

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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July 18, 2024

The Honorable William J. Burns  
Director  
Central Intelligence Agency  
1000 Colonial Farm Rd.  
Langley, VA 22101

Dear Director Burns:

During your tenure as Director of the Central Intelligence Agency (CIA or the Agency), you have described the “increasingly adversarial” Chinese Communist Party (CCP) as “the most important geopolitical threat we face in 21st century.”<sup>1</sup> The CIA’s mission is to “leverage the power of information to keep our Nation safe.”<sup>2</sup> Given the Agency’s responsibilities in collecting foreign intelligence, producing objective analyses, conducting covert action at the direction of the president, and safeguarding secrets to protect the United States,<sup>3</sup> it must be prepared to address the CCP’s modern reconnaissance tactics. As part of a government-wide investigation into the work federal agencies are doing to protect Americans from the CCP’s influence operations, the Committee on Oversight and Accountability (Committee) is investigating whether the CIA is conducting necessary outreach to the American public regarding CCP political warfare.

### Broader Committee Investigation

The Committee is conducting oversight of the federal government’s work to protect the American people from CCP political warfare<sup>4</sup> and nefarious influence operations. For decades, the CCP has sought to infiltrate and influence every aspect of American society.<sup>5</sup> The CCP’s

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<sup>1</sup> See Stories, Cent. Intelligence Agency, CIA Makes Changes to Adapt to Future Challenges (Oct. 7, 2021).

<sup>2</sup> Cent. Intelligence Agency, About CIA, <https://www.cia.gov/about/> (last visited June 17, 2024).

<sup>3</sup> *Id.*

<sup>4</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, *The People’s Liberation Army General Political Department: Political Warfare with Chinese Characteristics*, Project 2049 Inst. (Oct. 14, 2013).

<sup>5</sup> See generally Constantine C. Menges, *China The Gathering Threat* (2005); H.R. Rep. No. 105-851 (1999) (“Cox Report”); 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*

goal is plain: defeat the “main enemy,” which counterintelligence officials have identified as America.<sup>6</sup> The fronts are multiple; according to the CCP itself: “[t]he battlefield will be everywhere.”<sup>7</sup> And the tools are myriad, with the “united front”<sup>8</sup> leading as one of the People’s Republic of China’s (PRC)<sup>9</sup> “magic weapons,”<sup>10</sup> as described by General Secretary Xi Jinping,<sup>11</sup> to advance the Party’s aim of global domination.<sup>12</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>13</sup> UFW “generally involves covert activity and is a form of interference that aids the CCP’s rise.”<sup>14</sup> United front “networks” are used “to carry out relationship-focused influence campaigns through a multitude of proxies.”<sup>15</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>16</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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*Fighting*” (2020); see also Larry Diamond and Orville Schell, *China’s Influence & America’s Interests: Promoting Constructive Vigilance*, Hoover Inst. (2019).

<sup>6</sup> Menges, *supra* note 5; Gershaneck, *supra* note 5 (“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 5, at 60 (The CCP “seeks global domination” and “will fight its main enemy, the United States, to achieve it.”).

<sup>7</sup> Qiao Liang & Wang Xiangsu, *Unrestricted Warfare: China’s Master Plan to Destroy America* (PLA Lit. & Arts Pub. House 1999) (China) (military colonels describing twenty-four varieties of warfare).

<sup>8</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 5, at 22.

<sup>9</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 5, at 43 (quoting Ann-Marie Brady, *Exploit Every Rift: United Front Work Goes Global*, in David Gitter et al., *Party Watch Annual Report*, Ctr. for Adv. China Res. (2018)).

<sup>10</sup> Ann-Marie Brady, *Magic Weapons: China’s political influence activities under Xi Jinping*, Wilson Ctr. (Sept. 18, 2017); see also Sel. Comm. on the Chinese Communist Party, *Memorandum: United Front 101*, at 7 (“United Front 101 Memo”).

<sup>11</sup> Alex Joske, *The party speaks for you: Foreign interference and the Chinese Communist Party’s united front system*, Austl. Strategic Pol’y Inst. (Jun. 9, 2020) (quoting Xi Jinping at 2015 Central United Front Work Meeting).

<sup>12</sup> See, e.g., Newsham, *supra* note 5, 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>13</sup> United Front 101 Memo, *supra* note 10, at 1.

<sup>14</sup> Joske, *The party speaks for you*, *supra* note 11, at 19.

<sup>15</sup> Alex Joske, *Spies and Lies: How China’s Greatest Covert Operations Fooled the World*, at 63 (2022).

<sup>16</sup> Gershaneck, *supra* note 5.

system.”<sup>17</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>18</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>19</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>20</sup>

As all Americans are targets of the PRC’s warfare,<sup>21</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>22</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>23</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>17</sup> Spalding, *War Without Rules*, *supra* note 5, 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>18</sup> Gershaneck, *supra* note 5, at 16 (quoting Qiao Liang & Wang Xiangsu, *supra* note 7, at 6-7).

<sup>19</sup> Newsham, *supra* note 5, at 341.

<sup>20</sup> *Id.*

<sup>21</sup> “The Three Warfares, the traditional foundation of PRC political warfare, include public opinion/media warfare, psychological warfare, and legal warfare.” Gershaneck, *supra* note 5. 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 Found. (Aug. 22, 2016).

<sup>22</sup> Spalding, *War Without Rules*, *supra* note 5, at 214.

<sup>23</sup> *Id.*; *see also* Peter Mattis & Matt Schrader, *America Can’t Beat Beijing’s Tech Theft With Racial Profiling*, War on the Rocks (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>24</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>25</sup> However, the threat is grave and work must be done across agencies to protect America.<sup>26</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>27</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.

#### Public Messaging to Thwart United Front Infiltration in American Communities

The CIA has been aware of the CCP’s united front activities since as early as 1957.<sup>28</sup> For at least 67 years, the Agency has collected intelligence on and tracked the Party’s united front and its intent to promote the “Chinese Communist cultural offensive” in non-communist countries.<sup>29</sup> According to the CIA’s 1957 United Front Report, declassified by the CIA in 1999, the CCP has long sought to mobilize groups to advance their domestic and foreign goals.<sup>30</sup>

One such group is what was previously known as the Chinese People’s Association for Cultural Relations with Foreign Countries (ACRFC).<sup>31</sup> The United Front Report cited the New China News Agency, which stated ACRFC’s goal as developing “further the friendly relations between the Chinese people and the people of various other countries and to promote cultural exchanges between them.”<sup>32</sup> Yet, the United Front Report explained that “[a] survey of its activities discloses that the ACRFC was formed to conduct the Chinese Communist cultural

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<sup>24</sup> Cox Report, *supra* note 5, at xxxiii; *see generally* Menges, *supra* note 5.

<sup>25</sup> Newsham, *supra* note 5, at 33.

<sup>26</sup> *See* Newsham, *supra* note 5, 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 5, at 153 (outlining such courses to “build[] internal defenses”).

<sup>27</sup> Mattis and Schrader, *supra* note 23.

<sup>28</sup> *See* Cent. Intelligence Agency, *The United Front in Communist China* (1957) (“United Front Report”), available at <https://www.cia.gov/readingroom/docs/CIA-RDP78-00915R000600210003-9.pdf> (last visited June 18, 2024).

<sup>29</sup> *Id.* at 61.

<sup>30</sup> *Id.* at xi (“The CCP is seeking not only to protect itself from the non-Communist masses but also to mobilize the energies of these masses in support of its foreign and domestic policies. For this reason it has organized a vast and complex network of unofficial (non-party, non-government) organs. The name given to this network is the united front.”).

<sup>31</sup> *Id.* at 60-61.

<sup>32</sup> *Id.* at 60.

offensive, principally in non-Communist nations.”<sup>33</sup> Today, the group is known as the Chinese People’s Association for Friendship with Foreign Countries (CPAFFC).<sup>34</sup> In 2020, the U.S. Department of State (State Department) described CPAFFC as “a Beijing-based organization tasked with co-opting subnational governments,” which “has sought to directly and malignly influence state and local leaders to promote the PRC’s global agenda.”<sup>35</sup>

Despite the CIA’s apparent understanding of the CCP’s intentions and methods, the Party, through these groups, continues to seek “to exploit these China-U.S. subnational relationships to influence U.S. policies and advance PRC geopolitical interests.”<sup>36</sup> In 2022, the Office of the Director of National Intelligence cautioned that “[i]n partnering with any foreign entity, U.S. state and local leaders should exercise vigilance, conduct due diligence, and ensure transparency, integrity, and accountability are built into the partnership to guard against potential foreign government exploitation.”<sup>37</sup>

Given the CIA’s decades-long awareness of united front efforts to exploit American communities to advance a communist agenda, CIA leadership has had, and continues to have, an important public-facing role to alert Americans of the multitude of threats posed by the CCP to every sector and community in our country.

#### Public Messaging Regarding CCP Technology Acquisition

In addition to seeking to promote a pro-communist “cultural offensive,” the CCP is also undertaking significant efforts to transfer technology from the United States to the PRC to gain economic benefit and military prowess.<sup>38</sup> The CIA, as both a covert actor and intelligence acquirer, is well suited to understand how technology is being transferred to the PRC, the entities and individuals engaging in such behavior, and how the technology is being used within the PRC. As such, the CIA is in a unique position to engage in public outreach and offer solutions to Americans to safeguard U.S. technology and intellectual property. Effective outreach would not

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<sup>33</sup> *Id.* at 61.

<sup>34</sup> See Global Civil Society Database, *Chinese People’s Association for Friendship with Foreign Countries (CPAFFC)*, Union Int’l Ass’n (last visited June 18, 2024) available at <https://uia.org/s/or/en/1100053273>.

<sup>35</sup> Nat’l Counterintelligence and Sec. Ctr., *Safeguarding Our Future: Protecting Government and Business Leaders at the U.S. State and Local Level from People’s Republic of China (PRC) Influence Operations*, Off. of the Dir. of Nat’l Intelligence, at 2 (July 6, 2022) (“ODNI NCSC: Safeguarding Our Future: Protecting Government and Business Leaders”) (citing U.S. Dep’t of State, *Designation of the National Association for China’s Peaceful Unification (NACPU) as a Foreign Mission of the PRC* (Oct. 28, 2020)), available at [https://www.dni.gov/files/NCSC/documents/SafeguardingOurFuture/PRC\\_Subnational\\_Influence-06-July-2022.pdf](https://www.dni.gov/files/NCSC/documents/SafeguardingOurFuture/PRC_Subnational_Influence-06-July-2022.pdf).

<sup>36</sup> *Id.*; see also Nathan Picarsic & Emily de La Bruyere, *How China is Trying to Turn the U.S. Against Itself*, Found. for the Def. of Democracies (Nov. 23, 2021).

<sup>37</sup> ODNI NCSC: Safeguarding Our Future: Protecting Government and Business Leaders, *supra* note 35.

<sup>38</sup> See U.S. Dep’t of St., *Military-Civil Fusion and the People’s Republic of China* (May 2020) (“U.S. Dep’t of State: Military-Civil Fusion”) (“Its goal is to enable the PRC to develop the most technologically advanced military in the world. As the name suggests, a key part of MCF is the elimination of barriers between China’s civilian research and commercial sectors, and its military and defense industrial sectors. The CCP is implementing this strategy, not just through its own research and development efforts, but also by acquiring and diverting the world’s cutting-edge technologies – including through theft – in order to achieve military dominance.”) (emphasis added).

only help secure valuable technology to the benefit of American technology companies and entrepreneurs, but it would also aid U.S. national security.

Technological transfer by the CCP is not a new concept. The 1999 report by the Select Committee on U.S. National Security and Military/Commercial Concerns with the People's Republic of China (Cox Report) identified a fundamental error in the U.S. government's response to the PRC's political warfare efforts:

Because of the historical counterintelligence focus on the Soviet Union through-out the decades of the Cold War, the U.S. Government has never made the PRC's technology acquisition activities in the United States a priority. Moreover, because of the breadth of the PRC's decentralized collection efforts, the U.S. Government cannot completely monitor PRC activities in the United States.<sup>39</sup>

The PRC continues to acquire technology in the United States using a combination of legal, coercive, and covert methods.<sup>40</sup> A 2019 staff research report (USCC Report) released by the U.S.-China Economic and Security Review Commission, entitled "How Chinese Companies Facilitate Technology Transfer from the United States," concluded that, "[a]lthough Chinese companies are not the only foreign firms seeking to acquire U.S. technology, the Chinese case is unique because the . . . [CCP] has prioritized technology transfer as a matter of policy and provides direct and indirect support to companies engaging in these anticompetitive activities."<sup>41</sup> The USCC Report states that Chinese companies facilitate technology transfer from the United States in a variety of ways, including: foreign direct investment, venture capital investments, joint ventures, licensing agreements, cyber espionage, and talent acquisitions.<sup>42</sup>

According to the State Department, this tactic is part of a national strategy developed by the CCP entitled "Military-Civil Fusion" (MCF).<sup>43</sup> As part of MCF, "[t]he CCP is developing and acquiring key technologies through licit and illicit means," including "investment in private industries, talent recruitment programs, directing academic and research collaboration to military gain, forced technology transfer, intelligence gathering, and outright theft."<sup>44</sup> The PRC is specifically targeting key technologies such as quantum computing, big data, semiconductors, 5G, advanced nuclear technology, aerospace technology and AI, and doing so to "exploit the inherent 'dual-use' nature" of several of the technologies.<sup>45</sup>

Given the decentralized nature of the CCP's non-kinetic warfare, the CIA must collect foreign intelligence and then synchronize the Agency's efforts with what Americans in various domestic sectors and communities are experiencing. Technology acquisition by the PRC is a

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<sup>39</sup> Cox Report, *supra* note 5, at 54.

<sup>40</sup> U.S.-China Econ. and Sec. Rev. Comm'n Staff Res. Rpt., *How Chinese Companies Facilitate Technology Transfer from the United States*, at 3 (May 6, 2019) ("USCC Report").

<sup>41</sup> *Id.* at 3.

<sup>42</sup> *See id.*

<sup>43</sup> *See* U.S. Dep't of State: Military-Civil Fusion, *supra* note 38.

<sup>44</sup> *Id.*

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

longstanding threat to American technology and security. The CIA should conduct outreach to entities and individuals involved in foreign direct investment, venture capital, and joint ventures with the PRC or Chinese-owned entities. Americans rely on guidance from the intelligence community (IC) and other federal agencies to understand the threat posed by the CCP to their intellectual property so that they can ensure its safety.

#### Public Messaging Regarding CCP Lawfare Against America

As the self-described “premier foreign intelligence agency” and the primary covert actor and collector of foreign intelligence,<sup>46</sup> the CIA is best equipped to track, analyze, and communicate to the public about the PRC’s domestic political and legal landscape. Over the last several years, the PRC has weaponized the rule of law in an effort to weaken America to the benefit of the CCP. Between 2015 and 2023, the PRC passed or updated comprehensive laws governing national security, cybersecurity, and data privacy, among other issues.<sup>47</sup> These laws provide the CCP “with expanded legal grounds for accessing and controlling data held by U.S. firms in China.”<sup>48</sup> Col. Newsham has explained that the CCP “has mastered” lawfare, by which “[t]he PRC pretends to obey the law sometimes, writes new laws to make the blatantly illegal seem justified, ignores laws when it feels like it and often uses other countries’ legal systems to target, slow down, or block rulings that could impede its activities.”<sup>49</sup>

In 2015 and 2017, for example, the PRC implemented national security and national intelligence laws requiring PRC citizens and private organizations to assist the CCP government and intelligence services in security and national intelligence efforts.<sup>50</sup> The ramifications of these laws endanger locally employed individuals of U.S. companies by potentially subjecting them to demands that they assist CCP investigations that may expose operating elements of U.S. entities and citizens.<sup>51</sup> Additionally, these laws created affirmative legal responsibilities for PRC and U.S. entities to work with Chinese intelligence agencies.<sup>52</sup> Matthew Brazil, a former U.S. Army officer, American diplomat, and corporate security manager with over 20 years of experience working in Asia, and a non-resident Fellow at The Jamestown Foundation, warned:

Foreign companies in China should reexamine their typically optimistic assumptions and plan for the possibility that a strategic inflection point has arrived in China, with more strident host government interference with operations, including seizures of shipments and property, far-fetched allegations about ordinary matters, intensified surveillance leading to IP theft or worse, and the detention of employees. In short, to sustain business

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<sup>46</sup> Cent. Intelligence Agency, *About CIA*, <https://www.cia.gov/about/> (last visited June 17, 2024).

<sup>47</sup> See Nat’l Counterintelligence and Sec. Ctr., *Safeguarding Our Future: U.S. Business Risk: People’s Republic of China (PRC) Laws Expand Beijing’s Oversight of Foreign and Domestic Companies*, Off. of the Dir. of Nat’l Intelligence (June 30, 2023) (“ODNI NCSC: Safeguarding Our Future: U.S. Business Risk”).

<sup>48</sup> *Id.* at 1.

<sup>49</sup> Newsham, *supra* note 5, at 81.

<sup>50</sup> See ODNI NCSC: Safeguarding Our Future: U.S. Business Risk, *supra* note 47.

<sup>51</sup> See *id.* at 2.

<sup>52</sup> See *id.* at 2.

and avoid pitfalls that endanger people and assets, it's time to develop a Plan B.<sup>53</sup>

Additional Chinese laws have expanded the CCP's access to and control of data within China, the outbound flow of information, the localization of data including U.S. companies working in undefined critical industries, and beyond.<sup>54</sup> More recently, in 2023, Chinese lawmakers altered their anti-espionage legislation, which bans the transfer of any national security-related information and expands the definition of spying.<sup>55</sup> The U.S. National Counterintelligence and Security Center warned that the PRC views the outbound flow of data as a threat to their national security and that new and existing laws could compel companies' locally-employed PRC nationals to assist in the Chinese intelligence enterprise.<sup>56</sup> These ambiguous laws provide the CCP ample opportunity and authority to access and control data held by U.S. firms in the PRC and may result in U.S. companies and individuals in China facing "penalties for traditional business activities that Beijing deems acts of espionage or for actions that Beijing believes assist foreign sanctions against China."<sup>57</sup> Concerningly, it also means that the PRC government could deem "any documents, data, materials or items" relevant to the PRC's national security, which threatens the security of journalists, academics, researchers, and others.<sup>58</sup> According to Elaine K. Dezenski, senior director and head of the Center on Economic and Financial Power at the Foundation for Defense of Democracies (FDD), and David Rader, adjunct fellow at FDD:

[i]t is safe to assume that Chinese companies – whether they are state-owned or not, whether their CEO is a party member or not, or whether they are in the intelligence service or not – are obligated under Chinese law to pass on any and all information they collect to the Chinese government.<sup>59</sup>

Indeed, employees at American companies based in China have experienced the ramifications of such policies.<sup>60</sup> In 2023, Chinese authorities closed the Beijing office of an American corporate due diligence firm and detained five local staff members, and Chinese police questioned staff at an American consulting company's Shanghai office.<sup>61</sup> U.S. firms, including their leadership and employees, should be well-versed in the PRC's sweeping counterintelligence

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<sup>53</sup> Matthew Brazil, *China Brief: China's Counterintelligence "Trinity" and Foreign Business*, The Jamestown Foundation (Mar. 26, 2018).

<sup>54</sup> See ODNI NCSC: Safeguarding Our Future: U.S. Business Risk, *supra* note 47.

<sup>55</sup> See Michael Martina, *US warns new Chinese counterespionage law puts companies at risk*, Reuters (June 30, 2023).

<sup>56</sup> *Id.*; ODNI NCSC: Safeguarding Our Future: U.S. Business Risk, *supra* note 47.

<sup>57</sup> *Id.* at 1.

<sup>58</sup> *Id.* at 1.

<sup>59</sup> Elaine K. Dezenski & David Rader, *The U.S. Must Combat CCP-Sanctioned Overseas Spying by Private Entities*, Found. for Def. of Democracies (Nov. 22, 2023) ("First, let's be clear that most Chinese companies and citizens operating overseas are honest and hard-working capitalists who do not desire to pass private commercial data on to the CCP. The problem is that their "desire" is irrelevant. Such companies are legally required to comply with any intelligence-gathering demand, no matter how distasteful or how many commercial norms it oversteps.").

<sup>60</sup> See Simone McCarthy & Nectar Gan, *China has widened its already sweeping counter-espionage law. Experts say foreign businesses should be worried*, CNN Business (Apr. 27, 2023).

<sup>61</sup> See *id.*



laws. The CIA should engage in public outreach to inform U.S. citizens and businesses and further the protection of their intellectual property.

### CCP Intelligence Targeting of the CIA

Federal agencies themselves are targets of the CCP, and the CIA is not immune to such influence operations. The CCP poses a significant threat, not only to American communities, but to CIA agents and sources who are vital to collecting intelligence that assists the United States in thwarting CCP political warfare. In July 2023, you disclosed that the CIA is working to rebuild spy networks in the PRC—nearly a decade after most of the CIA’s agents or sources in China were arrested or killed.<sup>62</sup> Between 2010 and 2012, approximately 30 CIA recruits were detained by the Ministry of State Security (MSS).<sup>63</sup> The MSS is a PRC government ministry that conducts intelligence collection operations, such as human intelligence and cyber operations.<sup>64</sup> According to Peter Mattis, the MSS “is not unlike an amalgam” of the CIA and U.S. Federal Bureau of Investigation.<sup>65</sup> Public reporting since the incident asserts that current and former intelligence officials blame the communication system used by the CIA to contact and engage with sources, as well as agents or sources falling prey to CCP influence.<sup>66</sup> You have since stated that the CIA has “made progress” and is “working very hard over recent years to ensure that we have strong human intelligence capability to complement what [the CIA] can acquire through other methods.”<sup>67</sup> It is essential that the CIA continue to rebuild its intelligence network in the PRC and around the world, and ensure that its leadership, agents, and officials are not, themselves, influenced by the CCP.

### The China Mission Center & CIA Leadership Outreach

During your confirmation hearing, you stated, “[i]f confirmed, four crucial and inter-related priorities will shape my approach to leading CIA: China, technology, people, and partnerships.”<sup>68</sup> You appropriately identified that there are “a growing number of areas in which Xi’s China is a formidable, authoritarian adversary -- methodically strengthening its capabilities to steal intellectual property, repress its own people, bully its neighbors, expand its global reach, and build influence in American society.”<sup>69</sup> To do so, you testified that the CIA should continue to strengthen its team of China specialists, expand language skills, and align personnel and resource allocation on a long-term basis.<sup>70</sup> Given your stated commitment to combatting our formidable adversary, the Committee seeks to ascertain how changes to the CIA’s structure and

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<sup>62</sup> See Bill Gertz, *CIA rebuilding spy networks in China a decade after losing agents, director reveals*, The Washington Times (July 20, 2023).

<sup>63</sup> See *id.*

<sup>64</sup> See U.S.-China Econ. and Sec. Rev. Comm’n, 2016 Ann. Rpt., at 289-290 (Nov. 2016).

<sup>65</sup> *Id.* (citing Peter Mattis, *A Guide to Chinese Intelligence Operations*, War on the Rocks (Aug. 18, 2015)).

<sup>66</sup> See Zach Dorfman, *Botched CIA Communications System Helped Blow Cover of Chinese Agents*, Foreign Policy (Aug. 15, 2018); see Press Release, U.S. Dep’t of Justice, Office of Public Affairs, *Former CIA Officer Sentenced for Conspiracy to Commit Espionage* (Nov. 22, 2019).

<sup>67</sup> Fireside Chat with Director William Burns: Aspen Security Forum 2023 (July 20, 2023).

<sup>68</sup> S. Sel. Comm. on Intelligence, *Statement for the Record of Director of CIA Nominee William J. Burns*, at 2 (Feb. 24, 2021).

<sup>69</sup> *Id.*

<sup>70</sup> *Id.*

focus are allowing the Agency to respond to increasingly complex political warfare tactics utilized by the CCP—and, importantly, how these changes are being used to conduct outreach to the American public.

In October 2021, the CIA announced changes to its organizational structure, including through the formation of a China Mission Center (CMC), “to address the global challenge posed by the People’s Republic of China that cuts across all of the Agency’s mission areas.”<sup>71</sup> The CMC purports to be a “whole-of-Agency response” that unifies the CIA’s existing PRC-focused efforts.<sup>72</sup> According to David Cohen, CIA Deputy Director, “[w]hat we’ve come to realize is that we need to enhance and synchronize our efforts around China.”<sup>73</sup> Also in 2021, the CIA established a Transnational and Technology Mission Center, which relates to the PRC insofar as “the main area of competition with China is technology,” and the mission center seeks to innovate and ensure that the United States continues to lead in technology.<sup>74</sup> As part of this new mission center, in 2022 the CIA named its first Chief Technology Officer.<sup>75</sup> Deputy Director Cohen articulated the increasing significance of technology in global conflict:

. . . technology itself is becoming a domain for competition and conflict. We have historically focused on military weapons; we have the world’s leading experts on military, hardware, weapon systems. But increasingly, I think the recognition is that technology is also going to be a domain that has real national security implications and the potential to be weaponized itself.<sup>76</sup>

An example of the CCP’s use of technological innovation to target U.S. national security is the PRC’s use of spy balloons.<sup>77</sup> In 2023, the PRC used balloons to conduct espionage.<sup>78</sup> The balloons flew over Montana, which reportedly has approximately 150 intercontinental ballistic missile silos—and across America—over a seven-day period.<sup>79</sup>

Mere months after this incident, in May 2023, you secretly visited the PRC.<sup>80</sup> Your visit with the high-ranking PRC officials was announced weeks later in June of 2023.<sup>81</sup> A U.S. official stated that during this visit, you “met with Chinese counterparts and emphasized the importance of maintaining open lines of communications in intelligence channels.”<sup>82</sup>

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<sup>71</sup> Cent. Intelligence Agency, *CIA Makes Changes to Adapt to Future Challenges* (Oct. 7, 2021).

<sup>72</sup> *Id.*

<sup>73</sup> Greg Myre, *As U.S. spies look to the future, one target stands out: China*, NPR (Nov. 16, 2021).

<sup>74</sup> Alex Marquardt, *CIA will focus on China with new mission center*, CNN Politics (Oct. 7, 2021) (quoting Rodney Faraon, former CIA China analyst).

<sup>75</sup> Press Release, Cent. Intelligence Agency, *CIA Names First Chief Technology Officer* (Apr. 29, 2022).

<sup>76</sup> Max Ufberg, *The CIA’s CTO and deputy director explain the future of spying*, Fast Company (Mar. 20, 2023).

<sup>77</sup> *See id.*

<sup>78</sup> *See id.*; *see generally* The New York Times, *U.S. Shoots Down Surveillance Balloon, China Condemns U.S. Decision to Shoot Down Spy Balloon* (Feb. 4, 2023).

<sup>79</sup> *See* Chris Buckley, *China says the U.S. overreacted and warns Beijing may respond*, The New York Times (Feb. 4, 2023).

<sup>80</sup> *See* Haley Britzky, et al., *CIA director visited China last month as US seeks to reset relations*, CNN Politics (June 2, 2023); Peter Martin & Iain Marlow, *US Spy Chief Made a Secret Visit to China Last Month*, Bloomberg (June 2, 2023).

<sup>81</sup> *Id.*

<sup>82</sup> *Id.*

Importantly, the director of the CIA does not message to foreign nations alone—the American people are watching and listening. Any communications between the CIA and the PRC must aggressively advocate for and advance American interests against our adversary. The CIA must evolve to confront the increasingly complex political warfare and reconnaissance tactics employed by the CCP.<sup>83</sup>

### Conclusion & Requests Regarding CIA Public Outreach

As the primary intelligence collecting member of the IC, the CIA has an instrumental role in messaging to the American people about the CCP's agenda, espionage, and use of political warfare. While Director, you have engaged in public outreach through several appearances on significant media outlets, including but not limited to: NPR's Morning Edition,<sup>84</sup> PBS,<sup>85</sup> CBS's Face the Nation<sup>86</sup> and 60 Minutes.<sup>87</sup> In several of these interviews, you acknowledged the increasing "competition" with China, the Agency's awareness of Xi Jinping's "ambition to control Taiwan,"<sup>88</sup> how the CCP is able to extract "the private data of a lot of TikTok users in this country, and also to shape the content of what goes on to TikTok,"<sup>89</sup> how Xi Jinping seeks to consolidate power at a rapid pace, and you confirmed that the spy balloon likely carried an intelligence platform.<sup>90</sup>

Therefore, the Committee seeks information on how the CIA, its leaders and officials, engage in public outreach regarding CCP political warfare to better equip the American public to identify and protect themselves from often difficult to detect CCP nefarious infiltration and influence. To assist the Committee in investigating this matter, we request a briefing from the CIA with Committee staff. Please contact Committee staff as soon as possible, but no later than July 25, 2024. This briefing should address the following:

1. How the CIA 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 CIA leadership ensures from the top down that all Department employees are aware of CCP warfare and influence operations against America and are equipped to address them wherever they arise.

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<sup>83</sup> See generally William J. Burns, *Spycraft and Statecraft: Transforming the CIA for an Age of Competition*, Foreign Affairs (Jan. 30, 2024) (In your words, "[e]spionage has been and will remain an integral part of statecraft, even as its techniques continually evolve.").

<sup>84</sup> Mary Louise Kelly, *CIA Director William Burns discusses recent developments in the war in Ukraine*, NPR Morning Edition (July 21, 2023).

<sup>85</sup> Judy Woodruff, *CIA Director Bill Burns on war in Ukraine, intelligence challenges posed by China*, PBS News House (Dec. 16, 2022).

<sup>86</sup> Margaret Brennan, *Transcript: CIA director William Burns on "Face the Nation"* (Feb. 26, 2023).

<sup>87</sup> 60 Minutes, *CIA Director William Burns on "Havana Syndrome" investigation* (Feb. 13, 2022).

<sup>88</sup> Woodruff, *supra* note 85.

<sup>89</sup> *Id.*

<sup>90</sup> Brennan, *supra* note 86.

The Honorable William J. Burns

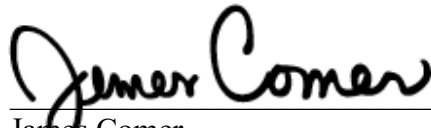
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3. The role of the CMC in combatting CCP unrestricted warfare, political warfare, infiltration and influence efforts in the United States; and
4. CIA, including through the CMC, outreach to the American public regarding CCP unrestricted warfare, political warfare, infiltration and influence efforts in the United States.

Please contact Committee staff at (202) 225-5074 to schedule the staff briefing. 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 horizontal line underneath the name.

James Comer

Chairman

Committee on Oversight and Accountability

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