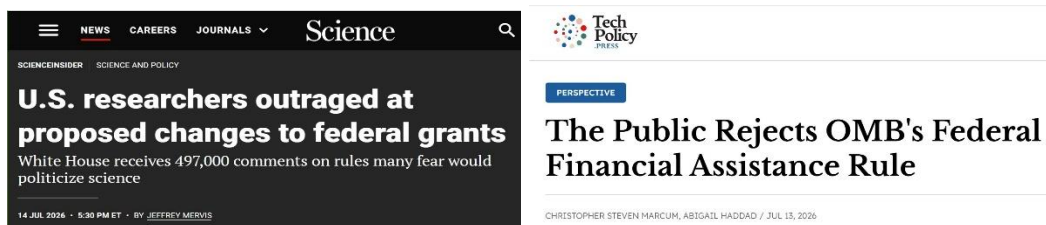


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OMB Rams Rule to Gut U.S. Science Grants and Collaboration Worldwide



A proposed White House rule that would restrict international research collaboration across nearly the entire federal government — not just the National Science Foundation (NSF) — has drawn a record-breaking public response and bipartisan congressional pushback, even as the Office of Management and Budget denied requests to extend its unusually short comment period.

What the Rule Would Do

On May 29, 2026, OMB proposed a sweeping rewrite of the federal government's ["Uniform Guidance"](#) — the rules governing how virtually all federal grants and cooperative agreements are awarded, managed, and terminated across agencies including NSF, NIH, DOE, and NASA. The proposal amends 456 sections of federal regulation, and its restrictions on international collaboration are just one part of a much broader overhaul that also expands political appointees' authority over merit-based grant decisions and creates new grounds to terminate active awards without cause. As reported in our newsletter [Issue 402](#), NSF's own China collaboration ban relies on restricted-entity lists specific to that agency; this OMB rule would go

considerably further on the international-collaboration front, prohibiting federal award funds from being used for any collaboration with "countries of particular concern," designated foreign adversaries, or countries subject to national-security-related sanctions — with China as the most prominent country affected, alongside Russia, Iran, and North Korea. The rule would also block federal funds from going directly to foreign entities altogether, with exceptions only if expressly authorized in law or approved by a political appointee.

According to reporting by [AIP's newsletter](#), the practical reach of this rule is enormous. Because it applies to multilateral as well as bilateral collaborations, U.S. scientists could be forced out of major international projects simply because a Chinese researcher participates — even in large physics collaborations that routinely involve a thousand or more international partners. **Cole Donovan** of Stand Up for Science pointed to concrete examples: the rule could disrupt U.S. participation in the Large Hadron Collider (hosted by CERN in Switzerland) and fusion research partnerships, and the restrictions on "national security" countries could plausibly extend even to U.S. allies, citing precedent from semiconductor export restrictions previously placed on 17 European Union countries.

The rule would also eliminate the "fundamental research exclusion" that has historically exempted much federally funded research from export-control regulations — a change Stand Up for Science warned "could expose a vast amount of government research to new restrictions far beyond the intent of the rule."

Why the OMB Rule Could Bite Harder Than NSF's Policy

Stanford physicist **Peter Michelson** offered a useful illustration of why the OMB rule poses a distinct and, in some ways, larger threat. Michelson noted that his own China-collaborative research, funded through NASA rather than NSF, is not directly affected by NSF's new restrictions — it complies with the Wolf Amendment because the collaboration is multilateral rather than bilateral, and all resulting publications and data are openly available to researchers worldwide.

The OMB rule would change that calculus entirely. Because the proposal is not limited to bilateral collaboration in the way the Wolf Amendment is, it would bar continued collaboration with Chinese partners even in an open, multilateral, fully transparent research program of exactly this kind. Michelson emphasized this would not be an isolated problem — it would affect a wide range of international collaborators well beyond his own project — and argued it would be both unethical and scientifically damaging to exclude Chinese-based collaborators who have been exemplary contributors to shared research.

This tension also extends to NSF's own operations. Michelson pointed out that the status of NSF's SECURE program, a research security initiative Congress mandated under the CHIPS and Science Act, remains unclear. NSF's new China collaboration policy will potentially conflict with this separate congressionally required program.

Record Public Opposition, Bipartisan Pushback, and a Denied Extension

The rule's 45-day comment period drew an extraordinary response: nearly [497,000 public comments](#) on the 412-page proposal were submitted by the July 13 deadline, according to Science, with organizations like Stand Up for Science, the American Physical Society, and American Geophysical Union (AGU) mobilizing members to respond. OMB had only posted a fraction of the comments it received, making it difficult to independently assess the overall balance of support and opposition — though an earlier analysis by [Tech Policy Press](#) of more than 50,000 comments found 94% opposed the rule, with politicization of grant decisions cited as the top concern. AGU President **Brandon Jones** wrote that the rule would "restructure the foundational rules of U.S. science funding — with cascading impact for global collaborators — to serve political priorities rather than the public good."

More than 300 science, research, and education organizations — including the [Association of American Universities \(AAU\)](#) — formally requested that OMB extend the comment period to August 27, arguing that a rule of this scope and complexity deserved more than 45 days of public input. Sen. **Susan Collins** (R-ME), chair of the Senate Appropriations Committee, separately asked OMB to extend the deadline by at least 90 days and to withdraw provisions that would "unduly burden scientific and biomedical research." All 47 members of the Senate Democratic Caucus and 125 House Democrats signed separate letters opposing the rule.

OMB denied every extension request. The comment period closed as originally scheduled on July 13. AAAS, in its formal comment, wrote: "We are disappointed that OMB denied requests for an extension to the comment period. The breadth and complexity of these significant proposed changes deserve all due diligence." AAAS ultimately urged OMB to withdraw the proposal in its entirety, as did the [American Physical Society](#), which called the rule an unequivocal threat to "the system of peer review and international collaboration that has been central to making the U.S. a global leader in science."

AAU's Formal Comment: A Rule That May Conflict With Existing Law

[AAU's formal comment](#) to OMB goes further than most, arguing the rule does not just raise policy concerns but may be legally unenforceable as written. AAU asserts that Congress has not given OMB the power "to define which categories of scientific research may be federally funded; to restrict the international scholarly collaborations that Congress has elsewhere specifically authorized, or to make the receipt of federal research funding contingent on an institution's adherence to contested positions about civil rights law, scientific inquiry, and arbitrary and political decisions about what is in the national interest." AAU identifies several provisions it says "conflict with statutory responsibilities that Congress has assigned to federal

agencies," rely on executive orders still tied up in litigation, or "exceed the authority delegated to OMB under federal law."

Among AAU's most specific concerns: the rule's expanded authority to terminate active grant awards "for convenience" could run afoul of the Impoundment Control Act of 1974, which bars the executive branch from withholding or delaying appropriated funds without following specific statutory procedures. AAU argues a grants-management regulation "is not a substitute for those procedures," and calls on OMB to identify, for each mandatory statutory program the rule would touch, which legal obligation actually governs when the rule and existing statute conflict — something the current draft does not do.

AAU also flags a direct conflict with civil rights law: institutions would need to simultaneously comply with the rule's restrictions on DEI-related activity and their existing obligations under Title VI, Title IX, and Section 504 — statutes AAU says require exactly the kind of activity the new provision would prohibit. AAU notes the rule's repeated qualifier, "to the maximum extent permitted by law," does not resolve these tensions — it simply "delegates their resolution to individual agencies without guidance," leaving universities and researchers, in AAU's words, navigating "an irresolvable compliance dilemma."

Notably, OMB's own proposed text exempts CHIPS and Science Act awards, along with several other categories, from the new discretionary termination and suspension authority specifically — so on that narrow point, direct conflict with CHIPS-funded programs may be avoided by design. But whether the rule's international collaboration restrictions (a separate provision, not covered by that exemption) conflict with CHIPS Act mandates like NSF's SECURE program — the very tension Michelson raised — remains an open, unaddressed question.

Why This Matters for APA Community

This rule intersects directly with several threads APA Justice has been tracking. Where NSF's own China collaboration ban relies on institution-specific restricted-entity lists, this OMB rule would impose a government-wide default barring collaboration with China and other "countries of concern" — with far fewer carve-outs and a far broader scope, potentially reaching even the kind of open, multilateral, fully transparent collaborations that current policy explicitly permits. Scientists of Chinese and other Asian descent, who make up a substantial share of U.S. research collaborations with Asian institutions, would likely bear a disproportionate burden of compliance uncertainty and lost opportunities, echoing concerns raised throughout this year's NSF, research security, and visa-related coverage.

What's Next

Under the Administrative Procedure Act, OMB is required to review and respond to substantive public comments before finalizing the rule, which is currently scheduled to take effect October 1, 2026 — the

same effective date as NSF's separate China collaboration policy. Whether the volume and breadth of opposition, including AAU's statutory conflict arguments, leads OMB to substantially revise the rule before finalization remains to be seen. Given OMB's refusal to extend the comment period despite widespread requests, advocates who track this issue may want to watch closely for the final rule's publication, and for any legal challenges that may follow if the rule proceeds largely unchanged. The tension between NSF's new policy and its own congressionally mandated SECURE program, along with the open question of how open, multilateral research programs would fare under the OMB rule, will be part of the discussion at APA Justice's upcoming monthly meeting on August 3, 2026.

Dr. Yanping Chen Seeks Escalating Fines Against Reporter Catherine Herridge



Yanping Chen 陈燕平

Docket ID: 1:18-cv-03074

District Court, D. Columbia

Date filed: Dec 21, 2018

DC Circuit Appeals Court

Appellate Case 24-5050

Dr. **Yanping Chen 陈燕平** has asked a federal court to sharply increase the financial penalty against journalist **Catherine Herridge**, who remains in contempt of court for refusing to identify the government official who allegedly leaked Chen's private records in violation of the Privacy Act — a case with echoes of the wrongful targeting Chen and others, including **Wen Ho Lee 李文和**.

Background

Chen, a scientist and entrepreneur, has spent years pursuing a Privacy Act lawsuit after protected information about her was leaked to Herridge, then a *Fox News* reporter, and published without any accompanying evidence of wrongdoing. In August 2023, U.S. District Judge **Christopher R. Cooper** ordered Herridge to reveal the identity of her source(s) so Chen could pursue her claim against the government official(s) responsible for the unlawful disclosure. When Herridge refused, the court held her in civil contempt in February 2024 and imposed an \$800-per-day fine — but stayed the sanction to let Herridge pursue an appeal "to the hilt."

That appeal has now run its full course, and Herridge has lost at every stage:

- The D.C. Circuit unanimously upheld the contempt order in 2025.
- In May 2026, the full D.C. Circuit denied her petition for rehearing en banc — with not a single judge voting in her favor.
- Her request to stay the mandate was denied by the D.C. Circuit in June 2026.
- Her emergency application to the Supreme Court was denied on July 2, 2026, with only one justice indicating any interest in a stay.

The D.C. Circuit's mandate took effect July 7, 2026, meaning the \$800-per-day fine is now active.

Herridge Says She Will Keep Defying the Order

Despite losing at every level of the federal judiciary, Herridge has confirmed — through her attorneys and in a sworn declaration — that she will continue refusing to name her source(s). She has stated she intends to keep incurring the daily fine at least until the Supreme Court rules on a forthcoming petition for certiorari, a process her own filing acknowledges "will undoubtedly take months at a minimum."

What Chen Is Now Asking the Court to Do

In a [new motion](#) filed July 20, 2026, Chen's attorneys argue that the existing \$800-per-day fine has plainly failed to coerce compliance, since Herridge has treated it as a cost of doing business rather than a meaningful deterrent. Notably, Chen's filing points out that Herridge never argued to the Supreme Court that the fine would be "financially ruinous" — and suggests this is because *Fox News*, Herridge's former employer, is likely bankrolling her legal defense, given the extensive resources behind her litigation (including representation by prominent Supreme Court advocate **Paul Clement**).

Chen is asking the court to:

- Confirm and enforce the original \$800-per-day fine retroactive to July 8, 2026;
- Immediately increase the fine to \$1,500 per day, escalating to \$5,000 per day if Herridge does not comply within another week — a "graduated fine" structure modeled on a similar 2008 case, *Hatfill v. Mukasey*, involving another reporter held in contempt for protecting a source; and
- Bar Herridge from accepting outside funding — from *Fox News* or anyone else — to pay the fines, arguing that allowing a third party to cover the cost would defeat the entire

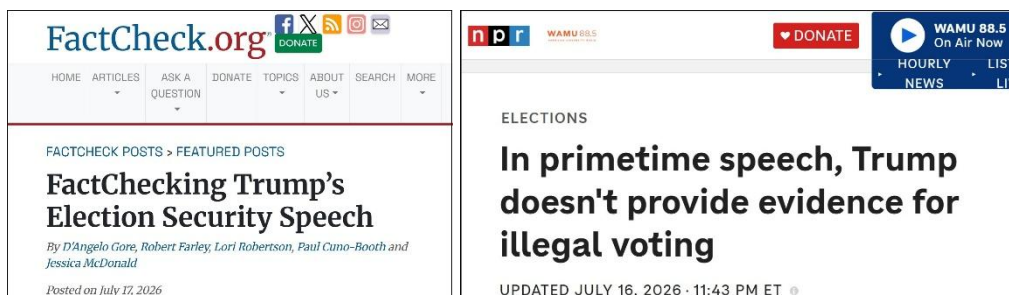
purpose of civil contempt, which is meant to personally coerce the individual's compliance.

Chen's filing emphasizes that Herridge left Fox nearly seven years ago and testified that she never told anyone at Fox the identity of her source — meaning, Chen argues, that Herridge alone holds the information needed to resolve the case, and she alone should bear the financial consequences of withholding it.

What's Next

The district court will rule on Chen's escalation request. Herridge's certiorari petition remains pending at the Supreme Court. APA Justice will continue to monitor this case, which raises significant questions about accountability for the wrongful targeting of Chinese American scientists

Trump's Election-Fraud Speech Sparks Fact-Checks and Fears of Anti-Asian Backlash



President **Trump's** prime-time address to the nation on July 16, 2026, alleging Chinese interference in the 2020 election, has drawn both a wave of fact-checking from major outlets and sharp warnings from Asian American organizations that the rhetoric could fuel renewed harassment against their communities — echoing patterns advocates say they've seen before.

What Trump Said

In a nearly 30-minute address from the East Room of the White House, Trump announced he had declassified documents he claims show that, starting in the 2020 election cycle, Beijing carried out "the largest compromise of election data in history," resulting in China's alleged acquisition of roughly 220 million U.S. voter files. Trump also cited a DHS report he called "stunning," alleging that state voter rolls and public records identified approximately 278,000 non-citizens registered to vote in federal elections — though, per [FactCheck.org](https://factcheck.org), neither Trump

nor DHS claimed any of those individuals actually voted illegally. Trump provided no evidence of any votes or outcomes actually affected. He renewed his push for the SAVE America Act, which would require proof of citizenship for voter registration and photo ID at the polls, and directed the Justice Department to prosecute those he says were involved.

What Fact-Checkers Found

Coverage from [PBS NewsHour](#), [CBS News](#), [FactCheck.org](#), and [NPR](#) found the speech's central claims do not hold up under scrutiny. A March 2021 National Intelligence Council assessment concluded with "high confidence" that Beijing did not attempt to influence the 2020 election's outcome, reasoning that Chinese officials did not see either a Trump or Biden win as advantageous enough to justify the risk of being caught. That assessment also found China did not interfere with election infrastructure or vote-counting systems — a distinct question from the newly surfaced allegations about voter registration data, and *NPR* reported that none of the newly released documents include evidence China actually used the voter data to influence the election's outcome. Every legal challenge and audit of the 2020 results, including hand recounts in Georgia and audits in Arizona, Michigan, Pennsylvania, and Nevada, has confirmed the outcome, with no evidence of fraud significant enough to change the result.

Democrats were quick to frame the speech as politically motivated. Senate Minority Leader **Chuck Schumer** said Trump is "scared to death that he will lose" the 2026 midterms and "trying to change the subject," and China's foreign ministry called the allegations "entirely fabricated," per [U.S. News](#).

Asian American Communities Voice Alarm

Several outlets and organizations reported concern that the speech's framing puts Asian Americans at risk of the same backlash seen during other periods of heightened U.S.-China tension. Notably, the [South China Morning Post](#) reported that Asian American groups condemned the speech even as "China hawks praised its message and tone" — underscoring how divided reaction to the speech has been along political lines.

APIAVote, the nation's leading nonpartisan AAPI civic engagement organization, issued a statement from Founder and Executive Director **Christine Chen** warning that "rhetoric that casts China as the source of America's problems has fueled harassment and violence against Asian Americans," drawing a direct parallel to the pandemic-era spike in anti-Asian violence. The organization pointed to the same election-audit evidence cited by fact-checkers and called on leaders to unite the country with facts rather than scapegoating.

The **Congressional Asian Pacific American Caucus (CAPAC)** also criticized Trump's claims directly, arguing they were being used to advance his broader voting-restriction agenda, according to reporting citing Pew Research Center and FBI hate-crime data. CAPAC's

statement follows a pattern established earlier this month, when the caucus separately condemned a Trump social media post referring to India and China as "hell-holes" and immigrants from those countries as "gangsters with laptops," which [Rafu Shimpo reported](#) CAPAC called part of "a disturbing pattern of the president legitimizing bigotry."

The ***South China Morning Post*** spoke separately with Chinese immigrants who echoed this fear directly. [Annie Guo](#), a Fujian-born mother of two now living in New York, said first-generation Chinese immigrants "are the easy targets because we still have many family ties in China," adding: "Whenever Trump doesn't do well in the election, he needs a scapegoat... It is like our original sin." Chinese-American advocacy groups quoted separately by ***SCMP*** said Trump's claims "threaten to fan an already tense domestic situation." Guo also noted a note of hope, pointing out that *ABC*, *NBC*, and *CNN* all declined to air the speech live on their primary channels as a sign that "many American people have common sense."

In Ohio, local outlet [Local12](#) reported that **Leo Chan**, who runs the Cincinnati-based Asia Chamber, warned that renewed U.S.-China political disputes could reignite the kind of suspicion and harassment against people of East Asian descent that peaked in the Tri-State area in 2023, when a shooting at an Asian-owned grocery store sent customers into a panic. Chan noted one silver lining: reaction to Trump's speech so far has been more measured and carefully worded than during the COVID-era backlash.

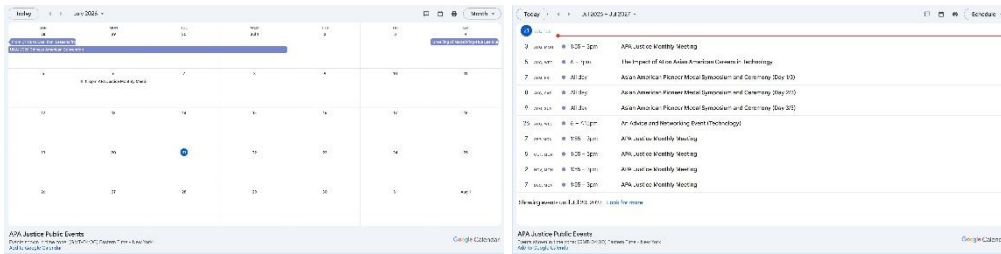
This concern builds on a documented pattern: **Stop AAPI Hate** has reported that anti-Asian hate incidents surged in the aftermath of Trump's election, with anti-South Asian slurs increasing 75% and anti-East Asian slurs increasing 51% between November 2024 and January 2025 alone — the highest levels the organization had recorded since it began tracking incidents in 2022.

The Bigger Picture

Coverage from *CNBC* and *Axios* situates the speech within Trump's broader, years-long effort to relitigate his 2020 loss, alongside new efforts — including redistricting and added voting procedural requirements — to shape the 2026 midterms, where Republicans are defending narrow congressional majorities. The [South China Morning Post](#) noted the speech comes roughly four months before a high-stakes midterm election, amid an unpopular war and record-low presidential approval numbers — raising concern among some observers that Trump could invoke these claims to contest results if the midterms do not go his way.

News and Activities for the Communities

1. APA Justice Community Calendar



Upcoming Events:

2026/08/03 APA Justice Monthly Meeting

2026/08/05 C100: The Impact of AI on Asian American Careers in Technology

2026/08/07-09 AASF: Asian American Pioneer Medal Symposium and Ceremony

2026/08/26 C100: An Advice and Networking Event (Technology)

Visit <https://bit.ly/3XD61qV> for event details.

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APA Justice Task Force is a non-partisan platform to build a sustainable ecosystem that addresses racial profiling concerns and to facilitate, inform, and advocate on selected issues related to justice and fairness for the Asian Pacific American community. For more information, please refer to the APA Justice website at www.apajusticetaskforce.org. We value your feedback. Please send your comments to contact@apajustice.org.

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