

Kansas House Commerce, Labor, and Economic Development Committee

**Testimony of Brian Cavanaugh,
Former Senior Director, the National Security Council and
Senior Vice President, American Global Strategies, LLC**

**Proponent of HB 2766 – The Kansas Land and Military Installation
Protection Act**

March 4, 2024

Good afternoon. Thank you, Chairman Tarwater, Ranking Member Probst, and the Members of the Committee for allowing me to appear before you all today to support HB 2766, The Kansas Land and Military Installation Protection Act.

For the record, my name is Brian Cavanaugh, and I am a Senior Vice President for American Global Strategies, a consulting firm founded by former National Security Advisor Robert O'Brien and National Security Council Chief of Staff Alex Gray. Prior to joining American Global Strategies, I spent 12 years in the federal government, nine years with the Department of Homeland Security and three years at the White House on the National Security Council as Special Assistant to the President for National Security Affairs and Senior Director for Resilience.

China's strategic use of land acquisition for espionage poses a multifaceted threat to American national security, extending far beyond cyber vulnerabilities. By strategically positioning themselves across civilian infrastructure through land acquisitions, the Chinese Communist Party (CCP) gains access to critical areas that are vital for the functioning of our nation. This approach not only enhances their ability to gather intelligence but also jeopardizes our food security by potentially gaining control over agricultural land.

The CCP's land acquisition strategy is part of a broader asymmetric plan designed to exploit weaknesses in American infrastructure. Through these acquisitions, China aims to understand the vulnerabilities and interconnectedness of our critical systems, allowing them to manipulate and threaten these systems in times of conflict. This poses a direct threat to our national security, as it provides China with the capability to wreak havoc and cause real-world harm to American citizens and communities.

As a former Senior Director for Resilience on the National Security Council, I had firsthand experience in understanding and addressing these risks. The challenge lies in defending against

adversaries who seek to exploit the openness of our society. While America's openness is a strength, it also presents vulnerabilities that can be exploited by hostile actors like China. By strategically positioning themselves across civilian infrastructure, the CCP aims to exploit these vulnerabilities and undermine our security from within.

The use of land acquisition for espionage also extends to jeopardizing our food security. China's control over agricultural land in the United States could potentially give them leverage over our food supply, posing a significant risk to our national security. In times of conflict or crisis, China could use this leverage to manipulate or disrupt our food supply chain, causing widespread disruption and harm to American citizens.

In 2018, efforts were made to withdraw from the Open Skies Treaty due to Russia's aggressive collection of data on civilian infrastructure, a tactic mirrored by China. This underscores the importance of understanding and addressing the threat posed by land acquisition for espionage. By leveraging cyber capabilities alongside land acquisitions, the CCP weaves a comprehensive campaign against the United States, aiming to undermine our security, economy, and freedoms.

The CCP's tactics go beyond traditional cyber threats; they employ human sources to target businesses and engage in corporate deception. China's use of insiders to steal innovation and data, coupled with their manipulation of transactions and investments, represents a significant threat to American businesses and economic interests. Furthermore, China's state-subsidized industries and economic warfare tactics further exacerbate the threat, undercutting free markets and distorting global trade.

Through their extensive network of land acquisitions and strategic positioning across civilian infrastructure, the CCP has established a vast intelligence collection regime. This regime, supported by supercomputing capabilities and economic warfare tactics, allows China to gather vast troves of data on American infrastructure, economy, and society. This data serves Chairman Xi's vision for a new world order, aimed at marginalizing the United States and establishing Chinese dominance on the world stage.

The implications of China's land acquisition strategy extend beyond traditional security concerns; they also pose a threat to American freedoms and democracy. By targeting our freedoms and coercing citizens, the CCP's strategy extends beyond borders, posing a significant threat to American sovereignty and democratic values. China's use of digital data to silence dissent and control information represents a fundamental challenge to the principles of freedom of speech and expression.

In conclusion, China's strategic use of land acquisition for espionage represents a multifaceted threat to American national security, encompassing both traditional security concerns and

broader economic and societal implications. By strategically positioning themselves across civilian infrastructure, the CCP aims to exploit vulnerabilities in American society and undermine our security from within. Addressing this threat requires a comprehensive approach that includes both traditional security measures and efforts to protect American freedoms and democratic values from external interference.

State Level Action

Circling back to how these complex challenges can be addressed and who is empowered to do so, I believe states are positioned to be agile in addressing the issues and have the ability to wield powerful tools to do so. Initial steps to address these threats at a state level include:

- Prohibiting land sales to countries of concern and requiring resale of lands currently owned by countries of concern.

Again, thank you for convening this important hearing. Undoubtedly, the topics you are addressing today will merit thought provoking questions, including how do we as a nation stay informed of the threats and what does mitigation look like? With that in mind, I look forward to a healthy conversation and stand ready to assist you and your staff as you debate policy solutions to the issues impacting Kansas and our nation like those found in HB 2766.