



ONE HUNDRED EIGHTEENTH CONGRESS  
REPRESENTATIVE CHRISTOPHER H. SMITH, CHAIR  
SENATOR JEFF MERKLEY, COCHAIR

October 20, 2023

Secretary Gina M. Raimondo  
U.S. Department of Commerce  
1401 Constitution Ave. NW,  
Washington, DC 20230

Secretary Janet Yellen  
U.S. Department of Treasury  
1500 Pennsylvania Avenue NW,  
Washington, DC 20220

Secretary Antony J. Blinken  
U.S. Department of State  
2201 C St NW  
Washington, DC 20451

Dear Secretary Raimondo, Secretary Yellen, and Secretary Blinken:

We write to you concerning mass DNA collection by police in the Tibet Autonomous Region (TAR) and other egregious human rights abuses facing the people of Tibet. We ask that you work together to take additional actions to address these abuses and stop commercial activities by companies participating in the deployment and management of biometric ID surveillance — in particular, technology used in Tibet and the Xinjiang Uyghur Autonomous Region (XUAR) for political identification and racial profiling.

Thermo Fisher Scientific sold DNA kits and replacement parts for its DNA sequencers to the police in the TAR, a point that is not disputed by the company, though they continue to say that Thermo Fisher’s products are used for “routine forensic investigations” and “police work.” Through congressional hearings and our own investigations, it is clear that mass collection of DNA and other biometric data has been occurring in Tibet for at least the past six years. The Toronto-based technology and human rights monitoring group Citizen Lab found that between 2016 and 2022 police in the TAR collected between roughly 900,000 and 1.2 million DNA samples, which are a quarter to a third of the population of the TAR. According to Human Rights Watch, blood samples were taken from children at kindergartens and from other residents without obtaining consent, and evidence of criminal conduct was not required for collection.

The size and scope of DNA collection implies that TAR officials already purchased Thermo Fisher’s DNA sequencers. Replacement parts and kits supplemented a project already well underway. It is impossible for Thermo Fisher to claim with confidence that its products were being used simply for “police casework.” And given there are so few safeguards for how DNA and other sensitive biometric data is gathered and used in the People’s Republic of China (PRC), it is our concern that biometric collection and analysis equipment could enable gross violations of human rights—from coercive mass surveillance to the harvesting of organs.

Since each of you plays a role on the End-User Review Committee, we ask that you add TAR Public Security Bureaus and any other entities affiliated with the mass DNA collection project on the Bureau of Industry and Security’s Entity List. This will ensure that U.S. companies are not contributing to, and are not directly or indirectly complicit in, the collecting and building of biometric ID surveillance capabilities in the TAR or other Tibetan areas.

There is precedent for taking this step. In 2019 and 2020, over twenty Public Security Bureaus and affiliated entities in the XUAR were placed on the BIS Entity List after reports indicated that Thermo Fisher sold them DNA sequencers and other products used in a mass DNA collection campaign. The DNA collection

campaigns turned out to be part of a mass surveillance and detention system in the XUAR that was rightly determined to be a genocide by the State Department.

The BIS prohibited sales to XUAR police in 2019 and police in Tibet should face the same prohibition. Tibetans have no control over how their samples were collected, stored and used, nor do they know of the potential implications of DNA collection for them and for their extended families.

The response to these circumstances should be robust. Even after the BIS prohibited sales to XUAR police in 2019 and Thermo Fisher announced that it would stop selling or servicing its genetic sequencers in the XUAR, a June 2021 *New York Times* investigation found that police in the XUAR were still purchasing equipment made by Thermo Fisher and another U.S. company. These findings suggest that neither export controls nor company safeguards have stopped the PRC's use of U.S. technology in mass DNA collection.

We ask that, in placing Public Security Bureaus and affiliated entities in the TAR and Tibetan areas as off-limits for U.S. exports, you work with Congress to ensure that export controls are sufficient to stop future export of technology driving the PRC's deployment and management of biometric ID surveillance. Such technology must not be exported to authoritarian governments' use in programs of social control, and ensuring effective export controls is crucial for protecting global freedoms and U.S. national security.

We also ask that you work with us to ensure that the end-users of such technologies are held accountable. Such action could include Global Magnitsky sanctions or visa restrictions for officials in Tibetan areas for their complicity in mass biometric data collection and the forced separation of Tibetan children from their parents.

The list of officials who should be sanctioned is likely very long, as the Tibetan people have been subject to successive, and sometimes brutal, campaigns of repression and social control over the decades. But we ask the Administration to take a clear stance, that those who egregiously abuse the internationally-recognized rights of Tibetans should not profit from access to the United States or its financial system.

We look forward to working with you to address the issues raised by this letter and to ensure the failure of the PRC efforts to leverage technology and big data for social control.

Sincerely,



Representative Chris Smith  
Chair



Senator Jeffrey A. Merkley  
Cochair