

Government of the United States shall not constitute or authorize action (1) whereby any person shall be admitted to or settled or resettled in the United States or any of its Territories or possessions without prior approval thereof by the Congress, and this subchapter shall not be construed as such prior approval, or (2) which will have the effect of abrogating, suspending, modifying, adding to, or superseding any of the immigration laws or any other laws of the United States.

(July 1, 1947, ch. 185, §1, 61 Stat. 214.)

§ 289a. Designation of representative and alternates; compensation

The President shall designate from time to time a representative of the United States and not to exceed two alternates to attend a specified session or specified sessions of the general council of the Organization. Whenever the United States is elected to membership on the executive committee, the President shall designate from time to time, either from among the aforesaid representative and alternates or otherwise, a representative of the United States and not to exceed one alternate to attend sessions of the executive committee. Such representative or representatives shall each be entitled to receive compensation at a rate not to exceed \$12,000 per annum, and any such alternate shall be entitled to receive compensation at a rate not to exceed \$10,000 per annum, for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated as such a representative shall be entitled to receive such compensation.

(July 1, 1947, ch. 185, §2, 61 Stat. 215.)

§ 289b. Authorization of appropriations; payment of salaries and expenses

There is hereby authorized to be appropriated annually to the Department of State—

(a) such sums, not to exceed \$73,325,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of United States contributions to the Organization (consisting of supplies, services, or funds and all necessary expenses related thereto) as determined in accordance with article 10 of the constitution of the Organization; and

(b) such sums, not to exceed \$175,000 for the fiscal year beginning July 1, 1947, as may be necessary for the payment of—

(1) salaries of the representative or representatives and alternates provided for in section 289a of this title, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and chapter 51 and subchapter III of chapter 53 of title 5; and

(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization; *Provided*, That the provisions of section 287e of this title and regulations thereunder, applicable to expenses incurred pursuant to subchapter XVI of this chapter

shall be applicable to any expenses incurred pursuant to this chapter.

(July 1, 1947, ch. 185, §3, 61 Stat. 215; Oct. 28, 1949, ch. 782, title II, §202(2), title XI, §1106(a), 63 Stat. 954, 972.)

Editorial Notes

REFERENCES IN TEXT

Subchapter XVI [§287 et seq.] of this chapter, referred to in subsec. (b)(2), was in the original a reference to the United Nations Participation Act of 1945.

CODIFICATION

In subsec. (b)(1), “chapter 51 and subchapter III of chapter 53 of title 5” substituted for “the Classification Act of 1949” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1949—Subsec. (b)(1). Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

Statutory Notes and Related Subsidiaries

REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, §8, 80 Stat. 632, 655.

§ 289c. Transfer of funds; furnishing supplies and services; accounting for reimbursements

(a) Sums from the appropriations made pursuant to subsection (a) of section 289b of this title may be transferred to any department, agency, or independent establishment of the Government to carry out the purposes of such subsection, and such sums shall be available for obligation and expenditure in accordance with the laws governing obligations and expenditures of the department, agency, independent establishment, or organizational unit thereof concerned, and without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41.

(b) Upon request of the Organization, any department, agency, or independent establishment of the Government (upon receipt of advancements or reimbursements for the cost and necessary expenses) may furnish supplies, or if advancements are made may procure and furnish supplies, and may furnish or procure and furnish services, to the Organization. When reimbursement is made it shall be credited, at the option of the department, agency, or independent establishment concerned, either to the appropriation, fund, or account utilized in incurring the obligation, or to an appropriate appropriation fund, or account which is current at the time of such reimbursement.

(July 1, 1947, ch. 185, §4, 61 Stat. 215; Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 654.)

Editorial Notes

CODIFICATION

In subsec. (a), “section 3324(a) and (b) of title 31 and section 6101 of title 41” substituted for “sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., 1940 edition, title 41, sec. 5, and title 31, sec. 529)” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat.

1067, which Act enacted Title 31, Money and Finance, and Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

AMENDMENTS

1966—Subsec. (b), Pub. L. 89-554 struck out proviso which excepted certain personnel from the ceiling imposed by section 947 of former title 5.

§ 289d. Omitted

Editorial Notes

CODIFICATION

Section, act July 1, 1947, ch. 185, §5, 61 Stat. 216, authorized appropriations in the form of advance contributions to the Preparatory Commission of the Organization during the interim period between July 1, 1947 and the coming into force of the constitution of the Organization.

SUBCHAPTER XX—WORLD HEALTH ORGANIZATION

§ 290. Acceptance of membership by the United States

The President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

(June 14, 1948, ch. 469, §1, 62 Stat. 441.)

Statutory Notes and Related Subsidiaries

PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGANIZATION

Pub. L. 108-235, §1, June 14, 2004, 118 Stat. 656, as amended by Pub. L. 117-124, §1(b)(1), May 13, 2022, 136 Stat. 1203, provided that:

“(a) FINDINGS.—Congress makes the following findings:

“(1) Good health is important to every citizen of the world and access to the highest standards of health information and services is necessary to improve the public health.

“(2) Direct and unobstructed participation in international health cooperation forums and programs is beneficial for all parts of the world, especially today with the great potential for the cross-border spread of various infectious diseases such as the human immunodeficiency virus (HIV), tuberculosis, and malaria.

“(3) Taiwan’s population of 23,500,000 people is greater than that of ¾ of the member states already in the World Health Organization (WHO).

“(4) Taiwan’s achievements in the field of health are substantial, including—

“(A) attaining—

“(i) 1 of the highest life expectancy levels in Asia; and

“(ii) maternal and infant mortality rates comparable to those of western countries;

“(B) eradicating such infectious diseases as cholera, smallpox, the plague, and polio; and

“(C) providing children with hepatitis B vaccinations.

“(5) The United States Centers for Disease Control and Prevention and its counterpart agencies in Taiwan have enjoyed close collaboration on a wide range of public health issues.

“(6) In recent years Taiwan has expressed a willingness to assist financially and technically in inter-

national aid and health activities supported by the WHO.

“(7) On January 14, 2001, an earthquake, registering between 7.6 and 7.9 on the Richter scale, struck El Salvador. In response, the Taiwanese Government sent 2 rescue teams, consisting of 90 individuals specializing in firefighting, medicine, and civil engineering. The Taiwanese Ministry of Foreign Affairs also donated \$200,000 in relief aid to the Salvadoran Government.

“(8) The World Health Assembly has allowed observers to participate in the activities of the organization, including the Palestine Liberation Organization in 1974, the Order of Malta, and the Holy See in the early 1950’s.

“(9) The United States, in the 1994 Taiwan Policy Review, declared its intention to support Taiwan’s participation in appropriate international organizations.

“(10) Public Law 106-137 [113 Stat. 1691] required the Secretary of State to submit a report to Congress on efforts by the executive branch to support Taiwan’s participation in international organizations, in particular the WHO.

“(11) In light of all benefits that Taiwan’s participation in the WHO can bring to the state of health not only in Taiwan, but also regionally and globally, Taiwan and its 23,500,000 people should have appropriate and meaningful participation in the WHO.

“(12) On May 11, 2001, President Bush stated in a letter to Senator Murkowski that the United States ‘should find opportunities for Taiwan’s voice to be heard in international organizations in order to make a contribution, even if membership is not possible’, further stating that the administration ‘has focused on finding concrete ways for Taiwan to benefit and contribute to the WHO’.

“(13) In his speech made in the World Medical Association on May 14, 2002, Secretary of Health and Human Services Tommy Thompson announced ‘America’s work for a healthy world cuts across political lines. That is why my government supports Taiwan’s efforts to gain observership status at the World Health Assembly. We know this is a controversial issue, but we do not shrink from taking a public stance on it. The people of Taiwan deserve the same level of public health as citizens of every nation on earth, and we support them in their efforts to achieve it’.

“(14) The Government of the Republic of China on Taiwan, in response to an appeal from the United Nations and the United States for resources to control the spread of HIV/AIDS, donated \$1,000,000 to the Global Fund to Fight AIDS, Tuberculosis, and Malaria in December 2002.

“(15) In 2003, the outbreak of Severe Acute Respiratory Syndrome (SARS) caused 84 deaths in Taiwan.

“(16) Avian influenza, commonly known as bird flu, has reemerged in Asia, with strains of the influenza reported by the People’s Republic of China, Cambodia, Indonesia, Japan, Pakistan, South Korea, Taiwan, Thailand, Vietnam, and Laos.

“(17) The SARS and avian influenza outbreaks illustrate that disease knows no boundaries and emphasize the importance of allowing all people access to the WHO.

“(18) As the pace of globalization quickens and the spread of infectious disease accelerates, it is crucial that all people, including the people of Taiwan, be given the opportunity to participate in international health organizations such as the WHO.

“(19) The Secretary of Health and Human Services acknowledged during the 2003 World Health Assembly meeting that ‘[t]he need for effective public health exists among all peoples’.

“(b) PLAN.—The Secretary of State is authorized to—

“(1) initiate a United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly each year in Geneva, Switzerland;