



UNITED STATES DISTRICT COURT

12/17/2024

for the

IV

Central District of California

United States of America

v.

Yaoning Sun

aka "Mike Sun,"

aka "Yuening Sun,"

Defendant.

Case No. 2:24-MJ-07416-DUTY

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. Beginning on an unknown date, and continuing until at least on or about April 27, 2024, in the county of Los Angeles in the Central District of California, the defendant violated:

Code Section

18 U.S.C. § 371
18 U.S.C. § 951

Offense Description

Conspiracy
Acting as an Illegal Agent of a Foreign
Government

This criminal complaint is based on these facts:

Please see attached affidavit.

Continued on the attached sheet.

Complainant's signature

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone.

Date: December 17, 2024

Judge's signature

City and state: Los Angeles, California

Hon. Patricia Donahue, U.S. Magistrate Judge

Printed name and title

AUSA: Amanda Elbogen _____

affidavit are related in substance and in part only, and all dates and times are on or about those indicated.

III. SUMMARY OF PROBABLE CAUSE

4. Yaoning Sun, a.k.a. "Mike" Sun ("SUN"), is a resident of Chino Hills, California who served as the campaign manager for a local politician ("Individual 1"). John Chen, a.k.a. "Chen Jun" ("CHEN"), is an agent of the PRC government who recently pleaded guilty in the Southern District of New York to acting as an illegal agent of the PRC government in violation of 18 U.S.C. § 951.

5. In 2022 and early 2023, CHEN was in active communication with PRC government officials regarding local U.S. politicians the PRC could "influence," particularly regarding Taiwan, and specifically communicated with them regarding Individual 1's election. In his conversations with PRC government officials, CHEN referred to SUN and Individual 1 as being part of a "basic team dedicated for us."

6. CHEN was in frequent contact with SUN, whom he instructed to submit reports on Individual 1's election that he could then provide to the "United Front" and get to the "Big Boss's desk." Based on my training and experience, and my knowledge of this investigation, "United Front" refers to the United Front Work Department ("UFWD")¹ of the Central Committee

¹ According to an August 2018 report published by the U.S.-China Economic and Security Review Commission, the UFWD coordinates the "United Front" strategy to "co-opt and neutralize sources of potential opposition to the policies and authority" of the CCP. The report further states that the UFWD
(footnote cont'd on next page)

of the Chinese Communist Party ("CCP"), and the "Big Boss" refers to someone at a high level in the CCP. SUN drafted the report and CHEN provided feedback and edits. The last draft of the report included a request for \$80,000 in funding from the PRC Government to support pro-PRC activities in the United States.

7. Neither SUN nor CHEN has ever notified the Attorney General that he was acting, would be acting, or had acted as an agent of a foreign government or official.

IV. STATEMENT OF PROBABLE CAUSE

A. Background on 18 U.S.C. § 951

8. Title 18, United States Code, Section 951 provides that, "[w]hoever, other than a diplomatic or consular officer or attaché, acts in the United States as an agent of a foreign government without prior notification to the Attorney General if required," shall be punished. With several exceptions, § 951 defines the term "agent of a foreign government" as "an individual who agrees to operate within the United States subject to the direction or control of a foreign government or official." 18 U.S.C. § 951(d).

accomplishes this using a range of methods, including "influenc[ing] overseas Chinese communities, foreign governments, and other actors to take actions or adopt positions supportive of Beijing's preferred policies . . . United Front work serves to promote Beijing's preferred global narrative, pressuring individuals living in free and open societies to self-censor and avoid discussing issues unfavorable to the CCP, and harass or undermine groups critical of Beijing's policies."

B. Background on SUN and CHEN

9. Based on my review of open-source information, I know that SUN is a resident of Chino Hills, California, who served as the campaign manager for Individual 1's election campaign in 2022. Based on SUN's communications with CHEN, I know that SUN has previously served in China's army, the People's Liberation Army ("PLA"). The FBI has obtained photos showing both SUN and CHEN in PLA military uniforms. SUN's publicly available LinkedIn profile also lists him as the Director of U.S. News Center, a purported media outlet he runs with Individual 1. Based on my review of Individual 1's public campaign records, SUN appears to have paid for a portion of Individual 1's travel expenses. SUN's last-registered physical address with the DMV is a home owned by Individual 1.

10. In an April 26, 2008, Los Angeles Times article,² CHEN was described as a former government official of the PRC and is quoted stating that he holds "an honorary position with the Chinese government as an overseas consultant -- a role that sometimes requires visits to China to advise officials on topics like the economy." As described in the L.A. Times article, CHEN was "one of the lead organizers" of a pro-PRC rally in the Los Angeles area in 2008.³

² David Pierson, *Protest reflects a shift in Chinese Americans' views*, L.A. Times (April 26, 2008), <https://www.latimes.com/archives/la-xpm-2008-apr-26-me-chinese26-story.html> (last visited on December 13, 2024).

³ Based on my training and experience, I believe the "John Chen" mentioned in the article is CHEN because (a) the article references that "John Chen" is a patio furniture maker, and CHEN
(footnote cont'd on next page)

11. In a YouTube video posted on September 15, 2019,⁴ CHEN can be seen with a megaphone at a pro-Taiwan protest in Los Angeles threatening protesters, saying: "If you have a Chinese passport, and I take your photo now, you will be arrested when you return to China. If you hold a U.S. passport, you won't be able to obtain a Chinese visa."



12. The individual shown holding a megaphone in this video appears to match CHEN's driver's license photo, pasted below.



13. CHEN appears to have met with Chinese President Xi Jinping and also attended high-level CCP functions, including the 70th Anniversary of the CCP in Beijing in 2019. Photos, such as the one below showing CHEN (left) shaking hands with PRC President Xi Jinping (right), corroborate my belief that CHEN has had longstanding ties with the Chinese Government and the

owns a patio furniture company; and (b) CHEN used to maintain a residence in Diamond Bar, California, where the article stated "John Chen" lived.

⁴ The video was reposted to Twitter and can be viewed at <https://twitter.com/jenniferzeng97/status/1662264915975872513> (last visited on December 13, 2024).

CCP. The metadata from the below photo indicates that it was likely taken on May 28, 2021.



C. May 2023: FBI Arrests CHEN and Seizes his Phones

14. On or about May 24, 2023, the Honorable Andrew Krause, United States Magistrate Judge for the Southern District of New York, signed a complaint charging CHEN and another individual with violations of 18 U.S.C. § 951 and 18 U.S.C. § 371. In summary, the complaint alleged that CHEN worked in the United States at the direction of the PRC to further the PRC's campaign against practitioners of Falun Gong, a spiritual practice banned in the PRC. Specifically, the complaint alleged that CHEN and his associate offered to pay and did pay cash bribes on behalf of the PRC to a purported Internal Revenue Service agent (who was in fact an undercover law enforcement agent), in exchange for assistance in filing a defective whistleblower complaint as part of a PRC Government-directed scheme to revoke the tax-exempt status of a 501(c)(3) organization run by Falun Gong practitioners.

15. On June 9, 2023, CHEN was indicted by a grand jury in the Southern District of New York for Conspiring to Act as an

Illegal Agent of a Foreign Government and to Bribe a Public Official in violation of 18 U.S.C. § 371 (Count One), Acting as an Illegal Agent of a Foreign Government in violation of 18 U.S.C. § 951 (Count Two), Bribing a Public Official in violation of 18 U.S.C. § 201(b) (Count Three), and Conspiring to Commit International Money Laundering in violation of 18 U.S.C. § 1956(h) (Count Four). On July 24, 2024, CHEN pleaded guilty to Counts Two and Three, thereby admitting he had acted as an illegal agent of the PRC government in violation of 18 U.S.C. § 951. On November 19, 2024, CHEN was sentenced in the Southern District of New York to twenty months' imprisonment.

16. While in pre-trial detention, CHEN reportedly told his cellmate that he was a Chinese spy, saying he worked for the PRC's "610 office," which he described as a "spy agency" that was 100 times better than the FBI. CHEN reportedly expressed his astonishment that he was caught, remarking that the "610 office" had resources and he couldn't believe they didn't do a better job watching him. CHEN also reportedly said that the "610 office" paid him \$250,000 to move to the U.S. thirty years ago and had paid him \$52,000 per month since then.

D. CHEN Communicates with PRC Officials About Individual 1's Election and SUN Being Part of a "Team Dedicated For Us"

1. CHEN Discusses U.S. Politicians Who Can Be "Influenced" by the PRC with a Second PRC Government Official

17. Based on the contents of CHEN's messages on his devices, it appears that in September 2022, while visiting Tianjin, China, CHEN had lunch with the chief of a municipal

government office in the PRC ("PRC Government Official 1") and PRC Government Official 2, who is identified in the chat as the assistant to the Director of that office. Based on my review of his phone contents, CHEN had extensive conversations with PRC Government Official 2 about his efforts to influence politicians in Southern California, including Individual 1, and stated that he had assembled a "team dedicated for us," which included SUN and Individual 1.

18. On October 9, 2022, CHEN sent PRC Government Official 2 the name and picture of a local politician, writing "Former L.A. County Supervisor. Friendly to China. Will chat with him and his wife when back." PRC Government Official 2 responded, "Ok thanks. I will communicate several things all together in a few days, to gauge the level of attention."

19. On October 13, 2022, the following exchange took place between CHEN and PRC Government Official 2:

PRC 2: Chairman, today, we briefed those several things we talked about the other day with the leader of our line in Beijing, I am going to update you here. First of all, the higher ups do confirm your capability and influence, promised that we can take your line and make it an official work put into record, this means after it's in the record we can have monetary support. Regarding the thing you mentioned about Taiwan, they think this is not the best time, their preliminary plan is that after the election they will disrupt new congressman who will visit Taiwan just like you proposed, when they start related work, they promise to remember your line, will give us instructions at that time, then we can execute, of course we can also apply for the same support from Beijing, but not this time. Regarding the line you mentioned about the county supervisor, they will approve current county supervisor, but not former county supervisor, but I personally agree that

we can go through the current one from the former one, so we internally are willing to provide the preliminary funding for you to socialize with the former county supervisor, but not a lot at once, it will be enough for meals and conference, but if you succeed in contacting with the current one, I believe the support will increase, so let's keep in touch about this, let me know before you meet with the former county supervisor, I will try my best to get you support. (Try to meet with him to find out more about the new county supervisor, write a simple report, and then find a chance to ask him to introduce you to the new one directly). Lastly, I need a small favor from you, please give me a list of Chinese groups names that you can organize to "mobilize", channels, or local Chinese groups, and Chinese media that can promote stuff, I am going to write it up for the higher ups to put in record. I plan on doing this in a few days, after this we can officially start working.

. . .

CHEN: US SoCal Chinese-American Alliance
Association president [C.C.]
US SoCal Chinese Alliance Association president [Z.W.]
US Chinese Alliance president [L.G.].
US Chinese Community Alliance Conference president Jun
CHEN.
US China Unification Forum president [Z.D.].

20. On October 14, 2022, the following exchange took place between CHEN and PRC Government Official 2:

PRC 2: Question, you mentioned you can influence with current one? Is there an overall county supervisor? There are different districts? Is the old [M.A.] a district county supervisor?

CHEN: It's [C.B.].

CHEN: I didn't know there is L.A. sub district.

2. CHEN Meets with PRC Government Official 2 in China and is Instructed to Delete Their Chat History

21. Based on a review of the messaging conversations from CHEN's phones, it appears that on November 14, 2022, CHEN again met with PRC Government Official 2 and his boss, PRC Government Official 1, in Linyi, Shandong, China. Later that day, CHEN forwarded many of his contacts for U.S.-based Chinese leaders to PRC Government Official 2.

22. On November 15, 2022, PRC Government Official 2 told CHEN:

PRC 2: Ok, you can delete our chat history, when you get to the U.S. it's best to use voice messages, good luck. It's best to contact me with the other number when you get over there.

23. Following this instruction to delete his chat history, CHEN deleted messages from his cellular telephone.

24. CHEN returned to the United States on November 15, 2022.

3. CHEN was in Direct Contact With Individual 1 After Individual 1's Election

25. On November 9, 2022, election day in California, the following conversation took place between Individual 1 and CHEN:

INDIVIDUAL 1: Old SUN is contacting you. Please call him back. He is with me.

CHEN: Got it, congratulations. Going back to the U.S. on the 15th, talk in person.

26. On December 5, 2022, CHEN spoke with Individual 1 on the phone for over 25 minutes.

27. On January 23, 2023, the following conversation took place between Individual 1 and CHEN:

INDIVIDUAL 1: [Sends CHEN a thank you letter for attending her 2023 Chinese New Year event]

CHEN: [Individual 1] you are doing a good job, I hope you can continue the good work, make Chinese people proud.

28. On February 6, 2023, CHEN spoke to Individual 1 on the phone for over 51 minutes.

4. CHEN Directed SUN to Prepare an Update to the PRC Government on Individual 1's Election

29. On November 29, 2022, the following exchange took place between CHEN and SUN:

CHEN: Please brief Individual 1's election update, the related department is paying a lot of attention to it.⁵

CHEN: Headquarters would like to promote it in mainstream media, not considering Chinese media for now, do you have channel to mainstream?

SUN: [Individual 1] Born in the late 70s. Han ethnicity. Born in Chengdu, Sichuan, China. Great-grandfather was [Relative 1] (commander during the Wuchang Uprising). [Relative 2] (Commander of Zhongshan gunboat). Father [Relative 3] (former [occupation redacted]). [Individual 1] emigrated to the U.S. from Chengdu in 1995, studied at [redacted]. Later served as a committee member of [redacted]. Established [names of businesses redacted]. In November of 2022, [Individual 1] was elected with the most votes as [redacted]. . . .

CHEN: [Relative 2] was very famous.

⁵ Per the FBI's Chinese-language interpreter, I understand CHEN's use of the word "department" to refer to a Chinese government agency.

30. On November 30, 2022, CHEN sent the same biography SUN had sent him regarding Individual 1 and his/her election victory to PRC Government Official 2, who responded, "Ok 🙌."⁶

31. On December 1, 2022, CHEN sent Individual 1's biography and a report of his/her election victory to another PRC government official, listed in CHEN's contacts as "Z," who responded "😊😊😊." Two days later CHEN had an eight-minute call with Z.⁷ On December 1, 2022, CHEN sent another 2-paragraph short biography of Individual 1, and the fact of his/her election victory, to PRC Government Official 2, who responded: "👍👍👍."

5. CHEN Plans a "Core Member Meeting"

32. On December 3, 2022, CHEN wrote to SUN and said he wanted to treat SUN and another individual to a meal. CHEN first asked SUN to reserve a room at a named restaurant in Rowland Heights, then later confirmed that he had reserved a table for 10-14 people at the restaurant for December 7 at noon, saying he would bring one person.

33. On December 4, 2022, CHEN wrote to SUN: "You should invite [Individual 1], rare opportunity." On December 5, 2022, CHEN wrote to SUN again: "[L.X.] asked me to notify you and

⁶ Based on my discussions with the FBI linguist, I understand this emoji to mean "thank you."

⁷ Z is the same PRC government official who directed the IRS scheme that led to CHEN's indictment and conviction in the Southern District of New York on charges of acting as an illegal agent of a foreign government in violation of 18 U.S.C. § 951.

[Individual 1], please confirm." SUN responded: "I can attend, [Individual 1] is busy, won't attend." CHEN responded: "Ok."

34. Also on December 4, 2022, the following exchange took place between CHEN and PRC Government Official 2:

CHEN: There will be a core member meeting on the 7th.

PRC 2:  

6. CHEN Informs PRC Government Official 2 that Individual 1 and SUN are Part of a "Team Dedicated For Us"

35. On December 8, 2022, the following exchange took place between CHEN and PRC Government Official 2:

CHEN: Meeting successful, everyone agree to establish US-China Friendship Promotion Association. President [Z.D.], legal counsel [B.L.], secretary general [L.X.], political commentators [G.J., L.D.], Chinese elected official [Individual 1], vice president SUN Yaoning, etc.

PRC 2: Copy, congratulations!

CHEN: This is the basic team dedicated for us.

PRC 2: Understood, can't wait.

36. On January 1, 2023, CHEN forwarded news about Individual 1 to PRC Government Official 2, and wrote that "Mr. SUN has been my helping hand in the Chinese community since 1997."

37. On January 2, 2023, the following exchange took place between CHEN and PRC Government Official 2:

CHEN: I told Individual 1, will support [him/her] to do [his/her] job as Chinese American elected official well, go against Taiwanese independence . . . will

write up [his/her] deeds in document and report to China.

PRC 2: That's great!

38. On January 16, 2023, the following exchange took place between Chen and PRC Government Official 2:

CHEN: Decided to return to China on 2/8, to Tianjin Airport, please pick me up.

PRC 2: Ok, no problem, I will arrange everything.

CHEN: I had major results during this trip to the U.S.! Rectified my team, confirmed the mission, very good! Talk in person when I get back!

E. CHEN Instructs SUN to Draft a Report and Funding Proposal to Provide to the "United Front" and to Put on the "Big Boss's Desk"

39. On January 1, 2023, the following exchange took place between CHEN and SUN:

CHEN: It's important that you have a good relationship with PRCCONLA [the PRC Consulate in Los Angeles], I will be in charge of opening a channel with Beijing. The process of Individual 1 winning the election you must write it up in a document, I [will] report to United Front.

I wrote a simple report. You can write details. For United Front and the National Overseas Chinese Office.

SUN: Ok.

40. On January 14, 2023, CHEN wrote to SUN: "Hurry up with your proposal, I [am] preparing to go back to China."

41. On January 15, 2023, the following exchange took place between CHEN and SUN:

CHEN: Report separate by topics:

1. [Individual 1], beginning of Chinese in politics.

2. Art. 20 years ago and current strategy with FLG⁸
3. Members of China Friendly Association. List the names of Americans.
4. Media current situation and plan.

SUN: Ok.

42. On January 26, 2023, CHEN sent the following message to SUN:

CHEN: Hurry up and write it, I am going back to China on 2/9. Write up detailed resume of yours, and our past experience with struggles.

And: You and me cultivating and assisting [Individual 1]'s success.

43. On February 1, 2023, SUN sent CHEN a copy of a draft work report. The report included background on SUN's service in the Wuhan Military Region of the PLA. Excerpts from the report include the following:

Since 1996 until now, under the leadership of Mr. CHEN Jun, a well-known overseas Chinese leader in the U.S., and the director of the China Overseas Friendship Association

. . .

[I]'ve . . . led delegations of US dignitaries and cultural workers to China on many occasions to carry out exchange work. I've held different important positions in major social groups. Persist in resisting any hostile forces that undermine the friendship of US-China relations, and Chinese secessionist forces.

. . .

⁸ Based on my knowledge of the investigation and my discussions with the FBI linguist, I understand "FLG" refers to Falun Gong.

Most proudly of all, during the 2022 U.S. midterm elections, I orchestrated and organized my team to win the election for city council member candidate [Individual 1] in the [redacted], CA, USA

44. After SUN sent his draft, on February 1, 2023, the following conversation took place between CHEN and SUN:

CHEN: Missing important content.

SUN: Help me add it.

CHEN: Discuss tomorrow. [Individual 1] and [U.S. Congressperson]'s friendly relationship, [Individual 1] has lots of contact with mainstream politicians, make a list, the more the better.

45. CHEN and SUN then exchanged a string of audio messages. In those messages, CHEN instructed SUN to separate the report into smaller sections, with the first section being SUN's resume, and the second section titled "New Political Star [Individual 1]." CHEN critiqued SUN's draft report and asked him to add content about CHEN and SUN's past struggle fighting Taiwanese independence forces in a named California city over the years and fighting "FLG" [Falun Gong] influences in that city. CHEN also discussed how to protest a Congressperson's proposed visit to Taiwan.

46. In a follow-up audio message, also on February 1, 2023, CHEN instructed SUN to make a list of mainstream U.S. politicians whom Individual 1 is familiar with, "the more the better, the higher position the better." CHEN said this will be "very effective to elevate [Individual 1]'s status in China."

47. CHEN further instructed SUN to "write how much attention the PRCEMB and PRCCONLA⁹ paid to you and [Individual 1], how many times they met with you. Also add pictures throughout the report, pictures of [Individual 1] campaigning on the street, [his/her] picture with [a U.S. Congressperson] and [the PRC Ambassador to the United States]. And pictures of important people you have."

48. SUN responded in an audio message: "Ok, I just dropped off [my son], I will start writing when I get home."

49. On February 1, 2023, CHEN responded via audio message:

Overall the writing is good, cause you did a good job with [Individual 1]. Our group is taking credit for it. I will put this letter on the Big Boss's desk. So let's revise this back and forth and write it well. Do you think we should let [Individual 1] know? I think we should not let [him/her] know for now. We do this first, I don't think there will be an issue, I have time, hurry and revise it.

50. In a follow-up audio message, CHEN then claimed, "our L.A. team is the best team in the Bureau."¹⁰

51. On February 1, 2023, SUN responded via audio message: "I will list [Individual 1]'s relationship with [a U.S. government official and a California government official]."

⁹ Based on my knowledge of the investigation, I know that "PRCEMB" refers to the PRC Embassy in Washington, and "PRCCONLA" refers to the PRC Consulate in Los Angeles.

¹⁰ Based on my training and experience, and my knowledge of the investigation, I understand the term "L.A. team" to refer to a small group including SUN and Individual 1, and the term "Bureau" to refer to department of the PRC government.

52. On February 1, 2023, CHEN responded: "Ok, that's great. Incumbent is more important, military is more important, chief of staff, [U.S. government position] are very important. And [U.S. Congressperson] and stuff. Talk to you later today."

53. On February 5, 2023, CHEN and SUN had the following exchange regarding the report:

CHEN: Hurry. You always delay.

SUN: [Audio message: I am not delaying, I just don't know how to write it as I haven't written any reports in many years.]

54. On February 6, 2023, CHEN and SUN had the following exchange:

CHEN: When will you finish? The first part was given to the related department.¹¹

SUN: I will submit [it to you] in 2 hours, I am waiting for materials from D.C.

SUN:

For a long time, overseas anti-China forces have been ceaseless, Taiwan independence, Tibet independence, Xinjiang independence, and Falungong have been active for a long time. . . . infiltrating and active in various mainstream fields. And our Chinese communities are separated, not united

There are five major parades in the United States each year. 1 - the US Independence Day Parade on July 4. 2 - the Rose Parade on January 1st. 3 - the Macy's Parade. 4 - the Hollywood Christmas Parade, and 5- the American Super Bowl Parade). Certain anti-China organizations participate in these world influential activities every year. And over the years, under the leadership of CHEN Jun and other overseas Chinese leaders, I have also participated as the general

¹¹ Based on my training and experience, and my knowledge of the investigation, I understand "related department" to mean a department of the PRC Government.

commander, but we cannot make a splash (due to insufficient funding). In particular, the "false flag"¹² appeared for the first time in the Rose parade on January 2 this year, not to mention that "X gong"¹³ appeared in the US Independence Day parade on July 4 every year.

. . . This year on July 4th, we plan to work what we have locally, under CHEN Jun's leadership, using part our Los Angeles organization's professional core team, to go to D.C. and train the locals there, to organize a float, and 100-person drum band, and other Chinese elements to participate in the parade.

We need support with 1) 100 drums and performing uniform in China red, 2) budget of 60k-80k USD.

Something like this, please revise.
Waiting for D.C. materials.

55. In response, CHEN sent back a revised draft that increased the amount of financial support requested at the end of the report to a "budget of 80k USD."

56. On February 10, 2023, CHEN told SUN that he was going back to China, and to keep in touch. CHEN wrote: "Once the project is approved, must execute well." SUN replied: "Ok."

57. On February 11, 2023, SUN sent CHEN videos and pictures of a Chinese marching band in a parade, and a list of things he needed such as speakers, a float, 100 people, and all equipment and transportation. CHEN replied "Good."

¹² "False flag" refers to Taiwan's flag, per the FBI linguist.

¹³ "X Gong" refers to Falun Gong, per the FBI linguist.

F. CHEN Plans Meetings in China for SUN and Individual 1

58. On March 23, 2023, CHEN and SUN discussed SUN's and Individual 1's planned trip to China, during which they would be traveling to Beijing, Chengdu, Chongqing, Nanjing, Changsha, and Shandong. CHEN asked SUN specifically about his stay in Linyi, Shandong:

CHEN: Are you meeting the leader?¹⁴

SUN: Yes.

CHEN: Should I arrange it or will you do it yourself?

SUN: I will arrange it.

CHEN: Good. You plan the first day yourself, I will arrange the 2nd and 3rd day.

CHEN: Only arranging you and Individual 1, not going to meet other members.¹⁵

G. CHEN Asks SUN to Provide Information on the Falun Gong in California City and Discusses SUN's and Individual 1's Upcoming Trip to China to Meet with "Leadership"

59. On April 4, 2023, the following conversation took place between SUN and CHEN:

CHEN: Several questions: Does Wheel¹⁶ have locations in [California city]? Activities? Can you create some

¹⁴ Based on my training and experience, and my knowledge of the investigation, I believe this likely refers to the leader of the group to whom SUN will be presenting his work report, who is likely part of the PRC intelligence apparatus.

¹⁵ Based on my training and experience, and my knowledge of the investigation, I believe this likely refers to the seven-person "team dedicated for us" that CHEN described to PRC Government Official 2 on December 8, 2022, which included Individual 1 and SUN.

¹⁶ Based on my conversation with an FBI translator, I understand that the literal translation of "Falun Gong" in Chinese is "Law Wheel Work." Accordingly, and based on the context of the message overall as well as my training and
(footnote cont'd on next page)

obstacles for them? If you can eliminate one or several locations, or create some obstacles, there will be rewards.

CHEN: Leadership is waiting to talk to you in person.

CHEN: Have you confirmed your arrival date to Linyi? Is it going to be just you and [Individual 1]?

CHEN: I need to return to the U.S. shortly, please tell me the date of your arrival to Linyi soon.

SUN: Will definitely be in Linyi after May 20th.

CHEN: You originally said April.

CHEN: Definitely can't wait until May.

H. CHEN Directs SUN to Set up a Meeting with the PRC Consul General in Los Angeles

60. On April 27, 2023, the following exchange took place between CHEN and SUN:

CHEN: Please contact the consulate to arrange a meeting, preferably to meet with the Consul General.

CHEN: You can provide this resume.

CHEN: [PDF attachment]

SUN: Ok.

CHEN: There is a major project to report.

CHEN: May 20th would be good.

. . .

CHEN: Article "Cult! How the U.S. Neighbors of Falungong See Them".

CHEN: National level.

CHEN: Actual operation is strictly classified.

experience and knowledge of the investigation, I believe CHEN's reference to "Wheel" in the message quoted above is a reference to Falun Gong.

. . .

CHEN: You will get credit for it.

I. SUN's and Individual 1's Visits to China

61. On or about August 22, 2023, Individual 1 flew from Los Angeles to Hong Kong. On September 4, 2023, Individual 1 and SUN returned together on a flight from Shanghai, China to Los Angeles.

J. SUN Did Not Provide Notice of His Work as an Agent of the PRC Government

62. According to Department of Justice database checks in December 2024, SUN has never notified the U.S. Attorney General that he was acting, would be acting, or had acted as an agent of a foreign government or official.¹⁷

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¹⁷ Pursuant to 28 C.F.R. § 73.3(b) and (c), foreign agents engaged in certain law enforcement or judicial activities may make their Section 951 notifications to Interpol, an FBI Legal Attaché, or the Department of Justice's Office of International Affairs. Based on this investigation, CHEN and SUN do not fall into the categories of foreign agents that would make such notifications to these entities.

V. CONCLUSION

63. For all the reasons described above, there is probable cause to believe that SUN violated 18 U.S.C. § 371 (Conspiracy) and 18 U.S.C. § 951 (Acting as an Illegal Agent of a Foreign Government).

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 17th day of December, 2024.

UNITED STATES MAGISTRATE JUDGE