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May 13, 2016

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Suite 4706
Washington, D.C. 20530-0001

Dear Inspector General Horowitz:


On behalf of the Congressional Asian Pacific American Caucus (CAPAC), we write to request an independent investigation into whether race, ethnicity, or national origin played a part in recent cases in which Asian Americans have been wrongfully arrested and indicted for alleged espionage. Specifically, we request that you address why there appears to be an ongoing pattern and practice of Asian Americans being singled out by federal law enforcement and prosecutors.

We are particularly concerned that espionage threats from foreign nations are creating a climate in which both investigators and prosecutors are rushing into indictments against Americans who happen to be minorities, calling into question civil rights protections. Over the last 18 months, at least four Chinese American scientists, Guoqing Cao, Shuyu Li, Sherry Chen, and Xiaoxing Xi, have been accused of espionage-related crimes only to have all charges against them later dropped with no explanation. This recent pattern suggests that there have been serious lapses in judgment and procedure when it comes to targeting Asian American scientists. Moreover, these actions have caused a chilling effect in broader Asian American scientific and academic communities who fear they may be unjustly targeted if they work with colleagues or have family in Asian countries.

While the new DOJ oversight policy regarding national security related prosecutions is a positive step forward in acknowledging current flaws in the status quo, it fails to fully address our concerns of potential systemic bias in policies and practices related to espionage-related surveillance, investigation, and prosecutions. We strongly believe that the cases of Ms. Chen, Dr. Xi, and others underscore the need for a thorough independent investigation to address the underlying issues that led to these cases.

We look forward to working with you to address these concerns and reassure the American public that our government is protecting the civil rights of all Americans.

Sincerely,


JUDY CHU
Member of Congress
CAPAC Chair


TED LIEU
Member of Congress


MICHAEL M. HONDA
Member of Congress



GRACE MENG
Member of Congress



MARK TAKANO
Member of Congress



MARK TAKAI
Member of Congress



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