included criticisms of the Chinese government's human rights violations, demonstrating that support for US-China cooperation can coexist with opposition to authoritarianism.

Through these conversations, US-China climate cooperation emerged as a compelling issue, particularly for dairy farmers affected by the US-China trade war and extreme weather patterns. Justice is Global is replicating the success of these conversations on a larger scale to engage a wider audience, promoting legislation for US-China climate cooperation. Collaborating with organizations like the Quincy Institute, the 1990 Institute, and the Serica Initiative, they have received positive reception from congressional offices and community members. This reflects a growing desire for real solutions to address climate change, rather than divisive rhetoric.

Sandy invites us to advocate for US-China climate cooperation. She emphasizes the urgency of the issue and the unique stakes that Asian American and Pacific Islander (AAPI) communities have in it. She highlights the critical role of cooperation between the US and China in deploying renewable energy technology at a massive scale, essential for preventing catastrophic levels of climate change.

“People are growing increasingly tired of politicians pointing fingers and using languages like us versus them. People want to see our leaders pivot to real solutions that address climate change and improve their lives,” Sandy said.

Time is of the essence to keep the earth’s temperature from reaching catastrophic levels, which means we need to deploy technology at a massive scale to transition our energy sources to renewable ones. And we cannot achieve that without cooperation between the US and China, the world’s two biggest technology and innovation powerhouses. In fact, the US cannot build a green economy without China.

Read New York Times op-ed: [America Can’t Build a Green Economy Without China](#)

Sandy underscores the historic contributions of AAPI communities to scientific and technological collaboration between the two countries, which have been hindered by geopolitical tensions and unfair targeting of scientists of Asian descent. She frames the fight for US-China cooperation as a fight to protect AAPI communities and ensure their ability to collaborate freely and innovate without fear.

Sandy expresses gratitude for efforts to combat racial profiling and discrimination and invites listeners to join in supporting US-China climate cooperation by advocating for proposed legislation. She positions US-China climate cooperation as not just a separate issue but also an AAPI issue, highlighting the importance of collective action to advance a positive vision for the future.

[\[Slide 3\]](#)

Although the bill is not yet officially introduced, Sandy can provide broad details about its focus. She invites organizations interested in endorsing the bill to reach out for specific information.

The bill outlines three areas for US-China climate cooperation:

1. Climate finance: Increasing funds to support low-income countries in deploying clean energy and green infrastructure.
2. Trade: Reducing disputes over policies supporting domestic green industries, creating favorable trade environments, and fostering job creation.
3. Technology sharing and transfer: Accelerating green technology innovation and deployment through cooperation and healthy competition.

Sandy invites further discussion for specific policy proposals to achieve these goals.

[\[Slide 4\]](#)

Sandy outlines her plans for engaging AAPI communities on the issue of US-China climate cooperation and the upcoming bill. She requests assistance in several areas:

1. Messaging/communications targeting AAPI audiences, including collecting personal stories, identifying effective messengers, insights on media, and translation work.
2. Garnering support from AAPI groups through an organizational sign-on letter: <https://bit.ly/3urDZSX> and later, a congressional sign-on letter.

3. Hosting community events to raise awareness and gather support.

Sandy provides a link to a form for individuals interested in providing support, noting that someone will follow up after completion.

She expresses gratitude and eagerness to collaborate.