

117TH CONGRESS
1ST SESSION

S. 1987

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 SENATE OF THE UNITED STATES

JUNE 9, 2021

Mr. COTTON (for himself, Mr. TILLIS, Mr. SCOTT of Florida, Mr. DAINES, Mrs. BLACKBURN, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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 2021”.

6 **SEC. 2. AUTHORIZATION OF IMPOSITION OF SANCTIONS.**

7 (a) IN GENERAL.—The President may impose the
8 sanctions described in subsection (b) with respect to any

1 foreign person the President determines, based on credible
2 evidence—

3 (1) is a government official, or a senior asso-
4 ciate of such an official, that is responsible for, or
5 complicit in, ordering, controlling, or otherwise di-
6 recting, or financially benefits from, acts intended to
7 deliberately conceal or distort information about a
8 public health emergency of international concern, in-
9 cluding coronavirus disease 2019 (commonly known
10 as “COVID–19”); or

11 (2) has materially assisted, sponsored, or pro-
12 vided financial, material, or technological support
13 for, or goods or services in support of, an act de-
14 scribed in paragraph (1).

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

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

19 (A) ineligibility to receive a visa to enter
20 the United States or to be admitted to the
21 United States; or

22 (B) if the individual has been issued a visa
23 or other documentation, revocation, in accord-
24 ance with section 221(i) of the Immigration and

1 Nationality Act (8 U.S.C. 1201(i)), of the visa
2 or other documentation.

3 (2) BLOCKING OF PROPERTY.—

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

13 (B) EXCEPTION RELATING TO IMPORTA-
14 TION OF GOODS.—

15 (i) IN GENERAL.—The authority to
16 block and prohibit all transactions in all
17 property and interests in property under
18 subparagraph (A) shall not include the au-
19 thority to impose sanctions on the importa-
20 tion of goods.

21 (ii) GOOD DEFINED.—In this subpara-
22 graph, the term “good” means any article,
23 natural or manmade substance, material,
24 supply, or manufactured product, including

1 inspection and test equipment, and exclud-
2 ing technical data.

3 (c) CONSIDERATION OF CERTAIN INFORMATION IN
4 IMPOSING SANCTIONS.—In determining whether to im-
5 pose sanctions under subsection (a), the President shall
6 consider—

7 (1) information provided jointly by the chair-
8 person and ranking member of each of the appro-
9 priate congressional committees; and

10 (2) credible information obtained by other coun-
11 tries and nongovernmental organizations that mon-
12 itor violations of human rights and global health
13 issues, including issues related to infectious disease.

14 (d) REQUESTS BY APPROPRIATE CONGRESSIONAL
15 COMMITTEES.—

16 (1) IN GENERAL.—Not later than 120 days
17 after receiving a request that meets the require-
18 ments of paragraph (2) with respect to whether a
19 foreign person is described in subsection (a), the
20 President shall—

21 (A) determine if that person is so de-
22 scribed; and

23 (B) submit a classified or unclassified re-
24 port to the chairperson and ranking member of
25 the committee or committees that submitted the

1 request with respect to that determination that
2 includes—

3 (i) a statement of whether or not the
4 President imposed or intends to impose
5 sanctions with respect to the person; and

6 (ii) if the President imposed or in-
7 tends to impose sanctions, a description of
8 those sanctions.

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

15 (e) EXCEPTION TO COMPLY WITH UNITED NATIONS
16 HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT
17 OBJECTIVES.—Sanctions under subsection (b)(1) shall
18 not apply to an individual if admitting the individual into
19 the United States—

20 (1) would further important law enforcement
21 objectives; or

22 (2) is necessary to permit the United States to
23 comply with the Agreement regarding the Head-
24 quarters of the United Nations, signed at Lake Suc-
25 cess June 26, 1947, and entered into force Novem-

1 ber 21, 1947, between the United Nations and the
2 United States, or other applicable international obli-
3 gations of the United States.

4 (f) ENFORCEMENT OF BLOCKING OF PROPERTY.—

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

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

17 (1) a list of each foreign person with respect to
18 which the President imposed sanctions under sub-
19 section (b) during the year preceding the submission
20 of the report;

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

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

1 (A) imposed sanctions under subsection (b)
2 during that year; or

3 (B) terminated sanctions under subsection
4 (h) during that year;

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

7 (5) the reasons for imposing or terminating
8 such sanctions; and

9 (6) a description of the efforts of the President
10 to encourage the governments of other countries to
11 impose sanctions that are similar to the sanctions
12 authorized by this section.

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

19 (1) credible information exists that the person
20 did not engage in the activity for which sanctions
21 were imposed;

22 (2) the person has been prosecuted appro-
23 priately for the activity for which sanctions were im-
24 posed; or

1 (3) the termination of the sanctions is in the
2 national security interests of the United States.

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

6 (j) DEFINITIONS.—In this section:

7 (1) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Banking, Housing,
11 and Urban Affairs and the Committee on For-
12 eign Relations of the Senate; and

13 (B) the Committee on Financial Services
14 and the Committee on Foreign Affairs of the
15 House of Representatives.

16 (2) FOREIGN PERSON.—The term “foreign per-
17 son” means a person that is not a United States
18 person.

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

21 (4) PUBLIC HEALTH EMERGENCY OF INTER-
22 NATIONAL CONCERN.—The term “public health
23 emergency of international concern” means a public
24 health emergency determined to be a public health

1 emergency of international concern by the World
2 Health Organization.

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

5 (A) an individual who is a United States
6 citizen or an alien lawfully admitted for perma-
7 nent residence to the United States;

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

12 (C) any person in the United States.

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