

In This Issue #165

This issue of the APA Justice newsletter is dedicated to the ongoing anti-discrimination efforts stemming from Texas Senate Bills 147 and 552.

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Houston March Against the Racist Texas Senate Bills 147 & 552 in Chinatown on February 11, 2023



Texas State Representative **Gene Wu** and a coalition of community organizations led by Asian Americans Leadership Council (AALC), United Chinese Americans (UCA), Chinese Civic Center, Houston Chinese Alliance (HCA), DFW Chinese Alliance (DFWCA), APAPA TX, OCA-Greater Houston are organizing a Houston Rally on February 11, 2023, to protest against the proposed discriminatory Senate Bills 147 and 552. The march aims to raise awareness about these bills' implications and voice the immigrant communities' concerns and opposition to the New Chinese Exclusion Act.

The proposed legislation classifies immigrants from four countries as security threats, ignoring

that these individuals left their home countries in search of the American Dream. These pieces of legislation will strip immigrants of their right to purchase real property and grant the Texas Governor and the Texas Legislature unchecked power to classify any immigrant group as a security threat in the future.

AALC and numerous other community organizations denounce these two bills that go against the very essence of the American Dream, which has always been about providing equal opportunities to all individuals, regardless of their background.

The march will bring together over 500 attendees from the immigrant community to stand in solidarity against these racist bills and demand that their rights be protected. They will be joined by numerous Houston-area elected officials, community leaders and members.

What: Anti-SB 147 Rally & March

When: Saturday, February 11, 2023, 10:00AM - 12:00PM

Where: Sterling Plaza 黃金廣場, 9888 Bellaire Blvd, Houston, TX 77036

Contact: Dr. **Fengxiang Qiao**, 832-293-0914

***New York Times* Reports on Discriminatory Land Bills**



"It is a one-word change to add your country," said Texas State Representative Gene Wu, a Houston Democrat, leading a rally against the proposed foreign ownership ban at City Hall. Mr. Wu was born in Guangzhou, China, and immigrated to Texas with his family as a child. Go Sakonara for The New York Times

On February 7, 2023, the *New York Times* reported that states are pursuing bills to bar Chinese citizens from purchasing land. According to the report, Governor **Greg Abbott** announced his support for a bill to stop Chinese citizens and companies from buying land, homes or any other real estate in Texas. "We don't want to have holdings by hostile nations," Gov. **Ron DeSantis** of Florida said in a news conference last month. Gov. **Glenn Youngkin** of Virginia made it part of his State of the Commonwealth speech soon after.

In Texas, Democratic leaders said the broad measure now before the Legislature appeared to be prompted more by a rising anti-China political environment than by any legitimate concern

over espionage or foreign ownership of the food supply. The bill as currently written would make it impossible for the large number of Chinese immigrants who have come to work in the tech sector or study at Texas universities to do something as basic as buy a home. A 2021 census survey estimated that about 150,000 foreign-born Chinese are living in Texas.

Protesters have rallied against the bill in Houston and Dallas in recent weeks, saying that the legislative efforts could worsen the climate of anti-Asian violence and could be easily extended to include other immigrant groups.

Lawyers with the American Civil Liberties Union of Texas said the measure was likely to run afoul of the federal government's prerogative to manage relations with other nations, and that it was unconstitutional. The discriminatory bill would prohibit members of the targeted communities from participating in the Texas economy, including dual citizens and legal permanent residents, such as green card holders. Some legal scholars are also skeptical. Such a bill would raise a host of constitutional issues because the measure does not distinguish between targeting people who are already here and those outside the United States. It raises serious due process and equal protection issues.

The share of United States farmland owned by Chinese people and companies is small and has not been growing substantially. Chinese owners held about 350,000 acres at the end of 2020, and most of the farmland came from the Chinese acquisition of Smithfield Foods in 2013. Canadian owners, by contrast, held 12.4 million acres. (Source: [Congressional Research Service: Foreign Ownership and Holdings of U.S. Agricultural Land](#))

Read more about the *New York Times* report: <https://nyti.ms/40luVEq>.

***Los Angeles Times* Reports on New Chinese Exclusion**



A measure that says some people "are less equal than others" is a "really dangerous thing," said Democratic Texas state Rep. Gene Wu, shown in the House chamber of the Texas Capitol in 2021. (Eric Gay / Associated Press)

According to the *Los Angeles Times* on February 8, 2023, Republican leaders rumored to be open to 2024 presidential runs are eyeing more narrow property restrictions focused on agriculture as part of a tough-on-China push. Some Democrats, too, have expressed similar concerns.

The Texas legislation will make some people more “willing to express their hatred toward certain race groups,” said **Hao Zhu**, an associate professor at the University of Texas at Austin. “From COVID, already just because of our skin color, we were hated.” Zhu attended the rally with her husband and 2-year-old son, who was balanced in his dad’s arm holding tiny Texas and American flags. “Look around,” Zhu said, as families and businesspeople — many waving American flags and chatting in English or Mandarin — walked past the Capitol. The bill is not affecting a “security issue at the national level” but “regular people’s lives.” She started to bring up fears about her son going to school, then paused, in tears.

A California bill, authored by a Democrat, to restrict foreign ownership of agricultural land passed the Legislature last year but was vetoed by Gov. **Gavin Newsom**.

Some experts wonder whether policies that turn away from America’s democratic strengths will only hurt the U.S. in the long term. “A ban that targets a person’s country of origin, particularly if it includes those on a pathway to U.S. citizenship, goes against everything that the United States stands for,” said **Jessica Chen Weiss**, a political scientist and government professor at Cornell University.

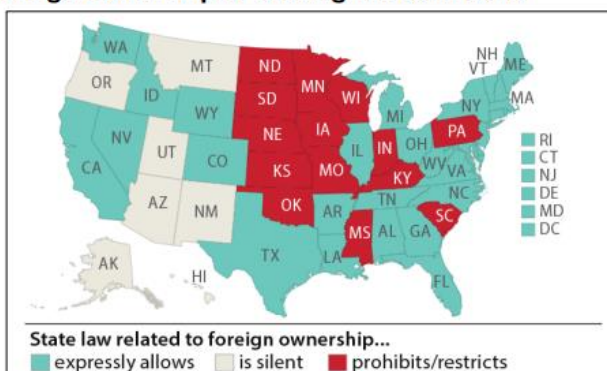
At the Austin rally, people held signs that said, “STOP Chinese Exclusion,” evoking the Chinese Exclusion Act, a 19th century law that blocked citizenship to Chinese residents in the U.S., affirming the exclusion of Asian immigrants from a 1790 naturalization law. A speaker also referenced “alien land laws,” racist laws in California and other states that restricted Asian immigrants and others from owning property, including agricultural land.

Lawmakers’ framing of the new bill as a national security measure also in some ways echoes the past. **Madeline Hsu**, a history professor at the University of Texas at Austin, said that in historically justifying anti-Chinese immigration laws, Chinese immigrants were portrayed “as this threat to the civilization of the United States.”

Read the *Los Angeles Times* report: <https://lat.ms/3XhN1u4>

***Agriculture.com* Reports on Federal Bills**

Figure I. Overview of Selected State Laws Related to Foreign Ownership of U.S. Agricultural Land



According to *Agriculture.com* on February 3, 2023, Rep. **Elise Stefanik**, a member of the House Republican leadership, and 19 other representatives filed the Promoting Agriculture Safeguards and Security bill in the House, while six senators offered the Senate version. Along with prohibiting China, Russia, Iran, and North Korea from buying U.S. agricultural land or companies, the bill would make the Agriculture Department a member of the interagency Committee on Foreign Investment in the United States, which decides if projects would pose a national security risk. Federal law requires foreign individuals and entities to disclose ownership information to the USDA, but it does not restrict ownership of private U.S. agricultural land. Fourteen states restrict or prohibit foreign ownership.

Read the *Agriculture.com* report: <http://bit.ly/3I9hPJb>

Texas State Representative Gene Wu at January APA Justice Monthly Meeting

Texas Senate Bill 147 and Anti-discrimination Efforts

- Opening Remarks:
 - Nisha Ramachandran, Executive Director, Congressional Asian Pacific American Caucus
- Co-moderators:
 - Jeremy Wu, Co-organizer, APA Justice Task Force
 - Steven Pei, Co-organizer, APA Justice Task Force
 - Founding Chair, United Chinese Americans (UCA)
- Invited Guests from Texas:
 - Gene Wu, Member, Texas House of Representatives, Leader of Texas protests (Houston)
 - Chuck Guo – Originator of Change.org petition, Speaker at the rally on 1.29.2023 (Austin)
 - Jarin Jia - Board Members of DFW Chinese Alliance, Co-organizer of the rally on 1.29.2023 (Dallas)
 - Hailong Jin - Board Members of DFW Chinese Alliance, Co-organizer of the rally on 1.29.2023 (Dallas)
 - Katheryn He - Harvard Graduate Student, Master of Ceremony of the rally on 1.29.2023 (Austin)
 - Ling Luo, Founding Chair of Asian Americans Leadership Council, Co-organizer of rallies on 1.20.2023 and 1.23.2023 (Houston)
 - Helen Shih, Outreach Director of United Chinese Americans, Founding Board Member of RiseAAPI, Co-organizer of rallies on 1.20.2023 and 1.23.2023 (Houston)
 - Alice Yi, President of Asian Americans Leadership Council, Co-founder of Asian Texans for Justice (Austin)

Gene Wu is a Texas State Representative and a champion of immigrant rights serving in his sixth term at the Texas Legislature. As a proud immigrant himself, Rep. Wu has dedicated his career to serving the community and advocating for policies that promote equality and justice for all individuals, regardless of their background.

On February 6, 2023, Rep. Wu explained the discriminatory nature and implications of Texas Senate Bill 147 and related legislations in the APA Justice monthly meeting. He has been a leading voice of the rallies in Texas.

"If the concern is about national security or foreign actors, we have already passed that law in 2021. It was Senate Bill 2116. It was signed into law, and it is already in effect," said Rep. Wu. He warned that the added provisions target individuals and its mentality is spreading across the nation. A lot of it is based on tensions between the U.S. and China, but it is really a rehashing of similar discriminatory laws that were passed against Asian Americans for the past century and a half, going back to the 1800s and into the 20th century. It is now revived in the 21st century.

Nisha Ramachandran, Executive Director of Congressional Asian Pacific American Caucus (CAPAC), reported that CAPAC members in Texas have brought up their concerns and asked to be kept informed about the developing situation. Nisha can be reached at nisha.ramachandran@mail.house.gov. Organizers of the Austin, Dallas, and Houston rallies were recognized in the meeting. Some gave remarks and joined the discussion.

Watch Rep. Wu's talk and discussions in this YouTube video: <https://bit.ly/3DVEdu6> (56:48)

Upcoming Mini Series of Two Webinars on Texas SB 147 and Alien Land Laws



It was announced during the January 9 APA Justice monthly meeting that a mini series of two webinars is being organized. It will be co-sponsored by United Chinese Americans (UCA, www.ucausa.org), APA Justice (www.apajustice.org) and 1882 Foundation (www.1882foundation.org)

The first webinar is tentatively scheduled around February 16-18. Invited panelists include (1) Texas State Representative **Gene Wu**, (2) Attorney **Clay Zhu** of the Chinese American Legal Defense Alliance (CALDA), (3) Representative from the National Iranian American Council (NIAC), and (4) Representative from the American Civil Liberties Union of Texas. Rep. **Judy Chu**, Chair of Congressional Asian and Pacific American Caucus (CAPAC), is invited to give the opening remark.

The second webinar is tentatively scheduled for March 1, 2023, 6:30 PM ET/3:30 pm PT. It will provide a historical perspective to understanding the consequences and significance of laws as being proposed in Texas. Invited panelists include (1) **Carol Suzuki**, Professor of Law, University of New Mexico, (2) **Madeline Hsu**, Professor, Mary Helen Thompson Centennial Professorship in the Humanities, University of Texas at Austin, and (3) Texas State

Representative **Gene Wu**. **Janelle Wong**, Director, Asian American Studies and Professor, American Studies and Government and Politics at the University of Maryland, will serve as moderator. **Ted Gong**, Executive Director of the 1882 Foundation, will give opening remarks.

More details will come soon.

New Asian American Pacific Islander Caucus in Texas



According to the *Austin American-Statesman* on January 31, 2023, State Reps. **Gene Wu**, **Salman Bhojani**, and **Suleman Lalani** announced that they intend to create an Asian American and Pacific Islander legislative caucus. The announcement coincided with the progressive organization Rise AAPI holding AAPI Legislative Day at the Capitol to discuss the obstacles and opportunities Asian American and Pacific Islander Texans have this legislative session.

The committee will be co-chaired by Wu, D-Houston, and **Angie Chen Button**, R-Richardson. In addition to Bhojani, D-Eules, and Lalani, D-Sugar Land, Reps. **Hubert Vo**, D-Houston, and **Jacey Jetton**, R-Katy, will serve in the caucus. The legislators intend to register the caucus with the Texas Ethics Commission soon, according to Wu's office.

"The formation of the AAPI caucus is a big stepping stone, a big milestone for our community," Wu said.

The Legislature hit new diversity milestones this year with the election of Lalani and Bhojani, the first Muslim state representatives in Texas.

Read the *Austin American-Statesman* report: <http://bit.ly/3jD7vQx>

Notre Dame Expert on Bills Preventing Chinese Citizens and Companies from Purchasing Land



According to a press release by the University of Notre Dame on February 8, 2023, **Kyle A. Jaros**, Associate Professor of Global Affairs, said the following in response to the recent trend among states that are pursuing and supporting bills to prevent Chinese citizens and companies from purchasing land:

“The intense politicization of state- and local-level ties with China during the past few years marks a major departure from past trends. State and local relations have moved from the background of U.S.-China relations to the foreground, becoming a driver of broader U.S.-China dynamics in their own right. **Whereas a few years ago both sides regarded state- and city-level interactions as a stabilizing element in the larger relationship, this domain has now become a lightning rod.**”

“However, in today’s heated political atmosphere, many states and communities risk overreacting to what they perceive as an omnipresent menace of CCP influence. While targeted measures to address known security risks are sensible, **adopting blanket restrictions on commercial, educational, and/or scientific interaction with Chinese businesses and citizens will come with huge collateral costs:** further inflaming anti-Chinese and anti-Asian xenophobia, harming the economic development of states and localities, undermining the vitality of the U.S. higher education sector and accelerating the dangerous downward spiral in national-level relations.”

Read the University of Notre Dame press release: <http://bit.ly/3x9V9SQ>

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