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**Sponsor Testimony on House Bill 212
Before the House Committee on Civil Justice
April 8, 2024**

Chairman Hillyer, Vice Chair Mathews, and Ranking Member Isaacsohn, and members of the House Civil Justice Committee, thank you for allowing me to present sponsor testimony on House Bill 212, Ohio's Property Protection Act.

As an Ohioan, I'm alarmed by the growing trend of foreign adversaries buying land near our nation's military installations and critical infrastructure. Ohio's Property Protection Act provides essential protection to our communities and safeguards Ohio's military installations and critical infrastructure such as: oil refineries, electric generating and water treatment facilities. The accelerating acquisition of US real estate by foreign adversaries is raising alarm bells about potential threats to our national security and food security, economic espionage and control over critical infrastructure.¹

Ohio's real estate should not be sold to those who seek to undermine and destroy our American values and way of life. Almost half of US states now restrict foreign ownership of farmland. These measures vary by state and may involve ownership limitations, specific land use restrictions, or outright bans.

Currently, 24 states have some prohibition on nonresident aliens, foreign businesses and corporations, and foreign governments from acquiring or owning an interest in agricultural land within their state. During the 2023 legislative session, Alabama, Arkansas, Florida, Idaho, Louisiana, Montana, North Dakota, Tennessee, Utah, and Virginia enacted new laws addressing foreign ownership of land.²

¹ https://www.dhs.gov/sites/default/files/2023-09/23_0913_ia_23-333-ia_u_homeland-threat-assessment-2024_508C_V6_13Sep23.pdf

² <https://nationalaglawcenter.org/foreign-investments-in-ag/>

The Peoples Republic of China – Communist China – has not hidden the fact that despite being a major trading partner of the United States, has positioned itself as an adversary of the U.S., politically and economically, with the stated intention of ensuring they overtake America as the world's leading power.

It is also no secret that China uses nontraditional means to gather intelligence within the boundaries of the United States. In fact, the U.S. Department of Justice calls Chinese espionage the FBI's greatest counterintelligence priority.³ Land ownership by nations like Communist China, the Islamic Republic of Iran, Russia, and North Korea carry fundamentally different risks and challenges than from friendly or allied nations such as Canada or the Netherlands.

While much of the media focus has been on the acquisition of agricultural land, the national and state security implications are far more multi-faceted. (Intellectual theft, hacking, spying, fentanyl epidemic)

In 2023, the nation was shocked as numerous Chinese surveillance balloons, the size of three school buses equipped with solar panels and surveillance equipment flew over the United States, drifting over sensitive military facilities while transmitting data it collected back to Beijing before being shot down.⁴

In South Carolina a Chinese biomedical company's pending \$28 million purchase of 500 acres near the U.S. Army's Cyber Command headquarters spurred their state senate to pass legislation to restrict land sales to foreign adversaries.⁵ In Texas, a Chinese millionaire, former army officer, with plans to create a wind farm & tap in to the U.S. electric grid, bought up more than 130,000 acres of Texas land, some of it near a U.S. Airforce base. The state of Texas responded with a ban on such infrastructure projects by those with direct ties to China.⁶

Chinese parent company of Gotion Inc., which intends to build two electric battery plants in Michigan, employs 923 Chinese Communist Party (CCP) members, including its CEO, according to their 2022 ESG report.⁷ The corporate bylaws of Gotion High-Tech requires the company to "carry out Party activities in accordance with the Constitution of the Communist Party of China."⁸

Security concerns extend beyond agriculture land to empty distribution centers and warehouses. Despite the fierce opposition from locals, Gotion purchased a Kmart distribution center

³ <https://www.msn.com/en-us/news/us/biden-admin-planned-to-keep-chinese-spy-balloon-news-a-secret-from-the-public-and-even-congress-report/ar-AA1IXiDU>

⁴ <https://nypost.com/2023/04/03/chinese-spy-balloon-gathered-intelligence-from-us-military-sites/>

⁵ <https://www.usnews.com/news/business/articles/2023-03-23/sc-senate-oks-bill-barring-foreign-adversary-land-holdings>

⁶ <https://nypost.com/2021/08/12/texas-reportedly-blocks-chinese-billionaires-wind-farm-plans/>

⁷ <https://dailycaller.com/2023/08/31/gotion-ccp-michigan-battery-plant/>

⁸ <https://dailycaller.com/2023/08/31/gotion-ccp-michigan-battery-plant/>

in Manteno, Illinois for \$139 million in December and plan to build a \$2 billion dollar battery manufacturing plant.^{9, 10}

Fufeng USA, a subsidiary of a Chinese agricultural company, wanted to build a \$700 million corn mill in Grand Forks, North Dakota on 300 acres of land. The land in question was just twenty minutes away from Grand Forks Air Force Base, which is described as “the backbone of all U.S. military communications across the globe.” Both the Democratic chairman and the Republican ranking member of the Senate Intelligence Committee voiced their opposition to the project.¹¹ The Department of the Air Force said “the proposed Fufeng project presents a significant threat to national security...”¹² Experts believed that the U.S. Air Force would have had little ability to detect surveillance being conducted by the Chinese government from the property due to the simplicity of the antennas that the Chinese could use to collect the information.¹³ Grand Forks City council unanimously voted to shut the corn mill project down, but that hasn’t stopped Fufeng; as they have now set their sights on the Buckeye state. Fufeng is actively shopping Ohio, northwest Ohio, just north of my district.

While the policies of certain authoritarian countries are noted as threat to our American values and way of life, it's essential to distinguish them from American citizens who are of the same descent or heritage. It is also important to note that the actions of these adversarial authoritarian governments do not always represent the views or values of their people. The threat comes from the programs and policies pursued by their governments.

Ohio’s Property Protection Act plays a crucial role in safeguarding our critical infrastructure and military installations, deterring and preventing potential attacks. Chairman Hillyer and members of the committee, thank you for the opportunity to testify on this important piece of legislation. I would now like to invite Representative Klopfenstein to share his testimony.

⁹ <https://www.foxnews.com/politics/ccp-tied-ev-company-backed-dems-buys-michigan-land-miles-military-bases>

¹⁰ <https://www.msn.com/en-us/news/politics/michigan-township-green-charter-votes-out-its-entire-local-government-over-china-linked-ev-battery-maker-gotion-s-plan-to-build-a-factory-there/ar-AA1jFoRj>

¹¹ <https://www.cnbc.com/2022/07/01/chinese-purchase-of-north-dakota-farmland-raises-national-security-concerns-in-washington.html>

¹² <https://www.hoeven.senate.gov/imo/media/doc/USAIRFORCE-FUFENG-LETTER-HOEVEN.pdf>

¹³ <https://www.cnbc.com/2022/07/01/chinese-purchase-of-north-dakota-farmland-raises-national-security-concerns-in-washington.html>