



The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker Pelosi, Majority Leader Schumer, Minority Leader McCarthy, and Minority Leader McConnell:

We, the undersigned organizations and individuals, urge you to **VOTE NO** on [amendment 5810](#) to the National Defense Authorization Act (NDAA). This amendment will have long standing impacts and ramifications for the broader Asian American and immigrant communities, particularly those of Chinese descent.

Government policies and laws targeting Asian Americans and immigrants have been a longstanding tradition in this country. For more than 150 years, Asian Americans and immigrants have been the subject of heightened scrutiny and racially biased rhetoric by the federal government. Dating back to the Chinese Exclusion Act of 1882 to the incarceration of

Japanese Americans during WWII, to the targeting of Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) communities post 9/11, to the unjust prosecutions of Chinese Americans under the “China Initiative”, Asian Americans continue to face racial bias and discrimination in our country.

Since early 2020, the Asian American community has faced sharp increases in anti-Asian hate incidents with a number of Asian American community-based organizations recording over 12,000 incidents from late February 2020 through March 2022. Moreover, Asian Americans and immigrants have been the object of intense scrutiny and targeting under problematic national security policies and programs such as the now defunct “China Initiative” of the Justice Department and the Department of Commerce’s Investigations and Threat Management Service, both of which raised serious concerns of racial profiling and bias against Asian American and Asian immigrants, particularly of Chinese descent. A significant number of cases under the China Initiative were rooted in failure to disclose issues, and there was widespread fear of the criminalization of Chinese American and immigrant academics. Similarly, this amendment would criminalize failure to disclose and would further increase the chilling effect on Asian Americans and Asian immigrants across the country. Moreover, the amendment introduces an immigration provision that could result in the blanket prohibition of Chinese researchers.

This is extremely concerning as the Asian American and immigrant community are currently living in a climate of fear. A recent national academic climate survey of over 1300 faculty members nationwide, conducted by Asian American Scholar Forum (AASF) in collaboration with 11 Asian American professional organizations, revealed that an although an overwhelming majority of the survey respondents (89%) would like to contribute to the US leadership in science and technology, many feel unsafe (72%) and fearful of conducting research (42%) in the US, especially engineering and computing science faculty, life science faculty, federal grant awardees, and senior faculty. Around 61% of the survey respondents feel pressure to leave the US, especially junior faculty and federal grant awardees, and 45% intend to avoid federal grant applications, especially engineering and computing science faculty and senior faculty due to fear. Overall, these findings reveal the widespread fear and chilling effect on Asian Americans and Asian immigrants particularly scientists, researchers, and scholars.

Considering the above, we respectfully urge Congress to not include this amendment in the NDAA, and reverse efforts to criminalize Asian Americans and Asian immigrants in this country. If you have any questions, please reach out to Gisela Perez Kusakawa, Executive Director at Asian American Scholar Forum at gpkusakawa@aaforum.org and Dennis Jing, Staff Attorney of the Anti-Profilng, Civil Rights, and National Security program at Asian Americans Advancing Justice | AAJC at djing@advancingjustice-aaajc.org. Thank you so much for your time and attention on this important matter.

Sincerely,

Co-Sponsors:

Asian Americans Advancing Justice | AAJC

Asian Americans Advancing Justice - Asian Law Caucus

Asian American Federal Employees for Nondiscrimination

Asian American Scholar Forum

APA Justice

National Council of Asian Pacific Americans

OCA - Asian Pacific American Advocates

United Chinese Americans

Signatories:

Asian American Coalition of Ohio

Asian American Federation

Asian Pacific Partners for Employment, Advocacy, and Leadership

Association of Chinese Geneticists in America

Bio-Amaonia Conservation International

Central American Resource Center of Northern California

Chinese-American Planning Council

Church World Service

Coalición de Derechos Humanos

Committee of 100

Communities United for Status & Protection

Empowering Pacific Islander Communities

Immigrant Legal Resource Center

Indivisible Nation- Brooklyn

Japanese American Citizens League

Japanese American Citizens League- Cincinnati Chapter

Japanese American Citizens League- Dayton Chapter

National Immigrant Justice Center

New Mexico Asian Family Center

Ohio Chinese American Association

Ohio Progressive Asian Women's Leadership

Presidents' Alliance on Higher Education and Immigration
Services, Immigrant Rights and Education Network
Sikh American Legal Defense and Education Fund
Society of Chinese Bioscientists in America
The Advocates for Human Rights
The Hidden Dream
The Legal Aid Justice Center
The Midwest USA Chinese Chamber of Commerce
The National Tongan American Society
The 1990 Institute
UndocuBlack Network
University of Albany Asian Coalition of Professionals
University of Michigan Association of Chinese Professors
Wind of the Spirit Immigrant Resource Center
World Education Services