

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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March 13, 2024

The Honorable Sethuraman Panchanathan  
Director  
National Science Foundation  
2415 Eisenhower Avenue  
Alexandria, Virginia 22314

Dear Director Panchanathan:

As part of an extensive investigation into political and economic warfare by the Chinese Communist Party (CCP or the Party), the Committee on Oversight and Accountability (Committee) is investigating the CCP's weaponization of U.S.-backed research and technology for uses that are contrary to U.S. national security and competitiveness. The Committee wrote to the National Science Foundation (NSF) on October 31, 2023 seeking information about concerns surrounding foreign government talent recruitment programs.<sup>1</sup> The NSF responded to that request on December 4, 2023 and emphasized the work the agency is doing to balance research security and international collaboration in scientific research.<sup>2</sup> The Committee is seeking additional information from NSF to ensure its efforts effectively counteract serious threats posed by the CCP to American research security.

### 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 CCP's

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<sup>1</sup> Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, to Hon. Sethuraman Panchanathan, Director, National Science Foundation (Oct. 31, 2023).

<sup>2</sup> Letter from H. Sethuraman Panchanathan, Director, National Science Foundation, to Hon. James Comer, Chair., H. Comm. on Oversight & Accountability (Dec. 4, 2023).

<sup>3</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>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).

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 (UFW) 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 “veneer 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

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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.”).

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 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 Theft of U.S. Research

Authored by PLA officers and influential with senior strategists in the CCP,<sup>27</sup> *Unrestricted Warfare* explains how the CCP wages political warfare.<sup>28</sup> The manual asserts that a key component of the CCP’s use of unrestricted warfare should recognize that “any technology might be combined with any other technology.”<sup>29</sup> Moreover, General Secretary Xi Jinping has openly stressed the role of science and technology in the PRC’s rise as a global superpower. At a National Congress of the CCP last year, Xi announced that it is important for China to “regard science and technology as [the Party’s] primary productive forces, talent as [its] primary resource, and innovation as [its] primary driver of growth.”<sup>30</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> Gershaneck, *supra* note 4.

<sup>28</sup> Liang and Xiangsu, *supra* note 6.

<sup>29</sup> *Id.*

<sup>30</sup> Bill Bishop, *Xi on SciTech; Possible TikTok Deal; EU-China Summit; Inner Mongolia; Leaked Database*, Sinocism.com (Sept. 14, 2020).

The CCP's goals pose significant risks to America. According to David Goldman, author of *You Will be Assimilated: China's Plan to Sino-Form the World*, China has entered its Fourth Industrial Revolution fueled by the idea that science will drive growth.<sup>31</sup> While the focus is on superior weapons systems, the PRC considers science important to the future of education, manufacturing, finance, and e-commerce,<sup>32</sup> all of which are integral to prosperity.

The PRC's strategy of leveraging scientific engagement with open Western democracies dates back many decades.<sup>33</sup> For example, the PRC used scientific knowledge gained from Chinese scientists working in the West to build its first satellite and develop its first atomic bombs.<sup>34</sup> A retired PLA officer who was interviewed about the project said, "Many of those [Chinese] scientists abandoned their stable lives in Western countries in the 1950s-1960s."<sup>35</sup> More recently, scientists from the U.S. and China have engaged in cross-border collaborations on research.<sup>36</sup> Today, many young Chinese researchers study in the U.S., build relationships, and accrue knowledge before returning to China with the fruits of their work.<sup>37</sup> Many Chinese that earn doctorates at U.S. universities in science or engineering stay in the U.S. after graduation.<sup>38</sup> The fact that the CCP uses this research to develop technology to bolster its authoritarian regime and commit human rights violations is well documented.<sup>39</sup> Out of concern that the technology will be used for malign purposes, the Biden Administration has placed trade restrictions on several PRC research institutions and tech firms.<sup>40</sup>

In at least one case, U.S. officials feared that American biotechnology would not only be used to repress Uighurs but for military applications as well.<sup>41</sup> However, the PRC's efforts to influence and steal research takes a holistic approach and includes covert and legal means.<sup>42</sup> Both the National Institutes of Health (NIH) and the National Institute of Allergy and Infectious Diseases (NIAID) have histories of collaborating with Chinese universities and laboratories. On April 22, 2021, NIH Deputy Director for Extramural Research, Michael Lauer, testified before Congress: "Unfortunately, a few foreign governments have initiated systematic programs to exploit the collaborative nature of biomedical research and unduly influence U.S.-supported

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<sup>31</sup> David P. Goldman, *You Will Be Assimilated: China's Plan to Sino-Form the World*, Bombardier Books (2020).

<sup>32</sup> *Id.*

<sup>33</sup> Yang Sheng, *People Hail 'Two Bombs, One Satellite' Founders for Inspiring Generations of Chinese Scientists*, *Global Times* (Oct. 16, 2019).

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> James Mitchell Crow, *US-China Partnerships Bring Strength in Numbers to Big Science Projects*, *Nature* (Mar. 9, 2022).

<sup>37</sup> *Id.*

<sup>38</sup> Abigail Okrent & Amy Burke, Nat'l Ctr. for Sci. and Eng'g Statistics, *Where Are They Now? Most Early Career U.S.- Trained S&E Doctorate Recipients with Temporary Visas at Graduation Stay and Work in the United States After Graduation 2* (2021).

<sup>39</sup> Paul Scharre, *The Dangers of the Global Spread of China's Digital Authoritarianism*, Center for New American Security (May 4, 2023).

<sup>40</sup> *US Puts 3 Dozen More Chinese Companies on Trade Blacklist*, AP NEWS (Dec. 16, 2022).

<sup>41</sup> Conor Finnegan, Luke Barr, *US Accuses Chinese Tech Firms, Research Institutes of Weaponizing Biotechnology, Creating 'Brain-Control Weaponry'*, ABC News (Dec. 16, 2021).

<sup>42</sup> Gershaneck, *supra* note 4.

researchers.”<sup>43</sup> Mr. Lauer stated NIH identified more than 500 “scientists of concern” that the agency feared were involved in foreign influence efforts, including Chinese economic espionage.<sup>44</sup> In fact, 93 percent of the “scientists of concern” were affiliated with China.<sup>45</sup> Retired Lt. Col. Stephen Ganyard, a former U.S. diplomat for military affairs, has explained, “China’s research focus on these technologies is not unique. What is unique is their declared intent to weaponize their inventions.”<sup>46</sup> The PRC, in keeping with its holistic approach to economic warfare, recognizes the eagerness of American research institutions to conduct open-science with foreign research institutions and to recruit foreign scientists.

As we wrote on October 31, the PRC recognizes that it can use talent recruitment programs to take advantage of scientific collaboration with the U.S. In the NSF’s response to the Committee, the agency affirmed that “NSF is committed to safeguarding the integrity and security of science while also keeping fundamental research open and collaborative.”<sup>47</sup> The Trump Administration issued a report on the challenges that the PRC poses to the U.S. and touched on this part of the CCP’s wider political warfare strategy. That report states that the PRC uses a range of tools to influence public opinion and policies in “open democracies.” Specifically, the Trump Administration report stated:

Beijing regularly attempts to compel or persuade Chinese nationals and others to undertake a range of malign behaviors...and undermine academic freedom and the integrity of the United States research and development enterprise. These behaviors include the misappropriation of technology and intellectual property, failure to appropriately disclose relationships with foreign government sponsored entities...and manipulation of processes for fair and merit-based allocation of federal research and development funding.<sup>48</sup>

It is the aim of the PRC to take advantage of academic freedom—the cornerstone of American scientific success. The Committee has acknowledged that openness is crucial to the integrity of American research institutions, and that transparency and accountability are just as important.<sup>49</sup> This is not to say that “openness” is the problem, but that there must be a recognition that the PRC abuses the American academic system for its own nefarious purposes.

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<sup>43</sup> Michael S. Lauer, Testimony before the U.S. Senate Committee on Health, Education, Labor & Pensions (Apr. 22, 2021).

<sup>44</sup> *Id.*, see also Wyatt Eichholz, *NIH Investigating 500 ‘Scientists of Concern’ for Foreign Influence*, Campusreform.org. (May 26, 2021).

<sup>45</sup> *Id.*

<sup>46</sup> AP News, *supra* note 40.

<sup>47</sup> Letter from H. Sethuraman Panchanathan, Director, National Science Foundation, to Hon. James Comer, Chairman, H. Comm. On Oversight & Accountability, *supra* note 2.

<sup>48</sup> Donald J. Trump, *United States Strategic Approach to the People’s Republic of China*, White House (May 20, 2020).

<sup>49</sup> Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, to Hon. Sethuraman Panchanathan, Director, National Science Foundation, *supra* note 1.

In the Committee's letter on October 31, 2023, we also recounted several examples that show how the PRC is applying unrestricted warfare through talent recruitment programs.<sup>50</sup> On November 1, 2023, it was reported that NSF funded a CCP-backed scientist who researched artificial intelligence at the University of California Los Angeles.<sup>51</sup> This is especially concerning because in October 2022, the U.S. Department of Commerce announced export controls to restrict U.S. companies from selling advanced computing products such as semiconductors to Chinese companies in order to limit the PRC's development of artificial intelligence.<sup>52</sup> The House Energy and Commerce Committee found that NSF continued to fund that individual even after he "took a position at a Beijing university whose primary goal is to support Chinese military research."<sup>53</sup> NSF's December 4 response to this Committee stated the agency "has developed a first-in-government set of research security analytics tools to ensure that NSF can identify research security concerns without bias."<sup>54</sup> It is evident that gaps in NSF's research security remain, and the agency has work to do to safeguard American research. The NSF's Office of Inspector General considers threats to research security as one of "NSF's most serious challenges based on our audit and investigative work," that needs to be addressed in 2024.<sup>55</sup>

On December 4, NSF reported to the Committee that the agency has launched "ongoing initiatives" to improve research security at the beginning of the proposal process and when administrating awards.<sup>56</sup> The NSF also reported it has issued new "policies and directives in the proposal and award process."<sup>57</sup> In order to better understand the work that needs to be done by NSF and to encourage federal agencies to respond to the PRC's theft and exploitation of U.S. scientific research, we ask for a staff briefing before March 20, 2024.

Please be prepared to outline the following in the briefing:

- (1) How NSF 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 NSF's leadership ensures all NSF employees are aware of CCP warfare and influence operations against the U.S. and are equipped to address them wherever they arise;

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

<sup>51</sup> Didi Kirsten Tatlow, *Exclusive: U.S. Gave \$30 Million to Top Chinese Scientist Leading China's AI 'Race'*, Newsweek (Nov. 1, 2023).

<sup>52</sup> Press Release, Bureau of Industry and Security, *Commerce Implements New Export Controls on Advanced Computing and Semiconductor Manufacturing Items to the People's Republic of China* (Oct. 7, 2022).

<sup>53</sup> Press Release, Select Committee on CCP & House Energy and Commerce, *Chairs Launch Inquiry into Taxpayer Funding Streams Funneled to CCP-Backed Researcher* (Jan. 17, 2024).

<sup>54</sup> Letter from H. Sethuraman Panchanathan, Director, National Science Foundation, to Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability *supra* note 2.

<sup>55</sup> National Science Foundation, Office of Inspector General, *Management Challenges for the National Science Foundation in Fiscal Year 2024* (October 13, 2024).

<sup>56</sup> Letter from H. Sethuraman Panchanathan, Director, National Science Foundation, to Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability *supra* note 2.

<sup>57</sup> *Id.*

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- (3) How research security fits in NSF's latest annual budget request to Congress and what steps NSF plans to take to address the theft and exploitation of U.S. scientific research by PRC entities;
- (4) The role and responsibilities of the position of the Chief of Research Security Strategy and Policy (CRSSP) and specifically how the office works with research institutions to address research security;
- (5) Other steps that NSF has taken or is taking to implement the CHIPS and Science Act as well as National Security Presidential Memorandum (NSPM)-33 requirements;
- (6) An overview of the analytics tool used by NSF to identify when nondisclosure of required information could be due to foreign interference; and
- (7) NSF efforts conducted in conjunction with law enforcement or intelligence services to better understand the purpose of the PRC's tactics and how to address these challenges.

To schedule the briefing or if you have questions regarding this request, please contact the Committee on Oversight and Accountability staff at (202) 225-5074. The Committee on Oversight and Accountability is the principal oversight committee in the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,

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

James Comer

Chairman

Committee on Oversight and Accountability

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