

Too Many Resources?

It's unclear why the situation in upstate New York is more serious than in other parts of the country, including areas with high border traffic volumes, like Detroit and northeastern Washington State. Some university officials and immigration lawyers suspect that Customs and Border Protection's Rochester station has been given more resources than it knows what to do with, reportedly expanding from seven to 27 agents since May 2008. There are no ports of entry in its jurisdiction, which lacks a land boundary with Canada.

"Basically they have nothing to do, so they've come up with a really easy way to arrest a lot of people through internal enforcement," says Nancy Morawetz, of the New York University School of Law, who has represented individuals caught up in the sweeps and procured arrest information from Customs and Border Protection via the Freedom of Information Act. The records have shown that less than 1 percent of those arrested on buses and trains in the Rochester area had entered the country within the past three days, and that none of them could be shown to have entered from Canada, she says. "I think that data is incredibly powerful," Ms. Morawetz says, "because it shows that all this aggravation and hardship has essentially nothing to do with the Border Patrol mission" of securing the border.

"In a country where 5 percent of the population lacks status, it's not hard to pick up bodies by going into any crowded station and asking people where they were born," she says. "This isn't about securing our borders. It's about making life as uncomfortable as possible for those out of status and not caring how it makes foreign students or professionals feel."

Customs and Border Protection headquarters did not make anyone available to discuss the programmatic purpose of the sweeps and checkpoints, and its written statement said only that it "performed in direct support of immediate border-enforcement efforts and as a means of preventing smuggling organizations from exploiting existing transportation hubs to travel to the interior of the United States." An official who could speak for the situation in upstate New York did not keep a scheduled telephone interview.

The operations officer at the Swanton, Vt., sector office, Mark Henry, said it didn't set up highway checkpoints to use excessive manpower. "We set them up based on intelligence," he said. "Naturally our first concern is with terrorists and weapons of mass destruction, but we're an all-threats agency, so it can be related to narcotics trafficking and all kinds of law enforcement."

Some near-border institutions refused to discuss the effects of highway stops and roving patrols on their foreign students. The Swanton office of Customs and Border Protection occasionally sets up roadblocks on Interstate 91 in White River Junction, Vt., a few miles from Dartmouth College's campus, but a spokesperson for the college, Sarah A. Memmi, said it would not "contribute to your story." Similarly, officials at the international office of the University of North Dakota said the institution did not wish to comment on the situation in its region.

"Ever since 9/11, nobody wants to be painted as being indifferent to the terrorist threat, so schools advise people to avoid saying anything that might paint the institution as undermining counterterrorism enforcement," said Victor Johnson, senior public-policy adviser at NAFSA: Association of International Educators. "That's part of the reason we don't hear that much about it."

Fortunately, institutions report that foreign enrollments haven't been affected, with several seeing substantial increases in recent years. The Rochester Institute of Technology, for instance, has seen 50-percent growth in its foreign enrollment since 2005, according to its director of international student services, Jeffrey W. Cox. "We've been active in preparing them for whatever they might encounter," he said. Its advice: "When you leave the suburb of Henrietta," where RIT is located, "always have your documents with you."

Spy's arrest underscores Beijing's bid for agents

By Bill Gertz

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A former American student in China whom Chinese intelligence recruited as a spy was caught after he sought work in the CIA's espionage branch, highlighting Beijing's efforts to plant spies inside the agency.

U.S. officials said screening by security and counterintelligence officials led to the discovery that Glenn Duffie Shriver, a Detroit resident, had close ties to Chinese intelligence agents working for the Ministry of State Security, who paid him at least \$70,000 to work secretly as an informant in the CIA.

CIA spokeswoman Paula Weiss declined to provide details of how Shriver was uncovered during an attempt last year and this year to join the CIA-led National Clandestine Service at the behest of the Chinese, but praised the case as an example of good security.

"This was in fact a counterintelligence success," she said.

A U.S. official familiar with the case said, "On the one hand, it's unsurprising that the Chinese would try to gain access to the CIA in this manner.

"On the other, trying to get someone in through the hiring process is one of the oldest and most predictable tricks in the book — and they surely must have known that their chances of failure were high."

Shriver pleaded guilty in federal court in Alexandria on Friday to one count of conspiracy to communicate national defense information. Under the deal, he is expected to be sentenced to five years in prison.

Shriver is not the first spy for the Chinese to target the CIA. U.S. intelligence sources have said at least three CIA officers were reported to Director George J. Tenet in 1999 as having spied for China, but were never caught. One of the agents was paid \$60,000 by Beijing.

CIA translator Larry Wu Tai Chin was arrested in 1985 and charged with being a longtime Chinese spy. He committed suicide in his jail cell before he could be sentenced.

But the CIA has come under fire in recent years from critics who say its counterintelligence capabilities are weak.

The agency was penetrated directly by CIA turncoat Aldridge Ames, who, while working as a senior CIA counterintelligence officer, gave Moscow the identities of all its recruited agents, causing the deaths and imprisonments of the agency's most valuable sources at the end of the Cold War. He was arrested in 1993 and later sentenced to life in prison.

The CIA also was damaged by the case of FBI agent Robert P. Hanssen, who also spied for Moscow for many years until his arrest in 2001. FBI investigators disrupted CIA counterintelligence operations when they falsely accused CIA counterspy Brian Kelley of being a Soviet agent until a KGB audio recording revealed that Hanssen was the spy.

Kenneth E. deGraffenreid, former deputy national counterintelligence executive, said the Shriver case is further evidence of a wide-ranging Chinese government program against U.S. national interests.

"This is another example of the breadth and depth of Chinese operations against U.S. national security," he said. "Those operations range from sustained cyber-attacks to deep-penetration agents [inside the U.S. government], like the kind of agent Mr. Shriver was meant to be."

The disposal of the Shriver case also comes in the context of rising political and economic tensions between Washington and Beijing over several issues — another round of Taiwanese requests for U.S. arms, China's overvalued currency, the U.S. trade deficit with Beijing, Chinese aggressiveness in territorial disputes with its neighbors around the South China Sea, and China's manipulation of its rare earth minerals exports.

National Economic Council Chairman Lawrence H. Summers said the minerals issue poses "serious questions, both in the economic and in the strategy realm, that are going to require close study within our government."

Secretary of State Hillary Rodham Clinton is in Vietnam this week for a regional summit with China-related issues at the forefront, just months after she helped line up several nations in the region against China's territorial claims.

Wang Baodong, a spokesman for the Chinese Embassy, said the Shriver case was based on "fabricated allegations" aimed at defaming China.

China "never engages itself in activities that will harm other countries' national interests, and it's sincere in developing Sino-U.S. relations of mutual benefit," he said.

According to the statement of facts made public Friday, Shriver returned to China in 2004 after studying as an exchange student at East China Normal University in Shanghai. He was recruited into Chinese intelligence after responding to an advertisement offering pay for writing a political assessment of U.S.-China relations on North Korea and Taiwan by a woman named Amanda.

The woman then arranged for Shriver to meet with two Chinese intelligence officers, identified in court papers as "Mr. Wu" and "Mr. Tang," who persuaded Shriver to join the State Department, CIA or U.S. law enforcement agencies.

"If it's possible, we want you to get us some secrets or classified information," one of the officials told him, according to the statement of facts.

After twice failing the Foreign Service exam required for State Department employment, Shriver was still paid \$30,000 by the Chinese, and in 2007 after applying for a position in the National Clandestine Service, the CIA-led espionage branch, he received \$40,000 more.

In late 2009 and early 2010, Shriver continued to seek employment at the CIA, falsely stating on applications and in interviews that he had no contact with foreign intelligence agents. According to the statement, Shriver held 20 meetings with Chinese agents from 2004 to 2007.

Mr. deGraffenreid said Shriver was likely groomed as a long-term agent, like Larry Chin, who joined the agency in the late 1940s and spied until his discovery in 1985.

China also demonstrated its intelligence prowess in the case of Katrina Leung, an FBI informant in Los Angeles who U.S. officials say was a spy for China while having intimate affairs with two senior FBI counterintelligence agents.

Mr. deGraffenreid said China's military and intelligence services also run front companies in the United States that are involved in stealing and buying embargoed U.S. technology.

Mr. deGraffenreid, who also served as senior director for intelligence at the White House National Security Council staff in the Reagan administration, said Chinese operations against the U.S. will continue to cause damage until the government takes tougher action against Beijing.

"It is simply not enough to say the FBI will take care of this problem," said Mr. deGraffenreid, who helped arrange the ouster of scores of KGB officers in the 1980s. "It wasn't until a decision was made by the U.S. government to stop the theft of secrets and technology that we really made any headway against the KGB."

The official who defended the CIA said the agency screens applicants carefully for ties to foreign intelligence agencies.

"That's one reason why the agency performs such thorough background investigations on individuals who are being considered for employment," the official said. "In this case, Shriver was discovered early in the hiring process."

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Department of Justice Press Release

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Michigan Man Sentenced 48 Months for Attempting to Spy for the People's Republic of China

WASHINGTON—Glenn Duffie Shriver, 28, of Grand Rapids, Michigan, was sentenced today to 48 months in prison for conspiring to provide national defense information to intelligence officers of the People's Republic of China (PRC).

Neil H. MacBride, U.S. Attorney for the Eastern District of Virginia, and David Kris, Assistant Attorney General for National Security, made the announcement after sentencing by U.S. District Court Judge Liam O'Grady.

On Oct. 22, 2010, Shriver pleaded guilty to a one-count criminal information charging him with conspiracy to communicate national defense information to a person not entitled to receive it.

"Mr. Shriver sold out his country and repeatedly sought a position in our intelligence community so that he could provide classified information to the PRC," said U.S. Attorney MacBride. "Attempts to gain access to sensitive information are a serious threat to our national security. We are doing everything in our power to find and punish those who seek to betray our country."

According to a statement of facts filed with his plea agreement, Shriver is proficient in Mandarin Chinese and lived in the PRC both as an undergraduate student and after graduation. While living in Shanghai in October 2004, Shriver developed a relationship with three individuals whom he came to learn were PRC intelligence officers. At the request of these foreign agents, Shriver agreed to return to the United States and apply for positions in U.S. intelligence agencies or law enforcement organizations.

Shriver admitted in court that he knew that his ultimate objective was to obtain a position with a federal department or agency that would afford him access to classified national defense information, which he would then transmit to the PRC officers in return for cash payments.

From 2005 to 2010, Shriver attempted to gain employment as a U.S. Foreign Service Officer with the Department of State and as a clandestine service officer with the Central Intelligence Agency. Shriver admitted that, during this time, he maintained frequent contact with the PRC intelligence officers and received more than \$70,000 in three separate cash payments for what the officers called his "friendship."

In December 2009, Shriver received notice that he was to report to Washington, D.C., in May 2010 for employment processing activities with the CIA. Shriver admitted that he communicated with a PRC intelligence officer that he was "making some progress" in obtaining a position with the CIA and that he would not be free to travel to PRC for another meeting because it could raise suspicion with federal agents conducting his background investigation.

Shriver admitted that he made false statements on the CIA questionnaire required for employment stating that he had not had any contact with a foreign government or its representative during the last seven years, when in fact he had met in person with one or more of the officers approximately 20 times since 2004. He also deliberately omitted his travel to PRC in 2007 when he received a \$40,000 cash payment from the PRC for applying to the CIA. In addition, Shriver made false statements during a series of screening interviews at the CIA, and he admitted he made each of the false statements to conceal his illicit relationship with the PRC intelligence officers.

This case is being investigated by the FBI's Washington Field Office. Assistant U.S. Attorney Stephen M. Campbell of the U.S. Attorney's Office for the Eastern District of Virginia and Trial Attorney Brandon L. Van Grack of the Counterespionage Section in the National Security Division are prosecuting the case.



Graham Spanier Penn State's 16th president

Graham Spanier has been described as an unconventional university president. He loves spending time with students. He is a magician and faculty adviser to the Penn State Performing Magicians, and he has performed with Penn State's Musical Theatre students, the Blue Band, the Glee Club, and the Chamber Orchestra. He often substitutes for the Nittany Lion mascot. He has run with the bulls in Pamplona, has a commercial pilot's license, and plays the washboard with the Deacons of Dixieland, the Phyrst Phamily, and other bands. He and his racquetball partner are the six-time, reigning Penn State co-ed intramural racquetball champions. He is the host of "To the Best of My Knowledge," the live, call-in program on public television and radio. But most of his time is spent overseeing one of the nation's largest and most comprehensive universities, with 38,700 employees on 24 campuses, an annual budget of more than \$3 billion, and a physical plant of 1,400 buildings.

Since he was appointed Penn State's 16th president in 1995, Dr. Spanier has been the guiding force behind several historic academic initiatives, including the creation of The Schreyer Honors College, the Penn State World Campus, and the School of Information Sciences and Technology. He has promoted increased internationalization of the University. President Spanier elevated Penn State Cooperative Extension to expand outreach to citizens of Pennsylvania. He oversaw Penn State's recently completed Grand Destiny Campaign, which raised nearly \$1.4 billion.

Dr. Spanier's prior positions include chancellor of the University of Nebraska-Lincoln, provost and vice president for academic affairs at Oregon State University, and vice provost for undergraduate studies at the State University of New York at Stony Brook. He previously served Penn State from 1973-1982 as a member of the faculty and in three administrative positions in what now is Penn State's College of Health and Human Development. He holds academic appointments as professor of human development and family studies, sociology, demography, and family and community medicine.

A distinguished researcher and scholar, he has more than 100 scholarly publications, including 10 books, and was the founding editor of the Journal of Family Issues. He is a family sociologist, demographer, and marriage and family therapist. He earned his Ph.D. in sociology from Northwestern University, where he was a Woodrow Wilson Fellow, and his bachelor's and master's degrees from Iowa

State University, where he was honored with the Distinguished Achievement Citation.

A national leader in higher education, Dr. Spanier was appointed as Academic co-chair of the FBI's National Security Higher Education Advisory Board in September, 2005, and has received the Director's Award as a result of his continued service and commitment to that body. He formerly served as chair of the Board of Directors of the National Association of State Universities and Land-Grant Colleges, is co-chair of the Committee on Higher Education and the Entertainment Industry, was chair of the Big Ten Conference Council of Presidents/Chancellors, and is vice chair of the Worldwide Universities Network. He served as chair of the NCAA Division I Board of Directors, led the Kellogg Commission on the Future of State and Land-Grant Universities, served on the Board of Trustees of the National 4-H Council, and was a founding member of the Internet2 board. He was president of the National Council of Family Relations, chairman of the Board of Directors of the Christian Children's Fund, and serves on the board of Junior Achievement International.

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C. Frank Figliuzzi
Assistant Director
Counterintelligence Division

A Connecticut native, Mr. Figliuzzi earned a Juris Doctorate with honors from the University of Connecticut School of Law, and a Bachelor of Arts Degree in English Literature from Fairfield University. He is a graduate of the Harvard University, John F. Kennedy School of Government, program for Senior Executives in National and International Security.

Mr. Figliuzzi was appointed an FBI Special Agent in August 1987 and assigned to the FBI's Atlanta Division where he worked terrorism and foreign counterintelligence investigations. In 1992 he was promoted to the National Security Division at FBI Headquarters in Washington, DC, with responsibility for oversight of economic espionage matters.

In 1995, Mr. Figliuzzi was named Supervisory Senior Resident Agent, Palo Alto Resident Agency, in the FBI's San Francisco Division. His office, near Silicon Valley, California led the FBI in investigations of foreign sponsored thefts of trade secrets. In 1997, Mr. Figliuzzi was tasked to lead one of the FBI's first squads exclusively devoted to crimes against children. This San Francisco squad was responsible for responding to child kidnaping, investigating child pornography, and unsolved child abductions and murders. In 1998, Mr. Figliuzzi was promoted to Unit Chief in the Office of Professional Responsibility at FBI Headquarters. In this position he adjudicated allegations of serious misconduct against FBI personnel in the Eastern United States.

In 1999, Mr. Figliuzzi was appointed Assistant Special Agent in Charge of the FBI's Miami Division, the fifth largest in the country. He led the Miami Division's White Collar Crime Branch known for its successful investigations of high profile public corruption and corporate fraud cases. Following the attacks of 09/11/2001, Mr. Figliuzzi was selected to head FBI Miami's new Counterterrorism Branch. He implemented the South Florida Joint Terrorism Task Force with 160 personnel from 34 agencies. He served as on-scene commander during the nation's first anthrax murder in Boca Raton, Florida.

In August 2004, Mr. Figliuzzi was promoted to Inspector. Based in Washington, DC, he led teams responsible for assessing FBI operations around the world. In December 2005, Mr. Figliuzzi became the FBI's Chief Inspector. FBI Director Robert S. Mueller, III, named Mr. Figliuzzi the Special Agent in Charge of the Cleveland Division on October 4, 2006. He reported as Deputy Assistant Director, Counterintelligence Division, on November 7, 2010. He has been recently promoted to Assistant Director, Counterintelligence Division.

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