



Department of Justice

STATEMENT OF

**JOHN BROWN
ASSISTANT DIRECTOR
COUNTERINTELLIGENCE DIVISION
FEDERAL BUREAU OF INVESTIGATION**

BEFORE THE

**PERMANENT SUBCOMMITTEE ON INVESTIGATIONS
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
U.S. SENATE**

AT A HEARING ENTITLED

**“SECURING THE U.S. RESEARCH ENTERPRISE
FROM CHINA’S TALENT RECRUITMENT PLANS”**

**PRESENTED
NOVEMBER 19, 2019**

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Chairman Portman, Ranking Member Carper, Members of the Subcommittee, thank you for the opportunity to appear before you today, and thank you for highlighting the national security and economic threat from Chinese talent plans.

Time and time again, the Communist government of China has proven that it will use any means necessary to advance its interests at the expense of others, including the United States, and pursue its long-term goal of being the world’s superpower by 2049.

The Chinese government knows that economic strength and scientific innovation are the keys to global influence and military power, so Beijing aims to acquire our technology—often in the early stages of development—as well as our expertise, to erode our competitive advantage and supplant the United States as a global superpower. As part of this effort, China has been making extensive use of nontraditional collectors. These individuals are not “spies” in the traditional sense of intelligence officers, but they are nonetheless collecting information sought by the Chinese government.

Among its many ways of collecting information, prioritized in national strategies such as the Five-Year Plan, the Chinese government oversees expert recruitment programs known as talent plans. Through these programs, the Chinese government offers lucrative financial and research benefits to recruit individuals working and studying outside of China who possess access to, or expertise in, high-priority research fields. These talent recruitment programs include not only the well-known Thousand Talents Plan but also more than 200 similar programs, all of which are overseen by the Chinese government and designed to support its goals, sometimes at U.S. taxpayers’ expense.

While mere participation in a talent plan is not illegal, investigations by the FBI and our partner agencies have revealed that participants are often incentivized to transfer to China the research they conduct in the United States, as well as other proprietary information to which they can gain access, and remain a significant threat to the United States. In some cases, this has resulted in violations of U.S. laws, including economic espionage, theft of trade secrets, and grant fraud.

Talent plan participation can also violate conflict-of-interest policies put in place by American research institutions or federal grant agencies—particularly if talent plan participants fail to disclose their sources of funding.

In addition, many talent plan participants sign contracts outlining work that mirrors the research they perform at American institutions. These contracts subject participants to the broad laws of the Chinese government and—ironically—strictly protect China’s right to the patents and other intellectual property developed during work within the talent plan.

It is also important to mention that last year, after we began some high-visibility arrests and prosecutions of talent plan members, the Chinese government responded by abruptly removing their public information about these programs and their participants. If these plans are as innocuous as they try to imply, why the shift to secrecy? By contrast, anyone can go online and search every grant awarded by the National Science Foundation, for example; the U.S. Government does not conceal our research funding because we have nothing to hide. The Chinese government’s abrupt concealment is not just an admission of the ulterior motives of their talent plans; viewed more broadly, it is yet another illustration of China’s lack of openness, fairness, and reciprocity, as contrasted with the behavior of free nations like the United States and our allies.

I would also like to note that people of any ethnicity may be recruited to join talent plans, so I cannot overstate that ethnicity plays no role in our investigations. Instead, we follow facts and evidence wherever they lead. We have never asked any university, company, or other entity to profile people based on ethnicity, and we would be appalled if they did. As is true for all FBI programs, we investigate specific individuals when we have specific evidence that they are engaged in unlawful activity or pose a threat to national security.

Nor do we have any intention of chilling academic freedom or curtailing international exchange—quite the reverse. International collaboration plays a crucial role in the development of scientific breakthroughs throughout U.S. research institutions. The open and collaborative nature of the American academic environment produces advanced research and cutting-edge technology, but it also puts our universities at risk for exploitation by foreign adversaries looking to advance their own scientific, economic, and military development goals. Our goal is to preserve academic freedom and free enterprise by maintaining a fair, open environment and protecting campuses and companies from malign foreign actors.

It is essential for the FBI to continue protecting American research from unfair exploitation while ensuring that our academic and business environments remains free and open. To advance that mission, we have developed strong partnerships with other federal agencies, some of whom sit beside me today, and we will continue working together to safeguard American research, technology, and ingenuity.

As a sign of the importance we place on partnerships, since my arrival each of our 56 field offices has established a counterintelligence task force, which brings together the capabilities of participating agencies in that field office's area of responsibility. We support this through a centralized National Counterintelligence Task Force (NCITF), which assists with matters such as budget and memoranda of understanding, as well as serving a coordination function in its own right.

Engagement outside of government is another essential part of our work. Each of our 56 field offices has frequent, substantive engagement with universities and businesses in its area of responsibility, thereby allowing a customized exchange of information about cases, threats, and trends. This engagement by counterintelligence personnel is done in tandem with private sector coordinators, field office personnel whose full-time job is to develop and coordinate private-sector relationships across all programs.

We also direct national-level engagement from FBI Headquarters; this takes many forms, so I will provide just a few examples. Since June 2018, the Counterintelligence Division has been partnering with the three largest university associations: the American Council on Education (ACE), the Association of American Universities (AAU), and the Association of Public and Land-grant Universities (APLU). We have been doing this through a series of meetings and events coordinated by the FBI's Office of the Private Sector (OPS), which facilitates the FBI's private-sector engagement work across all programs. Since my arrival, within the Counterintelligence Division we have also created an Engagement Office, which works with OPS, field offices, and other components to strengthen engagement and promote messaging on key threats, including threats to U.S. innovation.

The FBI previously also conducted university engagement through the National Security Higher Education Advisory Board (NSHEAB), a small subset of university presidents who periodically met at FBI Headquarters. Today, the FBI's Office of Private Sector continues to hold events for university presidents, including an annual academic summit that includes approximately three times as many universities as NSHEAB did. However, as I mentioned before, our greatest asset in this area is field offices' ongoing engagement with university officials at all levels—presidents, vice presidents for research, campus police, chief information officers, and others—surpassing what could be done through NSHEAB in scope, specificity, and timeliness.

That having been said, we always seek new ways to improve our effectiveness. With our present-day knowledge of the threat from Chinese talent plans, we wish we had taken more rapid and comprehensive action in the past, and the time to make up for that is now. We appreciate the conclusions in the report released yesterday by the Subcommittee, including areas for improvement, so we will take action accordingly.

Thank you for taking time to highlight the critical issue of Chinese talent plans, and I look forward to our discussion.