

**Congress of the United States**  
**Washington, DC 20515**

June 14, 2024

The Honorable Lloyd J. Austin III  
Secretary  
U.S. Department of Justice  
1300 Defense Pentagon  
Washington, D.C. 20301

Dear Mr. Secretary:

In November 2023, the Committee on Science, Space, and Technology (Committee) sent a letter (enclosed) to your office requesting comments from the Department of Defense (DoD) on the recommendations found in the Congressionally mandated report, entitled *A New “Great Game?”: China’s Role in International Standards for Emerging Technologies*.<sup>1</sup> In response, on April 3, 2024, the Committee received a response (enclosed) from the Acting Under Secretary of Defense for Policy, Sasha N. Baker. However, key questions posed in the letter were either only partially answered or completely avoided. For this reason, we are requesting answers to questions that the DoD tangentially addressed and new questions based on the response received.

We still do not have a full sense of the DoD’s actual position on the People’s Republic of China (PRC) challenge identified and discussed in the report and what the DoD is specifically doing to address the challenge. It appears to us that the DoD, and potentially the rest of the federal government, is taking a passive role about the growing challenge the PRC is posing in global standards bodies including the specific issues identified in the report, such as their increasing influence in the International Organization of Standardization and International Telecommunication Union. Additionally, it was not clear to what extent other DoD components were consulted and whether this response reflects their views.

For further clarification and to address additional concerns, please address the following questions:

1. What are Defense Technology Security Administration’s or Research & Engineering’s views on these issues?
2. How do the DoD’s views differ from those of other agencies, such as the National Institute of Standards and Technology?

---

<sup>1</sup> NIST REPORT: A New “Great Game?”: China’s Role in International Standards for Emerging Technologies (August 31, 2022), <https://cira.exovera.com/research-analysis/china/nist-report-a-new-great-game-chinas-role-in-international-standards-for-emerging-technologies/>.

3. Did the DoD consult with the American National Standards Institute (ANSI) or any other non-governmental organization regarding its response to our letter?

The DoD response describes standard setting as a private sector activity but does not discuss the specific ways the PRC is challenging this approach or paradigm with a state-led and influenced approach that is discussed in the report. When reading the April response, it does not seem to make sense when they are read together. For example, the DoD says it is addressing the PRC challenges by designating its military firms on the 1260H CMC list, but then when some parts of these firms are listed on the Bureau of Industry and Security's (BIS) Entity List, they are not controlled for the purposes of standards collaboration under the September 2022 BIS standards guidance that the DoD says it supports.<sup>2</sup> Additionally, the scope of standards allowed by BIS for work with PRC entities, including those on the BIS Entity List, appears quite broad and may extend beyond consultative work done within global standards bodies.

The report discusses how PRC standards setting efforts are targeted and focus on particular sectoral or technology areas, such as telecommunications. Please answer the following questions:

1. What are the ramifications and likely trajectory of PRC firms such as Huawei among others being part of global 6G standard setting?
2. How will the DoD and the rest of the federal government even know what technology is being shared if nothing is controlled and no license is required?

In the DOD's response, it says it is monitoring PRC activity in standards bodies.

1. What is the DoD doing?
2. How is this done specifically and by what component or office?
3. What trends is the DoD seeing?
4. How does what the DoD sees reinforce, differ, or have additional detail than what was in the report?
5. What are the specific stakeholder components or offices within the DoD that work on PRC standards issues?
6. How has the DoD addressed the issues raised in the report?
7. What meetings (either within DoD or interagency) were held to discuss the findings?
8. Have there been any policy or process changes as a result of the report?

---

<sup>2</sup> Bureau of Industry and Security 15 CFR Parts 744 and 772 [Docket No. 220901-0180]: *Authorization of Certain "Items" to Entities on the Entity List in the Context of Specific Standards Activities.*

The Honorable Lloyd J. Austin III  
June 14, 2024  
Page 3

Thank you for your attention to our request. Please respond no later than June 28, 2024. We look forward to your response.

Sincerely,



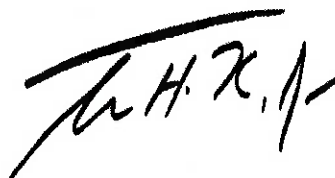
Bill Posey  
Member of Congress



Stephanie Bice  
Member of Congress



Daniel Webster  
Member of Congress



Tom Kean, Jr.  
Member of Congress

Enclosures

Cc: The Honorable Frank Lucas  
Chairman of the House Science, Space, and Technology Committee