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2023/08/07 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held via Zoom on Monday, August 7, 2023, starting at 1:55 pm ET. In addition to updates by **Nisha Ramachandran**, Executive Director, Congressional Asian Pacific American Caucus (CAPAC); **John Yang 杨重远**, President and Executive Director, Advancing Justice | AAJC; and **Gisela Perez Kusakawa**, Executive Director, Asian American Scholar Forum (AASF), speakers will include:

- **Clay Zhu 朱可亮**, Partner, DeHeng Law Offices 德恒律师事务所; Founder, Chinese American Legal Defense Alliance 华美维权同盟, to report on the latest developments of the Florida lawsuit
- **Echo King 金美声**, President, Florida Asian American Justice Alliance (FAAJA), to provide on-the-ground reports about the July 18 court hearing, press conference, and protests; and a brief report by Professor **Shuang Zhao 赵爽**, Co-President, Yick Wo Institution 益和学会
- **Andy Wong**, Managing Director of Advocacy, and **Shanti Prasad**, Advocacy Manager, Chinese for Affirmative Action (CAA), to give a brief introduction of CAA and its recent roles and activities in alien land laws, warrantless surveillance/reauthorization of Section 702, anti-Asian hate, and related topics
- **Christine Chen**, Executive Director, to give a brief introduction of APIAVote, observations on the communities' reaction to the alien land bills/laws, the introduction of laws in some states criminalizing those who assist voters (AP report: <https://bit.ly/3NM9z3s>), and plans for the upcoming 2024 election

The virtual monthly meeting is by invitation only. If you wish to join, either one time or for future meetings, please contact one of the co-organizers of APA Justice - **Steven Pei 白先慎**, **Vincent Wang 王文奎**, and **Jeremy Wu 胡善庆** - or send a message to contact@apajustice.org

FCRTV Webinar on July 22, 2023



On July 22, 2023, *Florida Chinese Radio Television (FCRTV)* 佛州华语广播电视台 broadcast a webinar in Chinese. Titled 从微信禁令案到佛州地产限购法案，朱可亮律师讲解在美华人的维权之路和启发 (From the WeChat Ban Case to the Florida Alien Land Law, Attorney Zhu Keliang explains the road and inspiration of Chinese people in the United States to defend their rights), the featured speaker of the webinar was Attorney **Clay Zhu 朱可亮**. Watch the *FCRTV* video at: https://www.youtube.com/watch?v=zOqobsVDX_A (2:05:26).

Warrantless Surveillance - Section 702 of FISA Must Not Be Reauthorized Without Major Reforms

Perils of Warrantless Surveillance
The Case for Foreign Intelligence Surveillance Act Reform

Keynote Speaker **Panelists** **Moderator**

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| Pramila Jayapal Member US House of Representatives | Gang Chen Soderberg Prof. of Power Engineering MIT | Elizabeth Goitein Senior Director Brennan Center of Justice | Ashley Gorski Senior Staff Attorney ACLU | Brian A. Sun Partner at Norton Rose Fulbright & C100 Board Member | Lillian Sing Retired Judge California Superior Court |

June 26th, 2023, 4:00 pm - 5:15 pm EDT Registration link: <https://bit.ly/42AbNIF>

     

On June 26, 2023, Asian American Scholar Forum (AASF), American Civil Liberties Union (ACLU), APA Justice, Brennan Center for Justice, and the Committee of 100 (C100) co-hosted a webinar on "Perils of Warrantless Surveillance - The Case for Foreign Intelligence Surveillance Act (FISA) Reform." Congresswoman **Pramila Jayapal** led off the webinar with opening remarks. Panelists were **Gang Chen 陈刚**, Soderberg Professor of Power Engineering,

MIT; **Elizabeth Goitein**, Senior Director, Brennan Center for Justice; **Ashley Gorski**, Senior Staff Attorney, ACLU; **Brian A. Sun** 孙自华, Partner at Norton Rose Fulbright and C100 Board Member. The webinar was moderated by retired Judge **Lillian Sing** 郭丽莲, California Superior Court.

Section 702 of FISA was first enacted in 2008.

The U.S. Constitution protects its people against unreasonable searches and seizures. However, under Section 702, the U.S. government engages in mass, warrantless surveillance of phone calls, text messages, emails, and other electronic communications between Americans and foreigners. Information collected under this law without a warrant can be used to prosecute and imprison people, even for crimes that have nothing to do with national security. Asian Americans, especially Chinese Americans and the immigrant and scientific communities, have been targeted for warrantless surveillance that led to wrongful and unjust prosecutions. They include Temple University Professor **Xiaoxing Xi** 郝小星 and possibly New York Police Department Officer **Baimadajie Angwang** 昂旺. The current authority of Section 702 will expire on December 31, 2023.

Congress has started debate on the reauthorization of Section 702. It is not the only tool being used to spy on American citizens without a warrant, which is in possible violation of the Fourth Amendment of the Constitution.

A number of [civil society organizations](#) and [national organizations](#) have already weighed in and issued statements to oppose Section 702 reauthorization and warrantless surveillance unless there are major reforms.

Subsequent to the June 26 webinar, a group of diverse national, state, and local organizations and individuals has been formed to plan for follow-up actions by the Asian American communities. A kickoff planning meeting was held on August 3, 2023.

Watch the June 26 webinar: <https://www.youtube.com/watch?v=3k56a4KuSn0>. Read the APA Justice web page on Warrantless Surveillance: <https://bit.ly/3O6T43Q>

The Case of Dr. Yanping Chen vs FBI, DOJ, DOD and DHS



FILE - This April 19, 2017, photo shows a security guard looking out of the News Corp. headquarters in midtown Manhattan in New York.

Dr. **Yanping Chen** 陈燕平 is a naturalized U.S. citizen born in China. She was a cardiologist and medical researcher with the Chinese astronaut program. She came to the U.S. in 1987 to study and earned a Master's degree and a Ph.D. in Public Policy from George Washington University. She married a U.S. citizen, became a lawful permanent resident in 1993, and a U.S. citizen in 2001.

In 1998, Dr. Chen founded the University of Management and Technology in Arlington, Virginia, to provide secondary and graduate education to working adults. More than 12,000 students have received degrees in the last 20 years.

In 2010, Dr. Chen became the focus of a Federal Bureau of Investigations (FBI) investigation. After 6 years of investigation, Dr. Chen was told that no charges will be filed against her in 2016.

However, confidential information from the investigation was allegedly leaked to *Fox News* in or around 2017.

On December 21, 2018, Dr. Chen filed a privacy lawsuit against the FBI, Department of Justice, Department of Defense, and Department of Homeland Security.

According to *Voice of America* on August 3, 2023, Judge **Christopher Cooper** of the U.S. District Court for the District of Columbia issued a ruling that would force **Catherine Herridge**, then a journalist at *Fox News* and currently a CBS News correspondent, to participate in a deposition regarding the identity of her anonymous sources from her 2017 series of stories.

In 2022, Dr. Chen subpoenaed Herridge and *Fox News* to try to determine the alleged leaker's identity, but the journalist and news outlet rebuffed her efforts, citing First Amendment protections afforded to the press.

But in Cooper's ruling, he said Chen's need for the evidence outweighed Herridge's First Amendment privilege.

According to the *Washington Post* on June 5, 2006, **Wen Ho Lee** 李文和, a former nuclear weapons scientist who came under government suspicion of being a spy for China, settled a lawsuit over violation of his privacy rights and received \$1.65 million from the government and five news organizations, including *The Washington Post*.

Under the settlement, which was filed in U.S. District Court in Washington DC and cited in a joint statement by the five news organizations, Lee received \$895,000 from the government for legal fees and taxes related to his lawsuit accusing the U.S. Justice Department and Energy Department of violating his rights under the Privacy Act by leaking information that he was under investigation for suspected espionage.

The five news organizations -- the *Washington Post*, the *New York Times*, the *Los Angeles Times*, the *Associated Press* and *ABC News* -- agreed to pay Lee a total of \$750,000 as part of the settlement.

Read the *Voice of America* report: <https://bit.ly/3OIJ5Gf>. Read the *Washington Post* report: <https://wapo.st/43YOM2N>. Read the APA Justice web page on Dr. Yanping Chen: https://bit.ly/APAJ_Yanping_Chen

Reminder: Webinar on Understanding the FBI: Its Mission, Motivations, and Tactics



**Understanding the FBI:
Its Mission, Motivations,
and Tactics**

AUGUST 10TH 4:00- 5:00 PM ET

https://us02web.zoom.us/webinar/register/WN_gAorvODPQSSLXXuLqwuM6g

Michael German is a fellow with the **Liberty and National Security Program of the Brennan Center for Justice at NYU Law School**, where his work focuses on counterterrorism, law enforcement, and intelligence reform. He previously served sixteen years as a special agent with the Federal Bureau of Investigation (1988-2004), where he conducted criminal investigations and undercover operations. He is the author of **"Disrupt, Discredit, and Divide: How the New FBI Damages Democracy"** (New Press, 2019).

AASF is hosting an FBI teach-in to help the general public learn more about FBI investigations and tactics. Join us as the Brennan Center for Justice Liberty and National Security Program Fellow Mike German demystifies the FBI by explaining its missions and methods.

As relations between the government of the United States and China have grown more hostile, more and more Asian Americans, particularly those of Chinese descent are concerned about what their rights are and how they should respond when the FBI knocks on their door.

This webinar is intended to aid a greater understanding of the various reasons why the FBI might be interested in talking with you, to make these events less intimidating and assist you and your attorney in developing an appropriate response.

AASF
Asian American
Scholar Forum

**BRENNAN
CENTER
FOR JUSTICE**

On August 10, 2023, the Asian American Scholar Forum will host a webinar on Understanding the FBI: Its Mission, Motivations, and Tactics, featuring Michael German. Mike is a fellow with the Liberty and National Security Program of the Brennan Center for Justice at New York University Law School, where his work focuses on counterterrorism, law enforcement, and intelligence reform. He previously served sixteen years as a special agent with the Federal Bureau of Investigation (1988- 2004), where he conducted criminal investigations and undercover operations. He is the author of “Disrupt, Discredit, and Divide: How the New FBI Damages Democracy“ (New Press, 2019). Register for the event at <https://bit.ly/3pAMzwh>

News and Activities for the Communities

1. APA Justice Launches Community Events Calendar

Upcoming Events

APA Justice Public Events

Today ◀ ▶ August 2023 ▼ Print Week Month Agenda ▼

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|---------------------|-------|-----|----------------------|-------|---------------------|
| 30 | 31 | Aug 1 | 2 | 3 | 4 | 5 |
| 6 | 7 1:45pm APA Jus | 8 | 9 | 10 4pm Webinar: I | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 12pm 2023 Mar |
| 27 | 28 | 29 | 30 | 31 | Sep 1 | 2 |

Events shown in time zone: Eastern Time - Detroit + Google Calendar

APA Justice has launched a Public Events Calendar on the front page of its website at <https://www.apajustice.org/>. The new feature allows readers to view upcoming events with brief descriptions in one stop. Options are available to view the events by day, week, month, and agenda. We thank summer interns **Charlotte Ding** and **Ryan Zhao** for implementing this important functionality.

2. 2023/08/26 March on Washington



On August 26, 2023, a 2023 March on Washington will commemorate the 60th anniversary of the historic March on Washington, organized by Dr. **Martin Luther King Jr.** and other civil rights leaders in 1963, to continue the fight for democracy, social justice and civil rights. Join the King family at the Lincoln Memorial to honor the past, acknowledge the present and march toward a future of progress and equality.

Advancing Justice | AAJC is co-chairing this momentous event along with ADL, Human Rights Commission, Lawyers' Committee for Civil Rights Under Law, The Leadership Conference on Civil and Human Rights, Legal Defense Fund, NAACP, National Coalition on Black Civic Participation, National Council of Negro Women, National Urban League and UNIDOS.

Read the Advancing Justice | AAJC announcement: <https://bit.ly/3E2JUPP>. Register to join the Asian American, Native Hawaiian, and Pacific Islander Contingent at the 60th Anniversary of the March on Washington: <https://bit.ly/3qjWTsY>

3. Ji-Hyun Lee - 120th President of the American Statistical Association



The American Statistical Association announced the election of Ji-Hyun Lee as its president. Her term begins January 1, 2025, with a one-year term as president-elect beginning January 1, 2024. Lee is believed to be the first person of Asian descent to serve in that capacity. "Understanding basic statistical and data literacy is not only just important for students but is becoming increasingly crucial for everyone in the workforce," Lee said. "With the rapid growth of data-driven jobs and widespread use of data in the various sectors, data science and statistical education are vital for building a strong American workforce and maintaining competitiveness." Lee is a professor of biostatistics at the University of Florida College of Public Health and Health Professions and the University of Florida College of Medicine. She was on the board of directors for the Korean International Statistical Association from 2017 to 2022.

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