

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;

“(2) instruct the United States delegation to the World Health Assembly in Geneva to implement that plan; and

“(3) introduce a resolution in support of observer status for Taiwan at the summit of the World Health Assembly.

“(c) REPORT CONCERNING OBSERVER STATUS FOR TAIWAN AT THE SUMMIT OF THE WORLD HEALTH ASSEMBLY.—Not later than 30 days after the date of the enactment of this Act [June 14, 2004], and not later than April 1 of each year thereafter, the Secretary of State shall submit a report to the Congress, in unclassified form, describing the United States plan to endorse and obtain observer status for Taiwan at the annual week-long summit of the World Health Assembly (WHA) held by the World Health Organization (WHO) in May of each year in Geneva, Switzerland. Each report shall include the following:

“(1) An account of the efforts the Secretary of State has made, following the last meeting of the World Health Assembly, to encourage WHO member states to promote Taiwan’s bid to obtain observer status.

“(2) The steps the Secretary of State will take to endorse and obtain observer status at the next annual meeting of the World Health Assembly in Geneva, Switzerland.

“(3) An account of the changes and improvements the Secretary of State has made to the United States plan to endorse and obtain observer status for Taiwan at the World Health Assembly, following any annual meetings of the World Health Assembly at which Taiwan did not obtain observer status.”

[Pub. L. 117–124, §1(b)(2), May 13, 2022, 136 Stat. 1203, provided that: “The amendment made by paragraph (1) [amending section 1 of Pub. L. 108–235, set out above] shall take effect and apply beginning with the first report required under subsection (c) of section 1 of the Act entitled, ‘To address the participation of Taiwan in the World Health Organization’ (Public Law 108–235; 22 U.S.C. 290 note) that is submitted after the date of the enactment of this Act [May 13, 2022].”]

Executive Documents

INTERNATIONAL HEALTH ADMINISTRATION

Ex. Ord. No. 10399, Sept. 29, 1952, 17 F.R. 8648, designated Surgeon General to perform certain duties under International Sanitary Regulations of World Health Organization.

§ 290a. Designation of representatives and alternates; compensation; loyalty checkup

The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and may designate not to exceed one alternate to attend sessions of the Executive Board. Such representative must be a graduate of a recognized medical school and have spent not less than three years in active practice as a physician or surgeon. Such representative and any such alternate shall each be entitled to receive compensation at one of the rates established under section 3962 or 3963 of

this title, 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 thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to loyalty and security by the Director of the Office of Personnel Management.

(June 14, 1948, ch. 469, §2, 62 Stat. 441; Apr. 5, 1952, ch. 159, §1, 66 Stat. 43; Pub. L. 87–793, §1001(i), Oct. 11, 1962, 76 Stat. 865; 1978 Reorg. Plan No. 2, §102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3783; Pub. L. 96–465, title II, §2206(a)(4), Oct. 17, 1980, 94 Stat. 2161.)

Editorial Notes

AMENDMENTS

1980—Pub. L. 96–465 substituted “established under section 3962 or 3963 of this title” for “provided by section 867 of this title.”

1962—Pub. L. 87–793 substituted “Such representative and any such alternate shall each be entitled to receive compensation at one of the rates provided by section 867 of this title” for “Such representative shall 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.”

1952—Act Apr. 5, 1952, substituted “Civil Service Commission” for “Federal Bureau of Investigation”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96–465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96–465, set out as an Effective Date note under section 3901 of this title.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87–793 effective on first day of first pay period which begins on or after Oct. 11, 1962, see section 1008 of Pub. L. 87–793.

Executive Documents

TRANSFER OF FUNCTIONS

“Director of the Office of Personnel Management” substituted in text for “Civil Service Commission” pursuant to Reorg. Plan No. 2 of 1978, §102, 43 F.R. 36037, 92 Stat. 3783, set out under section 1101 of Title 5, Government Organization and Employees, which transferred functions vested by statute in Civil Service Commission to Director of Office of Personnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1–102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

§ 290b. Authorization of appropriations; payment of salaries and expenses

There are hereby authorized to be appropriated to the Department of State for contribution to the working capital fund of the organization the sum of \$560,000 and as annual appropriations the following:

(a) such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization as apportioned by the Health Assembly in accordance with article 56 of the constitution of the Organization, except that payments by the United