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## Update on First Webinar and Houston Rally Against Racist Bills

"A Call to Stop SB 147 and All Alien Land Laws" Webinar on February 17, 2023



Webinar Registration



Topic A Call to Stop SB 147 and All Alien Land Laws

Time Feb 17, 2023 05:00 PM in Eastern Time (US and Canada)

The first of two webinars in a mini series on the discriminatory Texas Senate Bill 147 and historical alien land laws will be held on Friday, February 17, 2023, starting at 5 pm ET/4 pm CT/2 p.m. PT. Panelists for the webinar include

- **Gene Wu 吳元之**, Representative, Texas House of Representatives
- **Clay Zhu 朱可亮**, Attorney, Chinese American Legal Defense Alliance (CALDA)
- **Jamal Abdi**, President, National Iranian American Council (NIAC)
- **David Donatti**, Staff Attorney, the American Civil Liberties Union (ACLU) of Texas

Rep. **Judy Chu 赵美心**, Chair of Congressional Asian and Pacific American Caucus (CAPAC), is invited to give the opening remark.

The webinar is co-sponsored by United Chinese Americans (UCA, [www.ucausa.org](http://www.ucausa.org)), APA Justice ([www.apajustice.org](http://www.apajustice.org)) and 1882 Foundation ([www.1882foundation.org](http://www.1882foundation.org))

Register for the webinar here: <http://bit.ly/3jXSPv9>

## Houston Rally Against Racist Bills on February 11, 2023



Texas State Representative **Gene Wu** 吳元之 and a coalition of community organizations led a rally in Houston on February 11, 2023, to protest against the proposed discriminatory Senate Bills 147 and 552.

Joining the rally and speaking to condemn the discriminatory bills were **Sheila Jackson Lee**, **Al Green**, and **Lizzie Fletcher**, members of U.S. Congress; Rep. **Ron Reynolds**, Vice Chair of the Texas Legislative Black Caucus; Houston Mayor **Sylvester Turner**; **Alice Chen** 譚秋晴, City Council Member, City of Stafford, Texas; **David Donatti**, Staff Attorney, American Civil Liberties Union of Texas; and members of the Chinese, Korean, Iranian, and other immigrant communities.

Professor **Steven Pei** 白先慎, Co-Organizer of APA Justice, was on the ground and spoke at the rally. He provided the organizers with 1,000 yellow whistles with the message of "We Belong" for distribution to rally participants. The whistles added significant volume to the voices at the rally.

The event was livestreamed at Facebook and can be viewed here: <https://bit.ly/3HYqVaj> (video 2:01:07). A photo album on the rally is here: <http://bit.ly/3YFVI86>

## Media Reports on Houston Rally and More



On February 11, 2023, *Click2Houston* reported on the rally by the Asian American community and leaders to express outrage for Texas Senate Bill 147.

According to the report, “This type of legislation. This growing anti-Asian and anti-immigrant sentiment is a direct attack on our community and on our city, quite frankly,” Texas State Representative **Gene Wu** 吳元之 said.

“Senate Bill 147 should not be addressed at the state level,” Congressman **Al Green** said. “This is something we can do at the federal level because we have a committee on foreign investments to do just this.”

Houston Mayor **Sylvester Turner** says one-quarter of the city is foreign-born and comes from outside of the US. He says the bill sets the wrong tone. “And then how do you enforce it? Do you assume? Or put the burden on every Asian American to demonstrate that they do not have any affiliation with one of those countries,” he said.

Watch and read the *Click2Houston* report: <https://bit.ly/3YsAkOv>

According to *YahooNews* on February 9, 2023, foreign ownership of farmland and other real estate, particularly by Chinese citizens or businesses, is becoming a hot issue in the United States, and not only in Texas. Florida, Arkansas, South Dakota and eight other states are considering legislation to restrict foreign ownership.

Texas, though, may be a bellwether. With 28.8 million citizens, Texas is the second most populous state. Of its residents, 1.4 million define their ethnicity as Asian, and 223,500 say they are of Chinese origin, US census data shows. Houston, the fourth largest US city, has 156,000 residents who identify as Asian. They include US citizens with Asian heritage but also Chinese permanent residents -- or green card holders -- who are not naturalized citizens.

Texas State Senator **Lois Kolkhorst**, sponsor of Texas Senate Bill 147, said that her proposed bans would not affect people with US citizenship or permanent resident status nor anyone "fleeing the tyranny" in their homelands. For **Ling Luo** 罗玲, a first-generation Chinese immigrant and director of the Asian Americans Leadership Council, such statements are not convincing -- even to US citizens like herself.

"Who knows if you're a citizen or you aren't a citizen? It's not written on your face. Your Chinese face is what makes people come and abuse us, hate us, to beat us up," she said.

Read the *YahooNews* report: <https://yhoo.it/3E31Z0o>

**From Wen Ho Lee 李文和 in 1999 to Today's Xiaoxing Xi 郝小星**



**Sharyl Attkisson** is a five-time Emmy Award winning investigative journalist. She hosts the Sinclair Broadcast Group TV show *Full Measure*, as well as a Podcast.

According to Attkisson Podcast 173 on February 2, 2023, from **Wen Ho Lee 李文和** in 1999 to today's **Xiaoxing Xi 郝小星**, the FBI has for decades been wrongly accusing numerous innocent Chinese American scientist of being spies. This episode includes never-before-discussed background on the Wen Ho Lee story, which Attkisson broke on *CBS News* as a young reporter.

**Attkisson advises that when the government leaks a story, do not accept it at face value, conduct research, and check with reliable and trusted sources.**

Attkisson cited Wen Ho Lee as a case in point. More than 20 years ago, she received a tip that the People's Republic of China had stolen the design plan for the W-88 American thermonuclear warhead, but there was no suspect or how it was lost. When the government leaked the identity of a suspect in the name of Chinese American nuclear scientist Wen Ho Lee, a Chinese American nuclear scientists at the Los Alamos National Laboratory, before an arrest or charges were made, Attkisson was skeptical and did not follow other media in repeating the government's story as if Lee was already guilty.

Based on the sources Attkisson had talked to, she concluded that the government used Lee as a scapegoat out of the embarrassment that the FBI and the government did not know how the W-88 secrets were lost.

Attkisson then went on to tell the horrific behavior of the FBI falsifying information about Lee's lie detector tests. Wen Ho Lee either passed or failed his spy-related polygraph test depending on who was interpreting the results. Attkisson's video report is no longer available online, but the written report titled Wen Ho Lee's Problematic Polygraph is online here: <https://cbsn.ws/3YM5qk7>

Wen Ho Lee took a polygraph test on December 23, 1998, in Albuquerque, New Mexico. Because Lee, a Taiwanese American had recently been to Taiwan, had visited China in the past, and purportedly had access to America's top nuclear secrets, the FBI focused on him as the prime suspect in the emerging case. According to the Podcast, the FBI still was not close to making an arrest even at the beginning of the test, but the Department of Energy's (DOE) head of counterintelligence, Ed Curran, was reluctant to leave Lee in his highly sensitive job in the Los Alamos laboratory's X Division. So he ordered the polygraph test.

FBI agents were standing by ready to interrogate Lee if his polygraph answers proved to be deceptive. Lee was asked four espionage-related questions. The polygraph results were so convincing and unequivocal that sources say the Deputy Director of the Los Alamos lab issued an apology to Lee and began to reinstate Lee to the X Division. Furthermore, sources confirmed to *CBS News* that the local Albuquerque FBI office sent a memo to Headquarters in Washington saying it appeared that Lee was not their spy.

The key decision makers in Washington were unconvinced. Several weeks after the polygraph, DOE decided to assign the unusual designation of the polygraph being incomplete. And officials in Washington also ordered a halt to Lee's reinstatement to the X Division. When FBI Headquarters in Washington finally obtained the DOE polygraph results, they said Lee had failed. The FBI then did their own testing of Lee and then claimed again that he failed the polygraph. Yet sources say the FBI didn't interrogate Lee or even tell him that he had failed the polygraph, which is an odd deviation from procedure for agents who are taught to immediately question anyone who is deceptive in a polygraph.

Then on March 7, 1999, the FBI ordered another interrogation of Lee. This time in a confrontational style interview. One special agent doing the questioning told Lee no fewer than 30 times he had failed his polygraph. He repeatedly demanded Lee to know why. One investigative source told Attkisson that after this particular day of questioning, the lead FBI agent verbalized that she thought Lee was not the right man, but again others still remained unconvinced.

Here are some selected excerpts from the interrogation:

FBI special agent: **"You're never going to pass a polygraph. And you're never going to have a clearance. And you're not going to have a job. And if you get arrested you're not going to have a retirement...If I don't have something that I can tell Washington as to why you're failing those polygraphs, I can't do a thing."**

Lee: **"Well I don't understand."**

FBI special agent: "I can't get you your job. I can't do anything for you, Wen Ho. I can't stop the newspapers from knocking on your door. I can't stop the newspapers from calling your son. I can't stop the people from polygraphing your wife. I can't stop somebody from coming and knocking on your door and putting handcuffs on you."

Lee: "I don't know how to handle this case, I'm an honest person and I'm telling you all the truth and you don't believe it. I, that's it."

FBI special agent: "Do you want to go down in history whether you're professing your innocence like the Rosenbergs to the day that they take you to the electric chair?"

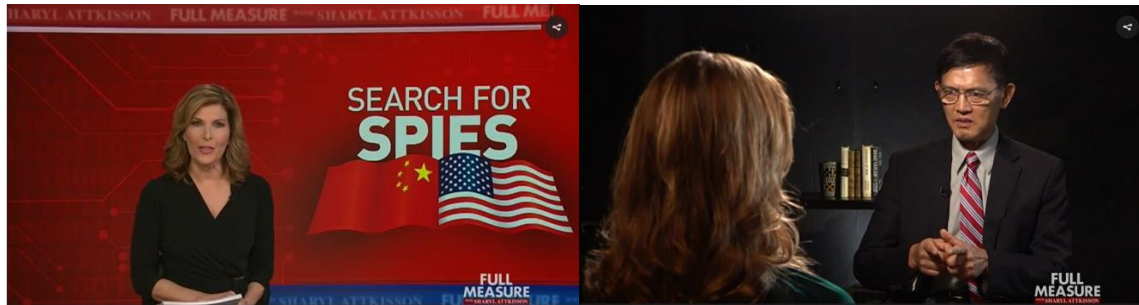
Lee: "I believe eventually, and I think God, God will make it his judgement."

**FBI Culture.** One of the lead FBI agents in the Wen Ho Lee case was **Charles McGonigal**, who was rewarded with promotions. On October 4, 2016, he was named [Special Agent in Charge of the Counterintelligence Division](#) for the FBI New York Field Office.

On January 23, 2023, McGonigal was arrested and indicted allegedly for taking money from a former Albanian intelligence employee and from a representative of a Russian oligarch. The charges came in separate indictments unsealed in New York and Washington, D.C., after an investigation by FBI, his own agency, and federal prosecutors.

On January 24, 2023, FBI Director **Christopher Wray** told employees in an internal message that McGonigal does not represent the actions of the rest of the Federal Bureau of Investigation, despite the fact that he rose through the ranks for three decades. Innocent victims like Wen Ho Lee and taxpayers pay the ultimate price when the FBI failed to punish misconduct and rewarded them instead. The FBI has always denied racial profiling despite mounts of facts and cases to the contrary.

Listen to the Attkisson Podcast: <http://bit.ly/3YGuJnx> (audio 27:07). Read the CBS News report in 2000: <https://cbsn.ws/3YM5qk7>



According to the [Sinclair Broadcast Group website](#), *Full Measure* is an award-winning, weekly national news program, focused on investigative, original, and accountability reporting, and dedicated to pursuing untouchable subjects through fearless journalism. *Full Measure*, hosted by journalist **Sharyl Attkisson**, airs on Sinclair stations on Sunday mornings. The program is fed to 43 million TV households in the US each Sunday on our ABC, CBS, NBC, CW, Fox and Telemundo affiliates. A full TV station list by state and city is provided here: <http://bit.ly/3Xp3dtJ>. The broadcasts are also available online.

According to the *Full Measure* broadcast of "Search for Spies" on February 5, 2023, the way the U.S. is addressing the need to protect American technology amid Chinese efforts to steal it is causing more harm than good and leading to innocent scientists being charged as spies.

The report included an interview with **Xiaoxing Xi 郝小星**, Professor of Physics at Temple University. Xi's rude awakening came early one morning in May of 2015 when armed FBI agents with their gun drawn, ordered his wife and two daughters out of their bedrooms with their hands raised, and arrested Xi.

The FBI wrongly accused Xi of being a spy. "What we do know is that the FBI agent who investigated my case made up evidence, and he was told that I was not talking about the pocket heater before he went ahead and charged me," Xi said during the interview. Xi is suing the government, accusing "law enforcement agents of abus[ing] the legal process by obtaining indictments and search warrants based on misrepresentations or by fabricating evidence." The FBI denies wrongdoing.

"I want to say that the fact that the Department of Justice is spending this much resource on these innocent Chinese-American academics, the question I would ask is, are they really catching real spies, right? Are they spending taxpayers' money responsibly in protecting our country," Xi said in the interview.

After FBI misconduct was revealed in the **Wen Ho Lee 李文和** case, Lee pleaded guilty to just one count of mishandling data, no spy charges, and was released with an extraordinary apology. Judge **James Parker** said those who led Lee's prosecution "embarrassed our entire nation and each of us who is a citizen in it." President **Bill**

**Clinton** also questioned his justice department's actions.

In closing, Attkisson said, "Prosecutors recently asked a judge to dismiss criminal charges against a New York City police officer and Army reservist whom the FBI had charged with being a Chinese spy in 2020."

Watch and read the *Full Measure* report: <http://bit.ly/3XnJRVW>. Listen to the full interview with Professor Xi: <http://bit.ly/3E35rYZ>

### **Yet Another Victim of The "China Initiative" - Baimadajie Angwang 昂旺**

The New York City police officer and Army reservist whom the FBI had charged with being a Chinese spy in 2020 is **Baimadajie Angwang 昂旺**,

According to the *New York Times* on February 10, 2023, Angwang was born in 1986 in a village in Tibet on southwest China. He traveled to the U.S. on a cultural exchange visa as a teenager. Angwang returned to the U.S. at 17, sought asylum and ultimately secured U.S. citizenship. In 2009, he joined the Marines and served seven months in Afghanistan. After an honorable discharge in 2014, he joined the Army Reserve, obtaining "secret" level security clearance.

He joined the New York Police Department (NYPD) in 2016, inspired, he said, by the sharp uniforms and the kindness of street cops he relied on when he first arrived. He married and settled in suburban Long Island, a short drive to his job as a patrol officer and, later, community affairs liaison in Queens's 111th Precinct, where many Tibetans live. His parents still live in Tibet.

Federal authorities arrested Angwang in September 2020, they accused him of reporting on other Tibetans to a handler at the Chinese consulate in New York. They said he had lied on security forms and questioned whether his case for citizenship had been predicated on false claims. Angwang faced the potential of 55 years in prison. His indictment was yet another unjust case under the now-defunct "China Initiative" launched by the Department of Justice under **Donald Trump**.

A federal judge dismissed the charges last month, at the government's request. Pressed for clarity, prosecutors told the court that they had made a "holistic" assessment of the evidence, and that the charges should be dropped "in the interests of justice." The case's unraveling demonstrates the complexity of investigations based on classified intelligence, the broad powers of the federal government to sweep up communications and the challenges of prosecuting, let alone defending, those cases in court.



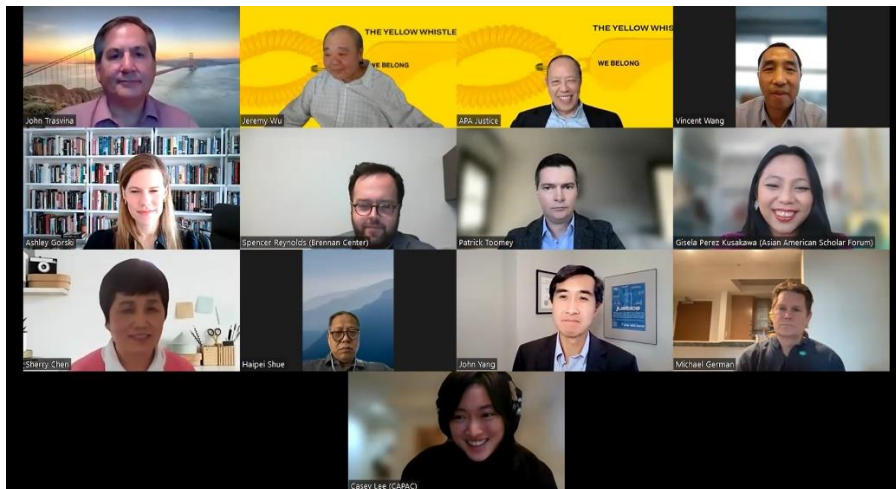
Now that he is no longer accused of being a secret agent for China, Angwang started to ask hard questions. He has been on paid administrative leave from the Police Department for two years, and has not been allowed to rejoin.

The hardest question: How could he — a naturalized U.S. citizen, New York City police officer and Marine Corps veteran — have been jailed for months over what he says were misunderstood phone calls and classified evidence that not even his lawyer could see in full? Angwang is rankled by the extreme secrecy with which the government held its classified evidence, describing it as an “abuse of power.” His lawyer, **John Carman**, said that what little evidence he was allowed to review was condensed and redacted. He was not allowed to share it with his client.

Angwang and John Carman have agreed to speak at the next APA Justice monthly meeting on March 6, 2023, starting at 1:55 pm ET/10:55 am PT.

Read the *New York Times* report: <https://nyti.ms/40RZ9VS>. Read the Angwang story and coverage on the APA Justice website: <https://bit.ly/3RIqXld>

## 2023/01/09 APA Justice Monthly Meeting Summary Posted



The January 9, 2023, APA Justice monthly meeting summary has been posted at <https://bit.ly/3YpMJTV>. We thank the following speakers for sharing their updates and thoughts with us:

- **Rep. Judy Chu 赵美心**, Chair of Congressional Asian Pacific American Caucus, kicked off the New Year with us again by reviewing 2022 and looking to what is ahead in 2023. Rep. Chu described the formation of APA Justice in 2015, back when Sherry Chen and Dr. Xiaoxing Xi's cases became public, "we

never knew how large of a problem targeting our communities would become and what new struggles we would face, but thanks to your leadership, the Asian American scientific and academic community's voices are louder than ever before, and more people are aware of the blatant racial profiling that our communities have faced at the hands of our own government... CAPAC will continue to prioritize calling out blatantly xenophobic, anti-China rhetoric, and pushing back policies that unfairly target Chinese American communities, which we unfortunately are expecting to see much more of in the year ahead." Watch Rep. Chu's video at: <https://youtu.be/FLxSG7jNbco> (video 8:59)

- **Sherry Chen 陈霞芬**, Hydrologist, U.S. Department of Commerce (DOC), spoke about her historic settlement and 10-year fight for justice. Despite the low odds, a historical settlement was reached with DOC and Justice Department for Sherry's employment case, and her lawsuit against both departments, ending the decade-long legal battle of three lawsuits, including the criminal case against Sherry Chen. Her life was turned upside down by the government's illegal investigation. She was treated as a spy and arrested in front of her coworkers despite no evidence whatsoever. Despite being offered many plea deals, Sherry decided to maintain her innocence and reject these deals, ready to fight for justice at trial. Sherry discussed her meeting with DOC official Benjamin Friedman where she brought up several issues and concerns with the agency's recent changes, especially the lack of accountability and employee protections for privacy and civil rights. Mr. Friedman promised that he would bring her suggestions and concerns to the relevant offices. Sherry hopes that her case can be an example to others fighting for justice and civil rights. Though there is no amount of money or reparations that can undo the wrongful damages and harms Sherry Chen has experienced, the settlement does achieve her goal for this fight, to hold the government accountable and to bring positive impact to prevent this type of situation from happening to other individuals in the future. Sherry shared the letter of accomplishment she received from DOC here: <https://bit.ly/3Xak0AW>
- **Vincent Wang 王文奎**, Co-organizer, APA Justice; Chair, Ohio Chinese American Association; and **Haipai Shue 薛海培**, President, United Chinese Americans, provided recap of the Congressional Reception in honor of Sherry Chen on December 13, 2022.
- **Patrick Toomey**, Deputy Director, National Security Project, American Civil Liberties Union (ACLU) described how the alliance between ACLU and the Asian American community continues to grow after the historic settlement of Sherry Chen marked one of the ACLU's Top 4 accomplishments in 2022. The ACLU's areas of focus in 2023 will include: Xiaoxing Xi's case, surveillance reform, border questioning, and DOJ/DHS policies against discrimination.

- **John Trasvina**, Civil Rights Attorney, Former Counsel, Senate Judiciary Subcommittee on the Constitution; Former Dean, University of San Francisco School of Law reported that the Senate Judiciary Committee did not approve the Casey Arrowood nomination for US Attorney for the Eastern District of Tennessee. Now that the nomination has been returned to The White House, there are three possible outcomes: (1) Mr. Arrowood could be renominated. (2) The current interim US attorney, Trey Hamilton, could remain without any nomination being made. (3) Congressman Steve Cohen of Memphis, the only Tennessee Congressional representative of the president's party, could start the process again to recommend a U.S. Attorney nominee to the Biden Administration.
- **John Yang 杨重远**, President and Executive Director, Advancing Justice | AAJC, reported that Under new house leadership, one of the first things that Speaker McCarthy did was to create a new select committee on China, which AAJC has obvious concerns. AAJC will follow up with DOJ as one year has passed since the end of the "China Initiative." Legislatively, there is concern about language which would essentially reinstate the "China Initiative."

Read the January meeting summary here: <https://bit.ly/3YpMJTv>. Read past monthly meeting summaries here: <https://bit.ly/3kxkqxp>

## Biden Administration Will Not Renominate Casey Arrowood



**Sen. Marsha Blackburn**   
@MarshaBlackburn



China has a 5,000 year history of cheating and stealing. Some things will never change...

9:52 AM · Dec 3, 2020

On February 5, 2023, [Knox News](#) reported that the current U.S. Attorney for the Eastern District of Tennessee, **Francis “Trey” Hamilton III**, is an interim appointment made by the district’s judges. President **Joe Biden** nominated **Casey Arrowood** for the U.S. Attorney position, but he was not approved during the last session of the U.S. Senate, so the nomination expired. Arrowood faced opposition from Asian communities and advocates because he was the prosecutor who helped mount an espionage case against University of Tennessee Professor **Anming Hu 胡安明** as part of former President **Donald Trump**’s “China Initiative.” The case was dropped by a federal judge in Knoxville.

According to [Knox News](#) on February 6, 2023, President Joe Biden has decided not to renominate Casey Arrowood despite strong support from Republican Sens. **Marsha Blackburn** and **Bill Hagerty**. Earlier on December 3, 2020, Senator Blackburn issued an uneducated tweet that is insulting to all people of Chinese origin, "China has a 5,000 year history of cheating and stealing. Some things will never change..."

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