

In This Issue #207

- 2023/09/11 APA Justice Monthly Meeting
- Artificial Intelligence (AI), Civil Rights, Equity, and Innovation
- Tenth Circuit Court To Hear Appeal of Professor Franklin Tao 陶丰
- Statements and Media Reports on UNC Shooting
- News and Activities for The Communities

2023/09/11 APA Justice Monthly Meeting

The next APA Justice monthly meeting will be held via Zoom on Monday, September 11, 2023, starting at 1:55 pm ET. In addition to updates by **Nisha Ramachandran**, Executive Director, Congressional Asian Pacific American Caucus (CAPAC); **John Yang 杨重远**, President and Executive Director, Advancing Justice | AAJC; **Gisela Perez Kusakawa**, Executive Director, Asian American Scholar Forum (AASF), **Clay Zhu 朱可亮**, Partner, DeHeng Law Offices 德恒律师事务所; Founder, Chinese American Legal Defense Alliance 华美维权同盟, confirmed speakers to cover the renewal of the US-China Science and Technology Agreement are:

- **Deborah Seligsohn**, Senior Associate (non-resident), Center for Strategic and International Studies; Assistant Professor, Villanova University <https://bit.ly/3OMc8En>
- **Steve Kivelson**, Prabhu Goel Family Professor of Physics, Stanford University <https://bit.ly/44xTNPX>
- **Sudip Parikh**, Chief Executive Officer, American Association for the Advancement of Science (AAAS) and Executive Publisher, *Science* Family of Journals
- **Ting Wu**, Advisor, Asian American, Native Hawaiian and Pacific Islander, Office of the Chief of Staff, The White House

1. Committee of 100 Letter to the President



On September 6, 2023, **Gary Locke**, Chair of the Committee of 100 (C100), wrote to President **Joe Biden** urging him to renew for another five years the Agreement between the Government of the United States of America and the Government of the PRC on Cooperation in Science and Technology (STA). "The STA offers the United States significant benefits to advance scientific progress in many fields and in people-to-people exchanges, and it presents minimal risks to American national security," the letter said.

"Committee of 100 believes renewing the STA for another five-year term will enhance American scientific and technological achievement and promote U.S. leadership in open and transparent scientific cooperation globally. Conversely, Committee of 100 argues that allowing the STA to expire would disrupt mutually beneficial scientific exchange and disrupt peaceful people-to-

people ties between the U.S. and the PRC. For these reasons, Committee of 100 urges you and your Administration to renew the STA with whatever additional safeguards your national security advisors deem appropriate and not simply to abandon this proven framework for constructive bilateral engagement."

Gary Locke is also former U.S. Ambassador to the People's Republic of China (PRC), former U.S. Secretary of Commerce, and a former college president.

Read the C100 letter at: <https://bit.ly/3sJD1R0>

2. National Academy of Sciences (NAS) Members' Update: China!



The banner features the National Academy of Sciences logo on the left, a photograph of the building at night, and the text "Members' Update" in large, bold letters. Below the banner are social media icons for Twitter, Facebook, Instagram, LinkedIn, and YouTube.

From the President: China!

Members have expressed concern about the deteriorating relationship between the U.S. and China, pointing out that this partnership has resulted in extensive collaborations, joint research projects, and mutual contributions to global scientific knowledge. The U.S. and China are now the two largest producers of scientific publications. Furthermore, there has been a steady increase in patent applications co-filed by investigators from both nations, along with increasing adherence in China to international intellectual property laws and norms. Chinese students represent the largest cohort of international students in the U.S., and many of the best and brightest of those students have joined the U.S. academic enterprise and become citizens.



A portrait of Marcia McNutt, the President of the National Academy of Sciences, is shown to the right of the text. She is a woman with blonde hair, wearing a dark jacket, resting her chin on her hand.

In a recent Members' Update, NAS President **Marcia McNutt** reported that "[m]embers have expressed concern about the deteriorating relationship between the U.S. and China, pointing out that this partnership has resulted in extensive collaborations, joint research projects, and mutual contributions to global scientific knowledge.

"The National Academy of Sciences has promoted engagement with China since Frank Press' presidency in the 1980s. More recently, I had the honor of co-chairing the first Chinese-American Frontiers of Science symposia, which brought young researchers from both nations together to discuss forefront research and build relationships.

"Although there have been bumps in the road in our relationship with China, one could well argue that a U.S. position that focuses on de-risking does not fully account for the risks to the U.S., our science, and innovation of pursuing a one-size-fits-all approach towards China. For example, we have seen how policies such as the so-called 'China Initiative' have resulted in

many Chinese-American researchers' feeling persecuted and afraid for their safety.

"To be sure, there are several real concerns related to the actions of China's leadership around the world, and some important issues related to intellectual property, research security, and research misconduct must be addressed. Understanding the nature and implication of these threats requires dialogue among the many stakeholders, and the NAS is leading these discussions. At the same time, we need to identify productive ways to maintain connections between the U.S. and China, especially in mutually beneficial areas. The bilateral science and technology cooperation agreement between the U.S. and China was temporarily renewed last week for six months, but its long-term fate is uncertain.

"The United States has the most dynamic innovation economy in the world. Our country has benefitted over the centuries from our ability to assess the talent and ideas being developed around the world. At a time when more and more science is being produced outside the U.S., the nation is handicapping itself by restricting these collaborations. NAS will continue to engage with policy makers to listen to their concerns with engagement, while highlighting to them the benefit of such connections for fostering a healthy U.S. science and innovation ecosystem."

Artificial Intelligence (AI), Civil Rights, Equity, and Innovation

1. First look: Civil rights group starts center to monitor AI for hate speech



Illustration: Sarah Grillo/Axios

According to *Axios* on September 7, 2023, The Leadership Conference on Civil & Human Rights (LCCHR), one of the nation's largest and oldest civil rights coalitions, is launching a Center for Civil Rights and Technology to investigate how artificial intelligence (AI) affects civil rights,

fosters racism, and spreads bigotry. The center comes amid rising concern that AI may fuel racism and more antisemitism in the U.S. by amplifying bias from human-generated content on the internet.

The center will monitor legislation and regulations on AI and other emerging technologies and assess how those will impact civil and human rights. The center also will publish papers and policy positions, and support active civic conversations about generative AI.

Because AI models learn to complete sentences by analyzing enormous quantities of text created by people, usually on the internet, they pick up bias embedded in both the digital environment and broader society.

"Hate has had a very comfortable home on our social media platforms. And it has been given cover by, sadly, sometimes, by leaders that have every ability to disrupt that," LCCHR president and CEO **Maya Wiley** said. An advisory group of experts and civil rights organizations will advise the center, including **Alondra Nelson**, Acting Director of the White House Office of Science and Technology Policy (OSTP) under the Biden Administration.

Read the *Axios* report: <https://bit.ly/467vI3F>

2. Embed equity throughout innovation



The screenshot shows the top portion of a Science journal article page. At the top left is the Science logo (three horizontal lines followed by the word "Science" in red). To the right are links for "Current Issue" and "First release papers". Below the logo is a grey bar with a lock icon and the word "EDITORIAL" in red. The main title "Embed equity throughout innovation" is in large, bold black font. Below the title are the authors' names: "KEITH A. WAILOO, VICTOR J. DZAU, AND KEITH R. YAMAMOTO" followed by a link "Authors Info & Affiliations". At the bottom of the page, there is a line of text: "SCIENCE • 7 Sep 2023 • Vol 381, Issue 6662 • p. 1029 • DOI: 10.1126/science.adk6365".

According to a *Science* editorial on September 7, 2023, the social benefit of technologies is frequently unevenly realized across the United States. Rural communities, individuals with disabilities, and historically marginalized groups face out-of-reach costs or lack access to products that meet their needs. Blame is typically placed on complicated regulatory processes or complex delivery systems, but this response neglects the problem that equity is not baked into the nation's innovation process at any stage. The United States needs to rethink its entire innovation ecosystem to incorporate equity as a foundational guiding principle—from research design and funding requirements to policies and regulations that govern the delivery and oversight of new products to the public.

Development of new technologies and products in the United States benefits from a governance framework that optimizes fairness and opportunity for creators and investors while prioritizing the safety and autonomy of end users. Equity is typically an afterthought, usually arising after unfair public outcomes are recognized.

Given the recent remarkable pace of progress across all scientific disciplines, there is an urgent need to incorporate equity considerations throughout the innovation life cycle. Consider, for example, the increasing use of artificial intelligence (AI) and machine learning in health care. Lack of diversity in the workforce and in the geographic distribution of innovation centers reduces the range of perspectives that shape research in this field. Nonrepresentative and discriminatory data sets and poor selection of proxy outcomes measures lead to biased algorithms that skew machine learning and adversely affect AI platforms that influence decision-making. Although efforts are underway to advance the ethical use of AI, a fundamental cultural shift is needed to fully integrate equity in this field and in many others.

Embedding these values in innovation means accounting for equity at each stage, from idea conception to technology and product development, evaluation, monitoring, and iterative learning and improvement.

A diverse community of users and creators should join traditional stakeholders to rethink governance strategies and incentives. Equitable innovation will require creative steps and new practices, such as engaging with underserved and marginalized communities at each stage of the innovation life cycle. This will ensure that these groups are not only consulted during research but also have opportunities to substantively lead and engage in innovation partnerships.

If 21st-century innovation is to reflect social needs and improve the well-being of the entire public, then it will require a strong vision activated by a coalition of public and private partners that embrace an equity-centric approach at every stage.


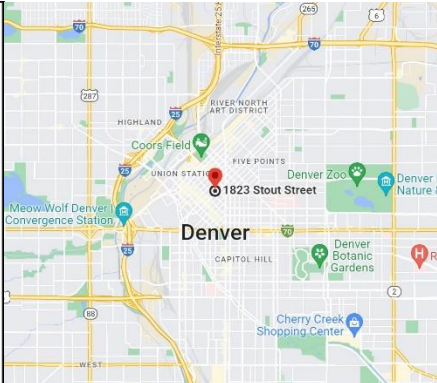
Authors of the *Science* editorial:

- **Keith A. Wailoo**, Henry Putnam University Professor of History and Public Affairs, Princeton University.
- **Victor J. Dzau**, President of the National Academy of Medicine.
- **Keith R. Yamamoto**, Vice Chancellor for Science Policy and Strategy and Director of Precision Medicine at the University of California, San Francisco; President, the American Association for the Advancement of Science (AAAS)

Read the *Science* editorial: <https://bit.ly/44HfqO4>

Tenth Circuit Court To Hear Appeal of Professor Franklin Tao 陶丰



 <p>September 2023 Term of Court Thursday, September 21, 2023 Denver, CO Courtroom II</p>	
<p>8:30 A.M. Tymkovich, Briscoe & Moritz</p>	
22-1249 CO	United States v. Ramon, Appellant <small>(Submitted on the Briefs)</small>
22-3121 KS	United States v. Baidooonso-Iam, Appellant
22-7028 EOK	United States v. Pemberton, Appellant
22-7025 EOK	United States v. Stewart, Appellant
23-3013 KS	United States v. Tao, Appellant
23-8010 WY	United States v. Chippewa, Appellant <small>(Submitted on the Briefs)</small>

Professor **Feng "Franklin" Tao** 陶丰 of University of Kansas (KU) was the first academic to be indicted under the now-defunct "China Initiative."

Of the ten charges against him by the government, nine were dropped or dismissed. He was convicted by jury of one count of making a false statement. U.S. District Judge **Julie Robinson** stated that this "was not an economic espionage case" and released Professor Tao for time served.

According to *Inside Higher Ed* on January 19, 2023, "Dr. Tao will be appealing his count of conviction and expects to prevail and be completely exonerated. And yes, he fully intends to continue his career as a scientist and researcher, either at KU or another university," **Peter Zeidenberg**, Tao's lawyer, said at that time.

The 10th Circuit Appeals Court will hold a hearing on Professor Tao's appeal in Denver, Colorado, on September 21, 2023, starting at 8:30 am MT/10:30 am ET. Community members are urged to show their support for Professor Tao by attending the hearing at Byron White Court

House, 1823 Stout Street, Denver, CO 80257. The Clerk's Office can be reached at 303-844-3157.

Read APA Justice coverage of the case of Professor Franklin Tao at <https://bit.ly/3fZWJvK>. Read the *Inside Higher Ed* report: <http://bit.ly/3wiMPQm>

Statements and Media Reports on UNC Shooting

1. Statements by UCA and AASF



UNITED CHINESE AMERICANS
STATEMENT ON UNC CHAPEL HILL SHOOTING

We extend our heartfelt condolences to the UNC Chapel Hill community in the wake of the tragic events that unfolded on their campus. The loss of Zijie Yan, an associate professor in the department of Applied Physical Sciences, is a profound tragedy, and our thoughts are with his family, friends, colleagues, and students during this difficult time.

We UCA strongly condemn the racist rhetoric stemming from a public official in Wayne County, NC, which has no place in our society. This hateful speech exacerbates the harm caused by discrimination and intolerance and can have dangerous consequences for the AAPI community.

In the face of this tragedy and the disturbing racist rhetoric stemming from a public official in Wayne County, NC, it is imperative that Asian American students and the broader community stand together.

Together, we must create an environment where every individual, regardless of their background, can pursue their educational goals without fear. Our condolences go out to the Yan family, and we hope that the UNC community finds strength and resilience in the face of this adversity. Let us come together to honor Zijie Yan's memory, strongly condemn racism, and work tirelessly for a future where such incidents can be prevented.

Haipei Shue
President of United Chinese Americans (UCA)

AASF
Asian American Scholar Forum

Asian American Scholar Community Grieves the Murder of Dr. Zijie Yan, Physical Science Professor at University of North Carolina

FOR IMMEDIATE RELEASE
September 7, 2023
Contact: media@aasforum.org

Washington, DC—Dr. Zijie Yan, associate professor of applied physical sciences at University of North Carolina, was shot and killed Monday by a graduate student on the Chapel Hill campus. Yan was a dedicated and beloved father, husband, educator, researcher, and colleague. He earned his doctorate at Rensselaer Polytechnic Institute and completed his postdoctoral studies at the University of Chicago in 2016; he then became an assistant professor at Clarkson University prior to making his way to UNC. Yan was a well-published researcher whose collaborations with other scholars made critical advances in photonics and materials science.

The Asian American Scholar Forum (AASF) joins the UNC community in grieving the devastating killing of Dr. Yan, and boldly condemns the senseless act of violence perpetrated against him and his family.

"Our hearts go out to the UNC academic community, and especially the spouse and children of Professor Zijie Yan," said AASF President Yasheng Huang. "We grieve the loss of this brilliant scholar and the significant contributions he made to his field. No scholar should be made to live in fear for pursuing their passion at our academic institutions. We strongly condemn the killing of this esteemed colleague, and all acts of violence that shatter our trust and sense of safety in our communities."

"We are devastated by this week's news of the murder of Dr. Zijie Yan—a well-respected physical science professor, researcher, colleague, and friend," said AASF Vice President Kai Li. "Not only was he an esteemed scholar, he was an attentive husband and father to loved ones now forced to live with the insupportable reality of his loss. All Yan wanted—all any committed scholar wants—is to develop future scholars and contribute to making meaningful advances in their field. We stand today with Yan's family and the UNC community to condemn in the strongest terms this cruel act of violence, and urge all of us to support his family in this unspeakably difficult time."

For those interested in how to help support the family of the late Dr. Zijie Yan, please find these two fundraisers, one for his daughters [here](#) and another for his parents [here](#).

United Chinese Americans (UCA) and Asian American Scholar Forum (AASF) issued statements mourning the tragic death of Dr. **Zijie Yan 严资杰**, an associate professor of Applied Physical Sciences at University of North Carolina (UNC) at Chapel Hill.

AASF joins the UNC community in grieving the devastating killing of Dr. Yan, and boldly condemns the senseless act of violence perpetrated against him and his family.

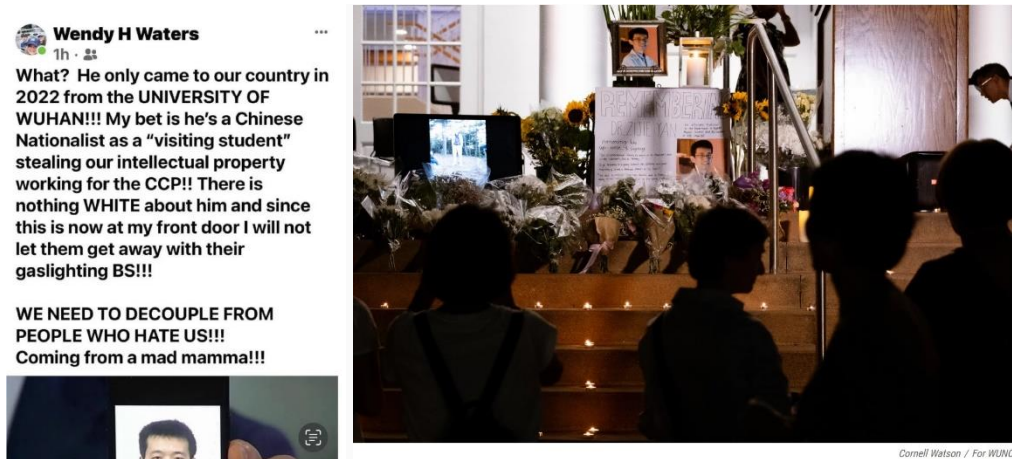
Two fundraisers have been set up - one for his daughters [here](#) and another for his parents [here](#).

Read the AASF statement: <https://bit.ly/4669EXj>

The UCA statement condemns the racist rhetoric stemming from a public official in Wayne County, NC, which has no place in our society. "This hateful speech exacerbates the harm

caused by discrimination and intolerance and can have dangerous consequences for the AAPI community," the statement said. "Together we must create an environment where every individual, regardless of their background, can pursue their educational goals without fear. Our condolences go out to the Yan family, and we hope that the UNC community finds strength and resilience in the face of this adversity. Let us come together to honor Zijie Yan's memory, strongly condemn racism, and work tirelessly for a future where such incidents can be prevented."

2. Media Reports on UNC Shooting



According to *CBS-17* on August 30, 2023, **Wendy H. Waters**, principal of Spring Creek High School in Wayne County, North Carolina, posted on Facebook a message that is widely viewed as a racist response to the shooting at UNC-Chapel Hill.

"There is nothing WHITE about him," she said as part of the post alongside a photo of **Tailei Qi** 齐太磊, the man accused of fatally shooting **Zijie Yan** 严资杰. The post continued to say "My bet is he's a Chinese Nationalist."

In a statement from Wayne County schools, the district said Waters' comments "do not reflect the views of the school district" and that the matter is now under review.

Read the *CBS-17* report: <https://bit.ly/3ZsbS1j>

According to a report by *WUNC* on September 8, 2023, the death of Dr. Zijie Yan, triggered deep-seated anxiety and fear among Asian Americans in the Triangle.

Jiu-Luen Tsai, 50, had been grappling with fear, frustration and grief. Like many other Asian Americans in the Triangle, he was afraid of how people would perceive him and his family after authorities identified graduate student Tailei Qi as the suspect. It reminded Tsai of instances

when he and others in the Asian American community have been attacked.

Tsai tried to talk to his 14-year-old son about it. “I honestly don’t know if he has experienced these things himself—xenophobia, racism and fear of gun violence,” Tsai said. “With a teenager, it’s especially hard to know. As a responsible parent, I have to talk about these things because these are truths in our world.”

While the event is not characterized as a hate crime, it’s still an example of violence that’s impacted the Asian American community, said **Jimmy Patel-Nguyen**, the communications director at North Carolina Asian Americans Together.

Events like the UNC shooting, as well as the 2021 Atlanta spa shootings, highlight a culture that’s prone to gun violence and the vulnerability of Asian immigrants in America, said **Eileen Chengyin Chow**, a Duke University associate professor of the Practice of Asian and Middle Eastern Studies. However, when the gunman and victims are Asian, such as with the shootings in Monterey Park and Half Moon Bay in California earlier this year, there is a tendency to dismiss the events as being isolated to the Asian community, she added.

Anti-Asian violence has increased especially after the beginning of the COVID-19 pandemic. But similarly violent events that have impacted Asian Americans have been happening for decades.

Cary resident **Lily Chen**, a community organizer and PhD student at UNC-Chapel Hill’s School of Nursing, recalled when she was an international student at the University of Iowa in 1991. That year, **Gang Lu**, a graduate student, shot and killed three faculty members in the department of physics and astronomy. He also killed postdoctoral researcher, **Linhua Shan**, who Chen personally knew.

Thirty-two years later, Chen experienced the same feelings that she did back then. She was also dismayed when a Wayne County high school principal posted an angry message on Facebook days after the shooting, speculating that the suspected shooter was “stealing intellectual property” on behalf of the Chinese Communist Party.

“It’s like, can I have time even to grieve?” Chen said. “Can I just have time to spend time with my family, with my daughter, with my friends and not have to worry about these kinds of things?”

Since the shooting, UNC social worker **Susan Chung**, has seen many international Asian students in her office and at mental health webinars. “They already feel like outsiders and they don’t feel included at the school,” Chung said. “They don’t feel seen. The incident that happened really escalated that. That’s kind of how they feel.” Chung herself immigrated from Taiwan when she was 12 years old and tries to act as a liaison between the two cultures. Even before the shooting, she said that international students have shared with her that they feel ignored by the school and have been bullied by their peers and professors.

Read the *WUNC* report: <https://bit.ly/3Py0mxX>

News and Activities for The Communities

1. APA Justice Community Calendar

The screenshot displays two views of the APA Justice Public Events calendar. The left view is a monthly calendar for September 2023, with a red box highlighting the dates 10, 11, and 12. The right view is a detailed agenda for the week of Sunday, September 10 to Saturday, September 16, 2023. The agenda lists the following events:

- Monday, September 11**
 - 1:45pm APA Justice Monthly Meeting
 - 5:00pm Committee of 100 - An Interview with Professor Margar
 - 8:30pm Bay Area FBI Community Briefings Roundtable
- Tuesday, September 12**
 - 6:00pm Alien Land Laws: What's Happening Now and How You
- Tuesday, September 19**
 - National Voter Registration Day
- Wednesday, September 20**
 - 4:00pm Committee of 100: Asian American Career Ceilings: Vol
- Thursday, September 21**
 - Appeals Court Hearing of Feng "Franklin" Tao Appeal
- Monday, September 25**
 - AAUC National Unity Summit

APA Justice has launched a Community Calendar to track the many events and activities. From the Committee of 100 career ceiling webinars, alien land laws, National Voter Registration Day, Franklin Tao's appeal hearing, to the AAUC National Unity Summit, they are all in a one-stop view. Options are available to look at a monthly, weekly, or a daily calendar, as well as an agenda view with event details.

You can find the Community Calendar on the front page of the APA Justice website at <https://www.apajustice.org/>.

2. 2023/09/11 Bay Area FBI Community Briefings Roundtable

The flyer for the Bay Area FBI Community Briefings Roundtable in San Mateo, CA, on Monday, Sept. 11th, 2023, from 5:30-7:00 P.M. features the FBI logo and the text "Public Safety Trust & Relationship". It lists the event as "Bay Area FBI Community Briefings Roundtable - San Mateo" and notes that light refreshments will be served at 5 P.M. The flyer also includes a QR code and a list of partners: City of San Mateo, Police Chief Ed Barberini; Mayor Amourance Lee; and various community organizations including CIUSA, TAAAP, and SCAUSE. The event is held at the San Mateo Police Headquarter Community Meeting Room, 200 Franklin Parkway, San Mateo, CA 94403. A map on the right shows the location of the event at the intersection of Franklin Parkway and Paddock Park.

WHAT: Bay Area FBI Community Briefings Roundtable - San Mateo

WHEN: Monday, September 11, 2023, 5:30 - 7:00 pm, PT

WHERE: The San Mateo City Police Headquarter Community Meeting Room | 200 Franklin Pkwy, San Mateo, CA 94403

HOST: City of San Mateo: Amourance Lee, Mayor; Ed Barberini, Police Chief

PRESENTATION: FBI San Francisco Field Office

SPONSORS: Civic Leadership USA (CLUSA), The Asian American Foundation (TAAF); San Francisco Community Alliance for Unity, Safety, and Education (SFCAUSE)

REGISTRATION: <https://bit.ly/3sRjBcH>

OBJECTIVES:

- Provide the Federal & regional perspectives from the FBI on Public Safety
- Build trust and relationships by reaching out to San Mateo Community & faith-based leaders
- Provide a mutual listening opportunity with follow-up actions.

The roundtable format will feature selected public safety topics presented by the FBI, followed by a facilitated open dialogue in a roundtable discussion.

3. Behind Bay Area Preservation Dispute Is a Chinese American ‘Asparagus King’



An archival photo of the facade of the Bayside Cannery at 7200 Hope Street in Alviso in Santa Clara County and an inset photo of Thomas Foon Chew, known as the 'Asparagus King'. | Courtesy Library of Congress.

According to the *San Francisco Standard* on September 10, 2023, **Thomas Foon Chew**, a young Chinese immigrant and entrepreneur in the canning industry, purchased the land in Palo Alto and built a cannery in 1918. Two years later, it grew to become the third-largest cannery of fruits and vegetables in the world, powered by a large and diverse workforce of Chinese-, Spanish- and Portuguese-speaking workers.

Chew's success turned him into a legendary and well-respected multimillionaire businessman whose company is thought to be the first to can green asparagus, earning him the moniker "Asparagus King." Chew died in 1931 at the age of 42, and it is believed that 25,000 people attended his funeral in San Francisco's Chinatown. After his death, the cannery thrived until 1949.

Now, more than 90 years since his death, a controversial plan to tear down parts of the former cannery site sparked a contentious debate within the local community members, and some of them want to preserve it as a rare piece of Asian American history.

Monica Yeung Arima, a board member of Palo Alto History Museum, said this is a golden

opportunity to save a critical part of both Chinese American and the city's history.

Palo Alto City Council heard hours of public comment in an early September meeting as people against the redevelopment plan held signs that read "Save the Cannery." The council will vote on whether to proceed with the plan next week.

Read the San Francisco Standard report: <https://bit.ly/3LjVYQF>

Copyright © 2023 APA Justice, All rights reserved.

You are receiving this email because you opted in or have expressed interest.

Our mailing address is:

APA Justice
P.O. Box 1242
McLean, VA 22101

[Add us to your address book](#)

We do not share, sell, rent or trade any of your information with third parties unless you provide explicit consent. [Read our Privacy Policy here.](#)