

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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March 13, 2024

The Honorable Michael S. Regan  
Administrator  
Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator Regan:

As part of a broad investigation into the work federal agencies are doing to protect Americans from Chinese Communist Party (CCP or the Party) “political warfare”<sup>1</sup>, the Committee on Oversight and Accountability (Committee) is investigating CCP infiltration of the U.S. environmental sector and the work the Environmental Protection Agency (EPA) is doing to protect this multibillion-dollar American industry. CCP operations have successfully pressured U.S. environmental players and industries into adopting initiatives that plainly benefit China at great costs to American businesses and consumers.<sup>2</sup> EPA has important responsibilities to safeguard against the CCP’s influence over U.S. environmental policy, including through proxies such as green energy non-governmental organizations (NGO) with ties to CCP officials.

### Broader Committee Investigation

The Committee is conducting oversight of the federal government’s work to protect the American people from CCP “political warfare”<sup>3</sup> and nefarious influence operations. For decades, the CCP has sought to infiltrate and influence every aspect of American society.<sup>4</sup> The

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<sup>1</sup> Political warfare “seeks to influence emotions, motives, objective reasoning, and behavior of foreign governments, organizations, groups, and individuals in a manner favorable to one’s own political-military objectives.” Mark Stokes, Project 2049, *The People’s Liberation Army General Political Department: Political Warfare with Chinese Characteristics* (Oct. 14, 2013).

<sup>2</sup> Greg Rushford, *How China Tamed the Green Watchdogs*, Wall Street Journal (May 29, 2017).

<sup>3</sup> Stokes, *supra* note 1.

<sup>4</sup> See generally Constantine C. Menges, *China The Gathering Threat* (2005); Report of the Select Committee on U.S. National Security and Military/Commercial Concerns With The People’s Republic of China (“Cox Report”) (Jan. 3, 1999); Robert Spalding, *War Without Rules* (2022); Col. Grant Newsham, *When China Attacks: A Warning to America* (2023); Kerry K. Gershaneck, *Political Warfare: Strategies for Combating China’s Plan to “Win without Fighting”* (2020); see also Larry Diamond and Orville Schell, *China’s Influence & America’s Interests: Promoting Constructive Vigilance*, Hoover Institution (2019).

CCP's goal is plain: defeat the "main enemy," which counterintelligence officials have identified as America.<sup>5</sup> The fronts are multiple; according to the CCP itself: "[t]he battlefield will be everywhere."<sup>6</sup> And the tools are myriad, with the "united front"<sup>7</sup> leading as one of the PRC's<sup>8</sup> "magic weapons,"<sup>9</sup> as described by General Secretary Xi Jinping,<sup>10</sup> to advance the Party's aim of global domination.<sup>11</sup> United front work (UFW), which may be executed by the United Front Work Department (UFWD) or elsewhere in the Party, is a "unique blend of engagement, influence activities, and intelligence operations" that the CCP uses to "influence other countries' policy toward the PRC and to gain access to advanced foreign technology."<sup>12</sup> UFW "generally involves covert activity and is a form of interference that aids the CCP's rise."<sup>13</sup> United front "networks" are used "to carry out relationship-focused influence campaigns through a multitude of proxies."<sup>14</sup>

Despite years of false promises to the West, the CCP openly seeks to achieve its destructive ambition. In 1999, two People's Liberation Army Air Force colonels authored *Unrestricted Warfare*, which has been described as a strategic military vision for the PRC to defeat America through political warfare.<sup>15</sup> Retired Brig. Gen. Robert Spalding, who has served in senior positions in strategy and diplomacy with the U.S. Departments of Defense and State for decades, characterizes the book as "the main blueprint for China's efforts to unseat America as the world's economy, political, and ideological leader," which "shows exactly how a totalitarian nation set out to dominate the West through a comprehensive, long-term strategy that includes everything from corporate sabotage to cyberwarfare to dishonest diplomacy; from violations of international trade law and intellectual property law to calculated abuses of the global financial

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<sup>5</sup> Menges, *supra* note 4; Gershaneck, *supra* note 4 ("The PRC is engaged in war against the United States. It is not mere competition or malign influence, but war by PRC definition."); Newsham, *supra* note 4 at 60 (The CCP "seeks global domination" and "will fight its main enemy, the United States, to achieve it.").

<sup>6</sup> Qiao Liang and Wang Xiangsu, *Unrestricted Warfare: China's Master Plan to Destroy America* (Beijing: PLA Literature and Arts Publishing House, Feb. 1999) (military colonels describing twenty-four varieties of warfare).

<sup>7</sup> "While the CCP's United Front Work Department has functional responsibility for these [warfare] operations and activities, PRC united front work is a task of all CCP agencies and members." Gershaneck, *supra* note 4 at 22.

<sup>8</sup> It is essential to understand that Xi Jinping has removed any "vener of separation between the [CCP] and the Chinese state." Gershaneck, *supra* note 4 (quoting Ann-Marie Brady, *Exploit Every Rift: United Front Work Goes Global*, in David Gitter et al., *Party Watch Annual Report*, Center for Advanced China Research (2018)).

<sup>9</sup> Ann-Marie Brady, *Magic Weapons: China's political influence activities under Xi Jinping*, Wilson Center (Sept. 18, 2017); see also The Select Committee on the Chinese Communist Party, *Memorandum: United Front 101*, <https://selectcommitteeontheccp.house.gov/sites/evo-subsites/selectcommitteeontheccp.house.gov/files/evo-media-document/uf-101-memo-final-pdf-version.pdf>.

<sup>10</sup> Alex Joske, *The party speaks for you: Foreign interference and the Chinese Communist Party's united front system*, Australian Strategic Policy Institute (2020) (quoting Xi Jinping at 2015 Central United Front Work Meeting).

<sup>11</sup> See, e.g., Newsham, *supra* note 4 at 43 ("The People's Republic of China may settle for dominance rather than occupation, but it does indeed aim to rule us all.").

<sup>12</sup> United Front 101 Memo, *supra* note 9 at 1.

<sup>13</sup> Joske, *The party speaks for you*, *supra* note 10.

<sup>14</sup> Alex Joske, *Spies and Lies: How China's Greatest Covert Operations Fooled the World* (2022) at 63.

<sup>15</sup> Gershaneck, *supra* note 4.

system.”<sup>16</sup> Kerry Gershaneck, former counterintelligence officer who wrote a seminal book on combatting PRC Political Warfare, has explained that *Unrestricted Warfare* details CCP use of “any methods” where “the boundaries between war and non-war and between military and non-military affairs [have] systemically broken down.”<sup>17</sup> To successfully combat these highly organized and pervasive warfares spawned by China, federal agencies must first recognize and understand them.

The CCP “know[s] the strength of the American people, of the American idea, and that’s why China has launched so many warfares to try to weaken us, divide us, and get us to hate ourselves and each other.”<sup>18</sup> Retired Col. Grant Newsham, former U.S. Marine Liaison Officer to the Japan Ground Self-Defense Force and U.S. Foreign Service Officer, has advised that “the way out of this is to rediscover why we are an exceptional country, get to know each other better, and fight side by side.”<sup>19</sup>

As all Americans are targets of the PRC’s warfare,<sup>20</sup> federal agencies have responsibilities to (1) conduct outreach to citizens about the dangers they may encounter, and (2) provide appropriate incentives for Americans to proactively protect themselves—their communities, schools, houses of worship, businesses, finances, food, and more—from the threat. Federal agencies must prepare Americans to “take action.”<sup>21</sup> To stop the CCP’s “destructive actions,” retired Brig. Gen. Spalding advises that it will “take macrolevel strategic changes by our government, but also microlevel actions by individuals, businesses and other civic institutions.”<sup>22</sup> The Committee is surveying each agency’s role to secure Americans and their communities.

Congress has recognized the threat posed by the PRC for some time. Notably, in 1999, the U.S. House Select Committee on U.S. National Security and Military/Commercial Concerns with the People’s Republic of China concluded that in the preceding decade, the PRC used a “variety of techniques including espionage, controlled commercial entities, and a network of

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<sup>16</sup> Spalding, *War Without Rules*, *supra* note 4 at xii; *see also* Robert Spalding, *Stealth War* at 12-13 (2019) (*Unrestricted Warfare* “should be required reading for all branches of the US government and for business leaders, because it outlines, in no uncertain terms, the strategy behind China’s policies,” including stating that the “new principles of war” are “no longer ‘using armed force to compel the enemy to submit to one’s will,’ but rather are ‘using all means, including armed force or non-armed force, military and non-military, and lethal and non-lethal means to compel the enemy to accept one’s interests.’”).

<sup>17</sup> Gershaneck, *supra* note 4 (quoting Qiao Liang and Wang Xiangsu, *supra* note 6).

<sup>18</sup> Newsham, *supra* note 4 at 341.

<sup>19</sup> *Id.*

<sup>20</sup> “The Three Warfares, the traditional foundation of PRC political warfare, include public opinion/media warfare, psychological warfare, and legal warfare.” Gershaneck, *supra*, note 4. It “requires efforts to unify military and civilian thinking, divide the enemy into factions, weaken the enemy’s combat power, and organize legal offensives.” Elsa Kania, *China Brief: The PLA’s Latest Strategic Thinking on the Three Warfares*, Jamestown Foundation (Aug. 22, 2016).

<sup>21</sup> Spalding, *War Without Rules*, *supra* note 4 at 214.

<sup>22</sup> *Id.*; *see also* Peter Mattis and Matt Schrader, *War On the Rocks, America Can’t Beat Beijing’s Tech Theft With Racial Profiling* (July 23, 2019) (“The U.S. government’s difficulties in telling a convincing story about the Chinese Communist Party point to a[n] important step: addressing a serious lack of ‘China literacy,’ both within the enforcement portions of the federal bureaucracy, and in U.S. society as a whole.”).

individuals that engage in contact with scientists, business people and academics” as part of its warfare operations.<sup>23</sup>

With varying degrees of effort and success, federal agencies have sought to address the CCP’s attack on what Col. Newsham has aptly described as “[t]he core of America.”<sup>24</sup> However, the threat is grave and work must be done across agencies to protect America.<sup>25</sup> Peter Mattis, former staff director of the Congressional-Executive Commission of China and counterintelligence analyst at the CIA counsels that

Only by being clear in public about the actions and intentions of the Chinese party-state, and being publicly accountable for the actions the U.S. government takes in response, will the United States be able to address Beijing’s challenges while upholding our democratic commitment to fair, transparent justice for all Americans.<sup>26</sup>

To this end, the Committee is conducting this investigation and implores each federal agency to uphold its duty to the American communities for whom they are responsible.

#### CCP Political and Economic Warfare to Exploit American Environmental Policies

The CCP is engaged in a form of political and economic warfare on multiple fronts and has sought to influence U.S. energy policy to benefit China and “exploit the West’s obsession” with a transition to green energy.<sup>27</sup> While the U.S. is still an energy superpower<sup>28</sup>, the PRC has become the top producer of traditional sources of energy—particularly coal—and continues to introduce largely untested environmental technologies that have disrupted global markets.<sup>29</sup> CCP officials have effected this production of green energy technologies despite China remaining one of the world’s leading polluters. The PRC is the world’s largest coal and carbon dioxide emitter, but it is often afforded the status of a “developing nation” by international climate and finance associations.<sup>30</sup> Additionally, the PRC has influenced environmental organizations, convincing many to modify or abandon “their ideals in the pursuit of money and access in China.”<sup>31</sup>

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<sup>23</sup> Menges, *supra* note 4; *see generally* Cox Report, *supra* note 4.

<sup>24</sup> Newsham, *supra* note 4 at 33.

<sup>25</sup> *See* Newsham, *supra* note 4 at 309 (“We need to know, value, protect and build the strengths of the United States of America, and shed the light of truth on the corruption, in every sense of the word,” of the CCP. “That could mean in discussions with family, community, at school or wherever that understanding needs bolstering.” Education courses on PRC political warfare would benefit “[a]ny decision-makers who work with China.”); *see* Gershaneck, *supra* note 4 (outlining such courses to “build[] internal defenses”).

<sup>26</sup> Mattis and Schrader, *supra* note 22.

<sup>27</sup> *Winning the New Cold War: A Plan for Countering China—Part II. The Plan to Counter China*, The Heritage Foundation (Mar. 28, 2023).

<sup>28</sup> Quill Robinson, *China wants to be energy superpower. Here’s how they can be stopped*, Fox News (June 2, 2023).

<sup>29</sup> Institute for Energy Research, *China Is Into Coal Big Time, Not Just Power Plants But Smart Coal Mines Too* (May 25, 2023).

<sup>30</sup> *Winning the New Cold War: A Plan for Countering China—Part II. The Plan to Counter China*, The Heritage Foundation (Mar. 28, 2023).

<sup>31</sup> Gershaneck, *supra* note 4 at 22-23.

The PRC is engaged in a form of cold war against the U.S. and its allies. For years, the CCP has been working to leverage its access to American financing and technology to spur its own economic growth and development.<sup>32</sup> The PRC has worked to exploit the U.S. through concerted espionage efforts designed to steal American intellectual property and the personal data of millions of Americans.<sup>33</sup> Additionally, China has successfully influenced environmental groups to push American corporations and government officials to adopt or enact liberal, green energy initiatives that harm American industries and increase costs for consumers.<sup>34</sup>

### CCP Economic Warfare Via Environmental Groups & U.S. Officials

Troubling connections between the CCP and various non-governmental organizations in the United States reveal that U.S. environmental and energy policy has, in fact, been influenced by the Party.<sup>35</sup> Professor Gershaneck has explained that CCP united front operations—a vehicle for CCP political warfare—routinely target environmental groups as a means to pressure the U.S. and other western nations to make concessions to reduce carbon emissions.<sup>36</sup> In fact, a former top State Department adviser, Mary Kissel, recently noted that any engagement with China on climate issues is fruitless, observing that “Communist China had never fulfilled its climate commitments.”<sup>37</sup> Kissel went on to state that a “track-two dialogue” with the CCP serves only to “allow Beijing more time to break its promises” on climate related commitments.<sup>38</sup>

The CCP has effectively silenced public discussion of these realities. While environmental NGOs have consistently criticized the U.S. for its carbon emissions, they have remained mostly silent regarding—and have refused to take a stand against—China’s continued status as one of the world’s leading polluters.<sup>39</sup> These exclusively anti-American positions are not surprising given the relationships these NGOs have with the CCP. In August 2023, I joined Senator Ted Cruz in alerting Attorney General Merrick Garland to several NGOs with ties to the PRC, which may be acting as agents of foreign principals, requiring registration under the Foreign Agents Registration Act (FARA).<sup>40</sup> Without transparency about CCP influence over these groups, the American people cannot make informed decisions about policies affecting their budgets and their businesses.

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<sup>32</sup> *Winning the New Cold War: A Plan for Countering China—Foreword*, The Heritage Foundation (Mar. 28, 2023).

<sup>33</sup> *Id.*

<sup>34</sup> Rushford, *supra* note 2.

<sup>35</sup> Letter from Sen. Ted Cruz, Ranking Member, S. Comm. on Commerce, Science, and Transportation, and Rep. James Comer, Chairman, H. Comm. on Oversight and Accountability, to Merrick Garland, Attorney General, Dep’t of Justice (Aug. 1, 2023).

<sup>36</sup> Gershaneck, *supra* note 4 at 22-23.

<sup>37</sup> Jimmy Quinn, *John Kerry Staffer Spoke at Climate Meeting alongside CCP Front Group*, National Review (Feb. 1, 2024).

<sup>38</sup> *Id.*

<sup>39</sup> Gershaneck, *supra* note 4 at 23.

<sup>40</sup> See Letter from Sen. Ted Cruz (R-TX) & Rep. James Comer (R-KY) to Attorney General Merrick Garland, *supra* note 35.

Additional environmental groups have direct ties to CCP government officials. A 2018 House Committee on Natural Resources investigation uncovered apparent ties between the Natural Resources Defense Council (NRDC) and China, as well as proactive efforts by the NRDC to influence U.S. energy policy.<sup>41</sup> Notably, directors of the NRDC's China Program previously served as CCP government officials.<sup>42</sup> And the NRDC's Chinese-language website openly acknowledges that NRDC engages and cooperates with Chinese government agencies.<sup>43</sup> The NRDC has consistently claimed that China is a world leader in "clean power development" while ignoring the fact that the PRC is responsible for emitting over one-fourth of global carbon dioxide and a third of the world's greenhouse gases.<sup>44</sup>

CCP elite capture goes beyond environmental groups to U.S. government officials. High-ranking federal officials have engaged with members of one of the CCP's united front groups. In February of this year, a senior staffer from the U.S. Department of State (State Department) office of special climate envoy John Kerry attended and spoke at a meeting alongside the Chinese People's Association for Friendship with Foreign Countries (CPAFFC).<sup>45</sup> CPAFFC is a nonprofit that both the State Department and the Office of the Director of National Intelligence have identified as working to "co-opt" U.S. government officials.<sup>46</sup> Senior officials' engagement with united front groups who are coordinating with the CCP is an issue of serious concern to the Committee. Former State Department adviser Mary Kissel warned that engaging with these groups "only gives credence to an organization whose mission is to undermine free societies and promote" the CCP's agenda.<sup>47</sup>

### Regulatory Actions Taken by the EPA Play Into CCP's Environmental Warfare

Policy experts and national security officials have also begun to sound the alarm over efforts to implement an electric vehicle agenda and have warned that such efforts will increase U.S. dependency on China. In April 2023, the EPA issued a proposed rule, *Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles*, that will require 60 percent of new vehicle sales to be battery-powered electric by 2030.<sup>48</sup> The policy decision to promote electric vehicles will not only raise driving costs for millions of

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<sup>41</sup> Letter from Rep. Rob Bishop (R-UT), Chairman of H. Comm. on Natural Resources, et al., to Rhea Suh, President of Natural Resources Defense Council (Jun. 5, 2018).

<sup>42</sup> See Letter from Sen. Ted Cruz (R-TX) & Rep. James Comer (R-KY) to Attorney General Merrick Garland, *supra* note 35.

<sup>43</sup> *Id.*

<sup>44</sup> "China's Transition to a Low-Carbon Economy and Climate Resilience Needs Shifts in Resources and Technologies," World Bank (Oct. 12, 2022).

<sup>45</sup> See Jimmy Quinn, *John Kerry Staffer Spoke at Climate Meeting alongside CCP Front Group*, National Review (Feb. 1, 2024).

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles, 88 Fed. Reg. 29184 (proposed May 5, 2023) (to be codified at 40 C.F.R. pt. 85).

Americans but it will also force the U.S. to depend on Chinese manufacturing of lithium-ion batteries needed to power electric vehicles.<sup>49</sup> The International Energy Agency has stated that China produces approximately 75 percent of the world's supply of lithium-ion batteries which is a key component of electric vehicles.<sup>50</sup> China also maintains a production capacity of 70 percent for cathodes and 85 percent for anodes, two significant components for producing lithium-ion batteries.<sup>51</sup> A dependence on electric vehicles in the U.S. creates serious national security risks and will increase American dependence on the CCP while raising driving costs for millions of Americans.

In line with PRC economic and environmental interests, the EPA has also issued a proposed rule that, if finalized, will mandate American power plants sequester 90 percent of their carbon emissions or go out of business by 2040.<sup>52</sup> The proposed power plant rule would cripple the nation's electric grid and would inevitably lead to more blackouts throughout the country.<sup>53</sup> If the EPA's proposed power plant rule is permitted to go into effect, the U.S. will become even less energy independent and more reliant on China as a source of energy, creating serious economic and national security risks for Americans.<sup>54</sup>

#### Foreign Influence in EPA Administration of Research Grants

In May 2023, the Committee sent a letter to the EPA raising concerns about the lack of oversight EPA was conducting over its administration of research grants and post-award disclosures.<sup>55</sup> On April 13, 2023, the EPA Office of Inspector General (OIG) issued a memorandum identifying a loophole within the existing reporting system. Grant applicants are required to disclose current and pending research support—including by foreign sources potentially seeking to improperly influence researchers or gain access to scientific discoveries—during the application process. However, the EPA did not require disclosure of foreign support received after a grant had been awarded.<sup>56</sup> The EPA's failure to adequately ensure accurate reporting on foreign research support received after a grant has been awarded raises serious concerns relating to the agency's ability to protect researchers from foreign influence campaigns.

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<sup>49</sup> Elizabeth Heckman, *Retired Navy captain warns Biden's EV push threatens national security: 'Fundamentally wrong,'* Fox News (Jan. 20, 2024).

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> New Source Performance Standards for Greenhouse Gas Emissions From New, Modified, and Reconstructed Fossil Fuel-Fired Electric Generating Units; Emission Guidelines for Greenhouse Gas Emissions From Existing Fossil Fuel-Fired Electric Generating Units; and Repeal of the Affordable Clean Energy Rule, 88 Fed. Reg. 33240 (proposed May 23, 2023) (to be codified at 40 C.F.R. pt. 60).

<sup>53</sup> Diana Furchtgott-Roth, *China Abandons Paris Agreement, Making U.S. Efforts Painful and Pointless*, The Heritage Foundation (July 26, 2023).

<sup>54</sup> Diana Furchtgott-Roth, *Biden's Energy Policies Strengthen China at America's Expense*, The Heritage Foundation (June 22, 2023).

<sup>55</sup> Letter from Rep. James Comer (R-KY), Chairman, H. Comm. on Oversight & Accountability, to Hon. Michael S. Regan, Administrator, U.S. Environmental Protection Agency (May 4, 2023).

<sup>56</sup> Memo from Jason Abend, Asst. Inspector General, Office of Investigations, EPA, to Dr. Chris Frey, Asst. Admin. and Science Advisor, Office of Research and Development, EPA (April 13, 2023).

The U.S. government has stated that China continues to conduct and support the theft of U.S. trade information and trade secrets.<sup>57</sup> It is crucial that the EPA take adequate measures to ensure that it is able to conduct proper oversight of foreign influence in the administration of its research grants.

### Conclusion

The CCP's economic and political warfare targeting of U.S. businesses and environmental policies poses serious risks to millions of Americans. To assist the Committee in investigating this matter and to help the Committee understand how EPA is training its employees, scientists, and the U.S. energy sector to protect America from CCP's efforts to undermine American energy independence, we request a briefing from EPA with Committee staff as soon as possible, but no later than March 20, 2024. The briefing should address:

- (1) How EPA strives to inspire and equip Americans to strengthen their communities, innovate, and create the technologies and phenomena that will secure a strong and prosperous future for our nation;
- (2) How EPA leadership ensures from the top down that all EPA employees are aware of CCP warfare and influence operations against America and are equipped to address them wherever they arise;
- (3) Efforts taken by the EPA to ensure that the CCP is not able to advance its goals through the theft of American intellectual property;
- (4) Efforts taken by the EPA to prevent environmental NGOs with ties to the CCP from influencing the Agency or U.S. energy policy;
- (5) Efforts taken by the EPA to ensure that regulatory actions taken by the EPA advance American energy interests and do not place the U.S. at a critical disadvantage in combatting CCP influence over the American energy sector; and
- (6) Any EPA outreach to EPA employees, American industry, and American consumers about the CCP's political warfare campaign against the U.S. environmental and energy industries.

Please contact the Committee on Oversight and Accountability staff at (202) 225-5074 to schedule the staff briefing.

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<sup>57</sup> The Office of the United States Trade Representative, 2022 Trade Policy Agenda & 2021 Annual Report (2022).



The Hon. Michael S. Regan

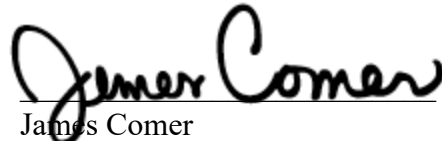
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The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X.

Thank you for your prompt attention to this important investigation.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a large, looping initial "J".

James Comer

Chairman

Committee on Oversight and Accountability

cc: The Honorable Jamie B. Raskin, Ranking Member  
Committee on Oversight and Accountability