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U.S. and China Extend Landmark Bilateral Deal, Very Quietly

The U.S.-China Science and Technology Agreement, a longtime symbol of cooperation first signed in 1979, now highlights rising competition

By Sha Hua Follow

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President Biden met with Chinese leader Xi Jinping in Woodside, Calif., on the sidelines of the APEC conference in November. PHOTO: WHITE HOUSE/ZUMA PRESS

SINGAPORE—When a landmark science and technology agreement between the U.S. and China reached its expiration in late February without an extension, it plunged the academic community in both countries into uncertainty. Neither country confirmed an extension for nine days.

Had it lapsed?

Not really, it turns out. But the extension was made so quietly as to be imperceptible, without an official statement published online. And for a second

time in a row, it would only keep the agreement alive for another six months while Washington and Beijing continue negotiations.

The U.S.-China Science and Technology Agreement was the first bilateral deal signed after Washington formally recognized the Communist-ruled People's Republic of China in 1979. At the time, China was a scientific laggard and the U.S. saw the pact as a way to influence China's behavior and developmental trajectory. Nowadays, each country is simultaneously the other's biggest research partner and its biggest rival, as the world's two largest economies compete for global leadership in areas such as quantum computing, biotechnology and nanoscience.

Over the decades, the agreement was renewed as a matter of course, for five-year extensions, even as more U.S. institutions grew increasingly wary of collaborating with Chinese counterparts. Then in August of last year, with bilateral tensions at a boil, the two sides could manage only a six-month extension—just enough to keep the landmark deal from collapsing. As the next deadline approached in February this year, the tone of bilateral ties was better—though not enough for a full renewal.

The stealthiness of the latest move, and the prolonged nature of the deeper discussions, highlight the complex state of U.S.-China relations, as both countries try to work out new parameters of engagement and rivalry while vying for global technological and military supremacy.

"The two sides have to figure out how to operate and engage with each other as peer colleagues and peer competitors," said Deborah Seligsohn, an assistant professor of political science at Villanova University.

Both proponents and critics say the agreement hasn't kept up with changes in bilateral ties and the two countries' respective strategic priorities.

Critics of the deal say that in fields such as artificial intelligence and quantum computing, clearer distinctions are needed between military and civilian uses. Trade tensions over clean technologies such as electric vehicles, solar panels and batteries have also been growing.

The U.S. and China agreed in a separate deal last year to hold talks aimed at addressing the risks of artificial intelligence. Both sides have also collaborated on international climate diplomacy and say cooperation is necessary in areas such as public health and food security.

“Strengthened protections in the agreement will be essential for any longer-term extension,” the State Department wrote in response to a request for comment on the deal, adding that officials were realistic about China’s national priorities and domestic legal landscape.

“China-U.S. exchange and cooperation in science and technology is mutually beneficial in nature,” Liu Pengyu, a spokesman at the Chinese Embassy in Washington, wrote in reply to a request for comment, adding he wasn’t authorized to confirm “the specific progress.”

The last full extension was approved in 2018, after the Trump administration amended the text to address U.S. concerns about China’s approach to intellectual property.

In August, the U.S. decided to renegotiate new terms. But discussions only started in earnest after the summit between President Biden and Chinese leader Xi Jinping in November and were interrupted by the Christmas and Lunar New Year holiday breaks, people familiar with the discussion said.

While the U.S.’s more open approach to science and technology has benefited innovation, detractors say it has also hindered Washington from developing a strategic approach to collaboration and preventing Beijing, which has been more deliberate in pursuing research priorities, from gaining crucial capabilities in key sectors.

In a survey of nearly 2,000 Americans working in education, healthcare, business, military, national security and the sciences, 60% believed that China—not the U.S.—would be the global leader in science and technology in five years, according to a report by the U.S.-based nonprofit Science & Technology Action Committee published in 2023.

The agreement has been controversial among Republican lawmakers. Rep. Mike Gallagher (R., Wis.), chairman of a special House committee focused on China,

led a congressional group in June demanding the State Department scrap the agreement, alleging that China had gained a military advantage through its scientific ties with the U.S.

In August, Rep. Andy Barr (R., Ky.) proposed a bill requiring the State Department to provide Congress with security risk assessments or have the agreement revoked. Last year, a law came into effect blocking faculty at Florida's public universities from hiring Chinese graduate and postdoctoral students to work in their laboratories.

While China wants to keep scientific cooperation broadly open, the U.S. wants to restrict fields of collaboration, said the people familiar with the discussions. Washington is also seeking to add a "good intention clause," which states that joint research is only intended for peaceful purposes and not for military use.



Rep. Mike Gallagher (R., Wis.) has urged the State Department to scrap the science and technology agreement. PHOTO: GRAEME SLOAN/BLOOMBERG NEWS

A key U.S. demand in this round of the negotiations is guaranteeing the personal safety of American researchers and protecting them from arbitrary detention, according to Denis Simon, a fellow of the Washington-based Institute for China-America Studies, who is speaking with officials from both sides involved in the discussion.

In 2023, China expanded its antiespionage law, tightening its grip on a swathe of data and redrawing the boundaries of what it considers legitimate information

gathering. A clarification by Beijing later stated that the law wasn't aimed at academic research.

Meanwhile, China's state media reported recent instances in which Chinese academics and students were stopped and questioned upon entering the U.S. Some were turned away and had their visas revoked.

For the 2022-23 academic year, the number of Chinese citizens studying in the U.S. declined for a third year in a row, to its lowest level since 2013-14, according to a report published by the U.S. government-funded Institute of International Education.

The thorniest problem, Simon said, has been the data issue, since it involves different players across China's government.

The U.S. is demanding greater clarity over access, ownership and sharing of data. The amount of publicly accessible data in the U.S. is much larger than in China, the latter of which tends to grant permission only to specific data sets for select projects.

In 2022, Beijing started reviewing and eventually restricting access to academic and health data, citing cybersecurity and data privacy concerns. Beijing later fined China's largest academic database for violating personal information processing laws.

Proponents say that continued engagement gives both sides visibility into each other's intentions. Some say a more developed China can now offer American scientists access to cutting-edge technologies, with "a real opportunity for achieving mutual benefit," according to Simon.

Even without a deal in place, researchers from both countries would be able to collaborate with each other—but their projects would take place without the official blessing of their respective governments.

U.S.-China science collaboration has been fraught in recent years. In 2018, the Justice Department launched its China Initiative aimed at sniffing out economic espionage by Beijing. It largely failed to turn up criminal conduct. Instead, it cast a chill over scientific collaboration and sparked an exodus of Chinese scientists from American institutions. The China Initiative was shuttered in 2022.

A study conducted by American and Chinese researchers that began in 1985 and ran through the 2000s showed the efficacy of giving pregnant women folic acid supplementation in preventing birth defects. Folic acid is now in many foods around the world, preventing millions of stillbirths or lifelong birth defects.

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