



# Harvard Model Congress Boston 2024

## CHINESE COMMUNIST PARTY (CCP) SECURITY THREATS

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### INTRODUCTION



*The Chinese Spy  
Balloon captured by  
an Air Force U-2  
Pilot.*

*U.S. Air  
Force/Department of  
Defense via Reuters*

Flying 60,000 feet high across the Aleutian Islands, a mysterious, white orb “approximately the size of three buses” was spotted hovering over Montana on February 1, 2023 (Wang et al., 2023). This sighting set the US Air Force on high alert – beginning with the Air Force’s jet plane assessment of what has now been termed a Chinese “spy balloon.” Three days later, a US fighter jet shot down the balloon in South Carolina (Baldor and Copp, 2023). Following this operation, the Pentagon officially confirmed that the balloon was dispatched from China. The **Chinese Communist Party (CCP)** denied allegations that the balloon was used for surveillance and military purposes, claiming that the object was deployed for weather purposes (Wang et al., 2023).

This incident is one of many national security skirmishes between the US and China that have unfolded in the past few years. Likewise, the CCP has supported cybersecurity breach efforts and intellectual property infringement. These allegations have strained US-China relations and brought attention to growing security vulnerabilities. The US must be equipped to investigate alleged threats, neutralize these threats, and maintain peaceful relations with China.

### EXPLANATION OF THE ISSUE

#### *Historical Development*

The earliest example of Sino-American relations dates back to 1784, when the first American ship docked in China. The ship initiated the tea and porcelain trade between the two countries (U.S. Office of the Historian, 2023). The US-China opium trade began 26

## **Extraterritoriality**

– Exemption from local jurisdiction.

years later with the Wangxia Treaty in 1844 and the Tianjin Treaty in 1858 (U.S. Office of the Historian, 2023), which both granted formal trade and **extraterritoriality** for US citizens. Trade coordination between China and the US remained amicable as ports opened up and trading privileges were established from both ends. Therefore, the eighteenth century was a period of relatively peaceful diplomacy between the US and China.

Such bilateral relations took a hostile turn with the establishment of Mao Zedong's People's Republic of China (PRC) in 1949. During this time, the US government established an alliance with the Taiwanese Nationalists to contain the spread of **communism**– the US did so by the enforcement of international embargoes on the PRC (Maizland, 2023). The United States' refusal to recognize the legitimacy of the PRC sparked long-drawn security conflicts between the US and China, which eventually led the US to form partnerships with some of China's neighbors, including Southern Vietnam and Thailand.

Two decades later, Congress passed the Taiwan Relations Act, which solidified the US's commitment to diplomatic relations with mainland China to protect American commercial interests. The act also provided for the sale of defensive arms to Taiwan in the event of an attack on its sovereignty (Yates, 1999). During this period, the Reagan administration also signed a **joint communiqué** with the PRC and Taiwan to reaffirm America's non-mediation status (U.S. Office of the Historian, 2023). Despite this agreement, human rights violations were the main cause of tension between the US and China, especially following the Tiananmen Square Massacre in June of 1989. Following the massacre, the US suspended all military sales to China and imposed economic sanctions on the PRC (U.S. Office of the Historian, 2023). China's entry into the World Trade Organization (WTO) in 1999 complicated the US's strategy to enforce human rights compliance via trade sanctions.

Beginning in 2013, under Xi Jinping's rule, China tightened economic and political control abroad through the provision of infrastructure under the Belt and Road Initiative. Under President Obama, the US shifted gears to work with China on tackling impacts of climate change and the denuclearization of North Korea. The Trump Administration marked a new era of economic aggression against China with the 2018 trade war, during which the US imposed tariffs on approximately \$550 billion USD of Chinese goods (Hass and Denmark, 2022). In response, China retaliated with tariffs that cost the US an estimated 300,000 jobs and an around 0.3% of its real GDP (Hass and Denmark, 2022). The effects of this trade war were felt outside the US as well, with trade partners of both countries suffering from rising costs of production and higher barriers to entry into commodity markets.

## **Communism**

– A political ideology rooted in ideals of classlessness and communal systems controlled by a government, often in opposition to capitalism and liberalism.

## **Joint communiqué**

– A signed agreement between two countries to legally recognize sovereignty over land.

## *Scope of the Problem*

### Competition Restrictions

Competition between the US and China to establish technological dominance has intensified as the US crafted a trade blacklist against China. Most strikingly, a Chinese multinational technology corporation, Huawei, was banned from purchasing equipment sold by American firms. The Trump Administration justified this restriction by portraying it as a move to protect national security from Chinese spying through telecommunication networks (Shepardson and Freifeld, 2019). President Joe Biden continued to pursue trade tariffs on Chinese imports and bans on foreign investment to Chinese corporations associated with the military. In 2022, Secretary of State Antony Blinken recognized China as the “most serious long-term challenge to the international order” for its non-democratic governance and “trade bullying” (Blinken, 2023). As such, US-China security relations remain antagonistic to this day – triggering a technological race that rivals that of the Cold War.

### Surveillance Technologies

Most discussions surrounding breaches of cross-border security deal with surveillance technology. The 2023 surveillance balloon was the major catalyst for security conflicts between the US and China, though other forms of surveillance aircrafts from China have been spotted during Trump’s presidency as well – many of which flew undetected (Yousif, 2023). Spy balloons are only a fraction of military surveillance technology dispatched by China. As part of the CCP’s larger surveillance program, air-borne military technology such as satellites and drones have the capacity to collect information about American weapon systems and military bases, ultimately transmitting signals back to China (Lillis et al., 2023).

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## IDEOLOGICAL VIEWPOINTS

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Addressing security threats from the CCP remains a relatively bipartisan issue, with mainstream conservatives and liberals usually agreeing on which approaches to take. Despite this historic trend of cooperation, policymakers under the Biden Administration grew to disagree about the rate at which China is growing as a threat. Both Republicans and Democrats agree that Congress should be protecting national security but the methods to achieve this and the urgency of the CCP as a threat vary.

## *Conservative View*

Formed in January of 2023, the new Select Committee on China comprises both House Republicans and Democrats. The initiative was spearheaded by House Republicans who wanted to address “economic and military CCP challenges” (Brownstein, 2023). As such, conservatives are more likely to take decisive action over perceived security threats from the CCP and favor aggressive economic approaches. This intensity was prominent in dialogue surrounding the 2023 Chinese balloon incident when conservatives publicly criticized Biden’s decision to delay the shoot-down and let the balloon continue its course over Alaska. Speculation surrounding the capability of a more rapid response was the brunt of conservative disagreement – emphasized by Senator Lisa Murkowski’s (R-AK) questioning of national security and defense officials since “Alaska is the first line of defense for America” (Schnell and Weaver, 2023). Relating to matters of national security, conservatives also favor partisan-split deliberations exemplified by the party’s own drafted bill initially targeted at President Biden and spearheaded by Senator Marco Rubio’s comment on a lack of expediency in its handling. (Ferris and Beavers, 2023).

Strategic commercial, military, and technological development remain at the forefront of the conservative national security agenda. To achieve this, conservatives prefer pushing for a strategy that limits China’s economic capacity.

## *Liberal View*

Liberals are generally more supportive of the Biden Administration’s approach to US-China relations, which has been marked by returning critical supply chains to the US through measures like the CHIPS and Science Act. Historically, liberals tend to prioritize international diplomacy and peaceful negotiation tactics. They support bilateral coordination and communication with the CCP surrounding technology development such as the use of artificial intelligence and energy systems.

Liberals adopt a more internalized approach by focusing on boosting American market competitiveness through industrial policies – most of which were highly disputed and voted down by conservatives (Kine, 2023). However, in recent years, liberal state representatives have argued to increase trade restriction after assessing the increasing security risks posed by Chinese technology companies that conduct offshoring and purchase sensitive US-manufactured equipment (Kafura and Smeltz, 2020).

## *China's View*

Under international scrutiny, the CCP has refuted claims that it has breached international security laws. For instance, the CCP clarified that the spy balloon was a meteorological weather balloon that “deviated far from its course” (Liebermann et al., 2023). Likewise, China adopts a fairly neutral approach to public matters of international security to protect its trade partnerships and regional alliances with countries such as North Korea, Venezuela, Iran, and regions like the Indo-Pacific. However, China’s partnerships with developing countries are now facing debt from its faltering economy, in turn straining Chinese foreign relations. Nevertheless, China’s critical role in funding UN budgets that ensure peacekeeping and climate mitigation efforts begets consideration on whether economic aggression is the best form of defense from the US.

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## AREAS OF DEBATE

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National security involves several lines of defense, both in the physical and digital worlds. Accordingly, a discussion on national security threats posed by the CCP may include a wide variety of topics.

*There has yet to be a CCP-specific budget allocated to detecting cyber and surveillance technology security breaches.*

### *Addressing Military Surveillance Technology*

One preemptive method to prevent future proliferation of military surveillance technology from the CCP is to block supply chains from America and impose export controls from America. Regulatory controls are commonly exercised as measures to strengthen political alliances, though the strategy towards China may be more severe and complicated since American technology corporations have ties to Chinese investors and consumers. A popular policy option to restrict this is barring US firms from China-based operations – thereby severing communication links with China while reducing reliance on resource partnerships between the two countries. This may incur long-run production costs for American firms who are used to purchasing cheaper resources and gain from increased profits by operating in China. Delayed responses to military surveillance technology can inadvertently provide the CCP with more time to develop secondary responses and dispatch more surveillance technology or inform other countries of internal security systems.

### Political Perspectives on this Solution

The bipartisan vote for using “international coordination and pressure” to confront responses to the spy balloon that there is no



***Forced technology transfer*** – when a government forces a company to hand over technology and intellectual property.

partisan disagreement about identifying the CCP’s **forced technology transfer** requires economic retaliation such as export controls, sanctions, and trade blacklisting (Schnell, 2023).

However, conservatives and liberals diverge on determining the degree and rapidity of responses to military surveillance technology: whether the technology should be allowed to fly within national borders after being spotted and how much time should be given before responding.

Conservatives favor more aggressive and immediate approaches such as instant shoot-downs. Liberals prefer enforcing long-term, industry-focused policies that restrict China’s market power. This divergence is exemplified by Senator Marco Rubio’s dismissal of the spy balloon as a “failure to let it fly over military bases” (Bredemeier and Robinson, 2023). On the other hand, representative Mike Quigley D-IL, remarked to CNN, “The Pentagon was telling us they were able to mitigate in real-time as this was taking place and I believe that’s accurate. I believe the preeminent concern they had, as they expressed in real time, was the safety of US citizens” particularly with the risk of falling debris following (Herb & Hansler, 2023). Lawmakers like Quigley acknowledge the seriousness of the invasion of airspace but continue to focus more on long-term solutions.

## *Banning and Buying Internet Technology, Software, and Applications*

Some policymakers have suggested banning Chinese software in certain contexts. Many states have already banned the use of TikTok on government-owned devices. Banning Chinese-produced technology may protect Americans from having their data collected by the Chinese government, including biometric data that can be used to produce identity profiles, commit identity fraud, access federal employee records, or break into encrypted security systems.

However, many American citizens and businesses regularly use Chinese-based software like TikTok to reach multinational consumer bases and commercial networks. Furthermore, banning social media platforms raises questions surrounding the First Amendment freedom of speech.

One way to address data security concerns is to have Chinese companies outsource certain parts of their operations to the United States. Under the 1988 Exon-Florio amendment, the President can block acquisitions by foreign entities if they are perceived to be of national security risk. Nonetheless, blocking the CCP’s purchase of cyber programs like TikTok may lead to further bureaucratic problems as use of the Exon-Florio amendment has been challenged in US federal courts and litigation in the past, lasting years until a decision is reached (Kagubare, 2023). For example, executives from



*TikTok, a social media application for video creation.*  
Fox 5 Atlanta

ByteDance, the company behind TikTok, have offered a solution they have termed Project Texas, which would involve the routing and storage of American data to Oracle, a Texas-based computer technology company (McCabe, 2022). Such a solution may appease both American and Chinese interests in keeping social media platforms alive while storing the private information of US citizens within the country.

## Political Perspectives on this Solution

Restricting the use of Chinese software in the US has received bipartisan support. For instance, the Averting the National Threat of Internet Surveillance, Oppressive Censorship and Influence, and Algorithmic Learning by the Chinese Communist Party Act (ANTI-SOCIAL CCP Act) was co-authored by Representative Raja Krishnamoorthi (D-IL) and Representative Mike Gallagher (R-WI). While policymakers generally agree on the premise of regulating foreign technology in the US, views on how restrictive these rules should be vary. Conservatives tend to favor stronger restrictions on Chinese digital infrastructure than liberals.

## *Blocking Cyber Intrusions*

**Intellectual property (IP)** theft is another security threat that the US faces. Effective intellectual property rights are the foundation of the US economy. From energy production to manufacturing, giving producers the right to develop technologies that they invented fosters growth and prosperity. These sectors employ valuable technical expertise on weaponry development and military operations that, under the CCP control, could gravely jeopardize America's national security. To respond to threats of intellectual property theft, policymakers can enact controls like licensing requirements, export prohibitions, **blocking sanctions**, and loan restrictions against countries and individuals involved in IP theft.

The prosecution and investigation of foreign offenders is also another avenue to address IP theft but requires more time and resources to pursue. Not only is there a time lag, but China can leverage its membership in international bodies like the World Trade Organization to lobby ally countries to support its economic competitiveness despite undergoing international prosecution.

Another way to protect against IP theft is by investing in cybersecurity protection like monitoring technology and screening mechanisms that detect IP theft from its early stages. To that end, American companies require tracking Chinese regulatory actions and laws through systematic updates and reports from government bodies.

Engaging in multilateral dialogue with China and other countries can also incentivize the CCP to follow through with IP law

**Intellectual property** – Assets that are intangible in nature.

**Blocking sanctions** – A type of sanction that bans US citizens, regardless of location in or outside the country, from partaking in transactions between entities that are “Specially Designated Nationals”.

agreements while having third-party mediators to ensure accountability and prevent hostility.

## Political Perspectives on this Solution

Disagreements on cybersecurity policy and IP prevention stem from determining which root causes deserve the most attention. Conservatives lean towards enforcing more severe trade punishments and prosecution for IP breaches whereas liberals focus on bolstering internal economic strength by supporting the freedom of American technology companies to operate in multilateral networks with China and for Chinese companies to grow in international collaboration. This can be seen from government collaborations with liberal nonprofits and charities such as the Gates and Ford foundations. In 2021, both charities donated over \$3.5 million to Peking, Tsinghua, and Shanghai Jiao Tong University to enhance research in global health and military affairs (Kaminsky, 2023). Yet, supporting defense research may incur more cybersecurity attacks.

Moreover, liberals typically advocate against any form of trade aggression such as port shutdowns because of the negative consequences they will have on economic stability, arguing that other forms of cyber infringements are more dangerous to national security. Conservatives base their policy priorities on trade and economic dominance thus port security would be at the top of their agenda.

## BUDGETARY CONSIDERATIONS

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In Fiscal Year 2022, the President’s Budget allocated \$2.1 billion to address CCP-related cybersecurity issues. The funds were earmarked to “enhance cybersecurity tools and obtain support services to protect and defend Federal information technology systems” (Department of Homeland Security, 2022). Approximately \$408 million of this sum was spent on the National Cybersecurity Protection System for intrusion detection from China (Department of Homeland Security, 2022). A further \$20 million was provided to bolster infrastructure development in response to and recovery from CCP cyber-attacks (Department of Homeland Security, 2022) under the **Cybersecurity and Infrastructure Security Agency** (CISA).

In 2023, the Chinese balloon shoot-down cost the US military \$1.5 million (Viswanatha and Youssef, 2023). The Congressional Budget Office and House Appropriations Committee announced that in Fiscal Year 2024, \$276 million (Granger, 2023) will be allocated to tighten national security technology around borders. However, details addressing CCP-related breaches remain ambiguous.

***Cybersecurity and Infrastructure Security Agency – An agency of the Department of Homeland Security tasked with strengthening cyber and infrastructure protection.***



## CONCLUSION

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For many members of Congress, neutralizing security threats from the CCP seems to be of utmost importance to the US. The safety of American corporations and individuals remains vulnerable to activities like intellectual property theft, data mining, and surveillance. While previous legislation has been proposed, there is still a perceived need for a comprehensive approach that addresses breaches on both physical and digital fronts.

As members of a congressional simulation, it is crucial for all representatives to prioritize this issue by implementing proactive measures that not only prevent future threats but also mitigate the costs resulting from past negligence. While some areas of this issue are more bipartisan, others will require careful negotiation and intellectual debate to land on agreements. Your chairs cannot wait to see all the solutions you bring to the table come February!

## GUIDE TO FURTHER RESEARCH

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The world of technology and surveillance is perpetually evolving. News publications, such as the New York Times and the Washington Post, publish reliable coverage of current events in China. To learn more about the history of US-China relations, review the Library of Congress and the country profiles of its Federal Research Division.

When drafting bills, it can be helpful to consider how American policies are perceived in China. Therefore, delegates are encouraged to look at the website for the PRC's Ministry of Foreign Affairs. The website's collection of press responses, speeches, communiqués, and published foreign policies can be of particular help in policymaking. It will also be helpful to check out Congress.gov for more information on current and past bills regarding US-China policy — you can learn a lot more about the subject and also get some potential ideas for proposals you can bring to committee. You can even see if your representative has sponsored any bills! Either way, feel free to be creative and use your own experiences, research, and knowledge to ideate bills. Those mentioned in the briefing or explored in years past by Congress need only be a starting point!

## GLOSSARY

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**Blocking sanctions** – A type of sanction that bans US citizens, regardless of location in or outside the country, from partaking in transactions between entities that are “Specially Designated Nationals”.

**Chinese Communist Party** – The ruling party of the People’s Republic of China, referred to as CCP.

**Communism** – A political ideology rooted in ideals of classlessness and communal systems controlled by a government, often in opposition to capitalism and liberalism.

**Cybersecurity and Infrastructure Security Agency** – An agency of the Department of Homeland Security tasked with strengthening cyber and infrastructure protection.

**Espionage** – The use of spy technology and/or personnel to obtain military and commercial secret information.

**Extraterritoriality** – Exemption from local jurisdiction.

**Forced technology transfer** – When a government forces a company to hand over technology and intellectual property.

**Intellectual property** – Assets that are intangible in nature.

**Joint communiqué** – A signed agreement between two countries to legally recognize sovereignty over land.

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