

**Congress of the United States**  
**Washington, DC 20515**

November 17, 2015

The Honorable Loretta Lynch  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-001

Dear Attorney General Lynch:

We write to relay concerns voiced to us by Delaware's Chinese-American community regarding the recent espionage charges filed and dropped against National Weather Service employee, Sherry Chen, and Temple University Professor of Physics, Dr. Xi Xiaoxing.

In October 2014, National Weather Service employee, and Chinese-American, Sherry Chen was arrested by the Federal Bureau of Investigations (FBI) on suspicion of spying for China. Federal authorities believed Ms. Chen improperly accessed a government database in order to pass along sensitive information to her counterparts in China. Following her arrest, she was led in handcuffs past her co-workers and suspended without pay. As a result of the charges, Ms. Chen was subject to mounting legal fees, as well as an around-the-clock news media presence outside her residence that exacerbated her isolation within her community. Six months later, the Department of Justice summarily dropped the charges against Ms. Chen. Despite this, Ms. Chen's employment status with the National Weather Service still remains in question today.

In May 2014, Dr. Xi Xiaoxing, a Chinese-American Professor of Physics at Temple University, was charged with sharing information about sensitive American-made technology with two fellow scientists in China. Dr. Xi was forcibly removed from his home at gunpoint by FBI agents in front of his wife and two daughters in the middle of the night. Temple University put Dr. Xi on administrative leave, removed his title as chairman of the Department of Physics, and implemented strict rules to control to whom he could speak at the school. However, an independent group of scientists—including the inventor of the same sensitive American-made technology Dr. Xi was accused of illegally sharing—explained to the Justice Department and FBI that the information Dr. Xi had shared did not contain sensitive information, and that the FBI had not recognized this due to their failure to consult scientific experts during their investigation, which led to the arrests. Just as the Department of Justice dropped the charges against Ms. Chen, the Department dropped charges against Dr. Xi—but not until after Dr. Xi and his family endured much upheaval in their lives.

In the wake of these arrests and the subsequent dismissals of the charges, the leaders of Delaware's Chinese American community have expressed deep concern over what they believe to be a troubling pattern. They voice valid concerns that the arrests outlined in this letter appear to signal the deliberate targeting of Chinese-Americans by the Department of Justice and FBI,

with suspicion based largely on their Chinese heritage, rather than factual evidence signaling intent or reason for espionage. Regardless of whether this is true, the apparent mishandling of these two cases has fueled these fears and put Delaware's Chinese-American community on edge.


We recognize the challenging nature of preventing and disrupting Chinese espionage against the United States. The Department of Justice and FBI have the difficult task of trying to strike the right balance between Americans' civil liberties concerns and the national need to aggressively counter espionage activities. However, we must remember that transparency and respect for civil liberties are two of the key values that set our nation apart from China.


Consequently, as you review the facts of Ms. Chen's and Dr. Xi's cases, we ask that you be mindful of the concerns raised by Delaware's Chinese-American community. Additionally, as you seek to prevent and disrupt future Chinese espionage activities in the United States, we ask that you keep in mind the Golden Rule and, also, be sensitive to the impact that wrongful arrests have on the Chinese-American community in Delaware and across the country.

We thank you for your time and your consideration of these requests. Should the members of your staff have any questions about this issue, please ask them to contact Harlan Geer at 202-228-3014.

With best personal regards, we are,

Sincerely yours,

  
Tom Carper  
U.S. Senator

  
John Carney  
U.S. Representative

cc: Honorable James Comey, Director, Federal Bureau of Investigation