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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To authorize the imposition of sanctions with respect to the deliberate concealment or distortion of information about public health emergencies of international concern, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CURTIS introduced the following bill; which was referred to the Committee
on _____

A BILL

To authorize the imposition of sanctions with respect to the deliberate concealment or distortion of information about public health emergencies of international concern, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Li Wenliang Global
5 Public Health Accountability Act of 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) On January 3, 2020, the leading public
2 health authority in the People’s Republic of China,
3 the National Health Commission, directed all Chi-
4 nese research institutions to cease publicly pub-
5 lishing any information related to a then unknown
6 SARS-like virus, and ordered them to destroy exist-
7 ing samples of the virus or transfer them to ap-
8 proved testing sites.

9 (2) On December 30, 2019, Dr. Li Wenliang
10 warned his medical school classmates of an outbreak
11 of an unknown SARS-like virus over WeChat.

12 (3) On January 3, 2020, Wuhan’s Public Secu-
13 rity Bureau detained, questioned, and forced Dr. Li
14 Wenliang and seven other doctors to sign a letter
15 confessing he had made “false comments” that “se-
16 verely disturbed the social order”.

17 (4) On February 7, 2020, one month after
18 checking into Wuhan Central Hospital, Dr. Li
19 Wenliang died of a severe case of coronavirus dis-
20 ease 2019 (commonly known as “COVID-19”).

21 (5) China’s National Health Commission pub-
22 licly denied COVID–19 was person-to-person trans-
23 missible until January 15, 2020, despite having un-
24 covered contrary evidence in late December 2019

1 and being alerted of the transmissibility of COVID-
2 19 on January 1, 2020.

3 (6) China's Foreign Ministry Spokesman, Zhao
4 Lijian, claimed that COVID-19 originated in the
5 United States and that the United States Army
6 brought the virus to Wuhan to wage biological war-
7 fare on China.

8 (7) Other Chinese Government officials, includ-
9 ing scientists working on China's COVID-19 re-
10 sponse, China's Ambassador to South Africa and
11 China's Ambassador to Australia have claimed that
12 there is no evidence that COVID-19 originated in
13 China.

14 (8) A study by the University of Southampton
15 found that had China taken action 3 weeks earlier,
16 the spread of COVID-19 could have been reduced by
17 95 percent.

18 (9) On July 21, 2020, Representative Adam
19 Smith defended the Chinese Government's hiding
20 the true nature of COVID-19 when he said, "It's
21 not actually their job to warn the American people".

22 (10) According to the World Health Organiza-
23 tion's for the Use of Annex 2 of the International
24 Health Regulations, China was legally obligated to

1 notify the World Health Organization about the
2 COVID-19 outbreak.

3 **SEC. 3. AUTHORIZATION OF IMPOSITION OF SANCTIONS.**

4 (a) IN GENERAL.—The President may impose the
5 sanctions described in subsection (b) with respect to any
6 foreign person the President determines, based on credible
7 evidence—

8 (1) is a government official, or a senior asso-
9 ciate of such an official, that is responsible for, or
10 complicit in, ordering, controlling, or otherwise di-
11 recting, or financially benefits from, acts intended to
12 deliberately conceal or distort information, including
13 through forced detentions or disappearances of per-
14 sons, about a public health emergency of inter-
15 national concern, including COVID-19; or

16 (2) has materially assisted, sponsored, or pro-
17 vided financial, material, or technological support
18 for, or goods or services in support of, an act de-
19 scribed in paragraph (1).

20 (b) SANCTIONS DESCRIBED.—The sanctions de-
21 scribed in this subsection are the following:

22 (1) INADMISSIBILITY TO UNITED STATES.—In
23 the case of a foreign person who is an individual—

1 (A) ineligibility to receive a visa to enter
2 the United States or to be admitted to the
3 United States; or

4 (B) if the individual has been issued a visa
5 or other documentation, revocation, in accord-
6 ance with section 221(i) of the Immigration and
7 Nationality Act (8 U.S.C. 1201(i)), of the visa
8 or other documentation.

9 (2) BLOCKING OF PROPERTY.—

10 (A) IN GENERAL.—The blocking, in ac-
11 cordance with the International Emergency
12 Economic Powers Act (50 U.S.C. 1701 et seq.),
13 of all transactions in all property and interests
14 in property of a foreign person if such property
15 and interests in property are in the United
16 States, come within the United States, or are or
17 come within the possession or control of a
18 United States person.

19 (B) EXCEPTION RELATING TO IMPORTA-
20 TION OF GOODS.—

21 (i) IN GENERAL.—The authority to
22 block and prohibit all transactions in all
23 property and interests in property under
24 subparagraph (A) shall not include the au-

1 thority to impose sanctions on the importa-
2 tion of goods.

3 (ii) GOOD DEFINED.—In this subpara-
4 graph, the term “good” means any article,
5 natural or manmade substance, material,
6 supply, or manufactured product, including
7 inspection and test equipment, and exclud-
8 ing technical data.

9 (c) REQUESTS BY APPROPRIATE CONGRESSIONAL
10 COMMITTEES.—

11 (1) IN GENERAL.—Not later than 120 days
12 after receiving a request that meets the require-
13 ments of paragraph (2) with respect to whether a
14 foreign person is described in subsection (a), the
15 President shall—

16 (A) determine if that person is so de-
17 scribed; and

18 (B) submit a classified or unclassified re-
19 port to the chairperson and ranking member of
20 the committee or committees that submitted the
21 request with respect to that determination that
22 includes—

23 (i) a statement of whether or not the
24 President imposed or intends to impose
25 sanctions with respect to the person; and

1 (ii) if the President imposed or in-
2 tends to impose sanctions, a description of
3 those sanctions.

4 (2) REQUIREMENTS.—A request under para-
5 graph (1) with respect to whether a foreign person
6 is described in subsection (a) shall be submitted to
7 the President in writing jointly by the chairperson
8 and ranking member of one of the appropriate con-
9 gressional committees.

10 (d) EXCEPTION TO COMPLY WITH UNITED NATIONS
11 HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT
12 OBJECTIVES.—Sanctions under subsection (b)(1) shall
13 not apply to an individual if admitting the individual into
14 the United States—

15 (1) would further important law enforcement
16 objectives; or

17 (2) is necessary to permit the United States to
18 comply with the Agreement regarding the Head-
19 quarters of the United Nations, signed at Lake Suc-
20 cess June 26, 1947, and entered into force Novem-
21 ber 21, 1947, between the United Nations and the
22 United States, or other applicable international obli-
23 gations of the United States.

1 (e) EXCEPTION TO COMPLY WITH NATIONAL SECUR-
2 RITY.—The following activities shall be exempt from sanc-
3 tions under this section:

4 (1) Activities subject to the reporting require-
5 ments under title V of the National Security Act of
6 1947 (50 U.S.C. 3091 et seq.).

7 (2) Any authorized intelligence or law enforce-
8 ment activities of the United States.

9 (f) ENFORCEMENT OF BLOCKING OF PROPERTY.—
10 A person that violates, attempts to violate, conspires to
11 violate, or causes a violation of subsection (b)(2) or any
12 regulation, license, or order issued to carry out that sub-
13 section shall be subject to the penalties set forth in sub-
14 sections (b) and (c) of section 206 of the International
15 Emergency Economic Powers Act (50 U.S.C. 1705) to the
16 same extent as a person that commits an unlawful act de-
17 scribed in subsection (a) of that section.

18 (g) REPORTS REQUIRED.—Not later than 120 days
19 after the date of the enactment of this Act, and annually
20 thereafter, the President shall submit to the appropriate
21 congressional committees a report that includes—

22 (1) a list of each foreign person with respect to
23 which the President imposed sanctions under sub-
24 section (b) during the year preceding the submission
25 of the report;

1 (2) a description of the type of sanctions im-
2 posed with respect to each such person;

3 (3) the number of foreign persons with respect
4 to which the President—

5 (A) imposed sanctions under subsection (b)
6 during that year; or

7 (B) terminated sanctions under subsection
8 (h) during that year;

9 (4) the dates on which such sanctions were im-
10 posed or terminated, as the case may be;

11 (5) the reasons for imposing or terminating
12 such sanctions; and

13 (6) a description of the efforts of the President
14 to encourage the governments of other countries to
15 impose sanctions that are similar to the sanctions
16 authorized by this section.

17 (h) TERMINATION OF SANCTIONS.—The President
18 may terminate the application of sanctions under this sec-
19 tion with respect to a person if the President determines
20 and reports to the appropriate congressional committees
21 not later than 15 days before the termination of the sanc-
22 tions that—

23 (1) credible information exists that the person
24 did not engage in the activity for which sanctions
25 were imposed;

1 (2) the person has been prosecuted appro-
2 priately for the activity for which sanctions were im-
3 posed;

4 (3) the forced detention or disappearance of the
5 individual or individuals for whom the sanctions
6 have been imposed are no longer missing or de-
7 tained;

8 (4) the person has provided material informa-
9 tion that—

10 (A) leads to the location or liberation of
11 the missing or detained individual or individuals
12 in question; or

13 (B) leads to the arrest or prosecution of
14 others responsible for such acts described in
15 subsection (a); or

16 (5) the termination of the sanctions is in the
17 national security interests of the United States.

18 (i) REGULATORY AUTHORITY.—The President shall
19 issue such regulations, licenses, and orders as are nec-
20 essary to carry out this section.

21 (j) DEFINITIONS.—In this section:

22 (1) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Banking, Housing,
2 and Urban Affairs and the Committee on For-
3 eign Relations of the Senate; and

4 (B) the Committee on Financial Services
5 and the Committee on Foreign Affairs of the
6 House of Representatives.

7 (2) FOREIGN PERSON.—The term “foreign per-
8 son” means a person that is not a United States
9 person.

10 (3) PERSON.—The term “person” means an in-
11 dividual or entity.

12 (4) PUBLIC HEALTH EMERGENCY OF INTER-
13 NATIONAL CONCERN.—The term “public health
14 emergency of international concern” means a public
15 health emergency determined to be a public health
16 emergency of international concern by the World
17 Health Organization.

18 (5) UNITED STATES PERSON.—The term
19 “United States person” means—

20 (A) an individual who is a United States
21 citizen or an alien lawfully admitted for perma-
22 nent residence to the United States; or

23 (B) an entity organized under the laws of
24 the United States or any jurisdiction within the

1 United States, including a foreign branch of
2 such an entity.

3 (k) SUNSET.—This Act shall terminate on the date
4 that is 10 years after the date of the enactment of this
5 Act.