

Assessment

New Jersey Turnpike Authority Awarding of EZ Pass Contract

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by

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Administrative Note: This is an independent assessment. No compensation, financial or otherwise, has been received for the development of this report.

1. Overview: The New Jersey Turnpike Authority recently awarded its state's EZPass Services to Transcore ITS, which came in with a bid of over a quarter of a billion dollars more than the New Jersey headquartered low bidder – Conduent. As will be examined in this assessment, the problem with Transcore being awarded the contract goes far beyond the quarter- billion dollar (plus) additional expense.

The issues to be addressed in this assessment are twofold:

1. Financial: Awarding of such an expensive contract that has to be paid by travelers using the highway system, and
2. Security: Having a major operations portion of an American Critical Infrastructure System managed by foreign-owned corporation supervised by a member of the Chinese Communist Party.

Before proceeding further, one subject needs to be addressed. There are **no** indications or warnings that the management of Transcore has committed any violations. There is **no** justification to question or even doubt the integrity, professionalism, and American loyalty of Transcore's leadership (past and present).

2. Issue: Financial - Lack of Financial Prudence on the part of New Jersey Turnpike Authority.

To award a contract which came in a quarter of a billion dollars higher defies logic. To the New Jersey Turnpike Authority, this brings back memories of Jay Leno's question to Hugh Grant, "What were you thinking?"

For 2025, the New Jersey Turnpike Authority budget calls for a 45% toll increase. This comes in the wake of Atlantic City Expressway bypassing a half billion-dollar contract award savings in 2023. Meanwhile, the Golden State Parkway has raised its rates by 36% since 2020.

Ultimately, the ones who will pick up the tab for the increased fees will be individual and commercial drivers. The National Motorists Association warns of an annual increase of \$1,000 dollars for individual households. Trucking firms will have no choice but to increase their operating costs, which is absorbed by customers. Either immediately through retail purchase items, or eventually by having to pay for increased production costs, individual households will be picking up the tab.

So far, only one positive thing has come out of this decision by the New Jersey Turnpike Authority. At a time of intense political disharmony, it is good to see representatives of both parties of the New Jersey legislature uniting together in condemnation of the decision. New Jersey Governor Phil Murphy should be listening to legislators, constituents, and organizations such as the National Motorists Association.

Analysis of Issue: Betrayal is the willful slaughter of trust. Members of the New Jersey legislature are fully justified in challenging the decision-making process that led the New Jersey Turnpike Authority to approve a contract for a quarter of a billion dollars (plus) more than necessary, and then pass the cost of the decision on to the public.

3. Issue (Security): Foreign Government Ownership, Influence and Control

Formerly owned by U.S. based Roper Technologies, in 2022, 100% of Transcore was sold to Singapore Technologies (ST) Engineering. As noted in Foreign Government Ownership, Influence and Control chart (Attachment 1), Transcore is 100% owned by Singapore Technologies (ST). In turn 51% (the majority shares) of ST are owned by Temasek, which in turn is 100% owned by the Singapore government.

The President and Chief Executive Officer (CEO) of Temasek is Mr. Fu Chengyu, a citizen of the People's Republic of China (PRC) and a senior member of the Chinese Communist Party.

Analysis of Issue: Any foreign government having the contract of EZPass, which ultimately involves all of the American northeast, is concerning. Adding to the concern of Singapore Technologies is Mr. Fu Chengyu as ST President and CEO.

4. Issue (Security): Political Loyalties of Fu Chengyu

As stated in his biography (Attachment 2-A):

Mr. Fu Chengyu is standing member of the 12th Chinese People's Political Consultative Conference National Committee. He is former Chairman of China Petrochemical Corporation (SINOPEC Group) and former Chairman of China Petroleum and Chemical Corporation (SINOPEC Corporation). Before joining SINOPEC in 2011, he was Chairman & CEO of China National Offshore Oil Corporation (CNOOC). He is also a member of the UN Global Compact Board and Chairman of Global Compact Network China Board. Mr. Fu has 40 years of experience in the petroleum industry and earned quite some recognition in the industry. He was listed among "Most Influential People" by Time magazine in 2005, and awarded "Most Influential Business Leader in China" by Fortune in 2008 and "The Best-Performing CEOs in the World" by Harvard Business Review in 2009.

The OMICS Chemical Engineering Experts report (Attachment 2-B) states:

Mr. Fu Chengyu serves as President and Secretary of Communist Party of China (CPC) Leading Group of China Petrochemical Corporation. Mr. Chengyu served as the Chief Executive Officer of Cnooc Ltd. from October 16, 2003 to September 16, 2010. He served as the Chief Executive Officer, President and Secretary of the Leading Group of the Communist Party of China National Offshore Oil Corporation, parent company of Cnooc Ltd. since October 2003. He served as

the Chief Executive Officer of China Oilfield Services Ltd. He has over 30 years experience in the petroleum industry in the PRC. Since 1983, he served as Chairman of the Management Committees of joint ventures between China National Offshore Oil Corporation (CNOOC) and international oil majors of Amoco, Chevron, Texaco, Phillips, Shell and Agip.

In 2016, in the *China Daily* (Attachment 2-C), an article was published concerning the March 11th Chinese People's Political Consultative Conference (CPPCC), in which Mr. Fu Chengyu and Lu Zhiqiang comments were reported:

Mr Fu Chengyu: China has shown encouraging progress in adjusting the economic structure, ...Despite challenges and difficulties, the economy is fundamentally strong, he said, adding that the central government is prepared for the downward pressure, as can be seen from the Work Report.

Mr Lu Zhiqiang: The development potentials for China's economy are far beyond our imagination and big changes remain to be seen in the consumption market. The advantages provide huge opportunities and development for the upgrade and transformation of both State owned and private enterprises...It's an inevitable choice and trend for Chinese enterprises to get support from the government to go global and expand into international market due to the growth of China's economy and their companies' scales.

Analysis of Issue: It is quite clear. Mr. Fu Chengyu is a very intelligent and ambitious individual. First and foremost, he is a very loyal member of the Chinese Communist Party. Exploring and recognizing opportunities to advance the ambitions of senior party leadership, of which he is a member, he will dedicate himself to achieving those goals.

5. Issue (Security): Indications and Warnings Revealed by Ohio Turnpike and Infrastructure Commission

On April 18, 2022, then CEO and President of Transcore provided a briefing, followed by questions and answers at the 696th Meeting of the Ohio Turnpike and Infrastructure Commission. The main issue of discussion was Roper Technologies' March 2022 transfer/sale of Transcore to Singapore Technologies.

Transcript records of the meeting pertaining to Transcore is provided (Attachment 3). Excerpts of the transcript with specific comments highlighted are provided below:

Director Ahmed: For several months, many Executive Directors have worked together to stay on top of the TransCore sale. One topic of discussion was to make certain that our governing bodies (Commissions) are properly briefed. The President of TransCore, Tracy Marks, is with us today and with your permission, I would like to now invite Tracy to explain the sale, data protection, security concerns and to answer any questions that you may have.

I have one more item Chairman which encompasses TransCore, which is an integral part of our toll collection system. TransCore was a subsidiary of an American publicly owned company called Roper Technologies. Roper Technologies has sold TransCore to a Singapore based publicly traded company called ST Engineering (ST). **ST was interested in TransCore's federal contracts.** Due to this, the sale had to be approved by the United States Department of Treasury as well as the United States Department of Justice.

Mr. Marks: Thank you very much. My name is Tracy Marks and I am the President and CEO of TransCore. I have been the President for the last ten years. I have been with TransCore for almost thirty years, I am in my thirtieth year this year.

Singapore is obviously a strong ally of the United States, but still it is a foreign-owned company, so there are safeguards that had to be put in place because we really are the largest provider of toll systems and services in the United States. **We touch about 80% of the toll systems that are in the United States.** We have over 3,000 employees dedicated to transportation systems and we have about 80 offices across the United States. We are the largest by far toll systems integrator in the industry and with that comes data protection, data privacy concerns. We spend a lot of effort and have for decades insuring all data that we manage is very well protected. Whenever a foreign company is acquiring us there is a heightened sense of protection of that data. So, the end result of the Federal Government's review of this was the development of a National Security Agreement (NSA), which was executed by all parties.

This is more an overarching cyber security plan that has to be agreed upon and it is audited quarterly and then there is an annual report as well. There is also the separation of systems. **Singapore Technologies cannot have access to any of our systems. They can't have physical access, digital access, any type of access to our systems.**

Representative Ghanbari: Thank you, Chairman. I have a couple questions for you. First, thank you for the great presentation. On page 5 of your slide deck, it was the page that dealt with the personal identifiable information (PII), I understand that is safeguarded as can be and a lot of things are in place to safeguard that. What is the company prepared to do should that information ever be compromised because that is certainly a lot of potential data getting into the wrong hands?

Mr. Marks: Well again, we hope that never happens and we work hard. **But, prior to this acquisition, we had to work hard to protect that data. As everyone knows there are hackers out there that are targeting industries every day and we do a great job, knock on wood, as a company to protect our customers' data, to protect TransCore's data. ...The PII data, I should have mentioned this in the presentation, that's covered under this agreement goes beyond the traditional PII**

data. So, this includes images of license plates, for example, that aren't identifiable to a person, it is just a straight image of a license plate or a transponder ID that is not connected to an individual.

Representative Ghanbari: I would opine for a brief minute, sir, that I think we've seen what happens when we put too much reliance on overseas companies, whether it is to manufacture computer chips for vehicles, we have trucks and cars sitting in manufacturing lots that can't be sold because we are waiting on overseas companies to supply what we need to put them in our vehicles. So, I would just say, just for the record going forward that, as often as we can keep business here in the United States is the preference that I would like to see and more so even if we can do it with an Ohio company.

Chairman: Are you telling us that this company acquired you and the way you make it seem they have not management control over you whatsoever?

Mr. Marks: No, I do report to the CEO of ST Engineering.

Chairman: Okay. So, all of the things that you spoke of, I mean, they still have the right as the owner, do they not, to come to you and make changes, make revisions if they wish.

Mr. Marks: I am sure that is within their prerogative.

Chairman: So, all of what you told us could be changed in six months, seven months, a year, whatever?

Mr. Marks: Mr. Chairman, I think anything is possible, but I am just saying, having been here 30 years and gone through four different ownerships I feel certain that is not going to happen.

Analysis of Issue:

Several of transcript comments deserve further attention and analysis.

- a. **ST was interested in TransCore's federal contracts** is an indication and warning. The fact that a multinational corporation, led by a member of the PRC Communist party insider is interested in acquiring US federal government contracts is not a comment to be taken lightly.
- b. **Singapore is obviously a strong ally of the United States, but still it is a foreign-owned company.** Singapore is an ally to every industrialized nation that depends upon sea shipment of its exports and imports between the Indian and Pacific Oceans. That includes the PRC. French President Charles De Gaulle said it best: *Nations do not have friends, they have interests.* This is also in keeping with

Winston Churchill's philosophy that countries become allies where they discover common objectives.

- c. *We touch about 80% of the toll systems that are in the United States.* China is constructing its Belt and Road Initiative through Asia, into Europe, and throughout Africa. Now, led by a member of the PRC's Communist Party, they have acquired a company managing access to a sizeable portion of America's highways far beyond New Jersey. This is a major red flag that should not be ignored.
- d. *Singapore Technologies cannot have access to any of our systems. They can't have physical access, digital access, any type of access to our systems.* The PRC and the United States are the most advanced in Computer Network Operations (CNO). The ability of PRC's Computer Network Exploitation (CNE) was realized in 2004. An alert Computer Network Defense (CND) operative working with the Department of Energy brought the seriousness of the problem to the U.S. Federal Bureau of Investigation. The result became the Titan Rain program. Since then, the PRC has become much more advanced in its CNE and Computer Network Attack (CNA) capabilities. It is wrong to believe that the PRC will not work to exploit an information system which is operated by a company, 100% owned by a parent company led by a senior member of its own Communist Party.
- e. *But, prior to this acquisition, we had to work hard to protect that data. As everyone knows there are hackers out there that are targeting industries every day and we do a great job, knock on wood, as a company to protect our customers' data, to protect TransCore's data. ...The PII data, I should have mentioned this in the presentation, that's covered under this agreement goes beyond the traditional PII data. So, this includes images of license plates, for example, that aren't identifiable to a person, it is just a straight image of a license plate or a transponder ID that is not connected to an individual.* Response to this is best covered in analysis presented in 5d above.
- f. *No, I do report to the CEO of ST Engineering.* Transcore is now 100% owned by ST Engineering. There are two problems with this answer that Transcore does not report directly to the ST Chief Executive Office. First, that answer is locked into a specific point in time. Mr. Marks comment I think *anything is possible* is further analyzed in 5g below. Second, ST Engineering is not going to own 100% of a subordinate company without direct or indirect reporting to the CEO of ST management.
- g. *I am sure that is within their prerogative was in response to the Chairman's question So, all of the things that you spoke of, I mean, they still have the right as the owner, do they not, to come to you and make changes, make revisions if they wish?* Driving the point further home, the Chairman asks, *So, all of the things that you spoke of, I mean, they still have the right as the owner, do they not, to come*

to you and make changes, make revisions if they wish? to which Mr. Marks responded, *Mr. Chairman, I think anything is possible.*

- h. *I think anything is possible* drives home the entire points of concern. Singapore is an American ally.

6. Issue (Security): Concern for Critical Infrastructure

America's highway system is designated as one of our country's sixteen critical infrastructures. As defined in the U.S. Patriot Act of 2001, *critical infrastructures are systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination of those matters.* One of the sixteen identified critical infrastructures is the Transportation Systems Sector.

As stated in Cybersecurity and Infrastructure Security Agency's website [Critical Infrastructure Sectors | CISA](#):

- a. *The Department of Homeland Security and the Department of Transportation are designated as the Co-Sector Risk Management Agencies for the Transportation Systems Sector. The nation's transportation system quickly, safely, and securely moves people and goods through the country and overseas.*
- b. *Moving millions of people and goods across the country every day, CISA protects the transportation systems sector from a limitless number of threats and risks to ensure a continuity of operations.*
- c. *Highway and Motor Carrier encompasses more than 4 million miles of roadway, more than 600,000 bridges, and more than 350 tunnels. Vehicles include trucks, including those carrying hazardous materials; other commercial vehicles, including commercial motorcoaches and school buses; vehicle and driver licensing systems; traffic management systems; and cyber systems used for operational management.*

Analysis of Issue: The issue is two-fold: traffic management and cyber. New Jersey's highway system, especially Interstate 95, connects New York and New England with all central and southern Atlantic states. Why the New Jersey Turnpike Authority would even consider turning any part of operations over to a foreign-owned corporation once again defies logic – especially at a quarter of a billion dollars more. Even strong allies like Great Britain and Germany should not be owning a company which (in Mr. Marks' words) is operational in 80% of our nation's highway system that has EZPass.

7. Issue (Security): "United Front"

The U.S.-China Economic and Security Review Commission published on August 24, 2018 a report titled *China's Overseas United Front Work, Background and Implications for the United States* (Attachment 4). Authored by Alexander Bowe, Analyst, Security and Foreign Affairs the following assessments were documented in the Executive Summary and Introduction (pages 3-4):

Executive Summary (Page 3)

China uses what it calls “United Front” work to co-opt and neutralize sources of potential opposition to the policies and authority of its ruling Chinese Communist Party (CCP). The CCP’s United Front Work Department (UFWD)—the agency responsible for coordinating these kinds of influence operations—mostly focuses on the management of potential opposition groups inside China, but it also has an important foreign influence mission. To carry out its influence activities abroad, the UFWD directs “overseas Chinese work,” which seeks to co-opt ethnic Chinese individuals and communities living outside China, while a number of other key affiliated organizations guided by China’s broader United Front strategy conduct influence operations targeting foreign actors and states. Some of these entities have clear connections to the CCP’s United Front strategy, while others’ linkage is less explicit.

Today, United Front-related organizations are playing an increasingly important role in China’s broader foreign policy under Chinese President and General Secretary of the CCP Xi Jinping. It is precisely the nature of United Front work to seek influence through connections that are difficult to publicly prove and to gain influence that is interwoven with sensitive issues such as ethnic, political, and national identity, making those who seek to identify the negative effects of such influence vulnerable to accusations of prejudice. Because of the complexities of this issue, it is crucial for the U.S. government to better understand Beijing’s United Front strategy, its goals, and the actors responsible for achieving them if it is to formulate an effective and comprehensive response.

Introduction (Pages 3-4)

The CCP advocates for its political interests through the use of what it calls “United Front” work, a strategy borrowed from the former Soviet Union.¹ President Xi has placed a greater emphasis on United Front work since assuming office in 2012, describing it as important for the “whole [Chinese Communist] Party” and elevating its role within China’s broader foreign policy.

At the national level, China’s United Front strategy is “given concrete institutional form”—according to June Teufel Dreyer, senior fellow at the Foreign Policy Research Institute—by the Chinese People’s Political Consultative Conference (CPPCC), a critical coordinating body that brings together representatives of China’s other interest groups and is led by a member of China’s highest-level decision-making authority, the CCP’s Politburo Standing Committee.³ At the

operational level, United Front activities are coordinated by the CCP's United Front Work Department (UFWD), although a number of other organizations also play important roles carrying out United Front work abroad.⁴

The United Front strategy uses a range of methods to influence overseas Chinese communities, foreign governments, and other actors to take actions or adopt positions supportive of Beijing's preferred policies.

A number of official and quasi-official entities conduct overseas activities guided or funded by the United Front including Chinese government and military organizations, cultural and "friendship" associations, and overseas academic groups such as Chinese Students and Scholars Associations (CSSAs) and Confucius Institutes.

The UFWD also oversees influence operations targeting Taiwan, Hong Kong, and Macau that aim to suppress independence movements, undermine local identity, and promote support for Beijing's political system. In all of these cases, United Front work serves to promote Beijing's preferred global narrative, pressure individuals living in free and open societies to self-censor and avoid discussing issues unfavorable to the CCP, and harass or undermine groups critical of Beijing's policies.

The CCP continues to lay the groundwork in the United States for United Front operations that could be similar to those that have achieved success in some U.S.-allied countries (e.g., Australia and New Zealand, where the CCP has effectively monopolized Chinese-language media outlets and taken over Chinese community organizations). The CCP has sought to influence academic discourse on China and in certain instances has infringed upon—and potentially criminally violated—rights to freedoms of speech and association that are guaranteed to Americans and U.S.-China Economic and Security Review Commission those protected by U.S. laws.¹⁰ Despite the CCP's candid discussion of its United Front strategy, the breadth and depth of this issue remain relatively unknown to U.S. policymakers.

Resurgence of the United Front under President Xi (Page 5)

President Xi views United Front work as an important tool to strengthen support for the CCP both inside and outside China by exploiting individuals' emotional and ideological sympathies for China and providing financial support to key groups and individuals. Although the importance of United Front work declined after the founding of the People's Republic of China, a number of Western analysts agree it has regained its prominence since then, and especially since the rise of Xi Jinping, as Beijing has embraced a much more assertive approach to foreign policy. In his address to the 19th National Congress of the CCP† in October 2017, President Xi called United Front work "an important way to ensure the success of the [Chinese Communist] Party's cause" and urged the CCP to*

form the “broadest possible patriotic United Front.” President Xi has also called United Front work a “magic weapon” that is important for bringing about “the great rejuvenation of the Chinese nation.”

Funding of U.S. Academic and Policy Discourse (Pages 14-15)

In November 2017, *Foreign Policy* reported that the Johns Hopkins School of Advanced International Studies (SAIS)—a major nexus of foreign policy education and analysis in Washington, DC—had received part of the funding for a new endowed professorship and research project from Dr. Tung Chee-hwa, a vice-chairman of the CPPCC National Committee. Dr. Tung’s Hong Kong-based nonprofit that provided the direct funding for the endowment, the China-United States Exchange Foundation (CUSEF), is registered under the U.S. Foreign Agents Registration Act (FARA). According to *Foreign Policy*, CUSEF’s partnership with Johns Hopkins SAIS is not its first with U.S. academic institutions and think tanks, as it has also cooperated with the Brookings Institution, CSIS, Atlantic Council, Center for American Progress, East-West Institute, Carter Center, and the Carnegie Endowment for International Peace, all of which are influential in the U.S. foreign policy community. Demonstrating the extent of CUSEF’s ties to the Chinese government and its involvement in influence operations, the organization has also cooperated on projects with CAIFC, uses the same public relations firm as the Chinese Embassy, and has spent hundreds of thousands of dollars lobbying for “China-U.S. relations” as a registered foreign agent.

In response to concerns the CUSEF endowment could negatively influence SAIS publications and research on China, David Lampton, director of SAIS’s China studies program, explained CUSEF granted the funding without “conditions or limitations imposed upon the [research project] or [SAIS] faculty members.” However, the goal in these kinds of investments, according to Mr. Mattis of the Victims of Communism Memorial Foundation, is for China to “cultivate enough people in the right places [so that the CCP starts] to change the debate without having to directly inject [its] own voice.”* 135 According to Senator Cruz, the primary concern over collaboration with United Front-affiliated entities is that the CCP attempts to use “Americans who unwittingly promote CCP ideology” as a “countering voice” in the China debate.

In January 2018, Senator Cruz, citing the Commission’s 2017 Annual Report to Congress, wrote to the president, chancellor, and chairman of the University of Texas (UT)-Austin regarding the university’s consideration of a partnership with CUSEF, which he called a “pseudo-philanthropic foundation,” noting Dr. Tung’s ties to the United Front and CPPCC as reasons for concern. After several professors and university officials raised their own concerns, and following the receipt of Senator Cruz’s letter, UT-Austin President Greg Fenves announced the university’s China Public Policy Center would not accept any funding from CUSEF.

Footnote (Page 14)

It requires the president to designate a National Security Council staffer responsible for interagency coordination in combating malign foreign influence and requires a report outlining a strategy for doing so; it directs the president to submit to Congress a report detailing a whole-of-government strategy regarding China including strategic assessments of and responses to, among other factors, China's "use of political influence, information operations, censorship, and propaganda to undermine democratic institutions and processes, and the freedoms of speech, expression, press, and academic thought;" and it directs the Department of Defense to add a section in its Annual Report on Military and Security Developments Involving the People's Republic of China addressing China's "efforts ... to influence the media, cultural institutions, business, and academic and policy communities of the United States to be more favorable to its security and military strategy and objectives" as well as China's use of "nonmilitary tools in other countries, including ... information operations." It also prohibits Department of Defense funds from being used for Chinese language instruction by Confucius Institutes. John S. McCain National Defense Authorization Act for 2019 § 1043, 1091, 1260, 1261, Pub. L. 115-232, 2018. <https://www.congress.gov/bill/115th-congress/house-bill/5515/text>.

Analysis of Issue: The highlighted second paragraph of the Executive Summary explains the problem very well. No American individual, government agency, or business corporation should be misled into believing that any project coming out of China is an independent stovepipe operation. United Front is fully integrated with all PRC operations.

There is good reason that PRC is interested in developing a relationship with University of Texas, as this American university works with U.S. Department of Energy's national laboratories.

8. Issue (Security): China's Further Involvement with Academia

The *Washington Free Beacon* published an article on January 11, 2022 titled *Prominent Chinese Communist Party Members Serve on Board at Yale Beijing Center* (Attachment 5). It specifically addressed Fu Chengyu. Excerpts of that article are as follows:

Two prominent members of the Chinese Communist Party serve on the board of Yale University's academic center in Beijing, which hosts a series of events that defend Chinese government initiatives.

Fu Chengyu and Zhou Wenzhong, who have served on the Chinese People's Political Consultative Conference, sit on Yale Center Beijing's advisory board alongside Chinese business leaders, a former U.S. trade representative, and a former U.S. ambassador to China. The Consultative Conference is a major hub

of China's united front system, which carries out foreign influence operations for the Chinese Communist Party. Fu formerly served as president of Sinopec, the Chinese state-owned energy behemoth. Zhou served as China's ambassador to the United States until 2010.

Yale maintains questionable ties to China even as U.S. intelligence officials warn of the regime's aggressive efforts to influence American universities. FBI director Christopher Wray has warned of China's use of "nontraditional collectors [of intelligence], especially in the academic setting." The Department of Education has investigated numerous schools, [including Yale](#), for failing to disclose funding from China and other foreign countries.

Yale says the Beijing Center, which opened in 2014, acts as "a liaison to initiate and support exchanges with Yale's Chinese partners in academia, business, government, and other sectors." The Ivy League school boasts of having a relationship with China that is "deeper than any other university" in the United States. In the years since its launch, the Beijing Center has hosted numerous events and workshops that tout Chinese government initiatives.

The center in 2018 hosted China state propaganda network CGTN at [an event](#) that promoted the Belt and Road Initiative, Beijing's controversial plan to build infrastructure projects in impoverished countries. American officials have expressed concern that Belt and Road undermines U.S. national security. Event panelists praised Belt and Road, with one saying "China should be commended" for the initiative. Fu Chengyu, the Beijing Center adviser and member of the Chinese People's Political Consultative Conference, [also spoke](#) at the event.

Last April, the Beijing Center held [an event](#) with Xu Hongcai, a member of Western Returned Scholars Association, which works under the direction of the Chinese Communist Party to recruit Chinese scientists and technology workers back to China.

The Western Returned Scholars Association directs China's "Thousand Talents" program, which the FBI [says](#) China uses to incentivize members "to steal foreign technologies needed to advance China's national, military, and economic goals."

In 2018, the school hosted an event with a Tencent executive and the deputy director of the State Council, China's leading policy body, on the topic of artificial intelligence.

Those interactions coincided with a State Council initiative to dominate the AI field by 2030. The State Council said in a plan released in 2017 that AI would be used for social control as well as in military applications.

Analysis of Issue: A quick search of the web reveals that Fu Chengyu is not just associated with Harvard, but also Columbia and the University of Southern California.

leaders of today understand that a sure way to influence America's leaders of tomorrow is to insert PRC influence into U.S. universities. Less for information exchange, it is for information withdrawal and influence operations. As addressed in paragraph 7 (above), the government of PRC is a master of influence operations.

9. Issue (Security): Disregard of Open-Source Information Concerning China's Ambitions

Only as a sample, numerous articles of PRC activities in and directly toward the United States have been published in the last two months. Key points are provided below.

Article 1. *Washington Times*, December 19, 2024: *Beijing designs military for war with U.S. Accelerated buildup includes missiles, cyber-enabled psychological weapons*
[Washington Times](#) - (Attachment 6-A):

The Chinese People's Liberation Army has added hundreds of new missiles and 100 more nuclear warheads as part of a military buildup designed for a war with the United States, according to a Pentagon report made public Wednesday.

For the first time, the survey of Chinese military power reveals extensive PLA preparations for sophisticated information warfare operations against the United States, including the use of deepfake online posts and cyber enabled psychological warfare. Pentagon analysts said the goal is to influence U.S. military leaders' decision-making, demoralize troops and sow divisions in American society.

The report provides new details on extensive PLA advances in weapons systems, doctrine and training. The efforts include practice for missile strikes against U.S. aircraft carriers and warships during operations against Taiwan, the self-ruled island that Beijing has vowed to annex as early as 2027.

The PLA increasingly views warfare as a confrontation between opposing operational systems, rather than annihilation of opposing mechanized military forces," the report said. "Following this logic, PLA writings refer to systems destruction warfare as the next way of war, transforming from mechanized warfare to an informatized and intelligentized style." The PLA calls its information warfare activities "cognitive domain operations." The report describes "an asymmetric capability to deter U.S. or third-party entry into a future conflict, or as an offensive capability to shape perceptions or polarize a society.

The operations target the U.S. government and military, media organizations, business, academic and cultural institutions, and policy communities.

"The PLA is pursuing next-generation combat capabilities based on its vision of future conflict, which it calls 'intelligentized warfare,' defined by the expanded use

of AI, quantum computing, big data and other advanced technologies at every level of warfare,” the report said.

The ruling Chinese Communist Party plans to use the PLA to promote its communist system through several initiatives. China’s leaders say the goal is to replace the “unipolar” American-led international order worldwide.

Article 2. *Washington Times*, December 19, 2024: *New York man admits running ‘secret police station’ for China* [Washington Times](#) - (Attachment 6-B):

A New York resident pleaded guilty Wednesday to working as an unregistered foreign agent. Prosecutors said he helped run a “secret police station” in the city on behalf of Beijing’s efforts to crack down on Chinese dissidents abroad.

Federal prosecutors in Brooklyn said Chen Jinping, 61, pleaded guilty to setting up a Manhattan office to inform Beijing about Chinese nationals who committed petty and often vague crimes related to fraud while overseas.

The “police stations” were also used to report on dissident activity opposing the regime in Beijing.

“This illegal police station was not opened in the interest of public safety, but to further the nefarious and repressive aims of the [People’s Republic of China] in direct violation of American sovereignty,” said a statement by James Dennehy, FBI assistant director in charge.

Chinese government officials have repeatedly denied operating a string of clandestine police stations to monitor the activities of Chinese nationals living abroad.

Article 3. *Washington Times*, December 19, 2024: *Justices step in to review TikTok days before ban.* [Washington Times](#) - (Attachment 6-C):

The Supreme Court announced Wednesday that it would hear TikTok’s challenge to federal legislation banning it from operating in the U.S. because of national security concerns.

The ban, approved by Congress and signed by President Biden in April, will take effect if ByteDance, the owner of TikTok, hasn’t divested itself of the app by Jan. 19.

The legislation won bipartisan support in Congress from lawmakers who say TikTok poses a national security threat by collecting user data. The concern is that the Chinese government could use that data.

The Justice Department said TikTok received direction about content on its platform from the Chinese government.

Article 4. *Washington Times* – December 19, 2024: California political operative charged as illegal Chinese agent. California political operative charged as illegal Chinese agent - California political operative charged as illegal Chinese agent - Washington Times (Attachment 6-D)

The partially redacted FBI complaint stated that Mr. Sun, also known as Mike Sun, also was charged with conspiracy for working with Chen Jun, who pleaded guilty in July to operating as an illegal Chinese agent. Chen was sentenced to 20 months in prison Nov 19.

“In 2022 and early 2023, Chen was in active communication with [Chinese] government officials regarding local U.S. politicians the PRC could ‘influence,’ particularly regarding Taiwan, and specifically communicated with them regarding Individual 1’s election,” the complaint stated. “In his conversations with PRC government officials, Chen referred to Sun and Individual 1 as being part of a ‘basic team dedicated for us.”

“The conduct alleged in this complaint is deeply concerning – the defendant is charged with acting on behalf of the People’s Republic of China to influence our political system,” said Martin Estrada, U.S. Attorney for the Central District of California. “We cannot permit hostile foreign powers to meddle in the governance of our country.”

Akil Davis, assistant FBI director in charge in Los Angeles said: “This case highlights the breadth of the PRC’s relentless intelligence and malign influence activities targeting the United States.”

The complaint said the two men were working as part of the Chinese Communist Party’s United Front Work Department operations.

Both Chen and Mr. Sun were identified as former members of the People’s Liberation Army and the FBI obtained photographs of them in PLA uniforms, the complaint said.

U.S. officials have identified Beijing’s multi-billion dollar influence operations in the United States and around the world as emanating from the United Front Work Department, a Communist Party Central Committee organ that functions as both an intelligence collection service and influence operations force.

The complaint said Chen was in close communication with Mr. Sun, who was instructed to provide reports on the election campaign of the local politician that could be sent to the United Front and get to what he said was the “Big Boss’s desk.”

Article 5. Associated Press, November 13, 2024 *Investigation into Chinese hacking reveals 'broad and significant' spying effort, FBI says.* <https://www.aol.com/9th-telecoms-firm-hit-massive-180014319.html> (6-E)

A federal investigation into Chinese government efforts to hack into U.S. telecommunications networks has revealed a "broad and significant" cyberespionage campaign aimed at stealing information from Americans who work in government and politics, the FBI said Wednesday.

Hackers affiliated with Beijing have compromised the networks of "multiple" telecommunications companies to obtain customer call records and gain access to the private communications of "a limited number of individuals," according to a joint statement issued by the FBI and the federal Cybersecurity and Infrastructure Security Agency.

The hackers also sought to copy "certain information that was subject to U.S. law enforcement requests pursuant to court orders," the FBI said, suggesting the hackers may have been trying to compromise programs like those subject to the Foreign Intelligence Surveillance Act, or FISA, which grants American spy agencies sweeping powers to surveil the communications of individuals suspected of being agents of a foreign power."

Analysis of Issue:

The highlighted paragraph of article 1 (Attachment 6-A) cannot make the problem more clear, to wit: *The PLA increasingly views warfare as a confrontation between opposing operational systems, rather than annihilation of opposing mechanized military forces," the report said. "Following this logic, PLA writings refer to systems destruction warfare as the next way of war, transforming from mechanized warfare to an informatized and intelligentized style."*

While the American community is complacent in its comfort, the PRC becomes more emboldened every year. The level of audacity is so great that the PRC does not pause to think of the discovery consequences of running its own illegal detention facilities inside the United States. If caught, the solution is simple: admit nothing and deny everything.

The intensity of PRC hacking into the U.S. government and American military industrial complex was exposed in 2005 when a computer security specialist at Sandia National Laboratories discovered the attempted penetrations. The result was implementation of what became known as Titan Rain. With Titan Rain came the realization that the PRC operatives being detected were probably not first-string specialists. Those detected were assessed to be trainees.

Those of us dealing with Titan Rain in 2005 never had any doubts about China's determination to commit cyber aggression. Two decades later and many Americans responsible for making informed decisions still don't get it.

Trusting the PRC to not manipulate its way into a business owned by a multinational corporation supervised by a hard-core senior member of the PRC Communist Party displays an unbelievable amount of naivety. PRC's level of skill in Computer Network Operations (CNO), including Exploitation and Attack, must never again be underestimated.

10. Issue (Security): PRC Economic Expansion/Belt and Road Initiatives Serves National and Military Ambitions

Article 1. The National Interest, September 13, 2018: Corruption is China's Friend in its Quest to Dominate Africa [Corruption Is China's Friend in Its Quest to Dominate Africa | The National Interest](#) (Attachment 7-A)

China's economic expansion into Africa has benefited Beijing tremendously by allowing access to natural resources. Yet it forced the continent's national governments to borrow heavily for infrastructure projects. Moreover, with China's expansion came unmitigated corruption that no one bothers to hide anymore.

Why should America care? Because China's strategy in Africa is the reflection of its strategy, in which, like in a giant game of Go, Beijing captures territory and imposes its modus operandi on lands from Algeria to Zimbabwe.

When significant investors leave a former poster child of good governance—such as Botswana—the U.S. government and American businesses should care. In recent years, when western companies leave, the Chinese march in. To paraphrase President Ronald Reagan, China wins, we lose.

Article 2. Stars and Stripes, June 7, 2023: The US relationship with Djibouti is an important one. Protect it. [The US relationship with Djibouti is an important one. Protect it. | Stars and Stripes](#) (Attachment 7B)

If the United States is not careful, it is destined to make the same mistake with Djibouti as it did in the early 1990s with the Philippines. The breakdown between the George H.W. Bush and Corazon Aquino governments resulted in the removal of all U.S. military presence from a nation of strategic American importance. As the threat from China is ever increasing, the Philippine government now welcomes the return of U.S. forces. Fortunately, China was never able to fully exploit the 30-year breakdown in the Pacific. Ongoing activities in Djibouti confirm China does not intend to have another lost opportunity.

In addition to American military presence in the country, Djibouti also leases out its real estate to Germany, Japan, China and others. Even Russia and India have

expressed desire to construct bases in Djibouti. The leasing of land to foreign militaries prevents neighboring countries from even thinking about an invasion.

The strategic importance of U.S. and western European presence in Djibouti are fourfold. First, the country is situated on the southeastern end of the Red Sea, where all ships traversing the Suez Canal must pass. Recently, the criticality of the canal was confirmed when one grounded ship threw global, and especially European, shipping into chaos. Second, without the ability of allied ships and aircraft to operate out of Djibouti, the means to engage Somali pirates would be greatly impeded. Third is the volatility to the east of the not-so-distant Persian Gulf, specifically Iran and Iraq. Fourth is Africa itself. Djibouti's Camp Lemonnier is the only base the United States has on the entire continent. Even U.S. Africa Command is headquartered in Stuttgart, Germany.

Djibouti has the only regional seaports where deep-draft ships can dock with a reasonable expectation of security. The October 2000 attack on the USS Cole in Yemen's Aden Harbor validates the threat issue. Paralleling Camp Lemonnier's north perimeter is Djibouti's international airport. Seventy-five percent of all flights are military related. Two-thirds of those are by U.S. forces.

To the surprise of the Americans, the Chinese government secured its own lease and commenced constructing a base in 2017 as China continues its expansion into Africa, of which Djibouti is the prime entry point. Well under way is Chinese President Xi Jinping's African package of aid, investments, and loans equating to \$60 billion. Continuing its Belt and Road Initiative, China has modernized the Port of Doraleh to handle future demands of ever-increasing cargo shipments. An extension to the Doraleh project, China has completed the first electric rail system in all of Africa, connecting the port with Ethiopia. This railway system will keep on going until it networks throughout all of Africa.

Article 3. International Business Times, September 17, 2024, US Needs to Continue Pursuing Partnerships with Djibouti [US Needs To Continue Pursuing Partnerships With Djibouti | IBTimes](#) (Attachment 7-C)

Only in Djibouti are American, Chinese, Italian, British, and French bases within close proximity to each other. The America base, Camp Lemonier, is home to U.S. Africa Command. In addition to the Red Sea missions, the very presence of these military forces provide security for Djibouti. At sea their navies prevent Somalian pirates from conducting an unimpeded reign of terror over commercial shipping and privately owned craft in the Indian Ocean.

Djibouti is the largest African seaport complex south of the Sahara Desert, and the 19th largest in the world. Many international analysts refer to Djibouti as the future Singapore of Africa. That is partially true. Like Singapore, Djibouti is in a strategic location to support critical shipping lanes. It is also in an excellent geographic position to become the gateway into the heartland of the continent.

Djibouti is destined to become what Singapore is to Asia and Rotterdam is to Europe. The development of Djibouti's state-of-the-art port system is not a piecemeal operation as evidenced by a very thorough scaled model already on public display.

Everything Djibouti is striving to achieve cannot be done without foreign investment and assistance. This fact has been recognized by China, which has designated Djibouti as its Belt-and-Road-Initiative entry point into Africa.

Article 4. International Policy Digest, November 23, 2023, Charting Djibouti's Economic Odyssey <https://intpolicydigest.org/charting-djibouti-s-economic-odyssey/> (Attachment 7-D)

For a long time, Djibouti's narrative was predominantly defined by its strategic military importance, attracting a diverse array of international military presences. The Djiboutian government leased land to American, German, Japanese, Chinese, and other international forces, creating a unique global military mosaic.

This concentration of international military power in Djibouti has been pivotal in maintaining stability in the volatile regions of eastern Africa and the Arabian Peninsula.

The continent of Africa, abundant in natural resources, sparked a frenzied land grab by European powers in the 19th century. Now, in the post-colonial era, there is an urgent need for a modern transportation network to export these resources. Recognizing this need, China, as part of its Belt and Road Initiative, is investing in constructing a state-of-the-art rail system into the continent's heartland, with plans for an expansive intercontinental highway system to follow.

Analysis of Issue:

Three major passageways for international shipping are the Panama Canal (connecting the Pacific and Atlantic Oceans), Suez Canal (connecting the Indian Ocean with the Mediterranean Sea), and the Singapore and Malacca Straits (connecting the South China Sea with the Indian Ocean). When President Carter removed the United States military control of the Panama Canal, the PRC heavily invested in gaining financial control.

As long as former General Sisi remains as President of Egypt, the PRC's influence of the Suez Canal will be non-existent. The issue of Djibouti and Yemen at the southeast end of the Red Sea is another matter. Yemen is in too much chaos for any nation to try to build a strong military and economic presence. The Houthi hostilities against international shipping has resulted in military air strikes by American and European forces.

The attached Djibouti articles, written by the author of this assessment, provides insight into the methodical approach of the PRC into foreign countries and their governments. Djibouti is the entry point of the Belt and Road Initiative into the African Continent.

The PRC has been providing financial loans to impoverished countries, knowing the loans will be all but impossible to be repaid. The PRC then has a strangle-hold. Corrupt governments are even easier to bring under PRC influence.

It should be no surprise that the PRC Communist Party is interested in involving itself with Singapore. Having what amounts to the petroleum czar of the PRC Communist Party now serving as CEO of Singapore based ST Engineering speaks for itself.

There has been decades long concerns about PRC's influence on the Panama Canal. Concerns about Singapore and Djibouti have not materialized, despite warnings from people such as myself.

As described in the attached articles, the PRC slow-walks itself into foreign countries. It takes time to develop relationships and conduct its influence operations. It works to gain contracts, both commercial and with the governments. As Mr. Marks pointed out, ST Engineering is interested in gaining American government contracts. The acquisition of Roper Technologies was a double win as it involves both government and transport (individual, commercial, and military when necessary).

11. CRS Report for Congress, dated February 27, 2006, subject: *China and the CNOOC Bid for Unocal: Issues for Congress.* (Attachment 8)

In 2005, the PRC attempted an unsolicited bid for Unocal. Although it is a small petroleum production company, that ultimately merged with Chevron, Congress did take notice and exercised due-diligence in investigating the attempted PRC acquisition.

Highlights of the follow-up report are provided below.

Summary (Opening page – unnumbered):

The bid by the China National Offshore Oil Corporation (CNOOC) to acquire the U.S. energy company Unocal for \$18.5 billion raised many issues with U.S. policymakers. Even though CNOOC ultimately withdrew its bid in the face of considerable opposition from some Members of Congress and other commentators, many economic, financial, and security issues are still to be resolved.

The CNOOC bid came at a time when China had become the second largest consumer of petroleum in the world and, rather than being a net oil supplier to the world, had become heavily dependent on imports. This new strategic challenge for Beijing had apparently caused it to pursue a more secure energy supply. The CNOOC bid also coincided with a period of high oil prices caused

partly by China's increasing demand, growing uneasiness in the United States over the rise of China and the security and economic challenge it was presenting, the large bilateral trade deficit with China, and concerns about whether Beijing was playing by international trade rules — particularly giving insufficient protection to intellectual property rights and systematically holding down the value of its currency.

The question of whether the proposed acquisition would have posed a security threat to the United States ultimately would have been decided by the President after a review by the Committee on Foreign Investment in the United States (CFIUS). The policy debate centered on whether a company that is majority owned by China — a country some view as a potential military threat — should be allowed to acquire American assets that include vital energy supplies, dual use technology, or access to sensitive geographical locations. Would CFIUS give sufficient consideration to U.S. economic security? Should CFIUS be strengthened? Out of 1,500 transactions notified to CFIUS since 1988, it blocked only one. Other questions touched on whether blocking the bid would push the Chinese quest for secure oil supplies farther into countries such as Iran or the Sudan? Also, would blocking the bid affect Beijing's approval for U.S. investments in China? Are American companies seeking to invest in China given equivalent opportunities in that market?

The withdrawal of the bid by CNOOC stopped formal action against the proposed acquisition, but it left unanswered most of the questions raised by the bid. It is likely, moreover, that similar cases will arise in the future, such as the deal to allow the takeover of operations of certain U.S. ports by a United Arab Emirates company in 2006. China and other nations have large holdings of foreign exchange reserves and growing needs to recycle dollars back into the U.S. economy. This report will not be updated.

Section - China and the CNOOC Bid for Unocal

Page CRS -1

On June 23, 2005, the China National Offshore Oil Corporation (CNOOC) — through its Hong Kong subsidiary (CNOOC Ltd.) — announced an unsolicited bid to acquire the U.S. energy company Unocal for \$18.5 billion in cash. This attempted acquisition raised several questions among U.S. policymakers. Even though CNOOC ultimately withdrew its bid in the face of considerable opposition from some Members of Congress and others, this episode raised certain economic, financial, and security issues that are yet to be resolved. (On August 10, 2005, Unocal stockholders voted to merge with and become a subsidiary of Chevron Corporation.)

Page CRS-2

With respect to the second national interest of U.S. prosperity, the questions revolved around the operation of the free market system, the role of central governments in providing finance for market transactions, issues of fairness and reciprocity, and the balancing of stockholder and company management interests with national interests. A key question was whether a Chinese company backed by government-owned banks should be allowed to outbid a private, American company that has no direct governmental support? Much of the financing for the CNOOC acquisition would have come from Chinese state-owned or state-directed banks.

Page CRS-3

The CNOOC bid also coincided with other concerns being expressed about China. There was growing uneasiness over the rise of China and the competitive challenge it was presenting to a number of U.S. industries — not only makers of labor intensive products but high-technology firms as well. Just a few months earlier, some Members of Congress had expressed concern over the acquisition of IBM's personal computer business by the Chinese company Lenovo. There were related concerns that China was creating national champion companies — many of them state-owned and subsidized — and that the country was not abiding by the commitments it made as a condition for accession to the World Trade Organization.

Analysis of Issue:

The report is almost two decades old but is very pertinent to today's situation involving Transcore.

The PRC learned from its open attempt to acquire a part of U.S. critical infrastructure. In 2005 it was the energy sector. The backlash of U.S. Congress resulted in a withdrawal of the bid. The PRC is led by very intelligent people. They knew better than ignore Einstein's advice against "doing the same exact thing again and expecting different results." They also know the analogy of throwing a frog into boiling water. The frog will jump out. But, if the frog is comfortable in room temperature water, then slowly raise the temperature of the water and the end result will be a boiled frog.

The end result is the PRC is not directly involved in the acquisition of Transcore. ST Engineering is led by a senior-member, the petroleum czar, of the PRC's ruling Communist Party.

Give credit where credit is due. This one was done very well.

12. Issue: Need for External Investigation:

To approve a contract for a foreign-owned company, at a quarter of a billion dollars more than a New Jersey headquartered company, warrants the attention of both the

governor and the state legislature. Both would be justified in commencing investigation procedures. A proper investigation must focus on addressing and reporting the facts. If the New Jersey Turnpike Authority made a wise decision, then the investigation should report that.

Until an investigation is complete, the governor has the authority to halt the contract, order an investigation, and call for a review. Among the agencies available to the governor is the New Jersey Commission of Investigation. As stated on its own website [NJ State Commission of Investigation](#) (Attachment 10-1):

The New Jersey State Commission of Investigation (SCI) is an independent fact-finding agency whose mission is to investigate waste, fraud and abuse of government tax dollars. It is empowered to monitor and assess the threat posed by organized crime and to recommend new laws and other systemic remedies to protect the integrity of the governmental process on behalf of the citizens of New Jersey.

The Commission is required by law to pursue these investigations beyond the sphere of political influence or favoritism. The law requires the SCI's findings to be made public through written reports and/or public hearings.

Over the course of more than 55 years since the Commission's establishment in 1968, it has conducted more than 135 investigations. The Commission's work has saved taxpayers millions of dollars and has been the catalyst for numerous important statutory, regulatory and administrative reforms bolstering the integrity of government at all levels.

Analysis of Issue: The New Jersey Turnpike Authority cannot be expected to conduct an internal investigation of itself. The most likely conclusion would be justification of its own actions. The New Jersey SCI has a strong history of getting to the facts and providing conclusions not influenced by politics or personal agendas. The governor also has other resources available. The New Jersey legislature may wish to also conduct hearings in pursuit of its own investigation. Both the governor and legislature are supposed to be serving the best interest of the state and the constituents.

12. Conclusion:

This document is not a portrait of the problems with New Jersey Turnpike Authority's contract decision. It's just a snapshot.

To award the contract at over a quarter of a billion dollars more than a bid that was placed by a New Jersey-headquartered corporation defied logic. The tab of that expense is going to be picked up by constituents and the commercial trucking industry.

The amount of security-oriented red flags that were ignored are amazing. The first indication and warning that the New Jersey Turnpike Authority should not have ignored was Mr. Marks comment *ST was interested in TransCore's federal contracts*.

While EZPass operations stretching from Illinois to Virginia to Maine are not federal, they certainly impact the U.S. transportation critical infrastructure.

To underestimate PRC hacking capabilities is a failure to remember Titan Rain and recognize that in the past two decades PRC computer network exploitation and attack capabilities have become far more advanced. It also fails to recognize all the open-source information being currently published about hostile PRC activities.

As previously stated, today's leadership of Transcore is not the source of concern. The concern is that 100% ownership of Transcore is by a multinational corporation led by a senior member of the PRC Communist Party, which continues to evolve to a changing world. As Mr. Marks stated, *I think anything is possible*. Today's Transcore leaders may well be replaced by ST Engineering in the not so distant future.

It must be realized that ST Engineering's acquisition of Transcore and its contracts involving America's national highway system is not the final objective. Mr. Marks did identify ST's interest in U.S. federal contracts. The emphasis is on the plural. Under Mr. Fu Chengyu leadership, more acquisitions of both state and federal contracts will proceed. PRC's Communist Party, of which he is a senior member, did learn from its failure in acquiring Unocal.

It is fortunate that New Jersey's state legislators are uniting in by-partisan objections. Next step is for the governor to exercise his authority, call for an investigation, and apply the due diligence that at this point appears to be lacking with the New Jersey Turnpike Authority.

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