

117TH CONGRESS
1ST SESSION

H. R. 3922

To impose sanctions with respect to members of the Chinese Communist Party and heads of Chinese health agencies relating to the COVID–19 pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2021

Mr. WITTMAN (for himself and Ms. STEFANIK) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Education and Labor, 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 impose sanctions with respect to members of the Chinese Communist Party and heads of Chinese health agencies relating to the COVID–19 pandemic, 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 “World Deserves To
5 Know Act”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO CER-**
2 **TAIN MEMBERS OF THE CHINESE COM-**
3 **MUNIST PARTY AND HEADS OF CHINESE**
4 **HEALTH AGENCIES RELATING TO THE**
5 **COVID-19 PANDEMIC.**

6 (a) CHINESE COMMUNIST PARTY MEMBERS.—

7 (1) IN GENERAL.—The President shall impose
8 the sanctions described in section 1263 of the Global
9 Magnitsky Human Rights Accountability Act (22
10 U.S.C. 2656 note) with respect to any foreign per-
11 son who is an official of the Chinese Communist
12 Party that the President determines is knowingly re-
13 sponsible for, complicit in, or has directly or indi-
14 rectly engaged in—

15 (A) the disappearances of whistleblowers
16 and citizen journalists in the People’s Republic
17 of China relating to the COVID-19 pandemic;
18 or

19 (B) the establishment of limits on freedom
20 of speech and academic freedom in the People’s
21 Republic of China relating to the COVID-19
22 pandemic.

23 (2) COORDINATION.—The President shall co-
24 ordinate with the intelligence community for pur-
25 poses of identifying foreign persons under this sub-
26 section.

1 (b) CHINESE HEALTH AGENCIES HEADS.—The
2 President shall impose the sanctions described in sub-
3 section (c) with respect to the following foreign persons:

4 (1) Gao Fu, also known as George Fu Gao, the
5 Director of the Center for Disease Control and Pre-
6 vention of the People’s Republic of China.

7 (2) Ma Xiaowei, Minister of the National
8 Health Commission of the People’s Republic of
9 China.

10 (c) SANCTIONS DESCRIBED.—The sanctions de-
11 scribed in this subsection with respect to a foreign person
12 are the following:

13 (1) BLOCKING OF PROPERTY.—The President
14 shall exercise all of the powers granted to the Presi-
15 dent under the International Emergency Economic
16 Powers Act (50 U.S.C. 1701 et seq.) (except that
17 the requirements of section 202 of such Act (50
18 U.S.C. 1701) shall not apply) to the extent nec-
19 essary to block and prohibit all transactions in prop-
20 erty and interests in property of the person if such
21 property and interests in property are in the United
22 States, come within the United States, or come with-
23 in the possession or control of a United States per-
24 son.

1 (2) INADMISSIBILITY TO THE UNITED STATES
2 AND REVOCATION OF VISA OR OTHER DOCUMENTA-
3 TION.—

4 (A) INELIGIBILITY FOR VISA, ADMISSION,
5 OR PAROLE.—The foreign person is—

6 (i) inadmissible to the United States;

7 (ii) ineligible to receive a visa or other
8 documentation to enter the United States;
9 and

10 (iii) otherwise ineligible to be admitted
11 or paroled into the United States or to re-
12 ceive any other benefit under the Immigra-
13 tion and Nationality Act (8 U.S.C. 1101 et
14 seq.).

15 (B) CURRENT VISA REVOKED.—The visa
16 or other entry documentation of the foreign
17 person shall be revoked, regardless of when
18 such visa or other entry documentation is or
19 was issued. A revocation under this subpara-
20 graph shall take effect immediately and auto-
21 matically cancel any other valid visa or entry
22 documentation that is in the person's posses-
23 sion.

24 (d) EXCEPTIONS.—

1 (1) TO COMPLY WITH UNITED NATIONS HEAD-
2 QUARTERS AGREEMENT.—Sanctions under sub-
3 section (c)(2) shall not apply with respect to a for-
4 eign person described in subsection (b) if admitting
5 or paroling the foreign person into the United States
6 is necessary to permit the United States to comply
7 with the Agreement regarding the Headquarters of
8 the United Nations, signed at Lake Success June
9 26, 1947, and entered into force November 21,
10 1947, between the United Nations and the United
11 States, or other applicable international obligations.

12 (2) TO CARRY OUT OR ASSIST LAW ENFORCE-
13 MENT ACTIVITIES.—Sanctions under this section
14 shall not apply to a foreign person, if admitting or
15 paroling the foreign person into the United States is
16 necessary to carry out or assist law enforcement ac-
17 tivity in the United States.

18 (e) IMPLEMENTATION; PENALTIES.—

19 (1) IMPLEMENTATION.—The President may ex-
20 ercise all authorities provided under sections 203
21 and 205 of the International Emergency Economic
22 Powers Act (50 U.S.C. 1702 and 1704) to carry out
23 this section and shall issue such regulations, li-
24 censes, and orders as are necessary to carry out this
25 section.

1 (2) PENALTIES.—Any person that violates, at-
2 tempts to violate, conspires to violate, or causes a
3 violation of this section or any regulation, license, or
4 order issued to carry out paragraph (1) shall be sub-
5 ject to the penalties provided for in subsections (b)
6 and (c) of section 206 of the International Emer-
7 gency Economic Powers Act (50 U.S.C. 1705) to the
8 same extent as a person that commits an unlawful
9 act described in subsection (a) of that section.

10 (f) WAIVER.—The President may waive the applica-
11 tion of sanctions imposed with respect to a foreign person
12 under this section if the President—

13 (1) determines that a waiver is in the national
14 interest of the United States; and

15 (2) not later than the date on which such waiv-
16 er will take effect, submits to the appropriate con-
17 gressional committees a notice of and justification
18 for such waiver.

19 (g) TERMINATION OF SANCTIONS WITH RESPECT TO
20 A FOREIGN PERSON.—

21 (1) IN GENERAL.—The President may termi-
22 nate the application of sanctions imposed with re-
23 spect to a foreign person under this section if the
24 President makes a determination that—

1 (A) credible information exists that the
2 person did not engage in the activity for which
3 the sanctions were imposed; and

4 (B) the person has—

5 (i) credibly demonstrated a significant
6 change in behavior; and

7 (ii) been subject to an appropriate
8 consequence for the activity for which the
9 sanctions were imposed.

10 (2) NOTIFICATION.—Not later than 15 days be-
11 fore the date on which the application of sanctions
12 imposed with respect to a foreign person is termi-
13 nated under paragraph (1), the Secretary of State
14 shall submit to the appropriate congressional com-
15 mittees a report that—

16 (A) describes the evidence and justification
17 for the necessity of the termination; and

18 (B) explains how the termination of the
19 application of sanctions is in the national secu-
20 rity interests of the United States.

21 (h) TERMINATION OF AUTHORITY TO IMPOSE SANC-
22 TIONS.—The authority to impose sanctions under this sec-
23 tion with respect to a foreign person described in sub-
24 section (b) shall terminate on the date on which the Presi-
25 dent certifies to the appropriate congressional committees

1 that an independent, unimpeded investigation into the po-
2 tential origin of COVID–19 from the Wuhan Institute of
3 Virology has taken place.

4 (i) EXCEPTION RELATING TO IMPORTATION OF
5 GOODS.—

6 (1) IN GENERAL.—The authorities and require-
7 ments to impose sanctions under this section shall
8 not include the authority or requirement to impose
9 sanctions on the importation of goods.

10 (2) GOOD DEFINED.—In this subsection, the
11 term “good” means any article, natural or man-
12 made substance, material, supply or manufactured
13 product, including inspection and test equipment,
14 and excluding technical data.

15 **SEC. 3. PROHIBITION ON NEW CONTRACTS.**

16 (a) INSTITUTIONS OF HIGHER EDUCATION.—

17 (1) IN GENERAL.—No Federal funds may be
18 made available to an institution of higher education
19 (as defined in section 102 of the Higher Education
20 Act of 1965 (20 U.S.C. 1002)) that enters into a
21 contract with—

22 (A) any element or department of the Na-
23 tional Health Commission of the People’s Re-
24 public of China;

1 (B) any agency or office that reports to
2 the National Health Commission of the People's
3 Republic of China; or

4 (C) any Chinese-based entity affiliated
5 with the National Health Commission of the
6 People's Republic of China.

7 (2) PROGRAM PARTICIPATION AGREEMENTS
8 UNDER THE HIGHER EDUCATION ACT OF 1965.—Sec-
9 tion 487(a) of the Higher Education Act of 1965
10 (20 U.S.C. 1094(a)) is amended by adding at the
11 end the following:

12 “(30) The institution will not enter into a con-
13 tract with—

14 “(A) any element or department of the Na-
15 tional Health Commission of the People's Re-
16 public of China;

17 “(B) any agency or office that reports to
18 the National Health Commission of the People's
19 Republic of China; or

20 “(C) any Chinese-based entity affiliated
21 with the National Health Commission of the
22 People's Republic of China.”.

23 (b) NATIONAL ACADEMY OF SCIENCES.—No Federal
24 funds made available to the National Academy of Sciences
25 may be used to enter into a contract with—

1 (1) any element or department of the National
2 Health Commission of the People’s Republic of
3 China;

4 (2) any agency or office that reports to the Na-
5 tional Health Commission of the People’s Republic
6 of China; or

7 (3) any Chinese-based entity affiliated with the
8 National Health Commission of the People’s Repub-
9 lic of China.

10 **SEC. 4. REVIEW OF NIH FUNDING.**

11 Not later than 6 months after the date of enactment
12 of this Act, the Comptroller General of the United States,
13 in consultation with the Director of National Intelligence,
14 shall—

15 (1) conduct a full review of all funds made
16 available by the National Institutes of Health, di-
17 rectly or indirectly, during or after fiscal year 2010,
18 to—

19 (A) the National Health Commission of the
20 People’s Republic of China;

21 (B) any agency or office that reports to
22 the National Health Commission of the People’s
23 Republic of China; or

1 (C) any Chinese-based entity that is affli-
2 ated with the National Health Commission of
3 the People’s Republic of China;

4 (2) make publicly available, and submit to the
5 Congress, a report on the results of such review; and

6 (3) in such report, clearly identify any funds
7 described in paragraph (1) that were used for gain
8 of function research.

9 **SEC. 5. SENSE OF CONGRESS.**

10 It is the sense of Congress that given Taiwan’s early
11 alerting to the global health community on the dangers
12 of COVID–19 while senior officials in the Chinese Com-
13 munist Party downplayed COVID–19 Taiwan should be
14 granted observer status in the World Health Assembly
15 (WHA).

16 **SEC. 6. DEFINITIONS.**

17 In this Act:

18 (1) ADMITTED; ALIEN.—The terms “admitted”
19 and “alien” have the meanings given those terms in
20 section 101 of the Immigration and Nationality Act
21 (8 U.S.C. 1001).

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

1 (A) the Committee on Foreign Affairs, the
2 Committee on Appropriations, and the Com-
3 mittee on Financial Services of the House of
4 Representatives; and

5 (B) the Committee on Foreign Relations,
6 the Committee on Appropriations, and the
7 Committee on Banking, Housing, and Urban
8 Affairs of the Senate.

9 (3) FOREIGN PERSON.—The term “foreign per-
10 son” means a person that is not a United States
11 person.

12 (4) INTELLIGENCE COMMUNITY.—The term
13 “intelligence community” has the meaning given
14 that term in section 3(4) of the National Security
15 Act of 1947 (50 U.S.C. 3003(4)).

16 (5) KNOWINGLY.—The term “knowingly”
17 means, with respect to conduct, a circumstance, or
18 a result, that a person has actual knowledge, or
19 should have known, of the conduct, the cir-
20 cumstance, or the result.

21 (6) PERSON.—The term “person” means an in-
22 dividual or entity.

23 (7) UNITED STATES PERSON.—The term
24 “United States person” means—

1 (A) a United States citizen, an alien law-
2 fully admitted for permanent residence to the
3 United States, or any other individual subject
4 to the jurisdiction of the United States;

5 (B) an entity organized under the laws of
6 the United States or of any jurisdiction within
7 the United States, including a foreign branch of
8 such entity; or

9 (C) any person in the United States.

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