



COMPLAINT

of the

ASIAN AMERICAN COALITION FOR EDUCATION

v.

**YALE UNIVERSITY, BROWN UNIVERSITY, AND
DARTMOUTH COLLEGE**

**FOR UNLAWFUL DISCRIMINATION AGAINST ASIAN-AMERICAN
APPLICANTS IN THE COLLEGE ADMISSIONS PROCESS**

Submitted to:

**Office for Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC, 20202**

**Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530**

May 23, 2016

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PREFACE AND STATEMENT OF INTEREST

The Asian American Coalition for Education (“AACE”) is a national, non-political, non-profit organization devoted to promoting equal rights for Asian-Americans in education and education-related activities. The leaders of AACE and its supporting organizations are Asian American community leaders, business leaders, parents and students.

In this civil rights violation complaint against Yale University, Brown University and Dartmouth College, AACE is joined by more than 130 Asian-American organizations. The constituents of AACE and these signatory organizations are directly affected and injured by the discrimination against Asian-American college applicants complained of herein.

The Asian-American college-age population of the United States has grown from 2.5% in 1995 to 5.1% in 2011. In the same period, the percentage of Asian-Americans at Yale and most other Ivy League colleges has declined. This is because of negative stereotyping coupled with racial quotas and caps, maintained by racially differentiated standards for admission that severely burden Asian-American applicants.

Although discrimination by elite colleges against Asian-American students is widespread, AACE and the joining organizations are bringing this complaint against the three named Ivy League Colleges because Brown University and Dartmouth College have maintained the lowest admission rates for Asian-American students, while Yale University not only maintains a relatively low admission rate for Asian-American applicants, but also engages in destroying admissions records at its law school. Nevertheless, we sincerely hope the Department of Education and the Department of Justice will recognize the discrimination complained of herein as a systemic problem and will also, in addition to prosecuting and investigating this Complaint, begin actions to protect Asian-American students beyond these three colleges.

The contact persons for this Complaint, authorized to represent AACE and the joining Asian-American organizations with respect to this Complaint, are:

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I. INTRODUCTION

The Asian American Coalition for Education (“AACE”) joined by more than 130 concerned Asian-American organizations, on behalf of their constituents, hereby file this Complaint against Yale University (“Yale”), Brown University (“Brown”) and Dartmouth College (“Dartmouth”) (together, “Institutions” or “Ivy League Colleges”), and allege that these Institutions are engaged in unlawful discrimination against Asian-American applicants to their colleges. These Institutions participate in a covert and insidious scheme to enforce race-based quotas in college admissions, in violation of the Fourteenth Amendment to the United States Constitution and Title VI of the Civil Rights Act of 1964.

As studies demonstrate, these Ivy League Colleges have been and are engaged in systematic and continuous discrimination against Asian-American applicants during their so-called “Holistic” college admissions processes, and have denied and deny admission to many Asian-American applicants solely because of their race. This Complaint is brought on behalf of the constituents of the undersigned Asian-American organizations including Asian Americans students who, because of their race, were unfairly rejected by these Institutions because of such unlawful use of race in the admissions process and/or who seek the opportunity to apply for admission to these Institutions without being discriminated against because of their race.

Over the past two decades, Asian-American applicants to these Institutions and other Ivy League colleges have increasingly experienced discrimination in the admissions process. Many Asian-American students who have almost perfect SAT scores and GPAs in the top 1%, with exemplary educational records and awards and leadership positions in various extracurricular activities have been rejected by these Ivy League Colleges while similarly-situated applicants of other races have been admitted. Because of this discrimination, it has become especially difficult for high-performing Asian-American students to gain admission to these Institutions. In recent years these trends have become more and more severe. The discrimination is widely reported in the media and various studies, and is impossible to ignore.

The Asian-American college-age (18-21) population of the United States has grown from 2.5% in 1995 to 5.1% in 2011. The pool of highly-qualified Asian-American college applicants has doubled. Yet, the percentage of Asian-Americans at the Ivy League Colleges has remained essentially unchanging throughout the period, “capped” at approximately 16%.¹ The situation is eerily reminiscent of the quota system the Ivy League schools maintained for Jews during the 1920s. Orchestrated by Harvard College, it had as its goal creating and maintaining what was seen as the proper level of Jewish enrollment. In 1925, Jewish enrollment at Harvard College was over 27 percent. One year later, after imposition of the quota system, the Class of 1926 was 15% Jewish; and the percentage of Jewish enrollment remained virtually unchanged at about that level until the 1940s. Today, the same thing is happening again, only this time the target is Asian-Americans.

Asian-Americans have the lowest acceptance rate for each SAT test score bracket, having to score on average approximately 140 point higher than a White student, 270 points higher than

a Hispanic student and 450 points higher than a Black student on the SAT, in order to have the same chance of admission.ⁱⁱ

Through their unlawful discrimination, the Ivy League Colleges impose racial quotas and caps to maintain what they believe are ideal racial balances. As studies have shown, given the dramatic increase in highly-qualified Asian American applicants over the past two decades, it is mathematically impossible for anything other than a race-based “cap” to have kept the percentage of Asians in the student bodies of these Institutions at an unchanging level throughout the period.

While purportedly “benign” or seeking a “socially positive” objective, the discrimination by the Ivy League Colleges is no different from historical racist measures that discriminated against Asian-Americans, such as laws denying them access to “white” schools, the Chinese Exclusion Act of 1882 and the internment of Japanese-Americans during World War II. Shockingly, America’s elite universities, even today, are still violating the civil rights of Asian-American applicants on a continuous and systematic basis, and have been able to carry out their patently unconstitutional activities with little or no governmental intervention. It is therefore imperative for the federal government to intervene in a forceful manner to protect the constitutional rights of Asian-American children from continued infringement by Yale, Brown, Dartmouth and other elite universities.

The discrimination against Asian-Americans by these Ivy League Colleges and other elite universities has been reported in studies and publications including Daniel Golden’s book, *The Price of Admission: How America's Ruling Class Buys Its Way into Elite Colleges and Who Gets Left Outside* (Golden 2007),ⁱⁱⁱ Espenshade, Thomas J. & Alexandra Radford’s book, *No Longer Separate, Not Yet Equal: Race and Class in Elite College Admission and Campus Life* (Espenshade/Radford 2009)^{iv} and Ron Unz’s article, *The Myth of American Meritocracy*, (Unz 2012).^v

Based on the overwhelming evidence of racial discrimination against Asian-Americans uncovered by Daniel Golden, Thomas Espenshade, Alexandra Radford, Ron Unz, Richard Sander^{vi}, and others, and direct observations in the Asian-American communities, AACE and the undersigned Asian-American organizations hereby file this civil rights violation complaint with the Office of Civil Rights (“OCR”) of the U.S. Department of Education, and the Educational Opportunities Section of the Department of Justice’s Civil Rights Division (“DOJ”).

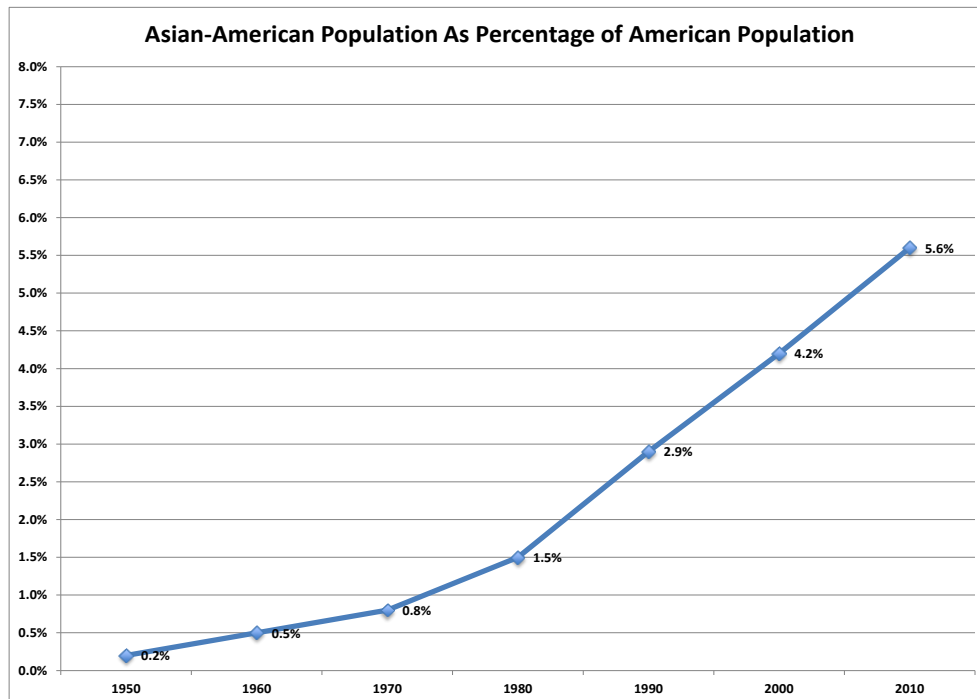
By this Complaint, the AACE and the undersigned Asian-American organizations request that the OCR and DOJ investigate the evidence of racial discrimination against Asian-American applicants by Yale, Brown and Dartmouth during the college admissions process, and take all necessary measures to vindicate the constitutional rights of Asian-Americans and to bring an end to this unlawful discrimination.

II. BACKGROUND FACTS

A. Asian-American College Applicants Have Almost Doubled over the Last Two Decades.

Asian-Americans are a small minority group in the United States, consisting of more than 20 different ethnic groups but with a combined population of only 18 million in 2011.^{vii}

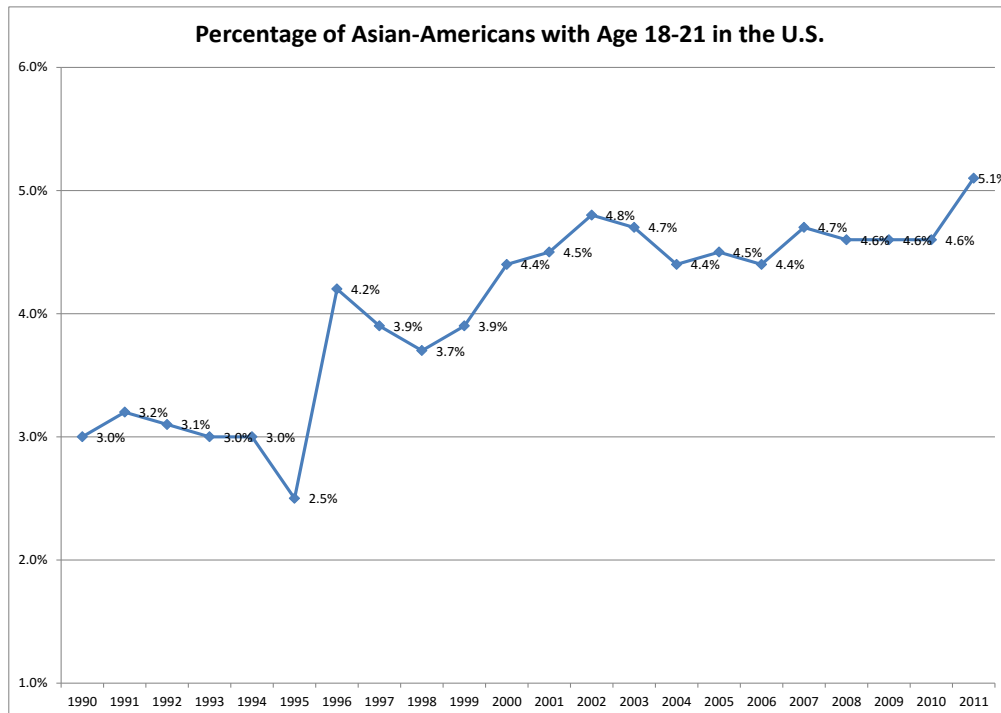
Historically, partially due to the restrictions imposed by the Chinese Exclusion Act, which severely restricted Asian immigration for most of a century, the Asian-American population in the United States stayed at the 0.2% level until after 1950. It gradually grew to 1.5% in 1980. Over the last three decades, two major events have led to the rapid growth of the Asian-American population in the United States. The first is the rapid expansion of American high tech industries beginning in the 1980s. This has driven an increase in the number of highly educated immigrants, the majority of them from Asia. The second is the normalization of the relationship between the United States and the People's Republic of China in 1978, which enabled a large number of Chinese students to come to study in the United States, many of whom later decided to stay in America. As a result, the Asian-American population as a percentage of the U.S. population has increased dramatically from 2.9% in 1990 to 5.6% in 2010.^{viii} Asian-Americans are the fastest growing ethnic group in America.



Well-educated Asian-Americans have become the backbone of American high tech industries, engineering firms and research and development centers, contributing to American

technology leadership and economic prosperity. Asian-Americans are proud members of American society and have been making substantial contributions to this nation.

The growth in the nation’s Asian-American population has naturally led to a corresponding increase in Asian-American college applicants. Based on Census data, college-age Asian-Americans have, as a percentage of college-age Americans, increased from 3.0% in 1990 to 5.1% in 2011.^{ix}



B. Qualifications of Asian-American Applicants to America’s Top Universities, including the Ivy League Colleges.

It is beyond reasonable dispute that during the period 1993 to the present, the constant increase, each academic year, in the number of Asian-American applicants to the Ivy League Colleges has not been accompanied by any decrease in the qualifications of the applicants. In his landmark study, Unz considered this possibility but found that, if anything, the opposite is true. Unz, *supra*, 19-22. As Asian-American families have improved their living standards, they have been able to devote more economic resources to their children’s education. In addition, the increasing numbers of well-educated new immigrants from Asia over the last three decades have also expanded the pool of high-performing Asian-American students. As a result, the performance of Asian students, both in scholastic metrics and in extracurricular activities—the primary factors considered by America’s top universities (including the Ivy League Colleges) in evaluating applicants—has not only been maintained at its originally high level, but has further improved over the last two decades.

The representation of Asian Americans among the recipients of awards for achievement by high school students demonstrates the caliber of Asian-American applicants to the Ivy League Colleges. As shown by Unz, *supra*, Asian-American students have achieved a very high representation among National Merit Scholarship (NMS) semifinalists, a major indicator of graduating high school students' academic performance. In addition, over the last two decades, Asian-American students have significantly increased their representation among U.S. Math Olympiad Teams, U.S. Physics Olympiad Winners, Science Olympiad Winners, Siemens Science AP Winners, and Intel Science Talent Search Finalists:^x

“Although Asians represented only about 11 percent of California high school students, they constituted almost 60 percent of the [National Merit Scholars]... In Texas, Asians are just 3.8 percent of the population but were over a quarter of the NMS semifinalists in 2010, while the 2.4 percent of Florida Asians provided between 10 percent and 16 percent of the top students... Asian over-representation was enormous [in New York]: the Asian 7.3 percent of the population—many of them impoverished immigrant families—accounted for almost one-third of all top scoring New York students.” *Id.*

“America’s eight largest states contain nearly half our total population as well as over 60 percent of all Asian-Americans, and each has at least one NMS semifinalist list available for the years 2010–2012. Asians account for just 6 percent of the population in these states, but contribute almost one-third of all the names on these rosters of high performing students. Even this result may be a substantial underestimate, since over half these Asians are found in gigantic California, where extremely stiff academic competition has driven the qualifying NMS semifinalist threshold score to nearly the highest in the country; if students were selected based on a single nationwide standard, Asian numbers would surely be much higher. This pattern extends to the aggregate of the twenty-five states whose lists are available, with Asians constituting 5 percent of the total population but almost 28 percent of semifinalists. Extrapolating these state results to the national total, we would expect 25–30 percent of America’s highest scoring high school seniors to be of Asian origin.” *Id.*

“This evidence of a massively disproportionate Asian presence among top-performing students only increases if we examine the winners of national academic competitions, especially those in mathematics and science, where judging is the most objective. Each year, America picks its five strongest students to represent the country in the International Math Olympiad, and during the three decades since 1980, some 34 percent of these team members have been Asian-American, with the corresponding figure for the International Computing Olympiad being 27 percent. The Intel Science Talent Search, begun in 1942 under the auspices of the Westinghouse Corporation, is America’s most prestigious high school science competition, and since 1980 some 32 percent of the 1320 finalists have been of Asian ancestry (see Appendix F).” *Id.*

“Given that Asians accounted for just 1.5 percent of the population in 1980 and often lived in relatively impoverished immigrant families, the longer-term historical trends are even more striking. Asians constituted less than 10 percent of U.S. Math Olympiad winners during the 1980s, but rose to a striking 58 percent of the total during the years 2000–2012. For the Computing Olympiad, Asian winners averaged about 20 percent of the total during most of the

1990s and 2000s, but grew to 50 percent during 2009–2010 and a remarkable 75 percent during 2011–2012.” *Id.*

“The statistical trend for the Science Talent Search finalists, numbering many thousands of top science students, has been the clearest: Asians constituted 22 percent of the total in the 1980s, 29 percent in the 1990s, 36 percent in the 2000s, and 64 percent in the 2010s. In particular science subjects, the Physics Olympiad winners follow a similar trajectory, with Asians accounting for 23 percent of the winners during the 1980s, 25 percent during the 1990s, 46 percent during the 2000s, and a remarkable 81 percent since 2010. The 2003–2012 Biology Olympiad winners were 68 percent Asian and Asians took an astonishing 90 percent of the top spots in the recent Chemistry Olympiads. Some 61 percent of the Siemens AP Awards from 2002–2011 went to Asians, including thirteen of the fourteen top national prizes.” *Id.*

The qualifications of Asian-American students are further demonstrated by the numbers of such students named U.S. Presidential Scholars, selected by the Department of Education on an annual basis. Based on family names, an analysis of the Presidential Scholar winners for the years 2010–2014 finds that approximately 31% of the winners of this prestigious award were Asian-American. This is actually an underestimation, because a student born in a family with an Asian mother but non-Asian father, or Asians adopted by non-Asian families, are not counted as Asian in this analysis.

Being selected a Presidential Scholar is one of the highest honors a high school student can achieve. The qualifications for the award mirror those holistic admissions criteria relevant in Ivy League admissions. “Candidates are evaluated on their academic achievement, personal characteristics, leadership and service activities, and an analysis of their essay.”^{xi} Accordingly, one would expect the percentage of Asian-Americans selected as Presidential Scholars to predict the percentage admitted to the Ivy League Colleges. It does not.

If we combine the factors of rapid growth of college-age Asian-American students with their improving credentials both academically and in extracurricular activities, any reasonable person would expect Asian-American admission rates to Ivy League Colleges including Yale, Brown and Dartmouth to also increase accordingly. As set forth in Section III of this complaint, they have not.

C. Unfair Stereotypes Applied to Asian-Americans.

Some persons attempt to justify the disparity in Asian-American enrollment at elite universities by resort to negative stereotypes that devalue Asians *vis-a-vis* other applicants. Such stereotypes are themselves racist and are belied by the objective facts.

One of the smallest racial groups in the United States, Asian-Americans are possibly the ethnic group least understood by mainstream American society. There remains a large cultural gap existing between the East and the West. This has led to stereotypes and racial biases that unfairly affect treatment of Asian-American applicants to elite universities and colleges.

The stereotypes applied to Asian-American applicants, while used to negatively affect their chances of admission, represent nothing more than racial bias and are not supported by the actual evidence:

Myth 1: Asian-Americans lack creativity and critical thinking capabilities

The pernicious stereotype that Asian-Americans somehow lack creativity and critical thinking is reinforced by biased articles published in American media. An objective view of the facts compels a contrary conclusion, demonstrating that Asian-Americans are, in fact, exceptionally well represented in virtually every endeavor requiring creativity and critical thinking.

The leading engineers in many of America's high tech industries are Asian-American. They are department chairs at many American universities. They are technology leaders at many research and development institutes. Asian-Americans are the creators of a large percentage of American technological innovations. The Asian-American community has produced 12 Nobel laureates in Physics, Chemistry, Physiology and Medicine--more than 4.4% of the total 273 American Nobel laureates in the above fields since the Nobel Prize debuted in 1901. This is noteworthy, given that the Asian-American population in the United States was well below 1% before the 1970's and did not reach 3% until 1990.

According to Thomson Reuter, 11 of the world's top 20 material scientists, or 45%, are Asian-American.^{xii} In the MIT Technology Review's "35 Innovators Under 35 in 2014,"^{xiii} 12 are Asian-American--34% of the total. Winners of the Intel Science Talent Search competition, which requires at least one scientific breakthrough or technological innovation, are 30% Asian-American.^{xiv}

Asian-Americans have also demonstrated their creativity in other arenas. They include world-famous architects I. M. Pei and Maya Lin, world-class cellist Yo-Yo Ma, and violinist Sara Chang, Oscar winning director Ang Lee, renowned cinematographers James Wong Howe and Hiro Narita, as well as fashion designers Vera Wang and Jason Wu.

In the business world, Asian-American creativity is easily found. According to a 2012 study released by the Ewing Marion Kauffman Foundation, between 2006 and 2012, 42% of immigrant-founded engineering and technology companies were founded or co-founded by Asian-Americans.^{xv} Many general counsels at top corporations are Asian-American.

In field after field, Asian-Americans have demonstrated they are among the most innovative and creative people in the United States.

Myth 2: Asian-Americans lack leadership skill

The claim is sometimes made that Asian-Americans lack leadership skills, based on the lower representation of Asian-Americans among the CEOs of major corporations. However, by the same token that the Asian-American community is growing rapidly because of immigration, most adult Asian-American immigrants were born abroad (74%)^{xvi} and have not been on the

seniority/management tracks in these corporations. Also, the majority of them obtained visas and immigrated to the United States based on their specializations in science and engineering, while most American companies pick their CEOs from marketing or finance backgrounds. Another factor is that in many companies where Asian-Americans are a small minority, there is also a significant bamboo ceiling that prevents Asian-Americans from reaching the top.^{xvii}

Other factors are language barriers and lack of cultural understanding. For example, in American culture, people are raised to and tend to express their feelings and thoughts directly and forcefully. In most Asian cultures, people are taught to express their opinions in a more reserved or circumspect manner. For Americans who do not understand this cultural difference, this can be misinterpreted as a lack of communication skills.

Even with significant cultural barriers, many Asian-Americans have managed to rise to the top. Examples include Google CEO Sundar Pichai, Microsoft CEO Satya Nadella, Pepsi CEO Indra Nooyi, BlackBerry CEO John Chen, MasterCard CEO Ajay Banga, former CEO of Starz Corporation John Sie and former CEO of Avon Corporation Andrea Jung.

A better measure of Asian-American leadership is found in their entrepreneurship. Data indicates that immigrants are more likely to start companies than the general population in the United States, and Asian-Americans make up a significant portion of this group. As noted above, Asian-Americans founded or co-founded more than 42% of immigrant-founded engineering and technology companies between 2006 and 2012. Notable examples include Yahoo co-founder Jerry Yang, the founding CEO of Sun Microsystems Vinod Khosla, founder of Bose Corporation Amar Bose, and co-founder of YouTube Steve Chen. This is a clear indication of leadership and the innovative spirit of Asian-Americans. Asian-American entrepreneurs are also well represented in the non-tech industries, including in the restaurant industry, the hotel industry, in convenience stores and other service sectors. Leadership is an essential quality required by all entrepreneurs, and Asian-Americans have demonstrated they possess this quality in abundance.

Myth 3: Asian-American students spend too much time studying and not enough time in extracurricular activities

It is a great irony that while America's economy needs Asian immigrants whose skills were built upon a foundation of solid academic performance, the news media and some individuals blame Asian-American students for putting too much emphasis on academics and create the stereotype that Asian-American children are 'nerds' who spend all their time studying while neglecting other activities. This stereotype is false.

Many Asian-American families do believe a solid academic foundation is essential. They encourage their children to pursue academic excellence and to excel in the core STEM subjects (Science, Technology, Engineering and Mathematics). However, that is hardly something to deplore. U.S. academic performance, once the envy of the world, has fallen over the past several decades. In the 2012 PISA international student assessment, American students ranked only 30th in math and 23rd in Science. As a result, the United States cannot educate enough engineers and scientists to meet its rapidly growing needs in its high tech industries and has to attract well-

educated immigrants, most of whom are Asian, to fill the need. This situation should be remedied, not accepted as the new norm.

Stereotypes	Facts
Lack of creativity/critical thinking	12 Nobel laureates in Physics, Chemistry, Physiology and Medicine (4.4%); 11 out of 20 top material scientists in the world (45%); 12 out of 35 Innovators Under 35 in 2014; 30% winners of Intel Science Talent Search.
Lack of artistic talent	World-famous architects I. M. Pei and Maya Lin, world-class cellist Yo-Yo Ma, violinist Sara Chang, Oscar winning director Ang Lee, renowned cinematographers James Wong Howe and Hiro Narita, fashion designers Vera Wang and Jason Wu.
Less risk taking	Founded or co-founded over 42% of immigrant-founded engineering and technology companies between 2006 and 2012. Yahoo’s Jerry Yang, the founding CEO of Sun Microsystems Vinod Khosla, founder of the Bose Corporation Amar Bose, co-founder of YouTube Steve Chen.
Lack of leadership skills	1) Objective factors limiting Asian-Americans becoming CEOs of large corporations: 74% Asian-American are foreign born, most specializing in science and high tech; language barrier, bamboo ceiling and cultural acceptance. 2) Many have managed to reach the top: Microsoft CEO Satya Nadella, Pepsi CEO Indra Nooyi, Blackberry CEO John Chen, MasterCard CEO Ajay Banga, former CEO of Starz Corporation John Sie, former CEO of Avon Corporation Andrea Jung. 3) Proven entrepreneurship: Founded over 42% of engineering and technology companies between 2006 and 2012. Owners of restaurants, hotels, gas stations etc.
Too much emphasis on academics	American student performance dropped compared to other countries based on PISA international student assessments. The U.S. can’t educate enough scientists and engineers and relies on immigrants to support high tech industries. Asian-Americans actually have the proper emphasis on academics.
Not enough extracurriculars	Studies show high-achieving Asian-American students are equally, if not more, qualified than individuals of other racial groups with regard to non-academic criteria. Data covering more than 100,000 undergraduate applicants to UCLA over three years shows absolutely no correlation between race and ‘personal achievement.’

Contrary to the stereotype, Asian-American students do well in extracurricular activities. Asian-American students educated in the United States have benefited from strengths of the American education system, such as an emphasis on creativity and social skill development. As cited by Students for Fair Admissions Inc. in its complaint against Harvard University,^{xviii} “Studies also have shown that high-achieving Asian-American students are equally, if not more, qualified than

other racial groups with regard to non-academic criteria. At the University of California, Los Angeles (UCLA), over several years, undergraduate admissions readers assigned each applicant three types of scores: ‘academic achievement’ (principally high school grades, AP courses, and standardized test scores); ‘life challenges’ (mainly socioeconomic background); and ‘personal achievement’ (such as leadership, musical ability, and community service). These three scores jointly determined virtually all admissions decisions. See Peter Arcidiacono, Thomas Espenshade, Stacy Hawkins, and Richard Sander, *A Conversation on the Nature, Effects, and Future of Affirmative Action in Higher Education Admissions*, *Pennsylvania Journal of Constitutional Law* (Fall 2014). The data covers over 100,000 undergraduate applicants to UCLA over three years and shows absolutely no correlation between race and ‘personal achievement.’” *Id.*

In short, there is no objective data to support the negative stereotypes applied to Asian-American students and ample evidence that such stereotypes are false.

D. The Ivy League Colleges’ Holistic Evaluation of Applicants.

In their admission processes, the Ivy League Colleges use a holistic approach in evaluating the candidates. This holistic evaluation considers everything about the applicant, including his/her ethnicity.

“[E]verything matters” during Yale’s admissions process.^{xix} According to Yale’s Quick Facts, “[w]hile academic strength is our first consideration in evaluating candidates, no one is admitted to Yale according to a formula. We look at each student holistically, with the aim of gathering together an extraordinary variety of interesting individuals who will challenge and inspire one another, and who will enrich their communities in college and beyond. We also make a special effort to bring to Yale students who have exhibited great promise but who may have had limited access to resources for college preparation.”^{xx}

As Brown explains, “[r]ather than relying solely on a set of quantifiable criteria like grades and test scores, our admission process challenges us to discover how each applicant would contribute to—and benefit from—the lively academic, social, and extracurricular activity here at Brown. We will consider how your unique talents, accomplishments, energy, curiosity, perspective, and identity might weave into the ever-changing tapestry that is Brown University. Throughout our long history of encouraging diversity, we have learned that it is this dynamic mix of individuals that makes for the most fascinating and productive undergraduate community.”^{xxi}

While describing the process as “holistic,” Yale, Brown, and Dartmouth do not reveal the inner workings of their admissions procedures; in fact, they are shrouded in secrecy. The combination of secrecy with an admissions procedure that considers race as part of a “holistic” evaluation of applicants has resulted in a process that applies negative stereotypes to actively discriminate against Asian-Americans.

E. Prior Actions Alleging Illegal Discrimination against Asian-American by Elite Universities.

There have been prior attempts to hold Ivy League Colleges and other elite institutions accountable for their illegal discrimination against Asian-American applicants. Some have involved complaints to the Office of Civil Rights (“OCR”) of the U.S. Department of Education. In 2006, Jian Li, a Chinese-American student filed a complaint against Princeton University. In 2012, an Indian-American student filed a complaint against Harvard University and Princeton University. In 2013, Michael Wang, another Chinese American student, filed a complaint against Yale University and Princeton University. In July 2015, on behalf of his daughter, an Asian-American father in New England filed a complaint with OCR against Yale University, Columbia University, Duke University, the University of Pennsylvania, Brown University, Dartmouth University, Cornell University, the University of Chicago and Amherst College. In September 2015, on behalf of his son, another Asian-American father filed a complaint against Harvard University.

On May 15, 2015, more than 60 Asian-American organizations joined in a complaint against Harvard University filed with the Departments of Justice and Education, alleging that Harvard engaged in similar discriminatory admissions practices to those alleged herein to be committed by Yale, Brown and Dartmouth. The complaint against Harvard was not acted upon, according to OCR, because of a pending civil rights lawsuit against Harvard in federal district court.

On November 17, 2014, Students for Fair Admissions, Inc. filed a federal lawsuit against Harvard University, alleging systematic discrimination against Asian-American applicants during the college admissions process.^{xxii} The case is ongoing.

**III.
THE IVY LEAGUE COLLEGES’ DISCRIMINATION AGAINST
ASIAN-AMERICAN APPLICANTS**

A. Multiple Studies Reveal that the Ivy League Colleges Discriminate Against Asian-American Applicants in the College Admissions Process.

Yale, Brown and Dartmouth actively discriminate against Asian-American applicants to their colleges. In concert with Harvard and other elite institutions, they have for decades kept Asian-American enrollment at a virtually constant and artificially low level by imposing a cap of approximately 16 percent on the enrollment of Asian-Americans. The discrimination against Asian-American applicants by these Institutions has been revealed by multiple studies.

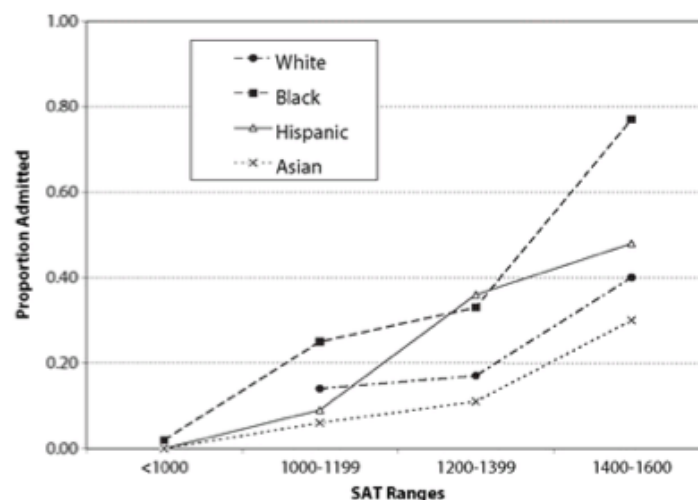
Daniel Golden, the Pulitzer Prize-winning *Wall Street Journal* reporter, conducted an extensive study of the corruption in American elite universities’ admissions decisions. In his 2007 book, *The Price of Admission: How America’s Ruling Class Buys Its Way into Elite Colleges —and Who Gets Left Outside*, Golden found the discrimination against Asian-Americans by elite universities including the Ivy League Colleges so severe that he dedicated a

special chapter, “The New Jews,” to compare it to the discrimination suffered by Jews in the 1920’s and 1930’s.^{xxiii}

Golden’s research provides qualitative examples as to how elite schools including the Ivy League Colleges use various stereotypes to discriminate against Asian-American applicants such as “being quiet”, “focusing on math and science”, and “play a music instrument.” He provides qualitative evidence that the Ivy League Colleges and other elite institutions use various stereotypes to discriminate against Asian-American applicants. *Id.*

In addition to the illegal use of racial stereotypes, Golden found that, “Given the free rein by the federal decision [OCR’s 1990 decision on alleged discrimination by Harvard towards Asian-Americans], most elite colleges have maintained a triple standard in college admissions, setting the bar highest for Asians, next for whites and lowest for blacks and Hispanics.” *Id.* Golden provides compelling evidence that Ivy League Colleges illegally employ a racially-differentiated admission standard which puts Asian-Americans at the greatest disadvantage. He cites numerous examples of Asian-American students who overcame dire family poverty, immigrant adversity and other enormous personal hardships to achieve stellar academic performance and extracurricular triumphs, only to be rejected by all their top university choices. *Id.*

In 2009, Princeton professor Thomas J. Espenshade and his coauthor, Alexandra Radford, published their book, *No Longer Separate, Not Yet Equal*, in which they document the role of race in undergraduate admissions to elite colleges based on exhaustive applications data on a group of three elite public and four elite private colleges. In their analysis of admissions rates by race and SAT score, as illustrated in the following chart, Asians have the lowest acceptance rate for each test score bracket, lower than that for whites, blacks and Hispanics.^{xxiv}

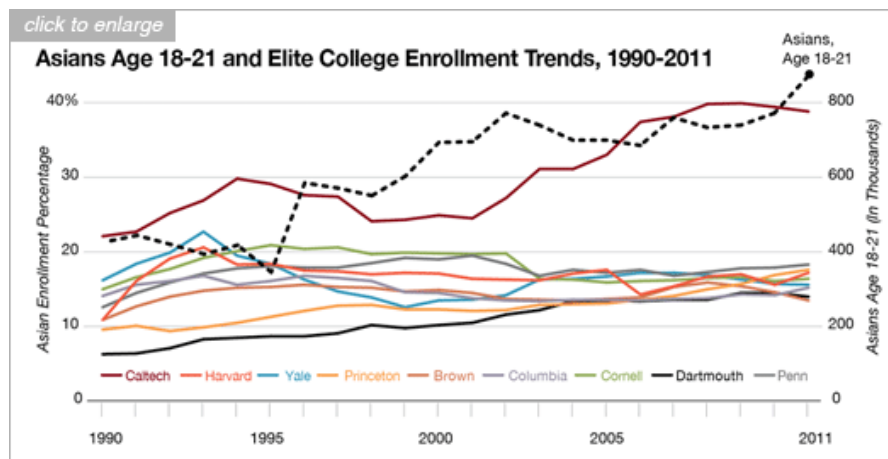


According to their modeling analysis, Asian applicants have 67% lower odds of admission than white applicants with comparable test scores. Using white students as a baseline, Espenshade and Radford looked at how much of a bump or penalty students receive in terms of SAT scores on the basis of their race:

Item	Public Institutions	Private Institutions
	ACT-Point Equivalents (out of 36)	SAT-Point Equivalents (out of 1600)
Race		
(White)	—	—
Black	3.8	310
Hispanic	0.3	130
Asian	-3.4	-140
Social Class		
Lower	-0.1	130
Working	0.0	70
(Middle)	—	—
Upper-Middle	0.3	50
Upper	0.4	-30

Espenshade and Radford found that when applying to top private universities, an Asian-American student has to score 140 point higher than a white student, 270 points higher than a Hispanic student and 450 points higher than a black student on the SAT to be on equal footing. Put another way, if a top private university such as Yale accepts white students with an SAT mean score of 2160, its mean score for accepting Asian-American students would be 2300—140 additional points. *Id.* This provides compelling quantitative evidence that Ivy League Colleges illegally employ racially-differentiated admission standards which raise the bar highest for Asian-American applicants.

In 2012, Ron Unz provided another compelling analysis of this issue, in his study, *The Myth of American Meritocracy*.^{xxv} He made a direct comparison between population growth of college-age (18-21 years old) Asian-Americans and the Asian-American enrollment at Harvard and Ivy League Colleges. He found that Asian-American enrollment at Yale and other elite institutions peaked at over 20 percent in 1993, “then immediately declined and thereafter remained roughly constant at a level 3–5 points lower.” *Id.* “The largely constant Asian numbers at these elite colleges are particularly strange when we consider that the underlying population of Asians in America has been anything but static, instead growing at the fastest pace of any American racial group, having increased by almost 50 percent during the last decade, and more than doubling since 1993.” *Id.*



“Trends of Asian enrollment at Caltech and the Ivy League universities, compared with growth of Asian college-age population. Asian age cohort population figures are based on Census CPS, and given the small sample size, are subject to considerable yearly statistical fluctuations. Source: Appendices B and C,^{xxvi}

Given the dramatic increase in the number of highly-qualified Asian-American applicants during the period, this means that “the relative enrollment of Asians at Harvard was plummeting, dropping by over half during the last twenty years, with a range of similar declines also occurring at Yale, Cornell, and most other Ivy League universities.” *Id.* The peak then declined to a plateau paralleling almost exactly the 1920s Jewish enrollment pattern at these colleges. In fact, as Unz points out, at the Ivy League Colleges today, “the yearly fluctuations in Asian enrollments are often smaller than were the changes in Jewish numbers at those institutions during the ‘quota era’ of the past . . . “ Unz, *supra*, at 18.

In contrast to the “caps” evident at Harvard and the Ivy League Colleges, Unz shows that at Caltech, an elite West Coast university that does not consider race, Asian-American enrollment has experienced a positive growth throughout the past two decades, commensurate with the increase of college-age Asian-Americans during the period. *Id.* at 22.

Unz’s analysis demonstrates that Ivy League Colleges illegally maintain a *de facto* racial quota for Asian-American enrollment.

The same evidence of discrimination against Asian-American applicants to Ivy League Colleges was found by Dr. Richard Sander, a professor of law at UCLA, and Medha Uppala, a graduate student in statistics at UCLA, who co-authored a working paper titled, *The Evolution of SES Diversity in the Applicant Pool of Highly Selective Universities, 1994-2012*.^{xxvii}

Sander and Uppala found that Asian-Americans are admitted to the Ivy League Colleges and other elite schools at a far lower rate than that for similarly situated applicants of all other races. *Id.* The paper notes that for “three of the most selective Ivy League colleges, the average racial makeup of all domestic score senders between 2008 and 2012 is 27.3 percent Asian-American, 11.3 percent African American, 12.5 percent Hispanic, 40.4 percent non-Hispanic White, and 8.5 percent other race or non-identified. Over this same time period, however, Asian-Americans represented only 17-20 percent of the admitted students. No other racial or ethnic group at these schools is as underrepresented relative to its application numbers as are Asian-Americans. Indeed, no other racial or ethnic group comes even remotely close to this level of underrepresentation.” *Id.*

The inescapable fact that emerges from the studies cited above is that the only explanation for the anomalous standstill in rates of Asian-American enrollment at the Ivy League Colleges during a period in which the number of highly-qualified Asian-American applicants has increased dramatically is that these Institutions impose and maintain discriminatory caps and quotas for Asian-American enrollment. Indeed, the stability of the Ivy League College admission and enrollment figures, not just for Asian-Americans, but across all racial groups

notwithstanding the massive changes in the racial and ethnic makeup of the admissions pool over time, confirms that these Institutions are engaged in overt racial balancing.

Percentage of Asian American Undergraduate Enrollment^{xxviii}

Year	Brown University	Dartmouth College	Yale University
1995	15.30%	8.70%	16.10%
1996	15.60%	8.70%	16.80%
1997	15.30%	9.10%	16.50%
1998	15.20%	10.20%	16.10%
1999	14.70%	9.80%	14.60%
2000	14.90%	10.20%	14.50%
2001	14.50%	10.50%	13.80%
2002	13.70%	11.60%	13.50%
2003	13.60%	12.20%	13.40%
2004	13.50%	13.40%	13.60%
2005	13.70%	13.50%	13.69%
2006	13.90%	13.40%	13.50%
2007	15.30%	13.60%	13.69%
2008	15.90%	13.60%	13.76%
2009	15.40%	14.50%	14.33%
2010	14.58%	14.50%	14.17%
2011	13.51%	14.13%	15.26%
2012	12.13%	14.21%	16.14%
2013	12.26%	13.83%	16.49%
2014	12.87%	13.91%	16.58%

Based on the data from the Department of Education (please see the above table), it is evident that Asian-American enrollment at Brown University and Yale University has remained basically flat over the last 20 year. Though Asian-American Enrollment at Dartmouth College grew from 1995 to 2004, it becomes flat in the most recent 10 years. The data indicate that *de facto* racial quotas have been imposed on Asian-Americans at Yale University and Brown University for more than 20 years and at Dartmouth College for more than 10 years. In particular, among all Ivy League Colleges, Brown and Dartmouth have the lowest admission rate for Asian-American students.

The most rational conclusion supported by overwhelming empirical evidence is that the Ivy League Colleges actively discriminate against Asian-Americans and that such discrimination is ongoing.

B. Confirmation by Admissions Counselors and Officers of a “Just for Asians” Barrier to Admission.

As shown above, the empirical evidence strongly demonstrates the pervasive discrimination against Asian-Americans during the admissions process. In addition, there is

evidence from persons actually involved in college admissions. The “Just for Asians” barrier set by the Ivy League Colleges and other elite colleges has been confirmed by college admissions officers. One such is Kara Miller, who reviewed applications for Yale as an admissions office reader and participated in meetings where admissions decisions were made.^{xxix} “She says it often felt like Asians were held to a higher standard.” *Id.* “Asian kids know that when you look at the average SAT for the school, they need to add 50 or 100 to it. If you're Asian, that's what you'll need to get in,’ says Miller, now an English professor at the University of Massachusetts-Dartmouth.” *Id.*

On June 9, 2015, Sara Harberson, former associate dean of admissions at the University of Pennsylvania and former dean of admissions and financial aid at Franklin and Marshall College wrote, in her *Los Angeles Times* column, *The Truth About 'Holistic' College Admissions*: “For example, there's an expectation that Asian Americans will be the highest test scorers and at the top of their class; anything less can become an easy reason for a denial. And yet even when Asian American students meet this high threshold, they may be destined for the wait list or outright denial because they don't stand out among the other high-achieving students in their cohort. The most exceptional academic applicants may be seen as the least unique, and so admissions officers are rarely moved to fight for them.”^{xxx} This is another example of how Ivy League College admission officers apply a racially-differentiated high standard to Asian American applicants, unfairly burdening them.

In *The Price of Admission*, *supra*, Golden describes the wide-spread knowledge within academia of the unique barrier for Asian-American students seeking to be accepted by Ivy League colleges.^{xxxi} “Beverly Lenny, then Hunter College High School’s director of college counseling, said admissions officers at elite universities often complain that Asian-American applicants all look the same on paper. When Harvard calls us back and gives us a brief synopsis of why certain [Asian] kids didn’t make it, they’ll say, ‘There were so many kids in the pool that looked just like this kid.’” *Id.*

The *Princeton Review*, in an article, *Tips From The Princeton Review: Act Less Asian...*, advises Asian students applying to selective colleges: “If you’re given an option, don’t attach a photograph to your application and don’t answer the optional question about your ethnic background. This is especially important if you don’t have an Asian-sounding surname. (By the same token, if you do have an Asian-sounding surname but aren’t Asian, do attach a photograph).”^{xxxii}

As reported by the *Boston Globe*, there are college admissions counselors who specialize in helping Asian-American applicants present themselves as non- or less Asian. “Brian Taylor is director of Ivy Coach, a Manhattan company that advises families on how to get their students into elite colleges. A number of his clients are Asian American, and Taylor is frank about his strategy for them. ‘While it is controversial, this is what we do,’ he says. ‘We will make them appear less Asian when they apply.’”^{xxxiii} As put by James Chen, founder of Asian Advantage College Consulting, “The admissions officers are seeing a bunch of people who all look alike: high test scores, high grades, many play musical instruments and tend not to engage in more physical sports like football.” *Id.* The goal is to overcome the “Asian penalty.” *Id.*

As Dr. Sander's study cited above demonstrates, examining applicants to UCLA, there is no evidence that Asian-American applicants are weaker in "personal achievement" or guilty of any of the stereotypes applied by the Ivy League Colleges.^{xxxiv} Yet, at the Ivy League Colleges, unlike UCLA, if the applicant fails to hide his/her ethnicity and is identified as "Asian," there is automatically an "Asian penalty" barring the way to admission.

C. The Ivy League Colleges Use Their Secretive "Holistic" Evaluation Process as a Means to Apply Negative Stereotypes.

On the surface, the holistic evaluation approach employed by the Ivy League Colleges has advantages over an approach that considers only academic metrics and test scores, because it takes into account other relevant aspects of the applicant. Unfortunately, the holistic approach is also subject to abuse in that, as here, it allows admissions officers to apply negative stereotypes based on racial and cultural biases and misunderstanding to justify discrimination against individuals of an undesired ethnic group. As explained by a former dean of admissions, "holistic admissions can allow for a gray zone of bias at elite institutions, working against a group such as Asian Americans that excels in the black-and-white world of academic achievement." Sara Harberson, *supra*, *The Truth About 'Holistic' College Admissions*.

The negative stereotypes applied to Asian-American applicants by Harvard, the Ivy League Colleges and other elite universities all take the same pattern: "'He's quiet and, of course, wants to be a doctor,' read the reviewer's note on one application. Another said that an applicant's 'scores and application seem so typical of other Asian applications I've read: extraordinarily gifted in math with the opposite extreme in English.' Admissions staff typically ranked Asian-Americans lower than whites in 'personal qualities' and repeatedly described them as 'being quiet/shy, science/math oriented, and hard workers.'" ^{xxxv}

It is telling that all of the Ivy League Colleges shroud their admissions procedures in secrecy, in an obvious effort to prevent the public from learning of their unlawful use of race. Recently, it was revealed that Yale Law School is also destroying all records of the process, to make it difficult for even official inquiries to get at incriminating evidence.^{xxxvi} Yale's law school is not the college, of course, but it is the same institution and both schools apply the same race-based holistic approach to admissions--and both guard the secrecy of the process.

In addition to allowing race-based discrimination, the holistic approach, if rigidly applied, may also defeat the very purpose it was intended to achieve, that is, to identify the students with unique talents our elite universities should admit. By definition, holistic evaluation is supposed to identify well-rounded candidates with high academic capacity, excellent leadership and communication potentials, and good character and other desirable traits, often demonstrated by volunteer activities. These are clearly good criteria to use in identifying potential future business and political leaders. However, any reasonable person may ask: is this approach really applicable to all the majors that the Ivy League Colleges and other institutions offer, such as, for example, in physics and the sciences?

If such criteria were applied across the board, Isaac Newton and Ludwig van Beethoven would not be accepted by Ivy League colleges because of their unique personalities. Steve Jobs

(who attended Reed College) would have been rejected because the young Jobs possessed a few undesirable personal qualities which would not meet the well–rounded standard as defined by these Institutions. Albert Einstein would be rejected because he fits perfectly one of the negative stereotypes the Ivy League admissions officers impose on Asian-American applicants: he was quiet and shy, science and math oriented—plus, he played the violin!

Due to the decline of quality in American education, the United States cannot educate enough engineers and scientists to meet the rapidly growing needs of American high tech industries. The Department of Education and various organizations have initiated many programs to promote STEM (Science, Technology, Engineering and Mathematics) education. Asian-Americans have demonstrated strong abilities in such areas. However, perversely, the Ivy League Colleges frequently apply negative stereotypes and reject Asian-American applicants, in particular males, precisely because they possess the very qualities America needs. Here, even leaving aside the unfair discrimination, we have to ask: should America’s elite universities admit the most qualified students who can best serve our nation’s economic and social development needs? or, should they reject those students and instead select students based on criteria that may be politically correct but that do not serve our national needs?

The evidence is overwhelming that the Ivy League Colleges discriminate severely against Asian-American applicants, placing them at a disadvantage *vis-a-vis* individuals of all other races. The holistic approach to evaluating applicants utilized by these Institutions is implicated in the discrimination. There therefore must be an objective investigation into how the Ivy League Colleges use their holistic admissions procedures to discriminate, and into what safeguards should be put into place to ensure that this unlawful discrimination ends.

D. The Discrimination Causes Harm to Asian-American Families and Students, Demeaning Their Worth and Shaking Their Faith in American Values.

Golden, *supra*, and other researchers document numerous examples of highly-qualified Asian-American students who were rejected by the Ivy League Colleges when lesser qualified peers of other races were admitted. In just one example, of over 700 Class of 2015 graduates of Western High School in Davie, Florida, the top four students were Asian-American, with outstanding academic and extracurricular achievements (unweighted GPA 4.0; average SAT score 2350/2400). Yet, none of them were accepted by Ivy League universities, while six non-Asian class members, all ranked lower or even unranked, were accepted by Ivies, including Yale, UPenn, Brown, and Cornel.

Another rejected student was Henry Park, the hard-working son of middle-class Korean immigrants. “Of the 79 members of the class of 1998 at the Groton School, 34 were admitted to Ivy League universities. Not Henry Park.”^{xxxvii} “He was ranked 14th in his class at Groton, one of the nation's premier boarding schools, and scored a stellar 1560 out of 1600 on his SAT college-admission test. But he was spurned by four Ivies -- Harvard, Yale, Brown and Columbia universities -- as well as Stanford University and the Massachusetts Institute of Technology.” *Id.*

“Most of the students in Mr. Park's class who were accepted by those universities had less impressive academic credentials than his. What they had instead were certain characteristics such as money, connections, or minority status that helped them vault over him to the universities of their choice.” *Id.* And, of course, they weren't Asian. "I was naive," says Mr. Park's mother, Suki Park. "I thought college admissions had something to do with academics." *Id.* When Marillee Jones, MIT's dean of admissions was asked about the case, she stated that "it's possible that Henry Park looked like a thousand other Korean kids with the exact same profile of grades and activities and temperament. My guess is that he just wasn't involved or interesting enough to surface to the top." *Id.* There are many other such stories.

Like other American parents, Asian-American parents care deeply about their children's future and regard good education as the primarily way to achieve a better future. The discrimination by the Ivy League Colleges and other universities has caused and is causing very real harm to Asian-American families and students, manifested in many different ways.

Increased Pressure and Stress, Teen Suicide Rates. The discrimination increases the pressure on Asian-American students. Knowledge that they face discrimination increases stress and contributes to Asian teen suicide rates. As Unz rightly put it, "[T]hese leading academic institutions have placed a rather strict upper limit on actual Asian enrollment, forcing these Asian students to compete more and more fiercely for a very restricted number of openings. This has sparked a massive Asian-American arms-race in academic performance at high schools throughout the country, as seen above in the skyrocketing math and science competition results. When a far greater volume of applicants is squeezed into a pipeline of fixed size, the pressure can grow enormously." ^{xxxviii}

The situation creates a vicious cycle for many Asian-American students: The higher the bar these elite institutions raise for Asian-Americans, the more they have to study and excel, relative to other applicants, in order to have the same chance at admission. Therefore, Asian-American students have to forego opportunities to pursue recreation and other extracurricular interests. This vicious cycle forces Asian-American students into behavior closer to the social stereotype that they are nothing but "nerds," making it easier for biased admissions officers to apply unfair stereotypes and to deny their admission.

Undermines Trust in American Institutions and Feeling of Self-Worth. These violations of law also severely undermine American meritocracy, a value treasured by most Asian-Americans and non-Asian-Americans alike and an essential mechanism needed to ensure American racial equality and economic prosperity. Most Asian-Americans came to America in the belief that America offers them better opportunities for their children. However, the severe discrimination by the Ivy League Colleges and other elite universities has created a significant shadow and distrust in many Asian-Americans' minds: Because they are Asian, they are discriminated against by America's universities. Therefore, many students feel, other Americans think there is something wrong with them, or, maybe there really is something wrong with being Asian.

These feelings are substantiated by the special barriers now recognized to exist for Asian-American students. Aside from Asian-American parents, most college counselors and college

guidance services such as *Princeton Review* now know and acknowledge that Asian-American students will be discriminated against when applying to Harvard or other Ivy League Colleges, and advise various mitigating strategies. It is widely recommended that Asian-American applicants not check the racial identification box, or check something other than “Asian.” But, even if they do this, they still have the fear that their family name will reveal their Asian-American identity. Also, if the university asks for an interview, which most elite institutions do, they cannot hide their Asian identity.

The fear of being discriminated against by the Ivy League Colleges and other elite institutions has reinforced the negative self-image of many Asian-Americans, stemming from racial stereotypes and prejudices encountered. This directly leads to a self-identity issue among many teenage Asian-Americans. Findings reported by Yi-Chen (Jenny) Wu of the University of Georgia, in an article titled, *Admission Considerations in Higher Education among Asian-Americans*, include that: “The fear of self-identifying as Asian can affect one's racial/ethnic identity development and have an impact on one’s mental health. Asians who did not possess a strong racial/ethnic identity rated lower scores on self-actualization and acceptance (Iwamoto & Liu, 2010), reported lower self-esteem (Tummala-Narra, Inman, & Ettigi, 2011), tended to have negative attitudes toward schooling, lower academic achievement (Lee, 2009), and could not manage race-related stress well (Yoo & Lee, 2005; Yip et al., 2008; Tummala-Narra et al., 2011).

The denial of Asian heritage in which Asian-American students are forced to engage may also lead to the denial of Asian values, which may create cultural gaps and intergenerational conflict between the students and their parents and families (Ahn, Kim, & Park, 2009; Park, Kim, Chiang, & Ju, 2010). The psychological effects of this type of conflict include emotional distance between parents and children, interpersonal problems, lack of self-confidence and assertiveness, high suicidal risk, and anxiety and depression (Lee, Choe, Kim, & Ngo, 2000; Lowinger & Kwok, 2001; Kuroki & Tilley, 2012).”^{xxxix}

In its 2012 report, *The Rise of Asian Americans*, the Pew Research Center applauded Asian-Americans as the highest-income and best-educated racial group in the United States. It is also widely recognized that Asian-American communities in the United States generally exhibit higher family stability and lower crime rates than other communities. These factors suggest that Asian-Americans possess worthwhile cultural values that enable them to be successful and to be good citizens. It is therefore sad (and unfair) that because of the discrimination against them in college admissions, Asian-American children are forced to hide their Asian identity and deny their cultural heritage.

Creating Racial Barriers between Asian-Americans and Other Racial Groups. Most Asian-Americans want to merge into the American melting pot and to experience harmonious relationships with other racial groups. However, the discrimination by the Ivy League Colleges and other elite universities creates a racial divide. The unfair and false stereotypes used by these institutions to justify their discrimination causes many non-Asians to view Asian-Americans as single-dimensional “nerds” whose achievements should be devalued because they are Asian.

Conversely, Asian-American students are encouraged to resent students of other races, whose accomplishments are more valued by the system. In one perverse example, many Asian-American students with excellent academic performance volunteer to tutor poorer-performing students at neighborhood schools, who are often of other races. Many Asian parents have had to admit to their children that they must confront the reality that, as Asian-American, their own chances of getting admitted into America's elite universities are far less than that of the students they are trying to help, simply because they are of the "wrong" race.

E. The Present Discrimination against Asian-Americans is Particularly Unfair, Given the Historical Discrimination Suffered By this Ethnic Group.

Asian-Americans value the United States and the democratic freedoms and values it epitomizes, and have contributed much to this nation. Nonetheless, throughout American history, Asian American immigrants to this country have faced barriers and discrimination because of their race. *See, e.g.*, Charles McClain, *In Search of Equality* (Univ. of Cal. Press 1994); Elmer Clarence Sandmeyer, *The Anti-Chinese Movement in California* (Univ. of Ill. Press 1991); Victor Low, *The Unimpressible Race* (East/West Publishing Co. 1982).

The sentiments expressed in some of the historical examples of anti-Asian discrimination, if more extreme, are disturbingly similar to the discrimination at issue here, in that they also applied negative stereotypes and devalued Asian-Americans as persons. For example, in *People v. Hall*, 4 Cal. 399, 404-05 (1854), the California Supreme Court, invalidating the testimony of Chinese American witnesses to a murder, explained that Chinese were "a distinct people . . . whose mendacity is proverbial; a race of people whom nature has marked as inferior, and who are incapable of progress or intellectual development beyond a certain point, as their history has shown; differing in language, opinions, color, and physical conformation; between whom and ourselves nature has placed an impassable difference."

Historical Discrimination Against Asian Americans in Education. Discrimination against Asian-American students has a long and shameful history in this country, beginning with outright exclusion, then tracking the evolution of civil rights law as applied to minorities.

In *Tape v. Hurley*, 66 Cal. 473, 6 P. 12 (1885), the court had to order San Francisco public schools to admit a Chinese American girl who was denied entry because, as stated by the State Superintendent of Public Instruction, public schools were not open to "Mongolian" children. *See McClain, supra*, at 137. In response, the California legislature authorized separate "Chinese" schools to which Chinese American schoolchildren were restricted by law until well into the twentieth century. *See Ho v. San Francisco Unified Sch. Dist.*, 147 F. 3d 854, 864 (1998).^{x1}

Although not widely known, Asian-American schoolchildren were some of the earliest victims of "separate but equal" jurisprudence as it related to education. In *Wong Him v. Callahan*, 119 F. 381 (C.C.N.D. Cal. 1902), the district court denied a child of Chinese descent the right to attend his neighborhood school in San Francisco, reasoning that the "Chinese" school in Chinatown was "separate but equal." 119 F. at 382.

In *Gong Lum v. Rice*, 275 U.S. 78 (1927), the Supreme Court affirmed that the separate-but-equal doctrine articulated in *Plessy v. Ferguson*, 163 U.S. 537 (1896), applied to schools, finding that a nine-year-old Chinese American girl residing in Mississippi could be denied entry to a “white” school because she was a member of the “yellow” race. *Rice* at 87.

Along with blacks, Asian-Americans finally saw their right to equal protection in education vindicated by the Supreme Court’s ruling in *Brown v. Board of Education*, 347 U.S. 483 (1954). This fact was recognized in *Lee v. Johnson*, 404 U.S. 1215 (1971), where Justice Douglas wrote that California’s “establishment of separate schools for children of Chinese ancestry . . . was the classic case of de jure segregation involved [and struck down] in *Brown v. Board of Education* . . .” *Id.* at 1216. “*Brown v. Board of Education* was not written for blacks alone. It rests on the Equal Protection Clause of the Fourteenth Amendment, one of the first beneficiaries of which were the Chinese people of San Francisco.” *Lee*, 404 U.S. at 1216 (emphasis added).

The Chinese Exclusion Act. The best know example of official discrimination against Asians is probably the Chinese Exclusion Act of 1882. According to the History Channel:

“The Chinese Exclusion Act of 1882 was the first significant law restricting immigration into the United States. Those on the West Coast were especially prone to attribute declining wages and economic ills on the despised Chinese workers. Although the Chinese composed only 0.002 percent of the nation’s population, Congress passed the exclusion act to placate worker demands and assuage prevalent concerns about maintaining white ‘racial purity.’^{xli}

“The statute of 1882 suspended Chinese immigration for ten years and declared the Chinese as ineligible for naturalization. Chinese workers already in the country challenged the constitutionality of the discriminatory act, but their efforts failed. The act was renewed in 1892 for another ten years, and in 1902 Chinese immigration was made permanently illegal. The legislation proved very effective, and the Chinese population in the United States sharply declined.” *Id.*

“American experience with Chinese exclusion spurred later movements for immigration restriction against other “undesirable” groups such as Middle Easterners, Hindu and East Indians, and the Japanese. The Chinese themselves remained ineligible for citizenship until 1943.” *Id.*

Internment of Japanese Americans During World War II. Another significant civil rights violation aimed at Asian-Americans happened during World War II, when Japanese American families were forced to relocate into internment camps. As described by the History Channel:

“In 1942, thousands of Japanese Americans living in the United States are forced into war relocation camps.

“Two months after the Japanese bombing of Pearl Harbor, U.S. President Franklin D. Roosevelt signed Executive Order 9066 ordering all Japanese-Americans to evacuate the West Coast. This resulted in the relocation of approximately 120,000 people, many of whom were

American citizens, to one of 10 internment camps located across the country. Traditional family structure was upended within the camp, as American-born children were solely allowed to hold positions of authority. Some Japanese-American citizens were allowed to return to the West Coast beginning in 1945, and the last camp closed in March 1946. In 1988, Congress awarded restitution payments to each survivor of the camps.”^{xliii}

Today, it is universally acknowledged that there was no justification for this abrogation of the rights of Japanese American citizens. See *Korematsu*, 584 F. Supp. at 1420; *Hirabayashi v. United States*, 828 F.2d 591 (9th Cir. 1987). The 1980 Commission on Wartime Relocation and Internment of Civilians found that the internment orders had been motivated by “racism” and “hysteria” and not “military necessity.” See *Korematsu v. United States*, 584 F. Supp 1406, 1416 (N.D. Cal. 1984). “[T]he government deliberately omitted relevant information and provided misleading information in papers before the court.” *Id.* at 1420.

The historical racial discrimination and civil rights violations imposed many hardships on Asian-Americans. The restrictions on residence, occupation and education denied entire generations of Asian-Americans the opportunities enjoyed by other Americans. During the sixty years when the Chinese Exclusion Act was in effect, many Chinese Americans were separated from and unable to unite their families. Many had to wait decades to do so. Their new-born children could not obtain American citizenship, while children of all other races who were born in American had this right from birth. As is well known, the internment of Japanese-Americans during World War II caused many families personal injury and hardship, including the loss of their homes, farms and businesses.

With strong perseverance and blessed by a pro-education cultural heritage, many Asian-American families have managed to climb out of poverty and have improved their living standards significantly. However, today, they are penalized again by their diligence and their support of their children’s education, solely because of their race.

For many new Asian immigrants, the situation is particularly sad. Most of them came here as foreign students, selected by American universities based on their outstanding academic and other credentials. They excelled academically in the United States, and decided to stay here in their pursuit of the American dream. Many of them have become essential contributors to American high-tech industries, a primary engine for American economic prosperity. However, when their children reach college-age, these parents suddenly realize that their children have a significant racial barrier to overcome. They have to study harder than students of other races in order to have the same chance of admission to America’s elite universities, including the Ivy League Colleges. Because of the barrier, their children may not be able to obtain similar levels of education to those they obtained.

Historically, Asian-Americans have been victims of racial discrimination and civil rights violations. Entire generations fought for the right to be full members of American society. Unfortunately, because of the racial balancing scheme imposed by the Ivy League Colleges, Asian-Americans are once again victims of discrimination.

IV.

THE DISCRIMINATION AGAINST ASIAN-AMERICANS IS UNLAWFUL AND UNCONSTITUTIONAL

Yale, Brown and Dartmouth are private colleges receiving significant federal funding. They are therefore subject to federal law, which they are violating by their discriminatory practices targeting Asian-American applicants.

Title VI of the Civil Rights Act of 1964 provides: “No person in the United States shall, on the ground of **race**, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” 42 U.S.C. § 2000d.

The Ivy League Colleges receive federal financial assistance and funding. Accordingly, by discriminating against Asian-Americans in college admissions, as described herein, they have violated Title VI.

The Fourteenth Amendment of the U. S. Constitution provides, in relevant part, that no person shall be denied “the equal protection of the laws.” The “central mandate” of equal protection is “**racial neutrality**” by the government or institution subject to the Fourteenth Amendment. *Miller v. Johnson*, 515 U.S. 900, 904 (1995). “Whenever the government treats any person unequally because of his or her race, that person has suffered an injury that falls squarely within the language and spirit of the Constitution’s guarantee of equal protection.” *Adarand Constructors, Inc. v. Peña*, 515 U.S. 200, 229-30 (2000).

The Ivy League Colleges receive government financial assistance and administer and participate in federally funded programs. Accordingly, by maintaining the racial balancing scheme complained of herein, they are unlawfully treating Asian-Americans unequally because of their race. As the statistical evidence shows, these Institutions have, over two decades, maintained Asian-American enrollment at an almost constant level, essentially by forcing Asian-Americans to compete with each other for the slots available for their race, rather than with applicants of other races for all slots. In the words of the Supreme Court in an analogous situation, “[w]hether this limitation is described as a quota or a goal, it is a line drawn on the basis of race and ethnic status.” *University of California Regents v. Bakke*, 438 US 265, 289 (1978). As such, it is unconstitutional. *Id.* at 320.

The Ivy League Colleges have no lawful justification for their discrimination against Asian-American applicants. They claim that their admissions policies promote diversity. However, regardless of what these Institutions perceive as an ideal racial balance of Asian-Americans, the Supreme Court has emphatically held that “[a] university is not permitted to define diversity as some **specified percentage** of a particular group merely because of its race or ethnic origin. *Fisher v. University of Texas at Austin*, 133 S. Ct. 2411, 2419 (2013) (internal quotes and cites omitted); see *Freeman v. Pitts*, 503 U.S. 467, 494 (1992).

The Ivy league Colleges’ holistic approach to reviewing candidates for admission does not furnish them with a defense. As shown above, their holistic review process incorporates

stereotypes which are themselves racist and not based on any objective reality. Furthermore, while in limited circumstances, universities may consider race as a non-determinative “plus” factor in order to achieve a “critical mass” of underrepresented races, they may not use it as they do here, as a negative factor, but must “ensure that each applicant is evaluated as an individual and not in a way that makes an applicant’s race or ethnicity the defining feature of his or her application.” *Fisher*, 133 S. Ct. at 2418 (quoting *Grutter v. Bollinger*, 539 U.S. 306, 337 (2003)).

The Ivy League Colleges apply the same negative stereotypes to devalue the worth of all Asian-American applicants and do not treat them as individuals; and, they treat an Asian-American applicant’s race as the *de facto* defining feature of his or her application, subjecting the applicant to a higher barrier solely because of her or her race. They are thus not entitled to any safe harbor for their use of race under *Fisher* or *Grutter*.

In summary, Brown, Dartmouth and Yale have been and are engaged in systematic and continuous discrimination against Asian-American applicants during the college admissions process. Their use of race as a defining factor violates the Fourteenth Amendment to the United States Constitution and Article IV of the Civil Right Act of 1964. Their discriminatory practices, including use of racial stereotypes and subjection of Asian-American applicants to a higher standard than other applicants, unduly burden Asian-American applicants and are illegal and cannot be justified under any relevant rulings by the United States Supreme Court.

V. **ASIAN-AMERICANS’ VIEWS ON EDUCATION AND COLLEGE ADMISSION**

Asian-Americans value education, knowing it is essential to personal and career development and to improving economic conditions. Asian-Americans are significant contributors to American education at all levels. Many are authors of books and articles on education, college heads, department chairs, professors in various disciplines, teachers in K-12 schools, and innovators in bringing new technology and methods to education. Many are active in organizations that enhance educational opportunities for disadvantaged youth. Many Asian-American students volunteer to tutor students with weaker academic performance, in particular those from disadvantaged communities.

Asian-Americans care about the poor and the disadvantaged because most Asian-Americans came from such backgrounds and know how hard it is to obtain a good education in such an environment. As a result, we strongly support educational progress in disadvantaged communities. We believe the primary approach needed to create racial diversity in colleges is to improve K-12 education in disadvantaged communities, through investing resources, conducting education reform, promoting best practices in parenting and fostering community support. Asian-Americans also generally support race-neutral affirmative action in college admissions as a supplemental approach to help achieve diversity, if: a) it is based on an objective evaluation of applicants’ social-economic circumstances; b) its implementation would not significantly undermine American meritocracy; and, c) it is effective in improving the educational outcomes for individuals from disadvantaged communities.

However, as a community that has been adversely and unlawfully affected by race-based affirmative action in college admissions, we do not support its continuation or application beyond the strict limits set by the United States Supreme Court. We believe economic-condition-based affirmative action in college admissions is a better alternative to the current race-based approach because it would be fair and would target individuals who are actually disadvantaged (rather than just members of a particular race).

Solely race-based affirmative action in college admissions is unfair and creates racial tensions. It favors well-off members of certain minorities while ignoring the truly disadvantaged students of those same minorities. For example, a 2007 study found that 41% of black students enrolled in Ivy League Colleges come from new immigrant families.^{xliii} If we subtract students from well-off families, well below 50 percent of the Ivy League College's enrollment of black students actually come from disadvantaged communities. Race-based affirmative action also discriminates against students from non-preferred races (usually Asian and white) even if they are poor and disadvantaged. As a former Ivy League admissions committee member states, "[F]ew people understand how dramatic the boost is for favored minority groups. . . . [U]nless admissions committees gave rich black and Latino kids dramatic advantages, they wouldn't be able to hit their diversity targets. At the Ivy League level, affirmative action is an enhanced-opportunity program for favored rich kids....It was sobering to see the immense achievement gap between most of the black and Latino applicants and their white and especially Asian counterparts."^{xliiv} By contrast, a race-blind, economically-based affirmative action policy would treat students of all races fairly, and give favorable consideration to the poor and disadvantaged individuals of all races who truly needed the help.

If affirmative action in college admissions needs to be extended for the foreseeable future, economic-condition-based affirmative action is a fairer and more effective approach than race-based affirmative action. American college admissions processes should not be treated as a zero-sum racial allocation game; instead, admissions should be primarily based on meritocracy, one of many fundamental values that make America the greatest nation in the world.

Furthermore, and perhaps more important, we believe that America should take on the root causes of the problem, providing resources for and improving the educational opportunities and attainment of children in disadvantaged communities. This requires educational reform, targeted funding, and embracing pro-education values in our society. Many Asian-Americans have joined in this important endeavor.

VI. AN OBJECTIVE INVESTIGATION SHOULD INCLUDE OVERSIGHT COMMITTEES

As early as 2006, Asian-American students began to file individual complaints with the Office for Civil Rights (OCR), Department of Education, regarding discrimination by Ivy League colleges against Asian-American students in the admissions process. During the ensuing decade, multiple research papers and studies, including those cited above by Daniel Gordon, Thomas Espenshade, Ron Unz, Richard Sander and others, have been published, all

substantiating such discrimination. However, to date, government agencies, including the OCR and DOJ, have done very little to vindicate Asian-American students' constitutional rights.

In June 2015, the OCR rejected a joint complaint by AACE's founders and over 60 Asian-American organizations against Harvard University, citing procedural reasons.

In September 2015, the OCR issued a report on its investigation of Princeton University's alleged discrimination against Asian-Americans, stating it had found no discrimination by Princeton against Asian-American applicants. The OCR's investigation into the multiple complaints against Princeton was methodologically flawed and particularly disappointing to Asian-Americans:

1. The first complaint, by Jian Li, was filed against Princeton in 2006. Accordingly, the OCR should have analyzed Princeton admissions data from prior to 2007 to determine if a *de facto* racial quota was in force at Princeton. However, OCR inexplicably used Princeton's 2012 and 2014 admission data in concluding there was no racial quota.
2. The OCR's investigation methods relied heavily on interviews of Princeton staff, who are unlikely to admit they have discriminated against Asian-American applicants. At the same time, OCR failed to conduct any vigorous statistical analyses into whether there was a discriminatory pattern with respect to Asian-American applicants.
3. The report ignored or failed adequately to address extensive and compelling evidence compiled by various researchers which showed that Asian-American applicants were held to significantly higher standards in Princeton admissions than other applicants in both academic and non-academic areas.
4. The OCR failed to demonstrate that investigators controlled other variables while assessing the impact of race on Princeton's admissions decisions, which many studies have indicated is a negative eliminating factor for Asian-American applicants.
5. The report confirmed that Princeton employs a highly subjective and opaque holistic approach in evaluating its applicants, but at the same time failed to show that Princeton evaluates Asian-Americans objectively as individuals and not differently because of their race. The OCR report failed to disprove that Princeton University's use of race has not unduly burdened Asian American applicants, which is essential to compliance with relevant Supreme Court rulings.
6. The OCR ignored Michael Wang's May 2013 complaint against Princeton and prematurely gave Princeton a green light for its questionable admissions practices without completing investigations into all pending complaints.

Because of wide-spread disappointment within the Asian-American community over previous handling of complaints of discrimination against Asian-American students in Ivy League college admissions, in order to rebuild the trust of the Asian-American community, AACE strongly urges that the OCR and DOJ set up oversight committees, including delegates from AACE to represent the Asian-American community, to demonstrate to all the objectivity

and rigor of their investigations into the complained of discrimination by Yale, Brown and Dartmouth.

VII. CONCLUSION

Yale, Brown and Dartmouth all claim to champion diversity, which would necessarily mean accommodating student applicants from different backgrounds and eliminating negative stereotypes and racial biases. Unfortunately, these Institutions have demonstrated the opposite with respect to Asian-American students.

The Ivy League Colleges are actively engaged in unlawful discrimination against Asian-American applicants in the admissions process. They use race, not as a non-determinative “plus” factor, but as a major negative factor in evaluating Asian-American applicants, causing them to be subject to an enhanced barrier solely because of their race. They apply racist stereotypes and racial bias in their “holistic” evaluation of Asian-American candidates, failing to treat them as individuals. Through their discrimination against Asian-American applicants, these Institutions maintain a racial balance of Asian-American enrollment at an artificially low level, imposing an unlawful quota. There is no other explanation for the virtually unchanging percentage of Asian-American enrollment over decades in which the number of highly-qualified Asian-American applicants has increased dramatically relative to other applicants.

This unlawful discrimination has caused and causes injury to Asian-Americans, including to constituents of AACE and the undersigned organizations who join in this complaint. Asian-American applicants to the Ivy League Colleges are treated differently from similarly-situated applicants of other races. They must either hide their ethnicity or attain significantly higher standardized test scores and educational metrics to have the same chance of admission as applicants who are non-Asian.

This discrimination harms and demeans Asian-Americans and causes them to feel that they are not worth as much as individuals of other races. It causes Asian-American students to doubt and lose faith in American values and ideals. It promotes racial animosity.

The discriminatory practices complained of herein are particularly unfortunate in that they parallel historical discrimination against Asian-Americans, including exclusion from schools and other opportunities open to non-Asian Americans, the Chinese Exclusion Act of 1882, and the internment of Japanese-Americans during World War II. Shockingly, these Ivy League Colleges are, today, once again violating the civil rights of Asian-American applicants on a continuous and systematic basis, and have been able to carry out their patently unconstitutional discrimination with little or no governmental intervention.

For all the reasons set forth above, the Department of Justice and the Department of Education should, as the federal agencies charged with protecting the civil rights of Americans, including their right to equal treatment in education, intervene to stop the ongoing discrimination against Asian-American college applicants.

VIII. PRAYER FOR RELIEF

Complainants request that the Office of Civil Rights, Department of Education and the Civil Rights Division, Department of Justice grant and enforce the following remedies:

- 1) Immediately launch objective investigations into the racial discrimination complained of herein.
- 2) Establish oversight committees to ensure the objectivity of the investigations, including delegates from AACE to represent the Asian-American community.
- 3) Require Yale University, Brown University and Dartmouth College to immediately cease and desist from using stereotypes, racial biases and other discriminatory means in evaluating Asian-American applicants during the admissions process.
- 4) Require Yale University, Brown University and Dartmouth College to immediately cease and desist from using racial quotas or racial balancing in the admissions process.
- 5) Require Yale University, Brown University and Dartmouth College to immediately cease and desist from using race in the admissions process; OR, in the alternative, require these institutions to strictly limit use of race to the extent permissible under relevant Supreme Court decisions.
- 6) Require Yale University, Brown University and Dartmouth College to limit the subjective components in the applicant evaluation process, using them only to the extent justified by the goals of education, not racial balancing.
- 7) Require Yale University, Brown University and Dartmouth College to disclose the qualifications of their applicant pools, at least at a level comparable to such data disclosed by elite public universities, given that they, too, are the recipients of significant federal funding.
- 8) Take all necessary measures to ensure that Yale University, Brown University, Dartmouth College and other Ivy League colleges never again discriminate against Asian-American applicants and/or applicants of other races.

Respectfully submitted,

The Asian American Coalition for Education

Date: May 23, 2016

By: _____



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Asian-American Organizations joining in Complaint:

1. 1045 Custom Mansions Owner Association of Diamond Bar
2. 1441 Manufacture-Home Residents Association
3. 80-20 Initiative (9 Organizations)
4. A1 Education LLC
5. Aborn Institute
6. Alamo Asian American Chamber of Commerce Education Foundation
7. Allstar Institute
8. America Chinese Silk Road Chamber Of Commerce ,Inc.
9. American Society of Engineers of Indian Origin-NCC
10. American Southern Californian Economic and Culture Association
11. Asian American Federation of Florida
12. Asian American Legal Foundation
13. Asian American Republican Coalition of San Diego
14. Asian Americans for Political Advancement
15. Asian Leadership and Cultural Network
16. AsianAmericanVoters.org
17. Asians United
18. Beijing University of Technology Alumni Association of America
19. Boston Forward Foundation
20. Boston Fudan Aluminum Association
21. CAN Chinese Action Network
22. Career Assistant, Inc
23. China Rainbow Network
24. Chinese America Association of Orange County
25. Chinese American Equalization Association(HQH)
26. Chinese American for Progress and Equality (CAPE)
27. Chinese American Parent Association of Howard County
28. Chinese American Parents Association of Fairfax County
29. Chinese Association Inc.
30. Chinese Association of China Univ. of Mining in North American

31. Chinese Association of Science, Education and Culture of South Florida
32. Chinese Civil Rights League
33. Chinese Community Center of the Capital District of New York
34. Chinese Freemasons
35. Chinese Professional Development Association
36. Chinese Social Service Center
37. Chinese Traditional Culture, Inc
38. Chinese-American Nail Salon Association
39. Conejo Chinese Cultural Association
40. CSA Afterschool
41. Dallas/Fort Worth Chinese Alliance
42. Dr. Huang SAT English Enhancement Class
43. Epic Healthy Living Education Center
44. First Han International Language School
45. Florida Acupuncture Association
46. Florida Shandong Fellowship Association
47. Global Organization of Indian Origin - Los Angeles Chapter
48. Great Neck Chinese Association
49. Great Shanghai Alliance of America
50. Greater Houston Jiangsu Association
51. Greater San Antonio Chinese Chamber of Commerce
52. Guqian Academy
53. Harris Chinese Association
54. Health Foundation (TX)
55. Hebei Association in Northern California
56. Henan Folks Association in North California
57. Houston Chinese Alliance
58. Howard County Chinese School
59. Huazhong University of Science & Technology Alumni Association of Southern California
60. Idaho Chinese Organization
61. Impact Speaking Academy
62. Jacksonville Chinese Association

63. Japanese American Association San Diego
64. Jiao Tong University Alumni Association-Seattle
65. Jin Lan Club
66. Kiangsu Chekiang Association of Northern California
67. Korean American Association of Greater Philadelphia Scholarship Foundation
68. Korean American Chamber of Commerce of San Diego County
69. Korean American Women's Chamber of Commerce
70. Korean Parents Organization of Millburn and Short Hills
71. Leading Young Professionals Association
72. Livingston Chinese Association
73. Long Island Chinese American Association
74. Long Island Parent of Chinese
75. Michigan Chinese Alliance
76. Michigan New Century Chinese School
77. Millburn-Short Hills Chinese Association
78. Minnesota Chinese Association
79. New Asian Leaders
80. New York Shandong Association, Inc.
81. No Tower in Schools
82. Noble Tree Publishing Inc.
83. Northeast Chinese Association
84. Northern California Chinese Culture Athletic Federation
85. OCA Eastern Virginia
86. Ohio Chinese American Association
87. Ohio Contemporary Chinese school
88. Orange County Chinese American Chamber of Commerce
89. Orange County Ladies Group
90. Orlando Chinese Professional Association
91. Overseas Hubei-er Association
92. Pakistan Policy Institute
93. Peking University Alumni Association of Oregon
94. Philadelphia Tri-State Chinese American Association
95. Ray Chinese School

96. San Antonio Chinese Alliance
97. San Antonio Society of Chinese Professionals
98. San Diego Asian Americans For Equality
99. San Dong Association
100. San Francisco Chinatown Merchant Association
101. SCV Chinese School
102. Shah Latif Cultural Institute of Texas (SLCIT)
103. Shandong Fellowship Association of South USA
104. Shanghai Jiao Tong University School of Medicine Alumni Association (North America)
105. Sharron Art Center
106. Shou Chu Organization
107. Silicon Valley Chinese Association Foundation
108. Sillicon Valley Foundation for Better Environment
109. Sino Professionals Association
110. South Florida Sicuanren & Chongqingren Chinese Association
111. Spring Source Education Institute
112. Star Education Inc.
113. Taiwan Benevolent Association of Florida
114. The Korean Association of Greater Washington
115. The Orange Club
116. The Shanghai Association of America
117. U.S. Arts & Design
118. UBC (United for a Better Community)
119. United Chinese Association of Utah
120. Universal Chinese Publishing Group
121. US Asian Cultural Academy
122. US-China Friendship City Network
123. USTC Alumni Association in Greater New York
124. USTC Alumni Association of Southern California
125. UT Austin PGE Chinese Alumni Association
126. Vancouver Chinese Association
127. Venus Chinese School

128. Washington Youth Foundation
129. Weibo Learning Organization
130. Westlake Chinese Culture Association
131. WW-P Education Support Association
132. Yucai Chinese School

Note: In order to protect the privacy of the individuals who are signing this Complaint on behalf of their respective organizations, those individuals' names and contact information will be provided separately upon request, and we hereby ask that their personal identities and information be treated as confidential.

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