

United States Senate

WASHINGTON, DC 20510

January 22, 2020

Mr. Richard J. Pollack
President and Chief Executive Officer
American Hospital Association
800 10th Street Northwest
Washington, DC 20001-4956

Dear Mr. Richard Pollack,

We write to you today with grave concern about the threat American research and development programs face from Communist China. We know that Communist China is using talent recruitment plans to illicitly funnel knowledge and research back to mainland China. General Secretary of the Communist Party Xi is actively trying to steal and exploit the hard work of our institutions and take credit for their success. These criminal activities damage the integrity of your research and threaten our nation's economic and national security.

Just recently, Moffitt Cancer Center in Florida announced that several members of their leadership team, including their President and CEO, resigned after connections were discovered with Communist China's Thousand Talent Recruitment Plans. According to the U.S. Senate Homeland Security Committee, China's Thousand Talent Recruitment Plans "incentivizes individuals engaged in research and development in the United States to transmit the knowledge and research they gain here to China in exchange for salaries, research funding, lab space, and other incentives."¹ We should all be very concerned about the threat of Communist China and its attempts to steal U.S. research and intellectual property, and every hospital, business, and university in our nation needs to be vigilant and proactive about this risk.

Congress is committed to global innovation while simultaneously protecting American intellectual property and national security. Recently, the U.S. Senate

¹ <https://www.hsgac.senate.gov/imo/media/doc/2019-11-18%20PSI%20Staff%20Report%20-%20China's%20Talent%20Recruitment%20Plans.pdf>

Mr. Richard J. Pollack

January 22, 2020

Page Two

Homeland Security Committee held a hearing on Securing the U.S. Research Enterprise from China's Talent Recruitment Plans, and the committee has uncovered that there are is a clear lapse in the National Institute of Health's (NIH) grant review process to determine influence from these foreign talent recruitment programs.² As Senators, we are focused on addressing and resolving these vulnerabilities. To achieve that goal, we are seeking information from your members regarding the steps they are taking to safeguard their technology and intellectual property from foreign influence.

According to federal regulations, institutions are responsible for soliciting and reviewing disclosure of significant financial interests from each investigator who is planning to participate in, or is participating in, NIH-funded research.³ Anyone who plans on participating in federally-funded research is required to submit to the institution an updated disclosure of significant financial interests at least annually.⁴ We understand the importance of conducting collaborative research, but U.S. hospitals, businesses and universities must protect their taxpayer-funded research from Communist China. We cannot take this threat lightly, and we urge each one of your members to do a full, in-depth review of any relationship to China's talent recruitment programs, and review the following questions regarding the specific steps your members are taking to safeguard your technology and intellectual property from foreign influence:

1. What are your members' processes to ensure that their organizations are properly requiring that any individuals participating in federally-funded research are disclosing any possible conflicts of interest?
 - a. How often do your members require individuals participating in federally-funded research to update their disclosures, and who is responsible for reviewing them?
 - b. Do your members make that information easily available to the government agency providing the federal funding?
2. What are your members' processes to properly and thoroughly vet any individuals that participate in your federally-funded research?

² <https://www.hsgac.senate.gov/subcommittees/investigations/hearings/securing-the-us-research-enterprise-from-chinas-talent-recruitment-plans>

³ See 42 C.F.R. § 50.605(d)

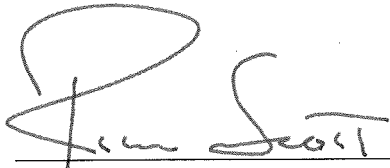
⁴ See 42 C.F.R. § 50.605(e)(2)

Mr. Richard J. Pollack
January 22, 2020
Page Three.

- a. Do your members coordinate with federal law enforcement to help identify threats to their facilities?
3. Are your members aware of any researcher who has failed to disclose their participation in a foreign talent requirement program, such as China's Thousand Talent Recruitment Plans?
 - a. Have your members identified any employees that have shared unauthorized information with a foreign entity?
 - i. If so, what steps have they taken to hold that employee accountable?
4. What steps/changes have your members taken since NIH sent out their 2018 notification letter⁵ to grantees on foreign influences at U.S. research institutions?

We look forward to your responses and your prompt attention to this matter, and will continue to work to protect American institutions from the threat of foreign influence.

Sincerely,



Rick Scott
United States Senator



Marco Rubio
United States Senator



Tom Cotton
United States Senator

⁵ https://acd.od.nih.gov/documents/presentations/12132018ForeignInfluences_report.pdf