Madam President, I yield the floor.

The PRESIDING OFFICER. The senior Senator from Iowa.

INFORMATION SHARING

Mr. GRASSLEY. Madam President, today, I am going to discuss a very important issue that I started to investigate during the last Congress, and it is an issue that the executive branch must continue to improve upon. The subject is information sharing between the intelligence community and the Department of Health and Human Services. The connection between those two entities is a critical information sharing data point, and it must last beyond the current pandemic.

To state the obvious, the healthcare landscape has evolved considerably in the past several decades. More specifically, the healthcare landscape has changed considerably in just the last year because of the COVID pandemic. Threats to healthcare now include cyber, intelligence, and counterintelligence threats.

For example, we know the Chinese Government engaged in cyber attacks to steal American COVID-related research. The Communist Chinese Government will stop at nothing to steal our hard-earned work product. They know, as does the world, that the best of the best is still right here in America.

Last Congress, as chairman of the Finance Committee, I focused a good deal of my oversight efforts on the Department of Health and Human Services' Office of National Security. For example, in June of 2019, I held a hearing on foreign threats to taxpayer-funded research, where the Office of National Security was one of the government witnesses. After the hearing, I then held a classified committee briefing with all the government witnesses to further discuss the foreign threats that we face.

That office is the Department's connection, then, to the intelligence community and, accordingly, it plays a critical role in the Department of HHS's overall mission. That mission includes pandemic response and countering national security threats.

To fully perform its function, HHS needs access to intelligence community products and databases. So with that access, they would have information that is vital to mitigating threats to the Department, its funded partners, and its interagency colleagues. So, as part of my oversight efforts and before the pandemic even started, I worked to get that process done.

I noted my concerns to the Trump administration that the Office of National Security hadn't been adequately incorporated into the intelligence community. To their credit, the Trump administration rightly and quickly resolved many of these issues. The Trump administration created links and information sharing between the intelligence community and the Department of Health and Human Services where that cooperation hadn't existed before.

Those links should have existed many years ago, but prior administrations, like the Obama-Biden administration, failed to see around the corner and get the job done. Just as an example, even with the swine flu and outbreaks across the globe, the Obama-Biden administration failed to plug the Department of Health and Human Services into the intelligence community the way that it should have been done. The current pandemic exemplifies the need to have a robust intelligence operation that includes the Department of Health and Human Services.

As pathogenic threats to our homeland and our people increase and become more complex, the Federal Government must prepare well in advance for a very quick response. In order to accomplish that task, the government must focus on the seamless communication that must exist between and among the various Departments and Agencies. The Federal Government must take a whole-of-government approach.

One serious barrier to that seamless communication is overclassification. That is a serious barrier we find too much in government. But, particularly when it deals with the pandemic, it becomes a problem that can cost a lot of lives.

In January of 2020 when reports began to circulate about COVID, I instructed my oversight and investigative staff to get a classified briefing from the Office of National Security. After that briefing, I made clear in a public way that overclassification during a public health emergency could have deadly consequences.

If a certain intelligence work product is classified in a certain way, sometimes other government Agencies won't then have access. The Federal Government must guard against this type of overclassification, and that is especially important during emergency situations that demand quick action.

To the extent that disagreements exist between Agencies, which they often do in complex and ever-changing fact patterns, discussion must be had between and among the government. From that, the facts will bear out, and the best decisions can then be made. That process can't take place if the government puts information in silos that Federal health Agencies are unable to access.

Overclassification is more of a problem when China's Government refuses to share relevant data with researchers. At least this government—the United States Government—can and should share information between and among its Agencies.

This administration must advance and improve upon the cooperative gains created by the Trump administration and make sure that the left hand continues to communicate with the right hand. The last thing that we should do is to revert to the lack of cooperation that existed before, especially in light of the current pandemic and the lessons that have been learned from this pandemic.

The cooperation between Federal health Agencies and the intelligence community will strengthen ties between them for decades to come, and the American people will be better served by the increased communication. Simply put, increased communication will save lives.

SUNSHINE WEEK

Now, Madam President, on another point, our democracy was built, as we all know, for the people, by the people, and, hence, is accountable to the people. The best way to be accountable is through transparency. So I come to the floor today, like I have a lot of years at this time of the year, to celebrate an important week that we celebrate then, regularly, and it is known as Sunshine Week.

During this week, we celebrate the birth of the fourth President of the United States, James Madison. Madison, as we all know, was the father of the Constitution, and maybe we don't know so much about him, but he also happens to be a father of the Constitution that believed in open government. He believed that access to information and meaningful oversight and accountability are foundational to the American system of government. In other words, the public's business ought to be public.

This year, I am continuing the Madison legacy by introducing several pieces of legislation. I am also asking the Government Accountability Office to look into how the Freedom of Information Act, or FOIA as we call it, has been impacted by the pandemic.

First, on the judicial side of things, I am again advocating for cameras in the courts. In the last year, nearly every major institution, from schools to Congress, have adapted to the pandemic by being virtual. So I believe bringing cameras into the Federal courtrooms would also bring in the public and open up access to our third branch of government.

At the same time, I am also asking the courts to provide transparency into our civil justice system by requiring the disclosure of all parties in a case. Litigation funders, such as hedge funds, are providing money to plaintiffs to bring lawsuits. This is all done in secret.

For many reasons, everyone involved in the case, including the judge and including the defendant, should know that these parties funding these lawsuits exist—in other words, who they are. They are big players, or maybe you wouldn't have those cases.

On the executive side, one of the most important tools the public has to hold its government accountable is the Freedom of Information Act, FOIA. Before its passage, people had to justify their need for information to the government.

Can you believe there was a time when, for the public's business, which