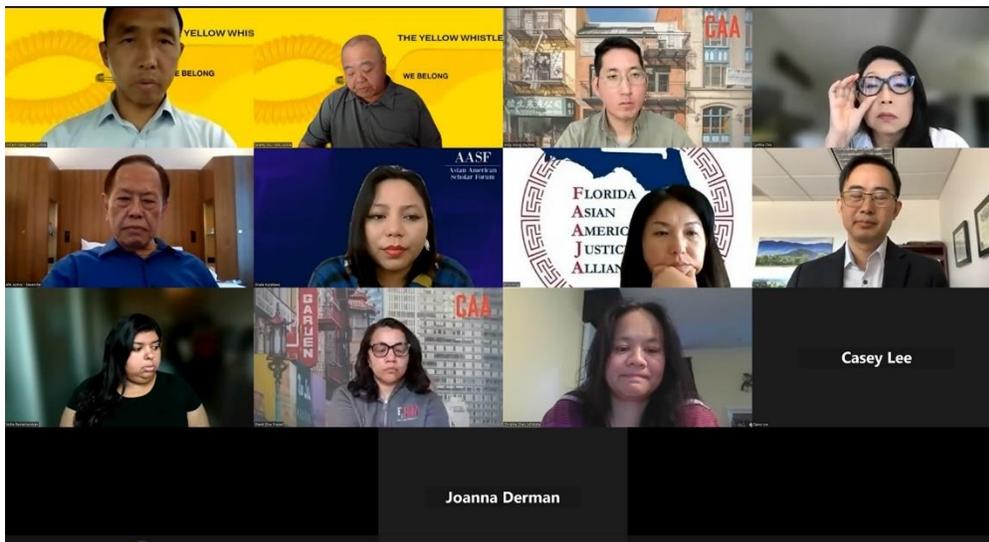


In This Issue #214

This is a special edition based on the APA Justice monthly meeting on August 7, 2023. A written summary of the meeting has been posted at <https://bit.ly/3LWvQLK>.

- Updates on Florida Alien Land Bill (SB264) Lawsuit
- On-The-Ground Reports about Court Hearing, Press Conference, and Protests
- Chinese for Affirmative Action (CAA)
- Engagement and Empowerment - APIAVote



Clay Zhu 朱可亮, Founder of Chinese American Legal Defense Alliance (CALDA) and a lead attorney of the lawsuit against Florida's discriminatory alien land law known as Senate Bill (SB264), provided an update of the lawsuit and his anticipated next steps.

Echo King 金美声, Founder and President of the newly formed Florida Asian American Justice Alliance (FAAJA), described its moments of awakening and its continuing impactful grassroots activities against SB264, along with Dr. **Shuang Zhao** 赵爽, Co-President of newly formed Yick Wo Institution and a public policy and political science professor at the University of Alabama in Huntsville.

Andy Wong, Managing Director of Advocacy, Chinese for Affirmative Action (CAA), and **Shanti Elise Prasad**, Advocacy Manager, CAA, gave a joint presentation on the history and current activities of CAA that was founded in San Francisco in 1969 to protect the civil and political rights of Chinese Americans and to advance multiracial rights of Chinese Americans and multiracial democracy in the U.S.

Christine Chen, Executive Director, introduced APIAVote as the nation's leading organization focusing on building political power by increasing our community's access to the ballot and overall voter participation. Christine outlined the need and how the communities can transform their activities and efforts into political power and representation.

Together with **Nisha Ramachandran**, Executive Director of the Congressional Asian Pacific American Caucus, **Joanna Derman**, Director of the Anti-Racial Profiling, Civil Rights and National Security Program at Advancing Justice | AAJC, and **Gisela Perez Kusakawa**, Executive Director of Asian American Scholar Forum, these speakers exemplify a growing movement to carry on time-tested missions and to combat new forms of discrimination for the Asian American and Pacific Islander communities. By integrating their energy and resources to build additional allies nationwide, the presence and impact of Asian Americans and Pacific Islanders will grow beyond current boundaries.

Updates on Florida Alien Land Bill Lawsuit



Clay Zhu reported that hearings on the emergency motion to stop the discriminatory Florida alien land law known as Senate Bill (SB) 264 were completed in July.

On July 18, the Court heard both parties present their arguments. It was initially scheduled for one hour, but it actually lasted two. The judge was extremely well prepared and had many questions for both sides. It appears that the judge knows the importance and implications of this case and he is taking his time.

Regardless of how the judge rules, Clay believes that the losing party will appeal. If Florida loses, it will appeal because the issue is important to the governor and his presidential campaign. "If we lose, we will one hundred percent appeal," Clay said during the meeting. The legal team is preparing for that possibility. The emergency appeal will go to the 11th Circuit Court based in Atlanta, Georgia, which is expected to be filed very shortly after the present judge issues a decision.

It is typically a three-judge panel in contrast to one judge in the District Court now. The appeal will be heard and decided by the panel.

Clay expressed appreciation for Florida Asian American Justice Alliance (FAAJA) organizing a rally in front of the Court House on July 18. It shows the unity and strength of our

community. During the rally, Clay said, "if the Chinese people are not safe, nobody in this country is safe."

On July 16, Clay gave a comprehensive presentation on his civil rights activities including the WeChat challenge. The event was hosted by FAAJA and broadcast by FCRTV 佛州华语广播电视台. Clay's presentation is available here: <https://bit.ly/3OWbYdy> (in Chinese). Video of the FCRTV broadcast is posted here: <https://bit.ly/3Q9cTbi> (in Chinese 2:05:26).

According to Clay's presentation, the Trump Administration issued Executive Order (EO) 13943 on August 6, 2020 to ban WeChat, effective in 45 days. WeChat had over 19 million users in the U.S. at that time. Five lawyers led by Clay created the U.S. WeChat Users Alliance in two days. On August 21, 2020, a lawsuit was filed in the District Court in the Northern District of California. On September 19, 2020, the Court granted the plaintiffs' motion for a nationwide injunction against the implementation of EO 13943. "The loss of First Amendment freedoms, even for minimal periods of time, unquestionably constitutes irreparable injury," the judge ruled. On June 9, 2021, the Biden Administration revoked EO 13943.

Chinese American Legal Defense Alliance (CALDA) was formed after the WeChat ban was defeated.

On May 8, 2023, Florida SB 264 was signed into law. On May 22, 2023, CALDA filed a lawsuit against the discriminatory alien land law. A CourtListener docket of the lawsuit is available here: <https://bit.ly/43idmvB>

On-The-Ground Reports about Court Hearing, Press Conference, and Protests



Echo King, Co-Founder and President of Florida Asian American Justice Alliance (FAAJA) gave a report on the newly formed FAAJA and its activities.

April 19, 2023 was a very important day. Echo and about 100 of like-minded persons went to Tallahassee, capital of Florida, to protest the alien land bill prohibiting citizens from several countries of concern, especially targeting Chinese, Chinese citizens, and Chinese companies, from buying any type of real property with very narrow exceptions. They experienced firsthand the indifference of the legislative representatives. They were not listening.

Echo put the blame on themselves for not paying attention to politics. Right outside the state capital building, they decided to establish FAAJA to fight for their own rights. Since April 19, FAAJA has turned up its volume on political awareness in the community. The FAAJA Board has 19 members, including attorneys, PhDs, professors, community leaders, and a successful business owner from all parts of Florida. It started three committees – civic engagement, user development, and political endorsement.

In three short months, FAAJA has reached out and made its presence felt at events with Hispanic, Black, and other minority groups and mainstream organizations to build strong partnerships and back each other up, including the Juneteenth celebration. FAAJA has also been talking with AAPI organizations in Florida to build coalitions and promote important issues together, such as voting awareness. In the morning of the monthly meeting, FAAJA was interviewing a candidate who is running for the Florida House of Representatives.

FAAJA strives to be actively engaged and get its voice heard at the state and local levels. On July 16, it hosted a webinar when Attorney **Clay Zhu** gave a presentation on the status of the Florida lawsuit. It has been working closely with Dr. **Steven Pei** to build allies. It provided a Freedom Ride with a busload of activists on their way from Orlando to Tallahassee to join the July 18 rally. **Haipei Shue** flew to Orlando and joined the Freedom Riders.

The July 18 rally was a multi-racial, multi-state protest despite the 100-degree day. There was a long wait because the hearing was scheduled for one hour but lasted two. Over 80 persons from around the country joined and spoke at the rally. Dr. Pei and a number of people from Texas flew in and out the same day. A long list of diverse organizations including AAJC, APA Justice, CAA, C100, JAACL, NAPABA, NFHA, NIAC, OCA, Stop AAPI Hate, UCA, LULAC, TMAC, Latino Justice, NAACP, and others showed their strong support.

In addition to **Ashley Gorski** from ACLU, **Anna Eskamani**, an Iranian American member of the Florida House of Representatives, cleared her schedule for the day, spoke at the rally, and provided tremendous help all around. There was a lot of media coverage with about 16-17 media reports and interviews. Attorney Clay Zhu's presentation, the Freedom Rider video, and related reports and pictures are posted at <https://www.faaja.org/s-projects-side-by-side>.

Dr. **Shuang Zhao** followed Echo and gave a report on behalf of Yick Wo Institution, a new 501(c)4 nonprofit organization established in July 2023. Dr. Zhao lives in Alabama. She is a public policy and political science professor at the University of Alabama in Huntsville. Dr. Zhao and Yick Wo have been actively engaged in fighting discriminatory laws and supported FAAJA in Tallahassee. Yick Wo has a collection of researchers, university professors, and media experts to provide the general public with policy analysis to inform the Asian American community and the public about what is going on, what they can do, and how they can engage.

Chinese for Affirmative Action (CAA)



Andy Wong, Managing Director of Advocacy, and **Shanti Elise Prasad**, Advocacy Manager, gave a joint presentation on the history and current activities of Chinese for Affirmative Action (CAA). CAA was founded in 1969 to protect the civil and political rights of Chinese Americans and to advance multiracial rights of Chinese Americans and multiracial democracy in the U.S. During the 1960s, Chinese immigrant parents in San Francisco complained that their children were unable to follow classroom instructions in English. CAA founders helped these parents file a class action lawsuit against education officials to get them to address the education needs in the public schools. The case ultimately went to the Supreme Court, which unanimously decided that the lack of supplemental language instructions in public schools for students with limited English proficiency was a violation of the Civil Rights Act of 1964. The Court determined that school districts are responsible for taking affirmative steps towards reaching the goal of providing equal education opportunities for all students.

Today CAA is a progressive voice in and on behalf of the broader Asian American and Pacific Islander (AAPI) community, advocating for a whole range of systemic change on issues from immigrant rights, language access, to racial and social justice. CAA provides direct services in the San Francisco Chinatown community where CAA is headquartered. CAA has a growing policy advocacy research and communications team looking at federal and state levels, as well as a Co-Founder of Stop AAPI Hate, which is a national coalition to address anti-AAPI racism in the US.

Rising tensions between the US and China have resulted in increasing targeting and blaming of Chinese and other people of Asian descent as threats to U.S. security. This scapegoating based on national security has led to a slew of racist and xenophobic policymaking at the federal and state levels and even attacks on Asian members of Congress, including earlier this year against CAPAC Chair, Congresswoman **Judy Chu**.

In the past few years, CAA has been calling attention to these developments and working actively to defeat them in close collaboration with partners and driving narrative change on how policy and rhetoric leads to direct harm against our community members. CAA's work with Stop AAPI Hate has included leading the national response to President Biden's investigation into the origins of COVID-19 and what proactive measures the administration needed to take to reduce the risk of backlash against our AAPI communities. CAA released a national report entitled *The Blame Game* on how political rhetoric inflames anti-Asian scapegoating during last year's midterm elections and offered recommendations on putting an end to the alarming trend.

CAA successfully lobbied Senate Judiciary Committee leaders to oppose **Casey Arrowood's** nomination to be the next US attorney of the Eastern District of Tennessee. It was a new effort that CAA has not made before. Casey Arrowood led the prosecution of Professor **Anming**

Hu under Trump's "China Initiative." Defeating Arrowood's nomination was quite a victory for accountability.

For this year, CAA met with the Senate Foreign Relations Committee and Senator Menendez's staff to express concerns about the pending China bill that includes provisions unfairly targeting and stigmatizing Chinese and other Asian Americans, working with partners such as AAPI Montclair in New Jersey.

The Brennan Center, ACLU, and others have worked on FISA reform and been building support among the civil rights community for years. It is an important opportunity for the AAPI community to lean into this fight, given the widespread civil rights abuses with Section 702, including racial profiling and bias-based surveillance of Americans. Conversations are actively underway to engage in direct advocacy. CAA appreciates APA Justice for recently bringing together a number of partners to have these conversations and looks forward to engaging in this fight along with others.

On land bans, we are all dealing with a fast, emerging threat. CAA and Stop AAPI Hate partnered with Texas organizations and leaders, such as Asian Texans for Justice, Rise AAPI, Woori Juntos, and many others, and successfully defeated Senate Bill 147. There were rallies, demonstrations, and even an advocacy day to express CAA opposition. There is still a chance that the governor may bring it back. CAA drafted and circulated a national petition, including hundreds from Texas that was delivered to key lawmakers in Texas.

In Florida, CAA signed on to the amicus brief in support of the lawsuit against SB 264 brought forward by plaintiffs represented by ACLU, ACLU Florida, AALDEF, DeHeng Law Offices, CALDA, and others. CAA was glad to join a rally organized by FAAJA, Yick Wo, and community members in front of the Tallahassee courthouse to protest the state's alien land law and support the lawsuit against it.

Moving forward, CAA is beginning to organize an evolving effort to continue and intensify the fight against the rise of anti-Asian scapegoating on the national and state levels, deepening relationships with many monthly meeting speakers and participants and happy to link arms with new partners and working alongside other marginalized communities. Some of the CAA goals and strategies are to defeat or overturn policies based on anti-Asian scapegoating at both the state and federal levels. The chief goal for CAA is to challenge and dismantle legislation that unjustly targets Asian communities based on a racialized and xenophobic premise of national security while also remaining nimble on emerging threats.

CAA is focusing on alien land bills, thinking strategically which states to engage and which partners to build relationships in the land ban fight as state legislatures get started at the beginning of 2024. Another goal is to foster narrative transportation that disrupts state voting practices and to hold lawmakers accountable. Next is to mobilize supporters and community members to engage them in direct advocacy to build solidarity across marginalized groups, centering on impacted communities and storytelling of those who have been impacted in the past and present.

Andy can be reached at andywong@caasf.org. Shanti can be reached at sprasad@caasf.org

Engagement and Empowerment - APIAVote



Asian Pacific Islander American Vote (APIAVote) was first conceived in 1996 as a project at Organization of Chinese Americans (OCA) to increase voter participation around election times, as Asian Americans and Pacific Islanders (AAPIs) were not voting at the same levels as other communities.

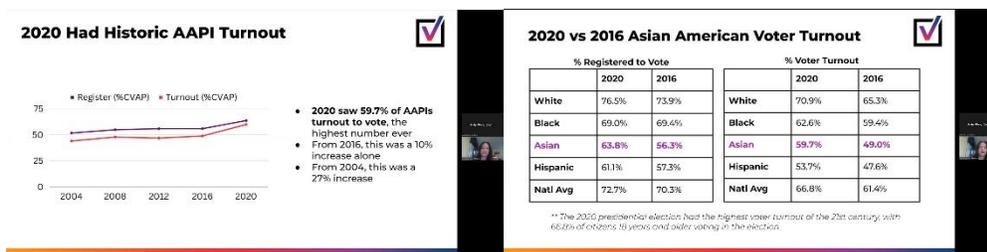
Christine Chen introduced APIAVote as the nation's leading nonprofit focusing on building political power by increasing our community's access to the ballot and overall voter participation.

With new organizations, leaders, and individuals energized to work on many issues such as alien land bills, this is an opportunity for us to integrate them into the APIAVote network and utilize our power of the vote. There are 29 current APIAVote partner states known as Alliance for Civic Empowerment.

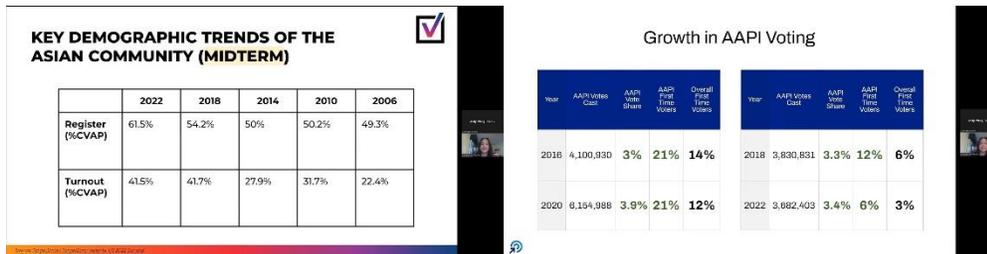
From 2010 to 2020, 49 states and the District of Columbia saw its AAPI population grow by double digits. The only exception was Hawaii where there is an AAPI majority.

In recent years, APIAVote partners have been working in coalition with other communities in the redistricting process. Redistricting refers to the process of drawing electoral district boundaries. For the U.S. House of Representatives and state legislatures, redistricting occurs after each decennial census.

A point of emphasis by Christine is that states that lost congressional seats, gains in the AAPI population prevented them from losing more seats. Growing population should translate into more community members registering and voting. 2020 saw a huge increase to nearly 60% of CPVA turnout for AAPIs (CPVA stands for Citizen Voting-Age Population). Before 2020, Christine used to say that half of her friends and families were not ready to turnout on Election Day.



Despite the rapid growth, AAPIs are still lagging in voter turnout in comparison to the Black and White communities in the 2020 and 2016 presidential elections. For mid-term elections, AAPI registration has risen from 49.3% in 2006 to 61.5% in 2022 while turnout increased from 22.4% to 41.5% in 2022. They are still low compared to other communities.



APIAVote strives to not only increase voter registration and turnout every four or two years, but also single year because of state and local elections. There are statewide elections in Virginia and New Jersey in 2023, as well as local elections such as mayor, city council, and education board elections in 13 states from Colorado to Texas.

One area Christine focuses on is AAPI first-time voters. Political candidates in close elections look for newer voters and engage the AAPI community. In the 2022 mid-term elections, 6% of AAPI voters were first-time voters, double the overall rate of 3% for all voters.

Moving vote share is a very difficult task. It requires continuous work to register voters. Christine provided snapshots of four states - Arizona, Florida, Georgia, and Texas - where alien land bills are being introduced or have passed state legislatures and the AAPI vote share is projected to increase. By working with existing and new partners, APIAVote strives to further increase both the voter registration and turnout rates in these and other states in 2024.

APIAVote held an annual convening in July to begin strategic discussions on problematic and misinformation issues that may be weaponized against the AAPI communities due to tensions between the US and China. Coming out of the annual convening and her interactions with colleagues and allies, Christine reported that many are not fully aware or understand alien land laws, racial targeting, and political rhetoric are placing our communities in a difficult or threatening situation. An immediate task for Christine and APIAVote is to ensure that colleagues and allies are aware of the situation. It is even more important for AAPIs to register and vote, as well as to build more partners and allies.

APIAVote plans to conduct the Norman Y. Mineta Leadership Institute regional trainings in the Fall and 2024. Christine urges new organizations to contact her if they wish to translate their activism into voter registration and turnout.

2023 Timeline	2024 Timeline
<p>July: APIAVote's Annual Convening</p> <p>Fall:</p> <ul style="list-style-type: none"> Norman Y. Mineta Leadership Institute Regional Trainings 9/19/23: National Voter Registration Day <p>2023 Elections</p> <p>Statewide: Virginia, New Jersey</p> <p>Local:</p> <ul style="list-style-type: none"> CO, IA, MI, NJ, NM, OH, UT, VA, AZ, GA, MN, PA, TX 	<p>1st & 2nd Quarters:</p> <ul style="list-style-type: none"> Presidential Primaries Norman Y. Mineta Leadership Institute Regional Trainings APIAVote Regional Town Halls NCAPA Platform finalized & released <p>3rd Quarter:</p> <ul style="list-style-type: none"> July 13: Presidential Town Hall, Philadelphia PA July 15: RNC Convention, AAPI Briefing & Reception, Milwaukee, WI August 19: DNC Convention, AAPI Briefing & Reception, Chicago, IL Integrate all volunteers & organizations into the state initiatives Focus on Voter Registration Drives, 3rd or 4th week of Sept: National Voter Registration Day <p>4th Quarter:</p> <ul style="list-style-type: none"> Civic Holidays: National Voter Education Week, Vote Early Day, Voter Education & Candidate Forums GOTV and Early Voting

Christine shared the APIAVote planned activities for 2023 and 2024. It includes a Presidential Town Hall meeting in Philadelphia on July 13, 2024, for which Christine is building an audience of about 1,500 community leaders. APA Justice will integrate these activities into the Community Calendar as more details become available.

Christine can be reached at cchen@apiavote.org. Her full presentation package is available at <https://bit.ly/45wE5Fg>

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