

## In This Issue #196

- TODAY, July 18: Federal Court Argument Over Florida's New Discriminatory Housing Law
- Texas' TikTok Ban Hit With First Amendment Lawsuit
- Who Needs Chinese Scientists? America Does
- National Academies Roundtable Proceedings
- News and Activities for the Communities

## TODAY, July 18: Federal Court Argument Over Florida's New Discriminatory Housing Law



FLORIDA ASIAN AMERICAN JUSTICE ALLIANCE INC

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### **TUESDAY, July 18: Florida Asian American Justice Alliance (FAAJA) to Hold Rally Against Florida's Racist Housing Law in Tallahassee**

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**TALLAHASSEE** — FAAJA, the Florida Asian American Justice Alliance and the Yick Wo Institution will hold a protest rally on Tuesday, July 18, denouncing the discriminatory Senate Bill 264 "Interests of Foreign Countries" Act. This demonstration will consist of a multiracial, multi-state coalition of concerned citizens, some of whom will be traveling in "freedom buses" to Tallahassee the morning of the hearing to support the civil rights of all US citizens and residents.

Reminiscent of the "freedom rides" of the 1960s civil rights movement, these protestors have embraced the color YELLOW to symbolize the fight for the rights of the AAPI community. Those attending the rally in front of the courthouse will be wearing yellow.

FAAJA was created after many Chinese Floridians, Chinese American groups, and countless other supporters protested in Tallahassee on April 19, 2023, against the passage of this bill, which violates Floridians' civil rights and liberties. Despite FAAJA's efforts, this unjust bill was signed into law on May 8, 2023, and took effect on July 1, 2023.

The lawsuit *Shen v. Simpson* was filed on May 22, 2023, by several Chinese living in Florida. They are represented by the DeHeng Law Offices PC, the American Civil Liberties Union (ACLU), and the Asian American Legal Defense and Education Fund (AALDEF) in conjunction with the Chinese American Legal Defense Alliance (CALDA). On June 27, the United States Department of Justice filed an amicus brief in support of plaintiff's motion for a preliminary injunction challenging this prejudicial new law. Nineteen other groups have also express their support for the injunction.

This Tallahassee rally is supported by many major organizations with diverse backgrounds including APA Justice Task Force, Committee of 100 (C100), Chinese for Affirmative Action (CAA), Japanese American Citizens League (JAACL), Greater Houston League of United Latin American Citizens (GH LULAC), National Association for the Advancement of Colored People (NAACP), Stop AAPI Hate, United Chinese Americans (UCA) and more.

The emergency motion is scheduled to be heard at the United States Courthouse in Tallahassee on Tuesday, July 18, 2023, at 1:30 P.M. ET. The time and location of the press conference will be announced later.

FAAJA hereby urges the court to rule in favor of the plaintiffs' request for a temporary injunction and against this unfair treatment of certain targeted groups of people based on their race and country of origin.

Working to advocate for and advance justice and equality for the AAPI community and all Floridians!

**WHAT:** The U.S. District Court of the Northern District of Florida will hear arguments in [Shen v. Simpson](#). A press conference with the legal team and community leaders will follow.

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**WHEN:** Tuesday, July 18, 1:30 p.m. ET

**WHERE:** Joseph Woodrow Hatchett U.S. Courthouse and Federal Building, 111 N. Adams St., Tallahassee, Florida

**Court information:** <https://www.flnd.uscourts.gov/tallahassee>

On July 18, 2023, the U.S. District Court of the Northern District of Florida will hear arguments in Shen v. Simpson, a lawsuit challenging Senate Bill 264, a new Florida law banning many Chinese immigrants, including people here lawfully as professors, students, employees, and scientists, from buying a home in large swaths of the state. This law also unfairly discriminates against immigrants from Cuba, Venezuela, Syria, Iran, Russia, and North Korea, but it singles out people from China for especially draconian restrictions and harsher criminal penalties.

The lawsuit Shen v. Simpson was filed on May 22, 2023, by four Chinese immigrants who live, work, study, and raise families in Florida, but are now prohibited from purchasing real estate there, as well as a local real estate firm whose business will be affected. The plaintiffs are asking the judge for a preliminary injunction to immediately block the law and declare it unconstitutional.

The Chinese immigrants and real estate firm are represented by the DeHeng Law Offices PC, the American Civil Liberties Union (ACLU), the ACLU of Florida, the Asian American Legal Defense and Education Fund (AALDEF), and the law firm Quinn Emanuel in conjunction with the Chinese American Legal Defense Alliance (CALDA). On June 27, the United States Department of Justice filed an amicus brief in support of plaintiff's motion for a preliminary injunction challenging this prejudicial new law. Nineteen other groups have also express their support for the injunction.

**Ashley Gorski** from ACLU and **Clay Zhu** from DeHeng Law Office will be in court arguing that this law violates the plaintiffs' constitutional right to equal protection under the law and codifies and expands housing discrimination against people of Asian descent — something expressly forbidden by the Fair Housing Act.

Florida Asian American Justice Alliance (FAAJA) and the Yick Wo Institution will hold a protest rally on July 18, denouncing the discriminatory SB 264 "Interests of Foreign Countries" Act. This demonstration will consist of a multiracial, multi-state coalition of concerned citizens, some of whom will be traveling in "freedom buses" to Tallahassee the morning of the hearing to support the civil rights of all US citizens and residents.

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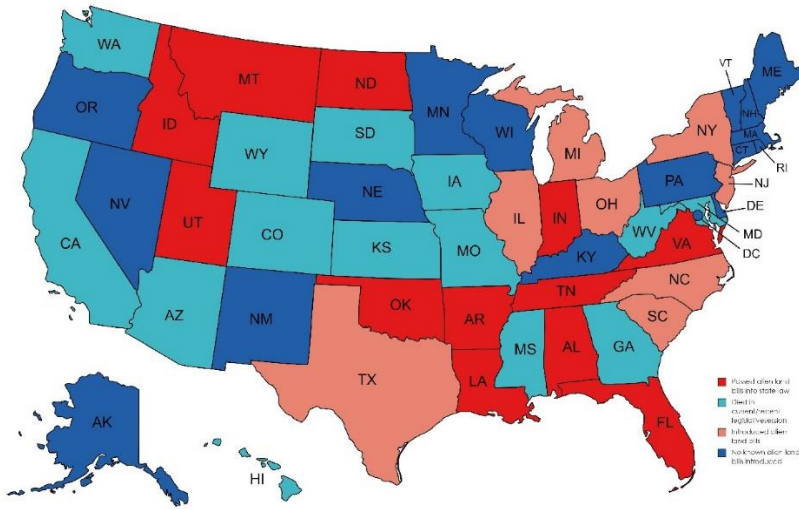
FAAJA hereby urges the court to rule in favor of the plaintiffs' request for a temporary injunction and against this unfair treatment of certain targeted groups of people based on their race and country of origin.

Read more coverage of the hearing by APA Justice: <https://www.apajustice.org/>

2023/07/11 Shen v. Simpson Document 65: [Plaintiffs' Report in Support of Their motion for a Preliminary Injunction.](#)



## Update on Alien Land Bills



07/12/2023 APA Justice

On June 27, 2023, Louisiana Governor signed House Bill 537 into state law. It becomes effective on August 1, 2023.

Follow the tracking map and state-by-state list of alien land bills at <https://bit.ly/43oJOYI>. Read APA Justice's full coverage of Alien Land Bills: <https://bit.ly/43epBcl>

## Texas' TikTok Ban Hit With First Amendment Lawsuit

PRESS STATEMENT

### Researchers and Knight Institute Challenge Constitutionality of Texas TikTok Ban

Lawsuit says ban compromises academic freedom, impedes vital research

JULY 13, 2023

**COALITION FOR INDEPENDENT TECHNOLOGY RESEARCH V. ABBOTT**

A case challenging the application of Texas's TikTok ban to public university faculty



Rob Dobi

According to a press statement on July 13, 2023, researchers and the Knight First Amendment Institute at Columbia University have filed a lawsuit on behalf of the Coalition for Independent Technology Research, asserting that Texas's TikTok ban, initially imposed by Texas Governor **Greg Abbott** last year, violates the First Amendment. The ban requires all state agencies, including public universities, to bar employees from downloading or using TikTok on state-owned or -issued devices or networks, as well as on personal devices used to conduct state business. The lawsuit challenges the ban's application to public university faculty, asserting that it compromises academic freedom and impedes vital research.

The Coalition for Independent Technology Research is a group of academics, journalists, civil society researchers, and community scientists that works to advance, defend, and sustain the right to study the impact of technology on society. The coalition's members include professors at public universities in Texas whose research and teaching have been compromised by the ban.

Texas is not the only state to have enacted a TikTok ban of one kind or another. At least 35 states have banned TikTok on state devices and networks. State university systems or universities in 20 states have banned TikTok on university devices, university networks, or both. Montana passed a ban in May 2023; two lawsuits have been filed challenging that law, one by TikTok and another by TikTok users.

[Coalition for Independent Technology Research v. Abbott \(1:23-cv-00783\)](#) was filed with the Western District of Texas Austin Division.

Read the press statement by the Knight First Amendment Institute: <https://bit.ly/43r7W0Q>

## Who Needs Chinese Scientists? America Does



*Photo by Edward Jenner*

According to an opinion published by *LA Progressive* on July 11, 2023, outside the halls of Congress, where alarm bells constantly go off about the Chinese threat, scientists, research laboratory directors, and university officials recognize what a resource the Chinese scientists are.

**Xie Xiaoliang** is one of Harvard's premier scientists, a biophysical chemist known for his work on DNA. He's leaving Harvard to take an academic position in his home country, China, one of about 1400 top Chinese scientists who in recent years have given up their US positions and returned to China.

The reason is not so much China's "Thousand Talents" program, which seeks to entice scientists to return home with promises of lucrative academic and research positions. It's the lingering effects of the Trump and Biden justice department's China Initiative.

That program sought—with outstanding failure—to weed out Chinese scientists, including Chinese Americans, who were supposedly committing economic espionage. The University of Michigan's president was among many major university leaders who wrote to the US attorney general to complain about the unfairness of the China Initiative, pointing out its racial profiling, lack of evidence of wrongdoing, and pressure on the university to "investigate researchers who are singled out only because of their personal or professional connections with China." The open letter was signed by the overwhelming majority of Michigan faculty.

The China Initiative has ended, but the careers of a number of prominent scientists of Chinese descent in the US were ruined or set back. Fear stalks Chinese visitors and citizens alike.

Put simply, the scientific research of Chinese scientists is crucial to international scientific collaboration (**Karin Fischer**, *The Chronicle of Higher Education*, *Latitudes*, June 14, 2023).

There is, to be sure, reason for caution on national security grounds. Concern about research findings here being conveyed to the Chinese military is real. U.S. universities are well aware of the problem and have developed guidelines for collaborative research with security implications.

But overwhelmingly, the view at universities and research facilities is that our society and economy would pay a high price if Chinese scientists were suddenly barred from entry. That means US "visa processes should be streamlined, backlogs cleared and talented individuals given expanded opportunities to obtain green cards," says one writer long involved in promoting US-China ties.

Congress isn't listening, however; right-wing members, with some support from liberals, believe any contact with Chinese scientists is a national security danger. Recently, 10 Republicans on Rep. **Mike Gallagher's** special committee on China wrote Secretary of State **Antony Blinken** to urge that the U.S. scrap the 1979 US-China Science and Technology Agreement, which is up for renewal. That agreement supports cooperation on many scientific projects in agriculture, physics, and the atmosphere, among other areas.

Let's remember that no one appreciates academic freedom more than visitors from China and other countries under authoritarian rule. When that freedom is violated by harassment and

suspicion, [word gets back to China](#) very quickly, and the rewards for returning to China, in money and prestige, become tantalizing.

Academic freedom is under assault in the U.S. for other reasons these days. It is in our self-interest to protect it from those who really don't have the national interest at heart.

**Mel Gurtov**, author of the opinion, is Professor Emeritus of Political Science at Portland State University (Oregon) and (from 1994 to 2017) Editor-in-Chief of *Asian Perspective*, an international affairs quarterly.

Read the *LA Progressive* opinion: <https://bit.ly/3XPJBAO>

**Science: New Chinese journal gains impact.** According to *Science* on July 13, 2023, just 3 years after launch, *The Innovation*, a China-based, English language journal, has made a splash. Last month, it notched a citation impact factor of 32.1—behind only *Nature's* 64.8 and *Science's* 56.9 among multidisciplinary journals—in the annual Journal Citation Reports released by the Clarivate analytics company. A group of young Chinese scientists pooled their savings to get the open-access journal up and running, according to the *South China Morning Post*, which first reported the story. Despite producing nearly 30% of the world's reviewed scientific papers, China has produced few highly ranked journals. At least two-thirds of *The Innovation's* published papers come from China-based corresponding authors. It accepts only about 13% of submissions; acceptance rates at *Science* and *Nature* are below 10%. Read the *Science* report: <https://bit.ly/44vlyss>

## National Academies Roundtable Proceedings



On November 14 and 15, 2022, the National Academies of Sciences, Engineering, and Medicine (NAEM) convened a two-day workshop under the auspices of the National Science, Technology, and Security Roundtable to assess the state of the U.S. research enterprise in a time of increasing global competition. The workshop also featured discussion of the challenges confronting researchers as they seek to ensure the vitality of research and innovation in

America, foster increased international scientific research cooperation, and simultaneously counter illicit foreign interference that threatens national security interests. This publication summarizes the presentation and discussion of the workshop.

Read the proceedings of the NASEM workshop: <https://bit.ly/3K4zWR4>

## News and Activities for the Communities

### 1. Asian American Tech Worker Filed Suit



According to *NBC News* on July 12, 2023, A former Asian American employee is suing the Silicon Valley tech company Lumentum, alleging that a yearslong pattern of racism ended with his termination when he tried to speak out. **Andre Wong**, 52, filed the complaint in the Santa Clara Superior Court on June 30, seeking \$20 million in damages. His suit comes amid others by tech workers who say they're pushing against the "bamboo ceiling," barriers that have kept Asians from advancing to high-level leadership positions. Read the *NBC News* report: <https://nbcnews.to/44JXld0>.

### 2. First Asian American Miss Texas speaks out against Gov. Abbott's attack on diversity programs





According to *AsAmNews* on July 8, 2023, Miss Texas is asking Governor **Greg Abbott** and other conservative lawmakers to stop their assault on DEI (diversity, equity and inclusion) programs in the state. Last year, **Averie Bishop** became the first Asian American to win Miss Texas and went on to compete in the Miss America competition. Since then, she has been using her platform to promote the idea that “Y’all means All.”

*MSNBC* published an Op-Ed written by Bishop that addressed attacks on DEI policies from conservative Texas state lawmakers. The Texas Senate recently passed S.B. 17, in April. The bill bans diversity equity inclusion departments in public universities. The Op-Ed also comes after a recent U.S. Supreme Court deemed affirmative action programs in university admissions unlawful. Bishop wrote that she worried that the state’s “most vulnerable populations” would be ostracized without DEI policies. She believes the policies are essential to building a better Texas. Bishop herself is a first-generation law school graduate. Her mother was a Filipino immigrant. Growing up, she was one of just two visibly Asian students at her school. Now, she sees a different Texas.

Bishop said she’s disappointed that many lawmakers do not want to celebrate that diversity. “Gov. Greg Abbott and state leadership must cease its assault on DEI policy and focus on improving the economic and social livelihood of all of us,” Bishop wrote.

Read the *AsAmNews* report: <https://bit.ly/3PZxSxB>. Read the *MSNBC* op-ed: <https://on.msnbc.com/43rMVn1>

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