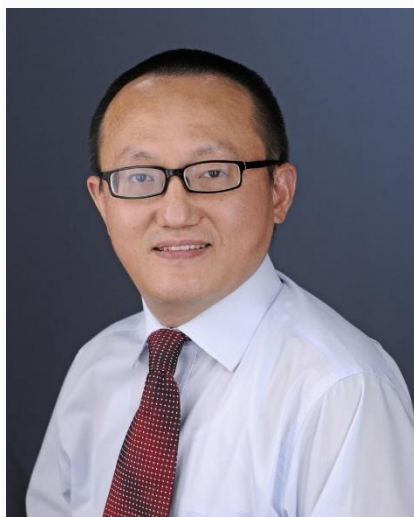


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## Professor Feng "Franklin" Tao Wins Appeal



**UCA** UNITED CHINESE AMERICANS  
美國華人聯盟

各位华人朋友们，

今天我怀着极其沉重而高兴的心情来向你们更新这四年来奋力抗争的结果。今天第十巡回法庭将最后一个强加在我身上的最后一个罪状去掉了。这四年来，对这个毫无根据的罪状的抗争是一场令人难以想象的斗争。没有我们的律师Peter Zeidenberg and Mike Dearington 正义的法律援助，我不可能得到今天的胜利。我要感谢，我们华人和亚裔团体（包括UCA, AAJC, Committee 100, APA Justice, Asian American Scholar Forum, CALDA, AFI, OCAA....）和众多华人朋友的支持。我要感谢UCA对在这几年的持续支持和鼓励。我特别感谢UCA薛海培会长及其团队的鼎力支持。没有薛会长亲自亲为的鼓励和支持，我们不可能抗争到今天！

陶丰

According to *Reuters*, *Science*, and multiple reports, on July 11, 2024, the Tenth Circuit Court of Appeals in Denver overturned the lone conviction of former University of Kansas (KU) Professor **Feng "Franklin" Tao** for making a false statement related to work he was doing in China.

Professor Tao was one of the first academic scientists charged under the now-defunct China initiative launched in November 2018 by then-President **Donald Trump** to combat Chinese economic espionage.

In 2019, DOJ had relied on information provided by one of Tao's former colleagues — a visiting scholar at KU angry with Tao amid an authorship dispute. The colleague had demanded \$300,000 from Tao or she would tell the FBI that Tao was a spy.

The FBI investigation found no evidence of espionage involving Professor Tao.

However, while still a tenured KU faculty member, he was arrested in August 2019 and spent 1 week in jail. In April 2022, a federal jury convicted him of three counts of wire fraud as well as making a false statement to KU about his ties to Fuzhou University in connection with grants from the Department of Energy (DOE) and the National Science Foundation (NSF).

The university fired him after the jury decision, but 5 months later U.S. District Court Senior Judge **Julie Robinson** threw out the fraud convictions, citing a lack of evidence. And in January 2023 she rejected the government's request for jail time and a stiff fine as a penalty for the false statement conviction.

Professor Tao was sentenced to time served and a two-year probation, which was later reduced to one year.

Professor Tao appealed the jury's decision on this last remaining count, and the Tenth Circuit Court of Appeals in Denver ruled in a 2-to-1 decision that Professor Tao was right. "We reverse his conviction ... and agree with Tao that the government offered insufficient evidence for a rational jury to find that his statement to his employer was material to any DOE or NSF decision" affecting the status of his grants. U.S. Circuit Judge **Nancy Moritz**, wrote for the majority.

Professor Tao is one of many China Initiative cases against U.S. academics that have fallen apart in court. President **Joe Biden**'s administration officially ended the program in February 2022. But Republicans in the U.S. House of Representatives have campaigned for it to be reinstated.

Professor Tao said in a statement issued by United Chinese Americans (UCA) after the appeal victory,

"Today, I come to you with a mix of heavy and joyous feelings to update you on the outcome of our four-year struggle. The Tenth Circuit Court has removed the last remaining charge against me. These four years of fighting against ten baseless charges have been an unimaginable battle. Without the just legal assistance of our lawyers, **Peter Zeidenberg** and **Mike Dearington**, I could not have achieved today's victory.

"I want to express my gratitude to our Chinese and Asian communities (including UCA, AAJC, Committee 100, APA Justice, Asian American Scholar Forum, CALDA, AFI, OCAA...) and the many Chinese friends who supported me. I am especially thankful for UCA's continued support and encouragement over these years. Special thanks go to UCA President **Haipei Shue** and his team for their tremendous support. Without President Shue's personal encouragement and support, we could not have fought to this day!"

2024/07/13 AP: [Court voids last conviction of Kansas researcher in case that started as Chinese espionage probe](#)

2024/07/12 CALDA: [陶教授无罪，华人无罪](#)

2024/07/12 Science: [Court exonerates Kansas professor in China research fraud case](#)  
2024/07/12 Kansas Reflector: [Federal appellate court tosses final conviction in case against former tenured Kansas professor](#)  
2024/07/11 俄州亚太联盟 OCAA: [罪名被推翻，陶峰教授赢了！](#)  
2024/07/11 美國華人聯盟 UCA: [快讯 | 华裔学者陶丰胜诉，联邦上诉法院推翻定罪](#)  
2024/07/11 Reuters: [Kansas researcher wins reversal of conviction in Trump-era China probe](#)  
APA Justice: [Feng "Franklin" Tao 陶丰](#)

## Study Shows Drastic Decline in US-China Scientific Exchange



In its June 2024 issue, the National Bureau of Economic Research (NBER) published a working paper titled Building a Wall Around Science: "The Effect of U.S.-China Tensions on International Science Research."

The paper examines the impact of rising U.S.-China geopolitical tensions on three main dimensions of science: STEM trainee mobility between these countries, usage of scientific works between scientists in each country, and scientist productivity in each country. The paper examines each dimension from a "U.S." perspective and from a "China" perspective in an effort to provide evidence around the asymmetric effects of isolationism and geopolitical tension on science.

The paper finds that between 2016 and 2019 ethnically Chinese graduate students became 16% less likely to attend a U.S.-based Ph.D. program, and that those that did became 4% less likely to stay in the U.S. after graduation. In both instances, these students became more likely to move to a non-U.S. anglophone country instead.

Second, the paper documents a sharp decline in Chinese usage of U.S. science as measured by citations, but no such decline in the propensity of U.S. scientists to cite Chinese research.

Third, the paper finds that while a decline in Chinese usage of U.S. science does not appear to affect the average productivity of China-based researchers as measured by publications, heightened anti-Chinese sentiment in the U.S. appears to reduce the productivity of ethnically Chinese scientists in the U.S. by 2-6%.

The results do not suggest any clear “winner,” but instead indicate that increasing isolationism and geopolitical tension lead to reduced talent and knowledge flows between the U.S. and China, which are likely to be particularly damaging to international science. The effects on productivity are still small but are likely to only grow as nationalistic and isolationist policies also escalate. The results as a whole strongly suggest the presence of a “chilling effect” for ethnically Chinese scholars in the U.S., affecting both the U.S.’s ability to attract and retain talent as well as the productivity of its ethnically Chinese scientists.

According to a report by the *University World News* on July 11, 2024, in almost every area, the NBER paper shows that “geopolitical tensions at a much lower level than the formal expulsion of academics or violent warfare can lead to a significant shift in scientist mobility”.

Professor **Britta Glennon**, who teaches management at the Wharton School (University of Pennsylvania) and is one of the study’s four co-authors. “Over the past few decades, science has become more international across many dimensions. Science used to be concentrated in the West, but today there is a much more international scientific community,” she said. “For instance, many academics are immigrants, so right there you have a very international community. There are many more international collaborations than there used to be. And, increasingly, citations in papers are from papers produced in other countries. Our study demonstrates in quantifiable terms how this large international scientific community is affected by the geopolitical tensions between the United States and China, which, from a scientific standpoint, are the major players.”

For their analysis of mobility using the Open Research and Contributor ID (ORCID), on which academics post their curricula vitae, Glennon and her colleagues constructed a database of 836,495 CVs in STEM fields (out of ORCID’s 14 million CVs).

Using machine learning methods that infer ethnicity from names, they were able to classify scientists as being “ethnically Chinese”, which was the treatment group. The control group for those analyses was the non-ethnically Chinese complement, which was drawn from graduate students and professors in UK universities.

The Pew Research Center reported in 2020 that anti-Chinese sentiment had risen 11 percentage points, from 55% to 66% in the five years since Trump began his first campaign for the presidency, which included significant anti-Chinese rhetoric, and the COVID-19 crisis, which Trump blamed on the Chinese calling it “the China virus”.

Glennon and her colleagues also reference the 2021 study, “Racial Profiling among Scientists of Chinese Descent and Consequences for the US Scientific Community”, that found that Chinese scientists “reported considerable fear of US government surveillance” at almost five times the rate of non-Chinese scientists: 50.7% vs 11.7%.

An additional chill was Trump’s “China Initiative”. Some 5,000 agents were assigned to the initiative tasked with preventing China from stealing technologies that were vital to America’s economic and military interests. In July 2020, FBI director Christopher A Wray stated that the bureau was “opening a China-related counterintelligence case every 10 hours”.

As of September 2021, federal prosecutors had charged 28 researchers under the China Initiative. Of these, there had been about a dozen convictions or guilty pleas. Of the dozen or so Chinese professors or professors of Chinese descent, the government had convicted only four – none for espionage or theft of trade secrets or intellectual property.

President **Joe Biden**’s justice department closed down the initiative in February 2022.

Read the NBER paper: <https://bit.ly/4602fKc>. Read the *University World News* report: <https://bit.ly/4bLXfKp>.

## 1990 Institute Teachers Workshop on U.S.-China Relations

**TEACHERS WORKSHOP**

**U.S.-CHINA RELATIONS:  
UNTANGLING CAMPAIGN RHETORIC &  
UNDERSTANDING POLICY**

**Neysun Mahboubi**  
Penn Project on the Future of U.S.-China Relations  
*Moderator*

**Susan Thornton**  
Yale Law School Paul Tsai China Center  
*Speaker*

**Hua-Yu Sebastian Cherng**  
NYU Steinhardt School  
*Moderator*

**U.S.-China Relations:  
Untangling Campaign Rhetoric and  
Understanding Policy**

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APA Justice  
UCONN AAASI  
Committee of 100  
THE SERICA INITIATIVE  
USCET  
UC San Diego  
USC U.S.-China Institute  
ASSOCIATION OF ASIAN AMERICAN YALE ALUMNI

**JUNE 20 | 4 pm PT | 7 pm ET**

**1990 INSTITUTE**

**Recording Available**

Political campaigns have and continue to portray China through an adverse lens, affecting decades-long efforts to build constructive relations with national and global implications.

On June 20, 2024, the 1990 Institute hosted a Teachers Workshop on "U.S.-China Relations:

Untangling Campaign Rhetoric and Understanding Policy." APA Justice was one of the co-sponsors for the workshop.

China scholars from Yale Law School, the University of Pennsylvania, and New York University's Steinhardt School spoke at the workshop, providing context with an overview of the history of U.S.-China relations and then delved into issues affecting this global relationship during this election year, including trade, technology, and Taiwan.

Watch a recording of the workshop: <https://www.youtube.com/watch?v=w8AisB1NZYo> (video 1:30:03). Read the [curated resources and lesson plans](#) in the 1990 Institute's Reference Library.


## WPR: Fears of China-owned Farmland in Wisconsin and US are Exaggerated

AGRICULTURE, INTERNATIONAL RELATIONS, NEWS

### Fears of China-owned farmland in Wisconsin and US are exaggerated, new analysis suggests

China owns less than 1 percent of foreign-owned farmland in the US, but data could have holes

BY TREVOR HOOK • JULY 10, 2024



This Sept. 27, 2016 photo shows silos on farmland in Wisconsin in the Kettle Moraine region. Beth J. Harpaz/AP Photo

#### Mapping and Contextualizing Foreign Ownership and Leasing of U.S. Farmland

By Fangyao Wang, Wendong Zhang, and Michel Trifler

Fangyao Wang is a Research Assistant, Charles D. Evans School of Applied Economics and Management, Cornell University. Wendong Zhang is an Assistant Professor, Charles E. Dyer School of Applied Economics and Management, Cornell University. Michel Trifler is an Associate Professor, Department of Agricultural Economics and Rural Sociology, Auburn University.

**Acknowledgment**  
This research was supported in part by the annual award program of the U.S. Department of Agriculture, National Institute of Food and Agriculture, Hatch project 7002309 and multiple project 7008872. The findings and conclusions in this article have not been formally determined by the U.S. Department of Agriculture and should not be considered to represent any agency determination or policy.

**Abstract**  
Foreign ownership of U.S. farmland has recently attracted growing interest from the public as well as the federal and state policy makers. Using data reported in U.S. transactions, this article provides a comprehensive analysis on the structure of foreign land ownership in the United States. We find that (i) long-term leasing is the main driver of the increasing foreign interests of U.S. farmland in the past 20 years; (ii) a considerable number of foreign transactions are related to wind and solar energy development, especially for entities holding long-term leases; and (iii) "voluntary" countries like China hold only 0% of all the foreign-owned agricultural land.

**INTRODUCTION**  
Agricultural land is the most valuable asset to any country in the world. The vast agricultural land of the United States plays a vital role in ensuring a wide variety of food products that feeds not only the U.S. population but also other countries in the global food supply through substantial amounts of exports. From a trade perspective, the U.S. exports primarily from these regions as they provide greater market penetration and stronger international relations. Taking a broader view, the agricultural connectivity by creating employment opportunities and strengthening local economies.

Foreign ownership of U.S. farmland has been a contentious and sensitive issue for a long time. (Dolan and Linder 2023, 1916) There is no outright ban on foreign land ownership at the federal level; the Agricultural Investment Disclosure Act (AIDA) of 1978 requires foreign investors who acquire, transfer, or hold interests in U.S. agricultural land, including leasehold interests of 10 years or more, report such holdings and transactions to the Secretary of Agriculture on Form FSA-103. (Reuser and Schmitz 2018) However, the major concern raised by the investors of U.S. farmland is of the loss of their working interests over time from the impact that an entry sold to potential farmers, not using domestic investment and the reduction of the cooperative link between farm ownership and operation, and the economic well-being of rural communities. (Linder 1979) Arguing that the opposition to foreign investment in U.S. land is the result of emotional factors rather than economic considerations, and

AGRICULTURE, INTERNATIONAL RELATIONS, NEWS

According to *Wisconsin Public Radio* on July 10, 2024, lawmakers and citizens are raising concerns about Chinese companies purchasing U.S. land. But a new analysis paints a different picture of who owns and leases American farmland.

Wisconsin is among more than two-thirds of all states that are considering or have enacted laws limiting or banning foreign ownership of land. A Wisconsin state statute restricts foreign private investment in land.

**Wendon Zhang**, an assistant professor of economics with Cornell University, and two other researchers recently published an article — [“Mapping and Contextualizing Foreign Ownership](#)

[and Leasing of U.S. Farmland](#)” — in the 2024 Journal of the American Society of Farm Managers and Rural Appraisers.

In an interview with *Wisconsin Public Radio*, Zhang said his recent research found that China and other “adversarial countries” hold zero acres of land in the “Lake Region” of the U.S., a space that includes Wisconsin. His team found that Canada, Denmark and Portugal are the top three holders of Wisconsin’s foreign-held land.

“The bottom line is, if you’re concerned about significant Chinese holdings of agricultural land in Wisconsin, the evidence seems to say the contrary,” Zhang said.

The U.S. has 3.4 percent of all privately-held agricultural land owned or long-term leased by foreign companies. That percentage in Wisconsin is 2.4 percent. Eighty-five percent of all land in Wisconsin that has a foreign interest is forest land. So it is not cropland, not pasture land. It is actually nearly 400,000 acres of forest land, predominantly with Canadian ownership.

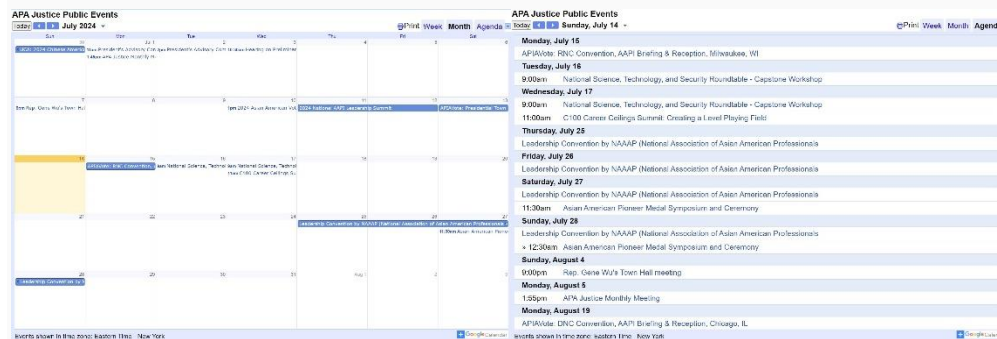
When you are looking at the adversary countries — China, Russia, Iran, North Korea and Venezuela — based on the public records voluntarily reported to USDA, all these countries do not hold any agricultural land in Wisconsin.

However, Zhang also found that more than 51 percent of Wisconsin’s foreign-held agricultural land is categorized without a prominent country code, meaning investors in a particular property come from multiple countries. Zhang said it’s possible China or other countries might hold shares small enough in some types of holdings to fall outside of what is reported to the government, leaving them underrepresented in USDA data.

Read the *Wisconsin Public Radio* report: <https://bit.ly/3S3bwvc>. Read the journal article: <https://bit.ly/3xTZq0N>

## News and Activities for the Communities

### 1. APA Justice Community Calendar



## Upcoming Events:

2024/07/15 APIAVote: RNC Convention, AAPI Briefing & Reception, Milwaukee, WI  
2024/07/16-17 National Science, Technology, and Security Roundtable - Capstone  
2024/07/17 C100 Career Ceiling Summit: Creating a Level Playing Field  
2024/07/25-28 Leadership Convention by NAAAP (National Association of Asian American Professionals)  
2024/07/27-28 Asian American Pioneer Medal Symposium and Ceremony  
2024/08/04 Rep. Gene Wu's Town Hall Meeting  
2024/08/05 APA Justice Monthly Meeting  
2024/08/19 DNC Convention, AAPI Briefing & Reception, Chicago, IL

The Community Calendar has moved. Visit <https://bit.ly/3XD61qV> for event details.

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