

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.

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## LEGISLATIVE SESSION

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### 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.

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### 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