

2025/04/07 APA Justice Monthly Meeting

APA Justice Meeting – Monday, 2025/04/07
1:55 pm Eastern Time / 10:55 am Pacific Time

1. Remarks by Congressman Mark Takano

Speaker: Mark Takano, First Vice Chair, Congressional Asian Pacific American Caucus (CAPAC), Member, U.S. House of Representatives

In his video remarks posted at <https://bit.ly/3R595Yv> (2:23), Rep. Takano condemned the Trump administration's use of the Alien Enemies Act—a law historically tied to Japanese American incarceration during World War II. Rep. Takano noted the painful personal relevance of this law, which was used against his own family. He expressed grave concern over the administration's attempt to deport individuals without due process, calling it a move that edges the country toward a constitutional crisis. He criticized the Justice Department's refusal to disclose information about those deported or jailed, leaving families in distress and non-citizens in fear.

Rep. Takano also warned of broader threats to civil liberties, particularly for the Asian American, Native Hawaiian, and Pacific Islander (AANHPI) community. He cited alarming policies such as reviving the discredited China Initiative, challenging birthright citizenship, and fostering racial suspicion—measures he described as targeting those who do not "agree, act, or look like" those in power. Despite the troubling developments, Rep. Takano affirmed his commitment to using his platform to protect vulnerable communities. He urged attendees and the community to join him in holding the administration accountable and to share outcomes from the meeting that could help inform further action by his office, CAPAC, and the broader AANHPI community.

Rep. Takano welcomes feedback and his office can be reached at Takano.Press@mail.house.gov and 202-225-2305.

2. Remarks by Dean Erwin Chemerinsky

Speaker: Erwin Chemerinsky, Dean, Jesse H. Choper Distinguished Professor of Law, University of California, Berkeley, Law School

- 2025/04/05 CNN: [Law school dean on Trump's executive orders: 'This is just about retribution'](#)
- 2025/04/03 Washington Post Opinion: [Trump is targeting law firms and academia. Why don't they speak up?](#)

- 2025/03/14 AP News: [Trump demands unprecedented control at Columbia, alarming scholars and speech groups](#)
- 2025/03/07 New York Times Opinion: [The One Question That Really Matters: If Trump Defies the Courts, Then What?](#)

Dean Chemerinsky expressed deep concern about the future of American democracy, stating that if the country were to slide into authoritarianism, this is what it would look like. He emphasizes that his fears are nonpartisan and not about specific policies like tariffs or foreign affairs, but rather about blatant violations of the Constitution and rule of law. He believes the current administration has shown unprecedented lawlessness within its first 75 days, more than any administration before, and signals the urgency of collective action in response.

Dean Chemerinsky covered six major topics:

1. **Putting people in prison without any due process.** Dean Chemerinsky describes a troubling case in which the Trump administration transferred over 200 Venezuelans—and mistakenly, a lawful Salvadoran resident named Kilmar Garcia—to a maximum-security prison in El Salvador without due process. Judge Patricia Millett criticized the action as lacking even "a gossamer of due process." The administration argues that no U.S. court has authority to review or intervene when individuals are detained in foreign countries. Although a U.S. District Court ordered Garcia's return, the Justice Department contends that only a writ of habeas corpus applies—something U.S. courts cannot issue for those held abroad. Dean Chemerinsky warns this stance could allow the government to detain anyone, even critics, outside the U.S. with no legal recourse, raising serious constitutional concerns. The Supreme Court was going to rule on an emergency motion to return Garcia to the U.S.
2. **Elimination of Federal agencies and cutoff of Federal funds.** Dean Chemerinsky criticizes the Trump administration for unilaterally abolishing federal agencies like USAID, the Department of Education, and the Consumer Financial Protection Bureau without Congressional approval, which he says is illegal since only Congress can do so via statute. He also highlights that the administration is unlawfully refusing to spend funds appropriated by Congress, despite having no authority to do so. Dean Chemerinsky points out that courts during the Nixon era ruled such actions violated the separation of powers, and the 1974 Impoundment Control Act explicitly forbids presidents from withholding congressionally approved spending.
3. **Firings of agency heads and civil service workers.** Dean Chemerinsky highlights the firing of agency heads and civil service workers without just cause, despite federal laws protecting them. He notes that since 1935, the Supreme Court has upheld Congress's authority to limit the removal of officials in multi-member agencies. Despite this, Trump dismissed leaders from bodies like the Merit Systems Protection Board and the National Labor Relations Board. Just recently, the D.C. Circuit ruled in *Harris v. Bessent* (7–4) that these firings were unauthorized.
4. **Effort to strip birthright citizenship.** Dean Chemerinsky identifies a fourth legal violation: the Trump administration's attempt to eliminate birthright citizenship. The first sentence of

Section One of the 14th Amendment states that “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.” The phrase “within the jurisdiction” excludes only limited cases, such as children born to foreign soldiers during an invasion. The Supreme Court affirmed this broad guarantee in *United States v. Wong Kim Ark* (1898), holding that all individuals born on U.S. soil are citizens, regardless of their parents’ immigration status. Dean Chemerinsky emphasizes that no prior president had challenged this interpretation—until Trump issued an executive order declaring that only children born to U.S. citizens or green card holders would be considered citizens, directly contradicting over a century of settled constitutional law.

5. **Targeting universities.** The fifth legal violation identified by Dean Chemerinsky is the Trump administration’s targeting of universities by cutting federal funds—\$400 million from Columbia and \$150 million from the University of Pennsylvania—without following legal procedures. Federal law requires prior notice, a hearing, findings of fact, and a 30-day notice to Congress before cutting university funding, none of which occurred. Moreover, funds may only be cut if a university is deliberately indifferent to a hostile environment, and only the specific discriminatory program may be defunded—not the institution as a whole. Chemerinsky argues this effort is an unlawful attempt to intimidate universities.
6. **Retribution against law firms.** The Trump administration’s targeting of law firms through punitive executive orders aimed at retribution. Firms like Covington & Burling and Perkins Coie were singled out due to their past associations—one had a lawyer who worked with Jack Smith, the other represented Hillary Clinton. The executive orders barred these firms and their lawyers from obtaining security clearances, entering federal buildings (including courts), or representing businesses contracting with the federal government—effectively crippling them. Three federal judges have ruled such orders illegal, affirming that lawyers should not be punished for their clients or lawful, zealous advocacy. Nonetheless, a number of law firms have capitulated and settled, trying to avoid being named in executive orders.

Taken together, it is a pattern of violations of the Constitution and laws.

Dean Chemerinsky outlines three key actions we all need to take:

- **Stay Informed** – We must continue to follow the news and understand the actions of the Trump administration, despite it being upsetting.
- **Get Involved** – Support organizations challenging lawlessness by volunteering and providing financial assistance. Everyone should find ways to contribute to upholding the rule of law.
- **Speak Out** – Take action by contacting Congress, signing petitions, writing public op-eds, or simply discussing these issues with others to raise awareness and advocate for change.

Dean Chemerinsky closed his remarks by quoting Reverend Martin Niemuller (1892-1984), who upon release from a concentration camp, wrote.

“First they came for the socialists, and I did not speak out—because I was not a socialist.

“Then they came for the trade unionists, and I did not speak out—because I was not a trade unionist.

“Then they came for the Jews, and I did not speak out—because I was not a Jew.

“Then they came for me—and there was no one left to speak for me.”

Following Dean Chemerinsky’s remarks, a discussion including Dr. Les Wong and Dr. Jeremy Wu explored the implications of his warnings. Dr. Wong reflected on historical patterns of scapegoating and the importance of civic education, while Dr. Wu linked Dean Chemerinsky’s points to current threats targeting Asian American communities, such as the revival of the China Initiative and the use of wartime powers against immigrants. The discussion emphasized the need for vigilance, coalition-building, and active civic engagement to defend constitutional protection and uphold the rule of law.

3. CAPAC Updates

Speaker: Judith Teruya, Executive Director, Congressional Asian Pacific American Caucus. Judith.Teruya@mail.house.gov

[not on record]

4. Update from Asian Americans Advancing Justice | AAJC

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

Joanna highlighted three key developments:

1. AAJC applauded the U.S. District Court for the District of Columbia’s decision temporarily blocking the Trump administration’s invocation of the Alien Enemies Act and is collaborating with partners on next steps.
2. In response to visa revocations, arrests, and disappearances of migrants and international students across the U.S., AAJC is preparing a joint statement with its

network to support those targeted for political reasons, to be shared once finalized after the meeting.

3. Joanna detailed ongoing opposition to alien land laws, particularly Texas HB 17, commending local partners who mobilized testimony and rallies. Over 100 people provided testimony. AAJC provided legal analysis and messaging support throughout the process and will continue to provide rapid response support. In Michigan, AAJC prepared advocacy materials as lawmakers considered similar legislation. At the federal level, AAJC is monitoring the possibility of a new legislative push dubbed “China Week 2.0” and is preparing a sign-on letter in response.

4a. Comments by Professor Steven Pei, Co-Organizer, APA Justice

Professor Steven Pei commented that Texas HB 17 is one of the most aggressive alien land bills in the country. Reflecting on lessons from the successful opposition to SB 147 in 2023, he noted that some local groups initially limited their tactics by relying on Republican lobbyists. However, momentum shifted less than three weeks ago when grassroots mobilization took center stage, leading to rapid organization of rallies in Houston, Austin, and Dallas with 100–300 attendees each. These rallies garnered media attention and were supported by newspaper ads and a joint letter signed by 81 organizations—49 from Texas and 32 national or out-of-state groups—sent to state legislators.

Steven described the week of action as a pivotal moment, culminating in a public hearing before the Texas House Homeland Security Committee. Supporters, including many transported by buses from Houston and Dallas, rallied at the Texas Capitol. Silent protests were planned throughout the week leading up to the committee vote. Steven emphasized the need for continued national support in the form of policy, legal expertise, and financial assistance. He acknowledged contributions from organizations like AALDEF, APA Justice, and UCA, which helped fund ads and logistics, highlighting a broad coalition’s role in shifting the tide in Texas.

5. Update from Asian American Scholar Forum

Speaker: Gisela Perez Kusakawa, Executive Director, Asian American Scholar Forum (AASF)

Gisela shared a comprehensive update on AASF’s efforts to support scholars, scientists, and researchers amid heightened scrutiny and legislative threats. She announced an upcoming “State of Play” virtual town hall featuring Congresswoman Grace Meng, professors and academics, and other stakeholders to address the impact of federal and state actions—including efforts to revive the discredited “China Initiative.” A letter led by two Stanford University professors garnered about 1,900 signatories. The Senior Vice President of the

Association of American Universities will discuss perspectives from the universities, as well as attorneys to provide more information about on-the-ground cases.

AASF is seeing increases in investigations and scrutiny of Asian American and Asian professors, scientists, and students across the country and will offer resources to assist them.

Gisela also highlighted ongoing collaboration with Advancing Justice | AAJC and noted the importance of vigilance against discriminatory legislation like Florida's SB 846, which could bar Chinese graduate students from U.S. research opportunities and lead to broader academic exclusion impacting professors who are working with Chinese graduate students. AASF issued a press release on the preliminary injunction against Florida SB 846. It was a victory by ACLU, CALDA, and a pro bono legal team that AASF helped to provide.

AASF remains vigilant on the case of a professor, an asylum seeker, who lost his employment at a Florida college.

Gisela further discussed the case of Indiana University professor Xiaofeng Wang whose home was searched by the FBI, noting that AASF is preparing a letter addressing the university's response and its broader implications. To support scholars facing legal and immigration uncertainty, AASF is working with a network of immigration attorneys and organizing free legal consultation webinars on immigration and criminal defense. These resources aim to empower individuals with knowledge of their rights and to strengthen ties between the legal and scientific communities. Gisela emphasized the urgency of protecting academic freedom and ensuring that discriminatory practices do not set harmful precedents for the broader AANHPI academic community.

6. Updates from the Committee of 100

Speaker: Cindy Tsai, Interim President, Committee of 100

- 2025/04/25-26 [Committee of 100 Annual Conference & Gala](#)

The Committee of 100 (C100) is a national nonprofit composed of prominent Chinese Americans committed to ensuring equal citizenship, broad inclusion in American society, and constructive U.S.-China relations. Through education, policy research, legal advocacy, and leadership development, C100 works to elevate the voices and experiences of Chinese Americans and the wider AAPI community.

Cindy reported that C100 is currently focused on education and civil rights, particularly through its national initiative to track and advance the teaching of AANHPI history in K–12 schools and its Legal Defense and Education Fund, which supports those facing discrimination based on heritage. C100 is also actively monitoring state-level legislation, including discriminatory property restrictions based on national origin. In partnership with APA Justice, it has hosted a

three-part series on alien land laws, with the final session set for the C100 Annual Conference and Gala in Los Angeles on April 25–26, 2025.

The two-day conference will feature over 20 panels exploring AAPI identity, civil rights, U.S.-China relations, and cultural representation. A major theme is the power of storytelling, arts, and media to shape public perception and foster cross-cultural understanding. Notable sessions include a Hollywood panel moderated by filmmaker Adele Lim, featuring actors Sherry Cola, Harry Shum Jr., and others, and a conversation on K-pop's global impact with SM Entertainment founder Soo-man LEE.

Academy President Janet Yang will host a segment with Samantha Quan, producer of *Anora* (this year's Oscar-winning Best Picture), Shannon Lee, daughter of martial arts legend Bruce Lee and Izaac Wang, lead actor in *Didi* (弟弟).

A panel featuring UC Irvine Law Professor Robert Chang, Texas House Democratic Caucus Chair Gene Wu, and legendary Texas House Representative Martha Wong will address the resurgence of alien land laws and grassroots responses across the country and what we can do in our respective home states.

Other panels will explore the national security–civil rights intersection, including travel risks for scholars with Chinese passports or green cards, and the broader implications of recent investigations like that of Indiana University Professor Xiaofeng Wang. A separate discussion between Queens College President Frank Wu and UCLA Vice Chancellor Roger Wakimoto will underscore the importance of AAPI representation in academic leadership—an idea shaped with input from Dr. Les Wong, former president of San Francisco State University and Northern Michigan University.

The conference will also spotlight multiracial and multiethnic AAPI identity, with a dedicated panel and workshop on exploring personal heritage and belonging.

For more information, contact Cindy Tsai at president@committee100.org and register for the conference here: <https://bit.ly/4icDSOQ>

7. Asian American Academy of Science and Engineering (AAASE)

Speaker: Ed Guo, President, Asian American Academy of Science and Engineering (AAASE); Stanley Dicker Professor of Biomedical Engineering, Columbia University

- 2024 [New President Statement](#)

The Asian American Academy of Science and Engineering (AAASE) is a professional organization committed to highlighting and advancing the contributions of Asian American scientists and engineers through excellence in research, innovation, and leadership in STEM fields.

Professor Guo shared recent AAASE initiatives, including:

- A 2024 national summit that inducted 23 distinguished Asian American scientists and engineers, including Nobel Laureate and former U.S. Secretary of Energy Dr. Steven Chu.
- STEM summer camps for high school students, held at Princeton University for the past three years and expanded to Stanford University last year. In 2025, the East Coast camp will relocate to MIT, while the Stanford program will continue.

Professor Guo also raised alarm about the escalating threats to higher education and scientific research. He reported a significant decline in international graduate student enrollment, especially from Asia, due to growing concerns over safety and visa security under the current political climate. At Columbia University, where Professor Guo teaches, a \$500 million budget cut—including \$250 million in lost NIH research funding—is already taking a toll on both faculty research and the training of future scientists.

Professor Guo emphasized that U.S. science and innovation are deeply reliant on international students, particularly from Asia, and clarified that federal research grants—not tuition or endowments—are the primary funding sources for scientific research. Cuts to NIH grants, especially those tied to training and clinical translation, jeopardize the development of the next generation of scientific leaders.

Quoting Arizona State University President Dr. Michael Crow, Professor Guo noted that over 4,000 inventions in the iPhone came from university research, underscoring how critical university-based innovation is to the U.S. economy.

Calling the current climate “frightening,” Professor Guo urged academic institutions and professional organizations to unite in defense of academic freedom, international collaboration, and the integrity of science and education.

7. Q&A and Discussions

8. Next Meeting

The next monthly meeting will be held on April 7, 2025, starting at 1:55 pm ET/10:55 am PT