

there be a level playing field. We have got to insist that there be fairness and accountability, again, in an objective manner and a straightforward manner.

At the same time, our law enforcement officials and other Federal entities that are working to hold China accountable are limited in the actions they can take. That is part of cleaning up our own house. We need to make some changes around here, including in our laws, which has to come through this body.

In the case of the Thousand Talents plan, we have seen first-ever arrests related to Thousand Talents recently. They followed our investigation, our report, and our hearings. We even saw it in my home State of Ohio. All of the arrests in connection with the Thousand Talents plan, by the way, had been related to peripheral financial crimes, like wire fraud and tax evasion—not the core issue of a conflict of commitment, the taking of American taxpayer-paid research.

Why? Because amazingly, it is not currently a crime to fail to disclose foreign funding of the same research on Federal grant applications. In other words, if you are doing research and paid by the taxpayer of the United States in your research and also being paid by China to do the same research and to have the research go to China, you don't have to disclose that under law.

These arrests that have been made haven't been about that core issue. They have been about other things like tax evasion or wire fraud, kind of like they went after the gangsters in the old days on tax evasion because they couldn't get them on a RICO statute.

We need to change the laws so that we can give our law enforcement community the tools they need to be able to do the job that all of us expect is being done. It is incumbent upon Congress to work in a bipartisan manner to pass those laws and to put a stop to this behavior.

This shouldn't be a partisan issue, and it isn't. It is about defending the interests of the United States, and that is something we should all agree on. The good news is we are starting to do just that. Tomorrow, we plan to introduce bipartisan legislation called the Safeguarding American Innovation Act based on recommendations from our Thousand Talents report from late last year to protect U.S. taxpayer-funded research.

First and foremost, our bill is going to help the Department of Justice go after Thousand Talents participants by holding them accountable for failing to disclose their foreign ties on Federal grant applications. Again, it is a tool that they desperately need. Our bill goes directly to the root of the problem. It makes it punishable by law to knowingly fail to disclose foreign funding on Federal grant applications.

This isn't about more arrests. We should all agree that transparency and honesty on grant applications are crit-

ical to the integrity of U.S. research and the U.S. research enterprise. These provisions will help promote those principles as well.

Our bill also makes other important changes from our report. It requires the Office of Management and Budget, OMB, to streamline and coordinate grant making between the Federal agencies so there is more continuity and accountability in coordination when it comes to tracking the billions of dollars of taxpayer-funded grant money that is being distributed. This kind of transparency is long overdue.

We have worked closely with the National Science Foundation, with the National Institutes of Health, with the Department of Energy, and others on this legislation, and they agree this is very important. Our legislation also allows the State Department to deny visas to foreign researchers who they know are seeking to steal research and intellectual property by exploiting exemptions in our current export control laws.

This may surprise you, but the State Department can't do that now. Career Foreign Service Officers and employees at the State Department have asked us to please provide them this authority. They testified before our hearing, asking us to help them to be able to do what they know needs to be done.

Our bill also requires research institutions and universities to provide the State Department basic information about sensitive technologies that a foreign researcher would have access to. Providing this information as part of the visa process should help streamline the process for the State Department and for the research institutions.

This allows for college campuses to rely on the State Department to do some of the vetting for these applicants and to help keep bad actors off the campus. This is why many research institutions and universities will be endorsing our legislation tomorrow because we have worked with them on this issue and others, including new transparency standards for universities.

They are now going to be required to report any foreign gift of \$50,000 or more, which is a lower level from the current threshold of \$250,000, but it is also going to empower the Department of Education to work with these universities and research institutions to ensure that this can be complied with in a way that doesn't create undue red-tape and expenditures. It also allows DOE to fine universities that repeatedly fail to disclose these gifts.

I believe this legislation can be a model going forward as to how we use the lessons we have learned from these, again, objective and straightforward PSI reports to get to the root causes of these cases. We have gotten widespread support across my home State of Ohio, from research leaders, hospitals, colleges and universities, and other stakeholders who want to see us continue to have an open and transparent research

system and have the United States be the center in the globe for innovation and research, but to ensure that can continue to happen, they want to be sure we are holding China accountable.

We are now at work on this legislation to codify into law some of the steps taken by the Trump administration in response to our new telecommunications PSI report as well. This legislation we will introduce tomorrow will be led by myself and Senator TOM CARPER, my colleague from the other side of the aisle from Delaware, who was also my partner on this report with regard to the Thousand Talents program and the hearing.

We also have five other Democrats who will be joining us tomorrow, all of whom have an interest and understanding of this complicated issue. We will also have about an equal number of Republicans joining us, probably six to eight Republicans. So, again, this is going to be a bipartisan effort—I would say even a nonpartisan effort—to ensure that, in a smart, sensible, practical way, we can respond to the threat that we are facing, in this case, from China taking our intellectual property, our innovations, our ideas, and taking them to China and using them in China, sometimes against the United States.

In addition to the four examples we discussed tonight, the subcommittee will continue its work to shine a light on other examples where China and other countries aren't living by the rules, so we can ensure that, with regard to China and in regard to other foreign governments, we can create a more durable and a more equitable and a more sustainable relationship between our countries.

Again, we don't want to be enemies with China, but what we do want is to have a relationship with mutual respect. When we have the right to ask them that they treat us with the same respect that we treat them, at the end of the day, that is what is going to be best for the Chinese people, best for the American people, and best for all of us moving forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DECLINE OF U.S. LEADERSHIP

Mr. LEAHY. Mr. President, I would like to call the Senate's attention to a letter published by my friend Sir Peter

Westmacott, on the occasion of what would have been the meeting of the G7 at Camp David. Peter is the former U.K. ambassador to the United States and a thoughtful diplomat if there ever was one. He previously served as ambassador to France and ambassador to Turkey. Unburdened by the self-consciousness that sometimes plagues American policymakers critical of the Trump administration, he writes honestly and insightfully to a British Prime Minister of the ways President Trump has weakened America's standing as an international leader and how others stand to capitalize from our diminished role. In the midst of a global pandemic compounded by climate change, multiple armed conflicts and humanitarian crises, Russian aggression and expanding Chinese influence, when global leadership and cooperation are needed more than ever, the incoherence and isolationism of this White House are appalling.

Over many years, I have worked with Senators of both parties, with Republican and Democratic administrations, and with foreign leaders. I disagreed with, as well as those with whom we have much in common. The most successful makers of foreign policy share an adherence to the truth, objectively and uniformly acknowledged; a recognition of the importance of engagement with the rest of the world; and the goal of seeking common ground to make progress on shared interests.

Unfortunately, President Trump fails on each of these counts. As Sir Peter describes, he disregards facts for his preferred fictitious narratives. He turns away from our allies and picks fights with our trading partners. He impulsively withdraws from international agreements that took years to negotiate because he does not stand to benefit personally or politically from them. He has abandoned our role as a moral and strategic leader. He crafts foreign policy by tweet. It is a disgrace, and foreign diplomats and heads of state, with the exception of our adversaries and autocrats who stand to benefit by mimicking President Trump, are confused, worried, and appalled.

Sir Peter aptly describes this sorry state of affairs and what it means for our country and the world.

I ask unanimous consent that Sir Peter Westmacott's letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[June 10, 2020]

AN EX-AMBASSADOR'S VIEW OF A WORLD WITHOUT POLITICAL LEADERSHIP

(By Peter Westmacott)

DEAR PRIME MINISTER: This week you should have been meeting up with your G7 colleagues at Camp David. Covid-19 has stopped that happening but there is so much going on that I thought I should send you my briefing note anyway.

President Trump was delighted to be host. He always likes to be centre stage but the

summit would have been a welcome distraction from his slow and confused response to the pandemic and from how, in marked contrast to his predecessor, he made things worse not better when Americans took the streets following the killing of George Floyd in Minneapolis. Every judgement he makes from now until 3 November will be viewed through the prism of whether it helps him win a second term.

That is currently looking less likely than before the pandemic. Trump's base is holding up—he has delivered hundreds of conservative judges, sided with white supremacists, stood up for the gun lobby and given tax cuts to the wealthy. His attempts to smear his opponent Joe Biden don't currently seem to be working but much will depend on whether there are signs of an economic bounce-back before election day; and on turn-out, especially in the six critical swing states of Pennsylvania, Michigan and Wisconsin where Trump sealed it last time, plus Florida, North Carolina and Arizona. Democrats I talk to currently point to the betting spreads—not just the polls—slightly favouring Biden and dare to hope for a clean sweep of White House and Senate (not even Republicans expect the Democrats to lose the House).

The summit would have taken place against a background of failure of the global institutions, including the G7—to organise a meaningful collective response to the C19 crisis. Everyone knows that the WHO chose to praise rather than lambast China for its performance in the early stages of the outbreak, in the hope of eliciting a more honest and transparent response. But your counterparts are clear that Trump's decision to walk away from the WHO had more to do with pointing the finger of blame before the US elections than with improving our ability to act collectively.

This is symptomatic of a wider problem—the disappearance of US moral and strategic leadership under Trump. The causes are legion: take for example his protectionist focus on 'America First', the trade wars with China and the EU, the undermining of NATO, the renunciation of international arms control agreements, of the Iran nuclear deal, his trashing of the Middle East Peace Process, his vainglorious but failed attempt to denuclearise North Korea, his abandonment of the Paris climate accords, and his unique contribution to the creation of a posttruth world in which the West has largely forfeited the right to call out others for bad behaviour.

Crises accelerate trends more than they create new ones. When Covid-19 hit us, the free world was already rethinking its attitude towards the rise of a China more interested in consolidating the power of the communist party and its leader, Xi Jinping, than in the welfare of its people or engagement with the rest of the world on any other than its own terms.

You will recall coming under heavy US pressure in January to exclude Huawei from Britain's 5G telecoms infrastructure. Allies and friends in South East Asia were already very exercised about China's militarisation programme and disregard of the findings of the UN Law of the Sea Convention rejecting its territorial claims. Taiwan was feeling threatened while China's attempt last year to impose an extradition treaty on Hong Kong was a foretaste of its attempt now, under cover of the pandemic crisis, further to undermine "one country, two systems" with new national security laws jeopardising the territory's fundamental freedoms.

Covid-19 has also accelerated the concern of China's trading partners about the resilience of their supply chains. Early in the crisis, Jaguar Land Rover had to halt produc-

tion because of a lack of components made in Wuhan. Companies the world over are now looking again at whether 'just-in-time' deliveries from far away Chinese suppliers need supplementing with 'just-in-case' arrangements nearer home.

Your own launch of Project Defend designed to improve the resilience of strategically important firms is being matched by similar rethinking elsewhere in Europe, where Macron and Merkel have joined forces to press for greater EU sovereignty. That in turn followed the EU's decision last year to designate China as "a systemic rival promoting alternative systems of governance", as concern has grown around China's increasingly apparent agenda of seeing the Western model of individual liberty, freedom of expression and democracy replaced by acceptance of authoritarianism and the party-state.

China likes to pick off individual countries, as we in the UK have seen in the past. After Australia called for an independent investigation of the Covid-19 outbreak, China imposed an 80% tariff on its imports of Australian barley. So it will be important to forge a common approach. It was unfortunate that in March US Secretary of State Pompeo blocked a G-7 statement on the pandemic because other governments would not agree to describing it as "the Wuhan virus". But Dominic Raab's call with the foreign ministers of our Five Eyes intelligence partners on 2 June to discuss Hong Kong was a good start.

As far as possible, however, we should aim to work with rather than against China. It is heavily invested in the global economy and has vast trade surpluses with the rest of the world. It has also begun to move in the right direction on imports and inward investment—if not yet on protection of intellectual property. But as you have made clear with your offer of a path to citizenship for Hong Kong's British passport holders, that cannot be at the cost of surrendering fundamental principles or reneging on our international commitments.

Trump has said he thinks Putin should be invited to the next G7 summit, whenever it takes place. You have said firmly that you don't agree, for the very good reason that there has not been the improvement in Russian behaviour in Ukraine required by the Minsk agreements. Trump is close to Putin, and his business dealings with Russia go back many years. So he may try again, perhaps with the support of Macron who wants to "re-engage" with Russia.

In Putin's playbook, compromise is weakness so you may need to remind your colleagues of his mission to recover the ground he thinks Russia lost in what he has called the "greatest geopolitical disaster of the 20th Century" when the Soviet Union imploded; of Russia's role in systematically undermining elections in free countries; and of the Kremlin's nasty habit of trying to murder its critics and opponents on the streets of British cities.

Your European counterparts are likely to raise their concerns at the current state of Brexit negotiations. They have understood that you won't be asking to extend the transition period beyond the end of the year. They would like a deal to be reached in the remaining six months since they too will be losers if there isn't one. But just as your team argue that the Commission are being unreasonable, and have moved the goalposts, so Barnier & Co think we have changed our position since you concluded the Withdrawal Agreement and political declaration last year and that the bespoke arrangement we are asking for is much more than the simple Canada-style agreement we say we want. Waiting for, or provoking, a breakdown, in

the hope that political leaders will come to the rescue is unlikely to work: we should be preparing for either stop-the-clock at the end of December while a last-minute fudge is worked out, or no deal at all.

Beyond those detailed negotiations lie some big issues related to Britain's place in the world and our global influence. The E3 arrangement between France, Germany and the UK still functions, and is helping to manage the fall-out from Trump's abandonment of the 2015 nuclear deal with Iran. More generally, on many of the big international issues the UK is more naturally aligned these days with its European partners than with the US. But there is still a sense that we currently have little bandwidth or inclination to play the kind of substantive foreign policy role we have played in the past, and disappointment in EU capitals that we don't want to include foreign and security policy in the structure of our new post-Brexit relationship. I would say this, wouldn't I, but we need to guard against the risk that, despite the talk of Global Britain, we find ourselves unable to exercise as much influence outside the EU as we did inside it—a concern shared by foreign policy experts in Washington.

So at some point you might want to consider boosting our soft and hard power alike by bringing together the substantial resources of our defence, international development, international trade and foreign ministries in more joined-up fashion to restore the UK's global credibility, trust and diplomatic clout. Our friends feel we have left the stage and want us back. We have in the past come up with original ideas, built bridges and helped solve problems. We should aspire to do so again.

Yours,

PETER.

THE AIR TOUR AND SKYDIVING SAFETY IMPROVEMENT ACT OF 2020

Ms. HIRONO. Mr. President, in 2019, 21 people died in Hawaii in three tragic air recreation accidents involving helicopters or planes.

On December 26, 2019, while many of us were enjoying the holidays with our loved ones and friends, seven people lost their lives when an air tour helicopter crashed into a mountain on the Island of Kauai. All aboard the helicopter were killed, a mother and daughter from Wisconsin, a family of four from Switzerland, and the pilot. We still do not know the cause of the crash. In April 2019, an air tour helicopter crashed on a street in the residential neighborhood of Kailua on the island of Oahu, killing all aboard: two passengers and the pilot. We were fortunate that no one on the ground was injured. On June 22, 2019, 11 people died when a small plane crashed during take-off on a skydiving trip from Dillingham Airfield on Oahu. In the first accident of 2020, on March 5, six people walked away after a hard landing of an air tour helicopter on the Big Island of Hawaii. No one on the helicopter was seriously injured.

Since 2015, the National Transportation Safety Board, or NTSB, has investigated 10 air tour accidents in Hawaii and more than 46 nationwide.

Senator SCHATZ and I are introducing the Air Tour and Skydiving Safety Im-

provement Act of 2020. The bill takes the outstanding safety issues and recommendations identified by the NTSB to improve the safety and accountability of air sightseeing tours and parachute tours. The Federal Aviation Administration, or FAA, has not implemented the NTSB's recommendations.

In most years, Hawaii welcomes nearly 10 million visitors annually to enjoy everything Hawaii has to offer, from our Aloha spirit displayed by our resident, to the scenic beauty of the State. It is critical that the helicopters and planes taking both visitors and residents sightseeing or parachuting operate as safely as possible.

The NTSB has recommended multiple improvements to the standards covering air tour and parachute operations by the FAA. In the aftermath of the helicopter crash in Kailua and the crash of two chartered floatplanes in Alaska, NTSB Chairman Robert L. Sumwalt said in May 2019: "While these tragic accidents are still under investigation, and no findings or causes have been determined, each crash underscores the urgency of improving the safety of charter flights by implementing existing NTSB safety recommendations." To highlight this urgency, the NTSB put improvements to air tour aircraft on its 2019–2020 Most Wanted List of transportation safety improvements.

Let me describe the provisions of the legislation. First, the bill requires parachute and air tour companies to operate under the same standards as other commercial air operations, such as commuter airlines under Part 135, which has certification standards. Currently, commercial companies can operate like private civil aircraft if they operate within 25 miles of their airport, under regulations found in Part 91. The NTSB recommends that all commercial air operations meet the same standards for training, certification, operations, and crew rest under part 135.

The bill requires that the FAA establish a standard for terrain awareness and warning systems and minimum standards for training pilots to avoid flying into mountains and other terrain. This may have prevented the helicopter crash on Kauai in December 2019, which crashed into the side of a mountain.

Following another NTSB recommendation, the bill requires operators install crash-resistant flight data recording equipment, we can learn more from accidents and to help identify flaws in equipment and improve pilot performance.

The helicopter involved in the December 2019 crash in Kauai lacked flight data monitoring, so inspectors were uncertain of its flight path and performance. The bill requires the FAA to establish and implement a standard for remote monitoring of flight data. It also requires operators to establish a flight data monitoring program to identify changes from normal procedures and other potential safety issues.

The bill includes provisions to make sure that the current and future recommendations of the NTSB are given full consideration by the FAA. It requires the FAA to indicate how their response to NTSB safety recommendations will meet or exceed safety outcomes of the NTSB's recommendations, if the FAA declines to adopt the NTSB recommendations. The bill also directs the U.S. Department of Transportation to include NTSB recommendations on air tours and parachute operations in its annual report on aviation safety.

The safety of parachute operations would be improved by the standards that I have described, but the bill also addresses the unique safety needs of parachute operations. The bill would require the FAA to develop new or revised regulations for parachute operations, including enhanced maintenance and inspection for aircraft and training and recurrent testing requirements for pilots.

The bill we are introducing today would make great improvements to increase the safety of air tours. This is a first step. But this legislation does not address all the issues with air tour helicopters. The issues of noise, frequency, and safety associated with air tour operations in the State of Hawaii have been going on for decades.

In September 2016, at the request of State Representative Onishi, my office requested a meeting for Big Island State legislators with the FAA Honolulu Flight Standards District Office, or FSDO, to address the issue of the helicopter noise for residents in East Hawaii. We learned at this meeting that FAA-FSDO and Hawaii Department of Transportation do not have the authority to address the noise issue raised by the community.

In March 2017, FAA and the National Park Service representatives traveled to Hawaii from their DC headquarters to convene public listening sessions in Honolulu and Hilo, respectively, "to better identify specific concerns with helicopter operations within and outside of national parks." Community members were looking for relief from noise issues associated with air tour overflights over residential areas.

We were hopeful that these meetings were a signal of FAA's engagement so we could address community concerns with the air tour operators. Individuals from the community came prepared and raised questions about how other communities across the country have dealt with this issue including the New York North Shore Helicopter Route and the adjustments to routes over Los Angeles County.

State and local governments, air tour companies, and the community were interested in engaging. Unfortunately, while the FAA initiated the meetings, they disappointed many in our community when they announced that their agency could only offer technical advice and the effort did not result in an air tour safety plan.