

In This Issue #388

This special edition highlights the March 24, 2026 webinar, “*Mass Surveillance and the ICE Crackdown: What the AAPI Community Needs to Know.*”

A recording of the webinar is available here: <https://www.youtube.com/watch?v=loTNDznWVc4> (1:04:32)

The webinar examined the intersection of mass surveillance and Immigration and Customs Enforcement (ICE) crackdowns affecting Asian American and Pacific Islander communities. It featured Mayor **Kaohly Her** of St. Paul, Minnesota, alongside a panel of experts discussing current surveillance programs and their real-world impacts.

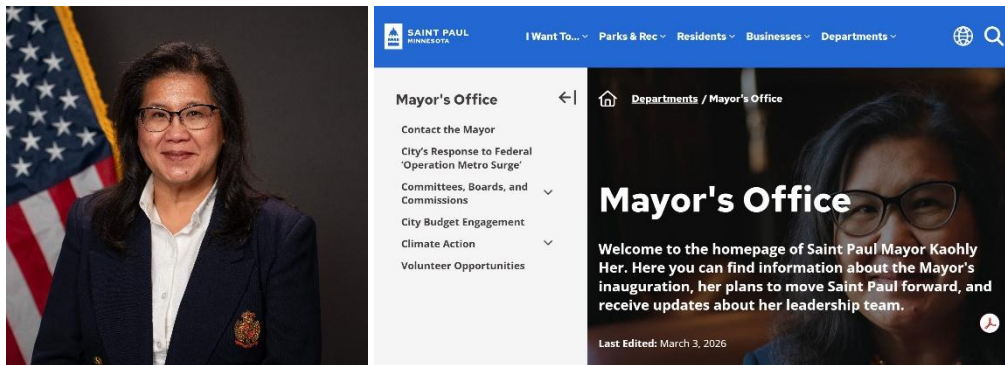
Expanding surveillance authorities and immigration enforcement are increasingly converging in ways that significantly affect AAPI communities and raise urgent civil liberties concerns.

The webinar was co-hosted by [APA Justice Task Force](#), [Asian American Advancing Justice | AAJC](#), [Asian American Scholar Forum](#), and [Committee of 100](#).

It was moderated by [Michael German](#), a retired fellow at the Brennan Center for Justice and former FBI special agent focused on law enforcement and intelligence oversight and reform.

Bringing together four distinct perspectives—a mayor, a civil liberties litigator, a wrongfully targeted scientist, and a civil rights leader—the discussion helped the community better understand what is happening, why it matters, and what actions can be taken.

Opening Remarks by Mayor Kaohly Her



Mayor **Kaohly Her** — the first Asian American and first woman elected mayor of St. Paul, Minnesota — opened the March 24 webinar with a firsthand account that was both deeply personal and deeply alarming, offering a ground-level view of what the ICE crackdown has meant for her city and its communities.

Mayor Her made clear from the outset that what the rest of the country has recently witnessed in Minnesota was not new to the AAPI community. As far back as April of last year, while still serving as a state legislator, she convened a meeting with ICE representatives who provided virtually no information about their operations — where they were going, who they were targeting, or what they were doing. Yet community members were already reporting detentions. "We knew in our communities, especially our Southeast Asian communities, that they were already being targeted," she said. "No one was paying attention to it at all."

By summer, the situation had intensified dramatically. Mayor Her described weekends in which the AAPI community was "targeted heavily," with families so frightened that individuals scheduled for immigration check-ins simply stopped going — choosing instead to go into hiding for the foreseeable future. American citizens were being swept up. Businesses saw revenues drop by 60 to 70 percent. Children were moved to remote learning as schools shut down. People stopped going to the doctor out of fear of leaving their homes. "It was worse on the ground than what you all were seeing on the news," she said of the period from November through February.

By January, however, St. Paul had built a remarkable grassroots response. Constitutional observer training sessions that once drew 30 or 40 people were filling rooms with hundreds. Volunteers built a sophisticated network — using Signal and coordinated radio frequencies — to track suspected ICE vehicles by following them from the Whipple building (a federal office complex located in the Twin Cities area. It houses various government agencies including ICE), logging license plates, and alerting community members in real time when those vehicles appeared in their neighborhoods. The city joined lawsuits alongside other municipalities, worked with the governor and attorney general to quadruple the number of clemency hearings from one to four per year, and partnered with foundations and private entities to distribute \$4 million in relief to affected nonprofits and businesses.

Mayor Her also described ongoing efforts to quantify the full economic and social cost of the enforcement operations — from lost business revenue to healthcare system impacts — to build the case for state-level relief. The Minnesota legislature is currently considering a relief package for emergency rent support and broader economic recovery.

For those who want to help, Mayor Her encouraged financial contributions to the foundations supporting St. Paul communities, purchasing gift cards from affected local businesses, and connecting with community resources through the city's [United Way 211 Immigration Resources and Hotline](#) and its official [City's Response to Federal 'Operation Metro Surge'](#) page.

Mayor Her's closing message was one of both exhaustion and resolve. After describing the extraordinary mobilization St. Paul had undertaken over the preceding months, she indicated that the community is now focused on the work of rebuilding — supporting residents, businesses, and organizations as they recover from the intense period of enforcement activity and fear that had gripped the city.

Watch Mayor Her's remarks: <https://www.youtube.com/watch?v=ZqHLYymP2Gk> (14:13)

JFK Profile in Courage Award to People of Twin Cities

On March 19, 2026, the John F. Kennedy Library Foundation announced the 2026 Profile in Courage Award honoring the people of the Twin Cities, Minnesota, for demonstrating exceptional courage in defending their communities during a large-scale federal immigration enforcement operation. The award will be presented on May 31, 2026, at the John F. Kennedy Presidential Library and Museum in Boston.

Saira Hussain's Opening Remarks



[Saira Hussain](#), Senior Staff Attorney at the Electronic Frontier Foundation (EFF), outlined the scope of U.S. surveillance authorities, focusing on Section 702 of the Foreign Intelligence Surveillance Act, which permits the collection of Americans' communications without a warrant when targeting individuals abroad. She described the program's pending expiration as a difficult policy tradeoff: letting it lapse risks losing existing safeguards, while current reform proposals remain insufficient to protect civil liberties. EFF supports stronger reforms, including the Fourth Amendment Is Not For Sale Act to close the "data broker loophole."

She also highlighted expanding surveillance tied to immigration enforcement, including social media monitoring programs that may penalize disfavored speech, raising First Amendment concerns. Increased data sharing across agencies—such as IRS, DMV, and utilities—enables ICE to assemble detailed personal profiles, underscoring the need for clear limits to prevent information collected for one purpose from being repurposed for another.

Founded in 1990, the Electronic Frontier Foundation is a leading nonprofit defending civil liberties in the digital world, advancing privacy, free expression, and innovation through litigation, policy advocacy, and technology development.

Important resources from EFF:

- [Digital Privacy at the U.S. Border: Protecting Data on Your Devices](#)
- [Section 702 reauthorization](#)
- [Fourth Amendment Is Not for Sale Act](#)
- [Lawsuit against the State Department and DHS's social media monitoring program of visa holders and permanent residents for "disfavored" speech](#)
- [Other surveillance tools that ICE has access to](#)
- [Surveillance Self-Defense](#)

Professor Xiaoxing Xi's Opening Remarks



Professor [Xiaoxing Xi](#), a leading expert in superconductor technologies at Temple University, shared his experience of being wrongfully arrested in 2015 after federal authorities misinterpreted academic communications as evidence of espionage. Although charges were dropped within months, the personal, financial, and professional impact was lasting.

He emphasized that innocence does not prevent harm once an investigation begins, particularly for individuals with international ties. He also raised concerns about surveillance authorities under Section 702, which can enable access to Americans' communications without a warrant and may be applied beyond their intended scope. His case illustrates the need for stronger safeguards and accountability.

Professor Xi is currently involved in litigation challenging the government's use of Section 702 and related authorities. He was awarded the 2020 Andrei Sakharov Prize by the American Physical Society for his advocacy for open scientific exchange.

John C. Yang's Opening Remarks



[John C. Yang](#), President and Executive Director of Asian Americans Advancing Justice | AAJC, emphasized that policies like Section 702 have real human consequences, including wrongful investigations and lasting community harm. He placed these concerns within a broader historical pattern in which Asian Americans are treated as “perpetual foreigners,” particularly during periods of national security tension. He warned that similar dynamics are reemerging today amid U.S.-China tensions.

He noted that current immigration enforcement and geopolitical dynamics are creating widespread anxiety in AAPI communities. To address these challenges, he outlined a three-part strategy: advocacy, education, and empowerment—advancing policy reforms, combating misinformation, supporting litigation, and strengthening civic engagement.

Highlights of Panel Discussions

Panelists discussed practical steps individuals and communities can take in response to expanding surveillance and enforcement practices. Saira Hussain noted that border authorities continue to assert broad powers to search electronic devices, creating uncertainty for travelers. She encouraged “surveillance self-defense,” including using strong passwords, limiting sensitive data on devices, and preparing in advance.

She also outlined tradeoffs based on legal status: U.S. citizens may refuse to provide passwords but risk device seizure, while visa holders may face denial of entry. These realities require individuals to assess risk and plan accordingly.

Professor Xi provided an update on his lawsuit, now in discovery, and highlighted ongoing concerns about failed prosecutions, unclear standards, and the broader human toll. Panelists emphasized that surveillance practices, once normalized, can expand beyond any single community.

In closing, they urged sustained civic engagement—educating others, supporting advocacy efforts, and contacting elected officials to push for reforms, including changes to Section 702. In a democratic society, public awareness and participation are essential to safeguarding privacy, due process, and civil liberties.

Resources from APA Justice



For readers seeking deeper historical context, **Madeleine Gable**, Communications Associate, and **Charlotte Ding**, Product Developer, APA Justice, have led the creation of a comprehensive webpage on warrantless surveillance in the U.S., along with an interactive timeline. While the timeline focuses on the Foreign Intelligence Surveillance Act (FISA), it begins in 1967 and incorporates relevant context up until the present.

The timeline is divided into five intervals of over 30 stories:

- I. Pre-FISA
- II. The origin (1978-2007)
- III. Codification and the rise of “incidental collection” (2008-2017)
- IV. The China Initiative and racial profiling (2017-2023)
- V. Modern reform and the 2026 reauthorization (2024-present)

I. Pre-FISA

Prior to the enactment of the Foreign Intelligence Surveillance Act in 1978, concerns over government surveillance malpractice began to emerge in the 1960s, causing both lawmakers and the American public to devote more attention to national security and the protection of civil liberties.

II. The Origin (1978–2007)

This section describes the events following the initial enactment of FISA, including Executive Order 12333 and the events of the case of Dr. **Wen Ho Lee**. Additionally, this section discusses 9/11 and its implications on national security policy and subsequent controversy.

III. Codification and the Rise of "Incidental Collection" (2008–2017)

In 2008, Congress enacted the FISA Amendments Act of 2008, which included a new section, Section 702, that authorizes the targeting of non-U.S. citizens reasonably believed to be abroad. This approach often involves “backdoor searches” that collect information on U.S. persons (including AAPI individuals) without a warrant. This section also chronicles the Snowden disclosures and the formation of various social justice organizations, including APA Justice.

IV. The China Initiative & Racial Profiling (2018–2023)

In November of 2018, the Department of Justice launched the China Initiative, a broad enforcement effort intended to counter alleged economic espionage and intellectual property theft linked to China. Over time, dozens of cases that disproportionately impacted academics of Asian descent under this initiative collapsed or were dismissed, revealing patterns of racial profiling, overreach, and insufficient evidence.

V. Modern Reform and the 2026 Reauthorization (2024–Present)

The final section recounts the extension of Section 702 and subsequent government reform and controversy, culminating with the expiration of Section 702 on April 20, 2026.

In the weeks leading up to the expiration of Section 702, APA Justice will continue to update the webpage and the timeline with the most relevant information.

- APA Justice timeline: [Timeline Visualization of U.S. Mass Surveillance](#)
- APA Justice webpage: [Warrantless Surveillance](#)

Additional Information



RESOURCE

Section 702 of the Foreign Intelligence Surveillance Act (FISA): 2026 Resource Page

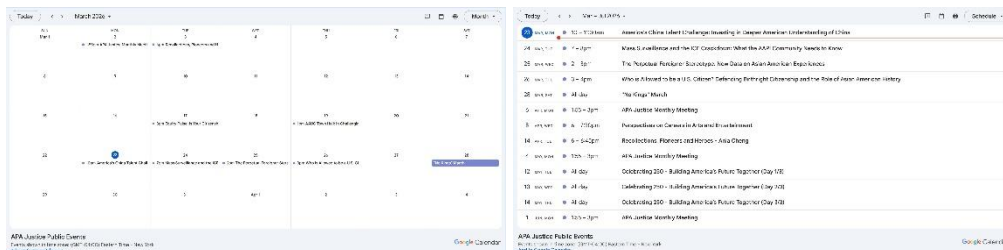
The following Brennan Center and coalition resources provide detailed information on Section 702, how it has been used to gain warrantless access to Americans' communications, proposals for reforming the law, and the 2026 reauthorization process.

Beyond the webinar, related developments underscore the broader national context:

- **No Kings Day.** On March 28, 2026, St. Paul Mayor **Kaohly Her** joined a major rally with over 100,000 demonstrators at the Minnesota Capitol as part of nationwide protests emphasizing democratic values, civic participation, and the rule of law. Watch her remarks starting at around 2:08:20 in this video <https://www.nokings.org/> (4:09:05).
- **Section 702 Reauthorization.** With Section 702 set to expire on April 20, 2026, debate in Congress is focused on reform proposals addressing warrantless surveillance and oversight. Brennan Center for Justice has published a Resource Page outlining its use, proposed reforms, and the reauthorization process at: <https://www.brennancenter.org/our-work/research-reports/section-702-foreign-intelligence-surveillance-act-fisa-2026-resource-page>.
- **Impact on AAPI Communities.** A coalition led by Advancing Justice | AAJC has published a [fact sheet on the Impact of Section 702 on Asian Americans](#), highlighting how Section 702 has expanded over time, enabling “incidental” collection and backdoor searches that disproportionately affect Asian American and related communities, particularly amid geopolitical tensions. Reform efforts focus on requiring warrants, closing data broker loopholes, and limiting overly broad surveillance authorities.

News and Activities for the Communities

1. APA Justice Community Calendar



Upcoming Events:

- 2026/04/03 The China Debate We're Not Having: Politics, Technology, and the Road Ahead
- 2026/04/06 APA Justice Monthly Meeting
- 2026/04/08 Perspectives on Careers in Arts and Entertainment
- 2026/04/14 Recollections, Pioneers and Heroes - Anla Cheng
- 2026/05/04 APA Justice Monthly Meeting
- 2026/05/12-14 Celebrating 250 - Building America's Future Together

Visit <https://bit.ly/3XD61qV> for event details.

2. 03/26 NAPABA Webinar Video Posted



Edgar Chen
Moderator |
NAPABA Special
Policy Advisor



Wendy M. Feng
Counsel at Seyfarth Shaw
LLP



Professor Beth Lew-
Williams
Director of the Program in
Asian American Studies and
Professor of History at
Princeton University

On March 26, 2026, the National Asian Pacific American Bar Association (NAPABA) hosted a webinar titled “SCOTUS Oral Argument Preview: Who is Allowed to be a U.S. Citizen? Defending Birthright Citizenship and the Role of Asian American History.” The program previewed the U.S. Supreme Court oral arguments in *Trump v. Barbara*, a case addressing the scope of birthright citizenship under the Fourteenth Amendment. On April 1, 2026. Watch the video: <https://vimeo.com/1177775020> (1:00:53).

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APA Justice Task Force is a non-partisan platform to build a sustainable ecosystem that addresses racial profiling concerns and to facilitate, inform, and advocate on selected issues

related to justice and fairness for the Asian Pacific American community. For more information, please refer to the new APA Justice website under development at www.apajusticetaskforce.org. We value your feedback. Please send your comments to contact@apajustice.org.

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