

116TH CONGRESS
2D SESSION

H. R. 6863

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 HOUSE OF REPRESENTATIVES

MAY 14, 2020

Mr. COLLINS of Georgia (for himself, Ms. CHENEY, Mr. AUSTIN SCOTT of Georgia, Mr. STEUBE, Mr. GUEST, Mr. TIMMONS, Mr. MARSHALL, Mr. BALDERSON, Mr. WALKER, Mr. RIGGLEMAN, Mr. PALAZZO, Mr. TIPTON, Mr. GIBBS, Mr. BILIRAKIS, Mr. HIGGINS of Louisiana, Mr. DIAZ-BALART, Mr. ALLEN, Mr. WALTZ, Mrs. HARTZLER, Mr. BANKS, Mr. RUTHERFORD, Mr. BISHOP of North Carolina, Mr. RODNEY DAVIS of Illinois, Mr. STIVERS, and Mr. MULLIN) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Ways and Means, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

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

4 (b) TABLE OF CONTENTS.—The table of contents for
5 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.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The People’s Republic of China, including
9 the Government of the People’s Republic of China
10 and the Chinese Communist Party, has mishandled
11 its management and response to the outbreak of

1 coronavirus disease 2019 (commonly known as
2 “COVID–19”) in Wuhan, Hubei Province.

3 (2) On December 31, 2019, the World Health
4 Organization headquarters in Geneva learned of
5 pneumonia with an unknown cause, not from Chi-
6 nese authorities, but from a United States-based
7 listserv, Pro-MED, a platform for sharing early,
8 open-source intelligence about potential epidemics.

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

14 (4) The Chinese Communist Party continually
15 suppressed medical information, such as early
16 knowledge of the risk of human-to-human trans-
17 mission of the SARS–CoV–2 virus, which causes
18 COVID–19, from doctors and medical professionals
19 while subjecting them to humiliating reprimands.

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

24 (6) On January 2, 2020, researchers in the
25 People’s Republic of China completed a genomic

1 analysis of the SARS–CoV–2 virus, but failed to
2 share the results with the international community
3 until January 12, 2020.

4 (7) On January 6, 2020, officials from the
5 United States Centers for Disease Control and Pre-
6 vention offered to visit the People’s Republic of
7 China to help respond to the COVID–19 epidemic,
8 but the offer was declined by the Chinese Com-
9 munist Party, and the Centers for Disease Control
10 and Prevention were informed that United States
11 medical researchers were not permitted to enter the
12 People’s Republic of China until February 16, 2020,
13 as part of a World Health Organization delegation.

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

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

24 (10) On March 12, 2020, officials within the
25 Chinese Communist Party knowingly spread

1 disinformation that the SARS-CoV-2 virus had
2 originated with the United States Armed Forces.

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

6 (12) As of the end of April 2020, COVID-19
7 has—

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

11 (B) caused more than 200,000 deaths
12 globally and more than 50,000 deaths in the
13 United States.

14 **SEC. 3. STATEMENT OF POLICY.**

15 It is the policy of the United States—

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

22 (2) to ensure that the Government of the Peo-
23 ple’s Republic of China immediately closes all oper-
24 ating wet markets that have a potential to expose

1 humans to health risks through the introduction of
2 zoonotic disease into the human population;

3 (3) to draw international attention to—

4 (A) any violations by the Government of
5 the People's Republic of China of the funda-
6 mental rights of the people of Hong Kong, as
7 provided by the International Covenant on Civil
8 and Political Rights; and

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

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

1 **TITLE I—SANCTIONS WITH RE-**
2 **SPECT TO THE PEOPLE’S RE-**
3 **PUBLIC OF CHINA**

4 **SEC. 101. SANCTIONS WITH RESPECT TO THE OBSTRU-**
5 **CTION OR FAILURE OF THE PEOPLE’S REPUB-**
6 **LIC OF CHINA TO COOPERATE IN INVESTIGA-**
7 **TIONS RELATING TO THE OUTBREAK OF**
8 **COVID-19.**

9 (a) CERTIFICATION REQUIRED.—Not later than 60
10 days after the date of the enactment of this Act, and every
11 180 days thereafter, the President shall submit to Con-
12 gress—

13 (1) a certification that the Government of the
14 People’s Republic of China—

15 (A) is completely cooperating with any ef-
16 forts relating to the COVID-19 outbreak led by
17 the United States, partners of the United
18 States, or any institution affiliated with the
19 United Nations;

20 (B) has prohibited the operation of wet
21 markets that have a potential to expose humans
22 to health risks through the introduction of
23 zoonotic disease into the human population; and

24 (C) has released and dropped all charges
25 for anyone arrested or detained in the People’s

1 Republic of China since November 2019 relat-
2 ing to their participation in the protests in
3 Hong Kong relating to COVID–19; or

4 (2) a report describing the reasons the Presi-
5 dent is not able to make the certification described
6 in paragraph (1).

7 (b) IMPOSITION OF SANCTIONS AND PROHIBI-
8 TIONS.—If the President is unable to make a certification
9 described in paragraph (1) of subsection (a) by a date re-
10 quired by that subsection, the President may impose 2 or
11 more of—

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

14 (A) any official of the Government of the
15 People’s Republic of China;

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

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

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

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

24 (1) PROPERTY BLOCKING.—The President may,
25 pursuant to the International Emergency Economic

1 Powers Act (50 U.S.C. 1701 et seq.), block and pro-
2 hibit all transactions in property and interests in
3 property of such an official, entity, or individual
4 (and, in the case of an official or other individual,
5 the immediate family members of the official or indi-
6 vidual) if such property and interests in property are
7 in the United States, come within the United States,
8 or are or come within the possession or control of a
9 United States person.

10 (2) ALIENS INELIGIBLE FOR VISAS, ADMISSION,
11 OR PAROLE.—

12 (A) VISAS, ADMISSION, OR PAROLE.—Not-
13 withstanding section 221 of the Immigration
14 and Nationality Act (8 U.S.C. 1201), the Sec-
15 retary of State may deny a visa to, and the Sec-
16 retary of Homeland Security may deny admis-
17 sion or parole into the United States for, such
18 an official or individual who is an alien.

19 (B) CURRENT VISAS REVOKED.—

20 (i) IN GENERAL.—Pursuant to section
21 221(i) of the Immigration and Nationality
22 Act (8 U.S.C. 1201(i)), the issuing con-
23 sular officer, the Secretary of State, or the
24 Secretary of Homeland Security (or a des-
25 ignee of any such officer or Secretary) may

1 revoke any visa or other entry documenta-
2 tion issued to an alien described in sub-
3 paragraph (A), regardless of when the visa
4 or other documentation was issued.

5 (ii) EFFECT OF REVOCATION.—A rev-
6 ocation under clause (i) may take effect
7 immediately and shall automatically cancel
8 any other valid visa or entry documenta-
9 tion that is in the alien’s possession.

10 (3) LOANS FROM UNITED STATES FINANCIAL
11 INSTITUTIONS.—The President may prohibit any
12 United States financial institution from making
13 loans, underwriting, or providing credits to any such
14 entity unless the entity is determined by the United
15 States Government to be engaged in activities to re-
16 lieve human suffering and the loans or credits have
17 been approved by the United States Government for
18 such activities.

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

1 (A) any financial assistance from the inter-
2 national financial institution that would benefit
3 any such entity; and

4 (B) the awarding by the international fi-
5 nancial institution of procurement contracts to
6 any such entity.

7 (5) LIMITATION ON CHINESE OWNERSHIP IN-
8 TERESTS IN UNITED STATES ISSUERS OF SECURI-
9 TIES.—

10 (A) IN GENERAL.—The Securities and Ex-
11 change Commission may prohibit a covered en-
12 tity from listing securities issued by the entity
13 on a national securities exchange if an entity or
14 individual subject to subsection (b) has a ma-
15 jority ownership interest in the covered entity.

16 (B) DEFINITIONS.—In this paragraph:

17 (i) COVERED ENTITY.—The term
18 “covered entity” means an entity—

19 (I) that is incorporated under the
20 laws of any State, or whose principal
21 place of business is within a State;
22 and

23 (II) that produces components
24 that may be used in—

1 (aa) services supplied by an
2 entity subject to subsection (b);
3 or

4 (bb) goods produced, or ex-
5 ported, by an entity subject to
6 subsection (b).

7 (ii) EXCHANGE; SECURITY.—The
8 terms “exchange” and “security” have the
9 meanings given those terms in section 3(a)
10 of the Securities Exchange Act of 1934
11 (15 U.S.C. 78c(a)).

12 (iii) MAJORITY OWNERSHIP INTER-
13 EST.—An entity or individual holds a “ma-
14 jority ownership interest” in a covered en-
15 tity if the entity or individual owns—

16 (I) more shares in the covered
17 entity than any other shareholder; and

18 (II) enough shares in the covered
19 entity to control decisions of the enti-
20 ty.

21 (iv) NATIONAL SECURITIES EX-
22 CHANGE.—The term “national securities
23 exchange” means an exchange that is reg-
24 istered as a national securities exchange

1 under section 6 of the Securities Exchange
2 Act of 1934 (15 U.S.C. 78f).

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

10 (e) APPLICATION; EXCEPTIONS.—

11 (1) INAPPLICABILITY OF NATIONAL EMER-
12 GENCY REQUIREMENT.—The requirements under
13 section 202 of the International Emergency Eco-
14 nomic Powers Act (50 U.S.C. 1701) shall not apply
15 for purposes of subsection (e)(1).

16 (2) EXCEPTION FOR INTELLIGENCE ACTIVI-
17 TIES.—Sanctions under this section shall not apply
18 to any activity subject to the reporting requirements
19 under title V of the National Security Act of 1947
20 (50 U.S.C. 3091 et seq.) or any authorized intel-
21 ligence activities of the United States.

22 (3) EXCEPTION RELATING TO IMPORTATION OF
23 GOODS.—

24 (A) IN GENERAL.—The authorities and re-
25 quirements to impose sanctions under sub-

1 section (c)(1) shall not include the authority or
2 a requirement to impose sanctions on the im-
3 portation of goods.

4 (B) GOOD DEFINED.—In this paragraph,
5 the term “good” means any article, natural or
6 manmade substance, material, supply or manu-
7 factured product, including inspection and test
8 equipment, and excluding technical data.

9 (4) EXCEPTION TO COMPLY WITH INTER-
10 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
11 MENT ACTIVITIES.—Sanctions under subsection
12 (c)(2) and the prohibition under subsection (d) shall
13 not apply with respect to an alien if admitting or pa-
14 roling the alien into the United States is nec-
15 essary—

16 (A) to permit the United States to comply
17 with the Agreement regarding the Head-
18 quarters of the United Nations, signed at Lake
19 Success June 26, 1947, and entered into force
20 November 21, 1947, between the United Na-
21 tions and the United States, or other applicable
22 international obligations; or

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

25 (f) IMPLEMENTATION; PENALTIES.—

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

6 (2) PENALTIES.—A person that violates, at-
7 tempts to violate, conspires to violate, or causes a
8 violation of this section or any regulation, license, or
9 order issued to carry out this section shall be subject
10 to the penalties set forth in subsections (b) and (c)
11 of section 206 of the International Emergency Eco-
12 nomic Powers Act (50 U.S.C. 1705) to the same ex-
13 tent as a person that commits an unlawful act de-
14 scribed in subsection (a) of that section.

15 (g) SUSPENSION; REINSTATEMENT.—

16 (1) IN GENERAL.—The authority to impose
17 sanctions or prohibitions under this section, and any
18 sanctions or prohibitions so imposed, shall be sus-
19 pended on the date on which the President submits
20 to Congress a certification described in subsection
21 (a)(1).

22 (2) EFFECT OF SUBSEQUENT FAILURE TO CER-
23 TIFY.—If, after a suspension of sanctions and prohi-
24 bitions under paragraph (1), the President is unable
25 to submit a certification described in paragraph (1)

1 of subsection (a) at a time required by that sub-
2 section, the authority to impose sanctions and prohi-
3 bitions under this section, and any sanctions or pro-
4 hibitions previously imposed under this section, shall
5 be reinstated.

6 (h) DEFINITIONS.—In this section:

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

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

13 (A) a United States citizen or an alien law-
14 fully admitted for permanent residence to the
15 United States; or

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

1 **TITLE II—ENSURING A SAFE**
2 **AND SECURE SUPPLY OF**
3 **PHARMACEUTICALS FOR THE**
4 **UNITED STATES**

5 **SEC. 201. FOOD AND DRUG ADMINISTRATION REPORTING**
6 **REQUIREMENTS.**

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

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

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

16 (B) are exclusively produced, or incor-
17 porate active pharmaceutical ingredients pro-
18 duced, in the People’s Republic of China;

19 (2)(A) a certification that the pharmaceutical
20 industry in the People’s Republic of China is being
21 regulated for safety, either by authorities of the Gov-
22 ernment of the People’s Republic of China or by the
23 Food and Drug Administration, to substantially the
24 same degree as the United States pharmaceutical in-
25 dustry; or

1 (B) if the Commissioner is unable to make a
2 certification described in subparagraph (A), a plan
3 to protect the people of the United States from un-
4 safe or contaminated drugs manufactured in the
5 People’s Republic of China; and

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

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

13 (B) an analysis of the percentage of such
14 imports that meet the standards of the Com-
15 missioner for use in the United States.

16 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term “appropriate con-
18 gressional committees” means—

19 (1) the Committee on Finance and the Com-
20 mittee on Health, Education, Labor, and Pensions
21 of the Senate; and

22 (2) the Committee on Ways and Means and the
23 Committee on Energy and Commerce of the House
24 of Representatives.

1 **TITLE III—ENCOURAGING THE**
2 **RETURN AND DEVELOPMENT**
3 **OF UNITED STATES INDUS-**
4 **TRY**

5 **SEC. 301. INCREASE IN ALTERNATIVE SIMPLIFIED RE-**
6 **SEARCH CREDIT.**

7 (a) IN GENERAL.—Subparagraph (A) of section
8 41(c)(4) of the Internal Revenue Code of 1986 is amended
9 by striking “14 percent” and inserting “20 percent”.

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

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

17 **SEC. 302. SPECIAL RULES FOR CERTAIN UNITED STATES**
18 **MANUFACTURERS.**

19 (a) INCREASE IN RESEARCH CREDIT.—Section
20 41(c)(4) of the Internal Revenue Code of 1986 is amended
21 by adding at the end the following new subparagraph:

22 “(C) SPECIAL RULES FOR QUALIFIED MAN-
23 UFACTURERS.—

1 “(i) IN GENERAL.—In the case of a
2 taxpayer who meets the requirements of
3 clause (ii) for the taxable year—

4 “(I) subparagraph (A) shall be
5 applied by substituting ‘30 percent’
6 for ‘20 percent’, and

7 “(II) subparagraph (B)(ii) shall
8 be applied by substituting ‘14 percent’
9 for ‘10 percent’.

10 “(ii) REQUIREMENTS.—

11 “(I) IN GENERAL.—A taxpayer
12 meets the requirements of this clause
13 if not less than 50 percent of the
14 gross receipts for applicable products
15 sold by the taxpayer during the tax-
16 able year are produced or manufac-
17 tured in whole or in significant part
18 within the United States.

19 “(II) APPLICABLE PRODUCTS.—
20 For purposes of this clause, the term
21 ‘applicable product’ means any prod-
22 uct with respect to which a credit was
23 allowed under this section to the tax-
24 payer in a preceding taxable year.”.

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

4 **SEC. 303. DOMESTIC PURCHASING REQUIREMENT FOR**
5 **PERSONAL PROTECTIVE EQUIPMENT ACQUI-**
6 **SITIONS FOR THE STRATEGIC NATIONAL**
7 **STOCKPILE.**

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

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

17 (1) personal protective equipment or clothing
18 and the materials and components thereof, other
19 than sensors, electronics, or other items added to,
20 and not normally associated with, clothing (and the
21 materials and components thereof);

22 (2) surgical masks, respirator masks, face
23 shields, surgical and privacy gowns, head and foot
24 coverings, testing swabs, bedding, or other critical
25 medical supplies;

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

8 (4) any item of individual equipment manufac-
9 tured from or containing such fibers, yarns, fabrics,
10 or materials.

11 (c) AVAILABILITY EXCEPTION.—Subsection (a) shall
12 not apply to the extent that the Secretary of Health and
13 Human Services determines that a sufficient quantity of
14 a satisfactory quality of any such article or item described
15 in subsection (b) that is grown, reprocessed, reused, or
16 produced in the United States cannot be procured as, and
17 when, needed at United States market prices. This section
18 shall not apply to covered items that are, or include, mate-
19 rials determined to be nonavailable in accordance with
20 Federal Acquisition Regulation 25.104 Nonavailable Arti-
21 cles.

22 (d) EXCEPTION FOR SMALL PURCHASES.—Sub-
23 section (a) shall not apply to purchases for amounts that
24 do not exceed \$150,000. A proposed purchase or contract
25 for an amount in excess of \$150,000 may not be divided

1 into several purchases or contracts for lesser amounts in
2 order to qualify for the exception under this subsection.

3 (e) GEOGRAPHIC COVERAGE.—In this section, the
4 term “United States” includes the possessions of the
5 United States.

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

17 (g) TRAINING DURING FISCAL YEAR 2021.—

18 (1) IN GENERAL.—The Secretary of Health and
19 Human Services shall ensure that each member of
20 the acquisition workforce in the Department of
21 Health and Human Services who participates per-
22 sonally and substantially in acquisitions on a regular
23 basis receives training during fiscal year 2021 on
24 the requirements of this section and the regulations
25 implementing this section.

1 with coordinating health efforts within the United
2 Nations system. The World Health Assembly
3 (WHA) is the decision-making body of the WHO,
4 which convenes annually in May to set the policies
5 and priorities of the organization. Statehood is not
6 a requirement for attendance at the WHA, and nu-
7 merous observers, including nonmembers and non-
8 governmental organizations, attended the most re-
9 cent WHA in May 2018.

10 (2) Taiwan began seeking to participate in the
11 WHO as an observer in 1997. In 2009, with strong
12 support from successive United States Administra-
13 tions, Congress, and like-minded WHO Member
14 States, and during a period of improved Cross-Strait
15 relations, Taiwan received an invitation to attend
16 the WHA as an observer under the name “Chinese
17 Taipei”. Taiwan received the same invitation each
18 year until 2016, when following the election of Presi-
19 dent Tsai-Ing Wen of the Democratic Progressive
20 Party, Taiwan’s engagement in the international
21 community began facing increased resistance from
22 the People’s Republic of China (PRC). Taiwan’s in-
23 vitation to the 2016 WHA was received late and in-
24 cluded new language conditioning Taiwan’s partici-
25 pation on the PRC’s “one China principle”. In 2017

1 and 2018, Taiwan did not receive an invitation to
2 the WHA.

3 (3) Taiwan remains a model contributor to
4 world health, having provided financial and technical
5 assistance to respond to numerous global health
6 challenges. Taiwan has invested over
7 \$6,000,000,000 in international medical and human-
8 itarian aid efforts impacting over 80 countries since
9 1996. In 2014, Taiwan responded to the Ebola crisis
10 by donating \$1,000,000 and providing 100,000 sets
11 of personal protective equipment. Through the Glob-
12 al Cooperation and Training Framework, the United
13 States and Taiwan have jointly conducted training
14 programs for experts to combat MERS, Dengue
15 Fever, and Zika. These diseases know no borders,
16 and Taiwan's needless exclusion from global health
17 cooperation increases the dangers presented by glob-
18 al pandemics.

19 (4) Taiwan's international engagement has
20 faced increased resistance from the PRC. Taiwan
21 was not invited to the 2016 Assembly of the Inter-
22 national Civil Aviation Organization (ICAO), despite
23 participating as a guest at the organization's prior
24 summit in 2013. Taiwan's requests to participate in
25 the General Assembly of the International Criminal

1 Police Organization (INTERPOL) have also been
2 rejected. In May 2017, PRC delegates disrupted a
3 meeting of the Kimberley Process on conflict dia-
4 monds held in Perth, Australia, until delegates from
5 Taiwan were asked to leave. Since 2016, the Demo-
6 cratic Republic of São Tomé and Príncipe, the Re-
7 public of Panama, the Dominican Republic, Burkina
8 Faso, the Republic of El Salvador, the Solomon Is-
9 lands, and Kiribati have terminated longstanding
10 diplomatic relationships with Taiwan and granted
11 diplomatic recognition to the PRC.

12 (5) Congress has established a policy of support
13 for Taiwan's participation in international bodies
14 that address shared transnational challenges, par-
15 ticularly in the WHO. Congress passed H.R. 1794
16 in the 106th Congress, H.R. 428 in the 107th Con-
17 gress, and S. 2092 in the 108th Congress to direct
18 the Secretary of State to establish a strategy for,
19 and to report annually to Congress on, efforts to ob-
20 tain observer status for Taiwan at the WHA. Con-
21 gress also passed H.R. 1151 in the 113th Congress,
22 directing the Secretary to report on a strategy to
23 gain observer status for Taiwan at the ICAO Assem-
24 bly, and H.R. 1853 in the 114th Congress, directing
25 the Secretary to report on a strategy to gain ob-

1 server status for Taiwan at the INTERPOL Assem-
2 bly. However, since 2017 Taiwan has not received
3 an invitation to attend any of these events as an ob-
4 server.

5 (b) AUGMENTATION OF REPORT CONCERNING THE
6 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-
7 GANIZATION.—

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

11 “(3) An account of the changes and improve-
12 ments the Secretary of State has made to the
13 United States plan to endorse and obtain observer
14 status for Taiwan at the World Health Assembly,
15 following any annual meetings of the World Health
16 Assembly at which Taiwan did not obtain observer
17 status.”.

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

1 **SEC. 402. BRIEFING ON UNITED STATES STRATEGY RE-**
2 **GARDING TAIWAN'S INTERNATIONAL REC-**
3 **OGNITION.**

4 (a) **IN GENERAL.**—Not later than 90 days after the
5 date of the enactment of this Act, and every 180 days
6 thereafter for 3 years, the Secretary of State shall provide
7 to the appropriate congressional committees a briefing on
8 actions taken by the United States to reaffirm and
9 strengthen Taiwan's official and unofficial diplomatic rela-
10 tionships.

11 (b) **ELEMENTS.**—The briefing required by subsection
12 (a) shall include the following elements:

13 (1) A description of the actions taken by the
14 United States commencing May 20, 2016, to consult
15 with governments around the world, including the
16 governments that maintain official diplomatic rela-
17 tions with Taiwan, with the purpose of inducing
18 those governments to maintain official diplomatic re-
19 lations with Taiwan or otherwise strengthen unoffi-
20 cial relations with Taiwan.

21 (2) An enumeration of specific countries of con-
22 cern, if any, and a description of the actions taken,
23 or actions anticipated, by those governments, com-
24 mencing May 20, 2016, to alter the formal diplo-
25 matic ties with Taiwan or to otherwise downgrade
26 official or unofficial relations.

