

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

US DISTRICT COURT
WESTERN DIST ARKANSAS
FILED

JUL 28 2021

JAMIE GIANI, Clerk
Deputy Clerk

UNITED STATES OF AMERICA)		By
)	No. <u>5:20-CR-50029-001</u>	
v.)	18 U.S.C. § 2	
)	18 U.S.C. § 1001(a)(2)	
SIMON SAW-TEONG ANG)	18 U.S.C. § 1343	
aka HONG SIZHONG)	18 U.S.C. § 1542	

SUPERSEDING INDICTMENT

The Grand Jury charges that:

At all times material to this Superseding Indictment:

INTRODUCTION

1. Simon Saw-Teong Ang (Ang) was a professor and researcher at the University of Arkansas in Fayetteville, Arkansas. Ang has been employed at the University of Arkansas since approximately the fall semester of 1988. At the University of Arkansas, Ang served as the Director of the High Density Electronics Center (HiDEC) until on or about May 8, 2020.

2. The HiDEC performs proprietary research as well as United States Government (USG) funded research. The University of Arkansas is a public land grant research university located in Fayetteville, Arkansas. A variety of research is performed at the University of Arkansas to include the fields of agriculture and engineering. Research at the University of Arkansas is funded through a variety of means, with the majority of funding coming from United States Government funding agencies such as the National Science Foundation (NSF), Department of Energy (DOE), Department of Defense (DOD), the National Aeronautics and Space Administration (NASA), and the United States Air Force (USAF).

3. During his employment with the University of Arkansas and as director of the HiDEC, Ang was the investigator and co-investigator for many grant contracts that were funded by United States Government agencies.

4. Annually, the University of Arkansas required Ang to complete a form titled “Disclosure of Potential Conflict of Interest and Commitment.” This form required Ang to disclose any relationships or activities which might give rise to conflicts, or the appearance thereof, with his duties, responsibilities or obligations to the University of Arkansas.

5. This conflict of interest policy is described in the University of Arkansas Policies and Procedures policy number 404.0. The policy states that Faculty and Staff must disclose any conflicts of interest, or conflicts of commitment, to include: “The salary and other payments received from the entity (whether directly or indirectly) in the past twelve months, when aggregated, exceeds \$5,000, or when any equity or ownership interest exists; Receipt of income related to intellectual property rights and interests (e.g., patents, copyrights); Externally reimbursed travel; Service as senior executive or board member of an entity, regardless of current value or compensation received, if there is potential for future compensation or equity.”

6. Talent recruitment programs (also called talent plans) are a part of a Chinese government national strategy to enhance Chinese civilian and military programs in key areas critical to China’s development. Talent plans integrate foreign technology into China by recruiting experts from businesses and universities around the world to fill technical jobs that drive innovation and growth in the economy. Various Chinese government talent programs use financial, personal, and professional benefits in exchange for working with universities, businesses, and state-owned enterprises in China.

7. Talent plans target scientists, engineers, professionals, foreign government employees, and contractors to bring foreign research and technology with them to Chinese universities, businesses, and state-owned enterprises in China. Examples of talent plans include “1000 Talents,” “Overseas Expert,” “Specially Recruited Expert,” and “Friendship Awards.” The Friendship Award is for overseas experts whom the People’s Republic of China (PRC) acknowledges have made significant contributions to the country’s social and economic progress.

8. Xidian University is a school in China that conducts high-level defense research and is funded by the PRC Government.

THE SCHEME AND ARTIFICE TO DEFRAUD

9. Beginning on an unknown date, but at least as early as June 9, 2013, and continuing to on or about May 8, 2020, in the Western District of Arkansas, and elsewhere, the defendant **SIMON SAW-TEONG ANG** (hereinafter “ANG”), aided and abetted by others known and unknown to the Grand Jury, knowingly and willfully devised and intended to devise a scheme and artifice to defraud and to obtain money and property from unknowing United States Government agencies, the University of Arkansas, and others by means of material false and fraudulent pretenses, representations and promises and the concealment of material facts for the purpose of obtaining money and intellectual property that he would not have received had the University of Arkansas and other government authorities known the facts involved in his scheme and artifice to defraud.

THE MANNER AND MEANS

10. It was part of the scheme and artifice to defraud that **ANG** received money and property from the People's Republic of China (hereinafter, PRC) in 2016 and again in 2018. The People's Republic of China gave this money and property to **ANG** through talent plans and awards in recognition of his significant contributions to the PRC's economic development. In 2016, the PRC selected **ANG** as a National Distinguished Expert for the national "Thousand Talents Program." In 2018, the PRC selected **ANG** as one of 20 recipients of the Qilu Friendship Award. In January of 2018, **ANG** was selected to serve as a "Huashan Scholar" Chair Professor at Xidian University in China.

11. It was part of the scheme and artifice to defraud that **ANG** received large sums of money from the PRC Government which was deposited into bank accounts he controlled in China. **ANG** saved a document on a portable hard drive he controlled which stated in Chinese "I have received the one-time "Thousand Talents Program" expert's grant of 1 million yuan from the central finance department." This document is printed in Chinese and appears to bear **ANG**'s signature. Further, **ANG** saved another document on the same portable hard drive that indicated **ANG** received a consulting fee of 3 million yuan on February 17, 2017. **ANG** saved a spreadsheet on the same portable hard drive that indicated that 2 million yuan was deposited into an account he controlled on this same date.

12. It was part of the scheme and artifice to defraud that **ANG** signed a contract with Xidian University in 2018. This contract required **ANG** to conduct research for Xidian University and also to establish an exchange program of visiting scholars and postgraduate students between

the HiDEC at the University of Arkansas and Xidian University. In 2016, **ANG** saved a document on his personal computer detailing his work experience in China.

13. It was further part of the scheme and artifice to defraud that **ANG** did not disclose his participation in the PRC talents plans or the money and property he received from the PRC through these plans and his employment at Xidian University to the University of Arkansas or any of the United States Government funding agencies that paid for his research and salary at the University of Arkansas. It was further part of the scheme and artifice to defraud that **ANG** concealed these material facts from the University of Arkansas and the United States Government funding agencies.

14. It was further part of the scheme and artifice to defraud that **ANG** was closely affiliated and employed with several companies in China. In 2019, **ANG** served as the “Chief Technology Officer” for Binzhou Maotong Dianzi Keji Corporation, a company in China that produces hydrogen fuel cell vehicle control systems. From 2012 – 2016, **ANG** served as the “Chief Technology Officer” for Gande Electronic Technology Ltd., a company in China that produces products in the fields of lighting control and design. In 2018, **ANG** was part of the ownership group of Jiangsu Xuanzhi New Materials and Technology Co., Ltd. (hereinafter, XZNIA). On January 28, 2020, the XZNIA company website listed **ANG** as a member of the company’s “core team,” and included his photograph and a description of the position **ANG** held as director of the HiDEC at the University of Arkansas. Jiangsu Xuanzhi New Materials and Technology Co., Ltd. is a company located in China that produces glass coating materials for auto windshields, mirrors, and solar panels.

15. It was further part of the scheme and artifice to defraud that **ANG** instructed researchers that he supervised at the University of Arkansas to conduct research and work on behalf of the companies he was affiliated with in China. During this time, the researchers were being paid by the University of Arkansas and United States Government agencies to conduct research for the University of Arkansas.

16. It was further part of the scheme and artifice to defraud that **ANG** did not disclose his affiliation with, employment with, and ownership in any companies in China to the University of Arkansas or any of the United States Government funding agencies that paid for his research and salary at the University of Arkansas.

17. It was further part of the scheme and artifice to defraud that **ANG** applied for a research grant from NASA on or about November 21, 2016. **ANG** prepared this grant proposal and caused the University of Arkansas to send the proposal to NASA on or about November 21, 2016, through a portal that utilized the Internet to send the proposal from the University of Arkansas to NASA. NASA awarded the grant to **ANG** on or about December 20, 2016.

18. It was further part of the scheme and artifice to defraud that **ANG** knowingly and intentionally omitted any reference to his talent plan awards, money and property given to him by the PRC, and his affiliation, employment, and ownership of various companies in China on the research proposal sent to NASA and on the annual conflict of interest form required by the University of Arkansas. The research announcement from NASA required **ANG** to make such disclosures in order to be eligible to receive the research grant. Specifically, the research announcement contained the following text: "By submission of its proposal, the proposer

represents that the proposer is not China [. . .] that the proposer will not participate, collaborate, or coordinate bilaterally with China.”

19. It was further part of the scheme and artifice to defraud that **ANG** knowingly made materially fraudulent misrepresentations and omissions on the NASA grant proposal and on the University of Arkansas conflict of interest forms in order to cause certain wire transfers to be sent from NASA to the University of Arkansas. NASA Goddard Space Flight Center (“Goddard”) is one of the largest centers within NASA and is located in Greenbelt, Maryland. NASA utilizes the Systems Application Process as their financial systems database, which connects to Health and Human Services Payment Management System (“PMS”). These wire transfers were sent through the PMS system from an institution in Bethesda, Maryland, to University of Arkansas accounts located in Arkansas. These wire transfers would be used, in part, by the University of Arkansas to fund a portion of **ANG**’s salary payments. These wire transfers would also be used, in part, to fund the salaries of researchers that **ANG** supervised and instructed to conduct research on behalf of companies he was affiliated with in China.

20. It was further part of the scheme and artifice to defraud that **ANG** applied for a research grant from the United States Air Force (hereinafter, USAF) on or about March 10, 2017. **ANG** prepared this grant proposal and caused a company, Victim Company 1 (hereinafter, VC1), to send the proposal to USAF on or about March 10, 2017, through a portal that utilized the Internet to send the proposal from VC1 to USAF. Victim Company 1 then contracted with the University of Arkansas for **ANG** to use the HiDEC and his position as a professor to conduct research for the grant. In exchange, VC1 agreed to use the USAF grant proceeds to pay a portion of **ANG**’s salary,

a portion of the other researchers' salaries, and to pay for certain equipment and lab supplies. USAF selected **ANG's** proposal and awarded the grant to VC1 on October 8, 2017.

21. It was further part of the scheme and artifice to defraud that **ANG** knowingly and intentionally omitted any reference to his talent plan awards, money and property given to him by the PRC, and his affiliation, employment, and ownership of various companies in China on the research proposal sent to USAF and on the annual conflict of interest forms required by the University of Arkansas.

22. It was further part of the scheme and artifice to defraud that **ANG** knowingly made materially fraudulent misrepresentations and omissions on the USAF grant proposal and the annual University of Arkansas conflict of interest forms in order to cause certain wire transfers to be sent from USAF to the University of Arkansas. The USAF Research Laboratory is located in Wright-Patterson Air Force Base in Ohio. The wire transfers funding the grant were sent from the Defense Finance and Accounting Service (DFAS) Columbus Center, located in Columbus, Ohio, to University of Arkansas accounts located in Arkansas. These wire transfers would, in part, be used by the University of Arkansas to fund a portion of **ANG's** salary payments. These wire transfers would also be used, in part, to fund the salaries of researchers that **ANG** supervised and instructed to conduct research on behalf of companies he was affiliated with in China.

23. It was further part of the scheme to defraud that **ANG** formed a limited liability company incorporated under Arkansas State Law. This company is registered with the State of Arkansas under the name "Nano Materials Technologies, LLC." The company is registered with an address that matches **ANG's** home address in Fayetteville, Arkansas. Nano Materials

Technologies, LLC, does not appear to own any property other than a bank account with Bank of America containing the last four digits of 2597.

24. It was further part of the scheme to defraud that **ANG** used Nano Materials Technologies, LLC to negotiate and finalize a contract with XZNIA. Under the terms of the contract, XZNIA would pay Nano Materials Technologies, LLC a fee of \$55,000 monthly to perform research and development in the United States of products that would be produced by XZNIA in China.

25. It was further part of the scheme to defraud that **ANG** used research laboratories and equipment owned by the University of Arkansas to perform research and development for XZNIA. **ANG** did this without the knowledge and permission of the University of Arkansas. Further, **ANG** did this without reimbursing the University of Arkansas for the use of their research resources despite being paid by XZNIA to conduct the research for which he used the University of Arkansas' research resources. The University of Arkansas paid **ANG** a salary at this time to conduct research for the University of Arkansas. At the same time, unbeknownst to the University of Arkansas, **ANG** conducted research for XZNIA and received money from them. **ANG** was the principal investigator for grants from NASA and the USAF during the same time that he conducted research for XZNIA and received money from them.

26. It was further part of the scheme and artifice to defraud that **ANG** knowingly made materially fraudulent misrepresentations and omissions on the annual University of Arkansas conflict of interest forms in order to cause certain wire transfers to be sent from the University of Arkansas into his own personal bank accounts. The University of Arkansas' payroll accounts are located with the Bank of Arkansas, which is a subsidiary of BOK Financial. The money transfers

funding ANG's salary from the University of Arkansas were sent by the Bank of Arkansas using the Automated Clearing House System (ACH) to the Federal Reserve Bank of Minneapolis located in Minnesota, to ANG's personal bank accounts in Arkansas with Bank of America and Arvest Bank. These money transfers represented ANG's salary payments from the University of Arkansas.

27. It was further part of the scheme and artifice to defraud that ANG knowingly made materially fraudulent misrepresentations and omissions in email exchanges containing contract drafts and invoices between Nano Materials Technologies, LLC, and XZNIA in order to cause certain wire transfers of money to be sent from XZNIA to a bank account ANG controlled in the name of Nano Materials Technologies, LLC. It was further part of the scheme and artifice to defraud that ANG later transferred a portion of the funds XZNIA sent to Nano Materials Technologies, LLC into his own personal bank account. The money transfers from XZNIA to Nano Materials Technologies, LLC, were sent from China to the United States using an international wire transfer that went through the Federal Reserve System to the Western District of Arkansas.

COUNTS ONE THROUGH FIFTY-FIVE

WIRE FRAUD

Title 18, United States Code, Sections 1343 and 2

28. The allegations contained in paragraph 1 through and including paragraph 27 are re-alleged and incorporated by reference as though set forth in their entirety.

29. On or about the dates set forth below, each date being a separate count and violation of Title 18, United States Code, Sections 1343 and 2, in the Western District of Arkansas, Fayetteville Division and elsewhere, the Defendant, **SIMON SAW-TEONG ANG aka HONG**

SIZHONG, aided and abetted by others known and unknown to the Grand Jury, having intentionally devised the above-described scheme and artifice to defraud and for obtaining money and property from others by means of material false and fraudulent pretenses, representations and promises and concealment of material facts, transmitted and caused to be transmitted in interstate commerce the following wire communications:

<u>Count</u>	<u>Date</u>	<u>Signal and Sound</u>
1	11/21/2016	Internet transmission sent to NASA containing grant application for grant number 002277-00001A
2	06/26/2017	Wire transmission sent to the Western District of Arkansas containing a \$2,295.28 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
3	07/13/2017	Wire transmission sent to the Western District of Arkansas containing a \$1,055.00 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
4	08/10/2017	Wire transmission sent to the Western District of Arkansas containing a \$2,597.15 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
5	08/22/2017	Wire transmission sent to the Western District of Arkansas containing a \$10,349.09 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
6	09/14/2017	Wire transmission sent to the Western District of Arkansas containing a \$10,601.12 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
7	10/04/2017	Wire transmission sent to the Western District of Arkansas containing a \$783.00 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
8	11/16/2017	Wire transmission sent to the Western District of Arkansas containing a \$96,169.64 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
9	12/18/2017	Wire transmission sent to the Western District of Arkansas containing a \$12,558.00 payment on grant number NNX17AG42G from NASA, through

<u>Count</u>	<u>Date</u>	<u>Signal and Sound</u>
		the Health and Human Services Payment Management System to the University of Arkansas
10	01/19/2018	Wire transmission sent to the Western District of Arkansas containing a \$958.50 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
11	02/07/2018	Wire transmission sent to the Western District of Arkansas containing a \$29,853.33 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
12	02/20/2018	Wire transmission sent to the Western District of Arkansas containing a \$21,099.03 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
13	04/12/2018	Wire transmission sent to the Western District of Arkansas containing a \$7,768.18 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
14	04/24/2018	Wire transmission sent to the Western District of Arkansas containing a \$5,120.38 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
15	05/17/2018	Wire transmission sent to the Western District of Arkansas containing a \$4,194.33 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
16	06/19/2018	Wire transmission sent to the Western District of Arkansas containing a \$11,535.22 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
17	07/16/2018	Wire transmission sent to the Western District of Arkansas containing a \$2,301.40 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
18	08/24/2018	Wire transmission sent to the Western District of Arkansas containing a \$25,041.81 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
19	09/24/2018	Wire transmission sent to the Western District of Arkansas containing a \$24,817.62 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas

<u>Count</u>	<u>Date</u>	<u>Signal and Sound</u>
20	10/23/2018	Wire transmission sent to the Western District of Arkansas containing a \$61,105.21 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
21	11/14/2018	Wire transmission sent to the Western District of Arkansas containing a \$7,308.61 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
22	12/10/2018	Wire transmission sent to the Western District of Arkansas containing a \$14,605.06 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
23	02/06/2019	Wire transmission sent to the Western District of Arkansas containing a \$24,953.15 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
24	04/03/2019	Wire transmission sent to the Western District of Arkansas containing a \$29,655.29 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
25	04/22/2019	Wire transmission sent to the Western District of Arkansas containing a \$52,804.15 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
26	06/19/2019	Wire transmission sent to the Western District of Arkansas containing a \$28,510.08 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
27	08/27/2019	Wire transmission sent to the Western District of Arkansas containing a \$222.48 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
28	09/12/2019	Wire transmission sent to the Western District of Arkansas containing a \$1,120.46 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
29	11/26/2019	Wire transmission sent to the Western District of Arkansas containing a \$12,726.89 payment on grant number NNX17AG42G from NASA, through the Health and Human Services Payment Management System to the University of Arkansas
30	02/21/2020	Wire transmission sent to the Western District of Arkansas containing a \$13,438.59 payment on grant number NNX17AG42G from NASA, through

<u>Count</u>	<u>Date</u>	<u>Signal and Sound</u>
		the Health and Human Services Payment Management System to the University of Arkansas
31	1/27/2018	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
32	05/05/2018	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
33	08/14/2018	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
34	12/02/2018	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
35	12/30/2018	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
36	04/14/2019	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
37	07/28/2019	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
38	10/24/2019	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
39	10/24/2019	Wire transmission sent to the Western District of Arkansas containing a \$199,940.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
40	01/19/2020	Wire transmission sent to the Western District of Arkansas containing a \$99,958.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
41	04/26/2020	Wire transmission sent to the Western District of Arkansas containing a \$99,958.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
42	05/01/2020	Wire transmission sent to the Western District of Arkansas containing a \$74,995.00 payment on grant number FA865018C2039 from USAF to the University of Arkansas
43	09/29/2017	Wire transmission sent to the Western District of Arkansas containing a \$5,081.68 salary payment from the University of Arkansas to Simon Ang
44	09/29/2017	Wire transmission sent to the Western District of Arkansas containing a \$3,500.00 salary payment from the University of Arkansas to Simon Ang

<u>Count</u>	<u>Date</u>	<u>Signal and Sound</u>
45	11/28/2017	Wire transmission sent to the Western District of Arkansas containing a \$4,473.56 salary payment from the University of Arkansas to Simon Ang
46	11/28/2017	Wire transmission sent to the Western District of Arkansas containing a \$3,000.00 salary payment from the University of Arkansas to Simon Ang
47	01/29/2018	Wire transmission sent to the Western District of Arkansas containing a \$4,709.71 salary payment from the University of Arkansas to Simon Ang
48	01/29/2018	Wire transmission sent to the Western District of Arkansas containing a \$3,000.00 salary payment from the University of Arkansas to Simon Ang
49	02/26/2018	Wire transmission sent to the Western District of Arkansas containing a \$3,565.01 salary payment from the University of Arkansas to Simon Ang
50	02/26/2018	Wire transmission sent to the Western District of Arkansas containing a \$4,500.00 salary payment from the University of Arkansas to Simon Ang
51	10/10/2017	Internet transmission sent from the Western District of Arkansas containing information regarding the contract signed between Nano Materials Technologies, LLC, and Shenzhen Xuanzhi Technology Holdings, LLC
52	11/7/2017	Wire transmission sent to the Western District of Arkansas containing a \$30,000.00 payment to Nano Materials Technologies, LLC
53	11/16/2017	Wire transmission sent to the Western District of Arkansas containing a \$23,000.00 payment to Nano Materials Technologies, LLC
54	01/3/2018	Wire transmission sent to the Western District of Arkansas containing a \$20,000.00 payment to Nano Materials Technologies, LLC
55	02/9/2018	Wire transmission sent to the Western District of Arkansas containing a \$15,000.00 payment to Nano Materials Technologies, LLC

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT FIFTY-SIX

FALSE STATEMENT IN APPLICATION AND USE OF PASSPORT Title 18, United States Code, Section 1542

30. On or about the 5th day of August, 2019, in the Western District of Arkansas, the Defendant, **SIMON SAW-TEONG ANG aka HONG SIZHONG**, willfully and knowingly made a false statement in an application for a passport with intent to induce and secure for his own use the issuance of a passport under the authority of the United States, contrary to the laws regulating the issuance of such passports and the rules prescribed pursuant to such laws, in that in such

application the defendant stated that he was not known by any names other than “Simon Saw-Teong Ang,” which statement he knew to be false.

All in violation of Title 18, United States Code, Section 1542.

COUNT FIFTY-SEVEN

**FALSE STATEMENT IN APPLICATION AND USE OF PASSPORT
Title 18, United States Code, Section 1542**

31. On or about the 5th day of August, 2019, in the Western District of Arkansas, the Defendant, **SIMON SAW-TEONG ANG aka HONG SIZHONG**, willfully and knowingly made a false statement in an application for a passport with intent to induce and secure for his own use the issuance of a passport under the authority of the United States, contrary to the laws regulating the issuance of such passports and the rules prescribed pursuant to such laws, in that in such application the defendant listed immediate travel plans for a trip to Singapore with a departure date of August 30, 2019 and a return date of September 7, 2019, which statement he knew to be false.

All in violation of Title 18, United States Code, Section 1542.

COUNT FIFTY-EIGHT

**FALSE STATEMENT
Title 18, United States Code, Section 1001(a)(2)**

32. The allegations contained in paragraph 1 through and including paragraph 27 are re-alleged and incorporated by reference as though set forth in their entirety.

33. On or about the 8th day of May, 2020, in the Western District of Arkansas, Fayetteville Division, the Defendant, **SIMON SAW-TEONG ANG aka HONG SIZHONG**, in a matter within the jurisdiction of the executive branch of the Government of the United States, namely, the Federal Bureau of Investigation, knowingly and willfully made a materially false and

fictitious and fraudulent statement and representation to Federal Bureau of Investigations Special Agent Jonathan Willett when **ANG** was asked whether his name would be listed as the “inventor” of numerous patents in China, **ANG** stated the following: “Yeah, I am not the inventor, I don’t even know what that is.” These statements and representations were materially false and fictitious and fraudulent because **ANG** then and there knew that he was listed as the “inventor” of numerous patents in China.

All in violation of Title 18, United States Code, Section 1001(a)(2).

COUNT FIFTY-NINE

FALSE STATEMENT

Title 18, United States Code, Section 1001(a)(2)

34. The allegations contained in paragraph 1 through and including paragraph 27 are re-alleged and incorporated by reference as though set forth in their entirety.

35. On or about the 8th day of May, 2020, in the Western District of Arkansas, Fayetteville Division, the Defendant, **SIMON SAW-TEONG ANG aka HONG SIZHONG**, in a matter within the jurisdiction of the executive branch of the Government of the United States, namely, the Federal Bureau of Investigation, knowingly and willfully made a materially false and fictitious and fraudulent statement and representation to Federal Bureau of Investigation Special Agent Jonathan Willett when **ANG** was asked about sharing information from United States Companies with competitors in China, specifically, “Do you think it’s appropriate, because it’s common knowledge, that Simon is telling a competitor in China that’s trying to work on a similar technology?” **ANG** stated the following: “When they were here, I introduced them.” These statements and representations were materially false and fictitious and fraudulent because **ANG**

then and there knew that he had never introduced representatives from the competing company from China to representatives from the United States company.

All in violation of Title 18, United States Code, Section 1001(a)(2).

FORFEITURE ALLEGATION

36. The allegations contained in paragraphs 1 through 27 and Counts 1 through 59 of this Superseding Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

37. Upon conviction of the offenses in violation of Title 18, United States Code, Sections 1001(a)(2), 1343 and 2 as set forth in Counts 1 through 59 of this Superseding Indictment, the Defendant, **SIMON SAW-TEONG ANG aka HONG SIZHONG**, shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense. The property to be forfeited includes, but is not limited to a money judgment.

38. If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided
without difficulty,

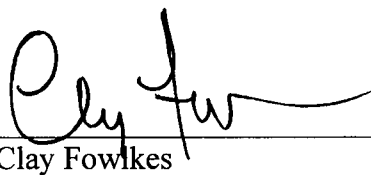
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code Section 2461(c).

A True Bill.

DAVID CLAY FOWLKES
ACTING UNITED STATES ATTORNEY

/s/Grand Jury Foreperson
Grand Jury Foreperson



Clay Fowlkes
Acting United States Attorney
Arkansas Bar No. 2003191
414 Parker Avenue
Fort Smith, AR 72901
Telephone: (479) 783-5125