

# North Dakota Senate

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## Senator Jeffery Magrum

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## COMMITTEES:

Appropriations  
Appropriations - Human Resources Division


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Good morning, Madam Chair Roers and committee members.

For the record I am Senator Jeff Magrum serving district 8. I stand before you to introduce SB2314. The goal of 2314 is to create a path to protect our state and nation from foreign adversaries. What do I mean by that? There are 6 foreign adversaries identified by our federal government. What is a foreign adversary? A foreign adversary is a foreign government or person that has engaged activities that are harmful to the security of the United States. The number one foreign adversary is the Peoples Republic of China, the Republic of Cuba, the Islamic Republic of Iran, the Democratic Republic of Korea, the Russian Federation and Venezuelan politician Nicolas Maduro. The United States Military has been warning about the Chinese Communist Party invading us through the investments. They say there is no Chinese owned company or individual in America that doesn't owe allegiance to the CCP. We have seen recently that the CCP has been trying to get a foothold on ND property such as the FuFeng acquisition near Grand Forks Air Force Base and the Summit Carbon Solutions CO2 pipeline around Bismarck. A retired employee of the Pentagon testified in front of the ND Public Service Commission, under oath that Super Critical Carbon Dioxide Pipelines are considered potential weapons of mass destruction by the Pentagon. With CCP ownership in the pipeline this is very alarming.

President Trump has warned about the CCP threat as well as Chris Wray of the FBI. General Lutten asked the attendees of the Nuclear Triad Symposium at Minot Air Force Base, last spring, to help guard against the CCP from coming into ND through investments. Colonel Whitmore from Grand Forks Air Force Base echoed the same request at the Rare Earth Symposium at the University of North Dakota last Fall, Our state Legislature is proposing spending millions of dollars to replace Chinese-made Drones because of fear that they may have capabilities to be weaponized against us. ND Internet Technology has reported that the Chinese are continually trying to Hack our state Internet system. The ND Legislature passed SB2371 last session to address Foreign Adversaries. This law will compliment the existing law.

Madam Chair and committee members I ask for a due pass on SB2314 and stand for questions.

Displaying title 15, up to date as of 2/04/2025. Title 15 was last amended 2/04/2025. 

There has been one change in the last two weeks to § 791.4. 

## **Title 15 – Commerce and Foreign Trade**

### **Subtitle B – Regulations Relating to Commerce and Foreign Trade**

#### **Chapter VII – Bureau of Industry and Security, Department of Commerce**

##### **Subchapter E**

##### **– Information and Communications Technology and Services Regulations**

##### **Part 791**

##### **– Securing the Information and Communications Technology and Services Supply Chain**

##### **Subpart A – General**

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#### **EDITORIAL NOTE ON PART 791**

**Editorial Note:** Nomenclature changes to part 791 appear at 89 FR 96892, Dec. 6, 2024.

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#### **§ 791.4 Determination of foreign adversaries.**

- (a) The Secretary has determined that the following foreign governments or foreign non-government persons have engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States or security and safety of United States persons and, therefore, constitute foreign adversaries solely for the purposes of the Executive Order, this rule, and any subsequent rule:
- (1) The People's Republic of China, including the Hong Kong Special Administrative Region and the Macau Special Administrative Region (China);
  - (2) Republic of Cuba (Cuba);
  - (3) Islamic Republic of Iran (Iran);
  - (4) Democratic People's Republic of Korea (North Korea);
  - (5) Russian Federation (Russia); and
  - (6) Venezuelan politician Nicolás Maduro (Maduro Regime).
- (b) The Secretary's determination of foreign adversaries is solely for the purposes of the Executive Order, this rule, and any subsequent rule promulgated pursuant to the Executive Order. Pursuant to the Secretary's discretion, the list of foreign adversaries

will be revised as determined to be necessary. Such revisions will be effective immediately upon publication in the FEDERAL REGISTER without prior notice or opportunity for public comment.

- (c) The Secretary's determination is based on multiple sources, including but not limited to:
  - (1) National Security Strategy of the United States;
  - (2) The Director of National Intelligence's Worldwide Threat Assessments of the U.S. Intelligence Community;
  - (3) The National Cyber Strategy of the United States of America; and
  - (4) Reports and assessments from the U.S. Intelligence Community, the U.S. Departments of Justice, State and Homeland Security, and other relevant sources.
- (d) The Secretary will periodically review this list in consultation with appropriate agency heads and may add to, subtract from, supplement, or otherwise amend this list. Any amendment to this list will apply to any ICTS Transaction that is initiated, pending, or completed on or after the date that the list is amended.

*[86 FR 4923, Jan. 19, 2021. Redesignated at 89 FR 58265, July 18, 2024, as amended at 89 FR 96893, Dec. 6, 2024]*



## Lynne Schneider

Ms. Schneider has extensive experience in the defense industry and as an international strategy consultant in public/private sector economic development. She served as the principal policy advisor (Highly Qualified Expert) to the Deputy Under Secretary of the Army on matters affecting Army Stability Operations. She currently supports strategy development at NRO for Xcelerate Solutions.

She spent 15 years in the Pentagon and was key in designing the first Chief Management Officer Act, Information Technology Management Reform Act and Government Performance and Results Act.

Ms. Schneider started her own independent consulting firm in 1998 and is currently CEO of Entovation International applying innovation strategies to position clients for emerging markets. She has traveled extensively overseas and has international business partners and contacts in Europe and the Middle East.

She has served in the US Army Reserve as a Civil Affairs officer for 25 years, deploying to twice to Iraq and supporting various missions in EUCOM. Ms. Schneider volunteers on the Board for the Orphan Foundation of America, One World Medical Relief, TAPS and ISOA.

She is co-author of six books including: *Non-traditional Warfare: 21<sup>st</sup> Century Threats and Responses*; *Knowledge Economics*; and *The Future of Innovation*, as well as numerous articles.