AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

CHINESE MEDIA RECIPROCITY ACT OF 2011

HEARING

BEFORE THE

SUBCOMMITTEE ON
IMMIGRATION POLICY AND ENFORCEMENT

OF THE

COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

SECOND SESSION

ON

H.R. 2899

JUNE 20, 2012

Serial No. 112–110

Printed for the use of the Committee on the Judiciary

Available via the World Wide Web: http://judiciary.house.gov

U.S. GOVERNMENT PRINTING OFFICE

74–643 PDF WASHINGTON : 2012

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON THE JUDICIARY

LAMAR SMITH, Texas, *Chairman*

F. JAMES SENSENBRENNER, JR., Wisconsin
HOWARD COBLE, North Carolina
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
DANIEL E. LUNGREN, California
STEVE CHABOT, Ohio
DARRELL E. ISSA, California
MIKE PENCE, Indiana
J. RANDY FORBES, Virginia
STEVE KING, Iowa
TRENT FRANKS, Arizona
LOUIE GOHMERT, Texas
JIM JORDAN, Ohio
TED POE, Texas
JASON CHAFFETZ, Utah
TIM GRIFFIN, Arkansas
TOM MARINO, Pennsylvania
TREY GOWDY, South Carolina
DENNIS ROSS, Florida
SANDY ADAMS, Florida
BEN QUAYLE, Arizona
MARK AMODEI, Nevada

JOHN CONYERS, JR., Michigan
HOWARD L. BERMAN, California
JERROLD NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, JR., Georgia
PEDRO R. PIERLUISI, Puerto Rico
MIKE QUIGLEY, Illinois
JUDY CHU, California
TED DEUTCH, Florida
LINDA T. SÁNCHEZ, California
JARED POLIS, Colorado

RICHARD HERTLING, *Staff Director and Chief Counsel*
PERRY APELBAUM, *Minority Staff Director and Chief Counsel*

SUBCOMMITTEE ON IMMIGRATION POLICY AND ENFORCEMENT

ELTON GALLEGLY, California, *Chairman*
STEVE KING, Iowa, *Vice-Chairman*

DANIEL E. LUNGREN, California
LOUIE GOHMERT, Texas
TED POE, Texas
TREY GOWDY, South Carolina
DENNIS ROSS, Florida

ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
PEDRO R. PIERLUISI, Puerto Rico

GEORGE FISHMAN, *Chief Counsel*
DAVID SHAHOULIAN, *Minority Counsel*

CONTENTS

JUNE 20, 2012

Page

THE BILL

H.R. 2899, the "Chinese Media Reciprocity Act of 2011" 3

OPENING STATEMENTS

The Honorable Elton Gallegly, a Representative in Congress from the State of California, and Chairman, Subcommittee on Immigration Policy and Enforcement 1

The Honorable Zoe Lofgren, a Representative in Congress from the State of California, and Ranking Member, Subcommittee on Immigration Policy and Enforcement 8

WITNESSES

The Honorable Dana Rohrabacher, a Representative in Congress from the State of California

Oral Testimony 9

Prepared Statement 12

John Lenczowski, Ph.D., President, The Institute of World Politics, Washington, DC

Oral Testimony 14

Prepared Statement 16

Nick Zahn, Asia Communications Fellow, Director of the Washington Roundtable for the Asia Pacific Press, The Heritage Foundation

Oral Testimony 21

Prepared Statement 23

Robert L. Daly, Director, Maryland China Initiative, The University of Maryland

Oral Testimony 31

Prepared Statement 34

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

Prepared Statement of the Honorable Zoe Lofgren, a Representative in Congress from the State of California, and Ranking Member, Subcommittee on Immigration Policy and Enforcement 8

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

Addendum to Response of John Lenczowski, Ph.D., President, The Institute of World Politics, Washington, DC, to Question from the Honorable Steve King, a Representative in Congress from the State of Iowa, and Member, Subcommittee on Immigration Policy and Enforcement 46

CHINESE MEDIA RECIPROCITY ACT OF 2011

WEDNESDAY, JUNE 20, 2012

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON IMMIGRATION
POLICY AND ENFORCEMENT,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to call, at 1:02 p.m., in room 2141, Rayburn Office Building, the Honorable Elton Gallegly (Chairman of the Subcommittee) presiding.

Present: Representatives Gallegly, King, and Lofgren.

Staff Present: (Majority) Dimple Shah, Counsel; Marian White, Clerk; and (Minority) Tom Jawetz, Minority Counsel.

Mr. GALLEGLY. I call the Subcommittee on Immigration Policy and Enforcement to order.

Before we do our opening statements, I just want to let everyone know, we are probably going to have the bells going off around 1:35 for a series of votes. We are going to try to get the opening statements and as much of the testimony taken as possible. So maybe we can make it before the votes start.

Today, the hearing is focusing on the Chinese Media Reciprocity Act of 2011, introduced by our colleague, U.S. Representative Dana Rohrabacher. It amends the Immigration and Nationality Act to ensure open and free access by American journalists in the People's Republic of China.

The bill establishes a reciprocal relationship between the number of visas issued to state-controlled media workers in China and in the United States. The bill builds upon already existing law contained within the Immigration and Nationality Act. Visas granted to officials and employees who have been accredited by the foreign government are issued "upon a basis of reciprocity."

However, the system has been anything but reciprocal. In the fiscal year of 2010, 650 Chinese citizens entered the U.S. with "I" foreign media visas. And so far in fiscal year 2011, 811 Chinese nationals entered the U.S.

These reporters are agents of the Chinese Government and work for a news organization under the control of the Chinese Government Communist Party. In contrast, the Broadcasting Board of Governors of the United States Government International Broadcasting Agency is allowed only two reporters to be stationed in Beijing.

Let us not forget that while the Chinese press has grown, it has also remained a tool of the Communist Party. According to State

Department reports, the United States has let the Chinese Communist Party establish a wide network and diverse media platform to disseminate their message directly in the U.S. At least 14 Chinese state-owned media organizations have a presence in the United States, and their operations in the United States are subject to many fewer restrictions than the operations of American media organizations in China.

The state-controlled Chinese news agencies are not subject to censorship or blockage in America. They can cover any news story or express their opinion, any opinion they desire. In contrast, Representative Rohrabacher reports that the BBG's two correspondents in China, one from Radio Free Asia and the other from Voice of America, are harassed by the Chinese police. They have been assaulted, detained by the Chinese officials seeking to block their work.

Further, the BBG has its transmissions in China blocked and censored. Their website cannot be accessed by China. In contrast, every edition of China Daily is available anywhere in the United States.

H.R. 2899 will assist in rectifying the disparity in treatment of state-controlled journalists in both China and the United States by amending the Immigration and Nationality Act to the state I-visas, so that they may only be issued to state-controlled media workers from Communist China on the basis of reciprocity with visas issued to U.S. citizens who are employed by the Broadcasting Board of Governors and who seek to enter China.

At this point, I will yield to my colleague from California, the Ranking Member, Ms. Lofgren.

[The bill, H.R. 2899, follows:]

I

112TH CONGRESS
1ST SESSION

H. R. 2899

To amend the Immigration and Nationality Act to ensure open and free journalism access in the People's Republic of China by establishing a reciprocal relationship between the number of visas issued to state-controlled media workers in China and in the United States.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2011

Mr. ROHRABACHER (for himself, Mr. POE of Texas, and Mr. FORBES) introduced the following bill; which was referred to the Committee on the Judiciary

---

A BILL

To amend the Immigration and Nationality Act to ensure open and free journalism access in the People's Republic of China by establishing a reciprocal relationship between the number of visas issued to state-controlled media workers in China and in the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Chinese Media Reciprocity Act of 2011".

1 **SEC. 2. LIMITATION ON VISAS TO STATE-CONTROLLED**
2 **MEDIA WORKERS FROM THE PEOPLE'S RE-**
3 **PUBLIC OF CHINA.**

4 (a) LIMITATION ON I-VISAS.—Section 101(a)(15)(I)
5 of the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(15)(I)) is amended by inserting "subject to sec-
7 tion 214(s)," before "upon a basis".

8 (b) RECIPROCITY OF VISAS TO STATE MEDIA WORK-
9 ERS.—Section 214 of the Immigration and Nationality
10 Act (8 U.S.C. 1184) is amended by adding at the end the
11 following:

12 "(s)(1) In the case of an alien who is a state-con-
13 trolled media worker from the People's Republic of China
14 and is seeking classification under section 101(a)(15)(I),
15 the Attorney General may only issue a visa to such an
16 alien upon a basis of reciprocity with visas issued by the
17 People's Republic of China to nationals of the United
18 States who are employees of the Broadcasting Board of
19 Governors and who seek to enter the People's Republic
20 of China solely to engage in such vocation.

21 "(2) For purposes of this subsection—

22 "(A) the term 'state-controlled media
23 worker from the People's Republic of China'
24 means a representative of a media organization
25 owned, operated, or controlled by the People's
26 Republic of China, including—

"(i) China Central Television;

"(ii) China Daily;

"(iii) China National Radio;

"(iv) China News Service;

"(v) China Radio International;

"(vi) China Youth Daily;

"(vii) Economic Daily;

"(viii) Global Times;

"(ix) Guangming Daily;

"(x) Legal Daily;

"(xi) Liberation Army Daily;

"(xii) People's Daily; or

"(xiii) Xinhua News Agency; and

"(B) the term 'Broadcasting Board of Governors' means—

"(i) the entity described under the Chinese Media Reciprocity Act of 2011; and

"(ii) any other entity that engages in broadcasting activities as a result of such Act.".

SEC. 3. REVOCATION OF CERTAIN VISAS; NONIMMIGRANT STATUS.

(a) REVOCATION OF CERTAIN VISAS.—Not later than 30 days after the date of the enactment of this Act, the

1 Secretary of State shall revoke a sufficient number of visas
2 issued to state-controlled media workers from the People's
3 Republic of China so that the remaining number of such
4 visas does not exceed the number of visas issued by the
5 People's Republic of China to nationals of the United
6 States who are employees of the Broadcasting Board of
7 Governors and who seek to enter the People's Republic
8 of China solely to engage in such vocation.

9 (b) REVOCATION OF CERTAIN NONIMMIGRANT STA-
10 TUS.—Not later than 30 days after the date of the enact-
11 ment of this Act, the Secretary of State shall revoke the
12 nonimmigrant status of a sufficient number of aliens who
13 are state-controlled media workers from the People's Re-
14 public of China and who entered the United States as non-
15 immigrants under section 101(a)(15)(I) of the Immigra-
16 tion and Nationality Act (8 U.S.C. 1101(a)(15)(I)) so that
17 the remaining number of such aliens with a valid immigra-
18 tion status who are present in the United States does not
19 exceed the number of nationals of the United States who
20 are employees of the Broadcasting Board of Governors
21 and who entered the People's Republic of China under a
22 nonimmigrant visa solely to engage in such vocation.

23 (c) DEFINITIONS.—In this section the terms "state-
24 controlled media workers from the People's Republic of
25 China" and "Broadcasting Board of Governors" have the

1 meanings given such terms in section 214(s)(2) of the Im-
2 migration and Nationality Act (8 U.S.C. 1184(s)(2)).

○

Ms. LOFGREN. In the interests of time, I would ask unanimous consent to put my full statement in the record, and will just make a few comments.

Clearly, there is no doubt that the Chinese Government regularly imposes severe restrictions on freedom of the press, that the Communist government oppresses its own citizens in many, many ways that we find highly objectionable and wrong.

I understand Mr. Rohrabacher's concern about the disparity, and I certainly do not question his motives in proposing this measure. I think I disagree, however, with the approach. I think if we kick 99 percent of China's journalists out of this country, I don't think that is going to make the situation better, honestly.

I think to respond to their oppression of the free press with the curtailment of the press strikes me as probably the wrong approach. And I think that will not make China better. It might make us a little worse.

And with that, Mr. Chairman, because of the impending votes, I will, again, put the rest of my statement in the record and look forward to hearing this distinguished panel, including our friend and colleague, Mr. Rohrabacher.

Mr. GALLEGLY. And without objection, the gentlelady's comments and entire testimony will be made a part of the record of the hearing.

[The prepared statement of Ms. Lofgren follows:]

Prepared Statement of the Honorable Zoe Lofgren, a Representative in Congress from the State of California, and Ranking Member, Subcommittee on Immigration Policy and Enforcement

There are plenty of reasons to be concerned about the relationship between the U.S. and China. Late last year, this Subcommittee held a hearing on a bill introduced by Rep. Chris Smith that gave us the opportunity to examine the Chinese government's dismal human rights record.

That bill, H.R. 2121, authorized the denial of visas to certain Chinese nationals in an effort to promote democracy and hold human rights violators accountable. I noted at the time that the State Department believed it already possessed the visa denial authority provided in the bill and that the bill posed foreign policy concerns.

I approach today's hearing in much the same way that I approached that previous hearing. There can be no doubt that the Chinese government regularly imposes severe restrictions on the freedom of the press. The State Department's country report on China makes it clear that virtually all media in China is state-sponsored media. Foreign journalists who live and work in China must overcome serious obstacles to collect and report the news. According to a survey conducted by the Foreign Correspondents Club in China, many foreign journalists and their sources face harassment, detention, and intimidation.

Such journalists also experience visa threats and visa delays, which are frequently tied to official concerns about the content of their reporting. It is therefore little wonder that American journalists affiliated with the Voice of America find it difficult both to gain access to China and to perform their duties in China without spending an inordinate amount of time and money trying to get around government efforts to clamp down on their reporting and broadcasting.

Still, the purpose of this hearing is to examine H.R. 2899, the "Chinese Media Reciprocity Act of 2011." The bill compares the hundreds of visas granted by the U.S. to Chinese state-sponsored media workers with the two visas made available by China to American state-sponsored media workers. The bill's response to this disparity is to revoke visas for hundreds of Chinese journalists and to limit future visas for such journalists to the number of similar visas provided by China to employees of the Broadcasting Board of Governors (BBG).

I understand Mr. Rohrabacher's concern that while we grant entry to some 800 Chinese state-sponsored journalists, China allows entry to only 2 BBG journalists. But this comparison does not include the several hundred American journalists reporting from China at any given time who do not work for the BBG. It also fails to take into account the fact that the BBG is seeking 6 to 8 additional visas for American nationals in China. Under this bill, even if China were to provide all of the visas sought by the BBG, the U.S. would still be required to revoke the visas of 99% of the Chinese journalists who currently have permission to work in the U.S.

I am concerned that despite the best intentions of the bill's sponsor, this bill would lead to greater restrictions by China on foreign journalists, whether state-sponsored or not. If we kick 99 percent of China's journalists out of the country, even if they fully comply with our requests for state-sponsored journalists, how can we expect China not to do the same to our journalists?

I am also wary of responding to China's free press restrictions by erecting our own restrictions on the free press. One of the most important and effective ways that America spreads its core values to the world is by welcoming people to this country and living by those values.

Essentially, I am concerned that this bill won't make China any better, but that it will make America just a little bit worse.

We have a distinguished panel of experts here today and I look forward to hearing their testimony.

Mr. GALLEGLY. We have four distinguished panel witnesses today. Each of the witnesses' written statements will be entered into the record in their entirety.

I ask that each of you summarize within 5 minutes. As you know, we are on a tight schedule today, but your entire testimony will be made a part of the record of the hearing. We have provided you lights down there that will help facilitate accomplishing that 5-minute rule.

Our first witness is our colleague from California, U.S. Representative Congressman Dana Rohrabacher. He represents California's 46th District and is currently serving his 12th term in the U.S. House of Representatives.

He serves as Chairman of the Oversight and Investigations Subcommittee of the House Committee on Foreign Affairs, and serves on the House Committee on Science and Technology.

Prior to serving in Congress, the Congressmen served as special assistant to President Ronald Reagan. He received his master's degree from USC.

And with that, welcome, Dana.

TESTIMONY OF THE HONORABLE DANA ROHRABACHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. ROHRABACHER. Thank you very much. Thank you, Chairman Gallegly and Ranking Member Lofgren.

I appreciate you calling this hearing on the aggressive nature of the perception management campaign by the Chinese Communist Party as we see it here in the United States of America.

The Chinese Communist Party is attempting to diminish the United States as the world's leader. The military arm of the CCP, the People's Liberation Army, has been undergoing a rapid and alarming buildup and modernization.

Thanks in large part to an unparallel level of economic espionage, enormous investment by U.S. corporations, and having been granted most favored nation trading status, the Chinese economy has grown at an expansive rate year after year. This transfer of wealth and power has been due to the Chinese Communist Party's successful use of perception management, especially here in the United States.

This is how they continue to get away with stealing our trade secrets, manipulating the currency, receiving millions of dollars in foreign aid from the United States. Millions of American jobs have been lost due to their successful efforts.

On the other hand, our Government has had little influence within China. While we embrace the free exchange of information, in China, the Chinese Communist Party lacks legitimacy and maintains its grip on power by organized violence and through intimidation.

The CCP must control information to stay in power, which means their power both inside China and their power outside China. The Communist Party of China is also afraid of the Chinese people learning the truth that it goes to great—and they are afraid of the truth, that they go to great ends to jam radio broadcasts, censor the Internet, deny visas to Voice of America reporters, and interfere with the work of the two Voice of America reporters that they do allow to operate in Beijing.

In contrast, the United States has issued hundreds of I-visas to Chinese journalists; 811 Chinese entered the United States with I-visas in fiscal year 2011 alone. We allow the CCP to freely distribute their insidious propaganda without interference, including delivering the China Daily right to the doors of this building. The CCP would never permit Voice of America material to be distributed to the offices of the rubberstamp parliament in Beijing.

A year ago, the largest Chinese Communist Party controlled news organization moved their North American headquarters to Times Square in New York and introduced an English television broadcast service that runs 24 hours a day.

Additionally, they placed a 60-foot tall advertisement at the north end of Times Square, which is estimated to rent at, just for that sign alone, $300,000 to $400,000 a month. That means, in 1 year, the CCP spends the equivalent of a quarter of the VOA's China budget, but just on one sign.

I am also really concerned that the CCP has over 70 Confucius Institutes and Confucius Classrooms here in the United States. They put teachers and party-approved content masquerading as innocent cultural material on U.S. campuses.

And of course, just a few weeks ago, a Chinese investor, using an undisclosed sum of Chinese state funds, bought the AMC entertainment movie theater chain. Due to this, the CCP will now influence the content of U.S. movies as well.

So finally, let me just say that the CCP is clearly using disinformation to advance nationalistic and hegemonic ends.

America should not concede this valuable ground to the Communist Party. And it is not us trying to accept the idea that we are limiting. Let them, if there is going to be reciprocity, let them

increase the number of people on our side that are permitted to come in.

So the central argument against this, by saying it would lead to a suppression of information here, actually, they would then be making that determination. We are just simply saying reciprocity and just assume have it go up rather than down.

So I thank you for calling this hearing. And I hope for markup as well of H.R. 2899, so that we can have this vote come to the floor, and we can alert the American people to how we're getting snookered by the Communist Chinese.

Thank you.

[The prepared statement of Mr. Rohrabacher follows:]

Prepared Statement of Congressman Dana Rohrabacher (R-CA)

Hearing on: H.R. 2899, the "Chinese Media Reciprocity Act of 2011"
12:30 p.m.
Wednesday, June 20, 2012
2141 Rayburn House Office Building

Subcommittee on Immigration Policy and Enforcement
Committee on the Judiciary

Chairman Gallegly, Ranking Member Lofgren, thank you for calling this hearing.

Today's hearing draws our attention to two vitally important areas of policy which Congress and the Executive Branch have woefully neglected: perception management and the aggressive nature of the Chinese Communist Party, which has labeled the United States as their enemy.

The Chinese Communist Party embarked a number of years ago to confront, challenge, and eventually overtake, the United States on a wide front of issues. The military arm of the CCP, the People's Liberation Army, has been undergoing a rapid and alarming build-up and modernization.

The Chinese economy, as we all know, has grown at an expansive rate year after year. Thanks in large part to an unparallel level of economic espionage, enormous investments by US corporations, and having been granted Most Favored Nation Trading status.

A less prominent, but no less important, area of confrontation between our country and the Chinese Communist Party is perception management – that is, actions taken to convey or deny certain pieces of information to foreign audiences in order to influence them.

In the US, because our government is legitimate and accountable to the people, we embrace the free exchange of information. In China, the Chinese Communist Party lacks legitimacy and maintains its grip on power by organized violence and intimidation. The Chinese Lao Gai system is the equivalent of the Soviet Gulag Archipelago.

The CCP must control information to stay in power, which means both inside China and to the greatest extent possible in other countries as well.

The CCP is morally bankrupt and the people of China, and those in occupied Tibet and East Turkistan, are our greatest allies. One of the best things we can do for them is to help them gain access to truthful and accurate information about what is happening in their country and throughout the world.

That is why our government created the Voice of America and Radio Free Asia.

The Chinese Communist Party is so afraid of the Chinese people learning the truth that it goes to great ends to jam radio broadcasts, censor the internet, deny visas to VOA reporters, and interfere with the work of the two VOA reporters that they do allow to operate in Beijing.

In contrast, the United States has issued hundreds of I-visas to Chinese journalists, 811 Chinese entered the US with I-visas in fiscal year 2011 alone. We allow the CCP to freely distribute their insidious propaganda in print, and to broadcast hours of television here in the US without any interference.

A year ago the largest Chinese Communist Party controlled news organization, Xinhua, moved their North American headquarters to Times Square in New York City and introduced an English television broadcast service that runs 24 hours a day. Additionally, Xinhua placed a 60 foot tall advertisement at the north end of Times Square, right above the Coca-Cola sign. It is estimated that the rent for that sign alone runs $300,000 to $400,000 a month.

That means in one year, for one sign, the CCP spends roughly the equivalent of a third of the entire budget for Voice of America's China Branch.

The CCP also pursues other forms of disinformation which worry me greatly. It has placed over 70 Confucius Institutes and Confucius Classrooms here in the US. The CCP pays to put its teachers and Party approved content, masquerading as innocuous cultural material, on US campuses.

Just three weeks ago, a Chinese investor, using an undisclosed sum of Chinese state funds, bought the AMC Entertainment movie theatre chain. AMC was bought for $2.6 billion, an amount greater than what many thought the chain was worth. The CCP did this because it will help get Chinese movies, with themes favorable to the Chinese Communist Party, into the American market and viewed by millions of unsuspecting Americans.

The CCP has clearly recognized the value of disinformation disguised as public diplomacy and are using it strongly to advance their nationalistic and hegemonic ends. America should not concede this valuable ground to the Communist Party and this bill is a first step to respond to the threat, defend America, and show that we are squarely on the side of freedom.

Thank you for calling this hearing and I hope a mark-up for HR 2899 can be held in the near future to move this important bill to the Floor for a vote. Thank you.

2

Mr. GALLEGLY. The time of the gentleman has expired. Thank you for joining us today, Congressman Rohrabacher.

Now we'll move to the second witness, Dr. John Lenczowski. He serves as the founder and president of the Institute of World Politics, an independent graduate school of national security and international affairs here in Washington, D.C.

Prior to this, he served in the State Department in the Bureau of European Affairs as a special advisor to the Undersecretary for Political Affairs.

Dr. Lenczowski received his master's degree and Ph.D. from Johns Hopkins University School of Advanced International Studies.

Welcome, Doctor.

TESTIMONY OF JOHN LENCZOWSKI, Ph.D., PRESIDENT, THE INSTITUTE OF WORLD POLITICS, WASHINGTON, DC

Mr. LENCZOWSKI. Thank you, Chairman Gallegly and Congresswoman Lofgren.

I'm honored to share some thoughts about the legislation at hand. My concern with the principles underlying this issue dates back to the Cold War, and it's a very similar situation.

Today, we're concerned that China has severely restricted visas for our official broadcasters, as we have discussed. This last year, in contrast to the only two official correspondents we have in Beijing, the State Department granted 868 visas to Chinese media representatives.

The diplomatic principle here, reciprocity, is playing out today just as it did in the Cold War. For example, during the Cold War, the State Department had more KGB personnel working in the U.S. Embassy in Moscow then it had Americans. The Soviets had the run of our Embassy and could easily identify our intelligence officers and our vulnerabilities.

In contrast, we had exactly zero Americans working in the Soviet Embassy here.

The State Department's rational for hiring all these KGB operatives? It was hard to find housing in Moscow for any more Americans.

In response to this, we created the Office of Foreign Missions to enforce reciprocity. If the Soviets gave us trouble in securing housing in Moscow, then they would encounter similar difficulties here. All of a sudden, housing in Moscow became mysteriously available.

Today, we see Beijing being given lopsided advantages in almost every sphere. Just like the Soviets, the Chinese require our Embassy and consulates in China to use the Chinese diplomatic service bureau with their intelligence service assistance, of course, to hire local Chinese solely through them.

The lack of reciprocity extends to numbers of students studying in both countries, the number of scientists to do research in our national laboratories, the numbers of national centers involved in public diplomacy, the numbers of intelligence collectors, and other categories.

Who exactly are China's media representatives? None are true professional journalists. The number who even pretend to be reporters is a tiny percentage. Some are Communist Party propagandists. Most are intelligence operatives with the Ministry of State Security, the MSS.

Most of those officers, under media cover, are agents of influence and political counterintelligence officers who work in cooperation with the massive Chinese propaganda presence here.

Just part of that presence are the aforementioned 81 Confucius Institutes in American universities that both conduct propaganda and stifle criticism of Chinese policies. In contrast, we have only five American centers in China that are not independently operated but come under the control of Chinese university officials.

Chinese political counterintelligence officers penetrate and harass American organizations that represent groups that pose a threat to the Chinese Communist Party. Beijing calls these groups the "Five Poisons." They include the Uighurs in Xinjing province, the Tibetans, the Taiwanese, the Falun Gong, and pro-democracy groups.

These agents identify critics of the Beijing regime, attempt to manipulate their perceptions, and discredit their views.

Here Beijing uses the visa weapon. If you write for a publication of any of the "Five Poisons," you are likely to be denied a visa to enter China. If your business advertises in one of their publications, you will be blacklisted and denied business opportunities in China.

Unfortunately, our foreign policy systematically ignores such influence operations and their ability to distort our perceptions of reality.

Chinese propaganda is designed to create a false conventional wisdom, influencing not only our media but our academic community from which come our future intelligence analysts, military officers, and policymakers.

Here, the Chinese play the visa game. If an American writes about China's military, intelligence, or its Laogai slave labor system, or other sensitive subjects, they are routinely denied visas.

Once denied a visa, scholars can no longer do fieldwork and bolster their credentials by traveling to China. So they censor themselves, and the fruit of this self-censorship is ever greater lack of knowledge or concern about subjects central to U.S. national security policymaking. We saw the identical phenomenon in the Cold War.

Beijing corrupts us in other ways. It contributes to the campaigns of American politicians. It uses commercial leverage to influence our businesses, and even to blackmail our congressional representatives who vote for legislation like this, with the threat of the withdrawal of business in their districts. They hire former Cabinet members and military officers to stifle any criticism.

I can only scratch the surface of this major national security challenge. I entreat this Committee and the Congress at large to take this challenge seriously and enforce greater reciprocity in the use of visas, so that Chinese influence operations can be minimized and U.S. national security can be protected. Thank you.

[The prepared statement of Mr. Lenczowski follows:]

Reciprocity in U.S.-China Visa Policy

Testimony before the Subcommittee on Immigration Policy and Enforcement, Judiciary Committee, U.S. House of Representatives, June 20, 2012

By John Lenczowski

Mr. Chairman, Ranking Member of the Minority, and Members of the Committee, I am honored to be able to present to you some thoughts about the legislation under consideration concerning U.S. and Chinese policies of issuing visas to visiting media representatives.

My concern with the principles underlying this issue dates back to the days of the Cold War. In the 1980's, I had official responsibilities on Soviet affairs both in the Department of State and later in the National Security Council. Among my responsibilities at that time was a portfolio in public diplomacy with special emphasis on international broadcasting.

As I understand it, the legislation under consideration was inspired by a concern that the Chinese government has severely restricted the granting of visas to correspondents from our international broadcasters such as the Voice of America. I am personally aware of China's denial of any visas to even a single VOA correspondent to be assigned to Shanghai, while only two VOA correspondents were granted visas to work out of Beijing. Meanwhile, this last year, the Department of State granted 868 visas to Chinese media representatives, of whom roughly 100 are stationed in Washington, D.C. and 500 are in New York.

I have not been able in the short time permitted me to secure an estimate of American correspondents in China. But the number cannot but pale in comparison to the number of Chinese media representatives we admit to our shores. I understand that the Washington Post has two correspondents in China. I would imagine that there are probably not more than a dozen organs of the American media with correspondents in China. American newspapers simply cannot afford to sustain many if any foreign correspondents: there has been a severe cutback in foreign correspondents by major media outlets over the last two decades.

I should note that the Chinese government is establishing a multi-floor office for its official Xinhua "news" agency in Times Square in New York. It broadcasts to the U.S. on an AM station based in Texas. It has just established a new official Chinese television propaganda station here in Washington which has 75 people involved just at the start. Meanwhile, the U.S. has no possibility of broadcasting in the AM band, but is constrained to broadcast in short-wave and satellite TV. The short-wave broadcasts are subject to systematic and massive Chinese jamming (although this jamming is not uniformly successful, as millions of Chinese do get reception during certain periods and in many places.)

The issue at hand here is a time-honored diplomatic principle: that of reciprocity. To give you some historical perspective on this, let me note some similarities between the policy problems during the Cold War and those of today.

At that time, there were numerous areas where the United States failed even to attempt to maintain a semblance of reciprocity with Moscow. One of them had to do with the utter lack of balance in official representation in each other's capitals.

For years, the Department of State had more KGB personnel working in the U.S. embassy in Moscow than it had American citizens. In contrast, the number of Americans working in the many Soviet embassy buildings here in Washington was exactly zero. What the FBI would have given to have a single janitor employed in one of those facilities!

- The KGB had official access to six out of the eight floors of our embassy in Moscow, and unofficial access to the two allegedly secure floors.
- It ran our motor pool and supplied drivers to embassy staff and visiting officials.
- It dispensed gasoline to the few embassy staffers who drove their own vehicles and thus knew exactly who was leaving the premises to meet with people on the outside.
- It ran the commissary and knew who bought too much alcohol.
- It ran the cafeteria and saw who was having lunch with whom.
- It conducted physical maintenance of the embassy facility and was able to implant listening devices according to its whims.
- Its officers made all the travel arrangements within the USSR for embassy staff members and visiting U.S government officials like myself.
- It supplied attractive female secretaries to young, single, heterosexual male embassy officers.
- It bugged our typewriters.
- And it put invisible "spy dust" on the door knobs, so that it could track around the city anyone who touched them by following the invisible "dust" that fell from its subject's hands.

The State Department's main rationale for hiring all these KGB operatives? It was hard to find housing in Moscow for any more Americans. It was hard to hire Americans to do menial jobs in a faraway place. It was convenient having Soviets working nearby so that our embassy personnel could have a feel for what local citizens were thinking. And since "menial Americans" were deemed more likely to be compromised by the KGB, it was apparently better to have the actual KGB there instead – then we would know exactly with whom we were dealing. (I should note, that by this logic, everyone in the embassy should have been a KGB employee.)

In response to this amazing set of rationales, which were led by the helplessness in finding housing for Americans in Moscow, the Reagan Administration created the Office of Foreign Missions (OFM), which would enforce reciprocity on matters of diplomatic representation with other countries. Now the Soviets would have to go through OFM in order to secure housing in the Washington area. And if our embassy in Moscow was having difficulty in securing housing for new embassy staff members there, then the Soviets would encounter difficulties in doing the same here. All of a sudden, housing became mysteriously available for Americans in Moscow.

There were many other examples of official U.S. negligence when it came to enforcing even a modicum of reciprocity in relations with a country that was our sworn enemy, and which did

enormous amounts to harm our vital national interests. We signed official exchanges agreements with Moscow which preemptively made concessions to Moscow on every matter of sensitivity to the Kremlin. We permitted the Soviets to cheat on every arms control agreement we signed with it and never developed a compliance policy to accompany those agreements. Altogether our policy on so many of these matters was dictated by preservation of a diplomatic process with no concern about protecting the diplomatic substance. It was judged that so long as negotiations kept going, regardless of their substance or outcome, this was better than no negotiations. It was as if a stall in diplomatic process automatically meant nuclear war.

Today, we are witnessing a similar concern with diplomatic process over substance in our relations with China. The results amount to lopsided advantages to Beijing in almost every sphere.

The matter at hand today concerns representatives of official media. But it also extends to numbers of students studying in both countries, numbers of national centers involved in public diplomacy, numbers of intelligence collectors, and other categories.

When it comes to Chinese media representatives, the question arises as to who exactly these people are. The fact is that none of them are true professional journalists as we understand this term. Every one of them is an agent of the Chinese Party-State. What, then, is the percentage of those who even masquerade as "reporters"? It is a tiny percentage. Where indeed are all the articles that are supposed to be written by these "correspondents"? Where are the radio and television dispatches? The number is miniscule compared to that which one might expect to be generated by the almost 900 media representatives stationed here.

So, what are all these media representatives doing here? Those who have some semblance of journalistic responsibilities are Communist Party propagandists. Most are representatives or cooptees of the Chinese Communist Ministry of State Security (MSS). They are part of tsunami of Chinese intelligence collectors and operatives who have come here among the approximately one million visitors from China in the last year.

So what are these particular MSS officers doing here under media cover? Most of them are probably not conducting conventional espionage as most people understand the term – i.e., stealing military, intelligence, scientific, technological, and industrial secrets. Rather, they are serving as agents of influence, propagandists, and political counterintelligence officers.

The agents of influence and propagandists work in cooperation with a massive Chinese public diplomacy presence in America. This reaches not only the readers of the Washington Post and the New York Times, which publish Chinese propaganda supplements on a periodic basis. It includes the aforementioned AM station and the new Chinese television station in Washington. The Chinese propaganda presence extends to 81 U.S. colleges and universities, where Beijing has established "Confucius Institutes" – public diplomacy centers of the Chinese government involved in language teaching and cultural education, but also stifling criticism of Chinese government policies. It has also organized a similar number of "Confucius Classrooms" in American high schools. In contrast to the 81 Confucius Institutes, the U.S. hosts only five American centers in China.

What do political counterintelligence officers do? The Chinese ones here are in the business of penetrating various groups in the United States who either represent, or are concerned with, communities within China that pose a threat to the Chinese Communist Party and its rule throughout the territories it claims. Beijing calls these groups the "Five Poisons." They include:

- The Uighurs who live in Xinjing province;
- The Tibetans;
- The Taiwanese;
- The practitioners of Falun Gong; and
- Pro-democracy groups.

Beijing's "media representatives" here attempt to penetrate these groups here in the United States, counter their messages, and harass them to such an extent that they infringe on their civil rights within our own borders.

They try to influence the Chinese-American community many of whose members have lived here for over a century. They also try to influence the anti-communist media and the pro-Taiwan media.

These various efforts involve what we call "opportunities intelligence" collection: the identification of critics of the Beijing regime and analysis of what they believe, in an attempt to manipulate their perceptions, engage in strategic deception, and discredit their views. Here, Beijing uses the leverage of the visa weapon. If one writes for a pro-Taiwan publication – or for that of any of the other Five Poisons – one will surely be denied a visa to enter the Mainland. If your business advertises in one of these publications, then Chinese official "media representatives" will add your company to a blacklist of those to be denied business opportunities on the Mainland.

The United States has only episodically paid attention to foreign propaganda and its ability to distort both public, but more importantly, official perceptions of foreign reality. This situation continues as much as ever today, in spite of the fact that the architects of our constitutional order – George Washington in his Farewell Address, and the authors of the Federalist Papers – repeatedly warned their countrymen of the unique vulnerability of the republican government to what they called the "insidious wiles of foreign influence." Chinese propaganda, like Soviet propaganda of the earlier era, is designed, among other things, to help create a false conventional wisdom by influencing not only our media, but also our academic community from which come our future intelligence analysts, military officers, and policy makers.

Here the Chinese play the visa game in a way that is particularly dangerous to our accurate perceptions of reality. If American scholars write academic books and articles that analyze the truth about such subjects as the Chinese military buildup, Chinese intelligence operations, the Laogai (the vast system of Chinese slave labor camps – equivalent to the Soviet Gulag Archipelago), Chinese propaganda operations, Chinese strategic doctrine, Chinese human rights violations, or crimes committed by the Chinese regime, those scholars are automatically denied visas to come to China. There are numerous examples of this. But a prominent one was the case

of sixteen scholars who contributed to a collective scholarly book on the Xinjiang province – most of whom were blocked from travelling to China.

Once denied a visa, American scholars can no longer do fieldwork. They find it much more difficult to maintain the same perceived credentials claimed by those who routinely travel to China. The consequence of this visa policy is academic self-censorship. And the fruit of this self-censorship is ever-greater lack of knowledge of subjects central to U.S. national security policy making and implementation.

We saw this same phenomenon during the Cold War. American academic Sovietologists and journalists who wrote things that Moscow did not like were denied visas – or in the case of journalists stationed in Moscow, they were often expelled from the country. The pressure on these journalists to censor themselves came from the central editorial offices of American media. If a second reporter from a given newspaper was expelled, that newspaper faced the possibility that its Moscow bureau would be shut down entirely. The self-censorship by American Sovietologists was such that one can hardly find a book amid the relatively thin authoritative literature on the Soviet military, the KGB, the Gulag, or Soviet human rights violations by a professor at an American university. The message to the graduate students of American Sovietologists? -- That these subjects are not really a matter of much concern.

Beijing exercises both overt and covert influence in a variety of other ways which I should not neglect to mention. It has been involved in contributing to the campaigns of American politicians. It uses business opportunities to influence the American business community and even to blackmail American politicians. When a member of Congress takes a strong stand against a major interest of the Beijing regime, he or she may face the threat of the withdrawal of business arrangements with a company in that representative's district.

Chinese businesses associated with the Party or the People's Liberation Army have routinely hired former U.S. cabinet secretaries either directly or indirectly. Then such figures serve as elder statesmen whose opinions are taken to represent exclusively the U.S. national interest when in fact there is a conflict of interest.

I regrettably am able only to scratch the surface of what is a major national security challenge. I only entreat this committee and the Congress at large to take this challenge seriously and to enforce greater reciprocity in the use of visas – so that Chinese influence operations can be minimized and vital U.S. national security interests can be protected.

Dr. John Lenczowski served as Director of European and Soviet Affairs at the National Security Council, 1983-1987. He is currently Founder and President of The Institute of World Politics, an independent graduate school of national security affairs in Washington, D.C.

Mr. GALLEGLY. Thank you, Dr. Lenczowski.

And as you know, your testimony, all of your written testimony, will be part of the record of the hearing.

Our next witness is Mr. Nick Zahn. Mr. Zahn serves as the Asian communications fellow and director of the Washington Roundtable for the Asia Pacific Press at the Heritage Foundation. He manages

the largest organization of Asia and Pacific news media in the United States from his office in Heritage's Asian Studies Center.

Mr. Zahn's responsibility is to advance American leadership and national security by promoting the organization's policy agenda through relationships with international media.

Mr. Zahn received his bachelor's degree from the University of Wisconsin.

Welcome.

TESTIMONY OF NICK ZAHN, ASIA COMMUNICATIONS FELLOW, DIRECTOR OF THE WASHINGTON ROUNDTABLE FOR THE ASIA PACIFIC PRESS, THE HERITAGE FOUNDATION

Mr. ZAHN. Thank you, Mr. Chairman.

The views I express in this testimony are my own and should not be construed as representing any official position of the Heritage Foundation.

The Washington Roundtable for the Asian Pacific Press at the Heritage Foundation is quite unique among this town's think tanks. It is my duty to get to know the Asian media market and press corps for purposes of promoting Heritage's work and ideas.

This responsibility has given me a first-hand understanding of how these reporters, including China's reporters, operate.

In preparing my testimony, I've drawn from this daily interaction as well as some of Heritage's broader work on public diplomacy. And as I look at any comparison between the way the U.S. and China handle one another's government-sponsored press, the single most striking inequity that jumps out at me is the number of visas issued. The current imbalance is simply unacceptable.

In 2011, the U.S. Department of State approved 868 visas for Chinese state journalists. The Chinese continued the abysmal precedent of allowing the Voice of America only two visas to work in the People's Republic of China. And as mentioned previously, that's 868 to 2.

China's government has consistently rejected visa applications for Radio Free Asia staff since President Bill Clinton's 1998 trip when three personnel were denied travel into the PRC.

Compounding the disparity, journalists in China are heavily censored. Both at home and abroad, decisions made by the Chinese Communist Party about desired coverage or censorship of particularly sensitive subjects are issued via the central propaganda department or the state council information offices.

Censorship, of course, is a key concern for the party. The party's primary mission for press is to help maintain social and political control, especially during sensitive events such as the 1989 Tiananmen protests or, more recently, the 2008 Beijing Olympics, when public opinion guidance was reviewed by Chinese president and party general secretary Hu Jintao.

So last year, in February 2011, when activists in China inspired by the Arab Spring called for pro-democracy protests, authorities moved security forces quickly to quash protesters and the corresponding press coverage to go along with it in about a dozen major cities in China.

For instance, as a Jasmine Revolution protest got underway on Sunday, February 27, 2011, our two VOA correspondents in Bei-

jing, Stephanie Ho and Ming Zhang, went to downtown Beijing to an event site to investigate. Both were detained, manhandled, seriously threatened, and humiliated by uniformed and plain-clothes Chinese police.

Ho was pushed and shoved into a small store and hustled away in a police van. And although this was his first time being detained in Beijing, Zhang had been detained eight times outside Beijing since arriving at the bureau in China in 2007.

So this must change. The U.S. needs to be taken seriously as an advocate for liberty and, therefore, must actively support the development of an open and objective press corps that works to hold governments accountable.

It has long been hoped that the example of our openness would be reciprocated in China, but that has not come to pass. There should be reciprocity between the numbers of China's state-sponsored media allowed U.S. visas and China's visas granted to U.S. Government employee counterparts.

If it requires revoking or limiting visas of state journalists to encourage progress on China's end, that is something the U.S. should do. After all, the United States and the PRC are in a contest of ideas. We believe in the idea that governments exist to protect the rights of the people. Opposing that idea is the notion of a government striving to protect itself from the people.

The disparity between the courses our two countries are taking must be addressed, and the United States must adjust and use all means of diplomacy at its disposal to counter the current trend in the imbalance of state-funded press between the U.S. and China.

Elsewise, over time, the prestige of the United States will be made to suffer and our influence as a force for good will be diminished. And of course, we must not let that happen.

[The prepared statement of Mr. Zahn follows:]

214 Massachusetts Avenue, NE • Washington DC 20002 • (202) 546-4400 • heritage.org

CONGRESSIONAL TESTIMONY

H.R. 2899 "Chinese Media Reciprocity Act of 2011"

Testimony before
Judiciary Subcommittee on Immigration and Enforcement
United States House

June 20, 2012

Nick Zahn
Asia Communications Fellow and Director of the Washington Roundtable for the Asia Pacific Press
The Heritage Foundation

My name is Nick Zahn. I am the Asia Communications Fellow and Director of the Washington Roundtable for the Asia Pacific Press at The Heritage Foundation. The views I express in this testimony are my own, and should not be construed as representing any official position of The Heritage Foundation.

Thank you Mr. Chairman for the opportunity to testify today.

The Washington Roundtable for Asia & Pacific Press at The Heritage Foundation is unique among this town's think tanks. My duty is to get to know the Asian media markets and press corps for purposes of promoting Heritage's work and ideas. This responsibility has given me a hands-on understanding of how these reporters – including China's – operate. In preparing my testimony, I have drawn from this daily interaction as well as some of Heritage's broader work on public diplomacy.

As I look at any comparison between the way U.S. and China handle one another's government/party sponsored press, two inequities jump out at me: Funding and visas.

Funding is the more difficult issue, as all China's major media outlets, including those operating overseas are state or party controlled. The U.S. cannot – and should not – emulate that model. Still, the comparison illustrates well what we are up against.

Varying reports indicate that China's overseas investment in state media is between six and seven billion dollars. Compare that with the U.S. government's single largest investment in public diplomacy, the U.S. Broadcasting Board of Governors who have requested 720 million dollars in fiscal year 2013.

But the difference in budgets is not the most disproportionate ratio. That would have to go to the sheer number of Chinese journalists allowed visas to work in the United States compared with the number that U.S. state sponsored press receive from China.

Similar to structural disparities in funding, the U.S. has no corresponding interest to the Chinese in limiting access to reporters. This is a principled difference between open and closed societies. Yet, there is enormous space to demand a semblance of reciprocity, and if this requires limiting or revoking journalist visas to encourage progress on their end, this is something the U.S. should do.

The current imbalance is simply unacceptable.

In 2011, the U.S. department of State approved 868 (I) visas for Chinese state journalists. The Chinese continued the abysmal precedent of allowing Voice of America only two press visas to work in the People's Republic of China (PRC). [1]

That's 868 to 2.

As previously stated, the two visas belong to Voice of America. China's government has consistently rejected visa applications for Radio Free Asia staff since 1998, when three personnel

[1] Ted Lipien, "Chinese blind dissident Chen Guangcheng secretly listened to Voice of America Mandarin shortwave radio while in prison," *Blogger News Network*, May 19, 2012, at *http://www.bloggernews.net/128127* (June 18, 2012).

were denied travel by China into the PRC with President Bill Clinton. So in addition to the well known disrupting of VOA and RFA broadcast signals into China, the PRC has precluded RFA from staffing a bureau there.[2]

Though the PRC has a particular disdain for RFA, their interference is not solely directed at foreign government broadcasts. Even Anderson Cooper's "AC360" show broadcasting into China on CNN International was blocked by Chinese authorities on May 3rd when he reported on the highly sensitive topic of blind Chinese dissident Chen Guangcheng.[3]

In this environment, shortwave signals have success at getting through unjammed, particularly in rural areas, and should remain a tool of BBG broadcasters. Cheng Guangcheng reported in a VOA interview that he secretly listened to VOA and RFA programming while imprisoned. [4]

Although the People's Republic of China persists in attempts to hinder U.S. messaging into that country, quite a different story is playing out here in the U.S., where China's print and broadcast presence is given unfettered access and has grown by leaps and bounds in the US over the last few years.

China Daily, China's English paper of record, launched China Daily USA in Washington, D.C. in 2009 becoming their first overseas branch. According to a December 19, 2011 China Daily press release, China Daily USA has opened nine printing points in the United States with peak circulation of over 170,000 copies per day. The newspaper has a global average daily circulation of more than 400,000 in 150 countries and regions.

Although there now are offices in Washington, DC, New York City, and San Francisco, content is driven by, and largely produced in, Beijing.

The target audience as described by the paper "include(s) corporate executives, law makers, US government officials, think tank leadership, university faculty, senior members of the American media, and diplomat corps in the US.[5]

China's state wire service, Xinhua News Agency, actually predates the founding of the PRC, having been established in 1931 as the Red China News Agency. It produces content in multiple languages, including English. In 2010, Xinhua added a brand new television arm, known as China Network Corporation, sending Chinese and English language news channels into nearly 60 countries in addition to the U.S.[6]

---

[2] Henry Chu, "China Shrugs Off Furor Over Journalists' Visas," *Los Angeles Times*, June 24, 1998, at *http://articles.latimes.com/1998/jun/24/news/mn-63181* (June 18, 2012).
[3] Katherine Fung, "Anderson Cooper Censored In China: CNN Report On Chen Guangcheng Blocked (VIDEO)," *The Huffington Post*, May 3, 2012, at *http://www.huffingtonpost.com/2012/05/03/anderson-cooper-censored-china-chen-guangcheng_n_1475424.html* (June 18, 2012).
[4] Ted Lipien, "Chinese blind dissident Chen Guangcheng secretly listened to Voice of America Mandarin shortwave radio while in prison," *Blogger News Network*, May 19, 2012, at *http://www.bloggernews.net/128127* (June 18, 2012).
[5] China Daily USA, "About Us," at *http://usa.chinadaily.com.cn/2011-04/13/content_12319449.htm* (June 18, 2012).
[6] "Xinhua News Agency Launches Global English TV Service," *Xinhua*, April 30, 2010, at *http://news.xinhuanet.com/english2010/china/2010-04/30/c_13273606.htm* (June 18, 2012).

"Xinhua has so far set up 162 overseas branches, and the number will increase to around 200 by 2020, according to the agency's development plan," the company said.[7]

But the main event drawing attention to China broadcasting has been the sweeping revamp of China Central Television's CCTV America, the surrogate of China's multi-channel state broadcaster.

With a very expensive build-out on three floors of prime real-estate in the heart of Washington DC, the DC bureau of CCTV America has a world class studio and office space on par with the best network news facilities. And, although only a bureau, it is better equipped than many headquarters facilities of broadcasters in other parts of Asia.

While press reports around the February 2012 CCTV America launch cited a target staff of one hundred personnel with about half being Chinese, recent conversations with CCTV America staff indicate a number of already more than 150 employees in the DC Bureau, about a third of them Chinese. "In addition to Washington, the network is adding reporters in what it calls "key" cities across the continent, including Miami, Chicago, Houston, San Francisco and Toronto. It also will have correspondents in Latin America."[8] And interest in hiring continues as the network works past the initial goal of filling 4 hours of programming. Staff members indicate an intention of fulfilling the 24 hour news programming goal within a period of 4 or 5 years.

And these are often experienced personnel. "Many of the reporters, cameramen and technical staff are being lured away from other news organizations with the offer of high salaries and attractive perks."[9] A sampling of those organizations includes CNN, NBC, CBS, Fox News, BBC, Al Jazeera, and the Associated Press.

Communist Party propaganda chief Li Chang-summed up Beijing's evolving strategy to CCTV executives this way: "Whichever nation's communications capacity is strongest, it is that nation whose culture will spread far and wide…with the most power to influence the world." [10]

This access, of course, is a much different story than the obstruction facing VOA and RFA in China.[11]

It also appears that Chinese influence is gaining ground as Heritage Foundation colleague Helle Dale points out in a Heritage Foundation paper:

> A recent survey by the Pew Research Center found that a growing number of Americans view China as the power most likely to rival the U.S. for global leadership. The number of those who believe that China will replace or already has replaced the United States as the dominant global power went up from 40 percent in 2009 to 47 percent in 2011. To

---

[7] "Newly-named Xinhua TV company debuts in HK stock market," *Xinhua*, February 8, 2012 at *http://news.xinhuanet.com/english/china/2012-02/08/c_131398928.htm* (June 18, 2012).
[8] Paul Farhi, "In D.C., China builds a news hub to help polish its global image," *The Washington Post*, January 16, 2012, at *http://www.washingtonpost.com/lifestyle/style/china-building-news-hub-in-dc/2012/01/12/gIQAh2Ps3P_story.html* (June 18, 2012).
[9] Christopher Bodeen, "China's state TV making huge global expansion," *Associated Press*, January 31, 2012, at *http://www.guardian.co.uk/world/feedarticle/10068207* (June 18, 2012).
[10] Stefan Halper, The Beijing Consensus: How China's Authoritarian Model Will Dominate the Twenty-First Century (New York: Basic Books, 2010), p. 11.
[11] *Ibid.*

> China's leaders in Beijing, this is no doubt seen as a sign that their concerted public diplomacy efforts are paying off.[12]

But while China's growth may have the appearance of a familiar Western news format, its foremost function is to serve the interests of the Chinese Communist Party (CCP).[13] As Hu Zhanfan, vice minister of the State Administration of Radio, Film, and Television observed, just before being appointed by the CCP Central Committee to the post of president of CCTV, news must "always reflect 'our party and country's political stance.'" He made this observation in the course of criticizing journalists who made the mistake of placing "truth above loyalty to the party."[14]

So although a Chinese media outlet like CCTV is now projecting the look and feel of CNN or the BBC, the coverage will be tilted in favor of CCP objectives by selection (or omission) of topics, and by the inclusion or exclusion of guests.

> "A longtime CCTV program producer who asked to remain anonymous because of the sensitivity of the topic said virtually everything in the news report is decided based on political considerations. The issues are discussed at meetings, but the decision always lies with the top bosses while the journalists have no say in the outcome, she said."[15]

Nor are such decisions left to news editors. Across the spectrum of China's media – both at home and abroad - decisions made by the CCP about desired coverage or censorship of particularly sensitive subjects are issued as "guidance of public opinion," and are disseminated via the "Central Propaganda Department, or the State Council Information Office.[16]

As explained by Dave Bandurski of the China Media Project:

> "Guidance of public opinion," or *yulun daoxiang* (舆论导向), is the Party's buzzword for media and cultural controls, enshrined in "propaganda work" in the aftermath of the crackdown on the 1989 Tiananmen protests. Speaking to the central priority of public opinion controls as a means of maintaining social and political stability and the rule of the Party, the term remains at the very heart of Party media policy. [17]

In advance of the 2008 Beijing Olympics, this policy was raised to an even greater priority by the CCP in 2007 and then re-affirmed by President Hu Jintao.

The desire for maintaining social and political stability becomes a particular concern for the Party during sensitive events such as the 2008 Beijing Olympics, when public opinion guidance was

---

[12] Richard Wike, "From Hyperpower to Declining Power: Changing Global Perceptions of the U.S. in the Post-Sept. 11 Era," Pew Research Center, Global Attitudes Project, September 7, 2011, *http://pewglobal.org/2011/09/07/from-hyperpower-to-declining-power/* (June 18, 2012).
[13] Christopher Bodeen, "China's state TV making huge global expansion," *Associated Press*, January 31, 2012, at *http://www.guardian.co.uk/world/feedarticle/10068207* (June 18, 2012).
[14] *Ibid.*
[15] *Ibid.*
[16] "Latest Directives From the Ministry of Truth, February 17-24, 2011 (Updated)," *China Digital* Times, at *http://chinadigitaltimes.net/2011/02/latest-directives-from-the-ministry-of-truth-february-17-21-2011/* (June 18, 2012).
[17] David Bandurski, "All in favor of culture, say "Aye," China Media Project (CMP), October 26, 2011, at *http://cmp.hku.hk/2011/10/26/16743/* (June 18, 2012).

reviewed by Chinese president (and Party General Secretary) Hu Jintao.[18] The guidance policy also became more important as China and the world watched North African countries unravel during the Arab Spring. Examples of leaked "guidance" during this period provide particularly good examples of what the party fears.

On February 24, 2011, Chinese authorities issued directives meant to head off public discussion of the "Jasmine Revolution," including "Standards for Reporting on the Situation in the Middle East."

> "From the Central Propaganda Department: Media reports on the current changing situation in the Middle East must use standard copy sources. Reports cannot have the word "revolution" (*geming;* 革命). Regarding the reasons for the emergence of these mass protests, nothing can be reported regarding demands for democracy or increases in commodity prices. Reports also cannot draw connections between the political systems of Middle Eastern nations and the system in our country. In all media, when the names of the leaders of Egypt, Tunisia, Libya, and other countries are given, the names of Chinese leaders cannot appear next to them."[19]

And when activists in China called for pro-democracy protests in late February 2011, authorities moved security forces to quickly quash protestors in about a dozen major cities in China.

Just as authorities expect Chinese press to abide by Central Propaganda Bureau "guidance," actions on the part of authorities in China indicate an expectation that foreign press must abide by them as well.

As the professional press association representing foreign journalists working in China, The Foreign Correspondents' Club of China, has catalogued numerous incidences of press being obstructed and abused by Chinese authorities. Examples range from German press being harassed in Lhasa while trying to do a story on Mount Everest climbers to journalists of Japan's Kyodo News agency reporting being beaten and their property destroyed in connection with the anniversary of Tiananmen Square.[20]

As a Jasmine Revolution protest march got under way on Sunday Feb. 27, 2011, two VOA correspondents in Beijing, Stephanie Ho and Ming Zhang, went to the downtown Beijing event site to investigate. Both were detained, manhandled, seriously threatened and humiliated by uniformed and plainclothes Chinese police. Ho was pushed and shoved into a small store and then hustled away in a police van.[21]

---

[18] *Ibid.*

[19] Directive from the "Ministry of Truth" as translated and posted on China Digital Times.net may be viewed at: http://chinadigitaltimes.net/2011/02/latest-directives-from-the-ministry-of-truth-february-17-21-2011/

[20] "German Journalist Reprimanded for Tibet Reporting Trip," *Foreign Correspondents' Club of China*, April 1, 2010, at *http://www.fccchina.org/2010/04/01/german-journalist-reprimanded-for-tibet-reporting-trip/* (June 18, 2012) and "Beijing Authorities Beat Kyodo Journalists," *Foreign Correspondents' Club of China*, September 19, 2009, at *http://www.fccchina.org/2009/09/19/beijing-authorities-beat-kyodo-journalists/* (June 18, 2012).

[21] The February 27, 2011 CBS story "Internet sparks protests in 23 Chinese cities" about Ho's detention can be viewed at: http:www.cbsnews.com/video/watch/?id=7357924n&tag=mncol;lst;2; She was able to keep her videotape: Heavy Police Presence Thwarts Call for Protests in China may viewed at *http://www.voanews.com/content/chinese-police-deter-anti-government-protests-117006338/135688.html*

According to sources at VOA, Zhang was grabbed and dragged to a side street. All his pictures and audio recordings were deleted; the police also threatening him, saying: "So you are from the Voice of America. We heard VOA has been disbanded. Why are you still here in China? I was polite to you today, but now that I know you, I won't be so nice next time."

Although this was the first time he was detained in Beijing, Zhang had been detained eight times outside of Beijing since arriving at the VOA bureau in China in June 2007.

A little more than a year later, state interference of media in China and the lack of press freedom there was brought into focus on May 7, 2012 with news of the expulsion from China of Melissa Chan, an American reporting for Al Jazeera in China. Her offense? The Chinese government claims that Chan violated rules and regulations but as yet has not identified exactly what those were. More likely, the government did not approve of her work exposing China's "black jails;" extrajudicial prisons in China.[22]

The fact that Al Jazeera, Chan's employer, is not an outlet native to the US should in no way diminish US concern over her expulsion. The message is clear to all. As opposed to the standard upheld in the U.S., open and objective reporting in China is unacceptable to authorities there and restrictions are at risk of tightening still further.

If the U.S. wishes to be taken seriously as an advocate for liberty, it must actively support the development of an open and objective press corps that works to hold governments accountable. The United States should have acted definitively in response to the expulsion of Melisa Chan, an American. In retaliation, the U.S. should have revoked the visa of a Chinese journalist, ideally one whose work has prominence back in China, or a commensurate group of journalists.

In the United States, Chinese state media are welcomed and treated as equal members of the press, receiving unhindered, equal access to all forms of events; from Occupy Wall Street protests to the White House briefing room, to Heritage Foundation public events, where I have gotten to know many of them. The State Department even has a Foreign Press Center designed to ensure overseas press receive access to such things as special briefings with top U.S. government officials and tours around the country to newsworthy locations. Again, accredited Chinese state press are allowed equal access.

It has long been hoped that the example of our openness would be reciprocated in China. That has not come to pass. And how can we hope for it to be so when their own press corps are expected to subordinate truth to the interests of the Communist Party?

Further, there should be parity between the numbers of China's state sponsored media allowed US visas and Chinese visas granted to their US government employed counterparts. The mandate of VOA and RFA is to broadcast local and domestic news to countries where a free press does not exist. The U.S. government should support the US BBG's efforts to fulfill that mandate.

---

and *http://www.voanews.com/english/news/Chinese-Police-Deter-Anti-Government-Protests-117006338.html*

[22] Rosanna Xia, "Journalist expelled from China reflects on experience," *Los Angeles Times*, May 14, 2012 at *http://www.latimes.com/news/local/la-me-melissa-chan-20120514,0,5342851.story* (June 18, 2012).

The United States and the PRC are in a contest of ideas. We believe in the idea that governments exist to protect the rights of the people. Opposing that idea is the notion of a government striving to protect itself from the people.

If the disparity between the courses our two countries are taking is not addressed, if the United States does not adjust and use all means of diplomacy at its disposal to counter the current trend in the imbalance of state funded press between the U.S. and China, over time the prestige of the United States will be made to suffer and our influence as a force for good will be diminished.

7

Mr. GALLEGLY. Thank you, Mr. Zahn.

While I welcome Mr. Daly here today, I am going to yield to the gentlelady from California, at her request, to make the formal introduction.

Ms. LOFGREN. First, actually, I am surprised by that, because I didn't know I was making the formal introduction. But I did wish to recognize someone who is in our audience here today, and that is Isaac, who is Mr. Daly's son, who is 12 years old and getting a little government lesson here, I hope, in the House Judiciary Committee.

So, we welcome you, Isaac, and I know that your dad is going to make you very proud today.

I would also like to introduce Mr. Daly. I'll be very quick.

He has been the director of the Maryland China Initiative at the University of Maryland since 2007. Prior to that, he was, for 6 years, the American director of Johns Hopkins University and Nanjing University Center for Chinese and American Studies.

He began work on U.S.-China relations as a diplomat for the USIA. After leaving the Foreign Service, he taught Chinese at Cornell University. And for the next 9 years, he worked on television projects in China. He has numerous awards and has been recognized and taught at various institutions.

In the interest of time, I'll simply say welcome, Mr. Daly and Isaac, and we look forward to your testimony.

Mr. GALLEGLY. Before we go to your testimony, Mr. Daly, I'm going to yield myself 30 seconds to introduce a special guest of mine today who is also a 12-year-old. His grandmother and grandfather are with me. His grandmother has worked for me for 42 years and is retiring this year, and that's her grandson Jake.

I know she looks like she must've started when she was 6 years old. But they are both original Washingtonians, but have been in California for 50-some years. And the grandfather, Tom Shields, is a dear friend who worked for 31 years in the FBI.

And Jake is here, as Mr. Daly's 12-year-old, learning about government here in Washington, DC.

So we welcome you, and with that, Mr. Daly, welcome

TESTIMONY OF ROBERT L. DALY, DIRECTOR, MARYLAND CHINA INITIATIVE, THE UNIVERSITY OF MARYLAND

Mr. DALY. Thank you, Chairman Gallegly, and thank you, Ranking Member Lofgren, for convening this hearing on media reciprocity with the People's Republic of China.

I am sympathetic with what I take to be the impetus for this legislation. There is, in fact, much that is galling, as all of you have already recounted, in China's conduct of its public diplomacy and in the limitations it places on our journalists working in China.

China's unblinking disregard for reciprocity should be of concern to the Congress and should be the subject of representations by members of the legislative and executive branches who conduct our relations with China.

Still, the retaliatory approach that H.R. 2899 takes to these issues, I believe, is counterproductive. Its enactment would exasperate problems it seeks to correct and would cast doubt on America's commitment to the free flow of ideas.

The proposal we are considering today is that U.S. expel all or all but two Chinese journalists within 30 days of the bill's enactment. "America expels China's journalists" will be the headline in China and around the world if this bill becomes law.

This retaliatory approach would cast the United States not as the defender of reciprocity and press freedom, but as fearful, short-sighted, and cynical about values this law exemplified.

The most striking difficulty with the retaliatory approach is that it considers only the activities of Chinese and American journalists employed by their respective states, ignoring the work of the 200 or so Americans employed by commercial media in China. Because the label of "government journalist" can be rightly applied to all Chinese journalists in America, their numbers should be compared to those of all American journalists working in the PRC and not just to the number dispatched by the Broadcasting Board of Governors.

But even comparing the total number of government and commercial journalists in each country misses the point. Our goal need not be numerical parity. What we seek is an international regime in which all countries may send as many journalists as they desire and can afford to other nations, and in which those journalists may report freely.

Beijing accredits only two BBG journalists, but even if an unlimited number were allowed to work in the PRC, VOA would only wish to send six to 10 reporters to China. That doesn't solve the reciprocity issue.

Not only does the proposed legislation ignore the work of American commercial journalists. It ignores the complexity of modern information networks that shape the public perceptions that we are concerned with here today.

Americans learn about China from professional journalists stationed there, but also from nonaccredited stringers, writers, and travelers; from corporate reports and academic research; from analyses by government agencies, NGOs, think tanks, and multilateral organizations; and from a growing body of material from China itself and from third countries.

American and foreign bloggers and websites that cover China round out what is now a dynamic array of information sources whose output already exceeds the assimilating capacity of any one reader or any one government.

While the Communist Party does strive, as you've heard today, to limit the Chinese people's access to information, the Chinese people, in fact, have a wide range of news sources, accurate and inaccurate, censored and uncensored. Tech-savvy Chinese, especially those who can read English, can gain access, although with some difficulty, to the same array of information that we enjoy.

So when we consider the full range of international information sources and, very importantly, when we take account of the fact that America, despite being grossly overspent by the Chinese Government, America, in fact, has vastly more influence on Chinese perceptions and culture than the Chinese Communist Party has on American views and tastes, it is not clear to me which problem H.R. 2899 seeks to solve. Nor is it clear how expelling China's journalists would advance the cause of press freedom.

Expelling China's journalists would provoke a protracted and ugly series of reciprocal expulsions. In the unlikely event that Beijing declined to expel our journalists, its restraint would allow it

to seize the moral high ground while portraying the United States as fearful of scrutiny by Chinese media.

And we should bear in mind that Chinese journalists are the primary source of information on the United States for most Chinese readers and viewers. Many of their reports, in fact, are comprehensive and fair. This is in fact because many of the reports are simply translations from American media, which are republished in Chinese.

It is in our interests that the Chinese receive the information that these reporters provide, even though some of it is biased and inaccurate.

Many Chinese writers and editors here in America, impressed by their experience in the United States, push for greater scope and objectivity in Chinese reporting. As advocates for greater press freedom in China, they're more effective than American activists and more effective than they could be if they were not allowed to work here. Expelling them would cut off one of our best channels for promoting press freedom in China.

But what is most worrisome in the retaliatory approach is its suggestion that America conduct its public diplomacy on China's terms, competing to see which nation is more willing to restrict media rather than on the American model of promoting an unfettered exchange of ideas.

If we trade the American paradigm for the Chinese approach, we abandon the openness that is the key source of our global influence. If we retain our confidence in the American model, then we can continue to inspire the Chinese people to push for greater freedom.

That is what our media and our public diplomacy have done successfully, although not to our complete satisfaction, for the last 30 years.

[The prepared statement of Mr. Daly follows:]

U.S. House of Representatives
Committee on the Judiciary
Subcommittee on Immigration Policy and Enforcement

Testimony offered by Robert L. Daly
June 20, 2012
Director, Maryland China Initiative
The University of Maryland

Thank you, Mr. Chairman, and thanks to the Ranking Member and the Subcommittee for convening this hearing on Media Reciprocity with the People's Republic of China. I began work on U.S.-China media relations in 1986, when I joined the United States Information Agency. At that time, because the Voice of America fell under the purview of USIA, I was privileged to work with VOA personnel in Washington and Beijing. I served as a producer at VOA's China Branch for several months in 1998 and have been a frequent guest on China Branch programs since that time. I have twice been engaged to evaluate the quality of VOA Mandarin programs. Since January of this year, I have appeared as a weekly commentator on VOA's Chinese-language current events television and radio program, *Pro and Con*. I follow the Chinese press on a daily basis.

The Proposal

I have been asked to comment today on H.R. 2899, The Chinese Media Reciprocity Act of 2011. I am sympathetic with what I take to be the impetus for this legislation. There is much that is galling in China's conduct of its public diplomacy and in the limitations it places on our journalists working in China.

The Chinese government has spent at least USD 6 billion to establish the state-run Xinhua News Agency's North American headquarters in Times Square and a China Central Television (CCTV) studio here in Washington. CCTV is building a 24-hour English-language station in order to present Chinese government views to a worldwide audience. Beijing's stated goal is "to seize the international discourse," which it believes is dominated, to China's detriment, by America and the West. In 2010, 650 Chinese were given visas to work as government journalists in the United States. In the same year, only two journalists working for the American Broadcasting Board of Governors (BBG) were given visas to work in China. China's broadcasters in the U.S. have access to as much American airtime as they can purchase, while BBG broadcasts to China are jammed and its webpages are blocked by the government firewall run by the same Xinhua agency that operates freely on Times Square. No American commercial news network is allowed to broadcast directly to Chinese viewers.

In its media and propaganda initiatives, as in other spheres, China takes advantage of opportunities in the United States that it will not grant to U.S. institutions in China. This unblinking disregard for reciprocity should be of concern to the Congress and should be the subject of regular representations by members of the legislative and executive branches who conduct our relations with China.

Still, the retaliatory approach that H.R. 2899 takes to these issues is counterproductive. Its enactment would exacerbate problems it seeks to correct and would cast doubt on America's commitment to the free flow of ideas.

The proposal we are considering today is that the U.S. expel all (all but two) Chinese journalists within 30 days of the bill's enactment. "**U.S. Expels China's Journalists**" will be the headline in China and around the world if this bill becomes law. This action would cast the United States not as the defender of reciprocity and press freedom, but as fearful, short-sighted, and cynical about values it has long exemplified.

False Parallels

Two false parallels underlie the retaliatory approach. The first is the implication that BBG reporters and Chinese journalists are "state-controlled media workers" in the same sense. Equating VOA reporters, whose standards of journalistic integrity are identical to those of American private-sector reporters, with Chinese journalists who are deployed and censored by the Communist Party of China, does VOA a disservice.

(We should recall that, while American commercial and government journalists observe the same standards, they have different missions. American commercial journalists in China write and produce stories on the PRC for American and audiences. BBG journalists are prohibited by law from publishing or broadcasting in America. They report on China, in Chinese and English, for Chinese and third-country listeners only. Chinese journalists in America, in contrast, have both missions: they report on the U.S. for Chinese audiences, in Chinese, and on U.S. and world affairs, in English, for U.S. and international publics.)

The second false parallel in the retaliatory approach is that it considers only the activities of Chinese and American journalists *employed by their respective states*, ignoring the work of the 200 or so Americans employed by commercial media in China. Because the label *government journalist* can be applied to *all* Chinese journalists in America, their numbers should be compared to those of *all* American journalists working in the PRC, and not just to the number dispatched by the BBG.

Ignoring the Broader Context

But even comparing the total number of government *and* commercial journalists accredited in each country misses the point. Our goal need not be numerical parity. That is not the goal of our media relations with any country. What we seek is an international regime in which all countries are free to send as many journalists to other nations as they desire and can afford. Beijing accredits only two VOA journalists, it is true, but even if an unlimited number were allowed to work in the PRC, VOA would only send six-to-ten reporters to China. Should we then punish China because its financial commitment to foreign reporting and propaganda is growing while ours contracts? If we did, could not other countries reasonably expel American media on the same principle?

If the proposed legislation aims only at reciprocity in numbers of government reporters, it is misguided in the ways I have described. If it aims more broadly at reciprocity in the

volume of information that Americans and Chinese receive about each others' countries, then its approach is anachronistic. In evoking an era when foreign correspondents were our primary source of news on other nations, it ignores the complexity of modern information networks. Americans learn about China from professional journalists stationed there, yes, but also from non-accredited stringers, writers, and travelers; from corporate reports and academic research; from analyses by NGOs, think tanks, and multilateral organizations; and from a growing body of translated and English-language material from China and third-countries. American and foreign bloggers and web sites that cover China round out a dynamic array of information sources whose output exceeds the assimilating capacity of any one reader or any one government. We have fewer BBG journalists in China than we would like, but we do not lack for information on China that would be provided by a few more VOA reporters stationed there.

Other Considerations

Even if we could solve the conceptual difficulties with the proposed legislation, there are three broader objections to the retaliatory approach that should be considered.

The first is that the proposed retaliation would almost certainly provoke a protracted, ugly, and largely pointless series of reciprocal expulsions. If we kick China's journalists out of the United States, China will almost certainly respond in kind. In the unlikely event that Beijing declined to expel our journalists, its restraint would allow it to seize the moral high ground while portraying the United States as fearful of scrutiny by Chinese media. The whole business would inhibit Washington and Beijing from working together on the far more important issues confronting them.

Second, we should bear in mind that Chinese journalists are the primary source of information on the United States for most Chinese readers and viewers. Many of their reports are comprehensive and fair (indeed, many are translations from American media). It is in our interest that the Chinese receive the information that these reporters provide, even though some of it is biased and inaccurate. Most Chinese journalists I know bridle under the constraints imposed by their government. Impressed by their experience in the U.S., many of these writers and editors push for greater scope and objectivity in Chinese reporting on world and domestic affairs. As advocates for expanded press freedom in China, they are more effective than American activists and more effective than they could be if they weren't allowed to work here. While Chinese media *are* censored by their government, and while that censorship can be absolute when Beijing feels threatened, Chinese media are more dynamic, free, and commercially attractive today than they were twenty or even ten years ago. This gradual progress has been achieved in part by Chinese journalists with experience working in the U.S. Expelling them would cut off one of our best channels for promoting press freedom in China.

Third, what is most worrisome about the retaliatory approach is its suggestion that we conduct our public diplomacy on China's terms, competing to see which nation is more willing to restrict media, rather than on the American model of promoting an unfettered exchange of ideas. If we trade the American paradigm for the Chinese approach, we abandon the openness that is the key source of our global influence. If, on the other hand,

we retain our confidence in the American model—if we continue to recognize that Chinese reporters in America do us scant harm and some good—then we can continue to inspire the Chinese people to push for greater freedom. That is what we have done successfully, although not to our complete satisfaction, for the past thirty years.

Recommendations

If retaliation is counterproductive, what can be done to address our legitimate concern for media reciprocity with China?

We should begin by recognizing that our media reciprocity issue with the PRC is not the number of journalists operating in each host country, but the access that they enjoy. China's state media are free to publish and broadcast in the U.S., even as the broadcasts and websites of VOA are jammed and blocked in China. More importantly, China blocks American commercial websites, including Youtube, Facebook, and Twitter. CCTV has free reign in the States, but China would not allow, say, CNN (which has Spanish and Arabic news channels) to operate an uncensored 24-hour Chinese-language station on Chinese territory. Chinese journalists in the United States enjoy full press freedom, while American journalists in China are subject to various forms of harassment, including surveillance, violence, and unjustified expulsion.

In light of these concerns:

1. We should give issues of reciprocity prominence on our China agenda. The President, Cabinet members, and members of Congress should regularly ask, in public fora and in private meetings with Chinese leaders, that VOA and American traditional and social media be given the same treatment in China that CCTV, Xinhua, and the *China Daily* enjoy in the United States. We should call China out on these issues, as we do on human rights and intellectual property violations. Most of the Chinese people have the same sense of fair play as we, and many will be ashamed of their government's inequitable policies if made aware of them. Representations of this kind would have the added benefit of reminding American readers and viewers that the *China Daily's* paid *Washington Post* supplement and CCTV's English-language channel are organs of the Communist Party of China.
2. We cannot prevail in a public diplomacy competition with China unless we train a large number of experts in a range of professions who are fluent in Chinese and knowledgeable about Chinese history and culture. Congress should therefore provide enhanced support for K-12 Chinese-language curricula, for 100,000 Strong, for national foreign language resource centers, and for university programs that develop American expertise on China.
3. Congress should provide enhanced support for VOA's Chinese-language programs, which have limited broadcast hours and stodgy production values, to make them more accessible and attractive.
4. Congress can provide enhanced support for State Department public diplomacy programs in China, which correct Chinese misperceptions of American policies and ensure that China's political, academic, media, and cultural elites receive accurate information on the United States.

5. Legislators and Executive branch officials can encourage American print and broadcast media to produce Chinese-language editions. A Chinese-language *Washington Post* or a *CNN Chinese* station would have great influence in China. Even if such publications and broadcasts were banned by the Chinese government, many Chinese would find ways to gain access to them. Even without direct access to a Mainland Chinese audience, the surreptitious Mainland audience, together with audiences in Taiwan, Singapore, Hong Kong, and Chinese communities in Southeast Asia and English-speaking countries, constitutes one of the most influential viewerships in the world.

The bad news is that none of these actions will solve the problems we are discussing today in the short-run. Demanding that China extend reciprocal treatment to all American media on American terms is tantamount to demanding that China grant its people full freedom of information. This Beijing will not do, for the simple reason that freedom of information *would* pose an existential threat to the Communist Party. Chinese and foreign advocates of press freedom must therefore be gradualists if they are to achieve anything.

The good news is that when we look at the course of China's evolution since 1979, we see that gradualism works. China's censored press has become freer, and its civic life richer, in part because of the depth and variety of interaction between China and the U.S. Sacrificing our openness because China is closed, as the retaliatory approach proposes, would radically narrow our most important channels of influence in China.

For these reasons, I recommend that Congress not pass The Chinese Media Reciprocity Act of 2011.

Thank you.

Mr. GALLEGLY. Mr. Daly, your time has—okay, I appreciate you summarizing.

With that, I would like to open the questioning. We are going to be voting in less than 10 minutes, so I'm going to try to get at least one question of each Member, so we won't have to call you all back, since there is a series of votes.

Mr. Lenczowski, in your testimony you cite historical examples of how absence of reciprocity between the U.S. and Russia was a national security concern. Do you think that the lack of reciprocity between the U.S. and China poses a similar national security concern? And if so, could you give us, in a very summarized way, how you would address that issue?

Mr. LENCZOWSKI. Thank you, sir.

I think this is all about national security. That is what this is all about. This is about the problems of perceptions management and the corruption of American accurate perceptions of what is going on in China. There are very few Sinologists in the United States compared to the number of Sovietologists during the Cold War. The few that are able to talk about sensitive subjects are extremely limited in number. And one of the problems is that they are even corrupted in other ways in this entire process.

For example, there is a major think tank in this town that had a prominent China military analyst. A big donor to that think tank, who had major China business interests, didn't like the accurate and clinical analysis that was coming out of that China military analyst and arranged to have him fired, because he didn't want Americans to become alarmed by China's military buildup, and which might rock the boat in U.S.-China relations and harm his business interests.

So the guy was fired, was given hush money, and went on to other another think tank, where two trustees, who were major donors of that think tank, threatened to resign and withhold their financial support if that analyst was kept on there.

This type of corruption is just unbelievable. And it is going on. And the problem is the general principle of lack of reciprocity on all of these different matters has a huge effect on self-censorship, as I mentioned, by academics and journalists.

And so there is a fundamental perceptions management problem here, which seriously affects our ability as a Nation to hear the truth about what China is doing, not only in its human rights practices internally but its aggressive activities abroad, its military buildup, and its massive intelligence presence in this country.

There are probably tens of thousands of Chinese intelligence operatives in this country, because of the style of intelligence collection.

I don't disagree with Dr. Daly when he talks about the desire of enhancing public diplomacy and representing the free flow of information. My problem here is that most of these people are not real journalists.

They are political counterintelligence officers. They are engaged in influence operations here in this country. And what we are talking about here, to a large extent, is reciprocity when it comes not just to journalists but to intelligence officers.

The number of Chinese media representatives in this country who are actually writing and editing stories is miniscule. There are very, very few stories and broadcasts coming out of these people. What are the rest of them doing here? They are engaging in activities that exceed the proper bounds of their media representation or of diplomatic representation.

This is an intelligence problem. It is a perceptions management problem. It is a fundamental subversion of what we're trying to do in this country. During the Cold War, we had some massive expulsions of Soviet intelligence officers. I see no problem with an analogous expulsion of Chinese intelligence officers who are not only engaging in perceptions management and the subversion of our accurate perceptions of reality, but are also engaging in the massive theft of our intellectual property, which is completely arranged for their huge military buildup of asymmetrical capabilities that are becoming a meaningful potential threat to the United States.

Mr. GALLEGLY. Thank you very much, Dr. Lenczowski, and I certainly concur with the concerns about intellectual property, among other things.

At this point I yield to the gentlelady and Ranking Member, Ms. Lofgren.

Ms. LOFGREN. Thank you very much, Mr. Chairman. I will be brief.

In terms of the reciprocity issue, I'm not sure that that is the right approach. But if I'm reading the materials correctly, if we had the approval of every application we made, it wouldn't be 20. And so really what we're saying is, we would have to—you know what that is? People get very nervous when the room shakes. That is actually trash compacting down in the basement. So don't worry about it.

This bill, if it became law, would simply require the revocation of hundreds of visas, and I'm not sure, Mr. Daly, as you've mentioned, that that's the right message we want to give.

I mean, if, as Mr. Lenczowski has said, there is theft of intellectual property, we ought to arrest them and prosecute them. I'm not a supporter of what the Chinese Government does. They are an oppressive, communist regime, and they are not our friends. That is not the issue.

The question is how best to deal with this dangerous rival.

And I guess the question I have for you, Mr. Daly, is, if this bill is not the answer, what are your suggestions about positive steps we could take to address legitimate concerns about reciprocity, but also what steps could we take to increase the flow of free information about freedom into China?

Mr. DALY. Thank you.

First, I think that as anybody who's been to China, has spent some time there, and who knows the media environment, will realize, while it remains censored and while it is restricted, it is, nevertheless, more free all the time, fairly dynamic. And there are a number of American media outlets that have a regular presence in China. Sports illustrated is in Chinese. The Harvard Business Review is in Chinese. It's freely accessible. More popular magazines, like National Geographic, things like Cosmopolitan, are available.

There are groups in China that translate every single article in every edition of the British Economist into Chinese and make it available. So there is, in fact, a lot of information out there already.

Nevertheless, I do think that these are serious issues and that we do need to take some of the steps that have been recommended.

Reciprocity should be a prominent issue in our China agenda. The President, members of the Cabinet, Members of Congress who deal with China, should regularly raise the issues that have been raised here today—numbers of journalists, the access that they enjoy—in public and private meetings with the Chinese. We should call them out on this regularly, as we do on intellectual property violations and human rights violations.

Elevating reciprocity as an issue would also have the advantage of reminding Americans that the China Daily supplements in the Washington Post and the New York Times, and that the CCTV channels, are, in fact, Chinese Communist Party organs.

Secondly, if we are concerned, as has been mentioned here today, with prevailing in a public diplomacy competition with China, then we have to train a large number of experts in a range of professions who are fluent in Chinese and knowledgeable about Chinese history and Chinese culture. So I think that Congress does have an opportunity to provide enhanced support for K-12 Chinese language curriculum, for 100,000 Strong, for university programs that train the personnel we need.

We can also provide enhanced support for VOA's Chinese language broadcasts. Currently, VOA has limited broadcast hours. There is a chance to enhance that and to also improve the style of VOA.

Ms. LOFGREN. Can I ask you a question in terms of these publications that are being translated into Chinese? One of the concerns that we have about what China does is to try to keep their citizens from accessing information on the Internet, by blocking and the like.

To your knowledge, is this information, has it been blocked by the Chinese Government? And do you think that the more—we helped fund Tor and other mechanisms for people to avoid the censorship through good technology. Do you think that would be a positive step forward?

Mr. DALY. China does block VOA broadcasts. It blocks Facebook, YouTube, Twitter, American commercial media. It could have an immediate and profound impact.

It blocks these websites because its American-style press freedom would, in fact, pose an existential threat to the Chinese Communist Party. That is true.

But the Chinese are also adept at getting around the Great Firewall. Voice of American programs are posted on the VOA. They get comments from China by the thousands.

Ms. LOFGREN. My time is up. I would just thank the Chairman for this hearing and suggest that at some point we might want to actually have a briefing on Tor, because it is something we helped fund, but it is a way to get around censorship that is very exciting.

Thank you, Mr. Chairman.

Mr. GALLEGLY. I thank the gentlewoman.

I would ask a special request of my good friend from Iowa, Mr. King. Would you expedite your questions, because we have three votes, and I don't want to come back?

Mr. KING. How much time is left on the clock, Mr. Chairman?

Mr. GALLEGLY. Would you like 3 minutes?

Mr. KING. Just a point of information, how much time is left on the vote clock on the floor?

Mr. GALLEGLY. It's a 15-minute vote.

Mr. KING. They just called it now?

Mr. GALLEGLY. About 2 minutes ago.

Mr. KING. So it will be more than 5 minutes, and I think I can get that done. Thank you.

Now thank you, Mr. Chairman, for recognizing me and for this hearing. It is interesting testimony that has come before this panel.

It causes me to think a little bit about the broader implications. I'm one who has advocated for a level of reciprocity in a number of areas. This reciprocity advocated for the press personnel, this is a great big subject. And when you think in terms of 1 million visitors from China each year, which Dr. Lenczowski has testified to, and you think about how many agents can be needles in that haystack, I think that that is really interesting testimony.

Then I look back at some of the other things that we have. Religious workers visa, I actually have a bill that requires reciprocity for religious workers. And it recognizes not necessarily that China is a big problem there, since the 5,000 religious workers, but religious workers can come from Saudi Arabia, but it's very, very difficult, if even possible, to bring a Bible into Saudi Arabia. I think there should be a religious workers reciprocity policy as well.

The subject was brought up about the intellectual property theft, and the broad effort on the part of the Chinese piracy of intellectual property. And that is patents, trademarks and copyrights alluded to earlier in this testimony or in the response. And we had the massive effort to steal American intellectual property and incorporate it into the national defense scheme of the Chinese.

Then I think also a bill that passed out of this Committee, the Chairman of the Committee—excuse me—the sponsor of the bill was Mr. Chaffetz of Utah. And it eliminated the per country cap in certain visa categories, which was the diversity cap, so that we get a representation from multiple countries across the world. I opposed the bill.

I was one of, maybe the only Republican, to oppose the bill, because it looked to me like it could all be Chinese coming in under those visa categories that were changed.

So I am suggesting this, as I listen to this testimony, that has brought some of this together for me, I support this bill that Mr. Rohrabacher has brought. I support the international viewpoint that he brings to the United States Congress.

And I also would ask if there be consideration, perhaps, to roll all these reciprocity things together, so that America can have a reasonable opportunity of competing in the world. The bill that deals with intellectual property that I have introduced, what it does is, and I wrote this bill from Beijing after they had toasted our delegation in multiple cities with the same talking points each time, which was we're going find some people that are stealing in-

tellectual property and eventually we will bring felony charges against them and lock them up. And I asked who was locked up and who's been fined and are they state-owned businesses, so if they pay a fine, it comes out of one pocket into another. That is what happens in China.

So I wrote a bill that directed the U.S. Trade Representative to conduct a study to determine the value of the loss of U.S. intellectual property due to Chinese piracy, and directed them to apply a duty on all Chinese imports in an amount equal to recover that loss of value of intellectual property and an administrative fee in order to distribute those funds back to the proper holders of that intellectual property.

That is one of those things when you say, go ahead and steal intellectual property, but we're going to charge you back for it, so keep stealing and we'll keep the money and send it to the people that own the copyrights, the patents, and the trademarks.

I support the issue with the press. I think the United States should be a lot smarter. We are an open society that allows access to every aspect of our society.

Al Qaeda has taken advantage of that, as have the Chinese, as have our enemies continually. It is amazing to me that our Founding Fathers could have such wisdom and foresight, and we could have such current day blind sight on this issue.

So I raise again the issue of the per country cap. I believe to eliminate that per country cap in Chaffetz bill was a mistake. It opens the door to the Chinese.

And I would ask consideration to put all these reciprocity things together, so that America can compete on a level playing field.

Then I would just throw out a question to—since I'm advised not to ask Representative Rohrabacher a question, but to Dr. Lenczowski, to just import to this Committee, if you could, the things that you didn't have an opportunity to say.

And then at that point, I would yield back to the Chairman, so we can go vote. Thank you.

Mr. LENCZOWSKI. I very much appreciate, Congressman King, your remarks.

And indeed, this really is an issue which is much larger than just the media issue. And I am sympathetic to the fact that perhaps this bill may indeed risk making us look a little bit like we are afraid of free-flowing information and so on and so forth.

The problem here is that our foreign-policy authorities have been incredibly imprudent in how they are managing our overall relations with China. This is the central problem. It is just the way it was with the Soviet Union.

It was incredible, the lack of reciprocity in things that we did with Moscow. We let them cheat on all their arms control agreements. They had a strategy to cheat on all their arms control agreements, and we lived by ours. There was no reciprocity there.

[See Appendix for addendum to the response of Mr. Lenczowski]:

Mr. GALLEGLY. Dr. Lenczowski, I apologize for interrupting you, but the clock is going.

If you would be kind enough to put your full answer, and make that available to the Committee, I would be grateful. We will make it a part of the record of the hearing.

And with that, I will thank our witnesses all for being here.

Without objection, I ask that all Members will have 5 legislative days to submit to the Chair additional written questions for the witnesses, which will be forwarded, and ask the witnesses to respond in a timely fashion, so we can make them a part of the record of the hearing.

Without objection, all Members will have 5 legislative days to submit any additional materials for infusion in the record.

Ms. LOFGREN. And I would just say I am glad that we won the Cold War.

Mr. GALLEGLY. That is a good thing.

And with that, I thank you all for being here, and the Subcommittee stands adjourned.

[Whereupon, at 1:52 p.m., the Subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

Addendum to John Lenczowski's Response to a Question by Rep. Steve King
(to be inserted on page 40, Line 884, of the Hearing Transcript,
for Hearings on H.R. 2899, Chinese Media Reciprocity Act of 2011)

We signed an exchanges agreement with them that was to be fully reciprocal by Presidential Directive. Nevertheless, in practice, we made concessions to Moscow on at least twenty sensitive issues where it enjoyed disproportionate advantages. Where we used exchanges as part of a good faith public diplomacy effort, the Kremlin used them for propaganda, espionage, and technology theft. Where we permitted unrestricted public access to such things as Soviet exhibits or other programs in the United States, the Kremlin severely restricted its own public's access to analogous U.S. programs in the USSR.

We signed numerous other exchanges and cooperation agreements with the Kremlin that were similarly unreciprocal, such as in Space Cooperation, Housing and Construction Cooperation, and scientific and technology, from which the Kremlin gained disproportionate benefits and those accruing to the U.S. were often negligible to non-existent.

When it was time for each side to build new embassy complexes in each other's respective capital cities, we gave the Soviets the only real estate in town (on Mount Alto) with the intelligence collecting advantage of a line-of-sight view of the Defense Intelligence Agency, the Pentagon, the White House, the State Department, and the CIA. Meanwhile, they gave us low-lying reclaimed swampland with no similar advantages.

These are just a few more Cold War examples in addition to the problem of KGB officers employed in the U.S. embassy with no corresponding U.S. employees in the Soviet embassy.

When it comes to China and to other countries as well, we must strive mightily to avoid repeating the folly of these past mistakes.

I am personally concerned that a country like Saudi Arabia is able to spend limitless funds on subsidizing existing mosques and building new mosques and religious schools throughout the United States and many other countries in the Western world, while it permits no religious freedom within its own borders, much less similar construction of churches or religious schools.

Much of the Saudi investment in mosques and schools in the West involves elbowing out imams who have tended to be more religious, less political, and not interested in pushing for a parallel track for Shariah law within Western legal systems. Using its financial clout, the Saudis have substituted Wahhabi imams who are much more political and aggressive in pushing the Shariah agenda. With a critical mass of such imams within our society, the path has been opened for them to become the chaplains

in our prisons, where the Islamist radicalization process proceeds apace, and in our Armed Forces, where radicalization of "home-grown" terrorists can have an immensely damaging impact.

Meanwhile, many Saudi-funded religious schools have promoted a radical Islamist program and discouraged assimilation of their students into the mainstream of American and other Western societies.

I believe that this kind of official foreign government-sponsored political action and propaganda that has such divisive and risk-laden effects should not be permitted under American law without full reciprocity either by treaty or other legally enforceable executive agreement.

With regard to China (and I could include Russia here as well), I mentioned earlier the theft of intellectual property. Just one indicator in this realm is the fact that, in any given recent year, 5,000 Chinese scientists have been permitted to do research from anywhere between two weeks to two years at all 35 of our national laboratories. Floods of sensitive scientific and technological information have been transferred from America to China's industry and military. In contrast, no Americans have been admitted to Chinese national laboratories to do research.

Back to the behavior of China's media representatives, I should also add that their surveillance of dissident individuals and organizations in the United States has been accompanied by systematic harassment and threats of retribution against relatives still living in China (including denial of medical care and education). Chinese "media representatives" also keep track of those Chinese students studying in American universities who have not already been coopted by Beijing's intelligence services in order to ensure that they do not exceed the bounds of what is politically permissible to the Communist Party.

Chinese media representatives, diplomats, and intelligence officers are free to travel around the United States whether to conduct propaganda, espionage, or surveillance and harassment of dissidents. Meanwhile, American representatives in China – including tourists – are subject to all sorts of travel restrictions there.

Finally, it should not go without mention that whereas we do not censor the media, China does. China blocks many internet sites, YouTube, Twitter, Facebook, and other social media, has completely shut down the internet for long periods in certain areas such as Xinjiang province, and has deployed 50,000 internet police to conduct surveillance on internet users in China.

○