

116TH CONGRESS
2D SESSION

S. 3683

To authorize the imposition of sanctions with respect to the People’s Republic of China for its obstruction or failure to cooperate in investigations relating to the outbreak of COVID–19, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2020

Mr. GRAHAM (for himself, Mr. BRAUN, Mr. DAINES, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Mr. TILLIS, Mr. INHOFE, Mr. WICKER, and Mr. YOUNG) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To authorize the imposition of sanctions with respect to the People’s Republic of China for its obstruction or failure to cooperate in investigations relating to the outbreak of COVID–19, and for other purposes.

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. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “COVID–19 Accountability Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings.
 Sec. 3. Statement of policy.

TITLE I—SANCTIONS WITH RESPECT TO THE PEOPLE’S
 REPUBLIC OF CHINA

- Sec. 101. Sanctions with respect to the obstruction or failure of the People’s Republic of China to cooperate in investigations relating to the outbreak of COVID–19.

TITLE II—ENSURING A SAFE AND SECURE SUPPLY OF
 PHARMACEUTICALS FOR THE UNITED STATES

- Sec. 201. Food and Drug Administration reporting requirements.

TITLE III—ENCOURAGING THE RETURN AND DEVELOPMENT OF
 UNITED STATES INDUSTRY

- Sec. 301. Increase in alternative simplified research credit.
 Sec. 302. Special rules for certain United States manufacturers.
 Sec. 303. Domestic purchasing requirement for personal protective equipment acquisitions for the Strategic National Stockpile.

TITLE IV—MATTERS RELATING TO TAIWAN

- Sec. 401. Participation of Taiwan in the World Health Organization.
 Sec. 402. Briefing on United States strategy regarding Taiwan’s international recognition.
 Sec. 403. Sense of Congress on the implementation of the Asia Reassurance Initiative Act.

1 SEC. 2. FINDINGS.

2 Congress makes the following findings:

3 (1) The People’s Republic of China, including
 4 the Government of the People’s Republic of China
 5 and the Chinese Communist Party, has mishandled
 6 its management and response to the outbreak of
 7 coronavirus disease 2019 (commonly known as
 8 “COVID–19”) in Wuhan, Hubei Province.

9 (2) On December 31, 2019, the World Health
 10 Organization headquarters in Geneva learned of
 11 pneumonia with an unknown cause, not from Chi-
 12 nese authorities, but from a United States-based

1 listserv, Pro-MED, a platform for sharing early,
2 open-source intelligence about potential epidemics.

3 (3) On January 9, 2020, the Chinese Com-
4 munist Party officially announced a coronavirus out-
5 break, 2 days after the World Health Organization
6 announced an outbreak and 8 days after closing the
7 Wuhan Hua’nan wet market.

8 (4) The Chinese Communist Party continually
9 suppressed medical information, such as early
10 knowledge of the risk of human-to-human trans-
11 mission of the SARS-CoV-2 virus, which causes
12 COVID-19, from doctors and medical professionals
13 while subjecting them to humiliating reprimands.

14 (5) On January 20, 2020, the Chinese Com-
15 munist Party finally acknowledged that the SARS-
16 CoV-2 virus can be transmitted human to human,
17 despite denials as recently as January 15, 2020.

18 (6) On January 2, 2020, researchers in the
19 People’s Republic of China completed a genomic
20 analysis of the SARS-CoV-2 virus, but failed to
21 share the results with the international community
22 until January 12, 2020.

23 (7) On January 6, 2020, officials from the
24 United States Centers for Disease Control and Pre-
25 vention offered to visit the People’s Republic of

1 China to help respond to the COVID–19 epidemic,
2 but the offer was declined by the Chinese Com-
3 munist Party, and the Centers for Disease Control
4 and Prevention were informed that United States
5 medical researchers were not permitted to enter the
6 People’s Republic of China until February 16, 2020,
7 as part of a World Health Organization delegation.

8 (8) The Chinese Communist Party exponen-
9 tially increased the spread of COVID–19 domesti-
10 cally and internationally by continuing to permit
11 international flights well after domestic quarantines
12 were put in place.

13 (9) The Chinese Communist Party contributed
14 to the community spread of COVID–19 by, on Janu-
15 ary 18, 2020, permitting a 40,000-family potluck
16 banquet in the Bubuting Community of Wuhan as
17 part of the Lunar New Year festivities.

18 (10) On March 12, 2020, officials within the
19 Chinese Communist Party knowingly spread
20 disinformation that the SARS–CoV–2 virus had
21 originated with the United States Armed Forces.

22 (11) COVID–19 has decimated the global econ-
23 omy, caused trillions of dollars in economic damage,
24 and cost millions of United States citizens their jobs.

1 (12) As of the end of April 2020, COVID-19
2 has—

3 (A) infected more than 3,000,000 individ-
4 uals globally and almost 1,000,000 people in
5 the United States; and

6 (B) caused more than 200,000 deaths
7 globally and more than 50,000 deaths in the
8 United States.

9 **SEC. 3. STATEMENT OF POLICY.**

10 It is the policy of the United States—

11 (1) to fully investigate the outbreak of the
12 SARS-CoV-2 virus, including the role the Govern-
13 ment of the People's Republic of China and the Chi-
14 nese Communist Party played in withholding infor-
15 mation and knowingly misinforming international or-
16 ganizations and countries impacted by COVID-19;

17 (2) to ensure that the Government of the Peo-
18 ple's Republic of China immediately closes all oper-
19 ating wet markets that have a potential to expose
20 humans to health risks through the introduction of
21 zoonotic disease into the human population;

22 (3) to draw international attention to—

23 (A) any violations by the Government of
24 the People's Republic of China of the funda-
25 mental rights of the people of Hong Kong, as

provided by the International Covenant on Civil
and Political Rights; and

(B) any encroachment on the autonomy
guaranteed to Hong Kong by the Basic Law of
Hong Kong and the Joint Declaration of the
Government of the United Kingdom of Great
Britain and Northern Ireland and the Govern-
ment of the People's Republic of China on the
Question of Hong Kong, done at Beijing on De-
cember 19, 1984; and

(4) to reduce the reliance of essential United
States industries on the People's Republic of China
to fulfill supply chain needs.

TITLE I—SANCTIONS WITH RE- SPECT TO THE PEOPLE'S RE- PUBLIC OF CHINA

SEC. 101. SANCTIONS WITH RESPECT TO THE OBSTRUC- TION OR FAILURE OF THE PEOPLE'S REPUB- LIC OF CHINA TO COOPERATE IN INVESTIGA- TIONS RELATING TO THE OUTBREAK OF COVID-19.

(a) CERTIFICATION REQUIRED.—Not later than 60
days after the date of the enactment of this Act, and every
180 days thereafter, the President shall submit to Con-
gress—

1 (1) a certification that the Government of the
2 People's Republic of China—

3 (A) is completely cooperating with any ef-
4 forts relating to the COVID–19 outbreak led by
5 the United States, partners of the United
6 States, or any institution affiliated with the
7 United Nations;

8 (B) has prohibited the operation of wet
9 markets that have a potential to expose humans
10 to health risks through the introduction of
11 zoonotic disease into the human population; and

12 (C) has released and dropped all charges
13 for anyone arrested or detained in the People's
14 Republic of China since November 2019 relat-
15 ing to their participation in the protests in
16 Hong Kong relating to COVID–19; or

17 (2) a report describing the reasons the Presi-
18 dent is not able to make the certification described
19 in paragraph (1).

20 (b) IMPOSITION OF SANCTIONS AND PROHIBI-
21 TIONS.—If the President is unable to make a certification
22 described in paragraph (1) of subsection (a) by a date re-
23 quired by that subsection, the President may impose 2 or
24 more of—

1 (1) the sanctions described in subsection (c)
2 with respect to—

3 (A) any official of the Government of the
4 People’s Republic of China;

5 (B) any entity owned, directed, or other-
6 wise controlled by that Government; and

7 (C) any individual associated with an enti-
8 ty described in paragraph (2); or

9 (2) the prohibition described in subsection (d).

10 (c) SANCTIONS DESCRIBED.—The sanctions that
11 may be imposed with respect to an official, entity, or indi-
12 vidual under this subsection are the following:

13 (1) PROPERTY BLOCKING.—The President may,
14 pursuant to the International Emergency Economic
15 Powers Act (50 U.S.C. 1701 et seq.), block and pro-
16 hibit all transactions in property and interests in
17 property of such an official, entity, or individual
18 (and, in the case of an official or other individual,
19 the immediate family members of the official or indi-
20 vidual) if such property and interests in property are
21 in the United States, come within the United States,
22 or are or come within the possession or control of a
23 United States person.

24 (2) ALIENS INELIGIBLE FOR VISAS, ADMISSION,
25 OR PAROLE.—

1 (A) VISAS, ADMISSION, OR PAROLE.—Not-
2 withstanding section 221 of the Immigration
3 and Nationality Act (8 U.S.C. 1201), the Sec-
4 retary of State may deny a visa to, and the Sec-
5 retary of Homeland Security may deny admis-
6 sion or parole into the United States for, such
7 an official or individual who is an alien.

8 (B) CURRENT VISAS REVOKED.—

9 (i) IN GENERAL.—Pursuant to section
10 221(i) of the Immigration and Nationality
11 Act (8 U.S.C. 1201(i)), the issuing con-
12 sular officer, the Secretary of State, or the
13 Secretary of Homeland Security (or a des-
14 ignee of any such officer or Secretary) may
15 revoke any visa or other entry documenta-
16 tion issued to an alien described in sub-
17 paragraph (A), regardless of when the visa
18 or other documentation was issued.

19 (ii) EFFECT OF REVOCATION.—A rev-
20 ocation under clause (i) may take effect
21 immediately and shall automatically cancel
22 any other valid visa or entry documenta-
23 tion that is in the alien's possession.

24 (3) LOANS FROM UNITED STATES FINANCIAL
25 INSTITUTIONS.—The President may prohibit any

1 United States financial institution from making
 2 loans, underwriting, or providing credits to any such
 3 entity unless the entity is determined by the United
 4 States Government to be engaged in activities to re-
 5 lieve human suffering and the loans or credits have
 6 been approved by the United States Government for
 7 such activities.

8 (4) LOANS FROM AND PROCUREMENT BY
 9 INTERNATIONAL FINANCIAL INSTITUTIONS.—The
 10 President shall direct the United States executive di-
 11 rector of each international financial institution (as
 12 defined in section 1701(c) of the International Fi-
 13 nancial Institutions Act (22 U.S.C. 262r(c))) to use
 14 the voice and vote of the United States to oppose—

15 (A) any financial assistance from the inter-
 16 national financial institution that would benefit
 17 any such entity; and

18 (B) the awarding by the international fi-
 19 nancial institution of procurement contracts to
 20 any such entity.

21 (5) LIMITATION ON CHINESE OWNERSHIP IN-
 22 TERESTS IN UNITED STATES ISSUERS OF SECURI-
 23 TIES.—

24 (A) IN GENERAL.—The Securities and Ex-
 25 change Commission may prohibit a covered en-

1 tity from listing securities issued by the entity
 2 on a national securities exchange if an entity or
 3 individual subject to subsection (b) has a ma-
 4 jority ownership interest in the covered entity.

5 (B) DEFINITIONS.—In this paragraph:

6 (i) COVERED ENTITY.—The term
 7 “covered entity” means an entity—

8 (I) that is incorporated under the
 9 laws of any State, or whose principal
 10 place of business is within a State;
 11 and

12 (II) that produces components
 13 that may be used in—

14 (aa) services supplied by an
 15 entity subject to subsection (b);
 16 or

17 (bb) goods produced, or ex-
 18 ported, by an entity subject to
 19 subsection (b).

20 (ii) EXCHANGE; SECURITY.—The
 21 terms “exchange” and “security” have the
 22 meanings given those terms in section 3(a)
 23 of the Securities Exchange Act of 1934
 24 (15 U.S.C. 78c(a)).

1 (iii) MAJORITY OWNERSHIP INTER-
 2 EST.—An entity or individual holds a “ma-
 3 jority ownership interest” in a covered en-
 4 tity if the entity or individual owns—

5 (I) more shares in the covered
 6 entity than any other shareholder; and

7 (II) enough shares in the covered
 8 entity to control decisions of the enti-
 9 ty.

10 (iv) NATIONAL SECURITIES EX-
 11 CHANGE.—The term “national securities
 12 exchange” means an exchange that is reg-
 13 istered as a national securities exchange
 14 under section 6 of the Securities Exchange
 15 Act of 1934 (15 U.S.C. 78f).

16 (d) PROHIBITION AGAINST STUDENT VISAS FOR
 17 CHINESE NATIONALS.—The Secretary of State may deny
 18 an alien who is a citizen or national of the People’s Repub-
 19 lic of China admission, parole, or other permission to enter
 20 the United States as a nonimmigrant described in sub-
 21 paragraph (F), (J), or (M) of section 101(a)(15) of the
 22 Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

23 (e) APPLICATION; EXCEPTIONS.—

24 (1) INAPPLICABILITY OF NATIONAL EMER-
 25 GENCY REQUIREMENT.—The requirements under

1 section 202 of the International Emergency Eco-
2 nomic Powers Act (50 U.S.C. 1701) shall not apply
3 for purposes of subsection (c)(1).

4 (2) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply
5 to any activity subject to the reporting requirements
6 under title V of the National Security Act of 1947
7 (50 U.S.C. 3091 et seq.) or any authorized intel-
8 ligence activities of the United States.

9
10 (3) EXCEPTION RELATING TO IMPORTATION OF
11 GOODS.—

12 (A) IN GENERAL.—The authorities and re-
13 quirements to impose sanctions under sub-
14 section (c)(1) shall not include the authority or
15 a requirement to impose sanctions on the im-
16 portation of goods.

17 (B) GOOD DEFINED.—In this paragraph,
18 the term “good” means any article, natural or
19 manmade substance, material, supply or manu-
20 factured product, including inspection and test
21 equipment, and excluding technical data.

22 (4) EXCEPTION TO COMPLY WITH INTER-
23 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
24 MENT ACTIVITIES.—Sanctions under subsection
25 (c)(2) and the prohibition under subsection (d) shall

1 not apply with respect to an alien if admitting or pa-
2 roling the alien into the United States is nec-
3 essary—

4 (A) to permit the United States to comply
5 with the Agreement regarding the Head-
6 quarters of the United Nations, signed at Lake
7 Success June 26, 1947, and entered into force
8 November 21, 1947, between the United Na-
9 tions and the United States, or other applicable
10 international obligations; or

11 (B) to carry out or assist law enforcement
12 activity in the United States.

13 (f) IMPLEMENTATION; PENALTIES.—

14 (1) IMPLEMENTATION.—The President may ex-
15 ercise all authorities provided under sections 203
16 and 205 of the International Emergency Economic
17 Powers Act (50 U.S.C. 1702 and 1704) to carry out
18 this section.

19 (2) PENALTIES.—A person that violates, at-
20 tempts to violate, conspires to violate, or causes a
21 violation of this section or any regulation, license, or
22 order issued to carry out this section shall be subject
23 to the penalties set forth in subsections (b) and (c)
24 of section 206 of the International Emergency Eco-
25 nomic Powers Act (50 U.S.C. 1705) to the same ex-

1 tent as a person that commits an unlawful act de-
2 scribed in subsection (a) of that section.

3 (g) SUSPENSION; REINSTATEMENT.—

4 (1) IN GENERAL.—The authority to impose
5 sanctions or prohibitions under this section, and any
6 sanctions or prohibitions so imposed, shall be sus-
7 pended on the date on which the President submits
8 to Congress a certification described in subsection
9 (a)(1).

10 (2) EFFECT OF SUBSEQUENT FAILURE TO CER-
11 TIFY.—If, after a suspension of sanctions and prohi-
12 bitions under paragraph (1), the President is unable
13 to submit a certification described in paragraph (1)
14 of subsection (a) at a time required by that sub-
15 section, the authority to impose sanctions and prohi-
16 bitions under this section, and any sanctions or pro-
17 hibitions previously imposed under this section, shall
18 be reinstated.

19 (h) DEFINITIONS.—In this section:

20 (1) ADMISSION; ADMITTED; ALIEN.—The terms
21 “admission”, “admitted”, and “alien” have the
22 meanings given those terms in section 101 of the
23 Immigration and Nationality Act (8 U.S.C. 1101).

24 (2) UNITED STATES PERSON.—The term
25 “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

TITLE II—ENSURING A SAFE AND SECURE SUPPLY OF PHARMACEUTICALS FOR THE UNITED STATES

SEC. 201. FOOD AND DRUG ADMINISTRATION REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Commissioner of Food and Drugs shall submit to the appropriate congressional committees—

(1) a list of all brand name and generic drugs and corresponding active pharmaceutical ingredients that the Commissioner determines are—

(A) critical to the health and safety of United States consumers; and

(B) are exclusively produced, or incorporate active pharmaceutical ingredients produced, in the People’s Republic of China;

1 (2)(A) a certification that the pharmaceutical
2 industry in the People’s Republic of China is being
3 regulated for safety, either by authorities of the Gov-
4 ernment of the People’s Republic of China or by the
5 Food and Drug Administration, to substantially the
6 same degree as the United States pharmaceutical in-
7 dustry; or

8 (B) if the Commissioner is unable to make a
9 certification described in subparagraph (A), a plan
10 to protect the people of the United States from un-
11 safe or contaminated drugs manufactured in the
12 People’s Republic of China; and

13 (3) a report on imports from the People’s Re-
14 public of China of all personal protective equipment
15 that is intended for use as a medical device, includ-
16 ing—

17 (A) information on the percentage of de-
18 mand in the United States for such equipment
19 that is met by such imports; and

20 (B) an analysis of the percentage of such
21 imports that meet the standards of the Com-
22 missioner for use in the United States.

23 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means—

1 (1) the Committee on Finance and the Com-
 2 mittee on Health, Education, Labor, and Pensions
 3 of the Senate; and

4 (2) the Committee on Ways and Means and the
 5 Committee on Energy and Commerce of the House
 6 of Representatives.

7 **TITLE III—ENCOURAGING THE**
 8 **RETURN AND DEVELOPMENT**
 9 **OF UNITED STATES INDUS-**
 10 **TRY**

11 **SEC. 301. INCREASE IN ALTERNATIVE SIMPLIFIED RE-**
 12 **SEARCH CREDIT.**

13 (a) IN GENERAL.—Subparagraph (A) of section
 14 41(c)(4) of the Internal Revenue Code of 1986 is amended
 15 by striking “14 percent” and inserting “20 percent”.

16 (b) CONFORMING AMENDMENT.—Clause (ii) of sec-
 17 tion 41(c)(4)(B) of the Internal Revenue Code of 1986
 18 is amended by striking “6 percent” and inserting “10 per-
 19 cent”.

20 (c) EFFECTIVE DATE.—The amendments made by
 21 this section shall apply to taxable years beginning after
 22 December 31, 2019.

1 **SEC. 302. SPECIAL RULES FOR CERTAIN UNITED STATES**
 2 **MANUFACTURERS.**

3 (a) INCREASE IN RESEARCH CREDIT.—Section
 4 41(c)(4) of the Internal Revenue Code of 1986 is amended
 5 by adding at the end the following new subparagraph:

6 “(C) SPECIAL RULES FOR QUALIFIED MAN-
 7 UFACTURERS.—

8 “(i) IN GENERAL.—In the case of a
 9 taxpayer who meets the requirements of
 10 clause (ii) for the taxable year—

11 “(I) subparagraph (A) shall be
 12 applied by substituting ‘30 percent’
 13 for ‘20 percent’, and

14 “(II) subparagraph (B)(ii) shall
 15 be applied by substituting ‘14 percent’
 16 for ‘10 percent’.

17 “(ii) REQUIREMENTS.—

18 “(I) IN GENERAL.—A taxpayer
 19 meets the requirements of this clause
 20 if not less than 50 percent of the
 21 gross receipts for applicable products
 22 sold by the taxpayer during the tax-
 23 able year are produced or manufac-
 24 tured in whole or in significant part
 25 within the United States.

1 “(II) APPLICABLE PRODUCTS.—

2 For purposes of this clause, the term
 3 ‘applicable product’ means any prod-
 4 uct with respect to which a credit was
 5 allowed under this section to the tax-
 6 payer in a preceding taxable year.”.

7 (b) EFFECTIVE DATE.—The amendments made by
 8 this section shall apply to taxable years beginning after
 9 December 31, 2019.

10 **SEC. 303. DOMESTIC PURCHASING REQUIREMENT FOR**
 11 **PERSONAL PROTECTIVE EQUIPMENT ACQUI-**
 12 **SITIONS FOR THE STRATEGIC NATIONAL**
 13 **STOCKPILE.**

14 (a) REQUIREMENT.—Except as provided in sub-
 15 sections (c) and (d), funds appropriated or otherwise avail-
 16 able to the Secretary of Health and Human Services for
 17 the Strategic National Stockpile may not be used for the
 18 procurement of an item described in subsection (b) if the
 19 item is not grown, reprocessed, reused, or produced in the
 20 United States.

21 (b) COVERED ITEMS.—An item described in this sub-
 22 section is an article or item of—

23 (1) personal protective equipment or clothing
 24 and the materials and components thereof, other
 25 than sensors, electronics, or other items added to,

1 and not normally associated with, clothing (and the
2 materials and components thereof);

3 (2) surgical masks, respirator masks, face
4 shields, surgical and privacy gowns, head and foot
5 coverings, testing swabs, bedding, or other critical
6 medical supplies;

7 (3) cotton and other natural fiber products,
8 woven silk or woven silk blends, spun silk yarn for
9 cartridge cloth, synthetic fabric or coated synthetic
10 fabric (including all textile fibers and yarns that are
11 for use in such fabrics), canvas products, or wool
12 (whether in the form of fiber or yarn or contained
13 in fabrics, materials, or manufactured articles); or

14 (4) any item of individual equipment manufac-
15 tured from or containing such fibers, yarns, fabrics,
16 or materials.

17 (c) AVAILABILITY EXCEPTION.—Subsection (a) shall
18 not apply to the extent that the Secretary of Health and
19 Human Services determines that a sufficient quantity of
20 a satisfactory quality of any such article or item described
21 in subsection (b) that is grown, reprocessed, reused, or
22 produced in the United States cannot be procured as, and
23 when, needed at United States market prices. This section
24 shall not apply to covered items that are, or include, mate-
25 rials determined to be non-available in accordance with

1 Federal Acquisition Regulation 25.104 Nonavailable Arti-
2 cles.

3 (d) EXCEPTION FOR SMALL PURCHASES.—Sub-
4 section (a) shall not apply to purchases for amounts that
5 do not exceed \$150,000. A proposed purchase or contract
6 for an amount in excess of \$150,000 may not be divided
7 into several purchases or contracts for lesser amounts in
8 order to qualify for the exception under this subsection.

9 (e) GEOGRAPHIC COVERAGE.—In this section, the
10 term “United States” includes the possessions of the
11 United States.

12 (f) NOTIFICATION REQUIRED WITHIN 7 DAYS AFTER
13 CONTRACT AWARD IF CERTAIN EXCEPTIONS APPLIED.—
14 In the case of any contract for the procurement of an item
15 described in subsection (b), if the Secretary of Health and
16 Human Services applies the exception described in sub-
17 section (c) with respect to that contract, the Secretary
18 shall, not later than 7 days after the awarding of the con-
19 tract, post a notification that the exception has been ap-
20 plied on the internet website maintained by the General
21 Services Administration known as FedBizOps.gov (or any
22 successor site).

23 (g) TRAINING DURING FISCAL YEAR 2021.—

24 (1) IN GENERAL.—The Secretary of Health and
25 Human Services shall ensure that each member of

1 the acquisition workforce in the Department of
2 Health and Human Services who participates per-
3 sonally and substantially in acquisitions on a regular
4 basis receives training during fiscal year 2021 on
5 the requirements of this section and the regulations
6 implementing this section.

7 (2) INCLUSION OF INFORMATION IN NEW
8 TRAINING PROGRAMS.—The Secretary of Health and
9 Human Services shall ensure that any training pro-
10 gram for the acquisition workforce developed or im-
11 plemented after fiscal year 2021, includes com-
12 prehensive information on the requirements de-
13 scribed in paragraph (1).

14 (h) APPLICATION TO OTHER AGENCIES.—If respon-
15 sibility for maintaining the Strategic National Stockpile
16 is transferred from the Department of Health and Human
17 Services to any other Federal department or agency, the
18 provisions of this section shall apply to the head of such
19 department or agency.

20 (i) EFFECTIVE DATE.—This section shall apply with
21 respect to contracts entered into by the Department of
22 Health and Human Services beginning 60 days after the
23 date of enactment of this Act.

1 **TITLE IV—MATTERS RELATING**
2 **TO TAIWAN**

3 **SEC. 401. PARTICIPATION OF TAIWAN IN THE WORLD**
4 **HEALTH ORGANIZATION.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) The World Health Organization (WHO) is
8 a specialized agency of the United Nations, charged
9 with coordinating health efforts within the United
10 Nations system. The World Health Assembly
11 (WHA) is the decision-making body of the WHO,
12 which convenes annually in May to set the policies
13 and priorities of the organization. Statehood is not
14 a requirement for attendance at the WHA, and nu-
15 merous observers, including nonmembers and non-
16 governmental organizations, attended the most re-
17 cent WHA in May 2018.

18 (2) Taiwan began seeking to participate in the
19 WHO as an observer in 1997. In 2009, with strong
20 support from successive United States Administra-
21 tions, Congress, and like-minded WHO Member
22 States, and during a period of improved Cross-Strait
23 relations, Taiwan received an invitation to attend
24 the WHA as an observer under the name “Chinese
25 Taipei”. Taiwan received the same invitation each

1 year until 2016, when following the election of Presi-
2 dent Tsai-Ing Wen of the Democratic Progressive
3 Party, Taiwan's engagement in the international
4 community began facing increased resistance from
5 the People's Republic of China (PRC). Taiwan's in-
6 vitation to the 2016 WHA was received late and in-
7 cluded new language conditioning Taiwan's partici-
8 pation on the PRC's "one China principle". In 2017
9 and 2018, Taiwan did not receive an invitation to
10 the WHA.

11 (3) Taiwan remains a model contributor to
12 world health, having provided financial and technical
13 assistance to respond to numerous global health
14 challenges. Taiwan has invested over
15 \$6,000,000,000 in international medical and human-
16 itarian aid efforts impacting over 80 countries since
17 1996. In 2014, Taiwan responded to the Ebola crisis
18 by donating \$1,000,000 and providing 100,000 sets
19 of personal protective equipment. Through the Glob-
20 al Cooperation and Training Framework, the United
21 States and Taiwan have jointly conducted training
22 programs for experts to combat MERS, Dengue
23 Fever, and Zika. These diseases know no borders,
24 and Taiwan's needless exclusion from global health

1 cooperation increases the dangers presented by glob-
2 al pandemics.

3 (4) Taiwan's international engagement has
4 faced increased resistance from the PRC. Taiwan
5 was not invited to the 2016 Assembly of the Inter-
6 national Civil Aviation Organization (ICAO), despite
7 participating as a guest at the organization's prior
8 summit in 2013. Taiwan's requests to participate in
9 the General Assembly of the International Criminal
10 Police Organization (INTERPOL) have also been
11 rejected. In May 2017, PRC delegates disrupted a
12 meeting of the Kimberley Process on conflict dia-
13 monds held in Perth, Australia, until delegates from
14 Taiwan were asked to leave. Since 2016, the Demo-
15 cratic Republic of São Tomé and Príncipe, the Re-
16 public of Panama, the Dominican Republic, Burkina
17 Faso, the Republic of El Salvador, the Solomon Is-
18 lands, and Kiribati have terminated longstanding
19 diplomatic relationships with Taiwan and granted
20 diplomatic recognition to the PRC.

21 (5) Congress has established a policy of support
22 for Taiwan's participation in international bodies
23 that address shared transnational challenges, par-
24 ticularly in the WHO. Congress passed H.R. 1794
25 in the 106th Congress, H.R. 428 in the 107th Con-

1 gress, and S. 2092 in the 108th Congress to direct
 2 the Secretary of State to establish a strategy for,
 3 and to report annually to Congress on, efforts to ob-
 4 tain observer status for Taiwan at the WHA. Con-
 5 gress also passed H.R. 1151 in the 113th Congress,
 6 directing the Secretary to report on a strategy to
 7 gain observer status for Taiwan at the ICAO Assem-
 8 bly, and H.R. 1853 in the 114th Congress, directing
 9 the Secretary to report on a strategy to gain ob-
 10 server status for Taiwan at the INTERPOL Assem-
 11 bly. However, since 2017 Taiwan has not received
 12 an invitation to attend any of these events as an ob-
 13 server.

14 (b) AUGMENTATION OF REPORT CONCERNING THE
 15 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-
 16 GANIZATION.—

17 (1) IN GENERAL.—Subsection (c) of section 1
 18 of Public Law 108–235 (118 Stat. 656) is amended
 19 by adding at the end the following new paragraph:

20 “(3) An account of the changes and improve-
 21 ments the Secretary of State has made to the
 22 United States plan to endorse and obtain observer
 23 status for Taiwan at the World Health Assembly,
 24 following any annual meetings of the World Health

1 Assembly at which Taiwan did not obtain observer
2 status.”.

3 (2) EFFECTIVE DATE.—The amendment made
4 by paragraph (1) shall take effect and apply begin-
5 ning with the first report required under subsection
6 (c) of section 1 of Public Law 108–235 that is sub-
7 mitted after the date of the enactment of this Act.

8 **SEC. 402. BRIEFING ON UNITED STATES STRATEGY RE-**
9 **GARDING TAIWAN’S INTERNATIONAL REC-**
10 **OGNITION.**

11 (a) IN GENERAL.—Not later than 90 days after the
12 date of the enactment of this Act, and every 180 days
13 thereafter for 3 years, the Secretary of State shall provide
14 to the appropriate congressional committees a briefing on
15 actions taken by the United States to reaffirm and
16 strengthen Taiwan’s official and unofficial diplomatic rela-
17 tionships.

18 (b) ELEMENTS.—The briefing required by subsection
19 (a) shall include the following elements:

20 (1) A description of the actions taken by the
21 United States commencing May 20, 2016, to consult
22 with governments around the world, including the
23 governments that maintain official diplomatic rela-
24 tions with Taiwan, with the purpose of inducing
25 those governments to maintain official diplomatic re-

1 lations with Taiwan or otherwise strengthen unoffi-
2 cial relations with Taiwan.

3 (2) An enumeration of specific countries of con-
4 cern, if any, and a description of the actions taken,
5 or actions anticipated, by those governments, com-
6 mencing May 20, 2016, to alter the formal diplo-
7 matic ties with Taiwan or to otherwise downgrade
8 official or unofficial relations.

9 (3) A plan of action to engage with the govern-
10 ments of the countries identified in paragraphs (1)
11 and (2) and increase cooperation with respect to
12 Taiwan.

13 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—
14 In this section, the term “appropriate congressional com-
15 mittees” means—

16 (1) the Committee on Foreign Relations of the
17 Senate; and

18 (2) the Committee on Foreign Affairs of the
19 House of Representatives.

20 **SEC. 403. SENSE OF CONGRESS ON THE IMPLEMENTATION**
21 **OF THE ASIA REASSURANCE INITIATIVE ACT.**

22 It is the sense of Congress that the full and timely
23 implementation of section 209 of the Asia Reassurance
24 Initiative Act of 2018 (Public Law 115–409; 132 Stat.
25 5387), which reiterates longstanding bipartisan United

- 1 States policy, is critical to demonstrate United States sup-
- 2 port for Taiwan.

