

TO THE READER: All references to classified material have been deleted from these footnotes. Only open source materials have been cited.

Chapter 1 - PRC Acquisition of U.S. Technology

- 1 In practice, it is just as accurate to say the PRC Government is made up of just two bureaucracies (since the PLA is actually the “fist” of the CCP), or even one bureaucracy (since both the PLA and the State are subservient to the CCP). The distinctions between are them largely artificial. For general information on this topic. *See* CRS Report, “Chinese Government Structure and Function, Policies on Military and Industrial Modernization, and Technology Acquisition,” November 10, 1998; Kenneth Lieberthal, *Governing China*, W.W. Norton & Company, Inc., 1995.
- 2 The Politburo currently has 22 members and two alternates.
- 3 *See* Constitution of the People’s Republic of China, Articles 2, 3.
- 4 Lieberthal, *Governing China*, refers to this technique as “interlocking directorates.”
- 5 PRC Constitution, Article 29.
- 6 *Jiefangjun Bao*, Beijing, July 30, 1997, as cited in the BBC Summary of World Broadcasts, August 8, 1997.
- 7 Leading Groups are a key mechanism for policy coordination and decision-making in the PRC. They are comprised of senior Communist Party, State, and PLA officials with relevant expertise and authority for specified areas. *See* generally, CRS Chinese Government Structure.
- 8 The State Science and Technology Commission was recently dissolved and replaced by the newly-formed Ministry of Science and Technology.
- 9 Deba R. Mohanty, “Hidden Players in Policy Processes: Examining China’s National Security Research Bureaucracy,” Institute for Defense Studies and Analysis, July 1998.
- 10 For the official report on this program, *see* “Decade-Long Hi-Tech Program Bears Fruit,” Xinhua News Agency, September 27, 1996.
- 11 Su Kuoshan, “Road of Hope—Reviewing the Accomplishment of the ‘863’ Project on the 10th Anniversary of its Implementation,” *Jiefangjun Bao*, April 5, 1996, reproduced in Foreign Broadcast Information Service, Daily Report, May 8, 1996, FBIS-CHI-96-089.
- 12 Major Mark Stokes, “China’s Strategic Modernization: Implications for U.S. National Security,” USAF Institute for National Security Studies, July, 1998.
- 13 Cui Ning, “Hi-Tech Projects Highlight Five Areas,” *China Daily*, April 3, 1996; in FBIS. *See also* Ding Henngao, COSTIND Director, speech delivered on March 28, 1996, “Review of the 863 Plan over the Past Ten Years”; Stokes.
- 14 John Frankenstein and Bates Gill, “Current and Future Challenges Facing Chinese Defense Industries,” *China*



Quarterly, June 1996.

- 15 See Frankenstein and Gill, *ibid*; “Future Military Capabilities and Strategy of the People’s Republic of China, “Department of Defense Report to Congress, 1998 Report; Letter from RADM Mike Ratliff, USN to JCS (J2), 9 November 1998, transmitted to the Select Committee November, 24, 1998.
- 16 Frankenstein and Gill.
- 17 Testimony of Dr. Michael Pillsbury before the Senate Select Committee on Intelligence, September 18, 1997.
- 18 BBC Summary of World Broadcasts, Far East, 11 November 1992.
- 19 For open source discussion, see Richard Fisher, “Foreign Arms Acquisition and PLA Modernization,” Heritage Foundation, June 1, 1998.
- 20 *Ibid*.
- 21 James Mulvenon, “Chinese Military Commerce and U.S. National Security,” RAND, July, 1997: Greg Mastel, “A China the World Could Bank On,” *Washington Post*, December 29, 1997.
- 22 Wei Ke, “Army Re-Tools Commercial Production,” *China Daily* August 17-23, 1997; in FBIS.
- 23 John Frankenstein and Bates Gill, “Current and Future Challenges Facing Chinese Defense Industries,” *China Quarterly*, June 1996. See also Zalmay Khalizad, Abram Shulsky, Daniel Byman, Roger Cliff, David Orletsky, David Shlapak, Michael Swaine, and Ashley Tellis, “Chinese Military Modernization and Its Implications for the U.S. Air Force (draft),” RAND, October, 1998.
- 24 See Frankenstein and Gill.
- 25 The National People’s Congress is a putative legislature, and officially China’s supreme body of State power. It officially elects the State Council. Recent evidence suggests the National People’s Congress has an increasing role in policy deliberation. Kenneth Lieberthal, *Governing China*, W.W. Norton & Company, Inc., 1995.
- 26 Li Peng, “Report on the Outline of the Ninth Five-Year Plan for National Economic and Social Development and Long-Range Objectives to the Year 2010,” delivered to the Fourth Session of the Eighth National People’s Congress on March 5, 1996.
- 27 BBS Summary of World Broadcasts, April 7, 1997.
- 28 “China’s National Defense,” Information Office, PRC State Council, July 27, 1998.
- 29 Testimony of Nicholas Eftimiades, October 15, 1998.
- 30 Interview of James Lilley, November 17, 1998.
- 31 These individuals often jump many bureaucratic levels to take their positions. Tai Ming Cheung, See, e.g., “China’s Princelings,” Kim Eng Securities, January 1995; Murray Scot Tanner and Michael Feder, “Family Politics, Elite Recruitment, and Succession in Post-Mao China,” *Australian Journal of Chinese Affairs*, July 1993.
- 32 Interview of James Mulvenon, October 16, 1998.
- 33 See Murray Scot Tanner and Michael Feder, “Family Politics, Elite Recruitment, and Succession in Post-Mao China,” *Australian Journal of Chinese Affairs*, July 1993. Frankenstein and Gill.



- 34 James Mulvenon, “Chinese Military Commerce and U.S. National Security,” RAND, July 1997; David Jackson, “U.S. Probes Whether Beijing Gave Money to Influence Policy,” *Chicago Tribune*, February 14, 1997.
- 35 Ibid.
- 36 Tracy Connor, “New Asiagate Figure Has Military History,” *New York Post*, November 7, 1998.
- 37 Interim Report of the House Government Reform and Oversight Committee (“HGROC Report”) Chapter IV C.
- 38 Deposition of Shen Jun before the Select Committee (Dec. 8, 1998); Japanese Firms Buy Into Satellite Telephone Co., Information Access Newsbytes (July 9, 1996).
- 39 See generally, “Liu’s Deals with Chung: An Intercontinental Puzzle,” David Jackson and Lena H. Sun, *Washington Post*, May 24, 1998.
- 40 Interim Report of the House Government Reform and Oversight Committee (“HGROC Report”) Chapter IV C.
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- 42 Ibid.
- 43 Ibid.
- 44 “Red Face Over China; Did a Chinese plot persuade Clinton to let a U.S. company give China its rocket science? No. Politics (and policy) did,” Eric Pooley et. al., *Time*, June 1, 1998.
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- 46 Testimony of James Mulvenon, RAND, before the Select Committee (Oct. 15, 1998); John Frankenstein and Bates Gill, “Current and Future Challenges Facing Chinese Defense Industries,” *China Quarterly* (June 1996).
- 47 Bates Gill and Taeho Kim, “China’s Arms Acquisitions from Abroad, A Quest for Superb and Secret Weapons,” Stockholm International Peace Institute, Oxford University Press, 1995.
- 48 Richard Fisher, “Foreign Arms Acquisition and PLA Modernization,” Heritage Foundation, June 1, 1998. See also Bates Gill and Taeho Kim, “China’s Arms Acquisitions from Abroad, A Quest for Superb and Secret Weapons,” Stockholm International Peace Institute, Oxford University Press, 1995.
- 49 Bates Gill and Taeho Kim, “China’s Arms Acquisitions from Abroad, A Quest for Superb and Secret Weapons,” Stockholm International Peace Institute, Oxford University Press, 1995.
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- 52 Bates Gill and Taeho Kim, “China’s Arms Acquisitions from Abroad, A Quest for Superb and Secret Weapons,” Stockholm International Peace Institute, Oxford University Press, 1995.



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- 55 Shawn L. Twing, “Congress Calls for Sanctions if Israeli Technology Transfer to China is Proven,” *The Washington Report*, November/December 1996. *See also* Bates Gill and Taeho Kim, “China’s Arms Acquisitions from Abroad, A Quest for Superb and Secret Weapons,” Stockholm International Peace Institute, Oxford University Press, 1995; Tony Capaccio, “Israeli Arms Transfers of U.S. Technology Remain and Abrasive Issue,” *Defense Week*, June 5, 1995.
- 56 “The National Security Science and Technology Strategy,” U.S. Office of Science and Technology Policy, 1996.
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- 58 Paul Blustein, “China Plays Rough: Invest and Transfer Technology, or No Market Access,” *Washington Post*, October 25, 1997.
- 59 Kathleen Walsh, December, 1997.
- 60 Walsh, December, 1997, (stating the United States is “somewhere in the middle” among countries in its willingness to transfer technology).
- 61 Testimony of Nicholas Eftimiades, October 15, 1998.
- 62 *See* “Challenges and Opportunities for U.S. Businesses in China,” testimony of JayEtta Hecker, GAO, before the Committee on Banking and Financial Services, U.S. House of Representatives, July 29, 1996.
- 63 Interview of John Foarde, September 23, 1998.
- 64 *See, e.g.*, Walsh, December, 1997; Letter to the Select Committee from Sandra Taylor, Vice-President, Eastman Kodak Company, November 18, 1998.
- 65 Walsh, December 1997. *See also* Joseph Kahn, “McDonnell’s Hopes in China Never Got Off the Ground,” *The Wall Street Journal*, May 22, 1996 (quoting McDonnell’s President as saying it should do “whatever it takes” to “carve out a place” in China).
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- 67 Letter to the Select Committee from Sandra Taylor, Vice-President, Eastman Kodak Company, November 18, 1998.
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94 Ibid.

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96 U.S. Customs briefing to Select Committee Staff, October 28, 1998. In response to this situation, in October 1997, Representative Pete Stark introduced H.R. 2602, the Arms Surplus Reform Act of 1997, to place a moratorium on all surplus arms sales until DOD certified to Congress that steps had been taken to correct weaknesses in the surplus sales program. The Act did not pass, but a section was added to the Defense Authorization Act for Fiscal Year 1998, Pub. L. 105-85, Sec. 1067, requiring similar steps. The DOD submitted its report to Congress in June, 1998, identifying problem areas and steps taken to address them.

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- 113 Deposition of Bernard L. Schwartz, November 21, 1998.
- 114 Deposition of C. Michael Armstrong, December 17, 1998.
- 115 Ibid.
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- 126 The Department of Defense failed to respond to the Select Committee’s inquiry of September 22, 1998 in this regard.
- 127 Letter to Chairman Christopher Cox from William Reinsch, Department of Commerce, October 22, 1998; Letter to Chairman Christopher Cox from General Counsel, Department of Commerce, October 21, 1998.
- 128 BEA collects information concerning investment in U.S. businesses in which a foreign person holds an ownership interest of ten percent or more. Pursuant to federal law, the FDIUS data that BEA collects is confidential, and individual company data, including the names of survey respondents, cannot be released or disclosed in such a manner that the person or firm that furnished the information can be specifically identified. Use of an individual company’s data for investigative purposes is prohibited, as the data can only be used for statistical and analytical purposes.
- 129 Letter to Chairman Christopher Cox from Linda Robertson, Department of the Treasury, October 29, 1998.



130 Ibid.

131 Briefing by U.S. Treasury Department to Select Committee Staff, October 29, 1998. *See also* Letter to Chairman Christopher Cox from Linda Robertson, Department of the Treasury, October 29, 1998.

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Chapter 2 - PRC Theft of U.S. Thermonuclear Warhead Design Information

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2 "Chinese Nuclear Testing and Warhead Development," Jonathan Medalia, Congressional Research Service, November 14, 1997.

3 Ibid.

4 Figure 3 - Size Comparison of U.S. Nuclear Warheads Over Time, Lawrence Livermore National Laboratory, September 15, 1998.

5 "Presentation on PRC, Nuclear Weapons and High Performance Computing," Lawrence Livermore National Laboratory, September 15, 1998.

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8 *See* Chapter 3, *High Performance Computers*, for additional information about the PRC's interests in this area, and the linkage between modern nuclear development and the importance of high performance computing, especially for stockpile maintenance under a Comprehensive Test Ban Treaty.

9 "Presentation on PRC, Nuclear Weapons and High Performance Computing," Lawrence Livermore National Laboratory, September 15, 1998.

10 The Department of Energy conducted a damage assessment of the Peter Lee losses that the Select Committee requested to review but did not receive.



- 11 Government's Response to Defendant's Position With Respect to Sentencing Factors: Declarations of Jonathan Shapiro: Attachments (U.S.D.C. C.D. Calif.) March 24, 1998
- 12 Letter from FBI Director Louis Freeh to Chairman Christopher Cox and Ranking Member Norman Dicks, November 10, 1998. Peter Lee refused to cooperate with the Select Committee's investigation on the advice of his lawyer not to testify before, or provide information to, the Select Committee.
- 13 "Response to November 12 Letter Seeking Assistance in Providing Briefings Concerning the President's Knowledge of Several Subjects," Letter from Samuel Berger, Assistant to the President for National Security Affairs to Chairman Christopher Cox and Ranking Member Norman Dicks, December 22, 1998. Samuel (Sandy) L. Berger, National Security Advisor, originally told the Select Committee that he briefed President Clinton about the theft of U.S. nuclear information in early 1998. Later, in May 1999, as part of the declassification process to make this report publicly available, Berger advised the Select Committee that the President was briefed in July 1997, although no written record of this meeting exists.

Chapter 3 - High Performance Computers

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- 3 Memorandum for the Record by Paul Koenig, Defense Technical Security Administration, August 24, 1995.
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- 5 "Information on the Decision to Revise High Performance Computer Controls," GAO/NSIAD-98-196.
- 6 Memorandum for the Record by Paul Koenig, Defense Technical Security Administration, August 24, 1995.
- 7 Interview of Dr. David Kahaner, October 19, 1998.
- 8 "Building on the Basics: An Examination of High-Performance Computing Export Control Policy in the 1990s," Seymour Goodman, Peter Wolcott, Grey Burkhardt, Center for International Security and Arms Control, Stanford University, November 1995.
- 9 Ibid.
- 10 "High-Performance Computing, National Security Applications, and Export Control Policy at the Close of the 20th Century," Seymour Goodman, et. al.
- 11 Ibid.
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- 14 Commander in Chief, U.S. Pacific Command Memorandum to the Joint Chiefs of Staff, Ser: 444-98,



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- 18 Department of Energy, Office of Intelligence, Technical Intelligence Note on Computers, Nuclear Weapons, and U.S. Security, May 6, 1998.
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- 32 “Key Projects in China’s Computerization,” Asian Technology Information Program report 98.048.
- 33 “PR China: System Simulation Activities,” Asian Technology Information Program, December 24, 1992.
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- 45 “The Militarily Critical Technologies List Part I: Weapons Systems Technologies,” June 1996, Department of Defense, p. 8-7, Background Paper on High Performance Computers to Countries of Concern, Defense Intelligence Agency, November 19, 1998, cover letter to the Honorable Floyd Spence.
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