BACKGROUND NOTE:

Title of Product: Defining the Extent of Obfuscation of Visiting Chinese Scholars' Ties to the PLA
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1. Why should the Director or Deputy Director read this product? Why now?

This graphic and background note have been put together in response to a number of high visibility arrests of and enforcement actions against Chinese nationals associated, to varying degrees, with China's People's Liberation Army. It intends specifically to provide clarity about the varying levels of obfuscation used by Chinese F & J visa holders and to clearly lay out how a focus on potential falsification of one's visa application may not be an indicator of broader criminality, in particular technology transfer activity. While information about the operations and arrests have been briefed up, this is the first instance of formal FBI assessments of the impact of the actions.

2. What are the 1-2 key takeaways from this piece for the Director, Deputy Director, and Senior FBI Executives?

Five of the six subjects fall within the two least concerning categories of obfuscation—declared and partially declared—leading CTTAU to assess it is unlikely these are indicative of a trend in PRC technology transfer towards greater levels of obfuscation.

Although there have been five arrests and one wanted scholar who remains at large as a result of this effort, only two of these six have had connections to technology transfer.

Leading CTTAU to determine that scrutiny of this indicator did not yield heretofore unknown instances of technology transfer.

3. What are the 1-2 key takeaways from this piece for FBI field offices?

Individuals from the PRC seeking visas may obfuscate institutional relationships that could slow their application or cause it to be rejected; however, available reporting does not support the assumption that this is an indicator of planned technology transfer. As researchers seeking visas adjust to the law enforcement activities and policy changes of the past year, including these arrests and interviews as well as the PRC student visa proclamation of May 2020, field offices should be alert for any change in reporting that would suggest researchers targeting critical technology are using obfuscation to obtain visas in spite of their affiliation with a prohibited institution.
On or around 7 June 2020, FBI LA arrested WANG Xin based on CBP information obtained during a secondary screening prior to WANG's departure. Subsequently, FBI SF opened an investigation into the details provided during WANG's CBP interview during which he claimed to have obfuscated the current status of his affiliation with the PLA in order to more easily obtain his J1 visa. Based upon WANG's claims of obfuscation, his claimed rank as a 9th Level Technician, and WANG's assertion that there were 15 other visiting scholars like himself studying in the United States, FBI LA developed a list of candidates for closer investigative scrutiny, who were also F and J visa holders and who cited affiliations with the PLA's Fourth Military Medical University (4MMU), but who did not claim active military service on their respective visa applications.

This graphic seeks to illustrate the different categories of obfuscation that may come into play, but it is not meant to imply that an affiliation with 4MMU or other PRC state-affiliated entity is evidence of wrongdoing.

It should be noted that, "The vast majority of 4MMU-affiliated individuals in the US are civilian employees of the PLA, according to interviews conducted with [redacted] individuals who listed 4MMU affiliation on their Visa documentation." Some of the 4MMU-affiliated scholars who were interviewed indicated confusion about the military question; at least one FBI expert witness claimed that it is "common knowledge" that one should avoid affiliation with the PLA in order to decrease processing time for one's J1 visa application; and other reporting from CBP indicates that an interviewee had received instructions from a foreign affairs officer that applicants "did not need to disclose PLA ties to the [USG] because [applicants] were civil-service and to not worry about it." While this indicates a potentially institutionalized indifference to US visa policies, especially with respect to the civilian cadre, it remains an unreliable indicator of nefarious obfuscation of one's military affiliations, and even less of an indicator of technology transfer activity.

This graphic is also a follow-on that outlined why only students and scholars pursuing STEM graduate and postgraduate degrees would be examined to determine a further threat nexus due to persistent access to critical US technologies and expertise, or to threatening Chinese entities. The individuals identified by FBI LA ranged in field from neuroscience and genetics to dentistry and ophthalmology and ranged in connection to 4MMU from current employee to former bachelor's degree students from decades before. Heavy focus was placed on students and scholars pursuing STEM degrees, but more broadly than just graduate and post-graduate.

According to xox, within the civilian cadre of the PLA there are 10 levels that roughly coincide with a military rank, with level 10 being the lowest rank and level 1 being the highest. In Wang's case, a 9th Level Technician would be on the order of second lowest rank within the civilian cadre.
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6. Any immediate impact on FBI operations and/or initiatives or important operational details not included in the piece?

(cross-check with [redacted]) It is unclear at this point the extent of impact that the operations and interviews during the sweep for PLA-affiliated scholars have had on other FBI operations. Early anecdotal evidence suggests that the efforts may have had a negative impact to some FBI relationships with US academia, while others suggest the effort has strengthened those relationships.

7. Please list the Division(s), Field Office(s), LEGAT(s), or OGA(s) with whom this piece was coordinated.

(PM) This product was coordinated with FBI San Francisco, FBI Los Angeles, FBI Boston, FBI Indianapolis, FBI Sacramento, and Counterintelligence Division.

8. What are the IDENTI for all FBI subjects/targets mentioned in the piece?

- WANG Xin
- [redacted]
- TANG Juan
- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

9. Explanatory Questions and Answers:

Q: Can you explain more about these arrests?
A: WANG Xin was a University of California, San Francisco (UCSF) post-doctoral researcher and People's Republic of China (PRC) People's Liberation Army (PLA) officer working at the Fourth Military Medical University (4MMU). WANG was arrested for visa fraud (18 U.S.C. 1519(a)) at the Los Angeles International Airport on June 7, 2020 after admitting in an exit interview with CBP to lying about his military status on his visa application, and stating that he was tasked with copying the lab design at UCSF. WANG also indicated that there were 16 other unidentified FMMU colleagues in the United States. The suggestion of others with similar technology transfer threat potential spurred FBI LA to seek to identify other FMMU
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personnel in the United States, which sparked the national effort to find and interview individuals based on FBI LA's list.

has not been arrested, but has been indicted on charges of Visa Fraud (18 U.S.C. 1546), Making False Statements (18 U.S.C. 1001(a)(2); Acting as an Agent of a Foreign Government (18 U.S.C. 951); and Conspiracy (18 U.S.C. 371). was a Chinese national and visiting scholar from the National University of Defense Technology (NUDT), studying in the Center for Polymer Research at Boston University under a J1 visa. Studies were funded by the China Scholarship Council. Her project was entitled "Knowledge Graph Construction, Analysis and Application based on Data Mining." Research areas also included systems engineering, system reliability analysis, decision support systems, big data analysis in complicated systems and data mining. After being interviewed by FBI, and as of April 2019, left the United States and is assumed to be residing in China. 's indictment and interviews were well before the efforts put forth in response to WANG's admissions.

FBI San Francisco located and arrested TANG Juan on July 23, 2020 at for Fraudulent Use/Etc of US Entry Documents/Etc (18 U.S.C. 1546). The full investigation into TANG was opened based on an interview of WANG Xin with CBP in which WANG indicated he had 16 unidentified colleagues in the United States who also were affiliated with 4MMU. TANG lists 4MMU in her work history and is still currently affiliated. On her NIV application, TANG indicates that she has never served in the military, but based on open source research and search warrant returns, TANG is part of the Civilian Cadre of 4MMU. No technology transfer activities have been identified up to this time.

TANG Juan was arrested on 18 July 2020 on visa fraud charges. Based on his position as a joint civilian PhD candidate from China's National University of Defense Technology (NUDT) studying artificial intelligence at Indiana University at Bloomington, was not affiliated with WANG, nor with 4MMU, and no technology transfer activities have been identified up to this time.

was arrested in July 2020 and charged with visa fraud. At the time of her arrest, was a visiting scholar conducting brain disease research at Stanford University on a J1 Visa, and had been a neurologist employed by a non-military-affiliated hospital, Belling Xi Dao Yu Tai. In China prior to coming to the United States, had previously been affiliated with 4MMU as a student, resident, and fellow since at
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least 2005-2011’s alleged obfuscation is based on her claims of having separated from the PLA in 2011, but being associated with the PLA civilian cadre well after then through photos, coauthored research articles, and a deleted letter from the PRC consulate in New York explaining her one-year extension in the United States. In the letter, it is alleged to state that the hospital in China listed as her employer is a false front and that she could not transmit her military approval documents via the Internet because they are classified and were allegedly connected to WANG, but no technology transfer activities have been identified at this time. IDO Press Release "Researchers Charged with Visa Fraud After Lying About Their Work for China’s People’s Liberation Army" [https://www.justice.gov/opa/pr/researchers-charged-visa-fraud-after-lying-about-their-work-chinas-people’s-liberation-army].

was arrested on 27 August 2020 on charges of destruction of evidence. was forthcoming on his visa application that he was a PhD candidate from the National University of Defense Technology in Changsha, China and had been issued a visa to enter the United States on 14 August 2018 to pursue studies in machine learning and algorithm optimization at the University of California—Los Angeles (UCLA). While his studies appear to be relevant to China’s military civil fusion (MCF) and military modernization efforts, UCLA personnel have stated that his work used existing data sets that were openly available and popular in many applications. is not alleged to be connected to WANG, nor to AVMI, and no technology transfer nexus is apparent at this time.

Q: Is this obfuscation indicative of nefarious intent?

A: Investigations associated with these individuals as well as PLA experts interviewed in the cases cited above suggest that the visa application form (DS-150) potentially lacks clarity when it comes to declaring one’s military service or affiliation. China’s PLA is not a direct analog to how the US military services are set up, especially regarding the PLA’s Civilian Cadre. CTIAU assesses that while some intentional obfuscation is almost certainly being used by the PLA to gain entry into the US, there are grey areas where it is difficult for the FBI and DOS to determine whether obfuscation is intentional or for nefarious tech transfer purposes. Among the Civilian Cadre are a significant number of doctors and nurses and other professionals that at times are required to wear a military type uniform, but who would not necessarily consider themselves soldiers despite being considered as active duty. There are also contract civilians who work for the PLA, but are not considered active duty military. Within investigations it may also appear as if students and scholars from particular MCF-designated and PLA-affiliated universities and institutions are obfuscating their respective affiliations by not declaring military service despite having academic advisors who are PLA officers, but the FBI has an incomplete understanding of the full nature of this student/scholar to academic advisor relationship.

Q: How common is this type of obfuscation?
FIELD could not recall who the UCLA representative cited in item nine of the draft BN was. FIELD believed that citation came from a document in a case file.

After he stopped working on these products, FIELD became aware that some of the PLA experts he cited in item nine disagreed with one another. Coordination with field offices would have informed FIELD of these differences and that would have informed his assessment. FIELD would have noted flaws in those experts’ analyses if he had known of them during the drafting process. The PLA experts said the DS-160 visa application form lacks clarity. This summarized files FIELD had reviewed and was not FIELD’s assessment of visa application forms.

Footnote one was based on an interview of WANG XIN. The numbers WANG provided interviewers were inaccurate. FIELD would have identified these inaccuracies during his citation review and would have corrected them in the documents. The “xxxx” in the footnote was a reminder to FIELD to fact-check the citation.

FIELD had not been aware while drafting the draft graphic/BN that visiting PRC scholars had been coached by PRC officials on how to answer questions when interacting with US officials. FIELD would have included that information in the products to provide a better picture for decision makers about the topic. FIELD wanted to provide as complete a picture as possible.

Civilian cadre of the PLA were viewed as active duty military but tended to be administrative personnel, scientists, and researchers, not personnel on the battlefield. Civilian cadre tended to wear PLA uniforms.

Non-traditional collectors (NTC) collected sensitive technology and expertise from the US and other countries to benefit the PRC. NTCs were not trained intelligence officers of PRC intelligence services or their co-optees.

[Agent note: the interview began at approximately 1:48 pm Eastern and ended at approximately 5:24 pm. At approximately 3:48 pm, the interview paused for a break of approximately 10 minutes.]