

POLICY PRINCIPLES FOR CONSTRUCTIVE VIGILANCE

The members of this working group seek a productive relationship between the People's Republic of China (PRC) and the United States. To this end, and in light of growing evidence of China's interference in various sectors of American government and society, we propose three broad principles that should serve as the basis for protecting the integrity of American institutions inside the United States while also protecting basic core American values, norms, and laws.

Transparency

Transparency is a fundamental tenet and asset of democracy, and the best protection against the manipulation of American entities by outside actors.

- American nongovernmental organizations (NGOs) should play an important role in investigating and monitoring illicit activities by China and other foreign actors. They should as well seek to inform themselves about the full range of China's influence activities and the distinctions between legitimate and illegitimate influence efforts.
- Congress should perform its constitutional role by continuing to investigate, report on, and recommend appropriate action concerning China's influence activities in the United States. It should

update relevant laws and regulations regarding foreign influence, and adopt new ones, to strengthen transparency in foreign efforts to exert influence.

- Executive branch agencies should similarly investigate and publicize, when appropriate, findings concerning these activities, with a view to promoting healthy and responsible vigilance among American governmental and nongovernmental actors.
- The US media should undertake careful, fact-based investigative reporting of China's influence activities, and it should enhance its knowledge base for undertaking responsible reporting.
- Faculty governance is the key to preserving academic freedom in American universities. All gifts, grants, endowments, and cooperative programs, including Confucius Institutes, should be subjected to the usual procedures of faculty oversight.
- US governmental and nongovernmental sectors should disclose financial and other relationships that may be subject to foreign influence.

Integrity

Foreign funding can undermine the independence of American institutions, and various types of coercive and covert activities by China (and other countries) directly contradict core democratic values and freedoms, which must be protected by institutional vigilance and effective governance.

- Openness and freedom are fundamental elements of American democracy and intrinsic strengths of the United States and its way of life. These values must be protected against corrosive actions by China and other countries.
- Various institutions—but notably universities and think tanks—need to enhance sharing and pooling of information concerning China's activities, and they should promote more closely coordinated collective action to counter China's inappropriate activities and pressures. This report recommends that American institu-

tions within each of the above two sectors (and possibly others) formulate and agree to a “Code of Conduct” to guide their exchanges with Chinese counterparts.

- When they believe that efforts to exert influence have violated US laws or the rights of American citizens and foreign residents in the United States, US institutions should refer such activities to the appropriate law enforcement authorities.
- Rigorous efforts should be undertaken to inform the Chinese American community about potentially inappropriate activities carried out by China. At the same time, utmost efforts must be taken to protect the rights of the Chinese American community, as well as protecting the rights of Chinese citizens living or studying in the United States.
- Consideration should be given to establishing a federal government office that American state and local governments and non-governmental institutions could approach—on a strictly voluntary basis—for advice on how best to manage Chinese requests for engagement and partnership. This office could also provide confidential background on the affiliations of Chinese individuals and organizations to party and state institutions.
- All American institutions—governmental and nongovernmental—that deal with Chinese actors (and other potential sources of inappropriate foreign influence) should review their oversight and governance practices and codify and exemplify best standards of practice and due diligence.

Reciprocity

American institutions are deflected from their purpose of increasing US-China understanding, and become distorted as one-way channels of Chinese influence, when they are denied access to China on a basis that is reciprocal with the access Chinese institutions are granted here.

- The asymmetry of scholarly research access is the most glaring example of the lack of reciprocity. A whole variety of normal

scholarly activities—including access to archives and certain libraries, fieldwork, conducting surveys, and interviewing officials or average citizens—has been cut off for American researchers in China while Chinese enjoy all of these academic opportunities in the United States. Individually and collectively, universities and other sectors of American democratic life should insist on greater reciprocity of access.

- US government public diplomacy activities are heavily circumscribed in China, while NGOs have encountered an increasingly difficult environment in which to carry out their work. More reasonable reciprocity for US public diplomacy efforts in China, relative to China's activities in the United States, should be addressed in negotiations between the two countries. In addition, this report recommends enhanced American efforts to promote independent news and information, and democratic ideas, through US global broadcasting and efforts to counter disinformation.
- The US government should actively promote and protect opportunities for American actors to operate in China.