

**National Security Community Support for Including the Foreign Extortion Prevention Act  
in the National Defense Authorization Act 2024**

The Honorable Jack Reed  
Chairman  
U.S. Senate Committee on Armed Services

The Honorable Roger Wicker  
Ranking Member  
U.S. Senate Committee on Armed Services

The Honorable Mike Rogers  
Chairman  
U.S. House Armed Services Committee

The Honorable Adam Smith  
Ranking Member  
U.S. House Armed Services Committee

The Honorable Dick Durbin  
Chairman  
U.S. Senate Committee on the Judiciary

The Honorable Lindsay Graham  
Ranking Member  
U.S. Senate Committee on the Judiciary

The Honorable Jim Jordan  
Chairman  
U.S. House Committee on the Judiciary

The Honorable Jerrold Nadler  
Ranking Member  
U.S. House Committee on the Judiciary

The Honorable Ben Cardin  
Chairman  
U.S. Senate Committee on Foreign Relations

The Honorable James E. Risch  
Ranking Member  
U.S. Senate Committee on Foreign Relations

The Honorable Michael McCaul  
Chairman  
U.S. House Committee on Foreign Affairs

The Honorable Gregory Meeks  
Ranking Member  
U.S. House Committee on Foreign Affairs

October 26, 2023

Dear Chairmans Reed, Rogers, Durbin, Jordan, Cardin, and McCaul, and Ranking Members Wicker, Smith, Graham, Nadler, Risch, and Meeks:

We write as U.S. foreign policy and national security professionals, concerned about the Chinese Communist Party's use of strategic corruption as a tool of foreign policy, to support the inclusion of the bipartisan Foreign Extortion Prevention Act (FEPA) in the National Defense Authorization Act for Fiscal Year 2024 (NDAA).

The Belt and Road Initiative (BRI), China's trillion-dollar global infrastructure plan encompassing some 140 countries, has been [plagued](#) by countless examples of bribery, embezzlement, and fraud.<sup>1</sup> By co-opting local officials and then burdening participant countries with unsustainable debt, the Communist Party is entrenching its malign political influence throughout the Global South.

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<sup>1</sup> Elaine Dezenski, "Below the Belt and Road: Corruption and Illicit Dealings in China's Global Infrastructure," Foundation for Defense of Democracies, May 6, 2020: <https://www.fdd.org/analysis/2020/05/04/below-the-belt-and-road/>.

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As you are aware, the Foreign Corrupt Practices Act (FCPA) prohibits U.S. companies from bribing foreign officials. But it does not protect U.S. companies from predatory foreign officials who solicit bribes—and then partner with the Chinese state-owned enterprises (SOEs) that are more than willing and able to pay them. China does not appear to have ever [enforced](#) its own version of the FCPA,<sup>2</sup> despite the Communist Party’s continued crackdowns on companies it perceives to be corrupt or disloyal.

Collusion between Chinese SOEs and corrupt officials may occur behind the scenes, but its implications for global security are clear and concerning. Bribes and kickbacks have secured opaque deals that provide China with access to critical minerals, strategic infrastructure, potential military sites, and other valuable assets and resources.

While the terms of these agreements are usually [kept secret](#) from the public,<sup>3</sup> they have often led recipient countries into unsustainable levels of public debt. This has not only created leverage for Beijing, but exacerbated economic problems, political instability, and security concerns within some of the most vulnerable societies.

Foreign officials co-opted by China, and the heavily-indebted governments they represent, are unlikely to be reliable partners for the United States and its democratic allies. Research [shows](#) that BRI participants disproportionately back China’s efforts to reshape global norms and avoid accountability at the United Nations and other international fora,<sup>4</sup> for example by refusing to acknowledge the [persecution](#) of Uyghurs or the [dismantling](#) of Hong Kong’s democracy.<sup>5</sup>

FEPA would therefore not only help to level the playing field for U.S. companies: It will deter and [hold accountable](#) corrupt officials who, by betraying their oaths for Beijing’s bribes, become complicit in the Communist Party’s global campaign to subvert rule of law and upend the security order.<sup>6</sup>

By joining with the United Kingdom, Germany, France, and other democratic allies who have already enacted similar legislation to protect their own businesses, the United States can set an alternative example to China’s use of corruption as a tool of foreign policy—one that, in promoting honest competition and rule of law, will ultimately benefit our national security.

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<sup>2</sup> “Exporting Corruption 2022: Assessing Enforcement of the OECD Anti-Bribery Convention,” Transparency International, October 11, 2022: [https://images.transparencycdn.org/images/2022\\_Report-Full\\_Exporting-Corruption\\_EN.pdf](https://images.transparencycdn.org/images/2022_Report-Full_Exporting-Corruption_EN.pdf).

<sup>3</sup> Anna Gelpern et al, “How China Lends: A Rare Look into 100 Debt Contracts with Foreign Governments,” AidData, March 31, 2021: <https://www.aiddata.org/publications/how-china-lends>.

<sup>4</sup> James Kyngé, “China’s Blueprint for an Alternative World Order,” Financial Times, August 22, 2023: <https://www.ft.com/content/8ac52fe7-e9db-48a8-b2f0-7305ab53f4c3>.

<sup>5</sup> Emma Farge, “U.N. body rejects debate on China’s treatment of Uyghur Muslims in blow to West,” Reuters, October 6, 2022: <https://www.reuters.com/world/china/un-body-rejects-historic-debate-chinas-human-rights-record-2022-10-06/>; Dave Lawler, “The 53 Countries Supporting China’s Crackdown on Hong Kong,” July 2, 2020: <https://www.axios.com/2020/07/02/countries-supporting-china-hong-kong-law>.

<sup>6</sup> Elaine Dezenski and Scott Greytak, “Attacking Foreign Corruption Blunts China’s Malign Economic Influence,” The Hill, August 23, 2023: <https://thehill.com/opinion/congress-blog/4165883-attacking-foreign-corruption-blunts-chinas-malign-economic-influence/>.

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Thank you for your continued leadership and we hope that you will consider advancing this important bipartisan measure from the Senate NDAA for inclusion in the final conference version.

**Please note that this letter is signed in an individual capacity. Affiliations are listed for reference only and do not imply institutional endorsement.**

Sincerely,

**Elaine Dezenski**

Senior Director and Head, Center for Economic and Financial Power  
Foundation for Defense of Democracies

**Morgan Ortagus**

Former Spokesperson, U.S. Department of State  
Founder, Polaris National Security

**Nathan A. Sales**

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