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March 4, 2013

Maj. Gen. (Ret.) Charles F. Bolden, Jr.  
Administrator  
National Aeronautics and Space Administration  
Washington, DC 20546

Dear Administrator Bolden:

It has come to my attention that NASA will be hosting the Committee on Earth Observation Satellites (CEOS) Strategic Implementation Team meeting at the Langley Research Center from March 12-14, 2013, and that officials from the government of the People's Republic of China are currently planning to attend.

I am writing to remind you that the hosting of official Chinese visitors at facilities belonging to or utilized by NASA is prohibited by subsection (b) of section 539 of Division B of Public Law (P.L.) 112-55, except in cases where NASA has provided appropriate certifications to the Committees on Appropriations of the House of Representatives and the Senate no later than 14 days prior to the visit.

Because it is now less than 14 days before the commencement of the CEOS meeting and no such certification has been provided, the hosting of any Chinese visitors would be in clear violation of the law. Accordingly, I expect any participation by official Chinese visitors will be promptly cancelled. Please confirm immediately that the necessary actions have been taken to ensure that the conduct of the CEOS meeting does not violate section 539.

Given this lapse of compliance, I am concerned that there may have been other instances where the law has not been followed. I request an immediate review of all center and headquarters visits since the enactment of P.L. 112-55 to ensure that official Chinese visitors have not inappropriately gained access to any NASA facilities. If any such occurrences are found, they should be reported immediately to the Committee.

NASA's violation of section 539 would be particularly surprising given the recent press attention to the threat of Chinese espionage and last month's release of President Obama's "Administration Strategy on Mitigating the Theft of U.S. Trade Secrets". That strategy identifies China as the leading espionage threat and notes the particular interest in "unmanned aerial

vehicles, and other aerospace/aeronautics technologies”—the very work in which the Langley Research Center specializes. Given these stated concerns about the threat of Chinese espionage, I would expect NASA to be more sensitive to compliance with the law restricting the hosting of Chinese government officials at NASA centers.

Additionally, a 2011 report on foreign spies by the Office of the National Counterintelligence Executive noted that “Chinese actors are the world’s most active and persistent perpetrators of economic espionage,” and singles out the Chinese government as the most “aggressive and capable collectors” of sensitive U.S. technologies. The report also noted that the Chinese “economic espionage programs combine collection of open source information, HUMINT [human intelligence], signals intelligence (SIGINT), and cyber intrusions...”

It is for these very serious reasons that I authored the statute limiting NASA’s collaboration with the Chinese government and remain committed to ensuring strict compliance with the law. I look forward to your prompt reply.

Best wishes.

Sincerely,

Frank R. Wolf  
Chairman  
House Subcommittee on Commerce,  
Justice, Science and Related Agencies

THIS IS IMPORTANT

1/11/11