

U. S. COMMISSION ON CIVIL RIGHTS

- - -  
MEETING  
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Friday, December 5, 1997

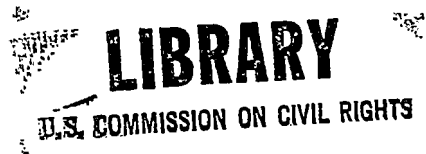
The Commission met in Room 540, YWCA  
Building, 624 9th Street, N. W., Washington, D. C.  
20425, at 9:30 a.m., MARY FRANCES BERRY, Chairperson,  
presiding.

PRESENT:

MARY FRANCES BERRY, CHAIRPERSON  
CRUZ REYNOSO, VICE CHAIRPERSON  
CARL A. ANDERSON, COMMISSIONER  
ROBERT P. GEORGE, COMMISSIONER  
A. LEON HIGGINBOTHAM, JR., COMMISSIONER (Via  
Telephone)  
CONSTANCE HORNER, COMMISSIONER  
YVONNE Y. LEE, COMMISSIONER  
  
RUBY MOY, STAFF DIRECTOR

STAFF PRESENT:

MARLISSA BRIGGETT  
BARBARA BROOKS  
SICILIA S. CHINN  
KI-TAEK CHUN  
JAMES S. CUNNINGHAM  
LYNN DICKINSON  
PAMELA DUNSTON  
BETTY EDMISTON  
M. CATHY GATES



## STAFF PRESENT: (Continued)

EDWARD HAILES, JR.  
CAROL-LEE HURLEY  
FREDERICK ISLER  
JACQUELINE L. JOHNSON  
REGINALD MARTIN  
STEPHANIE Y. MOORE, GENERAL COUNSEL  
LILLIAN MOYANO, YOB  
PETER REILLY  
DEBORAH REID  
CHARLES RIVERA  
MIGUEL SAPP, PARLIAMENTARIAN  
ANTHONY K. WELLS, SR.  
AUDREY WRIGHT

## COMMISSIONER ASSISTANTS PRESENT:

KAREN CENCE  
CHARLOTTE PONTICELLI  
WILLIAM L. SAUNDERS, JR.  
KRISHNA TOOLSIE  
CYNTHIA VALENZUELA

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## A G E N D A

	<u>Page</u>
I. Approval of Agenda	5
II. Approval of the Minutes of November 14, 1997 Meeting	5
III. Announcements	6
IV. Staff Director's Report	7
V. SAC Report. State Advisory Committee appointments for Arkansas, Ohio, Oklahoma, Pennsylvania, South Carolina and South Dakota	16
VI. Future Agenda Items	19

## ASIAN PACIFIC AMERICAN PETITION BRIEFING

## A G E N D A

	<u>PAGE</u>
<b>OPENING</b>	
Welcoming Statement Hon. Mary Frances Berry, Chairperson	20
Overview Sicilia S. Chinn, Attorney Advisor	23
<b>PANEL ONE: Presentation of the Issues, DNC Policies</b>	
Daphne Kwok, Executive Director Organization of Chinese Americans	33
Susan Au Allen, President U.S. Pan Asian American Chamber of Commerce	41
Joe Sandler, General Counsel Democratic National Committee	47
<b>PANEL TWO: Political Participation, Stereotyping</b>	
Suzanne Ahn, M.D., Physician and Neurologist	86
Michael Woo, President, Independent Fiber Network	93
L. Ling-chi Wang, Founder, Asian Americans for Campaign Finance Reform; Chair, Asian American Studies Program, Univ. Calif. Berkeley	104
Frank Wu, Associate Professor, Howard University School of Law	109
<b>PANEL THREE: The Media</b>	
Helen Zia, Freelance Writer and <u>Ms. Magazine</u> Contributing Editor	159
Virginia Mansfield-Richardson, Ph.D., Associate Professor of Communication, Pennsylvania State University	167
William Woo, Professor, Stanford and Berkeley Universities	176
Joann Lee, Ph.D., Associate Professor and Director of Journalism, Queens College	182

## P R O C E E D I N G S

9:38 a.m.

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CHAIRPERSON BERRY: The first item on the agenda is the approval of the agenda. Could I get a motion?

VICE CHAIR REYNOSO: So moved.

CHAIRPERSON BERRY: Second?

COMMISSIONER HORNER: Seconded.

CHAIRPERSON BERRY: Any discussion? Any additional items?

(No response.)

If not, then all in favor indicate by saying aye.

(Chorus of ayes.)

Opposed?

(No response.)

Approved.

The second item is the approval of the minutes of November 14th, 1997.

First, could I get a motion?

COMMISSIONER HORNER: So moved.

CHAIRPERSON BERRY: Any second?

VICE CHAIR REYNOSO: Seconded.

CHAIRPERSON BERRY: Any discussion?

(No response.)

1 All right. All in favor, indicate by saying  
2 aye.

3 (Chorus of ayes.)

4 Opposed?

5 (No response.)

6 Announcements.

7 Staff Director, do you have any announcements  
8 to make?

9 STAFF DIRECTOR MOY: Yes, I do. Thank you.

10 The President signed our appropriations bill  
11 on November 26th, so we're funded for the remainder of  
12 fiscal year '98 at \$8.74 million.

13 I'm pleased to announce that Miguel Sapp has  
14 returned from extended military leave and is serving as  
15 Parliamentarian.

16 I am sad to announce, but happy for him, Tony  
17 Wells will retire from the Commission on January 3,  
18 1998 after 35 years of service to the federal  
19 government dating back to 1962. We're very proud of  
20 that.

21 The Commission's budget estimate to the  
22 Office of OMB is available to any Commissioner that's  
23 interested in receiving a copy. Contact my office and  
24 one will be sent to you.

25 CHAIRPERSON BERRY: Okay. Thank you very,

1 very much.

2 Anybody else have any announcements to make?

3 (No response.)

4 Okay. Then we will go to the next item on  
5 the agenda, which is the Staff Director's Report.

6 Any discussion of the Staff Director's  
7 Report?

8 I have one item I need to raise with the  
9 Commissioners.

10 At the last meeting, we talked about a Native  
11 American project or doing something on Native American  
12 issues and Commissioner Anderson suggested a briefing  
13 which, according to the transcript, the staff -- I'm  
14 asking these questions because the staff wants to be  
15 informed, to have clarified what we wish to have them  
16 do.

17 The briefing, as we understand it, would be  
18 on social and economic conditions generally of Native  
19 Americans and not just on youth. Is that correct?

20 All right. Everyone is in agreement with  
21 that.

22 And the costing that they were to do to give  
23 us some numbers on how much a project would cost, that  
24 was on Native American youth and was to be an  
25 additional project to the other youth projects. Is

1 that correct?

2 All right.

3 Madam Staff Director, does that help you?

4 STAFF DIRECTOR MOY: Yes. Thank you.

5 CHAIRPERSON BERRY: All right. Thank you.

6 Then are there any other items?

7 Yes. Commissioner Lee?

8 COMMISSIONER LEE: I'd like the Staff  
9 Director to give us an update on the status of the  
10 Sonoma County Hearing on the administration of justice.

11 STAFF DIRECTOR MOY: Phil Montez is in the  
12 process of planning a forum for sometime in January or  
13 February based on discussions with Commissioner Lee and  
14 the dates are to be selected. And I believe that they  
15 are requiring or asking for Commissioners to be there  
16 for the forum. I think we would have to take that up  
17 here.

18 COMMISSIONER LEE: So, Madam Chair, I would  
19 like to make a motion that we would have Commissioners  
20 go there to attend the hearing.

21 CHAIRPERSON BERRY: Well, in order for them  
22 to be able to subpoena witnesses, which is what the  
23 Regional Director has said they need to do, because  
24 there are both recalcitrant witnesses and other  
25 witnesses who require the cover and protection of being



1 subpoenaed in order to testify and have asked for that.

2           We would have to have at least two  
3 Commissioners not from the same political party or one  
4 can be an independent and one from a party or I guess  
5 two independents to go. And so is that why you're  
6 making the motion?

7           COMMISSIONER LEE: Yes.

8           CHAIRPERSON BERRY: All right. Could I get a  
9 second and then we'll discuss it?

10          VICE CHAIR REYNOSO: Seconded.

11          CHAIRPERSON BERRY: All right.

12          Any discussion?

13          VICE CHAIR REYNOSO: Madam Chair, I had  
14 discussed with the Regional Director the possibility of  
15 having a forum, and I had made that discussion pursuant  
16 to the request, as I understood it, from my fellow  
17 Commissioners. And at that point he indicated that he  
18 thought that was probable and likely.

19          Since that time, he's indicated to me what he  
20 indicated to us at the last meeting; and that is that  
21 he didn't think that it would be profitable to have a  
22 forum without the subpoena power because he had talked  
23 to several officials who indicated they would not  
24 present themselves without subpoenas. So it seems to  
25 me that if we're going to do that, probably this is the

1 best way to do it.

2 CHAIRPERSON BERRY: Commissioner Horner

3 COMMISSIONER HORNER: Yes. Madam Chair, this  
4 wasn't an agenda item for discussion and decision so I  
5 did not review the facts surrounding this case, and  
6 would ask that we have the opportunity to do so before  
7 deciding whether to issue subpoenas in it.

8 CHAIRPERSON BERRY: Well, Commissioner  
9 Horner, as you know, we have discussed Sonoma at least  
10 three time in the Commission meeting and have had  
11 reports on it twice and have had updates on it at every  
12 Commission meeting under the Staff Director's Report.  
13 So the reason why we're taking it up not as an agenda  
14 item but as part of the Staff Director's Report,  
15 because it is pursuant to and connected to the three  
16 previous discussions. And today we're getting an  
17 update.

18 We've had at least two extensive discussions  
19 of what the issues are in Sonoma, first beginning with  
20 the issue of the one Chinese American man who was at  
21 issue. And then we asked the staff to go back and get  
22 general information on everything that was going on in  
23 Sonoma County concerning police issues, community  
24 issues. And then Mr. Montez gave us that information.

25 So we have discussed this at least three

1 times. It's not a new issue. The only concern we have  
2 today is whether, given what we already know -- there's  
3 no information -- whether the Commissioners believe  
4 that it would be useful or helpful or we are willing to  
5 have two Commissioners go at the request of the SAC and  
6 Mr. Montez, who say that they cannot get the  
7 information they need without the presence of  
8 Commissioners.

9           And so I guess the one way to answer that  
10 question is to say we don't want to answer it because  
11 it relates to whether we send Commissioners generally  
12 to hearings -- to forums, and that that is a broader  
13 question or to say that we in this case don't want to.  
14 But we've discussed this three times in this meeting,  
15 if I'm not mistaken.

16           Am I mistaken? Have we discussed this more  
17 than --

18           Yes. The subcommittee, I'm just told, must  
19 be at least one of each major political party, so we  
20 can't have two independents.

21           COMMISSIONER HORNER: Madam Chair, obviously  
22 since I've been in attendance at every meeting, if as  
23 you say this issue has been discussed, as I recall it  
24 has been, it's just that when I vote on something I  
25 like to refresh my memory about the details of it

1 before making that serious a commitment.

2           However, if the other Commissioners remember  
3 the details sufficiently to decide now, I can simply  
4 abstain and let the other Commissioners make that  
5 decision.

6           CHAIRPERSON BERRY: Is there a timing issue  
7 here, Staff Director? I mean, does he need to know by  
8 a certain time -- Montez -- in order to schedule a  
9 forum or decide whether to have one, or is it that we  
10 can decide any time and could put it off and tell him  
11 that we would make a decision in January?

12           STAFF DIRECTOR MOY: He wasn't sure about the  
13 time but he mentioned January or February.

14           CHAIRPERSON BERRY: Well, then, why don't we  
15 then, in deference to Commissioner Horner's concern,  
16 tell him that we'll make a decision about it in January  
17 and the Commissioners can be prepared to review the  
18 information between now and then. And then he can  
19 schedule one in February if he needs to schedule one,  
20 if that's -- and I'm just being told by lawyers that  
21 there's a 30-day requirement for notice.

22           COMMISSIONER HORNER: Madam Chair, I would  
23 need only a day just to go back and look at it. I'm  
24 very sensitive to the power of our subpoena power and I  
25 just want to make sure I know what it is we're doing.

1 And I'd be glad to review it and have a decision in  
2 very short order.

3 CHAIRPERSON BERRY: Okay. Well, why don't we  
4 keep in mind all these timing requirements and tell Mr.  
5 Montez that we will make a decision either at the  
6 January meeting or in advance of it if we need to, so  
7 that he would know whether he could schedule something  
8 for February.

9 Yes, Commissioner George?

10 COMMISSIONER GEORGE: Madam Chairman, I'd  
11 like to ask the Staff Director whether Phil Montez  
12 anticipates that subpoenas duces tecum will be issued  
13 if the Commission agrees to have Commissioners attend  
14 and use its subpoena power.

15 CHAIRPERSON BERRY: You mean for materials  
16 and documents?

17 COMMISSIONER GEORGE: Yes.

18 STAFF DIRECTOR MOY: I'm sorry. He didn't  
19 mention it to me. I don't know if he mentioned it to  
20 Commissioner Lee or Commissioner Reynoso.

21 COMMISSIONER GEORGE: It would be very useful  
22 to me if we could discover whether he intends that they  
23 be issued.

24 COMMISSIONER LEE: Madam Chair, according to  
25 Mr. Montez's report last month, he mentioned that the

1 law enforcement officials from Sonoma County had told  
2 him they would not participate in any kind of a  
3 dialogue with the community over the administration of  
4 justice question and he felt that without their  
5 participation it would be just a community meeting  
6 where community members will be talking about their  
7 frustration and there will be no one else on the other  
8 side to answer questions.

9           So to be a fair and productive meeting he  
10 would need the subpoenas to get them to attend.

11           CHAIRPERSON BERRY: Yes, Commissioner George?

12           COMMISSIONER GEORGE: Yes. I would be  
13 interested in knowing if the use of the subpoenas in  
14 this case would simply be to get people to attend, to  
15 be there, in his judgment, for the forum, or whether  
16 there are going to be document requests and so forth.  
17 So if we could just find that out.

18           CHAIRPERSON BERRY: Why don't we ascertain  
19 that. It was my impression, too, that it was just for  
20 witnesses.

21           But Staff Director, could you inquire and  
22 then inform us?

23           Thank you.

24           COMMISSIONER HORNER: Mary, I was somewhat  
25 startled by the information that you got that the

1 representatives have to be one each from the major  
2 political parties.

3 CHAIRPERSON BERRY: I was just handed that.

4 COMMISSIONER GEORGE: Could Miguel inform --  
5 no doubt that he's right about this, but could he  
6 inform us of the basis of that? And I want it on the  
7 public record that I find that highly objectionable.  
8 If that's the law, it ought to be changed.

9 MR. SAPP: That is from the 98th Congress,  
10 Public Law 98-183.

11 CHAIRPERSON BERRY: You need a microphone.

12 Can you hear what he's saying, Commissioner  
13 Higginbotham?

14 COMMISSIONER HIGGINBOTHAM: Yes, I can.

15 CHAIRPERSON BERRY: You can. My goodness.

16 MR. SAPP: All right. From Section 6(f) of  
17 the Commission Act, it states as follows: "The  
18 Commission or the authorization of the Commission, any  
19 subcommittee of two or more members, at least one of  
20 whom shall be of each major political party, may, for  
21 the purpose of carrying out the provision of this  
22 resolution, hold such hearings and act at such times  
23 and places as the Commission or such authorized  
24 subcommittees may deem advisable.

25 COMMISSIONER GEORGE: Do you recall President

1 Washington's warning about political parties?

2 CHAIRPERSON BERRY: That's right. He was  
3 entirely correct. So I think we should propose that  
4 that part of our statute be changed to acknowledge the  
5 increasing presence of independents in our country.

6 But for our purposes, it means that we would  
7 probably need -- we would need one of the people who is  
8 a Republican and one who is a Democrat to come to the  
9 hearing. So we can keep that in mind, too, as we work  
10 on this issue.

11 Okay. Anything else on the Staff Director's  
12 Report?

13 (No response.)

14 Okay. If not, then let's move to the next  
15 item, which is the SAC report, State Advisory Committee  
16 appointments for Arkansas, Ohio, Oklahoma,  
17 Pennsylvania, South Carolina and South Dakota.

18 Could I have a motion to approve the State  
19 Advisory Committee appointments for Arkansas? Let's  
20 just do Arkansas.

21 COMMISSIONER HORNER: So moved.

22 CHAIRPERSON BERRY: A second?

23 VICE CHAIR REYNOSO: Seconded.

24 CHAIRPERSON BERRY: Any discussion?

25 (No response.)



1 All in favor, indicate by saying aye.  
2 (Chorus of ayes.)  
3 Opposed?  
4 (No response.)  
5 So ordered.  
6 Motion for Ohio?  
7 COMMISSIONER HORNER: So moved.  
8 VICE CHAIR REYNOSO: Seconded.  
9 CHAIRPERSON BERRY: Any discussion?  
10 (No response.)  
11 All in favor, indicate by saying aye.  
12 (Chorus of ayes.)  
13 Opposed?  
14 (No response.)  
15 So ordered.  
16 Oklahoma?  
17 COMMISSIONER HORNER: So moved.  
18 VICE CHAIR REYNOSO: Seconded.  
19 CHAIRPERSON BERRY: Any discussion?  
20 (No response.)  
21 All in favor, indicate by saying aye.  
22 (Chorus of ayes.)  
23 Opposed?  
24 (No response.)  
25 So ordered.

1 Pennsylvania?

2 COMMISSIONER HORNER: So moved.

3 VICE CHAIR REYNOSO: Seconded.

4 CHAIRPERSON BERRY: Discussion?

5 I would like to read from Commissioner  
6 Redenbaugh a memo that he has written to the Staff  
7 Director which he asked me to read.

8 It says: "I have reviewed very carefully and  
9 in great detail the appointment package for the  
10 Pennsylvania State Advisory Committee. This is an  
11 extremely well prepared document. It's clear and  
12 concise and follows perfectly the process adopted by  
13 our taskforce on SAC appointments.

14 "I was especially impressed with the list of  
15 sources contacted for nominations, the biographical  
16 presentations and the explanation of current SAC  
17 activities. Well done."

18 Commissioner Redenbaugh is from Pennsylvania  
19 and takes a special interest in the Pennsylvania SAC.

20 Any other discussion?

21 (No response.)

22 If not, all in favor indicate by saying aye.

23 (Chorus of ayes.)

24 Opposed?

25 (No response.)

1 So ordered.

2 South Carolina?

3 Could I have a motion?

4 COMMISSIONER HORNER: So moved.

5 VICE CHAIR REYNOSO: Seconded.

6 CHAIRPERSON BERRY: Any discussion?

7 (No response.)

8 All in favor, indicate by saying aye?

9 (Chorus of ayes.)

10 Opposed?

11 (No response.)

12 So ordered.

13 And South Dakota. Could I have a motion,

14 please?

15 COMMISSIONER HORNER: So moved.

16 VICE CHAIR REYNOSO: Seconded.

17 CHAIRPERSON BERRY: Any discussion?

18 (No response.)

19 All in favor, indicate by saying aye.

20 (Chorus of ayes.)

21 Opposed?

22 (No response.)

23 So ordered.

24 Okay. Any future agenda items that anyone

25 would like to raise at this time?

1 (No response.)

2 If not, we are ready to have the briefing  
3 portion. And we are a little bit in advance of the  
4 schedule but are the persons here who are to be on the  
5 panels? I suppose Sicilia is here, so that's not a  
6 problem.

7 Okay. We will go to the briefing on the  
8 Asian Pacific American Petition. And I have an opening  
9 statement that I will make.

10 On behalf of the Commissioners, I welcome  
11 everyone to this briefing on the alleged civil rights  
12 implications on Asian Pacific Americans and legal  
13 permanent residents of Asian descent, as a result of  
14 the campaign finance controversy.

15 This briefing is in response to a petition  
16 filed by attorneys Edward Chinn and Darryl Mynami on  
17 behalf of 18 Asian Pacific American groups and  
18 individuals.

19 The recent controversy over improper campaign  
20 fundraising and alleged attempts by foreign governments  
21 to influence elections through monetary contributions  
22 has resulted in a renewed dialogue on the subject of  
23 campaign finance reform. While that dialogue is  
24 significant and necessary and any violation of campaign  
25 finance laws should be fully investigated, according to

1 the petitioners the controversy has become racialized  
2 with adverse discriminatory consequences to immigrants  
3 and Asian Pacific Americans.

4 It is this latter concern and not that of  
5 campaign finance reform generally that is the focus of  
6 this briefing.

7 The petitioners make specific allegations of  
8 a systematic pattern of racial stereotyping and  
9 scapegoating directed at Asian Pacific Americans and  
10 legal immigrants. Each of these are allegations. No  
11 determination has been made as to the accuracy of these  
12 charges or the validity of any defense, denial or  
13 countercharge.

14 Commission briefings generally rely on  
15 voluntary unsworn presentations by briefing  
16 participants to educate the Commissioners about  
17 important civil rights issues. In this instance  
18 because the potential civil rights implications of the  
19 campaign finance controversy were brought to this  
20 Commission in the form of a petition, our Office of  
21 General Counsel initially examined the petition to  
22 ensure that its allegations were within our  
23 jurisdiction.

24 We will hear first from Sicilia Chinn, an  
25 attorney in the Office of General Counsel, who will

1 provide us with an overview of the petition and  
2 relevant legal precedent and a summary of staff's  
3 research on the issues raised by the petition.

4           Following the overview, the panelists  
5 identified on the agenda will be called to come forward  
6 to present their statements and to respond to any  
7 questions that the Commissioners may have. Many of the  
8 panelists have traveled some distance to be with us  
9 here today, so I would ask that the Office of General  
10 Counsel presentation, Sicilia, be brief. And,  
11 Commissioners, without interruption.

12           It is important and the Commission  
13 unanimously agreed that we hear and learn about the  
14 civil rights concerns raised by this controversy for  
15 the Asian Pacific American community. The Commission  
16 has long interest in this subject; has done a lot of  
17 research on this subject and published reports.

18           In particular, I refer you to our "Civil Rights  
19 Issues Facing Asian Americans in the 1990's" report  
20 that the Commission did in 1992 which has some  
21 recommendations which are relevant to this discussion  
22 today. One of them is that the country's political  
23 leadership should endeavor to create a national climate  
24 that discourages anti-Asian discrimination and that  
25 increases public awareness about these issues and

1 combats prejudice and violence. And there are some  
2 recommendations addressed to media portrayals of Asian  
3 and Pacific Americans.

4 Our interest and agreement in holding this  
5 briefing is to educate ourselves and the public about  
6 any inaccurate assumptions and stereotypes perpetuated  
7 about Asian Pacific Americans or any political  
8 scapegoating on the basis of race that has occurred as  
9 a result of the campaign finance controversy and the  
10 harmful effects of either on the concepts of equality  
11 and justice, to which I am certain we all adhere.

12 Would any Commissioner like to make a  
13 statement of any kind before I call on Sicilia Chinn?

14 (No response.)

15 If not, Sicilia, could you come forward to  
16 present the overview?

17 MS. CHINN: Thank you, Madam Chair.

18 CHAIRPERSON BERRY: Thank you.

19 MS. CHINN: Reform of campaign fundraising  
20 practices has come under intense congressional and  
21 media scrutiny in the past year, sparked by allegations  
22 that three Asian Pacific Americans, John Hwong, Johnny  
23 Chung and Charles Trie improperly solicited political  
24 contributions for the Democratic National Committee.

25 Both houses of Congress initiated hearings

1 this summer into the alleged campaign finance abuses.  
2 Many Asian Pacific American leaders have criticized  
3 what they view as an unfair focus on their community as  
4 a result of the charges against Messrs. Hwong, Trie and  
5 Chung, and further allege that the investigations have  
6 become racially slanted.

7 In September of this year, 18 Asian Pacific  
8 American organizations and individuals filed a petition  
9 with the U.S. Commission on Civil Rights seeking an  
10 investigation of their complaints of stereotyping and  
11 racial scapegoating in connection with the campaign  
12 finance controversy.

13 The allegations raised by the petitioners  
14 reflect the long-standing tension between our  
15 nationally cherished First Amendment freedom of  
16 expression and our vital commitment to equality for  
17 all. With full recognition of these tensions this  
18 briefing was prepared jointly by the Commission's  
19 Office of General Counsel and its Public Affairs Unit.  
20 A briefing paper outlining the claims and summarizing  
21 the relevant legal precedents was prepared and  
22 distributed to the Commissioners.

23 Our briefing preparation focused on the  
24 specific allegations of discriminatory and racially  
25 insensitive treatment of Asian Pacific Americans by the



1 major political parties, members of Congress and  
2 government officials and there are also allegations  
3 against the news media. We sought to examine these  
4 allegations of unfair treatment and their civil rights  
5 implications while honoring the delicate balance of  
6 free speech.

7           Although we considered what lawful  
8 limitations exist on what people can say, we focused  
9 more so on potential discriminatory ramifications of  
10 what people do say.

11           The Commission has previously evaluated the  
12 effects of the type of racial stereotyping which  
13 underlie the petitioners' claim in its 1992 report  
14 entitled "Civil Rights Issues Facing Asian Americans i  
15 the 1990's. In that report, the Commission noted that  
16 Asian Pacific Americans have long been the subject of  
17 the model minority stereotype and the untrustworthy  
18 foreign stereotype.

19           The model minority stereotype characterizes  
20 Asian Pacific Americans as quiet, obedient,  
21 nonadversarial, but economically successful and  
22 therefore, not in need of protection under anti-  
23 discrimination laws. Under the perpetual foreigner  
24 stereotype, Asian Pacific Americans have been portrayed  
25 as untrustworthy and unable to assimilate.

1           The petition reminds us of this country's  
2 history of discrimination against Asians and Asian  
3 Pacific Americans, including immigration exclusion acts  
4 targeted against Asian immigrants and the interment of  
5 over 100,000 persons of Japanese descent during World  
6 War II.

7           The perception of Asian Pacific Americans as  
8 disloyal foreigners is at the root of many of the  
9 allegations of improper conduct cited in the petition.  
10 And to the extent that either of these stereotypes  
11 define or contribute to the treatment of Asian Pacific  
12 Americans in the current context, civil rights concerns  
13 are implicated and this Commission has jurisdiction to  
14 hear the claims.

15           The petitioners' allegations of  
16 discrimination may be broadly grouped into three  
17 categories. Number one, political participation of  
18 Asian Pacific Americans; number two, accountability of  
19 national government officials and the major political  
20 parties; and number three, the news media. I will  
21 briefly summarize our activities on these topics.

22           First, political participation. Petitioners  
23 charge that responses by Congress and the Democratic  
24 National Committee to the campaign finance controversy  
25 will limit or has limited in a discriminatory manner

1 the participation of Asian Pacific Americans in  
2 politics. Our background research found that the  
3 United States Supreme Court has held that the act of  
4 donating to a political campaign is speech that is  
5 protected under the First Amendment.

6 Under current law, legal permanent residents  
7 are permitted to donate to political campaigns. Our  
8 efforts on the political participation topic focused on  
9 complaints raised by the petitioners against the DNC,  
10 and in particular, their audit of campaign  
11 contributions and their voluntary policy of banning  
12 legal permanent residents from making campaign  
13 contributions.

14 Several news articles suggested that Asian  
15 Pacific Americans may be less willing to become  
16 involved in electoral politics either because of the  
17 DNC's actions or because of negative publicity from the  
18 controversy. We interviewed several individuals who  
19 were audited by the DNC and also contacted the DNC for  
20 their comments.

21 Another issue raised by the petition and  
22 elaborated upon in interviews was whether the campaign  
23 finance controversy was affecting Asian Pacific  
24 American candidates for political offices. To gain  
25 more information about electoral candidates, we

1 contacted several Asian Americans who currently or in  
2 the past have served as an elected officer.

3 Reactions to the issue of fundraising for  
4 Asian American candidates was mixed, with some noting a  
5 decrease in contributions while at least one noting a  
6 significant increase.

7 Under the topic of accountability of national  
8 government officials and the major political parties,  
9 we first addressed allegations that members of Congress  
10 have made racially insensitive remarks in connection  
11 with the campaign finance controversy. For each member  
12 of Congress who was named as having made such a remark,  
13 we sent a copy of the petition and a letter identifying  
14 the specific allegation against the member and also  
15 informing them of our briefing and inviting them to  
16 comment.

17 Due in part to the congressional recess,  
18 responses to our inquiries were limited. In general,  
19 official remarks by members of Congress are protected  
20 by the Speech or Debate Clause of the Constitution.  
21 Our research was not intended to identify a basis for  
22 legal liability. Instead, our research focused on the  
23 internal rules of the House and the Senate and any  
24 ethical guidelines which might apply to speech that may  
25 be construed as racially insensitive.

1           Staff requested information from the chair  
2 and the ranking minority members of the rules  
3 committees of the House and Senate, as well as from the  
4 chair and ranking minority members of the ethics  
5 committees for each chamber. We also contacted several  
6 professors with expertise on government ethics.

7           Our research reveals that the only  
8 substantive restriction on speech in the Senate is a  
9 prohibition against disparaging remarks about a state  
10 or the conduct or motive of a colleague. In the House  
11 of Representatives, members must treat each other  
12 respectfully and avoid specific references to the  
13 Senate, individual Senators and the President of the  
14 United States.

15           We also addressed concerns regarding  
16 admission to the White House. Petitioners allege that  
17 under DNC policy legal permanent residents are barred  
18 from DNC sponsored events at the White House. During  
19 our interviews we heard complaints about reported  
20 incidents at the White House, including that involving  
21 Commissioner Lee, in which visitors were subjected to  
22 additional scrutiny, apparently because of their Asian  
23 surname or appearance.

24           Some of the petitioners construed these  
25 incidents as negative effects of the campaign finance

1 controversy. We followed up on these allegations by  
2 requesting information from the Secret Service and the  
3 White House Social Secretary on policies governing  
4 admission by appointment to the White House.

5           The Secret Service responded by letter that  
6 it oversees the security screening and admission of  
7 visitors to the White House and the only grounds for  
8 exclusion would be in cases where the individual  
9 seeking admission poses a potential source of physical  
10 danger to someone under the protection of the Secret  
11 Service or to the White House complex.

12           Petitioners charge that a fundraising letter  
13 issued by the National Republican Senatorial Committee  
14 was designed to arouse anti-immigrant sentiment. In  
15 response to our inquiries, a letter from the NRSC  
16 stated that their fundraising letter carefully  
17 distinguished between illegal contributions by foreign  
18 nationals and lawful participation by American  
19 citizens, every race and national origin.

20           Finally, a summary of the new media topic.  
21 Petitioners allege that media coverage of the campaign  
22 finance controversy contributed to stereotyping and  
23 racialization of the controversy. They allege that the  
24 news media focused on possible campaign law violations  
25 by Asians and Asian Americans while giving little

1 attention to violations by persons of non-Asian  
2 descent.

3           Petitioners also allege that the media  
4 engaged in racial stereotyping when reporting these  
5 stories. The representatives on the news media panel  
6 for this briefing were identified, interviewed and  
7 selected by the Public Affairs Unit. During the  
8 interview process, they invited comment from many  
9 individuals representing broadcast and print media.  
10 They also contacted several journalism professors  
11 seeking throughout to obtain a variety of viewpoints on  
12 the difficult issue of how to draw the line between  
13 political satire and unfair stereotyping.

14           In closing, I would like to emphasize that  
15 throughout our research efforts, staff remained aware  
16 of the competing interests presented in the Asian  
17 Pacific American petition. Some persons or  
18 organizations named in the petition, though unable to  
19 attend, expressed interest in providing written  
20 submissions to the Commission. The OGC will deliver  
21 all responses to the Staff Director as they are  
22 received for distribution to the Commissioners.

23           The panelists assembled today reflect a  
24 variety of perspectives and are prepared to provide the  
25 Commission with detailed accounts of their experiences

1 in light of the campaign finance controversy.

2 Thank you, Madam Chair. This concludes my  
3 presentation.

4 CHAIRPERSON BERRY: Thank you very much, Ms.  
5 Chinn. Thank you.

6 We would now call the first panel: Ms.  
7 Daphne Kwok, Ms. Susan Au Allen, and Mr. Joe Sandler.  
8 Could you please come forward?

9 (Pause.)

10 Daphne Kwok is Executive Director of the  
11 Organization of Chinese Americans. She's been the  
12 Executive Director since September 1990. And OCA is a  
13 non-profit civil rights organization representing over  
14 10,000 members with 41 chapters. It monitors  
15 legislation pertaining to the Asian-American community.

16 OCA's involvement with the petition included  
17 providing examples and identifying issues which were  
18 presented in the petition.

19 I want to welcome you, Ms. Kwok, and we  
20 appreciate very much your willingness to be here to  
21 discuss these issues with us today.

22 Could you proceed?

23 MS. KWOK: Thank you very much, Chairwoman  
24 Berry, and to all the Commissioners.

25 On behalf of the petitioners, I want to thank



1 you very much for providing us this opportunity in a  
2 very timely manner. I know it's not easy to pull all  
3 of this together in a very short period of time, since  
4 we just presented you the petition back in September.  
5 And so I want to thank you on behalf of all the  
6 petitioners.

7           The campaign fundraising controversy has been  
8 a very racialized and injurious event to the Asian-  
9 American community for the past 15 months. And each  
10 day that has gone by the Asian-American community, all  
11 10 million of us, has really been impacted by it. And  
12 it's not necessarily just the few individuals that have  
13 been named over and over again in the media accounts  
14 about their allegations of improprieties. But because  
15 we are all Asian-Americans, because we have black hair  
16 and because of our Asian-American features and because  
17 of how we've been characterized in media accounts,  
18 press accounts, we feel that all of us have been  
19 impacted by this controversy.

20           The Asian-American community is responding  
21 through this petition and it's very much from the  
22 grassroots. While 14 organizations and four  
23 individuals are named in the petition, we really have  
24 come together as a result of the Asian-American  
25 community really for the last half year screaming to

1 us, saying that something's got to be done; something's  
2 got to be done. We've got to be able to speak out and  
3 let our feelings known on this. And so we really  
4 represent a very broad constituency; people from the  
5 Democratic Party, from the Republican Party, from the  
6 independent side as well, too. So, we are very much a  
7 nonpartisan effort here.

8           The Commission report that was issued and ha  
9 been referenced to already back in 1992 is one of the  
10 reasons why we brought this petition before the U.S.  
11 Commission on Civil Rights. The Commission has already  
12 looked into the issues of concerns that we are  
13 reiterating now in this present day of 1996-97, and  
14 many of the recommendations that were made in the  
15 Commission report are very relevant today.

16           I'd especially like to point out  
17 Recommendation Number 39, which talks about media  
18 portrayal about Asian-Americans; that it needs to be  
19 balanced and sensitive coverage to the Asian-American  
20 community. And we look forward to a third panel which  
21 will talk specifically about the media portrayal and  
22 Asian-Americans.

23           The petition seeks to lay a public record and  
24 we're very pleased that a federal agency has taken on  
25 our petition and will hopefully lend credibility that

1 this is not just the Asian-American community bringing  
2 up this issues. We want to educate and advance this  
3 entire nation forward so we can all be a much more  
4 harmonious country as we are a very, very diverse  
5 country.

6 I know it's very ironic that unfortunately as  
7 the Asian-American community only has come into its  
8 political empowerment over the late year and finally  
9 voicing our concerns that we are now being accused of  
10 playing the race card. And we feel that this is  
11 extremely hypocritical, especially because so many  
12 examples that we want to describe to you today really,  
13 we feel very strongly, has to do because we are Asian-  
14 American.

15 Even the Federal Elections Commissioner John  
16 Warren McGary has mentioned the same thing. He was at  
17 a conference that Ling-chi Wang, who's here today and  
18 who will be speaking -- at Ling-chi's conference on  
19 campaign finance reform. The Commissioner, in  
20 reference to Thomas Kramer, a German national who was  
21 fined \$323,000 in the last election cycle for improper  
22 campaign contributions that barely made the news, and  
23 Commissioner McGary said if he were an Asian-American,  
24 the media would have taken it on and on and on and  
25 brought up his name over and over and over again.

1           Commissioner McGary also is quoted as saying  
2 to be singling out one group for whatever reason  
3 escapes any reasonable explanation, in reference to the  
4 Asian-American community.

5           Just very quickly, I wanted to bring up some  
6 particular incidents that gives an overview of why the  
7 Asian-American community has really been very concerned  
8 over the past year.

9           One was the DNC, the Democratic National  
10 Committee's audit of contributions made in the last  
11 election cycle. They audited eight different  
12 categories with eight different kinds of requirements  
13 and we felt that six of those categories specifically  
14 focused on the Asian-American community; that we were  
15 singled out and overly looked at in those categories.  
16 While donors over \$10,000, all donors over \$10,000 were  
17 audited, that's fine. But there was another category.  
18 In particular, any Asian-American that participated in  
19 the DNC related finance event that raised from \$5,000  
20 upwards was scrutinized. Nobody else in this country  
21 that raised between \$5,000 to \$10,000 category was  
22 scrutinized, so why was it just the Asian-American  
23 community was scrutinized under that.

24           A second example is Simon Fireman, who was  
25 presidential candidate Bob Dole's fundraiser, was fined

1 \$6 million for campaign contributions and yet that news  
2 barely made any of the major media markets and it was  
3 buried in about page 20 of all the major newspapers.  
4 Why was there no outrage and no further investigation  
5 into Simon Fireman's contributions?

6           And a third category has to do with elected  
7 officials, public officials, such as Ross Perot. In a  
8 University of Pennsylvania speech back in the last  
9 election cycle when he was talking about the campaign  
10 contributors said, "So far we haven't found an American  
11 name; rather, we have someone named O'Reilly instead of  
12 Hwong working for us." And when he talked about Martin  
13 Middleton and James Wood, obviously not Asian-American  
14 names, and when those names were raised, he said, "Now  
15 that's two names that you can relate to."

16           We want to also mention that for elected  
17 officials who really are the leadership of this  
18 country, it is very important what they say and how  
19 they say about the various members of our community.  
20 And unfortunately many of our elected officials in the  
21 last year have made some very unkind statements about  
22 the Asian-American community.

23           But I wanted to bring up one example with  
24 Senator Brownback of Kansas, who made two comments  
25 about the Asian-American community, especially about

1 John Hwong, making light of his name. "Two Hwongs don't  
2 make a right." But when Senator Brownback realized  
3 what he had said and how injurious this was to the  
4 Asian-American community, he did apologize. He  
5 apologized to myself and one of my colleagues  
6 profusely. He realized the harm that had been done to  
7 the Asian-American community. And this is something  
8 that really needs to be brought out. And hopefully, it  
9 won't happen again.

10 CHAIRPERSON BERRY: Daphne, I forgot to tell  
11 you you have no more than 10 minutes. I forgot to tell  
12 you that. We will want to have questions.

13 MS. KWOK: But unfortunately, Asian-Americans  
14 know racism too well.

15 I just want to end by bringing this home to  
16 OCA in particular. We have been following this from  
17 the very broad view. We have also been impacted  
18 directly, as well, too. OCA did receive a subpoena  
19 from the U.S. Department of Justice for our membership  
20 records in reference to individuals that had been the  
21 center of the controversy. We have also received  
22 requests from the Senate Governmental Affairs Committee  
23 about our attendance at our national convention.

24 All of these have had a tremendous chilling  
25 effect on OCA. For us, we are an organization that has

1 been very, very strong in separating out our work here  
2 domestically. We do not get involved with anything  
3 having to do with overseas and foreign affairs. And  
4 just to have this cloud -- we did produce the documents  
5 that were requested in the DOJ and Governmental Affairs  
6 requests but even -- we really had nothing to produce  
7 to them. But just for people to even know that OCA was  
8 subpoenaed gives us this cloud that OCA must be  
9 involved somehow, that there must be something wrong  
10 with OCA.

11           Also, one of our individual student interns  
12 was invited, went to the White House for a tour, gave  
13 the necessary information about her citizenship status,  
14 put down as a U.S. citizen. And she had come to D.C. -  
15 - actually, she was very interesting. She came to  
16 D.C., you know, very skeptical about the government and  
17 public service and hearing all the negatives about  
18 that. But she spent 10 weeks here in D.C. and was  
19 extremely excited and enthused about the dedication  
20 that public servants have to this country.

21           And she was going to go back and then come  
22 back next year and think about even interning for her  
23 Senator. So that summer really had a tremendous impact  
24 in opening her eyes up to what this federal government  
25 public service can do.

1           But when she went to the White House and she  
2 was asked about her citizenship status, even though  
3 she's a U.S. citizens, that she was questioned about  
4 her citizenship status -- are you really an American or  
5 you must not be an American because your name doesn't  
6 sound American. It's a Chinese name. That totally  
7 deflated her whole image about what Washington, D. C.  
8 and the government has to do.

9           She now looks upon the government very  
10 skeptically because she directly herself was impacted.  
11 And I think this is a tremendous loss.

12           So OCA, along with my colleagues, are trying  
13 to rebuild the credibility and the importance of Asian-  
14 Americans becoming involved in the political process.  
15 And so we feel that this is a tremendous step forward  
16 and we look forward to questions.

17           Thank you very much.

18           CHAIRPERSON BERRY: Thank you very much, Ms.  
19 Kwok.

20           Next, our next briefer is Ms. Susan Au Allen,  
21 who is President of the U.S. Pan Asian American Chamber  
22 of Commerce, chair of the EXMUS 2000 award. She's an  
23 attorney and law partner in Paul. Sherman, Allen &  
24 Associates, and she has had a wide variety of civic  
25 activities and has been in the media commenting on



1 various things, very widely seen and highly visible.

2 Ms. Allen, thank you very much for being with  
3 us, and please proceed.

4 MS. AU ALLEN: Thank you.

5 I apologize for being late. I went to the  
6 wrong building. Went to the library.

7 It is good that we are having this  
8 conversation. This follows on the heels of the  
9 President's town hall meeting or Ophra Winfrey show on  
10 race relations. I think this is a lot more serious and  
11 I hope that something good will come out of this.

12 I feel flattered that I've been asked to come  
13 to speak. As I looked at the panel of speakers who  
14 were invited, I thought this is rather lopsided. But I  
15 do want to commend you, Ms. Berry, for at least having  
16 one dissenting voice here.

17 All the things I say today will be personal.  
18 It is my own opinion. And I believe that any American,  
19 irrespective of race, ethnic origin or gender, should  
20 have the right, the Constitutional right, to  
21 participate in the political process.

22 There are those who choose to not do that.  
23 They want to remain silent. And that is their choice.  
24 But there are those who want to be very active in our  
25 political process and that is their right. But in

1 doing so, they must follow the law. And this is what  
2 our year long campaign finance contribution controversy  
3 is all about.

4 And if these people are caught doing the  
5 wrong thing with their hand in the candy jar, they  
6 should be called to answer questions and account for  
7 their activities.

8 I hope that the lesson that we draw from the  
9 experience of the past year is not for Asian-Americans  
10 to retreat from the political process but be vigilant  
11 about following the law. I also hope that our law  
12 enforcers and other Americans do not think that Asian-  
13 Americans are crooks or bad actors because we are not.  
14 And I am confident that they will not find us so.

15 I also hope that what the group of Asian-  
16 Americans who have been very, very active in protesting  
17 the media's reporting of such novel activities among  
18 the Asian-American community should not feel so  
19 embarrassed that they want to sweep wrongdoings under  
20 the rug because we do not want to appear to be above  
21 the law.

22 So last October when I read in the newspaper  
23 that a group of Asian-American leaders were holding  
24 press conferences both in Capitol Hill here in  
25 Washington and in New York with Reverend Jesse Jackson

1 condemning the press' reporting of alleged wrongdoings  
2 by John Hwong, I felt shivers creeping up my spine. I  
3 thought to myself, "What are they doing? Why don't  
4 they let the process work its way out."

5           The newspaper is in the business of reporting  
6 news and Asian-Americans have for decades, as least as  
7 far as I know, 15 years, been complaining about being  
8 stereotyped as the model minority, the silent minority,  
9 the invisible minority. And in the last 10 years or so  
10 they have come out. They got busy. They got agitated  
11 in a wide variety of disciplines. They got into  
12 politics. They were elected into office. They got  
13 into high office, appointed and elected. They got into  
14 business. They got out of the laundry business. Few  
15 wash people's dirty laundry. They got into high tech,  
16 low tech. They're in the professions. And they are  
17 busy talking about their future.

18           Well, I thought, well, we have arrived. So  
19 if we want to be at the table, if we want to play the  
20 game, we've got to be able to stick by the rules. And  
21 it is hot. If the kitchen is hot, you can't stay in  
22 there. We should get out and not complain. And that's  
23 the idea that triggered my letter to the Washington  
24 Post, that Asian-Americans, whether it is John Hwong or  
25 John Smith, whether it's Charlie Trie or Charlie Jones,

1 if they have done something wrong, the law should treat  
2 them the same way.

3           So as I see my Asian-American colleagues  
4 protesting how the press was picking on John Hwong even  
5 before the facts came out, I thought it was wrong.  
6 Well, I got severely criticized -- little did I know it  
7 -- that I dared to speak up on the other side. So I  
8 was the lone dissent. But you know what? Since then,  
9 it has ben a year and I've spoken to a lot of people  
10 outside of Washington.

11           Do you feel discriminated against? When  
12 people look at you, do they think that you are a crook?  
13 When they are talking about campaign finance  
14 activities, do you think they thought that you gave  
15 some dirty money? Do you think that they thought that  
16 you took some money from Taiwan, Indonesia, China, Hong  
17 Kong? No. They did not think so.

18           So it is my opinion that all the din that we  
19 hear about the press being unscrupulously scrutinizing  
20 Asian-Americans, it's false.

21           Let's face it. The fact that Asian-Americans  
22 have been so active in politics, the fact that Asian-  
23 Americans have been able to raise \$5 million -- John  
24 Hwong's friend told me -- Daphne Kwok told me, in fact,  
25 in September 1996 at the Heritage Foundation that Mr.

1 Hwong single-handedly was responsible for raising \$5  
2 million for the DNC. She was very proud of that. She  
3 defended him.

4 But there was not just John Hwong. It was  
5 Charlie Trie. It was Pauline LaChock. It was Marie  
6 Shar. It was monks and nuns in the Buddhist temple.  
7 And that all leads to later on revelations about  
8 Valerie Lau, Inspector General of the Treasury  
9 Department, alleged to have destroyed all the  
10 documents.

11 Of course we do not like to hear this. Of  
12 course we do not like to show this. Of course we would  
13 like not to wash our dirty laundry in public. But this  
14 is America and don't forget we have a free press. The  
15 American people have the right to know important events  
16 such as electing the head of state.

17 It is very important that if there is any  
18 allegation of wrongdoing, whether it is Asian-American,  
19 African-American, Hispanic-American, Native American,  
20 we let the sunshine in, find out what went wrong, pull  
21 it from the roots and correct it.

22 So therefore, my colleagues say campaign  
23 finance reform -- don't target Asian-Americans. I  
24 agree. I do not think that they have been targeted.  
25 There maybe have been some insensitive reporting by

1 saying John Hwong, the Chinese-American; Charlie Trie,  
2 the Chinese-American; Pauline -- the Thai-American.  
3 Well, once again I must say that it is good news for  
4 the media because it is hot news and they are in the  
5 business of reporting news; things which are  
6 unprecedented.

7           And what we have done as a community was  
8 unprecedented. What we have done today is  
9 unprecedented. The 14 Asian-American organizations  
10 petitioned to this Commission for a hearing to  
11 investigate whether Asian-Americans had been tarred  
12 over the last 12 months. This is quite unprecedented.

13           CHAIRPERSON BERRY: Okay. We're going to  
14 have questions, Ms. Allen, so we thank you for the  
15 statement. If you want to take one more minute, you  
16 can, but we're going to have questions.

17           MS. AU ALLEN: Well, my one minute conclusion  
18 is this whole hearing should not be just about Asian-  
19 Americans. It is who took the Asian-American down this  
20 road. If we are honest enough, irrespective of party  
21 loyalty to ask those questions and truly show a serious  
22 interest in finding the truth, maybe -- maybe we will  
23 find the truth. And that is, this is not about  
24 targeting Asian-Americans. It is about targeting  
25 wrongdoings in the last election cycle.

1 CHAIRPERSON BERRY: Okay. Thank you.

2 Mr. Sandler is next. Mr. Sandler is General  
3 Counsel of the Democratic National Committee. And  
4 before that, he was staff counsel. He's an expert on  
5 various matters of campaign finance ethics and election  
6 law, and we appreciate very much your being here, Mr.  
7 Sandler.

8 Could you please proceed for no more than 10  
9 minutes.

10 MR. SANDLER: Yes. Thanks very much, Madam  
11 Chair and the members of the Commission.

12 On behalf of the DNC, we greatly appreciate  
13 the opportunity to be here this morning to address the  
14 very serious and significant charges that have been set  
15 out in the petition.

16 In the 1996 election cycle, the Democratic  
17 Party and the DNC made an unprecedented effort to reach  
18 out to the Asian Pacific American community. We're  
19 proud of that effort and we're proud of the success  
20 that was achieved in that effort, in that Asian Pacific  
21 Americans did turn out in record numbers and  
22 demonstrated an unprecedented degree of support for our  
23 party.

24 Unfortunately, in the last year the campaign  
25 fundraising controversy has imposed a grievous burden

1 on the community and I agree with Daphne Kwok that it  
2 has threatened to undo a lot of the progress that has  
3 been made in involving an empowering the Asian Pacific  
4 American community.

5 In a statement last April as the press was  
6 hot on the latest set of documents about this  
7 controversy, our chairs said, in their view -- our  
8 national chair, Steve Grossman and our general chair,  
9 Governor Roy Romer of Colorado, said that during the  
10 past few months we have witnessed with increasing alarm  
11 the rampant demonization of the Asian Pacific American  
12 community. Millions have been subjected to grossly  
13 unfair and inaccurate accusations of dual loyalty.  
14 Their patriotism and extraordinary contributions to the  
15 vitality of American life have been called into  
16 question. The pain of Asian Pacific Americans is  
17 palpable in every city, town and neighborhood in which  
18 they live and work.

19 The demonization that's described by our  
20 chairs, we think, is set out with very compelling and  
21 accurate detail in the petition that's been filed.  
22 We've seen racist statements made by Republican members  
23 of Congress during the campaign finance hearings.  
24 We've seen -- and I personally know of a number of  
25 situations of reporters from major newspapers combing



1 through the DNC's contributor list and picking out  
2 people solely based on ethnic surname for  
3 interrogation.

4           We've seen fundraising letters from one of  
5 the national Republican committees with clear racial  
6 overtones. And we recognize that the DNC itself went  
7 about a review of prior contributions with insufficient  
8 sensitivity to the way in which we -- the conduct of  
9 the questioning and the structure of that review would  
10 be perceived and experienced by members of the Asian  
11 Pacific American community.

12           In response to the anger and the pain and the  
13 frustration that's been expressed, Governor Romer and  
14 Chairman Grossman have over these past months been  
15 meeting around the country in a number of cities across  
16 America with the leadership of the Asian Pacific  
17 American community, not only to apologize for the  
18 manner in which our review was conducted but, more  
19 importantly, to emphasize that the DNC is more  
20 determined than ever to repair and strengthen our ties  
21 to the community and do everything possible to continue  
22 the process of empowering this community. That  
23 commitment has been reflected and translated in a  
24 couple of concrete steps in the past few months.

25           We established an ad hoc committee on

1 political participation by legal permanent residents  
2 and newly naturalized citizens that was chaired by  
3 Lieutenant Governor Mazy Hurano of Hawaii. That  
4 committee made 14 recommendations to the DNC Executive  
5 Committee this past June. It went to such matters as  
6 systematizing and improving communication with  
7 community leadership; the integration of specific voter  
8 registration and turnout programs for these communities  
9 into our political operations; legislative positions on  
10 a whole range of matters. And I'm pleased to be able  
11 to tell you that virtually all of these recommendations  
12 actually have been or are in the process of being  
13 implemented by the DNC.

14 Second, at our full meeting of the membership  
15 of the DNC this past September here in Washington, the  
16 DNC amended our charter and bylaws to create a seat on  
17 the Executive Committee for the chair of the newly  
18 formed Asian Pacific Islander American Caucus, which is  
19 the first time that we've done this in more than 15  
20 years.

21 And finally, as we go about making our plans,  
22 as we're in the process of doing for the 1998 election  
23 cycle, we are very focused on creating programs of  
24 voter registration and voter turnout in the Asian  
25 Pacific American community creating real funding and

1 real emphasis on that as part of our own political  
2 operations in the states in which we're going to be  
3 active next year.

4           So I think that it's fair to say that the DNC  
5 has heard loud and clear and anguish and frustration  
6 that's reflected in the petition and that's been  
7 articulated here this morning by Daphne Kwok.

8           We've begun to respond and we're going to  
9 continue to respond. In that regard, we take very,  
10 very seriously the allegations that are set forth in  
11 the petition and I want to just comment briefly on the  
12 two matters that are specific to the DNC that are  
13 discussed in the petition.

14           One, of course, is our review of prior  
15 contributions. We did have the goal and intent to try  
16 in conducting that review to be sensitive to the  
17 special burden that the community bore in this whole  
18 campaign fundraising controversy and to the important  
19 and growing role that the Asian Pacific American  
20 community plays in the Democratic Party. We clearly  
21 fell short in that regard and I think the chairs,  
22 Chairman Grossman and Governor Romer have been very  
23 frank and candid in discussing that with the leadership  
24 over these past few months.

25           I do want to make a couple of specific

1 factual points in this regard. The DNC review in fact  
2 covered all donors who had contributed \$10,000 or more  
3 in any of the years 1994, '95 and '96 and who didn't  
4 have a well established record of contributing to us.  
5 So the vast majority of the roughly 1200 contributions  
6 that were reviewed in this exercise were clearly not  
7 made by Asian Pacific Americans.

8           Second. The reason that the review covered  
9 donors of more than \$5,000 at events that were  
10 specifically for the Asian Pacific American community  
11 was simply that John Hwong had been in charge of our  
12 fundraising program focused on that community and was  
13 the lead staff person for those events. And because of  
14 the attention that had been focused on the fundraising  
15 activities that John had engaged in, it was basically  
16 just part of that same review. It made sense that the  
17 audit focused on those events.

18           Third, the contributions that were selected  
19 for review and that we referred for telephone  
20 interviews was selected solely by the DNC and it was  
21 made based on criteria in a report that we released  
22 last February. The ethnicity or surname of a  
23 contributor was not considered in any way. In fact,  
24 leaving aside contributions made by Johnny or Charlie  
25 Trie, of the money that we decided to return as a

1 result of that review, the returns that we announced at  
2 the end of February, nearly half of the dollars  
3 consisted of donations that were not made by Asian  
4 Pacific Americans or by corporations or other entities  
5 associated with Asian Pacific Americans.

6 And finally, I want to say that the  
7 interviewers worked from a written script that was  
8 prepared by the DNC. It was released to the press and  
9 to the public when we released the results of the  
10 review at the end of February. And all donors, dozens  
11 of them who were not Asian Pacific Americans, were  
12 asked exactly the same questions.

13 The second matter referred to in the petition  
14 specific to the DNC is our policy of not accepting  
15 contributions from non-U.S. citizens. That policy was  
16 instituted earlier this year based on the proposition  
17 that persons who were not eligible to vote, it would  
18 not be appropriate for the DNC to accept contributions  
19 from.

20 Since that policy was instituted, our chairs  
21 have engaged in extensive discussions with the  
22 leadership of a number of communities, not only the  
23 dialogue with Asian Pacific, American leadership to  
24 which I referred earlier, but also with a number of  
25 other communities in which legal permanent residents

1 account for a substantial number of members. And I  
2 think our leadership and our party has become much more  
3 sensitized to the critical role that legal permanent  
4 residents can and do play in the political life of our  
5 nation and in the affairs of our party. And for that  
6 reason, our policy is under active review at this time  
7 and the very serious and legitimate concerns that have  
8 been expressed in the petition and in the discussions  
9 in which our leadership has engaged with the Asian  
10 Pacific American community during these past few months  
11 are going to be taken into account as we consider the  
12 wisdom of continuing this policy.

13 I just want to close again by citing the  
14 statement that our chairs issued last April which  
15 really expressed the way that I think they felt about  
16 this entire situation. As Americans, as Democrats and  
17 as grassroots activists, we must continue to fight  
18 against the most pernicious and divisive elements in  
19 our society. Against ignorance, racism, bigotry,  
20 intolerance, anti-Semitism, ethnic stereotyping,  
21 prejudice, hatred, homophobia and fear.

22 If one of us is demeaned, all of us are  
23 dishonored. And when an entire community is demeaned,  
24 we must raise our voices in a chorus of protest. The  
25 Democratic Party is the oldest continuing political

1 party in existence. It has an obligation to provide  
2 moral leadership to one of the most diverse and  
3 pluralistic societies the world has ever known. We  
4 stand in solidarity with our sisters and brothers in  
5 the Asian Pacific American community and we affirm the  
6 highest aspiration of Democrats throughout this great  
7 land.

8 Thank you, Madam Chairman.

9 CHAIRPERSON BERRY: Thank you very much, Mr.  
10 Sandler.

11 Could we now go to questions? Are there  
12 questions from any of the Commissioners for the  
13 briefers? Any Commissioners have questions?

14 VICE CHAIR REYNOSO: Sure.

15 CHAIRPERSON BERRY: Vice Chair.

16 VICE CHAIR REYNOSO: I have several. I  
17 assume the other members do, too.

18 Mr. Sandler, you heard the testimony that  
19 there was a review of contributions by Asian-Americans  
20 who had contributed -- who had raised \$5,000 or more.  
21 Your testimony, I take it at least in partial response  
22 to that, was that those functions that were  
23 particularly directed to the Asian-American community,  
24 as to those functions apparently you looked at Asian-  
25 Americans who had raised over \$5,000.

1           My question is this. Was the review of  
2 contributors who had contributed or raised over \$5,000  
3 from Asian-Americans limited only to those events that  
4 were particularly directed at the Asian-American  
5 community or did they include any person that appeared  
6 to have an Asian-American name who had contributed over  
7 \$5,000?

8           MR. SANDLER: No. It had nothing to do with  
9 name or ethnicity of the contributor. It was basically  
10 -- we went down to the first dollar of contributions  
11 for certain categories of contributions, those for  
12 which we didn't have a proper address. Eventually we  
13 reviewed every contribution that in our records had  
14 been solicited by John Hwong of any dollar amount.

15           We reviewed contributions made in connection  
16 with the Buddhist temple event, regardless of amount.  
17 Same thing with contributions solicited by Charlie Trie  
18 or Johnny Chung.

19           In the case of events for which John Hwong  
20 had in effect been the staff lead that were part of the  
21 Asian Pacific American Leadership Council Program for  
22 which he was our staff lead in 1996, we reviewed  
23 contributions that were made in connection with those  
24 events or credited to those events on our books of  
25 \$5,000 or above.



1           VICE CHAIR REYNOSO: But even those events  
2 that were directed at the Asian-American community you  
3 still looked only at those folk who had contributed or  
4 raised \$5,000 or more. Is that correct?

5           MR. SANDLER: Yes. That's correct.

6           VICE CHAIR REYNOSO: You mentioned -- and I  
7 apologize if I've missed the explanation, but you  
8 mentioned that there was the expression that the review  
9 had not been performed with sufficient sensitivity.  
10 And then, as I understood your testimony, you mentioned  
11 that there were recommendations presumably for the  
12 future about such reviews, but I missed what those  
13 recommendations were. Did you tell us?

14           MR. SANDLER: I don't think -- the  
15 recommendations that I was referring to were  
16 recommendations about the DNC's relationship generally  
17 to --

18           VICE CHAIR REYNOSO: Oh, I see.

19           CHAIRPERSON BERRY: -- permanent residents  
20 and newly naturalized citizens, organizing,  
21 communicating and the like. I don't think this review  
22 that we did of prior contributions in connection with  
23 the fundraising controversy was unprecedented and I  
24 don't think given the new compliance procedures we have  
25 in place it would ever be necessary to undertake a

1 review of this nature again.

2 VICE CHAIR REYNOSO: Thank you.

3 Ms. Allen, did you have occasion to read the  
4 petition for hearing, the basis for these hearings?

5 MS. AU ALLEN: I read the summary of it  
6 recently and I did read the petition about a couple of  
7 months ago. Yes.

8 VICE CHAIR REYNOSO: Did you find in any part  
9 of that petition a suggestion that any American ought  
10 not to obey the law?

11 MS. AU ALLEN: I don't think so.

12 VICE CHAIR REYNOSO: Did you find --

13 MS. AU ALLEN: It better not.

14 VICE CHAIR REYNOSO: Beg pardon?

15 MS. AU ALLEN: It better not. If they are  
16 going to file a petition with the Commission here.

17 VICE CHAIR REYNOSO: My question had to do  
18 with the strength of your testimony that there seemed  
19 to be an implication on the part of those Asian-  
20 American communities that had raised concerns about the  
21 focus on Asian-Americans -- your suggestion seemed to  
22 be that there was a suggestion by those protests  
23 pertaining to the violation of laws. And the  
24 suggestion seemed to be by your testimony, as I  
25 understood it, that maybe there was a defense of folk

1 not obeying the law.

2           So I was just curious whether you had found  
3 that interpretation.

4           MS. AU ALLEN: Well, let me clarify, then.  
5 Either I did not explain my position clearly or you  
6 misunderstood. What I meant was that the  
7 embarrassment, perhaps. Now, I cannot get into the  
8 minds as to why they did what they did. But perhaps it  
9 was the embarrassment that somebody who looked like  
10 them or us, somebody who had an Asian last name, should  
11 be caught in alleged wrongdoings which seems to  
12 implicate the entire community as they see it, led them  
13 to this irrational, unreasonable reflexive knee-jerk  
14 reaction that we've got to get out there and raise race  
15 as a defense because we cannot let them tar our  
16 community because these handful of people's activities  
17 may reflect on us.

18           And therefore, in their enthusiasm to keep  
19 the good name out up front, they are willing to look  
20 the other way and try to sweep what we should be facing  
21 under the rug. And it was quite obvious to me and to  
22 the people that I talked to.

23           VICE CHAIR REYNOSO: With due respect, I  
24 guess I understood your testimony. I understood your  
25 clarification of the testimony. And I guess my

1 interpretation is that they were willing to sweep  
2 things under the rug, including violations of laws,  
3 because of this embarrassment. And I just found that -  
4 -

5 CHAIRPERSON BERRY: Could we ask Ms. Kwok  
6 whether that was her position?

7 MS. KWOK: Very clearly it was not our  
8 position. It was clearly stated in the first paragraph  
9 of our position that we have always said from the very  
10 beginning if there are any wrongdoings in this whole  
11 campaign fundraising controversy, then unfortunately  
12 for those individuals they're going to have to suffer  
13 the consequences. But whatever is going to happen, the  
14 punishment, whatever it is, they're going to have to  
15 suffer. We do not defend anybody. We are just  
16 protecting the image of Asian-Americans.

17 Unfortunately in all this coverage the  
18 definition between Asian and Asian-Americans is being  
19 lost. We are somehow -- and our citizenship status is  
20 being questioned as what has happened at the White  
21 House. And for all of that to happen to us as Asian-  
22 Americans, we find that really appalling.

23 And we have clearly stated from the very  
24 beginning we do not defend any wrongdoing.

25 MS. AU ALLEN: Could I just mention this?

1 Yes, they did. A little late. After other people say  
2 that, if there is wrongdoing, we've got to investigate.  
3 But if you go back to the news reporting back in  
4 September - October 1996, I don't think you find that.  
5 Later on when it was pointed out to them that, look, if  
6 there's wrongdoing, figure it out. But at the same  
7 time, do it properly. Find out what's illegal, what's  
8 legal. They did. Now, they do.

9 In the petition they have done so. As I said  
10 earlier, it will be foolish of them, and the people who  
11 prepared the petition are lawyers. They should know  
12 better. Of course they would not, Commissioner, state  
13 in a petition that they condone wrongdoing and  
14 lawbreaking. Of course they would not. How do you  
15 think they are, Commissioner. They're Asian-American  
16 lawyers. They are very capable professionals. They  
17 would never do something like that.

18 CHAIRPERSON BERRY: Mr. Vice Chair, may I  
19 interrupt you just for a moment and ask Ms. Kwok  
20 specifically.

21 Has your organization ever, before this  
22 petition was filed or at any time during this  
23 controversy defended Mr. Hwong or anyone else on the  
24 basis that Asian-Americans should not be charged and  
25 targeted without reference to what you consider to be

1 the stereotyping?

2 Has there been a time way back in the  
3 beginning when this whole thing started that you did  
4 that?

5 MS. KWOK: We have never defended any of the  
6 individuals, primarily because we -- and I think even  
7 today, 15 months later, we don't know what the facts  
8 are. And if we don't have the facts, how can we ever  
9 make any statement or defend anybody if we don't even  
10 know really what the facts are.

11 MS. AU ALLEN: Well, I can offer one name.  
12 Mr. Hoyt Zia of the Commerce Department defended Mr.  
13 Hwong. It was in print.

14 CHAIRPERSON BERRY: Who is Mr. Hoyt Zia?

15 MS. AU ALLEN: Give me some time and I will  
16 come up with some more. I didn't come here to answer  
17 questions such as that, but I think if given some  
18 time -- and I think there are people in the Asian-  
19 American community who have boxes of newspaper  
20 clippings that they can offer.

21 VICE CHAIR REYNOSO: I'm sorry. Who was this  
22 gentleman?

23 MS. AU ALLEN: Mr. Zia, Z-I-A.

24 VICE CHAIR REYNOSO: And what organization  
25 does he represent?

1 MS. AU ALLEN: I'm sorry?

2 VICE CHAIR REYNOSO: What organization does  
3 he represent?

4 MS. AU ALLEN: I think he belongs to the  
5 Asian Pacific American Bar Association. He's the  
6 brother of one of the briefers here today.

7 VICE CHAIR REYNOSO: I have one other  
8 questions for you pertaining to the press, Ms. Allen.

9 Did you find in the petition any suggestion  
10 that the First Amendment rights of the press should be  
11 curtailed?

12 MS. AU ALLEN: No.

13 VICE CHAIR REYNOSO: I don't know whether you  
14 were here when the staff made a presentation about the  
15 petition. Part of that testimony was that  
16 unfortunately, at least the staff report told us there  
17 has been some stereotyping of Asian-Americans in our  
18 country. Do you agree that there's been stereotyping  
19 or do you think that's not true?

20 MS. AU ALLEN: Commissioner, that's not my  
21 business. My business is not to go out and look for  
22 reportings of --

23 (Interruption)

24 CHAIRPERSON BERRY: Would you hold on a  
25 minute? Could someone please hang up that phone?

1 Tell them to just hang it up, please.

2 Okay. Could you repeat the question and then  
3 get the answer again, please, Vice Chair? What was  
4 your question?

5 VICE CHAIR REYNOSO: Mr. Clerk, would you  
6 repeat the question?

7 No. What was the question? I had already  
8 asked you about whether or not you had --

9 CHAIRPERSON BERRY: About stereotyping.  
10 Whether you thought there was stereotyping.

11 VICE CHAIR REYNOSO: Yes. Whether or not you  
12 had heard the testimony about stereotyping. And the  
13 report was that there had been stereotyping both in  
14 terms of the Asian-Americans being the ideal minority,  
15 in terms of -- some folk think positive stereotyping  
16 though it's not all positive, and other stereotyping of  
17 Asian-Americans as still being foreign and suspect and  
18 so on.

19 And I was just asking. Your testimony seemed  
20 to suggest to me that there is no stereotyping of  
21 Asian-Americans and that those who think may be super  
22 sensitive. So I was just inquiring as to what your own  
23 perception was of that.

24 MS. AU ALLEN: I didn't say that. I did not  
25 say that there was no stereotyping. There is. First



1 of all, we have been called the model minority, the  
2 invisible minority, the silent minority. And some  
3 Asian-Americans do not like that.

4 I remember working with some of the Asian-American  
5 organizations whose business was to go to the  
6 government and say I represent the poor and downtrodden  
7 Asian-American community. We need money in this  
8 community, so don't keep on saying that we have done  
9 it, we have money, we've got education. Because for  
10 every Asian-American who's done well financially and  
11 economically, there are those who have not done well.

12 So therefore, don't call us the successful  
13 minority.

14 VICE CHAIR REYNOSO: I'm sorry. That was  
15 really a preliminary question to the question  
16 pertaining to the press. You indicated that of course  
17 the press is protected by the First Amendment, and you  
18 seem to imply that what they have been doing and  
19 reporting of this controversy was simply living up to  
20 their responsibility under the First Amendment.

21 And I just wonder whether you have a view in  
22 terms of -- as I told my students quite often, the  
23 First Amendment tells you what you can say, not what  
24 you ought to say necessarily. And the question I have  
25 is this.

1           Even though the press has the right to report  
2 these matters any way it wants to, does it not have a  
3 responsibility to report it correctly and to, for  
4 example, not repeat stereotypes of they are not  
5 correct.

6           I just wonder what your views are on that.

7           MS. AU ALLEN: I agree with you. Report the  
8 facts. If they are reporters, they should report the  
9 facts. If they are commentators, editors, they can  
10 inject their opinion into it. Of course nowadays the  
11 line is blurred.

12           But I agree with you. The press has the  
13 First Amendment right to write whatever it wants to,  
14 but a responsible press should report the facts as it  
15 happened.

16           VICE CHAIR REYNOSO: Thank you.

17           Nothing further, Madam Chair.

18           CHAIRPERSON BERRY: All right.

19           Commissioner Anderson?

20           COMMISSIONER ANDERSON: Thank you, Madam  
21 Chair.

22           I believe the Commission yesterday received a  
23 letter from the National Republican Senatorial  
24 Committee asking that it be made part of the record,  
25 which I assume we're going to do. Since we have a

1 representative from the Democratic National Committee  
2 here, I think in fairness I'd like to just read a short  
3 quote from that letter and give Mr. Sandler the  
4 opportunity to respond to it.

5 Our National Republican Senatorial Committee  
6 is chaired by Senator Mitch McConnell and part of the  
7 letter I'd like to read says as follows:

8 "As the Commission may know, Senator  
9 McConnell is married to an Asian Pacific American and  
10 has consistently received enthusiastic political  
11 support from the Asian Pacific American community. But  
12 what the Commission may not know, however, is that the  
13 Democrats attempted to raise the issue of Senator  
14 McConnell's wife's racial and ethnic heritage as well  
15 as the lawful financial support he received from the  
16 Asian Pacific American community during his reelection  
17 campaign last year. These smears included television  
18 ads against the Senator paid for by the Democratic  
19 Senate candidate and the Kentucky Democratic Party,  
20 which presented threatening or negative images of  
21 Chinese culture and urging voters to say a, quote "all  
22 American family to the Senate." Unquote. We invite  
23 the Commission to add these racially hostile smears to  
24 its current investigation."

25 Now, I think Mr. Sandler, in fairness, we

1 ought to give you an opportunity to respond to that.

2 MR. SANDLER: Well, I'm not aware of any  
3 advertising of that nature in the Kentucky race. The  
4 issue -- the reason that the National Republican  
5 Senatorial Committee, as I understand it, was asked to  
6 participate, although they declined and there's no  
7 representative of the Republican Party who agreed to  
8 participate this morning, was because of a fundraising  
9 letter that Senator McConnell signed that was based on  
10 an obvious racial appeal and screamed about the  
11 Democrats raising illegal foreign cash, money from  
12 Asia, and this kind of thing. And that's really why.  
13 And I think that the complaints in the petition about  
14 that letter and about that approach are well founded  
15 and should have been responded to and they haven't  
16 been.

17 COMMISSIONER ANDERSON: But if the -- just to  
18 pursue it another minute. If the television  
19 advertisement actually did say "send an all-American  
20 family to the Senate" against a candidate who's married  
21 to an Asian American, you would condemn that, wouldn't  
22 you?

23 MR. SANDLER: Absolutely.

24 COMMISSIONER ANDERSON: Would you mind  
25 finding out for us whether or not that was true in the

1 Kentucky Senate campaign?

2 MR. SANDLER: Certainly. Yes. And who paid  
3 for the ad.

4 COMMISSIONER ANDERSON: Thank you.

5 CHAIRPERSON BERRY: The letter from the  
6 Republican National Committee -- Senatorial Committee,  
7 will of course be in the record. And the National  
8 Republican Senatorial Committee was invited, as Mr.  
9 Sandler said, to participate, and declined. But they  
10 did send the letter.

11 Yes, Commissioner Lee?

12 COMMISSIONER LEE: I first of all want to  
13 thank the staff for putting together a very detailed  
14 and well put together briefing. They did a wonderful  
15 job.

16 I have several questions. The first question  
17 is to Mr. Sandler.

18 You mentioned that with your audit you've  
19 identified persons who made donations over \$10,000 with  
20 very little donation record to the DNC.

21 MR. SANDLER: Yes.

22 COMMISSIONER LEE: Now, given the fact that  
23 the Asian-American community is relatively new compared  
24 to other communities, what is the percentage of donors  
25 that you investigated under that category? What is the

1 percentage of Asian Pacific American donors compared to  
2 other donors that you have investigated?

3 MR. SANDLER: I don't know that. It's very  
4 small. We didn't calculate -- of the 1200 that we  
5 reviewed without a record of clearly established  
6 contribution history with the DNC and that were part of  
7 the initial universe of contributions reviewed, a very  
8 small percentage, I can assure you, were Asian Pacific  
9 Americans of those 1200.

10 I don't know the exact percentage. Certainly  
11 no effort was made to do that calculation.

12 COMMISSIONER LEE: And of the \$4 [million] or  
13 \$5 million that Mr. Hwong had raised for the DNC, what  
14 is the percentage of that amount compared to the  
15 overall DNC money that was raised?

16 MR. SANDLER: Well, the percentage of overall  
17 DNC contributions represented by what?

18 COMMISSIONER LEE: No. The overall DNC money  
19 that was raised.

20 MR. SANDLER: Well, in the --

21 COMMISSIONER LEE: Compared to the \$4 million  
22 -- let me go back. I'm still on California time.

23 What is the percentage of Mr. John Hwong's  
24 money that he raised compared to the overall DNC money  
25 that you have?

1 MR. SANDLER: Well, in the '94-'96 cycle or  
2 period that was the subject of a review of  
3 contributions, the DNC raised approximately \$227  
4 million, of which contributions raised by Mr. Hwong,  
5 regardless of whether or not they've been returned,  
6 represented \$3.4 million. So it's in the area of 1  
7 percent. Of what's been actually returned that was  
8 raised, it's well under 1 percent.

9 COMMISSIONER LEE: And I also would like some  
10 information from you, maybe later on, on exactly how  
11 many donors were contacted by the audit and the  
12 percentage of Asian Pacific Americans on that list, if  
13 you can submit that to us, please.

14 MR. SANDLER: Okay.

15 COMMISSIONER LEE: Thank you.

16 The second question I have is for Ms. Allen.  
17 You mentioned that you didn't feel that the media has  
18 specifically targeted Asian-Americans and they were  
19 just reporting all the facts.

20 Now, during the same time as I recall when  
21 this whole controversy got started, the media was  
22 reporting a lot on what Mr. John Hwong had allegedly  
23 done. There were very few, if any, reports on Mr.  
24 Fireman who was fined for committing an actual crime.  
25 So do you think that was the media merely reporting the

1 facts or do you think that there really was some type  
2 of unbalanced reporting?

3 MS. AU ALLEN: I do not know enough about the  
4 Fireman contributions.

5 COMMISSIONER LEE: That's because the media  
6 hasn't reported it so we don't know.

7 MS. AU ALLEN: If people would only let me  
8 finish. I hope that we will not play politics here  
9 today. I know that there's a tendency to do so. For  
10 example, your question to Mr. Sandler about the  
11 percentage of money raised from the Asian-American  
12 community versus the total amount raised nationwide  
13 generally. And the implication is that well, it's only  
14 \$5 million or \$3 million so what's the big deal.

15 My position is whether it is \$1,000, \$100,000  
16 or \$50,000 or a million, if it's wrong, it's wrong.  
17 Don't belittle the criminal activity.

18 As to your question, it was reported. I  
19 think that there's some distinction here, perhaps. And  
20 that is when you look behind Mr. Fireman, there wasn't  
21 any more. He did it. He got fined. The law dealt  
22 with it. But when you look behind Mr. Hwong, there was  
23 always something more. And as the events that unfolded  
24 in the late 12 months has shown us, there was no  
25 cooperation from either Mr. Hwong who has taken the



1 Fifth Amendment, and then later bargained for immunity  
2 before he would speak although he offered to go and  
3 speak, but then he didn't.

4 When he was given the opportunity to speak  
5 before the American public under the shining lights of  
6 the media, he wanted to have immunity.

7 We have people like Charlie Trie who has left  
8 the country.

9 Pauline [inaudible] who's left the country.  
10 It goes on and on and on.

11 So why are the media -- why is the media so  
12 concentrated on Mr. Hwong? I can only speculate that  
13 it's because things keep on coming out. You keep  
14 finding new wrongs, alleged wrongdoing. And it is  
15 their job to report it.

16 As I understand it, the Fireman situation was  
17 discovered. There was an opening and there was closure  
18 to the case and there was no attempt to resist on Mr.  
19 Fireman's part. But with Mr. Hwong, today as we speak  
20 we still haven't heard from the man.

21 COMMISSIONER LEE: I just have one more  
22 question for Mr. Kwok.

23 CHAIRPERSON BERRY: Yes, please, Commissioner  
24 Lee.

25 COMMISSIONER LEE: I'll make it quick.

1           Mr. Kwok, the purpose of this hearing is to  
2 find out if the Asian Pacific American community has  
3 been impacted by this controversy. And Ms. Au has  
4 mentioned that she has talked to various people from  
5 the community and they all mentioned that they really  
6 haven't been impacted.

7           I understand your organization has over 40  
8 chapters and one of the other petitioners, the JACL,  
9 has numerous -- hundreds of chapters through the  
10 country.

11           Is that the same feeling that your members  
12 have expressed to you, that they don't feel they're  
13 being impacted?

14           MS. KWOK: Well, in the last year after a  
15 tremendous amount of traveling and the like, a  
16 tremendous amount of speaking, meeting with our  
17 membership. And people are just truly outraged. While  
18 they may or may not have contributed themselves, they  
19 feel directly impacted that this is a direct assault on  
20 them whether or not they have actually participated by  
21 actually giving funds to either party.

22           And yes, they have been directly impacted.  
23 It has impacted us tremendously. It has impacted not  
24 only the Chinese American community but the broader  
25 Asian American community because unfortunately the

1 distinctions can't exactly be made if you're Chinese,  
2 Japanese, Korean. We're all seen as one.

3           And so we just hear stories after stories  
4 after stories. People who participated for the first  
5 time in 1996 who received the audit calls, received  
6 calls from the media, being harassed. They're saying  
7 don't call me. I don't want to talk to anybody. I  
8 don't want to get involved. Don't ask me for any  
9 money. I'm never giving again.

10           So really people have been impacted and the  
11 stories -- unfortunately, because the Asian-American  
12 community and Asian-Americans are very private, they  
13 don't want to tell people about what has happened to  
14 them. Unfortunately, we're never going to hear many of  
15 these stories because they're so fearful of what's  
16 happened.

17           To receive a subpoena is very intimidating  
18 and they're just now withdrawing into their shell.

19           CHAIRPERSON BERRY: Does any other  
20 Commissioner have any question?

21           Yes, Vice Chair?

22           VICE CHAIR REYNOSO: One more question for  
23 Mr. Kwok.

24           You mentioned that there had been -- that  
25 documents had been subpoenaed from your organization.

1 What sort of documents were subpoenaed?

2 MS. KWOK: Our membership records for some of  
3 the individuals that have been named in this  
4 controversy. They want to see whether they were  
5 members of our, how much have they given. Those kind of  
6 records.

7 VICE CHAIR REYNOSO: Thank you.

8 CHAIRPERSON BERRY: I only have one question  
9 myself.

10 Did you have any, Commissioner George?

11 COMMISSIONER GEORGE: Yes.

12 CHAIRPERSON BERRY: Oh. Well, you go ahead  
13 then.

14 COMMISSIONER GEORGE: Mr. Sandler, this is a  
15 question for clarification.

16 In responding to Commissioner Anderson you  
17 said you weren't familiar with racist advertising by  
18 Democrats in the Kentucky McConnell race. I just wanted  
19 to know is that a race you are familiar with but don't  
20 just happen to know if anything like that went on, any  
21 racist ads went on, or is that a race you're not  
22 familiar with so that's why you wouldn't have occasion  
23 to know whether there was racist advertising or not.

24 MR. SANDLER: No. I'm familiar with the  
25 race, certainly. This is the first I've heard of

1 charges that the advertising run on behalf of any  
2 Democratic candidate was inappropriate in that respect.

3 CHAIRPERSON BERRY: My question -- these two  
4 names that you used, Ms. Kwok, someone named Kramer and  
5 someone named something else, when you were talking  
6 about the comparisons --

7 MS. KWOK: Thomas Kramer is a German  
8 national.

9 CHAIRPERSON BERRY: And who was the other  
10 one?

11 MS. KWOK: Simon Fireman.

12 CHAIRPERSON BERRY: That they keep talking  
13 about. The same person; right?

14 MS. KWOK: They are two different --

15 CHAIRPERSON BERRY: The same one that  
16 Commissioner Lee was asking Ms. Allen about, that's  
17 Fireman?

18 MS. KWOK: Right.

19 CHAIRPERSON BERRY: The same one you  
20 mentioned

21 MS. KWOK: Right.

22 CHAIRPERSON BERRY: Okay. Do you have any  
23 information, Ms. Kwok, as to whether the parties have  
24 scrubbed their donor lists to make investigations of  
25 all Kramers and Firemans to make sure that they're not

1 engaged in any illegal campaign contributions as a  
2 result of the Kramer-Fireman incidents in the same way  
3 that Mr. Sandler talked about the scrubbing of the  
4 donor list --

5 MS. KWOK: I don't think so. I mean, I think  
6 otherwise it would have been reported. We would have  
7 heard about it, and I don't think we have.

8 CHAIRPERSON BERRY: There haven't been any  
9 media accounts that you know of of the parties  
10 scrubbing their lists of Kramers and Firemans to make  
11 sure --

12 MS. KWOK: Not, there are not.

13 CHAIRPERSON BERRY: -- to make they don't  
14 have anybody -- or the White House having a list saying  
15 every time you get a Kramer or a Fireman, you'd better  
16 investigate this person or find out if they're an  
17 American citizen or what they're doing here. You don't  
18 have any evidence that that's happening?

19 MS. KWOK: We haven't heard anything at all  
20 in the media about it.

21 CHAIRPERSON BERRY: Right. And so here what  
22 we had, if I understood you correctly, were two  
23 examples of actual wrongdoing --

24 MS. KWOK: That's right.

25 CHAIRPERSON BERRY: -- in these cases but no

1 evidence that we know of of any scrubbing of lists or  
2 sustained inquiries or sustained media accounts. In  
3 fact, it hasn't been sustained enough that I didn't  
4 even know who these people were.

5 MS. KWOK: Right. Most people don't.

6 CHAIRPERSON BERRY: But I'll now ask Mr.  
7 Sandler. Does the Democratic Party scrub its lists to  
8 make sure that all Kramers and Firemans are  
9 investigated thoroughly to make sure that they're not  
10 either foreign nationals from Germany or someplace or  
11 people who are laundering -- all Firemans and Kramers.

12 MR. SANDLER: Absolutely. Both the prior  
13 review -- the review of prior contributions that we  
14 undertook was done without regard to ethnicity or race.  
15 And in fact, we did accept money from Thomas Kramer.  
16 We returned it in 1994. Kramer gave to both parties.  
17 But we caught any number of other situations and it's  
18 all been out in the press and it's all been made  
19 public.

20 CHAIRPERSON BERRY: Any other Kramers?

21 MR. SANDLER: A variety of nationalities in  
22 which the DNC determined to determine the contribution  
23 either at the time of the review that we announced last  
24 February or since then, because the contribution was  
25 inappropriate, because there were legal questions or

1 because we didn't have sufficient information.

2 CHAIRPERSON BERRY: Were there any Firemans.  
3 You mentioned a Kramer.

4 MR. SANDLER: Well, Fireman was just a  
5 Republican donor. Kramer donated to both sides and we  
6 actually caught that at the time it was made and  
7 returned the money. But we certainly returned money  
8 regardless of race or nationality from any individuals  
9 who -- based on the criteria in our review.

10 And going forward at this point under the  
11 compliance procedures that we put into place at the end  
12 of last January, everybody who has contributed an  
13 aggregate of \$5,000 or more is vetted in exactly the  
14 same way.

15 CHAIRPERSON BERRY: I still don't think  
16 you're answering my question. My question specifically  
17 is as a result of the names of Kramer and Fireman being  
18 put somewhere in the media and people knowing about  
19 these two, did the DNC make a special effort to look  
20 through its files for any Fireman or any Kramer who  
21 appeared. And is the DNC on constant alert so that  
22 everyone knows that if any Fireman or any Kramer  
23 appears, you're to immediately investigate that person  
24 specially to make sure that they're not somebody who's  
25 engaged in campaign finance controversial matters as a



1 result of the Kramer-Fireman evidence that we have?

2 MR. SANDLER: Yes. We did check to make sure  
3 that we had returned the contributions that Thomas  
4 Kramer had given and anything related --

5 CHAIRPERSON BERRY: Not answering my  
6 question, Mr. Sandler. I don't want to badger you  
7 because it's not a hearing or anything, but you're not  
8 answering.

9 Maybe I'm not asking the question right. Let  
10 me try it one more time and then I'll let you go.

11 Do you have in place procedures at the DNC  
12 and did you put them in place after the Kramer-Fireman  
13 names were in the media as having engaged in campaign  
14 finance violations, actual wrongdoing, if I understand  
15 the reports correctly.

16 Did you put in place procedures and do you  
17 currently have in place procedures so that any person  
18 who sees on your staff a Kramer or a Fireman as a donor.  
19 is immediately alerted that these people ought to be  
20 especially scrubbed and looked at because Kramers and  
21 Firemans may have a propensity for engaging in campaign  
22 finance wrongdoing. That's my question.

23 MR. SANDLER: No. And we would never -- we  
24 didn't do that and haven't done that.

25 CHAIRPERSON BERRY: Okay. That's all I

1 wanted to know.

2 Yes, Commissioner George?

3 COMMISSIONER GEORGE: How does your party  
4 organize its fundraising when it comes to identifying  
5 ethnic groups that will be targeted as ethnic groups  
6 for fundraising? In other words, how do you decide  
7 what the categories will be? Do you decide that there  
8 will be category, Asian Pacific Islanders, and then  
9 we're going to have people whose job is to be raising  
10 fund among that community. Do we have another  
11 category, blacks, Jews, Catholics, whatever?

12 What are those groups? How do you break  
13 things up when it comes to fundraising?

14 MR. SANDLER: Well, in 1995 and '96 we had  
15 fundraising programs that were emphasizing the African-  
16 American community, the Latino community, the Asian  
17 Pacific American community, the Jewish community, in  
18 terms of separate donor councils.

19 COMMISSIONER GEORGE: So there were four  
20 specific --

21 MR. SANDLER: Yes. We also donor councils  
22 for the business community. There are a variety of  
23 environmental activities and a variety of other --

24 COMMISSIONER GEORGE: I'm just concerned  
25 about the ethnic categories.

1 MR. SANDLER: Yes.

2 COMMISSIONER GEORGE: So there were four.

3 MR. SANDLER: That's right. Basically, you  
4 say how are they picked? These are groups that are  
5 base groups for the Democratic Party that are important  
6 constituencies to the party, that had always  
7 participated politically, and we wanted essentially to  
8 ask them to support the party financially as well.

9 COMMISSIONER GEORGE: Does that create,  
10 though, the seeds of the problem, however well  
11 intentioned? Because once a group is targeted as an  
12 ethnic group by a political party for its fundraising,  
13 if things go awry, then doesn't the inquiry  
14 automatically become an inquiry into Democratic Party  
15 fundraising efforts to Asian-Americans?

16 MR. SANDLER: Absolutely not. I mean,  
17 there's absolutely no reason then or now to be  
18 concerned based on the ethnicity of any of the groups  
19 with whom we raise funds about fundraising. No.

20 COMMISSIONER GEORGE: Well, won't the media  
21 naturally and not irrationally -- whatever bad things  
22 the media has done, whatever abuses there are, if you  
23 begin the whole process by targeting a group  
24 ethnically, doesn't that mean if things go awry all of  
25 a sudden the investigation will be an investigation

1 into fundraising efforts for -- name the ethnic group?

2 MR. SANDLER: If the implication of your  
3 question is that we should therefore not attempt to  
4 involve and empower any of the ethnic groups that are  
5 important to us based on that because something might  
6 go awry, I don't see that. I mean, --

7 COMMISSIONER GEORGE: Well, that's a  
8 conclusion one might draw from whatever the answer to  
9 my question is. What's the answer to my question?

10 MR. SANDLER: The answer to your question is  
11 no. It's not a consideration that we would ever have  
12 in organizing the communities and the constituencies  
13 that are important to our party that we would be  
14 concerned about press or public reaction to that. We  
15 have to let the people who make these accusations who  
16 draw stereotypes or generalizations answer for  
17 themselves.

18 MS. AU ALLEN: Let me offer one observation.  
19 I do sympathize with the DNC when news got out that you  
20 had money raised by John Hwong for the world. And as  
21 you said, in general, the DNC had raised millions of  
22 dollars. And if you were to go and comb those  
23 records -- and you have limited time. You've got to  
24 respond to the press, respond to investigators. You  
25 have limited money. Where do you go?

1 Well, a logical person was, well, I'm going  
2 to go for the most logical part. And it's not the  
3 right thing to do and it's wrong and it gives a  
4 stereotypical view of a particular group, but I can  
5 understand why some of the people would do that.

6 I do not know what the answer to that problem  
7 is.

8 CHAIRPERSON BERRY: What I don't understand  
9 is why you didn't go after the Kramers and the  
10 Firemans. They raised a lot of money, too. Why you  
11 don't have a special procedure for them.

12 I'm only kidding. I understand why you  
13 don't.

14 Commissioner George, were you finished?

15 COMMISSIONER GEORGE: That's fine, Madam  
16 Chairman. Thank you.

17 CHAIRPERSON BERRY: Well, I want to thank the  
18 panel very much. This has been very helpful to us.  
19 Thank you very, very much.

20 We would ask the next panel to come forward,  
21 please: Dr. Suzanne Ahn, Mr. Michael Woo, Ling-chi  
22 Wang and Mr. Frank Wu.

23 We want to thank you very much for being with  
24 us today. We appreciate this very much. And you will  
25 each have five minutes to summarize your positions, and

1 then there will be questions. If you were here, you  
2 noticed there were questions from the Commissioners.  
3 So you will have full opportunity during the  
4 questioning to pursue other matters that you might wish  
5 to pursue. But if you could simply in the first  
6 instance sum up and we'll go through each person so  
7 that everyone has an opportunity to speak, we would  
8 appreciate that.

9 Dr. Suzanne Ahn is the first presenter. She  
10 is a physician and neurologist from Dallas, Texas. And  
11 we very much appreciate your being with us here today.  
12 Please, proceed.

13 DR. AHN: Thank you, Madam Chairman.

14 My name is Suzanne Ahn and I'm a neurologist  
15 and a physician in Dallas, Texas. My family and I have  
16 given to political parties and political candidates for  
17 the last 15 years in the six figures, mostly to  
18 Democrats but also to Republicans.

19 My family background is that I grew up in  
20 Arkansas and in East Texas and I have family in Dallas  
21 and in California.

22 About a year ago about this time, right  
23 before Christmas, I got a call from my friend Mike Woo  
24 from L.A. saying that some friends of his were being  
25 called by total strangers identifying themselves as

1 being auditors from Ernst & Young who were hired by  
2 lawyers from Debevoise and Plimpton, who were hired by  
3 the DNC to investigate Asian-American donations.

4           They wanted to know intimate financial  
5 details and about their citizenship.

6           So my first response to Mike was, Mike, this  
7 is a scam. I said, this is one of those telemarketing  
8 frauds. High net worth individuals who had apparently  
9 given a lot of money to politicians. And so -- but  
10 Mike wanted me to check it out because he thought I  
11 might know somebody in the DNC who could verify this  
12 information.

13           I called Ernst & Young and spoke with a man  
14 named Cort Eagle and I said to him, I understand that  
15 you're investigating Asian-American donors, and he  
16 said, oh, yes, let me get your file.

17           I said, before I give you my name, let me  
18 just ask you what type of questions you're asking. And  
19 he proceeded to tell me that they were all typed up and  
20 that he would fax me a copy, because I had wanted a  
21 copy of it. And the questions were as follows:

22           What is your reported income on your income  
23 tax last year. What are your assets. Are you an  
24 American citizen and how long have you been an  
25 American. Can you afford to make these donations.

1 What is your Social Security number. And can we have  
2 your permission to do a credit check on you to verify  
3 that you can afford to make these contributions.

4 And so I said -- and if I don't give you my  
5 Social Security number and if I don't allow you to do a  
6 complete credit check on me, what will you do?

7 And he said, we will list you as being  
8 uncooperative and release your name to the press and  
9 return your money.

10 I have now been called by the FBI twice and  
11 his name is William Buckley. Of course, my first  
12 response was, that's your name? He asked me if I know  
13 John Hwong; how did I know him; when, where, how many  
14 times; did he solicit money from me; and so forth. And  
15 he also asked about my sister-in-law, who was also  
16 called by Ernst & Young, and who was also called by the  
17 press. And she did not give Ernst & Young her Social  
18 Security number, as many of the Asian-Americans were  
19 intimidated and did give their Social Security numbers  
20 because they didn't want to appear like they had  
21 anything to hide.

22 But the FBI presented me with five names of  
23 people named Ahn and wanted to know if I knew them, if  
24 I were related to them, if I knew that they had given  
25 money to any political organization, and what do these



1 people have to do with anything that he was talking  
2 about.

3 Let me tell you, getting a call from the FBI  
4 is extremely intimidating. It's worse than getting a  
5 call from the IRS. And I think that I'm sitting here  
6 thinking, being cooperative and answering all his  
7 questions, thinking, my god, I've got an FBI file now  
8 and all because I had given money and my family had  
9 given money to politicians who have turned out to be  
10 fair weather friends and ungrateful hypocrits.

11 I am here today to tell you what happened to  
12 me and my family and not necessarily to blame anyone  
13 but I do ask the DNC to get my money back. So this is  
14 an official request that I want my money back. If you  
15 think my money is not as good as somebody named Kramer  
16 or Fireman -- besides the Mr. Fireman and the Mr.  
17 Kramer -- then I would like my money back, too.

18 The press has been relentless. I've received  
19 calls from a number of press people, including The New  
20 York Times because my name was released by the DNC to  
21 the press as being a donor in the past. And they want  
22 to know where I was born. They want to know how much  
23 money I gave and why, what am I trying to buy, what am  
24 I trying to influence, who am I trying to get to.  
25 Which is all just absolutely ridiculous.

1           Usually those articles start off with so-and-  
2 so is a foreign agent or so-and-so is a foreign spy.  
3 Well, most Americans, including some Asian-Americans  
4 don't realize that John Hwong is an American citizen,  
5 as is Charlie Trie and Johnny Chung. I've forgotten  
6 his name. I'm an American citizen, as is my sister-in-  
7 law, who was also called and maligned in the press as  
8 being a foreign agent.

9           So, I think in some of the articles, at the  
10 end of the article, they maybe put a statement -- well,  
11 perhaps so-and-so is an American citizen. But by the  
12 time you get to the end of the article your impression  
13 is, my god, these foreign agents are crawling all over  
14 the White House and they're trying to buy the  
15 government and being accused of being foreign agents.

16           The Senate hearings were very frightening to  
17 me. Here I am here in Dallas, and listening to these  
18 hearings. And when I see Senator Frank Thompson  
19 accusing John Hwong of being a Chinese spy, I look at  
20 him and I think, my god, he looks like Joseph McCarthy.  
21 And when they're talking to these Buddhist monks from  
22 California, my heart just goes out for these people  
23 being treated as criminals and being subpoenaed and  
24 being hauled out to Washington and being asked about  
25 finances.

1           Now, I'm not saying that what they did was  
2 right or wrong but when the white men violate a  
3 campaign rule, there is an investigation, there is a  
4 fine, and the fine is paid and no one gets hurt. There  
5 isn't this maligning of the whole race or the whole  
6 group or of being investigated by being called by the  
7 FBI, by being called by the press, by being harassed,  
8 by being accused of being a foreign spy or being a  
9 foreign agent, or motives being questioned about why  
10 you're giving money.

11           I think there is an incredible double  
12 standard here. And as far as Mitch McConnell's letter,  
13 it is -- I have a copy here. You guys were talking  
14 about it. This is an extremely racist letter. And it  
15 says here, "The agents of Communist China and foreign  
16 correspondents operate freely within the Democratic  
17 National Party, the Commerce Department and the White  
18 House."

19           Here they're referring to John Hwong and  
20 other Asian-Americans.

21           CHAIRPERSON BERRY: What are you reading  
22 from, Ms. Ahn?

23           DR. AHN: This is a letter from Mitch  
24 McConnell, U.S. Senator, National Republic Senatorial  
25 Campaign. And in this letter he accuses Democrats of

1 being in cahoots with agents of Communist China through  
2 their fundraising efforts.

3 Well, I know that -- as a matter of fact, I  
4 recently just found out that Mitch McConnell was  
5 married to Elaine Chou, who is an Asian-American. And  
6 just because you're married to one doesn't cut the  
7 mustard with me. I mean, there are people who commit  
8 suicide.

9 And I think you raised a good point that it  
10 sounds like there were racist innuendoes during his  
11 race. And ultimately this is going to come to hurt  
12 him. He is fueling racism in this letter and  
13 ultimately it will hurt his wife, as well as the entire  
14 Asian community and it will hurt him.

15 And I think the Republicans are going to see  
16 a fallout from all this. More and more Asian  
17 Republicans -- and believe me, there are more Asian-  
18 American Republicans than there are Asian-American  
19 Democrats. But we're seeing that people are totally  
20 disgusted with this political process and that Asian-  
21 Americans are not being included in the levels that  
22 other groups are being included.

23 CHAIRPERSON BERRY: Okay, Ms. Ahn. One more  
24 minute.

25 DR. AHN: Okay.

1           When President Clinton announced his cabinet,  
2 he said that this is the face of America. I was very  
3 offended by that. There was not one Asian-American in  
4 his cabinet. Asian-Americans were relegated to  
5 deputies and assistants and deputy assistants and low  
6 level positions. There is not one Asian-American in  
7 government today that is in a high profile position.  
8 We must be included.

9           CHAIRPERSON BERRY: Okay. Thank you very  
10 much.

11           Mr. Woo was the first Asian-American elected  
12 to the City Council of Los Angeles, and served on the  
13 Council from 1985 to 1993. He is now President of the  
14 Independent Fiber Network.

15           Thank you very much for being with us.

16           MR. MICHAEL WOO: Thank you.

17           Madam Chair and members of the Commission, I  
18 want to begin by thanking you for your prompt response  
19 to the community's petition. And I also wanted to  
20 specially acknowledge Justice Reynoso, who I know from  
21 his service in California and who, after he left the  
22 Supreme Court, served very honorably as a member of the  
23 City Advisory Committee. So I'm very happy to be here.

24           I do have a number of things to say to you  
25 about the impact upon political participation of Asian-

1 Americans as a result of the controversy and its  
2 aftermath, but first just a few words of self-  
3 introduction.

4 As you heard earlier, I was the first Asian-  
5 American elected to the City Council in Los Angeles. I  
6 served two terms, representing 235,000 people in the  
7 Hollywood area, of which Asian-Americans comprise less  
8 than 5 percent of the registered vote. I ran for Mayor  
9 in 1993. Out of 24 candidates, I was the runner up to  
10 Richard Riordan who is now the Mayor.

11 During that process, I raised \$3.5 million  
12 towards that campaign, a large amount of which came  
13 from Asian-Americans.

14 I mention this in part just to illustrate to  
15 you that I know something about the political process  
16 and I'm somewhat experienced in fundraising and have  
17 talked to many of the people in California and outside  
18 who have been touched or affected one way or another.

19 I want to emphasize to you that this  
20 controversy and its aftermath marks an immense setback  
21 for Asian-Americans nationally. An immense setback in  
22 terms of our community's long-time efforts to move into  
23 the political mainstream. It is, I believe, a tragic  
24 reversal after years of slow but steady progress moving  
25 into that mainstream.

1           In order to understand the full implications,  
2 I think that you need to understand something about the  
3 historical involvement of Asian-Americans, or perhaps  
4 more properly, the historical non-involvement.

5           As your staff has briefed you at the very  
6 beginning, there is a history of discrimination.  
7 There is a history of involuntary exclusion from the  
8 political process, and what I would describe as  
9 voluntary non-participation from Asian-Americans,  
10 perhaps partially in response to the history of  
11 discrimination and exclusion.

12           Asian-Americans who are interested in  
13 politics have faced a special kind of dilemma which  
14 does not apply in the same ways to some other groups.  
15 Unlike other ethnic groups in this country, for the  
16 most part the Asian-American population is not  
17 concentrated. With the exception of some parts of  
18 California, some parts of Hawaii, the population is not  
19 concentrated in the same way, which makes it more  
20 difficult to exert influence through registering voters  
21 or direct voter participation.

22           Furthermore, there is the so-called model  
23 minority problem which you've heard alluded to earlier,  
24 the main point being that no matter how many Phi Beta  
25 Kappas you have, no matter summa cum laudes you have,

1 no matter how many Asian-American owned firms may show  
2 up on the lists of companies growing the fastest in  
3 this country, that does not translate directly into  
4 political power. It does not translate directly into a  
5 voice in the political process.

6           So, facing the reality of what Asian-  
7 Americans must deal with, a number of different ways  
8 have been developed to try to find ways to develop a  
9 voice in that political process. One way has been  
10 raising money and donating money to political  
11 campaigns.

12           For Asian-American candidates, and here I  
13 speak not only of my own case but in the case of many  
14 other Asian-Americans who've run for office, the key to  
15 getting elected, especially in constituencies which are  
16 not predominantly Asian-American, which is the  
17 situation for most Asian-American candidates, it is  
18 necessary to put together a multi-ethnic coalition.

19           In other words, you cannot rely only upon  
20 support from the Asian-American community. It is  
21 necessary in order to be successful to build a  
22 coalition reaching out to others. However, those  
23 successful efforts frequently depend on the ability to  
24 raise money to pay for that effort, whether it's  
25 through advertising or through other means.



1           And so in other words, the ability of Asian-  
2 American candidates to raise money and to develop a  
3 fundraising base from among Asian-Americans has been  
4 very important for many of the Asian-American  
5 candidates who have been successful in this country.

6           Now, why do Asian-Americans donate money? I  
7 would submit to you that while Asian-Americans have  
8 donated a lot of money to campaigns, Asian-Americans as  
9 a group are not unique in this respect. That is,  
10 Asian-Americans are not the only ethnic group in this  
11 country which has sought to raise its voice or its  
12 visibility in the political process by raising money.  
13 Although you might not think that by reading some of  
14 the coverage about this controversy.

15           There are many different reasons why Asian-  
16 Americans might want to donate. You might have Chinese  
17 restaurant owners who are unhappy about the way a  
18 county health department enforces regulations relating  
19 to storing food in the kitchen. You may have Filipino  
20 accountants who feel that they are being discriminated  
21 against because they're trained overseas and have  
22 trouble getting licenses to practice here.

23           You may have community groups that want to  
24 make sure that they're visible in the process of trying  
25 to fight for grants in the community development

1 process.

2 I submit to you that you need to look at the  
3 work that was done by John Hwong and by his colleagues  
4 during the 1996 cycle as part of that effort, and an  
5 effort which, I submit to you, is not unique to Asian-  
6 Americans but is part of a time-honored legal and  
7 proper way to try to get involved in that process.

8 Nevertheless, as a result of the controversy  
9 and the aftermath, including the investigations, the  
10 media coverage and everything else, there has been a  
11 real backlash against Asian-Americans which can be  
12 measured several different ways.

13 First of all, I would point out to you the  
14 conspicuous absence of Asian-Americans at the highest  
15 levels of the federal government, not only in terms of  
16 cabinet appointments but other high level appointments.

17 Second, there are other less visible signs.  
18 For example, some of the Asian-American organizations  
19 have started getting reports from Asian-Americans who  
20 are already federal government employees who have  
21 reported difficulty getting security clearances or  
22 questions asked about them which probably would not  
23 have been asked about them before the last couple of  
24 years about where their loyalties lie and whether they  
25 might potentially have some kind of loyalties other

1 than to the United States Government.

2           Also, I have noticed, and a number of other  
3 people in California and elsewhere have noticed that  
4 candidates for office, political parties and others,  
5 have seemed somewhat less aggressive than they used to  
6 be approaching Asian-Americans trying to raise money.

7           Now, of course, many Asian-Americans do not  
8 object to not getting those phone calls or receiving  
9 those invitations in the mail. However, the lack of  
10 participation in this respect also potentially could  
11 mean less visibility in the political process to those  
12 candidates and to the officeholders.

13           I also want to mention a tendency to assume  
14 that people are guilty until proven innocent, just one  
15 of example of which I would say, obviously, are the DNC  
16 audits that were referred to earlier in which -- the  
17 way I would put it is a lot of people I know who got  
18 these phone calls consider themselves to be innocent  
19 individuals -- innocent but guilty of having responded  
20 to fundraising appeals but otherwise not having  
21 violated any laws -- who suddenly find themselves  
22 getting phone calls which are intimidating, harassing  
23 and in any case not something that encourages someone  
24 to participate in this way in the political process.

25           In my own personal instance, while I was not

1 a recipient of one of those calls, I was the subject --

2 COMMISSIONER LEE: You didn't give enough  
3 money.

4 MR. MICHAEL WOO: Well, actually, I wasn't in  
5 a position to --

6 (Crosstalk; laughter.)

7 However, my own personal experience has to do  
8 with my experience having suddenly come under public  
9 media scrutiny as a result of a letter I wrote, a copy  
10 of which ended up in John Hwong's correspondence file.

11 I may not have time here to go into detail on  
12 this. It has to do with something totally unrelated to  
13 fundraising, totally unrelated to the campaign, but a  
14 letter which I wrote on behalf of some Indo-Americans  
15 who wanted me to help them find somebody in the  
16 Commerce Department who could answer questions about  
17 U.S. trade policy relating to India, a copy of which  
18 letter was sitting in John Hwong's correspondence file,  
19 released to the press, which then resulted in two  
20 members of Congress making allegations, later found to  
21 be unfounded, that I was therefore somehow involved in  
22 this political fundraising scandal.

23 But to be serious about this, I was under a  
24 cloud for about six months. I was a subject of an  
25 Inspector General report which later, six months later,

1 totally exonerated me of these charges. But it was my  
2 own taste of what it's like to be the subject of  
3 unfounded allegations and being assumed to be guilty  
4 instead of being assumed to be innocent.

5 I would be happy to go into more detail on  
6 that if you like.

7 I also wanted to mention the spectacle of  
8 legal permanent residents being scapegoated. And  
9 without going into the details of any legislation, some  
10 political figures have thought that they could come up  
11 with a remedy to the situation by banning contributions  
12 from permanent legal residents, banning political  
13 contributions from those individuals.

14 Well, none of us are here to defend John  
15 Hwong or to defend any transgressions or any  
16 violations. Similarly, I think that we don't want to  
17 assume that a whole category of people here are  
18 necessarily guilty of somehow trying to influence the  
19 federal government on behalf of foreign powers. And to  
20 say that permanent legal residents are a major part of  
21 the problem strikes me, as someone who's quite  
22 experienced in fundraising, as being a distraction, a  
23 diversion from the real problem, which in my opinion is  
24 that we have a political process which is all too  
25 obsessed with money.

1           In other words, it's not so much the illegal  
2 money that's a problem, but I think it's the legal  
3 aspects about the fundraising system which is the real  
4 problem. But that gets us onto something else.

5           But the main point is to just say that by  
6 banning contributions by permanent legal residents  
7 solves the problem of money in our political process, I  
8 think trivializes the real problem and is a distraction  
9 and is an effort to demonize these legal permanent  
10 residents as somehow being the main cause of a problem  
11 when I would submit to you it's much larger than that.

12           I have two closing points to make to you.  
13 The first closing point is this problem is bipartisan  
14 in nature. In my opinion, neither the Democrats nor  
15 the Republicans come out of this with clean hands,  
16 whether it is the Democrats in whose name the initial  
17 fundraising took place and in whose name the audits  
18 went on, or in the case of the Republicans in terms of  
19 the public comments, some of the things that have  
20 happened during the hearings. And I think that many  
21 Asian-Americans, whether they are Democrats or  
22 Republicans really hold both parties equally  
23 responsible for what happened in the past and what has  
24 not yet been remedied.

25           The last point I wanted to make is the

1 impact, the negative impact of the controversy itself  
2 and the aftermath goes far beyond the individuals who  
3 have been named in the newspaper articles, who have  
4 been subpoenaed to the hearings. It really is a broader  
5 community-wide impact. And at a time when you would  
6 think that it makes sense for the community to fight  
7 back, instead I think many Asian-Americans are coming  
8 away from this with a sense that this just points them  
9 in a very cynical and negative direction, leading to a  
10 sense that this whole system is corrupt and it's not  
11 worth getting involved in it.

12           While I and others have been trying to argue  
13 what in a sense is the counterintuitive response, which  
14 is we need to fight back, we need to speak up, we need  
15 to raise our profile, it's very hard to do that when  
16 not only the named individuals, but in the community at  
17 large there's a sense of wrong having been done to us,  
18 of scapegoating, of people who on the basis of the  
19 color of their skin or the kind of surname they have,  
20 have been unfairly and wrongly accused of things that  
21 they did not do.

22           And so I submit to you the impact is really  
23 much -- it's community wide. It is not just upon just  
24 a few individuals. And we are hopeful that whatever  
25 action is taken by this Commission can be part of the

1     antidote to this situation.

2                   CHAIRPERSON BERRY:   Thank you very much, Mr.  
3     Woo.

4                   The next presenter is professor Ling-chi  
5     Wang, who is Chair of the Asian-American Studies  
6     Program at the University of California at Berkeley and  
7     founder of Asian-Americans for Campaign Finance Reform.

8                   Please proceed, Mr. Wang.

9                   MR. WANG:   Thank you.

10                  I want to first express my appreciation for  
11     the opportunity to bring a historical perspective on  
12     the impact of the still unfolding campaign finance  
13     scandal on the Asian-American communities across the  
14     nation now pending before this Commission.

15                  I come before you as a historian of Asian-  
16     America and as the founder of the Asian-Americans for  
17     Campaign Finance Reform, a national organization  
18     devoted to mobilizing Asian-Americans behind the  
19     national movement for campaign finance reform.

20                  I cannot think of one incident or issue in  
21     the 150 year annals of Asian-America that has been  
22     given more intensive and sustained attention,  
23     vilification and investigation by our politicians, law  
24     enforcement and national media than what we have been  
25     witnessing in the last 14 months.



1           As a result, I cannot think of a more  
2 decisive civil right setback for Asian-Americans in the  
3 past 30 years than what we collectively have been put  
4 through this past year, a deliberate conflation of  
5 foreign Asians and Asian-Americans and in the process,  
6 Asian-Americans have been collectively stereotyped as  
7 foreigners and therefore, denaturalized.

8           I want to make it amply clear that there are  
9 two major issues in the campaign finance scandal; the  
10 corruption of American democracy and the racialization  
11 of that corruption itself. As an American citizen I  
12 consider the corruption of American democracy to be  
13 primary between the two. All three branches of our  
14 government are now placed on the auction block and big  
15 money is now the prerequisite for participation in  
16 democracy and influence on and access to our  
17 government.

18           John Hwong, the Asian-American at the center  
19 of the scandal, represents only the tip of an iceberg I  
20 call political corruption and the cancer that has  
21 effectively undermined, if not destroyed the oldest  
22 democracy on earth.

23           The \$3.5 million he allegedly raised for the  
24 1996 Democratic campaign is really a drop in the bucket  
25 when it is put against the \$2.2 billion raised and

1 spent in the 1996 federal elections, not counting the  
2 state and local elections. Incredibly, he attracted  
3 over 90 percent of the national media attention.

4 As an Asian-American, I do not condone his  
5 contribution to political corruption, nor do I feel  
6 obligated to defend him and other Asian-Americans  
7 implicated in the scandal. This is a matter to be  
8 decided in a court of law. However, I'm not a  
9 pollyanna either.

10 I do find this peculiar phenomena of  
11 racializing the scandal or corruption to be an  
12 injustice and a major setback to the nascent Asian-  
13 American historic quest for inclusion and empowerment  
14 that began some 30 years ago, and a curse to American  
15 democracy because racism in this case has been deployed  
16 not just to incite indiscriminate racist sentiment  
17 toward and treatment of Asian-Americans for partisan  
18 political power struggle and media sensationalism, but  
19 also to cynically divert public attention from the most  
20 pressing issue of campaign finance reform which neither  
21 the Democrats nor the Republicans want.

22 As a result, I cannot think of anything more  
23 diabolical and cynical than the use of racism to  
24 camouflage political corruption and to evade reform.

25 What I have prepared for you is a very

1 sketchy historic overview of how racism or anti-Asian  
2 exclusionism has been used by politicians and the media  
3 to systematically oppress immigrants from Asian  
4 countries in the past 150 years and how the attitude  
5 toward and treatment of Asian-Americans in the  
6 unfolding campaign finance scandal fits into this well  
7 established historical pattern. And I do not want to  
8 bore you. I prepared about 30 pages.

9 CHAIRPERSON BERRY: You can submit it to us  
10 to read.

11 MR. WANG: I will submit that. And I hope  
12 this historical perspective that I have included, which  
13 I don't have time to go through but some of which has  
14 been touched on by the previous witnesses, will help  
15 this Commission understand why Asian-Americans are  
16 angry about what has happened to them since the Fall of  
17 1996; why Asian-Americans must not be shy about  
18 attacking political corruption and why they, too, must  
19 make a contribution not to campaign coffers which most  
20 of them cannot afford anyway, but to campaign finance  
21 reform if they are going to be included in American  
22 democracy.

23 The United States considers itself a  
24 democracy in which everyone regardless of race is free  
25 and equal. And a nation we have fallen far short of

1 holding up this fundamental promise. Instead, we have  
2 repeatedly allowed racism to blur our vision and  
3 subvert democracy, as I try to illustrate in that 30  
4 pages or so presentation.

5 CHAIRPERSON BERRY: And you have about a  
6 minute and a half. Thank you.

7 MR. WANG: Okay. But as imperfect we as a  
8 nation have been, we unlike other nations do have a  
9 legal framework and democracy process, fragile and  
10 cumbersome though they are, to correct our mistakes  
11 and to transform our national into a multiracial  
12 democracy. As our nation becomes increasingly  
13 multiracial and the world becomes smaller and is  
14 brought closer, especially through transnational  
15 capital and immigration, our task is to fiercely  
16 protect and make full use of these tools of democracy  
17 to help create a truly equal and just society in which  
18 everyone can indeed be proud of his or her own racial  
19 and cultural identity and through which he or she can  
20 truly celebrate our diversity and democracy.

21 As I tried to suggest above, the democracy  
22 that has given hope to the disenfranchised is now  
23 wrecked by big money and corruption and the  
24 racialization of this corruption has seriously  
25 undermined Asian-Americans' quest for equality,

1 inclusion and empowerment on the one hand, and  
2 prevented us from taking significant steps toward  
3 restoring true democracy to this nation on the other  
4 hand.

5 I urge this Commission to help us correct  
6 this racial injustice and to help redirect public  
7 attention on the urgent task of campaign finance reform  
8 that will guarantee full and equal participation of all  
9 Americans, regardless of race, class or gender.

10 Thank you.

11 CHAIRPERSON BERRY: Thank you very much.

12 Our next presenter is Mr. Frank Wu, who is  
13 also a professor, a professor of law at Howard  
14 University. He's written several articles about the  
15 campaign finance controversy and its impact on the  
16 Asian Pacific American community, among other things.

17 Thank you very much, Mr. Wu, and please  
18 proceed.

19 MR. WU: Thank you and good morning.

20 Let me apologize in advance. I need to leave  
21 at 12:15 because I have an out-of-town funeral to  
22 attend.

23 Like any law professor, I have three points  
24 to make. First, I'm going to try to present an  
25 overview, a way of understanding this controversy, and

1 the civil rights violations that have occurred.  
2 Second, I'd like to speak to the DNC audit; and third,  
3 to the First Amendment issues, I think, which are  
4 raised by this controversy.

5 Let me begin though with an overview.

6 1996, I think, marked a turning point for  
7 Asian-Americans. Before 1996, Asian-Americans were  
8 stereotyped, with some truth, as apathetic about  
9 politics, government and public policy. About five  
10 years ago, for example, The Washington Post, in one of  
11 the few major media articles on Asian-Americans in  
12 politics, ran a headline calling Asian-Americans  
13 apathetic. There's some truth to that.

14 But in 1996, suddenly Asian-Americans were  
15 transformed and we emerged in the glare of the media  
16 spotlights as not only active but sinister, the most  
17 powerful lobbying group inside the Beltway, agents of  
18 foreign influence able to easily change White House  
19 policy to our liking.

20 This, I think, as equally a stereotype and  
21 equally inaccurate. And over the past year as we've  
22 seen a parade of Asian names and Asian faces in the  
23 newspaper headlines and leading the 6:00 news, what has  
24 been left out are not just the positive accomplishments  
25 of Asian-Americans and our right to participate in the

1 process of developing policy, but also, as you've heard  
2 from earlier witnesses today, the fact that only half  
3 or fewer than half of the alleged wrongful  
4 contributions actually came from Asian or Asian-  
5 American sources. Yet what we see and what we have  
6 heard about are almost exclusively Asian-Americans.  
7 And the line, as has been mentioned, between Asians and  
8 Asian-Americans has been blurred.

9           What I think though has not been made clear  
10 yet this morning is that this is not just a matter of  
11 concern to Asian-American, not just a matter of hurt  
12 feelings and of sentiments and of how we as a community  
13 will react. I think rather this is something that  
14 should be of concern to all Americans because it  
15 potentially affects everyone. Because if this can be  
16 done to Asian-Americans, this type of prejudice and  
17 stereotyping with such ease, it's only a matter of time  
18 before other groups are accused of similar disloyalties  
19 and stereotyped in this manner.

20           I would suggest also that it's not just  
21 Asian-American self-interest, how we will be involved  
22 in politics that is important here. There are  
23 principles at stake, principles that have to do with  
24 racial stereotyping.

25           I think it's been made abundantly clear

1 already that no one appearing before this distinguished  
2 panel is advocating any defense of wrongdoing and that  
3 we're all interested in reform, although we may  
4 disagree on particular proposals. But I want also to  
5 emphasize that we as a society have a consensus, I  
6 think, that racial stereotyping is wrong. I want to  
7 explain and explore how racial stereotyping has existed  
8 in this controversy because I think it's important to  
9 lay out the details and explain why some of the media  
10 coverage does constitute racial stereotyping.

11           Two things have happened, I think. First,  
12 many articles have discussed the alleged wrongdoing of  
13 John Hwang and others as if it was a result of their  
14 racial background. You have seen numerous articles  
15 analyzing this controversy which explains that while  
16 they were Asian, and of course this is how Asians do  
17 business, this is what Asian people are like, they were  
18 just normal Asians doing what Asians do. And so  
19 there's racialization in the sense that people's  
20 actions are explained by their racial background.

21           Second, there's racial guilt by association.  
22 People have suggested explicitly and implicitly that  
23 the actions of a handful of individuals accused of  
24 wrongdoing who stand at the center of this controversy  
25 reflects upon all others of a similar racial



1 background. I think the examples are clear from the  
2 comments made by Senators themselves, my members of the  
3 House, by mainstream media outlets, by the numerous  
4 comments which suggest that the individuals who are  
5 involved in this controversy in some way represent all  
6 Asian-Americans. I think that's what's unfortunate  
7 because none of these individuals was elected to  
8 represent Asian-Americans. They were appointed by the  
9 DNC to raise money from Asian-Americans. And that's a  
10 crucial distinction.

11 But I think there's an explanation for this  
12 racial stereotyping and a reason that many people don't  
13 understand this as racial stereotyping. It has to do  
14 with the image of Asian-Americans as perpetual  
15 foreigners. This blurring of the line between Asians  
16 and Asian-Americans, a failure to grasp that just as  
17 there are people who are white who are European, and  
18 just as there are people who are white who are U.S.  
19 citizens, so, too, also there are Asians who live  
20 overseas who are citizens of foreign countries and  
21 there are Asians who live here, some 10 million of  
22 them, who are properly U.S. citizens just like everyone  
23 else.

24 So, many people react to this controversy by  
25 saying what's the problem. This is about citizens and

1 foreigners. It doesn't have anything to do with race.  
2 It's just about these Asian foreigners. Well, that's  
3 precisely the stereotype. The idea that Asian people  
4 here will soon go away. That we are foreigners. That  
5 we're tourists. That we somehow don't belong.

6 I think that explains -- and there's a series  
7 of law review articles by Neal Gatanda which explores  
8 this thesis that if we understand race in this country  
9 as solely black and white, what happens to non-black  
10 racial minority groups is they're left out and  
11 characterized as somehow foreign and not belonging. So  
12 I think that goes a long way toward explaining why the  
13 racial stereotyping isn't recognized. It's confused  
14 with distinctions between citizens and foreigners.

15 Let me now move to my second point. And I  
16 apologize because, like a lawyer, I'm also going to  
17 speak very quickly to get through these points.

18 With respect to the DNC audit, I urge this  
19 panel to look at the actual documents released by the  
20 DNC itself and to look at the comments closely made by  
21 Mr. Sandler earlier this morning.

22 The DNC audit looked at seven categories.  
23 Among those categories were all individuals who had  
24 given money through John Hwong; all individuals who had  
25 given money through Johnny Chung; all individuals who

1 had give money through Charlie Trie. And, in category  
2 number seven, all individuals who had given amounts of  
3 money in excess of \$5,000 in connection with any event  
4 embracing the Asian Pacific American community. That,  
5 again, is from the DNC's own documents which they put  
6 out in February of this year.

7           The seventh category is clearly a racial  
8 category. In addition, to their credit, the DNC did  
9 audit big donors. But let me be clear. With respect  
10 to big donors, they audited everyone. But when it came  
11 to Asian-Americans, it wasn't just the big donors who  
12 were audited. They went after all the Asian-Americans  
13 and then all the big donors who weren't Asian-  
14 Americans. So that's the distinction. It's over-  
15 inclusive.

16           So are they telling you the truth when they  
17 say they audited everyone who was a big donor? Yes.  
18 But that's not the standard to which they held Asian-  
19 Americans. They went below the big donor category.

20           Indeed, other than their main audit, after  
21 that, after February of this year, they conducted a  
22 second audit where they went back to catch the smaller  
23 Asian-American donors below the \$5,000 threshold whom  
24 they missed the first time around. And they  
25 subsequently returned more money.

1           As a result of this audit, they looked at 424  
2 individuals who were Asian-American. More than 80  
3 percent of them turned out to be citizens who gave  
4 money perfectly properly exercising their rights.  
5 Eighty percent. Those are the people who are being  
6 wrongly targeted because of race.

7           Now, you might ask isn't this though just  
8 auditing people with some connection to John Hwong?  
9 Not so. Take a look at the remarks made by Governor  
10 Romer when he announced the results of this audit and  
11 also the remarks made this morning by Mr. Sandler. The  
12 donations from Asian-Americans were credited to John  
13 Hwong because he was the individual assigned to the  
14 Asian-American desk whether or not he actually had  
15 contact with them in many instances.

16           So there are numerous examples of people who  
17 were not directly solicited by John Hwong, who did not  
18 have contact with him, who nonetheless were audited  
19 because they're listed as people who John Hwong gets  
20 credit for. That's just a matter of fundraising and  
21 sales. That's the kind of thing that happens whenever  
22 you assign any particular individual responsibility for  
23 a group.

24           I would suggest, however, that this doesn't  
25 mean that the DNC or any other political party should

1 give up outreach toward Asian-Americans or any other  
2 racial group nor that racial minority groups should  
3 give up participating in politics as racial minority  
4 groups. To suggest that indicates the logical fallacy  
5 which I think underlies a lot of the media coverage  
6 here.

7           To believe that many of the wrongdoers were  
8 Asian Americans, some people then translate as meaning  
9 most Asian-Americans also are wrongdoers. That's a  
10 basic fallacy in logic. All X are Y does not mean all  
11 Y are X. And the premise, by the way, is also not  
12 true. It is not true that most of the money given that  
13 was improper came from Asian-Americans. So the premise  
14 isn't true. But even were it true, that wouldn't  
15 justify the racial stereotyping.

16           So what we see from the DNC audit is  
17 replicated by media coverage where individuals are  
18 contacted because of their surname, as you've already  
19 heard testimony to that effect. And what happens here  
20 then is that individuals who did not themselves do  
21 wrong are swept into the frenzy and hysteria. And I  
22 think when it comes to every other racial group we all  
23 agree this simply wrong. This is the essence of racial  
24 stereotyping. To believe that if someone of a racial  
25 background does something wrong that you must therefore

1 investigate everyone.

2           The problem with Kramer and Fireman was more  
3 than just that other people named Kramer and Fireman  
4 weren't investigated. No one thing that if someone  
5 named Kramer or Fireman does something wrong that that  
6 means that every white male must be investigated. The  
7 media doesn't think that. The DNC doesn't think that.  
8 It would be recognized as absurd.

9           So I think what has happened here -- and I  
10 don't mean to single out the DNC. It's just that their  
11 audit is the easiest example of this and represents a  
12 great deal more that was done. Look, too, at the  
13 questions that were asked.

14           The question, "Are you a citizen," although  
15 asked of everyone, I think has particular resonance for  
16 Asian-Americans because it's a question that Asian-  
17 Americans are familiar with that we are asked quite a  
18 bit. In fact, it's one of the defining features, I  
19 would suggest, of being Asian American. The question,  
20 "Where are you from," when answered, "no," "Where are  
21 you really from, when are you going back and why do you  
22 speak English so well."

23           Those are the kinds of comments that Asian-  
24 Americans are well familiar with and they have a  
25 different cultural meaning for Asian-Americans and for

1 other people who get the questions often than they do  
2 for everyone else.

3           Look, too, at the other documents the DNC  
4 released. Look at their instructions to their lawyers  
5 and auditors to have translators ready because some  
6 people wouldn't be able to speak English, and look at  
7 the languages for which they were prepared to  
8 translate. Every one of them Asian languages.

9           There was no question that by intent, by  
10 design, by impact, this audit, like the media coverage  
11 that it represents, was targeted at Asian-Americans.

12           Let me now turn very briefly to the First  
13 Amendment points. I think there are two here.

14           First, I want to make clear that no one is  
15 suggesting that the media should have anything other  
16 than the unfettered right to report the facts.  
17 Nonetheless, I think with that right comes a  
18 responsibility to report fairly and to not stereotype.  
19 And I would suggest that criticism of the media itself  
20 represents the best forum of free speech. That's  
21 precisely what we should be engaged in, questioning the  
22 media and holding it to the standard that it would hold  
23 all of us to.

24           There is, I believe, also a more significant  
25 First Amendment issue here, and that is the right of

1 lawful permanent residents to give money. Now, some  
2 people may ask, well, why shouldn't lawful permanent  
3 residents just wait until they're citizens. Well, the  
4 answer to that is because of the Supreme Court's  
5 decision in Buckley v. Vallejo, in which it  
6 characterized campaign expenditures and campaign  
7 contributions as similar to free speech, partaking of  
8 First Amendment constitutional concerns.

9           What this means is that if you silence the  
10 right of lawful immigrants, green card holders,  
11 citizens in waiting, to use a common term, that what  
12 you're doing here is curtailing their First Amendment  
13 rights. And if here, then, as a constitutional matter,  
14 if that were accepted, so, too, could you prevent them  
15 from protesting, from speaking out, and curtail their  
16 First Amendment rights elsewhere.

17           But it's not merely a matter of First  
18 Amendment right. There's also I think been a  
19 misperception. Much of the perception of the wrongful  
20 donations has used the term aliens or foreigners  
21 without recognizing that lawful permanent residents  
22 occupy a special legal status.

23           And with respect to campaign finance, I urge  
24 you to look at the specific statutory provision  
25 defining who is a foreign national not entitled to give



1 money. It specifically explicitly exempts lawful  
2 permanent residents. Not as an accidental loophole but  
3 on purpose. Because in the post-Watergate era in 1974,  
4 then Senator Lloyd Benson sponsored an amendment to  
5 that effect, as various other measures were being  
6 enacted, which passed the Senate by an 88 to zero vote,  
7 creating this specific rule for a rationale which makes  
8 sense today, as it did then.

9           The rationale was green card holders are  
10 stakeholders. They have a stake in our society as  
11 represented by the fact that they pay taxes and are  
12 obligated to serve in the U.S. military in the event of  
13 a draft. So, other than the naturalization period and  
14 the waiting period, green card holders occupy, for  
15 constitutional law purposes, much the same category of  
16 citizens. And to curtail their rights here, I would  
17 suggest to you, would start a dangerous trend that  
18 would further a pattern of demonizing not just Asian-  
19 Americans but immigrants more generally.

20           So in conclusion, let me urge this Commission  
21 as it goes about its work to look at the actual  
22 documents released by the DNC, to review the media  
23 coverage and to ask is their racial stereotyping here  
24 which we would find troublesome if not simply wrong if  
25 it involved any other racial minority group. Because

1 there are principles at stake here.

2 Thank you.

3 CHAIRPERSON BERRY: Thank you very much,  
4 Professor Wu.

5 Does any member of the Commission have any  
6 question for any member of the panel?

7 VICE CHAIR REYNOSO: Madam Chair?

8 CHAIRPERSON BERRY: Yes, Vice Chair.

9 VICE CHAIR REYNOSO: Since Mr. Wu has to  
10 leave in five minutes, I think, let me just ask him a  
11 question.

12 Could you tell us a little bit further what  
13 your thoughts are in terms of what the responsibility  
14 is of the press in terms of reporting. You indicated,  
15 as least as I interpreted your testimony, that the  
16 problem sort of began with the way the DNC was doing  
17 its work and then the press reported it.

18 Was the press properly reporting what the DNC  
19 was doing which itself was creating stereotypes or  
20 reporting in a stereotypical way, or did the press have  
21 an independent obligation here to correct that, to  
22 report it more accurately. What is that relationship?

23 MR. WU: Well, I think the press was doing  
24 the same thing well before the DNC did.

25 VICE CHAIR REYNOSO: So independent of?

1 MR. WU: Yes.

2 VICE CHAIR REYNOSO: Okay.

3 MR. WU: One of the ironies, the mainstream  
4 media did not much cover the DNC audit and Asian-  
5 American responses. And one of the reasons is the  
6 media was involved in doing exactly the same thing.  
7 They were combing through FEC lists.

8 And there are numerous articles in the Asian-  
9 American ethnic media where Asian-American individuals  
10 will say, yes, I was told by the L.A. Times that they  
11 took my name off a list. And that list was compiled by  
12 looking for people named Wong or Wu or Lee or things of  
13 that nature.

14 So, the irony here is that one of the reasons  
15 there is scant media coverage of the racial  
16 stereotyping is that the media itself is engaged in the  
17 same form of racial stereotyping.

18 So what obligation do they have? Well, I  
19 think here it's not that the media is racist. That's  
20 not my message. It's not that there's a wrongdoer. It's  
21 not that someone is trying to control the mainstream  
22 media. It's not that editors get together and say  
23 let's just throw -- let's sling mud at Asian-Americans.  
24 It's rather as a general systematic matter.

25 First, our culture has certain stereotypes.

1 And second, the media does a generally poor job overall  
2 covering racial minorities, not just with respect to  
3 this. But it's because of their failure to have  
4 developed Asian-American sources earlier, to have known  
5 the Asian-American community. It's because it's only  
6 when there's scandal and wrongdoing. And that further  
7 reinforces the image that Asian-Americans are involved  
8 in this kind of wrongdoing.

9 VICE CHAIR REYNOSO: And one question on Mr.  
10 Sandler.

11 From your testimony, I take it that you  
12 believe that he told the truth but not the whole truth.

13 MR. WU: I think everything he said was  
14 truthful.

15 VICE CHAIR REYNOSO: But you added that there  
16 was -- at least your testimony was that there were  
17 subsequent audits --

18 MR. WU: There was at least one other audit.  
19 Yes.

20 VICE CHAIR REYNOSO: -- that went below the  
21 \$5,000 mark, --

22 MR. WU: Yes. Yes.

23 VICE CHAIR REYNOSO: -- you said, where the  
24 identification was specifically by surname. Was that  
25 your testimony?

1 MR. WU: No. Not specifically by surname.  
2 The same seven categories, my understanding, from what  
3 the DNC itself later publicized when it returned a  
4 second batch of money, that it used the category "all  
5 people who gave money in connection with DNC events  
6 embracing the Asian Pacific American community."

7 There are two documents. One uses the word  
8 "embracing the Asian Pacific American community." The  
9 other uses, ironically enough, the word "targeting the  
10 Asian Pacific American community."

11 Now, naturally enough almost all the people  
12 at those events were Asian-American. And in addition,  
13 many people who were Asian-American who gave money not  
14 through any of these individuals or through these  
15 events nonetheless are credited in that manner.

16 VICE CHAIR REYNOSO: Okay. So it had the  
17 effect of incorporating, one, mostly Asian-American  
18 because most of those who attended those events were  
19 but in addition, those who had Asian American surnames  
20 were credited to those events whether they attended or  
21 not. So the net effect is that you really did have a  
22 predominant investigation of contributors with Asian-  
23 American surnames who contributed under \$5,000. Is  
24 that your testimony?

25 MR. WU: My testimony is yes, if you don't

1 look at the question of the big donors. If you look at  
2 the DNC's own documents it becomes abundantly clear  
3 that other than the big donors that they went after, it  
4 was predominantly Asian-Americans.

5 VICE CHAIR REYNOSO: Thank you very much.

6 CHAIRPERSON BERRY: Any other Commissioner  
7 have any questions for any member of the panel?

8 COMMISSIONER LEE: I just have a --

9 VICE CHAIR REYNOSO: Well, I have some other  
10 questions. I was just limiting it to Mr. Wu because  
11 he's got to leave.

12 COMMISSIONER HORNER: Madam Chair, I have  
13 some questions of Mr. Wu and I recognize he has to  
14 leave. Maybe we can just to follow-up later. It's  
15 questions relating to the legal permanent resident  
16 issue.

17 CHAIRPERSON BERRY: If you want to, why don't  
18 you -- he has about three minutes. Maybe you can ask  
19 him one.

20 COMMISSIONER HORNER: I've been over the  
21 course of this whole scandal very taken aback at the  
22 ease with which lots of people have slipped into  
23 ancient stereotypes. And in combination with concerns  
24 about the relationships between the United States  
25 Government and the Chinese Government that suggests to

1 me that there could be great difficulties ahead for  
2 this whole area of foreign policy and domestic policy.

3 My reaction to that has been to say we need  
4 to have a very bright line in the country between  
5 citizens and non-citizens for political purposes so  
6 that everyone who participates in our process is  
7 assuredly and visibly a citizen for the very protection  
8 of people who come from other lands.

9 And therefore, it's been my thought that it's  
10 a wise policy to create this bright line which doesn't  
11 currently exist in law, and to say that the day one  
12 swears allegiance to this country is the day one votes,  
13 one contributes, one campaigns, one does all these  
14 things.

15 I know there are constitutional questions.  
16 I'm not a lawyer. And that's why I wish we had a  
17 little more time to explore them with you. I don't  
18 think there's ever been a Supreme Court case  
19 specifically directed to this particular issue,  
20 although I understand the context in which you're  
21 speaking.

22 So I guess I would like to hear your reaction  
23 to that as a matter of policy rather than law.

24 MR. WU: Sure. I would have three reactions.

25 First, while a bright line could be drawn,

1 what's unfortunate --

2 VICE CHAIR REYNOSO: Excuse me. Let me just  
3 say not every professor always has three points.

4 MR. WU: I almost always do.

5 MR. WU: First, I think as you have just  
6 mentioned, the line is not a bright line today and what  
7 has been unfortunate is that despite the lack of  
8 clarity, many Asian-Americans are being characterized  
9 as foreign when in fact they're citizens or as lawful  
10 permanent residents when in fact they're citizens or as  
11 unentitled to give when they're lawful permanent  
12 residents who are entitled to give.

13 So, first, as a factual matter, I think  
14 there's a problem with the way things have been  
15 perceived.

16 Second, I think the constitutional issue, the  
17 problem, as appealing as drawing a bright line is, it  
18 runs into problems because you're talking about  
19 people's right to participate. And you might say,  
20 well, what right do green card holders have to  
21 participate. But if you take away their right to  
22 participate by campaign contributions, because of the  
23 way the court has characterized campaign contributions  
24 that runs into conflict with First Amendment issues.

25 Specifically, it suggests that if you accept



1 this, that what that means is that immigrants, people  
2 who are green card holders, could have their First  
3 Amendment rights curtailed in a much more traditional  
4 sense. They could be censored. They could be told not  
5 to protest. They could be deported if they protest.

6 There's a line of cases, an emerging and I  
7 would say not yet secure line of cases which does speak  
8 to the First Amendment right of immigrants and the idea  
9 that everyone who is here in the U.S. has the right to  
10 speak.

11 So if we draw the line with respect to  
12 campaign contributions, what then will happen to the  
13 right to speak out, to participate.

14 Now, the third question that I would raise is  
15 what then do we do about the fact that many people do  
16 occupy an ambiguous status where they pay taxes, they  
17 have to serve in the U.S. Army if they were to be  
18 drafted and that sort of thing. What do we do about  
19 the fact that some people have burdens imposed upon  
20 them without having the opportunity to respond.

21 Actually, I do have a fourth point. The  
22 fourth point is this. That distinctions on lawful  
23 permanent residents unfortunately while they sound as  
24 if they're neutral, the impact quite frequently is not.  
25 The intent and the impact is not. So that some people

1 are presumed to be unlawful permanent residents and not  
2 citizens, despite the formal neutrality of the rule,  
3 and other people are assumed or taken for granted to be  
4 citizens. And so that's the problem.

5 COMMISSIONER HORNER: Are lawful permanent  
6 residents still legally speaking citizens of the  
7 country from which they've come?

8 MR. WU: Yes, they are.

9 COMMISSIONER HORNER: In that case, when  
10 there's a public policy issue that involve the  
11 interests of the United States and the interests of the  
12 country from which they come, to whom does someone who  
13 is a citizen of some other country owe loyalty while  
14 awaiting a decision as to whether or not to become a  
15 citizen of the United States?

16 In other words, aren't we setting up a  
17 situation in which there's -- if not a real conflict  
18 which might occur fairly rarely, a politically  
19 dangerous ambiguous message?

20 MR. WU: Sure. And I recognize that. I  
21 would point out only that we have plenty of people on K  
22 Street who make a very good living, most of them not  
23 Asian-American, not lawful permanent residents, as  
24 registered foreign agents. Yet we don't have much  
25 difficulty when it comes to some people recognizing

1 that there is not a dual loyalty issue or if there is,  
2 that it is not troubling to us.

3 COMMISSIONER HORNER: But we do call them  
4 foreign agents, though. And that's not a happy title.

5 MR. WU: My point is simply this. That  
6 there's no reason to believe that there's a  
7 correlation. No one has demonstrated as an empirical  
8 matter that there's any correlation between someone  
9 being a lawful permanent resident and the propensity to  
10 act as a foreign agent. In fact, the people at the  
11 center of the controversy are not lawful permanent  
12 residents. Nor if you are a foreign government seeking  
13 to wrongfully influence the U.S., would it make any  
14 sense to use lawful permanent residents rather than  
15 citizens in a legal sense or in an illegal sense.

16 COMMISSIONER HORNER: I'm speaking more to  
17 what I perceive to be a threat to those lawful  
18 permanent residents and to their citizen fellows who  
19 come from that same country. And I think that although  
20 it may be very much in the political interest of people  
21 who are raising money through ethnic groups to be able  
22 to raise large sums of money in the near term, I think  
23 in the long-term that is a serious question that we  
24 ought seriously to deliberate whether it really is in  
25 the interest of people who are not yet citizens to

1 participate at that level.

2           Anyway, thank you very much.

3           MR. WU: I would only ask this question. If  
4 the concern is with campaign finance violations, why  
5 would a ban on contributions by lawful permanent  
6 residents address that concern at all?

7           COMMISSIONER HORNER: It would address the  
8 question of whether people whose loyalties are  
9 ambiguous or not yet declared in a serious way are  
10 participating in our political process. And that will  
11 lend credence, no matter how illegitimately, to  
12 stereotypical attacks based on foreignness.

13           I have been very shocked, and since then very  
14 educated, by the ease with which the question of  
15 foreignness has been sparked in our national  
16 communication.

17           MR. WU: Right. And I would suggest that  
18 that's the problem. That the real problem there is the  
19 stereotyping.

20           COMMISSIONER HORNER: Perhaps.

21           MR. WU: I think your proposal does bear  
22 merit.

23           COMMISSIONER HORNER: I will persist in  
24 saying that I think being able to say I am a citizen is  
25 an enormously strong deterrent to this type of

1 stereotyping. And being able to be accused of not  
2 being a citizens but still influencing it and  
3 potentially having divided or ambiguous loyalties is a  
4 threat.

5           Anyway, enough said. I appreciate very much  
6 what you're provided.

7           CHAIRPERSON BERRY: Professor and  
8 Commissioner Horner, I very much personally appreciate  
9 this exchange because I finally understand the politics  
10 of this issue that you've been raising over and over  
11 again, Commissioner Horner, which I did not understand  
12 at all. But this exchange has now enlightened me and  
13 it's very useful to me.

14           And Professor Wu, I don't think you were  
15 responding directly to her concern which, as I  
16 understand it, is about when political issues arise  
17 which have to do with foreign policy and other  
18 countries, that naturally people will look to people  
19 who they may think are foreign nationals, who are not  
20 citizens who have loyalty to other countries and think  
21 about their political participation. And whether all  
22 these concerns are something we should think about in  
23 terms of what it means to the body politic.

24           And my last question to you would be would we  
25 solve all these problems -- and maybe others on the

1 panel will have an answer -- if we were to have Buckley  
2 v. Vallejo overruled or somehow modified so that money  
3 was not speech. Because that's the constitutional  
4 provision.

5 You were talking about that case; right?

6 MR. WU: Yes. That would be the other  
7 alternative. And I express no view on whether that  
8 would be appropriate.

9 But I would add that a ban on contributions  
10 from lawful permanent residents would not make it any  
11 easier for me to persuade my neighbors that I'm a  
12 citizen or to persuade them not to stereotype against  
13 me.

14 And with that, I'll excuse myself. Thank  
15 you,.

16 CHAIRPERSON BERRY: All right. Thank you very  
17 much.

18 Any other Commissioner have any questions for  
19 anyone else on the panel?

20 VICE CHAIR REYNOSO: Yes.

21 CHAIRPERSON BERRY: Go ahead.

22 VICE CHAIR REYNOSO: Mr. Woo, I've had some -  
23 - at least one Asian-American law student -- I'm  
24 teaching at UCLA -- express concern to me that the  
25 Asian-American community has been as concerned as it

1 has about the current controversy. And he said, look,  
2 you know, we Asian-Americans are making great strides.  
3 We just had an Asian-American elected governor in the  
4 Northwest. I think that if we stopped ourselves  
5 talking about the stereotypes, maybe some of those  
6 stereotypes would evaporate.

7           What should my response have been to the  
8 student? It was between classes so we didn't have a  
9 chance to finish our discussion, so I want some  
10 guidance.

11           MR. WILLIAM WOO: Commissioner Reynoso, while  
12 all Asian-Americans are proud of the historical  
13 accomplishment of getting the first Asian-American on  
14 the continental United States elected to the position  
15 of Governor, that does not take away the rest of the  
16 reality, which is that at least in terms of American  
17 politics, that Asian-Americans are not very visible,  
18 that the level of accomplishment in the area of  
19 academia or business is not matched by representation  
20 within the political process.

21           And furthermore, if you really had more than  
22 a lunch break or a break between classes to talk to the  
23 student, this gets at one of the really interesting  
24 issues about this community, which perhaps goes beyond  
25 the subject of this hearing, which is for Asian-

1 Americans of the age group you're talking about, two  
2 what extent are they going to identify with the Asian-  
3 American community as they get their law degrees, as  
4 they get their MBAs, as they get out to the suburbs,  
5 buy their houses, buy their BMWs or whatever. Are they  
6 still going to connect back to Chinatown, Koreatown,  
7 little Saigon? And to what extent will there be a  
8 sense among the upwardly mobile Asian-Americans that  
9 they accomplished what they accomplished without any  
10 reference to their ethnicity. That is, that they owe  
11 nothing back to the community they come from or will  
12 the generation of which the student you talked to is a  
13 member feel some kind of connection to the Asian-  
14 Americans who are not as well off, who don't fit into  
15 the model minority stereotype, who may have problems not  
16 really represented by people in the economic category  
17 you're talking about.

18           So, the question you're raising I think  
19 brings up a lot of bigger questions about ethnic  
20 identity and how this community which is extremely  
21 diverse coheres together, especially when something  
22 like this goes on.

23           So the response I would make is that this is  
24 not obsessing on discrimination. It's not trying to  
25 make a race issue out of something that is not a race



1 issue. But instead, in a way, I think what's happened  
2 in the last couple of years has been a wakeup call to  
3 many Asian-Americans who may have thought that they  
4 were accomplished, or may have thought that they had  
5 gotten beyond the color of their skin and realizing  
6 that many Asian-Americans still get called back on the  
7 carpet because of the way they look or the kind of  
8 surname they have.

9 VICE CHAIR REYNOSO: Dr. Ahn, I just found  
10 your testimony so compelling as a person who's gone  
11 through this experience. Have you had an opportunity  
12 to speak with your own local newspapers and others to  
13 let folk know about your personal experiences? Because  
14 we've heard testimony -- you heard it about the general  
15 reaction in the community. But when they hear a person  
16 speak of one's personal reaction, then one can  
17 understand how other folk could have the same reaction.

18 I just wonder whether you've been able to get  
19 your story -- whether you've gotten your story out;  
20 whether you've tried actively to educate all of us  
21 about what happened to you and what happened to others  
22 in your situation.

23 DR. AHN: Yes. I have spoken with the Dallas  
24 Morning News. But frankly, I'm not interested in being  
25 a martyr or calling attention to myself. I've got kids

1 at home. I've got a medical practice. I have other  
2 things to do. But because I think this is a compelling  
3 situation I have spoken to a number of reporters.

4 Sir, I'd like to also add to Mr. Woo's  
5 comment to your question.

6 VICE CHAIR REYNOSO: Yes.

7 DR. AHN: I'm asked constantly. You know,  
8 Suzanne, you're a successful doctor, you make a lot of  
9 money. How can you possibly say that you've ever been  
10 discriminated against. Well, that's just a bunch of  
11 nonsense. There are all levels of discrimination,  
12 everything from the little insults that I get every  
13 single day reminding me that I'm different.

14 When I grew up in Arkansas back in the '50s  
15 and '60s, there wasn't a day -- and to this day there's  
16 not a day that I'm not reminded that I'm not as  
17 American as somebody who's white.

18 And there are things like the glass ceiling.  
19 There are things like hate crimes. And to say that  
20 Asian-Americans are not discriminated against is just  
21 -- I mean, you have to blind.

22 VICE CHAIR REYNOSO: Thank you.

23 CHAIRPERSON BERRY: Any other Commissioners  
24 have any questions for any of the briefers?

25 COMMISSIONER LEE: I have some.

1 CHAIRPERSON BERRY: Yes. Commissioner Lee.

2 COMMISSIONER LEE: Dr. Ahn, you mentioned  
3 that during the phone calls, it seemed like they were  
4 using a threatening matter. Like, you know, if you  
5 don't cooperate with us we will do A, B, C, D or E.

6 Have you tried to contact the CPA  
7 professional association to see if there's any  
8 professional code of conduct that they have to follow;  
9 whether they have violated that code?

10 DR. AHN: No. But it seems to me just as a  
11 regular person and not a lawyer that there was a  
12 tremendous violation of privacy, of credit laws and  
13 rules and just general decency.

14 As if our staff doesn't have any other things  
15 to do, I'd like them to look into that and see if  
16 there's any professional code that existed.

17 CHAIRPERSON BERRY: That would apply to this  
18 situation?

19 COMMISSIONER LEE: Yes, the CPAs.

20 The second question I have is to Councilman  
21 Woo.

22 MR. WILLIAM WOO: I'm a civilian these days  
23 so you don't have to --

24 VICE CHAIR REYNOSO: That's not a title that  
25 says with you forever? Oh.

1 MR. WILLIAM WOO: Only for a Supreme Court  
2 Justice.

3 COMMISSIONER LEE: In my mind, you're still  
4 an elected public official.

5 You mentioned that you have experienced  
6 raising money and you work with the community who's  
7 contributed money to you. There were some comments  
8 made that Asian-Americans give money because they want  
9 something back, and the stereotype is they want to  
10 influence policy. That doesn't happen. That's not  
11 part of American domestic policy.

12 And you also mentioned that people give you  
13 money because they wanted to change certain things that  
14 happened to the restaurant and to the school.

15 Can you elaborate on that a little bit? Why  
16 do you think Asian-Americans give money to candidates?  
17 Is it for themselves, for their lives here, or for  
18 their former lives in their former countries?

19 MR. WILLIAM WOO: Let me try to answer you  
20 both generally and specifically, but first, generally,  
21 in terms of why do people of any ethnic background give  
22 money. There are many different reasons, some of which  
23 are quite noble, others of which are quite personal,  
24 ranging from people who want to change the world in  
25 some way or who want to change some kind of policy or

1 get some kind of specific policy adopted, to others who  
2 just like the candidate or think it's a just cause.

3           So, there are many different reasons; from  
4 the restaurant owner who thinks that getting cited for  
5 leaving roast duck out for six hours in temperature,  
6 that that should be allowed by the law, to somebody who  
7 just thinks this candidate has the right policy.

8           The second part of your question has to do  
9 with do foreign considerations ever play a part. To be  
10 frank with you, I think sometimes they do. However  
11 here again, as I said earlier, Asian-Americans are not  
12 unique in this respect.

13           It could be that some American citizens --  
14 and here I'm not talking about green card holders, but  
15 American citizens of a particular ethnic background may  
16 want to support a candidate for Congress who feels a  
17 certain way about Japan or about Taiwan or about China  
18 or about Indonesia on one side or another, and might  
19 end up supporting a candidate who supports those views.  
20 That happens sometimes. But again, I underline the  
21 reality that Asian-Americans are not alone in that  
22 respect and that it's entirely lawful and proper for  
23 that to happen.

24           CHAIRPERSON BERRY: Okay.

25           Any other -- yes, Commissioner Anderson.

1                   COMMISSIONER ANDERSON: Mr. Woo, I'd like to  
2 ask you a question. You have been involved in public  
3 life for a long time, having to deal with the news  
4 media. It would be interesting since our next panel is  
5 going to be on the media whether you would talk to us  
6 for a few minutes about how you see the problem of  
7 stereotyping in the news media from your personal  
8 engagement with it over a period of years. Not  
9 necessarily you personally in terms of how you've been  
10 dealt with by the media, but you must have some  
11 thoughts on this that you can share with us.

12                   MR. WILLIAM WOO: Yes. Over the last 15  
13 years or so, I have seen some irregular uneven progress  
14 in terms of the sophistication or the adequacy of news  
15 media coverage about Asian-Americans. Whether you're  
16 talking about specific newspapers or television  
17 stations or specific correspondents, the coverage is  
18 quite uneven. That is, some organizations, certain  
19 newspapers, certain television stations or radio  
20 stations are sophisticated in terms of recognizing the  
21 diversity of the community or, for example, just to  
22 take the general subject of the so-called model  
23 minority, being able to understand that this community  
24 nationwide is extremely diverse and that you're talking  
25 about not only families of Asian-Americans who've been

1 here four our five generations, as well as somebody who  
2 came here from someplace that was barely a modernized  
3 situation.

4           There's some reporters, there's some editors,  
5 there's some publishers who recognize this. But it's  
6 quite appalling to realize that in the late 1990s that  
7 this is not universal. In other words, that certain  
8 stereotypes or biased statements or questions from  
9 reporters which indicate clear ignorance of the  
10 diversity of the community still come out in the late  
11 1990s.

12           So my short answer to you is that in the  
13 years that I've been talking to the media, I've been  
14 finding there are a lot of discrepancies. Some  
15 reporters understand it and completely get it. Or if  
16 they don't, they have editors who are able to double  
17 check them and try to make sure that their coverage is  
18 realistic. But it's very uneven. And I believe that  
19 the need to get headlines or the need sometimes to not  
20 be beat by a competing newspaper or TV or radio station  
21 sometimes leads to superficial coverage of Asian-  
22 Americans which results in perpetuating the kinds of  
23 stereotypes that we've been talking about today.

24           COMMISSIONER ANDERSON: Would you say that  
25 greatly uneven coverage is within the nation media or

1 are you talking national or local?

2 MR. WILLIAM WOO: National and local. I'm  
3 referring to coverage which may come out from a  
4 national television network or from some local  
5 newspaper somewhere where there may not -- this is  
6 especially a problem in localities where there is not  
7 an established Asian-American community but where there  
8 is some event involving an Asian-American individual,  
9 where a reporter who may not be familiar with the  
10 community or may not know in the case of say campaign  
11 finance violations, may not be aware of the history of  
12 Asian-Americans in this country who may then end up  
13 writing a story that's really out of context. And when  
14 you read it, it makes you want to grind your teeth.

15 And that can happen at the local level with  
16 some weekly newspaper in a small town or something just  
17 as egregious can sometimes happen on the national  
18 level. It really depends a lot on the training and  
19 background and experience of the reporter and whether  
20 the news organization has some effective means of  
21 backup, either in terms of experienced editors or --  
22 and this leads to another question which you might get  
23 into in the next panel, which is the presence or  
24 absence of Asian-Americans in the news room in  
25 positions of authority to be able to say something if



1 coverage is biased or uninformed.

2 COMMISSIONER ANDERSON: Thank you.

3 CHAIRPERSON BERRY: All right.

4 MR. WANG: Can I ask one question for your  
5 deliberation?

6 CHAIRPERSON BERRY: Yes, Professor Wang.

7 MR. WANG: The question that was raised by  
8 Commissioner Horner is a very difficult question to  
9 deal with. I think in your deliberations you may want  
10 to consider why is it that a corporation, whether it be  
11 an American corporation or a foreign corporation  
12 registered as an American subsidiary is able to  
13 contribute without any restriction.

14 VICE CHAIR REYNOSO: Or that we have dual  
15 citizenship in some countries?

16 MR. WANG: And they cannot vote; right? A  
17 corporation cannot vote. And yet under our law the  
18 corporation can contribute as much as they want.  
19 Consider that, please, as you deliberate on that  
20 question.

21 CHAIRPERSON BERRY: And what you said also?

22 VICE CHAIR REYNOSO: I said and the issue of  
23 dual citizenship.

24 CHAIRPERSON BERRY: Commissioner George?

25 COMMISSIONER GEORGE: Yes. I think those are

1 very important issues to get into and I hope if we  
2 carry on we could get into them. But I have a  
3 different question for Mr. Wang.

4 Drawing on your expertise as an historian, it  
5 occurred to me as I was listening to the testimony thus  
6 far that we have something here that is not unique to  
7 Asian Pacific American communities in our history. It  
8 has been a problem that has been experienced by the  
9 Irish, Irish-Americans, by Italian-Americans, more  
10 recently by Arab-Americans. And I believe in some  
11 cases -- perhaps the Arab-American community is not a  
12 good case for this, but perhaps better, in the case of  
13 the Irish or the Italians.

14 We seem to have moved to a situation where  
15 it's far less likely to happen that stereotyping based  
16 on ethnic identity as a result of an incident or  
17 incidents involving people of that ethnic identity  
18 takes place in the mass media. It can still pop out.  
19 I recall in the '92 campaign one of the telephone calls  
20 recorded between then-candidate Bill Clinton and  
21 Jennifer Flowers involved a comment about Mario Cuomo  
22 that Clinton made. And Cuomo, at least, interpreted as  
23 being based on a stereotype of Italian-Americans as  
24 being thuggish and involved in organized crime and so  
25 forth. But that really stood out as something that

1 seemed to be out of the past.

2           Are there lessons as an historian that you  
3 can draw from the experience of earlier groups that  
4 have suffered this sort of stereotyping, about how our  
5 polity dealt with it; how our culture dealt with it;  
6 how those groups themselves combatted that.

7           Are there lessons to draw so that we don't  
8 have to just start from scratch in the case of Asian  
9 Pacific American communities?

10           MR. WANG: I'm afraid that it's something  
11 that I think, as I tried to point out in my written  
12 testimony, that throughout American history, I think  
13 Asians occupy a very unique position in our history and  
14 that while the other groups are able to become -- gain  
15 themselves into the mainstream.

16           Asian-Americans -- you know, I may be a  
17 descendent from the Gold Rush seven generations ago, I  
18 walk down the street, I will be seen as a foreigner,  
19 whereas an African-American walks down the street,  
20 whether he or she just got off the boat from Africa  
21 will be seen as an American. Will never be a question.

22           And that's the problem that we have in this  
23 issue. That as a result of one person's wrongdoing,  
24 suddenly the entire race -- and somehow we have not  
25 been able to overcome this. And this is why I think

1 it's very important to take this historical perspective  
2 about why this issue is completely blown out of  
3 proportion, because I think the media and the  
4 politicians have touched upon a raw nerve which is very  
5 much deeply ingrained in our national consciousness.  
6 It's how we see ourselves.

7           COMMISSIONER GEORGE: Well, sir, certainly my  
8 question doesn't suggest that the Asian-American  
9 experience and the experience of Asian-American  
10 communities -- and I thought you were right to  
11 consistently use the plural there to note the diversity  
12 of these communities as really communities. I'm not --  
13 the purpose of my question is not that there's nothing  
14 unique about the experience of these communities. But  
15 whatever there is that's unique about it -- and you put  
16 your finger on one important one, clearly. Whatever is  
17 unique, it also is similar in some ways to the  
18 experience of the Italian-Americans, of the Arab-  
19 Americans.

20           Are there lessons to be drawn? Are there any  
21 lessons to be drawn from this?

22           MR. WANG: I don't think so because of our  
23 unique historical experience in America. I mean, when  
24 Kramer violated the law, nobody questioned what about  
25 investigating the other German-Americans or other

1 Germans who were involved.

2 COMMISSIONER GEORGE: Connie just reminded me  
3 -- and Commissioner Berry, the Chairman, will very well  
4 remember the case, the Nebraska and Meyer -- Meyer and  
5 Nebraska case coming out of the first World War's  
6 reaction against the Germans where the teaching of  
7 foreign language was prohibited in the state of  
8 Nebraska. And it seems pretty clear from the  
9 historical evidence, as I understand it, that this was  
10 largely an attempt to try to insulate America against -  
11 - or at least the citizens of Nebraska -- against  
12 German influence.

13 So to some extent, we've been over this  
14 ground before with other groups. But I take it that  
15 your point really is it's very --

16 MR. WANG: There's a different dimension to  
17 it. Yes.

18 CHAIRPERSON BERRY: Could I follow up with a  
19 question?

20 COMMISSIONER GEORGE: Yes, yes, please.

21 CHAIRPERSON BERRY: And then I'll recognize  
22 you.

23 I heard in your answer, your first answer to  
24 Commissioner George, you said something about seven  
25 generations and the Gold Rush, if I heard you right.

1 Is part of the problem that some groups of Asian-  
2 Americans have been here just as long as Italian-  
3 Americans, who mostly started coming in the late 19th  
4 and early 20th Century, Irish-Americans and the like,  
5 and that you still seem not to have been able to become  
6 absorbed in that way? Is that really the point?

7 Is the point that you've been here a long  
8 time and just as long -- I'm following up, Commissioner  
9 George.

10 Maybe the point is that they would say that  
11 they've been here as long as the Irish or the Italians  
12 or whatever and that still they're not able to have  
13 people see them as individuals. I don't know whether  
14 that's the point or not.

15 MR. WANG: It is. It is my point.

16 COMMISSIONER GEORGE: Of course, for a very  
17 long time -- if I can just step back, Madam Chairman?

18 CHAIRPERSON BERRY: Go right ahead. Let's  
19 have a seminar here.

20 COMMISSIONER GEORGE: For a very long time,  
21 this was the experience of Jews, not only in America  
22 but also in Europe. Being seen precisely as a racial  
23 and not merely a religious group and as somehow  
24 citizens of a foreign state even though one that didn't  
25 -- of a foreign nation, even if it wasn't one not

1 attached to a state.

2 Rabbi Mark Gellman, the distinguished rabbi  
3 from Temple Beth Torah on Long Island tells the story  
4 of his grandmother reading through the newspaper every  
5 day at breakfast, looking at the police log at who had  
6 been arrested or convicted of a crime. And she'd go  
7 through and she'd say, -- um, not Jewish; um, not  
8 Jewish. Then -- um.

9 (Laughter.)

10 That's the experience that people from other  
11 ethnic groups probably share, not just the Jewish  
12 experience. But that is a case where racial identity  
13 made it difficult to avoid being stereotyped.

14 But here, too, I think the American Jewish  
15 experience is one where there's been tremendous  
16 progress in overcoming those sorts of stereotypes. And  
17 is there anything that can be drawn from that  
18 experience?

19 MR. WANG: I'm not sure because -- you know,  
20 I think the Jewish Americans are very different, I  
21 feel, and they are able to integrate and assimilate  
22 within the mainstream. At least, based on appearance,  
23 much easier than Asian-Americans. I'm not sure. I  
24 really do not see any kind of a -- any way or what we  
25 can learn in terms of the success of being accepted

1 into the mainstream by American -- or at least accepted  
2 Asian-Americans as part of American identity. That is  
3 really very, very difficult for Asian-Americans to gain  
4 that kind of acceptance.

5 COMMISSIONER GEORGE: Dr. Ahn seems to want  
6 to say something.

7 DR. AHN: Yes. I'm dying to talk here.

8 Sir, if you're white, once you become  
9 culturally an American, that is, your culture. You  
10 went to high school. You're a cheerleader. You love  
11 football. You become an American and nobody knows the  
12 difference.

13 Whereas, for an Asian-American, it could be  
14 100 years from now. It could have been 100 years ago  
15 and we're still looked upon as foreigners. And if you  
16 look at people like Bob Hope, who was foreign born, or  
17 Elizabeth Taylor, who was foreign born, Madeline  
18 Albright -- I mean, I could name you so many persons  
19 who are known as great Americans who are not American  
20 born and who were not American citizens but by  
21 naturalization. And nobody ever asked Scarlett O'Hara  
22 whether she was an American.

23 Vivian Leigh was not a southerner. She was  
24 not even an American when she played Scarlett O'Hara in  
25 Gone With the Wind. Nobody ever questioned her



1 loyalties or her role as a southern belle.

2 Also, looking back historically, if you go  
3 back to 1870, over 9 percent of California was actually  
4 Asian, and this is 1870. And this was after the Gold  
5 Rush, after Chinese had come to America to build the  
6 railroads. So by 1870, 9 percent of California were  
7 Asian-Americans or Asians, but because of the  
8 exclusionary laws and because of the discrimination,  
9 then that population dwindled down to less than 3  
10 percent by the time of the early 1900s.

11 So, the discrimination goes back hundreds of  
12 years. I mean, and it doesn't matter whether we came a  
13 generation ago or five generations or a month ago.  
14 We're still lumped and viewed as foreigners.

15 MR. MICHAEL WOO: May I respond?

16 CHAIRPERSON BERRY: Yes.

17 MR. MICHAEL WOO: I would like to respond to  
18 Commissioner George's comment.

19 I think that your question about analogies  
20 between the Jewish community and the Asian-American  
21 community is very interesting because I think there are  
22 certain historical analogies, especially in regards to  
23 the perception -- or what I would describe as the  
24 perception of rich Jews and poor Jews turning back the  
25 clock perhaps say 60 or 70 years or so and today the

1 perception of rich Asians and poor Asians.

2 To try to flesh this out a little bit, let me  
3 just tell you something from my own experience.

4 The first time when I ran for the City  
5 Council, it was in an extremely mixed part of L.A.  
6 Some neighborhoods were very middle class parts of the  
7 city. Other neighborhoods were very -- I would  
8 describe working class or low income, but both very  
9 heterogenous.

10 And I spent hours every day walking door to  
11 door in the way that candidates to, knocking on the  
12 door, introducing myself, making my 30 second pitch  
13 about why I should get their vote and doing that.

14 I learned as a result of doing this some very  
15 interesting things about the way people perceive Asian-  
16 Americans.

17 In the more affluent neighborhoods,  
18 especially in the neighborhoods known as Silver Lake  
19 and Las Villas where there had been at least one or two  
20 generations of Asian-Americans living there, I found  
21 that when I walked door to door people frequently  
22 assumed that I was one of those straight A students who  
23 graduated from John Marshall High School who these  
24 voters had positive perceptions of because they saw  
25 them as being essentially embodiments of the model

1 minority. You know, straight A students work hard,  
2 never get in trouble.

3           It turns out in reality I actually hadn't  
4 gone to that high school and wasn't a straight A  
5 student. I didn't really fit that stereotype.

6           VICE CHAIR REYNOSO: And you didn't tell  
7 them.

8           (Laughter.)

9           MR. MICHAEL WOO: On the other hand, when I  
10 walked door to door in East Hollywood, which is an area  
11 infected with high crime, a lot of poor people, a lot  
12 of different immigrant groups crowding in, a lot of  
13 senior citizens scared out of their minds but who  
14 couldn't afford to move out of there, a lot of racial  
15 tension in other words, I recall very vividly an  
16 experience I had knocking on the door of a white senior  
17 citizen. According to my computer printout, a  
18 registered Democrat. I was a registered Democrat. I  
19 thought I wouldn't have any trouble explaining my views  
20 on rent control or other things, or pensions or things  
21 she would care about to her.

22           I started my 30 second pitch about why she  
23 should vote for me, and I was surprised to find her  
24 interrupting me and complaining to me about why there  
25 were all these foreigners moving into her neighborhood

1 taking money out of her pocket. She was an American  
2 citizen who had earned all this Social Security money  
3 and now the federal government was talking about giving  
4 millions of dollars to these foreigners moving in. And  
5 at the same time, the federal government was talking  
6 about cutting back on Social Security benefits. And  
7 that seemed unfair to her.

8 I furthermore understood that even though I  
9 was an American citizen, I was born in Los Angeles, I  
10 barely speak enough Chinese to order food in a Chinese  
11 restaurant, but to her I started to realize she saw me  
12 as an embodiment of not only the Chinese and Koreans  
13 who lived on her block, but the Iranians, the Latinos  
14 and the others who she saw as being the embodiment of  
15 people who were taking money out of her purse or who  
16 were threatening to take money out of her purse.

17 And so I tell you this long anecdote just to  
18 illustrate that there are at least two sides to this  
19 Asian-American stereotype. I think there are certain  
20 analogies about the way that rich educated Jews and  
21 poor uneducated Jews were viewed several decades ago.  
22 And the problem is that while there may be some Asian-  
23 Americans who will be able to successfully make that  
24 transition into becoming assimilated -- maybe not  
25 visually assimilated but they'll get houses in the

1 suburbs. They'll buy nice cars. Their kids will go to  
2 Harvard or Berkeley or whatever. But -- or UCLA.

3 (Laughter.)

4 But there are more waves of immigration  
5 coming and the concern that many Asian-Americans have,  
6 as reflected by some of the movies that have come out  
7 that have a tendency to show Chinese government figure  
8 as the villains, could be on the edge of certain  
9 perceptions coming out in the community about who's the  
10 real threat to America.

11 So it's kind of complicated but I do think  
12 there are certain analogies here and we don't exactly  
13 know how it's going to turn out. But this is part of  
14 the reason why this particular set of issues that  
15 you're looking at today are of great concern to many  
16 people who may never have been donors to the DNC, they  
17 may not be politically active, or they're worried about  
18 how this is going to play into the larger historical  
19 context that we're in the middle of right now.

20 CHAIRPERSON BERRY: Okay.

21 Well, I want to thank this panel. Thank you  
22 very much for being with us.

23 And we'll call the next panel.

24 (Pause.)

25 While the next panel is coming forward, I

1 just want to say that among the letters we received,  
2 one from the National Republican Senatorial Committee  
3 which will be put into the record, we also have one  
4 from the Secret Service and from the White House,  
5 describing their procedures for admitting guests to the  
6 White house, in which they say that they do not exclude  
7 people on the basis of race and ethnicity. So we'll  
8 put those in the record, too.

9           The Commissioners have these letters. I'm  
10 just doing that to save time.

11           COMMISSIONER HIGGINBOTHAM: Madam Chair?

12           CHAIRPERSON BERRY: Yes.

13           COMMISSIONER HIGGINBOTHAM: I am going to,  
14 unfortunately, have to leave in a few minutes. I found  
15 the testimony very, very exceptional. But I wanted to  
16 express my personal appreciation for this briefing.

17           CHAIRPERSON BERRY: All right. Thank you  
18 very much, Judge Higginbotham. Thank you. We  
19 understand.

20           So I'm repeating that the letters that the  
21 Commissioners received this morning that will be put in  
22 the record are one from the National Republican  
23 Senatorial Committee, one from the Secret Service, one  
24 from the White House, one from the Senate Office of  
25 Senate Legal Counsel, explaining procedures for

1 admission of visitors and ethics matters.

2 Let me welcome this panel. Thank you very  
3 much for coming. This is on the media.

4 And the first panelists is Ms. Helen Zia who  
5 is a contributing editor and former executive editor of  
6 Ms. Magazine and a columnist for Channel A and Asian  
7 American On-Line magazine who has written widely in the  
8 media, in the print media. And we will start with you,  
9 Ms. Zia, and we will give everyone five minutes to sum  
10 up.

11 And as you noticed if you've been sitting  
12 there, we have a lot of questions, so you get to say  
13 other stuff after your initial presentation. So don't  
14 worry about not being able to say what you need to say.

15 But could you please proceed?

16 MS. ZIA: Sure.

17 Good afternoon Chairperson Berry,  
18 Commissioners, Commission staff and fellow panelists.

19 Thank you for this opportunity to offer my --  
20 [off mike] -- regardless of whomever is the subject of  
21 that scrutiny. But it is also true that even the most  
22 worthy investigations are subject to questions of  
23 accuracy, balance and fairness.

24 Before I begin my remarks, one of the other  
25 panelists did mention A. Hoyt Zia, and one of the

1 panelists is his sister. So I would like to say that  
2 it is no coincidence that our names are the same. He  
3 is in fact my brother. And since she did make some  
4 reference to what he is supposed to have said, I would  
5 only like to say that I have his phone number. And for  
6 purposes -- this is in the public -- goes into public.  
7 testimony. I would urge before anyone assumes what my  
8 brother may or may not have said, to contact him  
9 directly.

10           And secondly, I would like to also say since  
11 it was in the context of John Hwong and defending John  
12 Hwong, that I should say for myself that prior to all  
13 this coverage of the campaign fundraising issue, I have  
14 never known John Hwong myself and had never heard of  
15 him prior to that, and in fact have never met him.

16           So I say that because a lot of this  
17 discussion has been on the issue of guilt by  
18 association and I want to make very clear that my  
19 comments and my review of the journalistic coverage is  
20 not colored by whatever my brother may or may not have  
21 said or known at any point.

22           So back to the issue of coverage.

23           My first point is on the question of accuracy  
24 in the media. And I found a consistent problem in the  
25 coverage in distinguishing between Asian and Asian-



1 Americans just in the terminology that was used.

2 In many stories, Asian and Asian-American are  
3 used interchangeably while other reports merely lump  
4 the two together. And clearly in a series of stories  
5 about the legality of contributions, a distinction, an  
6 accurate distinction between Asian and Asian-American  
7 is critical. It points to the law.

8 I note that news reporters do not have a  
9 similar problem distinguishing say between Irish  
10 nationals and Irish-Americans or Africans and African-  
11 Americans or Israelis and Jewish-Americans.

12 Secondly, the interchangeable use of Asian  
13 and Asian-American in the media contributed to  
14 widespread racial stereotypes and slurs in the coverage  
15 itself and created the impression that Asian-Americans  
16 are all foreigners, aliens and even spies, as other  
17 panelists have mentioned.

18 Examples in the media are broadcasters like  
19 CNBC's Chris Matthews referred to, quote, "all those  
20 strange characters from Asia." Newsweek cites, quote,  
21 "Mysterious Asian-Americans." A New York Times  
22 editorial referred to, quote, "huge amounts of  
23 mysterious money and the rich variety of well connected  
24 players." All of these adjectives have a lot of  
25 connotations attached to them.

1           The examples set in the news also I found  
2 extended into the population media through cartoons,  
3 talk shows and so forth, so that on Jay Leno's  
4 introduction to the Tonight Show one evening, he said,  
5 "Isn't it too bad Al Gore had to take money from Hop  
6 Sing." Now, for those of you who may remember, Hop  
7 Sing was the houseboy in Bonanza. And Hop Sing, to  
8 Asian-Americans, is what Steppin Fetchit is to African-  
9 Americans.

10           Thirdly, on the issue of balance, many news  
11 reports exaggerate the extent of money and influence  
12 from Asian-American sources when in fact, as others  
13 have noted, Asian-Americans contributed \$3.2 million  
14 out of \$244 million in soft money raised from both  
15 parties.

16           From the news, with my assessment being  
17 perhaps 90 percent of the coverage focused on Asian-  
18 Americans, one might conclude that the corruption in  
19 the campaign finance system is caused by Asian-  
20 Americans.

21           Fourthly, there were several examples where  
22 politically active Asian-Americans, including  
23 Washington State Governor Gary Lock, were singled out  
24 for journalistic investigation simply because they were  
25 Asian-American.

1           Mr. Sandler earlier had noted that reporters  
2 routinely came to the DNC asking and combing for Asian-  
3 American names.

4           Another example is that in the San Francisco  
5 Chronicle, a very lengthy minutely detailed article was  
6 done reporting on the political activities of a Chinese  
7 American man who within the story itself, they had in  
8 fact found no wrongdoing. There was nothing said that  
9 anything this individual had done was wrong. But here  
10 in a two-page article was an account of everything this  
11 man had done, as though something was corrupt about his  
12 practices.

13           Fifthly, it is also racially suspect on how  
14 Asian-Americans were introduced into campaign finance  
15 stories when Asian-Americans were actually not relevant  
16 to the story itself. And to give an example of that,  
17 Newsweek ran an extensive list of the notables who paid  
18 millions of dollars to sleep in the Lincoln Bedroom.  
19 They gave the list of those people's names. They  
20 showed pictures of those people's faces. There was not  
21 a single Asian-American face or name on that list.  
22 However, the story itself highlighted Asian-Americans,  
23 as mysterious Asian-Americans.

24           Sixthly, a lack of balance and racial  
25 selectivity was also evident in the stories that were

1 not run, the stories that were not covered. So this was  
2 an issue of selectivity by omission. Individuals have  
3 mentioned the Firemans and the Kramers. And even  
4 though these stories were covered to a degree, they  
5 certainly didn't get the kind of attention, the 90  
6 percent of the attention, that Asian-Americans did.

7 As to why, a Philadelphia Enquirer reporter,  
8 Josh Goldstein, said in a public forum that when  
9 questioned about this, he referred to having written a  
10 story about Kramer and the fact that he was a German  
11 national, a non-citizen who was fined. He said -- he  
12 wrote a story about the Kramer fine. His editor -- it  
13 never ran. His editors killed the story. And when he  
14 asked why was that, they said because it was just not  
15 of interest to the readers.

16 Now, on the point of fairness in the media, I  
17 believe this was compromised when reporters failed to  
18 question or challenge racial slurs and innuendo by  
19 public officials. Several of those kind of comments  
20 have been previously cited, so I won't repeat them. But  
21 I will say that there have been many precedents and  
22 examples of the media responding many times to racial  
23 remarks that have been made by public figures that were  
24 deemed out of line. However, this awareness does not  
25 seem to fly when it comes to Asian-Americans in this

1 particular 15-month saga.

2           Finally, the most disturbing thing I found on  
3 the point of fairness was the lack of voice given to  
4 the Asian-American viewpoint by the very institutions  
5 entrusted to protect free speech. Indeed, a repeated  
6 chorus of influential editorials was run that  
7 effectively silenced Asian-American criticisms about  
8 media coverage.

9           For example, The Boston Globe called  
10 complaints of racial stereotyping a shabby maneuver to  
11 avoid scrutiny. And The Washington Post declared the  
12 idea of Asian bashing has been floated in Hwong's  
13 defense.

14           In other words, if you criticize the media  
15 coverage, you therefore must be defending the  
16 wrongdoers.

17           Conclusion. During World War II newspapers  
18 were instrumental in stirring Yellow Peril race  
19 hysteria that led to the internment of 110,000 Japanese  
20 -American civilians. And to Commissioner Horner's  
21 question earlier, two-thirds of those persons  
22 imprisoned were American citizens.

23           The fine line wasn't there But had it been,  
24 in any case the practical implication is that two-  
25 thirds, because of this questionable loyalty, were

1 imprisoned in that internment.

2 In the 1950's and 1960's, J. Edgar Hoover  
3 declared Chinese Americans to be China's fifth column  
4 of domestic spies.

5 In the last decade, much of the trade war  
6 with Japan was fought in the media. Meanwhile, hate  
7 crimes against Asian-Americans have dramatically  
8 increased.

9 The Commission can help keep this current  
10 media episode, I believe, from having a similar  
11 devastating effect.

12 I, in my research, found only two occasions  
13 in the last 15 months of media coverage where Asian-  
14 Americans were able to tell their own story in the  
15 national news. And first, that was with the highly  
16 offensive magazine cover that appeared on the National  
17 Review last week. It took an illustration this  
18 egregious, containing so many stereotypes in it, for  
19 Asian-Americans to actually get some coverage in the  
20 media. And the second time is now with this filing of  
21 the petition before the U.S. Commission on Civil  
22 Rights.

23 Abraham Lincoln said, "Let the people know  
24 the facts and the country will be safe." That is our  
25 mission as journalists. Earlier panelists have spoken

1 to the point that our role is to get the facts out. I  
2 believe that is true. But we are more than just  
3 conduits of getting facts and shoveling them out. We  
4 perform a role of interpreting the news, of filtering  
5 the news, of gatekeeping the news.

6 And so by keeping our coverage free from  
7 racial bias and stereotypes that disenfranchise  
8 particular groups of Americans, the U.S. Commission on  
9 Civil Rights is safeguarding freedom of the press for  
10 all Americans.

11 Thank you.

12 CHAIRPERSON BERRY: Thank you very much, Ms.  
13 Zia.

14 Our next presenter is Professor Virginia  
15 Mansfield-Richardson who teaches at Pennsylvania State  
16 University. She's also a member of the Public Policy  
17 Research Project on the Fairness Doctrine in the 1996  
18 election.

19 Thank you very much for being with us and  
20 please proceed.

21 MS. MANSFIELD-RICHARDSON: Thank you for  
22 inviting me.

23 I want to stress that I'm here as a scholar  
24 and as a former working journalist. I was a reporter  
25 and an editorial aide at The Washington Post for 11

1 years. I think as a scholar one of the main reasons  
2 I'm here is because my dissertation, which was a 800  
3 page dissertation, which came out last year, represents  
4 the only content analysis ever done of the news media  
5 that looks at coverage, overall coverage, how much  
6 coverage was given to Asian-Americans as an entire  
7 group. And it breaks it down by various segments of  
8 that population.

9           That dissertation looked at coverage from  
10 1994 to 1995 in 20 leading newspapers in the United  
11 States, and I'll reference it in a minute.

12           One of the things that came out in my  
13 research that I think has to be addressed today is the  
14 very way we define Asian-Americans. There is no one  
15 group that agrees on how they are defined. And I would  
16 be curious if we're allowed to ask questions how the  
17 U.S. Commission on Civil Rights defines Asian-  
18 Americans. Because in fact, the U.S. Government,  
19 through various agencies, defines Asian-Americans  
20 differently.

21           The Asian-American Journalists Association  
22 would actually include Christa McAuliffe as an Asian-  
23 American. And that is because she is of Middle Eastern  
24 -- was of Middle Eastern descent. Also, Helen Thomas.  
25 One of the most active groups of the Asian-American



1 Journalists Associations is the Detroit Chapter which  
2 has written publications on how to cover Middle Eastern  
3 Americans.

4           The Asian-American Information Directory has  
5 19 categories of who Asian-American are. Asian-  
6 Americans do not all look alike. They do not all have  
7 black hair or straight black hair. And in fact, two  
8 categorize them the way the news media has been lumping  
9 them together is not only incorrect but does lead to a  
10 lot of the stereotyping that we've discussed.

11           . The U.S. Census has 50 categories of Asian-  
12 Americans which is a huge difference between other  
13 organizations. The categories literally span two-  
14 thirds of the globe. One of the problems with the  
15 entire category of Asian-Americans, while I very much  
16 support pan-ethnicity and as a historian of Asian-  
17 Americans, I understand why this is a marvelous thing  
18 to have occurred, is that I agree with Dr. Wang that  
19 it's not proper to compare the history of Asian-  
20 Americans with any other ethnic minority in this  
21 country because they are absolutely unique from the  
22 rest of them.

23           I would like to state to you that from my  
24 research and looking at the petition and in looking at  
25 the coverage of Asian-Americans, particularly in the

1 press, in the written media, I agree very much with  
2 what this petition says in its criticism of the media.  
3 I think the petition is very fair. And I think that we  
4 have to look contextually, go a little bit deeper in  
5 context as to what else is going on here.

6 Beyond the problem of definition, I think we  
7 have to realize that according to my research, up until  
8 this event took place, we really didn't have much  
9 coverage of Asian-Americans that existed in the news  
10 media. My year's worth of looking at what was covered  
11 in the 20 newspapers across the country, including when  
12 Mr. Woo was editor of the St. Louis Post Dispatch, came  
13 up with a total of 635 articles; 215 of those were from  
14 the Seattle Times, which is much higher than any other  
15 newspaper.

16 As you know, the Seattle Times has won  
17 numerous awards for fair coverage across minority  
18 groups.

19 After that, the amount of coverage of Asian-  
20 Americans drops significantly. The Los Angeles Times,  
21 which as you know has a very large Asian-American  
22 population, had a total of 73 articles on Asian-  
23 Americans in one year. The Washington Post had a total  
24 of 20 articles.

25 COMMISSIONER HORNER: Excuse me. Asian-

1 Americans as an ethnic group in a political context or  
2 individual prominent Asian-Americans?

3 MS. MANSFIELD-RICHARDSON: It is any article  
4 that relates to issues affecting Asian-Americans or on  
5 an Asian-American. It's a very broad content analysis.  
6 I had 193 ways of searching it and 123 names. So it  
7 was extremely comprehensive.

8 COMMISSIONER HORNER: Okay. Thank you.

9 MS. MANSFIELD-RICHARDSON: Seventy articles  
10 on Asian-Americans from a newspaper covering politics  
11 in the nation's capitol is insulting. I would argue  
12 that there's probably three times as many articles on  
13 Mickey Mouse that were produced that year. And I say  
14 that with no deference to Asian-Americans.

15 There are entire newspapers that never had a  
16 single story on Asian-Americans that year. This was  
17 also the year of the first -- it was also the year that  
18 had the first all-Asian cast on television in the  
19 program "All American Girl." It's also the year of  
20 several other events that took place with Asian-  
21 Americans.

22 The Wall Street Journal and The Christian  
23 Science Monitor -- The Wall Street Journal had a total  
24 of eight articles. The Christian Science Monitor had a  
25 total of six. So, to give context to this whole

1 controversy of John Hwong and the amount of coverage,  
2 negative coverage coming out of that, is that prior to  
3 this Asian-Americans were pretty much a nonexistent  
4 minority to a lot of news media.

5           The other thing that my dissertation showed  
6 is when you look at the type of article, the majority  
7 of the articles were entertainment articles. So once  
8 you cut out the annual coverage of Chinese New Year,  
9 the restaurant reviews and what's going on with the Tet  
10 Festival, you really drop down.

11           And another aspect of that is that there was  
12 one article in 20 newspapers, which included The New  
13 York Times, The Boston Globe, The Chicago Tribune, The  
14 Houston Chronicle, which has since folded, I believe, a  
15 across the United States there was one article on  
16 Asian-Americans and science. And this is not a  
17 stereotype. I don't think I need to tell you that at  
18 any given university, including Penn State, you have  
19 numerous Asian-Americans connected with science and you  
20 have numerous Asian-Americans coming out with  
21 scientific research in this country.

22           So I think that that tells you a little bit  
23 where the news media was prior to this event.

24           The other thing that I think you need to look  
25 at is what the themes were of the articles and the

1 ethnic minorities within Asian-Americans who are  
2 covered. I think what we are talking about here today  
3 doesn't deal with a lot of Asian-Americans. And a lot  
4 of the stereotyping that has occurred in the media  
5 through the whole fundraising debacles is really  
6 probably talking about certain groups of Asian-  
7 Americans.

8 I was reading, I believe it was a New York  
9 Times articles, and I may not be correct on that. But  
10 I saw this in other articles, too, referring to Asian-  
11 Americans are a close knit group. Well, a lot of East  
12 Indian Americans would be very surprised to hear that.  
13 And a lot of -- you know, third, fourth, fifth  
14 generation Asian-Americans, whether they're Thai  
15 Americans, Vietnamese Americans, will tell you that  
16 there are large segments of this population who are,  
17 quote, not close knit.

18 One of the things that came out that I keep  
19 hearing about is that there's over coverage of model  
20 minorities. In fact, my research didn't show that. I  
21 coded articles to look at if they looked at model  
22 minorities. But there is a lot of coverage -- most of  
23 the crime stories deal with racism with Asian-  
24 Americans.

25 If you take out all the articles on Yo-Yo

1 Mah, the cellist, you take out 3 percent of the total  
2 coverage of Asian-Americans that year. So it's pretty  
3 important.

4           The other half of my dissertation surveyed  
5 520 Asian-American journalists across radio, television  
6 and print media, and I received a 19 percent response -  
7 rate on that. And the responses were shocking.  
8 Seventy-one percent of them said that they felt that  
9 they had been subject to racism within their news  
10 institutions. There was strong evidence of ghettoizing  
11 Asian-American journalists. I do know the number of  
12 Asian-American people in print media, and it's less  
13 than 3 percent.

14           But interestingly enough, if you look at the  
15 bylines of the coverage of this particular issue, you  
16 see very few Asians, quote/unquote Asian names, which  
17 would include Hispanics names, if you're Filipino-  
18 American, which would include names like mine, if you  
19 happen to have been adopted as a Vietnamese or adopted  
20 from Asia, or if you married a man -- if you're a  
21 woman, you married a man with a, quote, American  
22 sounding name.

23           I'm worried that I'm starting to go over my  
24 time, but I would just like to sum it up by saying I  
25 think that the context of this controversy goes much

1 deeper than what we see in just the petition. I think  
2 in the media Asian-American males are treated as a  
3 nonentity. Asian-Americans are often treated as  
4 nonentities. And the stereotyping that we have seen in  
5 this particular coverage is evident through all of y  
6 ' research, except for the model minority.

7 CHAIRPERSON BERRY: Okay. Thank you,  
8 Professor Mansfield-Richardson.

9 You asked what's the Commission's definition.  
10 In the Civil Rights Issues Facing Asian-Americans  
11 Report, we used the U.S. Bureau of the Census  
12 definition. And on page 15, it lists all of the Asian  
13 groups, Chinese, Filipino, Japanese Asian, Indian,  
14 Korean, Vietnamese, Laotian, Thai, Cambodian, Mong,  
15 Pakistani, Indonesia, and all the Pacific Islanders.  
16 But that's from the Bureau of the Census definition.

17 MS. MANSFIELD-RICHARDSON: Okay.

18 CHAIRPERSON BERRY: However accurate or  
19 inaccurate that might be.

20 Thank you.

21 The next presenter will be Mr. William Woo.  
22 Mr. Woo served as editor of The St. Louis Post Dispatch  
23 for 10 years. He's been chair of the Ethics Committee  
24 for the American Society of Newspaper Editors. Several  
25 works by him have been selected as finalists for the

1 Pulitzer Prize.

2 He's currently a visiting Professor in the  
3 Department of Communications at Stanford University and  
4 a teaching fellow at the Graduate School of Journalism  
5 at the University of California-Berkeley.

6 Thank you very much.

7 MR. WILLIAM WOO: Thank you very much.

8 I was born in Shanghai to a Chinese father  
9 and an American mother from whom my citizenship  
10 derives. I spent 40 years in newspaper journalism, 34  
11 of them at The St. Louis Post Dispatch.

12 I'd like to begin on a personal note. My  
13 mother and father met at the Journalism School of the  
14 University of Missouri, but they had to be married in  
15 Alton, Illinois because miscegenation laws in Missouri  
16 prohibited whites from marrying people of color.

17 I mention this because I suspect that racism,  
18 some of it legally mandated, in some fashion has  
19 touched the lives of almost every Asian-American.

20 When my parents were married, The St. Louis  
21 Post Dispatch, of all papers, printed an article about  
22 it, so unheard of was it then for a Chinese and an  
23 American to wed. A point of this article was that my  
24 father could speak English. It apparently astounded  
25 the journalist that a Chinese studying at an American



1 university could speak the language.

2           When I moved from Kansas City to St. Louis in  
3 the 1960's, The St. Louis Globe Democrat had occasion  
4 to publish a story about me. It wrote that I had  
5 immigrated from China in 1946. Now, American citizens  
6 do not immigrate to the United States. But to  
7 journalists, people with Asian names were not  
8 Americans. They're assumed to be immigrants.

9           We're here to talk about the media's coverage  
10 of people of Asian descent and I've begun with ah  
11 couple of examples from newspapers from years past to  
12 raise the question of whether things have changed for  
13 the better. My short answer is yes -- but.

14           Since the 1930's, even the '60s though, the  
15 stakes have increased exponentially for the United  
16 States. There are millions more Americans of Asian  
17 birth or heritage today. And while it is despicable to  
18 treat a few people with ignorance or insensitivity or  
19 contempt, it is even worse to treat a lot of people  
20 that way.

21           Let me mention some of the improvements.

22           For most of my life in the newsroom I was the  
23 only Asian-American. Today Asian-Americans are no  
24 longer a novelty at many papers. The latest minority  
25 survey by the American Society of Newspaper Editors

1 reports that there are 1141 Asian-Americans working as  
2 professionals in the country's papers. It's not a  
3 large number. It's a lot more than we had a few years  
4 ago. It works out to 2.1 percent of the 54,000  
5 professionals at work in America's newsrooms.

6           Secondly, there's been institutional  
7 improvement. The important work of the Asian-American  
8 Journalists Association, the American Society of  
9 Newspaper Editors, the Maynard Institute, Unity  
10 Organization and others have all had a useful effect of  
11 helping to break through stereotyping -- not nearly  
12 enough, obviously -- and to promote the mainlining of  
13 Asian-Americans and other minorities in the news.

14           Finally, many newspapers have diversity  
15 training to educate their staffs about working and  
16 covering news in a multi-cultural environment. It  
17 needs to be recognized, however, in more than 40  
18 percent of the newsrooms in America, there is not one  
19 single minority professional. No Asian-Americans, nor  
20 for that matter, African-Americans, Hispanics or Native  
21 Americans.

22           In the example cited in the petition before  
23 you, we've seen instances of crude stereotyping of  
24 Asian-Americans. We've seen insensitive and damaging  
25 coverage. We see ignorance. You know the specific

1 examples. We'll probably be talking about them later.

2           How do these things get into the paper? Are  
3 they deliberate slurs or exaggerations? Are they  
4 accidents? What do they tell us about the media?

5           First of all, let me say that they are not  
6 accidents. Things do not just appear in newspapers.  
7 Editors allow them into the news columns and editors  
8 are supposed to bring critical judgment and taste to  
9 their jobs. There's no moratorium on ethical or  
10 responsible journalism.

11           To lump together or to confuse Asians from  
12 Asian and Asian-Americans from Asians of birth of  
13 descent may be the result of clumsiness or ignorance,  
14 but the effect is to declare that they're all alike,  
15 interchangeable. That they're members of a subcategory  
16 of the human race or our society for which the canons  
17 of journalism -- accuracy, fairness, decency and the  
18 rest -- need not apply.

19           To use the words such as mysterious and  
20 inscrutable when applied to these Americans is no  
21 different than to caricature and exaggerate and hence  
22 ridicule physical features. These are no accidents  
23 either. And often the perpetrators seem genuinely  
24 bewildered or offended if you call them to task.

25           At my old paper when I criticized headline

1 writers or columnists for mocking the lambdacisms that  
2 are present in the way some Asians speak English,  
3 inevitably I was told that no offense was intended. It  
4 was only in fun. Can't you people take a joke.

5           As for the fixation with Asians in the  
6 campaign financing investigations or the emphasis  
7 placed on their money as distinct from the political  
8 spending of other foreign or domestic contributors, I  
9 suspect the deplorable practice at work is group think  
10 or the irresistible force of an untested orthodoxy or  
11 what some people call the master narrative.

12           Once journalists get it through their heads  
13 that these sets of circumstances wholly define a story,  
14 that the circumstances have been anointed by the  
15 national media, it can be very difficult to get them to  
16 see the fact or situation in any other way. It can be  
17 very difficult to get them to think.

18           Under any condition, these practices would be  
19 distressing. But we're at a moment I think when there  
20 are a number of historical trends intersecting among  
21 Americans of Asian descent or birth. The media  
22 coverage merely exacerbates the inherent tensions at  
23 this moment.

24           I have in mind here the intersection of the  
25 following themes or conditions: the long-standing

1 discrimination and prejudice against Americans of Asian  
2 descent or birth; the burdens imposed by the new  
3 stereotype of the model minority and their relevance to  
4 anti-affirmative action backlash; the tensions at the  
5 lower end of the economic ladder between Asian-  
6 Americans and other minorities; the problems of group  
7 identity and recognition that have arisen as a result  
8 of the entrance into American society of a multitude of  
9 Asian and Pacific Islander people, all of whom can be  
10 classified as Asian-Americans, many of whom are  
11 different from and unfamiliar to one another.

12           These are some of the issues in the  
13 background against which the problems of the media and  
14 Asians of American descent and birth are being played  
15 out in the campaign financing coverage.

16           I'll end here, but I'll be very happy to  
17 answer to the best of my ability any questions from the  
18 Commission.

19           And I thank you, Madam Chair, and  
20 Commissioners, for inviting me here today. It's been a  
21 privilege and an honor to be among these very  
22 distinguished presenters, some of whom are my friends.

23           CHAIRPERSON BERRY: Thank you.

24           Was it Walt Whitman who said, "I perceive  
25 that to be with those I like is enough," so I guess to

1 be with friends is enough.

2 Professor Joann Lee is next. She's a  
3 professor of journalism at Queens College, Director of  
4 Journalism. She studies journalism and the media and  
5 has published a book entitled Asian American. She has  
6 been in television news reporting, various assignments,  
7 so she knows that field very well.

8 And we welcome you and look forward to your  
9 presentation.

10 MS. LEE: Thank you.

11 First, I'd like to thank the members of the  
12 Commission for inviting me today. This briefing is  
13 especially important because there is no national  
14 platform in this country right now from which to raise  
15 many of the concerns expressed here this morning.

16 I, like many Asian Pacific Americans have  
17 watched with growing unease and anger as the coverage  
18 of Asian Pacific Americans and DNC campaign financing  
19 unfolded over the last year. And from the start, race  
20 was always part of the backdrop, with little  
21 distinction made between Asian Pacific Americans who  
22 are citizens and Asian nationals who are not.

23 In looking over hundreds of newspaper  
24 articles on this, I found a very basic pattern. And  
25 that is the overwhelming repetition of the same story.

1 For the mainstream media there was but one story angle  
2 worthy of their attention, and that angle was the so-  
3 called Asian connection into the White House.

4 Day after day the story the media focused on  
5 was the one about a possible Asian conspiracy involving  
6 just three names. Looking at stories written over the  
7 course of a year, it is clear to me that little has  
8 changed in terms of the way mainstream media has  
9 approached and presented the story.

10 Even when leads reflected new information,  
11 the stories were but variations of the same theme.  
12 Asian names; foreign money; getting caught; trying to  
13 navigate the system through political contributions.

14 The issue is a very serious one certainly and  
15 I'm not for a second diminishing the magnitude of it.  
16 But the constant replay of the same tune day after day  
17 in the media to the exclusion of other angles  
18 discharges a trail of attitudes suggestive of the  
19 Yellow Peril mentality. When we total up the cast of  
20 characters mentioned in connection with the so-called  
21 Asian connection, there are but three key names; Johnny  
22 Chung, Charlie Trie and John Hwong. Yet the overall  
23 impact of media coverage is to taint with a very broad  
24 stroke the legal and legitimate participation of Asian  
25 Pacific Americans in the American political process.

1           For instance, in March of this year a North  
2 Carolina newspaper opinion piece began with these  
3 words: "It smells like scandal. President Clinton  
4 renting out the Lincoln bedrooms, Vice President Gore  
5 hustling big bucks by phone, Asian-American money men  
6 swarming through the White House like crap shooters in  
7 a casino."

8           What's most telling here is the writer's  
9 usage of such loaded words as Asian-American money men  
10 swarming through the White House. Implicit for me in  
11 his words is the sense that Asian-Americans are a  
12 sleazy bunch who shouldn't even be in or have any  
13 access to the White House.

14           I've studied the way Asian-Americans have  
15 been portrayed in the media for years, and after  
16 looking at thousands of articles, what is clear to me  
17 is how little media has changed. That in times of  
18 national concern the media predictably ends up  
19 portraying Asian-Americans as the other. It's a  
20 practice perhaps unconscious that goes back to World  
21 War II with Japanese internment and the reporting of  
22 Asian images through the Korean and the Vietnamese  
23 Wars.

24           When Asian-Americans are written about in  
25 recent years, the stories are more often ones triggered



1 by issues of majority social interest, such as  
2 immigration, education, crime and race. These tend to  
3 be stories about Asian-Americans and how they affect  
4 the larger society. They're not stories about Asian-  
5 Americans. Clearly the coverage of Asian-Americans and  
6 campaign financing is a glaring example of this. Which  
7 brings me to ask how can we change the way Asian-  
8 Americans are portrayed in mainstream media.

9 I think two things need to happen. One is  
10 that news media need to look far more closely at their  
11 product. News is event driven. But in the long-term  
12 when the forces driving a story are from the same  
13 sector or voices, namely, government investigators and  
14 politicians, well how truly balanced can a story be.  
15 All we've heard from is one corner and that corner has  
16 its own particular needs and agenda.

17 The media in this case can't see the forest  
18 for the trees. The real story is the murky system of  
19 campaign financing and news organizations should devote  
20 more investigative resources in uncovering that angle  
21 of the story. Instead, they continue to latch on to  
22 the Asian-American angle because it's the obvious easy  
23 story to cover. And coverage is the operative word  
24 here.

25 News media respond to things that happen. So

1 when Congress holds hearings focusing on Asian-American  
2 campaign financing, the media logically will cover it.  
3 But is acting as a transmission belt of information  
4 enough? I say no.

5           Access to the White House didn't begin or end  
6 with Asian-Americans who donated money. So in focusing  
7 so singularly on this angle the press has bought into  
8 and served up to the American people a red herring.  
9 Tougher questions need to be asked and the focus of the  
10 story has to shift so that it better documents  
11 fundraising practices and White House access across the  
12 board and not just the activities of three Asian-  
13 Americans who turned over questionable donations.

14           And in no rigorously pursuing a more  
15 comprehensive story on this front, journalism has yet  
16 to fulfill its responsibility to the public and has  
17 done a great disservice to Asian Pacific Americans in  
18 general.

19           The second thing that needs to happen -- and  
20 it's starting to happen, as evidenced by this hearing -  
21 - is that Asian Pacific Americans need to develop a  
22 louder voice in all aspects of American cultural and  
23 social life. More groups need to speak out. More  
24 people need to come forward and make clear that when we  
25 witness racism, however it masquerades, we will

1 confront and challenge it.

2 Thank you.

3 CHAIRPERSON BERRY: Thank you very much.

4 Does any Commissioner have any questions for  
5 members of the panel?

6 Commissioner Anderson.

7 COMMISSIONER ANDERSON: Thank you.

8 With the first panel we talked about Mr.  
9 Fireman and the coverage he received, particularly in  
10 The Washington Post. I remember reading the article in  
11 The Washington Post the day it appeared. I don't  
12 recall what page it was on. Maybe page A-4 or A-6,  
13 something like that. And frankly, I was surprised it  
14 wasn't on page 1, given at least my opinion that The  
15 Washington Post editorially has not been a big  
16 supporter of Bob Dole's presidential campaign. So the  
17 fact that maybe his most important fundraiser is  
18 suddenly convicted of major campaign finance violations  
19 would have been more of a story from that political  
20 angle. But it's on page 4, 5 or 6.

21 Now, the suggestion earlier in the day was  
22 this is a result of some type of stereotyping or  
23 scapegoating of the issue in terms of media coverage.  
24 I'd just like your opinion on that, particularly, Mr.  
25 Woo. And to what extent do you think story angle

1 enters into this, and how hard and fast does a story  
2 angle become in an issue like this.

3 MR. WILLIAM WOO: I think that's a good  
4 question. And my colleague, Professor Lee, mentioned  
5 that this campaign financing became the only story, and  
6 the Asian aspect of it. Which goes back to what I was  
7 talking about as the master narrative that the press  
8 buys into.

9 The ability of certain media to establish the  
10 master narrative is something I think we need to  
11 confront here. You mentioned the Fireman story  
12 appearing somewhere in The Washington Post. I chaired  
13 the national reporting of a jury last year. A couple  
14 of surprises. And the Kansas City Star had a long  
15 series of articles on Mr. Fireman and how he had -- his  
16 activities at his company, Aqua something or other. I  
17 can't recall the name.

18 It was an excellently done series. We gave  
19 it a lot of attention. It did not wind up winning the  
20 prize. But this is not an agenda setting newspaper.  
21 It sank without a trace. All of us thought, Jesus,  
22 this is a great story. Why didn't we get it.

23 So I think that we need to sort of note the  
24 power of a handful of media organs essentially pretty  
25 much to establish most of the time, not all of the

1 time, the dimensions and character of the master  
2 narrative.

3           COMMISSIONER ANDERSON: Could I ask you how  
4 does one affect that? You've been an editor of a  
5 paper. You've obviously had to review that as a  
6 working journalist.

7           MR. WILLIAM WOO: This is a very tough issue.  
8 All over America newspapers are retrenching in national  
9 coverage. The assumption many, many places is that  
10 people want to read about real people. And so you find  
11 a tremendous emphasis on local news, which is very  
12 important. But I used to tell my editors that a dozen  
13 people sitting around a legislative markup chamber or a  
14 regulatory agency would do more to affect the lives of  
15 people than any number of feel good stories about old  
16 folks exercising in Spandex.

17           So, the problem is we're retreating from  
18 national news, which then by default leaves certain  
19 stories in the hands of papers. I don't think that  
20 there's a kind of intellectual Sherman antitrust  
21 violation; that they get together and set the agenda.  
22 But I think that's what happened.

23           I think that one way, one anecdotes for it  
24 would be for more papers to take national news  
25 seriously, to invest their own resources in it, to put

1 their own people out there and cover it, to look at  
2 stuff critically. But all of this takes a kind of  
3 change in the direction of the news that is independent  
4 of -- a bad direction in the news that's independent of  
5 the subject of this inquiry.

6 CHAIRPERSON BERRY: Ms. Zia?

7 MS. ZIA: I just wanted to add to the point  
8 about placement and where we are and what gets selected  
9 to be in the news or where it is.

10 Bill Woo spoke about trends we're in right  
11 now. But I think we have to recognize that the  
12 conglomeration that's going on in business overall is  
13 certainly affecting news. And so many of our  
14 newspapers and broadcast outlets are basically run not  
15 by -- not news driven so much, but also by business.

16 And so the issue of what sells and the point,  
17 the example I gave of what is interesting to our  
18 readers, that determination often has now become a  
19 matter of what sells. And by what sells, also what is  
20 sensationalistic.

21 We talk about what is news. Asians in the  
22 White House. What is that worth? Fifteen months of 90  
23 percent of newspaper spread.

24 Perhaps not. But to somebody's  
25 determination, that was sensationalistic. That would

1 sell. That appealed to some particular interest that  
2 would draw in more readers. Somebody made that  
3 determination.

4 And the question of what we can do about it -  
5 - of course, there isn't so much that we can do to  
6 change the patterns in the media. That would be very  
7 simple. But I think we do need to be very aware that  
8 this is something that is happening on an increasing  
9 basis, I believe.

10 MS. LEE: I just wanted to say one last  
11 thing.

12 CHAIRPERSON BERRY: Yes.

13 MS. LEE: Having practically lived at The  
14 Washington Post newsroom for 11 years and having sat  
15 next to Janet Cook through that whole Pulitzer debacle,  
16 a lot of the problems beyond the agenda setting is the  
17 atmosphere within a given newsroom. And I was there  
18 under Ben Bradley when he was really going after the,  
19 quote, holy shit story. Excuse my language here. But  
20 Bradley said it across the newsroom and it's fairly  
21 well know. And also under Len Downey.

22 And at The Washington Post, which I respect  
23 very much, nothing excites that newspaper much more  
24 than a political scandal and good investigative piece.  
25 And I think sometimes they have become guilty -- and I

1 will include myself in this even though I was working  
2 on Metro stories -- of getting carried away with a  
3 story because it's a good story. You know, not  
4 stepping back enough to take the time to really look at  
5 the deep context.

6 MS. MANSFIELD-RICHARDSON: What you're doing  
7 here -- by the way, I do a search of news stories. And  
8 the interesting thing is when the U.S. Commission on  
9 Civil Rights puts out any story on Asian-Americans,  
10 it's picked up across the country by many, many  
11 newspapers. That's why this is so important.

12 There is no national platform but this. And  
13 if you talk about agenda setting and how you change  
14 this, what you're doing here is very significant  
15 because you're amplifying the concerns that are raised  
16 here which would not be picked up if I called up The  
17 Washington Post or if she called up The Washington Post  
18 and said, hey, you know, there are Asians upset about  
19 this. But when it comes to this level, it ups the  
20 buck: It raises the bar and it changes the agenda.

21 MS. MANSFIELD-RICHARDSON: And even if Asian-  
22 American journalists within a newsroom go to the  
23 editors and say we're covering this wrong, as we have  
24 seen example after example, including the African-  
25 Americans at The Washington Post six months before they



1 nominated the Jimmy story for the Pulitzer, went to the  
2 top editors and said there's something really wrong  
3 with this story.

4 I hate to bring that all up but through my  
5 surveys of Asian-American journalists, their voices  
6 aren't being heard. They're not in high levels of  
7 supervision. I've got the numbers. I'm sure you're  
8 all aware that Mr. Woo was the only Asian-American to  
9 be an editor-in-chief of a major newspaper in this  
10 country.

11 COMMISSIONER ANDERSON: If I could ask  
12 another question?

13 CHAIRPERSON BERRY: Yes, Commissioner.

14 COMMISSIONER ANDERSON: Could I ask the  
15 panelists have you looked at this report by us? Do you  
16 have it?

17 MS. MANSFIELD-RICHARDSON: I've skimmed over  
18 it. I've got a copy of it.

19 MS. LEE: I don't have a copy.

20 COMMISSIONER ANDERSON: Do you have a  
21 reaction to it?

22 MR. WILLIAM WOO: No. I just picked a copy up  
23 today. I have not read it.

24 COMMISSIONER ANDERSON: I'd be interested. I  
25 think it's one of the best things we've done. And I

1 wonder whether maybe you wouldn't mind letting us know  
2 whether sending a copy of this report to the editorial  
3 offices of many of the major newspapers might be a  
4 positive kind of way of suggesting a reexamination,  
5 maybe with a cover letter about some of these points.

6 MR. WILLIAM WOO: I think it would be very  
7 important how that cover letter was written but I think  
8 it would be a good thing.

9 CHAIRPERSON BERRY: How about the broadcast  
10 media. We don't want to let them off the hook. We've  
11 only talked about print media here.

12 Does everything you've said apply to  
13 broadcast media or are we just talking about the print?  
14 We're only concerned about print media here?

15 After all, most Americans get their news from  
16 broadcast media, if I understand the surveys and polls  
17 correctly. So does most of what you've all said apply  
18 to broadcast? Although I also understand -- and maybe  
19 some of you can inform me better if I don't -- that the  
20 broadcast media usually get their leads from the print  
21 media. That they all sit around and read The New York  
22 Times and Washington Post and whatever, Wall Street  
23 Journal, and try to figure out what to put on  
24 television.

25 Maybe you would like to address this?

1 MS. ZIA: I would say that actually my points  
2 that I raised apply to broadcast media as well. I had  
3 a few examples there but I do agree that they often get  
4 their leads. And the whole issue of master narratives,  
5 if you want to call it that, or pack journalism, if you  
6 will, does happen and broadcast is definitely part of  
7 that.

8 And in fact, perhaps even more so because  
9 we're talking about covering the world in 30 minutes.  
10 And then if you take the commercials out, we're really  
11 talking about 18. So the selectivity of what goes on  
12 in there and whether it's catchy or will keep you from  
13 turning your channel and be sensationalistic, the  
14 stakes are even higher in broadcast.

15 CHAIRPERSON BERRY: Commissioner Lee and then  
16 Commissioner Horner.

17 COMMISSIONER LEE: I just want to go a little  
18 bit deeper to something that Ms. Zia had said about the  
19 media has a responsibility of getting the facts,  
20 presenting accurate information to the reader. But at  
21 the same time, we understand newspapers, televisions  
22 stations, they're a business enterprise. They're there  
23 to make money. But at the same time, they are trying  
24 to determine what is interesting to catch the readers  
25 and the audience.

1           The question I have to the panelists is, is  
2 it dangerous for the media to in sort of reacting to  
3 the supposed interests of the reader, they are  
4 dictating what the reader should be interested in.

5           For instance, they kept saying that -- the  
6 L.A. Times are saying they have to report this because  
7 the readers want to read it. And I have so many  
8 friends in L.A. who say, we don't read that thing any  
9 more and they're not even Asian-Americans.

10           So is it -- which way is it? Are they trying  
11 to determine what the reader should be interested in by  
12 portraying these stories this way or are they truly  
13 trying to present these stories because they truly felt  
14 the American public is interested in these stories.  
15 Which way is it?

16           MS. LEE: I think it's both. And I think the  
17 difficulty -- and you raise an excellent question  
18 because you can bring in the editors of The Washington  
19 Post and The New York Times and have us sit around and  
20 nobody would have a consensus for that. Because news  
21 is a market driven commodity today, more so than every  
22 before. The sense is you've got to be able to sell  
23 your papers and keep your ratings high. That is number  
24 one; economic survival. And inherent in putting that  
25 message together is the sense of -- well, what does the

1 audience want to read and what can we interest them in?

2           Having said that, the people who make news  
3 are by and large middle class white college educated  
4 people. And so they have a certain construction of  
5 what is important based upon their sense of their news  
6 values. And that doesn't always mesh with the real  
7 readers outside. That's why newspapers around the  
8 country have lost a lot of circulation and they're not  
9 building that circulation because they haven't been  
10 able to -- and the erosion and changes in media have  
11 made for a whole new ballgame for print and broadcast.

12           To answer your question, there is no answer  
13 to that. I think publishers would like to say we are  
14 giving the public what they want and we think we know  
15 what they want.

16           CHAIRPERSON BERRY: Commissioner Horner?

17           MS. MANSFIELD-RICHARDSON: I just want to add  
18 one last thing on that.

19           CHAIRPERSON BERRY: Okay.

20           MS. MANSFIELD-RICHARDSON: I think that -- I  
21 agree with everything that she just said. And one of  
22 the points that I was hoping to make is that there is --  
23 -- one of the real stories within this story that we're  
24 talking about today was the fact that you had the  
25 largest gathering of Asian-Americans and the largest --

1 not gathering but the largest amount of money raised by  
2 Asian-Americans. And that's a positive story. That's  
3 a very positive news story. And it says a lot about  
4 the pan-ethnicity movement in this country, the Asian-  
5 American pan-ethnicity movement.

6 I doubt that that story really got much  
7 coverage and I don't know how much coverage it really  
8 would have ever gotten had the whole scandal not grown  
9 out of it.

10 COMMISSIONER LEE: Then how do we educate the  
11 publishers and the editors of what the true American  
12 public really wants to read?

13 CHAIRPERSON BERRY: How do we what the true  
14 American public --

15 (Crosstalk.)

16 MS. ZIA: What happens in the newsroom is we  
17 sit around and say, well, I think people are interested  
18 in this because I'm interested in it. And then we come  
19 up with all the things that we're interested in and go  
20 after them.

21 COMMISSIONER GEORGE: I really think there is  
22 something to that, if I could just interrupt, Mary,  
23 just to say that I was sitting around with a group of  
24 professors like myself -- Reynoso and so forth. And  
25 one fellow said to the other, you know, until the

1 evening when the votes were coming in in 1972, I just  
2 assumed George McGovern was going to defeat Richard  
3 Nixon. And the other people said, how on earth could  
4 you have thought that. He said, well, I don't know  
5 anybody who was voting him. Everybody I know votes  
6 Republican.

7 (Laughter.)

8 CHAIRPERSON BERRY: So it all depends.  
9 Commissioner Lee, are you finished?

10 COMMISSIONER LEE: Yes. I'm done.

11 CHAIRPERSON BERRY: Commissioner -- are you  
12 still responding to that?

13 MS. ZIA: Yes. Just so we do not give that  
14 question short shrift.

15 One of the movements that's underway among  
16 journalists is to increase the diversity within the  
17 newsroom because it is very true that who we are in the  
18 newsroom dictates what actually gets on the page. So  
19 other panelists have given statistics on, for example,  
20 Asian-American representation. And I can assure you  
21 that the figures are quite similar for other minority  
22 journalists. And so this is a reflection of why  
23 certain things get covered and why certain things  
24 don't.

25 MR. WILLIAM WOO: Overall, minority

1 journalists comprise about 11 point something percent  
2 of the 54,000.

3 CHAIRPERSON BERRY: Commissioner Horner?

4 MS. MANSFIELD-RICHARDSON: 11.2.

5 MS. ZIA: And the trend is down, isn't it?

6 MS. MANSFIELD-RICHARDSON: It actually went  
7 up but only by one percent between '94 and '95. I think  
8 for Asian-Americans. I may be quoting that wrong.

9 You have a lot of Asian-Americans who are  
10 leaving the newspapers, I know, and who are also  
11 leaving the news business, from the ones that I  
12 surveyed in surveys of the Asian-American Journalists  
13 Association because they really are running up against  
14 a glass ceiling.

15 And I think you have to realize that the  
16 panel before you doesn't represent in many respects at  
17 all what the gatekeepers, the senior editors of most  
18 news organizations in this country look like. You have  
19 an Asian-American male and you have two Asian-American  
20 women and you have a white female. And that is not at  
21 all reflective of the people who are making the  
22 decisions.

23 CHAIRPERSON BERRY: Was your question a  
24 follow up to that before I recognize Commissioner  
25 Horner?



1 COMMISSIONER HORNER: That's okay. Go ahead.

2 COMMISSIONER GEORGE: Yes. Just on that.  
3 When we say quite causally that minority representation  
4 is a certain percentage, 11 percent, whatever it is,  
5 how do we define what counts as a minority? Are Jews a  
6 minority or not a minority? Are Arab Americans a  
7 minority?

8 MR. WILLIAM WOO: I can tell you about that  
9 survey and how those statistics are generated, if you'd  
10 like to know.

11 COMMISSIONER GEORGE: Yes. Please.

12 MR. WILLIAM WOO: For many years now the  
13 American Society of Newspaper Editors responding to a  
14 decision it made many years ago to try to increase by  
15 the year 2000 what we defined as minority participation  
16 in newsrooms to equal the percentage of minorities in  
17 the overall population, we said at that time it was 20  
18 by 2000. The numbers clearly have been changed. So  
19 we have been inching up and those figures are derived  
20 from surveys that we send out to newsrooms each year.

21 And if you are an editor, you are able to get  
22 a survey asking you if you would respond to list the  
23 number of minorities, and then they are just -- I think  
24 they are just simply put into four categories: Asian,  
25 African-American, Hispanics and Native Americans.

1 COMMISSIONER GEORGE: And who decided that?

2 MR. WILLIAM WOO: Well, the American Society  
3 of Newspaper Editors when it first began sending out  
4 the survey, used those four categories. So the  
5 organization -- and I don't know who on the  
6 organization said we'll use those four categories, but  
7 those are the categories that are the work of what used  
8 to be the Minority Committee, which is now the  
9 Diversity Committee.

10 And so those surveys have been going on each  
11 year. And from them we derive a picture of the number  
12 of ethnic minorities, professionals, in newsrooms.

13 MS. MANSFIELD-RICHARDSON: It's probably  
14 reflective of the U.S. Census because you're not asked  
15 if you're Jewish American on the U.S. Census. I don't  
16 believe there's a category -- you're asked if you're  
17 Caucasian. And so I think it reflects really race and  
18 ethnicity.

19 COMMISSIONER GEORGE: So you think it's the  
20 decision that's made at the level of the Census that's  
21 really controlling and driving what then in situations  
22 like this is defined?

23 MR. WILLIAM WOO: I just can't answer that.

24 MS. MANSFIELD-RICHARDSON: I don't know if  
25 that is true, but --

1           COMMISSIONER GEORGE: Does it trouble you at  
2 all?

3           MR. WILLIAM WOO: Does it trouble me at all  
4 that --

5           COMMISSIONER GEORGE: That that's the  
6 decision as to what counts as a minority and what  
7 doesn't count as a minority?

8           MR. WILLIAM WOO: Well, you know, that issue  
9 opens up another avenue under discussion when the  
10 Minority Committee became the Diversity Committee.  
11 Because when you're talking about diversity, we're  
12 talking about age, we're talking about physical  
13 condition, we're talking about all sorts of other  
14 things that were not subsumed under minorities.

15           The feeling was that newsrooms -- and we took  
16 to heart or at least we responded to the report  
17 following the riots in the '70s.

18           CHAIRPERSON BERRY: The Kerner Commission.

19           MR. WILLIAM WOO: I'm sorry?

20           CHAIRPERSON BERRY: Was it the Kerner  
21 Commission?

22           MR. WILLIAM WOO: Yes. It was the Kerner  
23 Commission. Thank you very much.

24           Which urged newsrooms to get more African  
25 Americans, blacks, into newsrooms. And we looked

1 around or the organization looked around and there were  
2 just very, very few.

3 I have -- you know, I don't want to burden  
4 you, but I've got the figures, what the numbers were  
5 then. Maybe 3 percent or something like that.

6 And so we decided we wanted to get people who  
7 historically had been not recruited for newsrooms,  
8 exempted from newsrooms. People -- they just weren't  
9 in newsrooms, weren't represented. And so a whole  
10 variety of recruiting programs went on. The thing has  
11 gone up very slowly. We're only up to 11 percent right  
12 now.

13 COMMISSIONER GEORGE: Within the categories  
14 that have been defined as counting as minorities.

15 MR. WILLIAM WOO: Right.

16 COMMISSIONER GEORGE: Which does not include  
17 Arab Americans, doesn't include Southern Italians.

18 MR. WILLIAM WOO: It does not include those  
19 things. And the view of the organization back then --  
20 I was not a member of the American Society of Newspaper  
21 Editors when the program went into effect, although I  
22 later served on the Board of Directors of the  
23 organization. The idea was that there needed to be a  
24 special affirmative outreach and effort to bring into  
25 the newsroom certain groups that had been

1 systematically excluded from it. If not systematically  
2 excluded from it, accidentally excluded from it;  
3 however you slice it.

4 COMMISSIONER GEORGE: This being blacks.

5 MR. WILLIAM WOO: Yes. And these other three  
6 groups. All of which, incidentally, have their own  
7 institutional constituency within journalism.

8 There's organizations working for African-  
9 Americans or Hispanics or Native Americans or Asian-  
10 Americans, all of which I think are an enormously  
11 healthy development to hold editors' feet to the fire.

12 But that's the history, as best I can give it  
13 to you, of how the ASNE got into that counting  
14 business.

15 CHAIRPERSON BERRY: Mr. Woo, if I may  
16 interject just in the interest of time and say to  
17 Commissioner George that based on other briefings that  
18 we've had and reports we've done before on this  
19 subject, as I recall, the Society of Newspaper Editors  
20 decided to do what we call now people of color, based  
21 on first the Kerner Commission report which came after  
22 some riots and so on, and to focus its effort son  
23 increasing people of color, which was the distinction.

24 And when they said minorities in those days,  
25 they meant people of color.

1 MR. WILLIAM WOO: That's right

2 CHAIRPERSON BERRY: Which is how that  
3 happened. Am I correct? I think that's how it  
4 happened.

5 MR. WILLIAM WOO: You're correct. The first  
6 year I see here is 1978 when the things went into --  
7 that was quite a long time before I became an editor of  
8 a newspaper. And the percentage then was less than 4  
9 percent.

10 COMMISSIONER GEORGE: Well, this is a big  
11 issue. I think let us move on. But I'm sure it's one  
12 we'll be taking up in the future. Thank you.

13 CHAIRPERSON BERRY: Right. Yes.

14 Commissioner Horner?

15 COMMISSIONER HORNER: Yes. It sounds to me  
16 as if there are three issues that you all collectively  
17 have addressed, one of which I'd like to focus on. But  
18 the three are negative stereotyping, the kinds of lurid  
19 language -- you know, mysterious Asian-Americans or  
20 eliding Asians and Asian-Americans as one category.  
21 And I noticed that.

22 And what particularly made me notice that was  
23 having been sensitized by service on this Commission  
24 particularly to the way characterizations of African-  
25 Americans are handled. All I could think of when I saw

1 -- recollected the whole history of effort to make sure  
2 that African-Americans are properly handled in press  
3 characterizations was that there had been a huge  
4 disconnect between the way that African-Americans were  
5 more delicately handled now than say 20 years ago in  
6 press characterizations and there had been this huge  
7 learning experience for the press vis-a-vis African-  
8 Americans. And this total disconnect and what I would  
9 call total backsliding of journalistic -- general  
10 journalistic approaches when it came to Asian-Americans  
11 and particularly Chinese-Americans.

12           So, that's an issue that, to me, probably  
13 political pressure over time will resolve the question.

14           The second issue is the question of  
15 visibility of Asian-Americans in the press such that we  
16 don't first learn there are large numbers of Asian-  
17 Americans living in America if you don't live in a  
18 predominantly Asian-American community when there is a  
19 scandal. You don't have to wait until there are  
20 scandals to learn that.

21           And the observation I'd make on that is that  
22 people who become visible fall into several categories.  
23 One is you're a very powerful person and you make an  
24 important decision, so that gets reported in the  
25 newspaper and your face is there and your name is

1 there. And that is a matter of advancement within the  
2 political and business worlds, it seems to me, to  
3 enhance visibility.

4 Another way you do it is by breaking the law  
5 and doing something wrong. And that's not a desirable  
6 way to get in.

7 But the third way strikes me as having some  
8 possibilities here that haven't been discussed, and  
9 that is people get into the press and others learn  
10 about them because they fiercely make efforts at self-  
11 promotion. And I was struck by something Dr. Ahn said,  
12 which was when she and others began to receive the  
13 phone calls from Ernst & Young, one of the things that  
14 distressed some Asian-Americans was that this violated  
15 their sense of privacy.

16 And you made some remark to the extent -- to  
17 the effect that this was a stronger feeling among  
18 Asian-Americans, a desire for privacy.

19 So one of the questions I would raise is  
20 whether Asian-Americans have the habit that some other  
21 groups of Americans may have developed of promoting  
22 themselves so as to get on the front page of the Style  
23 section of The Washington Post. Those kinds of  
24 decisions are made as the newspaper editorial staff  
25 spins off competing self-promoters.



1           In my observation, there's a huge sorting out  
2 among those who present themselves. So if you don't  
3 present yourself, you know, you're never going to get  
4 in there.

5           So, I guess I would just put that out as a  
6 cultural habit that I personally disapprove of and  
7 dislike but that a lot of people are out there  
8 practicing. And it seems to work.

9           The final issue that I've heard emerge that I  
10 just want to ask the panel about is the question of  
11 issues of interest to Asian-Americans of all kinds and  
12 all origins as they are presented in the press. What I  
13 would like to know is if I were an editor of a  
14 newspaper, what would I imagine are issues of interest  
15 to say a second generation Chinese American which is  
16 different -- which would be different from generic  
17 issues.

18           I mean, if you live in the city of Los  
19 Angeles as a second generation Chinese American, is  
20 there something you're particularly worried about that  
21 doesn't have to do with potholes or education or  
22 something that is just utterly generic? Because I  
23 question whether there are such issues; would like to  
24 know what they are; and if I need to know what they  
25 are, then others obviously would, too.

1                   What are they? What are the issues?

2                   MS. LEE: I'd like to start by -- if I can,  
3 taking your question and changing it a little bit --

4                   COMMISSIONER HORNER: Okay.

5                   MS. LEE: -- because I feel that when we set  
6 ourselves up to say what are Asian-American stories,  
7 we're already starting to categorize ourselves. I  
8 would like to say to begin with that I would like to be  
9 portrayed.

10                   One thing I'm doing some research on is  
11 Asian-American actors and the one thing that stood out  
12 when they talked to me was they could not get any roles  
13 today cast as the guy next door. They were always  
14 asked to be the green grocer, the gambler, the dope  
15 dealer, the immigrant that couldn't speak English. To  
16 this day, Asian-American actors, very talented, most of  
17 them are still doing these roles.

18                   That's a mirror of what's happening in our  
19 society culturally.,

20                   COMMISSIONER HORNER: And that would be an  
21 issue of race or --

22                   MS. LEE: Right. So let's start by saying we  
23 are your neighbors. We are the guy next door. We mow  
24 lawns. We coach Little League. We do all that stuff.

25                   So when you start and do a story on Little

1 League, include us. Not as the other, but let's start  
2 with inclusion rather than what are Asian-American  
3 stories. I think that's a beginning.

4 In other words, if you're going to say let's  
5 go find the model minority, that categorizes us  
6 immediately. I say let's go the other way.

7 COMMISSIONER HORNER: So your preference  
8 would be not to encourage newspapers to respond on  
9 issues of particular interest?

10 MS. LEE: Yes. Which they are doing now.  
11 They're doing stories on immigration; how a certain  
12 group like the Mongs are affecting communities in  
13 Wisconsin because of their presence.

14 When Asians are mentioned in the media time  
15 and time again it's related to issues that affect the  
16 larger society. And I'm saying if you want to talk  
17 about coverage, good coverage of Asian-Americans, stop  
18 treating us like the other.

19 CHAIRPERSON BERRY: Anyone else have  
20 comments?

21 MS. ZIA: May I just say also I don't think  
22 what Professor Lee is saying is to imply that there are  
23 no ways of dealing with Asian concerns in particular.  
24 That they're not just all blended in. And as a  
25 journalist and an editor, the thing is that the stories

1 that concern Asian-Americans I would say are the same  
2 as the thing that concern everybody else. Because the  
3 essence of your question is to say how do Asian-  
4 Americans go through life differently.

5 COMMISSIONER HORNER: My assumption would be  
6 they don't except for particular issues having to do  
7 with race.

8 MS. ZIA: And I would say that, yes, but  
9 that's a big difference.

10 And so, for example, I was just thinking this  
11 week, this week being the 5th, what significance does  
12 this have to anybody here? I find it interesting that  
13 this hearing is happening December 5th. Two days from  
14 now is December 7th. Some people -- that might jog a  
15 memory to say, oh, Pearl Harbor Day, that day that will  
16 live in infamy.

17 I actually have a calendar hanging up on my  
18 wall that I flipped open to December. And  
19 December 7th, it says Pearl Harbor Day on it.

20 And for me as an Asian-American to go through  
21 this week, I have a certain anxiety on December 7th  
22 because actually that happens to be a day of particular  
23 targeting of Asians, up to physical attacks and so  
24 forth but as well as verbal abuse. So every  
25 December 7th, I kind of look out like I check the

1 weather of what might be coming down the way.

2 So that's a particular one.

3 MS. MANSFIELD-RICHARDSON: I would argue that  
4 there are issues that are beyond race that might be of  
5 particular interest to particular groups of Asian-  
6 Americans. Certainly cultural issues.

7 I mean, if you're a 67-year old immigrant and  
8 you might live a very different life from your  
9 grandchildren. And oftentimes the Chinese culture is  
10 very different from Bangladeshi cultures, is very  
11 different from Thai culture, and the various  
12 differences.

13 I mean, for example, Japanese Americans were  
14 traditionally much more involved in politics than  
15 Chinese Americans or other groups of Asian-Americans.  
16 Filipino Americans, I believe they're the third largest  
17 group of Asian-Americans. No. I think they're the  
18 second. Excuse me.

19 And when you ask people what's the second  
20 largest group of Asian-Americans, they would never  
21 guess Filipino Americans because they're not covered.  
22 They're not considered to be close knit or whatever.

23 COMMISSIONER HORNER: Do you think it's a  
24 good idea though to write stories that could reinforce  
25 stereotypes that may be in transition?

1 MS. MANSFIELD-RICHARDSON: I think your  
2 question might be coming from the way I was describing  
3 the method of my content analysis, which is sort of a  
4 classic scientific method where you take a lot of  
5 different ways, key words, to search to find articles  
6 that might address a particular areas or subject.

7 And it wasn't just two key words of Asian and  
8 Americans. I said it was a 198 key words. And on top  
9 of that, 123 names.

10 So, the answer to your question is I think  
11 it's important to cover stories that might actually be  
12 of interest to Asian-Americans but pertain to an entire  
13 community. And I think it's important to realize that  
14 there are many issues and that, as you said, Little  
15 League is just important to Asian-Americans as it is to  
16 Italian Americans.

17 So I don't think you can say -- well, then  
18 it's racist or it's not right to cover stories that are  
19 specifically about this group. It's responsible to  
20 cover all the news that's relevant.

21 MS. LEE: I don't mean to say that it's not.  
22 The example is the very successful voter registration  
23 drive in California this time around. That's a  
24 wonderful story. That's a very American political  
25 story. I haven't seen it.

1           In my search, I saw it in two newspapers.  
2 That was it. I mean, that's historic for the Asian  
3 community. And that's the kind of Asian-American story  
4 which is part of the political process that I'm talking  
5 about that goes to a certain connectedness that  
6 reflects something that is happening in the community..  
7 But none of that stuff -- that's -- hey, you know,  
8 Asians in the White House? On the dole? That's a  
9 story that the media wants to pick up.

10           See, that's the difference, I think.

11           MR. WILLIAM WOO: I think that one of the  
12 things, when you get more senior editors who are Asian-  
13 Americans in the newsroom and you get a story like that  
14 coming across, I can tell you that I'd have jumped on  
15 that story. This is something really of interest. But  
16 I think that this doesn't resonate often and it just  
17 doesn't get into the paper.

18           MS. LEE: But, you know, that's what I'm  
19 saying. A savvy editor will turn around and say, hey,  
20 this is Boston, this is New York City. What's  
21 happening with our voter registration drives locally.

22           You can take that story and make it a local  
23 story.

24           MR. WILLIAM WOO: Who else is doing voter  
25 registration stories?

1           CHAIRPERSON BERRY: Does any other  
2 Commissioner have a question?

3           It occurred to me -- and I'll recognize you.  
4 It occurred to me that nowhere in this discussion has  
5 it been noted that perhaps this got coverage, the whole  
6 campaign finance relationship with Asian-Americans and  
7 so on, because we're talking about the highest levels  
8 of American politics? I mean, if we were talking about  
9 somebody contributing money and having relationships to  
10 the Mayor of Ipswich, wherever that is, perhaps it  
11 wouldn't have been covered. But if you're talking  
12 about the White House and you're talking about  
13 Presidents and Members of Congress and people like  
14 that, I mean that means in a sense a much bigger story  
15 that people would be interested in.

16           And then if you can relate it to Asian-  
17 Americans -- I'm merely asking. It just occurred to me  
18 while I was sitting here and you were talking about how  
19 the press decides what stories to pursue.

20           It might also be the case that if it's a  
21 campaign finance violation and there are allegations of  
22 wrongdoing at the highest levels and it's settled, as  
23 in the Fireman story that was on page 4 or 6 or  
24 whatever, and there's no continuing saga to go on for  
25 days and days and days, that's different from being on



1 the trail of an investigation that goes on and on and  
2 in and out. And every time you can mention White  
3 House, every time you can mention that, you've got the  
4 whole White House news apparatus, all those press  
5 people who cover it and so on.

6 I mean, maybe that had something to do with  
7 it. I don't know the answer to that. And you can  
8 either comment on that or say whatever you intended to  
9 say when you raised you hands and ignore me. But that  
10 would be fine. It occurred to me that that's a query.

11 Yes.

12 MS. ZIA: I think that's a very logical  
13 question, that the news asks itself. Is this not --  
14 were we not going in the direction that the clues  
15 pointed. We saw smoke. Therefore, we assumed fire and  
16 we kept looking.

17 And I think to a degree that was so. And in  
18 fact, we are obligated to do that whether it's Asian-  
19 Americans or any other particular group.

20 However, I would also say, -- if I didn't  
21 just lose my train of thought --

22 CHAIRPERSON BERRY: It's all right. If you  
23 did, we'll come back to you. It happens. We'll come  
24 back to you.

25 VICE CHAIR REYNOSO: Let me ask you something

1 and maybe it will bring back your thought, if I might.

2 CHAIRPERSON BERRY: Got right ahead, Vice  
3 Chair.

4 VICE CHAIR REYNOSO: It strikes me that maybe  
5 the confusion of Asian-Americans with Asian nationals  
6 in different countries may not have been all that  
7 innocent. I remember being struck by an article I read  
8 that said that some Japanese company interests had  
9 bought a small but significant interest in the  
10 Rockefeller Center. And it made headlines in all the  
11 financial papers. And so some editors were asked about  
12 it and they said, well, we thought the American public  
13 would be interested in knowing that foreign interests  
14 have gotten hold of something that's as all-American as  
15 the Rockefeller Center.

16 But then the article went on to note that a  
17 British company had bought the entire Holiday Inn chain  
18 and it said what could be more all-American than  
19 Holiday Inn. Yet not one headline and very few  
20 articles were published about that.

21 And so the editors worry about what will  
22 sell. And maybe the story, this political story would  
23 sell more if it was somehow confused in terms of  
24 foreign nationals, et cetera, et cetera, and sort of  
25 soft pedal the fact that all those folk were American

1 citizens.

2 Am I being too cynical now?

3 MR. WILLIAM WOO: I think one of the things  
4 that affect that particular story that you mentioned is  
5 that it takes place at the very moment when rising  
6 Asian economies are seen as a threat to our economy or  
7 a threat to our jobs in a way that the declining or  
8 rising British economy may not be.

9 And I think that was a big theme throughout.  
10 You'll see it everywhere. The now toothless tigers.

11 MS. MANSFIELD-RICHARDSON: In answer to your  
12 question, Ms. Berry, I would say it is no so much that  
13 the story took place at the White House. I mean --  
14 yes, that makes it significant. It is a significant  
15 story to cover. It's the way the story is covered.

16 And I would like to quote one of our earlier  
17 guest speakers who said -- she asked who took Asian-  
18 Americans down this road. And that's the problem is  
19 that the coverage has implied that Asian-Americans have  
20 been taken down a road when in fact they haven't been  
21 taken down a road at all. Most of them didn't do  
22 anything illegal. Most of them did something very  
23 patriotic in the eyes of a lot of people.

24 I think you also have to realize one of the  
25 things that I teach my students in my media ethics

1 class and in international mass communications is that  
2 we are all subject to racial stereotypes whether we're  
3 white, black, Jewish, Catholic, whatever.

4           And you have to keep in mind that if the  
5 majority of the editors and producers in this country  
6 are older white males who are 50 and above most  
7 likely -- I'm talking senior editors and senior  
8 producers -- that they have lived through World War II  
9 and that Pearl Harbor Day is significant to them and  
10 that their views of the world are shaped very  
11 differently than my students' view of the world when I  
12 can't even get across to them why there's a problem if  
13 journalists accept various payments to speak at  
14 institutions; why there might be a conflict of interest  
15 there.

16           I mean, you're looking at people who grew up  
17 in very, very different worlds. And that, whether it's  
18 innocent or deliberate affects their outlook.

19           CHAIRPERSON BERRY: We'll take one more.

20           VICE CHAIR REYNOSO: She remembered.

21           MS. ZIA: Yes, I did remember about your  
22 question on why the reporters went in a particular  
23 direction or investigation and why that led to the  
24 White House.

25           And I just wanted to say as far as a

1 reporter, as a journalist, as somebody who has done  
2 investigative reporting, I think we all have a belief  
3 that if you point us in any direction and pick up that  
4 rock, we will find something.

5           And so there is an aspect of it that, yes,  
6 part of the trail led there. But then being there  
7 accounts for quite a bit of it. If we just keep  
8 digging, we will find something. And that could have  
9 been at the Kramers or at the Firemans. In this case,  
10 it wasn't. And some up to perhaps 90 percent of those  
11 resources of journalism ended up at the Hwongs, Chung  
12 and Tries and not at the Firemans. But had some of  
13 those resources, some small percentage of those  
14 resources gone in that direction, I'm sure we would  
15 have found things as a journalist.

16           CHAIRPERSON BERRY: Okay. Well, I want to  
17 thank the panel very much. I want to thank all of the  
18 panelists. And I want to say for the Commission that  
19 we hope that today's briefing has helped to air and  
20 illuminate these issues that were raised in the  
21 petition and that we have educated ourselves and the  
22 public and we will be pursuing some of these issues in  
23 the future. Thank you very much.

24           (Whereupon, the proceedings were concluded at  
25 2:15 p.m.)

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SEDRIC BAKER  
Official Reporter.

Dated: DECEMBER 5, 1997

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