

“U.S. Responses to China’s Foreign Influence Operations”

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Thank you for the opportunity to present my testimony here today. It is an honor and a privilege to appear before the committee.

I’ve organized my testimony into several parts, explaining why the CCP interferes in other countries’ domestic politics, some of the party’s activities inside the United States, and what the U.S. Government can do to counter harmful CCP interference and influence.

The Chinese Communist Party Shapes the World

The Chinese Communist Party (CCP) places its highest priority on building and maintaining its political power. As a Leninist party, it organizes the political world around a revolutionary vanguard formed of professional political operatives. This political core attempts to govern and shape society through social organizations — e.g. trade unions, writers’ guilds, etc. — or installing party committees to oversee the management of other organizations outside the direct control of the party. Communism since the 19th Century always has had an international dimension, because there is no obvious border for where a party like the CCP should stop. The most important threats that must be addressed are the diaspora communities and potentially threatening great powers. The former have the cultural knowledge to introduce subversive ideas that resonate. The latter have the material power to undermine or topple the party-state.

In case this sounds too abstract, the desire to control the political landscape and protect the party’s position found clear, contemporary definition in China’s National Security Law (2015). The law describes security in broad, encompassing terms that goes well beyond physical threats to the territory of the People’s Republic of China. Security comes from the inside out. Articles Two and Three of the law state:

“National security refers to the relative absence of international or domestic threats to the state’s power to govern, sovereignty, unity and territorial integrity, the welfare of the people, sustainable economic and social development, and other major national interests, and the ability to ensure a continued state of security. National security efforts shall adhere to a

comprehensive understanding of national security, make the security of the People their goal, political security their basis and economic security their foundation; make military, cultural and social security their safeguard...”

This definition has two notable features. First, security is defined by the absence of threats, not by the ability to manage them. This unlimited view pushes the CCP toward pre-empting threats and preventing their emergence. Second, security issues extend to the domain of ideas. What people think is potentially dangerous. The combination of these themes — preemption in the world of ideas — creates an imperative for the party to alter the

One way of making this concrete is to look at some of the CCP documents about security threats. In April 2013, the CCP circulated “Document No. 9” — officially titled “Communiqué on the Current State of the Ideological Sphere” — that identified some of the ideas that undermined the party-state’s security. Among these ideas were the promotion of constitutional democracy, civil society, and Western concepts of journalism. In the circular’s final paragraph, it stated the party should “allow absolutely no opportunity or outlets for incorrect thinking or viewpoints to spread.” Influencing the outside world, therefore, is not just a historical activity of the party, but a requirement for national security.

The CCP documents and media identify several areas of activity that Americans would describe as influence operations or fall under the framework of covert action. Principal among these activities are united front work and external propaganda work. They have a long history within the CCP, dating to the Chinese Revolution and the Civil War that followed World War II.

The most important of these activities is called united front work. United front work has a Leninist heritage and was imported from the CCP’s Soviet counterparts. Mao Zedong’s pithy description of united front work continues to resonate in the party’s publications: “to mobilize [the party’s] friends to strike at [the party’s] enemies.” Mao described united front work as a kind of “magic weapon” on par with the military power of the Red Army (the Revolutionary Era name for the People’s Liberation Army). The purpose of united front work is to build politically-useful coalitions or social organizations and mobilize them for political action. United front publications and Xi Jinping’s speeches identify supporting great rejuvenation of the Chinese people, safeguarding the party-state’s core interests, and pursuing national unification as the key objectives of united front work.

The second most important is propaganda work, which like united front work, has both internal and external dimensions. The CCP’s external propaganda is delivered through a variety of means, including media networks at home and abroad, spokespeople, academics, and nearly any other venue that can be conceived to broadcast information. Developing

international “discourse power” has been a party priority for at least the last decade, and Beijing has invested billions of dollars into giving its propaganda outlets global reach.

CCP Institutions of Influence Operations

The CCP’s organization of influence operations flows down from the Politburo Standing Committee to the grassroots levels of the party. This is not an area in which we can say the CCP leadership does not know or that rogue actors are driving policy. United front and propaganda work have been and continue to be key elements of the party’s day-to-day operations. Three layers exist in this system, including the responsible CCP officials, the executive/implementing agencies, and supporting agencies that

On the first level, several CCP officials oversee the party organizations responsible for influence operations. They sit on the Politburo Standing Committee (PBSC) and the Politburo. The senior-most united front official is the Chinese People’s Political Consultative Conference (CPPCC) chairman, who is the fourth-ranking PBSC member. The other two are the Politburo members who direct the United Front Work Department (UFWD) and the Propaganda Department. These two often sit on the CCP Secretariat, which is empowered to make day-to-day decisions for the routine functioning of the party-state. Even a brief thumbnail sketch of the current officeholders shows that these are individuals who have proven themselves in party positions at every level, and, while some maybe Xi Jinping loyalists, they are basically competent officials who should be taken seriously. The current holders of these positions are the following:

- CPPCC Chairman Wang Yang: Wang is former vice premier and party secretary of Guangdong Province and Chongqing. He rose through the party ranks in Anhui Province, and he served as State Council deputy secretary and National Development and Planning Commission vice minister.
- UFWD Director You Quan: You is the former party secretary of Fujian and served for two decades in progressively more senior staff positions in the State Council General Office.
- Propaganda Department Director Huang Kunming: Huang moved up the party ranks, before taking over Zhejiang Propaganda Department in 2007 in his first position within this system. After a brief stint as Hangzhou Party Secretary in 2012-2013, he became a deputy director in the Propaganda Department.

The second level contains the three party organizations headed by the aforementioned leaders. These are the leading agencies through which the CCP builds political influence and power.

- Chinese People’s Political Consultative Conference (CPPCC): The CPPCC, according to the organization’s website, is “an organization in the patriotic united front of the Chinese people, an important organ for multiparty cooperation and political consultation.” The advisory body mediates between important social groups and the party apparatus. The CPPCC is the place where all the relevant united front actors inside and outside the party come together: party elders, intelligence officers, diplomats, propagandists, military officers and political commissars, united front workers, academics, and businesspeople. They are gathered to receive instruction in the proper propaganda lines and ways to characterize Beijing’s policies to both domestic and foreign audiences. Many of these individuals, particularly if they hold government positions, are known for their people handling skills and have reputations for being smooth operators. CPPCC membership offers access to political circles and minor perquisites like expedited immigration. The CPPCC standing committee includes twenty or so vice chairpeople who have a protocol rank approximately the same level of a provincial party secretary. At the central level, the CPPCC includes more than 2,200 members, but the provincial and local levels include another 615,000.
- United Front Work Department (UFWD): The UFWD is the executive agency for united front work. It has a variety of responsibilities at home and abroad, including in the following areas: Hong Kong, Macao, and Taiwan affairs; ethnic and religious affairs; domestic and external propaganda; entrepreneurs and non-party personages; intellectuals; and people-to-people exchanges. The department also takes the lead in establishing party committees in Chinese and now foreign businesses. The UFWD operates at all levels of the party system from the center to the grassroots, and the CCP has had a united front department dating to the 1930s.
- Propaganda Department: This department has been a core part of the CCP since 1924. The official description of the Propaganda Department’s duties includes the party’s theoretical research; guiding public opinion; guiding and coordinating the work of the central news agencies, including Xinhua and the People’s Daily; guiding the propaganda and cultural systems; and administering the Cyberspace Administration of China and the State Administration of Press, Publication, Radio, Film, and Television.

The Overseas Chinese Affairs Office (OCAO) does not fit easily into this framework. The office’s leadership is not as senior as those of the UFWD, Propaganda Department, and the CPPCC, but it plays an important role in the CCP’s efforts to leverage Chinese abroad. The OCAO is routinely involved Chinese communities overseas, and, from its central to local levels, it brings community leaders, media figures, and researchers back to China for meetings and conferences. The official description includes several points relevant to the

discussion here: “to enhance unity and friendship in overseas Chinese communities; to maintain contact with and support overseas Chinese media and Chinese language schools; [and] to increase cooperation and exchanges between overseas Chinese and China - related to the economy, science, culture and education.”

On the third level, many other party-state organizations contribute the party’s influence operations. Their focus is not on united front or propaganda work, but they still have capabilities and responsibilities that can be used for these purposes. Many of these agencies share cover or front organizations when they are involved in influence operations, and such platforms are sometimes lent to other agencies when appropriate.

- Ministry of State Security
- Ministry of Foreign Affairs
- Ministry of Culture
- Ministry of Education
- State Administration for Foreign Expert Affairs
- Ministry of Civil Affairs
- Xinhua News Agency
- Liaison Bureau of the People’s Liberation Army Political Work Department

Operations Affecting the United States

There are a number of different ways to categorize what Beijing is doing in the United States. I have chosen three areas — shaping the context, controlling the Chinese diaspora, and targeting the political core — to describe some of the main lines of effort of CCP united front and external propaganda activities.

Shaping the Context: The CCP spends a great deal of effort on seemingly softer measures to shape the context through which China is understood. These activities were described by American China scholar Perry Link as the “anaconda in the chandelier,” which encourages self-censorship rather than upsetting the snake lurking above. Self-regulating behaviors are difficult to identify and prove the party’s actions as the root cause

- Selective Visa Approvals: Everyone in the China studies field is aware that they must be careful with what they say and what they write if they wish to maintain access to China. Twenty or more years ago, visa denials were relatively rare and the few people blacklisted were well-known. Now, the younger and younger scholars and analysts have visa troubles, and the general frustration of dealing with what is sometimes a capricious visa process makes it difficult to know when one has crossed a red line.

- **Manipulation of History and Records:** Chinese archives, databases, and Internet materials routinely change form or disappear from the public record. In some cases, these may appear to be age-old policy debates, but may have contemporary resonance because they show the CCP considered options now anathema within the party. The CCP also has applied pressure to Western academic publishers to limit or otherwise tailor access to materials available behind the Great Firewall.
- **Academic Programs:** CCP programs, like the Confucius Institutes, are less important for their specific content in dealing with U.S. universities than for establishing a relationship. By facilitating U.S. universities investment in facilities, research collaboration, or programs, the CCP creates a vulnerable relationship that can be used to apply pressure to the university unless the latter is prepared to walk away.

Controlling the Chinese Diaspora: The CCP attempts to mobilize Chinese society at home and abroad by incentivizing cooperation, discouraging neutrality, and coercing compliance. Part of the point of this effort is to reflect the CCP's power and authority back into China for PRC citizens. This reflection highlights the strength of the party and the absence of an international challenge to its legitimacy and authority.

- **Buying Up Chinese-Language Media:** Over the last 15 years, the CCP steadily chipped away at independent Chinese-language media overseas. Media control was built up through outright purchases of existing media organizations, purchase by proxy, or driving independent newspapers bankrupt by organizing advertiser boycotts. Today, the largest non-CCP media in the Chinese language are all associated with the Falungong. Overseas Chinese media owners and publishers regularly attend conferences back in China where they can be told the current and upcoming propaganda lines.
- **Surveillance and Intimidation:** The CCP monitors the Chinese diaspora quite closely in order to apply pressure where appropriate. Some of this intimidation is quite invasive, including threats to and arrests of family members back in China. PRC Government officials and journalists attempt to track individuals who attend politically-sensitive events and who shows up for pro-PRC rallies.
- **Mobilizing to Support China:** The CCP also mobilizes overseas Chinese, regardless of citizenship, to turn out for leadership visits, protests of the Dalai Lama, territorial disputes, or other political events viewed unfavorably by Beijing, and, in the past, the Olympic torch relay. In other cases, community organizations are used to drive letter-writing campaigns to legislators to pressure them in directions favorable to Beijing.

Targeting the Political Core: The CCP targets the political and policy elite from above and below. At the top levels, the CCP engages unwitting naifs and witting co-conspirators to

deliver its messages directly to U.S. decisionmakers without filtering through staff. At the lower levels, the CCP through community organizations assists the political careers of sympathetic persons. Local races do not require the same resources for national elections. And today's councilperson is tomorrow's Congressional representative.

- Consultants: The exoticism with which we treat China has given rise to a cottage industry of people interpreting China or leveraging their political connections to open doors for U.S. businesses. These consultants, especially former government officials, are paid by the U.S. business, but Beijing may have directed the company to engage this or that consultant as a way to reward their service. The business gains access to China. The consultant gets paid and then assists the CCP in delivering its reassuring messages to colleagues still serving in government.
- Dialogues: A number of U.S.-China Track 1.5 and Track 2 dialogues are managed by united front organizations on the Chinese side, such as the Sanya Initiative. These meetings offer the access and opportunity to brief U.S. participants on particular messages or themes. The value comes from U.S. participants who are able to relay those messages without staff filtering to senior policymakers. Although Americans often see these dialogues as a way for mutual influence, the united front cadre chosen for these meetings are those the party trusts to operate in an ideologically loose environment but still maintain party discipline. Put another way, these dialogues control access and broadcast information; they are not a channel for influence.
- Building Up Local Politicians: Australian, Canadian, and U.S. counterintelligence officials all have reported seeing CCP efforts to cultivate the careers of local politicians. At this stage, even limited support in the form of election funds or voter turnout can make the difference. This is much cheaper than trying to subvert a sitting national-level politician with established loyalties, and this kind of seeding effort has been seen in espionage.
- Agents of Influence: Americans, both wittingly and unwittingly, become the CCP's agents of influence, carrying the party's message to their American friends in business and politics as well as occasionally in the media limelight. These individuals often are successful in business, possessing gravitas and a reputation for knowing China. In the past, CCP leaders like Zhou Enlai made explicit statements about the need to cultivate these people and their reputations, so they could act as a party constituency on a foreign shore.

In many respects, unraveling the CCP influence/interference networks in the United States is a more difficult challenge than in states like Australia, New Zealand, and our Eastern European partners. The basic strength of U.S. laws and institutions has forced the CCP to operate here with a greater degree of sophistication and further below the surface. There are bans on foreign campaign donations. The Foreign Agent Registration Act forces some people

acting on behalf of a foreign government to disclose that they are doing so or risk criminal prosecution. Ethics and lobbying rules also provide sunlight on who and how many such agents engage Congressional members and staff. These rules and their enforcement are not sufficient, and they can be dodged. The act of hiding these activities helps prosecutors by demonstrating intent.

Elsewhere in the world where democratic institutions are weaker or allow direct foreign financing for electoral candidates, Beijing has pushed and found openings. Because there is no illegality, the CCP has nothing to hide. Its agents and proxies have not needed to learn ways to cloak their actions. Consequently, the rest of the world provides relevant information about the methods and tools used.

U.S. allies and partners also are targets for CCP influence operations. Regardless whether their relationship with the United States is a driver in Beijing's activities, the CCP's activities in these countries challenge U.S. interests, security cooperation, and values.

- Japan: The U.S.-Japan alliance is the lynchpin of the U.S. security presence in East Asia. Within the alliance, the U.S. and Japanese bases on Okinawa are critical resources for a wide range of contingencies. Japanese security officials believe the CCP has helped stoke the Okinawan separatist movement in an effort to split the alliance and establish the groundwork for solidifying claims in the East China Sea.
- Australia: Australia's problems reportedly center around two billionaires, Huang Xiangmo and Chau Chak Wing, who insinuated themselves into the country's political landscape. Both men donated substantial amounts of money to the major political parties and helped establish a network of loyal apparatchiks within Australian political parties. The extent of this influence already has brought down one Australian senator, Sam Dastyari, and the subsequent election was marred by race-baiting, including the local Chinese consulate.
- Canada: In 2010, Canadian Security Intelligence Service chief Richard Fadden stated publicly that municipal politicians in British Columbia and at least two ministers of the crown in the provinces worked on behalf of a foreign government as "agents of influence." Fadden's comments spoke to a long-term CCP effort to cultivate officials who ultimately would work at the political center.
- Taiwan: Taiwan faces the leading edge of the CCP's influence operations. Since the election of the Tsai Ing-wen administration and the near collapse of the Kuomintang, Beijing has stepped its activities, including social media and news manipulation. The CCP also supports at least one small political party that largely agitates against the president. The party's campaign also includes squeezing Taiwanese with business in the PRC, so that they act as Beijing's proxies on the island.

U.S. Responses to CCP Influence Operations

My policy recommendations will be divided into three areas: general issues in which Congress plays a role; resolving unenforced laws; and recommendations for new initiatives.

General Issues: Addressing the challenge of CCP influence operations requires thinking broadly about the problem and how to approach it. Overzealous, generalized responses risk alienating the Chinese-Americans most directly affected on a daily basis. They are the most knowledgeable about what the CCP is doing on American streets. The CCP does focus a large portion of its efforts on Chinese emigres, but that effort does not necessarily lead to cooperation or complicity. Chinese-Americans are our citizens and permanent residents, deserving of equal protection under the law. To tackle the CCP's influence operations, the U.S. Government needs their help, and they need the U.S. Government's.

- Keep the focus on the CCP: We are concerned with the Chinese Communist Party, not the Chinese people. The CCP claims to represent all Chinese people, regardless of citizenship, anywhere, all the time. This is not true. Chinese people living outside of the PRC have chosen lives as American, Australian, Canadian, Malaysian, German, and many other non-PRC citizens and residents. When Chinese people make the choice not to be PRC citizens or made that decision generations ago, then both the party and the U.S. Government should respect that choice.
- Encourage Public Discussion: Congress has incredible powers to convene, to drive the public conversation. The capabilities of the executive branch almost certainly will focus on the illegal, because of the way government functions. Much of the CCP's influence operations occur in a grey area that is not always illegal. For example, there is nothing illegal about Confucius Institutes or endowing a university chair. What is appropriate and acceptable in dealing with the CCP or its proxies can be discussed, and the rules of engagement only can be sorted out through conversation.
- Raising Costs for CCP Interference: Right now, Beijing faces few if any consequences for its interference inside the United States. Forcing the CCP to introduce additional cutouts and layers of complexity may be temporary fixes, but they do require additional resources and make the party's activities inefficient. When Education officials at the PRC embassy and consulates show up at universities to threaten students or turn them out for a rally, the U.S. Government can revoke their diplomatic status. Travel restrictions can be placed on such officials.

Stepping Up Enforcement: The U.S. Government has many tools for investigating and countering CCP interference in American society. In some cases, pushing back against CCP activities means enforcing the laws already on the books. Using legal tools, however, requires

the Department of Justice to an active role. The department needs lawyers who are fighting to say “yes” to pursuing cases rather than looking for reasons to say “no.”

- Improving Counterespionage Capabilities: The executive branch has failed to prosecute or botched investigations into Chinese espionage here. This may seem a far cry from the CCP’s influence operations. The same parts of the Intelligence Community and the Department of Justice that perform counterespionage, however, are the same parts that will take the lead on countering CCP interference. If they have difficulty prosecuting (relatively-speaking) straightforward Chinese espionage cases, then countering CCP influence is likely to be too complicated. Successful espionage prosecutions, in a sense, are the analytical, investigative, and legal training ground for the capabilities the U.S. Government needs to deploy. The failure to do this well alienates the Chinese-American community, which has reasonable concerns about racism, and lets those breaking the law in support of CCP interests that the risks are low. Below are just a few examples from recent years of problems, and I have been assured by several knowledgeable officials that many worse examples are not public:
 - Chen Yanping: Dr. Chen is president of the University of Management and Technology (UMT), and the Department of Justice declined to prosecute her on variety of charges after failed plea negotiations. Chen helped found UMT, an online, for-profit university focused on recruiting students in the U.S. military. She is or was a Chinese military officer and CCP member. Much of UMT’s student information reportedly was stored on servers in Beijing. The school created a whistle-blower after Chen directed one of the staff to focus on recruiting students from Wright-Patterson Air Force Base, which is an important Air Force intelligence facility.
 - Helen Gao: Helen Gao was a contract translator for the U.S. Department of State between 2010 and 2014, who confessed to providing information on her colleagues and their activities. A person who she believed to be an intelligence officer approached her in China in 2007, asking her to provide information on her social contacts in the United States. She was given a one-time payment of \$6,000 at the time and claimed she was wired \$5,000 in January 2010. She later lived “briefly for free” with an architect who possessed a top secret clearance for his work designing U.S. embassy facilities for the State Department. That employee admitted to discussing his work on U.S. facilities and his State Department colleagues by name. During her background check for her State Department contract and her U.S. naturalization paperwork, Ms. Gao concealed her relationship with the Chinese intelligence officer. For unknown reasons, U.S. authorities declined to prosecute the case either on charges related to being an unregistered agent or related to lying on immigration and security paperwork.

- Charges were withdrawn in 2015 against National Weather Service hydrologist Sherry Chen and Temple University physics professor Xi Xiaoxing. Both scientists, separately, had contact with Chinese government officials or scientists. Poorly-run investigations led to a rush to judgment and then ultimately a failure to generate any workable charge. Regardless whether it was a failed or misguided prosecution, cases such as these burn the goodwill of the Chinese-American community that has plenty of reasons to doubt impartial enforcement of U.S. law.
- Enforcing the Foreign Agent Registration Act (FARA): The gaping holes in FARA notwithstanding, the law effectively can be wielded to shine a public light on CCP influence operations. The National Security Strategy and the National Defense Strategy provide an explicit statement from the executive branch that U.S. policy toward China has changed. Further clarification and wide promulgation of these changes coming from the White House would close some of the FARA loopholes for those acting on behalf of the CCP who can no longer justify their actions as supporting U.S. engagement of China consistent with policy.
- Leveraging Civil Rights Legislation: “Conspiracy Against Rights” (U.S. Code, Title 18, Section 241) could be used against united front and undercover CCP agents, such as intelligence and security officials, who threaten, coerce, or intimidate Chinese people (or others) in the United States. The provision makes it unlawful for two or more persons to conspire to “injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.” Other related civil rights legislation also could be used if efforts to counter CCP interference qualified as federally-protected activities.

Additional Policy Recommendations: In countering the CCP’s influence operations, the U.S. Government needs both forcing events and clear prioritization from the top. Clarity of mission needs to come from the White House and the Department of Justice. Justice, the FBI, and the Intelligence Community all need greater and more distributed understanding of the challenges. Priority and knowledge, however, are two things that cannot be legislated.

- Annual Report to Congress on the CCP’s Influence and Propaganda Activities: In the Reagan years, the U.S. Government published an annual report on Soviet active measures. The report forced government agencies to come together to discuss the problem and make decisions about what information needed to be released for public consumption. A similar report on the CCP’s activities would have the beneficial effect of raising awareness and convening disparate parts of the U.S. Government that may

not often speak with each other. A classified annex could be produced for internal government consumption.

- **Boosting FBI Intelligence Collection:** The FBI needs additional resources to counter Chinese influence and intelligence operations. Apart from the bureau's administrative problems, its toolkit does not allow agents to operate effectively as intelligence gatherers rather than law enforcement officers. FBI agents need stronger Chinese-language capabilities. Too few agents speak Mandarin, much less any of the common dialects, like Cantonese or Shanghainese, among American Chinatowns. Without language skills, FBI agents cannot collect intelligence effectively or follow leads to map the CCP presence. Analysts and translators perform different tasks and cannot substitute. At least for the FBI's China squads, agents need better cover options. FBI agents and supervisors currently have a choice between using the badge or long-term undercover operations. They need the ability to use other U.S. Government cover or business covers to work the streets.
- **Improving FARA and Counterespionage Statutes:** Tightening up these statutes to cover "agents of influence" and add teeth to FARA's focus on voluntary compliance would expand the toolkit for law enforcement to crack down. Although one can argue that existing statutes are sufficient, the caution with which they have been enforced suggests a need to tailor the legal language more directly to the problems the United States currently faces.