

**Congress of the United States**  
**Washington, D.C. 20515**

December 11, 2023

The Honorable Gene Dodaro  
Comptroller General of the United States  
U.S. Government Accountability Office  
441 G Street NW  
Washington, D.C. 20548

Dear Comptroller General Dodaro:

We request that the Government Accountability Office (GAO) conduct a review of federal efforts to investigate allegations of foreign influence in federally funded research in a manner that is free from bias and does not result in discriminatory treatment while ensuring U.S. research security.

As a global leader in scientific research, the United States has long fostered and benefited from a culture of openness and international collaboration. Contributions from U.S. scientists of diverse backgrounds and foreign researchers have made the United States a science and technology powerhouse.

In recent years, however, concerns arose about foreign entities, especially from the People's Republic of China (PRC), attempting to influence U.S.-based researchers whose scientific work is funded by federal agencies. For example, in 2018, the National Institutes of Health (NIH) began investigating 246 scientists at U.S. universities who allegedly failed to disclose research conducted in another country or affiliations with foreign institutions. *Science Magazine* reported in March 2023 that 103 of the investigated scientists had lost their jobs. NIH's data on foreign interference cases showed that 81% of the scientists under investigation identified as Asian, and 91% of the collaborations under scrutiny were with scientists in China.<sup>1</sup>

These data highlight the need to examine whether federal agencies ensure that such investigations are free from bias and do not result in discriminatory treatment. In addition, according to a recent GAO report, representatives of U.S. universities and Asian American associations voiced concerns about the potential for racial bias against Asian and Asian American researchers among potential adverse effects of increased attention paid to the PRC's threat to U.S. research security.<sup>2</sup> Another potential adverse effect these stakeholders discussed in

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<sup>1</sup> Jeffrey Mervis, *Pall of Suspicion*, *Science Magazine* (Mar. 23, 2023), (online at [www.science.org/content/article/pall-suspicion-nih-secretive-china-initiative-destroyed-scores-academic-careers](http://www.science.org/content/article/pall-suspicion-nih-secretive-china-initiative-destroyed-scores-academic-careers)).

<sup>2</sup> See Government Accountability Office, *China: Efforts Underway to Address Technology Transfer Risk at U.S. Universities, But ICE Could Improve Related Data*, (Nov. 15, 2022) (GAO-23-106114) (online at [www.gao.gov/products/gao-23-106114](http://www.gao.gov/products/gao-23-106114)).

the report was the damage to careers of students and scholars of Asian descent based on potentially unfounded accusations.

Federal agencies are in the process of implementing new research security policies at the direction of Congress and the White House. The 2021 National Defense Authorization Act required that Federal agencies implement standardized disclosure requirements.<sup>3</sup> The CHIPS and Science Act contained a number of research security provisions including addressing foreign talent recruitment program participation, research security training requirements, and agency tools and authorities to conduct risk assessments. In addition, President Trump issued a National Security Presidential Memorandum (NSPM-33) in early 2021 directing agencies to develop standard research security policies, and the Biden Administration issued NSPM-33 implementation guidance in January 2022.<sup>4</sup> It is imperative that in developing and carrying out these policies, agencies reject racial biases that have historically plagued attempts to crack down on academic espionage.<sup>5</sup>

We therefore request that GAO answer the following researchable questions:

1. What due process exists for researchers who are being investigated, such as the opportunity to respond to or refute allegations of foreign influence?
2. What federal agency data are available for the past 5 years regarding allegations and investigations of foreign influence in federally funded research, including demographic data, number of individuals, and investigation outcomes?
3. To what extent have selected federal agencies developed policies and procedures to investigate allegations of foreign influence in federally funded research?
4. How, if at all, do selected agencies' policies, procedures, and training ensure that investigations of foreign influence are free from bias and do not result in discriminatory treatment?

Thank you for your attention. Should you have any questions, please contact the following staff: Courtney Koelbel (Courtney.Koelbel@mail.house.gov) with the House

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<sup>3</sup> William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Pub. L. No. 116-283 (online at [www.govinfo.gov/content/pkg/PLAW-116publ283/html/PLAW-116publ283.htm](http://www.govinfo.gov/content/pkg/PLAW-116publ283/html/PLAW-116publ283.htm)).

<sup>4</sup> The White House, Presidential Memorandum on United States Government-Supported Research and Development National Security Policy, (Jan. 14, 2021), (online at <https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-united-states-government-supported-research-development-national-security-policy/>); National Science and Technology Council, Guidance for Implementing National Security Presidential Memorandum 33 on National Security Strategy for United States Government-Supported Research and Development, (Jan. 2022), (online at [www.whitehouse.gov/wp-content/uploads/2022/01/010422-NSPM-33-Implementation-Guidance.pdf](http://www.whitehouse.gov/wp-content/uploads/2022/01/010422-NSPM-33-Implementation-Guidance.pdf)).

<sup>5</sup> Eileen Guo, Jess Aloe, & Karen Hao, *The US Crackdown on Chinese Economic Espionage is a Mess. We Have the Data to Show It.*, MIT Technology Review (Dec. 2, 2021) (online at [www.technologyreview.com/2021/12/02/1040656/china-initiative-us-justice-department/](http://www.technologyreview.com/2021/12/02/1040656/china-initiative-us-justice-department/)).

Committee on Oversight and Accountability, Sara Palasits (Sara.Palasits@mail.house.gov) and Dahlia Sokolov (Dahlia.Sokolov@mail.house.gov) with the House Committee on Science, Space, and Technology, and Nisha Ramachandran (Nisha.Ramachandran@mail.house.gov) with the Congressional Asian Pacific American Caucus.

Sincerely,



Judy Chu  
Chair, Congressional Asian  
Pacific American Caucus  
(CAPAC)



Zoe Lofgren  
Ranking Member, House  
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and Technology



Jamie Raskin  
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