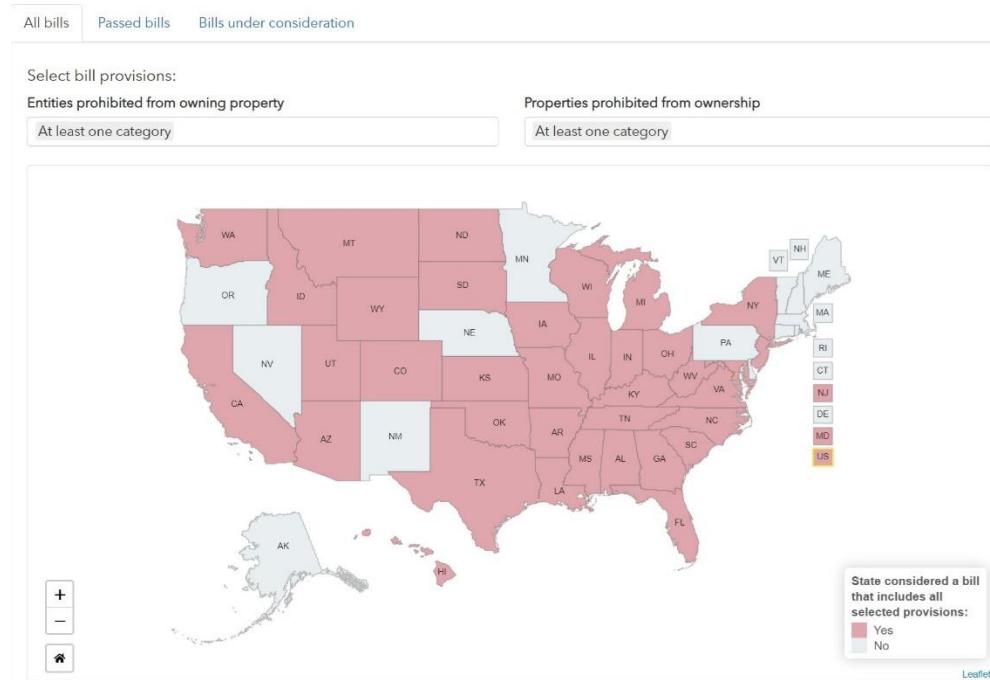


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Invited Report: Developments on Alien Land Laws in Missouri and Arkansas



The following is an invited report by **Edgar Chen**, Special Policy Advisor, National Asian Pacific American Bar Association (NAPABA)

"With no signs that the resurgence of foreign ownership legislation introduced in at least 34 states last year is slowing down, the National Asian Pacific American Bar Association (NAPABA) has been following two recent developments in Missouri and Arkansas.

"In Missouri, Governor **Michael Parson** issued [Executive Order 24-01](#) in January, which prohibits the acquisition of agricultural land by Chinese, Iranian, Russian, and other citizens

from other designated adversarial countries within 10 miles of a military facility. While the text of the Executive Order itself does not mention China by name, the Governor's press release and [remarks](#) focused almost exclusively on China: "With heightened concerns regarding ownership of Missouri farm land by foreign adversaries, especially China, we are signing this order to safeguard our military and intelligence assets, prevent security threats to our state, and give Missourians greater peace of mind." The Governor's [comments](#) when announcing his Executive Order appeared to be partly in response to legislative proposals that could ban *all* foreign ownership - including by friendly countries. Governor Parson touted foreign investment by a list of countries including Israel, Sweden, Germany, the UK, and Japan as critical to the state's economy.

"In terms of whether there has been evidence that Missouri farmland has been exploited for malign purposes, Governor Parson conceded that, 'While we have had no issues yet, we want to be proactive against any potential threats.' The Governor also remarked that if he had the authority, his ban would go a lot further: 'Believe me, if I had the authority, we wouldn't just be talking about banning farm land but all commercial properties by foreign adversaries...regardless of rural or urban.' Responding to questions posed during the press conference, Governor Parson clarified that the Executive Order is not retroactive, but the plain language of the order reads, 'no Missouri agricultural land shall be acquired *or owned*' (emphasis added) by a citizen of a foreign adversary, which may raise some confusion about current owners. NAPABA is not aware of any other states where a governor had taken unilateral executive action to bar Chinese or other citizens from acquiring property without the passage of legislation.

"Last fall, Arkansas became the first state (that NAPABA is aware of) to take an enforcement action against a Chinese (or any foreign) property holder under new alien land laws. [Attorney General Tim Griffin ordered](#) Northrop King Seed Company, a subsidiary of Swiss company Syngenta (which in 2017 was acquired by state-owned China National Chemical Corporation) to sell its property as it was in violation of state law that bars a 'prohibited foreign-party controlled business' from acquiring or holding land in Arkansas. China is considered a prohibited foreign party. Syngenta was also ordered to pay a \$280,000 fine for failing to register with the Arkansas Department of Agriculture on time as a foreign owned entity. In a [blistering response, Eric Boeck, President of Syngenta Seeds, United States and Canada](#) called the order, 'a shortsighted public ultimatum that doesn't have the American farmers, or independent seed companies we serve, best interests at heart,' and vociferously stated that 'the suggestion that China is using Syngenta to purchase land or conduct operations in the U.S. for any purpose other than supporting the company's commercial business in North America is simply false.' According to both Boeck, and additional [industry reporting](#), Northrop King Seed has owned the land in question, 160 acres in Craighead County, Arkansas since 1988, and the land is primarily used for seed research purposes that are specific to the soil type found in Arkansas, to accrue to the specific benefit of Arkansas farmers."

The Committee of 100 tracks federal and state bills prohibiting property ownership by foreign individuals and entities in 2023 legislative sessions at <https://bit.ly/3Hxta4B>

The Quincy Institute for Responsible Statecraft



Lora Lumpe, Chief Executive Officer, Quincy Institute for Responsible Statecraft, introduces the Quincy Institute and its plans and activities during the APA Justice monthly meeting on February 5, 2024.

Quincy Institute is a relatively new, standard think tank of about 4 years old. It has a global focus. One of its core areas is the US-China relationship. Its founding principle is that the US has come to rely too much on the use of military force. The Institute focuses on promoting an international relations theory called restraint, which calls for a use of force only when vital national interests are at stake. It prioritizes diplomatic solutions.

Lora emphasizes the importance of finding positive areas of cooperation between the US and China. Quincy Institute has organized coalition calls and conferences to advocate for a more constructive US-China relationship.

Quincy Institute is staffed with experts in US China security relations from a hard security perspective; another focus area for the Quincy Institute is trade, tech, and environment. It is pleased with the recent reinitiation of top-level dialogue, but crisis prevention mechanisms need to go a lot further.

In this Congress, there have been about 600 bills initiated, cutting across almost every committee. Almost every one of them is hostile toward China and focuses on a threat or an alleged threat posed by China to US national interests. The Institute aims to foster a constructive relationship.

In addition,

- Quincy Institute has an online publication called Responsible Statecraft that publishes about a thousand pieces of journalism and analysis a year - some from the staff and some from outside scholars.
- Prior to the meeting of Presidents **Biden** and **Xi** last November, Quincy Institute organized a coalition call to bring together people from different sectors including academic, national security, climate, farm and agriculture. The coalition called on the

two presidents to engage in a more concerted effort to strengthen the bilateral relationship.

- The Institute believes that broad sectors of American civil society want a decent workable relationship, and yet so much of what we see in the media, coming out of Congress, and often from the White House, is pointing to China as a threat. Quincy Institute held a half-day long conference with [foreignpolicy.com](#) – a main platform for Washington thinkers on US foreign policy to reframe or ask some different questions about the US China relationship, including panels on economy and national security.
- On trade and technology, Quincy Institute tries to sharpen the contradiction between the alarmist view or zero sum take and its perspective on cooperation and diplomacy.
- Quincy Institute also engages in investigative journalism, frequently looking at the sources of influence in the making of US foreign policy, such as foreign government funding of think tanks as well as corporate funding of think tanks and news outlets, trying to at least raise questions about whether those sources of financial support may in fact be impacting some of the analysis, commentary, and reporting that comes out.
- Lora refers to the Quincy Institute website with several pieces of in-depth analyses on the US-Taiwan-China relationship and paths to preventing conflict, pointing to the fundamental need of education on the One-China policy that has played a role in maintaining peace and allowed for the growth and development of Taiwan for the past 45 years.

Lora encourages others to view them as allies in promoting a more diplomatic approach to US-China relations and expresses her enthusiasm for collaboration and look forward to working closely with others in the future.

Contact **Tori Bateman**, outreach coordinator, at Tori@quincyinst.org. Visit the Quincy Institute website at <https://quincyinst.org/>.

Read the partial summary of the February 2024 APA Justice monthly meeting at: <https://bit.ly/49mmzXk>

Florida law SB 864 Undercuts US Leadership in Science



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| LETTER



Florida law undercuts US leadership in science

THOMAS P. KIMBIS | [Authors Info & Affiliations](#)

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According to *Science* report on "[New Florida Law Blocks Chinese Students From Academic Labs](#)," Florida's SB 846 hinders and potentially prohibits hiring applicants from China or six other "countries of concern" unless the university obtains a waiver from the state.

According to a letter to *Science* on February 15, 2024, any state's decision to shut out international scholars will push talented individuals elsewhere, cause delays in existing research efforts, threaten local job growth potential, and endanger US global leadership in research and development.

Scientists born outside of the United States have contributed to global understanding and progress as well as to the US economy, society, health, and national security. About 58% of the 72,000 postdoctoral scholars (postdocs) working in the United States are internationals. Having obtained the highest level of education in their fields, many are in their late 20s and 30s and are poised to assume leadership positions across society.

Welcoming postdocs from other nations drives innovation and builds stronger research institutions capable of greater accomplishments and economic development. There is no credible evidence of a surplus of domestic-born postdoc scientists and researchers whose career pathways are put at risk by international scholars. Moreover, by turning away the brightest minds from the seven targeted countries, Florida increases the chances that these individuals will instead find opportunities in other countries, including US competitors, a lost opportunity for innovation that could threaten the very national security that SB 846 purports to protect.

More than 300 faculty members have signed the petition <https://bit.ly/3I3kK5y> at the University of Florida that questions the policy and advocates for the freedom to hire top talent regardless of national origin. The National Postdoctoral Association, which supports US postdocs of all nationalities, joins their call.

Read the *Science* letter: <https://bit.ly/49F85Sa>. Read the Explainer on SB 864 by the Asian American Scholar Forum: <https://bit.ly/3UJNdER>

Ex-FBI Spy Hunter Sentenced

LEGAL ISSUES

Ex-FBI spy hunter sentenced to 28 months for hiding secret cash payments

Two prison terms for the former head of FBI counterintelligence in New York, Charles McGonigal, delivered a black eye to the FBI

According to the *Washington Post* and AP News, the FBI's former top spy hunter in New York was sentenced in Washington to 28 months in prison for concealing at least \$225,000 in payments he received from a former Albanian intelligence official while working for the bureau.

Charles McGonigal will serve his punishment on top of a 50-month prison term he received separately in New York last year for illegally conspiring with a Russian oligarch who wanted to be removed from a U.S. sanctions list.

McGonigal, 55, is one of the highest-ranking FBI agents ever convicted of criminal charges. He was special agent in charge of the counterintelligence division of the FBI's New York City office from 2016 to his retirement in September 2018.

McGonigal now has been sentenced to a combined 6½ years behind bars for the two offenses.

McGonigal expressed remorse and sorrow for what he called "mistakes," saying he betrayed the confidence and trust of his loved ones.

The judge told McGonigal that it appears he "lost his moral compass" at the end of a distinguished FBI career, when he held one of the highest national security positions in the federal government. She said his remorse seemed genuine.

"Unfortunately, it doesn't repair the damage," she added.

Read the *Washington Post* report: <https://wapo.st/4bHuEHT>. Read the AP News report: <https://bit.ly/3woUEra>

House Delays Plans on Surveillance Program Reauthorization Vote

CONGRESS

House delays plans on surveillance program reauthorization vote

Sharp divisions over privacy protections in Section 702 of FISA remain

According to *Roll Call* on February 14, 2024, the House shelved plans to hold floor votes this week on a bill to reauthorize a powerful surveillance authority, amid sharp divisions over how far Congress should go in providing privacy protections. The move came shortly after a House Rules Committee meeting on the bill to renew Section 702 of the Foreign Intelligence Surveillance Act (FISA), which revealed there was no clear agreement on a rule to allow floor consideration of amendments.

Sharp divisions over privacy protections in Section 702 of FISA remain

Section 702 allows the U.S. government to collect digital communications of foreigners located outside the country. But the program has been the subject of lawmaker concern because it also brings in the communications of Americans and allows the FBI to search through the information without a warrant. The agency can search through the data based on a single field, such as an email address.

The House Judiciary Committee has advanced one bill, and the House Intelligence Committee has advanced another. Republicans posted a new bill, which more closely resembles the Intelligence Committee bill, for consideration on the floor.

Read the *Roll Call* report: <https://bit.ly/4bJl0Dh>

News and Activities for the Communities

1. APA Justice Community Calendar

APA Justice Public Events

Today February 2024 Print Week Month Agenda

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	30	31	Feb 1	2	3
4	5	6	7	8	9	10
8pm Rep. Gene 1:30pm APA Jus		7pm Chinese A/ 2:45pm CAPAC		8pm USCET: A/		
11	12	13	14	15	16	17
		Senior Executives Association: Senior Exec				
		4pm WHI: Adv/				
		5pm Committee				
18	19	20	21	22	23	24
			2pm Exploring			
25	26	27	28	29	Mar 1	2
			President's Advisory Commis	CAMDC Dead		
			1pm WHI: Com			

Events shown in time zone: Eastern Time - Detroit

APA Justice Public Events

Today Sunday, February 18 Print Week Month Agenda

Thursday, February 22
2:00pm Exploring the Diversity and Growth of the Asian America
Tuesday, February 27
President's Advisory Commission on AA and NHPIs Meeting and Sol
Wednesday, February 28
President's Advisory Commission on AA and NHPIs Meeting and Sol
1:00pm WHI: Community Engagement Event
Thursday, February 29
CAMDC Deadline for Essay Contest
Sunday, March 3
9:00pm Rep. Gene Wu's Weekly Town Hall meeting
Monday, March 4
1:55pm APA Justice Monthly Meeting
Sunday, March 24

Events shown in time zone: Eastern Time - Detroit

Upcoming Events:

2024/02/22 Census Bureau: Exploring the Diversity and Growth of the Asian American Population
 2024/02/27-28 President's Advisory Commission on AA and NHPIs Meeting and Solicitation for Oral and Written Comments
 2024/02/28 WHI: Community Engagement Event
 2024/02/29 CAMDC Deadline for Essay Contest
 2024/03/03 Rep. Gene Wu's Town Hall Meeting
 2024/03/04 APA Justice Monthly Meeting

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

2. Census Bureau: Exploring the Diversity and Growth of the Asian American Population



WHAT: Exploring the Diversity and Growth of the Asian American Population

WHEN: February 22, 2024, 2:00 - 3:00 pm Eastern Time

WHERE: Webinar

HOST: U.S. Census Bureau

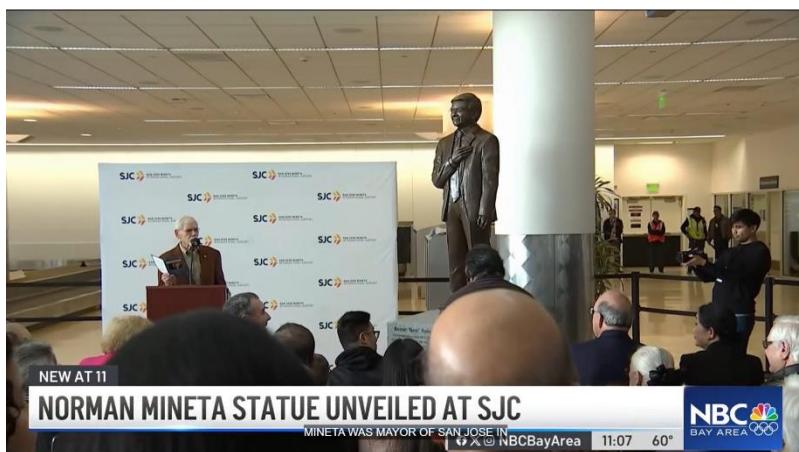
SPEAKERS:

- Mariecris (Mac) Treece, US Census Bureau
- Anh Nguyen, US Census Bureau

DESCRIPTION: Did you know there are more than 24 million people who identified as Asian alone or in combination in the 2020 Census? And the largest Asian group, which grew by over 50 percent are Asian Indians. Join us to discover the diverse and growing Asian population. Build your knowledge to paint a local portrait of Asian Americans including where they live, which industry sector they work in, homeownership rates, business ownership, and more. Lastly, we will demonstrate how to access data.census.gov to create an Asian community profile in selected geographies.

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

3. Norman Mineta Statue Unveiled at San Jose Airport



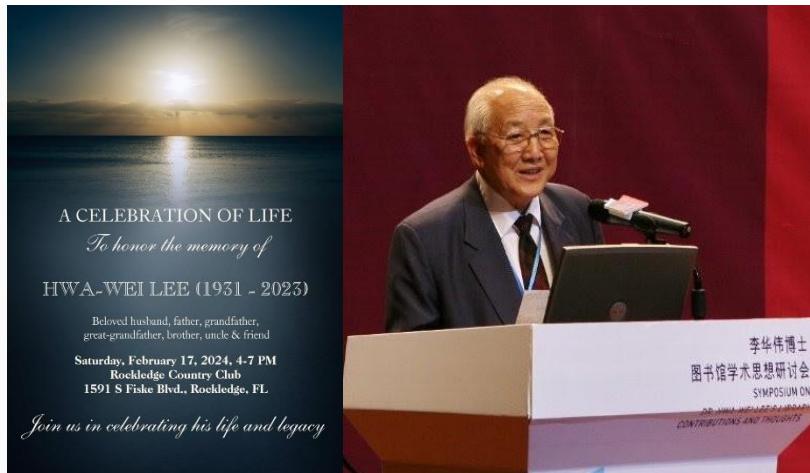
The city of San Jose on Thursday unveiled a new statue at San Jose Mineta International Airport to honor its namesake: Norman Mineta.

According to *NBC News* on January 25, 2024, the city of San Jose unveiled a new statue at San Jose Mineta International Airport to honor of its namesake **Norman Mineta**. The statue stands 6 feet tall and is made of bronze. It was funded by Mineta's supporters and commissioned by nonprofit organizations.

Mineta was the mayor of San Jose in the 1970s before serving in Congress for 20 years. He later became the U.S. commerce secretary under the **Bill Clinton** Administration and transportation secretary during the **George W. Bush** Administration. Mineta passed away in 2022 at the age of 91.

Read the *NBC News* report: <https://bit.ly/3wk6McU>

4. Memorial Service for Dr. Hwa-Wei Lee



On February 17, 2024, a memorial ceremony was held in Florida for Dr. **Hwa-Wei Lee** 李华伟, former Chief of the Asian Division at the Library of Congress and Dean Emeritus of Ohio University Libraries. He was 92.

During his five-year tenure (2003-2008) at the Library of Congress, Dr. Lee made a lasting impact through his initiatives, including international partnerships that led to the Japanese Rare Book Collection and the Chinese Rare Book Digital Collection. Dr Lee also established the Asian American Pacific Islander Collection with the support of Rep. **Mike Honda**, former Chair of the Congressional Asian Pacific American Caucus.

In 2005, Dr. Lee testified before the U.S.-China Economic and Security Review Commission for a hearing on the status of the Library's Chinese collection. He was recognized internationally for his contributions to bridging cultures between the United States and many other countries.

Dr. Lee was one of the founders and a past president of the Chinese American Librarians Association (CALA). He was honored by CALA in a video paying tribute to his life on June 25, 2013: <https://bit.ly/42FiOcZ> (17:10)

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