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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

March 25, 2025

The Honorable Tulsi Gabbard
Office of the Director of National Intelligence
1500 Tysons McLean Drive
McLean, VA 22102

Dear Director Gabbard:

I write today regarding a possible malign influence and misinformation campaign centered around American leadership in next generation technologies, and in particular telecommunications technology. The Senate Committee on Commerce, Science, and Transportation (herein after “the Committee”), which has exclusive jurisdiction over telecommunications matters, has worked diligently over several congresses to bolster American leadership in this critical area, and it would be extremely concerning if outside, malign actors were successful in undermining that work. Specifically, I am concerned that the Chinese Communist Party (CCP) or its affiliated entities might be conducting or furthering a campaign to oppose reauthorization of the Federal Communication Commission’s (FCC) spectrum auction authority and the creation of a pipeline of spectrum for commercial use.

Electromagnetic spectrum fuels our modern life and economic growth. These invisible radio waves are the backbone of everything from our smart devices to satellites to the networks relied upon by our military and intelligence agencies. Recently, the Committee held a hearing on the crucial role commercially available electromagnetic spectrum plays in spurring economic growth, job creation, and positioning American companies to be at the forefront of global innovation in telecommunications. Witnesses at our hearing testified how American leadership in spectrum is critical to the security of global telecommunication networks, our own national security, and to produce important economic benefits. FCC Chairman Brendan Carr echoed these sentiments in a letter to the Committee,¹ stating:

“U.S. leadership in wireless is also part and parcel of America’s geopolitical leadership and national security. When we free up spectrum, the world takes notice. It puts the wind at the backs of those working to advance our values. It ensures that next-generation wireless services

¹ Brandon Carr, *Chairman Carr Letter to Committee Leaders on Spectrum Legislation*, FED. COMM’NS COMM’N (March 12, 2025), <https://docs.fcc.gov/public/attachments/DOC-410265A1.pdf>; @BrandanCarrFCC, X (March 13, 2025), <https://x.com/BrandanCarrFCC/status/1900208337276289352>.

develop in ways that will benefit our innovators and interests—rather than regimes that seek to diminish America’s standing in the world. It lets America drive the important standard-setting process, rather than taking the results that our adversaries would dish out. And it ensures that Huawei and ZTE do not dominate the development of vital, next-generation services.”

Meanwhile China, an adversarial communist surveillance state, continues to find ways to infiltrate and control worldwide communication networks. From their state-subsidized push of Huawei and ZTE network infrastructure,² to their efforts to dominate global standard setting in everything from quantum computing to 6G,³ to their recent “Salt Typhoon” cyber espionage offensive, China’s malicious intentions have been clear. This is true in spectrum management as well. China’s Ministry of Industry and Information, which is already ahead of the U.S. in 5G mid-band allocations, has announced it would open more spectrum bands for future 5G and 6G use, making it the first country in the world to do so.⁴ China and the CCP have also explicitly stated in strategy documents, like their *14th Five-Year Plan for National Informatization*, that expanding their influence in 5G, and future domination in 6G, are national priorities.⁵ As Dean Cheng, a China expert with the U.S. Institute of Peace noted:

“[F]rom the CCP’s perspective, information and communications technology is also essential because it fits the dual-use paradigm. It has clear economic effects, not only in terms of direct job creation but also in amplifying economic efficiency and the capacity of other industries, while at the same time possessing obvious military roles.”⁶

In other words, freeing up spectrum for commercial use in the United States is not just important for our economic growth; it is critically important for our global leadership and national security.

The CCP understands this, which is why China is actively working to capture global leadership in this area and ensure the next generation of global telecommunications technologies live and work on a technological backbone of their making. For example, Huawei, currently the largest telecommunications equipment manufacturer in the world, has been propped up by the CCP with

² Brian Fund, *How China’s Huawei Took the Lead Over U.S. Companies in 5G Technology*, THE WASH. POST (April 10, 2019), <https://www.washingtonpost.com/technology/2019/04/10/us-spat-with-huawei-explained/>.

³ *China is Writing the World’s Technology Rules*, THE ECONOMIST (Oct. 12, 2024) (on file with committee staff).

⁴ Chris Donkin, *China’s Authorities Allocated Spectrum in the 6GHz Frequency Band for 5G and 6G Services, Asserting It was the First Country to Reserve the Resource Expected by the Mobile Industry to Enable Future Connectivity*, MOBILE WORLD LIVE (June 28, 2023), <https://www.mobileworldlive.com/asia-pacific/china-claims-world-first-6ghz-allocation-for-5g-6g/>.

⁵ Rogier Creemers et al., *Translation: 14th Five-Year Plan for National Informatization – Dec. 2021*, STANFORD UNIVERSITY (Jan. 24, 2022), <https://digichina.stanford.edu/work/translation-14th-five-year-plan-for-national-informatization-dec-2021/>.

⁶ Dean Chang, *How China Seeks to Dominate the Information Age*, U.S. INST. OF PEACE (March 7, 2024), <https://www.usip.org/publications/2024/03/how-china-seeks-dominate-information-age>.

tens of billions of dollars in financial assistance. It is estimated that Huawei received access to \$75 billion in state support in the form of grants, credit facilities, tax breaks, and other forms of financial assistance,⁷ and counts the CCP as its largest customer.⁸ Perhaps in exchange for this support, Huawei is a willing partner in the CCP's state surveillance program. As an article from *The Washington Post* revealed, Huawei produced marketing presentations marked "confidential" in which the company touted their products' capabilities for spying on political rivals and monitoring individuals by voice, facial recognition, and other biometric tracking.⁹ Indeed, Huawei is banned in the United States precisely because of the national security risks it presents.¹⁰

It is in this context that I write to you concerning possible malign influence and misinformation campaigns being conducted by the CCP. It is well known that the CCP is unrestrained by conventional diplomatic or international norms, particularly where elements of national pride or national goals are involved. Whether it is operating illegal Chinese Ministry of Public Security police stations in New York City,¹¹ threatening and intimidating Chinese students at American universities on American soil,¹² co-opting non-governmental organizations to advance the CCP agenda and policies,¹³ or prolifically engaging in academic and industrial espionage,¹⁴ it is clear the CCP is not constrained by the generally accepted norms of the western world. Indeed, the CCP is explicit that all available options should be used in advancing national goals in a united front strategy.¹⁵

Under this 'united front,' so-called "liaison work" uses "intelligence collection and analysis to create and exploit divisions within an opposing nation's government, particularly its defense establishment."¹⁶ This final element, exploiting divisions within the defense establishment, is

⁷ Chuin-Wei Yap, *State Support Helped Fuel Huawei's Global Rise*, THE WALL STREET J. (Dec. 25, 2019), <https://www.wsj.com/articles/state-support-helped-fuel-huaweis-global-rise-11577280736>.

⁸ *Huawei Tops Worldwide Telecom Equipment Revenue in 2023*, MOBILE WORLD LIVE (Marh 13, 2024), <https://www.mobileworldlive.com/ranvendors/huawei-tops-worldwide-telecom-equipment-revenue-in-2023/>; Julia Kuo, *America's Assassination Attempt on Huawei is Backfiring*, THE ECONOMIST (June 13, 2024) (on file with committee staff).

⁹ Eva Dou, *Documents Link Huawei to China's Surveillance Programs*, THE WASH. POST (Dec. 14, 2021), <https://www.washingtonpost.com/world/2021/12/14/huawei-surveillance-china/>.

¹⁰ John Hendel, *Why Suspected Chinese Spy Gear Remains in America's Telecom Networks*, POLITICO (July 21, 2022), <https://www.politico.com/news/2022/07/21/us-telecom-companies-huawei-00047045>.

¹¹ Press Release, Two Arrested for Operating Illegal Overseas Police Station of the Chinese Government, Department of Justice (April 17, 2023), <https://www.justice.gov/archives/opa/pr/two-arrested-operating-illegal-overseas-police-station-chinese-government>.

¹² Sebastian Rotella, *Even on U.S. Campuses, China Cracks Down on Students Who Speak Out*, PROPUBLICA (Nov. 30, 2021), <https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out>.

¹³ Mara Hvistendahl et al., *A Global Web of Chinese Propaganda Leads to a U.S. Tech Mogul*, THE N.Y. TIMES (Aug. 5, 2023), <https://www.nytimes.com/2023/08/05/world/europe/neville-roy-singham-china-propaganda.html>.

¹⁴ Nicholas Young, *Industrial Espionage: How China Sneaks Out America's Technology Secrets*, BBC (Jan. 16, 2023), <https://www.bbc.com/news/world-asia-china-64206950>.

¹⁵ Kerry K. Gershaneck, *Political Warfare: Strategies for Combating China's Plan to 'Win Without Fighting'*, Marine Corps University Press (2020), https://www.usmcu.edu/portals/218/Political%20Warfare_web.pdf.

¹⁶ *Id.*

extremely notable in the context of commercializing spectrum and the increasingly public fights between the Department of Defense and those advocating for greater commercialization.¹⁷ As was demonstrated with Huawei, CCP affiliated entities have used officials from the American defense establishment to attempt to paper over legitimate national security concerns with their products.¹⁸ Similarly, the CCP has actively tried to exploit active members of the military for espionage purposes.¹⁹ Considering the stated importance of dominating 5G and 6G for the CCP, it is hardly a logical leap to ask if a similar campaign is underway with regard to current efforts to commercialize spectrum.

Accordingly, in light of the information presented in this letter, I ask that you direct your office to investigate potential CCP involvement in efforts to hamper the reauthorization of the FCC's spectrum auction authority or the creation of a pipeline of spectrum for commercial use. Given the sensitive nature of this request, you may communicate your findings in a classified manner in order that a most thorough response is communicated to Congress.

Thank you for your attention to this matter. If you have any questions, please contact [REDACTED] on my Committee staff at [REDACTED]

Sincerely,



Ted Cruz
Chairman

¹⁷ Charles Lyons-Burt, *Unpacking the Fight for the Spectrum Band & Its Link to 5G, FutureG*, EXECUTIVEGOV (Feb. 6, 2025), <https://executivegov.com/2025/02/unpacking-spectrum-band-fight-5g-futureg-dod-govcon/>.

¹⁸ Ellen Nakashima, *Huawei Hires Former Defense Contractor Official*, THE WASH. POST (July 10, 2012), https://www.washingtonpost.com/business/economy/2012/07/10/gJQAbygtbW_story.html; Yuichiro Kakutani, *Inside Huawei's D.C. Influence Campaign*, THE WASH. FREE BEACON (April 15, 2020), <https://freebeacon.com/national-security/inside-huaweis-d-c-influence-campaign/>.

¹⁹ Karina Tsui, *US Army Soldiers Accused of Selling Military Secrets to Buyers in China*, CNN (March 7, 2025), <https://www.cnn.com/2025/03/07/us/us-army-soldiers-sell-military-secrets-buyers-china-hnk/index.html#:~:text=Two%20US%20Army%20soldiers%20and,%2DMcChord%2C%20in%20Washington%20s>tate.