

PRESS RELEASE

(中文版见下)

EMBARGOED UNTIL 9:30AM ET, MAY 23, 2018

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Sherry Chen Continues Quest for Justice After Favorable Ruling

Community Organizations Rally

(Washington, D.C., May 23, 2018) – Award-winning hydrologist Sherry Chen continues her quest for justice at a press conference convened by Asian American non-profit organizations and joined by members of the Congressional Asian Pacific American Caucus. Sherry, a U.S. citizen who worked for the National Weather Service predicting floods, was the victim of “gross injustice,” according to a decision just issued by a judge of the Merit Systems Protection Board. The judge ordered the federal Department of Commerce, to restore Sherry to her job protecting the public, and Asian Americans have rallied behind Chen. Despite the detailed findings in a 135-page opinion, the Department has announced its intention to appeal. (The decision is available in full at <http://bit.ly/MSPBDecisionText>.)

Sherry’s case began with racial profiling. Even though she had won awards for helping save lives from dangerous floodwaters, after she visited her elderly parents in China, she was targeted. She was accused of crimes such as espionage, interrogated without being advised of her rights, and then brought under federal prosecution and terminated from employment. On the eve of trial, however, the government dropped all criminal charges. Sherry was always, and remains, an innocent American. Her case has attracted national media coverage, including front-page articles in the *New York Times* [here](#) and a joint profile on the *60 Minutes* television show with another victim of what the investigative journalists called “collateral damage.” The MSPB decision offers details of the government’s mishandling of the matter and refusal to acknowledge the facts.

Sherry herself has said, “As a public servant, I have been in the front line protecting people’s safety and their property. I made my contribution to this country. I have been an innocent American and a law abiding citizen. However, my life has been turned upside down twice by our government for doing nothing wrong. I am glad to receive the court’s favorable ruling on my MSPB claim.”

Her important river forecast model was recently published in a prestigious scientific journal. Yet she has been forced to continue her fight for justice, because of the government’s appeal.

Sherry’s lawyer, Steve Simon of Cincinnati, said, “The ruling we have received from the MSPB judge is a blockbuster. The judge not only thoroughly rejected the many baseless charges against Sherry, but the judge also laid bare the scandalous conduct by the Commerce Department. The agency buried evidence that would have exonerated Sherry – during the criminal investigation leading to her arrest and then, again, during the disciplinary investigation before her termination.”

Community organizations have noted that her case follows the internment of Japanese American during World War II, the Wen Ho Lee case of twenty years ago, and multiple other contemporary instances where it appears the government has used racial profiling as a technique to target Asian Americans, especially researchers, scientists, and others in “STEM” fields. Recent comments by leading officials such as FBI Director Christopher Wray reveal that they regard almost all people of Asian, specifically Chinese, background as potentially suspect, without distinctions based on citizenship or conduct.

Committee of 100 President Frank H. Wu said, “The Sherry Chen case has meant so much to Asian Americans, especially Chinese immigrants, because they identify with her. Sherry could be your sister, cousin, or aunt. She is representative. Even though she wanted to contribute to America, she was singled out on account of who she is. So many of us have had that experience too.”

C100, a non-profit organization, has supported Sherry through its Legal Defense & Education Fund. At its national conference in Los Angeles two years ago and in Silicon Valley this past week, Sherry received standing ovations from standing room only crowds.

Haipei Shue, President of United Chinese Americas (UCA), a community organization, said, “UCA and Chinese American community shall fight with Sherry until justice prevails for Sherry and our community! It’s wrong to prosecute Sherry; it’s wrong to terminate her job; and it is especially wrong now for DOC to deny Sherry justice by appealing.”

C100, UCA, and the Ohio Chinese American Association (OCAA) jointly organized the press conference. They have worked with a total of fourteen organizations to protest FBI Director Wray’s comments, issuing the [following statement](#). They have pointed out that Sherry’s case is not isolated. Dr. Xiaoxing Xi, also a naturalized citizen, faced similar claims, and, as demonstrated by all charges being dropped, likewise is wholly innocent.

The details of the Sherry Chen press conference are as follows.

WHERE: Cannon House Office Building Room 421, Washington, DC

WHEN: May 23, 2018, 9:30 am EDT

The Committee of 100 (C100) is a non-profit leadership organization of prominent Chinese Americans in business, government, academia, and the arts. Founded by world renowned architect I.M. Pei and internationally acclaimed cellist Yo-Yo Ma, among others, it is an institution for U.S. citizens of Chinese heritage to join by invitation based on their extraordinary achievements. For over 25 years, C100 has served as a preeminent organization committed to the twin missions of promoting full participation of Chinese Americans in all aspects of American life, and encouraging constructive relations between the peoples of the United States and Greater China. www.committee100.org

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新闻稿

2018年5月23日美东时间早9:30前请勿发布



联络人：吴华扬, 百人会会长
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陈霞芬听证获胜后继续寻求正义

亚裔社团集会声援

(华盛顿哥伦比亚特区, 2018年5月23日) — 在由多个美国亚裔非营利组织召开、有国会亚太裔议员团成员参与的新闻发布会上, 曾屡获政府褒奖的水文学家陈霞芬继续寻求伸张正义。陈霞芬是美国公民, 之前在美国国家气象局从事洪灾预测工作。美国考绩制度保护委员会法官在不久前公布的判决书中指出, 陈霞芬是“严重不公正”行为的受害者。法官责令美国联邦商务部恢复陈霞芬的工作, 美国亚裔人士也团结在一起支持她。尽管长达135页的判决书中已列出十分详细的调查结果, 美国商务部仍宣布了上诉意图。(判决书全文详见: <http://bit.ly/MSPBDecisionText>)

导致陈霞芬案的根本原因在于种族标签化偏见。陈霞芬曾多次因成功预测洪灾, 保护了美国人民的生命财产安全, 并受到褒奖。然而即便如此, 她在去中国看望了年迈的父母回美后, 便成了被针对的目标。政府指控她有间谍嫌疑, 并在没有告知她所拥有权利的情况下对她进行了审问。随后, 陈女士被政府告上联邦法院, 并遭到商务部解雇。然而, 在开庭前夕, 检方撤销了对她的全部指控。陈霞芬从始至终都是一名无辜的美国公民。她的案情受到了全美媒体的关注和报道, 其中包括《纽约时报》的头版文章 ([文章链接](#)), 以及《新闻六十分钟》的一期专门介绍陈霞芬和另外一

位受害者所遭受“附带伤害”的节目。考绩制度保护委员会的判决详细指出了政府在处理此案时的不当行为以及拒绝承认事实的行为。

陈霞芬说：“作为一名公职人员，我一直工作在保护美国人民生命财产安全的第一线。我为美国贡献了自己的力量。我是一名无辜的、遵纪守法的美国公民。可是，我的生活却两次因为我没做过的事情而被我们的政府搞得天翻地覆。我很高兴法庭对我向考绩制度保护委员会提出的申诉做出了有利的判决。”

陈霞芬建立的河流预测模型具有重要价值，不久前被一本久负盛名的科学期刊收录发表。然而，由于商务部宣布的上诉意图，她现在不得不为了获得正义而继续抗争。

来自辛辛那提的史蒂夫·赛门是陈霞芬的律师。他表示：“考绩制度保护委员会的判决非同小可。法官不仅详尽地反驳了诸多政府针对陈女士的莫须有指控，还揭露了商务部的诸多丑行。在陈女士被捕前的刑事调查期间，以及在陈女士被解雇前进行的纪检审查期间，商务部均隐瞒了那些可以证明她无罪的证据。”

亚裔群体已注意到，陈霞芬一案几乎与二战期间日裔美国人被关拘留营、二十年前的李文和案、以及近几年发生的多个案例如出一辙，都显示政府使用了种族定性的手段针对亚裔美国人，特别是那些活跃在科学、技术、工程及数学领域的科研人员。近期一些政府高官，例如美国联邦调查局局长克里斯托弗·雷的发言就揭示出在调查中，不论公民身份、事实依据就将几乎所有亚裔、特别是华裔都视为潜在嫌疑人的情况。

百人会会长吴华扬表示：“陈霞芬案对所有亚裔美国人、特别是华裔移民意义重大，因为他们对她有认同感。她就像你的姐妹、表亲或者阿姨一样。陈霞芬代表了我们社区的人群。虽然她一心希望对美国有所贡献，但是却由于身为华裔而成了靶子。我们当中许多人都有过类似的经历。”

非营利组织百人会通过其法律援助及教育基金为陈霞芬提供了支持。在百人会两年前在洛杉矶召开的年会，以及两周前在旧金山召开的年会上，陈女士均得到了与会者长时间的起立鼓掌。

华裔社团美国华人联合会的会长薛海培表示：“美国华人联合会与所有美籍华人将和陈霞芬并肩战斗，直至陈女士以及美籍华人的正义得到伸张！起诉陈霞芬女士是错误的，终止她的工作是错误的，商务部通过上诉否认陈女士获得的公正判决更是错上加错。”

百人会、美国华人联合会以及俄亥俄华人协会共同组织召开了这次新闻发布会，并与14个全国性社团联合发布了以下声明，抗议美国联邦调查局局长克里斯托弗·雷的发言。声明指出，陈霞芬一案并非独立个案；另一位无辜的美国归化公民郝小星教授也曾遭受类似的指控，并最终也以检察官撤销所有指控而告终。

陈霞芬新闻发布会详细信息见下：

地点：华盛顿哥伦比亚特区国会众议院加农(Cannon)办公大厦421室

时间：2018年5月23日美东时间早9:30

百人会（简称：C100）是由杰出美籍华人组成的非营利组织，成员来自商界、政界、学界及各艺术领域，由蜚声全球的建筑大师贝聿铭及大提琴演奏家马友友等人发起成立，会员依据个人杰出成就凭邀请入会。成立近30年来，百人会汇集其杰出会员的集体力量，始终致力于其两大使命，即推动美籍华人在美国社会生活中的全面参与，促进美国及大中华地区间建设性关系的发展。更多信息：www.committee100.org。

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