



United States Department of State

Washington, D.C. 20520

November 22, 2022 Case

No. FL-2022-00037

Nikhel Sus
Citizens for Responsibility and Ethics in Washington
1331 F Street NW, Suite 900
Washington DC, 20004

Dear Mr. Sus:

As we noted in our letter dated October 13, 2022, we are processing your request for material under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State has identified an additional three responsive records subject to the FOIA. We have determined all three records may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each record. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

This concludes the processing of your request. If you have any questions, your attorney may contact Michael Gerardi, Trial Attorney for the District of Columbia at michael.j.gerardi@usdoj.gov and (202) 616-0680. Please refer to the case number, FL-2022-00037 and the civil action number, 22-cv-00074-APM, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Diamonece Hickson", written in a cursive style.

Diamonece Hickson
Chief, Litigation and Appeals Branch
Office of Information Programs and Services

Enclosures: As stated.

Freedom of Information Act (5 U.S.C. § 552) and Privacy Act (5 U.S.C. § 552a)

FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept classified in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
 - 1.4(b) Foreign government information
 - 1.4(c) Intelligence activities, sources or methods, or cryptology
 - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
 - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
 - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
 - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
 - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- | | |
|----------------|---|
| ARMSEXP | Arms Export Control Act, 50a USC 2411(c) |
| CIA PERS/ORG | Central Intelligence Agency Act of 1949, 50 USC 403(g) |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT | Foreign Service Act of 1980, 22 USC 4004 |
| INA | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN | Iran Claims Settlement Act, Public Law 99-99, Sec. 505 |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
 - (B) deprive a person of a fair trial
 - (C) constitute an unwarranted invasion of personal privacy
 - (D) disclose confidential sources
 - (E) disclose investigation techniques
 - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

Privacy Act Exemptions

- (d)(5) Information compiled in reasonable anticipation of a civil action or proceeding
- (j)(1) Information maintained by the CIA
- (j)(2) Enforcement of criminal law, including efforts to prevent, control, or reduce crime or apprehend criminals, except records of arrest
- (k)(1) Classified pursuant to E.O. 13526 in the interest of national defense or foreign policy
- (k)(2) Investigatory material compiled for law enforcement purposes
- (k)(3) Regarding protective services to the President of the United States or other individual pursuant to Title 18, U.S.C., Section 3056
- (k)(4) Required by statute to be maintained and used solely as statistical records
- (k)(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence
- (k)(6) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service, the disclosure of which would compromise the testing or examination process
- (k)(7) Evaluation material used to determine potential for promotion in the armed services

Points from Open Domain Research

1.) Alibaba, Baidu, and Tencent have been identified by the Chinese government as national new-generation artificial intelligence open innovation platforms with applications such as big data analysis, biometric modalities, and autonomous systems. These dual-use applications have been designated as strategic military resources and key to civil-military fusion efforts.

- In January 2019, execs from Alibaba and Ant Group met with representatives from the Military-Civilian Fusion Division of the Xi'an Development and Reform Commission and the Xi'an Weapons Science & Technology Industrial Base to discuss the development of next-generation information technology (IT) and opportunities for military-civil fusion. The Xi'an Weapons Base is a collaboration between Shaanxi Province and China North Industries Group Corp. (Norinco), a state-owned defense conglomerate that manufactures a range of weapons and military equipment and serves an important role in China's national defense modernization drive.
- In April 2020, Zeng Zhengyu, the general manager of Alibaba Cloud Data Intelligence Division, participated in the 3rd annual China Aerospace Conference. The other participating entities included the Chinese space program's primary contractor China Aerospace Science and Technology Corp. (CAST), which manufactures missile systems, and state-owned conglomerate China Aerospace Science and Industry Corporation (CASIC), which leads defense and aerospace R&D.
- The vice president of Alibaba Cloud Computing, Song Jie, spoke at the inaugural Military Big Data Forum hosted by the PLA's Academy of Military Sciences in July 2018, where military, academic, and business leaders deliberated on ways to transition the benefits and technologies of e-commerce to national defense. The forum was co-organized by the Chinese Academy of Sciences, Tsinghua University, and the Chinese Academy of Command and Control.
- In 2018, the head of the local Reform and Development Bureau called for military industrial groups relocate their R&D bases to Xiong'an New Area, which is positioned to develop emerging high-tech capabilities, promote the development of military-civil fusion, and address China's strategic needs (among other civilian functions). Accordingly, dozens of high-tech companies and research institutions launched projects, including Tsinghua University's National Defense Technology High-End Laboratory and Alibaba's Cainiao Smart Logistics Future Center Project.
- China's chief civilian intelligence agency, the MSS, provided a "seed investment" to Tencent "when they were trying to build out the Great Firewall and the monitoring technology." According to the same official who disclosed this, "if at any point China's security services need assistance, [Tencent is] providing it."
- In 2018, the 28th China Electric Power Research Institute (CIPRI) and Baidu established the Joint Laboratory for Intelligent Command and Control Technologies to promote military-civilian fusion in the high-tech areas of big data, cloud computing, and artificial intelligence.

2.) China is working to develop a military cloud computing system in a race that parallels the United States, and these systems are developed by leading companies like Alibaba in partnership with known

Chinese military equipment suppliers and Chinese companies affiliated with PLA high-tech weapons development programs.

- In May 2018, Westone Information Industry Inc. announced that its parent company CETC had signed a strategic cooperation agreement with Alibaba Cloud to develop a high-security cloud platform known as "Cybersecurity Feitian" for military customers. According to a report from October 2018, Westone is planning to expand its military business by collaborating with Alibaba Cloud and other key tech companies to develop the platform.
- Military cloud computing is more complex than civilian cloud computing due to the high requirements for information security and confidentiality, and this joint project with Alibaba would be considered an important achievement in the Chinese military's IT infrastructure construction.
- Tencent Cloud's Web Vulnerability Scanning software is used by the Chinese government and military.

3.) Major tech companies such as Alibaba, Baidu, and Tencent are key to the deployment of China's BeiDou satellite navigation system through the joint efforts of leading military and private enterprises. BeiDou is a national ground-based network developed indigenously for both civilian and military applications and allows the Chinese military to reduce reliance on foreign-controlled communication and navigation networks. BeiDou terminals have been deployed throughout the PLA ground forces, PLA Navy ships, Second Artillery Force, and the PLA Air Force.

- Qianxun Spatial Intelligence is a high-precision satellite positioning services provider established in August 2015 by Norinco and Alibaba, equally owned by both companies. Qianxun SI operates the BeiDou Ground Base Enhancement System (BGBES), a network consisting of a series of ground base stations and operating and precision positioning systems that support BeiDou by providing accuracy but are not inherently part of BeiDou.
 - Norinco was responsible for developing BeiDou and announced last year that it was building the BeiDou+ Land and Maritime Defense and Control System with BeiDou at its core to provide border defense personnel and UAVs with high-precision monitoring and communication capability in border regions, including in Xinjiang and the South China Sea. The system has been adopted by China's frontier troops, public security forces, and coast guards.
- Beihang University established one of China's first graduate programs in AI, in collaboration with industry partners including Baidu. Beihang University is closely linked to the development of military aeronautics and aeronautic technologies (including intelligent UAVs).
- In October 2020, Baidu Maps announced its in-depth cooperation with China Mobile on the "5G + BeiDou high-precision positioning" system, becoming the first map vendor in the industry to support the carrier's consumer-grade mobile phone precision positioning system.

- Beijing-based Navinfo, in which Tencent holds a minority stake and has invested significant capital into, announced its intention to begin mass producing semiconductors for navigation systems using BeiDou in 2020.

Below are Unclassified points from Ellen Lord. She is sending you SECRET points by 8:00 am tomorrow.

(b)(5)

- (CUI) Baidu, Alibaba, and Tencent are representative of China's growing Military-Civil Fusion objectives and capabilities.
- (CUI) On January 1, revisions to China's National Defense Laws entered into force, concentrating state powers in the Central Military Commission, including powers over state-owned and private enterprises.
- Baidu
 - o (CUI) In 2018, Baidu and China Electronics Technology Group (CETC) declared the companies would "work hand in hand to link up computing, data and logic resources to further advance the application of new generation AI technologies in the area of defense."
 - o (CUI) Baidu is publicly traded on the NASDAQ stock exchange and owns a subsidiary which is also publicly traded on the NASDAQ stock exchange as of July 30, 2020. These companies are engaged in production and manufacturing for commercial use and profit.
- Alibaba
 - o (CUI) According to the U.S. Department of State, a December 2018 article published on the National Military-Civil Fusion Public Platform administered by the PRC Ministry of Industry and Information Technology listed products and technologies from Alibaba used in research, production, and repair of weapons and equipment for the PLA.
 - o (CUI) Alibaba is publicly traded on the New York Stock Exchange (NYSE) and owns 3 subsidiaries which are publicly traded on the Hong Kong Stock exchange as of July 29, 2020. These companies are engaged in production and manufacturing for commercial use and profit.
- Tencent

o (CUI) In 2017, China's Ministry of Science and Technology selected Tencent to help form a "National Team" charged with developing AI in a range of sub-domains. Artificial Intelligence, according to the 2018 DoD Defense Innovation Unity report on China's Technology Transfer Strategy, is considered a dual-use technology foundational to both commercial and military applications.

o (CUI) Tencent is publicly traded on the Hong Kong stock exchange and owns 2 subsidiaries which are publicly traded on the Hong Kong stock exchange and NYSE as of July 30, 2020.

From: (b)(6)
To: (b)(7)(E)
Subject: (b)(7)(E) with NSA O'Brien, Secretary Mnuchin,
A/SecDef Miller, COS Meadows (b)(7)(E)

From: (b)(6)
To: S (b)(6)
Subject: Updated Schedule: 19 January 2021
Date: Tue, 19 Jan 2021 02:02:53 +0000

Classified by: Eric F. Stein, DAS, AGIS
 E.O. 13526 Reason 1.4(d)
 Declassify on: January 18, 2046

Clear S/ES

(b)(1)

Sir,
 Below is your schedule for Tuesday. Thanks.

19 January 2021

SecState Pompeo

- 0630-0640 CALL: Australian FM Payne**
- 0645-0700 ENR HST
- 0700-0725 Executive Time
- 0725-0740 MTG: D
- 0740-0755 CALL: UK FM Raab (classification TBD)**
- 0800-0830 CALL: Conference Call with Muslim Leaders
- 0840-0900 MTG: Deputy M AMB Todd
- 0900-0915 CALL: Secretary Mnuchin (SECURE)
- 0915-0930 CALL:** (b)(1)
- 0930-0950 MTG: BOD Meeting #3
- 1000-1020 MTG: Cliff Sims
- 1030-1045 CALL: Former Senator Lieberman
- 1100-1115 BRIEF: INR De-Brief
- 1115-1120 BRIEF: White House Military Office Debrief
- 1130-1200 Executive Time
- 1200-1230 CALL: Ms. Ayaan Hirsi Ali
- 1230-1300 CALL: Jordanian FM Safadi
- 1300-1330 CALL: Robert George
- 1330-1430 Executive Time
- 1430-1500 CALL: CoS Meadows, Chairman Milley (SECURE)
- 1500-1700 Executive Time
- 1700-1715 ENR Residence

Clifford Sims is not in the GAL; there is a Clifford Sims who is a partner at Squire Patton Boggs, Pension group

Ayaan Hirsi Ali: Somali born Dutch-American activist, author, scholar, former politician. Received international acclaim as a critic of Islam and advocate for women's rights and self determination. Works for American Enterprise Institute and the Hoover Institute. Wikipedia. bhn 5/18/22 Well-known

Robert George??

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