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## Reminder: 2024/01/08 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held via Zoom on Monday, January 8, 2023, starting at 1:55 pm ET.

In addition to updates by Joanna Derman, Director, Advancing Justice | AAJC and Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum (AASF), confirmed and invited speakers include:

- Rep. **Judy Chu 赵美心**, Chair of the Congressional Asian Pacific American Caucus, to kick off the New Year with us by reviewing 2023 and looking to what is ahead in 2024.
- **Haipei Shue 薛海培**, President, United Chinese Americans (UCA), **Hongwei Shang 商红伟**, and **Echo King 金美声**, Co-Founders of Florida Asian American Justice Alliance (FAAJA) to give us a report on December 16 Justice4All protest in Miami.
- **Ted Gong**, Executive Director of the 1882 Foundation will introduce the 1882 Project, 1882 Foundation, and its upcoming activities in 2024, and **Martin Gold**, Pro Bono Counsel, 1882 Project; Partner, Capitol Counsel, LLC, on a future lecture.
- Dr. **Yawei Liu 刘亚伟**, Senior Advisor, China Focus, Carter Center to introduce us to the China Focus at the Carter Center and the upcoming Conference for the 45th Anniversary of U.S.-China Relations in Atlanta.

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

## Opposition to Revive "China Initiative"

ASIA

**House bill aims to restart controversial DOJ program that targeted Chinese academics**

JANUARY 2, 2024 · 5:06 AM ET

HEARD ON MORNING EDITION

Emily Feng

**AASF**  
Asian American Scholar Forum

AASF to AP, NPR: Proposal to Reinstate China Initiative Heightens "Chilling Effect" Among Asian American Scholars

The Department of Justice (DOJ) ended the China Initiative nearly two years ago. It targeted mostly ethnic Chinese academics and their links to China. The program was stopped after criticism of racial profiling. Now, a proposed House spending bill wants to bring the initiative back.

According to a NPR report on January 2, 2024, about 90% of the more than 70 cases prosecuted under the initiative involved people who were ethnically Chinese. Just about a quarter were convicted and usually for much lesser charges. Charges against MIT Professor **Gang Chen** were all dismissed - he had done nothing wrong, but the damage has been lasting on him and his wife. Professor Chen told NPR, "The China Initiative has fundamentally harmed the U.S. competitiveness. The biggest competition is on talents. And that really deterred a lot of talents coming to the U.S."

NPR also interviewed **Gisela Perez Kusakawa**, Executive Director at the Asian American Scholar Forum, **John Yang**, president of Advancing Justice | AAJC, and **Baimadajie Angwang**, New York Police Department Officer who was also charged with being an unregistered foreign agent for China under the China Initiative and also had all the charges against him dismissed.

Read the NPR report: <https://n.pr/3NPexgA>.

On December 7, 2023, a coalition of over 50 organizations wrote to Congressional leaders **Chuck Schumer**, **Mitch McConnell**, **Mike Johnson**, and **Hakim Jeffries** to voice their concerns and strong opposition to reinstate the "China Initiative." Read the letter: <https://bit.ly/47oQP1F>.

## Alien Land Laws Among Top Community Concerns in 2024

South China Morning Post

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Congressional Research Service  
Informing the legislative debate since 1914

**Legal Sidebar**

China

**Chinese land ownership in US down 2 per cent in 2022 amid heightened national security concerns**

Listen to this article ▶

State Regulation of Foreign Ownership of U.S.  
Land: January to June 2023

In 2023, an onslaught of federal and state legislation was started to prohibit property ownership by citizens of foreign countries (i.e. “alien land laws”). It has raised alarm and response throughout the Asian American community and is expected to continue in 2024.

According to a Legal Sidebar by the Congressional Research Service (CRS), during the first six months of 2023, at least 15 states enacted legislation regulating foreign ownership of real property. A group of plaintiffs filed a legal challenge to one state law—Florida’s Senate Bill 264 (SB 264)—arguing that it violates their constitutional rights, does not comport with the federal Fair Housing Act, and is preempted by federal law.

The U.S. Department of Justice has filed a Statement of Interest in the case supporting the plaintiffs’ motion for a preliminary injunction and arguing that the Fair Housing Act bars SB 264. The statute declares invalid “any law of a State” that permits or requires a discriminatory housing practice. In addition, the United States argues, SB 264 violates the Equal Protection Clause, because it discriminates based on alienage and national origin without justification. While the federal government has more leeway in regulating alienage, the United States explains, state classifications singling out aliens must be narrowly tailored in pursuit of a compelling government interest. The United States maintains that the law “will not advance the State’s purported goal of increasing public safety,” as Florida has not identified “any legitimate connection between protecting the State” and barring individuals of certain nationalities from owning real property. Plaintiffs, the United States points out, are not members of the PRC government or of the Communist Party of China and are not representatives of their country of origin.

Read the CRS Legal Sidebar: <https://bit.ly/41N2QwM>

According to the *South China Morning Post* on December 16, 2023, Chinese land ownership in US was down 2 per cent in 2022 amid heightened national security concerns. Agriculture Department data reveals holdings fell to nearly 350,000 acres, just shy of 1 per cent of all foreign-held American land.

Read the *South China Morning Post* Report: <https://bit.ly/48MC4qR>

*The New York Times*

## Ron DeSantis ‘Banned China From Buying Land in the State of Florida.’ How Did We Get Here?

Dec. 11, 2023

According to a *New York Times* opinion by Professor **Mae Ngai** of Columbia University, her parents faced discrimination when attempting to buy land in northern New Jersey due to their Chinese heritage in the 1950s. This discrimination was part of a broader history of racial segregation in the United States, with practices like racial covenants and alien land laws preventing certain groups, including Asians, from owning property. Fast forward to the present day, similar discriminatory measures are resurfacing, with some states passing laws to restrict Chinese nationals, Chinese-owned companies, or the Chinese government from buying land near critical infrastructure like military facilities and airports. Several states have already implemented such laws, with others considering similar measures, and some proposals have been introduced at the federal level targeting foreign land ownership.

Citing national security concerns as a reason to prevent foreign adversaries and entities from owning U.S. property, these laws, exemplified by Florida's land bill, target Chinese nationals and companies, promoting a view that associates all Asians, especially Chinese people, with being enemies of America. This echoes a long history of discriminatory legislation dating back to the "yellow peril" fears of the 19th century, which restricted Asian rights and immigration.

The contemporary wave of anti-Chinese measures is not entirely new; it was exacerbated during the Trump administration, blaming China for the COVID-19 pandemic, resulting in racist assaults on Asian Americans. Policies like the China Initiative, initially aimed at intellectual property theft, unfairly targeted Chinese and Chinese American academics without evidence of wrongdoing. Although disbanded, it left a chilling effect on ethnic Chinese scientists in the U.S., affecting their job security and deterring future talent from coming to the country.

The justification for these measures, rooted in national security concerns, seems overstated. Statistics show that the ownership of agricultural land by foreign nationals, especially Chinese, is minimal, contradicting the perceived threat. The narrative framing China as an adversary serves political expediency but carries severe consequences, including racial harassment and discrimination against Asian Americans.

While the Biden Administration has attempted to ease tensions, like President **Joe Biden's** meeting with President **Xi Jinping** and calls for trade relationship "derisking," the persistent linkage of trade and national security perpetuates discrimination against Chinese and Asian Americans. This echoes a history of injustice, such as the internment of Japanese Americans during World War II, which took decades to receive an official apology.

Professor Ngai's parents, immigrants from China, eventually found success in their careers and in buying a home, benefiting from the civil rights gains. However, they would likely express concerns about current U.S. policies towards China today, recognizing the potential impact and targeting of individuals like themselves due to their heritage.

Read the *New York Times* opinion: <https://nyti.ms/3H9GLiE>

Press Releases

**Committee of 100 Denounces Recent Alien Land Laws, Launches Database to Track Harmful Legislation**

**15th December 2023**

On December 15, 2023, the Committee of 100 (C100) issued a statement to denounce the legislation in Florida, Texas and additional states that would limit the ability of non-U.S. citizens to purchase land in their state. To track the recent surge of legislation prohibiting property ownership by Chinese citizens (including permanent residents) across the U.S., C100 launched a new database that identifies and explains such legislation considered, and in some cases passed, by Congress and state governments.

The webpage features an interactive map of the United States that visually demonstrates the data. The data can be filtered by the provisions included in the legislation, including the types of entities prohibited from owning property (e.g. Chinese citizens, businesses headquartered in China) and the types of properties prohibited from ownership (e.g. residential, commercial, agricultural property).

C100's database, tracking the legislation and documenting resources on the subject, will be updated on a quarterly basis.

Read the C100 announcement: <https://bit.ly/41NWtJG>

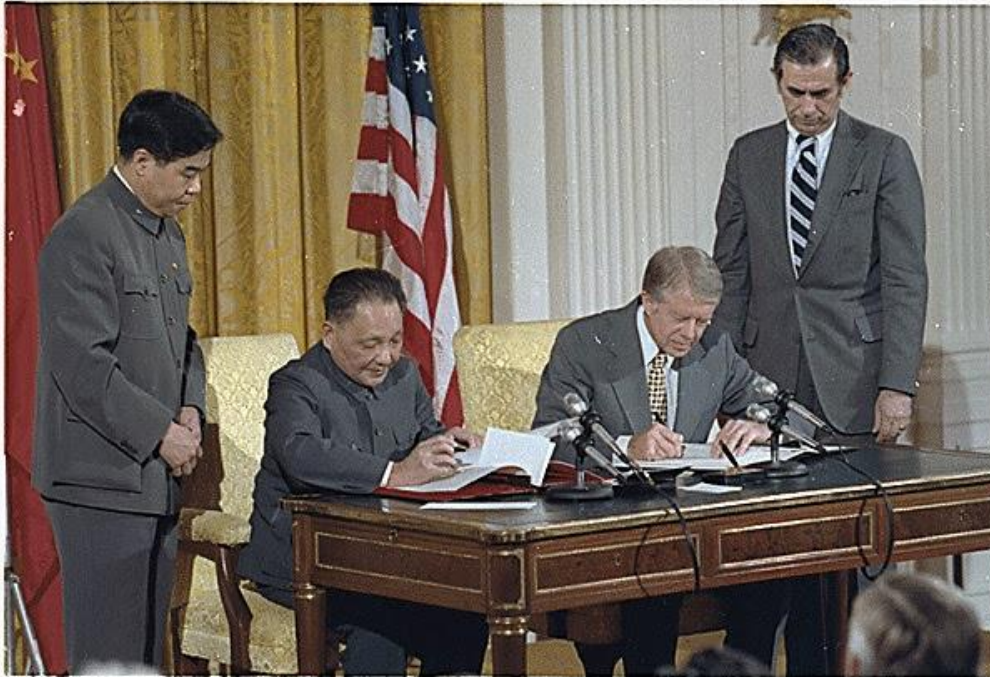


On December 16, 2023, hundreds braved a stormy day in Miami to protest the unfair legislation of Florida's SB264 and SB846 state laws. The rally was an urgent call for unity and justice, aiming to bring together concerned citizens of all backgrounds and all ethnicities in opposition to

injustice and unfair treatment going on in Florida right now. Elected officials and community leaders from across the country actively participated and delivered inspirational speeches.

Visit the FAAJA website at <https://www.faja.org/> for more reports. Read the West Orlando News report: <https://bit.ly/3TRilpl>

## 45th Anniversary of US-China Diplomatic Ties



According to multiple media reports, President **Joe Biden** and President **Xi Jinping** exchanged greetings on January 1, 2024, which marked the 45th anniversary of US-China diplomatic ties.

The two countries are trying to restore relations that have reached their most confrontational point in the 45 years since ties were established in 1979. Beijing and Washington officially established ties on January 1, 1979, based on agreements reached after years of negotiations. On the same date, Washington officially switched diplomatic recognition from Taipei to Beijing.

In his letter to Biden, Xi said the establishment of diplomatic relations between China and the US was a “major event” in the history of bilateral and international relations. “Over the past 45 years, China-US relations have gone through ups and downs but have generally moved forward, which has not only enhanced the well-being of the two peoples, but also promoted world peace, stability and prosperity,” he said.

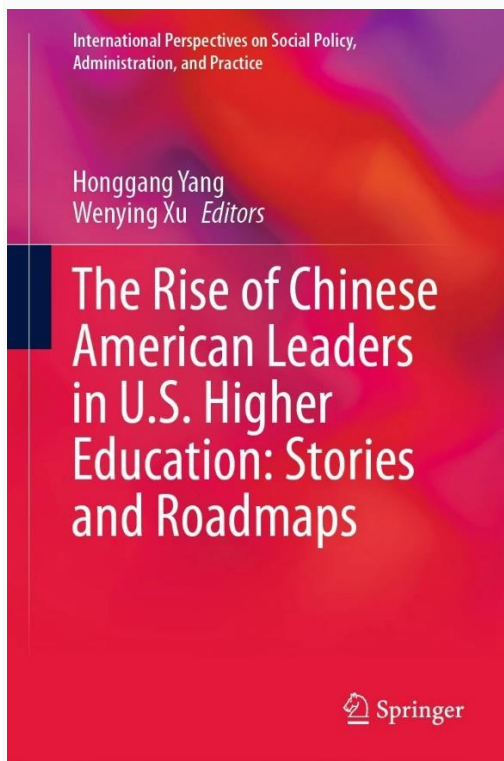
Biden responded that since the establishment of diplomatic relations in 1979, the relationship between the US and China had promoted prosperity and opportunities for the US, China and the world. “I am committed to responsibly managing this important relationship. I look forward to

building on the progress made by our predecessors and our many meetings and discussions as we continue to advance the US-China relationship,” Biden said.

The Carter Center will honor President **Jimmy Carter** and commemorate the 45th anniversary of the normalization of U.S.-China relations during a conference in Atlanta on January 9, 2024. World-renowned experts will participate in panel discussions on different dimensions of the U.S.-China diplomatic, military, and economic relationship. A gala dinner to celebrate President Carter’s legacy promoting peace in East Asia will follow the conference in the evening. Both events are open to the public.

For more information, visit <https://bit.ly/3TQYG58>

## **Book: The Rise of Chinese American Leaders in U.S. Higher Education: Stories and Roadmaps**



A new book titled "The Rise of Chinese American Leaders in U.S. Higher Education: Stories and Roadmaps" has been published by Springer Nature.

It is a collection of 36 stories and reflections that represent Chinese American leaders and depict their tortuous journeys in U.S. higher education that comes at a critical point in time. Many books have been devoted to academic leadership, but this volume uniquely focuses on subjects most relevant to Chinese Americans. We live at a time that not only witnesses an

increase in Chinese American leaders on U.S. campuses but also mounting incidents of discriminatory treatment of this group. They represent leaders holding different ideological values in various academic fields, positions, stages of careers, professional trajectories, generations, Chinese ethnic groups, and geographical locations.

Read more about the book at <https://bit.ly/48eNQu5>. If you wish to submit a formal review of the book, please visit: <https://bit.ly/48p7J1t>.

## News and Activities for the Communities

### 1. APA Justice Community Calendar

#### Upcoming Events:

- 2024/01/08 APA Justice Monthly Meeting
- 2024/01/09 The Jimmy Carter Forum on US-China Relations in Honor of 45th Anniversary of Normalization
- 2024/01/20 White House Initiative AA and NHPI Economic Summit in Metro Atlanta
- 2024/01/17 Committee of 100 - Are Asian Americans Paid Less in Business?
- 2024/02/04 Rep. Gene Wu's Town Hall Meeting
- 2024/02/05 APA Justice Monthly Meeting
- 2024/03/03 Rep. Gene Wu's Town Hall Meeting

Visit <https://bit.ly/45KGyga> for event details.

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