AASF
Asian American Scholar Forum

AASF Guidance on Anti-Asian Bias, National Security & Protecting America's Scientific Workforce

In moments of geopolitical tensions, Asian Americans have repeatedly come under suspicion in the name of national security. In recent years, that suspicion has fallen most heavily on Asian American professors, engineers, scientists, and students, particularly those of Chinese descent. This Guidance sets out four principles that support the rule of law and civil rights, for responding fairly when suspicions emerge.

Protecting America's STEM Workforce and Competitiveness: When sensationalized headlines, surname punchlines, and racialized tropes normalize suspicion of public figures or scientific leaders, vast numbers of professors, engineers, scientists, and students across the country also pay the price. AASF's research demonstrates that anti-Asian bias creates a pervasive climate of fear that drives scientific talent out of the United States, weakening America's ability to innovate and to compete internationally. We urge policymakers, media, and the general public to exercise caution in their use of language so as not to inflame stereotypes.

Enforcing Equal Protection and Rejecting Loyalty Tests: Equal protection is a bedrock American value that is enshrined in the Constitution. No citizen's loyalty should be questioned because of their ancestry or national origin. It is precisely when U.S.–China tensions rise that this principle demands the greatest vigilance. In moments of geopolitical anxiety, Asian Americans are too often placed under a cloud of suspicion. We saw the consequences of this mindset when U.S. citizens of Japanese heritage were incarcerated during World War II. A more recent example arose during the Justice Department's now-defunct China Initiative, when generalized suspicion found explicit expression in the U.S. government's overt questioning of MIT professor Dr. Gang Chen's allegiance to the United States on the basis of routine academic activities abroad. The case collapsed, Dr. Chen was cleared of any wrongdoing, and MIT fully reinstated him. Today, we see that same suspicion returning as Asian Americans confront unfair loyalty questions.

Separating Criminal Liability, Corporate Governance, and Policy Reform: True fidelity to the rule of law requires keeping criminal enforcement, internal corporate governance, and prospective policy reform separate. Conflating workplace ethics or lawful regulatory gaps with criminal espionage abandons distinct evidentiary standards and allows suspicion to fill the void left by missing facts. Genuine justice demands that boards handle internal corporate governance, lawmakers update rules prospectively to address legitimate national security concerns, and prosecutors only bring charges based on verified evidence of actual crimes rather than let speculation fuel allegations of foreign subversion.

Upholding Constitutional Due Process: Every American should be secure in the knowledge that their government will protect them from transnational repression and other forms of illegal interference by foreign adversaries. When a foreign adversary targets a U.S. citizen, federal agencies should defensively brief, warn, and safeguard that individual. Every American should also be secure in their right to constitutional due process when accused of criminal conduct. Unauthorized disclosures of investigative information by government officials can turn an investigation into a trial by the media. The danger is especially acute before charges are filed, when people can suffer lasting reputational harm from allegations that have never been tested in court and may never lead to charges. The case of Los Alamos scientist Dr. Wen Ho Lee nearly thirty years ago is a cautionary tale. Press reports linked him to suspected espionage, but he was never charged with passing secrets to a foreign government. Indicted on 59 counts, he spent nine months in pretrial detention, much of it in solitary confinement. He was released after pleading guilty to a single count of mishandling national defense information. The government dropped the other 58 counts. The judge apologized for the way the government had held him in custody, and the government settled Lee's suit against federal agencies, with several news organizations contributing to the settlement.

AASF urges lawmakers, federal agencies, the media, and the public to pursue accountability through established legal channels, resist reactionary instincts, and avoid reliance on racialized tropes. Congress has the power to demand testimony, and hearings are an appropriate channel for oversight and for fact-based inquiry. For criminal accountability, the prosecutor's role is to pursue legitimate charges where the evidence warrants while upholding the standards our Constitution requires. At the same time, journalists and the broader citizenry share a responsibility to demand factual rigor and refuse to spread harmful stereotypes. Together as Americans we can stay true to our founding principles by judging people on evidence, not on assumptions based on their heritage.