

Congress of the United States

House of Representatives

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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November 17, 2020

The Honorable Wilbur Ross
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Dear Secretary Ross,

Last week, your Department created a senior-level position, Deputy Undersecretary of Commerce for Standards and Technology, and immediately appointed Dr. Jason Richwine to serve in the role as a Schedule C appointee. Despite this new position being a very senior role within the National Institute of Standards and Technology (NIST), congressional committees were not given advance notice of the creation of the new position at NIST or Dr. Richwine's appointment to it. The Committee on Science, Space, and Technology is the committee of legislative and oversight jurisdiction over NIST in the House of Representatives. However, we have yet to receive any explanation from the Department of Commerce on the responsibilities of and justification for this new Deputy Undersecretary role, nor any justification for Dr. Richwine's appointment to the position.

Dr. Richwine has written exclusive blog posts for a prominent white supremacist website, arguing that Hispanic Americans will be more prone to criminality in the future.¹ He has argued that non-white Americans are unable to "assimilate" to American society, citing the continued existence of Native American reservations. In a 2008 panel discussion, Dr. Richwine outlined an anachronistic IQ-based ranking of races in order to support his anti-immigration beliefs, leaning on debunked pseudoscience that has been used for centuries to justify colonialism, slavery, and segregation.² His 2009 doctoral thesis was dedicated to demonstrating that Latinos and other ethnic groups are intellectually inferior to white Americans as a matter of genetics. He was forced to resign from his job at the Heritage Foundation in 2013 after this thesis drew public scrutiny.

¹ <https://www.theatlantic.com/politics/archive/2013/05/jason-richwine-says-hes-no-racist-has-tough-time-spotting-racism/315330/>

² <https://www.motherjones.com/politics/2013/05/heritage-immigration-scholar-race-differences-iq-jason-richwine/>; <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/05/08/heritage-study-co-author-opposed-letting-in-immigrants-with-low-iqs/>

These beliefs and actions are plainly disqualifying from federal service. There is no place for prejudice, racism, and xenophobia in the federal research enterprise. That Dr. Richwine holds these beliefs and has deliberately built a public profile around them is abhorrent; that he has apparently been rewarded for them by the Trump Administration is a scandal. With so few weeks remaining in your own tenure, you have elected to prioritize use of Departmental resources to elevate someone who espouses white supremacist views. The appointment of Dr. Richwine suggests a deep disrespect for the mission of NIST and an abdication of your responsibility to the public. It also suggests that the Administration officials who have enabled Dr. Richwine's appointment have also abdicated their responsibilities to protect the public interest.

In addition, Dr. Richwine's educational and professional background are plainly inadequate for carrying out the responsibilities of senior leadership at NIST. NIST and its predecessor, the National Bureau of Standards, have traditionally been led by respected technical experts in the physical sciences and engineering. For example, current Under Secretary Dr. Walter Copan had a thirty-year career in the chemical industry and holds a doctorate in chemistry. His predecessor, Dr. Willie May, holds a Ph.D. in analytical chemistry and served over four decades at the agency before being elevated to Under Secretary. By contrast, Dr. Richwine's academic background is in the social sciences. He has no apparent applied experience in the physical sciences, engineering, government, or public administration and has never authored or contributed to a peer-reviewed publication. It is clear that Dr. Richwine is in no way prepared to contribute to the measurement sciences or standards mission of NIST.

We caution you against any plans you may have for Dr. Richwine's tenure that are not in accordance with the law.

Given the unusual and unexplained circumstance of Dr. Richwine's appointment at NIST, please provide the answers to the following questions by November 24, 2020:

1. Did the Department conduct any analysis to support the requirement for a new Deputy Undersecretary position prior to establishing it? If so, please provide any written documentation produced in evaluating the need for this position.
2. Who made the decision to create the new Deputy Undersecretary position?
3. Were you personally aware of Dr. Richwine's list of publications prior to his appointment to NIST?

In addition, please provide the following documents to the Committee by December 1, 2020:

1. The approved position description and the associated certification date used by the Department to establish the role of Deputy Undersecretary of Commerce for Standards and Technology.
2. Each request for new Schedule C authority must be accompanied by a certification statement signed by the department or agency head and submitted to the U.S. Office of

Personnel Management (OPM). Please provide a copy of the certification statement for Dr. Richwine's appointment.

3. Information on the reporting relationships of the Deputy Undersecretary of Commerce for Standards and Technology to other Commerce Department and NIST officials.
4. All internal and external Department communications related to the establishment of the position of the Deputy Undersecretary of Commerce for Standards and Technology as well as the communications made in the consideration and appointment of Dr. Richwine to this position.
5. A curriculum vitae and any other information concerning Dr. Richwine that was used to determine his suitability for the position of Deputy Undersecretary of Commerce for Standards and Technology.

Thank you for your prompt attention to this matter. If you have questions please have your staff contact John Piazza of the Committee on Science, Space and Technology at 202-225-6375.

Sincerely,



Eddie Bernice Johnson
Chairwoman
Committee on Science, Space, and Technology



Haley Stevens
Chairwoman
Subcommittee on Research and Technology

Cc:
Michael Rigas
Acting Director
Office of Personnel Management

John McEntee
Director
Presidential Personnel Office

The Honorable Frank Lucas
Ranking Member
Committee on Science, Space, and Technology

The Honorable Jim Baird
Ranking Member
Subcommittee on Research and Technology