

December 8, 2025

The Hon. Wilton Simpson
Commissioner of Agriculture
Florida Department of Agriculture and Consumer Services
Tallahassee, Florida 32314

Re: Complaint Against Energy Foundation China (EIN: 94-3126848) and U.S. Energy Foundation (EIN: 83-1740146) under Solicitation of Contributions Act

Dear Commissioner Simpson:

Americans for Public Trust (“APT”), a 501(c)(3) nonprofit that works to uncover and publicize foreign dark money, submits this Complaint to the Florida Department of Agriculture and Consumer Services (the “Department”) regarding potential violations of the Solicitation of Contributions Act.¹ As detailed below, APT alleges that the Energy Foundation, d/b/a Energy Foundation China (“EF China”), and the U.S. Energy Foundation (“U.S. EF”) – which have both registered as charitable organizations in the State of Florida – may have accepted prohibited contributions or other things of value from a “foreign source of concern” in violation of Fla. Stat. § 496.415(20).

EF China, an organization “that works with the Chinese government on climate change issues,” is one of the most prolific processors of foreign dark money.² Tens of millions in foreign money has poured into EF China via foreign charities such as AKO Foundation (United Kingdom), Children’s Investment Fund Foundation (United Kingdom), Oak Foundation (Switzerland), Quadrature Climate Foundation (United Kingdom), and Stiftung Mercator Foundation (Germany).³ While this foreign funding – which is mostly pushing extremist environmental policies – has been exposed, countless more millions could very-well be flowing into EF China from the United States’ adversaries, as EF China has selectively disclosed only certain “key funders.” As such, the systemic interconnectedness between EF China and the Chinese Communist Party (“CCP”) accentuates the urgent need for extensive inquiry.

Accordingly, APT respectfully requests that the Department initiate an investigation of EF China and U.S. EF pursuant to Fla. Stat. § 496.419(1) and, if found in violation, pursue appropriate civil and criminal enforcement action.⁴

Factual Background

EF China is registered as a 501(c)(3) nonprofit corporation, is “headquartered in San Francisco, California and has operations in Beijing, the People’s Republic of China.”⁵ EF China has registered as a charitable organization in Florida in every year since at least 2018.⁶ On its 2024 IRS Form 990 filed in November 2025, EF China reported almost \$110 million in total revenue, and almost \$83 million in total

¹ APT is a Virginia nonstock corporation, founded in 2020, that operates under § 501(c)(3) of the Internal Revenue Code.

² Lisa Friedman and Somini Sengupta, China Offers Panda Totes, But No New Commitments at Climate Talks, [The New York Times](#) (Nov. 21, 2025). *Note* article originally published Nov. 21, 2025, article updated Nov. 25, 2025.

³ Energy Foundation China, About Us, [Key Funders](#) (accessed Dec. 8, 2025); Wayback Machine, Energy Foundation China, About Us, [Key Funders](#) (accessed Dec. 8, 2025); Americans for Public Trust, Foreign Charities Fueling Extreme Politics in the U.S., [Report](#) (Oct. 2025).

⁴ Fla. Stat. § 496.401, *et seq.*

⁵ Energy Foundation China, [Audited Financial Statements](#), Years Ended December 31, 2024 and 2023.

⁶ Florida Department of Agriculture & Consumer Services, [Check-A-Charity](#), Registration Number: CH54920.

expenses—mostly in the form of grants to other organizations.⁷ Over many years, their tax returns show how they bankroll U.S.-based nonprofits and universities, including Rocky Mountain Institute, University of California, Berkeley, Natural Resources Defense Council, Harvard, and Institute for Transportation and Development Policy.⁸

EF China’s organizational mission is to “provide[] funding for research and capacity building related to climate change and China.”⁹ By its own account, EF China “is currently focused on China,” has funded more than 4,000 projects in that country since 1999, maintains a “representative office” in Beijing and is reported having around 90 staff members based in China, with the majority of this staff primarily operating from its Beijing office.¹⁰ EF China’s Beijing office is reportedly registered with the Beijing Municipal Public Security Bureau, and their operations are under the supervision of the National Development and Reform Commission of China, a ministry-level department of China’s State Council that “implements the CPC Central Committee’s policies and decisions on development and reform.”¹¹

EF China’s Beijing office has sole “responsibility of grantmaking to grantees” in China, giving to numerous Chinese organizations connected to the CCP, including the National Center for Climate Change Strategy, the Chinese Academy of Environmental Planning, and the Chinese Academy of Sciences.¹² The MacArthur Foundation, which is itself a major funder of EF China, has publicly recognized that “EF China is also the main re-grantor for international philanthropies engaged on climate issues in China. Grantees include leading policy research institutes, academies, think tanks, and NGOs in China and abroad.”¹³

EF China also partners with Chinese governmental units such as the China Council for International Cooperation on Environment and Development, the Jiangsu Provincial Department of Ecology and the Environment, and the Tongzhou District People’s Government of Beijing.¹⁴ Additionally, EF China works closely with China’s Ministry of Ecology and Environment, including signing a “Cooperation Framework Agreement” with the Ministry that was in effect from 2019 to 2023.¹⁵ On its 2023 tax return, EF China listed the China News Network – an online arm of the CCP’s China News Service – as one of its highest compensated independent contractors, with EF China paying it upwards of \$230,000 for services that year alone.¹⁶ Several other independent contractors paid by EF China in 2023, including Beijing Zhong Chuang Tan Tou Ke Ji and Beijing Zhongxin Guoyan Culture Communication Co., are also Chinese companies.¹⁷

As documented by U.S. watchdog groups and media outlets, many of EF China’s officers, employees, and former staffers have held positions with various agencies or organizations operated or controlled by the Chinese government or the CCP.¹⁸ Ji Zou is president of EF China and a “former member of China’s climate negotiating team”—a leadership role at China’s National Center for Climate Change Strategy, “an agency within the Chinese government’s National Development and Reform Commission.”¹⁹

⁷ EF China, [2024 Form 990](#).

⁸ EF China, [2024 Form 990](#); EF China, [2023 Form 990](#); EF China, [2022 Form 990](#).

⁹ Energy Foundation China, About Us, [Introduction](#) (accessed Dec. 8, 2025).

¹⁰ Energy Foundation China, About Us, [Introduction](#) (accessed Dec. 8, 2025); EF China, [2024 Form 990](#).

¹¹ National Development and Reform Commission of China, [Main Functions of the NDRC](#) (accessed Dec. 8, 2025); Danae Kyriakopoulou, Lucie Qian Xia, and Chungping Xie, Internationalism in Climate Action and China’s Role, Energy Foundation China and Research Institute on Climate Change and the Environment, [Report](#) (January 2022).

¹² Wayback Machine, Energy Foundation China, About Us, [Introduction](#) (Apr. 6, 2025); Energy Foundation China, [Audited Financial Statements](#), Years Ended December 31, 2024 and 2023.

¹³ MacArthur Foundation, Grantee Profile, [Energy Foundation](#) (accessed Dec. 8, 2025).

¹⁴ State Armor, Who Is Energy Foundation China?, [Report](#) (June 2025).

¹⁵ *Id.*

¹⁶ EF China, [2023 Form 990](#); China News, [About Us](#) (accessed Dec. 8, 2025).

¹⁷ EF China, [2023 Form 990](#).

¹⁸ Andrew Mark Miller, New Study Exposes Green Energy Org’s Ties to CCP Interests While Undermining US, [Fox News](#) (June 11, 2025); Thomas Catenacci, Group Led by Ex-CCP Officials is Quietly Funding US Govt Climate Research, Filings Show, [Washington Free Beacon](#) (Dec. 19, 2024).

¹⁹ Lisa Friedman and Somini Sengupta, China Offers Panda Totes, But No New Commitments, at Climate Talks, [New York Times](#) (Updated Nov. 25, 2025); China Council for International Cooperation on Environment and Development, [Zou Ji](#) (accessed Dec. 8, 2025); Thomas Catenacci and Joe Schoffstall, Meet the Deep-Pocketed Climate Nonprofit Pushing Gas Stove Ban with Direct Line to Biden Admin, China Links, [Fox News](#) (June 9, 2023).

Huiyong Zhang, EF China’s Executive Director of International Cooperation, previously served as director of the Secretariat of the China Council for International Cooperation on Environment and Development.²⁰ Sha Fu, EF China’s Executive Director of Strategy and Synthesis, was an associate professor at China’s National Center for Climate Change Strategy and International Cooperation, while EF China board member Hongjun Zhang, – currently an attorney in Washington, D.C. – once worked for the China National People’s Congress, as well as China’s National Environmental Protection Agency, now known as the Ministry of Ecology and Environment.²¹

EF China’s concerning relationship with the CCP has prompted various inquiries on the federal level. On June 25, 2025, the U.S. Senate Judiciary Subcommittee on Federal Courts held a hearing on the subject of “China and the Left’s Lawfare Against American Energy Dominance,” while in early 2024, Representative Cathy McMorris Rodgers – the Chair of the U.S. House Committee on Energy and Commerce – sent a letter to the president of EF China, seeking information about EF China’s funding of U.S. organizations and the nature of its relationship with the U.S. Energy Foundation.²²

U.S. Energy Foundation

U.S. EF, an “affiliate organization” of EF China, is a 501(c)(3) nonprofit corporation – also based in San Francisco – that formed on January 1, 2020 to separate the network’s operations in the United States from those in China.²³ U.S. EF has registered as a charitable organization in Florida every year since 2022.²⁴ U.S. EF provided administrative services to EF China, and the two groups executed a “memorandum of understanding” between the groups for a cost-sharing agreement for several employees, totaling \$738,000 and \$1,659,000 for 2024 and 2023, respectively.²⁵ Both EF China and U.S. EF reported the same business address – 55 Second Street Suite 2400 San Francisco, CA 94105 – and same telephone number – (415) 561-6700 – on their Florida charitable organization registrations filed with the Department in 2024.²⁶

On its 2024 IRS Form 990, U.S. EF disclosed total revenue exceeding \$261 million, and total expenses of more than \$238 million.²⁷ The bulk of U.S. EF’s expenditures in 2024 (over \$166 million) were in the form of grants given to environmental and climate-focused groups in the United States, many of which fund litigation and legislative advocacy across the nation.²⁸

Solicitation of Contributions Act

Effective July 1, 2025, Florida’s Solicitation of Contributions Act now broadly prohibits any charitable organization registered in the state from soliciting or accepting “contributions or anything of value” from a “foreign source of concern.”²⁹ As defined in the Act, a “foreign source of concern” means any of the following:

- (a) The government or any official of the government of a foreign country of concern;
- (b) A political party or member of a political party or any subdivision of a political party in a foreign country of concern;

²⁰ Energy Foundation, Staff, [Executive Director, International Cooperation](#) (accessed Dec. 8, 2025).

²¹ Thomas Catenacci, Ex-CCP Officials Funneled Millions to US Universities, Nonprofits to Promote Green Energy, Tax Forms Show, [Washington Free Beacon](#) (Dec. 10, 2024); Energy Foundation China, Hongjun Zhang, [Board of Directors](#) (accessed Dec. 8, 2025).

²² Timothy Cama, Senate Republicans Probe China, Green Lobbying Ties, [Politico](#) (June 23, 2025); [Letter from Cathy McMorris Rodgers](#), Chair, H. Committee on Energy & Commerce, to Zi Chou, President & CEO, Energy Foundation China (Jan. 26, 2024).

²³ *Supra* note 5.

²⁴ Florida Department of Agriculture & Consumer Services, [Check-A-Charity](#), Registration Number: CH68343.

²⁵ *Supra* note 5.

²⁶ U.S. Energy Foundation, Florida Charitable Organizations/Sponsors Registration [Application](#) (filed Oct. 25, 2024); Energy Foundation China, Florida Charitable Organizations/Sponsors Registration [Application](#) (filed (Jan. 4, 2024).

²⁷ U.S. EF, [2024 Form 990](#).

²⁸ *Id.*

²⁹ Fla. Stat. § 496.415(20).

- (c) A partnership, an association, a corporation, an organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country of concern, or a subsidiary of such entity;
- (d) Any person who is domiciled in a foreign country of concern and is not a citizen or lawful permanent citizen of the United States;
- (e) An agent, including a subsidiary or an affiliate of a foreign legal entity, acting on behalf of a foreign source of concern; or
- (f) An entity in which a person, entity, or collection of persons or entities described in paragraphs (a)-(e) has a controlling interest. As used in this paragraph, the term “controlling interest” means the possession of the power to direct or cause the direction of the management or policies of an entity, whether through ownership of securities, by contract, or otherwise. A person or an entity that directly or indirectly has the right to vote 25 percent or more of the voting interest of the company or is entitled to 25 percent or more of its profits is presumed to possess a controlling interest.³⁰

Importantly, the statute’s definition of a “foreign country of concern” includes “the People’s Republic of China...including any agency of or any other entity under [its] significant control.”³¹ Every charitable organization that is registered in the state must now file an attestation statement with the Department verifying that it “does not solicit or accept, directly or indirectly, contributions, funding, support, or services from a foreign source of concern,” and that its “messaging and content are not directly or indirectly produced or influenced by a foreign source of concern.”³²

The Department is charged with the administration and enforcement of Florida’s Solicitation of Contributions Act, including the prohibition against charitable organizations receiving funds from a foreign source of concern.³³ As part of its administrative duties, the Department must create a publicly searchable database, known as the “Honest Services Registry,” which, when implemented, will display charitable organizations’ attestation statements regarding their acceptance of funding or support from a foreign source of concern.³⁴

The Act authorizes the Department to conduct an investigation, upon receipt of a third-party complaint, into whether a charitable organization registered in Florida may have violated the law.³⁵ Administrative penalties for violations of the Act include placement of a charitable organization on probation subject to conditions specified by the Department, disqualification from receiving certain state tax exemptions, cancellation or suspension of a charitable organization’s registration, and issuance of administrative fines up to \$5,000 or, if a violation involves fraud or deception, up to \$10,000.³⁶ Furthermore, any person who “willfully and knowingly” violates the Act commits a felony, and may be subject to criminal penalties as provided in state law.³⁷

EF China and U.S. EF May Have Violated the Solicitation of Contributions Act

There is substantial evidence suggesting that both EF China and U.S. EF may have accepted funding or other things of value directly or indirectly from Chinese sources or facilitators in violation of Fla. Stat. § 496.415(20).

³⁰ Fla. Stat. § 496.404(14).

³¹ Fla. Stat. §§ 496.404(13), 286.101(1)(b).

³² Fla. Stat. § 496.431(2)(a)-(b).

³³ See Fla. Stat. § 496.419.

³⁴ Fla. Stat. § 496.431.

³⁵ Fla. Stat. § 496.419(1).

³⁶ Fla. Stat. § 496.419(5).

³⁷ Fla. Stat. § 496.417.

Energy Foundation China

EF China’s known foreign donors – coupled with their operational presence and active partnerships with Chinese government agencies and CCP – as well as its officers and employees past affiliations with the Chinese government or CCP-affiliated entities, all together indicate that EF China may have directly or indirectly received funding or other forms of support from a “foreign source of concern.”³⁸

First, EF China has made clear that they focus on China, and has funded upwards of 4,000 projects there over the last 25 years.³⁹ EF China also makes no secret of its belief that “meaningful engagement in China on climate change, emissions reductions, and supporting the clean energy transition is in everyone’s interests.”⁴⁰ And on EF China’s website, the descriptions of its programs and initiatives are framed in relation to China, such as:

“By supporting the development of strategies and sectoral goals and assisting in deep decarbonization of the heavy industry, we aim at contributing to China’s accomplishment of an early carbon peak and carbon neutrality and the achievement of multiple co-benefits during the process.”⁴¹

Second, EF China maintains a representative office in China’s capital city of Beijing, and it has around 90 employees working in China, far surpassing its domestic presence here in the U.S. It has also been noted that the “foundation’s China representative office is registered with the Beijing Municipal Public Security Bureau and supervised by the National Development and Reform Commission of China,” a department of China’s State Council.⁴² As part of its 2024 Form 990, EF China disclosed the Beijing office as a “foreign branch” of the organization on Form 8858 (Information Return of U.S. Persons with Respect to Foreign Disregarded Entities and Foreign Branches).⁴³ Because Florida defines “foreign source of concern” to include, in relevant part, any “combination of persons . . . *having its principal place of business in a foreign country of concern*,” EF China’s Beijing office itself seems to qualify as a “foreign source of concern” under state law.⁴⁴ Therefore, EF China may have violated the Solicitation of Contributions Act through its acceptance of services and other support provided by staff based in its Beijing office.⁴⁵

Third, in pursuit of its climate-related agenda, EF China has provided support to Chinese governmental or CCP-affiliated organizations, like the National Center for Climate Change Strategy, the Chinese Academy of Environmental Planning, and the Chinese Academy of Sciences.⁴⁶ It has also entered into agreements with Chinese agencies like the Ministry of Ecology and Environment, the China Council for International Cooperation on Environment and Development, the Jiangsu Provincial Department of Ecology and the Environment, and the Tongzhou District People’s Government of Beijing.⁴⁷ Moreover, EF China disclosed in its 2023 Form 990 that many of its mostly highly paid contractors were Chinese entities.⁴⁸

Finally, numerous staffers of EF China have all worked at one time for agencies or organizations operated or controlled by the Chinese government or the CCP.⁴⁹ The staffing pipeline from Chinese state-affiliated groups and EF China has drawn scrutiny from Congress, and its existence lends support to Senator

³⁸ Fla. Stat. § 496.415(20).

³⁹ Energy Foundation China, About Us, [Introduction](#) (accessed Dec. 8, 2025).

⁴⁰ *Id.*

⁴¹ Energy Foundation China, Program Initiatives, [Industry](#) (accessed Dec. 8, 2025).

⁴² *Supra* note 10; *Supra* note 11.

⁴³ EF China, [2024 Form 990](#).

⁴⁴ Fla. Stat. § 496.404(14)(c) (emphasis added).

⁴⁵ *See* Fla. Stat. § 496.415(20).

⁴⁶ *Supra* note 11; *Supra* note 12.

⁴⁷ *Supra* note 14; *Supra* note 15.

⁴⁸ *Supra* note 16; *Supra* note 17.

⁴⁹ Robert Schmad & Philip Lenczycki, Liberal Foundations Poured Tens of Millions of Dollars Into Influential Environmental Org Tied to Chinese Government, [Daily Caller](#) (Jan. 12, 2024).

Cruz’s claim – made during a Senate Judiciary hearing in June 2025 – that EF China is a “foreign policy weapon disguised as philanthropy [and] run by Chinese Communist Party operatives.”⁵⁰

Collectively, all these evidentiary threads point towards the existence of a collaborative and ongoing relationship between EF China and the People’s Republic of China, which is a “foreign country of concern” under Florida’s Solicitation of Contributions Act. Because EF China has registered as a charitable organization in Florida, it is subject to the Act’s prohibition against soliciting or accepting funds or other support from the Chinese government or CCP, including any agencies or entities under China’s “significant control.” Therefore, if EF China has accepted any contributions, funding, in-kind support, or services, directly or indirectly, from China’s government or the CCP, it is in violation of the Solicitation of Contributions Act.

U.S. Energy Foundation

U.S. EF shifted its grantmaking and fundraising efforts away from China since it spun-off from EF China in January 2020, but publicly available information shows that the groups are an “affiliate organization” of one another.⁵¹ EF China reimbursed U.S. EF’s cost for employees in 2024 and 2023 for approximately \$738,000 and \$1,659,000, respectively.⁵² Both EF China and U.S. EF also listed the same business address and telephone number on their Florida charitable organization registrations in 2024.⁵³

Given that U.S. EF and EF China have maintained organizational ties since their formal separation in 2020, U.S. EF may have also received funds or other support from the People’s Republic of China government entities or the CCP—including indirectly through EF China. Because U.S. EF has registered as a charitable organization in Florida, it is subject to the Solicitation of Contributions Act and thus may have violated the law by accepting contributions or anything of value from foreign sources of concern.

Prayer for Relief

APT respectfully requests that the Department open an investigation, pursuant to Fla. Stat. § 496.19(1), to determine whether, and to what extent, EF China and U.S. EF may have solicited and/or accepted contributions or other things of value from foreign sources of concern – including People’s Republic of China government entities and the Chinese Communist Party – in violation of § 496.415(20) of the Solicitation of Contributions Act. We further request that, if so determined, the Department pursue appropriate civil and criminal penalties for any violations of the Act that it uncovers in the course of its investigation of EF China and U.S. EF.

Respectfully Submitted,

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⁵⁰ U.S. Senate Committee on the Judiciary, Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights, [Hearing](#), Enter the Dragon—China and the Left’s Lawfare Against American Energy Dominance (June 25, 2025).

⁵¹ *Supra* note 5.

⁵² *Id.*

⁵³ *Supra* note 26.