

June 2018

Supporters for Sherry Chen have continued to ask what they can do to help after the appeal filed by the Department of Commerce (DOC) on June 18, 2018.

According to Steve Simon, attorney for Sherry Chen, "In their appeal brief, the Department of Commerce has recycled arguments that Judge Schroeder rejected and, worse yet, ignored once again exculpatory evidence presented at the hearing that the agency buried during the criminal and disciplinary investigations preceding Sherry's arrest and termination."

The DOC appeal delays justice that is due for Sherry Chen. Sherry has already proved her innocence twice. Under the April 23 MSPB decision, DOC is ordered to reinstate Sherry Chen to her position with back pay and benefits.

[The Congressional Asian Pacific American Caucus \(CAPAC\)](#) and [132 community organizations](#) has called for

1. DOC to comply with the MSPB decision
2. Conduct independent investigations to identify and correct the systemic problems in DOC and hold responsible individuals accountable.

In a [June 20 statement](#), Chair Judy Chu redoubled the CAPAC commitment: "In Congress, I will continue to fight until Sherry Chen receives the justice she deserves and we can ensure that no other American is forced to endure the same mistreatment she has faced. To that end, CAPAC will continue to push for an independent investigation within the Department of Commerce to ensure that any evidence of profiling or misconduct in the handling of Ms. Chen's case is addressed immediately." You may express your support to the CAPAC commitment to Krystal Ka'ai, Executive Director for CAPAC, at krystal.ka'ai@mail.house.gov.

You can show your support to Sherry Chen by asking Secretary Ross to withdraw the DOC appeal and comply with these calls for his action by email or certified mail. The following is a sample message. Supporters are encouraged to send in their own ideas.

You may also make a donation to [the Sherry Chen Legal Defense Fund](#). Thank you for your continuing support!

Sample Letter to Secretary Ross:

Via email (WLRoss@doc.gov) and/or Certified Mail

The Honorable Wilbur L. Ross
Secretary of Commerce
U.S. Department of Commerce

1401 Constitution Ave NW
Washington, DC 20230

Subject: Withdraw DOC Appeal of MSPB decision on Sherry Chen

Dear Secretary Ross,

I write to urge you to withdraw the Commerce Department's appeal of the recent MSPB decision (<https://www.sherrychendefensefund.org/mspb-decision.html>) and reinstate National Weather Service employee Sherry Chen with back pay and benefits.

The April 23 decision by the Merit Systems Protection Board (MSPB) ruled that Sherry Chen is a victim of "gross injustice". The Department of Commerce (DOC) was ordered to reinstate Sherry Chen to her position with back pay and benefits.

Nevertheless, DOC filed an appeal without credible new evidence to the MSPB's well reasoned decision on June 18, ignoring once again the exculpatory evidence that the agency buried during the criminal and disciplinary investigations preceding Sherry's arrest and termination respectively. Given the huge backlog of the review of cases at the MSPB, I am very concerned that Sherry Chen's case would become unresolved, denying her justice and ruining her life further even though she has been proved innocent twice over the last 6 years.

I call for your action to comply with the MSPB decision and reinstate Sherry Chen's employment at the National Weather Service. She is an innocent Chinese American scientist whose award-winning work has saved American lives and properties. As Commerce Secretary, you are in a position to correct the problems created under the previous administration, hold those who mishandled the case accountable, and ensure no future recurrences of wrongful cases like Sherry Chen's.

I look forward to your reply. Thank you for your attention to this important matter for our community.

The Sherry Chen Legal Defense Fund