

116TH CONGRESS
2D SESSION

S. 3673

To investigate the role of the Chinese Communist Party in the novel coronavirus global pandemic and to secure damages on behalf of victims in the United States and abroad.

IN THE SENATE OF THE UNITED STATES

MAY 11, 2020

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To investigate the role of the Chinese Communist Party in the novel coronavirus global pandemic and to secure damages on behalf of victims in the United States and abroad.

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.**

4 This Act may be cited as the “Justice for Victims
5 of Coronavirus Around the World Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) beginning in December 2019, if not earlier,
2 the Government of the People’s Republic of China
3 concealed the emergence and spread of the novel
4 coronavirus (referred to in this Act as “COVID–
5 19”) by, among other things—

6 (A) silencing medical professionals, jour-
7 nalists, and academic researchers;

8 (B) halting research and destroying or oth-
9 erwise denying access by Chinese and inter-
10 national public health authorities to COVID–19
11 viral samples and relevant medical information
12 and research;

13 (C) obstructing access by international
14 public health authorities to parts of the
15 COVID–19 outbreak epicenter;

16 (D) releasing partial or incorrect data
17 about the number of COVID–19 cases and
18 deaths in the People’s Republic of China and
19 COVID–19 modes of transmission;

20 (E) using the World Health Organization
21 to amplify its false messaging; and

22 (F) waging a global propaganda offensive
23 to deflect attention away from its mishandling
24 of the COVID–19 outbreak and create un-
25 founded accounts of the origins of the virus;

1 (2) since December 2019, COVID–19 has
2 transformed from a local disease outbreak in
3 Wuhan, China, into a global pandemic, as declared
4 by the World Health Organization on March 11,
5 2020, that is infecting millions, killing hundreds of
6 thousands, and imposing severe economic hardship
7 on billions of people worldwide;

8 (3) initial actions or omissions by the Govern-
9 ment of the People’s Republic of China to conceal
10 the emergence and spread of COVID–19 facilitated
11 the transformation of COVID–19 from a local dis-
12 ease outbreak into a global pandemic by obstructing
13 the timely and effective containment of the virus
14 within the Chinese mainland and limiting the avail-
15 ability of information that other nations needed to
16 prevent or control the spread of the virus into their
17 territories;

18 (4) the failure by the Government of the Peo-
19 ple’s Republic of China to fully disclose information
20 on the COVID–19 outbreak in a timely manner to
21 the World Health Organization and other nations
22 appears to constitute a violation of the International
23 Health Regulations (2005), a legally binding agree-
24 ment among 196 countries, including the People’s
25 Republic of China;

1 (5) the Government of the People’s Republic of
2 China should be held accountable for the harm in-
3 flicted upon the lives and livelihoods of the people of
4 the United States and other nations due to its ef-
5 forts to conceal the emergence and spread of
6 COVID–19;

7 (6) the United States Government should there-
8 fore establish and lead an international commission
9 to determine fully how actions or omissions by the
10 Government of the People’s Republic of China to
11 conceal the emergence and spread of COVID–19
12 contributed to the transformation of COVID–19
13 from a local disease outbreak into a global pan-
14 demic; and

15 (7) if the international investigation establishes
16 that actions or omissions by the Government of the
17 People’s Republic of China to conceal the emergence
18 and spread of COVID–19 caused or substantially
19 aggravated the transformation of COVID–19 from a
20 local disease outbreak into a global pandemic, or if
21 the Government of the People’s Republic of China
22 refuses to cooperate fully with the international in-
23 vestigation, then the United States Government
24 should lead international efforts—

1 (A) to quantify the harm caused or sub-
2 stantially aggravated by actions or omissions by
3 the Government of the People’s Republic of
4 China to conceal the emergence and spread of
5 COVID–19 to the health and economic well-
6 being of the people of the United States and
7 other nations; and

8 (B) to secure damages from the Govern-
9 ment of the People’s Republic of China, espe-
10 cially by identifying ways to compel the Govern-
11 ment of the People’s Republic of China to pay
12 damages.

13 **SEC. 3. JUSTICE FOR VICTIMS OF CORONAVIRUS TASK**
14 **FORCE.**

15 (a) ESTABLISHMENT.—The President shall establish
16 the Justice for Victims of Coronavirus Task Force (re-
17 ferred to in this Act as the “Task Force”) to investigate
18 and secure damages from the Government of the People’s
19 Republic of China.

20 (b) LEADERSHIP.—The President shall appoint the
21 Assistant to the President for National Security Affairs,
22 or a designee serving at the level of Deputy Assistant to
23 the President or higher, to oversee and coordinate activi-
24 ties by Task Force members.

1 (c) MEMBERSHIP.—The Task Force shall consist of
2 the heads of the following Federal agencies, who may act
3 through their respective designees at or above the level of
4 Under Secretary or equivalent rank:

5 (1) The Department of State.

6 (2) The Department of Health and Human
7 Services.

8 (3) The Department of Justice.

9 (4) The Department of Commerce.

10 (5) The Department of the Treasury.

11 (6) The Department of Agriculture.

12 (7) The Office of the United States Trade Rep-
13 resentative.

14 (8) The Office of Science and Technology Pol-
15 icy.

16 (9) The Office of the Director of National Intel-
17 ligence.

18 (10) Any other Federal agency that the Assist-
19 ant to the President for National Security Affairs,
20 or his or her designee, determines to be appropriate.

21 (d) RESPONSIBILITIES.—Task Force members shall
22 ensure relevant offices in their respective Federal agencies
23 take all appropriate measures to support—

24 (1) the Delegation established under section
25 4(a);

1 (2) the Working Group to Quantify Harm es-
2 tablished under section 5(a); and

3 (3) the Working Group to Secure Damages es-
4 tablished under section 6(a).

5 (e) MEETINGS.—Task Force members shall meet at
6 least quarterly—

7 (1) to update the Assistant to the President for
8 National Security Affairs, or his or her designee, on
9 contributions by their respective Federal agencies to
10 the activities of the organizations listed under para-
11 graphs (1) through (3) of subsection (d);

12 (2) to notify the Assistant to the President for
13 National Security Affairs, or his or her designee, of
14 any disputes requiring resolution to ensure the abil-
15 ity of the organizations listed under paragraphs (1)
16 through (3) of subsection (d) to perform the duties
17 assigned to them under this Act; and

18 (3) to provide the Assistant to the President for
19 National Security Affairs, or his or her designee,
20 and other Task Force members with recommenda-
21 tions to strengthen coordination between or other-
22 wise improve the effectiveness of the organizations
23 listed under paragraphs (1) through (3) of sub-
24 section (d).

1 (f) TERMINATION.—The Assistant to the President
 2 for National Security Affairs, or his or her designee, shall
 3 terminate and disband the Task Force following the termi-
 4 nation and disbandment of—

5 (1) the Delegation established under section
 6 4(a);

7 (2) the Working Group to Quantify Harm es-
 8 tablished under section 5(a); and

9 (3) the Working Group to Secure Damages es-
 10 tablished under section 6(a).

11 **SEC. 4. UNITED STATES DELEGATION TO THE INTER-**
 12 **NATIONAL COMMISSION TO INVESTIGATE**
 13 **THE ROLE OF THE GOVERNMENT OF THE**
 14 **PEOPLE’S REPUBLIC OF CHINA IN THE**
 15 **COVID-19 GLOBAL PANDEMIC.**

16 (a) IN GENERAL.—Not later than 30 days after the
 17 establishment of the Task Force, the Secretary of State
 18 shall form the United States Delegation to the Inter-
 19 national Commission to Investigate the Role of the Gov-
 20 ernment of the People’s Republic of China in the COVID-
 21 19 Global Pandemic (referred to in this Act as the “Dele-
 22 gation”).

23 (b) LEADERSHIP.—The Secretary of State, acting
 24 through the United States Special Representative for

1 Global Health Diplomacy, shall direct and coordinate the
2 activities of the Delegation.

3 (c) MEMBERSHIP.—The Delegation shall include rep-
4 resentatives, at the level of Deputy Assistant Secretary or
5 equivalent rank, from the following Task Force member
6 agencies:

7 (1) The Department of State.

8 (2) The Department of Health and Human
9 Services.

10 (3) The Department of Justice.

11 (4) The Department of Agriculture.

12 (5) The Office of Science and Technology Pol-
13 icy.

14 (6) Any other Task Force member agency that
15 the Assistant to the President for National Security
16 Affairs, or his or her designee, determines to be ap-
17 propriate.

18 (d) DUTIES.—

19 (1) IN GENERAL.—Not later than 90 days after
20 the formation of the Delegation, the Delegation shall
21 undertake to establish and lead the International
22 Commission to Investigate the Role of the Govern-
23 ment of the People’s Republic of China in the
24 COVID–19 Global Pandemic (referred to in this Act

1 as the “International Commission”) in accordance
2 with this subsection.

3 (2) MEMBERSHIP.—The Delegation shall estab-
4 lish the International Commission in cooperation
5 with—

6 (A) allies and partners of the United
7 States; and

8 (B) other similar nations, if their member-
9 ship in the International Commission would not
10 adversely affect the ability of the International
11 Commission to fulfill the purpose described in
12 paragraph (3).

13 (3) PURPOSE.—The International Commission
14 shall allow the United States Government and other
15 members of the International Commission (referred
16 to in this Act as “International Commission Mem-
17 bers”) to work together to gather, share, and ana-
18 lyze data in order—

19 (A) to understand how COVID–19 grew
20 from a local disease outbreak into a global pan-
21 demic; and

22 (B) to prevent similar tragedies in the fu-
23 ture.

1 (4) FUNCTIONS.—The International Commis-
2 sion shall enable the United States Government and
3 other International Commission Members—

4 (A) to share and coordinate the collection
5 of information related to the emergence and
6 spread of COVID–19;

7 (B) to leverage unique expertise or other
8 capabilities resident in individual International
9 Commission Members to advance the under-
10 standing of all International Commission Mem-
11 bers of the emergence and spread of COVID–
12 19;

13 (C) to apply multilateral pressure to the
14 Government of the People’s Republic of China
15 or other parties, as necessary, in order to en-
16 courage their cooperation with the international
17 investigation; and

18 (D) to develop ways to generate actionable
19 findings irrespective of the cooperation of the
20 Government of the People’s Republic of China.

21 (5) ADMINISTRATION.—The Delegation, in ne-
22 gotiation with other International Commission Mem-
23 bers, shall determine—

24 (A) the organizational structure of the
25 International Commission;

1 (B) the rules and procedures governing ac-
2 tivities by the International Commission;

3 (C) whether the International Commission
4 will issue reports on findings and recommenda-
5 tions or defer to International Commission
6 Members to issue their own reports on findings
7 and recommendations; and

8 (D) other items related to the administra-
9 tion of the International Commission, as the
10 Delegation determines to be appropriate.

11 (e) TRIANNUAL REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the formation of the Delegation, and every 4
14 months thereafter until the Delegation is disbanded,
15 the Delegation shall submit a report to the appro-
16 priate congressional committees and to the public
17 that describes the activities undertaken and the in-
18 formation produced by the International Commis-
19 sion.

20 (2) MATTERS TO BE INCLUDED.—Each report
21 under paragraph (1) shall include—

22 (A) procedural updates regarding—

23 (i) changes in International Commis-
24 sion membership;

1 (ii) changes related to the administra-
2 tion of the International Commission;

3 (iii) investigative or other official ac-
4 tions taken by the International Commis-
5 sion; and

6 (iv) responses by the Government of
7 the People's Republic of China to actions
8 taken by the International Commission;
9 and

10 (B) the latest information available relat-
11 ing to—

12 (i) the emergence and spread of
13 COVID-19 in the People's Republic of
14 China, including—

15 (I) the source of COVID-19;

16 (II) the date and circumstances
17 of initial transmission of COVID-19
18 to a human;

19 (III) the number of COVID-19
20 cases, by date and location, before
21 January 23, 2020 (the date on which
22 the Government of the People's Re-
23 public of China began implementing
24 quarantine measures in Wuhan,
25 China, and other locations);

1 (IV) the number of deaths as a
 2 result of COVID–19 infection, by date
 3 and location, before January 23,
 4 2020; and

5 (V) evidence of human-to-human
 6 transmission of COVID–19 before
 7 January 20, 2020 (the date on which
 8 the Government of the People’s Re-
 9 public of China first publicly acknowl-
 10 edged that COVID–19 was capable of
 11 human-to-human transmission);

12 (ii) knowledge by the Government of
 13 the People’s Republic of China of the in-
 14 formation referenced under clause (i), in-
 15 cluding details about when the Government
 16 of the People’s Republic of China first be-
 17 came aware of said information;

18 (iii) methods used by the Government
 19 of the People’s Republic of China to con-
 20 ceal information listed under clause (i), in-
 21 cluding—

22 (I) silencing medical profes-
 23 sionals, journalists, and academic re-
 24 searchers;

1 (II) halting, destroying, or other-
2 wise denying access by Chinese and
3 international public health authorities
4 to COVID–19 viral samples and rel-
5 evant medical information and re-
6 search;

7 (III) obstructing access by inter-
8 national public health experts to parts
9 of the COVID–19 outbreak epicenter;
10 and

11 (IV) releasing partial or incorrect
12 data about the number of COVID–19
13 cases and deaths in the People’s Re-
14 public of China and COVID–19
15 modes of transmission;

16 (iv) methods used by the Government
17 of the People’s Republic of China to gain
18 influence in the World Health Organiza-
19 tion and use that influence to persuade,
20 compel, or otherwise cause leaders of the
21 World Health Organization—

22 (I) to spread false, incomplete, or
23 misleading information provided by
24 the Government of the People’s Re-
25 public of China; and

1 (II) to praise the Government of
2 the People's Republic of China for its
3 handling of the COVID-19 outbreak,
4 despite ample reporting to show that
5 the Government of the People's Re-
6 public of China was suppressing or
7 distorting information about the
8 COVID-19 outbreak by December
9 2019, if not earlier, in order to pro-
10 tect its own political fortunes;

11 (v) the impact of actions or omissions
12 by the Government of the People's Repub-
13 lic of China to conceal the emergence and
14 spread of COVID-19 on the trans-
15 formation of COVID-19 from a local dis-
16 ease outbreak into a global pandemic;

17 (vi) actions the Government of the
18 People's Republic of China could have
19 taken—

20 (I) to control the outbreak of
21 COVID-19;

22 (II) to prevent the spread of
23 COVID-19 outside of Wuhan, China,
24 and into other parts of the People's
25 Republic of China; and

1 (III) to prevent the spread of
 2 COVID–19 outside the People’s Re-
 3 public of China;

4 (vii) actions or omissions by the Gov-
 5 ernment of the People’s Republic of China
 6 that contravened the legal obligations set
 7 forth in the International Health Regula-
 8 tions; and

9 (viii) any other information that the
 10 Delegation determines to be appropriate.

11 (3) FORM.—Each report under paragraph
 12 (1)—

13 (A) shall be submitted to the appropriate
 14 congressional committees in unclassified form,
 15 but may include a classified annex; and

16 (B) shall be posted on a publicly available
 17 website of the Department of State, with the
 18 exception of any classified annex.

19 (4) APPROPRIATE CONGRESSIONAL COMMIT-
 20 TEES DEFINED.—In this section, the term “appro-
 21 priate congressional committees” means—

22 (A) the Committee on Agriculture, Nutri-
 23 tion, and Forestry of the Senate;

24 (B) the Committee on Health, Education,
 25 Labor, and Pensions of the Senate;

1 (C) the Committee on the Judiciary of the
2 Senate;

3 (D) the Committee on Foreign Relations of
4 the Senate;

5 (E) the Select Committee on Intelligence
6 of the Senate;

7 (F) the Committee on Agriculture of the
8 House of Representatives;

9 (G) the Committee on Education and
10 Labor of the House of Representatives;

11 (H) the Committee on the Judiciary of the
12 House of Representatives;

13 (I) the Committee on Foreign Affairs of
14 the House of Representatives;

15 (J) the Permanent Select Committee on
16 Intelligence of the House of Representatives;
17 and

18 (K) any congressional committee not listed
19 in subparagraphs (A) through (J) that provides
20 oversight for any of the Federal agencies as-
21 signed to the Delegation by the Assistant to the
22 President for National Security Affairs, or his
23 or her designee, pursuant to subsection (c)(6).

24 (f) TERMINATION.—The Assistant to the President
25 for National Security Affairs, or his or her designee, shall

1 terminate and disband the Delegation at such time as the
2 United States Special Representative for Global Health
3 Diplomacy, with the concurrence of the Secretary of State,
4 certifies that—

5 (1) the International Commission has fulfilled
6 its purpose by rendering a full and impartial account
7 of the facts associated with actions or omissions by
8 the Government of the People’s Republic of China to
9 conceal the emergence and spread of COVID–19 and
10 the impact thereof on the transformation of
11 COVID–19 from a local disease outbreak to a global
12 pandemic; or

13 (2) the International Commission is unable to
14 fulfill its purpose due to obstruction by the Govern-
15 ment of the People’s Republic of China.

16 **SEC. 5. INTERAGENCY WORKING GROUP TO QUANTIFY**
17 **HARM CAUSED BY THE GOVERNMENT OF THE**
18 **PEOPLE’S REPUBLIC OF CHINA.**

19 (a) IN GENERAL.—The Assistant to the President for
20 National Security Affairs, or his or her designee, shall es-
21 tablish the Interagency Working Group to Quantify Harm
22 Caused by the Government of the People’s Republic of
23 China (referred to in this Act as “Working Group to
24 Quantify Harm”) not later than 30 days after either of
25 the following conditions is met:

1 (1) The international investigation establishes
2 that actions or omissions by the Government of the
3 People’s Republic of China to conceal the emergence
4 and spread of COVID–19 caused or substantially
5 aggravated the transformation of COVID–19 from a
6 local disease outbreak into a global pandemic.

7 (2) The United States Special Representative
8 for Global Health Diplomacy, with the concurrence
9 of the Secretary of State, certifies that the Inter-
10 national Commission is unable to fulfill its purpose.

11 (b) DUTIES.—The Working Group to Quantify Harm
12 shall—

13 (1) encourage other International Commission
14 Members to form their own interagency working
15 groups or equivalent bodies; and

16 (2) use information or findings produced by the
17 International Commission and data from other
18 sources—

19 (A) to quantify the harm caused or sub-
20 stantially aggravated by actions or omissions by
21 the Government of the People’s Republic of
22 China to conceal the emergence and spread of
23 COVID–19 to the health and economic well-
24 being of the people of the United States and
25 other nations; and

1 (B) to provide data, technical support, and
2 other support to International Commission
3 Members and other similar nations seeking to
4 quantify the harm caused or substantially ag-
5 gravated by actions or omissions by the Govern-
6 ment of the People's Republic of China to the
7 health and economic well-being of their respec-
8 tive nations.

9 (c) LEADERSHIP.—

10 (1) QUANTIFYING HARM TO HUMAN HEALTH.—

11 The Secretary of Health and Human Services, act-
12 ing through a designee at the level of Assistant Sec-
13 retary or above, shall direct and coordinate efforts
14 by the Working Group to Quantify Harm to quan-
15 tify the harm caused or substantially aggravated by
16 actions or omissions by the Government of the Peo-
17 ple's Republic of China to the health of the people
18 of the United States and other nations.

19 (2) QUANTIFYING ECONOMIC HARM.—The Sec-

20 retary of Commerce, acting through a designee at
21 the level of Assistant Secretary or above, shall direct
22 and coordinate efforts by the Working Group to
23 Quantify Harm to quantify the harm caused or sub-
24 stantially aggravated by actions or omissions by the
25 Government of the People's Republic of China to the

1 economic well-being of the people of the United
2 States and other nations.

3 (d) MEMBERSHIP.—The Working Group to Quantify
4 Harm shall include representatives, at the level of Deputy
5 Assistant Secretary or equivalent rank, from the following
6 Task Force Member agencies:

7 (1) The Department of Health and Human
8 Services.

9 (2) The Department of Commerce.

10 (3) The Department of State.

11 (4) The Department of the Treasury.

12 (5) The Office of the Director of National Intel-
13 ligence.

14 (6) The Office of Science and Technology Pol-
15 icy.

16 (7) Any other Task Force Member agency that
17 the Assistant to the President for National Security
18 Affairs, or his or her designee, determines to be ap-
19 propriate.

20 (e) FOREIGN ENGAGEMENT.—The Secretary of
21 Health and Human Services and Secretary of Commerce,
22 acting through their respective designees, shall coordinate
23 with the United States Special Representative for Global
24 Health Diplomacy when providing support to other na-

1 tions seeking to quantify the harm caused by the Govern-
 2 ment of the People’s Republic of China.

3 (f) REPORT.—

4 (1) IN GENERAL.—Not later than 90 days after
 5 the establishment of the Working Group, and every
 6 6 months thereafter until the Working Group to
 7 Quantify Harm is disbanded, the Working Group to
 8 Quantify Harm shall submit a report to the appro-
 9 priate congressional committees and to the public
 10 that describes the activities undertaken and the in-
 11 formation produced by the Working Group to Quan-
 12 tify Harm.

13 (2) MATTERS TO BE INCLUDED.—Each report
 14 under paragraph (1) shall include—

15 (A) the latest assessments of the harm
 16 caused or substantially aggravated by actions or
 17 omissions by the Government of the People’s
 18 Republic of China to conceal the emergence and
 19 spread of COVID–19 to the health and eco-
 20 nomic well-being of the people of the United
 21 States;

22 (B) the latest assessments of the harm
 23 caused or substantially aggravated by actions or
 24 omissions by the Government of the People’s
 25 Republic of China to conceal the emergence and

spread of COVID–19 to the health and economic well-being of other nations; and

(C) an update on support provided by the Working Group to Quantify Harm to other nations seeking to quantify the harm suffered by their respective nations on account of actions or omissions by the Government of the People’s Republic of China to conceal the emergence and spread of COVID–19.

(3) FORM.—Each report under paragraph (1)—

(A) shall be submitted to the appropriate congressional committees in unclassified form, but may include a classified annex; and

(B) shall be posted on a publicly available website of the Department of State, with the exception of any classified annex.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(B) the Committee on Finance of the Senate;

1 (C) the Committee on Health, Education,
2 Labor, and Pensions of the Senate;

3 (D) the Committee on Foreign Relations of
4 the Senate;

5 (E) the Select Committee on Intelligence
6 of the Senate;

7 (F) the Committee on Financial Services
8 of the House of Representatives;

9 (G) the Committee on Ways and Means of
10 the House of Representatives;

11 (H) the Committee on Education and
12 Labor of the House of Representatives;

13 (I) the Committee on Foreign Affairs of
14 the House of Representatives;

15 (J) the Permanent Select Committee on
16 Intelligence of the House of Representatives;
17 and

18 (K) any congressional committee not listed
19 in subparagraphs (A) through (J) that provides
20 oversight for any of the Federal agencies as-
21 signed to the Working Group by the Assistant
22 to the President for National Security Affairs,
23 or his or her designee, pursuant to subsection
24 (d)(7).

1 (g) TERMINATION.—The Assistant to the President
 2 for National Security Affairs, or his or her designee, shall
 3 terminate and disband the Working Group to Quantify
 4 Harm on the later of the date—

5 (1) on which the Task Force determines, by
 6 consensus, that the Working Group to Quantify
 7 Harm has completed its duties; or

8 (2) that is 2 years after the establishment of
 9 the Working Group to Quantify Harm.

10 **SEC. 6. INTERAGENCY WORKING GROUP TO SECURE DAM-**
 11 **AGES FROM THE GOVERNMENT OF THE PEO-**
 12 **PLE'S REPUBLIC OF CHINA.**

13 (a) IN GENERAL.—The Assistant to the President for
 14 National Security Affairs, or his or her designee, shall es-
 15 tablish the Interagency Working Group to Secure Dam-
 16 ages from the Government of the People's Republic of
 17 China (referred to in this Act as “Working Group to Se-
 18 cure Damages”) not later than 30 days after either of the
 19 following conditions is met:

20 (1) The international investigation establishes
 21 that actions or omissions by the Government of the
 22 People's Republic of China to conceal the emergence
 23 and spread of COVID–19 caused or substantially
 24 aggravated the transformation of COVID–19 from a
 25 local disease outbreak into a global pandemic.

1 (2) The United States Special Representative
2 for Global Health Diplomacy, with the concurrence
3 of the Secretary of State, certifies that the Inter-
4 national Commission is unable to fulfill its purpose.

5 (b) DUTIES.—The Working Group to Secure Dam-
6 ages, in consultation with the Working Group to Quantify
7 Harm, shall—

8 (1) identify ways for the United States Govern-
9 ment to compel the Government of the People’s Re-
10 public of China to pay damages—

11 (A) to ease the pain suffered by individual
12 citizens and residents of the United States for
13 actions or omissions by the Government of the
14 People’s Republic of China to conceal the emer-
15 gence and spread of COVID–19; and

16 (B) to reimburse expenses incurred by the
17 United States Government to provide relief and
18 economic recovery to the people of the United
19 States for actions or omissions by the Govern-
20 ment of the People’s Republic of China; and

21 (2) encourage other International Commission
22 Members to form their own interagency working
23 groups or equivalent bodies to secure damages from
24 the Government of the People’s Republic of China

1 and provide technical and other support to such
2 working groups.

3 (c) LEADERSHIP.—The Secretary of State, acting
4 through a designee at or above the level of Assistant Sec-
5 retary, shall direct and coordinate activities by the Work-
6 ing Group to Secure Damages.

7 (d) MEMBERSHIP.—The Working Group to Secure
8 Damages shall include representatives, at the level of Dep-
9 uty Assistant Secretary or equivalent rank, from the fol-
10 lowing Task Force Member agencies:

11 (1) The Department of State.

12 (2) The Department of Justice.

13 (3) The Department of Commerce.

14 (4) The Department of the Treasury.

15 (5) The Office of the United States Trade Rep-
16 resentative.

17 (6) The Department of Health and Human
18 Services.

19 (7) The Office of the Director of National Intel-
20 ligence.

21 (8) Any other Task Force Member agency that
22 the Assistant to the President for National Security
23 Affairs, or his or her designee, determines to be ap-
24 propriate.

25 (e) REPORT.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the establishment of the Working Group to Secure
3 Damages, and every 6 months thereafter until the
4 Working Group to Secure Damages is disbanded,
5 the Working Group to Secure Damages shall submit
6 a report to the appropriate congressional committees
7 that describes the activities undertaken and the in-
8 formation produced by the Working Group to Secure
9 Damages.

10 (2) MATTERS TO BE INCLUDED.—Each report
11 under paragraph (1) shall include—

12 (A) descriptions of unilateral measures
13 that may be taken by the United States Gov-
14 ernment to compel the Government of the Peo-
15 ple’s Republic of China to pay damages, such
16 as—

17 (i) seizure of assets owned by the
18 Government of the People’s Republic of
19 China in the United States and its terri-
20 tories, including assets owned by Chinese
21 state-owned enterprises or otherwise tied
22 to the Government of the People’s Repub-
23 lic of China;

24 (ii) suspension by the United States
25 Government of legal obligations owed by

1 the United States Government to the Gov-
2 ernment of the People's Republic of China;
3 or

4 (iii) employment of other counter-
5 measures as deemed necessary by the
6 United States Government to secure dam-
7 ages from the Government of the People's
8 Republic of China;

9 (B) descriptions of multilateral action that
10 may be taken by the United States Government
11 to compel the Government of the People's Re-
12 public of China to pay damages, such as—

13 (i) using the vote and influence of the
14 United States, in cooperation with Inter-
15 national Commission Members and other
16 allies and partners, to seek—

17 (I) the expulsion or temporary
18 suspension of the Government of the
19 People's Republic of China from inter-
20 national institutions whose mandates,
21 rules, or guiding principles the Gov-
22 ernment of People's Republic of China
23 undermined in its attempt to conceal
24 the emergence and spread of COVID-
25 19;

1 (II) to downgrade the status of
 2 the Government of the People's Re-
 3 public of China, such as through the
 4 suspension of voting rights or dis-
 5 qualification from serving in certain
 6 roles, in international institutions
 7 whose mandates, rules, or guiding
 8 principles the Government of People's
 9 Republic of China undermined in its
 10 attempt to conceal the emergence and
 11 spread of COVID-19; or

12 (III) the removal of representa-
 13 tives of the Government of the Peo-
 14 ple's Republic of China from leader-
 15 ship, senior, and other influential po-
 16 sitions in international institutions
 17 whose mandates, rules, or guiding
 18 principles the Government of People's
 19 Republic of China undermined in its
 20 attempt to conceal the emergence and
 21 spread of COVID-19;

22 (ii) collaborating with International
 23 Commission Members and other allies and
 24 partners to compel the Government of the
 25 People's Republic of China—

1 (I) to cease operations at its Bio-
2 safety Level-4 laboratory at the
3 Wuhan Institute of Virology and halt
4 research related to bat coronavirus at
5 other biosafety laboratories, including
6 by restricting or terminating inter-
7 national assistance to these or other
8 Chinese institutions; or

9 (II) to provide timely and suffi-
10 cient access for international mon-
11 itors, including representatives from
12 the United States Government, to en-
13 sure the Government of the People's
14 Republic of China has taken all meas-
15 ures necessary to prevent other out-
16 breaks within the territory of the Peo-
17 ple's Republic of China that may
18 cause another global pandemic;

19 (C) recommendations for—

20 (i) the establishment of a victim's
21 fund or another vehicle to deliver damages
22 secured by the United States Government
23 from the Government of the People's Re-
24 public of China to the people of the United
25 States; and

1 (ii) any additional authorities required
2 to enable the United States Government to
3 secure damages from the Government of
4 the People's Republic of China; and

5 (D) an update on support provided by the
6 Working Group to Secure Damages to other na-
7 tions seeking—

8 (i) to compel the Government of the
9 People's Republic of China to pay dam-
10 ages, including through unilateral and mul-
11 tilateral actions such as the actions de-
12 scribed in subparagraphs (A) through (C);
13 and

14 (ii) to design vehicles by which to de-
15 liver such damages to their respective pop-
16 ulations or governments.

17 (3) FORM.—Each report under paragraph (1)
18 shall be submitted to the appropriate congressional
19 committees in unclassified form, but may include a
20 classified annex.

21 (4) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES DEFINED.—The term “appropriate congres-
23 sional committees” means—

24 (A) the Committee on Banking, Housing,
25 and Urban Affairs of the Senate;

1 (B) the Committee on Finance of the Sen-
2 ate;

3 (C) the Committee on Health, Education,
4 Labor, and Pensions of the Senate;

5 (D) the Committee on the Judiciary of the
6 Senate;

7 (E) the Committee on Foreign Relations of
8 the Senate;

9 (F) the Select Committee on Intelligence of
10 the Senate;

11 (G) the Committee on Financial Services
12 of the House of Representatives;

13 (H) the Committee on Ways and Means of
14 the House of Representatives;

15 (I) the Committee on Education and Labor
16 of the House of Representatives;

17 (J) the Committee on the Judiciary of the
18 House of Representatives;

19 (K) the Committee on Foreign Affairs of
20 the House of Representatives;

21 (L) the Permanent Select Committee on
22 Intelligence of the House of Representatives;
23 and

24 (M) any congressional committee not listed
25 in subparagraphs (A) through (L) that provides

1 oversight for any of the Federal agencies as-
2 signed to the Working Group to Secure Dam-
3 ages by the Assistant to the President for Na-
4 tional Security Affairs, or his or her designee,
5 pursuant to subsection (d)(8).

6 (f) TERMINATION.—The Assistant to the President
7 for National Security Affairs, or his or her designee, shall
8 terminate and disband the Working Group to Secure
9 Damages on the later of the date—

10 (1) on which the Task Force determines, by
11 consensus, that the Working Group to Secure Dam-
12 ages has completed its duties; or

13 (2) that is 2 years after the establishment of
14 the Working Group to Secure Damages.

15 **SEC. 7. AUTHORITIES AND APPROPRIATIONS.**

16 (a) AUTHORITIES.—Task Force members shall—

17 (1) coordinate use of the programs and authori-
18 ties resident in their respective Federal agencies to
19 perform the duties assigned to them under this Act;
20 and

21 (2) notify Congress upon the discovery of any
22 lack of authority that might impede the ability of
23 their respective Federal agencies to perform the du-
24 ties assigned to them under this Act.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary for Task Force members to perform the duties
4 assigned to them under this Act.

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