

# Calling for a Congressional Hearing on Racial Profiling of Asian American and Chinese Scientists

House Committee on Oversight and Reform  
**Subcommittee on Civil Rights and Civil Liberties**

Representative Jamie Raskin (MD-8)  
*Chair, Subcommittee on Civil Rights and Civil Liberties*

*February 1st, 2021*

CC: The Honorable Rep. Carolyn B. Maloney, Chair of the House Oversight Full Committee  
The Honorable Rep. Zoe Lofgren, Chair of the Committee on House Administration  
The Honorable Rep. Judy Chu, Chair of the Congressional Asian Pacific American Caucus  
The Honorable Rep. Kweisi Mfume, Member of the House Oversight Committee

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## Related Online Links

- [President Biden Memo Condemning and Combating Racism, Xenophobia, and Intolerance Against Asian Americans and Pacific Islanders in the United States \(January 26, 2021\)](#)
- [77 Nobel Laureates' Letter to the Secretary of HHS & the Director of the NIH \(May 21, 2020\)](#)  
*\*(no response from NIH as of 1/29/21)*
- [ASBMB Letter to NIH Director Collins \(May 2020\)](#) *\*(no response from NIH as of 1/29/21)*
- [Letter to President Biden initiated by Asian American Advancing Justice, APA Justice and Brennan Center for Justice, NYU Law School and co-signed by many organizations including The Leadership Conference on Civil and Human Rights](#)
- [Government Accountability Office \(GAO\) Report on “Federal Research Agencies Need to Enhance Policies to Address Foreign Influence.” December 17, 2020](#)
- [Jason–National Science Foundation \(NSF\) Report on “Fundamental Research Security.” December 5, 2019](#)
- [“Prosecuting Chinese ‘Spies:’ An Empirical Analysis of the Economic Espionage Act,” Andy Kim Executive Summary, presented by Committee of 100, May 2017](#)  
*Full paper, Cardozo Law Review. December 2018.*
- [“Criminalizing China,” Margaret K. Lewis, Journal of Criminal Law and Criminology, December 2020](#)

## PRESS RELEASE

### FOR IMMEDIATE RELEASE

February 1, 2021

#### Contact:

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Terry Lierman [terry@liermanadvisors.com](mailto:terry@liermanadvisors.com)

## The Human and Scientific Costs of Racial Profiling Must be Heard

***Scientific and Civil Rights Leaders and Organizations request US Representative Jamie Raskin, Chair of the House Subcommittee on Civil Rights and Civil Liberties, conduct House Hearings to address racial profiling and investigations of scientists and scholars of Chinese and Asian descent***

WASHINGTON, D.C. – An alliance of prominent scientific and civil rights leaders and organizations nationwide representing thousands of individuals, spearheaded by Maryland State Senator Susan Lee and the Institute of Human Virology at the University of Maryland Co-Chair Terry Lierman, have signed a letter requesting that US Representative Jamie Raskin (D-MD), Chair of the House Subcommittee on Civil Rights and Civil Liberties, conduct an oversight hearing to address the profiling of scientists and scholars of Chinese or Asian descent based on the misguided perception that simply being of Chinese or Asian descent or having ties to China make them prone to espionage.

The alliance has requested the committee look into the broad sweep of the Federal Bureau of Investigation's counterintelligence efforts and the National Institutes of Health's related actions against scientists of Chinese or Asian descent which have resulted in the loss of their jobs, reputations and devastation of their lives and families, even though they were later proven innocent.

Maryland State Senate Majority Whip Susan Lee, whose district includes NIH, stated, "While we strongly support efforts to safeguard America's interests and prosecute wrongdoers, it would be a grave injustice to target, stereotype, or place under suspicion an entire ethnic group. Many of these patriotic scientists have spent a lifetime of work dedicated to advancing medical breakthroughs which have made America one the global leaders in science and technology. They are a part of the solution to the United States' global challenges, not a threat."

"The overzealous, broad, unchecked, and overreaching activities fueled by a xenophobic and toxic political climate have not only led to mistakes in investigations or prosecutions and civil rights violations, but also have crippled America's ability to develop medical innovations that can enhance the quality of and save lives, especially during this Covid-19 pandemic. We need the committee to shine light on any discriminatory policies being employed by those agencies to ensure there is fairness, transparency and accountability," said Terry Lierman.

For decades, international scientific collaborations and exchanges between United States and foreign academic and research institutions have been strongly encouraged and supported by the NIH and other academic entities, but now, they are being criminalized.

“Science - like America itself - thrives on freedom, openness, and inclusiveness - there is no room for discrimination against men and women from China or anywhere else based on nationality,” former White House science advisor Dr. Neal F. Lane said.

"The PRC Government's rising nationalism and use of its economic clout to influence U.S. universities and society are real and growing, but any U.S. Government response that assumes all students, scientists, and scholars of Chinese descent are potential intelligence risks is unfair and unwise profiling that has no place in our democracy," said Dr. Wallace Loh, former President of the University of Maryland, College Park.

To date, Congress has held numerous hearings focused only on the espionage threat, but it has not addressed the civil rights violations of Chinese Americans who have been wrongly targeted or the long-term consequences and damages to the American research enterprise and minority communities if this pattern of racial profiling continues.

“The Department of Justice launched the ‘China Initiative’ to counter perceived ‘national security threats.’ But the past two years have shown an over-emphasis on national security and an under-emphasis on bias. I join others in calling for the end of the ‘China Initiative’,” said Professor Margaret Lewis of Seton Hall University Law School.

“We are deeply concerned with the racial profiling and unjust prosecutions of Asian Americans and immigrants by the government,” said John C. Yang, Advancing Justice – AAJC’s President and Executive Director. “This latest wave of xenophobia has instilled fear within our communities as many Chinese Americans and immigrants are once again caught in our country’s long history of suspicion and racial discrimination against Asian Americans. We urge Congress to engage in oversight on this issue by holding a public hearing on this issue.”

“Xenophobic targeting and persecution of Chinese Americans is causing irreparable damage not only to the impacted persons and their families, but also creates fear, suspicion, and hate towards the Asian American community. It must stop. It is grossly unjust and unfair to target an entire ethnic group from specific countries,” said Dr. Steven Pei and Dr. Jeremy Wu, Co-Leaders of the APA Justice Task Force.

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## Our Alliance Letter Calling for a Congressional Hearing

February 1, 2021

Congressman Jamie Raskin  
Chair, Subcommittee on Civil Rights and Civil Liberties  
House Committee on Oversight and Reform  
2242 Rayburn HOB  
Washington, DC 20515

### **RE: Request for Oversight Hearing**

Dear Chairman Raskin,

We, the undersigned, would like to respectfully request that the House Subcommittee on Civil Rights and Civil Liberties conduct a hearing to address the racial profiling and investigations of scientists and scholars of Chinese or Asian descent by the Department of Justice, the National Institutes of Health and other science funding agencies based on misguided fears of economic espionage and intellectual property theft. In this increasingly toxic political environment, we are concerned that dedicated scientists and scholars who have devoted their lives to scientific research for the betterment of Americans and humanity at large are being wrongly profiled and as a result, their reputations, careers and lives have suffered. This is causing irreparable damage not only to these individuals but to the American research enterprise at large by dismantling international collaboration—the cornerstone of successful scientific research. While we strongly support efforts to safeguard America’s interests and tax-funded research by prosecuting wrongdoers, it is a grave injustice to target an entire ethnic group or to target scientific collaborations with individuals and institutions from specific countries.

In particular, we are alarmed that our country’s Chinese American scientists and other scientists of Asian and Asian American descent have been caught up in the broad sweep of the Federal Bureau of Investigation’s counterintelligence efforts and the National Institutes of Health’s related actions leaving scientists fearful, confused, and frustrated. For years, international scientific collaborations and exchanges between United States and foreign academic and research institutions have been strongly encouraged and supported by the NIH and other academic entities, but now, they are being criminalized. Overzealous, broad, unchecked, overreaching scrutiny can not only lead to mistakes in investigations or prosecutions, thereby ruining the lives of innocent Americans and their families, but also crippling America’s ability to advance scientific and medical innovations that can save lives, especially during this Covid-19 pandemic.

American science is international and America’s best interests are served by supporting highly educated, well-trained, and talented scientists and engineers who are patriots dedicated to advancing science and innovation in our country. The work being done in American research labs, big corporations, and federal agencies all depend on attracting talent, international partnerships and global corporations. And all Americans benefit from advances in medicine, science, and technology. These advances are fueled by the expertise and hard work of scientists around the world who conduct their research in the U.S. and collaborate with scientists in the United States. We cannot continue to be a leader in science and technology if we promote xenophobia and racial profiling within our own borders.

To date, Congress has held numerous hearings focused solely on the espionage threat, and have not addressed the civil rights violations of Chinese Americans who have been wrongly targeted or the long-term consequences and damages to the American research enterprise if this pattern of racial profiling continues.

At this time, scientists, researchers, uniformed service members, federal employees, government contractors, and other Chinese American professionals have reported that their loyalties and their scientific work are being questioned. Chinese Americans are being targeted for criminal investigations because of characteristics that are common to immigrants and advantageous to this country's global competitiveness, including, for example, language skills, knowledge of culture, and family, financial or professional connections to China. In addition, highly skilled Chinese American intelligence analysts and armed services personnel, who were trained at taxpayer expense, are being involuntarily and unfairly separated from federal government employment even as agencies face diversity hiring challenges.

Immigrant communities know all too well the lessons from the incarceration of Japanese Americans, the McCarthy era investigations into Chinese Americans, and the post-9/11 surveillance of Arab, Middle Eastern, Muslim, and South Asian Americans. Under the name of national security, the U.S. often turns on its own citizens and declares them to be foreign threats on domestic soil.

To prevent more Chinese Americans and others of Asian and Asian American descent from becoming collateral damage of the federal government's efforts to stop PRC-sponsored espionage, we respectfully request that the Subcommittee on Civil Rights and Civil Liberties call on experts and fact witnesses to testify to the following matters:

1. The nature and extent of the above-described disparate impact on Chinese Americans;
2. The contributing role of federal government agencies such as NIH, FBI, Justice Department; and other agencies; and
3. Proposed legislation, policies, or other actions to increase transparency, oversight and accountability of federal agencies, the protection of the civil rights and civil liberties of Chinese Americans, and remedies for wronged individuals.

Chinese Americans have a long, storied history in the U.S since they arrived in the 1815. Comprising 23% of the Asian American population,<sup>1</sup> they have made significant economic, social and scientific contributions to the U.S., ranging from military service since the Civil War to health care service during the pandemic. Scientists and researchers are making breakthroughs in covid-19-related research and they are filling critical shortages in national labs.

Immigrants are not a threat. Rather they are a part of the solution to the United States' global challenges. To prevent further injustices from being perpetrated against these loyal and dedicated scientists and the impediment of America's capability to be the global leader in science and technology, we respectfully request that you commence a House Subcommittee Hearing on this timely and urgent issue. Thank you.

The undersigned.

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<sup>1</sup> Pew Research Center, "Key facts about Asian origin groups in the U.S." <https://www.pewresearch.org/fact-tank/2019/05/22/key-facts-about-asian-origin-groups-in-the-u-s/>

## List of Signatories for the Alliance Letter

### **Organizations:**

1990 Institute

80-20 Education Foundation

American Society for Biochemistry and Molecular Biology

APA Justice Task Force

Asian American Advancing Justice | Asian American Justice Center

Asian American Bar Association of Houston

Asian Pacific Islander American Public Affairs Association

Asian American Unity Coalition

Council of Chinese American Deans and Presidents

International Organization of Chinese Physicists and Astronomers

Leadership Conference on Civil and Human Rights

Maryland Legislative Asian American and Pacific Islander Caucus, Maryland General Assembly

Maryland School of Medicine and Co-Founder of the Global Virus Network

Muslim Advocates

National Urban League

OCA Advocates

Society of Chinese Bioscientists in America

United Chinese Americans (UCA)

### **Individuals:** *(titles and associations for identification purposes only)*

Delegate Kumar Barve – Chair, Environmental and Transportation Committee, Maryland House of Delegates

Delegate Mark Chang – Maryland House of Delegates

Delegate Wanika Fisher – Maryland House of Delegates

Senator Clarence Lam – Maryland State Senate

Senator Susan C. Lee – Senate Majority Whip, Maryland State Senate

Delegate David Moon – Maryland House of Delegates

Delegate Lily Qi – Maryland House of Delegates

Delegate Kris Valderrama – Chair, Maryland Legislative Asian American & Pacific Islander (AAPI) Caucus

Dr. Gordon H. Chang - Senior Associate Vice Provost, Stanford University

Sherry Chen - Hydrologist, U.S. National Weather Service

Dr. Shu Chien - Professor Emeritus, University of California, San Diego

Dr. Paul Chu - Professor, Former President of The Hong Kong University of Science and Technology

Dr. Steven Chu - Nobel Laureate and Former Secretary of the US Department of Energy

Dr. Da Hsuan Feng - Former Vice President for Research, the University of Texas at Dallas

Dr. Robert Gallo - Co-Founder and Director of the Institute of Human Virology at the University of Maryland School of Medicine

Dr. Wen-Biao Gan - New York University School of Medicine

Jonathan Greenblatt, Anti-Defamation League

Dr. Alexander Greer - Professor of Chemistry, Brooklyn College

Dr. Edward Hurlock

Mark H. Kaplan MD - Professor Emeritus, Division of Infectious Disease, Department of Medicine  
University of Michigan Health System

Clarence Kwan – Former Chair, Committee of 100 and Retired Deloitte Partner

Dr. Neal Lane – Former White House Science Advisor and Former Director of National Science Foundation

Bel Leong-Hong

Margaret Lewis Esq. - Professor of Law, Seton Hall University

Dr. Yi Li, Chair - Department of Mathematics, University of Iowa

Terry Lierman - Co-Chair, Institute of Human Virology at the Schools of Medicine, University of Maryland School of Medicine

Rick Liu, University of Cincinnati

Dr. Yang Liu - CEO, OncoC4, Inc.

Dr. Zi-Kui Liu - Professor of Materials Science and Engineering, Penn State University and Immediate Past President, ASM International

Gary Locke – Former Secretary of US Department of Commerce; US Ambassador to China; Governor of Washington State; Interim President of Bellevue College, and Chair-Elect Committee of 100

Dr. Wallace D. Loh - Professor and Former President, University of Maryland, College Park

Dr. Peter Ma - Richard H. Kingery Endowed Collegiate Professor, University of Michigan

Dr. Peter Michelson - Luke Blossom Professor, School of Humanities and Sciences, Stanford

Aryani Ong, Esq.

Dr. Steven Pei - Professor, University of Houston, leader of APA Justice Task Force



Devang Shah, Board Member, Asian American Inter Community Services

Wei Su - Retired, U.S. Army Scientist

Dr. Jianping Wang - President, Mercer County Community College

Dr. Ling-Chi Wang - Professor Emeritus, Asian American and Asian Diaspora Studies, UC Berkeley

Dr. Leslie E. Wong - President Emeritus, San Francisco State University

Dr. S. David Wu - President, Baruch College

Frank H. Wu, Esq. - President, Queens College

Dr. Jeremy Wu, retired federal official, leader of APA Justice Task Force

Dr. Ning Xi - Chair Professor of Robotics and Animation, The University of Hong Kong

Dr. Jianping Zhu

\*Since we closed our sign-up list on January 17<sup>th</sup>, we have received hundreds of additional signatories from dozens of institutions of higher education and learning. An updated list of those who have joined our alliance will be provided at a later date.

CC: The Honorable Rep. Carolyn B. Maloney, Chair of the House Oversight Full Committee  
The Honorable Rep. Zoe Lofgren, Chair of the Committee on House Administration  
The Honorable Rep. Judy Chu, Chair of the Congressional Asian Pacific American Caucus  
The Honorable Rep. Kweisi Mfume, Member of the House Oversight Committee

## Articles, Letters and Statements from Professional Associations, Organizations and Societies

- [Response of NIH leadership to and letter from the Society of Chinese Bioscientists in America \(SCBA\), the Chinese American Hematologist and Oncologist Network \(CAHON\), and the Chinese Biological Investigators Society \(CBIS\) on “Racial profiling harms science,” Science Magazine, March 22, 2019.](#)
- Letter from sixty American scientific associations and societies to Directors of OSTP, NSF, NIH, DOE and DOD, September 4, 2019
- Committee of Concerned Scientists (CCS) Co-Chairs Write About Government Campaign Targeting Chinese Scientists and Students in the United States, September 10, 2019.
- Letter from leaders of 201 US academic and industrial biomedical research and drug development institutions on “Chinese scientists and US leadership in the life sciences.” Nature Biotechnology, October 3, 2019.

## Articles, Letters and Statements from University Presidents and Chancellors

### 2020

- [Massachusetts Institute of Technology: President L. Rafael Reif, “I’m the President of M.I.T. American Needs Foreign Students.” New York Times, July 14, 2020.](#)
- [Massachusetts Institute of Technology: President L. Rafael Reif, “To Compete with China, America Needs the Endless Frontier Act.” Issues in Science and Technology, September 8, 2020.](#)
- [Columbia University: President Lee C. Bollinger, “Bollinger Calls on Biden to End the Trump Administration’s Assault on the International Exchange of Ideas.” December 3, 2020.](#)

### 2019

- [University of California, Berkeley: Chancellor Carol Christ, Executive Vice Chancellor and Provost Paul Alivisatos, and Vice Chancellor for Research Randy Katz, “Reaffirming our support for Berkeley’s international community.” February 21, 2019.](#)
- [Stanford University, President Marc Tessier-Lavigne and provost Persis Drell, “In support of our community” March 7, 2019.](#)
- [University of Michigan: President Schlissel, “Statement at Regents Meeting on U.S.-China research collaborations,” March 28, 2019.](#)
- [University of California, Davis: Chancellor Gary S. May, Provost and Executive Vice Chancellor Ralph J. Hexter, Vice Chancellor, Office of Research Prasant Mohapatra, Vice Provost and Associate Chancellor, Global Affairs Joanna Regulska, “Reaffirming Comm](#)
- [University of Delaware: President Dennis Assanis and Provost Robin Morgan, “Our Commitment to International Scholarship.” May 10, 2019.](#)

- [Rice University: President David W. Leebron, "Message to the Rice Community." May 17, 2019.](#)
- [Yale University: President Peter Salovey, "Yale's steadfast commitment to our international students and scholars." May 23, 2019.](#)
- University of Maryland: President Wallace D. Loh, "Letter to University of Maryland Community." May 30, 2019.
- Princeton University: President Christopher L. Eisgruber, "Response to Princeton Faculty." June 3, 2019.
- Case Western University: President Barbara R. Snyder and Provost and Executive Vice President Ben Vinson III, "A statement by the President and Provost to CWRU Asian Faculty Association." June 11, 2019.
- [Massachusetts Institute of Technology: President L. Rafael Reif, "Letter to the MIT community: Immigration is a kind of oxygen." June 25, 2019](#)
- [Columbia University: President Lee C. Bollinger, "Opinion: No, I won't start spying on my foreign-born students." Washington Post, August 30, 2019.](#)
- [Columbia University: President Lee C. Bollinger, "Columbia's Commitment to Our Foreign-Born Students and Visiting Scholars." September 03, 2019.](#)