

116TH CONGRESS
2D SESSION

S. 3996

To amend the Foreign Relations Authorization Act, Fiscal Year 1979, relating to the conduct of knowledge diplomacy.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2020

Mr. PORTMAN (for himself, Mr. CARPER, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BRAUN, Mr. COONS, Ms. CORTEZ MASTO, Ms. HASSAN, Mr. HAWLEY, Mr. MANCHIN, Mr. RISCH, Mr. RUBIO, Mr. SCOTT of Florida, Mrs. SHAHEEN, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To amend the Foreign Relations Authorization Act, Fiscal Year 1979, relating to the conduct of knowledge diplomacy.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SCIENCE AND TECHNOLOGY AGREEMENTS.**

4 The Foreign Relations Authorization Act, Fiscal
5 Year 1979 (Public Law 95–426) is amended—

6 (1) in section 502 (22 U.S.C. 2656b), by
7 amending paragraph (5) to read as follows:

1 “(5) Federally supported international science
2 and technology agreements should serve United
3 States national security and economic interests by—

4 “(A) properly protecting intellectual prop-
5 erty rights;

6 “(B) providing United States researchers
7 with access to research and development oppor-
8 tunities and facilities;

9 “(C) ensuring that the flow of scientific
10 and technological information between the
11 United States and foreign countries, inter-
12 national organizations, and commissions of
13 which the United States and 1 or more foreign
14 countries are members is equitable and recip-
15 rocal, to the maximum extent practicable;

16 “(D) requiring foreign countries, inter-
17 national organizations, and commissions of
18 which the United States and 1 or more foreign
19 countries are members to adhere to United
20 States scientific values, including openness,
21 transparency, reciprocity, integrity, and merit-
22 based competition; and

23 “(E) ensuring that the exchange of sci-
24 entific and technological information between
25 the United States and foreign countries, inter-

1 national organizations, and commissions of
2 which the United States and 1 or more foreign
3 countries are members is not contrary to
4 United States foreign policy interests.”; and
5 (2) in section 504(a) (22 U.S.C. 2656d(a))—

6 (A) by amending paragraph (2) to read as
7 follows:

8 “(2) In coordinating and overseeing agreements
9 described in paragraph (1), the Secretary shall con-
10 sider—

11 “(A) scientific merit;

12 “(B) equity of access (as described in sec-
13 tion 502(5));

14 “(C) possible commercial or trade linkages
15 with the United States that may flow from the
16 agreement or activity;

17 “(D) national security concerns; and

18 “(E) any other factors that the Secretary
19 deems appropriate.”; and

20 (B) by adding at the end the following:

21 “(4) In furtherance of sections 501(3) and 502,
22 the Secretary shall provide Federal science agencies,
23 Federal law enforcement agencies, the Office of
24 Science and Technology Policy, the Office of Man-
25 agement and Budget, and the Director of National

1 Intelligence with access to a digital repository of
2 United States Government bilateral and multilateral
3 science and technology agreements, subagreements,
4 and other unclassified or sensitive information pro-
5 vided by Federal agencies, in accordance with sec-
6 tion 503(a)(1).

7 “(5) The Secretary, in coordination with the
8 Office of Science and Technology Policy, the Depart-
9 ment of Defense, the Department of Homeland Se-
10 curity, the Director of National Intelligence, Federal
11 science agencies, Federal law enforcement agencies,
12 and other appropriate Federal agencies, shall—

13 “(A) identify United States vulnerabilities
14 in international cooperation that may place re-
15 search funded by the United States Government
16 at risk;

17 “(B) strengthen the security and integrity
18 of United States scientific and research collabo-
19 rations with key foreign partners; and

20 “(C) encourage the international scientific
21 community to adopt and adhere to United
22 States scientific values, including openness,
23 transparency, reciprocity, integrity, and merit-
24 based competition.

1 “(6) As used in this subsection, the term ‘Fed-
2 eral science agency’ means any Federal department
3 or agency to which more than \$100,000,000 in re-
4 search and development funds were appropriated for
5 fiscal year 2020.”.

6 **SEC. 2. COORDINATION OF INTERNATIONAL SCIENCE AND**
7 **TECHNOLOGY PARTNERSHIPS BIENNIAL RE-**
8 **PORT.**

9 Subsection (e) of the International Science and Tech-
10 nology Cooperation Act of 2016 (42 U.S.C. 6625) is
11 amended by striking the period at the end and inserting
12 the following: “, which shall include—

13 “(1) an assessment of whether United States
14 science and technology agreements are in compliance
15 with section 502(5) of the Foreign Relations Author-
16 ization Act, Fiscal Year 1979 (22 U.S.C. 2656b(5));

17 “(2) a summary of science and technology
18 agreements that are not in compliance with such
19 section 502(5), and actions the United States Gov-
20 ernment has taken to bring such agreements into
21 compliance; and

22 “(3) a description of the measures that have
23 been taken by the United States Government, in ac-
24 cordance with section 504(a)(5) of the Foreign Rela-

1 tions Authorization Act, Fiscal Year 1979 (22
2 U.S.C. 2656d(a)(5)).”.

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