

that. It was a very simple bill, but it is the way we need to react when we see a problem—to actually go to solve that problem rather than take forever to do it.

Speaking of “forever” to be able to solve it, what I think is the most basic government transparency piece we can put out there to force real dialogue on budget issues is a simple bill we have on shutdown prevention. If we can end government shutdowns, we can actually have more debate on budget issues here in this room, where it should occur, and take the pressure off of Federal workers and Federal families facing a shutdown and furloughs.

MAGGIE HASSAN and I have a very simple bill. The bill simply says: If we get to the end of the fiscal year and if we don't have all the issues resolved on our budget, we continue debating those things here. We remain in session 7 days a week until it is actually resolved. But in the meantime, Federal workers and their families are unaffected because the budget automatically continues at last year's budget level until we get things resolved here. But in the meantime, we can't go home until we actually solve that problem.

It is a straightforward solution to say: We are not going to have government shutdowns. We are not going to have chaos across the whole country. We have had 21 government shutdowns in 40 years. We have to stop that chaos.

So it stops that chaos, and it puts the pressure where the pressure needs to be—on us. When we finish our work, then we can move to the next thing. But if the budget work is not done, the most basic elements of those appropriations bills, if they are not finished, we remain in session 7 days a week until they are finished.

We need to find ways to be more efficient as a government. Government shutdowns waste money by the billions. ROB PORTMAN and his team did a remarkable study to look and see how much money was wasted in the last shutdown, and it was in the billions of dollars, and not even every agency turned in all their information to ROB PORTMAN and his team.

We can't keep losing money that way. We can't keep that chaos going for all the Federal workers and their families. We should have arguments about the budget. We have big ones that need to be resolved, but we should keep it here.

So, this week, as we pause for just a moment on all the other big issues that are pressing on us right now, I am grateful that we are also pausing for a moment to say: What are the big issues that we should look long term on, and how do we solve some of those issues for the future, as well, to make government more efficient and try to make government more transparent?

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I am here to join my colleagues in speaking

on the floor in advance of government Sunshine Week, but before I do that, let me commend my colleague from Oklahoma for his comments about the need for more transparency in government and particularly our grantmaking process.

We have made some progress on that—most recently, the DATA Act. His predecessor in Congress, Tom Coburn, worked on this issue, and we came up with legislation when I was on the other side of Pennsylvania Avenue at the Office of Management and Budget to put all grants and contracts online, which was a start. But the DATA Act takes that to the next level to make sure there is uniformity in government.

We still have difficulty with some agencies getting information out there, but he is absolutely right. It would make a difference because if people know how the money is being spent, it is much more likely to be spent wisely, all the way down to the ZIP Code in terms of where grants are going and what kind of Federal taxpayer dollars are being spent in our communities and whether it is being spent well.

Government shutdowns, of course—I couldn't agree more with my colleague—have not worked to help make our government more efficient. In fact, we always spend more after the fact.

Think about it. People were furloughed, and, then, when they went back to work, they got backpay. Well, it would have been much better had they been there to provide the services to the taxpayers.

You also just have a lot of dislocation that is unfair and people who have to go to work who are essential employees. Think of our TSA employees—for those of you who travel in airports—not getting paid. A lot of them had car payments or house payments they couldn't make during the last government shutdown. It is just unfair. So we have to get at that.

We have legislation that actually two-thirds of the Members of this side of the aisle have supported. Yet we have not been able to make that bipartisan. So I appreciate the fact that my colleague from Oklahoma has a bipartisan approach to that. We have tried for four or five Congresses now to pass legislation that simply says that at the end of the fiscal year, if you haven't completed all the bills, then the government continues to operate, but 1 percent of spending is cut every 120 days, and every 90 days thereafter to give the Appropriations Committees here the incentive to get to work and to get the budget bills done. That, I think, would work.

It used to be a bipartisan approach. It is not now. So I am interested in looking at other options, including what the Senator from Oklahoma was talking about in terms of providing more pressure on us here to get our work done because these shutdowns clearly haven't worked to help make the government more efficient. They have just had the opposite impact.

GOVERNMENT TRANSPARENCY

Mr. PORTMAN. Mr. President, today there is a discussion about transparency. I am going to talk about one that is maybe going to surprise some people, but it is about the lack of transparency and about \$150 billion a year that is taxpayer money that is put into research and development. It is money that we, as taxpayers, pay to places like the National Institutes of Health. The National Institutes of Health does great research. So the Federal dollars go in there to try to develop cures—as an example, for diseases, but also for other healthcare research. There is the National Science Foundation, which does a lot of research on technology and research, and the Department of Energy, which does a lot of the basic research on science in our country. So I am going to focus on that funding today and a specific problem we have right now. It is about ensuring the government remains accountable to taxpayers. It is about ensuring that hard-working American taxpayers know where their money is going, and it is about a specific issue of that money going to research that is then taken by other countries, particularly by China, and the need for us to address that issue, in part, through transparency and, in part, through actually some new criminal statutes to be able to ensure that there is accountability.

Last fall, the Permanent Subcommittee on Investigations did a study. It was about a yearlong study. We looked at this issue of China's talent recruitment programs and, more broadly, other countries, but, specifically, what China has been doing to find researchers over here in the United States whom they think are doing interesting work and recruiting those people to be able to provide that research and sometimes to have the person actually go to China to provide that research.

The issue we focused on in our report was this theft of intellectual property at research institutions and at our colleges and universities. It was a shocking report. We issued it late last year. It showed, as you probably know now from some of the press accounts that have arisen since then, that, in fact, China was recruiting individuals who were giving up their research that was taxpayer funded.

China has made no secret of its goal to surpass the United States to be the world leader in scientific research, but that doesn't mean they should use our research institutions here in America, paid for by us, to accomplish that goal. These talent recruitment programs—most notably, the Thousand Talents Program—recruits researchers at American universities and American research institutions to do the same research, usually at shadow labs in China, in order to just transfer taxpayer-funded research back to China.

This is an issue that has been going on for two decades, we found out, and

really kind of right under the nose of the FBI and others. The FBI testified at our hearing and said they readily acknowledge that they were asleep at the switch, essentially, that they had not been on top of it, and they have only recently begun to focus on it.

We have seen the results of that, by the way. Little was done to stop it, but, recently, there has been a lot of publicity. You probably know about the recent arrest of Dr. Charles Lieber at Harvard University. Dr. Lieber actually lied to Federal investigators about his participation in the plan, and that is what they have charged him with.

Most recently, today, we heard about another one, Dr. James Lewis at West Virginia University, who pleaded guilty to fraudulently requesting time off to raise a newborn, when he was actually in China conducting research as part of his agreement with this same group, the Thousand Talents Plan. Now, this is a definite conflict of interest.

As an example, Professor Lieber is accused of accepting \$50,000 a month from the Chinese talent recruitment program and, also, \$150,000 in funding just for his expenses—now, remember, he is already being paid by Harvard—but also accepting \$1.5 million to set up a shadow lab in China. He did not tell his employer, Harvard, about this. Again, he was not honest when talking to the Federal prosecutors, which is how he came to be charged. So the fraud that he was committing was not the charge because that is not a criminal offense. It needs to be one.

With regard to the guy from West Virginia who just pleaded guilty yesterday, we don't know all the details yet there, but we know that this, again, is research that was being done, we assume partly funded by taxpayers, and this talent recruitment program was able to get that research.

So this can lead, obviously, to a real problem because it is helping to fuel not just the Chinese economy but also the Chinese military. Some of Professor Lieber's research, apparently, was done for our military, and, therefore, they got military research and, we assume, military secrets as well.

So they provide a reputational risk to the universities we are talking about, of course, and so many others around the country. But it is also just unfair to taxpayers, because this is government funded for the benefit of America, not to one of our stiffest global competitors.

So we are working with the Trump administration to ensure that we know where that taxpayer money is going and making sure it is going to benefit the United States of America.

Along with my counterpart on the subcommittee on the Democratic side of the aisle, TOM CARPER from Delaware, we plan to introduce bipartisan legislation that uses the key findings in our subcommittee report to ensure that our research enterprise is protected here in this country and also to

ensure that it continues to be open and transparent and accountable but also secure. Our legislation does this in a few ways, and a lot of it has to do with more transparency.

First, it creates a new cross-government council at the Office of Management and Budget to coordinate and streamline the grant-making process between Federal agencies so we know where the money is going and how it is being used.

Right now, these agencies don't talk to each other, and we don't know much about the grant-making process. We need to make that transparent. Sunshine, I think, will be a very effective disinfectant here.

Second, the bill makes it illegal to not tell the truth on a grant application. Apparently, that happens all the time now. We requested some of these grant applications from the Thousand Talents Program. We weren't able to get all the information we wanted, but we got enough to know that most of these contracts, apparently, have the individuals saying: OK, I will accept this money from the Chinese Government through this program, but I will not tell my employer about it. On the grant application, they have to say that they will not reveal it. Obviously, that is defrauding the U.S. Government.

The third part of our legislation closes the loopholes exploited by China and other countries and empowers the U.S. State Department to deny visas to foreign researchers who seek to exploit the openness of our U.S. research enterprise to steal intellectual property and research from our universities and research institutions.

Now, this is something that the State Department has worked with us on and has asked for. They are looking for additional authority from us. When they know somebody is not here on a good-faith effort to do research but, rather, to take our research, they want to be able to act.

Fourth, it requires research institutions and universities to have basic safeguards against unauthorized access to sensitive technology. You would think that is already in place, but, apparently, it is not. Also, it requires them to tell the State Department what technologies a foreign researcher will have access to on campus, so, again, we can start talking to each other, including folks at the State Department, law enforcement folks, and people in our research institutions.

Fifth, it directs the U.S. Government to work with our critical research partners—think of Japan or Australia or the UK—to protect their research enterprises from Chinese theft as well. We are not interested in having U.S. taxpayer dollars go to do research here on which we then collaborate with a foreign government, an ally, and then that research is taken back to China or other countries. So we want more information about working with partners, as well, to protect that important research.

And, finally, it requires colleges and universities to report any gifts of \$50,000 or more and empowers the Department of Education to fine universities that repeatedly fail to disclose these gifts. Current law requires reporting at the level of \$250,000. So if you get \$250,000 from a foreign entity, you are supposed to report it. In our study we found, shockingly, that 70 percent of U.S. universities consistently failed to do that. So the universities don't want to report the fact that they are getting money from foreign governments, but we need to know that. The taxpayers need to know that.

Lowering the threshold from \$250,000 to \$50,000 and increasing this transparency, including adding the penalty, ensures that those schools will report. In my view, that will lead to accountability and what we are looking for, which is more information.

Beyond these provisions, we are all going to have to do more to protect the U.S. research enterprise. My bill makes it clear that research institutions receiving taxpayer dollars have to do a better job giving the government just basic information about foreign researchers they partner with.

By the way, academics tend to agree. On Monday, the President of the American Council on Education in an op-ed agreed with our report's recommendation that research institutions should establish a "know your collaborator" culture—know whom you are collaborating with, know what their background is.

Providing basic information about researchers and what they will have access to on campus allows the State Department to properly vet foreign researchers before issuing them a visa. Frankly, it is hard to believe that universities aren't already required to tell the U.S. State Department this information, but they aren't.

A few universities and academic groups have raised concerns about the administrative burdens. We don't want to unnecessarily burden any research institution, university, or college, but we do want the transparency.

It is my hope that our research institutions will step up and do their part as patriots to help us ensure that our taxpayer-funded research does not fall into the wrong hands. Research universities need to take a hard look at what is happening on their own campuses. This threat is very real. If universities expect to continue to receive billions in taxpayer research dollars, Congress has to ensure the academic community is taking basic, commonsense steps to secure the research. I believe our legislation is a balanced way to ensure that will happen.

We talked earlier about the actions by college professors who have now been in the media. They have been charged by the FBI and others. One thing we do in this legislation, as well, is that we establish a new criminal law with regard to defrauding a university or defrauding the U.S. taxpayer.

Again, the reason these charges that we talked about earlier were able to be brought is not because of the fraud that was committed but because, in one case, someone lied about the reason they were looking for leave, and, in the other case, someone lied to the FBI about whether they were involved in the program or not. So these were perjury issues, really, not in terms of the fraud. Our legislation also tightens that up.

I think we all agree that the relationship we have with China is complicated. There is some good, and there is some bad. In my view, it is in both of our countries' interests to have a healthy relationship and have an exchange of new ideas and have the ability to collaborate where appropriate, but we cannot allow this continued theft of taxpayer-funded research.

My hope is that this legislation will send a firm but fair signal to China to change their behavior, respect our laws when it comes to research, and see the wisdom of our research values here in the United States of openness, transparency, reciprocity, integrity, and, most importantly, merit-based competition.

I encourage my colleagues to take a look at that legislation. We hope to introduce it the week after next, when we are back from recess. We believe that this legislation will be incredibly important to ensure that we can protect this research that taxpayer dollars are funding.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRAMER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CRAMER. Mr. President, I rise today to join my colleagues in offering support for improving the way our government runs. What we are doing is we are fighting for a government that is led in an open, transparent way by elected leaders—elected leaders—who are accountable to the people who elect us.

Reining in a bureaucracy that has run rampant has been a top priority of mine ever since coming to Congress. In fact, last year when I outlined my vision for serving in the Senate in my maiden speech, I vowed to take on the bureaucracy. Since coming to Washington, it has become abundantly clear to me that the bureaucracy has evolved into an unelected, unaccountable creature.

When constituents back home reach out to my office for help, there is a good chance it has to do with an intransigent, unresponsive, or even an aggressive—an aggressive—confrontational bureaucrat who has forgotten that a public servant is actually supposed to serve the public; that

is, the public made up of people—people who elect officials.

In many cases, the Federal Government has codified the corruption, transforming from a group of civil servants carrying out our laws into a rogue body consumed with defending and in many cases expanding their power. This bureaucracy has turned internal guidance documents into infallible law, placing the creation and implementation of their policies and processes above the American people's needs—in fact, in many cases, changing the actual laws they are supposed to be enforcing. This is something I look to address at every given opportunity because it is a problem I discover in almost every issue we seek to solve.

I am going to start by talking a little bit about the Army Corps of Engineers. My efforts to take on this bureaucracy began almost immediately when I came to the Senate. President Trump, in fulfilling his promise to secure our border and keep America safe, declared a national emergency in order to expedite the construction of physical barriers along our southern border. Unfortunately, the agency charged with executing the building of this wall—that is, the Army Corps of Engineers—is not known for expediency or responsiveness.

As a member of the Armed Services Committee and the Environment and Public Works Committee, both of which have direct jurisdiction over the Corps of Engineers, I exercised my congressional oversight responsibilities and role by conducting a study of the Army Corps' procurement process: how it awards contracts, how those companies have performed since being selected, what they are paid for in their bidding or RFP process. My findings, simply, were horrifying.

In a letter to President Trump, I detailed how the Corps' procurement process fails to foster competition—particularly when it comes to price and schedule—and disfavors new entrants and innovators into their process.

As I was conducting the investigation that led to these findings, I was met with bureaucratic obstruction at almost every step, from bad-faith promises, to empty vows of cooperation, to bureaucrats actually leaking my personal—my personal—emails to the media. Army Corps bureaucrats failed to meet even the most basic standards of good faith and cooperation in dealing with a Senator who sits on the committees that oversee them, as though their agency runs us instead of our having oversight over them. The correspondence they leaked was not even salacious or informative, really. It said nothing that I wasn't already saying out loud. But I think that was what bothered them the most, is that I was saying it out loud. This was a coordinated attempt to discourage me from continuing to dig into the bureaucracy. As I told them then, if you are counting on 99 out of 100 people to walk away exasperated because of your delays, consider me the other 1.

Such intimidation and such a breakdown in proper government action should be infuriating and horrifying to any civically minded person who believes in checks and balances and the ability to hold the bureaucracy accountable.

It is not my first encounter with bureaucratic overreach, with an executive agency dipping its foot into the water of activism. During my time in the House of Representatives under the previous administration, the conservation advocacy group Ducks Unlimited was providing staff to the U.S. Department of Agriculture's Natural Resources Conservation Service, embedded right in their offices. This meant that taxpayer funds were supporting the work of advocacy staffers campaigning for a State ballot measure to establish a slush fund that would benefit their organization. The Federal Government was funding political activists while those activists worked to pass a measure that would give them further funding. If that is not corruption, then nothing is, whether or not it is intended. If not for our efforts to shine light on such obvious corruption, their abuse would have gone unchecked, and their power would have only grown.

Somehow, the issue with the Natural Resources Conservation Service is not the most obvious example of bureaucratic abuse that North Dakotans have experienced. Over the years, the Fish and Wildlife Service has increasingly encroached on the rights of landowners who have perpetual wetland easements on their property.

One particularly egregious case is the story of Mike Johansen, a farmer from Hope, ND. After a heavy rainfall year, the land flooded, leaving him unable to harvest and seed for the next planting season. He asked the Service for help, but due to poor guidance and enforcement, the Service offered him nothing. In fact, after he dug a drain, the Service cited him and dragged him to court. The legal fees and fines caused by these vague regulations written without clarity, oversight, or an appeals process forced Mike to quit farming, sell his equipment, and borrow money just to get the funds he needed to defend himself in court against his government. Thankfully, he won in court. He proved his case against the government. But the cost was bankruptcy—bankruptcy.

I had the privilege of hosting Interior Secretary Bernhardt so he could meet with Mike and North Dakota landowners who have experienced similar abuse. Since then, the Interior Department has begun issuing updated guidance to give our landowners clarity and a right to appeal overzealous bureaucratic action.

I appreciate the Secretary's timely action and his emphasis on being a better neighbor, but this will only be successful if Fish and Wildlife Service employees follow the spirit of the Secretary's actions to actually work with

landowners versus ruling over them. We are working closely with the Department to make sure these regulations work for our constituents, and I am hopeful this example concludes with a positive ending. But after every election, there is a new set of leaders.

Frankly, I have been appalled at the reaction the bureaucracy has had to the Trump administration's moving of the Bureau of Land Management from Washington, DC, to Grand Junction, CO, or a couple of USDA agencies moving from Washington, DC, to Kansas City, only so they can be closer to the resources they manage and the people they are supposed to be serving. The backlash has been incredible; the outcry, unbelievable. It is as though the bureaucracy is entitled to whatever they think is important as opposed to the people they work for being entitled to good service.

Sadly, there is one glaring example to me that is far from reaching a conclusion or a positive ending anytime soon, although I will never give up. I will never give up.

Over 50 years ago, during the Vietnam war, the USS *Frank E. Evans* battleship collided with an allied aircraft carrier and sank, killing 74 deployed sailors. The USS *Frank E. Evans* had served multiple tours off the Vietnam coast and was scheduled to return after completing this exercise about 100 miles outside of the official combat zone. They were exercising with other American ships, as well as other allied ships, during the Vietnam war. Because of a geographic technicality, the names of those "Lost 74" sailors are not memorialized on the Vietnam Veterans Memorial wall, as if they didn't die in the service of our Nation's effort in Vietnam. The honor and gratitude owed to them is long overdue, but the only objections I have ever heard—remember, this was just about 51 years ago now—the only objections I have ever heard are from the people whose job it would be to add their names to the wall. In other words, I can't find anybody who opposes adding the 74 names to the wall except the people whose job it would be to carry out this task. We are working on sending a man to Mars, but somehow it is too much to add 74 heroes' names to the Vietnam Memorial wall.

It is inexplicable to me that bureaucrats in Washington could determine that these sailors' ultimate sacrifice is unworthy of being memorialized simply because they were on the wrong side of an arbitrary line. The exclusion of these veterans is a disservice to those who gave their lives for our country. A technicality is not an excuse for inaction, a previously issued memo is not a reason to express disapproval, and an objection from Washington's bureaucracy should not stop us from honoring these heroes, these veterans.

Last year, a bipartisan group of senators introduced a bill to force the bureaucracy to make this a reality. Yet it remains stuck here in the Senate.

Let me repeat that. The bureaucracy's excuses have found welcoming ears here, and the bill remains stuck, with no explanation or reasoning. It has equal bipartisan support. Yet it remains stuck in the bureaucracy of this body.

If we do not see movement soon, I am going to return to the Senate floor to attempt to pass the bill by unanimous consent. I have spoken to the chairmen of the two committees of jurisdiction. They see no objection. Yet, somewhere in this big place, objection clearly exists.

I hope that between now and then, we are able to see real progress on this important issue. The people fighting to have these fallen soldiers memorialized are also heroes. They are their shipmates. They are the survivors, the spouses, and the children of these heroes. I am not going to join the bureaucracy by standing in the way, and I hope none of my colleagues do either.

These are just a few of the many examples of what I call bureaucratic abuse, obstruction, and overreach that I have witnessed since coming to Congress just 7 years ago, and I think we should call them out. The opinion of Federal career staff is not sacrosanct; it is advice. It is counsel, but it is not a decision.

Without further action, complacency will only empower the bureaucracy. People elected us to have their power, the people's power. So now is the time to remind this city who holds that constitutional responsibility and authority. The people hold it. Our constituents elected us, the President, and every elected official, but they have no say in the bureaucracy except through us. That is our job as elected officials—to give the people we work for their voice in the bureaucracy. We must dedicate ourselves to doing so, so that we can define this era as a time that we, the elected representatives, stood up to the bureaucracy and reclaimed the true power of the Federal Government for the people, not the bureaucracy.

With that, I yield my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise today for "Time to Wake Up" speech No. 258 and my increasingly battered chart here to urge colleagues in the Senate to wake up and see the looming danger we face from climate change.

Just look at the recent climate effects in our Southern Hemisphere. The

most devastating wildfires anyone can remember have ripped across Australia, burned more than a fifth of Australia's forests, destroying thousands of homes, killing an estimated 1 billion animals, and making a day of breathing air in Sydney like smoking 37 cigarettes. In the ocean off Australia, there are new warnings that the Great Barrier Reef—a Wonder of the World visible from space—is doomed.

The warmest temperatures ever were recorded in Antarctica—a 70-degree day when the average February temperature would be 33 degrees.

Here is the Thwaites Glacier. Here on Antarctica's Thwaites Glacier, scientists drilled through 2,000 feet of ice, down to the ocean water below, and discovered water 2 degrees above freezing. With 70 degrees above and 2 degrees above, it is a melting sandwich. Losing that glacier would trigger almost 3 feet of sea level rise, and that glacier is going.

Sea level rise brings me to the crash warnings that are the subject of this speech, crash warnings that are flashing throughout the economy. Sea level rise connects to these crash warnings because some of these crash warnings revolve around sea level rise in its crashing coastal property values. Other warnings are of a crash in what economists call the carbon bubble.

I have a binder of these warnings that I put together, and I sent this binder to every Member of the Senate in February of 2019. Every Senator has all of the warnings that are compiled in that binder. I have a letter, too, that follows up on the warnings in that binder—just about the warnings that have emerged since February of 2019—in fact, mostly just from this year. I sent this letter to all of the members of the Senate Banking Committee because the economic crashes that are warned of are within the Senate Banking Committee's jurisdiction, and that committee has the responsibility to be the distant early warning system for the rest of us in the Senate about these warnings.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter to the Committee on Banking, Housing, and Urban Affairs, dated February 6, 2020.

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

U.S. SENATE,

Washington, DC, February 6, 2020.

Hon. MIKE CRAPO,
Chairman, Committee on Banking, Housing and
Urban Affairs, U.S. Senate, Washington,
DC.

Hon. SHERROD BROWN,
Ranking Member, Committee on Banking, Housing
and Urban Affairs, U.S. Senate, Washington,
DC.

DEAR CHAIRMAN CRAPO AND RANKING MEMBER BROWN: With the impeachment procedure behind us, we return to regular work, and I write to bring your attention to further financial warnings related to the climate crisis.