

2023/11/06 APA Justice Monthly Meeting

**APA Justice Meeting – Monday, 2023/11/06
1:55 pm Eastern Time / 10:55 am Pacific Time**

1. From Texas and Beyond on Alien Land Bills

Speaker: Gene Wu 吳元之, Member, Texas State House of Representatives

Texas state Rep. Gene Wu of District 137 in Houston returns to update us on education and coalition building efforts on the alien land bills (and other anti-immigration bills) in Texas and beyond. Gene is in his sixth 2-year term in the Texas House of Representatives.

The 30-day third special session in Texas was about to end on November 7. Unlike the regular session, only bills the governor wants to address will be considered in the special session.

The Governor put some border security related issues in the last special session. Two House members and one Senate member refiled the mirror image of the SB 147 alien land bills again. There was a hearing, but none of the bills moved.

Gene cautions that the SB 147 bills may be refiled again in the fourth or subsequent special sessions.

Gene will continue to conduct his weekly town hall meetings to stay vigilant and informed. It is organized with Dr. Steven Pei and others every Sunday at 8:00 pm CT. All are welcome to join with the Zoom registration link at <https://bit.ly/40U6aFS>.

The weekly town hall meetings are an effective model or roadmap for communities across the country to organize and deal with the alien land bills that are appearing at the state and federal levels.

In addition to the alien land laws, egregious anti-immigration laws bills are being introduced, one of which will create a 10-year minimum prison penalty for giving a ride to an undocumented individual. A neighbor or a Uber driver may be charged for human smuggling even if the driver is not aware that the rider is undocumented.

This bill has passed the House and is heading to the Senate which will likely also pass it.

A second bill in the House ([House Bill 4](#)) is even more dangerous and openly unconstitutional. Texas will for the first time be creating its own code-based immigration laws by charging people who are undocumented, whether it is due to illegal entry, expired visa, or rejection of paperwork.

The second part of the House bill has a provision that allows any police officer in the state of Texas to take anyone who is suspected to be undocumented, by force and otherwise, to one of the 31 ports of entry. They may be forced to exit the country from airports, seaports, railroad stations, and land bridges.

This House bill may apply to US citizens and green holders who may not have a chance to articulate their status. They may encounter such a situation when they are victims of a crime or an accident and confronted by police officers.

There is infighting in the Senate version of the bill in the third special session, but it may be reintroduced in the fourth special session.

About five years ago, Texas passed a controversial Senate Bill 4 known as the Show-Me-Your-Paper Bill. It created fear in the Asian and Latino communities and deterred them from calling the police when they needed help. There was a dramatic decrease in domestic violence reports, assault reports, and robbery reports from the Asian and Latino communities.

The Asian communities are already targets of criminal activities because the perception is that they will not fight back and they will not call the police.

2. Remarks by Congressman Andy Kim

Speaker: Andy Kim, Member, U.S. House of Representatives; Executive Board Members, Congressional Asian Pacific American Caucus

Congressman Andy Kim represents the Third Congressional District of New Jersey. He has dedicated his life to serving the country. He worked as a career public servant under both Democrats and Republicans, having served at USAID, the Pentagon, the State Department, the White House National Security Council, and in Afghanistan as an advisor to Generals Petraeus and Allen. Congressman Kim has announced his candidacy to run for the Senate seat in New Jersey.

Congressman Kim said that two top issues he hears from people in New Jersey are opportunities and safety.

He serves on the Armed Services Committee, the Foreign Affairs Committee, and the Select Committee on the Strategic Competition between the United States and the CCP. These roles give him important insights into some of the dynamics that are both dangerous and concerning about the trajectory and how it intersects with the AAPI community and our nation.

We should be thinking about our global leadership in the 21st century, especially when it comes to intersections with the Indo-pacific and more specifically the US-China relationship.

Congressman Kim is worried from his close look at the Select Committee that it is setting the stage for a new era of xenophobia and poorly planned policies that could lead our country and the AAPI community to be less safe.

There is politicization of our national security in terms of people trying to score points when it comes to talking tough and standing up for American leadership but doing so at the expense of others.

Congressman Kim sees how it manifests not just in terms of our foreign policy but in terms of rules and laws that can be passed at the federal level or more local levels such as land ownership or any number of other issues that we need to be concerned about.

From what Congressman Kim is seeing from his work in Congress, there is very little interest even on the Select Committee to engage the AAPI community and hearing from the Chinese American community about their concerns. He cannot get the committees to have the level of attention to the diaspora and the AAPI community that it should.

Congressman Kim observes the systematic pattern where the decisions are being made about US foreign policy in the Indo-Pacific and different parts of Asia. When it comes to U.S. foreign policy to Europe and other parts of the world, there is a lot more outreach and engagement to get the inputs and thoughts from the populations here in the U.S.

Congressman Kim feels very strongly about the need for the AAPI community to get further engaged to find ways to track legislation with him and others to think about how we can maximize our voice. Make it so our voice cannot be ignored on critical issues of this nature.

Congressman Kim is happy to engage on this further. An engaged, strategic approach is absolutely necessary to be able to tackle some of the issues that we face.

It is important to show that our voice is important not just on issues that are specific to the AAPI community like discrimination, xenophobia, or foreign policy.

Congressman Kim also hears a lot from the Asian American community in New Jersey about their deep concerns about issues like mental health and health care, small business, and affordability.

Congressman Kim has been in many political meetings when attention was turned to him only on issues related to discrimination and not other issues. That is wrong.

Congressman Kim has many ideas to lift up the AAPI community on other issues. Do not turn to only issues that are specific to us regarding our race and our heritage. We need to be an essential voice on many other issues such as immigration, health care, and education.

If you wish to support and stay engaged with Congressman Kim, please contact Jack Our at Jack@andykim.com.

3. LULAC - Texas Multicultural Advocacy Alliance and More

Speaker: Dr. Sergio Lira, Co-Vice President, Texas Multicultural Advocacy Alliance (TMAC); President, Greater Houston, League of United Latin American Citizens (LULAC)

Formed in 1929, LULAC is the largest and oldest Hispanic and Latin-American civil rights organization in the United States.

Dr. Lira has been a member for LULAC for about 20 years. He is President of LULAC-Houston. LULAC has a 94-year history fighting for civil rights, education, and criminal justice since the turn of the century when World War I returned and they faced discrimination in South Texas. LULAC has over 135,000 members today.

There is strength in numbers. Dr. Lira is honored by serving on TMAC. There are many concerns that we can collaborate on.

Dr. Lira witnessed the rise of hate during the previous administration and the beginning of COVID when Asian Americans were attacked in New York and in Texas that resonates with him.

We have a long history of that type of treatment. We need to work together to ensure that we fight and advocate together. Working in silos is not going to give us the strength to have real impact on legislation.

Dr. Lira's wife is bilingual and an immigrant from Mexico. He and his wife went to Tallahassee to speak up against the alien land bill in Florida.

Dr. Lira also sent a letter to LULAC New York City in support of New York Police Department Officer Angwang,

By having one voice that is expected and another voice that is not expected, folks may start to listen.

Congressman Kim just mentioned there are also issues like mental health and education that are not always about discrimination. Racism and xenophobia have a long history in this country because there is institutional racism that is the first thing we need to recognize.

We need to have more representation not only at the state level like Gene Wu, but also at the county, city, and local levels.

Houston is the fourth largest city in the nation, but we have no representation in Harris County, the third largest county in the country.

Institutions provide funding from the state legislature and trickle down to cities and counties for mental health, education, and law enforcement. We need to have more Asian American and Latino representation at these levels.

Crime is spiking up in Houston, Texas, and nationwide against Latinos, Asian Americans, and African Americans. Crime does not discriminate. Those who are impacted the most are those with less resources.

Dr. Lira is excited to join TMAC and lend his expertise and experience to fight these issues. Together we can make positive change.

Dr. Lira called for close attention to House Bill 4 from a broad macro view. It basically says that if we can target immigrants coming to this country of immigrants, we can target all U.S. citizens. It is not just Latinos that the authorities can pull over and check for status. It can be Asian Americans from the Philippines or Korea, Muslim Americans, and Pacific Islanders.

This and other similar bills are very dangerous because they snuck in and become embedded. They remind Dr. Lira of the early Nuremberg laws of the Nazis, focusing on a particular group of people, especially in this culture of hate and xenophobia that will raise it to another level.

4. Updates from Committee of 100

Speaker: Cindy Tsai 蔡欣玲, Interim President and Executive Director, Committee of 100 (C100)

The Committee of 100 is about 35 years old. From its very first day, it has had a dual mission. One is to ensure full inclusivity of Chinese Americans in America. The second is to be a force to encourage constructive relationships between the peoples in the U.S. and Greater China.

In today's geopolitical world, we cannot serve one of our missions without thinking about the other.

The intersectionality at this point is so intertwined that it really has encouraged Cindy to look at C100 work in a different frame.

One of the topics Congressman Kim mentioned is how we can be strategic in our engagement as a community. With the alien land laws popping up from state to state, one contribution the Committee of 100 can make as a national organization to address them at the state level is to help track the legislation.

Cindy shared her screen to show an interactive map that is still under development where the alien land laws are being tracked. It is a tool for all interested members of the communities to understand where each state is in their bills.

By clicking on each state, the state bill summary will appear, and you can access the full text by clicking on a selected bill.

There are also options for the user to filter such as the different types of properties. If the interest is about restrictions on PRC citizens, the corresponding states will be highlighted.

This is still work in progress. Cindy looks for help especially from those who are on ground and will have information firsthand to keep the interactive map up to date.

The second aspect that the Committee of 100 is working on is a playbook for those who are relatively new in political engagement and advocacy about basic rules and tools that should be understood before we get involved. It will lessen some of the obstacles that we face.

It is like Political Engagement Advocacy 101. The Committee of 100 collects information from everyone's experience, including advocacy groups that have put out publications.

Cindy shared a screen of a 21-page document on media tools, talking points specific to the alien land laws, ways to engage your state and local representatives, and activities such as rallies, marches, and protests. It is meant to be a guide that should be easily digestible. It is shared with the community just like the interactive map.

Cindy invited community members to contact her at ctsai@committee100.org if they wish to participate and contribute to these two resources.

5. Interlude with the “Other Andy Kim” and Albert Wang

Speakers:

- Andrew Chongseh Kim | Senior Foreign Attorney (Texas, Illinois), Bae, Kim & Lee LLC
- Albert Wang, Chair, API Coalition

Andrew Chonseh Kim, aka the “other Andy Kim,” used to be in Houston and is now a senior foreign attorney in Seoul, South Korea. He joined the meeting around 4:00 am local time.

Andy is also General Counsel, Korean American for Political Action.

In a study co-led by Committee of 100, Andy Kim, then an attorney with Greenberg Traurig, LLP, analyzed and wrote a landmark white paper on the Economic Espionage Act. The report analyzed 276 individual defendants in 190 cases from 1996 to 2020, showing those with Chinese and Asian names are punished more severely and arrested at a higher rate than Western defendants.

Andy sent greetings to all the leaders at the meeting, especially to Congressman Andy Kim about the pride, excitement, and warm wishes of the Korean American community about his run for the Senate.

Dr. Albert Wang, Chair of API Coalition, substituted for Andy Li, who as President of API Coalition, was the original scheduled speaker but was called away at the last minute.

API coalition was formed to help unite and connect API elected officials and community leaders so that they get to know each other, support each other with mentoring and trust-building during “peace time.” When problems arise, then the coalition can act together quickly.

API Coalition has held three summits in Northern California, Southern California, and Washington DC over the last 2 years.

With the upcoming APEC meeting being held in San Francisco this year, API Coalition will hold a national summit on Saturday, November 18, 2023, after the end of the APEC meetings.

The event is meant to be another opportunity for everyone to network, including some breakout sessions regarding artificial intelligence, semiconductors, Asian hate, and a

forum on to help AAPI organizations to apply and obtain open state and federal funding, which has always been a problem.

Our communities receive a much lower share of the resources that we deserve and also contribute.

Congresswoman Judy Chu will attend the summit. She has a federal bill to help prevent the state alien land laws from being enforced. API Coalition will try to see if some of the elected officials as well as community organizations who attend the summit will sign on to the petition to support Congresswoman Jud Chu's bill.

Dr. Albert Wang can be contacted here: aybwang@comcast.net. Andy Li can be contacted here: andy.j.li@gmail.com

6. CAPAC Updates

Speaker: Nisha Ramachandran, Executive Director, Congressional Asian Pacific American Caucus, nisha.ramachandran@mail.house.gov

Nisha was not able to attend. Casey Lee, Policy Advisor, reported that CAPAC is monitoring two appropriation bills in the House that are scheduled for a vote.

The first is on Transportation, Housing and Urban Development, and Related Agencies Appropriations Act. The second is the Financial Services and General Government Appropriations Act. CAPAC is reviewing any potentially harmful anti-Asian amendments for both that may impact our communities.

CAPAC is also meeting and talking to different congressional offices and committees on the Rounds amendment that was added to the Senate version of the National Defense Authorization Act (NDAA), as well as its position on the alien land laws broadly.

CAPAC has been working with Advancing Justice | AAJC and the broader FISA Section 702 Reform Coalition to set up a Tri-Caucus (CAPAC, Congressional Hispanic Caucus, and Congressional Black Caucus) staff-level briefing on Section 702 reform.

The briefing is currently being set for early December.

7. Anti-Profiling, Civil Rights & National Security Program - Asian Americans Advancing Justice | AAJC

Speaker: Joanna Derman, Director, Anti-Profiling, Civil Rights & National Security Program, Advancing Justice | AAJC

Joanna provides updates on several topics.

The first is the imminent introduction of a bipartisan FISA 702 reform bill in Congress. Much of the details of the bill was embargoed at that time. The press is already asking a lot of questions. Advancing Justice | AAJC has already officially endorsed it.

FISA section 702 and other such warrantless surveillance authorities have disproportionate impact on members of our community that also dovetail so many other efforts on the part of the federal government to subject Asian Americans to outsized scrutiny in the name of so-called national security.

As Casey mentioned, the Advancing Justice | AAJC is coordinating with CAPAC in organizing a Tri-Caucus briefing on FISA section 702 reform for the first week of December.

There are continuing efforts to beat the drum on the Rounds amendment in the NDAA. Given that the House has a new speaker, there will be more traction on NDAA conferencing. Advancing Justice | AAJC is meeting with a number of targeted congressional offices to urge them to strike it in conference.

8. Update from Asian American Scholar Forum

Speaker: Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum (AASF), gpkusakawa@aasforum.org

Gisela reported that AASF will have a convening to focus on AI for science and medicine. It will also include an AASF panel to discuss some of the legislative and administrative priorities of the Asian American scholar community. The event will be held on Sunday, November 12, from 8:30 am to 1:15 pm. It will be open to the public. Speakers will include prominent speakers from Stanford University, MIT, and Princeton University.

AASF leadership will also convene. It is a special moment considering that much of the Asian American scholar movement really started around the galvanization of MIT Professor Gang Chen.

The top priority for AASF is to prevent what AASF sees as multiple attempts to increase disclosure requirements. With legislation, AASF is also concerned with congressional attempts towards reinstating the Department of Justice's China Initiative, including the use of appropriation bills.

ASF will continue to monitor and circulate with the general public the AASF responses and letters.

AASF genuinely believes that the end of the DOJ China initiative was a welcome step moving forward that allows scholars to engage and work with federal grant agencies and academic institutions for nuanced, appropriate solutions. AASF hopes that we do not take a step back.