

**U.S. Senate Committee on Foreign Relations  
Businesses Meeting  
Wednesday, March 20, 2024**

**BUSINESS MEETING**

*Wednesday, March 20, 2024*

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, DC.*

The committee met, pursuant to notice, at 9:36 a.m., in S-116, The Capitol, Hon. Benjamin L. Cardin, chairman of the committee, presiding.

Present: Senators Cardin [presiding], Menendez, Shaheen, Coons, Murphy, Kaine, Merkley, Booker, Schatz, Van Hollen, Duckworth, Risch, and Ricketts.

**OPENING STATEMENT OF HON. BENJAMIN L. CARDIN,  
U.S. SENATOR FROM MARYLAND**

**The Chairman:** The business meeting of the Senate Foreign Relations Committee will come to order. We have a quorum for debate, we do not yet have a quorum for voting, but I know people's schedules are always tight. So, I think we will get started, and we at least can get involved in some of our discussion.

Today, we are considering four nominations on the agenda. After a very long wait period, almost 400 days, I am pleased that we are finally voting on these nominees. They are superb. Each one of the four that are under consideration are highly qualified. They are the type of people we need representing us in the field.

Margaret Taylor is one of the most qualified individuals ever nominated to be Legal Adviser. She has been the General Counsel of USAID for almost 3 years, served as a career attorney in the Office of the Legal Adviser for 10 years, and

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served as a distinguished member of the staff here on the Senate Foreign Relations Committee. She has the support of all the living former Legal Advisers, from the Reagan administration to the Trump administration, who have written to Senator Risch and me strongly endorsing her qualifications and supporting a speedy confirmation. While there will always be certain disagreements between the committee and the State Department, I can tell you two things with absolute confidence. Ms. Taylor will faithfully implement the law, and she will deal with the committee with respect and with the willingness to work with us to find productive solutions to difficult problems.

Mr. Woodhouse is superbly qualified to serve as Sanctions Coordinator, having worked on and implemented sanctions up close from multiple angles at the Treasury Department, as an attorney in private practice, and his current position as Deputy Assistant Secretary for Sanctions. His background, his record, and his current position make him the perfect candidate to be the Sanctions Coordinator, an office that Senator Risch had a strong hand in creating.

Mr. Forden is a career diplomat who has worked for decades at the State Department on matters related to Asia. His experience and expertise will be critical to advancing U.S. interests in Cambodia, including our efforts to combat China's malign influence in the region. I was not surprised to get the resounding

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endorsement from former Ambassador Branstad to China during the Trump administration, under which Mr. Forden served as Deputy Chief of Mission.

And finally, there is Mr. Sfraga, who is one of the world's foremost experts on the Arctic, its environment, its resources, its people, and its nations, making him an excellent choice to be Ambassador at large for Arctic Affairs. He enjoys the strong support from the co-chairs of the Arctic Caucus, Senators Murkowski and King, as well as Senator Sullivan.

Our system of government and our national security depend on incentivizing the best and most qualified individuals who choose government service. This committee has been sending the opposite message. Nominations are languishing and our national security suffers as a result, so let me just give you the numbers. We currently have pending in this committee 33 nominees from the State Department, 20 of which are Ambassadors. Twenty-six are awaiting a business meeting, which means they have already completed their hearings, and all of their paperwork is in. I am pleased that we are able to start today and move forward on four, but we need to conduct business meetings to deal with those that are ready for voting. Senator Rich and I have been working on that. We have been exchanging lists. I am very hopeful that at our next business meeting, we will be able to consider a significant number of nominees for recommendation to the floor. It is our responsibility to vote on these nominees, and I hope that we will have the cooperation to schedule that meeting

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as soon as we get back from this pending recess. With that, let me recognize Senator Risch.

**STATEMENT OF HON. JAMES E. RISCH,  
U.S. SENATOR FROM IDAHO**

**Senator Risch:** Well, thank you, Mr. Chairman. First of all, as everyone here knows, I have a strong objection to the nominees on the agenda today, and this business meeting was noticed over my objection. That is what it is. While a majority of career nominees are vetted and passed out quickly, the four nominees before us, out of more than a hundred nominees referred to our committee, were not properly vetted, in my opinion. It is important to fill positions at State, but we also do not blindly support nominees with serious vetting concerns. When these nominees were sent back last year, I asked the President to nominate other well-vetted nominees. That did not happen, so here we are today.

These four make up less than 5 percent of the submissions of the hundred submissions of nominees to this committee. I do not think it is unreasonable for us to find that there are problems with less than 5 percent. I think it is appropriate that we do the strict vetting that we do, and these do not pass muster.

Mr. Forden, this is a clear case of performance failure. He did not uphold the most basic and important responsibilities. He was a senior leader entrusted with defending the rights of his diplomats in Embassy Beijing, but he failed. The initial waiver the Department agreed to in September 2020 was extremely limited,

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allowing only one testing before arrival in China. Two, testing upon arrival, and at day 13 in China, and three, quarantine for up to 14 days. Mr. Forden was supposed to enforce the conditions listed. He did not. China forced our diplomats to comply with increasingly outrageous requirements and lengthy quarantines, and Mr. Forden gave in every time.

During his tenure, things got worse. The Chinese subjected our diplomats to fever hospitals with abhorrent conditions, separated children from their families, denied medical care, and conducted round the clock surveillance. We know because multiple whistleblowers provided evidence that directly refutes Mr. Forden's testimony. Whistleblowers actually attended our public hearing on this recently and wanted to tell this committee face to face the problems that they saw, but they were denied being able to do that. Nonetheless, it can't be swept under the carpet. We put their observations in the record.

Instead of drawing lines to stop Chinese overreach, Mr. Forden fostered a culture of compliance with China's violations. The majority said it was unaware of these allegations until the hearing. However, whistleblowers approached both sides, the Republican and the Democrats' side, in January of 2022. The majority has had this information for years, but they did not investigate. Since the hearing, we have received even more whistleblower information, and I ask unanimous consent to add this additional evidence to the record.

**The Chairman:** Without objection.

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**[The information referred to follows:]**

**[COMMITTEE INSERT]**

**Senator Risch:** Next, I would like to address the nomination of Ms. Taylor.

While I have concerns about her performance as General Counsel at USAID, my objection is simple. This is about State's refusal to share information regarding Mr. Rob Malley's suspended security clearance, a very serious matter. For 8 months, I asked for information on the suspension. I know every member of this committee takes our oversight responsibility seriously, but we need the facts to make the judgments we are called on to make. The Chairman and I, as two of the four corners, make judgements on, particularly foreign military sales, allowing or denying the same, and we can't do it without the information. What are the underlying allegations against Mr. Malley? Are the allegations related to his work on Iran? Was his information he provided this committee compromised?

During the hearing, we were told State doesn't have this information. This is not true. The Assistant Secretary of State for Diplomatic Security, Mr. Smith, briefed myself and the Chairman, and he did admit that he has it, but he refused to give it to us. State has failed to provide any legal basis for withholding the information. It(State or the department) hides behind the Privacy Act, despite a clear exception in the Privacy Act for requests from congressional committees, which I believe we are, an exception the nominee has acknowledged. Before Ms. Taylor moves forward for this legal position, we should have the facts on this important matter.

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Turning to Dr. Sfraga, this position is focused on national security challenges, economic opportunities, and the implications of U.S. foreign policy in the Arctic. Due to its importance, this position is a target from malign influence, especially from Russia and China. Dr. Sfraga has traveled extensively to Russia and China, negotiated MOUs with Chinese institutions tied to defense and intelligence services, and spoke at a conference sponsored by sanctioned Russians. He failed to disclose any of this but had to admit it and changed his file 3 times after being confronted with this information. I am very concerned about the national security questions raised by this behavior, and I will continue to oppose his nomination.

On the nomination of Mr. Woodhouse, I will reiterate, I care deeply about this office. I wrote the legislation to create it, and I want to see it succeed. This job requires someone who will voice opposition when the law and the political will of an administration do not align. Unfortunately, Mr. Woodhouse has not robustly defended the law in key sanctions issues. Based on my experience, I lack confidence in Mr. Woodhouse. I hope he will prove me wrong, but I will be voting "no" on this nomination.

I would like to request a roll call vote on each of the nominees, and the Chairman and I have talked about other avenues that we can seek to get the information we want from State regarding Rob Malley, and I hope to continue with the Chairman in that regard. Regarding the nominees, I strongly disagree

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with the accusations that well-qualified career nominees have faced unprecedented scrutiny in this committee. We should robustly vet these. Over the last 3 years, State nominees averaged roughly 90 days in committee. During the Trump administration, the average was 94 days in committee. The four nominees on the agenda today, with which I continue to have serious concerns, represent roughly 3 percent of the nominees referred to this committee in this Congress. I do not think looking closely and finding 3 percent having problems is out of line.

We asked to move over 17 other nominations today, along with a robust legislative agenda, but we were denied. Instead, we have insisted on moving these four nominations that have serious vetting concerns over those who would have far more bipartisan support, including nominations to positions like the USAID, Assistant Administrator for the Middle East, the Ambassador of Somalia, and the nominee to lead DRL. In addition to that, these nominations are going to have problems on the floor. As I have indicated, it is going to be done the hard way on the floor, and the others could move through much more quickly, and we could fill a lot more. Anyway, enough of that. Back to you, Mr. Chairman.

**The Chairman:** Well, one area I just want to totally disagree, and that is on being able to get a robust agenda with the nominees and legislation. We have been working back and forth. I have tried to give you the options in about a half a dozen different ways that we could at least get a hearing scheduled and a



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business meeting scheduled, get the agreed-to legislation on the agenda, get the nominations on the agenda, continue to work to get more on the agenda, and each one of the different variations always had a problem of something is not on it that you want on it, or something that we want on it you do not want on it. But I hope that within the next days, we can work those out, and that we can note a business meeting the first week we are back in session, which we will be able to bring those nominations forward, and the two of us have committed to meet during this week to try to resolve that. I hope that that is the case so that we can note a business meeting.

The second point I just want to bring out, this committee is unique in comity. We do work together, and we have worked together in scheduling both the hearings and the business meetings. That is, I think, to the advantage of our national interest. We have not been able to work together on these four nominees – that is correct – but as I have reminded the committee during the hearing, Chairman Risch did a similar circumstance on more than four nominees. I do not know the exact numbers right now, but there were more than four. So, this is a rare use of the prerogatives of the Chair, but it is my view that these four positions need to be filled, and these individuals have been fully vetted. We have gotten letters from Secretary Verma from the State Department that outlined in detail the vetting that has gone forward in responding to the questions. So, at

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this point, I am following the advice of Senator Risch, which said hearings have purpose, and committees have to vote on nominees.

Now, in regard to the specific issues that you raised, Mr. Forden, he responded to every one of those allegations on the testing for COVID, and, in fact, all the waivers that were given for testing were not made by the mission in Beijing. It was made at the State Department by Secretary Pompeo. If you have a problem, it is with Secretary Pompeo, not with the individual that you are referring to. And he specifically indicated that he never participated in any of the activities that you were referring to.

Number two, in regard to Margaret Taylor, you and I agree, we should be getting more information, but it is not from the State Department. It is from the investigators of the Department of Justice. I have pledged to you that I will continue to work with you to try to find a way so that we can get relevant information that is appropriate for us to be able to review, so we are going to continue to work on that issue. But it has nothing to do with State Department, and it should not hold up Margaret Taylor's, nomination.

In regard to Michael Sfraga, he is an academic professor and knows the Arctic better than any person I think we could ever imagine. He attended conferences for the Arctic as a professional, well before the Ukraine War. And he has committed to us that now that we are engaged in this conflict with Russia, there will be no further engagements, so he has answered our questions. All of

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his contacts with Russia and China were in a professional capacity in his role in the Arctic because they happen to be Arctic countries. He has, of course, the strong support of Senator Murkowski and Senator King, the co-chairs of the Arctic Conference, and Senator Sullivan, so I would hope that we would pass that.

Eric Woodhouse, I am not exactly sure of your concerns there. I really do not understand. He has been the person responsible for coordinating the sanctions in regard to Russia and Iran and its proxies, including the Houthis, and by any objective account, we have been as aggressive as possible in opposing sanctions in regard to those areas. So, I think in all these areas, the questions have been answered, they have been fully vetted, and I would urge my colleagues to support all the nominations.

At this point, we will have individual votes on all four of the nominees, but I will open it up for comments on any one of the four. Senator Shaheen.

**Senator Shaheen:** Well, Mr. Chairman, you have been very eloquent in talking about the qualifications of each of these four nominees, so I do not really want to speak to that, but I do want to speak to the number of Ambassador openings that we still have.

Two weeks ago, Senators Duckworth, Kaine, and I, while serving on the Armed Services Committee, had our annual hearings with the commanders of CENTCOM and Africa. Wshowed a map of the eight Ambassador openings that

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we have in Africa right now in places like Djibouti, where the Chinese have their only military base in Africa; the African Union where we do not have an Ambassador; Nigeria, the most populous country in Africa, where we do not have an Ambassador. We still do not have an ambassador in one of the CENTCOM countries. And I asked the two generals what that meant for their ability to address national security issues in those regions, and they were both very eloquent in talking about how important it is that we have Ambassadors so that we have a whole-of-government-approach to what we are doing in these countries.

China has an ambassador in every one of these countries and we do not, they outnumber us in terms of their diplomatic personnel, and if we are going to compete with China, we need to have people on the ground. And the fact that we are still here with so many Ambassador positions unfilled is just an impact on our national security, not to mention the citizens of the United States who depend on Ambassadors and embassies in those countries.

So, it is a disgrace, Mr. Chairman. I am glad to hear that you and Senator Risch are working hard to try and fill these positions. We need to make the point that this is not frivolous. This is about national security. It is about our competition with China and Russia and our other adversaries, and if we do not have people on the ground, then we are not competing.

**The Chairman:** Thank you.

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**Senator Coons:** Mr. Chairman?

**The Chairman:** Senator Coons.

**Senator Coons:** If I could briefly discuss the Arctic, I just spent last weekend under the polar ice cap with a bipartisan delegation and having long conversations about our Arctic role and our Arctic policy. There are eight nations that border the Arctic. We are the only one without an Arctic Ambassador. Mike Sfraga has the very strong support of Senators Sullivan and Murkowski. As you said, he is an academic who has been cleared after the Russian invasion of Ukraine, the full-spectrum invasion in 2022. His previous participation in conferences and conversations with Russians about the Arctic should not be viewed as any endorsement or support by him of the idea that we can, or should, cooperate with Russia in this current setting. I think the criticisms that have been raised of him should not be a bar to his confirmation.

As Senator Shaheen just said, I have been all over the world in places where, because of the absence of an ambassador, we are not well served or well represented. The Arctic had not been on my map as one of those places. Now it is. We should advance this nominee.

**Senator Kaine:** Senator?

**The Chairman:** Senator Kaine?

**Senator Kaine:** I will come at this from a different angle. So, I have been vetted twice to be vice president, first by Barack Obama in 2008 and by Hillary

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Clinton, 2016, it was painful. Everything I have ever said, everything I have ever written, interviews with my family were hard but easier than being up for a Senate confirmable position, because a decision had to be made. At some point there is going to be a convention, and the nominee has to say who their running mate is going to be, and so as painful as it is, a decision has to be made.

I worry that the way we treat Senate confirmations, and not just in this committee but more generally, is a massive disincentive to anybody who would want to come to public service. So, I agree with Senator Shaheen. This has an effect on our ability to do diplomacy in Africa or other places, but it also has a chilling effect on good people wanting to be in public service when they feel that the process to get nominated takes forever, and then the process to get to a hearing takes forever, and the process to get to a markup after a hearing takes forever, and the process to get your moment in the sun on the floor takes forever.

We are rapidly approaching a point where the very kind of people that we would want to serve the Article II branch of this country would be the kind of people who will say, why even bother? And that is why I think -- advise and consent does not mean you have to vote yes. For any reason, you can vote no, but just to keep these things open for so very long, it is really, really hurting the willingness of people to come into these positions, and I intend to vote for all these nominations.

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**The Chairman:** If there is no further debate, the question first will be on the nomination of Ms. Margaret L. Taylor to be Legal Adviser of the Department of State. Is there a motion to approve her nomination?

**Senator Menendez:** So moved.

**The Chairman:** Is there a second?

**Senator Shaheen:** Second.

**The Chairman:** It has been moved and second.

The clerk will call the role on the nomination.

**The Clerk:** Mr. Menendez?

[No response.]

**The Clerk:** Mr. Menendez?

**Senator Menendez:** Oh. Yes.

**The Clerk:** Mrs. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**Senator Murphy:** Aye.

**The Clerk:** Mr. Kaine?

**Senator Kaine:** Aye.

**The Clerk:** Mr. Merkley?

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**Senator Merkley:** Aye.

**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

**The Clerk:** Mrs. Duckworth?

**Senator Duckworth:** Aye.

**The Clerk:** Mr. Risch?

**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Young?

**Senator Risch:** No by proxy.



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**The Clerk:** Mr. Barrasso?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?

**The Chairman:** Aye.

**The Clerk:** Mr. Chairman, the yeas are 11. The noes are 10.

**The Chairman:** A majority of members present having voted in the affirmative, the nomination is agreed to.

We will now consider the nomination of Erik Woodhouse to be the head of the Office of Sanctions Coordinator, with the rank of Ambassador.

Is there a motion to approve the nomination?

**Senator Menendez:** So move.

**The Chairman:** Is there a second?

**Senator Shaheen:** Second.

**The Chairman:** It has been moved and second.

The clerk will call the roll.

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**The Clerk:** Mr. Menendez?

**Senator Menendez:** Aye.

**The Clerk:** Mrs. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**Senator Murphy:** Aye.

**The Clerk:** Mr. Kaine?

**Senator Kaine:** Aye.

**The Clerk:** Mr. Merkley?

**Senator Merkley:** Aye.

**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

**The Clerk:** Mrs. Duckworth?

**Senator Duckworth:** Aye.

**The Clerk:** Mr. Risch?

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**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**Senator Risch:** Aye by proxy.

**The Clerk:** Mr. Young?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Barrasso?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?

**The Chairman:** Aye.

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The clerk will report.

**The Clerk:** Mr. Chairman, the yeas are 12. The noes are 9.

**The Chairman:** A majority having voted in the affirmative, the nomination is approved.

We will now consider the nomination of Dr. Michael Sfraga to be the -- let me see the title here.

**Senator Shaheen:** Ambassador at large.

**The Chairman:** Ambassador at large for the Arctic.

The clerk will call the roll.

**The Clerk:** Mr. Menendez?

**Senator Menendez:** Aye.

**The Clerk:** Mrs. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**Senator Murphy:** Aye.

**The Clerk:** Mr. Kaine?

**Senator Kaine:** Aye.

**The Clerk:** Mr. Merkley?

**Senator Merkley:** Aye.

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**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

**The Clerk:** Mrs. Duckworth?

**Senator Duckworth:** Aye.

**The Clerk:** Mr. Risch?

**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Young?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Barrasso?

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**Senator Risch:** No by proxy.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?

**The Chairman:** Aye.

**Senator Shaheen:** Mr. Chairman, could I just ask a procedural question?

**The Chairman:** Senator Shaheen?

**Senator Shaheen:** We did not request a motion on that.

**The Chairman:** Oh.

**Senator Shaheen:** Do we need to --

**The Chairman:** I was in the wrong part of my script. Good point. Why don't we do this again.

Is there a motion to affirmatively report Dr. Michael Sfraga to be Ambassador-at-Large for Arctic Affairs?

**Senator Menendez:** So move.

**The Chairman:** Is there a second?

**Senator Shaheen:** Second.

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**The Chairman:** The clerk will call the roll.

**The Clerk:** Mr. Menendez?

**Senator Menendez:** Aye.

**The Clerk:** Mrs. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**Senator Murphy:** Aye.

**The Clerk:** Mr. Kaine?

**Senator Kaine:** Aye.

**The Clerk:** Mr. Merkley?

**Senator Merkley:** Aye.

**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

**The Clerk:** Mrs. Duckworth?

**Senator Duckworth:** Aye.

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**The Clerk:** Mr. Risch?

**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Young?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Barrasso?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?



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**The Chairman:** Aye.

Now the clerk will report.

**The Clerk:** Mr. Chairman, the yeas are 11. The noes are 10.

**The Chairman:** A majority having voted in the affirmative, the nomination is approved.

We will now consider the nomination of Mr. Robert Forden to be Ambassador to Cambodia.

Is there a motion to approve his nomination?

**Senator Menendez:** So move.

**The Chairman:** Is there a second?

**Senator Shaheen:** Second.

**The Chairman:** It has been moved and second.

The clerk will call the roll.

**The Clerk:** Mr. Menendez?

**Senator Menendez:** Aye.

**The Clerk:** Mrs. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**Senator Murphy:** Aye.

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**The Clerk:** Mr. Kaine?

**Senator Kaine:** Aye.

**The Clerk:** Mr. Merkley?

**Senator Merkley:** Aye.

**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

**The Clerk:** Mrs. Duckworth?

**Senator Duckworth:** Aye.

**The Clerk:** Mr. Risch?

**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**U.S. Senate Committee on Foreign Relations  
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Wednesday, March 20, 2024**

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Young?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Barrasso?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?

**The Chairman:** Aye.

The clerk will report.

**The Clerk:** Mr. Chairman, the yeas are 11. The noes are 10.

**The Chairman:** A majority having voted in the affirmative, the nomination is approved.

That completes our business meeting. I want to thank all the members of the committee, including Senators Risch and Ricketts for being here and participating in the markup. And I recognize that we are always stronger when we work together, so let us get back to agreeing on an agenda and let us move

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forward on the agenda of this committee, in the normal manner , by working together.

With that, the business meeting will stand adjourned.

**[Whereupon, at 10:02 a.m., the committee was adjourned.]**

## **Additional Material Submitted for the Record**

SUBMISSION FOR NOMINATION OF ROBERT FORDEN TO BE AMBASSADOR TO  
CAMBODIA. **Pages 30 - 231**

SUBMISSION FOR NOMINATION OF ERIK WOODHOUSE TO BE THE HEAD OF THE  
OFFICE OF SANCTIONS COORDINATOR. **Pages 232 - 248**

SUBMISSION FOR NOMINATION OF DR. MICHAEL SFRAGA TO BE AMBASSADOR-AT-  
LARGE FOR THE ARTIC AFFAIRS. **Pages 249 – 275**

SUBMISSION FOR NOMINATION OF MARGARET TAYLOR TO BE LEGAL ADVISER OF  
THE DEPARTMENT OF STATE. **Pages 276 -283**

**Submission for the  
Nomination of Robert Forden  
Added to the Record by  
Senator James E. Risch**

**Submission for Nomination of Robert Forden**

1. **231130 – Blinken – Mission China COVID – Forden**
  - Letter sent to Secretary Blinken by Senator Risch (dated on November 30, 2023) that lays out Forden’s role in U.S. government failure to protect the privileges and immunities of U.S. diplomats and other government officials at Mission China during the COVID-19 pandemic.
2. **Forden Letter Attachment\_Redacted**
  - Documentation and supporting evidence submitted with the November 30 letter.
3. **220420 - TO Blinken – Secretary of State – Mission China COVID Protocol**
  - Letter sent to Secretary Blinken by Senator Risch (dated April 20, 2022) regarding SFRC concerns about the failure to protect the privileges and immunities of U.S. diplomats and other government officials at Mission China during the COVID-19 pandemic.
4. **20-Beijing-2378.Mission China Lessons Learned-Ordered Departure 12102020\_Redacted V2**
  - Front channel cable (dated December 10, 2020) from U.S. Embassy Beijing detailing lessons learned following the declaration of authorized and ordered departure from Mission China in January 2020.
  - Significance: Whistleblowers report lack of State Department with Mission China personnel from other agencies (e.g. DHS, DOD, DOJ) throughout COVID-19, despite reporting through official channels that they recognized the importance of open communication with non-State agencies.
5. **(2021) Li Zi No. 1 – PRC MFA**
  - Mandarin and English language versions of protocol document Li Zi No. 1 (2021) sent by the PRC Ministry of Foreign Affairs (MFA) to embassies and representative offices in China regarding testing and quarantine requirements for incoming diplomats.
  - Significance: Describes hospitalization of a U.S. Mission employee in a “designated hospital” during Forden’s tenure, and describes another case where a U.S. Mission member and his son refused to enter a Chinese hospital and departed China via a charter flight. The MFA requests that Mission personnel arriving in China after January 27, 2021 sign a written commitment to accept testing, “diagnoses, quarantine, and treatments by the Chinese side” for COVID-19 – allowing this would go beyond the 2020 limited waiver of inviolability agreed to the United States in September 2020.
6. **Records – DipNotes to China on COVID Issues (2020 – 2021)**
  - Excerpts from the ledger of diplomatic notes sent to the MFA by Mission China between June 2020 and July 2021, with line items related to U.S. personnel testing and quarantine in China highlighted.
  - Significance: Provides record of China separating parents and children during COVID-19 quarantine, requiring blood tests on U.S. diplomats (which the U.S. government eventually consented to despite protesting it originally), and other issues.

**7. Dip Notes re. detained family (SH and BJ)\_Redacted**

- Excerpts from the ledger of diplomatic notes sent to the MFA by U.S. Consulate Shanghai (4/27/2021) and Embassy Beijing (4/20/2021) regarding the “detention” of a redacted family.
- Significance: Confirms the detention of a family in a fever hospital during Mr. Forden’s tenure, despite his attestation to SFRC that no one was forced into a fever hospital while he was in charge.

**8. Whistleblower Letter to Cardin and Risch – March 6 2024\_Redacted**

- Whistleblower letter signed by 6 U.S. government officials who served at Mission China, relating their concerns with Robert Forden’s failures of duty while serving as DCM and CDA of Mission China from July 2020 – July 2021.
- Significance: Outlines Mr. Forden’s role and precise failures in leadership as Charge, and includes additional supporting evidence.

**9. 20240308\_Redacted**

- Email thread obtained through the Freedom of Information Act with respect to China conduct anal swabs on multiple U.S. government employees to test for COVID-19.

ROBERT MENENDEZ, NEW JERSEY  
JEANNE SHAHEEN, NEW HAMPSHIRE  
CHRISTOPHER A. COONS, DELAWARE  
CHRISTOPHER MURPHY, CONNECTICUT  
TIM KAINE, VIRGINIA  
JEFF MERKLEY, OREGON  
CORY A. BOOKER, NEW JERSEY  
BRIAN SCHATZ, HAWAII  
CHRIS VAN HOLLEN, MARYLAND  
TAMMY DUCKWORTH, ILLINOIS

JAMES E. RISCH, IDAHO  
MARCO RUBIO, FLORIDA  
MITT ROMNEY, UTAH  
PETE RICKETTS, NEBRASKA  
RAND PAUL, KENTUCKY  
TODD YOUNG, INDIANA  
JOHN BARRASSO, WYOMING  
TED CRUZ, TEXAS  
BILL HAGERTY, TENNESSEE  
TIM SCOTT, SOUTH CAROLINA

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

November 30, 2023

The Honorable Antony Blinken  
Secretary of State  
Department of State  
2201 C Street N.W.  
Washington, D.C. 20520

Dear Secretary Blinken:

I write with regard to nominees before the Senate Foreign Relations Committee and concerns I have about the protection of U.S. diplomats and other U.S. government officials at our diplomatic facilities in China.

In February, I stated publicly at the confirmation hearing for Richard Verma to be Deputy Secretary of State for Management and Resources that I would oppose moving forward any nominee that was significantly involved in developing or enabling policies that exposed U.S. government personnel and their families serving in the People's Republic of China (PRC) to extreme, unsafe, and degrading COVID-19 testing and treatment protocols by the PRC government. I believe the PRC's treatment of our diplomats has violated the privileges and immunities guaranteed to them under the Vienna Convention. As this letter will show, senior Department leadership, especially at Mission China, allowed such treatment to persist in a country that is an adversary of the United States and a high-risk counterintelligence threat.

After months of investigation, I have determined that Robert Forden, who served as Chargé d'Affaires and Deputy Chief of Mission at U.S. Embassy Beijing at various points from 2018-2021, played a central role in developing and implementing Mission China's policies. This included allowing mission personnel to be subjected to draconian PRC COVID-19 protocols. In addition, he was not forthcoming with the committee about the extent of his role or the situation U.S. personnel faced during his tenure.

Promoting the safety and security of Americans abroad is one of the most important duties for every U.S. ambassador. As outlined below, Mr. Forden's record in China is in contradiction to this paramount responsibility. Therefore, I will not consent to moving his nomination forward to be U.S. ambassador to Cambodia.

Mr. Forden's, and more broadly, the Department's handling of these issues represents a fundamental failure to care for U.S. diplomats, their families, and other U.S. government personnel assigned to Mission China. Unfortunately, it is indicative of broader problems in U.S. policy towards the PRC. The United States continues to treat the PRC as though it is like any other country with which we have diplomatic relations.



China is not like any other country; it is our greatest adversary and threat, as both the Biden and Trump Administrations have acknowledged. Time and again, the United States sacrifices its interests for the sake of maintaining smooth bilateral relations with the PRC. The PRC government knows this tendency and takes advantage of it. In this case, we sacrificed the health and security of U.S. public servants as a regrettable but necessary cost of maintaining a diplomatic presence in China.

The following contains my findings on the PRC's treatment of U.S. government personnel in China during Mr. Forden's tenure and his particular involvement.

### **2020 Limited Waiver of Inviolability**

In September 2020, senior State Department leadership under the Trump Administration granted a limited waiver of inviolability (LWOI) of the privileges and immunities of U.S. diplomats in China to comply with the country's COVID requirements for entry and quarantine. Then-Ambassador Terry Branstad requested the LWOI in order to bring back U.S. diplomats after much of our mission was evacuated earlier that year. Mr. Forden served as Deputy Chief of Mission at the time of the request, and he signed off on the relevant front channel cable back to Washington (see Attachment 1).

The September 2020 LWOI request followed an effort by Mission China leadership (some of it during a period of absence from China by Mr. Forden) to press U.S. diplomats to waive their privileges and immunities voluntarily so that mission leaders could execute plans to re-staff the embassy. This is only one piece of evidence that mission leadership's goal was to return staff quickly, rather than to ensure that returning U.S. personnel would have sufficient protections.

The Department of State granted the LWOI, but made clear its very specific limitations (see Attachment 2). The cable back to Mission China stated the following:

- “2. (SBU) The Department understands that the testing and quarantine regime required by PRC authorities is:
  - Pre-departure COVID testing
  - COVID testing at the airport on arrival
  - COVID testing on day 13 of quarantine
  - 14 days of quarantine in a PRC-approved hotel
  
- **“12. (SBU) This waiver of inviolability and authorization for exception to the Department's policy will remain in effect provided that the conditions listed in paragraphs 1 and 2 remain unchanged and post continues to recommend testing. Post should inform the Department via front channel cable if the conditions or post's recommendation changes.”** (emphasis in the original)

To summarize, the Department of State authorized Mission China personnel to undergo COVID tests in the United States, along with testing upon arrival and on day 13 of quarantine. The Department also approved a 14-day quarantine – not one day more. Most importantly, the

Department told Mission China that the exception to privileges and immunities was contingent on that “the conditions listed in paragraphs 1 and 2 remain[ing] unchanged.”<sup>1</sup>

The PRC government repeatedly violated diplomatic privileges and immunities by changing the testing and quarantine regime in ways that exceeded the LWOI. PRC authorities subjected U.S. diplomats and their families to more than the allowable number of COVID-19 tests, changing medical testing requirements (including blood tests), and quarantines that lasted longer than 14 days.

Various Department documents obtained by the committee and dating from Mr. Forden’s tenure indicate that PRC authorities subjected mission personnel to testing on Day 7, Day 14, and then again on Day 21 at the end of a third week of quarantine not authorized by the 2020 LWOI. PRC health authorities also began to require additional testing on Day 28 after a fourth week of health monitoring. Finally, these documents show that mission personnel were tested at their port of entry and upon arriving in Beijing if that was their final destination (see Attachments 3, 4, and 5).

Personnel assigned to Mission China while Mr. Forden served as Deputy Chief of Mission or Chargé de Affaires reported to SFRC that they were tested as often as every other day in quarantine.<sup>2</sup> One individual also reported that in April 2021, PRC authorities required him to test upon his arrival in Beijing, even though his first port of entry into the PRC was at Shanghai. Mission personnel stated that by the time Mr. Forden left, embassy employees were undergoing 4-5 weeks of testing in country after their arrival.

Mission China senior leadership was aware of such changes (see Attachments 5, 6, and 7), yet did not inform the Department via front channel cable as required. In his interview with SFRC staff, Mr. Forden said that while the United States had a “basic agreement” with China’s Ministry of Foreign Affairs at the national level, the embassy also had to negotiate with various local health authorities which imposed different COVID protocols. Subsequent to his interview, I submitted several questions to Mr. Forden pointing out discrepancies between the LWOI and the PRC’s actual enforcement of COVID protocols (see Attachment 8). Mr. Forden confirmed that “the number of throat/nasal swabs and length of time in and location of quarantine sometimes varied depending on local Chinese health authorities, local outbreaks, or other shifts in China’s assessment of the risk of COVID spread.” However, he justified the lack of required notification to the Department by stating that “China’s protocols for arrival testing and quarantine did not *fundamentally change* during my tenure” and that “China’s *fundamental requirements*...did not change during my tenure” (emphasis added). As a result, Mr. Forden claimed the Department did not require submission of an updated front channel cable. During his interview, Mr. Forden also stated the PRC did not violate its agreements with the United States with respect to COVID protocols for U.S. diplomats during his tenure.

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<sup>1</sup> Paragraph 1 of this cable is a list of the Department of State’s understanding of the requirements for COVID-19 testing and quarantine imposed by the PRC government. It can be found in Attachment 2, but is not spelled out here for the sake of brevity.

<sup>2</sup> Mr. Forden was away from his post from October 2019 until July 5, 2020. Every example listed in this letter occurred while he was in the country serving as either Deputy Chief of Mission or Charge d’ Affaires. There are a few instances where I refer to events that occurred while he was out of the country, but that are connected to issues that did not change or improve under his leadership while he was in the country.

Mission China was required to notify the Department via front channel cable if the “conditions” listed in the LWOI authorization changed, not if the “fundamental requirements” of PRC protocols changed. Mr. Forden’s carefully worded response to the committee appears to justify retroactively Mission China’s non-compliance with a clear Department directive. Even if China had not changed its requirements *de jure*, the conditions on the ground for embassy personnel were changed *de facto*. Our diplomats did not endure the PRC’s “fundamental requirements” – they endured what PRC authorities were actually doing to them.

This situation was made worse by a lack of candor from post leadership towards those arriving in China for their assignments. For example, U.S. personnel under Chief of Mission authority but employed by agencies other than the Department of State did not know about the 2020 LWOI. No one in embassy leadership informed them, meaning the only way to find out was to find the front channel cable from the Department authorizing the LWOI (Attachment 2). Other employees reported that as diplomats began to return in summer 2020, senior embassy officials could not and did not answer specific questions or provide clear assurances on potential family separation, being tested against one’s will, DNA collection, and other issues discussed below.

In his responses to SFRC staff, Mr. Forden represented that he kept Department officials back in Washington informed through other means of communication. If that is the case, it only expands the aperture of officials responsible; it does not exonerate Mr. Forden for his role. Unfortunately, Mission China leadership admitted the failure of the first LWOI not by pushing back against the PRC’s efforts to move the goalposts, but instead by asking the Undersecretary for Management for a second expanded LWOI in April 2022 that reflected China’s increasingly onerous and medically unjustified COVID protocols. In this way, the Department made PRC violations of the September 2020 LWOI acceptable under the April 2022 LWOI. Mr. Forden had by then departed and does not bear responsibility for the second LWOI itself. However, PRC violations of diplomatic privileges and immunities that led Mission China to seek a second LWOI occurred during Mr. Forden’s tenure through July 2021.

#### **DNA Collection of U.S. Personnel via Blood Tests in the United States at Labs Chosen by the PRC Government**

PRC COVID testing on U.S. embassy personnel initially consisted of nasal swabs. However, the PRC began to require an additional venous blood antigen test prior to departing the United States. These blood tests caused further concerns among personnel at Mission China about DNA collection by the PRC for intelligence gathering purposes, which they reported to Mission senior leadership. While the PRC pledged it would use samples collected only for COVID-19 tests, the Department had no way to verify whether Chinese government authorities honored that commitment. Additionally, the Department of State knew the PRC did not agree to anonymize and destroy collected samples (see Attachments 1 and 2).

Even worse, in December 2020, Mission China – under Mr. Forden’s leadership as Chargé – consented to another change to PRC protocols with respect to blood tests: U.S. personnel could only enter China if their pre-departure COVID-19 tests in the United States, including the required

blood test, were conducted by a lab authorized by the Chinese embassy or one of its consulates. Mission China instructions to comply with these blood tests at PRC approved labs are shown in pre-departure documents provided to embassy personnel dated March and June 2021 (see Attachments 3, 4, and 9). SFRC also received written information from embassy personnel tested at such facilities about their experiences.

Embassy staff who traveled to China from Washington, D.C. had the option to test at a lab contracted by the State Department. My understanding is that for those traveling from any other city, a PRC government-approved lab was their only option.

It is beyond appalling that the Department of State allowed an adversary government known for unorthodox intelligence collection methods and an identified counterintelligence threat to determine where U.S. embassy personnel receive blood tests on U.S. soil. Furthermore, my understanding is that the United States has classified information about why the PRC required U.S. government employees to test at certain labs. Agreement to these tests is further confusing because the Department had previously informed incoming travelers that such a test was “imperfect” and “at present, not recommended as a screening tool for COVID infection” (see Attachment 10).

I asked Mr. Forden about any blood antigen test requirements and the implications of PRC misappropriation of DNA. He responded as follows: “As for blood tests, at no point during my tenure did we authorize USDH personnel or EFMs to submit to Chinese government-mandated blood tests *in China*” (emphasis added). Mr. Forden failed to mention that the embassy did tell Americans to submit to required blood tests at labs chosen by the PRC government in the United States (see question 2 in Attachment 8).

In interviews with the Department, including with Mr. Forden, SFRC staff expressed concerns about the collection of U.S. personnel DNA by China. More than one Department of State official, including Mr. Forden, responded that DNA samples are easily collected once a U.S. government person arrives in China. That may be a factual – albeit dismissive – statement, but the U.S. government should not formally consent to making it easier for the PRC to collect such data via medical tests on U.S. soil.

The Department fortunately warned U.S. personnel against consenting to anal swabs or stool samples for COVID testing, but that was only after several members of the diplomatic corps did consent to such tests because the Department failed to make them aware of their rights. In addition, a management notice sent in January 2021 noted that PRC health authorities would conduct “fecal sampling for children for whom the NAT [nucleic acid test] test is not practical” (see Attachment 5).

### **Quarantine Conditions and Surveillance**

As stated previously, during Mr. Forden’s tenure in Beijing, PRC authorities exceeded the 14-day quarantine permitted under the 2020 LWOI, forcing some U.S. personnel to stay in a combination of quarantine hotels and their residences for up to 22 days. In addition to restricting U.S. personnel’s freedom of movement, PRC authorities then stopped allowing individuals to spend

part of the three-week quarantine at home, unless the home met certain specifications. The Department included these restrictions in pre-departure documents and management notices as requirements for U.S. diplomats (for example, see Attachments 3, 4, and 5).

To enforce the home quarantine, PRC health authorities required installation of a special camera outside and a door alarm on the front doors of U.S. personnel (see Attachments 11 and 12). The door alarms contained China Telecom SIM cards. In over a year of interviews and meetings, no Department of State official in a senior leadership role, including Mr. Forden, disclosed this issue to SFRC.

Mr. Forden also stated in writing and during his interview with SFRC staff that no U.S. mission personnel were placed in a fever hospital during his tenure. However, SFRC has learned that several individuals posted to Mission China did spend time in such a facility in the first half of 2021 during Mr. Forden's tenure.

Other U.S. personnel spent weeks in quarantine hotels, suffering from extremely poor and often unsanitary living conditions. There were no cleaning services available. The rooms had hair and nail clippings from the previous occupants. One member of the embassy team who returned to China in late summer 2020 stated that returnees had no idea prior to arrival that the quarantine facilities were in such a state of disrepair. Any effort to alleviate these living conditions required permission from PRC authorities. For example, the PRC government required the embassy to send a Diplomatic Note to the Ministry of Foreign Affairs if a quarantined individual wanted outside food. Pre-departure guidelines stated that "food deliveries" and "freshly prepared food" are "generally **not allowed**" (emphasis in the original) (see Attachment 3).

In addition, conflicting information raises serious concerns about whether Mr. Forden permitted the PRC to impose requirements to separate minor children ages 14 years and older from their parents during quarantine. A pre-departure FAQ email dated August 2020 (during Mr. Forden's tenure) assured parents that charter flights would not land in cities requiring parent-child separation, but then later stated separation could occur under "unusual circumstances" that were not defined (see Attachment 10). Furthermore, pre-departure guidance provided to U.S. embassy personnel in June 2021 (also during Mr. Forden's tenure) states: "Shanghai FAO [Foreign Affairs Office] does not permit adults or kids over age 14 to quarantine together" (see Attachment 3). Those returning on charter flights in late summer 2020 told SFRC that separation of teenagers from parents during quarantine did occur, and was a substantial concern for embassy families.

### **Culture of Compliance to PRC Demands**

Throughout and beyond Mr. Forden's tenure, Mission leadership pressed employees to comply with PRC protocols, rather than fighting for alternatives that would have better protected U.S. diplomats' rights under the Vienna Convention.

A December 2020 cable signed by Mr. Forden is illustrative of the broader problem (see Attachment 13). The cable notes that the PRC had initiated mass COVID testing amid an increase in cases, and that the embassy "recommended compliance with local health instructions." The

cable also stated Mission China leadership would send the following Management Notice to the Embassy community:

*(U) If Chinese authorities ask members of Mission China to undergo COVID-19 testing as part of a response to a specific COVID-19 exposure or outbreak, the Mission encourages the community to comply with the request in the interest of supporting China's public health response and protecting our community from COVID infection. However, Mission China will not require such testing, but rather leave it as a personal decision. Mission staff and families should be aware that there may be consequences imposed by the Chinese authorities on persons refusing to comply with the testing request, including possible quarantine or other restriction of movement, and that these consequences may be unpredictable. In addition, the front office will consider whether a person declining to test during an outbreak situation may be restricted from coming to work or having other interactions with the Mission community in order to protect other Mission staff and families.*

Mr. Forden and his leadership team called testing a “personal decision” but then told mission personnel that refusal to test would prevent their participation in ordinary activities like going to work or school, or buying food and water. That is hardly a choice. More specifically, this cable is in direct contradiction to the LWOI in place at the time.

The above Management Notice is also instructive in what the embassy did not do. The embassy did not tell its people it would push for exemption of U.S. diplomats from mass testing by PRC authorities to protect their privileges and immunities, or some other alternative such as anonymized reporting of test results. Instead, embassy leadership encouraged compliance with the PRC's onerous and evolving testing regime, and did so even after the PRC surpassed the number of tests that the 2020 LWOI explicitly stated U.S. personnel could undergo.

Furthermore, U.S. government employees in China at the time state that formal notices such as the above did not represent the informal directive that embassy leadership was actually pushing on employees: unquestioning compliance. No one stated that Mr. Forden himself told them they should either comply or curtail their assignment, but they do report that Ambassador Branstad and then-Minister Counselor for Management [REDACTED] did say this to employees in the fall of 2020.

Mission China leadership, including Mr. Forden, consistently made and enforced decisions that risked the health and safety of U.S. diplomats by pressing compliance with the PRC's ever-expanding and changing array of invasive COVID protocols. In addition to the health and counterintelligence risks, these restrictions devastated mission morale and shook employees' confidence in their leadership, including Mr. Forden. Sadly, the example set by Mr. Forden in facilitating compliance with the PRC's demands set a precedent for even worse decisions by his successors throughout 2021 and 2022, including the subsequent Chargé d'Affaires [REDACTED]

A track record of bad decisions and poor judgement, an inability or unwillingness to stand up for one's employees, and deference to an authoritarian government are not qualities the United States

The Honorable Antony Blinken  
November 30, 2023  
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should seek for an ambassador. I understand the difficult and challenging decisions that COVID presented to so many people, but the utter lack of honesty and candor to questions only reinforces the concerns noted above. For these reasons, I will not support Mr. Forden's nomination moving forward, and respectfully suggest that the President nominate a qualified individual to be our ambassador to Cambodia.

Finally, I sent a letter to you about the treatment of U.S. personnel at Mission China in April 2022 and called on the Department to conduct a thorough investigation (see Attachment 14). It is unfortunate that I have received no response directly from you, and it is clear from what I have received that these concerns are not taken seriously by the Department.

I continue to urge the Department to undertake a serious and thorough investigation. We need accountability for what happened to our diplomats and other U.S. government employees so that future Department personnel entrusted with leadership know that bowing to authoritarian controls is unacceptable.

Thank you for your attention to this matter.

Sincerely,



JAMES E. RISCH  
Ranking Member  
Senate Foreign Relations Committee

Attachment 1: MRN 20 BEIJING 1690

Attachment 2: MRN 20 STATE 92790

Attachment 3: TRAVEL TO CHINA: For Embassy Beijing Travelers Only (file name is dated 6.21.2021)

Attachment 4: Mission China Travel-to-China Checklist (file name is dated 06.03.2021)

Attachment 5: Management Notice to Embassy Beijing American Employees, January 29, 2021

Attachment 6: Email Thread on Travel to China Updates for U.S. Consulate Guangzhou, March 17, 2021

Attachment 7: SH Management Notice No. 40: Travel Guidance Update, June 10, 2021

Attachment 8: Follow-Up Questions for Robert Forden, Nominee to be US Ambassador to Cambodia, July 17, 2023

Attachment 9: SH Management Notice No. 15: Travel Policies, March 19, 2021

Attachment 10: Mission China Homecoming Task Force Complete FAQ Guide, Last updated August 28, 2020

Attachment 11: Photos of the extra installed COVID camera, and the normal building camera

Attachment 12: Photos of door alarm to enforce home quarantine

Attachment 13: MRN 20 BEIJING 2480

Attachment 14: Letter from Senator James E. Risch to Secretary of State Antony Blinken, April 20, 2022



# ATTACHMENT 1

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SBU


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**MRN:** [20 BEIJING 1690](#)  
**Date/DTG:** Sep 11, 2020 / 111005Z SEP 20  
**From:** AMEMBASSY BEIJING  
**Action:** WASHDC, SECSTATE ROUTINE  
**E.O.:** 13526  
**TAGS:** AMED, AMGT, APER, KLIB, KNCV, KFLO, CN  
**Captions:** SENSITIVE  
**Subject:** BEIJING: Request for an Exemption to Use Commercial Air

1. (SBU) Ambassador Branstad requests an exception to Department policy and limited waivers of personal inviolability for the Chief of Mission (COM) personnel and their family members assigned to Mission China to arrive on commercial flights.

**People's Republic of China (PRC) COVID-19 Testing and Quarantine Policies**

2. (SBU) On March 17, 2020, the Chinese government in Beijing authorized resumption of limited commercial air operations, with testing and quarantine requirements for arriving travelers. Personnel arriving to Mission China under these policies have relied on charter flights, with a biocontainment plane contracted by the Bureau of Medical Services (MED) available to remove any passengers who tested positive on arrival. Recognizing this model is not sustainable and cannot accommodate all of Mission China's travel needs, we plan to transition to commercial air travel and the standard arrival process for commercial travelers, with some mitigation measures. Regardless of travel mode, diplomatic missions are required to notify the Ministry of Foreign Affairs (MFA) 10 business days in advance of the arrival of any diplomatic personnel, family members, or TDY staff.

3. (U) All individuals lawfully entering China are subject to the following conditions:

a) **Testing.** All individuals seeking to lawfully enter mainland China are subject to COVID-19 testing at the point-of-entry (POE) as part of the standard entry process. Current regulations also require a follow-up test 13 days after arrival prior to the release from quarantine. In addition, effective September 15, all passengers arriving from the United States on commercial flights will be required to provide proof of a negative COVID test taken within three days before boarding their flight. Travelers originating in the United States and certain other countries on a list continuously updated based on COVID risk must submit a negative COVID-19 test certificate along with passport and visa information to the Chinese embassy for verification prior to their flight and within the three-day window. The verification process takes approximately 24 hours.

b) **Quarantine.** All individuals lawfully entering China are required to be in quarantine or self-isolation for a minimum period of 14 days.

4. (U) Diplomatic and technical staff of U.S. Mission China and their family members **are not exempted**

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from the testing and quarantine requirements. Chinese authorities have approved diplomatic and technical staff and their family members to quarantine in their USG provided residence or other U.S. Mission-selected residence if they land in their city of assignment.

#### **PRC COVID-19 Testing Procedures**

5. (U) China's current testing practices and protocols are as follows:

- a. **Type of Test.** The Chinese health authorities use polymerase chain reaction (PCR) nucleic acid tests to determine whether an individual is currently infected with COVID-19. Additional analysis may be used to confirm positive cases, such as viral cultures and/or genetic sequencing for verification.
- b. **Requirements for Testing.** All individuals seeking to lawfully enter China are subject to COVID-19 testing on arrival and at the end of a 14-day quarantine. Arrival test samples are collected at the Chinese international POE. End-of-quarantine (EOQ) samples are collected either at the traveler's quarantine location or a local, government-approved testing center.
- c. **Testing Process.** The Chinese government employs trained health professionals to collect samples for both POE and EOQ tests. Biological samples are taken from the nose and/or throat via a swab, then sealed in a container and taken to a government laboratory. For the EOQ test, if small children cannot tolerate a nasal or throat swab, parents receive instructions to provide a stool sample. Obtaining a negative result on day 13 is the final step of completing the quarantine requirement and results in the individual obtaining an official Chinese government certificate stating their negative test results. Mission China staff, including the Regional Medical Officer (RMO), will have phone and electronic access to personnel going through the arrival and EOQ testing processes.
- d. **Quarantine Process.** Travelers arriving via commercial aircraft are transported to a local quarantine hotel to wait the results from the COVID-19 test on arrival. On receipt of negative arrival test results, travelers who are not considered close contacts of any positive case begin their 14-day isolation in their USG designated residence or location. After travelers complete the quarantine period and receive negative EOQ test results, local health officials issue them a quarantine completion certificate. Mission China staff, including the Regional Medical Officer (RMO), have continuous phone and electronic contact with our personnel throughout the quarantine process, regardless of the location of their quarantine.

6. (U) **Procedural Protections.**

- a. *Will HN allow post health unit staff to do the swabbing?* No.
- b. *Will HN destroy the samples after processing them?* Samples are processed in numerous locations, and Chinese authorities are unable to provide assurances that samples will be destroyed after processing in all cases.
- c. *Will the HN pledge that any sample(s) collected will be used ONLY to test for the virus that causes COVID-19?* Yes. According to relevant authorities, biological samples collected for COVID-19 testing are only used to test for the virus that causes COVID-19 and not used for other purposes.
- d. *Will HN anonymize the testing?* Samples are processed in numerous locations, and Chinese authorities are unable to provide assurances that samples will be anonymized.
- e. *Will HN agree to not detain the individual while s/he awaits results?* All commercial travelers, including arriving USG personnel, await test results in a designated hotel or area of the airport.

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## ATTACHMENT 1 - PAGE 3

- f. *If IIN requires detention while the individual awaits test results, please provide specifics, such as time, place and access by mission personnel during the detention.* To minimize the risk of close contacts, adults are assigned their own room while awaiting test results, while children will room with a parent. The waiting period is usually a few hours up to a maximum of one overnight in the hotel, and the hotel delivers meals to the room. Mission China staff, including the Regional Medical Officer (RMO), have continuous phone and electronic contact with our personnel during this waiting period.

**Consequences of a Positive COVID-19 Test**

7. (U) Under current procedures in China, individuals who test positive for COVID-19 are taken to the designated local hospital where they undergo further lab testing to first verify if the positive result was a "true positive." This includes viral culture and genetic sequencing to see if the individual is still infectious or not. If the individual is found to be truly positive, there are two different pathways, depending on whether the individual is symptomatic:

- a. If asymptomatic, but positive, the concern is the individual is still possibly infectious. Therefore, he/she will remain in the hospital until the following conditions are met: two negative PCR tests, separated by 24 hours, normal temperature for three days and a normal CT Scan. Mission China RMO will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- b. Symptomatic patients will be treated according to Chinese national health standards and practices. Individuals have the right to refuse any aspect of treatment. Mission China staff, including RMO, will have phone and electronic access to the individual throughout the treatment process.

8. (U) A positive test result at any Chinese POE may also impact other passengers arriving on the same flight. If a passenger on the aircraft tests positive after arrival at the POE, the Chinese health authorities will analyze the manifest seating layout and determine who qualifies as a "close contact" of the individual who tested positive. Those close contacts are then transported to the designated "close contact" quarantine hotel for further observation, but no further testing at that time. Mission China staff will have phone and electronic access to our personnel throughout the quarantine period in the designated close contact quarantine hotel.

**Alternatives to the PRC COVID-19 Testing Requirement**

9. (SBU) There are currently no alternatives to the Chinese COVID-19 testing and quarantine requirement. Despite repeated attempts by post to negotiate alternatives, the PRC currently will not accept pre-testing results conducted by the USG either in the U.S. or at post. Additionally, the Chinese government also does not accept private sector test results or testing conducted outside China. The only remaining option currently is for COM personnel and their family members to be tested by Chinese medical personnel on arrival. In addition to Mission China's own negotiations with PRC officials, we have consulted extensively with other missions and foreign companies who have attempted, also unsuccessfully, to obtain Chinese approval for exceptions or approved alternatives. Mission China is sure there are no other options available that would allow us to avoid submitting US personnel to host nation testing.

**Mission China Mitigations to the PRC COVID-19 Testing Requirement**

10. (SBU) Mission China proposes the following mitigation strategies to ensure continuous contact and

sustained security for USG personnel traveling to Mission China:

- a) Pre-flight testing: Pre-flight COVID testing provided by MED has significantly reduced the chances of a positive test on arrival of our charter flights to China. Mission China will continue to require all inbound travelers to obtain a COVID test within three days of departure, both to protect our travelers and to satisfy Chinese requirements for commercial flights. We will encourage travelers who have access to reliable commercial labs to obtain the tests commercially whenever practical to reduce the burden on MED.
- b) Assured MEDEVAC for personnel who test positive for COVID-19. Chinese authorities confirmed Mission China retains the ability to medevac positive cases back to the United States. Based on discussions with relevant authorities, Embassy Beijing estimates it would take less than 24 hours to receive expedited flight clearances for a medevac flight, and a Guam-based MED asset could potentially medevac a traveler within 48 hours. This assurance applies to quarantine at USG-provided residences, testing and observation in hospitals or while staying in quarantine hotels.
- c) MED and the individual collaborate to make decisions. Chinese government authorities have assured Mission China that if USG personnel are placed in close contact quarantine hotels or taken to a medical facility for testing and observation, MED and relevant Embassy personnel will maintain continuous contact and have input into treatment and follow-on movement decisions.
- d) Residential quarantine for most USG personnel. If U.S. diplomatic travelers land in their own city of assignment, and there are no positive COVID-19 test results on the flight, they may quarantine at a USG provided residence.
- e) MED assessment of appropriate care. Mission China will only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel.

#### **Additional PRC Quarantine Requirements**

11. (SBU) The PRC has demonstrated a strong will to control any potential COVID-19 outbreaks. Per prior case outbreaks in Beijing, Xinjiang, and several northeastern provinces, individuals who attempt to travel out of regions experiencing an outbreak may have difficulty gaining entry to the province at their domestic destination. Mission China will mitigate this concern by reminding all personnel to research the risk level of their destination before domestic travel and by not approving travel to or from districts labeled as "high risk" until the district's rating is downgraded.

#### **Overall Assessment**

12. (SBU) Embassy Beijing believes allowing the Chinese government to test incoming personnel is in the best interest of the USG, given the protocols and assurances provided to the U.S. Mission in China regarding our ability to quarantine, isolate, and treat any COVID-positive diplomatic or technical staff and their eligible family members. Nearly all diplomatic missions in China have resumed arrivals by commercial air travel; their experience increases our confidence commercial arrivals can be managed safely and effectively. The Embassy health unit has assessed the Chinese government's sample collection and PCR/nucleic test to be medically effective and safe. Compliance with PRC arrival testing requirements does not present any security concerns beyond those already addressed under Post's existing security rating for the Mission or its personnel and/or family members.

13. (SBU) For these reasons, Ambassador Branstad recommends the Department grant a limited waiver of personal inviolability.

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**MINIMIZE CONSIDERED**

**Signature:** BRANSTAD

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**Drafted By:** BEIJING: [REDACTED]

**Cleared By:** EXEC/LEG: [REDACTED]

MGT/MED: [REDACTED]

MGT/HRO: [REDACTED]

MGT: [REDACTED]

EXEC: Forden, Robert W (Beijing)

**Approved By:** EXEC: Branstad, Terry E (Beijing)

**Released By:** BEIJING: [REDACTED]

**Info:** [REDACTED]

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**Dissemination Rule:** Archive Copy

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## **ATTACHMENT 2**

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**MRN:** [20 STATE 92790](#)  
**Date/DTG:** Sep 18, 2020 / 181935Z SEP 20  
**From:** SECSTATE WASHDC  
**Action:** BEIJING, AMEMBASSY *ROUTINE*  
**E.O.:** 13526  
**TAGS:** APER, AMGT, AFIN, AEMR, KNCV, KFLO, ASEC, KLIQ, AID, CASC, CN  
**Captions:** SENSITIVE  
**Reference:** A) [20 BEIJING 1690](#)  
 B) [20 STATE 60472](#)  
**Subject:** CHINA: Authorization to Allow COVID-19 Testing of U.S. Government Personnel and their Family Members by Host Nation Authorities and/or Authorization of Limited Waiver of Personal Inviolability

This cable is sensitive but unclassified. Please handle accordingly.

1. (SBU) In refel A, post requested authorization to allow host nation authorities to perform COVID-19 testing on incoming U.S. government personnel under Chief of Mission authority and their Eligible Family Members. Post stated that China requires testing by local authorities in order for U.S. government personnel and their family members to enter China. Post also determined that:

- the host nation government's policy involves mandatory testing for all persons entering the country, including diplomats accredited to (or transiting) China;
- the host nation government's test has been assessed by post health unit to be medically effective and safe;
- the host nation government does not allow post medical staff to perform the swabbing involved in the test;
- the host nation government has not agreed to anonymize and destroy the samples collected during the tests;
- the host nation government has pledged that any sample(s) collected will be used ONLY to test for the virus that causes COVID-19; and
- the host nation will require individuals await the results of the test at the airport or at a quarantine hotel.

2. (SBU) The Department understands that the testing and quarantine regime required by PRC authorities is:

- Pre-departure COVID testing
- COVID testing at the airport on arrival



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- COVID testing on day 13 of quarantine
- 14 days of quarantine in a PRC-approved hotel

3. (SBU) Post stated that if an individual tests positive, the following measures will apply:

(U) Under current procedures in China, individuals who test positive for COVID-19 are taken to the designated local hospital where they undergo further lab testing to first verify if the positive result was a "true positive." This includes viral culture and genetic sequencing to see if the individual is still infectious or not. If the individual is found to be truly positive, there are two different pathways, depending on whether the individual is symptomatic:

- If asymptomatic, but positive, the concern is the individual is still possibly infectious. Therefore, he/she will remain in the hospital until the following conditions are met: two negative PCR tests, separated by 24 hours, normal temperature for three days and a normal CT Scan. Mission China staff, including RMO, will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- Symptomatic patients will be treated according to Chinese national health standards and practices. Individuals have the right to refuse any aspect of treatment. Mission China staff, including RMO, will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- In the event a child tests positive, a parent will be permitted to accompany them into the hospital, as long as the parent is willing to be treated as a "close contact" or likely positive case after exposure in the hospital.

(SBU) A positive test result at any Chinese port of entry (POE) may also impact other passengers arriving on the same flight. If a passenger on the aircraft tests positive after arrival at the POE, the Chinese health authorities will analyze the manifest seating layout and determine who qualifies as a "close contact" of the individual who tested positive. Those close contacts are then transported to the designated "close contact" quarantine hotel for further observation, but no further testing at that time. Mission China staff will have phone and electronic access to our personnel throughout the quarantine period in the designated close contact quarantine hotel.

(SBU) Chinese authorities confirmed Mission China retains the ability to medevac positive cases back to the United States, and local officials would provide a negative pressure ambulance, if needed, to transport the individual. Based on discussions with relevant authorities, Embassy Beijing estimates it would take less than 24 hours to receive expedited flight clearances for a medevac flight, and a Guam-based MED asset could potentially medevac a traveler within 48 hours. This assurance applies to quarantine at USG-provided residences, testing and observation in hospitals, or while staying in quarantine hotels.

(SBU) In the event that an individual needs to be hospitalized, Mission China must convey an additional diplomatic note with the language noted below for any individual who is to be hospitalized. This note must be sent separate and apart from the note containing the waiver to allow testing.

4. (SBU) Post outlined its prior efforts to obviate the need for host nation testing requirements,

including repeated attempts by post to negotiate alternatives. The PRC currently will not accept pre-testing results conducted by the USG either in the U.S. or at post. Hence, there are currently no alternatives to the Chinese COVID-19 testing and quarantine requirements. Additionally, the Chinese government also does not accept private sector test results or testing conducted outside China. The only remaining option currently is for COM personnel and their family members to be tested by Chinese medical personnel on arrival. In addition to Mission China's own negotiations with PRC officials, Post consulted extensively with other missions and foreign companies who have attempted, also unsuccessfully, to obtain Chinese approval for exceptions or approved alternatives. Mission China is sure there are no other options available that would allow us to avoid submitting US personnel to host nation testing.

5. (SBU) Mission China proposes the following mitigation strategies to ensure continuous contact and sustained security for USG personnel traveling to Mission China:

- a. Pre-flight testing: Pre-flight COVID testing provided by MED has significantly reduced the chances of a positive test on arrival of our charter flights to China. Mission China will continue to require all inbound travelers to obtain a COVID test within three days of departure, both to protect our travelers and to satisfy Chinese requirements for commercial flights.
- b. Assured MEDEVAC for personnel who test positive for COVID-19. Chinese authorities confirmed Mission China retains the ability to medevac positive cases back to the United States. Based on discussions with relevant authorities, Embassy Beijing estimates it would take less than 24 hours to receive expedited flight clearances for a medevac flight, and a Guam-based MED asset could potentially medevac a traveler within 48 hours. This assurance applies to quarantine at USG-provided residences, testing and observation in hospitals or while staying in quarantine hotels.
- c. MED and the individual collaborate to make decisions. Chinese government authorities have assured Mission China that if USG personnel are placed in close contact quarantine hotels or taken to a medical facility for testing and observation, MED and relevant Embassy personnel will maintain continuous contact and have input into treatment and follow-on movement decisions.
- d. Residential quarantine for most USG personnel. If U.S. diplomatic travelers land in their own city of assignment, and there are no positive COVID-19 test results on the flight, they may quarantine at a USG provided residence.
- e. MED assessment of appropriate care. Mission China will only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel.

6. (SBU) As outlined in 20 STATE 60472, as a matter of policy, the Department is generally not authorizing travel by U.S. government personnel under Chief of Mission (COM) authority and traveling on government travel orders, or their family members, to a post, if, upon arrival in the foreign state, the employee or family member would be subject to any form of COVID-19 testing (oral, nasal, blood) by foreign government officials or quarantine in a foreign government controlled facility (institutional quarantine). This policy applies regardless of whether the individual enjoys personal inviolability under international law.

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7. (SBU) Furthermore, Diplomatic agents and members of administrative and technical staff at Embassies, as well as the family members forming part of their household in China enjoy personal inviolability under Article 29 and 37 of the Vienna Convention on Diplomatic Relations from the moment they arrive in country where they are either accredited or where they intend to be accredited. Because personal inviolability attaches when diplomats and their family members enter the country, the host government authorities cannot perform any sort of invasive testing on an individual who enjoys personal inviolability absent a waiver of personal inviolability. Likewise, transiting diplomatic agents to a third country, enjoy full personal inviolability while in transit under Article 40(1) of the Vienna Convention on Diplomatic Relations.

8. (SBU) The Under Secretary for Management may authorize exceptions to these policies.

9. (SBU) Further, consistent with 2 FAM 221.5, the Department may authorize a limited waiver of personal inviolability. The Department considers waiver requests for COVID-19 testing purposes where the post has requested a waiver and stated that it believes the test to be safe and effective, post and the regional bureau recommend the waiver and determine that a waiver will not in any way be contrary to U.S. interests and will not pose a security problem for the Mission and its personnel.

10. (SBU) Given the facts and circumstances provided by post and the regional bureau, the Office of the Under Secretary for Management authorizes an exception from Department policy generally precluding testing of all U.S. government personnel under COM authority and their family members, irrespective of whether such persons enjoys personal inviolability, provided that persons to be tested are consulted prior to their departure about the HN requirement and consent to have the test performed.

11. (SBU) Moreover, as post and the regional bureau recommend the COVID-19 test be permitted on U.S. Government personnel and their families entering China and as post has determined that an exception to the Department's policy and a waiver of personal inviolability will not in any way be contrary to the U.S. government's interests and will not pose any security problem for the Mission or its personnel or family members, the Department authorizes a limited waiver of personal inviolability for purposes of testing for COVID-19, provided that persons to be tested are consulted prior to their departure about the host nation requirement and consent to have the test performed.

**12. (SBU) This waiver of personal inviolability and authorization for exception to the Department's policy will remain in effect provided that the conditions listed in paragraphs 1 and 2 remain unchanged and post continues to recommend testing. Post should inform the Department via front channel cable if the conditions or post's recommendation changes.**

13. (SBU) In order to establish the proper waiver framework, post should send the Foreign Ministry a diplomatic note that includes the points below. **Post must follow this procedure for each subsequent arrival of new and transiting personnel and their family members enjoying personal inviolability for whom post wishes to waive personal inviolability to**

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**allow for COVID-19 testing. One diplomatic note to the Foreign Ministry containing a waiver may cover numerous individuals, but no individual who enjoys full personal inviolability should be tested by the host nation before a diplomatic note containing the waiver of the individual's personal inviolability is sent.**

*NOTE: If post has questions about whether certain personnel enjoy full personal inviolability, post may consult with (U/DL) [REDACTED] END NOTE*

- It is the position of the United States that pre-departure testing of such individuals in the United States combined with residential quarantine would be sufficient to meet the public health goals of the PRC government. However, in light of the extraordinary circumstances brought on by the COVID-19 pandemic and in the spirit of cooperation, the United States government waives any personal inviolability which is enjoyed by the above-mentioned individuals listed above for the sole and limited purpose of allowing them to be given a swab test for COVID-19 upon their arrival in China and then again on day 13 at the end of the residential quarantine period.
- The United States government understands that in the event any of the above-mentioned individuals test positive for COVID-19 upon their arrival in China, the Chinese government, if requested, will expedite clearances for a U.S. government-chartered air ambulance and permit the individuals to be medically evacuated to the United States. Furthermore, if any of the above-mentioned individuals test positive for COVID-19 at any other time, they will be allowed to isolate in their residence until such time as a specially chartered air ambulance can be sent to remove them from China.
- The United States understands that the testing will be performed in an anonymous manner and that any oral saliva or other specimen taken from these individuals will be immediately destroyed after their use for the sole purpose specified above and the privacy of the above-mentioned diplomats will be preserved and respected.

14. (SBU) In the event that an individual needs to be hospitalized, **Mission China must convey an additional diplomatic note with the language noted below for any individual who is to be hospitalized. This note must be sent separate and apart from the note containing the waiver to allow testing.**

- [Refer to the initial waiver that allowed the testing as well as to the COVID-19 positive status of the individual]
- It is the position of the United States that residential isolation of asymptomatic or mildly symptomatic COVID-19 cases meets the public health goals of the PRC government. However, in light of the extraordinary circumstances brought on by the COVID-19 pandemic and in the spirit of cooperation, the United States government waives any personal inviolability which is enjoyed by the above-mentioned individual(s) listed above for the sole and limited purpose of allowing [them/him/her] to be placed in XYZ hospital until the soonest of Mr./Ms. [INSERT NAME OF DIPLOMAT] being found negative for COVID-19 or being medically evacuated via a specially chartered ambulance, whichever is sooner.

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- The United States government understands that during Mr. /Ms. [name of diplomat] stay at [NAME OF HOSPITAL], s/he will be allowed to contact the Embassy Health Unit and have unimpeded phone and electronic access to Mission China staff. Mission China staff will also have input into treatment and follow-on movement decisions.
- The United States understands that any additional testing will be performed in an anonymous manner and that any oral saliva or other specimen taken from these individuals will be immediately destroyed after their use for the sole purpose specified above and the privacy of the above-mentioned diplomats will be preserved and respected.
- The United States government understands that in the event any of the above-mentioned individuals test positive for COVID-19 in China, the Chinese government, if requested, will expedite clearances for a U.S. government-chartered air ambulance, facilitate their transport to the airport in a negative pressure ambulance, and permit the individuals to be medically evacuated to the United States.

15. (U) Please consult with L/DL should you have any questions about the language of the waiver as well as on each subsequent diplomatic note containing a waiver. Please send to L/DL a copy of the English text of post's final diplomatic note each time post sends a note for the arrivals of additional personnel. L/DL can be reached at [REDACTED]

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**Signature:** Pompeo

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**Drafted By:** EAP [REDACTED]  
**Cleared By:** EAP/EX [REDACTED]  
 EAP/EX [REDACTED]  
 EAP/EX [REDACTED]  
 L/DL [REDACTED]  
 L/EMC [REDACTED]  
 HR/DGHR [REDACTED]  
 M: [REDACTED]  
 CG RCU [REDACTED]  
 ME [REDACTED]  
 DS/DSS [REDACTED]  
 DS/IP [REDACTED]

**Approved By:** M:M Clearance  
**Released By:** EAP [REDACTED]  
**Info:** [REDACTED]

Ask Evacuations ROUTINE; GUANGZHOU, AMCONSUL ROUTINE;  
 SHANGHAI, AMCONSUL ROUTINE; SHENYANG, AMCONSUL ROUTINE

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## **ATTACHMENT 3**



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# TRAVEL TO CHINA

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For Embassy Beijing Travelers Only



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*INTRODUCTION: This step-by-step guide was designed by GSO Beijing to help U.S. government travelers and families to navigate the Covid-era procedures for traveling to Beijing. It is continually updated to reflect new rules and guidance. Please read it carefully and we welcome your feedback-updated on June 21*

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China Travel Team, Embassy Beijing



ATTACHMENT 3 - PAGE 2

4 to 6 weeks prior to departure	Contact Information Travel Order Valid Visa	<a href="#">Emergency Contact Information</a>
		<a href="#">Obtain approved Travel Orders</a>
		<a href="#">Obtain "W" diplomatic visa for China</a>
	Ticket Bookings	<a href="#">Note: when booking tickets: 2-3 days layover in the last departure city in the USA (Dallas / Detroit / Seattle / San Francisco)</a>
15 days prior to departure	Notify Beijing GSO VIP at least 15 days prior to arrival	<a href="#">Send confirmed itinerary and biodata to Beijing GSO's China Travel Team who must notify Chinese authorities of travelers' arrival</a>
		<a href="#">Suggested Packing List</a>
48 hours prior to boarding the plane	Pre-Flight testing & Health Declaration Code (HDC)	<a href="#">Both NAT and IgM tests must be administered in approved labs within 48 hours prior to boarding the plane</a>
		<a href="#">Testing Requirements</a>
		<a href="#">Chinese Health Declaration Certificate Website: How-To Guide</a>
0	Departure	<a href="#">Fill out online Customs Declaration Form and submit while at check-in counter</a>
Day 1	Arrival in China	<a href="#">Shanghai Airport Arrival Process</a>
		<a href="#">Quarantine Hotel Information</a>
		<a href="#">Day 1 COVID test at airport and then transport to quarantine hotel</a>
Day 1 - 14	Quarantine in Shanghai	<a href="#">Day 7 Notify/Contact Beijing GSO VIP for tickets back to assignment city and transportation to/from airports</a>
		<a href="#">Day 12/13 COVID NAT test at hotel</a>
		<a href="#">Day 14 release from Shanghai hotel; travel to assignment city on Day 14/15</a>
Day 15 - 21	Quarantine in Beijing	<a href="#">Day 20 BeijingMotorPool@state.gov will contact you for transportation to/from test site</a>
		<a href="#">Day 21 COVID NAT test</a>
Day 22	Completion	<a href="#">Day 22 Receive test result. Arrival quarantine process is complete!</a>

## Emergency Contact Information

(use +01 186 instead of +86 if dialing from a U.S. phone) ('10' is city code for Beijing; '21' is city code for Shanghai)

<b>U.S. Embassy Beijing (also serving ConGen Wuhan travelers)</b>		
Embassy Beijing Switchboard		
Embassy Beijing Duty Officer		
Embassy Beijing Post One		
Embassy Beijing Health Unit		
Embassy Beijing Medical Duty Phone		
Meiya Travel Agency (travel management center) Meiya Beijing: usembassy@meiya.com		
<b>U.S. Consulate General Shanghai</b>		
ConGen Shanghai Switchboard		
ConGen Shanghai Health Unit		
ConGen Shanghai Med Duty Cell		
<b>State Department's China Desk (EAP/CM) Bilateral</b>		
China Desk (EAP/CM)		
EAP/EX's		

## Obtain approved Travel Orders

- If TDY, submit eCC (country clearance authorization request) to Post well in advance.
- Make sure you have enough budget in your approved travel order
- For PCS, check Travel Orders (TM4 or "Post Assignment Travel Authorization" for State Dept) to ensure there is budget for 2 or 3 days of hotel/M&IE in U.S. departure city for COVID testing, 2 or 3 weeks of quarantine hotel/M&IE in arrival city and that there is sufficient funding for air travel (from origin point to departure/testing city to arrival city to post). Airfare budget per person should be \$7,000 (minimum; subject to change).

## Obtain "W" diplomatic visa for China

- Obtain "W" (diplomatic visa) for China. With few exceptions, China is not currently issuing other visa types.
- All visa applicants must visit SIA's official website for application instructions. The website is very informative and constantly updated.  
<https://travel.state.gov/content/special-issuance-agency-home/en/spec-issuance-agency/official-diplomatic-visa-information/china.html>
- If you have specific questions that need to be individually addressed, you may contact SIA at
- Though China has suspended the entry into China by foreign nationals holding visas or residence permits since March 26, 2020, entry with diplomatic, service, courtesy or C visas will not be affected. Also, entry by foreign nationals with visas issued after this announcement will not be affected. See more details through [https://www.fmprc.gov.cn/mfa\\_eng/wjbxw/t1761867.shtml](https://www.fmprc.gov.cn/mfa_eng/wjbxw/t1761867.shtml). Please explain this to the airlines check-in staff if you're rejected to check-in because your visas were issued before March 26, 2020.

**Note: when booking tickets: 2-3 days layover in the last departure city in the USA (Dallas / Detroit / Seattle / San Francisco)**

- Though you may see flights to Beijing listed online, China has not authorized any direct flights into Beijing from the United States in over a year. Most countries' airlines are only allowed only one flight to China per week. Currently the primary paths to mainland China for U.S. diplomats assigned to Beijing are:
  - o **Dallas** to Shanghai by American Airlines (Flight #: AA127)  
*(Travelers coming from Washington D.C. and New York areas should use government fare AA flights)*
  - o **Detroit** to Shanghai by Delta Airlines (Flight #: DL283)
  - o **Seattle** to Shanghai by Delta Airlines (Flight #: DL289)
  - o **San Francisco** to Shanghai by United Airlines (Flight #: UA857) and from Shanghai to Beijing by **AirChina** *(Travelers coming from SFO should use government fare UA+CA flights)*
- The above flights all have a "tech stop" in Seoul for crew change. No one deplanes in Seoul, however, so it's not considered a transit point and these routes are fine to use. (Normally, passengers must re-test at transit points; but this is a tech stop, not a transit.)
- When booking tickets, please include a minimum of a two-full-day layover in the last departure city for the COVID NAT and IgM tests, and time to get results and submit to Chinese Embassy/Consulate for review.
- If you want to book the Shanghai-Beijing ticket together with the US-Shanghai ticket, please check [the guidance below](#) before you choose the Shanghai-Beijing flight.

**Send confirmed itinerary and biodata to Beijing GSO's China Travel Team who must notify Chinese authorities of travelers' arrival**

Information below should be sent to "China Travel" **at least 15 days** in advance as it is needed to officially notify MFA and FAO by diplomatic note of your arrival date, time, and flight number. Please notify us if your arrival date/time/flight changes as we must inform MFA and FAO of any such changes.

- Send the biodata form below to: [REDACTED]

Item	Traveler 1	Traveler 2	Traveler 3
Surname (on passport)			
First Name and Middle Name (on passport)			
Sponsor, if EFM (name of EFM's USDH spouse/parent)			
Diplomatic Title at Post (1 <sup>st</sup> secretary, 2 <sup>nd</sup> secretary, ect.)			
Origin Point in U.S.			
Gender			
Date of Birth (MM/DD/YYYY)			
Passport Nationality (if other than USA)			
Passport Type (dip, official, etc.)			
Passport Number			
PP Issue Date (MM/DD/YYYY)			
PP Expiry Date (MM/DD/YYYY)			
Visa Type			
Visa Number			
Visa Issue Date (MM/DD/YYYY)			
Visa Expiry Date MM/DD/YYYY)			
Type of Orders (PCS, R&R, etc.)			
Agency/Section at Post			
Diplomatic ID (red card) (for returnees only)			
Home Unit No. in Beijing			
Family in Residence When Return			

(YES/NO, for returnees only)			
Email Address (Official & Personal)			
WeChat Account (YES/NO)			

### Suggested Packing List

- Re-usable plates, bowls, cups and cutlery – you may only receive chopsticks and a spoon for each meal at the quarantine hotel; bring lightweight cutlery to re-use
- Condiments to spice up your meals – salt and pepper, hot sauce, soy sauce, mustard
- Beverages other than water – coffee, tea, soda, other
  - Instant coffee, pour-over coffee, travel coffee press & ground coffee, sugar & creamer
- Food – especially if you have dietary restrictions or picky eaters
  - **Popular choices:** granola bars, chocolate, dried fruit, nuts, jerky, peanut butter, Nutella, instant noodles, crackers, tuna/chicken packets, fruit snacks,
- First Aid Kit – chronic/routine medications, digital thermometer, melatonin, Benadryl, Imodium, vitamins, etc.
- Cleaning supplies – cleaning wipes, dishwashing liquid, laundry detergent (no laundry service)
- Exercise Equipment – resistance bands, yoga mat, downloaded exercise videos, jump rope
- Entertainment – HDMI cable, laptop/tablet with downloaded movies/TV shows, Kindle/books, hobbies, puzzles, Chinese study materials
- Electronics – Phone pre-loaded with WeChat, international/China SIM, downloaded VPN(s), non-Gmail email account (in case VPN doesn't work), chargers, plug adapters, translation apps
  - Chinese SIM cards are available for purchase via sites like Amazon or NiHaoMobile
- Kid Stuff – toys, diapers, kid-friendly food (applesauce, cereal, fruit snacks, etc.)
- Contact information – supervisor, office and social sponsor, travel tech, CDO, travel agency, etc.

### Both NAT and IgM tests must be administered in approved labs within 48 hours prior to boarding the plane

- A **negative PCR test and a negative antibody (IgM) test** will result in a green code. You must get a green QR code from the HDC webform to check in for your flight.
- Per China's rules, the test must have been **administered** within 48 hours prior to boarding the direct flight from the U.S. to China and must be done by one of the approved labs listed on Chinese Embassy/Consulate website.
- Some labs in the U.S. may require you to take both the IgM "S" (Spike protein) and the IgM nucleocapsid test if you have been vaccinated. You may need to get the S test first, then if you are positive AND have been vaccinated, to test for the N. There are additional costs for the N test, so you need to prepare accordingly. You should wait for the result of IgM test which comes out very fast.**
- Links to the approved lab lists can be found on [Chinese Health Declaration Certificate Website: How-To Guide](#)

### Testing Requirements

- Details can be found on Chinese Embassy website: <http://www.china-embassy.org/eng/notices/t1841416.htm>
- If you have been vaccinated against COVID-19, please request the **IgM nucleocapsid test (IgM-N)** at the laboratory when scheduling your appointments. Only certain laboratories at the departure cities offer this type of IgM test.

### Chinese Health Declaration Certificate Website: How-To Guide

#### Overview:

This guide is intended to help U.S. government employees and their families who are travelling to the People's Republic of China (PRC) on official orders. Before boarding a flight to China, the PRC government requires that all passengers age three and above must first get a Health Declaration Certificate/Code (HDC) via the following PRC Ministry of Foreign Affairs (MFA) website: <https://hrhk.cs.mfa.gov.cn/H5/>.

**Note:** It could take a while to register the HDC account successfully, so set up your HDC account in advance.

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The information you submit will be reviewed by the Chinese embassy or consulate whose district includes your testing location. Upon approval, you should receive a **green** QR code with "HDC" symbol. Passengers must present the code (electronic or printed) to airline staff during flight check-in and/or boarding. If you need urgent assistance (still no green code and time is running out), USG travelers and family may request help from the State Department's China Desk; contact info can be found at the end of these instructions.

### Approved Labs:

As of December 23, 2020, China only accepts lab results from certain labs listed on the corresponding Chinese embassy or consulate's web site. Below are links to the lists, prepared by the Chinese embassy and its consulates, of approved labs in/near each of the six cities currently with direct flights to the PRC. The list appears as the "**Appendix**" link below each of these list notices.

*Note: Lab lists are periodically updated.*

*Some labs may only accept cash. Please check with the lab you'll use in advance about the payment method. Ask the lab if you are required to self-drive or if taxi/Uber-type vehicle is viable.*

**Dallas:** <http://www.china-embassy.org/eng/notices/>

- Notice posted: 2021/04/21 <http://www.china-embassy.org/eng/notices/t1870474.htm>
- Lab List: <http://www.china-embassy.org/chn/lzsj/zytz/P020210420801553510835.doc>

**Los Angeles:** <http://losangeles.china-consulate.org/eng/lghd/>

- Notice posted: 2021/01/06 <http://losangeles.china-consulate.org/eng/lghd/t1844902.htm>
- Lab List: <https://docs.qq.com/sheet/DSExicEdBeUFiWFpw?tab=BB08J2>

**New York:** <http://newyork.china-consulate.org/eng/tzgg/>

- Notice posted: 2021/04/29 <http://newyork.china-consulate.org/eng/tzgg/t1872671.htm>
- Lab List: <http://newyork.china-consulate.org/eng/tzgg/P020210430180325927904.pdf>

**San Francisco and Seattle:** <http://www.chinaconsulatesf.org/eng/zytz/>

- Notice posted: 2021/04/30 [Testing and Health Code Application Requirements for Vaccinated Personnel Traveling to China \(chinaconsulatesf.org\)](http://www.chinaconsulatesf.org/eng/zytz/t1841576.htm)
- Notice posted: 2020/12/21 <http://www.chinaconsulatesf.org/eng/zytz/t1841576.htm>
- Lab List: <http://www.chinaconsulatesf.org/eng/zytz/P020201223479242383271.pdf>

**Detroit:** <http://www.chinaconsulatechicago.org/eng/zytz/>

- Notice posted: 2020/12/20 <http://www.chinaconsulatechicago.org/eng/zytz/t1841520.htm>
- Lab List: <http://www.chinaconsulatechicago.org/eng/zytz/P020210427203095822048.xlsx>

China requires all air travelers arriving from the United States to have a negative PCR test and a negative antibody (IgM) test to get a green code, even if vaccinated for COVID-19. There are multiple types of antibody tests; the two relevant to this process are known as IgM - S and IgM - N. The more common test, a spike protein test (IgM-S), will likely show a positive result if you were vaccinated for COVID-19 within the last few weeks and in some cases even longer periods. If this occurs, the Chinese embassy/consulate will **not** issue you a green code. If you were COVID-19 vaccinated (especially within the last three weeks), do not get the spike protein test. Instead, you should get the nucleocapsid IgM antibody test (IgM-N). Typically, the IgM-N will not show a positive result due to recent vaccination. It is your responsibility to communicate with the lab and make sure you are receiving the correct antibody test (i.e., nucleocapsid, if you were vaccinated recently). Do not upload positive test results.

### Challenges with the MFA's HDC Webform:

Many passengers have reported difficulties getting **green** approval status on the first try. This how-to guide consolidates lessons-learned on how to successfully apply for and obtain green approval status.

Passengers must go online (using smartphone or computer) to fill in their information, declare their health status, and upload documents, including test results, passport and visa information, and itinerary. Uploaded information and documents are examined by a team at the Chinese embassy/consulate in the United States. If information and documents

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do not satisfy all requirements, the team will reject the application and the applicant will see a red or orange code. Common reasons for rejection are illegible documentation and handwriting on lab reports – to the extent they should be entirely typed.

According to the Chinese embassy team, when an application is rejected, they try to provide a very short explanation of why the application was rejected. In almost all cases, this means the applicant can immediately try again with missing or revised documents/information. They encourage applicants to **promptly resubmit** applications reflecting the embassy's feedback.

### How to Complete the HDC Form:

The MFA webform is designed to be completed on a smartphone, but nearly any web browser will do. To complete the form on a computer, we recommend using Chrome browser. (In a test performed by Mission China, Internet Explorer would not process the application.) Have ready the following items for **you and each traveler in your family** requesting the Health Declaration Certificate/Code (HDC). The Chinese embassy applies these requirements strictly. Please read before submitting your application.

### You will need:

1. Picture (.jpg/.jpeg) of **biodata/photo page** of your diplomatic/official passport
2. Picture (.jpg/.jpeg) of **Chinese visa** in your passport
3. Picture (.jpg/.jpeg) of full report of the negative **COVID NAT results**
  - The results must specify a negative NAT or NAAT PCR or RT-PCR and test sampling method: (1) pharyngeal swab; (2) nasopharyngeal swab; (3) other.
  - Patient's name, date of birth (DOB), test type, date of sample collection, test result, name and contact info of test institution (including address & phone number) must be present in the results.
  - Lab reports should be printed, not handwritten, though a small amount of handwriting may pass.
4. Picture (.jpg/.jpeg) of full report of the negative **IgM antibody test results** (Must be **nucleocapsid antibody test** if vaccinated)
  - The results must specify – explicitly – whether the IgM test was “venous” or “fingertip.” China will no longer accept fingertip testing as of December 23. Applications that fail to state what method was used will likely be denied; testing methods include: (1) colloidal gold; (2) chemiluminescence; (3) enzyme-linked immunosorbent assay; (4) other.
  - Patient's name, DOB, test type, date of sample collection, test result, and name and contact info of test institution must be present in the results. Full contact info for the lab must include address & phone number.
5. Photo (.jpg/.jpeg) of **testing site**: Upload a self-portrait (selfie) of you/family at testing facility showing the facility's sign/logo as proof that you used an approved testing site. (Lab may have a suggested spot.)
6. Picture (.jpg/.jpeg) of **flight itinerary**: Should display your whole itinerary to Shanghai/Guangzhou. Include your flight number and departure date for your flight from the U.S. to China (e.g., DFW-PVG or LAX-CAN)
  - Upload itinerary together with the test reports. Include screenshot from airline website as well.
  - Note: Several airlines' flights to China make one- or two-hour tech stops in Seoul (ICN). A tech stop is not considered a transit point because passengers must remain on the plane during the stop. A **transit** stop would require a second round of Covid tests in the transit city, but no re-testing is involved for a **tech stop**.
7. Picture (.jpg/.jpeg) of your vaccination card if you have been fully vaccinated.
8. Letter of Commitment on COVID-19 Vaccination should be signed by you and uploaded as a picture in .jpg/.jpeg.
  - Reminder: As for the Commitment letter when you submit the HDC application, please use the commitment letter sent by Post with the legal responsibility, liabilities crossed. The Chinese Embassy/Consulate is OK with our version of the commitment letter.


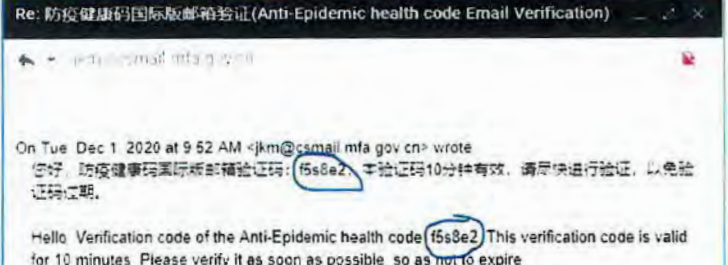


\*Note: All documents uploaded in the application process should be in .jpg/.jpeg. You may need to use a photo editor (or take screenshots) to resize your pictures to under 10 mb (which is the maximum size of a file permitted by the Chinese Embassy/MFA webform).

### Children Under 3:

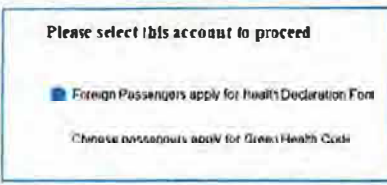
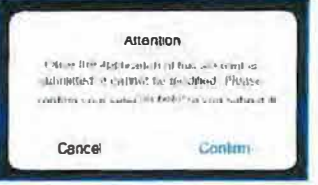
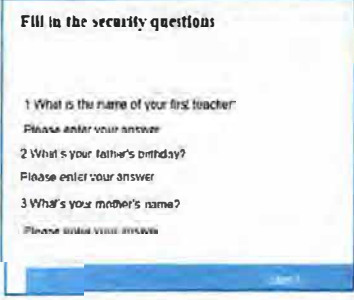
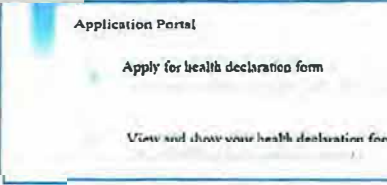
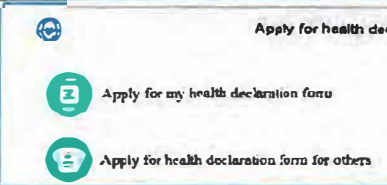
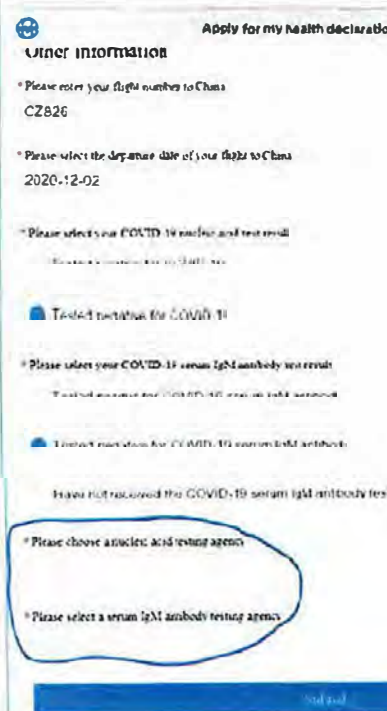
Kids under age three do not need either of the pre-flight tests NOR do you need to complete a health declaration form for them. Kids under 3 will get a COVID test when they land in China (likely by cheek swab).

**Step by Step Guide to Requesting Your HDC from Chinese MFA via Chinese Embassy/Consulate:**

[Reminder: Only negative test results should be submitted to the Chinese government. Do not submit positive results even if you've been vaccinated – without first consulting with U.S. Embassy Beijing or the State Department's China Desk.]

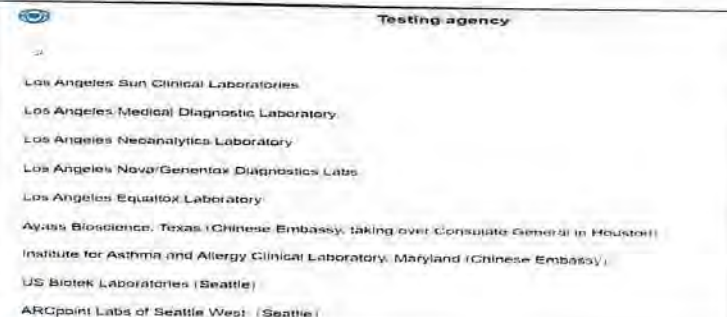
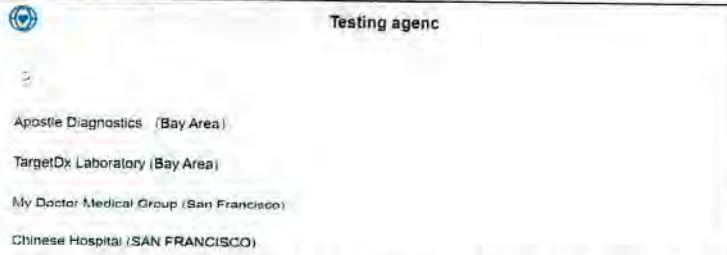
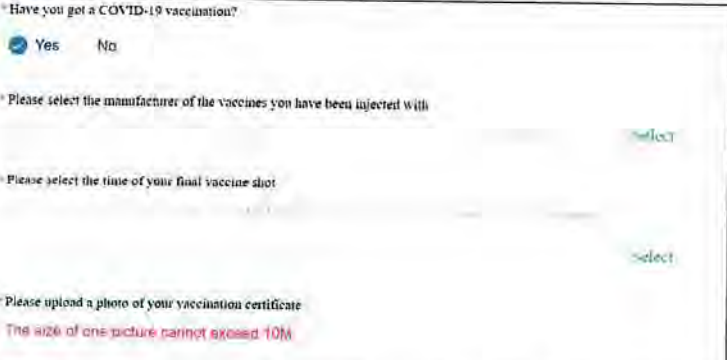
<p>From a web browser on a smartphone or computer, go to: <a href="https://hrhk.cs.mfa.gov.cn/115/">https://hrhk.cs.mfa.gov.cn/115/</a> (Chinese MFA website)</p> <p>Click on <b>Register Now</b> below the Login button.</p> <p>Email account must be typed in as lowercase letters.</p> 	<p>Enter an email address you can access immediately, select the box to the left of <b>information and privacy protection policy</b>, and then select <b>Get the verification code</b> (text in blue). (It does not accept capital letters either in the email address field or in the security questions field)</p> 
<p>Go to your email account to retrieve the code, then enter the code you received in the "Email verification code" field of the webform (copy-paste may not work). The code is only active for 10 minutes, so you need to do this step fairly quickly. The email you will receive from <a href="mailto:jkm@csmail.mfa.gov.cn">jkm@csmail.mfa.gov.cn</a> will look something like this. -</p>	
<p>After you enter the code, click on <b>The Next Step</b>.</p> <p>You will encounter a few verification screens during this process to confirm you are not an automated device of some kind (for example, by sliding a puzzle piece into place).</p>	
<p>Create a password (enter it twice) and select <b>Registration</b>.</p>	

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<p>Select the "Foreign Passengers apply for Health Declaration Form" and then select <b>confirm</b>.</p> <p>Select <b>Confirm</b> again on the pop-up saying, "Attention: Once the application of this account is submitted it cannot be modified. Please confirm your selection before you submit it?"</p>		
<p>Provide answers to the security questions for your account. Select <b>submit</b>.</p> <p>(There is no need to provide real information, but carefully make note of your answers in a place you can find them easily because you will need them to retrieve the results the next day.)</p> <p>Select <b>Confirm</b> on the pop-up that says, "Attention: Security questions are very important as information for authentication. Please check the answers to security questions carefully. Are you sure to submit?"</p>		
<p>Select <b>Apply for health declaration form</b>.</p>		
<p>Once you have established your account (which is what you have done if you have made it this far in the process), you are able to upload the data and JPGs required for you and all members of your family. The next screen offers you the option to enter either <u>your</u> data/jpgs or your <u>family member's</u> data/jpgs. You return to this screen later, if need be.</p> <p>Select <b>Apply for my health declaration form</b>.</p> <p>Enter the requested data in each field. Select <b>Passport</b> for 'Type of Document'.</p>		
<p>Once you select <b>Tested negative</b> for both COVID-19 NAT and the COVID-19 serum IgM antibody test, two more prompts will appear on the screen.</p> <p><b>Reminder: Do not upload positive test results.</b> Contact [redacted], your own agency, or the State Department's Bureau of Medical Services (MED) for advice on positive test results. If this delays your departure, be sure to notify your supervisor/CDO, HR at post, GSO [redacted] of the delay.</p> <p>If you have been vaccinated, you should have taken IgM-N test instead of IgM-S test because the IgM-S test typically yields a positive result in people vaccinated with Pfizer, Moderna, J&amp;J vaccines. Conversely, the IgM-N test does not react to the vaccine.</p>		



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<p>Click on <b>Select</b> next to the "Please choose a nucleic acid testing agency" field. The first drop-down list of options asks for your Country or Region (you can enter "United States" and search for it quickly). The second list of drop-down options is looking for your "Testing Agency."</p> <p>Note: Chinese rules require that the Covid testing site(s) you use must be in or near the city from which you fly to China. At present (January 2021), direct flights from the United States to China fly from six cities: Los Angeles, San Francisco, Seattle, New York, Detroit and Dallas only. However, the Los Angeles and New York flights are on non-U. S. airlines.</p>	
<p>Next to the "Please select a serum IgM antibody testing agency" field, click on <b>Select</b> and a drop-down list of testing agencies will appear.</p>	
<p>Enter your test date for the NAT and IgM antibody tests. Then upload a jpg/jpeg of your negative test result document(s). Also upload your itinerary(.jpg/.jpeg) at this point. The website does not currently have a prompt where you can upload your itinerary, but the Chinese embassy does require it. The Chinese embassy says their MFA is working on updating the website, but in the meantime, they tell us you can upload your itinerary at this stage of the process. Select <b>Submit</b>. Next you need to read through the "Declaration content" and click the box to the left of text in red at the bottom of the screen. Select <b>Submit</b>. Finally, review your data (check your passport number carefully) and select <b>Return and make changes</b> or <b>Confirm and submit</b>.</p>	
<p>Next, you'll need to answer, "Have you got a COVID-19 vaccination?" If you select "Yes", two more prompts will appear on the screen.</p> <p>Reminder: As for the Commitment letter when you submit the HDC application, please use the commitment letter sent by Post with the legal responsibility, liabilities text crossed out. The Chinese Embassy/Consulate has indicated they will accept this version of the commitment letter.</p>	
<p>Click on <b>Select</b> next to "Please select the manufacturer of the vaccines you have been injected with". a drop-down list will appear. Please select the one you use.</p>	<p>Choices include: Sinopharm, Sinovac, Janssen, Moderna, Novavax, Pfizer-BioNTech, AstraZeneca, Other</p>
<p>If you select "<b>Other</b>", a prompt will appear with "Please enter the manufacturer of the vaccines you have been injected with". Please fill in the actual manufacturer of the vaccine you have been injected with.</p>	<p>Please select the manufacturer of the vaccines you have been injected with <b>Other</b></p> <p>Please enter the manufacturer of the vaccines you have been injected with</p>
<p>Click <b>Select</b> next to "Please select the time of your final vaccine shot": a drop-down list will appear. A reminder appears: "With most COVID-19 vaccines, you will normally need two shots for them to work. Please select the time of your <u>final</u> vaccine shot." Note the time should ideally be accurate to the minute. You will also upload a photo of your vaccination card.</p>	
<p>Next, read through the "Declaration Content" and click the box to the left of text in red at bottom of the screen. Select <b>Submit</b>. Finally, review your data (check your passport number carefully) and select <b>Return and make changes</b> or <b>Confirm and submit</b>.</p>	
<p>Once you select <b>Confirm and submit</b>, you should receive a note that indicates your application for a health declaration form has been submitted successfully.</p>	<p>Once the Chinese embassy/consulate's approval process is complete you should see a green-colored QR code.</p> <p><b>Blue</b> background for submitter.</p>

Return to the home screen and select "View and show your health declaration form."

Immediately after submitting your data and forms, you will see an orange/yellow-colored QR code.



**Green background for family members ("not myself"):**



See color key for the QR colors. If all goes well, the color of your QR code will turn from orange/yellow to green once you are approved.

**Green** – eligible to board the flight. Please take note of the validity date of your HDC and make sure to board within the validity period. Please have your HDC ready for pre-boarding screening by the airline.

**Red** – Your HDC did not pass verification due to the following reasons

**Grey** – Your HDC has expired. Please re-submit your HDF and test certificates within the required period before boarding.

**Yellow (Orange)** – you have submitted your HDF and test certificate. Please wait for verification.



If you are unable to get to **green** after following this how-to guide, please contact EAP Go to Green Task Force [REDACTED]. In your message, provide your current location, QR code status, phone number(s), email address and flight time frame.

### Fill out online Customs Declaration Form and submit while at check-in counter

- Before checking in for the flight departing the U.S., travelers will need to fill out a customs form (<http://health.customsapp.com/home/pages/index/index.html>) and then get the customs code. This code is valid for only 24 hours and it must still be valid when travelers enter China.
- For your reference when it comes to below two questions on the application form:
  - Contact persons and their phone numbers in China: Please list yourself and your China SIM phone number or possibly the social or office sponsor's phone number. As a last resort, you can list the embassy switchboard: [REDACTED]
  - Address in China: Your residence in China; otherwise, the quarantine hotel address.

### Shanghai Airport Arrival Process

- Starting April 1<sup>st</sup>, all in-bound passengers will deplane as regular travelers. Airport staff will direct diplomatic arrivals to shuttles to the quarantine location for diplomats (Wyndham Hotel).
- The quarantine hotel in Shanghai for diplomats is Wyndham Grand Plaza Royale Oriental Shanghai (上海兴荣温德姆至尊豪廷酒店 Shanghai XingRong Wendemu Zhizun Haoting Jiudian). Please double check before you get on the shuttle- Address below.
- Note:** Anyone who has not been properly notified to Shanghai FAO by Diplomatic Note in advance will be directed to a district-based quarantine location. So please do contact Post in advance with your travel schedule.

## Quarantine Hotel Information

1. Hotel Name in English: Wyndham Grand Plaza Royale Oriental Shanghai  
in Chinese: 上海兴荣温德姆至尊豪廷酒店  
in Pinyin: Shanghai XingRong Wendemu Zhizun Haoting Jiudian
  2. Hotel Address in English: No. 2288 Pudong Ave, Pudong Xinqu, Shanghai.  
in Chinese: 上海市浦东新区浦东大道 2288 号  
in Pinyin: Shanghai Shi Pudong Xinqu Pudong Dadao 2288 Hao
  3. Hotel phone number: 021-5852-6666
- Room rate is RMB 350 per night and base meal cost is RMB 100 per day. You will pay your total charges at check-out. Be prepared with more than one credit card or even more than one type of credit card (example: a Visa card and a MasterCard, etc.) in case your WeChat Wallet and/or Alipay do not cooperate. Quarantine hotel deliveries may be very limited-this is controlled by Chinese CDC. Please pack accordingly.
  - Shanghai FAO does not permit adults or kids over age 14 to quarantine together.
  - If families have 2 parents, parents will be separated; families can divide up the kids as they see fit: 1 kid with each parent, 2 kids with one parent, etc. (Please let GSO know in advance of any special considerations.)
  - No adjoining/connecting rooms available at Wyndham Hotel.
  - At check-in, fill in all required information truthfully under the instruction of the staff.
  - You will receive a bag of supplies from the front desk. It contains a thermometer and a white medicine bottle containing chloride disinfectant tablets. Do not eat the tablets! How to use: put 10 tablets into the toilet after each bowel movement, put down the toilet lid, close the washroom door and flush after 30 minutes.
  - Do not leave your room once you are checked in. All the hallways and staircases in the hotel are monitored by CCTV cameras 24/7.
  - **Kuai-di** deliveries (online shopping delivery like Taobao or Jingdong) and packages from your family are generally allowed. The hotel will only deliver packages to your room once every day, normally at 17:00. Please have your full name and room number marked on your packages.
  - **Wai-mai** (restaurant delivery like Sherepas, Eleme, Meituan, JSS) food deliveries, freshly prepared food, alcohol, cigarettes, flammables, explosives, and high-power electrical appliances are generally **not allowed**. (Only factory-sealed/packaged items allowed.) The hotel will sanitize all the delivered items by spraying disinfectant. Travelers will take full responsibility for anything delivered from outside by signing a waiver upon check-in.
  - Bottled water is not free. You may call the Front Desk to buy water – 1 case (24 bottles) costs 36 RMB (\$5.50 USD). You will be charged at check out.
  - Cleaning service/housekeeping is **not** available. You may call the Front Desk to request clean towels and bedding to your door every 3 days. After you change the linens yourself, you can place the used ones outside the door.
  - Medical staff will visit your room at 09:00 and 14:00 daily to take your temperature. Please be prepared at the specified time. **We recommend bringing your own digital thermometer for ease of use.**
  - On Day 4, 7, 12 or 13, a second COVID test (NAT swab) will be conducted. Currently the tests are free of charge for diplomats and their family members.
  - Hotel staff will inform you about the exact checkout time the day before your quarantine ends. You will get a phone call reminder again about 30 minutes before your checkout time. Please pack your personal belongings and follow the instructions of the hotel staff to go through checkout procedures.
  - On Day 14, a paper certificate will be issued indicating you completed 14-day quarantine.
  - Meals: RMB 100/day is for the Chinese-style meal including breakfast, lunch and dinner.  
If you choose the Chinese-style meal at check-in, this selection will be the default for the entire 14 days. Conversely, you will also be able to order from Western-style and Muslim-style menus (price varies by dish and you will be charged at checkout).
  - To access the hotel's **Wi-Fi**, you can have a confirmation code sent to a Chinese mobile phone number. If you don't have a Chinese phone number, it should also be possible to use the hotel room number, if entered exactly, to access hotel wi-fi. Just in case, consider bringing an alternative to hotel wi-fi like a Google Fi SIM (activated while in USA) or a T-Mobile SIM with international data plan.

**Day 1 COVID test at airport and then transport to quarantine hotel**

- NAT swab of both nostrils upon arrival. Travelers don't need to wait for the result at the airport.
- Shanghai Foreign Affairs Office will have arranged airport shuttle to hotel as well as hotel rooms in advance per Post's notification in advance.
- Please send a message to [REDACTED] and [REDACTED] with your room number at the hotel as soon as possible.

**Day 7 Notify/Contact Beijing GSO VIP for tickets back to assignment city and transportation to/from airports**

- Please confirm your flight information with GSO VIP to arrange your airport drop off and pick up service.
- Please reach out to GSO VIP for transportation to Beijing when you are half-way through the quarantine in Shanghai. When arriving in Beijing, Beijing quarantine policy requires travelers to do another 7-day centralized hotel quarantine (Hotel Maxmelim Beijing) or home quarantine (depending on Embassy housing availability).
- Estimated release time will be the actual arrival time of the direct flight plus 14 days+/- . We suggest at least 3 hours gap between the release time and the flight departure time from Shanghai. See samples as below:

Depart USA from	Direct Flight #	ACTUAL Arrival Time	Estimated Release Time	Suggested Flight Departure Time (SH to BJ)
[REDACTED]	[REDACTED]	14:50 on May 1	14:50 on May 15	After 17:50 on May 15
[REDACTED]	[REDACTED]	06:00 on May 1	06:00 on May 15	After 09:00 on May 15
[REDACTED]	[REDACTED]	06:45 on May 1	06:45 on May 15	After 09:45 on May 15
[REDACTED]	[REDACTED]	17:25 on May 1	17:25 on May 15	After 20:25 on May 15

**Day 12/13 COVID NAT test at hotel**

**Day 14 release from Shanghai hotel; travel to assignment city on Day 14/15**

- Post will coordinate with Motor Pools on transportation to/from airports in advance:

Transportation	Provided by
Quarantine Hotel --> Shanghai Airport	Shanghai Motor Pool
Beijing Airport --> Quarantine Hotel/Home	Beijing Motor Pool

- You might be needed to register in the airport as they want to keep the record for the ones who has been in China for 14 days but less than 21 days.
- If you have family members in your residence or your residence doesn't pass the China CDC quarantine evaluation, you may stay in the Beijing quarantine hotel for the 3rd week at very low cost and be reimbursed later.
- Please reach out to your home quarantine residence POC in advance to coordinate your arrival and further daily temperature reporting. The POC will notify you of the day-21 test time and location.
- Must remain inside of your home or hotel in Beijing for the third week, and must test negative for COVID-19, in order to be released from quarantine by the Chinese CDC on day 22.

Residence Compound	POC	Cell Phone
Grand Fortune Garden(GFG)	[REDACTED]	[REDACTED]
Guangming (GM)	[REDACTED]	[REDACTED]
King Stone(KS)	[REDACTED]	[REDACTED]
LiangmaQiao - C (LMQ - C)	[REDACTED]	[REDACTED]

Park View(PV)			
River Garden(RG)			
Mixion			

\*Search for the POC's cell phone number in WeChat.

**Day 20 BeijingMotorPool@state.gov will contact you for transportation to/from test site if you are living in Shunyi District**

- After receiving your test schedule from your residential POC, please send the details (time, date, location) to Beijing Motor Pool. Please contact GSO VIP if you are unclear on the test details. GSO VIP will verify with Beijing FAO accordingly.
- If you are quarantined in the hotel, you will be notified by the hotel.

**Day 21 COVID NAT test in your residence if you are living in Chaoyang District**

- You will be notified by your residence Manager on the scheduled COVID NAT test in your residence.
- You will be notified by the hotel on the scheduled COVID NAT test in your room.
- Please show the card to the CDC doctor before he/she administers the test.

<p><input checked="" type="checkbox"/> COVID nose/throat swab – ok✓</p> <p><del>X</del>anal swab/fecal sampling – not permitted ⊙</p> <p><del>X</del>environmental swab/sampling – forbidden ⊙</p> <ul style="list-style-type: none"> <li>■ Hello! As a U.S. diplomatic personnel or family member (diplomatic passport holder), I (we) have special privileges and immunities.</li> <li>■ I (we) have consented to undergo a nose/throat swab today (for nucleic acid testing for COVID-19) as a condition of my (our) arrival/quarantine in China. However, that is the only test I (we) can allow you to administer.</li> <li>■ These are the only tests the U.S. government permits diplomatic personnel to undergo as part of the arrival/quarantine process.</li> <li>■ In addition, this home is considered a diplomatic residence and is therefore inviolable. This means you are not permitted to swab anything or any surface inside this home.</li> <li>■ If you have any questions, you should contact the Beijing Foreign Affairs Office or the PRC Ministry of Foreign Affairs. Thank you for your understanding.</li> </ul>	<p><input checked="" type="checkbox"/> 新冠肺炎 鼻/咽拭子–好的✓</p> <p><del>X</del>肛门拭子/粪便取样–不允许 ⊙</p> <p><del>X</del>环境棉签/取样–禁止 ⊙</p> <ul style="list-style-type: none"> <li>• 您好! 作为美国外交人员或家庭成员 (外交护照持有人) ,我 (我们) 享有特权和豁免权。</li> <li>• 作为我 (我们) 到达中国以及在中国隔离的条件, 我 (我们) 今天同意接受鼻/咽拭子检测 (用于 COVID-19 的核酸检测) 。然而这是我 (我们) 唯一允许的检测。</li> <li>• 这些检测是美国政府允许外交人员接受的唯一检测以作为抵达/隔离程序的一部分。</li> <li>• 此外, 该住宅被视为外交官邸, 因此是不可侵犯。这意味着您不能在此房屋内擦拭任何东西或任何表面。</li> <li>• 如有任何疑问, 请联系北京外事办公室或中华人民共和国外交部。感谢您的理解。</li> </ul>
--	--

**Day 22 Receive test result. Arrival quarantine process is complete!**

<b>Other Notes</b>	If a traveler tests positive for COVID in China, s/he will be moved to a hospital. Medevac may be arranged following consultation with Post's Health Unit and MED (State Department's Bureau of Medical Services) and/or your agency.
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## **ATTACHMENT 4**

# ATTACHMENT 4 - PAGE 1

## Mission China Travel-to-China Checklist

### SUMMARY:

- Passport, Visa, Travel Orders, eCC (if TDY)
- Fly to departure city for NAT & IgM test
- HDC code green prior to China flight
- NATs on Day 1, 4, 7, 13, 16\*, 21
- Two weeks hotel quarantine in arrival city
- 3rd week of quarantine if Beijing-bound.
- Four weeks quarantine if Shenyang-bound
- After 21 days in China, no restrictions (apart from temp scans and QR code scans)

### RULES BEHIND THE PROCEDURES:

- Must do pre-flight tests (NAT & IgM) in/near the city from which direct flight to China departs no more than 48 hours before departure. Must use Chinese MFA webform to report results to Chinese embassy or consulate and then need green QR code response to board flight.
- Two-week quarantine in the arrival city. Additional 7 days for Beijing-bound travelers; additional 14 days for Shenyang-bound.
- U.S. Embassy/Consulate must send Diplomatic Note to MFA and FAO 10+ business days in advance of your flight to China.
- No airline authorized to operate direct flights from the U.S. to Beijing, Wuhan, or Shenyang. No direct flights from Washington DC to China.

### Advance Planning: 4 to 6+ weeks in advance of departure

- If TDY, submit eCC (country clearance authorization request) to Post well in advance.
- Send email to BeijingVIPVisits@state.gov (or similar if assigned to a Consulate) to request up-to-date travel procedures, how-to guidance, and to provide travelers' biodata GSO needs to officially notify MFA (by Diplomatic Note) of arrival plan.
- Obtain "W" (diplomatic visa) for China. With few exceptions, China is not currently issuing other visa types.
- For PCS, check Travel Orders (TM4 or "Post Assignment Travel Authorization" for State Dept) to ensure there is budget for 2 or 3 days of hotel/M&IE in U.S. departure city for COVID testing, 2 or 3 weeks of quarantine hotel/M&IE in arrival city, and that there is sufficient funding for air travel (from origin point to departure/testing city to arrival city to post). Airfare budget may need to be increased drastically (as some itineraries exceed \$7,000 per person).
- Notify your CDO, Beijing/Consulate's HR, CLO, and GSO of any changes to your arrival date and travel plan. [Note: GSO must notify MFA and FAO if your arrival date deviates from that provided in the original Diplomatic Note.]

### Pre-Departure Preparation: 1-2 weeks in advance of travel

- Check with U.S. Embassy/Consulate's GSO/VIP team for process updates and confirm readiness to travel.
- Schedule PCR NAT and IgM tests in departure city at testing site approved by PRC (lists on PRC embassy/consulate website).
- Print key guidance to carry including HDC form assistance POCs and key U.S. Embassy/Consulate POCs.
- If COVID vaccinated, ensure you have physical copies of the vaccine certificate and related documentation.

### Testing and Boarding: 48 hours prior to boarding the plane at the departure city for a direct flight to China

- Complete RT PCR NAT and IgM COVID tests at departure city.
- Submit test results and other documents (via Chinese MFA's HDC application) for PRC embassy/consulate review.
  - See HDC (Health Declaration Code) instructions in the U.S. Embassy's Travel Handbook for guidance.
- At airport, green HDC code required to check in and board. Start the online China Customs form early; submit at airport.

### Arrival in China

- Day 1 COVID test (NAT) at airport; transport (arranged by local FAO officials) to quarantine hotel for 14 days.
- COVID tests at quarantine hotel on Days 4, 7, and 13.
- Day 14/15, release from hotel; Shanghai Motor pool transport to Shanghai airport. Travel to Post city. Motor pool pickup.
- Additional 7-day quarantine in Beijing under Beijing's 14+7 policy.
- Day 16 COVID test if still in Shanghai.
- Day 21 COVID test for Beijing-bound travelers. If in Beijing: transport by Motor Pool to/from test site.
- Day 22 release from quarantine.

### Other Notes

- If a traveler tests positive for COVID in China, s/he will be moved to a hospital. Medevac may be arranged following consultation with Post's Health Unit and MED (State Department's Bureau of Medical Services) and/or your agency.
- Quarantine hotel deliveries may be very limited. This is controlled by Chinese CDC. Please pack accordingly.

Last updated 6/3/2021

## **ATTACHMENT 5**



ATTACHMENT 5 - PAGE 1

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**From:** (b)(6)@state.gov  
**To:** (b)(6)@state.gov  
**Subject:** FW: No. 024 - Updated Quarantine Policy for Beijing-bound Travelers Arriving from Overseas.pdf  
**Date:** Tue, 6 Apr 2021

Here's the latest official guidance on quarantine etc. in China for US diplomats.

SENSITIVE BUT UNCLASSIFIED  
**From:** (b)(6)@state.gov  
**Sent:** Wednesday, March 3, 2021  
**To:** (b)(6)@state.gov  
**Subject:** No. 024 - Updated Quarantine Policy for Beijing-bound Travelers Arriving from Overseas.pdf

(b)(6)

Thanks for sending the last notice. I pulled this one from Beijing's internal site. You have it on the high side now too.

(b)(6)

SENSITIVE BUT UNCLASSIFIED  
**Sender:** (b)(6)@state.gov  
**Recipient:** (b)(6)@state.gov



# MANAGEMENT NOTICE

## American Embassy Beijing

Notice No: 024

January 29, 2021

TO: Embassy Beijing American Employees

FROM: Minister Counselor for Management - [REDACTED]

SUBJECT: Updated Quarantine Policy for Beijing-bound Travelers Arriving from Overseas

As part of Beijing municipality's efforts to curb the spread of COVID-19, a new quarantine policy for Beijing-bound overseas travelers went into effect January 19, 2021. The new "14+7+7" model comprises 14 days centralized hotel quarantine, 7 days of home isolation or centralized quarantine, and 7 days of health monitoring, as well as an updated testing regime during the 14+7+7 period. [Only diplomatic travelers are afforded opportunity for the home quarantine in limited circumstances (and only during the third week). Non-diplomatic travelers are automatically subject to 21 days of centralized hotel quarantine.] It is also important to note that varying rules for quarantine at the city of arrival can impact where travelers may spend the third week of quarantine. The parameters governing this new policy result in two different scenarios for implementation.

**Scenario 1:** If everyone on your flight (as well as surfaces inside the plane) tests **negative** upon arrival, after 14 days of centralized quarantine in a designated hotel you may be able to spend the third week of quarantine at home. COVID-19 nucleic acid tests (NAT) will be administered at your hotel room during quarantine at Day 7 and Day 14. After the 14-day quarantine and a negative NAT result, you may proceed directly to Beijing for 7 days of strict home isolation at an embassy residence (if available and if pre-approved by Beijing CDC). Another NAT will be conducted around Day 21. After Day 21 and a negative NAT result, you will do 7 days of health monitoring in Beijing. During this 7-day health monitoring period, you may reside at home, go to the office, and follow normal routines, but must avoid large gatherings. You will be asked to report your temperature twice daily and to report any abnormal health conditions to your local community liaison. An additional NAT test will be conducted on Day 28 at an outside clinic. The quarantine/monitoring process ordinarily ends at Day 28.

**Note 1:** Arriving traveler(s) cannot use their own residence for the third week of quarantine if the residence is already occupied (e.g., by other family members). In this case, travelers will spend the third week in centralized quarantine hotel in Beijing or at another vacant residence that has been approved for quarantine, if available. After Day 21, travelers may return home (even to an occupied residence) to complete the week of health monitoring (during which you may conduct normal home and work activities in Beijing but must report your temperature twice daily and avoid gatherings/crowds).

**Note 2:** Some housing has not been approved for quarantine by China CDC (e.g., LMQ-B and QJY). If alternate quarantine housing is not available, travelers will spend the third week of quarantine in a centralized quarantine hotel in Beijing. At Day 21, travelers may return home to complete the week of health monitoring (during which you may conduct normal home and work activities in Beijing but must report your temperature twice daily and avoid gatherings/crowds).

**Scenario 2:** If someone on your flight (or objects on the plane) tests positive upon arrival and you are identified as a close contact, you will be required to spend the entire 21-day quarantine period in a designated hotel. COVID tests (NAT) will be administered at your hotel room during the 21-day quarantine at around Days 7, 14, and 21. You will be allowed to travel to Beijing with a negative test result on/after Day 21. Once you arrive in Beijing, you will need to remain in Beijing for 7 days of health monitoring. During the 7 days of health monitoring, you may reside at home, go to the office, and follow normal routines, but must avoid gatherings/crowds. You will be asked to report your temperature twice daily and to report any abnormal health conditions to your local community liaison (usually the residence manager). An additional NAT test will be conducted at Day 28 at an outside clinic. The quarantine/monitoring process normally ends at Day 28.

**Important Note on Testing:** As you may have seen in media reports, the Chinese authorities have introduced two new testing methods: anal swab /fecal sampling and residence environmental testing (swabbing surfaces inside homes). From what we have seen so far, requests for these types of test are occurring around Day 21 of the quarantine/monitoring process. **U.S. diplomatic personnel and their family members should not under any circumstances accede to these types of testing.** Approved COVID tests for diplomatic personnel and their families in China are the NAT test via nasal or throat swab (fecal sampling for children for whom the NAT test is not practical). If you are requested to take any other kind of test, please decline and notify [REDACTED] for tracking and follow-up.

# **ATTACHMENT 6**

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**From:** (b)(6)@state.gov>  
**To:** (b)(6)@state.gov>  
**Subject:** FW: Travel to China Updates  
**Date:** Wed, 24 Mar 2021

Hey there! hope you've been enjoying your trip home!

Several of the attachments are way overboard for you, but wanted to share the latest version of our "China Travel Prep" and the HDC how-to guide so you are ready for your flight back here. See also the notes below --- no more home quarantine! This email went out to our incoming PCSers so there is a ton of guidance on tech, phones, etc.

Let me know if you have questions!

☺ (b)(6)

**From:** (b)(6)@state.gov>  
**Sent:** Wednesday, March 17, 2021  
**To:** (b)(6)@state.gov>  
**Cc:** (b)(6)@state.gov>; (b)(6)@state.gov>  
**Subject:** Travel to China Updates

Hello! US Consulate Guangzhou is looking forward to your arrival in Guangzhou in the coming months. We wanted to provide you with some updates to travel regulations and ensure you have the latest guidance available as you prepare for your trip to China. Please keep in mind that the travel regulations are changing regularly -- we will do our best to inform you of all updated requirements as we get clarification from local authorities.

**GZ Quarantine Updates**

First, some good news! Guangzhou just eliminated +7 days of home quarantine! When you land in Guangzhou, you will still complete 14 days of hotel quarantine. Once you receive a negative NAT COVID test on day 13, you should be released on day 14 and are free to move around Guangzhou. Local CDC officials have indicated they will schedule a day 21 NAT COVID test with all incoming personnel and family members even though there is no more +7 home quarantine. In summary, arriving travelers should expect to have NAT COVID tests upon landing and on days 7, 13, and 21.

**Vaccinations**

Our medical officer, (b)(6) encourages eligible individuals to receive a COVID-19 vaccination if they have the opportunity to do so before leaving the United States. If you are able to get a vaccination, please alert the GZ Commercial Arrivals team (b)(6) so we can include that information in our dipnotes to the MFA and FAO. You will need to travel with copies of your vaccination certificate (should include the name of manufacturer and date administered). The PRC's Health Declaration Code (HDC) process also includes a field for you to provide any vaccination data, so they are

factoring in that information when processing your HDC code. We have had several vaccinated travelers enter China successfully in the past few months.

The Department of State released [21 STATE 20546](#) (OpenNet link) on March 12, 2021 outlining the opportunity for anyone typically serviced by MED's pre-travel clinic and who has confirmed reservations to PCS to post in March or April of this year to receive the Johnson & Johnson Janssen COVID-19 vaccination at MED HART in Washington, DC. If you meet this criteria and are interested in receiving this vaccination, please email [\(b\)\(6\)@state.gov](mailto:(b)(6)@state.gov).

#### **Attestation/Affidavit**

For a brief period of time around Chinese New Year, the Chinese government was asking all travelers, including diplomats, to sign an affidavit agreeing that if they test positive at any point during the arrival or quarantine period, they agree to be treated in China, agree to pay all expenses of such treatment, and/or will be medevacked back to their originating country. Diplomats were not permitted to sign such an affidavit, and there was a temporary hold on U.S. diplomatic travel to China as a result. That issue has been resolved; there is no longer an area on the HDC Website requesting travelers to agree to those terms.

#### **COVID Testing in China**

On a videoconference with the MFA on March 9, 2021, host country officials confirmed that all foreign mission representatives "...will only be subjected to PCR NAT COVID-19 testing upon arrival and during the quarantine and observation period. Anal swabs and stool sample tests are not permitted for diplomatic personnel. Should travelers be asked to submit to these tests at any time, diplomatic personnel should refuse the testing and the embassy Management Officer will notify the MFA Protocol office." Note that in Guangzhou, adults will have NAT COVID tests in both nostrils and possibly a throat and/or cheek swab as well; children under 14 should only have a throat and/or cheek swab.

#### **China Travel & Arrival Prep**

The Guangzhou HR team recently issued updated TMTTHREES to all incoming personnel. Please review that document carefully for instructions on how to apply for housing, shipping considerations, visa application instructions, and more. The TMTTHREE also directs everyone to the GZ Commercial Arrivals team to initiate conversations on travel to post. When you are ready to research flight options, please reach out to [\(b\)\(6\)@state.gov](mailto:(b)(6)@state.gov). I am attaching the current Travel to China Prep documents CLO sends to incoming officers and families so everyone has a good idea of the current processes for traveling to China. We certainly hope these processes simplify in the coming months – we will update all materials as needed when notified of changes by PRC authorities. There is a lot of content in these documents (apologies for clogging up your inbox!), but it's all rather helpful as you plan your pack-outs, make UAB vs HHE decisions, stock-up on must-have items for China, and allocate space in your suitcases. I recommend you start with the "China Travel Preparations" document for a thorough review of the pre-flight and arrival processes. I've also attached a "Departure from US to China Checklist" for a one-page checklist of key action items with timelines leading up to your departure.

#### **Questions?**

CLO and the GZ Commercial Arrivals teams are always happy to answer your questions – please email us at [\(b\)\(6\)@state.gov](mailto:(b)(6)@state.gov) or [\(b\)\(6\)@state.gov](mailto:(b)(6)@state.gov). Additionally, we are hosting WebEx calls with incoming personnel and family members to review all pre-flight testing and arrival processes and give you the chance to ask us questions. Expect to receive WebEx invitations for an early May call, as well as monthly calls throughout the summer transfer season.

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Life has been relatively normal here in Guangzhou with extremely rare cases of COVID reported in the province over the past nine months. While the processes to get here require a lot of effort and focus, our day-to-day life allows for many social freedoms like indoor dining, group gatherings, and in-person attendance at school – we hope you are looking forward to it! We can't wait to welcome you all in person!

Kind regards,

(b)(6)  
CLO Guangzhou

(b)(6)@state.gov

WeChat ID: [REDACTED]

**Sender:** (b)(6)@state.gov>  
**Recipient:** (b)(6)@state.gov>

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Hello, travelers! Please take some time to read through this email and all attachments as you prepare for your trip to China. While we know the process to get to China is arduous, we think you will find our Chinese counterparts are very professional and eager to make your arrival and quarantine as smooth as possible. Your team here in Guangzhou is also standing by to support as needed – do not hesitate to reach out to us with any questions or issues you may have.

Obviously, everyone needs to take every precaution in the weeks leading up to your departure to avoid exposure to COVID. We can't wait to greet you in person when you get out of quarantine and arrive safely in Guangzhou!

### Travel Bookings & Questions

Everyone assigned to Guangzhou should direct all China travel, arrival, and quarantine questions to the Guangzhou Commercial Arrivals team or our Meiya travel consultants here at post. At this time, only Shenyang, Shanghai, and Guangzhou are permitted to receive diplomatic travelers in China. We strongly encourage all Guangzhou-accredited travelers to fly directly to Guangzhou as it has been the most successful route for our travelers. Send all questions and comments to Guangzhou Commercial Arrivals at [REDACTED]@state.gov, or for flight questions, Meiya at [REDACTED]@meiya.com.

### Pre-Flight Testing

As of November 6, China requires all travelers entering the country to have a negative nasal swab (NAT COVID test) and negative blood test (for IgM antibodies) approved by the Chinese Embassy/Consulate within 48 hours of travel to China from an approved lab in the city of departure for China. Click [here](#) to review the test requirements. Note also that the Chinese government will only accept lab results from their approved list. Click [here](#) to find links to the Chinese Embassy/Consulate Websites for your departure city to China (search for the approved labs list on those sites).

For travelers entering China on the LAX (Los Angeles, CA) – CAN (Guangzhou's Baiyun International Airport) route on China Southern, we strongly recommend the lab just outside the LAX airport (Airport Diagnostic Institute) -- click [here](#) to find contact information for all lab options for the Los Angeles region. The Bureau of Medical Services (MED) will issue doctor's orders for lab tests at outside labs in multiple states, if needed. Contact MED by email or phone: [REDACTED]@state.gov or [REDACTED]

Should anyone test positive on either the NAT COVID test or the IgM antibody test, please email or call MED directly: [REDACTED]@state.gov or [REDACTED] for further guidance and instructions.

Once you have test results, you have to apply for a green Health Declaration Code (HDC) through the PRC Webform. Please see the attached "Health Declaration Webform How To" guide for explicit directions on how to complete this process. You need to read very carefully and follow every step in this guide. The Website is not intuitive. **YOU SHOULD REMAIN AS ISOLATED AS POSSIBLE BETWEEN TESTING AND DEPARTURE TO AVOID EXPOSURE TO COVID.** We cannot stress this enough – avoid all crowds or enclosed spaces with persons outside your immediate family group, wear a mask, and maintain all COVID-prevention practices.

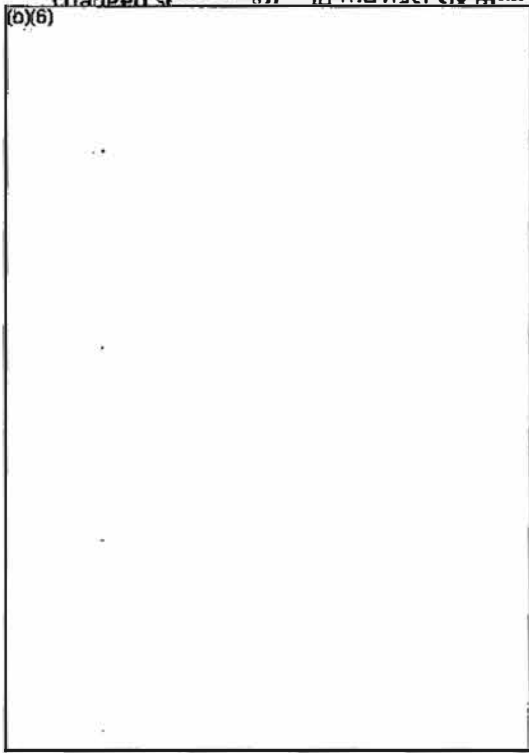


[REDACTED]

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[REDACTED]

Note that once you arrive at the airport for your flight to China, the airline may ask you to fill in an additional online form at: <http://health.customsapp.com/>. This is a Chinese Website – it appears to perform best from a Smartphone browser or Chrome on a desktop. The site is the Chinese "Exit/Entry Health Declaration Form," and will produce another QR code which some airlines have required travelers to show before boarding. In addition to your basic travel information, passport/visa data, you will provide a brief travel history over the last two weeks. You also need a contact person in China; please use my name and phone number: (b)(6) For your address, use your assigned residence for Guangzhou. Assuming you have limited your exposure to anyone with COVID symptoms leading up to your departure, you should indicate "No" for the COVID questions. Once you complete this form, you will receive another QR code (see below). Complete the form for each member of your family and be sure to save the QR code images to your device so you can produce them easily when boarding the plane. Each QR will have the passenger name below the code (name not pictured below). If you do not complete this step in the US before departure, you will likely have to complete it upon landing in the airport. Chinese CDC officials will help you through the latest process, as it has changed several times in the past six months.



**Red QR Code**

After following all guidance and steps outlined, if you are unable to get a "Green" Health Declaration Code from the Chinese Embassy/Consulates for travel, please email the EAP-EX China Desk for assistance ASAP. They have a rotating duty officer program, and someone will be monitoring the mailbox throughout weekends, off hours, etc. The email address is:

[REDACTED]@state.gov

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Please copy [REDACTED] on any communication to the China Desk: (b)(6) [REDACTED]@state.gov. Additionally, if you are not able to catch your flight for any reason, please let us know as early as possible. We need to inform the Chinese authorities of all changes. Please email (b)(6) [REDACTED]@state.gov and email or call Meiya directly to reschedule before the flight takes off to avoid no-show penalty. Thank you!

**24/7/365 Travel Contact Information for Meiya (Mission China travel agency contractor):**

After-Hours Hotline:

Within China: [REDACTED] (Both Chinese and English)

Outside China: [REDACTED] or [REDACTED] (Both Chinese and English)

Email address: [REDACTED]

**Hotel Quarantine**

All travelers coming to both Guangzhou and Shanghai will land and be transported to a quarantine hotel where they will complete a mandatory 14-day quarantine period. Hotel rooms are basic with no frills; most hotels do not offer suites nor family-style accommodations. Hotels often do not have microwaves, laundry service, English TV channels, or strong Wi-Fi; and outside restaurant/fresh food deliveries are usually not allowed (each hotel decides whether or not food delivery is permitted so experiences will vary in Guangzhou where we have several quarantine hotels). Packing food/snacks (especially for those with children and/or food allergies) and entertainment is highly encouraged to make the stay as comfortable as possible. Please read through the attached document written by a Guangzhou colleague, Thahn Duffley, who was on Charter Flight 1 and quarantined alone in Tianjin this spring. She provides some great suggestions on what to pack and how to weather the two-week stay. Also attached is a "Travel to China Checklist," which was prepared for subsequent Guangzhou charter arrivals.

If you have food allergies or medication that requires cold storage, please email [REDACTED]@state.gov and we will work with FAO contacts to address.

**Guangzhou**

The Guangdong Province has designated many quarantine hotels in Guangzhou. The FAO will assign travelers to their quarantine hotels based on incoming travel volume and hotel occupancy. You do not have to make a hotel reservation in advance. Most of the quarantine hotels are 4-star Chinese hotels with average room rates of 400 RMB per room, per night; hotel meals are approximately 100 RMB per person, per day). Travelers will provide a credit card at check in, pay all hotel expenses at check out, and seek reimbursement using PCS or other official travel orders/allowances. Room rates will vary based on the room type to which you are assigned. Per diem rates are very high for Guangzhou (approximately \$250 per hotel room night) – the room rates at quarantine hotels do not typically exceed this amount, but confirm pricing with your hotel at check-in.

[REDACTED]

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[REDACTED]

The FAO will notify US Consulate Guangzhou of the assigned quarantine hotel for each of our travelers the morning of your arrival, so it is unlikely we will be able to give you your hotel name before you depart the US. We will remain in contact with the FAO throughout your arrival, hotel check-in, and quarantine. Keeping families together is not guaranteed, however Guangzhou hotels have also been more flexible to accommodate families staying together depending on the availability of family suites or connecting rooms.

In Guangzhou, the ability to have food delivered from outside the hotel will vary by hotel so everyone should pack snacks, coffee, and other food to supplement the options available from the hotel menu. Most hotels are permitting outside deliveries but will bring such deliveries to your room during the hotel's set delivery time windows.

When you land, officials will direct you through customs and baggage claim -- you will take your arrival COVID test in the airport. Adults will have a NAT COVID test in both nostrils and possibly a throat and/or cheek swab as well; children under 14 should only have a throat and/or cheek swab. Local officials will then transport you to your assigned COVID hotel where you will wait 24-48 hours for your COVID results. If you test negative, you will remain in your assigned COVID hotel for the duration of quarantine. If anyone on your plane tests positive, and you are deemed a close contact, officials will transport you to a close contact quarantine hotel, where you should expect to have 2-3 additional COVID tests over the duration of your quarantine.

All travelers will take a final COVID test (approximately day 13), and authorities will officially release them once they receive a negative test result. Results have been returned within 24 hours to date, but the FAO has suggested results may take up to 48 hours if labs are overwhelmed. Even after your 14 days are up, you cannot leave your quarantine hotel until you have been officially released by the Chinese authorities. They will send regular communications and stay in touch with you and with us here at post; always reach out to us if you have any questions or concerns. Quarantine rules are strictly monitored and enforced.

Should anyone test positive upon landing, the FAO will notify post and we will coordinate with our MED team for continued collaboration with the treating COVID hospital to which they send positive travelers. COVID hospitals will do additional COVID testing to ensure the last test result was not a false positive and will treat you accordingly based on symptoms and continued test results. Our MED team in Guangzhou encourages anyone who receives a positive COVID test result while in China to contact them directly at:

- MED Duty: [REDACTED]
- (b)(6) [REDACTED]
- (b)(6) [REDACTED]

*Shanghai*

If you are traveling to Shanghai, local authorities will transport you to the **Wyndham Grand Plaza Royale Oriental Shanghai** (aka, Wyndham Pudong) 上海兴荣温德姆至尊豪华酒店 (No. 2288 Pudong Avenue) for quarantine. US Consulate Shanghai has informed us that they are not able to facilitate any special services for travelers at the Wyndham other than emergency or medical services. You do not have to make a hotel reservation in advance. The room rate is 350 RMB per room, per night; the cost for meals is 100 RMB per day, per person (breakfast, lunch, and dinner with both Western and Chinese options). All adults in a family group will quarantine in separate rooms; child(ren) under the age of 14 years old will quarantine with one of the parents. The hotel does not have joint rooms, and all quarantine room type will be either a king bedroom or a twin bedroom. Each room does have a refrigerator at this hotel.

The Wyndham Pudong does not permit food delivery from outside the hotel. Travelers will provide a credit card at check in, pay all hotel expenses at check out, and seek reimbursement using PCS or other official orders/allowances. Be prepared with more than one credit card or even more than one type of credit card (example: a Visa card and a MasterCard, etc.) in case your WeChat Wallet and/or Alipay do not cooperate. Please do not call the Wyndham Pudong nor the US Consulate Shanghai team for special accommodations or services. Direct all questions to [REDACTED]@state.gov. Additional notes for the Wyndham Pudong:

- Shanghai FAO does not permit couples to quarantine together.
- If families have 2 parents, parents will be separated; families can divide up the kids as they see fit: 1 kid with each parent, 2 kids with one parent, etc. (please let GZCommercialArrivals know in advance of any special considerations)
- No adjoining/connecting rooms available at Wyndham Hotel.
- Kuai-di (online shopping delivery like Taobao or Jingdong) deliveries are generally allowed, but delivery to your door is not possible every day.
- Wai-mai (restaurant delivery like Shermas, Eleme, Meituan, JSS) food deliveries are generally not allowed (only factory-sealed/packaged items are permitted, i.e., instant noodles).
- Bottled water is not free. You may call the Front Desk to buy water – 1 case (24 bottles) costs 36 RMB (\$5.50 USD). You will be charged at check out.
- Cleaning service/housekeeping is not available. You may call the Front Desk to request clean towels and bedding to your door every 3 days. After you change the linens yourself, you can place the used ones outside the door.
- Report your temperature daily. A mercury thermometer will be provided. Report temperature twice a day at set times. Scan the QR code provided in the room and upload your temperature data via mini-app. In addition, you may be asked to put the thermometer outside the room (on a stool/table in front of each door), so the medical staff can check the temperature. **We recommend bringing your own digital thermometer for ease of use.**
- On Day 12 or 13, officials will conduct a second COVID test (NAT swab).
- On Day 14, officials will issue a paper certificate indicating you completed 14-day quarantine.
- To access the hotel's Wi-Fi, you can have a confirmation code sent to a Chinese mobile phone number. If you don't have a Chinese phone number, it should also be possible to use the hotel room number, if entered exactly, to access hotel-wi-fi. Just in case, consider bringing an alternative to hotel wi-fi like a Google Fi SIM (activated while in USA) or a T-Mobile SIM with international data plan.

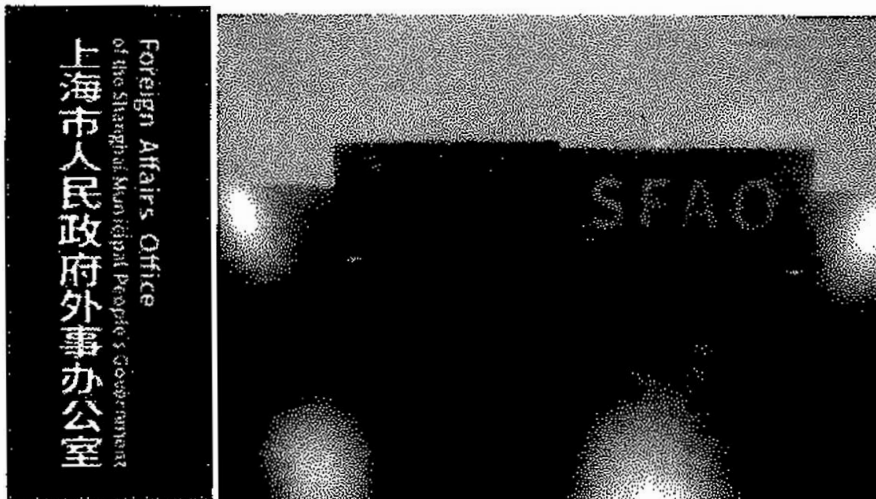
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When you arrive in Shanghai, please adhere to the following processes provide by the US Consulate Shanghai:

1. **Plane arrives at Shanghai's Pudong Airport (PVG)**
  - Remain in your seat on the plane while Customs Health officers board plane in full PPE
  - Passengers allowed to deplane in small groups; could take 90 minutes
  - An official will confirm names and have you scan a QR code in WeChat; then you can deplane
2. **At airport, proceed to Customs Health interview station** (Health Declaration Forms, etc.)
3. **At airport, proceed to testing area for 1<sup>st</sup> COVID test** (NAT swab of both nostrils)
4. **Proceed to China Customs**
  - a. Embassy and Consulate employees alike should use Diplomatic Access lane
    - a. If arriving at PVG Terminal 1 (T1), please take access lane 28 & 29
    - b. If arriving at PVG T2, please take access lane 47 & 48
      - Security personnel will wait until you pass through Customs
      - After passing through Customs; staff will escort you to FAO's service desk.
        - **Note: Foreign Affairs Office (FAO)** is a provincial/municipal government agency analogous to the national-level **Ministry of Foreign Affairs (MFA)**
5. **Proceed to Baggage Claim** to retrieve baggage. You will have to manage your own luggage.
6. **Proceed to reception area, find FAO's service desk and wait for further assistance and guidance. "SFAO" is Shanghai FAO.**
  - a. FAO staff will arrange your transportation from airport to quarantine hotel
  - b. Arrival passengers not assigned to Shanghai will be transported to **Wyndham Hotel** (Wyndham Grand Plaza Royale Oriental Shanghai 上海兴荣温德姆至尊豪华酒店 (No. 2288 Pudong Avenue) [Note: passengers assigned to ConGen Shanghai are taken to other hotels]

See pictures below to help find Shanghai FAO's service desk at the airport.



**Suggested Packing List for Hotel Quarantine**

- Cutlery – you may only receive chopsticks and a spoon for each meal; bring silverware to re-use
- Re-usable plates, bowls, cups
- Condiments to spice up your meals – salt and pepper, hot sauce, soy sauce, mustard
- Beverages other than water – coffee, tea, soda, other
  - Instant coffee, pour-over coffee, travel coffee press & ground coffee
  - Sugar & creamer
- Food – especially if you have dietary restrictions or picky eaters
  - Popular choices: granola bars, chocolate, dried fruit, nuts, jerky, peanut butter, Nutella, instant noodles, crackers, tuna/chicken packets, fruit snacks,
- First Aid Kit – chronic/routine medications, digital thermometer, bandages, melatonin, Benadryl, Imodium, vitamins, etc.
- Cleaning supplies – cleaning wipes, dishwashing liquid, laundry detergent (no laundry service)
- Exercise Equipment – resistance bands, yoga mat, downloaded exercise videos, jump rope
- Entertainment – HDMI cable, laptop/tablet with downloaded movies/TV shows, Kindle/books, hobbies, puzzles, Chinese study materials
- Electronics – Phone pre-loaded with WeChat, international/China SIM, downloaded VPN(s), non-Gmail email account (in case VPN doesn't work), chargers, plug adapters, translation apps
  - Chinese SIM cards are available for purchase via Amazon or GZgrocery.cn
- Kid Stuff – toys, diapers, kid-friendly food (applesauce, cereal, fruit snacks, etc.)
- Contact information – supervisor, office and social sponsor, travel tech, CDO, CLO, etc

**Ongoing Updates to Quarantine Regulations**

With a small uptick in COVID cases in Northern China prior to Chinese New Year, quarantine regulations for travelers entering China tightened in almost every province. Regulations still vary slightly by province and district, but for the Guangdong Province (which includes Guangzhou), current regulations DO NOT include any additional home quarantine or self-monitoring after travelers successfully complete 14 days of hotel quarantine. Post will coordinate all transportation from the quarantine hotel to your residence, and your social sponsors are able to assist with supplies and making sure your apartments are prepared.

Please note that in addition to 14 days of hotel quarantine, travelers will have additional NAT COVID tests upon arrival and again on days 7 and 14. Additionally, local CDC officials have indicated they will schedule a day 21 NAT COVID test with all incoming personnel and family members even though there is no more +7 home quarantine. In summary, arriving travelers should expect to have NAT COVID tests upon landing and on days 7, 13, and 21.

**While in the US**

To ensure you do not contract COVID, please be extremely cautious in all interactions and take preventative measures to avoid exposure to the virus, including frequent hand washing and sanitizing, social distancing, and mask wearing. Travelers will ideally self-quarantine for two weeks before departure.

In the weeks leading up to your departure, take some time to check and prep your mobile phone (and international service plan if you have one), in addition to downloading and installing some valuable apps for use in China. We also recommend you bring 2000RMB in cash if your bank is able to supply Yuan.

#### *Mobile Phones*

When you arrive in China, you will not have access to a cashier, bank, or ATM before going into hotel quarantine. See attached for recommendations on phone services and carriers recommended by Guangzhou personnel if you intend to keep a US number.

Historically the Chinese government required you to have a Chinese bank account in order to get a Chinese service plan and phone number (and you had to be present at the store with your passport). Just this year, you can purchase a Chinese SIM card from [GZGrocery.cn](http://GZGrocery.cn) or Amazon for a new expat service provider called Nihao Mobile. Nihao is the first network operator providing personalized network services for expats living in China authenticated by Chinese government. This service provides you with a Chinese number and short-term calling plan, which may be helpful if you cannot get WeChat to work while in the US – sometimes WeChat will only work with a Chinese phone number. So, if you are in this scenario and your hotel allows you to have food delivered, Nihao Mobile is an option for you. Note that it is not your best long-term Chinese mobile plan, however, as it is priced for the expat market (expensive relative to the larger networks here).

#### *VPNs*

While our residences in Guangzhou all provide a Virtual Private Network (VPN) along with their Internet services, many personnel and family members install additional VPNs on their devices. Popular VPNs include Vypr, Astrill, and Nord. Install these apps before you land in China.

#### *WeChat & Ali Tour Pass*

WeChat is an essential application in China serving as a primary social communication tool, a mobile payment solution, and launchpad to a range of services (including food ordering/delivery, mobile phone payments, ticket reservations, etc.). You can download WeChat in the U.S. and initiate a new account there. Approximately half of our incoming personnel and families have had success getting their WeChat account verified and operational prior to arriving in China; the other half, were not successful until they arrived in China. Please attempt to download and create an account before you depart—if you are unsuccessful getting your account verified, we'll help you once you get here. Having access to WeChat while in quarantine will make it easier to stay connected to post in real-time. See the attached document for more information on creating your WeChat account. Note: if you absolutely cannot get WeChat to work for you while you from the US or while in quarantine, we can communicate by email and your hotel phone as needed. You will not be able to use WeChat Pay until you have a local bank account. WeChat installation instructions are attached.

The best payment solution while in quarantine is Ali Tour Pass, which allows you to use an international credit card to fund AliPay on your mobile phone. AliPay is also regularly accepted by vendors all over China. The Ali Tour Pass is intended for visitors to China and has a 90-day expiration date as well as limits on the amount of RMB you can load onto the Tour Pass. Instructions for setting up your All Tour Pass are [here](#) and attached.



Should neither of these options work for you, please coordinate with your social sponsor at post for assistance. You can Venmo USD to your sponsor, and they can place orders for you, assuming your quarantine hotel permits deliveries.

**Luggage**

Your PCS or travel orders/allowances allow you to travel with two checked bags for each leg of your trip. If your flight does not include two checked bags for free, you should pay for your luggage and your travel orders/allowance will reimburse you for two bags.

For those who are PCSing to China, the current luggage allowance is as follows according to 20 STATE 42508: In light of logistics supply chain challenges during COVID-19 and limited airline freight capacity, GTM/EX will allow employees and dependents listed on an employee's PCS travel authorization (TA) to request two additional pieces of checked luggage (up to 50lbs each) for up to two travelers on each TA in lieu of an unaccompanied air baggage shipment, which is a total of up to four extra pieces of checked luggage per TA. Employees must verify with the airline whether they will permit excess luggage. Employees should contact their HR technician or email [redacted]@state.gov to make the request to amend their TA.

**Reminders from MED**

The Guangzhou MED unit reminds travelers to bring prescription medication, as well as a supply of over-the-counter medications, when traveling to China. Please call the Guangzhou MED team early if you or your family members have any minor/routine physical health questions:

- MED Duty: [redacted]
- (b)(6) [redacted] (b)(6) [redacted]
- (b)(6) [redacted] (b)(6) [redacted]

**Emergency Situations:** If you have a health situation while in quarantine that requires any kind of emergency response, you need to dial China's equivalent of 911 from your hotel room: 120. That is the emergency number for ambulance response in China. After that, please call Beijing's Duty line, and walk them through the emergency situation – they will facilitate all response from the Shanghai Consulate and/or Guangzhou. Beijing's medical duty line is [redacted]

Should you need any emotional support, our RMOP for China is [redacted] (b)(6) [redacted] Email or call him at [redacted] (b)(6) [redacted]@state.gov or [redacted] (mobile).



**ATTACHMENT 7**

[REDACTED]

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[REDACTED]

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**From:** (b)(6)@state.gov>  
**To:** (b)(6)@state.gov>  
 (b)(6)@state.gov>;  
**CC:** (b)(6)@state.gov>;  
 (b)(6)@state.gov>  
**Subject:** FW: SH Management Notice No.40: Travel Guidance Update  
**Date:** Thu, 10 Jun 2021 [REDACTED]

(b)(6)

This guidance answers the question of how to capture quarantine dates:

1. **Leave Status:** if on official travel, all days in quarantine are covered by Weather and Safety Leave.

I will complete the proper paperwork when the time comes. My A/L is already processed until the date of our return to Shanghai.

(b)(6)

SENSITIVE BUT UNCLASSIFIED

**From:** [REDACTED]  
**Sent:** Thursday, June 10, 2021 [REDACTED]  
**To:** [REDACTED]  
**Subject:** SH Management Notice No.40: Travel Guidance Update



**TO:** All Consulate                      **DATE:** June 10, 2021  
**REF:**    **NO.:** 40

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**SUBJECT: Travel Guidance Update**

**APPROVED:**

(b)(6)

**Management Officer**

This notice supersedes Management Notice No. 29 from April 26, 2021. Please follow all guidance for your specific travel and email GSO Travel and Visitors Unit with questions.

## **OUTBOUND TRAVEL CHINA-US**

1. **COVID-19 Testing:** The CDC requires a negative COVID-19 test within 72 hours of arrival into the United States or documentation of recovery from COVID-19. This policy applies to all arrivals into the U.S. from all countries.  
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/testing-air-travel.html>

Below are some COVID testing options in Shanghai. Please email [REDACTED]@state.gov with patient's full name, date of birth and cell phone number to set up the appointment.

### *Shanghai United Family Hospital:*

No. 699 Ping Tang Rd, Changning District, Shanghai  
every Monday, Wednesday, Friday and Saturday from 8:30 to 16:20  
280 RMB/per person  
The result can be received the next day before 5:00 pm.

### *Parkway Health Shanghai Center Clinic:*

203-204 West Retail Plaza, Shanghai Center, 1376 Nanjing Xi Rd, Jing'an District, Shanghai  
Every Monday to Saturday from 9:30 to 14:15  
280 RMB/per person  
The result can be received in 24 hours.

2. **Additional Requirements:** Masks are required on planes, buses, trains, and other forms of

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public transportation traveling into, within, or out of the U.S. and in all transportation stations and airports. Furthermore, all federal buildings in DC fall under the Executive Order mandating mask wearing.

3. **Quarantine:** Follow local guidelines and check with office contacts in DC to determine expectations prior to starting work at DC-based offices or other locations.
4. **Pets:** Ensure that all pets are registered with local police authorities and that you have the required paperwork for departure. Many airlines do not allow pets, so options are limited. GSO Customs & Shipping will help you understand and navigate the process. For cost reasons, we recommend only traveling with pets during PCS travel.

## **INBOUND TRAVEL US-CHINA**

1. **Mandatory Notification to Chinese Ministry of Foreign Affairs and Shanghai Foreign Affairs Office:** Post must have details for your travel submitted to China MFA and Shanghai FAO at least 10 business days in advance of your arrival. You must submit passport, visa and flight details for all travelers to Management, GSO Travel and Visitors Unit, and ADS. If your flights change, please notify post ASAP as the request to FAO must be updated to match the correct flight information. Overall communication with post should begin as early as possible, but no less than 21 days in advance of your arrival.
2. **COVID-19 Testing in US:** Prior to arriving in China, all travelers ages 3 and up must complete COVID-19 testing (pharyngeal swab or nasopharyngeal swab and intravenous puncture IgM antibody test) within 48 hours of their flight into Shanghai. Rapid tests, antigens tests, self-sample kits or fingertip blood sampling will not be accepted. Testing must take place in the final city of departure corresponding with the direct flight into Shanghai (e.g. for an itinerary from Washington, D.C. into Shanghai with a stopover in Dallas, the final city of departure is Dallas and testing must take place there). Approved testing sites are discussed in the "Health Declaration Instructions" attachment.
3. **Flight Routing:** Most itineraries currently include a technical stopover in Seoul. Passengers do not deplane; it is a stop to switch out crew and does not add to the testing requirements. Flight schedules on airline sites are not always accurate. Many airlines have "ghost flights" as fillers in the schedule; these flights are not approved for operation and will eventually be removed from the schedule. The travel contractors know which flights are currently approved. Don't expect to have the same availability when working with the Travel Management Center (TMC) compared to what you might find online.

4. **Letter of Commitment on COVID-19 Vaccination:** complete attached letter with vaccination details, if applicable.

5. **Vaccinated Travelers:**

(1) For passengers who have received inactivated vaccines:

If the nucleic acid test result is negative and the IgM antibody test result is positive due to inoculation of a China-made vaccine, the applicant can apply for the health code following normal procedures. Please download the Statement of COVID-19 Vaccination, fill it out truthfully, sign and upload it together with the "dual-tests" certificates and vaccination certificates through the application website.

(2) For passengers who have received non-inactivated vaccines:

a. Pfizer, Moderna and Johnson & Johnson are all non-inactivated vaccines. The following procedures apply only to passengers who have completed the prescribed number of inoculations.

b. Positive IgM test results may occur after vaccination. In order to distinguish between vaccination and infection, passengers to China who have been inoculated with non-inactivated vaccine are advised to follow the following procedures:

When testing in the designated facilities, fill out the Health Declaration Form truthfully, declare your inoculation, and orally express and present your vaccination certificates to the testing agency staff, and consent that the agency will automatically add the N protein test when your IgM test result comes out positive.

Those who have been inoculated of non-inactivated vaccine and have positive IgM results should submit, in addition to the air ticket or itinerary, the "dual-tests" + N protein test report (which can be displayed in one report), the Statement of COVID-19 Vaccination, together with necessary vaccination certificates when applying for the health code. The certificates should be authentic and include the necessary information to help identify the individual, the type of vaccine and the status of vaccination.

6. **Test Results:** All testing results must be submitted to the Chinese Embassy or Consulate associated with the testing city. Use the attached "Health Declaration" PDF to navigate the process to get the required green health declaration code. Approved labs are listed by city in the PDF as well.

7. **Lab Selection:** Travelers schedule their own testing appointments at one of the approved labs.

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8. **Funding Official Travel:** Prior to traveling, all travelers on Home Leave or PCS travel should work with their HR tech to get funding for per diem and M&IE for the days at the testing locations. Furthermore, if the quoted airfare for your routing is more than 20% and \$1000 over the allotted amount in your orders, an amendment will be needed to cover the additional funding. If the quoted fare is over the allotted funding, but does not surpass the threshold mentioned above, no amendment is needed.
9. **Changes to Plans:** If anything changes with your flight scheduling or you miss your flight, please let Shanghai Management and the Shanghai GSO Travel and Visitors Unit know immediately as FAO must be notified.
10. **Arrival Process:** Upon arrival in China all travelers will be walked through the processes of testing, customs, immigration, and movement to the designated quarantine location. No arrangements need to be made by the travelers. Travelers should only undergo nasal or throat swab testing during the quarantine timeframe. If you are asked to submit a stool sample or provide an anal swab, refuse and report this to your post.
11. **Special Needs:** If you have special needs related to the quarantine hotel please let Shanghai GSO Travel and Visitors Unit know to see if accommodations can be made. Know that the quarantine protocols are very strict. Requests for joint rooms, family suites, and special diets cannot be met by the quarantine hotel. Adults should expect to quarantine separately. This has only been waived in a situation where one adult had a serious medical condition needing monitoring by another adult. Contact your airline directly for flight arrangements related to medical accommodations.
12. **Funding Official Travel:** All travelers on official travel (Home Leave, PCS, medevac, EVT, and R&R) should request funding for per diem and M&IE related to the quarantine timeline. Funding should also be requested for the testing stopover days in the US. This should be requested by communicating directly with your HR tech for funding in a TMFOUR for Home Leave and PCS or should be included on the Travel Authorization in E2 for other types of travel. If a TMFOUR has already been issued, the orders should be amended to include the funding. E2 Travel Authorizations can also be amended if this funding was not already included.
13. **Funding Personal Travel:** All travelers on personal travel will be responsible for all expenses related to quarantine and testing.
14. **Quarantine Timelines:** Current Shanghai policy is 14 days quarantine with 7 additional days of community monitoring for diplomat travelers, but this policy can change at any time.

- a. **Hotel and In-Home Quarantine:** Although diplomats have typically been approved for 7 days quarantine in the designated hotel followed by 7 days of in-home quarantine, in-home quarantine is not guaranteed. All diplomats and their family must be prepared to quarantine 14 days in the designated quarantine hotel. Because residential CDC district rules vary, not all residences are approved for in-home quarantine. Travelers should be prepared for 14 days hotel quarantine, though some travelers have had to complete 21 days in central quarantine. Deliveries to the hotel and residences can be received during quarantine and this is an option for travelers who have special dietary needs. Please coordinate with the hotel front desk and your social sponsor to work through the delivery process and funding options.
  - b. **Community Monitoring Period:** The additional 7 days of community monitoring will also be completed at home with the expectation that you will not go to crowded spaces, attend school, or participate in work activities. Newly arrived employees will not begin work until after the community monitoring period ends. In-person orientation and onboarding will not occur until after day 21. Additional COVID testing on day 16 and day 21 may also be required. The diplomat's CDC contact while in quarantine will provide information on which hospital to go to for testing on these days.
15. **COVID-19 Testing in China:** all travelers will be tested with a nasal/throat swab upon arrival, at 5-6 days, 12-13 days, day 16 and day 21. Testing negative on each test typically means that travelers will follow the quarantine policy shared above. Testing positive at any time will result in hospitalization and the option to medevac immediately. As stated previously, all tests conducted on travelers should be limited to nasal or throat swabs. Refuse any testing involving anal swabs or stool samples and report this to post.
  16. **Leave Status:** if on official travel, all days in quarantine are covered by Weather and Safety Leave.
  17. **Flight Arrangements:** travelers may work with Meiya in Shanghai or CWT SatoTravel in DC to make flight arrangements. Please ensure that you have the required stopover for testing in the final US city. The travel contractor may not automatically know that this is required.
  18. **Pets:** no pets should arrive with travelers at this time. Instead, all pets should arrive using a pet shipper after the traveler has completed quarantine. This is because all pets will be separated from the travelers for their own quarantine and travelers will not be able to meet the needs of the pet during the quarantine timeframe.

19. **COVID Vaccinations:** Mission China has been able to provide vaccines for community members ages 12+, but the supply will expire before summer transfer season ends. Future shipments have not yet been scheduled or announced. All inbound travelers with access to vaccines at another post or in the US should be vaccinated prior to arrival. Travelers who have already been vaccinated at another post or in the US will not have any of the requirements for testing or quarantine waived at this time.

### **POST-TO-POST TRAVEL**

1. Each case will be very individualized. Please work with Shanghai GSO Travel and Visitors Unit to make necessary arrangements.

### **IN-COUNTRY R&R TRAVEL**

1. **Cost Construct Cap:** All R&R travel is subject to the cost construct cap of \$1800. Travelers may visit multiple cities and business class travel is authorized. For cruise travel, the cost of the most economical air fare matching the cruise route may be authorized.
2. **Medium/High-Risk Areas:** Check reputable sources regularly for updates on areas to avoid during travel. If you are in an area with a sudden outbreak that requires quarantine, this may be covered by Weather and Safety Leave.

### **PERSONAL TRAVEL**

1. **Within China:** Travel within China should follow guidance from the Mission China EAC. Current travel guidelines recommend avoiding all medium- and high-risk areas.
2. **Outside China:** Travelers on personal travel are responsible for all quarantine expenses and must use personal leave for all quarantine, expected or not. Rules and regulations are constantly changing, and travelers could become stranded in another location for extended periods without financial support to cover expenses and needing to use LWOP if the situation cannot be resolved before annual leave is exhausted.



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**Sender:** (b)(6) @state.gov>

(b)(6) @state.gov>;

**Recipient:** (b)(6) @state.gov>;

(b)(6) @state.gov>;

(b)(6) @state.gov>

ATTACHMENT 7 - PAGE 9

**SUMMARY:**

- Travel Orders, eCC, Passport, Visa
- Fly to departure city for NAT & IgM test
- HDC code green prior to China flight
- NATs on Day 1, 6, 13, 20
- 14+7 quarantine policy:
  - 7 days hotel quarantine
  - 7 days home quarantine (or hotel, if residence not approved), for 14 full quarantine days
  - 7 days community monitoring

**RULES BEHIND THE PROCEDURES:**

- Must do pre-flight tests (NAT & IgM) in/near the city from which flight to China departs, no more than 48 hours before departure. Must report results to Chinese embassy/consulate prior to flight using MFA webform.
- Two-week quarantine in the arrival city (Shanghai-bound 7 days hotel, 7 days home). Additional 7 days Shanghai community monitoring.
- U.S. Embassy/Consulate must send Diplomatic Note to MFA and FAO 10+ business days in advance of your flight to China with full passport, visa, and flight details.
- No airline authorized to operate direct flights from the U.S. to Beijing, Wuhan, or Shenyang. No direct flights from Washington DC to China.

Advance Planning: 4 to 6+ weeks in advance of departure

- If TDY, submit eCC (country clearance authorization request) to Post well in advance.
- Send email to ShanghaiGSOTravelVisitorsUnit@state.gov to request up-to-date info on travel procedures, how-to guidance, and to provide travelers' biodata needed for GSO to officially notify MFA of arrival plan (by Diplomatic Note).
- Set up WeChat account, if possible, and share your account name with GSO, CLO and your sponsors.
- Obtain "W" (diplomatic visa) for China. With few exceptions, China is not currently issuing other visa types.
- All visa applicants must visit SIA's official website for application instructions. The website is very informative and constantly updated.
- <https://travel.state.gov/content/special-issuance-agency-home/en/spec-issuance-agency/official-diplomatic-visa-information/china.html>
- If you have specific questions that need to be individually addressed, you may contact SIA at ca-ppt-sia-visa-unit@state.gov.
- Though China has suspended the entry into China by foreign nationals holding visas or residence permits since March 26, 2020, entry with diplomatic, service, courtesy or C visas will not be affected. Also, entry by foreign nationals with visas issued after this announcement will not be affected. See more details through [https://www.fmprc.gov.cn/mfa\\_eng/wjbxw/t1761867.shtml](https://www.fmprc.gov.cn/mfa_eng/wjbxw/t1761867.shtml). Please explain this to the airlines check-in staff if you're rejected to check-in because your visas were issued before March 26, 2020.
- For PCS, check Travel Orders (TM4 or "Post Assignment Travel Authorization" for State Dept) to ensure there is budget for 2 or 3 days of hotel/M&IE in U.S. departure city for COVID testing, 2 or 3 weeks of quarantine hotel/M&IE in arrival city, and that there is sufficient funding for air travel (from origin point to departure/testing city to arrival city to post). Airfare budget per person should be \$7,000 (minimum; subject to change).
- Notify your CDO, Shanghai HR, CLO, and GSO of any changes to your arrival date and travel plan. [Note: GSO must notify MFA and FAO if your arrival date deviates from that provided in the original Diplomatic Note.]

Pre-Departure Preparation: 1-2 weeks in advance of travel

- 10 Business Days+:** finalized flights, visa and passport information must be submitted to Shanghai GSO, and Management to notify MFA and FAO.
- Check with Consulate's GSO TVU team for process updates and confirm readiness to travel.

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- Schedule PCR NAT and IgM tests in departure city at testing site approved by PRC (lists on PRC embassy/consulate website). [REDACTED] "UNCLASSIFIED" [REDACTED] Page 10 of 12
- Print key guidance to carry including HDC form assistance POCs and key U.S. Embassy/Consulate POCs.
- If COVID vaccinated, ensure you have physical copies of the vaccine certificate and related documentation.

Testing and Boarding: 48 hours prior to boarding the plane at the departure city for a direct flight to China

- Complete RT PCR NAT and IgM COVID tests at departure city.
- Submit test results and other documents via HDC application for PRC embassy/consulate review.
  - o See 6-page HDC instruction guide if you need help.
- At airport check-in, green HDC code required to check in and board. Complete online China Customs form.

Arrival in China

- Day 1 COVID test (NAT) at airport; transport (arranged by local officials) to quarantine hotel for 7 days.
- Day 6 COVID test at quarantine hotel before being moved to in-home quarantine.
- Day 13 COVID test at home (or hotel if home quarantine was not approved).
- Day 14/15, release from quarantine
- Days 15-21 community health monitoring, no work or school permitted

Other Notes	- If a traveler tests positive for COVID in China, s/he will be moved to a hospital. Medevac may be arranged following consultation with Post's Health Unit and MED (State Department's Bureau of Medical Services) and/or your agency. -If you report a previous case of Covid, the airport authorities will divert you to the hospital instead of the hotel. Ask to be moved to the hotel to await your results and notify post immediately so that we can intervene in the movement to the hospital, if possible. - Quarantine hotel deliveries may be very limited. This is controlled by Chinese CDC. Please pack accordingly.
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## Emergency Contact Information

(use +01186 instead of +86 if dialing from a U.S. phone) ('21' is city code for Shanghai)

<b>Travel Management Centers</b>	
CWT Sato Travel DC <a href="mailto:DOSTA@cwtsatotravel.com">DOSTA@cwtsatotravel.com</a> 1-866-654-5593	Meiya Travel Agency Meiya Shanghai: <a href="mailto:consulatcscha@meiya.com">consulatcscha@meiya.com</a> +86 21 8011-2311 Meiya After-hours Hotline (both Chinese and English): From within China: 4008-272761 From outside China: +86 159-1070-0558
<b>U.S. Consulate General Shanghai</b>	
ConGen Shanghai Switchboard	[REDACTED]
ConGen Shanghai Health Unit	[REDACTED] (during normal office hours) or [REDACTED]@state.gov
ConGen Shanghai Med Duty Cell	[REDACTED] after hours cell phone)
<b>State Department's China Desk (EAP/CM) Bilateral Affairs Unit</b>	
China Desk (EAP/CM)	[REDACTED]@state.gov
EAP/EX's (b)(6)	[REDACTED]@state.gov

Submitted for Review

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- Re-usable plates, bowls, cups and cutlery – you may only receive chopsticks and a spoon for each meal at the quarantine hotel; bring lightweight cutlery to re-use
- Condiments to spice up your meals – salt and pepper, hot sauce, soy sauce, mustard
- Beverages other than water – coffee, tea, soda, other
  - Instant coffee, pour-over coffee, travel coffee press & ground coffee, sugar & creamer
- Food – especially if you have dietary restrictions or picky eaters
  - Popular choices: granola bars, chocolate, dried fruit, nuts, jerky, peanut butter, Nutella, instant noodles, crackers, tuna/chicken packets, fruit snacks,
- First Aid Kit – chronic/routine medications, digital thermometer, melatonin, Benadryl, Imodium, vitamins, etc.
- Cleaning supplies – cleaning wipes, dishwashing liquid, laundry detergent (no laundry service)
- Exercise Equipment – resistance bands, yoga mat, downloaded exercise videos, jump rope
- Entertainment – HDMI cable, laptop/tablet with downloaded movies/TV shows, Kindle/books, hobbies, puzzles, Chinese study materials
- Electronics – Phone pre-loaded with WeChat, international/China SIM, downloaded VPN(s), non-Gmail email account (in case VPN doesn't work or set up email forwarding to a non-Gmail account), chargers, plug adapters, translation apps
  - Chinese SIM cards are available for purchase via Amazon
- Kid Stuff – toys, diapers, kid-friendly food (applesauce, cereal, fruit snacks, etc.)
- Contact information – supervisor, office and social sponsor, travel tech, CDO, travel agency, etc.

## Shanghai Airport Arrival Process

- Starting April 1<sup>st</sup>, all in-bound passengers will deplane as regular travelers. Airport staff will direct diplomatic arrivals to shuttles to the quarantine location for diplomats (Wyndham Hotel). Look for someone with a placard with your name right when you deplane.
- The quarantine hotel in Shanghai for diplomats is Wyndham Grand Plaza Royale Oriental Shanghai (上海兴荣温德姆至尊豪华酒店 Shanghai XingRong Wendemu Zhizun Haoting Jiudian). Please double check before you get on the shuttle- Address below.
- Note:** Anyone who has not been properly notified to Shanghai FAO by Diplomatic Note in advance will be directed to a district-based quarantine location. So please do contact Post in advance with your travel schedule.

## Quarantine Hotel Information

1. Hotel Name in English: Wyndham Grand Plaza Royale Oriental Shanghai.  
 In Chinese: 上海兴荣温德姆至尊豪华酒店  
 In Pinyin: Shanghai XingRong Wendemu Zhizun Haoting Jiudian
  2. Hotel Address in English: No. 2288 Pudong Ave, Pudong Xinqu, Shanghai.  
 In Chinese: 上海市浦东新区浦东大道 2288 号  
 In Pinyin: Shanghai Shi Pudong Xinqu Pudong Dadao 2288 Hao
  3. Hotel phone number: 021-5852-6666
- Room rate is RMB 350 per night and base meal cost is RMB 100 per day. You will pay your total charges at check-out. Be prepared with more than one credit card or even more than one type of credit card (example: a Visa card and a MasterCard, etc.) in case your WeChat Wallet and/or Alipay do not cooperate. Quarantine hotel deliveries may be very limited-this is controlled by Chinese CDC. Please pack accordingly.
  - Shanghai FAO does not permit adults to quarantine together.
  - If families have 2 parents, parents will be separated; families can divide up the kids as they see fit: 1 kid with each parent, 2 kids with one parent, etc. Please let GSO know in advance of any special considerations. Children ages 15+ will be separated from parents for hotel quarantine.
  - No adjoining/connecting rooms available at Wyndham Hotel.

Last updated 5/28/2021

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- At check-in, fill in all required information truthfully under the instruction of the staff.
- Do not leave your room once you are checked in. All the hallways and staircases in the hotel are monitored by CCTV cameras 24/7.
- Kuai-di deliveries (online shopping delivery like Taobao or Jingdong) and packages from your family are generally allowed. The hotel will only deliver packages to your room once every day, normally at 17:00. Please have your full name and room number marked on your packages. For all delivery requests, please work with your sponsor.
- Wai-mal (restaurant delivery like Sherpas, Eleme, Meituan, JSS) food deliveries, freshly prepared food, alcohol, cigarettes, flammables, explosives, and high-power electrical appliances are generally not allowed. (Only factory-sealed/package items allowed.) The hotel will sanitize all the delivered items by spraying disinfectant. Travelers will take full responsibility for anything delivered from outside by signing a waiver upon check-in.
- Bottled water is not free. You may call the Front Desk to buy water – 1 case (24 bottles) costs 36 RMB (\$5.50 USD). You will be charged at check out.
- Cleaning service/housekeeping is not available. You may call the Front Desk to request clean towels and bedding to your door every 3 days. After you change the linens yourself, you can place the used ones outside the door.
- Medical staff will visit your room at 09:00 and 14:00 daily to take your temperature. Please be prepared at the specified time. We recommend bringing your own digital thermometer for ease of use.
- Hotel staff will inform you about the exact checkout time the day before your quarantine ends. You will get a phone call reminder again about 30 minutes before your checkout time. Please pack your personal belongings and follow the instructions of the hotel staff to go through checkout procedures.
- If you choose the Chinese-style meal at check-in, this selection will be the default for the entire 14 days. Conversely, you will also be able to order from Western-style and Muslim-style menus (price varies by dish and you will be charged at checkout).
- To access the hotel's Wi-Fi, you can have a confirmation code sent to a Chinese mobile phone number. If you don't have a Chinese phone number, it should also be possible to use the hotel room number, if entered exactly, to access hotel wi-fi. Just in case, consider bringing an alternative to hotel wi-fi like a Google Fi SIM (activated while in USA) or a T-Mobile SIM with international data plan.

# **ATTACHMENT 8**

FOLLOW-UP QUESTIONS FOR  
ROBERT FORDEN, NOMINEE TO BE  
US AMBASSADOR TO CAMBODIA

Submitted by Sen. James Risch

Senate Foreign Relations Committee (Minority Staff)

July 17, 2023

**1. When you signed off on the September 11, 2020 cable (MRN: 20 BEIJING 1690) requesting an exception to Department policy and limited waivers of personal inviolability for Mission personnel and their family members, did you know that the Mission sections responsible for the health and safety of Mission personnel (MED, RSO, GSO) had never actually visited and assessed any of the PRC fever hospitals?**

I arrived at US Mission Beijing on July 18, 2018, to assume the position and duties of Deputy Chief of Mission. I departed post on medical evacuation to the U.S. on October 4, 2019, and resumed my duties in Beijing on July 4, 2020. Upon the departure of Ambassador Branstad on October 4, 2020, I became Chargé d'Affaires. I departed Post and that position on July 15, 2021.

During my tenure, nothing was a higher priority for me than the health, safety, and security of the more than 2,800 employees in Mission China, including our Embassy in Beijing and five consulates. This was an enormously challenging period which saw the rapidly emerging and changing COVID pandemic sweep across the world, sporadic outbreaks within China, the evacuation to the U.S. of 2/3 of Mission China's staffing and nearly all family members in Winter 2020, the return to China in Summer/Fall 2020 of many of those staff and families, and the sudden closure and evacuation of our Consulate in Chengdu in August 2020.

During my tenure no US Direct Hire (USDH) personnel nor Eligible Family Members (EFMs) in China contracted COVID, nor were any involuntarily admitted or confined to a local hospital for COVID-related reasons.

In 20 Beijing 1690 (September 11, 2020) Post reiterated China's mandatory COVID protocols for those entering the country and the Mission's mitigation measures which the Department had already approved for the first ten charter flights and requested the Department's approval to continue this approach with commercial flights as well. The

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cable did not request any limited waiver that would allow China, under the protocols in place, to involuntarily hospitalize Mission personnel.

At the time 20 Beijing 1690 requested permission to utilize commercial flights in addition to charter flights, the Mission had already successfully returned more than 1,000 U.S. Direct Hire (USDH) staff and eligible family members (EFMs) to China via ten charter flights, complying with the Department's guidance to narrowly allow only nasal/throat swab COVID tests upon entry and during any quarantine. In 20 Beijing 1690, Mission China requested that, in addition to continuing charter flights, it be permitted to use commercial flights that had restarted and became available, so we could provide greater flexibility for incoming USDH staff and EFMs. Many incoming USDH staff and EFMs had complained of the difficulties of having to fly to Washington to test and wait for the small number of Department-arranged charter flights. Others needed to transfer to China at times when there were only a handful of staff traveling to China, making a charter flight unfeasible. 20 Beijing 1690 sought to add a more flexible option of utilizing commercial flights.

At that time, conditions in China's hospitals that were designated to treat COVID patients were not a material or critical issue as to Mission personnel as we maintained the ability and the policy to seek medical evacuation (MEDEVAC) out of China should any USDH staff/EFM test positive for COVID. This was the practice throughout my tenure in Beijing until I departed post on July 15, 2021. During that time, we had a small number of USDH staff/EFMs test positive for COVID upon arrival in China via charter aircraft and all of them were removed immediately from China on the MED charter flight upon which they arrived. For those arriving on commercial air, the Department ensured a MEDEVAC charter aircraft was available outside China at the time of their arrival in China so the aircraft could provide MEDEVAC should a USDH staff member or EFM need it, but there were no such cases during my tenure. To the best of my recollection, no USDH staff/EFMs already residing/posted in China during my tenure tested positive for COVID or were admitted to Chinese hospitals for COVID-related reasons.

**• Were you aware that MED never actually visited the hospitals in order to certify the safety of the facilities their procedures?**

As noted in the answer to the first question, during my tenure in US Mission Beijing we did not allow any USDH Mission personnel nor EFMs to be admitted to a Chinese hospital for COVID-related treatment.

**• In the context of our discussion on COVID, you stated in your interview with SFRC staff, you discussed the RMO visited medical facilities in the PRC. Do you**



**recall when these visits took place and what the purposes of the visits were?  
Were these visits documented?**

On June 12, 2020, our RMO and our Health Unit Local Physician toured Ditan Hospital, the sole hospital in Beijing designated to treat COVID patients. Their 75-minute visit included a briefing by the hospital of their procedures in dealing with COVID patients and a tour of some of the facility, but hospital protocols did not allow them to physically tour the rooms for COVID patients. The purpose of the visit was to assess the procedures and conditions of the hospital. The visit was documented in an internal memo. After I returned to my duties in China on July 5, 2020, I discussed this visit with our then-RMO.

We had a new RMO arrive in August 2020, and she also visited Ditan Hospital in Beijing in the early Fall of 2020 and toured its emergency facilities and the outside of the COVID ward space. But hospital protocols at that time prohibited visitors from entering the COVID hospital rooms.

During the summer of 2020, I had discussions with our RMO, CDC and HHS doctors about conditions in China's healthcare facilities in general, including testing and treatment centers for COVID. My understanding from these medical experts and public health personnel was that the conditions varied from region to region and depended heavily on the number of patients present at any given moment.

To reiterate, during my tenure, we did not permit any USDH staff or EFMs who tested positive for COVID to be admitted to a local hospital for treatment and instead removed them to the United States.

**· Did the RMO warn you in January 2020 that the PRC fever hospitals represented a health and safety risk?**

I was away from post on MEDEVAC beginning in October 2019 and did not return to my duties in Beijing until July 4, 2020, and received no such warning.

**· If you were aware of these details, why did you sign off on a cable that claimed "Mission China will only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel?"**

Our medical staff in Beijing cleared this cable and I relied on their judgment. As mentioned previously, we did not have any reason at that time to believe that China's hospitals posed an operational risk to our USDH staff/EFMs given that we maintained our ability to immediately seek MEDEVAC of any USDH staff/EFMs who tested

positive for COVID or needed other urgent medical care, whether the individual was in quarantine at USG-provided residences, testing and observation in hospitals or while staying in quarantine hotels.

**· Do you believe the PRC's COVID evaluation and treatment facilities and procedures were adequate or acceptable for Mission China personnel?**

Given the fact that during my entire tenure we could and did remove from China any USDH staff or EFM who tested and were confirmed positive, I was confident that we could maintain the safety of our staff. My top priority throughout this period was to ensure that we kept our staff safe and minimized the risk of exposure to COVID. I worked with my team every day to review and assess the ever-changing situation in China with respect to COVID and China's public health response and ensure that our approach minimized risk to our staff. Our cross-Mission task force, led by two of my most senior staff and including many dozens of staff across the Mission, worked day and night throughout this period to arrange, implement, monitor, and problem-solve, every step we took to bring staff back to China. I remained available to my staff 24-hours a day to address as needed any issues that emerged and to suspend the return of staff to China should the situation change in ways that risked their safety or security.

**· If you were not aware, do you believe that you were misled by the personnel who reported to you? Why did you not perform any due diligence that would have revealed this information? When you did learn these details, what actions did you take?**

I do not believe I was misled regarding the conditions in hospitals. I believe our medical staff and the Department's MED Bureau provided the best possible assessments, given the rapidly changing situation and imperfect information we had. As for due diligence, we did everything we could to assess and report on the COVID outbreak in China, China's public health response, and the risks our staff faced in returning to China. We did everything we could to mitigate risks to our returning staff, including having a senior-led task force dedicated to addressing any issues for those returning and in quarantine and ensuring throughout my tenure that we maintained the ability to remove from China any USDH staff/EFMs who tested and were confirmed positive, which we did. The actually meaningful and critical due diligence and action was that which we did to ensure we could promptly evacuate out of China any US personnel affected by COVID.

**2. According to MRN: 20 STATE 92790, "Post should inform the Department via front channel cable if the conditions or post's recommendation changes." The conditions reportedly changed a lot during your tenure as part of Mission China's leadership team, yet there do not appear to be any front channel cables**

**documenting those changes. For example, the Mission reportedly went from two Covid tests authorized in the 2020 cable for entry into the country to six or seven tests. In addition, the hotel quarantine time reportedly went from 14 days allowed in the 2020 cable to 22 days with no apparent authorization from the State Department. Furthermore, the testing protocol reportedly went from simple nasal swabs to blood antigen tests. It was these tests that sparked concerns, which are still unresolved, about DNA data being misappropriated by the PRC.**

**· Why did the Mission under your leadership fail to follow Department guidance under State cable (MRN: 20 STATE 92790)?**

As noted in our cable (20 Beijing 1690) to the Department, the testing and quarantine requirements for entry into China that we described were those currently in effect at that time. The number of throat/nasal swab tests and length of time in and location of quarantine sometimes varied depending on local Chinese health authorities, local outbreaks, or other shifts in China's assessment of the risk of COVID spread. China's protocols for arrival testing and quarantine did not fundamentally change during my tenure – one or more throat or nasal swab tests were required upon arrival and during the quarantine period and the quarantine period ranged from 1-3 weeks and could be completed at designated commercial hotels or residences depending on local conditions. More importantly, throughout my tenure our ability to promptly evacuate USDH personnel and EFMs prior to any attempt at forced admission to a local hospital was maintained without fail.

As for blood tests, at no point during my tenure did we authorize USDH personnel or EFMs to submit to Chinese government-mandated blood tests in China.

**· Why was there no front channel cable noting changes by the PRC to their testing and quarantine requirements?**

Variations in the testing and quarantine requirements upon entry to China were notified to the Department immediately via official emails and discussed during regular conference calls. As the pandemic evolved, China and the rest of the world's public health responses to it adapted, we learned more from the experiences of each flight that arrived with USDH staff/EFMs, and we were consulting the Department and making adjustments round the clock. My team had almost daily emails, phone calls throughout the night, and weekly conference calls with the Department to discuss conditions and experiences with the arrivals of staff/EFMs, testing, and quarantine protocols.

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Critically, these updates were also notified to all USDH staff/EFMs in pre-departure briefings so that all travelers would know what to expect and could opt out of returning to China or accepting new assignments in China if they desired.

Since China's fundamental requirements for entry into the country – one or more throat or nasal swab tests at the port of entry and during the 1-3 week quarantine period, and post's recommendation in 20 Beijing 1690 that commercial flights be utilized in addition to charters, did not change during my tenure, the Department did not require us to submit a front-channel cable to renew its approval for us to utilize commercial carriers.

**· Why was the Mission allowing its personnel to be subjected to these violations of their privileges and immunities without a valid waiver from the Undersecretary for Management? (To SFRC's best knowledge, the second waiver of privileges and immunities was not granted until April 2022.)**

During my tenure at post, we authorized USDH staff and EFMs to submit only to Chinese government testing and quarantine requirements that were consistent with the Department's instructions for a limited waiver of diplomatic inviolability. As mentioned above, per guidance from the Department we allowed arriving USDH personnel and EFMs to submit to one or more throat or nasal swab tests as a condition of entry into the country and to be allowed to complete a quarantine period. We did not authorize USDH staff or EFMs to submit to any other mandatory measures in China.

**3. How many diplomats and their family members were placed into fever hospitals under your leadership? In your previous SFRC staff meeting, you claimed no one had been placed into a fever hospital. Do you stand by that claim or would you like to revise it?**

None. In every case in which a USDH or EFM was confirmed positive for COVID during my tenure, they were removed from China on a MED charter aircraft. Moreover, there were no cases of COVID among our USDH staff or EFMs already residing/posted in China during my tenure.

**4. How many sought MEDEVAC but were denied because the State Department did not want to pay the cost even though the September 18, 2020 cable assured that everyone at the Mission would have the right to MEDEVAC if they wanted to avoid the PRC fever hospitals? (See MRN: 20 STATE 92790)**

None to my knowledge.

**5. Did you or anyone else on your management team tell personnel who did not want their privileges and immunities waived that their only option was to curtail? Does this account for the significant reduction in Mission staffing, including during your tenure as DCM and Acting COM, or are there other reasons as well? Do you believe this situation reflects well on post leadership?**

Neither I nor, as far as I am aware, any of my management team told personnel in China that they must curtail if they did not want to comply with the health protocols of China for the narrow purpose of allowing COVID nasal/throat swabs upon entry into China and during the quarantine process.

USDH staff and EFMs outside the country who were incoming staff or preparing to return to post were informed by the Department and in Mission pre-briefings for returning and new personnel that China required the COVID nasal or throat swabs as a condition of entry into the country and, despite our strong and on-going efforts to get China to waive that requirement for diplomats and their families, it was unclear if or when that would change. There was no way for any USDH staff or EFMs to enter China without submitting to these tests and quarantine measures. USDH staff and EFMs were advised that if they or their family members were uncomfortable with, or believed they could not comply with, China's arrival testing and quarantine requirements, they had the option to seek a curtailment or cancellation of their assignment and seek a reassignment elsewhere. During that period, the Department had a policy that anyone who did decide to curtail or cancel an assignment for those reasons would be automatically approved for transfer without prejudice and would be reassigned.

After COVID became a pandemic, including in China, we did have some personnel request curtailment or to cancel their upcoming assignments. The numbers of curtailments were minimal, but I believe those who cancelled upcoming assignments were more. I never heard anyone cite the narrow need for nasal swab testing as a reason for seeking curtailment or cancellation of assignment. The top reasons I heard were concerns about children's schooling (the international schools in China were operating with part or full-time tele-schooling); concerns about the COVID situation in China in general and worries about family members contracting COVID and facing uncertain healthcare conditions in China; and, concerns that the lengthy testing and quarantine process to enter China would make it difficult for personnel assigned to China to depart and return to the country for vacations or to visit family in the U.S.

Ambassador Branstad and I (and our spouses) were keenly aware of the unpleasantness of China's COVID testing and quarantine requirements for entry into the country. We both travelled out of the country and returned (Ambassador Branstad in August 2020 via a charter with other staff, and I in June 2020 and March/April

2021 via commercial flights), complying with China's requirements in effect at the time.

**6. While you were COM, why did the U.S. government and the leadership of the Mission in China not push back against the PRC's requirements, including those that are exceeded what was agreed to in September 2020, and refuse to comply, and instead demand that the PRC live up to their agreements in the Vienna Convention on diplomatic privileges and immunities and the original understanding reached in September 2020.**

During my tenure in Beijing as CDA, we did push back regularly and forcefully against China's testing and quarantine requirements, demanding that China waive them for diplomats and family members, citing both the Vienna Convention and internationally recognized medical views that such procedures were unnecessary. We did this in regular interactions with the Ministry of Foreign Affairs (MFA), in nearly every diplomatic note we submitted to the MFA regarding arrivals of our staff and EFMs into China, with Chinese health authorities, and by working to build pressure on China with like-minded third country embassies.

Whenever we encountered a situation in which China's testing and quarantine requirements were applied by a local health authority in ways different than those described to us by the MFA, we immediately protested and, in most cases, were able to quickly, with MFA assistance, get local authorities to back down. In cases where we encountered resistance, we stopped arranging incoming USDH staff and EFMs to that port of entry until we were able to negotiate with the local health authority commitments to follow the appropriate procedures.

Ultimately, two successive Administrations had to decide, strategically, whether to minimize risks to our personnel from Chinese mandatory entry requirements to the fullest extent possible, which was done, or close the Mission at a critical time for US national security. My team did all it could and was highly effective in reducing risks to our personnel and China's required COVID protocols to the bare minimum and getting anyone who wanted out of China, out of China.

## **ATTACHMENT 9**

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**From:** (b)(6) @state.gov  
**To:** (b)(8) @state.gov  
**CC:** (b)(6) @gmail.com  
**Subject:** FW: SH Management Notice No.15: Travel Policies  
**Date:** Tue, 13 Apr 2021

Here is the latest guidance from Shanghai on what to expect for travel and quarantine...

SENSITIVE BUT UNCLASSIFIED

**From:** Shanghai, MGT @state.gov  
**Sent:** Sunday, March 21, 2021  
**To:** Shanghai All Consulate @state.gov  
**Subject:** RE: SH Management Notice No. 15: Travel Policies

Dear colleagues,

In addition to SH Management Notice No. 15, please refer the attachment for Health Declaration Instructions.

Thank you very much.  
Management

SENSITIVE BUT UNCLASSIFIED

**From:** Shanghai, MGT  
**Sent:** Friday, March 19, 2021  
**To:** Shanghai All Consulate @state.gov  
**Subject:** SH Management Notice No.15: Travel Policies



<b>TO:</b>	<b>All Consulate</b>	<b>DATE:</b>	<b>March 19, 2021</b>
		<b>NO.:</b>	<b>15</b>
<b>SUBJECT:</b>	<b>Travel Policies</b>	<b>APPROVED:</b>	(b)(6) <b>Management Officer</b>



These are the current travel policies and regulations. Please follow all guidance for your specific travel and check with Shanghai GSO Travel and Visitors Unit for any changes or updates as things are constantly changing.

#### OUTBOUND TRAVEL CHINA-US

1. **COVID-19 Testing:** The CDC requires a negative COVID-19 test within 72 hours of arrival into the United States or documentation of recovery from COVID-19. This policy applies to all arrivals into the US from all countries.

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/testing-air-travel.html>

Testing options in Shanghai – work with MED to set up an appointment:

Shanghai United Family Hospital:

Address: No. 699 Ping Tang Rd, Changning District, Shanghai  
every Monday, Wednesday, Friday, and Saturday  
from 8:30 to 16:20  
280 RMB/per person  
The result can be received the next day before 5:00 pm.

Sino United Shanghai Center Clinic

Address: No. 1376 West Nanjing Rd, West Tower, 6 Floor Suite 601, Jing'an District, Shanghai  
Every Monday to Saturday from 9:00 to 11:50  
240 RMB/per person  
The result can be received the next day around 12:00.

2. **Additional Requirements:** Masks are required on planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in all transportation stations and airports. Furthermore, all federal buildings in DC fall under the Executive Order mandating mask wearing.
3. **Quarantine:** follow local guidelines, check with office contacts in DC to determine expectations prior to starting work at DC-based offices or other locations.
4. **Pets:** ensure that all pets are registered and that you have the required paperwork for departure. Flight routes are restricted for those traveling with pets due to some airlines not allowing pets. GSO Customs & Shipping will help you understand and navigate the process.

#### INBOUND TRAVEL US-CHINA

1. **Flight Routing:** Most itineraries currently include a technical stopover in Seoul. Passengers do not deplane; it is a stop to switch out crew and does not add to the testing requirements. Flight schedules on airline sites are not always accurate. Many airlines have "ghost flights" as fillers in the schedule; these flights are not approved for operation and will eventually be removed from the schedule. The travel contractors know which flights are currently approved. Don't expect to have the same availability when working with the Travel Management Center (TMC) compared to what you might find online.

2. **COVID-19 Testing in US:** Prior to arriving in China, all travelers must complete COVID-19 testing (nasal swab and antibody test) within 48 hours of their flight into Shanghai. Testing must take place in the final city of departure corresponding with the direct flight into Shanghai (e.g. for an itinerary from Washington, D.C. into Shanghai with a stopover in Dallas, the final city of departure is Dallas and testing must take place there).
3. **Test Results:** All testing results must be submitted to the affiliated Chinese Embassy or Consulate of the testing city. Use the attached "Health Declaration Instructions" PDF to navigate the process to get the required green health declaration code. Approved labs are listed by city in the PDF as well.
4. **Lab Selection:** Travelers schedule their own testing appointments at one of the approved labs.
5. **Funding Official Travel:** Prior to traveling, all travelers on Home Leave or PCS travel should work with their HR tech to get funding for per diem and M&IE for the days at the testing locations. Furthermore, if the quoted airfare for your routing is more than 20% and \$1000 over the allotted amount in your orders, an amendment will be needed to cover the additional funding. If the quoted fare is over the allotted funding, but does not surpass the threshold mentioned above, no amendment is needed.
6. **Changes to Plans:** If anything changes with your flight scheduling or you miss your flight, please let Shanghai Management and the Shanghai GSO Travel and Visitors Unit know immediately as FAO must be notified.
7. **Arrival Process:** Upon arrival in China all travelers will be walked through the processes of testing, customs, immigration, and movement to the designated quarantine location. No arrangements need to be made by the travelers. Travelers should only undergo nasal or throat swab testing during the quarantine timeframe. If you are asked to submit a stool sample or provide an anal swab, refuse and report this to your post.
8. **Special Needs:** If you have special needs related to the quarantine hotel please let Shanghai GSO Travel and Visitors Unit know to see if accommodations can be made. Know that the quarantine protocols are very strict. Requests for joint rooms, family suites, and special diets cannot be met by the quarantine hotel. Adults should expect to quarantine separately. This has only been waived in a situation where one adult had a serious medical condition needing monitoring by another adult. Contact your airline directly for flight arrangements related to medical accommodations.
9. **Funding Official Travel:** All travelers on official travel (Home Leave, PCS, medevac, EVT, and R&R) should request funding for per diem and M&IE related to the quarantine timeline. Funding should also be requested for the testing stopover days in the US. This should be requested by communicating directly with your HR tech for funding in a TMFOUR for Home Leave and PCS or should be included on the Travel Authorization in E2 for other types of travel. If a TMFOUR has already been issued, the orders should be amended to include the funding. E2 Travel Authorizations can also be amended if this funding was not already included.
10. **Funding Personal Travel:** All travelers on personal travel will be responsible for all expenses

related to quarantine and testing.

11. **Quarantine Timelines:** current Shanghai policy is 7 days central quarantine followed by 7 days home quarantine (7+7) for diplomat travelers, but this policy can change at any time. Travelers should be prepared for 14 days quarantine, though some travelers have had to complete 21 days in central quarantine. Deliveries can be received during quarantine and this is an option for travelers who have special dietary needs.
12. **COVID-19 Testing in China:** all travelers will be tested with a nasal/throat swab upon arrival, at 5-6 days, and again at 12-13 days. Testing negative on each test typically means that travelers will follow the 7+7 quarantine policy shared above. Testing positive at any time will result in hospitalization and the option to medevac immediately. As stated previously, all tests conducted on travelers should be limited to nasal or throat swabs. Refuse any testing involving anal swabs or stool samples and report this to post.
13. **Leave Status:** if on official travel, all days in quarantine are covered by Weather and Safety Leave.
14. **Communication with Post:** please communicate with post as early as possible, but no less than 21 days in advance, to give enough time for FAO notifications and approvals to be completed. Send emails to Shanghai Management and the Shanghai GSO Travel and Visitors Unit with expected arrival date to start the process.
15. **Flight Arrangements:** travelers may work with Meiya in Shanghai or CWT SatoTravel in DC to make flight arrangements. Please ensure that you have the required stopover for testing in the final US city. The travel contractor may not automatically know that this is required.
16. **Pets:** no pets should arrive with travelers at this time. Instead, all pets should arrive using a pet shipper after the traveler has completed quarantine. This is because all pets will be separated from the travelers for their own quarantine and travelers will not be able to meet the needs of the pet during the quarantine timeframe.
17. **COVID Vaccinations:** Mission China does not currently have a timeframe for administration of vaccines. Travelers who have already been vaccinated at another post or in the US will not have any of the requirements for testing or quarantine waived at this time.

## POST-TO-POST TRAVEL

1. Each case will be very individualized. Please work with Shanghai GSO Travel and Visitors Unit to make necessary arrangements.

## IN-COUNTRY R&R TRAVEL

1. **Cost Construct Cap:** All R&R travel conducted in China will be subjected to the cost construct cap of \$1800. Travelers may visit multiple cities and business class travel is authorized. For cruise travel, the cost of the most economical air fare matching the cruise route may be

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authorized.

2. **Medium/High-Risk Areas:** Check reputable sources regularly for updates on areas to avoid during travel. If you are in an area with a sudden outbreak that requires quarantine, this may be covered by Weather and Safety Leave.

**PERSONAL TRAVEL**

1. **Within China:** travel within China should follow guidance from the Mission China EAC. Current travel guidelines recommend avoiding all medium- and high-risk areas.
2. **Outside China:** it is not currently advisable to travel outside China on personal travel as the traveler will be responsible for all quarantine expenses and personal leave will be required for any quarantine situation that arises, expected or not. Additionally, rules and regulations are constantly changing, and travelers could become stranded in another location without financial support to cover expenses and the need to use LWOP if the situation cannot be resolved before annual leave is exhausted.

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**Sender:** (b)(6)@state.gov>  
**Recipient:** (b)(6)@gmail.com>;  
(b)(6)@gmail.com>

*Get to Green***Chinese Health Declaration Certificate Website: How-To Guide****Overview:**

This guide is intended to help U.S. government employees and their families who are travelling to the People's Republic of China (PRC) on official orders.

Before boarding a flight to the PRC, the PRC government requires that all passengers age three and above must first get a Health Declaration Certificate/Code (HDC) via the following PRC Ministry of Foreign Affairs website: <https://hrhk.cs.mfa.gov.cn/H5/>. The information you submit will be reviewed by the Chinese embassy or consulate whose district includes your testing location. Upon approval, you should receive a **green** QR code with "HDC" symbol. Passengers must present the code (electronic or printed) to airline staff during flight check-in and/or boarding. If you need urgent assistance (still no green code and time is running out), you may request help from the State Department's China Desk; contact info at the end of these instructions.

**Approved Labs:**

As of December 23, 2020, the PRC only accepts lab results from certain labs listed on the corresponding Chinese embassy or consulate's web site. Below are links to the lists, prepared by the PRC embassy and its consulates, of approved labs in/near each of the six cities currently with direct flights to the PRC. The list appears as the "**Appendix**" link below each of these list notices. *Note: Lab lists are periodically updated.*

- Dallas: <http://www.china-embassy.org/eng/notices/>
  - List posted 2021/01/05: <http://www.china-embassy.org/eng/notices/t1844606.htm>
- Los Angeles: <http://losangeles.china-consulate.org/eng/lghd/>
  - List posted 2021/01/06: <http://losangeles.china-consulate.org/eng/lghd/t1844902.htm>
  - ("Click here" = <https://docs.qq.com/sheet/DSExicEdBcUFiWFpw?tab=BB08J2>)
- New York: <http://newyork.chineseconsulate.org/eng/lstfvss/>
  - List posted 2021/02/17: <http://newyork.chineseconsulate.org/eng/lstfvss/t1854631.htm>
- San Francisco and Seattle: <http://www.chinaconsulatesf.org/eng/zytz/>
  - List posted 2020/12/21: <http://www.chinaconsulatesf.org/eng/zytz/t1841576.htm>
- Detroit: <http://www.chinaconsulatechicago.org/eng/zytz/>
  - List posted 2020/12/20: <http://www.chinaconsulatechicago.org/eng/zytz/t1841520.htm>
  - (click on [驻芝加哥总领馆指定检测机构.xlsx](#))

**Challenges with the MFA Webform:**

Many passengers have reported difficulties getting green approval status on the first try. This how-to guide consolidates lessons-learned on how to successfully apply for and obtain green approval status.

Passengers must go online (using smartphone or computer) to fill in their information, declare their health status, and upload documents, including test results, passport and visa information, and itinerary. Uploaded information and documents are examined by a team at the Chinese embassy/consulate in the United States. If information and documents do not satisfy all requirements, the team will reject the application and the applicant will see a red or other non-green QR code. Common reasons for rejection are illegible documentation and handwriting on lab reports – to the extent possible, they should be entirely typed.

According to the PRC embassy team, when an application is rejected, they try to provide a very short explanation of why the application was rejected. In almost all cases, this means the applicant can immediately try again to submit missing or revised documents/information. They encourage applicants to **promptly resubmit** applications responding to the embassy's feedback.

**How to Complete the Form:**

The MFA webform is designed to be completed on a smartphone, but nearly any web browser will do. To complete the form on a computer, we recommend using Chrome browser. (In a test performed by Mission China, Internet Explorer would not process the application.) Have ready the following items for **you and each traveler in your family** when requesting the Health Declaration Certificate/Code (HDC). The PRC embassy strictly applies these requirements. Please read before submitting your application. **You will need:**

1. Picture of **biodata/photo page** of your diplomatic/official passport
2. Picture of **Chinese visa** in your passport
3. Picture of your negative **COVID NAT results**
  - The results must specify a negative NAT or NAAT PCR or RT-PCR and test sampling method: (1) pharyngeal swab; (2) nasopharyngeal swab; (3) other.
  - Patient's name, date of birth (DOB), test type, date of sample collection, test result, name and contact info of test institution (including address & phone number) must be present in the results.
  - Lab reports should be printed, not handwritten, though a small amount of handwriting may pass.
4. Picture of your negative **IgM antibody test results**
  - The results must specify – explicitly – whether the IgM test was “venous” or “fingertip.” PRC will no longer accept fingertip testing as of December 23. Applications that fail to state what method was used will likely be denied; testing methods include: (1) colloidal gold; (2) chemiluminescence; (3) enzyme-linked immunosorbent assay; (4) other.
  - Patient's name, DOB, test type, date of sample collection, test result, and name and contact info of test institution must be present in the results. Full contact info for the lab must include address & phone number.
5. Photo of **testing site**: Upload a self-portrait (selfie) of you/family at testing facility showing the facility's sign/logo as proof that you used an approved testing site. (Lab may have a suggested spot.)
6. Picture of flight **itinerary**: Should display your whole itinerary to Shanghai/Guangzhou. Include your flight number and departure date for your flight from the U.S. to China (e.g., DFW-PVG or LAX-CAN)
  - Upload itinerary together with the test reports. Include screenshot from airline website as well.
  - Note: To avoid confusion, the itinerary you upload **ought not** mention technical stops, which are short stops at which passengers are not allowed to deplane. A tech stop is not considered a transit point if passengers must remain on the plane during the stop. Several American Airlines (AA) flights to China make one- or two-hour tech stops in Seoul (ICN), so travelers on AA flights should attempt to upload an itinerary that does **not** show the ICN technical stop.)
7. Embassy Commitment **Letter**: If requested, upload a PDF of the February 8, 2021, memo from Katherine Munchmeyer, Minister Counselor for Management Affairs, U.S. Embassy Beijing, responding to MFA Note Verbale (2021) Li Zi No. 1. This two-page document (English on one side; Chinese on the other) on Embassy letterhead states the U.S. government position regarding COVID-19 testing of U.S. diplomats in China. Mission China will provide travelers a copy in advance. There is no specific place on the PRC website to upload this document; the PRC embassy suggests you upload it anywhere uploads are possible during the HDC application process.

\*You may need to use a photo editor (or take screenshots) to resize your pictures to under 10 mb (which is the maximum size of a file permitted by the Chinese Embassy/MFA webform).

**Children Under 3:**

Kids under age three do not need either of the pre-flight tests NOR do you need to complete a health declaration form for them. Kids under 3 will get a COVID test when they land in China (likely by cheek swab).

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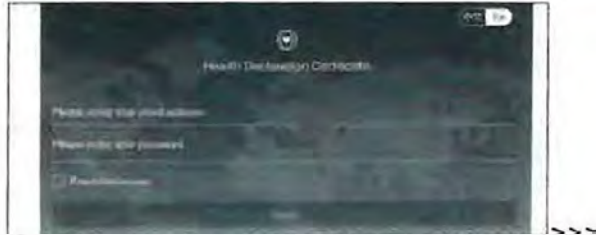
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**Step by Step Guide to Requesting Your HDC from Chinese MFA via Chinese Embassy/Consulate:**

[Reminder: Unless you've been vaccinated, only negative test results should be submitted without first consulting with U.S. Embassy Beijing or the State Department's China Desk. Do not submit positive results unless you've been vaccinated – in which case a positive IgM result is to be expected.]

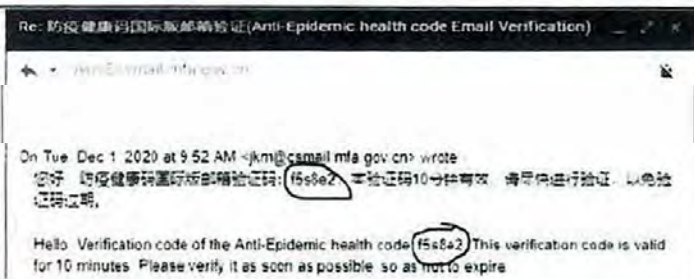
From a web browser on a smartphone or computer, go to: <https://hrhk.cs.mfa.gov.cn/H5/> (Chinese MFA website)  
Click on **Register Now** below the Login button.



Enter an email address you can access immediately, select the box to the left of **information and privacy protection policy**, and then select **Get the verification code** (text in blue).



Go to your email account to retrieve the code, then enter the code you received in the "Email verification code" field of the webform (copy-paste may not work). The code is only active for 10 minutes, so you need to do this step fairly quickly. The email you will receive from [jkm@csmail.mfa.gov.cn](mailto:jkm@csmail.mfa.gov.cn) will look something like this.



After you enter the code, click on **The Next Step**.  
You will encounter a few verification screens during this process to confirm you are not an automated device of some kind (for example, by sliding a puzzle piece into place).



Create a password (enter it twice) and select **Registration**.

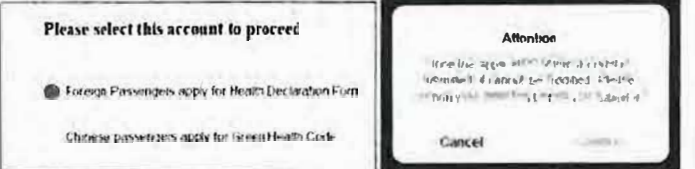
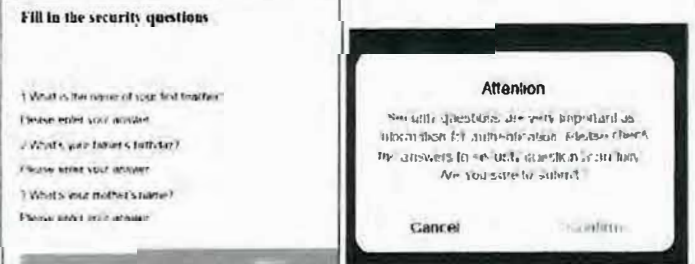
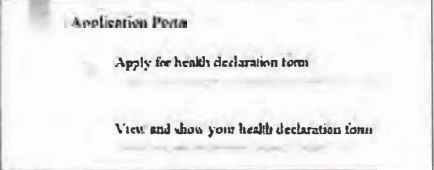
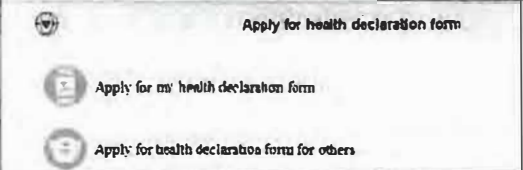



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<p>Select the "Foreign Passengers apply for Health Declaration Form" and then select <b>confirm</b>.</p> <p>Select <b>Confirm</b> again on the pop-up saying, "Attention: Once the application of this account is submitted it cannot be modified. Please confirm your selection before you submit it?".</p>	 <p>The screenshot shows a screen titled "Please select this account to proceed" with two radio button options: "Foreign Passengers apply for Health Declaration Form" (selected) and "Chinese passengers apply for Green Health Code". A "Confirmation" pop-up is overlaid on the right, with the text: "Attention: Once the application of this account is submitted it cannot be modified. Please confirm your selection before you submit it?" and "Confirm" and "Cancel" buttons.</p>
<p>Provide answers to the security questions for your account. Select <b>submit</b>.</p> <p>(There is no need to provide real information, but carefully make note of your answers in a place you can find them easily because <b>you will need them to retrieve the results the next day.</b>)</p> <p>Select <b>Confirm</b> on the pop-up that says, "Attention: Security questions are very important as information for authentication. Please check the answers to security questions carefully. Are you sure to submit?"</p>	 <p>The screenshot shows a screen titled "Fill in the security questions" with three questions: "1. What is the name of your first teacher?", "2. What's your father's birthday?", and "3. What's your mother's name?". A "Confirmation" pop-up is overlaid on the right, with the text: "Attention: Security questions are very important as information for authentication. Please check the answers to security questions carefully. Are you sure to submit?" and "Confirm" and "Cancel" buttons.</p>
<p>Select <b>Apply for health declaration form</b>.</p>	 <p>The screenshot shows a button labeled "Apply for health declaration form" and another button below it labeled "View and show your health declaration form".</p>
<p>Once you have established your account (which is what you have done if you have made it this far in the process), you are able to upload the data and JPGs required for you and all members of your family. The next screen offers you the option to enter either <u>your</u> data/jpgs or your <u>family member's</u> data/jpgs. You return to this screen later, if need be.</p> <p>Select <b>Apply for my health declaration form</b>.</p> <p>Enter the requested data in each field. Select <b>Passport</b> for Type of Document.</p>	 <p>The screenshot shows a screen titled "Apply for health declaration form" with three radio button options: "Apply for my health declaration form" (selected), "Apply for health declaration form for others", and "Apply for health declaration form for others".</p>
<p>Once you select <b>Tested negative</b> for both COVID-19 NAT and the COVID-19 serum IgM antibody test, two more prompts will appear on the screen.</p> <p>[Reminder: Do not submit positive results unless you've been vaccinated – in which case a positive IgM result is to be expected.]</p>	 <p>The screenshot shows a form titled "Enter information" for health declaration. It contains several fields with asterisks indicating required information: "Please enter your flight number to China", "Please provide departure date of the flight to China", "Please select your COVID-19 status and test result", "Please select your COVID-19 serum IgM antibody test result", and "Have you received the COVID-19 serum IgM antibody test?". A "Submit" button is at the bottom.</p>


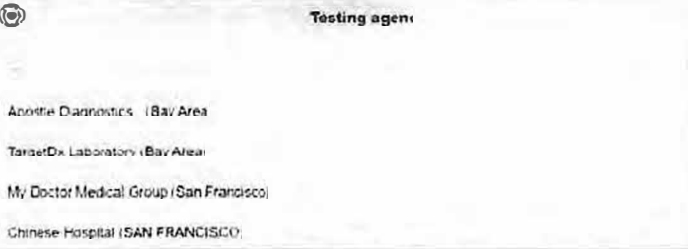

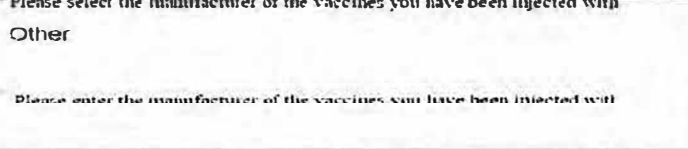


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<p>Click on <b>Select</b> next to the "Please choose a nucleic acid testing agency" field. The first drop-down list of options asks for your Country or Region (you can enter "United States" and search for it quickly). The second list of drop-down options is looking for your "Testing Agency."</p> <p>Note: Chinese rules require that the Covid testing site(s) you use must be in or near the city from which you fly to China. At present (January 2021), direct flights from the United States to China fly from six cities: Los Angeles, San Francisco, Seattle, New York, Detroit and Dallas only.</p>	
<p>Next to the "Please select a serum IgM antibody testing agency" field, click on <b>Select</b> and a drop-down list of testing agencies will appear.</p>	
<p>Enter your test date for the NAT and IgM antibody tests. Then upload a jpg of your negative test result document(s). Also upload your itinerary at this point. The website does not currently have a prompt where you can upload your itinerary, but the PRC embassy does require it. The PRC embassy says the MFA is working on updating the website, but in the meantime, they tell us you can upload your itinerary at this stage of the process. Select <b>Submit</b>. Next you need to read through the "Declaration content" and click the box to the left of text in red at the bottom of the screen. Select <b>Submit</b>. Finally, review your data (check your passport number carefully) and select <b>Return and make changes</b> or <b>Confirm and submit</b>.</p>	
<p>Next you'll need to answer "Have you got a COVID-19 vaccination?" If you select "Yes", two more prompts will appear on the screen.</p>	
<p>Click on <b>Select</b> next to "Please select the manufacturer of the vaccines you have been injected with", a drop-down list will appear. Please select the one you use.</p>	<p>Choices include: Sinopharm, Sinovac, Janssen, Moderna, Novavax, Pfizer-BioNTech, AstraZeneca, Other</p>
<p>If you select "Other", a prompt will appear with "Please enter the manufacturer of the vaccines you have been injected with". Please fill in the actual manufacturer of the vaccine you have been injected with.</p>	
<p>Click <b>Select</b> next to "Please select the time of your final vaccine shot"; a drop-down list will appear. A reminder appears: "With most COVID-19 vaccines, you will normally need two shots for them to work. Please select the time of your <u>final</u> vaccine shot." Note the time should ideally be accurate to the minute.</p>	
<p>Next, read through the "Declaration Content" and click the box to the left of text in red at bottom of the screen. Select <b>Submit</b>. Finally, review your data (check your passport number carefully) and select <b>Return and make changes</b> or <b>Confirm and submit</b>.</p>	

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Once you select **Confirm and submit**, you should receive a note that indicates your application for a health declaration form has been submitted successfully.

Return to the home screen and select "View and show your health declaration form."

Immediately after submitting your data and forms, you will see an orange/yellow-colored QR code.



Once the Chinese embassy/consulate's approval process is complete you should see a green-colored QR code.

**Blue background** for submitter.

**Green background** for family members (not myself).



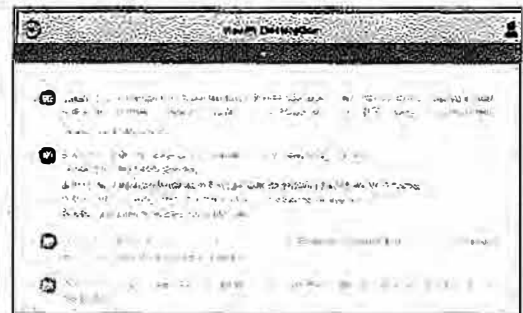
See color key for the QR colors. If all goes well, the color of your QR code will turn from orange/yellow to green once you are approved.

**Green** – eligible to board the flight. Please take note of the validity date of your HDC and make sure to board within the validity period. Please have your HDC ready for pre-boarding screening by the airline.

**Red** – Your HDC did not pass verification due to the following reasons

**Grey** – Your HDC has expired. Please re-submit your HDF and test certificates within the required period before boarding.

**Yellow (Orange)** – you have submitted your HDF and test certificate. Please wait for verification.



If you are unable to get to green after following this how-to guide, please contact the State Department's China Desk (EAP/CM) Bilateral Affairs Unit at [eapcmbilatunit@state.gov](mailto:eapcmbilatunit@state.gov), and copy EAP/EX's [Redacted]@state.gov. In your message to the China Desk's Bilat Unit, provide your current location, QR code status, phone number(s), email address and flight time frame.

**ATTACHMENT 10**

**From:** [REDACTED]  
**Sent:** [REDACTED]  
**To:** [REDACTED]  
**Subject:** Mission China Homecoming Task Force 8-28-2020

## Mission China Homecoming Task Force

### Complete FAQ Guide

(Last updated August 28, 2020)

## General Questions

### 1) Who should I send my FAQs to?

Please send general questions to [REDACTED]@state.gov. For questions specific to your post (housing, hospitals, etc.), please email your Post Management Officer. These FAQs will be updated as new information becomes available.

### 2) Who should I contact if I want to receive Homecoming Task Force SitReps?

There are two options available: 1. Email your Post IRM team to have your email linked to the appropriate distro, or (the easiest/faster option) 2. Email your Post CLO to have your email added to their distro lists. Mission China CLOs forward the SitReps to their community. The Task Force does not have a distro list they send to in which they have permissions to edit. All Task Force communications are sent to directories linked directly to the Mission (i.e. Beijing/Guangzhou/Shenyang/Wuhan/Shanghai/Chengdu All Americans), though we understand those who have non-state emails or are working other assignments during AD/OD may not be included in these lists.

### 3) Where can I get some general information about evacuation policy?

There is lots of good information from the Family Liaison Office here:  
<https://www.state.gov/family-liaison-office/crisis-management/post-evacuations/>

There is a helpful reference pdf titled [You've Been Evacuated. Now What?](#) This publication is a general guide for what you need to know about before and after an evacuation.

## China and COVID-19 Questions

### 4) In the late fall, should a second wave of the virus hit, what is Post's posture on EFM's staying in China to wait through it? This is a big question considering how the first OD was issued, without Post's input. If management could please have a "what if" plan prepared ahead of time that would be very comforting.

We cannot speculate on this. We can say the full Emergency Action Committee, including all section and agency heads and Consuls General, jointly assesses how conditions on the ground affect the safety and security of our community and makes recommendations to the Ambassador, who makes recommendations to the Department of State. Going on departure status once does not make it more or less likely in the future.

### 5) What phase are we in now for Beijing and what are the implications of this once we arrive considering several of the indicators do not appear to be met (e.g. travel advisories, mandatory testing, etc.)?

All of Mission China is in Phase 2. Please see the recent cables from the Emergency Action Committee. There are specific indicators China does not meet (mandatory testing, integrity of data), conditions in China meet the vast majority of the indicators for Phase 2 (and many for Phase 3), and the Department of State concurred China is in Phase 2. Missions around the world are moving forward in the Phases, with Department concurrence, when country conditions satisfy the bulk of the criteria, even if some indicators are not met.

**6) Is the State Department Travel advisory for China lifted?**

No. You can find the most updated U.S. Department of State Travel Advisory information for China here: <https://travel.state.gov/content/travel/en/international-travel/International-Travel-Country-Information-Pages/China.html>

**7) How many COVID cases are there currently in China?**

Please refer to the recent ESTH cable which discusses COVID in China and provides an excellent summary. (Ref [20 Beijing 950](#)). The CDC provides updated COVID-19 case numbers for each country here: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>

**8) Are there any confirmed COVID cases at post/in Embassy?**

We are not able to provide this information as we do not disclose personal medical details of our employees.

**9) Given that we cannot trust Chinese data, what makes you think the Chinese have controlled the recent outbreak in Beijing enough that it is safe for us to return?**

Over the last few months since COVID-19 was substantially contained in China, we have observed the Chinese response to new clusters of the virus in Wuhan, two cities in Heilongjiang, and two cities in Jilin Province. In each case, local authorities quickly implemented quarantines, cordoned off the affected housing complexes, imposed transportation restrictions and prohibitions on large gatherings, while adding additional contact tracing and mass testing. Those measures prevented significant spread of the virus to other areas. After the cases associated with the Xinfadi wholesale market emerged, Beijing officials took similar measures. While we must remain vigilant to the possibility of new clusters at any time, recent experience supports the conclusion Chinese authorities have the capacity and will to quickly identify, isolate, and stop the spread of localized outbreaks.

### COVID-19 Testing Questions

**10) I (or my child) had COVID-19 and have made a full recovery. Should I do extra medical testing before I return to China on a charter?**

For those who have recovered from a bout of COVID, our guidance for additional testing depends on the details of your history. Please contact MED HART for a pre-travel consultation. Email: [medhartncov@state.gov](mailto:medhartncov@state.gov); telephone number: 1-202-913-2062. The medical staff answering your email or telephone call should be able to give you satisfactory guidance to ensure that you are safe to travel and without increased risk of testing positive on arrival to China.

**11) Who do I contact to schedule my COVID-19 test at MED before I board my flight? Are they going to provide me documents that I take with me on the plane?**

Please do not contact MED to make your appointment. As soon as you receive notification of your flight, you will also receive information about the date and time of your COVID-19 test. Upon completion of the test, MED will only email you if your tests came back positive. Please watch out for these emails and check your SPAM folder as they may come later in the day, which is normal. If you test positive, you must immediately contact the Homecoming Task Force and Kris Arvind in EAP/EX to let us know that you cannot board the plane. Mission China will send a diplomatic note stating that all passengers have received a negative test prior to boarding, so you will not need a copy of your test results with you.

**12) We have been notified of a positive test result from MED prior to our departure. Please advise how to proceed as we are now no longer able to board our charter flight as planned.**

For those who have recently tested positive for or have recovered from a bout of COVID-19, our guidance for additional testing depends on the details of your history. Please contact MED HART for a pre-travel consultation (Email: [REDACTED] telephone number: [REDACTED]). The medical staff answering your email or telephone call should be able to give you satisfactory guidance to ensure that you are safe to travel and without increased risk of testing positive on arrival to China. Please continue to stay in contact with your management officer at post and EAP/EX if guidance from MED alters your planned departure on a charter flight.

**13) What discussion has occurred and what has been the outcome regarding accommodations for those among our community with special needs or disabilities? Will there be accommodations for those who cannot tolerate nasal swab testing?**

The Task Force is aware that some families will have special needs and accommodations. Regarding testing, the Task Force has engaged on multiple levels and many times with PRC authorities on these issues, and, as these are seen as in relation to greater public health requirements, they told us they will not alter or give us flexibility on testing for any special circumstances. MED only has access to nasal swab tests and will test nasally. Our guidance is that adults and children of all ages should expect to undergo a nasal swab test at SA-1 before departure, as well as a nasal and/or throat swab test upon arrival in China. From the experience of those returning on recent charter flights, the Chinese government has done throat swabs for children, but we cannot guarantee that accommodations will be made upon request. If you or a family member has a medical concern or special needs accommodation request, please consult with MED ([REDACTED]@state.gov) at your earliest convenience.

**14) You have mentioned a few times about staying safe and avoiding exposure to the virus that causes COVID-19 prior to flights. What is recommended for those working every day in SA-17 or passport centers that have had recent cases of colleagues testing positive for COVID-19?**

Please make every effort to reduce exposure to the virus that causes COVID-19 from now until you arrive safely in China—this would be strict home isolation, but when it is essential to leave your residence, please take every measure possible to reduce risk (e.g., social distancing, handwashing, mask wearing, etc.). If you are currently working in an office prior to joining one of the charter flights, please discuss the situation with your U.S.-based supervisor and explain that isolation for 2-3 weeks in advance of these charter flights, which are specially arranged by MED with guidance from the Undersecretary for Management, is essential to protecting the health and safety of all others on the charter flight and successfully re-staffing Mission China, where you are officially assigned to work. If your U.S.-based supervisor is unwilling to approve telework, please put the supervisor in touch with the Homecoming Task Force Co-Chairs, Consul General Nancy Abella and Tom Komons. If telework is not available for your job function in the U.S., you should inform your U.S.-based supervisor and Mission China supervisor that you will be taking leave to isolate in advance of the flight—please consult with your Mission China supervisor on how you should reflect this leave in your T&A. The health and safety of all members of Mission China is our utmost priority while we work to re-staff the Mission in a safe and timely manner.

**15) My spouse is in China now; I am returning with my children. If one of us contracts COVID-19 and needs to be hospitalized, what would happen to the children?**

If only one adult parent has contracted COVID-19 and requires hospitalization, the child(ren) can stay with the other adult parent. In the event that both adult parents have contracted COVID-19 and the children have not and remain healthy, mission personnel will assist in finding a responsible adult to act in loco parentis.

**16) I heard from some Beijing people that children under 15 do not have to take the test. Is this true? Is this a possibility we can try to push for?**

No, this is not true. Currently, under Chinese CDC guidance, all children should be prepared to test upon arrival.

**17) If someone in our family tests positive, is it possible for them (and the family) to choose to come back on a flight back to the USA, rather than be separated?**

ATTACHMENT 10 - PAGE 4

Yes, those that test positive will return on the charter flight back to the U.S. Because they are considered close contacts, families have the option to return as well.

**18) Does the policy that a child who tests positive is separated without parental access vary in different cities?**

None of our charter flights will land in cities where separation might occur. Other cities may have different policies.

**19) Would an employee who is already in China and negative be allowed to go with family members who test positive? Into the hospital?**

Possibly, though it may also be important to carefully consider the advice of medical professionals in this case. Access to severely ill or highly infectious patients will be limited.

**20) What support would be at the hotel or USG residence to support families who have children who test positive and are threatened to be separated?**

At the airport, hotels and residence of isolation, we plan to have multiple Embassy/consulate personnel on the ground to support our incoming families on our charter flights. This will not be possible for each individual/family coming in on commercial flights.

**21) If someone tests positive, is it possible to go to a Western hospital vs. Chinese hospital?**

The designated facilities for evaluating patients who test positive for COVID-19 are all Chinese government operated. Private facilities will not accept patients in this situation. Those who test positive may be considered for medical evacuation and MED will work with you on an individual basis to determine the most appropriate next steps.

**22) If everybody in a family tests NEGATIVE, can the whole family quarantine together in the same hotel room? Or will families be separated regardless of a negative test upon arrival?**

This depends on the city and the specific hotel. We are landing our flights in cities where officials assure us parents will be able to remain with kids except in unusual circumstances. In the event officials require family members to separate, the TF and Management Team at that post will remain closely involved and advocate for you and your family.

**23) What happens if you test positive during quarantine or at the end of the quarantine?**

If you are asymptomatic you may need to extend the duration of your home quarantine. If you display symptoms, you may be considered for medical treatment or medical evacuation and MED will work with you on an individual basis.

**24) What role does antibody testing play in assessing COVID infection status?**

The nucleic acid test uses a specimen obtained by nasal or oral swabs to check if viral particles are present and is the primary means used to diagnose COVID-19 infection. The antibody test is a blood test to check if a patient has evidence of prior infection. The nucleic acid test, therefore, is different from the antibody test. The connection between them is still under study. The antibody tests are imperfect and, at present, not recommended as a screening tool for COVID infection. It is possible that someone who has a positive antibody test could have a positive nucleic acid test. Hence, State Med recommends against anyone from getting an antibody test. Furthermore, antibody tests done before arrival to the PRC are not recognized by the health authorities of the PRC. All persons are still be subject to PRC nucleic acid testing on arrival.

**25) What paperwork is required to have after your test results are given?**

Local authorities issue a testing and quarantine certificate, which might be electronic on your phone instead of on paper. Hotels and other institutions might ask for this until you have been in China for a certain number of months.

**26) Will the tests done in China be of the same type and quality as in the U.S.? (COVID-19 vs. antibody)**

No, MED and other US facilities use different tests than the Chinese. There is no evidence of a quality advantage of one test over another.

**27) How soon before the flight will the pre-test be done?**

Within a week of arrival, preferably within 72 hours of departure. If you are using an independent lab rather than State/MED, please check with provider how soon they can provide the results to ensure they are ready before your flight. The recommended test to be done in the US is the NAT (Nucleic Acid Test). Current guidance from MED is that there is no role for antibody testing. Per recent Chinese requirements, all diplomatic travelers should hand carry a paper copy of their pre-departure test results; if you cannot print a copy, please have an electronic copy on available on a device.

**28) The below testing by the Chinese government seems to contradict 20 STATE 52414 (PCS Travel Update: Blanket SIP Waiver and Conditions-based Approach for Resumption of PCS Travel). Paragraph 15 seems to state there are no exceptions to the policy that we are not to be test by the host government. Does Mission China have a waiver to this policy?**

The Under Secretary for Management approved a plan for Mission China's first return that included accepting arrival testing within the standard Chinese procedures. Each plan for each future flight will require a similar process of review by the Under Secretary for Management, who has the authority to approve or disapprove on a case-by-case basis.

**29) If we can't pre-test, should we still board the charter?**

The Office of Medical Services will provide pre-flight testing for our charter flights. There are also local testing/free options in many cases (for example- info on free testing for DC residents [here](#)). You must have a negative test result to board the charter.

**30) If MED is not able to perform our COVID-19 tests in DC, can MED provide us with where we can go in the DMV area to take a CORONA Virus test? Elsewhere?**

The plan is for charter passengers to travel to DC for testing with MED prior to boarding the charter. Exact details will be sent to all passengers when charter plane manifests are finalized.

**31) Will asymptomatic positive tests also go to the hospital for the 14 days?**

The task force is working towards agreements that would allow asymptomatic patients to stay home for 14 days instead of going to a hospital.

**32) If I tested positive a long time ago and am no longer contagious. Will I be allowed to quarantine at home?**

Yes, provided all your COVID-19 tests are negative (in the US before boarding and on arrival in China).

**33) If an employee and/or family members test positive and have to return to the U.S., will the Department provide housing and M&IE?**

These situations will vary on a case-by-case basis. The department will support treatment of those who need it and work with employees for a speedy return to health and to post.

**34) I have a 4-year-old. I have not been able to find a testing site that will test children under age 5, will the Department of State test children 5 and under?**



Yes, MED will administer tests to all children, regardless of age, prior to departure.

**35) Mission China and EAP agree pre-flight testing is important. Will MED continue to provide?**

Yes.

**36) Should I contact MED now to schedule my testing appointment?**

No. You will receive information about your MED testing date and time when you are notified of your flight.

**37) My understanding is China's test may read positive if one had the virus before and is now cured. Serology/antibody tests would likely be able to pre-identify any potential cases where this would arise. Is MED able to do serology tests or write prescriptions for them?**

No.

**38) Are small children required to undergo pre-flight COVID-19 testing in the U.S. and upon arrival in China? If so, what type of test will they receive?**

MED will conduct nucleic acid pre-flight testing via nasal swab at the SA-1 clinic for all travelers (including children of all ages) in need of a test. MED does not have access to throat swab tests—they can only test nasally. MED testing procedures will mirror those of the traveler's intended arrival city, which will vary based upon each local government's testing regulations. Once you are confirmed on a flight manifest, your post's Management Officer will confirm your arrival city's testing procedures. Upon arrival in China, adults and children of all ages should be prepared to undergo a nasal and/or throat swab COVID-19 test. Once you are confirmed on a flight manifest, MED or EAP/EX will contact you to inform you of the time and date of your test at SA-1.

**39) I thought the COVID-19 testing requirement was 72 hours before our flight to China. Why do we now have to come to DC so early and do the testing 6 days before our departure?**

The process of scheduling COVID-19 testing at MED is very complex with many moving parts. To ensure that we comply with Chinese entry requirements and accommodate the operational capacity of MED, travelers will need to be flexible and arrive 6 days before their scheduled departure date in order to complete their testing appointment. Please note MED is working with posts globally on testing, not just Mission China.

## MED (not COVID-related) Questions

**40) What is the situation for Class 2 MED clearance holders? Can they return? Is further clearance necessary?**

Medical Clearances is not re-adjudicating the clearance of those with a class 2 clearance. Anyone with specific concerns about are encouraged to reach out to MED directly to discuss clearance issues, as this will vary greatly based on individual circumstances.

**41) What happens to those who are injured or ill enough to be hospitalized?**

All decisions regarding illness, treatment, or hospitalization will need to be decided after consultation between the affected person (or guardian) and the Regional Medical Officer. Any person could be transported by air ambulance back to the United States if it is in the interest of providing the best medical care for the affected person.

For persons who are asymptomatic but test positive for COVID-19 on day 13 of isolation and beyond, the current policy is to return them to the United States via a medevac flight. Persons who have COVID-19 but are asymptomatic may be able to remain in their residences awaiting the medevac flight.

Patients with serious symptoms consistent with COVID-19 such as fever, cough, shortness of breath and/or low oxygen levels are initially assessed for COVID-19 and admitted for treatment at the COVID-19 hospital designated by the PRC. They'll receive proper treatment, such as antibiotics and oxygen supplementation, while waiting for completion of

the confirmatory tests. If COVID-19 is confirmed, they'll be treated appropriately in the COVID-19 hospital until deemed free of infection, probably followed by a period of continued isolation at their residence. If COVID-19 is not confirmed, they'll be transferred to a private hospital of the Embassy's or Consulate's choice until ready for discharge.

Patients with symptoms not consistent with COVID-19, such as a heart attack, appendicitis, or a broken leg, will be treated immediately as appropriate for their condition. They'll also undergo COVID-19 screening, but not to delay their urgent medical needs. These patients can get all diagnostic studies and treatment at a private hospital of the Embassy's or Consulate's choice.

Again, any of the above patients could be transported by air ambulance back to the United States if it is in the interest of providing the best medical care.

**42) Once we are back in China again, are there medevac flights back to the U.S. available if there is a health emergency?**

If an arriving passenger tests positive in the airport they'd re-board immediately the waiting aircraft for return to CONUS. This is more accurately described as an immediate repatriation rather than a medevac. For all other situations, COVID and otherwise, here's the current status:

- **Regional medevac by air ambulance and commercial airlines:** Options remain non-existent due to entry requirements of the host nations, especially Singapore and Bangkok, our primary and secondary medevac destinations, respectively. Hong Kong, Korea and Japan have similar entry obstacles that make them out of bounds as one-off medevac options. The date when things will revert to normal remains uncertain. Stand by for developments.
- **CONUS medevac for COVID and ICU-type patients:** These are done by OpMed (Phoenix Air Group) or commercial air ambulance: Expect 3-4 days from time the medevac is requested to the time the patient is picked up at a mission city in China. To this add about 24 hours to deliver the patient somewhere in CONUS. Due to this anticipated delay, all such patients will need initial medical management at a Chinese hospital. COVID patients without symptoms may be able to remain in their residence awaiting the air ambulance.
- **CONUS medevac for ambulatory patients:** CONUS remains a potential medevac destination for patients able to fly on commercial airlines. The timeline in these cases is markedly prolonged due to possible delays pertaining to quarantine and somewhat unpredictable medical services in CONUS and the 14-day quarantine requirement when returning to post.
- **Intra-China medevac for critical patients:** These patients may be able to go by commercial air ambulance from a city with lesser medical capability (Shenyang, Wuhan, Chengdu) to Shanghai or Beijing, when those destinations offer superior medical care. Hong Kong may be a destination if it opens its borders to China without the need for quarantine.
- **Intra-China medevac for ambulatory patients:** Similar to #4, but for ambulatory patients able to travel by commercial carrier within China.

**43) With regard to COVID testing, what is the Embassy's guidance for those having a routine appointment with a dentist or doctor? With regard to COVID testing, what is the Embassy's guidance for those needing inpatient care?**

COVID-19 testing is not required for routine outpatient medical or dental care. For these types of visits, patients are screened by completing a short questionnaire and showing their personal reading on the Healthkit app. All hospitals do COVID-19 testing on patients admitted for illness or injury, and for surgical procedures (outpatient or overnight). The Embassy's guidance is to comply with the tests. Those who decline the testing should expect to be denied service.

Respectfully,

**ATTACHMENT 11**



# **ATTACHMENT 12**





**ATTACHMENT 13**



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**MRN:** 20 BEIJING 2480  
**Date/DTG:** Dec 28, 2020 / 281022Z DEC 20  
**From:** AMEMBASSY BEIJING  
**Action:** WASHDC, SECSTATE *ROUTINE*  
**E.O.:** 13526  
**TAGS:** ASEC, AMGT, CN, AMED, CDC, NIH, HHS, KFLO, PGOV, CASC  
**Captions:** SENSITIVE  
**Subject:** BEIJING: EAC MEETS TO DISCUSS COVID-19 RELATED PUBLIC HEALTH SITUATION

1. (SBU) Summary: The Charge, A/DCM, CDC, CLO, CONS, DAO, ECON, ESTH, MGT, PAS, PNP, POL, RSO and CG Guangzhou, CG Shanghai and CG Shenyang convened an EAC meeting on December 28 to discuss Mission China's public health situation. Mission China remains at Phase 3 of the "Diplomacy Strong" COVID-19 mitigation framework. Daily case counts trended slightly higher over the past week but remain extremely low. The EAC approved guidance on COVID-19 testing and agreed that the Mission's current security posture remains unchanged and is appropriate. End Summary.
2. (SBU) The EAC reviewed the latest official reports of known COVID-19 cases that had a potential impact on Mission staff and families. More than a dozen COVID-19 positive persons have been identified in Beijing over the past 2 weeks. In response, Beijing local government has elevated the risk level of several affected communities. The elevated risk levels have prompted epidemiologic investigation, contact tracing, mass testing, temperature screening, health app monitoring, and disinfection in these areas. These communities include Shunyi and Chaoyang Districts, which are not far from the U.S. Embassy and some of its residential housing. However, no embassy staff and their families have been asked to test as part of the public health response, although some schools are reportedly asking that families have their children test before returning to school after the current holiday.
3. (SBU) Despite these outbreaks, the overall epidemic situation in China remains low, with approximately 20-30 new infections reported each day, mostly imported from abroad and identified at borders. The Chinese government response to any new cases and outbreaks is swift and targeted. As such, Mission China's designation as Diplomacy Strong Phase 3 remains unchanged.
4. (U) Mission China disseminated a MASCOT message to USCITS on December 26 to advise of mass testing for COVID in specific areas due to recent cases and recommended compliance with local health instructions.
5. (SBU) The EAC discussed and agreed to the following measures, to be distributed to the Embassy community through a Management Notice:

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(U) If Chinese authorities ask members of Mission China to undergo COVID-19 testing as part of a response to a specific COVID-19 exposure or outbreak, the Mission encourages the community to comply with the request in the interest of supporting China's public health response and protecting our community from COVID infection. However, Mission China will not require such testing, but rather leave it as a personal decision. Mission staff and families should be aware that there may be consequences imposed by the Chinese authorities on persons refusing to comply with the testing request, including possible quarantine or other restriction of movement, and that these consequences may be unpredictable. In addition, the front office will consider whether a person declining to test during an outbreak situation may be restricted from coming to work or having other interactions with the Mission community in order to protect other Mission staff and families.

5. (U) POC for this report is Beijing a/RSO Keith Knowles.

SENSITIVE BUT UNCLASSIFIED

**Signature:** FORDEN

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**Drafted By:** BEIJING [REDACTED]

**Cleared By:** EXEC/LEG [REDACTED]  
 PD:Malone, [REDACTED])  
 MGT [REDACTED]  
 HHS/CDC [REDACTED]  
 ESTH:Wald, [REDACTED]  
 EXEC/LEG [REDACTED]  
 RSO/DRSO [REDACTED]  
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**Released By:** BEIJING: [REDACTED]

**Info:** SHANGHAI, AMCONSUL *ROUTINE*; GUANGZHOU, AMCONSUL *ROUTINE*; SHENYANG, AMCONSUL *ROUTINE*

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**Dissemination Rule:** Archive Copy

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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

April 20, 2022

The Honorable Antony Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street N.W.  
Washington, D.C. 20520

Dear Secretary Blinken:

It has recently come to my attention that U.S. diplomats in the People's Republic of China (PRC), their families, and other U.S. government personnel under Chief of Mission authority have been subjected to unacceptable treatment by Chinese authorities under the PRC's COVID-19 laws.

This treatment includes prolonged, involuntary detentions in Chinese "fever clinics," government-run facilities where individuals who test positive for COVID-19 are held until government officials determine they are COVID-free. This mandatory confinement raises serious questions about the PRC's compliance with the Vienna Convention on Diplomatic Relations, potentially violates the internationally recognized human rights of U.S. diplomats, and poses a serious national security risk.

In 2020, the State Department partially waived diplomatic privileges and immunities via a limited waiver of inviolability (LWOI) between U.S. Embassy Beijing and the PRC government. Under the terms of the LWOI, the Department agreed that U.S. personnel accredited to Mission China would be tested for COVID-19 prior to departure to post, at the airport upon arrival, and at the end of a 14-day quarantine period. In addition, the Department agreed that individuals who tested positive for COVID-19 would remain in designated PRC hospitals until they tested negative and no longer displayed symptoms. U.S. diplomatic personnel and their families were assured that they had the right to refuse treatment, could be medevac'd back to the United States in the event of a positive test, and that those who chose to go to a PRC-designated hospital would stay united with their children and in constant contact with U.S. Embassy officials.

Unfortunately, I have received troubling reports that, in 2021 and 2022, the PRC has changed quarantine timelines, treatment standards for those at PRC "fever clinics," COVID-19 testing requirements, handling of medical information, and other conditions that far exceed what was agreed to in the 2020 LWOI. In addition, I am deeply concerned about reports that Embassy leadership repeatedly failed to push back against this ever-growing list of requirements for U.S. diplomats and their families and suppressed or interfered with their efforts to inform State Department leadership about the worsening conditions and seek changes to the relevant policies and procedures.

Below are just a few of the specific allegations of unacceptable treatment of U.S. diplomatic personnel and their families by the PRC:

April 19, 2022

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- Personnel assigned to Mission China and their families have been subjected to prolonged confinement in dirty and poorly maintained PRC fever clinics, reportedly in some cases for up to 2 months. Some of these fever clinics, such as the designated hospital in Shanghai, have not been verified as safe because Embassy security and medical officials have not been able to visit since before the COVID-19 pandemic. We are also aware that certain fever “hospitals” are in fact converted shipping containers. Housing patients in shipping containers presents major fire and other safety hazards.
- Conditions at some PRC fever clinics are unacceptable and appear to violate the minimum treatment standards set forth in international treaties like the Vienna Convention. We understand that many such facilities are not sanitary, and patients are subjected to medical tests that have not been assessed by the Department’s Medical Bureau or reviewed for national security and counter-intelligence concerns. Moreover, the food provided is insufficient, leading to weight-loss among multiple U.S. patients. We have received photo evidence documenting many of these poor conditions.
- Efforts by Embassy personnel to express concerns to senior Department leadership and advocate for changes to the policy have been unsuccessful. Even worse, I have received numerous reports that current and former Embassy leadership, some of whom now occupy senior positions in the State Department’s East Asian and Pacific Affairs bureau, actively tried to thwart these efforts and continues to resist any attempt to modify or call attention to the policies governing the treatment of U.S. diplomats subjected to PRC COVID-19 protocols.

The protection of U.S. diplomats, other U.S. government personnel assigned to our embassies, and their families must remain the Department’s top priority – regardless of the circumstances. I am deeply disturbed by the information received by the Senate Foreign Relations Committee about the PRC’s treatment of U.S. diplomatic personnel and their families, and even more concerned by reports that the Department is not doing all that it can to ensure the protection of our people. If even a fraction of the allegations provided to this committee are true, it is completely unacceptable, especially given that Chinese diplomats in the United States have not been subjected to any of these extreme measures.

I respectfully request that you immediately commit to a thorough and timely investigation of the allegations contained in this letter and in other written complaints that the Department has received internally. I also request that the committee be kept apprised of the results of your investigation, so that we can ensure it sufficiently addresses the issues raised and determine whether additional congressional actions are necessary.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Risch".

JAMES E. RISCH  
Ranking Member

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SBU




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**MRN:** [20 BEIJING 2378](#)  
**Date/DTG:** Dec 10, 2020 / 100938Z DEC 20  
**From:** AMEMBASSY BEIJING  
**Action:** WASHDC, SECSTATE *ROUTINE*  
**E.O.:** 13526  
**TAGS:** AEMR, ASEC, CASC, AMGT, KFLO, CN  
**Captions:** SENSITIVE  
**Reference:** A) [20 STATE 86252](#)  
 B) [20 STATE 81072](#)  
 C) [20 STATE 7502](#)  
**Pass Line:** S/ES-O\_CMS, FSI/LMS/CMT, EAP  
**Subject:** Mission China Lessons Learned: Ordered Departure

1. (SBU) **Summary:** This cable highlights Embassy Beijing's (Post's) and the broader Mission's operational challenges and lessons learned from evacuating more than 1,000 USDH and EFMs following declaration of authorized and ordered departure in January 2020. This cable focuses primarily on Beijing's experience, though highlights initiatives and processes implemented across the Mission as the evacuation unfolded. We identify what we did well and what we learned along the way.

- Major issues complicating the process early in the evacuation included a lack of data integrity from newly implemented personnel databases, minimal staff present at post, and effective communication.
- Lessons learned include the need for creating a physical hub for evacuation taskforce teams, better supporting and communicating with non-State Agencies, strengthening Travel Management Center (TMC) coordination, and allowing more flexibility for staff to return to Post even while in Ordered Departure status. **End summary.**

### Creating Order from Chaos...

2. (SBU) Due to the outbreak of COVID-19, Wuhan Consulate went on Ordered Departure (OD) (Ref C) on January 24, 2020 and the rest of Mission China went on Authorized Departure (AD) January 29. The Department directed Mission China to Ordered Departure on January 30, due to the imminent closure of the borders and likelihood that commercial flights would no longer be available. In addition, China's ability to control the virus was untested, although the PRC had demonstrated a willingness to take drastic measures including the closure of the city of Wuhan and province of Hubei, as well as a nationwide lockdown. Whether the medical system would be adequate to treat patients was also unclear.

3. (SBU) As news of the virus spread in early January, the Mission created a working group and email distribution list including a number of State sections, HHS, CDC, and others to provide updates on the spread of the virus. This working group quickly grew to a task force including multiple agencies at post such as DAO, FAA, TSA, CBP, and DHS who were crucial to coordinating the Wuhan evacuation, and

subsequently the Mission drawdown. The Acting DCM chaired a twice-daily phone call coordinated by the Operations Center with all relevant players as the Mission managed both the evacuation of US citizens from Wuhan and then its own staff. Information was conveyed to staff and families through e-mail and town halls.

4. (SBU) Following the decision to move to AD status, the Management Minister Counselor designated the Human Resources Officer (HRO) as the evacuation coordinator, responsible for setting up the logistics of the evacuation in coordination with other elements of the Management Section. The HRO had previously taken PA105 – Contingency Preparedness, which was extremely useful as Post began evacuating over 700 USDH and Eligible Family Members (EFMs) from Beijing, as well as a significant number of staff who were “caught out” traveling in the region during the week-long Chinese Lunar New Year holiday break. The Embassy also supported the consulates in their evacuation efforts. To streamline the process of making arrangements for this number of people to fly within one week, the Beijing Management Section built a workflow to arrange for departures utilizing our new Customer Service Center (see photo). To prepare, HR generated JF-144s (evacuation orders) for every officer across Mission China using the Emergency Management System (EMS). While not every officer evacuated, generating and signing the forms made the evacuation process run much faster. However, reconciliation on the back end proved challenging between Post and Global Financial Services (GFS) especially once Global Authorized Departure went into effect and GFS became inundated with requests. (Note: Post has concluded that generating JF-144s as needed would have been more efficient given the number of corrections needed later. End Note). GSO served as the conduit to confirm who was traveling where and whether they had pets. Lastly, FMO met with officers and family members to provide information on Subsistence Expense Allowance (SEA) and to account for changes to their at-post allowances. From there, the traveler would sit with the local TMC to book their tickets.

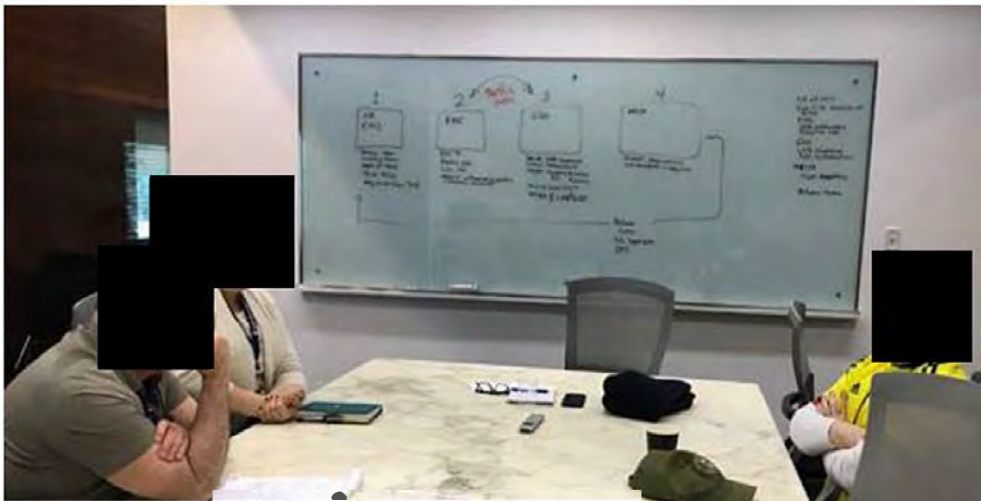
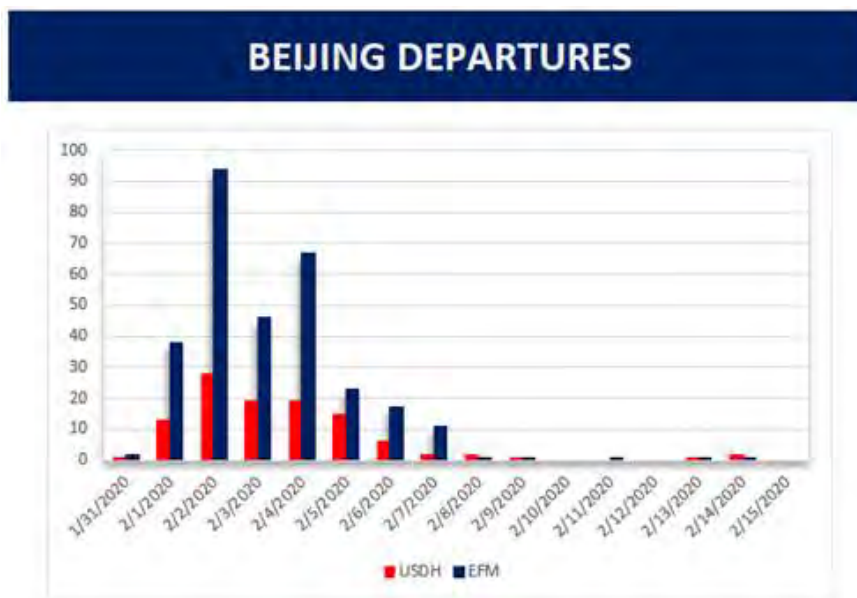


Figure 1: Whiteboarding the workflow

5. (SBU) When AD became OD for EFMs under 21, officers and families who had considered weathering the storm had to quickly find flights. At the same time, the number of flights and seats on planes began to quickly disappear. Within days, the number of U.S. flagged flights departing from PEK had dropped to single digits and were cancelled altogether on February 6. On January 30, Post GSO wrote to Transportation Query to invoke 14 FAM 583.5 signaling that U.S. carriers were unable to complete the mission and that delaying travel away from Post was putting officers and family members at risk. Within 48 hours, Travel Management and Policy Division (TMP) authorized Post to locally sign

the DS-3093, Justification for Use of a Foreign Air Carrier. This authorization was further disseminated to all constituent posts and helped considerably in getting people out quickly.

6. (SBU) While the abrupt move to OD made sense because of the deteriorating travel situation, it had a devastating impact on Post staffing levels. Approximately 40% of staff were outside of China because of the Chinese New Year holiday, complicating sections' ability to make holistic decisions on who should or could remain. The impact fell disproportionately on mid-level officers, many of whom had young families or were single parents. In addition, Post has a large number of tandems who were faced with the difficult decision of who should leave with the minor children. Consequently, many sections were reduced to emergency staffing levels while still needing to maintain basic operations.



**Figure 2:** Beijing departures by date

#### ...But Don't Forget About Me [or My Animals]

7. (SBU) An additional complication was communicating with the many officers and family members caught outside of China. When AD was announced, China was coming out of the Lunar New Year Holiday, a week-long holiday in which many depart Post to take advantage of the long break. Only a few of those outside the country were able to return to China once the departure status went into effect. Communicating with those officers "caught out" was complicated and taking care of them versus those at Post created competing demands that were difficult to manage. Furthermore, Travel Management Center (TMC) staff were unable to come to work due to the COVID outbreak. The TMC, which typically houses up to five technicians for Beijing alone, was down to one or two people on any given day. On January 31, Post requested to use the Carlson Wagonlit contract for those officers caught outside of China. Diverting some of the demand away from the Embassy eased the wait times employees were experiencing to get tickets. Within the next three days, the Department approved any Mission China employee or family member to contact Carlson Wagonlit to book travel. As flights were being canceled daily, this was critical in facilitating staff to depart quickly.

8. (SBU) Evacuating pets was not a problem and most employees were able to evacuate with their pets. In cases where pets did not travel, officers made arrangements for care. Post coordinated with USDA-APHIS and FAA to facilitate exit paperwork for dozens of animals and sought waivers from US Customs officials to facilitate the travel. Once a process was established, Post broadcast this across Mission China. Now that Post has resumed operations and more than 1,100 officers and family members have returned via chartered aircraft, returning pets to Post has created new logistical hurdles as Chinese quarantine protocols make harboring animals nearly impossible.

### **Feed the [Washington] Beast**

9. (SBU) As Post rapidly went from AD to OD, Washington was anxious for personnel numbers for Beijing and all constituent posts but getting a solid base number was complicated. Only a week prior to the evacuation, Post had switched to the Overseas Personnel System (OPS) and discrepancies were widespread. Post used EMS to generate JF-144s for all mission personnel. Because EMS and OPS use two different naming conventions for officers and EFMs, combining the two data sets and determining the true footprint in a post like Beijing (and the consulates) took significant time. Furthermore, EMS replicated dependents for tandem couples thus requiring multiple checks to see which EFM belonged to which set of orders. New dependents (babies) were often excluded in OPS and updating EMS was cumbersome and slow.

10. (SBU) To ensure that there was no delay in processing JF-144s, these forms were annotated by hand, as opposed to being corrected in the system. This did create some accounting issues later, in that handwritten codes were not always legible and not all non-State agencies were familiar with the language used. Despite the time saved during the early rush by generating JF-144s for all personnel, it significantly increased the work needed on the back-end as it was challenging to determine which JF-144s were executed.

### **Please, Not Another Email...**

11. (SBU) It took time to find a good balance of how often to communicate with the Embassy community. Early on, Post pushed information out through a combination of e-mails and town halls. The Community Liaison Office (CLO) sent out need-to-know evacuation information as soon as it was received, resulting in multiple emails to the community daily. When large quantities of new information or status updates came, the Embassy held townhalls that included representatives from HR, GSO, CLO, RSO and the CDC. These Mission-wide townhalls were vital in creating an atmosphere of trust and confidence during an overall confusing time. However, it soon became clear that many in the Embassy began to suffer from information overload. Important information was getting lost in updates, and information fatigue started to set in. To combat this, Post began to send emails on a more structured basis. All sections would send their updates and messages to CLO. CLO would then send out sitreps once a day by COB. By being as comprehensive as possible in the distribution, Post was able to communicate with the dozens of officers who did not have access to Outlook/OpenNet. Over time, Post established POCs for specific subjects and continued to refer inquirers to the very useful "So You've Been Evacuated, Now What?" guide.

### **...But Don't Forget My [Foreign Affairs] Agency**

12. (SBU) Non-State agencies faced particular challenges communicating with Post and Main State. Many agencies follow State's lead on evacuation policy. However, the smaller agencies, some of which evacuated all USDH staff, often rely on communications at Post to keep abreast of policy changes. Procedures and policy changes that were well-known to State were not clearly communicated with the



appropriate contacts at Post nor with the appropriate points of contact in Washington at non-State agencies. The most significant of these was the regulatory change that allowed for evacuees to safe haven at locations other than D.C. Many evacuees arrived in D.C. and then needed to go through a bureaucratic process to move to another location. While this change was broadcast widely to State colleagues and an internal process was established, those in other Foreign Affairs agencies struggled to determine how to do the same.

13. (SBU) Non-State employees experienced similar complications when it came to booking a ticket from a third country to return to the United States. For example, when Carlson Wagonlit stepped in to provide booking assistance for employees trapped in other countries, those working in the Department of Agriculture (USDA), were told that they were not in Carlson's database and could not be issued tickets. This problem was easily solved once those working in Carlson Wagonlit searched for USDA as a separate entity and not as a part of State, yet the few days it took to figure out this problem added more stress and delayed travel times for those trapped overseas and eager to return to the United States.

### Lessons Learned

1. **Data is King:** Getting a single data set of all personnel and family members at post that is reliable was a critical first step. Despite the expediency of creating JF-144s for all officers and family members using EMS, creating orders for only those who needed them would have mitigated accounting issues and would have significantly aided in tracking personnel. Once a central data set was created, Microsoft Teams allows multiple stakeholders to access and contribute to tracking mission personnel. Even with Mission China's counterintelligence (CI) concerns, managing access and creating an acceptable risk tolerance of who has access were critical early steps.
2. **Create a Dedicated Task Force Office Space:** A dedicated command center made communication more efficient and allowed for decisions to be made much faster. This also made it easier to create a team mentality that we were all in this together.
3. **Evacuation Is Not a Vacation; TMCs Are Valuable Resources:** The local TMC struggled to keep up with the high demand from officers needing to depart Post, especially from those with preferences for date, time, or even airline. Post must play a more assertive role in selecting flights for officers. Furthermore, the Department should formally adopt Carlson Wagonlit or other enterprise TMC to handle "caught out" employees in cases where the local TMC may not be able to handle the volume, especially for those stuck in third countries.
4. **Communication:** Communication is critical. Post needs to employ different methods (town halls and e-mails) to get the message out. Post also needs to manage and consolidate that communication to prevent information overload while ensuring that recipients don't miss vital details. Over time, those in the United States quickly lose contact with Post so maintaining that linkage is important to keeping your teams intact and cohesive.
5. **Official P.O.C.s for Non-State Agencies:** When the evacuation started, the focus was getting people out. Once the rush subsided, posts should actively designate official representatives to work with management to ensure non-State employees are taken care of, especially since CLO tends to bring a more State-focused perspective. Non-State agencies welcomed seeing non-State representatives on the various taskforces that emerged later – especially the Homecoming Task Force and the new Commercial Travel Taskforce.

6. **Rotational Staffing:** Because AD/OD was announced during Chinese New Year, many people were away from post and could not return. In order to return to Post, EAP had to agree that an employee was mission critical and then seek Under Secretary for Management (M) clearance for their return. As more employees evacuated, the need to carry out our mission-critical work still existed and the need for relief grew. Chinese requirements, including quarantine and testing, complicated the issue, while State offices did not want to accede to these requirements on the grounds that they violated the Vienna Convention. State should be more flexible in allowing for staff to travel to Post to maintain minimum staffing levels and provide relief for those who may be experiencing burn-out or whose families are experiencing significant hardship due to the extended separation.

SENSITIVE BUT UNCLASSIFIED

7. **PA 105 - Contingency Preparedness Training:** The curriculum of this FSI course was used extensively in the planning and execution of the evacuation. The curriculum highlights the use of an effective team approach to managing a contingency, as well as training on the use of EMS.

<b>Signature:</b>	FORDEN
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<b>Drafted By:</b>	BEIJING [REDACTED]
<b>Cleared By:</b>	MGT [REDACTED] DOC/ITA [REDACTED] MGT [REDACTED] RSO/DRSO [REDACTED] USDA/FAS [REDACTED] MGT/HRO [REDACTED] MGT/FMO [REDACTED] MGT/GSO [REDACTED] [REDACTED] MGT/CLO [REDACTED]
<b>Approved By:</b>	MGT: [REDACTED]
<b>Released By:</b>	BEIJING [REDACTED]
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## 中 华 人 民 共 和 国 外 交 部

(2021)礼字第1号

各国驻华大使馆、各国际组织驻华代表机构：

中华人民共和国外交部礼宾司向各国驻华大使馆和各国际组织驻华代表机构致意并谨告知如下：

新冠肺炎疫情发生以来，在各馆（团）的大力支持和协助下，中国境内新冠肺炎疫情得到有效控制，各馆（团）来华人员能够较好地遵守中方有关防疫措施，中方再次对各馆（团）的理解支持表示真诚感谢。当前全球疫情仍持续蔓延，个别国家还出现传染性更强的变异新冠病毒，中方面临巨大的疫情输入风险。

近日，某驻华使馆外交官在入境时核酸检测结果为阴性，之后闭环转运至集中医学观察酒店进行医学观察。根据北京市防疫规定，中方对其进行了入境人员第7日核酸检测，结果呈阳性，当日转运至定点医院，并被诊断为新冠肺炎确诊病例，临床分型为轻型，目前已治愈。

另一驻华使馆外交官与未成年孩子于近日抵京，闭环转运至集中医学观察酒店进行医学观察。其本人入境核酸检测结果为阴性，孩子核酸检测结果为阳性，无症状。但该外交官不认可中方检测结果，拒绝与孩子分开隔离。应其请求，

中方之后又两次对该父子进行核酸检测,孩子两次均为阳性,父亲也被孩子传染,检测结果显示为阳性。中方请二人尽快进入医院检查并在其同意的前提下同室住院接受治疗。但该外交官仍不认可检测结果,不赴医院进行诊断。为避免对其他入住酒店人员和环境造成感染风险,经双方协商,礼宾司紧急协调中方多个部门,协助该外交官及孩子闭环乘医疗包机离京回国。

上述情况再次证明,对入境人员实施集中医学观察能最大程度帮助中国疾控部门对新冠肺炎患者做到“早发现、早报告、早隔离、早治疗”,避免向公众传染。如入境或在京使团人员核酸检测结果为阳性或出现新冠肺炎相关症状,请积极配合中方有关部门,立即前往定点医院接受进一步筛查诊疗。

为此,驻华使团人员如于2021年1月27日之后来中国,在向中国驻始发地使领馆申办健康状况声明书或请中国外交部驻港公署协调自香港来内地时,须书面签字承诺(馆员可代表全家签名)如入境后核酸检测呈阳性或出现新冠肺炎相关症状,将接受中方诊断、隔离、治疗,相关费用自理(两国有对等免费安排的除外);或第一时间自行安排医疗包机离华;同时派出国外交部亦需照会中国驻始发地使领馆(或驻港公署)作出相应承诺。

中方再次提请驻华使团人员从保障自身和他人健康出

发，在起飞地进行核酸和血清特异性IgM抗体检测后即安排严格闭环管理，做好自我隔离和防护，不与外界接触，同时在赴机场途中、机场内及在机舱内全程佩戴口罩，严防旅途感染风险。来华后积极配合中方防疫工作，遵守当地和相关社区、场所的防疫规定，包括遵守北京市最新的医学观察等防疫措施（详见北京市外办相关照会）要求，“非必要不出京”，尽量减少前往中高风险地区所在城市出行活动，不前往中高风险地区，共同维护北京来之不易的防疫成果。

顺致崇高的敬意。

中华人民共和国外交部礼宾司  
二〇二一年一月十八日于北京



Ministry of Foreign Affairs of the People's Republic of China

Li Zi No. 1 (2021)

Embassies and Representative Offices of International Organizations in China:

The Protocol Department of the Ministry of Foreign Affairs of the People's Republic of China presents its compliments to Embassies of various countries in China and representative offices of various international organizations in China, and has the honor to provide notification as follows:

Ever since the outbreak of COVID-19, with the strong support and assistance of the Embassies (Missions), the pandemic within China has been kept effectively under control. Embassies (Missions) personnel entering China have been in good compliance with relevant Chinese pandemic preventive and control measures; and for that, the Chinese side once again would like to express sincere gratitude to the Embassies (Missions) for your understanding and support. As the global pandemic continues to spread, with individual countries experiencing variants that are more contagious, China is facing tremendous risk of imported cases.

Recently, a diplomat of a certain embassy tested negative upon entering the country and was transported close-looped to a centralized medical observation hotel for medical monitoring. As stated in Beijing Municipality's outbreak prevention and control regulations applying to travelers arriving in China, a 7<sup>th</sup> day nucleic acid test was performed on the said individual and the result came back positive. The individual was transported to a designated hospital and was diagnosed as a confirmed COVID-19 case. The clinical classification was mild, and the individual has since recovered.

A diplomat of another embassy arrived with a minor child recently in Beijing and were transported close-looped to a centralized medical observation hotel for medical monitoring. The diplomat tested negative upon entry while the child positive but was asymptomatic. However, the diplomat rejected the Chinese test result and refused to be quarantined separately from the child. Upon request, the Chinese side conducted two more rounds of nucleic acid tests on both the father and the son. The results came back positive both times for the child. The father was later infected by the child and tested positive. China requested both to be examined in a hospital as soon as possible and if the said individual agreed, to have them both treated in the same room. Nonetheless, the said diplomat continued to reject the test results or going to the hospital. In order to prevent exposing other hotel occupants and environment to the risk of being infected, after both sides consulted, the Department of Protocol coordinated with various Chinese departments under emergency contingencies, and assisted the diplomat and his child to depart Beijing, in a close looped manner and return to their home country via medical charter flight.

The abovementioned situation once again proves that implementing centralized medical observation on the entrants would, to the greatest extent, assist the Chinese disease prevention and control departments to achieve "early identification, early reporting, early quarantine, early

treatment” on any COVID-19 patient, so as to avoid spreading to the public. In the case of Mission personnel, either upon entering China or when in Beijing, once their test results are positive, or if they are showing symptoms associated with COVID-19, please work proactively with relevant Chinese departments and immediately go to a designated hospital for further screening and treatments.

To this end, for Mission personnel posted to China who are to arrive after January 27, 2021, while applying for the health declaration with the Chinese embassy at the originating place or requesting the assistance of the Office of the Commissioner of the Ministry of Foreign Affairs of People’s Republic China in the Hong Kong Special Administrative Region to travel to Chinese Mainland from Hong Kong, must sign a written commitment (the accredited embassy/ consulate staff member can sign on behalf of the whole family) that in the case of a positive test result or showing symptoms associated with COVID-19 after entering China, they agree to accept diagnoses, quarantine, and treatments by the Chinese side, with all expenses self-paid (excluding where two countries have reciprocal, free-of-charge arrangements); or to self-arrange medical charter flights to depart China at the earliest time possible. The Ministry of Foreign Affairs of the sending country must send a note to the Chinese embassy or consulate of the originating place (or the Office of Commissioner of the Chinese Ministry of Foreign Affairs in Hong Kong Special Administrative Region) with the same commitments.

The Chinese side once again requests that the Diplomatic Mission personnel safeguard the health of oneself and others, by undertaking strict close-looped management once the nucleic acid and IgM antibody tests have been conducted at the departure city, ensuring self-isolation and protection, and avoiding contacts with the outside world. A mask should always be worn while en route to and at the airport, as well as for the duration of the flight, so as to strictly prevent any infection during the journey. After arriving in China, we ask that they proactively work with China’s disease preventive and control efforts, abide by the local preventive and control rules, and by relevant communities or facilities, including observing the latest preventive and control measures of Beijing, such as medical observation (details please see Beijing FAO Diplomatic Note). “Do not leave Beijing unless necessary”, limit trips and activities to cities with high-and mid- risk areas, and do not travel to high- and mid- risk areas so as to together safeguard the hard-earned results of preventive and control efforts of Beijing.

We avail ourselves of this opportunity to renew the assurances of our highest consideration.

Protocol Department of the Ministry of Foreign Affairs of the People’s Republic of China

January 18, 2021, Beijing

0		Beijing		6/4/2020
0		Beijing		6/4/2020
1		Beijing		6/4/2020
1		Beijing		6/5/2020
1		Beijing		6/8/2020
1		Beijing		6/8/2020
0		Beijing		6/8/2020
0	2020-0514 - Request facilitation for the return of the DCM and his family	Beijing	GSO	6/9/2020
1		Beijing		6/10/2020
1		Beijing		6/10/2020
0		Beijing		6/10/2020
0		Beijing		6/11/2020
0		Beijing		6/11/2020
0		Beijing		6/12/2020
0		Beijing		6/12/2020
0		Beijing		6/12/2020
0		Beijing		6/15/2020
1		Beijing		6/16/2020
0		Beijing		6/16/2020
0	2020-0547 - Return of DCM Forden	Beijing	MGT	6/17/2020
0		Beijing		6/17/2020
0		Beijing		6/17/2020
0		Beijing		6/18/2020
1		Beijing		6/18/2020
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1		Beijing		6/18/2020
0		Beijing		6/18/2020
0		Beijing		6/19/2020
0	2020-0563 - Requesting TJ Quarantine Hotel List	Beijing		6/19/2020
0		Beijing		6/19/2020
0		Beijing		6/19/2020
1		Beijing		6/22/2020



0		Beijing		7/17/2020
1		Beijing		7/17/2020
0	2020-0732 - Dip Note for Returnees to Beijing on Jul 30	Beijing		7/17/2020
1		Beijing		7/20/2020
0	2020-0737 - Dip Note for Tianjin Returnees on Jul 30	Beijing		7/20/2020
0		Beijing		7/20/2020
1		Beijing		7/21/2020
0		Beijing		7/21/2020
0	2020-0741 - Dip Note for Returnees to Tianjin on Aug 3	Beijing		7/21/2020
1		Beijing		7/21/2020
1		Beijing		7/21/2020
0		Beijing		7/21/2020
0		Beijing		7/21/2020
1		Beijing		7/22/2020
0	2020-0754 - Dip Note(updated) for returnees to TJ on Jul 30	Beijing		7/22/2020
0		Beijing		7/22/2020
0		Beijing		7/23/2020
1		Beijing		7/23/2020
0		Beijing		7/24/2020
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0		Beijing		7/24/2020
0	2020-0772 - Med Evac Overflight	Beijing	DAO	7/25/2020
1		Beijing		7/27/2020
0		Beijing		7/27/2020
0		Beijing		7/27/2020
1		Beijing		7/28/2020
1		Beijing		7/28/2020
1		Beijing		7/28/2020
0	2020-0780 - to request facilitation for U.S. diplomats to receive food from outside vendors while waiting for	Beijing	GSO	7/28/2020
0	2020-0781 - Ps and Is Wavier - July 30 Arrival into Tianjin	Beijing	MGT	7/28/2020

1		Beijing		7/28/2020
1		Beijing		7/29/2020
1		Beijing		7/29/2020
0	2020-0787 - confirms that all passengers aboard the charter flight from the United States arriving in Tianjin	Beijing	GSO	7/29/2020
0		Beijing		7/29/2020
0		Beijing		7/29/2020
0	2020-0791 - Return Positive Passengers	Beijing	MGT	7/29/2020
0		Beijing		7/30/2020
0		Beijing		7/30/2020
1		Beijing		7/30/2020
1		Beijing		7/30/2020
1		Beijing		7/30/2020
1		Beijing		7/30/2020
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1		Beijing		7/31/2020
1		Beijing		7/31/2020
1		Beijing		7/31/2020
1		Beijing		7/31/2020
0	2020-0809 - L Waiver Aug 3 Arrival	Beijing	MGT	7/31/2020
1		Beijing		7/31/2020
1		Beijing		7/31/2020
1		Beijing		7/31/2020
0		Beijing		7/31/2020
0	2020-0815 - August 3 Flight - Negative Test and Seating Chart	Beijing	MGT	8/1/2020
0	2020-0816 - August 3 Return Positive Passengers	Beijing	MGT	8/1/2020
0		Beijing		8/1/2020
0		Beijing		8/1/2020
1		Beijing		8/3/2020
1		Beijing		8/3/2020
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0		Beijing		8/3/2020

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0			Beijing		8/26/2020
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1			Beijing		8/26/2020
0			Beijing		8/26/2020
0			Beijing		8/26/2020
0	2020-0956 - Dip Note for returnees on flight 9 to Guangzhou		Beijing	GSO	8/26/2020
0	2020-0957 - August 27 Flight -Return positive passengers to USA		Beijing	MGT	8/27/2020
0			Beijing		8/27/2020
1			Beijing		8/27/2020
0	2020-0963 - Dip Note for supplies and food delivery to Tianjin Great View Hotel		Beijing	GSO	8/28/2020
1			Beijing		8/28/2020
1			Beijing		8/28/2020
0	2020-0967 - Requet for home quarantine		Beijing	MGT	8/28/2020
1			Beijing		8/28/2020
1			Beijing		8/28/2020
0			Beijing		8/28/2020
0			Beijing		8/28/2020
1	2020-0974 - Tianjin Communication at Hotel		Beijing		8/29/2020
1			Beijing		8/31/2020
1			Beijing		8/31/2020
1			Beijing		8/31/2020
1			Beijing		8/31/2020
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1			Beijing		8/31/2020
0			Beijing		9/1/2020
0			Beijing		9/1/2020

1			Beijing		9/18/2020
1			Beijing		9/18/2020
1			Beijing		9/18/2020
1			Beijing		9/18/2020
1			Beijing		9/18/2020
1			Beijing		9/21/2020
0	2020-1111 - to receive food from outside vendors while waiting for NAT test results at the Tianjin Airport.		Beijing	GSO	9/21/2020
1			Beijing		9/21/2020
1			Beijing		9/21/2020
1			Beijing		9/21/2020
1			Beijing		9/21/2020
1			Beijing		9/21/2020
0			Beijing		9/21/2020
1			Beijing		9/21/2020
0	2020-1122 - dip note for supplies delivery to Tianjin Grand View Hotel for returnees		Beijing	GSO	9/21/2020
0			Beijing		9/21/2020
0			Beijing		9/21/2020
1			Beijing		9/21/2020
1			Beijing		9/22/2020
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1			Beijing		9/23/2020
1			Beijing		9/23/2020
0	2020-1143 - Test Waiver for Sep 24 flight		Beijing	GSO	9/23/2020
0			Beijing		9/23/2020
0	2020-1145 - Negative Test and Seating Chart for September 24 flight		Beijing	GSO	9/23/2020
0	2020-1146 - Sept 24 Flight - Return Positive Passengers		Beijing	MGT	9/23/2020
0			Beijing		9/23/2020
0			Beijing		9/23/2020
0			Beijing		9/23/2020
0	2020-1150 - 3rd Person - Departure of the Ambassador.		Beijing	POL	9/23/2020
1			Beijing		9/24/2020

1			Beijing		11/3/2020
0			Beijing		11/3/2020
0			Beijing		11/2/2020
0			Beijing		11/4/2020
1			Beijing		11/4/2020
1			Beijing		11/4/2020
1	2020-1441 - Child Separation COVID		Beijing	MGT	11/5/2020
1	2020-1442 - Protesting IgM and Third Country Transit Testing		Beijing	MGT	11/5/2020
0			Beijing		11/5/2020
0			Beijing		11/6/2020
1			Beijing		11/6/2020
1			Beijing		11/6/2020
0			Beijing		11/6/2020
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0			Beijing		11/10/2020
1			Beijing		11/10/2020
1			Beijing		11/12/2020
1			Beijing		11/12/2020
0			Beijing		11/16/2020
1			Beijing		11/16/2020
1			Beijing		11/16/2020
0			Beijing		11/16/2020
1			Beijing		11/16/2020
1			Beijing		11/16/2020

0		Beijing		10/23/2020
1		Beijing		10/23/2020
1		Beijing		10/23/2020
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1		Beijing		10/23/2020
0		Beijing		10/23/2020
1		Beijing		10/23/2020
1		Beijing		10/26/2020
1		Beijing		10/26/2020
1		Beijing		10/26/2020
0		Beijing		10/26/2020
1		Beijing		10/26/2020
1		Beijing		10/26/2020
0		Beijing		10/27/2020
1		Beijing		10/27/2020
0		Beijing		10/27/2020
0		Beijing		10/27/2020
0		Beijing		10/27/2020
1	2020-1385 - Announce departure of Terry Branstad	Beijing	HR	10/28/2020
1		Beijing		10/29/2020
1		Beijing		10/29/2020
0		Beijing		10/29/2020
0		Beijing		10/30/2020
0		Beijing		10/30/2020
1		Beijing		10/30/2020
0		Beijing		10/30/2020
0		Beijing		10/30/2020
0		Beijing		11/2/2020
1		Beijing		11/2/2020
0		Beijing		11/3/2020
1		Beijing		11/3/2020
0		Beijing		11/3/2020
1		Beijing		11/3/2020
1		Beijing		11/3/2020
0		Beijing		11/3/2020

1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
0	2021-0336 - Dip Note for returnees' home quarantine in Beijing	Beijing	GSO	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/11/2021
1	[REDACTED]	Beijing	[REDACTED]	3/12/2021
1	[REDACTED]	Beijing	[REDACTED]	3/12/2021
1	[REDACTED]	Beijing	[REDACTED]	3/12/2021
1	[REDACTED]	Beijing	[REDACTED]	3/15/2021
0	[REDACTED]	Beijing	[REDACTED]	3/15/2021
1	[REDACTED]	Beijing	[REDACTED]	3/15/2021
1	[REDACTED]	Beijing	[REDACTED]	3/15/2021
0	2021-0355 - Home quarantine application for [REDACTED] and [REDACTED]	Beijing	GSO	3/15/2021
1	[REDACTED]	Beijing	POL	3/17/2021
0	2021-0364 - Dip Note for Returnees to Shanghai in early April	Beijing	GSO	3/18/2021
0	[REDACTED]	Beijing	[REDACTED]	3/18/2021
1	[REDACTED]	Beijing	[REDACTED]	3/19/2021
0	[REDACTED]	Beijing	[REDACTED]	3/22/2021
1	[REDACTED]	Beijing	[REDACTED]	3/22/2021
0	[REDACTED]	Beijing	[REDACTED]	3/22/2021
0	[REDACTED]	Beijing	[REDACTED]	3/22/2021
0	2021-0382 - Request facilitation for CDA's return to China	Beijing	GSO	3/22/2021
0	[REDACTED]	Beijing	[REDACTED]	3/22/2021
0	[REDACTED]	Beijing	[REDACTED]	3/22/2021
0	2021-0388 - request facilitation for the return of the CDA to Beijing	Beijing	GSO	3/23/2021
0	[REDACTED]	Beijing	[REDACTED]	3/23/2021
1	[REDACTED]	Beijing	[REDACTED]	3/24/2021
1	[REDACTED]	Beijing	[REDACTED]	3/24/2021
1	2021-0397 - CDA's 7-Leave Renewal	Beijing	[REDACTED]	3/25/2021

0	2021-0396 - Dip Note for home quarantine in Beijing for returnees	Beijing	GSO	3/25/2021
1		Beijing		3/25/2021
1		Beijing		3/25/2021
1		Beijing		3/25/2021
0	2021-0402 - Tianjin FAO to facilitate the CDA arrival to Beijing	Beijing	GSO/VIP	3/26/2021
1		Beijing		3/26/2021
0		Beijing		3/26/2021
0		Beijing		3/29/2021
1		Beijing		3/29/2021
1		Beijing		3/29/2021
1		Beijing		3/29/2021
1		Beijing		3/29/2021
0		Beijing		3/29/2021
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1		Beijing		3/31/2021
1		Beijing		3/31/2021
1		Beijing		3/31/2021
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1		Beijing		3/31/2021
1		Beijing		3/31/2021
1		Beijing		4/2/2021
1		Beijing		4/1/2021
1		Beijing		4/1/2021
1		Beijing		4/1/2021
1		Beijing		4/1/2021
1		Beijing		4/2/2021
1		Beijing		4/2/2021
1		Beijing		4/2/2021
0	2021-0448 - Dip Note for travelers to China via Shanghai in mid-April	Beijing	GSO	4/2/2021



0	2021-1092 - Dip note for Tianjin Airport Walkthrough	Beijing	GSO	7/8/2021
0	2021-1093 - Dip note ordering food from outside vendors	Beijing	GSO	7/8/2021
0	2021-1094 - Dip note receive food at the Tianjin Airport	Beijing	GSO	7/8/2021
0	[REDACTED]	Beijing	[REDACTED]	7/9/2021
0	2021-1096 - Charter Flight test results and seating chart	Beijing	MGT	7/9/2021
1	2021-1097 - update to inform MFA on [REDACTED] assume duties of Chargé d'Affaires	Beijing	HR	7/9/2021
1	[REDACTED]	Beijing	[REDACTED]	7/9/2021
1	[REDACTED]	Beijing	[REDACTED]	7/9/2021
0	2021-1103 - Home Quarantine Request - [REDACTED]	Beijing	GSO	7/9/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	2021-1110 - Announce Departure for Robert Forden	Beijing	HR	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
0	2021-1112 - Home Quarantine Request - [REDACTED] Family	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
1	[REDACTED]	Beijing	[REDACTED]	7/12/2021
0	[REDACTED]	Beijing	[REDACTED]	7/13/2021
0	[REDACTED]	Beijing	[REDACTED]	7/13/2021
1	[REDACTED]	Beijing	[REDACTED]	7/13/2021
1	[REDACTED]	Beijing	[REDACTED]	7/13/2021
1	[REDACTED]	Beijing	[REDACTED]	7/13/2021
0	[REDACTED]	Beijing	[REDACTED]	7/13/2021
0	[REDACTED]	Beijing	[REDACTED]	7/13/2021
1	[REDACTED]	Beijing	[REDACTED]	7/13/2021
0	[REDACTED]	Beijing	[REDACTED]	7/14/2021
1	[REDACTED]	Beijing	[REDACTED]	7/14/2021
1	[REDACTED]	Beijing	[REDACTED]	7/14/2021
1	[REDACTED]	Beijing	[REDACTED]	7/15/2021
1	[REDACTED]	Beijing	[REDACTED]	7/15/2021
1	[REDACTED]	Beijing	[REDACTED]	7/15/2021
0	2021-1138 - test waiver for charter flight returnees	Beijing	MGT	7/15/2021

1		Beijing		7/23/2021
1		Beijing		7/23/2021
0		Beijing		7/23/2021
0	2021-1207 - Dip note to MFA to request medical treatment	Beijing	GSO	7/24/2021
0		Beijing		7/26/2021
0	2021-1209 - family undergo medical treatment in Shanghai	Beijing	MGT	7/26/2021
0	2021-1210 - Home quarantine request for	Beijing		7/26/2021
1		Beijing		7/26/2021
0		Beijing		7/26/2021
1		Beijing		7/27/2021
1		Beijing		7/27/2021
0		Beijing		7/27/2021
1		Beijing		7/27/2021
1		Beijing		7/27/2021
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1		Beijing		7/27/2021
0		Beijing		7/27/2021
1		Beijing		7/27/2021
0	2021-1231 - Dipnote to MFA for Beijing Official Supplies	Beijing		7/28/2021
0	2021-1232 - charter flight passenger hospitalization issues for /Not sent out	Beijing	MGMT	7/28/2021
0	2021-1234 - Home Quarantine Request -	Beijing		7/29/2021
1		Beijing		7/29/2021
0		Beijing		7/29/2021
0		Beijing		7/29/2021
0		Beijing		7/29/2021
0		Beijing		7/29/2021
1		Beijing		7/30/2021
1		Beijing		7/30/2021
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0		Beijing		7/30/2021
1		Beijing		7/30/2021
0		Beijing		7/30/2021

March 6, 2024

The Honorable  
Benjamin L. Cardin, Chairman  
Committee on Foreign Relations  
United States Senate  
Washington, DC 20510

James Risch, Ranking Member  
Committee on Foreign Relations  
United States Senate  
Washington, DC 20510

Dear Chairman Cardin and Ranking Member Risch:

Robert Forden failed to discharge his duties faithfully while serving as Deputy Chief of Mission from July 2020 to October 2020 and then Charge d’Affaires (CDA) of the U.S. Mission to China between October 2020 and July 2021. Specifically, Mr. Forden failed to uphold a core responsibility: to safeguard the privileges and immunities (P&Is) of U.S. government personnel serving in China.

As the President’s National Security Strategy states, the People’s Republic of China (PRC) “presents America’s most consequential geopolitical challenge.” It is also a significant intelligence and counterintelligence threat. Even so, Mr. Forden and others allowed the PRC government to violate diplomatic P&Is repeatedly, posing a threat to the interests of the United States and the safety and security of career diplomats and other U.S. government personnel.

- 1) Mr. Forden failed to notify the Department via front channel cable as required after China expanded its dynamic Zero-COVID policies well beyond what the Department authorized in a September 2020 limited waiver of inviolability (LWOI) requested by Mission China leadership.<sup>1</sup> As a result, U.S. diplomats traveling to China were left to languish in horrid and unsanitary hotels and fever hospitals for weeks with no support from Mr. Forden, the Mission management team, or the Department. Mission members were kept from receiving emergency medical care, were often malnourished, children were separated from their parents, and post-traumatic stress left many members angry, disgruntled, and seeking a way to end their tours earlier.

Under Mr. Forden’s leadership the length of quarantine for travel to China progressively increased. It began with two weeks in a diplomatic residence in the summer of 2020. By January of 2021, the PRC requirement increased to up to three weeks detainment in mandatory PRC government-controlled hotels plus another week

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<sup>1</sup> Per Department policy, “Post should inform the Department via front channel cable if the conditions or Post’s recommendation changes.” (See MRN: 20 STATE 92790 – Attachment #1)

of residential self-monitoring.<sup>2</sup> Likewise, the number of COVID tests required for entry into the country on commercial flights went from two during the initial charter flights to over six nasal swab tests and the introduction of a new blood antigen test required to be performed at a PRC designated facility in the U.S.<sup>3</sup>

- 2) Mr. Forden also failed to seek additional P&I waivers as required by the Department for the increased number of COVID tests and quarantine procedures mandated by the PRC for both arrival into the country and for daily living. According to 2 FAM 221.5, only the Department (and not the U.S. Mission or the officers) has the authority to authorize a limited waiver of P&Is. With this lack of authorization from the Department, the PRC repeatedly violated U.S. diplomats P&Is by prohibiting children from attending school, restricting Mission members' access to immediate medical care, and creating roadblocks to domestic travel for official purposes.<sup>4</sup>

Evidence of Mr. Forden's failure to act in preserving diplomatic P&Is was on full display during the PRC's response to the December 2020<sup>5</sup> and January 2021<sup>6</sup> spike in COVID cases that occurred in a Beijing district which housed many Mission members and their families.<sup>7</sup> The Mission guidance given at that time lacked candor and was contrary to Department policy as stated in 20 STATE 60472 as well as the previously granted limited waiver of inviolability granted on September 18, 2020. (See MRN: 20 STATE 92790 – Attachment #1)

According to the Emergency Action Committee (EAC) meeting chaired by Mr. Forden on December 28, 2020:

*“[T]he Mission encourages the community to comply with the request in the interest of supporting China’s public health response and protecting our community from COVID infection. However, Mission China will not require such testing, but rather leave it as a personal decision. Mission staff and families should be aware that there may be consequences imposed by the Chinese authorities on persons refusing to comply with the testing request, including possible quarantine or other restriction of movement, and that these consequences may be unpredictable. In addition, the front office will consider whether a person declining to test during an outbreak situation may be restricted from coming to*

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<sup>2</sup> Management Notice No. 024 – “Updated Quarantine Policy for Beijing-bound Travelers Arriving from Overseas,” January 29, 2021.

<sup>3</sup> Mission China Travel Checklist last updated 3/9/2021.

<sup>4</sup> Management Notice No. 231 – “Testing for Attending Meetings and Events,” November 27, 2020.

<sup>5</sup> Management Notice No. 254 – “All Residents of Shunyi District Requested to Take COVID-19 Test,” December 29, 2020.

<sup>6</sup> Management Notice No. 008 – “All Residents of Shunyi District Requested to Take COVID-19 Test – Second Round,” January 11, 2021.

<sup>7</sup> Management Notice No. 253 – “Guidance on Responding to Requests to Take COVID-19 Tests and to Provide Test Results,” December 28, 2020.

*work or having other interactions with the Mission community in order to protect other Mission staff families.”<sup>8</sup>*

Mr. Forden, if competent, should have known that the testing was not voluntary if it is a condition to one’s ability to live and work at Post. Therefore, a waiver of the P&Is for Mission members should have been sought from the Department. As noted above, only the Department and not the Chief of Mission nor an individual diplomat have the authority to waive P&Is.

As a result of this egregious failure to uphold diplomatic P&Is, several Mission families living in Shunyi chose to violate their P&Is and were forced to wait for hours in freezing conditions to submit to mandatory PRC provided COVID tests. This is a precedent the PRC continued to take advantage of as restrictions grew under their dynamic ZERO-COVID policy.

- 3) Mr. Forden failed to verify that the medical facilities used for treatment of COVID positive Mission members were in fact adequate for Mission personnel, as he had previously attested to in a front office cable dated September 11, 2020. (See MRN: 20 BEIJING 1690 – Attachment #2)

Though Mr. Forden will claim that the RMO and other members of the Mission tried to visit PRC designated fever hospitals, none of them ever toured the actual rooms used for holding patients. During the summer of horror that took place in 2021, as the stories of what Mission members were subjected to started to circulate within the community, it became clear the PRC hospitals were exactly the unsanitary and poorly run facilities the RMO warned about during the January 2020 EAC when Authorized Departure was initially requested by Ambassador Branstad after the COVID-19 outbreak. (See Attachment #4)

- 4) Mr. Forden failed to identify threats facing Mission personnel after a mother and her young infant were sent to a PRC fever hospital in Shanghai during the months of March/April 2021. The mother tested inconclusive for COVID prior to completing her mandatory two-week hotel quarantine.<sup>9</sup> According to those with knowledge of the incident, the mother used mattresses to create a safe space for her baby in the corner of the room because the conditions of the facility were so appalling.

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<sup>8</sup> 20 BEIJING 2480, dated December 28, 2020

<sup>9</sup> The story of an EFM being admitted into a PRC fever hospital for a week was first reported in April 2021, by members of the Shanghai Consulate. The story was later verified by another whistleblower who confirmed the matter with the EFM. In addition, there is also another credible story of a Mission Contractor and his son being housed inside of a PRC fever hospital in January of 2021. According to the story, they eventually received a MEDEVAC but the contractor was apparently forced to pay the cost of the MEDEVAC because Mission Contractors are apparently not covered by Department insurance.

Mr. Forden never properly addressed what happened to this mother. She received no positive and verified COVID test – it was deemed inconclusive. Yet, contrary to previous PRC guidance, the mother was admitted into the Shanghai PRC fever hospital and the Mission sent a diplomatic note waiving her P&Is. After being discharged from the hospital there were also no actions taken to address and protect future Mission members from experiencing the appalling and unsanitary conditions of the Shanghai PRC fever hospital. Because of Mr. Forden’s failure to act in this case, many more Mission members and U.S. citizens were forced to needlessly suffer the same fate in the future.

- 5) Lastly, Mr. Forden failed to detect national security threats, even when discussed in meetings with senior members of the Mission. This was evident with the lack of meaningful pushback by Mr. Forden against PRC-mandated and controlled blood tests administered in the United States, and only at collection sites approved by China’s mission in the United States. These tests – a new requirement that went into effect after the Department authorized the LWOI – were a precondition for U.S. diplomats to travel to China.<sup>10</sup> (For background on the threat see Attachment #5 – CHINA’S COLLECTION OF GENOMIC AND OTHER HEALTHCARE DATA FROM AMERICA: RISKS TO PRIVACY AND U.S. ECONOMIC AND NATIONAL SECURITY, by the National Counterintelligence and Security Center, dated February 2021)

As this demonstrates, Mr. Forden is a poor leader and lacks the integrity and judgment to be the next U.S. Ambassador to Cambodia. Robert Forden participated in and directly contributed to an egregious failure of leadership by Department officials, who in the course of their duties failed to act to protect the privileges and immunities of U.S. diplomats serving in China. The below signed whistleblowers call on the Senate Foreign Relations Committee to oppose the nomination or promotion of Robert Forden and all other State Department officials who directly participated in or failed to act to protect the health and safety of U.S. Mission personnel serving in China between 2020 and 2023.

What began as a campaign by the Senior Leadership of the Mission in the Spring 2020 to push the Department to restaff Mission China’s depleted ranks, ultimately turned into a nightmare for hundreds of Mission employees and their families. The magnitude of the leadership failure cannot be understated. The failure to insist that the PRC respect the diplomatic rights of U.S. diplomats or to impose any consequences and change policies to protect our people when China did not, allowed the PRC to act with impunity. Eventually, that failure to act contributed directly to the detainment of dozens of U.S. diplomats and their family members in PRC fever prisons starting in approximately January of 2021 and lasting until approximately April of 2022, with hundreds more U.S. diplomats forced to endure exhaustive and invasive quarantine protocols and testing all throughout 2020 and until 2023.

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<sup>10</sup> PRC Embassy advisory – “Notice on the Requirement Adjustment of the Nucleic Acid rt-PCR and IgM Serum Antibody Tests,” dated 2020/12/19 – <http://www.china-embassy.org/eng/notices/t1841416.htm>

In the end, the violations of U.S. diplomatic P&Is by the PRC government had multiple detrimental effects:

- a. the prevention of essential medical treatment for U.S. diplomats and their families, some as young as two years old, who were confined to PRC government-controlled facilities and conditions. (Summer of 2021)



Figure 1 Injury suffered to a two-year-old during an August 2021 quarantine in Beijing, China.

- b. the potential compromise of national security at the hands of a hostile foreign power allowed to collect and share U.S. diplomats' biological data with entities aligned with the PRC government; (Started in December of 2020, see footnote #10).

c. the PRC government videoing and monitoring diplomats under quarantine, including outside their homes; (Began in the summer of 2020 as part of the charter flights and continued throughout the pandemic when Mission members were deemed a close contact by the PRC government.)



Figure 2 (Left) Surveillance cameras specially installed to monitor compliance with COVID protocols. (Right) Door alarm installed at entry of personnel quarantining at home.

d. the potential compromise of national security when Mission senior leaders allowed, condoned, and failed to report to the Secretary all occurrences when members of the Mission went into PRC detainment; (Began under Mr. Forden and continued until shortly after the arrival of current Ambassador Nick Burns to Post). This resulted in the following:

- (1) Mission personnel were subjected to nonconsensual medical treatments and testing;
- (2) Mission personnel suffered malnourishment;
- (3) Mission personnel lived in unacceptable and unhygienic living conditions;
- (4) U.S. government medical staff were not permitted to visit the facility or provide care to detained individuals;



(5) Mission personnel were left unsupported for weeks, and in some cases months, with no ability for the Mission to conduct, at a minimum, psychological welfare checks.

Though not known publicly at the time, the leadership failures and lack of candor by the Mission leadership resulted in one of the largest exoduses of personnel from any U.S. Mission in the history of the State Department. As families were subjected to such harsh treatment, many requested the option to curtail. This occurred through self-curtailments (last reported in the Summer of 2022 to be over 150) and non-bidders for assignments in China. The entire episode was truly a preventable and deplorable waste of government resources.

This failure of leadership began under Ambassador Terry Branstad and grew under CDA Forden. His successor, CDA David Meale, kept hidden the scope of what was happening. Then after inheriting a mess, the current U.S. Ambassador to China, R. Nicholas Burns, chose not to advocate for any leadership accountability for what had been allowed to transpire. We hope therefore, that the Senate Foreign Relations Committee will call for a full investigation by the proper oversight bodies and to seek accountability for those to whom it is due.

For additional background, attached to this letter are the original whistleblower complaints of 2020 and 2022 (See Attachments #5 and 6) as well as the story of a member who endured one of the initial charter flights in August of 2020 (See Attachment #7). As whistleblowers, some of us were present for the entire sad saga and are happy to avail ourselves to the committee to provide further information.

We the undersigned,

Stephen B. Iwan  
Section Head  
(Served 2019-2023)

Arthur Mark Ryan  
Assistant Section Head  
(Served 2018-2023)

S. Tennaile Timbrook  
Policy Section Mem.  
(Served 2021-2022)

Adam J. Rogalski  
Assistant Section Head  
(Served 2021-2023)

Christian Purkiss  
Mission Member  
(Served 2020-2024)

Sarah Crist  
Mission Member  
(Served 2021-2023)

# **ATTACHMENT #1**

## **Freedom of Information Act (FOIA) - State Department Cable 20 STATE 92790 - September 18, 2020**

**From:** (b)(6) (Beijing)  
**Sent:** Fri, 18 Sep 2020 [REDACTED]  
**To:** (b)(6)  
**Subject:** Fw: CHINA: Authorization to Allow COVID-19 Testing of U.S. Government Personnel and their Family Members by Host Nation Authorities and/or Authorization of Limited Waiver of Personal Inviolability

UNCLASSIFIED

~~SDU~~



**Action Office:** FMO, IMO, CONS, RSO, HR, MGT, EXEC, CLO  
**Info Office:** IMO\_INFO, ECON\_INFO, RSO\_INFO, POL\_INFO, MGT\_INFO, CONS\_INFO

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**MRN:** 20 STATE 92790  
**Date/DTG:** Sep 18, 2020 / 181935Z SEP 20  
**From:** SECSTATE WASHDC  
**Action:** BEIJING, AMEMBASSY *ROUTINE*  
**E.O.:** 13526  
**TAGS:** APER, AMGT, AFIN, AEMR, KNCV, KFLO, ASEC, KLIB, AID, CASC, CN  
**Captions:** SENSITIVE  
**Reference:** A) 20 BEIJING 1690  
B) 20 STATE 60472  
**Subject:** CHINA: Authorization to Allow COVID-19 Testing of U.S. Government Personnel and their Family Members by Host Nation Authorities and/or Authorization of Limited Waiver of Personal Inviolability

This cable is sensitive but unclassified. Please handle accordingly.

1. ~~(SDU)~~ In refel A, post requested authorization to allow host nation authorities to perform COVID-19 testing on incoming U.S. government personnel under Chief of Mission authority and their Eligible Family Members. Post stated that China requires testing by local authorities in order for U.S. government personnel and their family members to enter China. Post also determined that:

- the host nation government's policy involves mandatory testing for all persons entering the country, including diplomats accredited to (or transiting) China;
- the host nation government's test has been assessed by post health unit to be medically effective and safe;
- the host nation government does not allow post medical staff to perform the swabbing

involved in the test;

- the host nation government has not agreed to anonymize and destroy the samples collected during the tests;
- the host nation government has pledged that any sample(s) collected will be used ONLY to test for the virus that causes COVID-19; and
- the host nation will require individuals await the results of the test at the airport or at a quarantine hotel.

2. ~~(SBU)~~ The Department understands that the testing and quarantine regime required by PRC authorities is:

- Pre-departure COVID testing
- COVID testing at the airport on arrival
- COVID testing on day 13 of quarantine
- 14 days of quarantine in a PRC-approved hotel

3. ~~(SBU)~~ Post stated that if an individual tests positive, the following measures will apply:

(U) Under current procedures in China, individuals who test positive for COVID-19 are taken to the designated local hospital where they undergo further lab testing to first verify if the positive result was a "true positive." This includes viral culture and genetic sequencing to see if the individual is still infectious or not. If the individual is found to be truly positive, there are two different pathways, depending on whether the individual is symptomatic:

- a. If asymptomatic, but positive, the concern is the individual is still possibly infectious. Therefore, he/she will remain in the hospital until the following conditions are met: two negative PCR tests, separated by 24 hours, normal temperature for three days and a normal CT Scan. Mission China staff, including RMO, will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- b. Symptomatic patients will be treated according to Chinese national health standards and practices. Individuals have the right to refuse any aspect of treatment. Mission China staff, including RMO, will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- c. In the event a child tests positive, a parent will be permitted to accompany them into the hospital, as long as the parent is willing to be treated as a "close contact" or likely positive case after exposure in the hospital.

~~(SBU)~~ A positive test result at any Chinese port of entry (POE) may also impact other passengers arriving on the same flight. If a passenger on the aircraft tests positive after arrival at the POE, the Chinese health authorities will analyze the manifest seating layout and determine who qualifies as a "close contact" of the individual who tested positive. Those close contacts are then transported to the designated "close contact" quarantine hotel for further observation, but no further testing at that time. Mission China staff will have phone and electronic access to our personnel throughout the quarantine period in the designated close contact quarantine hotel.

~~(SBU)~~ Chinese authorities confirmed Mission China retains the ability to medevac positive cases back to the United States, and local officials would provide a negative pressure

ambulance, if needed, to transport the individual. Based on discussions with relevant authorities, Embassy Beijing estimates it would take less than 24 hours to receive expedited flight clearances for a medevac flight, and a Guam-based MED asset could potentially medevac a traveler within 48 hours. This assurance applies to quarantine at USG-provided residences, testing and observation in hospitals, or while staying in quarantine hotels.

(b)(5)

4. ~~(SBU)~~ Post outlined its prior efforts to obviate the need for host nation testing requirements, including repeated attempts by post to negotiate alternatives. The PRC currently will not accept pre-testing results conducted by the USG either in the U.S. or at post. Hence, there are currently no alternatives to the Chinese COVID-19 testing and quarantine requirements. Additionally, the Chinese government also does not accept private sector test results or testing conducted outside China. The only remaining option currently is for COM personnel and their family members to be tested by Chinese medical personnel on arrival. In addition to Mission China's own negotiations with PRC officials, Post consulted extensively with other missions and foreign companies who have attempted, also unsuccessfully, to obtain Chinese approval for exceptions or approved alternatives. Mission China is sure there are no other options available that would allow us to avoid submitting US personnel to host nation testing.

(b)(5)

e. MED assessment of appropriate care. Mission China will only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel.

6. ~~(SBU)~~ As outlined in 20 STATE 60472, as a matter of policy, the Department is generally not authorizing travel by U.S. government personnel under Chief of Mission (COM) authority and traveling on government travel orders, or their family members, to a post, if, upon arrival in the foreign state, the employee or family member would be subject to any form of COVID-19 testing (oral, nasal, blood) by foreign government officials or quarantine in a foreign government controlled facility (institutional quarantine). This policy applies regardless of whether the individual enjoys personal inviolability under international law.

7. ~~(SBU)~~ Furthermore, Diplomatic agents and members of administrative and technical staff at Embassies, as well as the family members forming part of their household in China enjoy personal inviolability under Article 29 and 37 of the Vienna Convention on Diplomatic Relations from the moment they arrive in country where they are either accredited or where they intend to be accredited. Because personal inviolability attaches when diplomats and their family members enter the country, the host government authorities cannot perform any sort of invasive testing on an individual who enjoys personal inviolability absent a waiver of personal inviolability. Likewise, transiting diplomatic agents to a third country, enjoy full personal inviolability while in transit under Article 40(1) of the Vienna Convention on Diplomatic Relations.

8. ~~(SBU)~~ The Under Secretary for Management may authorize exceptions to these policies.

(b)(5)

(b)(5)

11. ~~(SBU)~~ Moreover, as post and the regional bureau recommend the COVID-19 test be permitted on U.S. Government personnel and their families entering China and as post has determined that an exception to the Department's policy and a waiver of personal inviolability will not in any way be contrary to the U.S. government's interests and will not pose any security problem for the Mission or its personnel or family members, the Department authorizes a limited waiver of personal inviolability for purposes of testing for COVID-19, provided that persons to be tested are consulted prior to their departure about the host nation requirement and

consent to have the test performed.

**12. (SBU) This waiver of personal inviolability and authorization for exception to the Department's policy will remain in effect provided that the conditions listed in paragraphs 1 and 2 remain unchanged and post continues to recommend testing. Post should inform the Department via front channel cable if the conditions or post's recommendation changes.**

13. (SBU) In order to establish the proper waiver framework, post should send the Foreign Ministry a diplomatic note that includes the points below. **Post must follow this procedure for each subsequent arrival of new and transiting personnel and their family members enjoying personal inviolability for whom post wishes to waive personal inviolability to allow for COVID-19 testing. One diplomatic note to the Foreign Ministry containing a waiver may cover numerous individuals, but no individual who enjoys full personal inviolability should be tested by the host nation before a diplomatic note containing the waiver of the individual's personal inviolability is sent.**

*NOTE: If post has questions about whether certain personnel enjoy full personal inviolability, post may consult with (L/DL) [legal-dl-dl@state.gov](mailto:legal-dl-dl@state.gov). END NOTE*

- It is the position of the United States that pre-departure testing of such individuals in the United States combined with residential quarantine would be sufficient to meet the public health goals of the PRC government. However, in light of the extraordinary circumstances brought on by the COVID-19 pandemic and in the spirit of cooperation, the United States government waives any personal inviolability which is enjoyed by the above-mentioned individuals listed above for the sole and limited purpose of allowing them be given a swab test for COVID-19 upon their arrival in China and then again on day 13 at the end of the residential quarantine period.
- The United States government understands that in the event any of the above-mentioned individuals test positive for COVID-19 upon their arrival in China, the Chinese government, if requested, will expedite clearances for a U.S. government-chartered air ambulance and permit the individuals to be medically evacuated to the United States. Furthermore, if any of the above-mentioned individuals test positive for COVID-19 at any other time, they will be allowed to isolate in their residence until such time as a specially chartered air ambulance can be sent to remove them from China.
- The United States understands that the testing will be performed in an anonymous manner and that any oral saliva or other specimen taken from these individuals will be immediately destroyed after their use for the sole purpose specified above and the privacy of the above-mentioned diplomats will be preserved and respected.

14. (SBU) In the event that an individual needs to be hospitalized, Mission China must convey an additional diplomatic note with the language noted below for any individual who is to be hospitalized. This note must be sent separate and apart from the note containing the waiver to allow testing.

- [Refer to the initial waiver that allowed the testing as well as to the COVID-19 positive status of the individual]
- It is the position of the United States that residential isolation of asymptomatic or mildly symptomatic COVID-19 cases meets the public health goals of the PRC government. However, in light of the extraordinary circumstances brought on by the COVID-19 pandemic and in the spirit of cooperation, the United States government waives any personal inviolability which is enjoyed by the above-mentioned individual(s) listed above for the sole and limited purpose of allowing [them/him/her] to be placed in XYZ hospital until the soonest of Mr./Ms. [INSERT NAME OF DIPLOMAT] being found negative for COVID-19 or being medically evacuated via a specially chartered ambulance, whichever is sooner.
- The United States government understands that during Mr. /Ms. [name of diplomat] stay at [NAME OF HOSPITAL], s/he will be allowed to contact the Embassy Health Unit and have unimpeded phone and electronic access to Mission China staff. Mission China staff will also have input into treatment and follow-on movement decisions.
- The United States understands that any additional testing will be performed in an anonymous manner and that any oral saliva or other specimen taken from these individuals will be immediately destroyed after their use for the sole purpose specified above and the privacy of the above-mentioned diplomats will be preserved and respected.
- The United States government understands that in the event any of the above-mentioned individuals test positive for COVID-19 in China, the Chinese government, if requested, will expedite clearances for a U.S. government-chartered air ambulance, facilitate their transport to the airport in a negative pressure ambulance, and permit the individuals to be medically evacuated to the United States.

15. (U) Please consult with L/DL should you have any questions about the language of the waiver as well as on each subsequent diplomatic note containing a waiver. Please send to L/DL a copy of the English text of post's final diplomatic note each time post sends a note for the arrivals of additional personnel. L/DL can be reached at [legal-dl-dl@state.gov](mailto:legal-dl-dl@state.gov).

~~SENSITIVE BUT UNCLASSIFIED~~

**Signature:** Pompeo

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**Drafted By:** EAP (b)(6)  
**Cleared By:** EAP/EX (b)(6)  
 EAP/EX (b)(6)  
 EAP/EX (b)(6)  
 L/DL (b)(6)  
 L/EMP (b)(6)  
 HR/DGHR (b)(6)  
 M: (b)(6)



CGRCU (b)(6) (CGRCU  
MED: [REDACTED]  
DS/DSS: [REDACTED]  
DS/IP: (b)(6)  
M:M Clearance  
EAP: (b)(6)  
(b)(6) ROUTINE; (b)(6) ROUTINE; (b)(6)  
(b)(6) ROUTINE; (b)(6) ROUTINE; (b)(6) ROUTINE;  
(b)(6) ROUTINE; (b)(6) ROUTINE; (b)(6) ROUTINE; FLO  
Ask Evacuations ROUTINE; GUANGZHOU, AMCONSUL ROUTINE;  
SHANGHAI, AMCONSUL ROUTINE; SHENYANG, AMCONSUL ROUTINE

Approved By:  
Released By:  
Info:

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Action Post: AMEMBASSY BEIJING  
Dissemination Rule: IMO\_INFO, FMO, IMO, CONS\_ACTION, POL\_INFO, RSO, RSO\_INFO, HR, MGT\_ACTION, EXEC, CONS\_INFO, CLO

UNCLASSIFIED  
SBU

**ATTACHMENT #2**

**Freedom of  
Information Act  
(FOIA) - State  
Department Cable  
20 BEIJING 1690 -  
September 11, 2020**

**From:** SMART Archive  
**Sent:** Fri, 11 Sep 2020 [REDACTED]  
**To:** SMART Core  
**Subject:** BEIJING: Request for an Exemption to Use Commercial Air

UNCLASSIFIED  
~~SBI~~



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**MRN:** 20 BEIJING 1690  
**Date/DTG:** Sep 11, 2020 / 111005Z SEP 20  
**From:** AMEMBASSY BEIJING  
**Action:** WASHDC, SECSTATE ROUTINE  
**E.O.:** 13526  
**TAGS:** AMED, AMGT, APER, KLIB, KNCV, KFLO, CN  
**Captions:** SENSITIVE  
**Subject:** BEIJING: Request for an Exemption to Use Commercial Air

1. ~~(SBI)~~ Ambassador Branstad requests an exception to Department policy and limited waivers of personal inviolability for the Chief of Mission (COM) personnel and their family members assigned to Mission China to arrive on commercial flights.

**People's Republic of China (PRC) COVID-19 Testing and Quarantine Policies**

2. ~~(SBI)~~ On March 17, 2020, the Chinese government in Beijing authorized resumption of limited commercial air operations, with testing and quarantine requirements for arriving travelers. Personnel arriving to Mission China under these policies have relied on charter flights, with a biocontainment plane contracted by the Bureau of Medical Services (MED) available to remove any passengers who tested positive on arrival. Recognizing this model is not sustainable and cannot accommodate all of Mission China's travel needs, we plan to transition to commercial air travel and the standard arrival process for commercial travelers, with some mitigation measures. Regardless of travel mode, diplomatic missions are required to notify the Ministry of Foreign Affairs (MFA) 10 business days in advance of the arrival of any diplomatic personnel, family members, or TDY staff.

3. (U) All individuals lawfully entering China are subject to the following conditions:

- a) Testing. All individuals seeking to lawfully enter mainland China are subject to COVID-19 testing at the point-of-entry (POE) as part of the standard entry process. Current regulations also require a follow-up test 13 days after arrival prior to the release from quarantine. In addition, effective September 15, all passengers arriving from the United States on commercial flights will be required to provide proof of a negative COVID test taken within three days before boarding their flight. Travelers originating in the United States and certain other countries on a list continuously updated based on COVID risk must submit a negative COVID-19 test certificate

along with passport and visa information to the Chinese embassy for verification prior to their flight and within the three-day window. The verification process takes approximately 24 hours.

b) Quarantine. All individuals lawfully entering China are required to be in quarantine or self-isolation for a minimum period of 14 days.

4. (U) Diplomatic and technical staff of U.S. Mission China and their family members **are not exempted** from the testing and quarantine requirements. Chinese authorities have approved diplomatic and technical staff and their family members to quarantine in their USG provided residence or other U.S. Mission-selected residence if they land in their city of assignment.

**PRC COVID-19 Testing Procedures**

5. (U) China’s current testing practices and protocols are as follows:

- a. Type of Test. The Chinese health authorities use polymerase chain reaction (PCR) nucleic acid tests to determine whether an individual is currently infected with COVID-19. Additional analysis may be used to confirm positive cases, such as viral cultures and/or genetic sequencing for verification.
- b. Requirements for Testing. All individuals seeking to lawfully enter China are subject to COVID-19 testing on arrival and at the end of a 14-day quarantine. Arrival test samples are collected at the Chinese international POE. End-of-quarantine (EOQ) samples are collected either at the traveler’s quarantine location or a local, government-approved testing center.
- c. Testing Process. The Chinese government employs trained health professionals to collect samples for both POE and EOQ tests. Biological samples are taken from the nose and/or throat via a swab, then sealed in a container and taken to a government laboratory. For the EOQ test, if small children cannot tolerate a nasal or throat swab, parents receive instructions to provide a stool sample. Obtaining a negative result on day 13 is the final step of completing the quarantine requirement and results in the individual obtaining an official Chinese government certificate stating their negative test results. Mission China staff, including the Regional Medical Officer (RMO), will have phone and electronic access to personnel going through the arrival and EOQ testing processes.
- d. Quarantine Process. Travelers arriving via commercial aircraft are transported to a local quarantine hotel to wait the results from the COVID-19 test on arrival. On receipt of negative arrival test results, travelers who are not considered close contacts of any positive case begin their 14-day isolation in their USG designated residence or location. After travelers complete the quarantine period and receive negative EOQ test results, local health officials issue them a quarantine completion certificate. Mission China staff, including the Regional Medical Officer (RMO), have continuous phone and electronic contact with our personnel throughout the quarantine process, regardless of the location of their quarantine.

6. (U) Procedural Protections.

- a. *Will HN allow post health unit staff to do the swabbing?* No.
- b. *Will HN destroy the samples after processing them?* Samples are processed in numerous locations, and Chinese authorities are unable to provide assurances that samples will be destroyed after processing in all cases.
- c. *Will the HN pledge that any sample(s) collected will be used ONLY to test for the virus that*

*causes COVID-19?* Yes. According to relevant authorities, biological samples collected for COVID-19 testing are only used to test for the virus that causes COVID-19 and not used for other purposes.

- d. *Will HN anonymize the testing?* Samples are processed in numerous locations, and Chinese authorities are unable to provide assurances that samples will be anonymized.
- e. *Will HN agree to not detain the individual while s/he awaits results?* All commercial travelers, including arriving USG personnel, await test results in a designated hotel or area of the airport.
- f. *If HN requires detention while the individual awaits test results, please provide specifics, such as time, place and access by mission personnel during the detention.* To minimize the risk of close contacts, adults are assigned their own room while awaiting test results, while children will room with a parent. The waiting period is usually a few hours up to a maximum of one overnight in the hotel, and the hotel delivers meals to the room. Mission China staff, including the Regional Medical Officer (RMO), have continuous phone and electronic contact with our personnel during this waiting period.

#### **Consequences of a Positive COVID-19 Test**

7. (U) Under current procedures in China, individuals who test positive for COVID-19 are taken to the designated local hospital where they undergo further lab testing to first verify if the positive result was a "true positive." This includes viral culture and genetic sequencing to see if the individual is still infectious or not. If the individual is found to be truly positive, there are two different pathways, depending on whether the individual is symptomatic:

- a. If asymptomatic, but positive, the concern is the individual is still possibly infectious. Therefore, he/she will remain in the hospital until the following conditions are met: two negative PCR tests, separated by 24 hours, normal temperature for three days and a normal CT Scan. Mission China RMO will have phone and electronic access to our personnel throughout the evaluation process and any observation period.
- b. Symptomatic patients will be treated according to Chinese national health standards and practices. Individuals have the right to refuse any aspect of treatment. Mission China staff, including RMO, will have phone and electronic access to the individual throughout the treatment process.

8. (U) A positive test result at any Chinese POE may also impact other passengers arriving on the same flight. If a passenger on the aircraft tests positive after arrival at the POE, the Chinese health authorities will analyze the manifest seating layout and determine who qualifies as a "close contact" of the individual who tested positive. Those close contacts are then transported to the designated "close contact" quarantine hotel for further observation, but no further testing at that time. Mission China staff will have phone and electronic access to our personnel throughout the quarantine period in the designated close contact quarantine hotel.

#### **Alternatives to the PRC COVID-19 Testing Requirement**

9. ~~(SBU)~~ There are currently no alternatives to the Chinese COVID-19 testing and quarantine requirement. Despite repeated attempts by post to negotiate alternatives, the PRC currently will not accept pre-testing results conducted by the USG either in the U.S. or at post. Additionally, the Chinese government also does not accept private sector test results or testing conducted outside China. The only remaining option currently is for COM personnel and their family members to be tested by Chinese medical personnel on arrival. In addition to Mission China's own negotiations with PRC officials, we have consulted extensively with other missions and foreign companies who have attempted, also

unsuccessfully, to obtain Chinese approval for exceptions or approved alternatives. Mission China is sure there are no other options available that would allow us to avoid submitting US personnel to host nation testing.

#### **Mission China Mitigations to the PRC COVID-19 Testing Requirement**

10. ~~(SBU)~~ Mission China proposes the following mitigation strategies to ensure continuous contact and sustained security for USG personnel traveling to Mission China:

- a) Pre-flight testing: Pre-flight COVID testing provided by MED has significantly reduced the chances of a positive test on arrival of our charter flights to China. Mission China will continue to require all inbound travelers to obtain a COVID test within three days of departure, both to protect our travelers and to satisfy Chinese requirements for commercial flights. We will encourage travelers who have access to reliable commercial labs to obtain the tests commercially whenever practical to reduce the burden on MED.
- b) Assured MEDEVAC for personnel who test positive for COVID-19. Chinese authorities confirmed Mission China retains the ability to medevac positive cases back to the United States. Based on discussions with relevant authorities, Embassy Beijing estimates it would take less than 24 hours to receive expedited flight clearances for a medevac flight, and a Guam-based MED asset could potentially medevac a traveler within 48 hours. This assurance applies to quarantine at USG-provided residences, testing and observation in hospitals or while staying in quarantine hotels.
- c) MED and the individual collaborate to make decisions. Chinese government authorities have assured Mission China that if USG personnel are placed in close contact quarantine hotels or taken to a medical facility for testing and observation, MED and relevant Embassy personnel will maintain continuous contact and have input into treatment and follow-on movement decisions.
- d) Residential quarantine for most USG personnel. If U.S. diplomatic travelers land in their own city of assignment, and there are no positive COVID-19 test results on the flight, they may quarantine at a USG provided residence.
- e) MED assessment of appropriate care. Mission China will only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel.

#### **Additional PRC Quarantine Requirements**

11. ~~(SBU)~~ The PRC has demonstrated a strong will to control any potential COVID-19 outbreaks. Per prior case outbreaks in Beijing, Xinjiang, and several northeastern provinces, individuals who attempt to travel out of regions experiencing an outbreak may have difficulty gaining entry to the province at their domestic destination. Mission China will mitigate this concern by reminding all personnel to research the risk level of their destination before domestic travel and by not approving travel to or from districts labeled as "high risk" until the district's rating is downgraded.

#### **Overall Assessment**

12. ~~(SBU)~~ Embassy Beijing believes allowing the Chinese government to test incoming personnel is in the best interest of the USG, given the protocols and assurances provided to the U.S. Mission in China

regarding our ability to quarantine, isolate, and treat any COVID-positive diplomatic or technical staff and their eligible family members. Nearly all diplomatic missions in China have resumed arrivals by commercial air travel; their experience increases our confidence commercial arrivals can be managed safely and effectively. The Embassy health unit has assessed the Chinese government's sample collection and PCR/nucleic test to be medically effective and safe. Compliance with PRC arrival testing requirements does not present any security concerns beyond those already addressed under Post's existing security rating for the Mission or its personnel and/or family members.

13. ~~(SBU)~~ For these reasons, Ambassador Branstad recommends the Department grant a limited waiver of personal inviolability.

~~SENSITIVE BUT UNCLASSIFIED~~

**MINIMIZE CONSIDERED**

**Signature:** BRANSTAD

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**Drafted By:** BEIJING: (b)(6) (Beijing)  
**Cleared By:** EXEC/LEG: (b)(6)  
MGT/MED: (b)(6)  
MGT/HRO: (b)(6) (Beijing)  
MGT: (b)(6) (Beijing)  
EXEC: (b)(6) (Beijing)  
**Approved By:** EXEC: Branstad, Terry E (Beijing)  
**Released By:** BEIJING: (b)(6) (Beijing)  
**Info:** (b)(6) ROUTINE

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**Dissemination Rule:** Archive Copy

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-SBU

**ATTACHMENT #3**  
**CHINA'S COLLECTION OF**  
**GENOMIC AND OTHER**  
**HEALTHCARE DATA**  
**FROM AMERICA: RISK TO**  
**PRIVACY AND U.S.**  
**ECONOMIC AND**  
**NATIONAL SECURITY**  
**FEBRUARY 2021**





February 2021

## CHINA'S COLLECTION OF GENOMIC AND OTHER HEALTHCARE DATA FROM AMERICA: RISKS TO PRIVACY AND U.S. ECONOMIC AND NATIONAL SECURITY

The National Counterintelligence and Security Center

Would you want your DNA or other healthcare data going to an authoritarian regime with a record of exploiting DNA for repression and surveillance? For years, the People's Republic of China (PRC) has collected large healthcare data sets from the U.S. and nations around the globe, through both legal and illegal means, for purposes only it can control. While no one begrudges a nation conducting research to improve medical treatments, the PRC's mass collection of DNA at home has helped it carry out human rights abuses against domestic minority groups and support state surveillance. The PRC's collection of healthcare data from America poses equally serious risks, not only to the privacy of Americans, but also to the economic and national security of the U.S.

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### The Value of Your DNA

- Your DNA is the most valuable thing you own. It holds the most intimate details of your past, present and potential future—whether you are prone to addiction or high-risk for cancer. It is your unique genetic code and can enable tailored healthcare delivery to you.
- Losing your DNA is not like losing a credit card. You can order a new credit card, but you cannot replace your DNA. The loss of your DNA not only affects you, but your relatives and, potentially, generations to come.

### China Prioritizes the Collection of Healthcare Data

- The PRC views bulk personal data, including healthcare and genomic data, as a strategic commodity to be collected and used for its economic and national security priorities. (Genomic data is a broad term referring to your entire genetic sequence—all your DNA).
- The PRC is investing heavily in the “biotech revolution” and has enacted national policies prioritizing the collection of healthcare data both at home and abroad to achieve its goal of becoming a global biotech leader. It has designated biotech as a “strategic emerging industry” and prioritized state support for its biotech industry in national plans like the Made in China 2025 plan.<sup>1</sup>
- The PRC understands the collection and analysis of large genomic data sets from diverse populations helps foster new medical discoveries and cures that can have substantial commercial value and advance its Artificial Intelligence and precision medicine industries.
  - In 2016, the PRC announced a \$9 billion, 15-year project to collect, analyze, and sequence genomic data to become a global leader in precision medicine—a process designed to provide tailored treatments based on the genetic makeup and environment and lifestyle of individual patients.<sup>2</sup>



- With the COVID-19 pandemic, the PRC aggressively marketed Chinese COVID-19 testing kits around the world, along with laboratories to support COVID-19 testing. By August 2020, China's leading genomics company, BGI, said it had sold test kits to 180 countries and established labs in 18 countries in the past six months.<sup>3</sup>
- According to the U.S.-China Economic and Security Review Commission, these COVID-19 labs have been providing Chinese researchers with access to healthcare data from around the globe.<sup>4</sup> Despite their aggressive pitches to U.S. states, there is no evidence Chinese companies have been able to establish such COVID-19 labs in the U.S.

#### **China's Access to U.S. Healthcare Data**

- Nevertheless, the PRC has for years been able to gain access to U.S. healthcare data, including genomic data, through a variety of channels, both legal and illegal.
- U.S. healthcare data may be particularly attractive and valuable to China because of the ethnic diversity of the U.S. population.<sup>5</sup> And compared to other nations, the U.S. has fewer safeguards on medical and healthcare data, including data for research purposes.<sup>6</sup> U.S. safeguards focus primarily on privacy, not national security, which creates a vulnerability for foreign actors to gain access to data on U.S. persons.
- Over the years, Chinese companies have taken advantage of this environment by investing in U.S. firms that handle sensitive healthcare and other types of personal data, providing them entry to the U.S. market and access to this data.
  - For instance, China's BGI purchased U.S. genomic sequencing firm Complete Genomics in 2013. In 2015, China's WuXi Pharma Tech acquired U.S. firm NextCODE Health to later form WuXi NextCODE Genomics.<sup>7</sup>
- Chinese companies have also gained access to U.S. healthcare data by partnering with hospitals, universities, and other research organizations in America. These U.S. entities routinely seek low-cost genomic sequencing services for their facilities, which Chinese biotech firms can often provide due to Chinese government subsidies. (In February 2020, BGI said it could sequence a human genome for just \$100.<sup>8</sup>) These partnerships allow U.S. entities to expand their research capabilities, while Chinese firms gain access to more genetic data on more diverse sets of people, which they can use for new medical products and services.
  - A 2019 report found at least 15 Chinese companies that were either headquartered in China with a U.S. presence, or wholly located in China, were licensed to perform genetic testing or whole genomic sequencing on patients in the U.S. healthcare system, giving them direct access to the genetic data of patients in the U.S.<sup>9</sup>



- Finally, the PRC has gained access to U.S. healthcare data through illicit means, including theft of research and cyberattacks.
  - Among the most notorious examples was the 2015 hack of U.S.-based health insurer Anthem, Inc., in which data on some 78.8 million persons was stolen from Anthem’s computer networks, including health identification numbers, names, Social Security numbers, employment and income data and other information. A U.S. Justice Department indictment in 2019 charged two individuals based in China for the hack of Anthem and three other U.S. companies.<sup>10</sup>

### **China’s History of DNA Exploitation**

- Concerns over the exploitation of healthcare and genomic data by the PRC are not hypothetical. The PRC has a documented history of exploiting DNA for genetic surveillance and societal control of minority populations in Xinjiang, China.<sup>11</sup>
- Specifically, the PRC government has established a high-tech surveillance system across Xinjiang, as part of a province-wide apparatus of oppression aimed primarily against traditionally Muslim minority groups. An initiative launched by the PRC government in 2014 has been used to justify the collection of biometric data from all Xinjiang residents ages 12 to 65. Authorities have collected DNA samples, fingerprints, iris scans, and blood types. The biometric data is linked to individuals’ identification numbers and centralized in a searchable database used by PRC authorities.<sup>12</sup>
- Specific abuses by the PRC government as part of this effort include mass arbitrary detentions, severe physical and psychological abuse, forced labor, oppressive surveillance used arbitrarily or unlawfully, religious persecution, political indoctrination, and forced sterilization of members of minority groups in Xinjiang.<sup>13</sup> All told, the PRC government in Xinjiang has detained more than 1 million members of Muslim minority groups in internment camps for Communist Party indoctrination since 2017.<sup>14</sup>
- In July 2020, the U.S. Department of Commerce sanctioned two subsidiaries of China’s BGI for their role in conducting genetic analysis used to further the PRC government’s repression of Uyghurs and other Muslim minority groups in Xinjiang.<sup>15</sup>
  - Over the past decade, China’s BGI has partnered with many research and healthcare entities in America to provide them with genomic sequencing services, while also gaining access to health records and genetic data on people in the U.S.<sup>16</sup>

### **Implications for Privacy and U.S. National Security**

- China’s access to U.S. healthcare and genomic data poses serious privacy and national security risks to the U.S.
  - Through its cyber intrusions in recent years, the PRC has already obtained the Personal Identifying Information (PII) of much of the U.S. population.



- Recent breaches attributed to the PRC government or to cyber actors based in China include the theft of personnel records of roughly 21 million individuals from the U.S. Office of Personnel Management; the theft from Marriott hotels of roughly 400 million records; the theft of data from Equifax on roughly 145 million people; and the theft of data from Anthem on roughly 78 million people.<sup>17</sup>
- Furthermore, under the PRC's national security laws, Chinese companies are compelled to share data they have collected with the PRC government. Article 7 of China's 2017 National Intelligence Law, for instance, mandates that all Chinese companies and citizens shall support, assist, and cooperate with Chinese national intelligence efforts, and guard the secrecy of any national intelligence work that they are aware of. There is no mechanism for Chinese companies to refuse their government's requests for data.
- The combination of stolen PII, personal health information, and large genomic data sets collected from abroad affords the PRC vast opportunities to precisely target individuals in foreign governments, private industries, or other sectors for potential surveillance, manipulation, or extortion.
  - For instance, vulnerabilities in specific individuals revealed by genomic data or health records could be used to help target these individuals.<sup>18</sup> Data associated with an embarrassing addiction or mental illness could be leveraged for blackmail. Combine this information with stolen credit data indicating bankruptcy or major debt and the tools for exerting leverage increase. Such data sets could help the PRC not only recruit individuals abroad, but also act against foreign dissidents.

#### **Economic Implications for the United States**

- Aside from these immediate privacy risks, China's access to U.S. health and genomic data poses long-term economic challenges for the United States.
- The PRC's acquisition of U.S. healthcare data is helping to fuel China's Artificial Intelligence and precision medicine industries, while the PRC severely restricts U.S. and other foreign access to such data from China, putting America's roughly \$100 billion biotech industry at a disadvantage.
- Over time, this dynamic could allow China to outpace U.S. biotech firms with important new drugs and health treatments and potentially displace American firms as global biotech leaders.
- Although new medicines coming out of China could benefit U.S. patients, America could be left more dependent on Chinese innovation and drug development for its cures, leading to a transfer of wealth, co-opting of new businesses and greater job opportunities in China.<sup>19</sup>

Endnotes:

<sup>1</sup> Mark Kazmierczak and Thilo Haneman, "China's Biotechnology Development: The Role of U.S. and Other Foreign Engagement," Gryphon Scientific and Rhodium Group (prepared for the U.S.-China Economic and Security Review Commission), February 14, 2019, 36-38.

<sup>2</sup> Jennifer Schenker, "China Leaps Ahead in Precision Medicine," *The Innovator News*, August 27, 2019.

<sup>3</sup> Kirsty Needham, "Special Report: COVID Opens New Doors for China's Gene Giant," *Reuters*, August 5, 2020.

<sup>4</sup> 2020 Annual Report to Congress, U.S.-China Economic and Security Review Commission, 309.

<sup>5</sup> Mark Kazmierczak and Thilo Haneman, "China's Biotechnology Development: The Role of U.S. and Other Foreign Engagement," Gryphon Scientific and Rhodium Group (prepared for the U.S.-China Economic and Security Review Commission), February 14, 2019, 135.

<sup>6</sup> *Ibid.*, 115.

<sup>7</sup> *Ibid.*, 120.

<sup>8</sup> Antonio Regalado, "China's BGI says it can sequence a genome for just \$100," *MIT Technology Review*, Feb. 26, 2020.

<sup>9</sup> Mark Kazmierczak and Thilo Haneman, "China's Biotechnology Development: The Role of U.S. and Other Foreign Engagement," Gryphon Scientific and Rhodium Group (prepared for the U.S.-China Economic and Security Review Commission), February 14, 2019, 124.

<sup>10</sup> U.S. Department of Justice press release, "Member of Sophisticated China-Based Hacking Group Indicted for Series of Computer Intrusions, Including 2015 Data Breach of Health Insurer Anthem Inc. Affecting Over 78 Million People," May 9, 2019.

<sup>11</sup> U.S. Department of State, U.S. Department of Treasury, U.S. Department of Commerce, U.S. Department of Homeland Security: Xinjiang Supply Chain Business Advisory, "Risks and Considerations for Businesses with Supply Chain Exposure to Entities Engaged in Forced Labor and other Human Rights Abuses in Xinjiang," July 1, 2020, 4.

<sup>12</sup> *Ibid.*, 4.

<sup>13</sup> *Ibid.*, 4.

<sup>14</sup> *Ibid.*, 2.

<sup>15</sup> U.S. Department of Commerce press release, "Commerce Department Adds Eleven Chinese Entities Implicated in Human Rights Abuses in Xinjiang to the Entity List," July 20, 2020.

<sup>16</sup> Mark Kazmierczak and Thilo Haneman, "China's Biotechnology Development: The Role of U.S. and Other Foreign Engagement," Gryphon Scientific and Rhodium Group (prepared for the U.S.-China Economic and Security Review Commission), February 14, 2019, 122.

<sup>17</sup> U.S. Department of Justice press release, "Attorney General William P. Barr Announces Indictment of Four Members of China's Military for Hacking into Equifax," Remarks as Prepared for Delivery, February 10, 2020.

<sup>18</sup> Mark Kazmierczak and Thilo Haneman, "China's Biotechnology Development: The Role of U.S. and Other Foreign Engagement," Gryphon Scientific and Rhodium Group (prepared for the U.S.-China Economic and Security Review Commission), February 14, 2019, 133.

<sup>19</sup> 2020 Annual Report to Congress, U.S.-China Economic and Security Review Commission, 314.

**ATTACHMENT #4**  
**Family Account of the**  
**Ditan Fever Hospital**  
**Not allowed to be presented to**  
**the leadership during EACs**  
**on January 19, February 10,**  
**and March 31, 2022**

### **Ditan Fever Facility**

This is my family's personal account of Ditan fever facility. This facility is in no way connected to Ditan Hospital. It is not actually a building at all. They are locked container units with bars on the windows in a weed overrun lot. These units are barely air conditioned, as we were there in the hot months of summer and still sweating inside. My husband's air conditioning unit constantly leaked water into a bucket, which he had to empty regularly, or the room flooded. When this did happen he was told, "we will clean it up tomorrow, don't slip." The walls are splattered with black mold and previous people's handprints, other people's hair smeared on the walls next to where your pillow lays, and the floors are filthy. You are locked inside your small room. There is a bathroom, but no soap, toilet paper, towels or paper towels. The staff stated, "if you need these things you have to get them yourself." **You're fed through the small specimen window that you also put your urine and stool samples in. If there were a fire, there is no escaping since all exit points are locked and barred.** The embassy sent one box of initial necessities. This included one bath towel per person. There is one bath towel to use for a month. These humid containers did not allow for anything to dry, so we were stuck using the same moldy towel for our entire stay.

### **Initial COVID Testing**

My son was the first to test positive. There were no verification tests done on any family members before transport to Ditan. Since it took 4 days to get into the facility, we begged for additional testing, but it was refused. My daughter then tested positive as soon as my son left. Her transfer to Ditan was traumatic for her. While the embassy intervened, and I was able to ride with her- Being separated from her mom at the hospital by people wearing huge white suits and taking her into an unknown place alone was very traumatic. It's 6 months later and she still speaks of being separated from me.

My positive result was a week behind, so I had to remain separated from my family. I could not see my husband or children at all. Upon arrival there is mass testing of every conceivable bodily specimen (i.e. Nasal swab, throat swab, sputum sample, urine sample, stool sample, EKGs and CT scans.) All this for not one symptom. The next day my health kit uploaded that my NAT test from arrival day at Ditan was negative.

When I asked a Ditan Dr. about this, they said "it was in your sputum." An additional sputum sample was done later, which came back negative. We were previously assured from the embassy management that a discussion was had with the FAO that assured them that if a diplomat was testing negative before the 14 days, they would be allowed to leave the hospital. **They initially told us, "we are going to hold them to their word." Later as this was happening to me and all my tests were negative, especially the NAT which is the standard followed for discharge, I was eventually told by the embassy, "Sorry just comply."**

## **Embassy Response**

**The embassy never saw any of our test results. I had to request my own records and send them to the embassy. There was not any transparency in care happening. The testing procedures were not adequate.**

While they brought in clean medical supplies and opened them in the room almost every time, they did not always label the specimen cups. After they tested you and left the room, you were just hoping they didn't mix yours up with anyone else's. They used the same suit, shoes covers, and gloves to go from room to room. Whatever they were walking through or touching was just transmitted from room to room.

**Everything we were tested for did not make sense, unless a patient was very ill with COVID. We were not. We were asymptotic.** We do not test half of these things on people back home, and we surely don't do these things to asymptotic people. I have personally cared for COVID patients in the hospital, and we were not doing these things.

Towards the end, they refused to provide me any further documents of my own medical records. They did the same to my husband. At the end of his Ditan stay, they kept telling him his NAT was "a little negative and a little positive". Each day they said that, his health kit showed negative but he wasn't cleared to leave.

## **Impact on Children**

When it came to the manner of testing in the hospital, it did not matter how old you were, everything became a nasal swab. The kids had previously been throat swabbed, which was the means in which they tested positive. They used the same sized swab for everyone as a "one size fits all" method. My kids were 4 & 7 at the time. What they needed was a pediatric swab, but that was not an option. These tests are not done with any kind of compassion, and none of the staff speaks English. After I suffered an extremely bloody nose with a swab, it became hard for it to heal having swabs every 3 days. I typed in my translator "please go slow, my nose bleeds easily" to which the nurse typed back "**you need to suck it up**".

My children had difficulty with the swabs, but it became incredibly challenging after they were swabbed hard enough to make their noses bleed. After this, my husband had to forcefully restrain them to allow for testing. After one was done, he would have to catch the next to hold them down. We pleaded with the doctors to revert back to throat swabs, but they refused. **We reached out to the embassy for any help because they were forcing our kids to be hurt every 3 days and the response continued to be "just comply"**. It finally became too hard to hold them down and my son broke free of my husband's hold, ripped the swab out himself and tossed it back to the nurse, and my daughter threw her head around for an impossible collection. Only after pushing my kids to this level and an inability to collect an adequate sample did they agree



to switch to throat swabs. Only after my kids were beyond traumatized emotionally and physically hurt.



**There were 30 nasal swabs during our 9-10 weeks. All of mine were negative except the one test in which I was “told” it was positive, which to date I have never seen any documentation for. They did not document 60- 75% of the testing done on us.**

I did speak with the Chinese doctors and questioned my “positive”, but they kept saying that the one sputum test made me positive and I must “wait 14 days no matter what”. At one Point I actually had the doctor in the room with me and called our Chinese doctor within the embassy while she was in the room to speak directly to the fever clinic doctor. They talked for a few minutes but nothing ever came of that discussion. Afterwards, the embassy told me that the fever hospital doctor said she would “talk to the authorities for more clarification.” That was one of the lines we heard a lot. There were always other authorities that needed to be spoken to and no one would ever except responsibility for decisions being made. They made it sound like they would talk with the authorities and find out more information but nothing more was ever said to us.

### **Lack of Empathy**

When everything kept coming back negative, including additional sputum tests, they insisted it was a minimum of 14 days and only then I could go back to the hotel. After we were “testing negative according to their standards” we left to complete another 28 more days of quarantine apart, after the fever clinic.

With the level of all this testing, it was taking a toll on my husband. He was really beating himself up for having to be the one to hold his own kids down while he knew someone was hurting them. He should be their protector. He was struggling with the toll it was taking on them. We were separated and he was doing it alone. I was worried about him and reached out to the Med unit to see if the psychologist would just talk with him. These confined days were quite long with no TV, no wifi, rare interaction with people and none spoke English, and very limited data on the phones that we had to save for communicating with the embassy and using our translator. Surely just talking with someone about it can help you cope with the bad feelings.

**The response I got was “He doesn’t reach out to people. If you want help you have to ask him yourself.” I found this to be completely ridiculous. The people who need to be reached out to the most, are usually the last ones to ask.** As a therapist for the embassy, knowing someone is in a difficult situation, it should be part of your job to make sure they’re OK. I decided to reach out myself and hoped that my concerns would be heard and taken seriously. I got the same answer. Complete refusal to just reach out to my husband. I know him better than anyone, and know he shuts down when stressed. I knew he would never initiate it himself and no one would even consider helping me to help him. **Instead, he told me that I should “focus on what I could control in my life, like what clothes to wear each day.” At that moment I was sitting in the same clothes I had been in for 5 days because I couldn’t change my clothes every day. I had already run out of clean underwear, and in order to not run out of anything else, I had to wear them for many days at a time. It was the same for each family member.**

The staff rarely ever came into the room. They very obviously did not want to be near you. A lot of them would just knock on the window and point to their armpit to signal you to take your own temperature and show them what you got. The doctors also stayed out for the most part. When they had something to say they would knock on the window and hold up the translator on their phone. We had to talk back and forth through the glass using translator apps.

### **Food and Supplies**

The food that was given was terrible. Small scraps of meat mixed in mostly bones and skin. Half of the items we didn't even know what they were. You were only given chopsticks to eat. My kids had to eat with their hands. The soups never had a spoon and the one milk we got a day came in a bag. There was no way to open the plastic bag, no straw, and no cup. If you wanted your soup or milk, you had to put your mouth on the outside of the containers that are being prepared and passed out in a COVID hospital. My son suffered from parosmia for a short time where plain rice tasted like rotten eggs to him, so he couldn't even eat the rice. **My husband was watching the kids waste away because they absolutely refused to eat. They were starving.** Most days my husband waited by the window around the time each meal came. He would have to beg them just to give 3 full meals. Otherwise, **the kids were given a bowl of soup for each meal and that is it. Some days if they were given food that the kids would eat, then he just let them eat his food and he went hungry.**

Water was never given, you had to ask. When you asked, they would tell you to drink from the sink. When you demanded enough that they bring you bottle water, then they only brought 1-2 bottles at a time. It was a constant petition for water. **When we reached out to the embassy for help with food and water, they sent bottles of water once but then said "figure the rest out yourself from here"**. Even the basic necessities of life were unsupported.

### **Financial Toll**

In the end, **we had to pay somewhere between \$18,000-\$20,000 out of pocket.** Between the many weeks of hotel and food bills, hospital bills, all the extra supplies, and the constant data recharges it took to keep an active phone, we were left in a tremendous amount of debt. To this day, we haven't even recuperated 50% of that back. This also included ambulance rides we had to pay out of pocket for to ride back to Ditan for final testing. They charged us for the use of a negative pressure ambulance that was not negative pressure at all. There were windows open in the back. This does not include all of the clothing we lost from being unable to do laundry, and being stuck in a really humid container. The mold stains never came out of the clothes and they had to be thrown away.



## Ditan

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## Inside your room



## Food at Ditan

- Mostly unknown foods, and a lot of bones without any meat provided
- Silverware not provided, so no spoon for soups and no way to open the milk, no cups or straws either.

**ATTACHMENT #5**

**Whistleblower**

**Complaint provided to**

**the Under Secretary of**

**Management**

**June 26, 2020**

## 2020 WHISTLEBLOWER COMPLAINT

**NOTE: Whistleblower complaint submitted to the Under Secretary of Management on June 26, 2020. Edited for spelling, grammar, and to remove the names and identifying information of those involved.**

**(U) Purpose of the complaint:** The following information is provided in an effort to make sure that Executive Management (EM) within the Department of State (DoS) are aware of some pertinent issues affecting the current Authorized/Ordered departure status of the U.S. Mission in China.

**(U) Whistleblower's Allegation (LACK OF CANDOR):** The Whistleblower in this complaint has first-hand knowledge that information believed pertinent to and of value to the Under Secretary for Management within the DoS has been intentionally withheld in an effort to positively influence the Under Secretary's decision to restore normal operations at Post as quickly as possible. Due to the Under Secretary for Management's decision on or about June 4<sup>th</sup> to allow for the return of all personnel and their dependents to Mission China by July 27<sup>th</sup>, the Whistleblower believes that helping to bring to light the embassy's lack of candor in a timely manner is to the benefit of both EM within the DoS as well as to the mission personnel affected by it.

**(U) Mission China put on authorized and ordered departure status:** Due to the COVID-19 outbreak that began in Wuhan, China, the Under Secretary for Management on or about January 28, 2020, placed the U.S. Mission in China on Authorized Departure (AD) status. Approximately three days later, an Ordered Departure (OD) for all dependents under 21 years of age was also put into effect. Among the many items documented as rationale for the necessity to go on AD status and discussed by the Emergency Action Committee (EAC) were the concerns that embassy personnel could be quarantined and required to submit to treatment at a Chinese medical facility. (See MRN: 20 BEIJING 220)

(U) During the EAC, the Regional Medical Officer (RMO) assessed that the Chinese treatment facilities were a health and safety risk to embassy personnel and therefore should be avoided if possible. Among his other concerns were the anticipation of limited to no regional medevac capabilities and a lack of international flights available should personnel require specialized treatment options. (As a side note, none of these specific items have significantly improved since the AD/OD went into effect. However, there is little mention of this in EAC cables. See MRN: 20 BEIJING 798 for last reference to regional Medivac capabilities having not yet been reestablished. This was also confirmed again on June 26<sup>th</sup> by the current RMO.)

**(U) Diplomacy Strong Framework:** Under the State Department's May 1<sup>st</sup> Diplomacy Strong framework for a phased approach to re-staffing embassies world-wide, the U.S. Mission in China immediately declared itself well within Phase II with several of the sections arguing for Phase III. (See MRN: 20 BEIJING 880)

(U) Operating under the Ambassador's explicit goal of returning embassy personnel and their dependents back to Mission China as soon as possible in order to resume the important work of the embassy, the Mission China team created the Homecoming Task Force (HTF). The HTF consisted of mostly State Section heads and began work on a phased return.

**(U) First indications that information was being withheld:** During the April 23<sup>rd</sup> EAC, it was recommended by the HTF that the Ambassador seek the continuation of AD for another 30 days but at the same time request the lifting of the OD as a way to push the EM in DoS to begin moving in the

direction of re-staffing the embassy. As part of the proposal, the HTF believed that it needed to allow for the return of dependents in order to get some “key” personnel to agree to return to Post. However, before any dependents could return, it was believed by the management team that the Under Secretary for Management needed to lift the ordered departure status.

(U) Despite openly expressing concerns with this planned course of action as “putting the cart before the horse”, the Whistleblower was told by the HTF members that the action was necessary in order to push EM to move forward otherwise if the embassy waited for all of the issues to be resolved it could result in the Post possibly becoming an unaccompanied Post or additional months before people and their families could be reunited.

(U) Disturbed by this course of action, the Whistleblower documented his concerns with his headquarters management in an email dated April 23<sup>rd</sup>. In that email the Whistleblower laid out the three objections to the plan that he had raised during the meeting. The first was the unresolved diplomatic issues surrounding the Privileges and Immunities (P&Is) and their lack of recognition by the PRC with regards to COVID-19 testing and quarantine. The second was the risk of dependent children being admitted into PRC fever clinics with no parental or embassy medical staff access to them. The third were some counterintelligence issues that could arise should the P&Is be waived.

(U) On May 6<sup>th</sup> the EAC met again and several of the same concerns were presented. However, both the EAC write-up cable (MRN: 20 BEIJING 798) and the following days Mission-wide cable entitled, “Mission China COVID-19 Posture Meets Criteria for Phase 2 Reopening” (MRN: 20 BEIJING 794) failed to make mention of any of the issues that were raised during the EAC meeting.

(U) Concerned by the dismissive nature of the HTF towards the concerns of the Whistleblower and other members during the EACs, and the lack of documentation of those concerns in the official written cables, the Whistleblower contacted his executive management (EM) once again and requested assistance. Though initially it was agreed that EM assistance would be sought to reach out to their counterparts within the DoS EM to make inquiries to express the Whistleblower’s concerns, it was eventually decided by the Whistleblower’s EM to not get involved at this time. The irony of this decision was that during the May 26<sup>th</sup> EAC meeting, the Ambassador encouraged all of the Other Government Agencies at the embassy to enlist their management to reach out to the Under Secretary for Management and to push him to drop his objections to allowing embassy personnel to voluntarily waive their P&Is for entry into China and instead allow the embassy’s plan to re-staff the mission to go forward.

**(U) Example #1: P&Is of Minor Dependent Children Attending Schools:** The effort to limit information back to decision makers within the DoS can best be illustrated with the following two examples: (One) For the past several months, both the Under Secretary for Management and the State Department’s legal office had expressed concerns over the potential violation of P&Is as they relate to the PRC government’s requirements for COVID-19 testing, quarantine, and treatment for all mission-wide personnel and their dependents. (See 20 STATE 24598) As a result, the mission’s management has sought approval from the Under Secretary for Management to allow for a voluntary waiving of these P&I’s so as to facilitate the return of personnel and their dependents back to Mission China. However, what the embassy did not disclose to the Under Secretary were some of the P&I issues that resulted from the new PRC government health measures, in particular, those that would affect minor dependents attending schools in China. (Reference WAB memo dated May 2020)



(U) In early May, many international schools reported to parents the new health screening protocols that were mandated by the PRC health officials. Compliance was mandatory for the schools and for the students. Based on these new measures, all children attending school must undergo mandatory fever testing twice daily. If determined to have a fever, then the student's parents would be required to take the student to a government fever clinic to be tested for COVID-19. While awaiting the test results, the student's fellow classmates would be quarantined together in their classroom, even overnight if necessary, pending the results of the COVID-19 test. Parents would not be allowed to pick-up their children until after the test results were received.

(U) If the test result were to come back positive for COVID-19, then the diplomat's dependent child would be required to be admitted into the PRC government fever clinic at which point the embassy was already on record as agreeing to waive all P&I's for its personnel and their dependents in such circumstances. Once the child was admitted into the care of the PRC fever clinic the dependent's parents would no longer be able to maintain physical contact with their dependent child. (Note: Within the last two weeks, the embassy finally requested and received a verbal assurance from the fever clinic in Beijing that one parent could accompany children 13 and under but would have to submit to the same treatments and care that the child received even if they were not positive for COVID-19. When asked during the most recent EAC if this could be put into writing by the Chinese Health Authorities, the HTF responded in the negative, stating that their experience was that the PRC would not put such agreements into writing.)

(U) There are a couple issues here worth noting. First, because these health requirements are government mandated and not privately agreed to it is believed that diplomatic P&Is should be in effect. As such, holding diplomatic children indefinitely pending the results of a test is a form of involuntary quarantine. In addition, allowing minor children to be admitted for treatment without parental care and oversight seems dubious at best. Furthermore, all of these actions are done without embassy medical staff oversight or independent verification of the PRC test results. Finally, the treatment facilities as noted before are the same fever clinics and medical facilities that had previously been reported to the EAC back in January, at the onset of the COVID-19 crisis, as being both unsanitary and poorly run. At the time, the Embassy's RMO stated to the EAC that should embassy personnel be admitted into one of these clinics, they would likely contract something even worse than their original illness. During the April 23<sup>rd</sup> EAC the RMO was asked again about this assessment to which he didn't recant it but instead stated that it was part of the "new normal" for living in China.

(U) Despite these concerns regarding P&Is for school kids and minor dependents being raised repeatedly during the EACs that took place on April 23<sup>rd</sup>, May 6<sup>th</sup>, May 26<sup>th</sup>, June 8<sup>th</sup>, and June 17<sup>th</sup> it was confirmed by a firsthand account of embassy personnel on June 19<sup>th</sup> that this information had never been presented to EM within the DoS, especially not to the Under Secretary for Management. In fact, the Ambassador and Minister Counselor for Management both claimed during the June 8<sup>th</sup> EAC in response to a direct question of whether they had raised any of these concerns regarding children with the Under Secretary for Management that they had not done so. After which the Minister Counselor for Management stated that if people did not like the re-staffing plan, then they could "curtail". While curtailing may be a viable option for DoS employees, it is not always an option for employees of Other Government Agencies.

(U) Subsequently, during the Jun 17<sup>th</sup> EAC, when pressed once again regarding what it would take for the embassy to inform the “7<sup>th</sup> floor” of the DoS about these concerns from members of the embassy regarding their P&Is and the potential forced separation of children from their parents, both the Ambassador and Consul General from Shen Yang who was heading up the HTF responded back that the EM within DoS was already aware of these issues and that there was nothing more they could do. At that point the Ambassador again reiterated that if people did not feel comfortable with the re-staffing plan that they could “curtail”.

(U) The Whistleblower believes this example highlights a lack of candor by some within the embassy who were concerned that sharing too much information with the EM at the DoS might result in delays in or disapproval of the embassy’s plan. With that said, as more details come to light, the plan is likely to face greater scrutiny in the days ahead.

**(U) Example #2: The first repatriation flight of embassy personnel on June 1<sup>st</sup>:**

(U) As part of the conditions under which the Under Secretary for Management agreed to allow the first charter flight of embassy evacuees to return to China in mid-May was a stipulation that the COVID-19 screening test upon arrival would be administered by the embassy doctor in a randomized fashion, so as to prevent a linkage of the embassy personnel’s identity with that of their test result and their DNA. However, the embassy appears to have “failed” to inform the Under Secretary for Management that the PRC also required a second COVID-19 test to be performed on day 13 of the quarantine/custodial confinement. That test was not done according to the protocols that the Under Secretary had stipulated for the first test but instead was performed by PRC medical staff and was not done in a randomized manner. Perhaps this was an oversight but obviously begs the question, if the Under Secretary for Management had known about this second test ahead of time, then why would he have gone to all the trouble to insist on the randomized manner in which the first test was performed. Based on accounts from persons with firsthand knowledge of the situation, the embassy failed to inform the Under Secretary of those details, probably out of fear that he would have objected to the plan if he had known the full details.

(U) In addition, the embassy also has been very careful how it messages information to EM in the DoS. For example, the embassy repeatedly frames that returning personnel will be subject to “self-isolation”. However, this is rather misleading because unlike in the U.S. where self-isolation allows for the freedom to leave your confinement to acquire food, go for a walk, etc. In China, you are essentially locked into whatever space the PRC allows you to quarantine in. If in a hotel room, then you are not allowed to leave the room for any reason or to order outside food. If lucky enough to be quarantined in a personal residence, a monitoring camera is set-up to watch your front door to make sure you do not open it to engage with anyone, even to pay for food service. Those that violate these rules and conditions are immediately reported to the health authorities. After confirming these facts with several people who returned on the June 1<sup>st</sup> flight, many informed the Whistleblower that they were not aware of these conditions before arrival and felt that the embassy was not entirely candid with what to expect when returning.

**(U) Conclusion:** Perhaps this information is not of value to the EM within the DoS. However, I do not believe that the DoS EM can negotiate on behalf of or fully appreciate the issues such as those of P&Is with the PRC government if they are not fully apprised of all of the PRC policies and actions and its impact on embassy personnel. Perhaps if the DoS EM had been made aware of some of these issues

earlier then they might have pushed harder for a reciprocal action in the bilateral relationship with the PRC. Such as requiring the revocation of all visas for PRC dependents of diplomats until such time as the PRC was willing to negotiate on the P&I issue affecting children of diplomats, etc.

(U) As a result of the embassy's lack of candor it appears that there is likely going to be a "de facto" policy whereby mission personnel and their dependents will have to voluntarily wave their P&Is to remain at Post and for those that don't want to or can't waive them then they will be forced to eventually depart Post if the conditions don't change in the near future. That is most unfortunate as that could negatively impact many good members of the mission.

(U) In conclusion, the goal of this complaint is not to call out the misbehavior of any one particular individual but to hopefully help make sure that EM is aware of the situation within Mission China and to make an appropriate inquiry. In addition, it is hoped that those affected by EM's decisions going forward will have full confidence that whatever decisions are ultimately rendered will be based on a complete and full picture of the facts as they actually exist on the ground.

**ATTACHMENT #6**

**Whistleblower**

**Complaint provided to**

**the Senate Foreign**

**Relations Committee**

**February 25, 2022**

## 2022 WHISTLEBLOWER COMPLAINT

**NOTE: Whistleblower complaint submitted to the Senate Foreign Relations Committee on February 25, 2022. Edited for typos and to remove the names and identifying information of those involved.**

### Purpose:

To document fraudulent activities and misconduct perpetrated by individuals at the U.S. Embassy in Beijing, China, and to request an independent investigation into such. Misconduct from embassy personnel has allowed host-nation authorities to repeatedly violate the privileges and immunities of diplomatic personnel assigned to the mission. These violations have led to members of the mission suffering harm and pose significant national security risks if allowed to continue. The misconduct and fraud affect both State Department employees and employees assigned to the Mission from other U.S. government agencies to include the Department of Defense, Department of Justice, and Department of Homeland Security.

### Allegations:

1. Increased COVID-19 testing by PRC authorities are occurring outside of the limited waiver of inviolability (LWOI) agreed to by the State Department. Testing and collection of DNA both violate the rights of U.S. diplomats and poses a national security risk to U.S. personnel.
2. The non-consensual placement of U.S. diplomats in PRC “fever hospitals” is unlawful detention, and the separation of children 14 age and above from parents through quarantine violates the Conventions on the Rights of a Child.
3. Information regarding the severity and increased risks posed by these violations has been actively suppressed and obfuscated by leadership at the embassy and information has been intentionally withheld to the detriment of U.S. personnel assigned to Post.

### Supporting Information:

1. On September 18, 2020, Secretary of State Pompeo waived privileges and immunities (P&I) and authorized the Under Secretary of Management to “authorize exceptions to that policy.” Ref 20 STATE 92790. Inadequate notification and guidance were provided to embassy personnel regarding their loss of rights and the inability to not comply with PRC mandates. Several families unknowingly consented to various unapproved medical tests, assuming those tests were authorized by the U.S. government. Mission China is aware of PRC altering the requirements agreed upon by PRC authorities and Mission China. These additional tests include additional pre-departure tests at PRC approved clinics in the U.S. and testing of U.S. children outside the agreed upon LWOI. In addition, there is evidence the PRC approved clinics are sharing U.S. diplomats’ medical information without their permission to the host nation.
- The Management Office, the Deputy Chief of Mission (DCM), and the Charge d’affaires (CDA), all had notice of the increased testing and failed to send the information to the Under Secretary of Management so he could properly address whether an exception to the limited

waiver was required. This same type of failure from the embassy was evident in 2020 and led to the filing of a complaint with the Under Secretary for Management. In response, the Under Secretary for Management advised that he had taken the information into account in the ongoing discussions concerning how the Department would return the Mission to normal operations in the future. (See Whistleblower Complaint dated June 26, 2020)

- U.S. personnel are required to submit to quarantine for a period outside the CDC guidance and the 14-days agreed upon in the LWOI. The current 5-week quarantine regime (if not positive of covid-19) violates both the LWOI and the CDC guidelines; thereby, reducing the ability for Mission China to retain and attract talent.
- The Mission is aware the U.S. PRC approved clinics are sharing medical information to the PRC through reporting of U.S. personnel upon arrival. The Mission was required to notify the Under Secretary of Management of this new condition. Mission China did not take any actions to discontinue the use of U.S. PRC approved testing facilities after knowledge of the violation of medical privacy.
- The Mission health unit assessed the “PRC/nucleic test to be medically effective and safe. Compliance with PRC arrival testing requirements does not present any security concerns.” Ref 20 BEIJING 1690, para12. However, families in the fever clinic reported use of inappropriate medical equipment (large nasal swabs), causing their children physical and mental trauma. The current tests are more sensitive than U.S. tests, accounting for viral shedding which could remain in a system for months. This scrutiny was not planned or agreed upon by Mission China in September 2020.
- Furthermore, on February 21, 2021, the National Counterintelligence and Security Center (NCSC) published a report detailing China’s exploitation of DNA for repression and surveillance, and their collection of DNA towards a “biotech revolution”. Mission China is also aware that the PRC tests are not effective and inconsistent with CDC guidance. Mission China is aware of these risks and continues to authorize the testing of U.S. personnel and servicemembers. The continued failure to submit to these tests and/or hold the PRC accountable for these violations poses a national security risk to U.S. personnel.

Standards: Vienna Convention on Diplomatic Relations (Articles 29, 37, and 40(1) and/or Vienna Convention on Consular Relations; Rehabilitation Act; Privacy Act; Safer Federal Workforce Quarantine and Isolation Standards; CDC Guidance on Testing, Quarantine and Isolation; 20 STATE 60472; 20 STATE 56362; 20 STATE 39406; 20 STATE 92790; and 2 FAM 221.5.

Evidence: Recommendations Memorandum dated January 7, 2022;  
Email Correspondence to CDA/M;  
NCSC China Genomics Fact Sheet dated February 2021;  
Whistleblower Complaint dated June 26, 2020;  
MRN 20 STATE 92790;  
MRN 20 BEIJING 1690

2. The non-consensual placement of U.S. diplomats in PRC “fever hospitals” is unlawful detention, and the separation of children 14 age and above from parents through quarantine violates the Conventions on the Rights of a Child.

- On February 7, 2022, the embassy was notified that the Shanghai fever hospital had not been accessed by the RSO, GSO, or MED since pre-pandemic, which violates 15 FAM 930 and the statement by MED that Mission China will “only authorize personnel to fly into cities where MED assesses the quality and safety of evaluation and treatment in facilities used for individuals who test positive are adequate for our personnel.” Ref 20 BEIJING 1690, para 10e.
- Children over the age of 14 must stay in a hotel room alone, and other children have been reportedly kept from parents by PRC. While this continues to be a “red-line” from Mission China, upon arrival to China a family in Guangzhou reportedly fought to keep their child in their physical presence. After gaining approval for MEDEVAC, they reportedly tested negative multiple time for COVID-19 upon entry to Guam calling into question the validity of the PRC test.
- Mission China failed in fulfilling their duty to provide “continuous contact and have input into treatment and follow-on decisions” while in the fever clinics. They are not allowed on site, and while Wechat groups were formed, this remote contact proved inadequate to ensure the safety of U.S. personnel – as the MED clinic recommend compliance to host nations requests – rather than asserting their right to refuse testing. Ref 20 BEIJING 1690, para 10c.
- The condition in the PRC facilities violates international treaties. In one circumstance, the food was so inadequate it caused a servicemember to lose over thirty pounds in a month. On February 8, Mission China was informed the detention at the Shanghai fever clinic was for an average of thirty-five days, and to date the fever clinics remain a condition upon entry. Additionally, while Mission China has reported compiling supplies, the fever clinics are unsanitary and unhealthy. They are outside the control of any U.S. authority, and while a kit may help mitigate the situation, the continued detention of U.S. personnel violates the United Nations Standard Minimum Rules for Treatment of Prisoners and 15 FAM 930. Additionally, the detention has caused mental and physical harm, including to both young children and vulnerable individuals.

Standards: Vienna Convention on Diplomatic Relations or Vienna Convention on Consular Relations; Convention on the Rights of the Child; United Nations Standard Minimum Rules for the Treatment of Prisoners, Body of Principles of All Persons under Any Form of Detention or Imprisonment.

Evidence: Ditan Fever Hospital from August 2021;  
Guangzhou Summary  
Recommendations Memorandum dated January 7, 2022

3. Information regarding the severity and increased risks posed by these violations has been actively suppressed and obfuscated by leadership at the embassy and information has been intentionally withheld to the detriment of U.S. personnel assigned to Post.
- Request to review the P&I and send information to Under Secretary Bass was made to the CDA/DCM on January 7, and again on 16 February. To date, there is no indication the request or information was sent.
  - The DCM has repeatedly blocked attempts during the Emergency Action Committee (EAC) meetings to introduce concerns documented from verified and authorized first-hand accounts of the health and safety issues found inside the PRC fever hospitals. These attempts occurred during both the EAC held on January 19, 2022, and February 10, 2022. (See attached document, Ditan Fever Hospital from August 2021).
  - On February 7, 2022, the embassy was notified that the Shanghai fever clinic had not been accessed by RSO, GSO, or MED since pre-pandemic, stays average 35 days, and that there were US citizen children currently being separated from their parents. (See Draft POL Note.) The note was pulled from distribution by the CDA/DCM and sent to a State internal email distribution list.
  - The statement in 20 BEIJING 1690 that “Individuals have the right to refuse any aspect of treatment” was not communicated to U.S. personnel until on or about February 11, 2022, during a Mission-wide townhall.
  - Attempts by the Community Liaison Office to share Mission employees firsthand accounts of the PRC fever hospitals with incoming members was put on hold by the embassy’s front office.
  - Attempts by Other Government Agencies assigned to the Mission to verify reports of PRC fever hospital conditions and its impact on embassy personnel have been actively blocked by the RSO.

Standards: Failure to Promptly Address violations of P&I; Fraud (Lack of Candor)

Evidence: Ditan Fever Hospital from August 2021;  
Draft POL Note;  
Whistleblower Complaint dated June 26, 2020;  
Email from RSO sent February 15, 2022

Pursuant to 5 USC Section 7211 we are requesting investigation into the above misconduct by the respective oversight committees within Congress.



**ATTACHMENT #7**  
**Family Account of**  
**quarantining in China**  
**2020**

March 6, 2024

The Honorable  
Benjamin L. Cardin, Chairman  
Committee on Foreign Relations  
United States Senate  
Washington, DC 20510

James Risch, Ranking Member  
Committee on Foreign Relations  
United States Senate  
Washington, DC 20510

Dear Chairman Cardin and Ranking Member Risch:

I am providing this statement as testimony, compelled by a sense of duty and justice, to shed light on a series of unfortunate events that have detrimentally impacted my family during Robert Forden's tenure at the U.S. Embassy in Beijing and beyond. The account below from 2020 explicitly addresses damages incurred strictly during his tenure from June 2020 to July 2021. Our family eventually experienced numerous additional adverse events experienced first-hand after his departure from Mission China as a by product of his mismanagement and lack of protection for our Chief of Mission staff serving in Mission China.

### **Our Assignment to Beijing**

My spouse, a dedicated foreign service officer, was assigned in late January 2020 to serve in a new strategic position at U.S. Embassy Beijing to be filled that summer. Just weeks after, mainstream news began to report a novel corona virus affecting Wuhan, China. We were serving in North Macedonia at the time with two children aged one and three. Considering the global spread of COVID-19, and in accordance with State's Director General guidance for PCS travel the summer of 2020, we opted to direct transfer to China without returning to the United State to mitigate our exposure with young children. In close communication with his supervisors at Embassy Beijing, we waited for notification to travel directly to Guam to meet the Mission China private charter to take the USG medical aircraft from Guam to Tianjin. However, we were notified on August 1, 2020, that our planned routing was no longer an option, and my spouse was needed at post as soon as possible to support the needs of the Mission. We swiftly departed North Macedonia on August 15 to transition to Beijing, China.

### **The Journey and Quarantine**

Our journey to Beijing was fraught with challenges. We were required to first travel to Washington, D.C., take the required two COVID tests at State MED, and self-isolate in a hotel room for seven days to qualify for the State-sponsored charter flight. The flight itinerary was grueling, spanning approximately 48 hours in total, with stops in San Francisco and Guam, and culminating in our arrival in Tianjin on August 27, 2020.

Upon arrival, we were subjected to PRC NAT testing and a strict monitoring regime by agents in PPE. Fourteen hours after waiting in dedicated spaces per family in the airport, one passenger was determined to be COVID positive, therefore would be medevaced back to the U.S. immediately. However, as a result, our family and a total of 40 passengers, were identified as close contacts based on the Guam medical aircraft seating chart. We were told my Mission management on the ground that we must be transferred to a PRC-controlled close contact hotel to serve 14 days in isolation, which was a complete shock to learn despite my active participation in pre-departure briefings and e-mail communications. We were then divided into two busses, intermingled with family members of the positive individual, and driven by host country personnel in full PPE to the PRC run close contact quarantine hotel approved by Post.

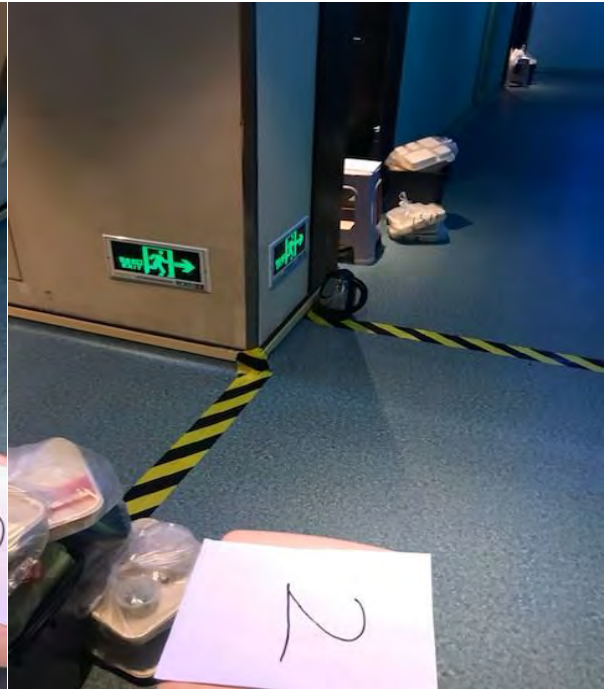
### **Conditions at the Quarantine Hotel**

Sunrise at the Tianjin Grand View Hotel on August 28, we were greeted by PRC CDC agents in white PPE who sprayed our luggage during unloading. No one from the Embassy was on-site to negotiate the terms of our check-in with hotel CDC and few passengers spoke Chinese.



Our family was told we must separate into two rooms. With little time to prepare our luggage for each room assignment, we were taken through plastic sheet-lined hallways to our room. Our doors were alarmed. Video camera surveillance was pointed at our entrance. There, we would be kept for 15 days until released contingent on a negative test on day 7 and 14. In total, our freedom of movement was severely limited for 17 days, half of which was spent separated; my spouse and our three-year-old in one very small hotel room; me and our one-year-old in another.

We had little food suitable for children remaining from our journey because such provisions like milk powder were sent to our diplomatic residence in Beijing where we had expected to serve our two-week residential quarantine. The hotel CDC was very strict because of our association with a positive case and would not allow any items to be brought into the facility. Food was served three times a day in front of our doors as delivered by agents in PPE. If one were to open the door too long while retrieving whatever left for them, an alarm would sound. There was no internet or international television, and our family had no cell phone service.



After roughly three days, my one-year-old became violently ill with a fever and vomiting, likely due to food poisoning. No medical care was available, and Post MED lobbied for Pedialyte. In such a state of controlled isolation from others, the hotel refused to replace vomit soiled towels and blankets, declaring them as hazardous medical waste related to COVID. Similarly, when our daughter began wetting the bed due to the trauma of the arduous travel and separation, the hotel refused to replace the soiled sheets and blankets. During this time, I became paranoid my son was demonstrating symptoms of COVID and worried about our future. What would happen if he tested positive on day seven, the first of two COVID tests administered in our hotel room? We were required to send temperature data per person to hotel CDC every morning and evening, and monitoring for symptoms was reported to Post MED.



After roughly one week, Embassy negotiations with Tianjin CDC produced numerous improvements to our lifestyle. We were given Wi-Fi devices to resolve the issue of lack of communication with the embassy. Deliveries of pre-packaged food and milk for our son were eventually accepted on a very limited basis as delivered by Beijing GSO. Most importantly to our state of security and comfort, we were allowed to reunite into one room to pass the time together. The entire episode in PRC close contact quarantine

## **Waiver of Privileges and Immunities**

Throughout our preparation for PCS travel to China, we were never informed about the waiver of privileges and immunities (P&Is) with the PRC government, nor the potential for being placed into strict PRC-controlled quarantine and/or being separated despite testing negative for COVID.

The first request by Mission China to the Undersecretary of Management (M) for a waiver of personnel's P&Is was sent on Sept. 11, 2020. This was after about 10 charter flights had arrived from the United States to China to restaff the Mission starting with charter flight one on June 1, 2020.

M's authorization to waive P&Is for testing and quarantine came on Sept. 18, 2020. Despite it being 3.5 months after the first charter on June 1 and 2.5 months after the Testing and Quarantine Requirements Abroad was issued by M, the eventual request for waiver from Post did not cover many things; therefore, the waiver was immediately invalid (e.g., accurate number of tests performed by PRC, quarantine in PRC facilities, cases tested positive while in quarantine).

Conditions in paragraph one and two of M's waiver changed on December 4, 2020, when the PRC ceased to allow diplomats to quarantine at home, the quarantine period changed from 14 days to 21 days, and the number of PRC NAT tests increased to at least four (performed on days 1, 3, 5, 7, 14, and 21).

## **Conclusion**

In conclusion, I implore the Senate Foreign Relations Committee to take immediate action to address these grave concerns. The lack of transparency and the disregard for the welfare of foreign service officers and their families is unacceptable. We deserve better. We deserve justice. Thank you for your attention to this matter.

Sincerely,

Christian Purkiss  
Policy Section Member  
(Served 2020-2024)

0			Shanghai		3/5/2021
1			Shanghai		3/5/2021
0			Shanghai		3/9/2021
1			Shanghai		3/10/2021
0			Shanghai		3/10/2021
0			Shanghai		3/12/2021
0			Shanghai		3/15/2021
1			Shanghai		3/18/2021
0			Shanghai		3/19/2021
0	2021-0395 - Dip Note announcing incoming travelers		Shanghai	MGT	3/25/2021
0			Shanghai		3/25/2021
0			Shanghai		3/29/2021
0			Shanghai		3/29/2021
0			Shanghai		4/1/2021
0			Shanghai		4/2/2021
0			Shanghai		4/2/2021
0	2021-0457 - Dip Note for special request of	family	Shanghai	MGT	4/6/2021
0			Shanghai		4/7/2021
0			Shanghai		4/7/2021
0			Shanghai		4/7/2021
0			Shanghai		4/9/2021
0			Shanghai		4/12/2021
0			Shanghai		4/13/2021
0			Shanghai		4/15/2021
0	2021-0564 - Dip Note for		Shanghai	MGT	4/19/2021
0			Shanghai		4/21/2021
0			Shanghai		4/22/2021
0	2021-0590 - Dip Note -	detention	Shanghai	MGT	4/27/2021
1			Shanghai		4/27/2021
0			Shanghai		4/30/2021
0			Shanghai		5/5/2021
0			Shanghai		5/5/2021
0			Shanghai		5/7/2021
0	2021-0653 -	case	Shanghai	MGT	5/7/2021

0	2021-0570 - [redacted] and the family	Beijing	GSO	4/20/2021
0	[redacted]	Beijing	[redacted]	4/20/2021
1	[redacted]	Beijing	[redacted]	4/20/2021
0	[redacted]	Beijing	[redacted]	4/21/2021
0	[redacted]	Beijing	[redacted]	4/21/2021
1	[redacted]	Beijing	[redacted]	4/21/2021
1	[redacted]	Beijing	[redacted]	4/22/2021
0	[redacted]	Beijing	[redacted]	4/22/2021
1	[redacted]	Beijing	[redacted]	4/23/2021
1	[redacted]	Beijing	[redacted]	4/23/2021
0	[redacted]	Beijing	[redacted]	4/26/2021
0	[redacted]	Beijing	[redacted]	4/27/2021
0	2021-0598 - request home quarantine for [redacted] and [redacted]	Beijing	GSO/VIP	4/27/2021
1	[redacted]	Beijing	[redacted]	4/28/2021
1	[redacted]	Beijing	[redacted]	4/28/2021
1	[redacted]	Beijing	[redacted]	4/29/2021
1	[redacted]	Beijing	[redacted]	4/29/2021
0	2021-0610 - Dip Note to BJ FAO for [redacted] home quarantine in BJ	Beijing	GSO	4/29/2021
0	2021-0611 - Commercial arrivals	Beijing	GSO	4/29/2021
1	[redacted]	Beijing	[redacted]	4/29/2021
1	[redacted]	Beijing	[redacted]	4/30/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
1	[redacted]	Beijing	[redacted]	5/4/2021
0	[redacted]	Beijing	[redacted]	5/5/2021
1	[redacted]	Beijing	[redacted]	5/5/2021
0	[redacted]	Beijing	[redacted]	5/5/2021
1	[redacted]	Beijing	[redacted]	5/6/2021
0	[redacted]	Beijing	[redacted]	5/6/2021
0	2021-0639 - Dip Note for Beijing returnees travel via Shanghai	Beijing	GSO	5/6/2021
0	[redacted]	Beijing	[redacted]	5/6/2021



SBU -PRIVACY OR PII

From: [REDACTED]  
Sent: Friday, January 22, 2021  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: New Testing Method?

- Beijing
- He is in his apartment as part of the +7 (from my understanding)
- No notice or options as I can tell
- He had to do both a nose and anal swab.

SBU -PRIVACY OR PII

From: [REDACTED]  
Sent: Friday, January 22, 2021  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: New Testing Method?

In what city did this occur? And what number test? And did he say if they gave any notice beforehand that the test would be conducted in this manner? And was he presented with options?

SBU -PRIVACY OR PII

From: [REDACTED]  
Sent: Friday, January 22, 2021  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: New Testing Method?

So, a colleague from [REDACTED] telling our group [REDACTED] that he was given an anal COVID swab at his apartment.

Just a heads up, as I am sure it is going to blow up soon... if you aren't already dealing with it.

Employee's name is [REDACTED]

Just getting ahead before the word of mouth starts spreading

[REDACTED]  
General Services Officer (总务官)  
U.S. Consulate General Shenyang (美国驻沈阳总领事馆)  
[REDACTED]

SBU -PRIVACY OR PII

**Sender:** [REDACTED]  
**Recipient:** [REDACTED]

**From:** [REDACTED]

**To:** [REDACTED]

**Subject:** RE: No Anal swabs for Diplomats

**Date:** Fri, 22 Jan 2021 [REDACTED]

Was not expecting this email on a Friday evening.

Sent from my T-Mobile 4G LTE Device

----- Original message -----

**From:** [REDACTED]

**Date:** 1/22/21 [REDACTED]

**To:** [REDACTED]

**Subject:** No Anal swabs for Diplomats

[REDACTED] FAO is telling the Embassy that it was a mistake to ask for anal swabs and that it didn't apply to diplomats. TBD how [REDACTED] will play it, but for now we'll have to tell people they don't have to do it. Reportedly you do it yourself in private so not as bad as I envisioned.



[REDACTED]  
Management Officer 行政官  
U.S. Consulate General Shenyang  
美国驻沈阳总领事馆

**Sender:** [REDACTED]

**Recipient:** [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, January 28, 2021 [REDACTED]  
**To:** [REDACTED]  
[REDACTED]  
**Cc:** [REDACTED]

**Subject:** RE: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

Since this is a large DL, I want to issue a correction/clarification – the testing of the two travelers was done in BEIJING, before the embassy was made aware that this was even a possibility. It is a part of a series of tests at day 21 (including the PCR and the environmental test, which consists of wiping some surfaces inside the residence) that the Chinese have implemented for travelers in BEIJING – and at this time, only Beijing. We are not aware of this requirement elsewhere (yet). At least one traveler was able to self-administer, I'm not clear about the other. Neither contacted us in advance (one was a younger EFM, the other I believe a FASTO). We immediately protested verbally to the Beijing Foreign Affairs Office, which agreed that both the anal and environmental tests were a mistake and that diplomats are not subjected to this. We are aware of a separate instance of a foreign diplomat with a Chinese citizen spouse where the spouse was required to do the anal swab but the diplomat was not. We have since had one instance where the local health authorities tried to administer all 3 tests to one of our employees at day 21. We told him to refuse both the anal and environmental tests, which he did, the health authorities went away, and we again protested to the FAO. We want to send in this protest note to the MFA forestall any further instances.

We are seeing an increase in preventative measures in and around Beijing. These include extended health monitoring period, negative NAT test required for all domestic travelers coming to Beijing between now and March 15, and this additional anal and environmental testing. This is not surprising in the period leading up to the Chinese new year holiday and the major meetings (Liang Hui) that take place starting March 4. We would expect that – assuming the COVID situation remains under control as it mostly has up to now – at least some of these measures will be relaxed. That having been said, we all draw the line at these additional requirements.

[REDACTED]

SENSITIVE BUT UNCLASSIFIED

**From:** [REDACTED]  
**Sent:** Friday, January 29, 2021 [REDACTED]  
**To:** [REDACTED]

Cc:

**Subject:** Re: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

As I told [redacted] by phone, given the outrageous nature of these tests, the protest note needs to be beefed up quite a bit. I will have those edits later today. As a strict legal matter we are in a weaker position visa vis our consulate folks than Embassy folks on the issue of inviolability, but even there, this is just over the top and crosses over into offending human dignity. I will also touch base with my [redacted] colleagues to see if (1) this rises to the level of a human rights violation and (2) whether such a thing is permissible under the WHO's IHR.

---

From:

Sent: Thursday, January 28, 2021

To:

**Subject:** RE: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

[redacted] - the anal/fecal testing of two travelers was done in quarantine in Guangzhou, despite the Mission telling travelers not to submit to additional tests (beyond the nasal/throat tests). When the Embassy learned of this, they protested to the MFA, who claimed they didn't know about this. The Dip note is to formally protest this ... both in DC and in Beijing. Thx

SENSITIVE BUT UNCLASSIFIED

From:

Sent: Thursday, January 28, 2021

To:

Cc:

[REDACTED]

**Subject:** RE: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

My suggested edits on top of [REDACTED] for the Issue 1 dip note and letter are attached here.

Regarding Issue 2: I think it might be time for us to engage at a high level here in DC and perhaps at post. I don't see a situation in which the Department will waive immunity to permit anal/fecal testing or environmental testing inside of residences.

Did I read in [REDACTED] message that the PRC had done the anal/fecal testing on two diplomatic travelers without notice? Was this at port of entry on arrival?

[REDACTED]

--

[REDACTED]

Office of the Under Secretary for Management  
O: [REDACTED] | M: [REDACTED]  
*Teleworking*

SENSITIVE BUT UNCLASSIFIED

**From:** [REDACTED]  
**Sent:** Thursday, January 28, 2021 [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]

**Subject:** Re: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

Here are my edits on the attestation. NOT entirely clear to me, but would be giving one to each of our folks to upload onto the portal some sort? If so, shouldn't it contain the traveler's name on top?

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Thursday, January 28, 2021 [REDACTED]  
**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** FYR: Dip Notes on Attestation, for China travelers Dip Note on Further testing regime

[REDACTED] – pl see below for draft dip notes on the “affidavit”/attestation requirements and the (new) anal testing regime that the PRC is trying to impose (Mission China notes below). The plan, once cleared by L, is for the Embassy and the CM/Desk to deliver the dip notes to the MFA and PRC Embassy in D.C. respectively. After that, with (hopeful) concurrence from the Chinese, we will start using the “extract” as the document that travelers will upload on the pre-travel “Getting to Green” site.

Looking forward to your review and finalization of these dip notes and extract.

Thanks!

[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, January 28, 2021 [REDACTED]  
**Subject:** Dip Notes on Attestation, for China travelers Dip NOte on Further testing regime

Morning [REDACTED]

Sending the much awaited Dip Note on Attestation plus a second Dip Note that relates to the newest testing regimes imposed by the PRC ( so far only in Beijing for you to run the clearances as necessary from L, the desk and any other relevant office. I am not sending to whole group below as I don't think all are clearers at this point.

First item: Dip Note on Traveler Attestation plus proposed document to be uploaded to Get to Green in lieu of personal commitment letter. Note: On the proposed document we weren't sure the appropriate To/From line as this is being sent to PRC embassies and consulates abroad. Welcome any edits. As we have incoming travelers imminent getting at least the proposed document into the hand of the PRC embassy tomorrow would help a couple travelers who have tested in departure cities and would still

have hope of a Sunday flight. Other travelers we are putting off a week to grapple with this new development.

The travelers who still have a possibility for Sunday/Monday travel into Shanghai:

Beijing: [REDACTED]  
Shenyang: [REDACTED]  
Guangzhou: [REDACTED]

Second item: We are sending forward this proposed Dip Note in reaction against the environmental testing and anal swab testing that was done without a warning on two of our travelers this week. The CDC came again to one of our residence today to do the same again on our latest travelers who had completed the 21 day quarantine – despite assurance from the Beijing FAO that diplomats were not subject to these tests. We were able to shut the door on the CDC personnel today ( allowing only the NAT test to be done) but I am sure they will come back to us on this.

[REDACTED]  
Management Officer  
U.S. Embassy Beijing  
[REDACTED]

From: [REDACTED]  
Sent: Tuesday, January 26, 2021  
To: [REDACTED]

[REDACTED]

**Subject: RE: Need some clarification from the PRC embassy in DC**

[REDACTED]

Could you please also send a copy to the desk for clearance? My leadership would like to quickly review and flag for [REDACTED]

Thanks,  
[REDACTED]  
[REDACTED]



Office of Chinese and Mongolian Affairs  
Department of State

From: [REDACTED]  
Sent: Tuesday, January 26, 2021  
To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Need some clarification from the PRC embassy in DC

Hi [REDACTED]

Great talking to you today. I think the plan outlined below and during our call this morning (DC time) makes sense, i.e. approach the Chinese with a dip note. Here is how the dip note would read in my head (the below is a suggested structure and some dip law cites)

- refers to their new policy/dip note announcing it. Say you are writing to ask that US dips be exempt from complying because the US already sends waiver in advance of each arrival.
- Reiterate our commitment to fighting COVID, and restate in a sentence or two all the measures the US Mission takes. Maybe state that we have not had many cases, or outbreaks in our mission because of our stringent adherence to COVID standards etc.
- Tell them that as part of that commitment since X date (I believe around July 4th was the first waiver, but you would no better), the US has been waiving the personal inviolability of our dips to get them into the country. (Maybe consider attaching some of the dip notes of us having done it as examples in case the people reading this note are different from the people who get our waiver dip notes).
- State that under both the VCDR, the VCCR, as well as the 1980 Convention on Consular Relations Between China and the US, waiver of immunities may only be made by the sending State and must be express. Individuals may not waive their own immunities as those belong to the sending state. Here are the specific references (all three say that waiver must be "express" and may not only be done by "sending State"):

- o Article 32 of the VCDR (this applies to our diplomats and their EFMs at the Embassy)
  - o Article 45 of the VCCR (applies to ur dips at consulates)- says waiver must be by the "sending State" shall be "express" and "writing"
  - o Article 14 of the 1980 Convention (applies to our dips at consulates)- Same as VCCR
- I would then reiterate that we intend to keep sending them these dip notes waiving personal inviolability as long as we are comfortable with the measures dips are being subjected to (like the ones in the attachment example) before each cohort/batch of visitors.
  - Then reiterate the "ask" that our folks be exempt from complying with the new requirement to submit FORM XYZ before traveling as the United States views that as inconsistent with established diplomatic law and practice that only the sending state can waive the privileges and immunities of its diplomats and must do so expressly and generally always in writing.

I would like to see what you put together and promise to review it as soon as you send it to me.

Happy for other on this chain to chime in with additional thoughts on the above.



---

**From:** [REDACTED]

**Sent:** Monday, January 25, 2021 [REDACTED]

**To:** [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

All –

The purpose of this call is to decide the legal/policy next steps in our response to the MFA's diplomatic note which requires individual diplomatic travelers to China effective Jan. 27 to

1. certify to the Embassy or consulate prior to travel to China that they will agree to hospitalization in China if they or any of their family members test positive or arrange to be medevac'd, and
2. The Department to send a dipnote to the embassy/consulate to the same effect

TO clarify – the Embassy already sends a dipnote announcing to the MFA the arrival of any and all diplomats, and in that language we already confirm that any passengers who test positive upon arrival

will be brought to the designated local hospital. We do ask that anyone who test positive at any other time but is asymptomatic be allowed to remain in their room as long as they remain asymptomatic. This is likely to be unsustainable, and I expect that the Chinese health authorities will insist that even asymptomatic individuals should be taken to hospital for further testing, and will be required to remain there until the individual tests negative twice within 48 hours. We also ask for – and have received assurances – that the PRC will facilitate a medevac should we request one.

Note: We have recently had a passenger test positive at day 7, but he was symptomatic and so was sent to the hospital. The individual is a contractor so his company is working through iSOS, but PRC officials have been cooperative on arranging medevacs for COVID patients.

We don't really see a fundamental change in our procedures once travelers arrive in China, so I don't really see this as a MED/clinical issue. The change is in the certification by an individual for measures that the USG already certifies in a DipNote to the MFA. We would like to go back to the MFA with a note saying exactly that – we don't want to add in this step by the individual because we have already taken responsibility as a government.

What I would like to get out of this conversation is:

1. Agreement that this is an appropriate next step
2. Language from L for a dipnote to this effect
3. Indication that the desk will work with the embassy/consulates in the U.S. to convince them this is an unnecessary bureaucratic requirement

Note that we have about 75 people planning to travel to China in the next 2 months.

**From:** [REDACTED]  
**Sent:** Monday, January 25, 2021  
**To:** [REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

I will send an invite for Tue morning 7 a.m. (WDC time) ...

**From:** [REDACTED]  
**Sent:** Monday, January 25, 2021 [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

I should add that Post does not support this additional requirement.

**From:** [REDACTED]

**Sent:** Monday, January 25, 2021

**To:** [REDACTED]

[REDACTED]

**Cc:** [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

All –

We would like to have a phone call, there are so many issues flying around on this and we would like to resolve them soonest before the new procedures take effect Wednesday, Jan. 27. Can we do something either early 8am our Tuesday (7pm your Monday) or 8pm our Tuesday (7am your Tuesday).

See our answers below to yours.

Attached see the Draft EU Note Verbale on the issue of the pre-departure attestations and answers below. The process has not changed fundamentally, just the PRC wants individual travelers to certify what we already say in our DipNotes (sample also attached). I have also attached a full copy of the incoming note outlining the new requirement.

Finally, we had our first instance of a commercial arrival testing positive, in this case at day 7 of quarantine, a PA&E contractor father and his 15-year old son. We agreed to have them brought to the local fever hospital, and are now in touch with medical personnel there about their care. While PA&E has the final say, we will recommend medevac based upon the specifics of the case. We don't anticipate the Chinese will have any objections. None of the other 86 passengers have tested positive, let's hope it stays that way.

[REDACTED]

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**From:** [REDACTED]

**Sent:** Friday, January 22, 2021

**To:** [REDACTED]

[REDACTED]

**Cc:** [REDACTED]

[REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

[REDACTED] – thanks.

Post, CM, and MED are copied to this email and should respond; restating your questions below so folks can reference and answer:

- What happens now when one of our dips tests positive on arrival or at some other point? Do they always go to the hospital no matter how asymptomatic or do we always medevac? **(Post)**
  - **Post response: ... we had our first case this weekend. They are supposed to go to hospital first, whether we medevac will depend on the circumstances of the case. That is what happened in this case.**
- Dr. [Padget] expressed some concerns below. Not sure if his concerns are motivated by the same things as L/DL's, but it would be good to know exactly what his are? **(MED)**
  - **MED response: ...Not sure if MED has any medical issues, this seems to me more of a legal policy question, do we agree to require individuals to certify what the Embassy is already confirming in our dipnotes**
- What would the policy folks like to see happen here? That we sign whatever letter they want our people to sign, but maybe modify it and tack on some lines like "This does not constitute a waiver... ." **(CM/Desk)**
  - **CM response: ...**
- If anyone has as copy of whatever the doc is that the Chinese wants our folks to sign, I would very much appreciate seeing it. **(Post)** **We don't have a copy of what the Chinese Embassy is asking people to sign – note that this requirement does not take effect until Jan 27, and may be part of their online "green health code" process, but we do have the attached incoming Dipnote. It also requests that the Department affirm all the same stuff in a separate dipnote, over and above what we send to the MFA.**

From: [REDACTED]  
Sent: Friday, January 22, 2021 [REDACTED]  
Subject: Re: Need some clarification from the PRC embassy in DC

Hi [REDACTED]

It looks like Dr. [REDACTED] expressed some concerns below. Not sure if his concerns are motivated by the same things as L/DL's, but it would be good to know exactly what his are. On a similar note, it would be really good to get a couple of additional facts and a policy steer from EAP/EX and M. Namely, what happens now when one of our dips tests positive on arrival or at some other point? Do they always go to the hospital no matter how asymptomatic or do we always medevac? I feel like understanding this threshold issue would be important to L/DL's position. I know this has been a complicated issue in China.

If we always medevac, then we can just write that to them, but I am guessing that is not the case.

If we do send all our positive people to the hospital then what concerns me is our folks signing a document that (1) purports to waive their own Ps and Is, and (2) purports to agree to ANY medical treatment that the Chinese have in mind for them. I would imagine that #2 may have been motivating (at least in part) Dr. [REDACTED] reactions.

What would the policy folks like to see happen here? That we sign whatever letter they want our people to sign, but maybe modify it and tack on some lines like "This does not constitute a waiver..." We can attach that to the dip note they also seem to be seeking from us here domestically to the Embassy, where we (the USG as opposed to the individual) restate whatever our position is on what we will do should one of our personnel or EFMs test positive.

As always, I am very happy to discuss further by phone, etc. If anyone has a copy of whatever the doc is that the Chinese wants our folks to sign, I would very much appreciate seeing it.

Adding L/EAP here for awareness.

Best,

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, January 22, 2021  
**To:** [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

[REDACTED] - looking forward to L's "final" view on this ... seems like this might be an issue for incoming travelers also. Thx

**From:** [REDACTED]  
**Sent:** Thursday, January 21, 2021 4:04 PM  
**Subject:** RE: Need some clarification from the PRC embassy in DC

Agree that this is unacceptable and should not be countenanced.

[REDACTED]

**From:** [REDACTED]  
**Sent:** Thursday, January 21, 2021 11:02 AM  
**Subject:** RE: Need some clarification from the PRC embassy in DC

+ MED

**From:** [REDACTED]  
**Sent:** Thursday, January 21, 2021 [REDACTED]  
**Subject:** Re: Need some clarification from the PRC embassy in DC

Signing such a document definitely raises some diplomatic law concerns. I will run this down internally and revert back. Please make sure no one signs such a document until further guidance from L/DL. I would also suggest getting MED's eyes on this document.

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**From:** [REDACTED]  
**Sent:** Thursday, January 21, 2021 10:29 AM  
**To:** [REDACTED]

**Subject:** RE: Need some clarification from the PRC embassy in DC

[REDACTED] thanks for your email.

Including [REDACTED] and [REDACTED] for their review/response, and [REDACTED] for awareness.

FYI, and apropos to nothing, the [REDACTED] re the China waiver of inviolability is still pending 7<sup>th</sup> floor review/approval. Thx

**From:** [REDACTED]  
**Sent:** Wednesday, January 20, 2021 [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]

**Subject:** Need some clarification from the PRC embassy in DC

Good morning desk,

We have received notification of a new requirement as a part of the Getting to Green scenario. As a result of a recent case of a diplomatic father and son who refused to be taken to hospital upon testing positive and who were subsequently medevaced out of the country, the Chinese are now asking diplomats to sign an affidavit agreeing to be treated in China, agreeing to pay all expenses of such treatment, and/or to be medevacked. OF course, we find this to be needless paperwork and we haven't had any issues on this front at all. And it is ridiculous to impose on all foreign missions in response to a single case.

We have two questions. Desk, is the DC embassy implementing this? [REDACTED] is this something that we should be encouraging people to sign?

**Submission for the  
Nomination of Erik Woodhouse  
Added to the Record by  
Senator James E. Risch**

**Submission for Nomination of Erik Woodhouse**

**1. Bylaws – Climate and Environmental Protection Foundation MV**

- “Foundation for Climate and Energy Protection M.V.” bylaws stating that completing NS2 was a core purpose of the foundation, providing details on funding, and describing how this front organization could conduct business operations to further its goals.

**2. Blue Ship (Ownership Registration)**

- Ownership registration for “Blue Ship,” a vessel engaged in pipelaying activities identified in the November 2021 Protecting European Energy Security Act report but not sanctioned despite its ownership by a Russian-funded front organization called the “Foundation for Climate and Energy Protection M.V.”



# The statutes – Climate and Environmental Protection Foundation MV

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klimastiftung--mv-de.translate.google/die-satzung/

## preamble

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The state of Mecklenburg-Western Pomerania, with its wonderful nature that is largely protected, has a special interest and a special responsibility for successful climate and environmental protection. The state is committed to this interest in all areas of political action, especially in direct measures for environmental protection and in energy policy, in which the state of Mecklenburg-Western Pomerania is making an important contribution with the targeted expansion of renewable energies, especially wind power.

However, the great task of the century “climate protection” can only succeed if it is anchored in the consciousness of the broad majority of the population as existentially important and is actively supported by as many people as possible. Mecklenburg-Western Pomerania needs broad acceptance and support for the goals it pursues.

That is why the country is actively committed to this important goal with a “Climate and Environmental Protection Foundation”. The foundation wants to be open to everyone who supports the foundation's goal with donations and donations or personal commitment.

## § 1

### Name, legal form, registered office and financial year

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(1) The foundation is called “Foundation of the State of Mecklenburg-Western Pomerania for Climate Protection and Preservation of Nature – Climate and Environmental Protection Foundation MV” and as a short name “Climate and Environmental Protection Foundation MV”. It is a legal foundation under civil law.

(2) It is based in Schwerin.

(3) The foundation's financial year is the calendar year. The first financial year is a short year. It begins with the announcement of the recognition notice and ends on December 31st of the same calendar year.

## § 2

### Purpose of the foundation

---

(1) The foundation pursues the following purposes in particular and the purpose of the foundation is fulfilled in particular, if necessary also indirectly, through the following activities and measures:

- the implementation and promotion of climate protection measures and projects to preserve or restore nature in the state of Mecklenburg-Western Pomerania and on and off the coasts of the state of Mecklenburg-Western Pomerania as well as on and off the Baltic Sea coasts of the states bordering the Baltic Sea;
- the implementation and promotion of measures to preserve and improve the ecological situation in the regions mentioned;
- the promotion of science and research in the field of climate protection and in the field of climate-friendly energy supply in the state of Mecklenburg-Western Pomerania or with the leading participation of commercial companies, universities, scientific institutions or non-governmental organizations based in the state of Mecklenburg-Western Pomerania;
- Promotion of measures in the state of Mecklenburg-Western Pomerania to implement climate and nature conservation concerns, especially in all measures to secure energy supplies, in particular system stability through storage and sector coupling solutions, including support for commercial companies based in the state Mecklenburg-Western Pomerania for in-house research in this area, for the production of prototypes, for pilot series and for market-launching distribution strategies;
- promoting measures to secure biodiversity;
- the promotion of measures to ensure water protection and drinking water protection;
- Information, advice and public relations on issues of climate protection and the preservation of nature in the Baltic Sea region, primarily in Mecklenburg-Western Pomerania and, in special cases, also in the states bordering the Baltic Sea;
- Exchange of experience, knowledge and information as well as networking between those involved in climate and environmental protection, especially in Mecklenburg-Western Pomerania and with the states bordering the Baltic Sea;
- Education, training and further education in the area of climate and environmental protection in Mecklenburg-Western Pomerania;
- Cooperation with other institutions and organizations in order to implement joint projects and projects within the scope of the purpose of the foundation, which are also permissible by the foundation alone in accordance with this statutory purpose;
- the promotion and support of measures, efforts and scientific studies in the state of Mecklenburg-Western Pomerania that aim to secure the energy supply in a climate-friendly manner.

(2) In order to fulfill the purpose of the foundation, in particular to manage and increase assets, the foundation may establish and maintain a commercial business and establish, acquire, participate in or commission subsidiaries in the legal form of partnerships or capital partners.

As part of a commercial business operation, the foundation can, in particular, take on nature and environmental protection measures and projects that involve the implementation of compensation measures that natural or legal persons abandon as part of their activities due to interference with nature. As part of its economic business operations, it can in particular also acquire, take over or manage, lease and lease, rent and rent out land and areas, acquire, take over, manage, hold, make available and rent out tools and machines. Income from the commercial business and possible subsidiaries serve to promote the goals and purposes mentioned in paragraphs 1 and 2.

### **§ 3**

#### **Foundation assets**

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(1) The foundation fulfills its tasks

- a) from the income from the basic assets,
- b) from the income from the intended economic activity,
- c) from other donations, unless they are expressly intended by the donor to increase the basic assets. These tasks also include the foundation's administrative costs, including the expenses incurred by the foundation to maintain economic business operations.

(2) In the case of donations that consist entirely or partially of material assets, the foundation board may sell these for the purpose of reallocating assets. Paragraph 1 lit. c) applies to the sales proceeds.

(3) The foundation can create reserves to the extent that this serves the purpose.

(4) The foundation is entitled to use profits generated from reallocations of assets or from an economic business operation in whole or in part for the purpose of the foundation, to place them in a reallocation reserve or to add them to the foundation's assets.

(5) There is no legal right to the granting of benefits by the foundation based on these statutes. This cannot be justified by regular or repeated services.

### **§ 4**

#### **Organs of the Foundation**

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(1) The organs of the foundation are the foundation board and the board of trustees. Simultaneous membership in both bodies is not permitted.

(2) The members of the foundation bodies are only liable for breaches of duty for intent and gross negligence. At the suggestion of the foundation board, the board of trustees can, with a majority of its members, decide to limit the liability of the volunteer board members towards the foundation or to release them from liability towards third parties.

(3) Activities in the bodies of the foundation are free of charge. The members of the foundation bodies are entitled to reimbursement of the actual and reasonable expenses and costs incurred by them.

## **§ 5**

### **Management of economic business operations**

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(1) The commercial business established by the foundation with its possible subsidiaries is managed by an expert managing director (CEO), who is appointed by the foundation board for a maximum period of activity of five years; a repeated appeal is permitted. The foundation board can remove the managing director from his position at any time. It acts independently on the basis of the business principles issued by the foundation board. The foundation board advises and monitors the managing director.

## **§ 6**

### **Management of the foundation's tasks oriented towards the common good**

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(1) The foundation board appoints a full-time managing director for a term of office of a maximum of five years for the foundation's public welfare tasks (managing director). Repeat orders are permitted. The foundation board can dismiss the management.

(2) The management is responsible for the ongoing business of the foundation, provided that it does not affect the economic business operations in accordance with Section 2 Paragraph 2 of these statutes and is determined by the CEO to be appointed there. The management is also responsible for managing the foundation's office for the foundation's public welfare tasks. It is bound to the instructions of the foundation board and is directly responsible to it. The management must provide the foundation board with information about the ongoing administration of the foundation and access to the documents at any time.

## **§ 7**

### **Foundation Board**

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(1) The foundation board consists of at least one and a maximum of three members who are appointed by the Prime Minister of the State of Mecklenburg-Western Pomerania.

(2) The members of the first foundation board are appointed by the founder as part of the foundation's business for a term of four years.

(3) The office of a board member ends after the expiry of the term of office, through death and through resignation from office, which can be done at any time by written declaration or by a declaration in electronic form with a qualified digital signature, as specified by the Civil Code at the respective time of the declaration, vis-à-vis the chairman of the board, in the

event of the latter's resignation, vis-à-vis the deputy, and in the case of only one appointed board member, vis-à-vis the chairman of the board of trustees. In these cases, the board member remains in office until a successor is appointed. Board members can be removed by the Prime Minister of Mecklenburg-Western Pomerania at any time for good cause. You must be given the opportunity to comment beforehand. The dismissal is considered effective until its ineffectiveness is legally determined.

(4) After the term of office of a board member has expired or if a board member leaves the foundation board or dies, the Prime Minister of the State of Mecklenburg-Western Pomerania appoints a new board member; If you leave before the expiry of the term of office on which the appointment is based, the appointment will be made for the remaining term of office of the member who has left. Reappointment is permitted – even several times. The term of office of the board members is three years. If the foundation board consists of more than one person, the Prime Minister appoints the chairman and deputy chairman at the same time as the appointment.

(5) The foundation board is entitled to appoint additional advisory members, e.g. people who have particular expertise and experience with regard to the purpose of the foundation or in financial and economic issues. If a managing director is appointed for the foundation's public welfare tasks, he or she will take part in the board meetings with the right to speak. If the items on the agenda concern business operations in accordance with Section 2 Paragraph 2 of these Articles of Association, this also applies to the CEO in accordance with Section 5 of these Articles of Association. The foundation board is also entitled to shift responsibility for individual areas of the foundation (in particular public welfare-oriented funding, asset management) to subcommittees; The details are governed by the rules of procedure.

## **§ 8**

### **Duties of the Foundation Board**

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(1) The foundation board decides on its own responsibility and manages the day-to-day business of the foundation. He is independent of instructions. He has the status of a legal representative and represents the foundation in and out of court. The members of the foundation board are authorized to represent each other individually. Internally, the chairman of the foundation board represents the foundation alone; in the event of his absence, the deputy chairman represents the foundation. If the foundation board consists of only one person, transactions between the board member and the foundation require the prior approval of the board of trustees.

(2) The management according to § 6 of these statutes is authorized to represent the board of directors in and out of court in matters relating to the ongoing business of the foundation and the management of the office within the framework of the instructions of the board, insofar as the tasks of the foundation oriented towards the common good are affected. The management has the legal status of a special representative in accordance with Section 30

of the Civil Code (BGB). Sentences 1 and 2 of this paragraph do not apply in the first two years after the foundation was founded. Insofar as the economic business operations are affected in accordance with Section 2 Paragraph 2 of these Articles of Association, the CEO is authorized to represent the business in and out of court in addition to the Executive Board in accordance with Section 5 of these Articles of Association and has the legal status of a special representative in accordance with Section 30 of the Civil Code (BGB).

(3) The foundation board must fulfill the wishes of the founder as effectively as possible within the framework of the foundation law and these foundation statutes. He must ensure the long-term and sustainable fulfillment of the foundation's purpose. He manages and manages the foundation and decides on its affairs, unless otherwise stated in the provisions of these statutes. In particular, he is responsible for:

- a) determining the foundation's work priorities within the foundation's purpose and the foundation's goals in accordance with Section 2,
- b) establishing principles for the investment, management and use of the foundation's assets as well as for the allocation of the foundation's funding,
- c) the system , administration and use of the foundation's assets,
- d) the decision on the allocation of the foundation's funding,
- e) the monitoring of the appropriate and economic use of the foundation's funds, including the funding,
- f) the appointment and dismissal of the managing director for the public welfare-oriented tasks of the Foundation,
- g) the discharge of the management for the common good tasks of the foundation,
- h) the appointment and dismissal of the CEO in accordance with Section 5 of these statutes as well as his discharge,
- i) the conclusion, change, cancellation or termination of employment contracts , service and work contracts, insofar as this has not been transferred by the foundation board to the management of the foundation's tasks oriented towards the common good,
- j) the timely preparation of economic and staff plans before the end of the financial year, insofar as this has not been transferred by the board of the foundation to the management of the tasks oriented towards the common good tasks were assigned to the foundation,
- k) the establishment or termination of commercial operations in accordance with Section 2 Paragraph 2 of these statutes.

(4) In order to prepare its resolutions, carry out its tasks and, in particular, carry out ongoing business, the foundation board can appoint a managing director for the foundation's public welfare tasks (managing director) and call in experts. The foundation's board of directors can take legal and tax advice within an appropriate framework.

(5) The foundation board adopts rules of procedure which regulate the further modalities regarding the delegation of tasks, the appointment of additional advisory members and further details on the course of business.

(6) The foundation board must have the foundation's annual financial statements audited by an auditing association, an auditor or a sworn auditor. The audit and the note on the results of the audit must also cover the preservation of the basic assets and the intended use of its income and donations intended for consumption.

(7) The foundation board is responsible for the notification, reporting and submission obligations in accordance with the Foundation Act of the State of Mecklenburg-Western Pomerania (StiftG MV) in the currently valid version. The notification of subsequent, reappointment or new appointments of members in the foundation's bodies must be accompanied by the corresponding certificates of appointment and, in the case of appointments by foundation committees in accordance with these statutes, the resolution protocols and declarations of consent of the person appointed.

## **§ 9**

### **Resolution of the Foundation Board**

---

(1) Resolutions of the foundation board are usually made at meetings. The foundation board is called to a meeting by the chairman or his deputy as necessary, but at least once every six months, stating the agenda and observing a notice period of two weeks. Convocations are made in writing, via a convocation in electronic form with a qualified digital signature, as required by the Civil Code at the time of the declaration, or by simple email, if this is provided for by the foundation board's rules of procedure. The same applies to the managing director for the foundation's public welfare tasks, if such a person has been appointed; If the items on the agenda concern business operations in accordance with Section 2 Paragraph 2 Sentence 2 of these Articles of Association, this also applies to the CEO in accordance with Section 5 of these Articles of Association; The invitations to the managing director and the CEO are irrelevant to properly convening the foundation board meeting. Meetings must also be called if a member of the foundation board requests this.

(2) Each board member only has one vote. Board membership is a highly personal role; the vote cannot be transferred to other board members; representations are not permitted.

(3) Board members cannot take part in the discussion and coordination of matters if the decision belongs to themselves, their spouse or life partner or another relative, another person living in their household or a person who is represented by a board member by law or power of attorney can bring an immediate advantage or disadvantage.

(4) The foundation board has a quorum if the meeting takes place properly. Meeting errors are considered to have been resolved if all members are present and no one objects. If the quorum is not reached, the chairman will immediately invite you to a board meeting with the same agenda two weeks later with a notice period of one week. This follow-up meeting has a quorum regardless of the number of board members present if at least the chairperson is present.

(5) The foundation board makes its decisions with a simple majority of the votes cast, unless the statutes or the rules of procedure provide otherwise. In the event of a tie, the vote of the chairman or, alternatively, his deputy, has the deciding vote. Invalid votes and abstentions will not be taken into account.

(6) If no member of the foundation board objects, resolutions can be passed in writing or electronically. Silence within two weeks of the request to vote is considered consent to the procedure.

(7) Minutes must be taken of the meetings and signed by the chair of the meeting and the person taking the minutes. This must at least reflect the place and day of the meeting, the presence of the members, the determination of the quorum and the proper summons as well as the agenda items and the resolutions in verbatim. They must be made known to all members of the foundation board; If the items discussed on the agenda concern business operations in accordance with Section 2 Paragraph 2 of these Articles of Association, the extracts from the minutes relating to business operations must also be brought to the attention of the CEO in accordance with Section 5 of these Articles of Association. Resolutions by circulation must be recorded and signed by the chairperson. They must be sent immediately to all members of the foundation board and the board of trustees. If a managing director is appointed for the foundation's public welfare tasks, he or she will take the minutes; In the case of resolutions in the circulation procedure, this must also be signed. The minutes are deemed approved if no board member objects to the entire minutes or individual resolutions within one month of written or electronic receipt; After this period has expired, objections or legal remedies against the minutes or the decisions recorded therein are inadmissible.

## **§ 10**

### **Board of Trustees**

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(1) The Prime Minister of the State of Mecklenburg-Western Pomerania appoints the Board of Trustees and appoints one of its members as chairman and one as deputy chairman. The board of trustees advises the foundation board on all climate and nature conservation issues.

(2) Der Stifter bestimmt bereits im Rahmen des Stiftungsgeschäftes einzelne Mitglieder des Kuratoriums sowie dessen Vorsitz und die Stellvertretung. Das Kuratorium ist in dieser Zusammensetzung beschlussfähig soweit mehr als die Hälfte der im Rahmen des



Stiftungsgeschäftes benannten Mitglieder anwesend sind. Spätestens nach Ablauf eines halben Jahres sollen die weiteren Mitglieder nach Absatz 3 berufen werden.

(3) Das Kuratorium tritt mindestens einmal im Jahr zusammen. Der oder die Vorsitzende des Kuratoriums lädt zu den Sitzungen ein und leitet diese. Das Kuratorium ist beschlussfähig, wenn mehr als die Hälfte der Mitglieder anwesend ist. Beschlüsse werden mit einfacher Mehrheit gefasst. Das Kuratorium ist vor der Beschlussfassung über Förderrichtlinien anzuhören. Es wird über die Vergabe von Fördermitteln unterrichtet. Das Kuratorium kann sich eine Geschäftsordnung geben.

(4) Das Kuratorium besteht aus höchstens 18 Mitgliedern, die für die Dauer von drei Jahren berufen werden. Dem Kuratorium sollen zumindest angehören:

- je ein Vertreter oder eine Vertreterin des für Umwelt, des für Wirtschaft und des für Energie zuständigen Ministeriums der Landesregierung Mecklenburg-Vorpommern,
- eine Vertreterin oder ein Vertreter der Wirtschaft,
- je eine Wissenschaftlerin oder ein Wissenschaftler aus den Fachgebieten Ökologie und Klimaschutz sowie aus den Fachgebieten Technologie und Energieversorgung,
- zwei Vertreterinnen oder Vertreter von Umweltverbänden,
- zwei Vertreterinnen oder Vertreter von Initiativen, Gruppen oder Vereinen, die engagiert das Ziel Klimaschutz verfolgen.

Jede Fraktion des Landtages Mecklenburg-Vorpommern kann jeweils eines seiner Fraktionsmitglieder in das Kuratorium entsenden.

## **§ 11**

### **Satzungsänderung**

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(1) Der Stiftungsvorstand kann Änderungen der Satzung beschließen, wenn sie den Stiftungszweck nicht berühren und die ursprüngliche Gestaltung der Stiftung – insbesondere im Hinblick auf ihre innere Organisation – nicht wesentlich verändern.

(2) Beschlüsse über Änderungen der Satzung, die nicht Abs. 1 unterliegen, bedürfen einer einstimmigen Entscheidung des Stiftungsvorstandes sowie einer Zustimmung von zwei Drittel der stimmberechtigten Mitglieder des Kuratoriums.

(3) Änderungen dieser Satzung nach den Abs. 1 und 2 sind erst ab dem dritten Jahr nach der Errichtung der Stiftung zulässig.

(4) Beschlüsse über Änderungen der Satzung bedürfen der Genehmigung der Stiftungsaufsichtsbehörde nach Maßgabe der landesrechtlichen Vorschriften. Sie sind mit einer Stellungnahme der zuständigen Finanzbehörde anzuzeigen.

## **§ 12**

### **Zweckerweiterung, Zweckänderung, Zusammenlegung, Auflösung**

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(1) Der Stiftungsvorstand kann der Stiftung bei Zweckerreichung eine Änderung des Stiftungszweckes vorschlagen, der dem ursprünglichen Zweck verwandt ist und dessen dauernde und nachhaltige Verwirklichung ohne Gefährdung des ursprünglichen Zwecks gewährleistet erscheint, wenn das Vermögen oder der Ertrag der Stiftung nur teilweise für die Verwirklichung des Stiftungszwecks benötigt wird.

(2) Der Stiftungsvorstand kann die Änderung des Stiftungszwecks, die Zusammenlegung mit einer anderen Stiftung oder die Auflösung der Stiftung beschließen, wenn der Stiftungszweck unmöglich wird oder sich die Verhältnisse derart ändern, dass die dauernde und nachhaltige Erfüllung des Stiftungszwecks nicht mehr sinnvoll erscheint.

(3) Beschlüsse über Zweckerweiterung, Zweckänderung, Zusammenlegung oder Auflösung der Stiftung bedürfen einer einstimmigen Entscheidung des Stiftungsvorstands sowie der Zustimmung von zwei Dritteln der stimmberechtigten Mitglieder des Kuratoriums.

(4) Beschlüsse über Zweckerweiterung, Zweckänderung, Zusammenlegung oder Auflösung werden erst nach Genehmigung der Stiftungsaufsichtsbehörde wirksam. Sie sind mit einer Stellungnahme der zuständigen Finanzbehörde anzuzeigen.

## **§ 13**

### **Vermögensanfall**

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Bei Auflösung oder Aufhebung der Stiftung fällt das Vermögen in Höhe von 200.000 Euro an das Land Mecklenburg-Vorpommern. Im Übrigen beschließt der Stiftungsvorstand, an wen das Stiftungsvermögen fallen soll. Nach Möglichkeit soll sichergestellt sein, dass es den Stiftungszwecken direkt oder indirekt weiterhin zugutekommt.

## **§ 14**

### **Stiftungsaufsicht**

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(1) Die Stiftung unterliegt der staatlichen Aufsicht nach Maßgabe des jeweils im Lande Mecklenburg-Vorpommern geltenden Stiftungsrechts.

(2) Stiftungsaufsichtsbehörde ist das Justizministerium Mecklenburg-Vorpommern.

(3) Die Stiftungsaufsichtsbehörde ist auf Wunsch jederzeit über die Angelegenheiten der Stiftung zu unterrichten. Mitteilungen über Änderungen in der Zusammensetzung der Stiftungsorgane sowie Haushaltsplan, Jahresrechnung und Tätigkeitsbericht sind unaufgefordert vorzulegen.

## **§ 15**

### **Inkrafttreten**

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Diese Satzungsänderung tritt mit Bekanntgabe des Bescheides der Stiftungsbehörde (Tag des Zugangs des Bescheides) in Kraft.

*Schwerin, den 4. Juli 2022*



# Equasis - Ship folder BLUE SHIP

imo: 9381990

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## Ship informations

### • Ship particulars

Information	Since
IMO number :	9381990
Name of ship :	BLUE SHIP (since 01/10/2012)
Call sign :	5BUP5
MMSI :	210251000
Gross tonnage :	3887 (since 01/07/2021)
DWT :	5664
Type of ship :	Deck Cargo Ship (since 01/06/2006)
Year of build :	2006
Flag :	Cyprus (since 01/07/2021)
Status of ship :	In Service/Commission (since 10/06/2006)
Last update :	09/11/2021

## • Management detail

IMO	Role	Name of company	Address	Date of effect
6219275	Ship manager/ Commercial manager	KLIMA-UND UMWELTSCHUTZ MV	Lindenstrasse 1, 19055 Schwerin Meckl, Germany.	since 01/07/2021
6219275	Registered owner	KLIMA-UND UMWELTSCHUTZ MV	Lindenstrasse 1, 19055 Schwerin Meckl, Germany.	since 01/07/2021
5061911	ISM Manager	ITALTEAM SHIPPING SRL	Via della Catalana 3, 48122 Ravenna RA, Italy.	since 14/01/2021

## • Classification status

Classification society	Date change status	Status	Reason
Registro Italiano Navale (IACS)	since 05/07/2012	Delivered	
American Bureau of Shipping (IACS)	since 11/09/2007	Withdrawn	Transfer of class to a non-IACS society

## • Classification surveys

Classification society	Date survey	Date next survey
Registro Italiano Navale (IACS)	30/06/2019	26/05/2024
American Bureau of Shipping (IACS)	10/07/2006	

## • Safety management certificate

Classification society	Date survey	Date expiry	Date of status	Status	Reason	Type
DNV (IACS)	02/12/2017	02/12/2022				Convention

## Ship inspections

### • List of port state control

Authority	Port of inspection	Date of report	Detention	PSC organisation	Type of inspection	Duration (days)	Number of deficiencies
Croatia	Pula	04/01/2021	N	Paris MoU	Initial inspection	0	1
Italy	Chioggia	07/10/2019	N	Paris MoU	Initial inspection	0	
Russia	Kaliningrad	13/09/2018	N	Paris MoU	More detailed inspection	0	
Russia	Kaliningrad	21/03/2018	N	Paris MoU	More detailed inspection	0	10
Italy	Chioggia	21/09/2017	N	Paris MoU	More detailed inspection	0	12
Congo	Pointe Noire (Congo)	05/05/2017	N	Abuja MoU	Initial inspection	0	
Congo	Pointe Noire (Congo)	24/10/2016	N	Abuja MoU	Initial inspection	0	
Croatia	Pula	16/02/2016	N	Paris MoU	More detailed inspection	0	
Croatia	Pula	29/10/2015	N	Paris MoU	More detailed inspection	0	9
Italy	La spezia	21/05/2015	Y	Paris MoU	More detailed inspection	13	14
Italy	Chioggia	28/05/2014	N	Paris MoU	More detailed inspection	0	9
Greece	Kalilimenes	01/10/2012	N	Paris MoU	More detailed inspection	0	7

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## Ship history

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### • Current and former name(s)

Name of ship	Date of effect	Source
BLUE SHIP	since 01/10/2012	IHS Maritime
Sinar Tuban	since 01/06/2006	IHS Maritime

### • Current and former flag(s)

Flag	Date of effect	Source
Cyprus	since 01/07/2021	IHS Maritime
Malta	since 01/01/2021	IHS Maritime
Russia	since 01/06/2020	IHS Maritime
Malta	since 01/10/2012	IHS Maritime
St.Kitts and Nevis	since 01/07/2012	IHS Maritime
Indonesia	since 01/06/2006	IHS Maritime
Singapore	since 01/06/2006	IHS Maritime

### • Current and former classification status

Classification society	Date of survey	Sources
Registro Italiano Navale (IACS)	30/06/2019	Registro Italiano Navale
Registro Italiano Navale (IACS)	26/05/2014	Registro Italiano Navale
American Bureau of Shipping (IACS)	10/07/2006	American Bureau of Shipping

## • Company

Company	Role	Date of effect	Sources
KLIMA-UND UMWELTSCHUTZ MV	Registered owner	since 01/07/2021	
KLIMA-UND UMWELTSCHUTZ MV	Ship manager/ Commercial manager	since 01/07/2021	
ITALTEAM SHIPPING SRL	ISM Manager	since 14/01/2021	
MPAT SHIP MANAGEMENT LTD	ISM Manager	since 08/07/2020	
ITALTEAM SHIPPING SRL	ISM Manager	since 03/04/2013	
ITALTEAM SHIPPING SRL	ISM Manager	since 01/07/2012	
STONE SOCIETA COOPERATIVA	Ship manager/ Commercial manager	since 29/06/2012	
STONE SOCIETA COOPERATIVA	Registered owner	since 29/06/2012	
SAMUDERA SHIPPING SERVICES PT	Registered owner	since 01/01/2007	
SAMUDERA INDONESIA SHIP	Ship manager/ Commercial manager	since 01/01/2007	
SAMUDERA INDONESIA SHIP	ISM Manager	since 07/10/2006	
SAMUDERA SHIPPING LINE LTD	Ship manager/ Commercial manager	since 13/06/2006	
SAMUDERA INDONESIA SHIP	Ship manager/ Commercial manager	since 10/06/2006	
FOREMOST MARITIME PTE LTD	Registered owner	since 10/06/2006	



**Submission for the  
Nomination of Dr. Michael Sfraga  
Added to the Record by  
Senator James E. Risch**

**Submission for Nomination of Dr. Michael Sfraga**

1. **Rosscongress\_Rus**
  - Website for the International Arctic Forum 2017, an event headlined by Vladimir Putin, featuring Dr. Michael Sfraga as a speaker.
2. **Fort Ross Dialogue page 1**
  - Website for Fort Ross Dialogue in 2021 featuring a panel with Michael Sfraga and sponsors including Transneft (screenshot page 1)
3. **Fort Ross Dialogue page 2**
  - Website for Fort Ross Dialogue in 2021 featuring a panel with Michael Sfraga and sponsors including Transneft (screenshot page 2)
4. **Treasury Sanctions re Transneft**
  - Announcement of U.S. Department of the Treasury imposing sanctions against Transneft, dated September 12, 2014
5. **UAF-SJTU Memorandum of Understanding**
  - Overview of memorandums of understanding (MOUs) between the University of Alaska-Fairbanks and SJTU during Dr. Sfraga's tenure as Vice Chancellor
6. **SJTU Chinese Defense Universities Tracker**
  - Australian Strategic Policy Institute's designation of the Shanghai Jiao Tong University (SJTU) as "high risk" for its high level in defense research and alleged links to cyberattacks
7. **SJTU Cyber Article\_Reuters**
  - Reuters article describing research collaboration between the Shanghai Jiao Tong University (SJTU) and the People's Liberation Army (PLA) unit accused of alleged cyberwar against Western commercial targets, dated March 23, 2013



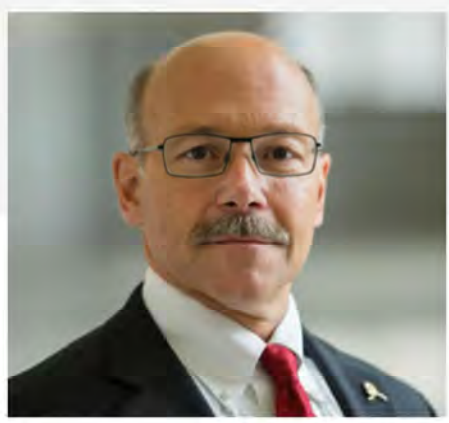
# Международный арктический форум «Арктика – территория диалога» – 2017

28-30 марта 2017  
Архангельск, Россия  
forumarctica.ru

## Спикеры и эксперты

- О мероприятии
- Программа
- Список сессий
- Спикеры и эксперты**
- Итоги Форума
- Архив

Темы Сфрага

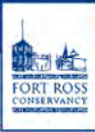


### МАЙК СФРАГА

Директор программы «Полярная инициатива», Международный научный центр Вудро Вильсона

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- forumarctica.ru



Fort Ross | Events | 2021 | FRD 2021 Panel 2

## FRD 2021 Panel 2

### Cooperation and Environmental Sustainability in the Arctic

Only the 85 kilometers long Bering Strait separates Russia and the US in the Arctic. The US and Russia have stressed that the Arctic should remain a region of cooperation rather than conflict as climate change impacts are creating both economic opportunities, geopolitical tensions, and environmental challenges in the North. As global warming makes the region more accessible, interest in the Arctic's natural resources, its navigation routes and its strategic position has grown.

Scientists predict that in 25 years the Arctic Ocean will be ice-free in summer months which will make The Northeast Passage (also known as the Northern Sea Route) between Europe and Asia along Russia's northern coast more attractive to maritime traffic. The Northwest Passage sea route between the Atlantic and Pacific oceans is also predicted to experience a boom in navigation.

Changes in the Arctic are also slated to affect threatened and endangered species, and could result in migration of animals and fish stocks to new waters. The rise in temperatures and human activity in the region are also expected to affect cultures and wellbeing of Arctic indigenous peoples. Shared common concerns for the environment and sustainable development of the region highlight both countries' determination to preserve the Arctic as a region for peaceful cooperation. The same vision is shared by the Arctic Council, which Russia will chair for the next two years. Because Russia and the U.S. are Arctic neighbors, US-Russian collaboration in the Arctic is crucial -- the more so because military matters are not covered by the Arctic Council.

Fort Ross Conservancy is arranging meaningful conversations on policy issues, environment, sustainable economic development, and indigenous communities by arranging the participation of the following individuals:

**Opening Remarks:**

- [Nikolai Kolesnikov](#), Executive Vice President & Chief Financial Officer, Sovcomflot
- [Evgeny Ambrosov](#), Chairman of the Arctic Economic Council

**Moderator:**

- [Matthew Rojansky](#), Director of the Wilson Center's Kennan Institute

**Speakers:**

- [Michael Sfraga](#), Chair of US Arctic Research Commission (USARC), Director of Polar Institute
- [Nikolay Korchunov](#), Ambassador at Large for the Arctic Cooperation at the Ministry of Foreign Affairs (MFA), chairman of the Arctic Council

FRD panelists discussed:

- What areas of economic and scientific cooperation can the US-Russia engage in or intensify to solidify their commitment to the peaceful development of the polar region?
- How are the impacts of Arctic warming felt by indigenous communities around the globe?
- What can respected governments do to minimize the effects of climate change in the region and on its people?

### Panel 2 English

**F** Panel 2 FRD21 (English)
Copy link



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Panel 2 English

F Panel 2 FRD21 (English) Copy link



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Panel 2 Russian

F Panel 2 FRD21 Rus Copy link



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Chevron TRANSNEFT SCF Sovcomflot

## U.S. DEPARTMENT OF THE TREASURY

# Announcement of Expanded Treasury Sanctions within the Russian Financial Services, Energy and Defense or Related Materiel Sectors

September 12, 2014

*(Archived Content)*

*Actions Target Largest Russian Bank, Deepens Existing Sanctions on Russian Financial Institutions, Expands Sanctions in Russia's Energy Sector, and Targets Additional Energy- and Defense-Related Russian Entities*

**WASHINGTON** – Due to continued Russian efforts to destabilize eastern Ukraine, Treasury Secretary Jacob J. Lew today determined that persons operating within Russia's defense and related materiel sector may now be subject to targeted sanctions under Executive Order 13662. In addition, the U.S. Department of the Treasury today extended targeted financial sanctions to Russia's largest bank, deepened existing sanctions on Russian financial institutions, expanded sanctions in Russia's energy sector, and increased the number of sanctioned Russian entities in the energy and defense sectors.

- Treasury Secretary Jacob J. Lew has made a determination that persons operating within Russia's defense and related materiel sector may now be subject to targeted sanctions under Executive Order 13662. Following Secretary Lew's determination, Treasury has imposed sanctions that prohibit transactions by U.S. persons or within the United States involving new debt of greater than 30 days maturity issued by Rostec, a major Russian conglomerate that operates in the defense and related materiel sector.

- Treasury has added Russia's largest bank, Sberbank of Russia, to the existing prohibitions on U.S. persons providing equity or certain long-term debt financing. In addition, we have tightened the debt financing restrictions by reducing from 90 days to 30 days the maturity period for new debt issued by the six Russian banks subject to this restriction. These banks are Bank of Moscow, Gazprombank OAO, Russian Agricultural Bank, Sberbank, VEB, and VTB Bank.
- Treasury has designated and blocked the assets of five Russian state-owned defense technology firms – OAO 'Dolgoprudny Research Production Enterprise,' Mytishchinski Mashinostroitelny Zavod OAO, Kalinin Machine Plant JSC, Almaz-Antey GSKB, and JSC NIIP – for operating in the arms or related materiel sector in Russia.
- Treasury has also imposed sanctions that prohibit the exportation of goods, services (not including financial services), or technology in support of exploration or production for Russian deepwater, Arctic offshore, or shale projects that have the potential to produce oil, to five Russian energy companies – Gazprom, Gazprom Neft, Lukoil, Surgutneftegas, and Rosneft – involved in these types of projects. This measure complements restrictions administered by the Commerce Department and is similar to new EU measures published today. U.S. persons have until September 26, 2014 to wind down applicable transactions with these entities pursuant to a general license that Treasury's Office of Foreign Assets Control issued today.
- Treasury has also imposed sanctions that prohibit transactions in, provision of financing for, or other dealings in new debt of greater than 90 days maturity issued by two additional Russian energy companies – Gazprom Neft and **Transneft**.

“Today's actions demonstrate our determination to increase the costs on Russia as long as it continues to violate Ukraine's territorial integrity and sovereignty,” said Under Secretary for Terrorism and Financial Intelligence David S. Cohen. “The United States, in close cooperation with the European Union, will impose ever-

increasing sanctions that further Russia's isolation from the global financial system unless Russia abandons its current path and genuinely works toward a negotiated diplomatic resolution to the crisis.”

Despite the severity of these actions, Treasury maintains significant scope to expand these sanctions, and impose additional sanctions, against individuals and entities under the authorities of Executive Orders (E.O.) 13660, 13661 and 13662 should the Russian Government not take steps to de-escalate the situation in Ukraine.

Imposition of Sanctions on Several Russian State-Owned Firms Pursuant to E.O. 13661 and E.O. 13662 for Operation in the Defense or Related Materiel Sector in Russia

Treasury today has also imposed new sanctions and strengthened existing sanctions targeting firms operating in Russia's defense sector.

Determination about Russia's Defense and Related Materiel Sector and Imposition of Sanctions against Rostec. Treasury Secretary Jacob J. Lew today made a determination under E.O. 13662 that persons operating within Russia's defense and related materiel sector may now be subject to targeted sanctions. Following Secretary Lew's determination, Treasury issued a new directive that imposes sanctions on Rostec, a major Russian conglomerate that operates in the defense and related materiel sector. Directive 3 pursuant to E.O. 13662 prohibits transactions in, provision of financing for, and other dealings in new debt of greater than 30 days maturity issued by Rostec, and its 50 percent or more owned subsidiaries, effectively cutting it off from U.S. debt financing.

- Rostec is a Russia-based state-owned holding company for Russia's defense industry. Rostec produces, develops, manufactures, and exports civil, military, and dual-purpose high-technology goods, and is involved in the manufacturing of weapons and military equipment. Rostec-held subsidiaries manufacture and export

military products valued in the billions. Treasury designated Rostec's Director General, Sergei Viktorovich Chemezov, on April 28, 2014, pursuant to E.O. 13661.

Designation of Additional Defense Technology Companies under E.O. 13661.

Treasury has also designated and blocked the assets of five Russian defense firms under E.O. 13661 for operating in the arms and related materiel sector in the Russian Federation. The firms designated today under E.O. 13661 include OAO 'Dolgoprudny Research Production Enterprise,' Mytishchinski Mashinostroitelny Zavod OAO, Kalinin Machine Plant JSC, Almaz-Antey GSKB, and JSC NIIP. The designated firms are responsible for the production of a range of materiel, from small arms to mortar shells to tanks. As a result of today's actions under E.O. 13661, any assets of these entities that are within U.S. jurisdiction must be frozen.

Additionally, transactions by U.S. persons or within the United States involving these entities are generally prohibited.

- OAO 'Dolgoprudny Research Production Enterprise' is a Russia-based company, which is primarily engaged in the production of weapons and ammunition, including the Buk missile system, known in the West as "Gadfly" or SA-11 or SA-17.
- Mytishchinski Mashinostroitelny Zavod, OAO is a Moscow-based company that has produced weaponry and equipment focusing primarily on anti-aircraft missile systems and chassis for tracked military vehicles.
- Kalinin Machine Plant JSC is a Russia-based, state-run company involved in the production of special purpose products such as weapons, ammunition, and combat anti-air missile system facilities for the Ministry of Defense of the Russian Federation. Kalinin Machine Plant JSC produces artillery guns for infantry and anti-air defense and specializes in the production of launchers and anti-air missiles.
- Almaz-Antey GSKB is a Moscow-based subsidiary of the Almaz-Antey Concern, which was designated under E.O. 13661 on July 16, 2014. Almaz-Antey GSKB



designs and manufactures air defense systems for the Russian Ministry of Defense.

- JSC NIIP is a Zhukovski-based Russian defense industrial firm owned by the Almaz-Antey Concern. JSC NIIP develops anti-aircraft defense systems, including on-board radar systems for MiG and Sukhoi fighters, and anti-aircraft missile systems for land forces, including the KUB and BUK systems.

Expansion of Prohibition of Certain Types of Activities with Several Russian State-Owned Financial Institutions Pursuant to E.O. 13662

Treasury today has imposed new sanctions and strengthened existing sanctions in Russia's financial sector.

Imposition of Sanctions against Sberbank of Russia and Lowering of Allowable Maturity for New Debt Issuance for Sanctioned Financial Institutions. Treasury has also modified Directive 1 pursuant to E.O. 13662 to lower the allowable maturity for new debt from 90 to 30 days, and has added Sberbank to the list of entities subject to the restrictions in Directive 1. Directive 1 pursuant to E.O. 13662 now prohibits transactions in, provision of financing for, or other dealings in new debt of greater than 30 days maturity and new equity of the banks listed under this Directive, by U.S. persons or within the United States. As a practical matter, this step will further remove access to U.S. dollar financing for these financial institutions, and impose additional significant costs on the Russian Government for its continued provocations.

- Sberbank of Russia is Russia's largest financial institution. Sberbank accounts for approximately one-quarter of Russian banking assets and one-third of its banking capital.

Prohibition of Certain Types of Activities with Several Russian State-Owned Energy Companies Pursuant to E.O. 13662

Treasury today has imposed new sanctions and strengthened existing sanctions targeting firms operating in Russia's energy sector.

#### Prohibition on Goods, Services, and Technology for Certain Energy Sector Activities.

New Directive 4 issued pursuant to E.O. 13662 prohibits the provision, exportation, or reexportation of goods, services (except for financial services), or technology by U.S. persons or from the United States in support of exploration or production for deepwater, Arctic offshore, or shale projects that have the potential to produce oil in the Russian Federation, or in maritime area claimed by the Russian Federation and extending from its territory, and that involve five listed Russian energy companies: Gazprom, Gazprom Neft, Lukoil, Surgutneftegas, and Rosneft. Treasury initially imposed sanctions against Rosneft, Russia's largest petroleum company and third-largest gas producer, pursuant to E.O. 13662 on July 17, 2014. Today's step, which complements Commerce Department restrictions and is similar to new EU measures published today, will impede Russia's ability to develop so-called frontier or unconventional oil resources, areas in which Russian firms are heavily dependent on U.S. and western technology. While these sanctions do not target or interfere with the current supply of energy from Russia or prevent Russian companies from selling oil and gas to any country, they make it difficult for Russia to develop long-term, technically challenging future projects.

- OAO Gazprom is a Russia-based, government-owned global energy company engaged in gas exploration, production, transportation, storage, processing, and sales. It is one of the largest joint stock companies in Russia.
- Gazprom Neft is an integrated Russian oil company engaged in the exploration, development, production, transportation, and sale of crude oil and gas, and is also involved in oil refining, marketing of petroleum products, oil field services, and construction and development of exploration wells. Gazprom Neft is majority owned by Gazprom.

- Lukoil OAO is a Russia-based integrated oil and gas company. Lukoil is engaged in the business of oil exploration, production, refining, marketing, and distribution. The company is an owner of refineries, gas processing, petrochemical plants, and gas station networks located in Russia and abroad.
- Surgutneftegas is a Russian oil company involved in oil and gas production and exploration, gas processing, power generation, output and marketing of petroleum products, petrochemicals and gas products.

Imposition of Sanctions against Gazprom Neft and **Transneft**. Treasury has added two Russian energy companies, Gazprom Neft and **Transneft**, to the prohibitions under Directive 2 pursuant to E.O. 13662. Transactions in, provision of financing for, and other dealings in new debt of greater than 90 days maturity for these two companies, and their 50 percent or more owned subsidiaries, by U.S. persons or within the United States are prohibited. This sanction will impair their ability to raise financing in U.S. dollars, which is critical for their exploration and development of new oil fields.

- Gazprom Neft (see above).
- AK **Transneft** OAO is Russia's government-owned pipeline company. The company provides services for oil and oil products transportation via trunk pipelines systems within the Russian Federation and abroad.

For identifying information on the entities named in this release, please click [here](#).

For links to the Directives referenced in this release, please click [here](#).

###

## Content of Cooperation between University of Alaska Fairbanks and Shanghai Jiao Tong University

The University of Alaska Fairbanks (UAF) and Shanghai Jiao Tong University (SJTU) have signed several memoranda of understanding (MOUs) over the years, which have facilitated a wide range of collaborative activities, including:

- Student and faculty exchanges: UAF and SJTU students have the opportunity to study abroad at the partner university for one or two semesters. Faculty members from both universities also participate in exchange programs, teaching and conducting research at the partner institution.
- Joint research projects: UAF and SJTU faculty members collaborate on a variety of research projects, including those in the areas of Arctic science, engineering, and business. The two universities have also established joint research centers and laboratories.
- Dual degree programs: UAF and SJTU offer several dual degree programs, which allow students to earn a master's degree from both universities within five years. These programs are available in the fields of engineering, business, and public administration.

In addition to these formal agreements, UAF and SJTU also collaborate on a number of informal initiatives, such as joint conferences, workshops, and research projects. These collaborations have helped to strengthen the ties between the two universities and have led to significant advances in a variety of fields.

Here are some specific examples of the content of cooperation between UAF and SJTU:

- In 2018, the two universities established the UAF-SJTU Joint Institute for Arctic and Arctic-Related Studies. The institute aims to promote research and education on Arctic issues, and to foster collaboration between scientists and engineers from the two universities.
- UAF and SJTU are collaborating on a joint research project to develop new technologies for Arctic oil and gas exploration and production. The project is funded by the US Department of Energy and the Chinese government.
- In 2019, UAF and SJTU launched a dual degree program in engineering management. The program allows students to earn a master's degree from both universities within five years.

- UAF and SJTU are also collaborating on a joint research project to develop new materials for use in extreme cold environments. The project is funded by the National Science Foundation.

## In the above answer show me the sources

The following are the sources for the information in my previous answer:

- University of Alaska Fairbanks  
website: <https://www.unmannedsystemstechnology.com/2018/05/insitu-and-university-of-alaska-fairbanks-to-partner-in-uas-integration-pilot-program/>
- Shanghai Jiao Tong University  
website: <https://global.sjtu.edu.cn/en/cooperation/partners>
- UAF-SJTU Joint Institute for Arctic and Arctic-Related Studies  
website: <https://www.uaf.edu/iab/>
- US Department of Energy website: <https://www.energy.gov/arctic/arctic-energy-office>
- National Science Foundation  
website: <https://www.nsf.gov/geo/opp/arctic/index.jsp>

## In the above answer show me the links

Here are the links to the sources I mentioned in my previous answer:

- University of Alaska Fairbanks  
website: <https://www.unmannedsystemstechnology.com/2018/05/insitu-and-university-of-alaska-fairbanks-to-partner-in-uas-integration-pilot-program/>
- Shanghai Jiao Tong University  
website: <https://global.sjtu.edu.cn/en/cooperation/partners>
- UAF-SJTU Joint Institute for Arctic and Arctic-Related Studies  
website: <https://www.uaf.edu/iab/>
- US Department of Energy website: <https://www.energy.gov/arctic/arctic-energy-office>
- National Science Foundation  
website: <https://www.nsf.gov/geo/opp/arctic/index.jsp>

## UAF-SJTU “Content of Cooperation” “Exchanges of visiting professors and scholars; Access to facilities and systems; Mutual research programs, and Mutual assistance.”

You are correct. The "Content of Cooperation" between the University of Alaska Fairbanks (UAF) and Shanghai Jiao Tong University (SJTU) includes:

- Exchanges of visiting professors and scholars: This allows faculty members from both universities to teach and conduct research at the partner institution.
- Access to facilities and systems: This allows students and researchers from both universities to access the facilities and systems of the partner institution.
- Mutual research programs: This allows faculty members from both universities to collaborate on research projects.
- Mutual assistance: This includes providing each other with assistance in areas such as academic advising, student services, and library resources.

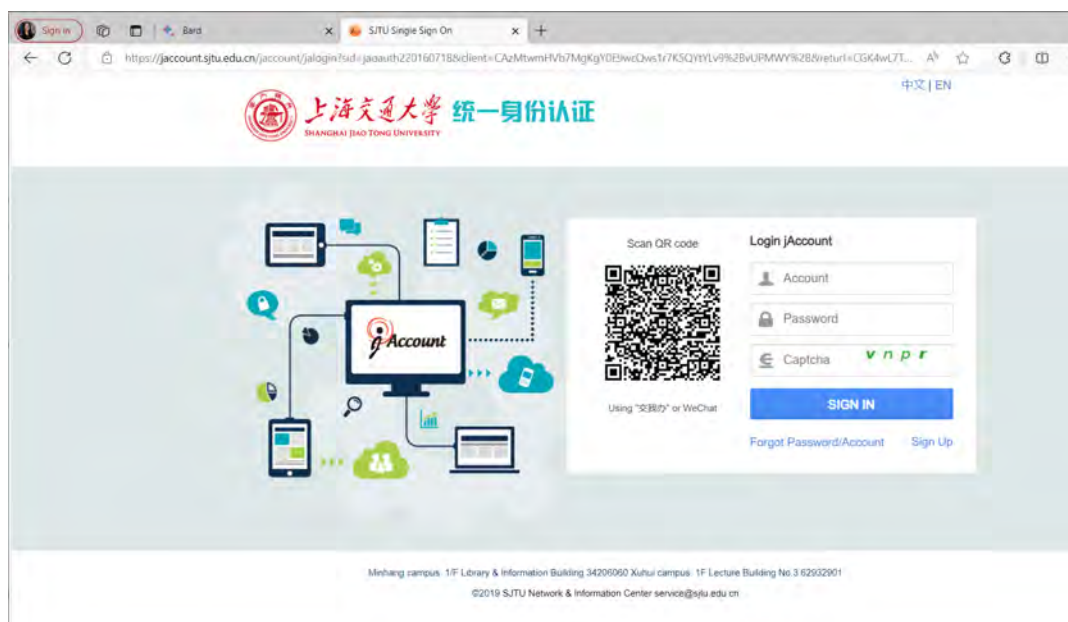
These areas of cooperation are designed to promote academic and research collaboration between the two universities. They also provide students and faculty members with opportunities to learn and grow in an international environment.

Here are some specific examples of how UAF and SJTU have implemented the "Content of Cooperation":

- Exchanges of visiting professors and scholars: In 2022, UAF hosted a visiting professor from SJTU who taught a course on Chinese business culture. In the same year, a UAF professor visited SJTU to teach a course on Arctic engineering.
- Dr. Hu Chan, an associate professor at the Institute of Intelligent Vehicle of SJTU, was a distinguished visiting scholar at UAF from Jun. 2020 to Jun. 2022 specializing in cyber-engineering, machine learning and intelligent vehicles. [Home \(google.com\)](#)
- Access to facilities and systems: UAF students have access to the SJTU library, and SJTU students have access to the UAF library. Both universities also offer their students access to their online learning platforms.
- Mutual research programs: UAF and SJTU faculty members are collaborating on a research project to develop new materials for use in extreme cold environments. The project is funded by the National Science Foundation.
- Mutual assistance: UAF and SJTU provide each other with assistance in areas such as academic advising, student services, and library resources. For example, UAF provides SJTU students with assistance in applying for US

visas, and SJTU provides UAF students with assistance in finding housing in Shanghai.

- I did find some information about the cooperation between the two universities on the SJTU website: <https://global.sjtu.edu.cn/en/cooperation/partners>; School of Mechanical Engineering, Shanghai Jiao Tong University (sjtu.edu.cn)
- This page states that UAF and SJTU have a "comprehensive partnership" that includes "exchanges of students and faculty, joint research projects, and dual degree programs." It also mentions that the two universities have established a joint institute for Arctic and Arctic-related studies.



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# Top China college in focus with ties to army's cyber-spying unit

By Melanie Lee

8 MIN READ



SHANGHAI (Reuters) - Faculty members at a top Chinese university have collaborated for years on technical research papers with a People's Liberation Army (PLA) unit accused of being at the heart of China's alleged cyber-war against Western commercial targets.



A Jiaotong University campus is seen at Zhangjiang High Technology Park, on the outskirts of Shanghai March 16, 2013. REUTERS/Carlos Barria

Several papers on computer network security and intrusion detection, easily accessed on the Internet, were co-authored by researchers at PLA Unit 61398, allegedly an operational unit actively engaged in cyber-espionage, and faculty at Shanghai Jiaotong University, a centre of academic excellence with ties to some of the world's top universities and attended by the country's political and business elite.

The apparent working relationship between the PLA unit and Shanghai Jiaotong is in contrast to common practice in most developed nations, where university professors in recent decades have been reluctant to cooperate with operational intelligence gathering units.

The issue of cyber-security is testing ties between the world's two biggest economies, prompting U.S. President Barack Obama to raise concerns over computer hacking in a phone call with new Chinese President Xi Jinping. China denies it engages in state-sponsored hacking, saying it is a victim of cyber-attacks from the United States.

There is no evidence to suggest any Shanghai Jiaotong academics who co-authored papers with Unit 61398 worked with anyone directly engaged in cyber-espionage operations, as opposed to research.

“The issue is operational activity - whether these research institutions have been involved in actual **intelligence** operations,” said James Lewis, director of the Technology and Public Policy Program at the Center for Strategic and International Studies. “That’s something the U.S. does not do.”

“(In the U.S.) there’s a clear line between an academic researcher and people engaged in operational (**intelligence** gathering) activities.”

Shanghai Jiaotong declined to comment.

## CO-AUTHORS

In reviewing the links between the PLA and Shanghai Jiaotong - whose alumni include former President Jiang Zemin, the head of China's top automaker and the former CEO of its most popular Internal portal - Reuters found at least three papers on cyber-warfare on a document-sharing web site that were co-authored by university faculty members and PLA researchers.

The papers, on network security and attack detection, state on their title pages they were written by Unit 61398 researchers and professors at Shanghai Jiaotong's School of Information Security Engineering (SISE).

In one 2007 paper on how to improve security by designing a collaborative network monitoring system, PLA researcher Chen Yi-qun worked with Xue Zhi, the vice-president of SISE and the school's Communist Party branch secretary. According to his biography on the school's website, Xue is credited with developing China's leading infiltrative cyber-attack platform.

Calls and emails to Xue were not answered. Reuters was unable to find contact details for Chen.

Fan Lei, an associate professor at Shanghai Jiaotong whose main research areas are network security management and cryptography, also co-authored a paper with Chen. Fan told Reuters he has no links with Unit 61398 and his work with Chen in 2010 was because Chen was a SISE graduate student. Fan said he was unaware Chen was with the PLA when they collaborated. Both of the papers Chen co-wrote with SISE professors stated he was with the PLA unit.

Cyber-security experts say the publicly available papers and China's National Information Security Engineering Centre are ostensibly about securing computer networks.

"The research seems to be defensive, but cyber-security research in general can be dual purpose," said Adam Meyers, director of **intelligence** at CrowdStrike, a security technology company based in Irvine, California.

Figuring out how best to defend networks, by definition, means thinking about the most effective means of attack, he noted.

Efforts to reach the PLA for comment on its collaboration with Shanghai Jiaotong were unsuccessful.

## TECH PARK NEIGHBORS

Set amid manicured lawns, Shanghai Jiaotong University is one of China's top four colleges, turning out brilliant technical engineers much in demand by both domestic companies and foreign multinationals. Its reputation has led to tie-ups with elite universities abroad.

Last month, Mandiant Corp, a private U.S.-based security firm, accused China's military of cyber-espionage on U.S. and other English-speaking companies, identifying Unit 61398 and its location at a building on the outskirts of Shanghai. China said the report was baseless and lacked "technical proof".

"SISE at Shanghai Jiaotong has provided support" to PLA Unit 61398 - known more formally as General Staff Department (GSD), Third Department, Second Bureau - said Russell Hsiao, author of papers on China's cyber-warfare capabilities for Project 2049 Institute, a Virginia-based think-tank, who drew his research from the technical papers and government reports.

He said another Shanghai Jiaotong department, the Department of Computer Science and Engineering, also did research work with another PLA unit. A Project 2049 report last year found the GSD's Third Department had

oversight of “information security engineering bases” in Shanghai, Beijing and Tianjin.

The GSD Third Department’s Shanghai base is in an industrial park housing mainly government research institutes and high-tech firms. The SISE building is in the same development, 40 kms from the university’s main Minhang campus. Across the street from SISE is the National Information Security Engineering Center, a building commissioned in 2003 by PLA Unit 61398. Also part of the base is the Ministry of Public Security’s Third Research Institute, which researches digital forensics and network security.

## **AUTO RESEARCH**

Shanghai Jiaotong is not officially linked to China’s military. SISE says on its website its goal is to speed up the development of China’s information security sector and address the national shortage of information security professionals.

Shanghai Jiaotong set up a joint institute in China’s second city in 2006 with the University of Michigan - seeking, it says on its web site, to “develop innovative and highly reputable education and research programs in various engineering fields.” A spokesman for the U.S. college said it has no relationship with SISE. Carnegie Mellon University in Pittsburgh also had a partnership with Shanghai Jiaotong’s School of Electronic, Information and Electrical Engineering, and Singapore Management University said it ended a tie-up with SISE last June.

Among the industries in the United States allegedly targeted by Unit 61398, as recently as last year according to Mandiant, is transportation, including the auto sector.

The University of Michigan collaborates closely with Detroit-based automakers on research projects, and is one of three colleges that comprise the University Research Corridor, which spent \$300 million on R&D projects over the last five years. Nearly a third of that was funded by private industry, according to local consultant the Anderson Economic Group.

“There was no indication in 2010 that the joint institute was involved in any way and that also is the case today. We do, of course, watch the news reports on these issues carefully,” said Rick Fitzgerald, a University of Michigan spokesman, referring to a New York Times report in 2010 citing investigators’ claims to have tracked cyber-attacks against Google Inc to Shanghai Jiaotong and an eastern Chinese vocational school.

Additional reporting by Jim Finkle and Joseph Menn in SAN FRANCISCO; Editing by Ian Geoghegan

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## DEFENCE UNIVERSITIES

# Shanghai Jiao Tong University

## 上海交通大学

Shanghai Jiao Tong University (SJTU) is designated high risk for its high level in defence research and alleged links to cyber attacks.

SJTU is directly under the administration of the MOE. In 2016 it also came under the supervision of defence industry agency SASTIND as part of a 'joint construction' agreement between the MOE and SASTIND. <sup>[1]</sup>

The university has at least three laboratories focused on defense research relating to materials science, ships and hydrodynamics. The defence labs have established substantial collaborative research and talent development relationships with hydrodynamics research groups at universities including MIT, Cornell, and the Danish Technical University. <sup>[2]</sup>

One of the university's strongest departments is computer science. Its computer science program has garnered support from American tech companies such as Cisco Systems and Microsoft, which collaborated on establishing a laboratory for intelligent computing and intelligent systems at the university. <sup>[3]</sup> In particular, the School of Information Security Engineering, has ties to the PLA through its dean and chief professor who both previously worked for the PLA. SJTU also has ties to the PLA Unit 61398, a cyber espionage unit that has been implicated in cyber attacks on the United States.

SJTU is also known for its involvement in maritime research. The School of Naval Architecture, Ocean & Civil Engineering cooperates


**HIGH**  
RISK CATEGORY

**SECRET**  
SECURITY CREDENTIALS

**3** MAJOR DEFENCE LABORATORIES

**5+** DESIGNATED DEFENCE RESEARCH AREAS

 ESPIONAGE OR MISCONDUCT

 Shanghai Jiao Tong University logo

### Aliases

上海交通大学

**SJTU**

extensively with other universities from around the world as well as with many domestic industrial enterprises, such as defence conglomerate CSIC and CASC. [5] The school is the lead unit of the High-tech Ship and Deep-Sea Development Equipment Collaborative Innovation Center (高新船舶与深海开发装备协同创新中心), where it has contributed to assisting the PLA Navy's transition to offshore defense operations. [5]

## Major defence laboratories

- National Key Laboratory of Science and Technology on Micro/Nano Fabrication (微米 / 纳米加工技术国防科技重点实验室) [6]
  - Jointly run with Peking University [7]
- MOE Key Laboratory of Hydrodynamics (水动力学教育部重点实验室 (B类) ) [8]
- Defense Key Disciplines Laboratory of Ship Equipment Noise and Vibration Control Technology (舰船设备噪声与振动控制技术国防重点学科实验室) [9]

In 2011, SJTU was building a system simulation and control defence laboratory that may have been involved in nuclear reactor research, but it is unclear whether this laboratory was completed. [10]

## Designated defence research areas

SJTU has at least five designated defence research areas. However, the total number is unknown.

- Aircraft design [11]
- Hydrodynamics [12]
- Ship design and manufacturing [13]
- Unknown discipline in the School of Nuclear Science and Engineering [14]

## Location

**800 Dongchuan Road, Minhang, Shanghai, China**

## Supervising agencies

**Ministry of Education (MOE)**

**State Administration for Science, Technology and Industry for National Defense (SASTIND)**

## Categories

**Civilian**

## Topics

**Aeronautical and astronautical science and technology**

**Control science and engineering**

**Cyber**

**Materials science and technology**

**Mechanics**

**Naval architecture and ocean engineering**

**Nuclear science and technology**



- System simulation and control [15]

## Economic espionage and misconduct

Several papers written on computer network security and intrusion detection were co-authored by researchers of the PLA Unit 61398 and faculty of SJTU. [16] Additionally, cyber attacks on Google and other American companies have been traced to computers at SJTU. [17]

## Defence and security links

SJTU is believed to hold secret-level security credentials, but this could not be confirmed. [18]

SJTU Materials Science Professor Ding Wenjiang received a first-class defence technology invention prize in 2017. [19]

SJTU has several links to the PLA, including its signing of a cooperation agreement with the Academy of Military Science in 2014 for conducting cooperative research. [20] SJTU also jointly sponsored a forum with the S&T Commission of the Military Commission and the Oceanic Intelligence Equipment and Systems Laboratory. The forum was focused on marine equipment systems and deep-sea information. Presentations were given on the following reports: the Future of Naval Warfare and Intelligent Equipment Development, the Requirement and Application of Deep-Sea Unmanned Systems, and a New Generation of Air-Sea Integrated Optical Communication, based on quantum technology. [21] Although not as explicitly related to the PLA, a laboratory within the School of Naval Architecture, Ocean & Civil Engineering (海上智能装备与系统实验室) was established in order to accelerate the development of China as a maritime power. [22]

SJTU also has ties to the PLA through its School of Information Security Engineering, which specializes in Internet Security. The school's dean and chief professor have both worked for the PLA. [23] Additionally, SJTU's School of Cyberspace Security, established in 2000, is the first domestic information security professional training

base jointly sponsored by MOE, MOST and the Shanghai Municipal Government. The School's key research areas are: cryptography theory and algorithms, quantum computing and post-quantum cryptography, software and systems security, hardware and embedded systems security, security architecture, information content security, artificial intelligence security, cloud security and big data privacy protection, industrial internet, wireless network and the Internet of Things security, and finally blockchain and financial security. The school also cooperates with Microsoft, Intel, Ali, Baidu and Tencent on these research topics. [25] Related to internet security, SJTU's Network Information Security Management and Service Engineering Research Center of Ministry of Education (网络信息安全管理与服务教育部工程研究中心) is focused on research for network protection detection and attack and defense technology. [25]

SJTU is a member of several research alliances, including the National Defense Technology Industry Nuclear Power Technology Innovation Center (国防科技工业核动力技术创新中心) [26] and the Thermal Management Materials and Technology Innovation Alliance (热管理材料与技术创新联盟). [27]

SJTU is involved with nuclear research, and in 2018 signed a strategic cooperation agreement with CNNC and planned for co-construction of the Nuclear Power Vessels and Marine Equipment Research Institute. This partnership was announced as serving the deep development of MCF. [28]

## Noteworthy international collaborations

In 2006, the University of Michigan and SJTU established the UM-SJTU Joint Institute with a mission to build a world-class educational and research institute in China. The institute offers two undergraduate majors in mechanical engineering and electrical & computer engineering. [29] In 2015, SJTU signed another agreement with the University of Washington to work on research for smart cities. The new agreement provides the potential for collaborations on establishing a joint research lab for developing smart cities technology and infrastructure, as well as joint talent training and educational degree programs. [30] SJTU also has a longstanding

partnership with MIT, and in 2011 SJTU signed a cooperation agreement with MIT. [\[31\]](#)

In France, Telecom Paris Tech and SJTU established the Paris Telecommunications (TPT) and Shanghai Jiao Tong University Joint Research Laboratory for Security and Trust (巴黎电信 (TPT) 和上海交通大学安全与信任联合研究实验室) [\[32\]](#)

*Last updated 18 November 2019. Unclear about any wording? [Visit the terminology page.](#)*

**Research areas**

**Defence labs**

**Terminology**

**About**

**Report**

**Connect**

**Submission for the  
Nomination of Margaret Taylor  
Added to the Record by  
Senator James E. Risch**

**Submission for Nomination of Margaret Taylor**

1. **230718 – TO Blinken – Malley Letter**
  - Initial Risch letter, to Secretary Blinken requesting information regarding the Malley clearance suspension, dated July 18, 2023
2. **231006 – Risch et al TO Blinken – Malley**
  - Risch, Risch, Hagerty, McCaul, Mast letter to Secretary Blinken requesting information regarding the Malley clearance suspension, dated October 6, 2023
3. **240207 – TO Blinken – Malley Follow-Up**
  - Risch letter to Secretary Blinken following up on previous requests for information regarding the Malley clearance suspension, dated February 7, 2024

# United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

July 18, 2023

The Honorable Antony Blinken  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

Dear Secretary Blinken:

I am deeply troubled by recent revelations concerning Special Envoy for Iran, Robert Malley. Despite the Department telling my staff for weeks that Mr. Malley has been on an extended absence for serious illness in the family, we learned only through social media on 16 June that he had in fact been suspended without pay for the mishandling of classified information. I am even more troubled to learn that the FBI is now leading the investigation. I expect greater transparency from the Department. Mr. Malley's outsized role in executing the administration's contentious Iran policy and implications for Congress demand greater transparency and consultations with key stakeholders on Capitol Hill.

Second, as the administration pursues dangerous "proximity talks" with the Iranian regime on wrongfully detained Americans and nuclear compliance, I am concerned that Mr. Malley's lapses in judgement may have negatively impacted U.S.-Iran policy or improperly influenced proximity talks with the regime. Further, we've received troubling reports that Mr. Malley has been meeting with families of wrongfully detained Americans as recently as three weeks ago. If he is indeed suspended, why is he performing duties?

I look forward to your prompt responses to specific questions below.

- (1) On what date did Mr. Malley stop serving as the special Envoy to Iran?
- (2) Is it true that Mr. Malley was on personal leave for serious family health issues? If yes, which dates did the leave begin and end? If not, who was responsible for providing this response to congressional inquiries?
- (3) Has Mr. Malley's security clearance been suspended? If so, on what date was Mr. Malley notified that his security clearance had been suspended?
- (4) Is the FBI leading an investigation regarding Mr. Malley?
- (5) On what date(s) did the alleged event(s) occur that led to the investigation or suspension? Please provide details of the alleged conduct that resulted in such investigation or suspension.
- (6) Is Mr. Malley's investigation related to his work as the Iran Special Envoy or is this an unrelated issue? If so, how? Please provide details.

The Honorable Antony Blinken

July 18, 2023

Page 2

- (7) Can you confirm or deny reports that Mr. Malley met with wrongfully detained Americans' families as recently as three weeks ago? If true, in what capacity did he take the meeting(s)?
- (8) When did Mr. Malley, as required by 12 FAM 233, turn in all "Department-issued credentials that provide logical or physical access to classified systems or designated classified spaces/facilities and any and all Special Issuance Agency-issued passport(s) to the Office of Personnel Security and Suitability (DS/SI/PSS)"?
- (9) What are the implications for discussions with Iran moving forward?

Apart from the Malley investigation, I am seeking legal clarification regarding the appointment of Mr. Abram Paley as the acting Special Envoy to Iran. Iran remains one of the most consequential foreign policy challenges facing the United States and, per the Department's website, the envoy is "responsible for directing, reviewing, and coordinating all aspects of the State Department's Iran-related activity, and reports directly to the Secretary of State."

Effective January 2023, Sec. 5105 of the FY22 NDAA places certain parameters on the appointment of such envoys.

- (10) How long has Mr. Paley served in this position?
- (11) Will Mr. Paley be "exercising significant authority pursuant to the laws of the United States" in this position?
- (12) If yes, does the administration plan to send the appointment to the Senate for advice and consent or rely on a temporary appointment exception, which would trigger certain reporting requirements to Congress 15 days prior to such appointment?
- (13) If Mr. Paley will not be "exercising significant authority," sec. 5105 requires the Department to certify to Congress an explanation regarding why not 15 days prior to such appointment. Has the Department made such a certification?

I am disappointed by the Department's lack of transparency on a matter that impacts critical national security issues. It is my sincere hope that you and the State Department will take this as an opportunity to strengthen future cooperation and transparency. I look forward to your response.

Sincerely,



JAMES E. RISCH  
Ranking Member

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

October 6, 2023

The Honorable Antony Blinken  
Secretary of State  
Department of State  
2201 C Street N.W.  
Washington, D.C. 20520

Dear Secretary Blinken,

We write to express our deep concerns with allegations surrounding Special Envoy for Iran Robert Malley and an alleged Iranian regime-sponsored influence campaign in the United States.

Communication from the State Department on the suspension of Mr. Malley's security clearance has been woefully inadequate. The Department has failed to adequately respond to repeated formal requests for additional information. We continue to have significant concerns regarding the circumstances surrounding the suspension of Mr. Malley's clearance, and the degree to which Mr. Malley and the Department adhered to official guidelines and standards regarding access to classified information and suspensions of security clearances. Further, we seek immediate clarity on whether, and the extent to which, Mr. Malley's actions and the actions of his team have impacted or otherwise influenced U.S.-Iran policy, including reported proximity talks with the Iranian regime in Oman, or the conduct of the Department during negotiations for the United States to return to the Joint Comprehensive Plan of Action.

Our concerns over the potential national security implications of Mr. Malley's activities and those of his associates continue to grow. Recent press reports revealed that the Iranian regime initiated the "Iran Experts Initiative" (IEI) in 2014 as part of an influence operation aimed at U.S. and European policymakers and expert communities. According to this same reporting, the regime tasked the IEI and its members to cultivate a network of organizations and individuals to help advance Tehran's agenda.

Several of those allegedly involved in the IEI had direct, and in some cases continuing, communications with members of the Iranian regime. This includes at least three current or former associates of Mr. Malley. One associate, Ariane Tabatabai, was recruited to the State Department, where she served as a senior advisor supporting Mr. Malley's negotiating team. She has since left the State Department and, we are troubled to note, she currently serves in the Department of Defense with access to special operations programs. The Department of Defense is now investigating whether all law and policy was followed in granting Ms. Tabatabai a security clearance.

The Intelligence Community has consistently identified Iranian malign influence operations as a major threat to U.S. national security interests. Like China and Russia, Iran pursues long-term malign influence campaigns through loosely-affiliated networks of individuals and organizations.

On its own, the discovery of the IEI would represent an important step in unraveling a broader Iranian malign influence network. However, the involvement of the IEI in influencing Mr.

Malley's confidants, when Mr. Malley himself is the subject of an ongoing security clearance investigation, raises serious questions about whether this Iranian influence operation succeeded in penetrating the U.S. government and influenced the policies of this administration. The State Department's continued obstruction and ongoing refusal to provide the basic information that we have requested substantially increases these concerns, and effectively blocks congressional oversight over the State Department and U.S.-Iran policy.

Specifically, we request immediate answers to the following questions:

- (1) Was the suspension of Mr. Malley's security clearance related to the IEI or any other Iranian malign influence operations or activities? Was it related to the passing of sensitive or classified information to members of the IEI network, such as Ali Vaez?
- (2) Was Diplomatic Security, or any other entity within the Department or broader inter-agency, aware of Ms. Tabatabai's alleged affiliation with IEI, or past contact with members of the Iranian regime?
- (3) Did Diplomatic Security conduct Ms. Tabatabai's background investigation? If so, did Ms. Tabatabai disclose her alleged involvement in IEI or any known members of IEI?
- (4) Is Diplomatic Security conducting an investigation into whether all law and policy were followed in granting Ms. Tabatabai a security clearance while she was at the State Department? If not, why not?
- (5) Does Diplomatic Security have any counter-intelligence concerns regarding IEI or any other Iranian regime influence operations? If so, are changes to any of State Department's operating guidelines or security procedures being considered?
- (6) When did the State Department become aware of Mr. Malley's connections to individuals with direct contact with the Iranian regime? Can you confirm whether a Department-wide investigation is actively being pursued to ensure the circumstances that led to the suspension of Mr. Malley's clearance do not involve any other current or former U.S. government employees?
- (7) Was Mr. Malley read into any covert action programs or DoD special access programs (SAPs)?
  - (a) If so, which departments or agencies and who at those departments or agencies sponsored his request?
  - (b) If so, were there any objections from the relevant departments or agencies?
  - (c) Were standard vetting procedures governing these programs followed, or did Mr. Malley receive any waivers? If so, from whom did he receive waivers?



- (8) Did the actions that resulted in the suspension of Mr. Malley's clearance:
- (a) Impact the conduct of U.S.-Iran policy;
  - (b) Unduly influence, inform, or otherwise impact reported proximity talks with the Iranian regime; or
  - (c) Influence, inform, or otherwise impact the conduct of the Department during negotiations related to Iran's nuclear program, potential sanctions relief, or the release of Americans wrongfully detained by the regime?
- (9) On August 27, 2023, the *Tehran Times* released an allegedly authentic "sensitive but unclassified" memorandum dated April 21, 2023, informing Mr. Malley of his suspended security clearance because of serious concerns regarding personal conduct, handling protected information, and use of information technology. Is this memorandum authentic?<sup>1</sup>
- (10) Has the Department performed, begun to perform, or is it intending to perform a top-to-bottom security review following these troubling developments and the release of allegedly authentic sensitive government documents?

We hope you appreciate the seriousness of these concerns and we look forward to your response.

Sincerely,



JAMES E. RISCH  
Ranking Member  
Senate Foreign Relations Committee



MICHAEL MCCAUL  
Chairman  
House Foreign Affairs Committee



BILL HAGERTY  
United States Senator



BRIAN MAST  
United States Representative

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<sup>1</sup> <https://www.tehrantimes.com/news/488429/Final-Say>

ROBERT MENENDEZ, NEW JERSEY  
JEANNE SHAHEEN, NEW HAMPSHIRE  
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## United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 7, 2024

The Honorable Antony Blinken  
Secretary  
Department of State  
2201 C Street N.W.  
Washington, D.C. 20520

Dear Secretary Blinken:

I write to express deep concern and frustration regarding the State Department's complete lack of cooperation with the Senate Foreign Relations Committee regarding oversight of Special Envoy for Iran Robert Malley's security clearance status.

I had hoped and expected to receive a substantive update on this situation during last week's meeting with John Bass, Undersecretary for Management, and Gentry Smith, the Assistant Secretary of the Bureau of Diplomatic Security. Unfortunately, it quickly became clear that the Department had no intention of sharing any meaningful information on the substance of the allegations against Mr. Malley. They provided no substantive answers and no legal basis for withholding this information. This conduct is utterly unacceptable.

Members of this committee continue to have serious concerns with the lack of communication from the Department. Specifically, I am seeking additional clarity on the circumstances surrounding the publicly reported suspension of Mr. Malley's clearance, the degree to which Mr. Malley and the Department adhered to official guidelines and standards regarding access to classified information, the extent to which Mr. Malley's actions have impacted U.S.-Iran policy, including reported proximity talks with the Iranian regime in Oman, and the conduct of the Department during negotiations for the United States to return to the Joint Comprehensive Plan of Action.

In addition, I have had a number of private meetings with Mr. Malley where I discussed highly sensitive matters on these topics in my capacity as ranking member of this committee and as a senior member of the Senate Intelligence Committee. I need to understand whether any of these discussions were compromised or, inversely, whether any of the information Mr. Malley shared with me was influenced inappropriately as a result of his conduct.

Despite my having sent you letters requesting this information on July 18 and October 6 of last year, the Department has failed to substantively respond to these repeated formal requests for additional information in any meaningful way.

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When I have asked why the Department has not provided me with substantive answers to these questions, Department officials have made vague references to the federal Privacy Act – despite the fact the Privacy Act clearly outlines a bright line exception for disclosures to congressional committees.<sup>1</sup> Additionally, there are not any other laws, regulations, or rules that prohibit the Department from sharing basic facts about serious allegations against a senior administration official with its oversight committee.

The Department's blatant disregard for statutory requirements and for this committee's legitimate oversight concerns is utterly unacceptable and will not be tolerated. Until I receive the information I am asking for, I'll be taking further action to utilize tools at my disposal as ranking member of the committee, including nominations and Congressional Notifications.

Sincerely,



JAMES E. RISCH  
Ranking Member

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<sup>1</sup> Specifically, 5 USC §552a (b)(9) outlines an exception to federal disclosures covered by the federal Privacy Act for “. . . either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee[.]”