

“China’s Growing Influence in Asia and the United States”

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I. OVERVIEW

Chairman Sherman, Ranking member Yoho, distinguished members of the Committee, thank you for inviting me to appear before you again. The Chinese Communist Party’s influence and, particularly, its political interference in the United States is an important topic as we establish a new baseline for U.S.-China relations. Any sustainable, long-term strategy for addressing China’s challenge requires the integrity of U.S. political and policymaking processes. This requires grappling with the challenges posed by the party’s efforts to shape the United States by interfering in our politics and domestic affairs.

The United States, its political and business elite, its thinkers, and its Chinese communities have long been targets for the Chinese Communist Party. The party employs tools that go well beyond traditional public diplomacy efforts. Often these tools lead to activities that are, in the words of former Australian prime minister Malcolm Turnbull, corrupt, covert, and/or coercive. Nevertheless, many activities are not covered by Turnbull’s three “Cs” but are still concerning and undermine the ability of the United States to comprehend and address Beijing’s challenge.

Here are a few of the ways in which the Chinese Communist Party has shaped the ways in which Americans discuss, understand, and respond to the People’s Republic of China, its rise, and its activities:

- We have been persuaded that the Chinese Communist Party is not ideological and has substituted its Leninist tradition for a variation of capitalism.
- We have not responded to violence, coercion, and intimidation committed or instigated by PRC officials on U.S. soil. These are allegedly criminal acts committed by a foreign

government against our people on our soil, and U.S. authorities did not open criminal investigations.

- We have not responded to PRC education officials intimidating Chinese students on university campuses, despite this activity not being consistent with their diplomatic status.
- We have changed our laws at the state level to facilitate the Confucius Institute program to help the party build beachheads inside universities.
- We often debate our policy options toward China in binary terms: engagement vs containment; trade war or negotiation; accommodation or war; etc.

Most of my statement will focus on the policies and actions of the Chinese Communist Party for two reasons. First, as Americans, we are still not prepared to accept the party has sought to shape and influence U.S. political and business elite for decades. We are still in a process of building awareness and consensus about the nature of the problem. Second, it is not my place to name names of individuals and institutions before Congress. The U.S. Government has the resources and authority to investigate and analyze the party's challenge.

The central element to understanding what the Chinese Communist Party is doing and why to shape the world outside the party is united front work. Mao Zedong described the purpose of this work as mobilizing the party's friends to strike at the party's enemies. In a more specific definition from a paper in the 1950s, the Central Intelligence Agency defined united front work as "a technique for controlling, mobilizing, and utilizing non-communist masses." Put another way, united front policy addresses the party's relationship with and guidance of any social group outside the party. The most important point here is that what needs to be shaped is not just the Chinese people or world outside the People's Republic of China, but rather those outside the party.

United front work also is a tool of political struggle. It is not just a question of activities that we would call propaganda or public diplomacy. Nor is it limited to what we would call covert action. As Mao wrote in 1939: "Our eighteen years of experience show that the united front and armed struggle are the two basic weapons for defeating the enemy. The united front is a united front for carrying on armed struggle. And the Party is the heroic warrior wielding the two weapons, the united front and the armed struggle, to storm and shatter the enemy's positions. That is how the three are related to each other." Mao's basic framing of united front work within the party's toolbox remains the core understanding within the party today. Jiang Zemin, Hu Jintao, and Xi Jinping all have characterized united front work as a "magic weapon" to facilitate China's rise in the midst of an international ideological battleground.

United front activities help the party resolve several dilemmas of the post-Mao era and that became ever more apparent after the Tiananmen Massacre and the passing of Deng Xiaoping. These are

fundamental questions for the Chinese Communist Party, and they speak to why the party must spend so much effort trying to shape the world beyond the membership of the party.

1. How to motivate and mobilize the Chinese population without the ideological fervor of the Mao Zedong era?
2. How to benefit from the outside world while screening out influences and ideas that might damage the party's positions?
3. How to enlist the outside world in supporting China's rise and keeping those doors open even as the party continues to be repressive?

II. MAGIC WEAPON FOR NATIONAL REJUVENATION

Achieving the “Great Rejuvenation of the Chinese Nation” (中华民族伟大复兴) has two significant components. The first is making China a great power with global reach. The second is doing so with the Chinese Communist Party at the helm.

The party defines the “Great Rejuvenation of the Chinese Nation” as having three components. The first is building “a great, modern socialist country that is prosperous, strong, democratic, culturally advanced, harmonious, and beautiful.” Although many of these words are self-explanatory, others like democratic, culturally advanced, and harmonious mean something very different in the party's context than in the American context. “Democratic” is consultative democracy in which the party leads, and other political inputs are provided through controlled mechanisms like the united front policy system. “Culturally advanced” and “harmonious” define the party's relationship with society and the ways in which Chinese people conduct themselves. The second is national reunification of all areas claimed by Beijing, regardless whether they were traditionally by China. The third is China's emergence as a global leader in terms of comprehensive national power and international influence.

The following quote from Xi Jinping in 2016 explains what united front work is intended to accomplish in bringing together a unity of effort. When U.S. intelligence officials describe Beijing as presenting a “whole-of-society” challenge, they are describing an important element of what the united front policy system is doing.

“Attaining the ‘Two Centenary Goals’ requires that our entire society works together in one heart and one mind. It requires that people of all ethnic groups focus their thoughts and their efforts towards the same goal. A society that lacks common ideals, goals, and values, and that finds itself in permanent disorder will never achieve anything. China has a population of more than 1.3 billion people, and neither the people nor the country would benefit if we ended up like that. To attain our goals... [we must rally] all Chinese people under the leadership of the Chinese Communist

Party, and motivating all parties to engage in a concerted effort to bring about the rejuvenation of the Chinese nation.”

The United Front Work Department, the executive agency for conducting and coordinating these operations, provided a similar description of its purpose and activities:

“The history of China and foreign countries shows that whether a political power or a political party is good or not, its success or failure ultimately depends on the back of the people. Paying attention to the people's sentiments, obeying the public's will, striving for the people's hearts, maintaining proper flesh-and-blood ties with the masses, and winning the sincere support of the masses is a solid foundation for our country's long-term stability and a fundamental guarantee for the sure victory of our cause.”

The second important component of the “Great Rejuvenation of the Chinese Nation” is maintaining the leadership of the Chinese Communist Party. The most important threats to party that must be addressed are the diaspora communities and potentially threatening great powers. The former have the cultural knowledge to introduce subversive ideas that resonate. The latter have the material power to undermine or topple the party-state.

The desire to control the political landscape and protect the party's position found clear definition in China's National Security Law (2015). The law describes security in broad terms that go well beyond physical threats to the territory of the PRC. Security comes from the inside out. Articles Two and Three of the law state: “National security refers to the relative absence of international or domestic threats to the state's power to govern, sovereignty, unity and territorial integrity, the welfare of the people, sustainable economic and social development, and other major national interests, and the ability to ensure a continued state of security. National security efforts shall adhere to a comprehensive understanding of national security, make the security of the People their goal, political security their basis and economic security their foundation; make military, cultural and social security their safeguard...”

This definition has two notable features. First, security is defined by the absence of threats, not by the ability to manage them. This unlimited view pushes the Chinese Communist Party toward preempting threats and preventing their emergence. Second, security issues extend to the domain of ideas—what people think is potentially dangerous. The combination of these themes — preemption in the world of ideas — creates an imperative for the party to alter the world in which it operates—to shape how China and its current party-state are understood in the minds of foreign elites.

One way of making this more concrete is to look at party documents about security threats. In April 2013, “Document No. 9” — “Communiqué on the Current State of the Ideological Sphere” — identified ideas that undermine the party-state’s security. Among them were the promotion of constitutional democracy, civil society, and Western concepts of journalism. In the circular’s final paragraph, it stated the party should “allow absolutely no opportunity or outlets for incorrect thinking or viewpoints to spread.” Although it would be easy to dismiss this document as a one-off or unenforced, in 2015 Beijing abducted and held five Hong Kong booksellers, including foreign passport holders, who sold books ostensibly banned in China. Moreover, Beijing issued new regulations on counter-espionage last December that clarified the Counter-espionage Law (2014) and defined activities threatening national security apart from espionage. Among these was “fabricating or distorting facts, publishing or disseminating words or information that endanger state security.” Influencing the outside world, therefore, is not just a historical activity of the party, but an ongoing requirement for national security as defined by the party-state.

III. INTRINSIC TO THE PARTY’S DAY-TO-DAY OPERATIONS¹

The Chinese Communist Party’s management of political influence operations — evaluated on the basis of the united front policy system — runs to the very top of party, involving senior leaders directly. The policy systems extends through the party’s hierarchy and spills over into the government ministries of the People’s Republic of China as well as other state-owned and -administered organizations. Put simply, united front work is conducted wherever the party is present. Moreover, united front work is not an “influence operation” or a campaign. It is the day-to-day work of the party. There are not special orders explaining what to do to achieve what objectives or the equivalents of a presidential finding.

At the leadership level, four elements point to the importance of united front work and shaping the world outside the Chinese Communist Party.

1. A Politburo Standing Committee Member Oversees United Front Work: The senior-most united front official is the Chinese People’s Political Consultative Conference (CPPCC) chairman, who is the fourth-ranking PBSC member. A look at the leaders who have held the CPPCC chairmanship suggests that Western observers have been far too quick to condemn the CPPCC as a mostly-useless advisory body. The list is a who’s who of the party, including

¹ Much of this section draws from a forthcoming report for the Australian Strategic Policy Institute co-authored with Alex Joske as well as “An American Lens on China’s Interference and Influence-Building Abroad,” *Asan Forum*, April 30, 2018 <<http://www.theasanforum.org/an-american-lens-on-chinas-interference-and-influence-building-abroad>>; and ““Russian and Chinese Political Interference Activities and Influence Operations,” in Richard J. Ellings and Robert Sutter, eds., *Axis of Authoritarians: Implications of China-Russia Cooperation* (Seattle, WA: The National Bureau of Asian Research, 2018).

Mao Zedong, Zhou Enlai, Deng Xiaoping, and Li Xiannian. The current CPPCC chairman, Wang Yang, continues a tradition of competent leadership at the top of the united front system. He exemplifies the need of united front personnel to be highly-disciplined party cadre, who are nonetheless capable of handling themselves among diverse people and feigning ideological flexibility.

2. A State Council Vice Premier Has a United Front Portfolio: The vice premier position serves as the bridge between the party center and the State Council ministries. The vice premier provides prestige to the united front system as well as a necessary position of authority to direct and coordinate the ministries' united front activities. The position often looks as though the portfolio covers education and culture, because of the overlap with united front work. At meetings of the united front policy system, this vice premier appears in protocol order between the CPPCC chairman and United Front Work Department director. Currently, the position is held by Sun Chunlan.
3. Two Members of the Central Secretariat Have United Front Policy Roles: The directors of the party's United Front Work Department (UFWD) and Propaganda Department serve on both the Politburo and the Secretariat of the 19th Central Committee of the Communist Party of China. Because the Politburo does not meet regularly—its far-flung membership includes both central party bureaucrats and provincial party secretaries—the secretariat is empowered to make day-to-day decisions related to policy that has already been settled. This group is also responsible for moving paperwork among the central leaders and coordinating the party's actions. Secretariat membership is not related to relationships that the current UFWD and propaganda chiefs—respectively, You Quan and Huang Kunming—have but rather reflects the structure of post-Deng Xiaoping politics.
4. In 2015, Xi Jinping Established a United Front Leading Small Group: As part of the effort revitalize and better coordinate united front activities under Xi Jinping, the party established a leading small group. It functions as platform to coordinate and raise the status of united front work across the bureaucracy, bringing together senior officials from numerous state and party agencies for united front study tours across China. Interestingly, the last time the party created a united front leading small group — in 1986 under the leadership of Xi Jinping's father Xi Zhongxun — it coincided with a similar description of problems to be resolved: expanding scope and responsibilities coinciding with a lack of central direction.

The Chinese Communist Party bureaucracy at the central level has four key bodies for building and exercising political influence outside the party — and especially outside China. The United Front Work and the Propaganda departments also have subordinate elements at the provincial and local levels.

1. United Front Work Department: The UFWD is the executive and coordinating agency for united front work. It has a variety of responsibilities at home and abroad, including in the following areas: Hong Kong, Macao, and Taiwan affairs; ethnic and religious affairs; domestic and external propaganda; entrepreneurs and non-party personages; intellectuals; and people-to-people exchanges.¹⁷ The department also takes the lead in establishing party committees in Chinese and now foreign businesses. The UFWD operates at all levels of the party system from the center to the grassroots, and the CCP has had a united front department dating to the 1930s.
2. Chinese People's Political Consultative Conference (CPPCC): The CPPCC, according to the organization's website, is "an organization in the patriotic united front of the Chinese people, an important organ for multiparty cooperation and political consultation." The advisory body mediates between important social groups and the party apparatus. The CPPCC is the place where all the relevant united front actors inside and outside the party come together: party elders, intelligence officers, diplomats, propagandists, military officers and political commissars, united front workers, academics, and businesspeople. They are gathered to receive instruction in the proper propaganda lines and ways to characterize Beijing's policies to both domestic and foreign audiences. Many of these individuals, particularly if they hold government positions, are known for their people-handling skills and have reputations for being smooth operators. CPPCC membership offers access to political circles, political protection for business, and minor perquisites like expedited immigration. The CPPCC standing committee includes twenty or so vice chairpeople who have a protocol rank roughly equivalent to a provincial party secretary. At the central level, the CPPCC includes more than 2,200 members, but the provincial and local levels include another 615,000.
3. International (Liaison) Department: The International Department, founded in 1951, is the party's diplomatic arm, handling relationships with more than 600 political parties and organizations as well as individual, primarily political, elites. The department previously handled the CCP's relationships between fraternal Communist parties and cultivated splinter factions of Moscow-dominated Communist parties after the Sino-Soviet split. The activist bent of the International Department disappeared as the department began re-establishing itself in 1970–71 following the tumultuous early years of the Cultural Revolution. Interestingly, the department originated as a UFWD bureau before being carved out into an independent entity.
4. Propaganda Department: The Propaganda Department has been a core part of the CCP since 1924. The official description of its duties includes conducting the party's theoretical

research; guiding public opinion; guiding and coordinating the work of the central news agencies, including Xinhua and the People's Daily; guiding the propaganda and cultural systems; and administering the Cyberspace Administration of China and the State Administration of Press, Publication, Radio, Film, and Television. The Propaganda Department cannot be regarded as an entirely internal organization that broadcasts outward to the extent that it is involved in influence-building abroad. For example, China Radio International developed in the 2000s a covert international network of radio stations to hide the CCP's direct role in broadcasting Chinese-language propaganda inside target countries. The Propaganda Department presumably also plays a role in the cooptation, intimidation, and purchase of Chinese-language print media outside China.

The State Council ministries and many other organizations with a party committee also conduct united front work. These organizations all offer unique platforms and capabilities that the united front policy system can draw upon for operational purposes. Below are a few of the examples of the organizations outside the party that perform united front work or have united front work departments attached to their party committee:

1. Ministry of State Security
2. Ministry of Foreign Affairs
3. Ministry of Civil Affairs
4. Ministry of Education
5. Ministry of Culture and Tourism
6. Chinese Academy of Sciences
7. China Baowu Steel Group
8. China National Overseas Oil Corporation (CNOOC)
9. State-owned Assets Supervision and Administration Commission (SASAC)

IV. WHAT IS THE HARM?

The harm caused by Beijing's political influence and united front operations takes several forms, even if we accept many of these activities as being legitimate actions of a foreign state inside the United States or other countries.

1. Western Politicians Become Symbols for the Chinese Communist Party's Rule: By using party-controlled community organizations for their outreach to ethnically-Chinese constituents, Western politicians become propaganda fodder for the Chinese Communist Party. Politically-aware Chinese in the People's Republic of China (and sometimes abroad) can recognize these groups for what they are: pawns of the party. The reason for the

publicity surrounding these meetings and fundraisers is to broadcast back into China the message that Western politicians care about liberalism at home, but not for Chinese people, and that they stand on the side of the party. They reinforce the image of the party's strength.

Vaclav Havel captured this dynamic in his essay *The Power of the Powerless* by describing a greengrocer placing a slogan of regime loyalty in his shop window. He does not believe in the regime or its ideology, but he does so to make his life a little bit easier. Nor do people necessarily notice or read the slogan, because similar slogans can be “found in other shop windows, on lampposts, bulletin boards, in apartment windows, and on buildings.” The presence of these slogans becomes part of the “panorama of everyday life.” This panorama “reminds people where they are living and what is expected of them. It tells them what everyone else is doing, and indicates to them what they must do as well, if they don't want to be excluded, to fall into isolation, alienate themselves from society, break the rules of the game, and risk the loss of their peace and tranquility and security.” By participating even inadvertently in united front-sponsored events, U.S. politicians and their foreign counterparts help the Chinese Communist Party build Havel's “panorama of everyday life” for the Chinese people.

2. The Chinese Communist Party Mediates Between Chinese Citizens and Their Elected Representatives: The network of united front “community organizations” creates a fake civil society. The community which is supposedly represented is supplanted by the Chinese Communist Party, unless politicians reach directly to membership or deal with uncompromised organizations. The party's interests become the constituency interests that are presented to officials.
3. The Marketplace for Ideas is Distorted: Having a pluralistic, democratic society means engaging with differences of opinion. There is a natural ebb and flow. As noted above, the defining feature of the party's united front operations is the effort to control platforms rather than just the narrative. As platforms are compromised, the voices and messages they carry change. They may not specifically represent the Chinese Communist Party, but they will avoid criticisms or subjects that are intrinsically damaging to the party's image, standing, and legitimacy.
4. The Party Suppresses Discussion of China's Future: The Chinese Communist Party's control inside China means that any version of China's future without the party must be discussed and decided beyond China's borders. The extent to which the party monopolizes the social space of Chinese people — especially those who would like to return to their home country — is the extent to which the party can preempt the transmission of liberal political values into China and discussion of China without reference to the party.

5. Undermining the Integrity of Policymaking: At its worst, the party's political influence and united front operations distort policymaking and the process of gathering information to feed into the policy process. The primary targets of united front work are socially influential individuals, such as politicians, prominent businesspeople, intellectuals, and sometimes even celebrities.

There is some reason to suspect that the united front system plays a role in feeding foreign intelligence services information. In conversations with former U.S. intelligence officials and serving foreign ones, they described questionable sources over the years whose information seemed to good to be true. The sourcing for their political reporting appeared sufficiently plausible and good to encourage officers to avoid placing too much scrutiny on the policy implications of the reporting or how it seemed to slant the party's politics and positions.

6. Facilitating Intelligence Operations and Technology Transfer: The united front network of organizations and relationships in overseas Chinese communities has been used to facilitate the theft and transfer of technology from the U.S. companies and research institutions. For example, as Alex Joske of the Australian Strategic Policy Institute explained at recent conferences in Canberra and Melbourne last month, Tesla's problem with Chinese theft of its intellectual property was entirely predictable. Those involved were nested within and had even established UFWD-linked organizations related to talent recruitment and technology transfer. Current and former intelligence officials inside and outside the United States believe the Chinese intelligence services make use of the spotting and assessing opportunities created by united front system-sponsored visits to China for education, culture, and business.

V. THE U.S. PROBLEM WITH UNITED FRONT WORK

The United States has long been a target for the Chinese Communist Party's efforts to build political influence. The risks in the United States largely stem from our dismissive attitudes about the dangers we face and the seriousness with which the party has sought to influence U.S. opinions, especially at elite levels.

The United States is often juxtaposed against Australia and New Zealand. U.S. analysts are dismissive that the kinds of problems that happened in those countries could happen in the United States. One of my former colleagues at the Central Intelligence Agency dismissed united front work as a largely tangential issue in an interview. The way in which this analyst described the problem — or rather its absence — is symptomatic of a larger malaise within the communities with

responsibility and competence to evaluate Beijing's attempts to build political influence and interfere in other countries' politics:

“You know when I was working in the government we didn't care that much about the activities of the United Front Work Department and I think there's still a reason why we really shouldn't care that much about their activities. You know, this is not Australia ... So the United Front Work Department is of course the group under the Communist Party whose job it is basically to work on overseas Chinese and get them to support the government, basically. In short, that's what they do. And, you know, look, there was some serious things going on in Australia. You know, they were doing this. But I think it's important for us to remember that the Chinese population in Australia is a much larger portion of a much smaller total population. There were some interesting challenges in Australian campaign finance laws that allowed foreigners to contribute directly to, you know, these elections and so on, but we don't have these things in the United States. And from my observations I do not see, for example, the Chinese diplomatic presence here or even some of their, you know, think tanks and so on doing anything like what they were doing down there. Maybe not yet, and maybe that's what the concern is, but I find it over- overwrought.”

I want to take apart some of the problems in that statement, because they highlight the mix of arrogance and ignorance typical of American attitudes about the party's potential to have a real impact in the United States. First, it inaccurately characterizes united front work as getting overseas Chinese to support the Chinese Communist Party and the People's Republic of China. Overseas Chinese are a focus of the party for the reasons identified above; however, they are not the sole focus and they never have been. For example, when Beijing began planning how to handle Japan diplomatically in the 1950s, two of the party's most senior and experienced influencers were given the responsibility: Zhou Enlai and UFWA deputy director Liao Chengzhi. They made the decision to cultivate Japanese businesspeople by helping them succeed in China, even as Tokyo was frozen out diplomatically. The businesspeople would then form a natural constituency to push Japanese leaders toward Beijing, giving the latter the leverage to hold out for more generosity from Tokyo.

Second, the statement treats our ethnic Chinese citizens and residents as undeserving of their full freedoms, because they are not a significant enough part of the U.S. population. They deserve to have their rights protected and crimes against them investigated, regardless of race or creed.

Third, the United States does have stronger campaign finance laws than Australia previously had (a problem they rectified last year), but that has not meant immunity from the problem of the Chinese Communist party trying to directly influence U.S. politics. We might recall the Clinton campaign finance scandal involving China in 1996, which may not have had a substantial impact on U.S. policy

given that the Democratic National Committee was able to return the Beijing-linked donations without financial difficulty. The legal protections and the publicity of the campaign finance scandal forced the party's efforts underground and to work through American proxies who could legally donate to political campaigns.

Fourth, even well-informed people are mostly unaware of the scale of the Chinese Communist Party's operations inside the United States. Below are just a few facts about what is taking place in the United States that I consider to be relatively solid and reflect what is actually happening (or happened) rather than analysis.

1. The Chinese Communist Party pressures Chinese students — either directly or through their families — to conform to the codes of speech and behavior acceptable inside China.
2. In the space of a few hours, my research assistant and I identified more than 250 organizations in the United States with individuals who actively and probably wittingly work to support the party's united front activities.
3. The party's united front system has sponsored dozens of visits by hundreds of local and state government officials, journalists, and students to China. Such visits are used to influence and evaluate the participants for their future usefulness.
4. Beijing pressured MSCI to expand the share of Chinese stocks on its emerging markets index. The move will likely move more than \$1 trillion into China.
5. U.S. think tanks and civil society groups have conducted surveys of American attitudes toward China and U.S.-China relations on behalf of the influence bureaucracies outlined above. Major Chinese multinational companies have discussed with U.S. lobbying and consulting firms projects to map U.S. policymaking on China beyond the scope of their business and investments in the United States.

The United States also has a limited capability to respond to the Chinese Communist Party's efforts to build political influence. We have built-in resilience because we are a large country with diverse centers of political, economic, cultural, and intellectual power. The natural churn of democratic politics also bolsters the natural resilience of the United States. However, the limited capability to generate and sustain a public conversation

1. Civil Society Capacity: The United States, as it stands today, is woefully short of journalists and researchers who can bring these issues into the public light. The United States is more than ten times more populous than Australia; yet, we have less than half the number of

journalists who have reported the issue. The same is true of Canada relative to the United States. Most U.S. reporting has been done by a columnist, a freelancer, and a journalist who is currently unemployed. I am hopeful that this will change as experienced China correspondents return home and report China-related stories from inside the United States.

The Chinese-language media landscape in the United States also has succumbed almost entirely to the party's efforts to co-opt and control media outlets. Wealthy proxies or party-controlled front organizations sometimes directly purchase the outlets. In other cases, Beijing organizes advertising boycotts to drive the media outlet out of business or into compliance with the party's wishes. The only independent outlets seem to be run by the Falungong, and they have not been able to maintain a consistent quality of journalism to make them credible sources of information.

Academic research provides a disappointing picture. The research skills and language capability is present, but the knowledge and output is not. The last book published by an American scholar on united front work was by a Stanford professor in 1967. The united front system also has not featured in most of the general textbooks on Chinese policymaking, even in areas, such as the party's relationship with business, where the system's importance is clear. A growing cadre of researchers also is emerging, but they are too junior at the moment to carry the weight of public discussion. They also have had to pay the burden of building this expertise on their own.

2. Government Capacity: As a former government analyst, I wish I could say with full confidence that the U.S. Government has the resources and knowledge it needs across the board. I do not think that is the case, despite some pockets of excellence and a few outstanding individuals with a long period of time on target.

The Intelligence Community needs to think through what it means to have an analytic and operational career in counterintelligence and countering foreign political influence/interference. Laws and principles may be country agnostic, but the capabilities to enforce will be specific to each country. There are some general skillsets common to all forms of security intelligence — including counterintelligence, counterterrorism, counter-narcotics, and counter-proliferation — but linguistic and regional/area studies knowledge is required to research, understand, and unravel the networks.

The U.S. Government also needs to think through how to push information into the public realm to drive the conversation, to explain its actions, and build public support. Open source researchers can do quite a bit to map to the Chinese Communist Party's united front system and the networks of front organizations at the intersection of technology transfer,

intelligence, and political influence. However, such work requires having solid pegs into the system from which to begin. Some of the very open political influence operations are relatively easy to track because of the individuals public affiliations with the united front system. Identifying, for example, the Ministry of State Security operations for political influence is much more difficult if not frequently impossible. Government identification — either through some sort of regular public report, taking cases to trial, etc. — allows researchers to expand off of what the government has done, providing even more context and possibly more leads to additional activities of concern. Having more of this information available also helps justify U.S. government actions, especially administrative responses that can be opaque even within government, in ways that lay and expert communities can understand and debate .

VII. GUIDING PRINCIPLES IN RESPONDING

1. **Transparency**: Sunlight is the best disinfectant. Out in the open, people have to make choices about whether to continue on in their conflicts of interests or compromised relationships. This applies equally to government and law enforcement responses to political interference. Administrative responses done quietly are not as effective as public prosecutions and explanations, which help create risk and inject new information into the public sphere for discussion.
2. **Conversation and Debate**: The legislature draws the line between legal and illegal. Federal government resources always will focus predominantly on the illegal side. In a democracy, we would not want it any other way. What is unacceptable or improper, however, is not necessarily what is illegal. Civil society must be able to discuss in reasonable terms what is taking place
3. **Protect Space for Critical Discussion of China**: Whether it is Chinese-language media outside of China, university spaces, or any other platform where discussion of contemporary China takes place, they all are vulnerable to the party's pressure. And they all are targets of the Chinese Communist Party. They need support, protection, and sometimes even cultivation.
4. **Consequences Create Risk**: Until the Chinese Communist Party faces consequences for its actions, they are not in danger of overstepping the mark or overestimating their ability to influence or intimidate. Without successfully taking cases to and winning at trial, without administrative penalties, Americans who actively assist the Chinese Communist Party at the expense of U.S. interests will have no reason to scrutinize their actions or to desist. Risk is required to deter behavior that undermines democracy.

5. **Civil Liberties as much as National Security**: Because the Chinese Communist Party puts so much emphasis on overseas Chinese communities and individuals, countering Beijing's efforts means ensuring ethnically-Chinese citizens and residents can enjoy equal protection under the law. National security and the resources brought to bear in its name are negative, defensive powers rather than positive or creative. Civil liberties protections and the resources deployed for this purpose, however, are the latter. They serve to guarantee constitutional freedoms, creating and preserving the free space for speech and association. Enabling democratic practices is at least as important preventing the exploitation of democracy.
6. **Maintain the Integrity of Rules and Processes**: When relationships with Chinese Communist Party organizations go awry or become exploitative, most cases — excepting those involving recruited or compromised agents — involve foreign partners who do not monitor and enforce their own guidelines and procedures. To protect against conflicts of interests and outright compromise, organizations that seek to do business, promote exchanges, collaborate on research, or otherwise have institutional relationships need to establish and stick to rules and procedures. Exceptions and exemptions need to be done in the open with clear explanation; otherwise, it is too easy to slip toward compromise and exploitation.

VIII. RECOMMENDATIONS FOR CONGRESS

1. **Revise the Foreign Agent Registration Act (FARA) to include more robust reporting requirements, more robust penalties for non-compliance, and a publicly-accessible database of FARA registrants updated frequently.**

Others have more fully outlined the fixes that need to be made related to the Foreign Agent Registration Act, but I would like to emphasize a few points. First, the reporting requirements for describing the activities are quite minimal. Companies and individuals that wish to be safe provide more; however, that is not the general rule. Expanding the reporting requirements to include more substance and specificity about the messages delivered or services provided would make the reporting mechanism more transparent. Separately, additional reporting could be made a part of Congressional ethics standards. Second, non-compliance with FARA seems to have few if any consequences. The current approach to enforcement is largely about voluntarily self-policing. Third, the United States should revise its approach to presenting FARA data, modeling its public-facing database on the Australian Foreign Influence Transparency Scheme (FITS). The FITS database is updated

on a regular, rolling basis rather than the quarterly approach to FARA. The database and accompanying documentation is comparatively clear and accessible.

2. Request a review of the Department of Justice’s decisions not to prosecute espionage-related cases.

The intelligence, law enforcement, and prosecutorial capabilities for responding to espionage are the same resources that will be used to address the greyer areas of political influence and interference. A review of decisions not to prosecute should be completed to understand what problems — whether investigative competence, resources and funding, political expediency, or any other factors — undermined taking the cases to trial. This review should be undertaken by Congress, and the Department of Justice should be encouraged to do their own review and report it to the appropriate committees.

3. Expand the mandate of the Congressional-Executive Commission on China (CECC) to include the civil liberties and human rights of ethnic Chinese living outside the People’s Republic of China.

Congress created the CECC in 2000 “to monitor China’s compliance with international human rights standards, to encourage the development of the rule of law in the PRC, and to establish and maintain a list of victims of human rights abuses in China.” The treatment of overseas Chinese at the hands of Beijing is closely related to this mandate.

The human rights of overseas Chinese would be a logical expansion, given that they are subject to two issues. The first is Beijing’s willingness to surveil and apply pressure to these communities as well as to subvert community organizations. The second is the absence of a response from their home governments to the Chinese Communist Party’s actions. The former is the infringement of the rights of overseas Chinese; the latter is the absence of often constitutionally-guaranteed protections.

4. Develop and fund educational programs to support mid-career expertise building and language skill maintenance.

Existing programs focus almost exclusively on undergraduate and graduate students, most often at the beginning of their careers. Creating space and time for experienced professionals to brush up on language skills or pursue useful personal projects would help ensure continued learning. Government employees have some access to similar programs, but there needs to be greater recognition of the value of education and being away from the desk.

Private sector employees need new programs and sources of support to be able to take the time to study and return to work.

5. **Create a national training center for community workers to support language training and understanding foreign government operations in ethnic communities within the United States.**

Community outreach programs in the United States are decentralized owing to the federal, state, and local government structure. Unifying these programs would be unnecessarily complicated and put the different levels of government at odds with one another. To ensure awareness of issues in ethnic communities, Congress should create a national training center for community workers. Overseas Chinese communities are not the only ones subject to harassment or infringement of their civil rights by a foreign government. The center should support language training, either through residency programs or individual grants for local programs.

Those most affected by a coercive foreign government do not have a ready outlet for reporting the problems they face. Law enforcement works best when officers are dealing with familiar issues and challenges. Building a cadre of informed community workers outside the justice system serves at least two purposes. First, it provides navigators for those individuals willing to stand up and report the problems. Community workers can help such an individual navigate law enforcement when they may be reluctant to come forward. Second, community workers can serve as an important source of information outside traditional law enforcement and intelligence channels.

6. **Use Congress's institutional powers to press the executive branch for transparency on actions taken against China, especially where the actions are administrative.**

American opinions are shifting about China, but much of the public discussion remains caught in limbo between the old policy paradigm and the uncertainty of today's new era of competition. Consequently, the administration needs to be more transparent than the executive branch typically is inclined.

The visa denials for Chinese scholars is a perfect example from recent news. Many U.S. and international scholars have been dismayed by the news, and the merits of excluding those individuals or revoking their visas is not obvious to the public. The particular case of Zhu Feng, a Nanjing-based professor, having his visa revoked shows why the executive branch needs to be more transparent publicly. Although he is a well-known scholar known for his amiable humor, Zhu also has been supported by and done work for the political warfare

element of the People's Liberation Army. This is available from open sources. Putting a few simple criteria out in public for visa denials and alerting inviting institutions what criteria was triggered would be a useful positive step for handling the visa issues going forward. Without such information, many otherwise knowledgeable people about China assumed the worst about the administration's intentions and actions.

The administration also should be encouraged to use the legal system and press charges where appropriate. The legal process forces the U.S. Government to commit to a course of action and making some information public. That information, especially after a conviction, becomes as close to ground truth as a possible on sensitive subjects for which there is not much clear, public information.

7. Recommendation

Summary

8. Recommendation

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