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

Mr. Cotton (for himself and Mr. Hawley) introduced the following bill; which was read twice and 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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

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

(1) is a government official, or a senior associate of such an official, that is responsible for, or complicit in, ordering, controlling, or otherwise directing, or financially benefits from, acts intended to deliberately conceal or distort information about a public health emergency of international concern, including coronavirus disease 2019 (commonly known as “COVID-19”); or

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an act described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

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

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

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

(2) Blocking of property.—

(A) In general.—The blocking, in ac-
cordance with the International Emergency
Economic Powers Act (50 U.S.C. 1701 et seq.),
of all transactions in all property and interests
in property of a foreign person if such property
and interests in property are in the United
States, come within the United States, or are or
come within the possession or control of a
United States person.

(B) Exception relating to importa-
tion of goods.—

(i) In general.—The authority to
block and prohibit all transactions in all
property and interests in property under
subparagraph (A) shall not include the au-
thority to impose sanctions on the importa-
tion of goods.

(ii) Good defined.—In this subpara-
graph, the term “good” means any article,
natural or manmade substance, material,
supply, or manufactured product, including
inspection and test equipment, and excluding technical data.

(c) Consideration of Certain Information in Imposing Sanctions.—In determining whether to impose sanctions under subsection (a), the President shall consider—

(1) information provided jointly by the chairperson and ranking member of each of the appropriate congressional committees; and

(2) credible information obtained by other countries and nongovernmental organizations that monitor violations of human rights and global health issues, including issues related to infectious disease.

(d) Requests by Appropriate Congressional Committees.—

(1) In General.—Not later than 120 days after receiving a request that meets the requirements of paragraph (2) with respect to whether a foreign person is described in subsection (a), the President shall—

(A) determine if that person is so described; and

(B) submit a classified or unclassified report to the chairperson and ranking member of the committee or committees that submitted the
request with respect to that determination that includes—

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

(ii) if the President imposed or intends to impose sanctions, a description of those sanctions.

(2) REQUIREMENTS.—A request under paragraph (1) with respect to whether a foreign person is described in subsection (a) shall be submitted to the President in writing jointly by the chairperson and ranking member of one of the appropriate congressional committees.

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

(1) would further important law enforcement objectives; or

(2) is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force Novem-
ber 21, 1947, between the United Nations and the
United States, or other applicable international obli-
gations of the United States.

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

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

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

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

(3) the number of foreign persons with respect
to which the President—
(A) imposed sanctions under subsection (b) during that year; or

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

(4) the dates on which such sanctions were imposed or terminated, as the case may be;

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

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

(h) T ERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines and reports to the appropriate congressional committees not later than 15 days before the termination of the sanctions that—

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

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed; or
(3) the termination of the sanctions is in the national security interests of the United States.

(i) REGULATORY AUTHORITY.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(j) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

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

(2) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(3) PERSON.—The term “person” means an individual or entity.

(4) PUBLIC HEALTH EMERGENCY OF INTERNATIONAL CONCERN.—The term “public health emergency of international concern” means a public health emergency determined to be a public health
emergency of international concern by the World Health Organization.

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

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

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

(C) any person in the United States.