

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To secure justice for victims of novel coronavirus in the United States and  
abroad.

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IN THE SENATE OF THE UNITED STATES

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Mr. HAWLEY introduced the following bill; which was read twice and referred  
to the Committee on \_\_\_\_\_

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**A BILL**

To secure justice for victims of novel coronavirus in the  
United States and abroad.

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 “Justice for Victims  
5 of Coronavirus Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) beginning in December 2019, if not earlier,  
9 the Government of the People’s Republic of China  
10 concealed the emergence and spread of the novel

1 coronavirus (referred to in this Act as “COVID–  
2 19”) by, among other things—

3 (A) silencing medical professionals, jour-  
4 nalists, and academic researchers;

5 (B) halting research and destroying or oth-  
6 erwise denying access by Chinese and inter-  
7 national public health authorities to COVID–19  
8 viral samples and relevant medical information  
9 and research;

10 (C) obstructing access by international  
11 public health authorities to parts of the  
12 COVID–19 outbreak epicenter;

13 (D) releasing partial or incorrect data  
14 about the number of COVID–19 cases and  
15 deaths in the People’s Republic of China and  
16 COVID–19 modes of transmission;

17 (E) using the World Health Organization  
18 to amplify its false messaging; and

19 (F) waging a global propaganda offensive  
20 to deflect attention away from its mishandling  
21 of the COVID–19 outbreak and create un-  
22 founded accounts of the origins of the virus;

23 (2) since December 2019, COVID–19 has  
24 transformed from a local disease outbreak in  
25 Wuhan, China, into a global pandemic, as declared

1 by the World Health Organization on March 11,  
2 2020, that is infecting millions, killing hundreds of  
3 thousands, and imposing severe economic hardship  
4 on billions of people worldwide;

5 (3) initial actions or omissions by the Govern-  
6 ment of the People's Republic of China to conceal  
7 the emergence and spread of COVID-19 facilitated  
8 the transformation of COVID-19 from a local dis-  
9 ease outbreak into a global pandemic by obstructing  
10 the timely and effective containment of the virus  
11 within the Chinese mainland and limiting the avail-  
12 ability of information that other nations needed to  
13 prevent or control the spread of the virus into their  
14 territories;

15 (4) the failure by the Government of the Peo-  
16 ple's Republic of China to fully disclose information  
17 on the COVID-19 outbreak in a timely manner to  
18 the World Health Organization and other nations  
19 appears to constitute a violation of the International  
20 Health Regulations (2005), a legally binding agree-  
21 ment among 196 countries, including the People's  
22 Republic of China;

23 (5) the Government of the People's Republic of  
24 China should be held accountable for the harm in-  
25 flicted upon the lives and livelihoods of the people of

1 the United States and other nations due to its ef-  
2 forts to conceal the emergence and spread of  
3 COVID-19;

4 (6) although nation states are ordinarily enti-  
5 tled to sovereign immunity in the courts of other na-  
6 tions, the extraordinary harm caused by the  
7 COVID-19 global pandemic, and the evidence  
8 strongly indicating that this pandemic was caused by  
9 deliberate decisions by the Government of the Peo-  
10 ple's Republic of China to conceal the emergence  
11 and spread of COVID-19, justify removing the  
12 privilege of foreign sovereign immunity from that  
13 Government to facilitate the payment of damages to  
14 individuals harmed by this pandemic;

15 (7) the United States Government should also  
16 establish and lead an international commission to  
17 determine fully how actions or omissions by the Gov-  
18 ernment of the People's Republic of China to conceal  
19 the emergence and spread of COVID-19 contributed  
20 to the transformation of COVID-19 from a local  
21 disease outbreak into a global pandemic; and

22 (8) if the international investigation establishes  
23 that actions or omissions by the Government of the  
24 People's Republic of China to conceal the emergence  
25 and spread of COVID-19 caused or substantially

1 aggravated the transformation of COVID–19 from a  
2 local disease outbreak into a global pandemic, or if  
3 the Government of the People’s Republic of China  
4 refuses to cooperate fully with the international in-  
5 vestigation, then the United States Government  
6 should lead international efforts—

7 (A) to quantify the harm caused or sub-  
8 stantially aggravated by actions or omissions by  
9 the Government of the People’s Republic of  
10 China to conceal the emergence and spread of  
11 COVID–19 to the health and economic well-  
12 being of the people of the United States and  
13 other nations; and

14 (B) to secure damages from the Govern-  
15 ment of the People’s Republic of China, espe-  
16 cially by identifying ways to compel the Govern-  
17 ment of the People’s Republic of China to pay  
18 damages.

19 **SEC. 3. RESPONSIBILITY OF FOREIGN STATES FOR RECK-**  
20 **LESS ACTIONS OR OMISSIONS CAUSING THE**  
21 **COVID–19 GLOBAL PANDEMIC IN THE UNITED**  
22 **STATES.**

23 (a) RESPONSIBILITY.—Chapter 97 of title 28, United  
24 States Code, is amended by inserting after section 1605B  
25 the following:

1 **“§ 1605C. Responsibility of foreign states for reckless**  
2 **actions or omissions causing the COVID-**  
3 **19 global pandemic in the United States**

4 “(a) RESPONSIBILITY OF FOREIGN STATES.—A for-  
5 eign state shall not be immune from the jurisdiction of  
6 the courts of the United States in any case in which money  
7 damages are sought against a foreign state for physical  
8 or economic injury to person, property, or business occur-  
9 ring in the United States following any reckless action or  
10 omission (including a conscious disregard of the need to  
11 report information promptly or deliberately hiding rel-  
12 evant information) of a foreign state, or of any official,  
13 employee, or agent of that foreign state while acting with-  
14 in the scope of his or her office, employment, or agency,  
15 that caused or substantially aggravated the COVID-19  
16 global pandemic in the United States, regardless of where  
17 the action or omission occurred.

18 “(b) RULE OF CONSTRUCTION.—A foreign state shall  
19 not be subject to the jurisdiction of the courts of the  
20 United States under subsection (a) on the basis of an  
21 omission or act that constitutes mere negligence.

22 “(c) JURISDICTION.—

23 “(1) EXCLUSIVE JURISDICTION.—The courts of  
24 the United States shall have exclusive jurisdiction in  
25 any action in which a foreign state is subject to the

1 jurisdiction of a court of the United States under  
2 subsection (a).

3 “(2) PERSONAL JURISDICTION.—The courts of  
4 the United States shall have personal jurisdiction, to  
5 the maximum extent permissible under the Constitu-  
6 tion of the United States, over any defendant in an  
7 action described in subsection (a).

8 “(3) ADDITIONAL AUTHORITY TO ISSUE OR-  
9 DERS.—In addition to authority already granted by  
10 other laws, the courts of the United States shall  
11 have jurisdiction to make and issue any writ or  
12 order of injunction necessary or appropriate for the  
13 enforcement of this section, including pre-judgment  
14 injunctions related to transfer or disposal of assets.

15 “(d) INTERVENTION.—The Attorney General may in-  
16 tervene in any action in which a foreign state is subject  
17 to the jurisdiction of a court of the United States under  
18 subsection (a) for the purpose of seeking a stay of the  
19 civil action, in whole or in part if the Secretary of State  
20 certifies that the United States is engaged in good faith  
21 discussions with the foreign state defendant concerning  
22 the resolution of the claims against the foreign state, or  
23 any other parties as to whom a stay of claims is sought.

24 “(e) DURATION OF STAY.—

1           “(1) IN GENERAL.—A stay under this section  
2 may be granted for not more than 180 days.

3           “(2) EXTENSION.—

4                 “(A) IN GENERAL.—The Attorney General  
5 may petition the court for an extension of the  
6 stay for additional periods not to exceed 180  
7 days.

8                 “(B) RECERTIFICATION.—A court shall  
9 grant an extension under subparagraph (A) if  
10 the Secretary of State recertifies that the  
11 United States remains engaged in good faith  
12 discussions with the foreign state defendant  
13 concerning the resolution of the claims against  
14 the foreign state, or any other parties as to  
15 whom a stay of claims is sought.

16           “(f) DISMISSAL OF ACTIONS FOLLOWING FOREIGN  
17 STATE AGREEMENT.—

18                 “(1) INTERVENTION.—The Attorney General  
19 may intervene in any action in which a foreign state  
20 is subject to the jurisdiction of a court of the United  
21 States under this section for the purpose of seeking  
22 the dismissal of the case.

23                 “(2) DISMISSAL WITH PREJUDICE.—Prior to  
24 the entry of judgment, a court of the United States  
25 may dismiss with prejudice a proceeding under this



1 section against a foreign state or any official, em-  
2 ployee, or agent of the foreign state if the Secretary  
3 of State certifies that the United States and the for-  
4 eign state have entered into an agreement with re-  
5 spect to the resolution of a claim against such a de-  
6 fendant, regardless of whether the plaintiff is a  
7 party to such agreement or consents to the dis-  
8 missal.”.

9 (b) APPLICABILITY.—The amendment made by sub-  
10 section (a) shall apply to any action or omission described  
11 in section 1605C of title 28, United States Code, as added  
12 by that subsection, that occurred before, on, or after the  
13 date of enactment of this Act.

14 (c) REMOVAL OF IMMUNITY FROM ATTACHMENT OR  
15 EXECUTION.—Section 1610 of title 28, United States  
16 Code, is amended—

17 (1) in subsection (a)(7), by striking “section  
18 1605A or section 1605(a)(7) (as such section was in  
19 effect on January 27, 2008)” and inserting “section  
20 1605A, section 1605(a)(7) (as such section was in  
21 effect on January 27, 2008), or section 1605C”;

22 (2) in subsection (b)(2), by striking “or  
23 1605(b)” and inserting “, 1605(b), or 1605C”;

24 (3) by striking subsection (d) and inserting the  
25 following:

1       “(d) The property of a foreign state, as defined in  
2 section 1603(a) of this chapter, used for a commercial ac-  
3 tivity in the United States, shall not be immune from at-  
4 tachment prior to the entry of judgment in any action  
5 brought in a court of the United States or of a State,  
6 or prior to the elapse of the period of time provided in  
7 subsection (e) of this section, if—

8               “(1) the foreign state has explicitly waived its  
9 immunity from attachment prior to judgment, not-  
10 withstanding any withdrawal of the waiver the for-  
11 eign state may purport to effect except in accord-  
12 ance with the terms of the waiver;

13               “(2) the purpose of the attachment is to secure  
14 satisfaction of a judgment that has been or may ulti-  
15 mately be entered against the foreign state, and not  
16 to obtain jurisdiction; or

17               “(3) the attachment relates to a claim for which  
18 the foreign state is not immune under section  
19 1605C.”; and

20               (4) in subsection (g)(1), in the matter pre-  
21 ceding subparagraph (A), by striking “1605A” and  
22 inserting “1605A or 1605C”.

23       (d) CAUSE OF ACTION.—Any citizen or resident of  
24 the United States injured in his or her person, property,  
25 or business by reason of any reckless action or omission

1 (including a conscious disregard of the need to report in-  
2 formation promptly or deliberately hiding relevant infor-  
3 mation) of a foreign state, or of any official, employee,  
4 or agent of that foreign state while acting within the scope  
5 of his or her office, employment, or agency, that caused  
6 or substantially aggravated the COVID–19 global pan-  
7 demic in the United States, regardless of where the action  
8 or omission occurred, may sue therefor in any appropriate  
9 district court of the United States and shall recover three-  
10 fold the damages he or she sustains and the cost of the  
11 suit, including attorney’s fees.

12 (e) ENFORCEMENT BY STATE ATTORNEYS GEN-  
13 ERAL.—Any State, on its own behalf or on behalf of the  
14 citizens or residents of the State, may bring a civil action  
15 under subsection (d) in a district court of the United  
16 States. Nothing in this Act may be construed to prevent  
17 a State from exercising its powers under State law.

18 (f) TIME LIMITATION ON THE COMMENCEMENT OF  
19 CIVIL ACTION.—Notwithstanding any other provision of  
20 law, a civil action arising under subsection (d) may be  
21 commenced up to 20 years after the cause of action ac-  
22 crues.

23 (g) TECHNICAL AND CONFORMING AMENDMENT.—  
24 The table of sections for chapter 97 of title 28, United

1 States Code, is amended by inserting after the item relat-  
2 ing to section 1605B the following:

“1605C. Responsibility of foreign states for reckless actions or omissions caus-  
ing the COVID–19 global pandemic in the United States.”.

3 **SEC. 4. JUSTICE FOR VICTIMS OF CORONAVIRUS TASK**  
4 **FORCE.**

5 (a) **ESTABLISHMENT.**—The President shall establish  
6 the Justice for Victims of Coronavirus Task Force (re-  
7 ferred to in this Act as the “Task Force”) to investigate  
8 and secure damages from the Government of the People’s  
9 Republic of China.

10 (b) **LEADERSHIP.**—The President shall appoint the  
11 Assistant to the President for National Security Affairs,  
12 or a designee serving at the level of Deputy Assistant to  
13 the President or higher, to oversee and coordinate activi-  
14 ties by Task Force members.

15 (c) **MEMBERSHIP.**—The Task Force shall consist of  
16 the heads of the following Federal agencies, who may act  
17 through their respective designees at or above the level of  
18 Under Secretary or equivalent rank:

19 (1) The Department of State.

20 (2) The Department of Health and Human  
21 Services.

22 (3) The Department of Justice.

23 (4) The Department of Commerce.

24 (5) The Department of the Treasury.

1 (6) The Department of Agriculture.

2 (7) The Office of the United States Trade Rep-  
3 resentative.

4 (8) The Office of Science and Technology Pol-  
5 icy.

6 (9) The Office of the Director of National Intel-  
7 ligence.

8 (10) Any other Federal agency that the Assist-  
9 ant to the President for National Security Affairs,  
10 or his or her designee, determines to be appropriate.

11 (d) RESPONSIBILITIES.—Task Force members shall  
12 ensure relevant offices in their respective Federal agencies  
13 take all appropriate measures to support—

14 (1) the Delegation established under section  
15 5(a);

16 (2) the Working Group to Quantify Harm es-  
17 tablished under section 6(a); and

18 (3) the Working Group to Secure Damages es-  
19 tablished under section 7(a).

20 (e) MEETINGS.—Task Force members shall meet at  
21 least quarterly—

22 (1) to update the Assistant to the President for  
23 National Security Affairs, or his or her designee, on  
24 contributions by their respective Federal agencies to

1 the activities of the organizations listed under para-  
2 graphs (1) through (3) of subsection (d);

3 (2) to notify the Assistant to the President for  
4 National Security Affairs, or his or her designee, of  
5 any disputes requiring resolution to ensure the abil-  
6 ity of the organizations listed under paragraphs (1)  
7 through (3) of subsection (d) to perform the duties  
8 assigned to them under this Act; and

9 (3) to provide the Assistant to the President for  
10 National Security Affairs, or his or her designee,  
11 and other Task Force members with recommenda-  
12 tions to strengthen coordination between or other-  
13 wise improve the effectiveness of the organizations  
14 listed under paragraphs (1) through (3) of sub-  
15 section (d).

16 (f) TERMINATION.—The Assistant to the President  
17 for National Security Affairs, or his or her designee, shall  
18 terminate and disband the Task Force following the termi-  
19 nation and disbandment of—

20 (1) the Delegation established under section  
21 5(a);

22 (2) the Working Group to Quantify Harm es-  
23 tablished under section 6(a); and

24 (3) the Working Group to Secure Damages es-  
25 tablished under section 7(a).

1 **SEC. 5. UNITED STATES DELEGATION TO THE INTER-**  
2 **NATIONAL COMMISSION TO INVESTIGATE**  
3 **THE ROLE OF THE GOVERNMENT OF THE**  
4 **PEOPLE’S REPUBLIC OF CHINA IN THE**  
5 **COVID-19 GLOBAL PANDEMIC.**

6 (a) **IN GENERAL.**—Not later than 30 days after the  
7 establishment of the Task Force, the Secretary of State  
8 shall form the United States Delegation to the Inter-  
9 national Commission to Investigate the Role of the Gov-  
10 ernment of the People’s Republic of China in the COVID-  
11 19 Global Pandemic (referred to in this Act as the “Dele-  
12 gation”).

13 (b) **LEADERSHIP.**—The Secretary of State, acting  
14 through the United States Special Representative for  
15 Global Health Diplomacy, shall direct and coordinate the  
16 activities of the Delegation.

17 (c) **MEMBERSHIP.**—The Delegation shall include rep-  
18 resentatives, at the level of Deputy Assistant Secretary or  
19 equivalent rank, from the following Task Force member  
20 agencies:

21 (1) The Department of State.

22 (2) The Department of Health and Human  
23 Services.

24 (3) The Department of Justice.

25 (4) The Department of Agriculture.

1           (5) The Office of Science and Technology Pol-  
2           icy.

3           (6) Any other Task Force member agency that  
4           the Assistant to the President for National Security  
5           Affairs, or his or her designee, determines to be ap-  
6           propriate.

7           (d) DUTIES.—

8           (1) IN GENERAL.—Not later than 90 days after  
9           the formation of the Delegation, the Delegation shall  
10          undertake to establish and lead the International  
11          Commission to Investigate the Role of the Govern-  
12          ment of the People’s Republic of China in the  
13          COVID–19 Global Pandemic (referred to in this Act  
14          as the “International Commission” in accordance  
15          with this subsection.

16          (2) MEMBERSHIP.—The Delegation shall estab-  
17          lish the International Commission in cooperation  
18          with—

19                 (A) allies and partners of the United  
20                 States; and

21                 (B) other similar nations, if their member-  
22                 ship in the International Commission would not  
23                 adversely affect the ability of the International  
24                 Commission to fulfill the purpose described in  
25                 paragraph (3).



1           (3) PURPOSE.—The International Commission  
2 shall allow the United States Government and other  
3 members of the International Commission (referred  
4 to in this Act as “International Commission Mem-  
5 bers”) to work together—

6           (A) to gather, share, and analyze data in  
7 order to understand how COVID–19 grew from  
8 a local disease outbreak into a global pandemic;  
9 and

10           (B) to prevent similar tragedies in the fu-  
11 ture.

12           (4) FUNCTIONS.—The International Commis-  
13 sion shall enable the United States Government and  
14 other International Commission Members—

15           (A) to share and coordinate the collection  
16 of information related to the emergence and  
17 spread of COVID–19;

18           (B) to leverage unique expertise or other  
19 capabilities resident in individual International  
20 Commission Members to advance the under-  
21 standing of all International Commission Mem-  
22 bers of the emergence and spread of COVID–  
23 19;

24           (C) to apply multilateral pressure to the  
25 Government of the People’s Republic of China

1 or other parties, as necessary, in order to en-  
2 courage their cooperation with the international  
3 investigation; and

4 (D) to develop ways to generate actionable  
5 findings irrespective of the cooperation of the  
6 Government of the People's Republic of China.

7 (5) ADMINISTRATION.—The Delegation, in ne-  
8 gotiation with other International Commission Mem-  
9 bers, shall determine—

10 (A) the organizational structure of the  
11 International Commission;

12 (B) the rules and procedures governing ac-  
13 tivities by the International Commission;

14 (C) whether the International Commission  
15 will issue reports on findings and recommenda-  
16 tions or defer to International Commission  
17 Members to issue their own reports on findings  
18 and recommendations; and

19 (D) other items related to the administra-  
20 tion of the International Commission, as the  
21 Delegation determines to be appropriate.

22 (e) TRIANNUAL REPORT.—

23 (1) IN GENERAL.—Not later than 180 days  
24 after the formation of the Delegation, and every 4  
25 months thereafter until the Delegation is disbanded,

1 the Delegation shall submit a report to the appro-  
2 priate congressional committees and to the public  
3 that describes the activities undertaken and the in-  
4 formation produced by the International Commis-  
5 sion.

6 (2) MATTERS TO BE INCLUDED.—Each report  
7 under paragraph (1) shall include—

8 (A) procedural updates regarding—

9 (i) changes in International Commis-  
10 sion membership;

11 (ii) changes related to the administra-  
12 tion of the International Commission;

13 (iii) investigative or other official ac-  
14 tions taken by the International Commis-  
15 sion; and

16 (iv) responses by the Government of  
17 the People's Republic of China to actions  
18 taken by the International Commission;  
19 and

20 (B) the latest information available relat-  
21 ing to—

22 (i) the emergence and spread of  
23 COVID-19 in the People's Republic of  
24 China, including—

25 (I) the source of COVID-19;

1 (II) the date and circumstances  
2 of initial transmission of COVID-19  
3 to a human;

4 (III) the number of COVID-19  
5 cases, by date and location, before  
6 January 23, 2020 (the date on which  
7 the Government of the People's Re-  
8 public of China began implementing  
9 quarantine measures in Wuhan,  
10 China, and other locations);

11 (IV) the number of deaths as a  
12 result of COVID-19 infection, by date  
13 and location, before January 23,  
14 2020; and

15 (V) evidence of human-to-human  
16 transmission of COVID-19 before  
17 January 20, 2020 (the date on which  
18 the Government of the People's Re-  
19 public of China first publicly acknowl-  
20 edged that COVID-19 was capable of  
21 human-to-human transmission);

22 (ii) knowledge by the Government of  
23 the People's Republic of China of the in-  
24 formation referenced under clause (i), in-  
25 cluding details about when the Government

1 of the People’s Republic of China first be-  
2 came aware of said information;

3 (iii) methods used by the Government  
4 of the People’s Republic of China to con-  
5 ceal information listed under clause (i), in-  
6 cluding—

7 (I) silencing medical profes-  
8 sionals, journalists, and academic re-  
9 searchers;

10 (II) halting, destroying, or other-  
11 wise denying access by Chinese and  
12 international public health authorities  
13 to COVID–19 viral samples and rel-  
14 evant medical information and re-  
15 search;

16 (III) obstructing access by inter-  
17 national public health experts to parts  
18 of the COVID–19 outbreak epicenter;  
19 and

20 (IV) releasing partial or incorrect  
21 data about the number of COVID–19  
22 cases and deaths in the People’s Re-  
23 public of China and COVID–19  
24 modes of transmission;

1 (iv) methods used by the Government  
2 of the People’s Republic of China to gain  
3 influence in the World Health Organiza-  
4 tion and use that influence to persuade,  
5 compel, or otherwise cause leaders of the  
6 World Health Organization—

7 (I) to spread false, incomplete, or  
8 misleading information provided by  
9 the Government of the People’s Re-  
10 public of China; and

11 (II) to praise the Government of  
12 the People’s Republic of China for its  
13 handling of the COVID–19 outbreak,  
14 despite ample reporting to show that  
15 the Government of the People’s Re-  
16 public of China was suppressing or  
17 distorting information about the  
18 COVID–19 outbreak by December  
19 2019, if not earlier, in order to pro-  
20 tect its own political fortunes;

21 (v) the impact of actions or omissions  
22 by the Government of the People’s Repub-  
23 lic of China to conceal the emergence and  
24 spread of COVID–19 on the trans-

1 formation of COVID–19 from a local dis-  
2 ease outbreak into a global pandemic;

3 (vi) actions or omissions by the Gov-  
4 ernment of the People’s Republic of China  
5 that contravened the legal obligations set  
6 forth in the International Health Regula-  
7 tions;

8 (vii) actions the Government of the  
9 People’s Republic of China could have  
10 taken—

11 (I) to control the outbreak of  
12 COVID–19;

13 (II) to prevent the spread of  
14 COVID–19 outside of Wuhan, China,  
15 and into other parts of the People’s  
16 Republic of China; and

17 (III) to prevent the spread of  
18 COVID–19 outside the People’s Re-  
19 public of China; and

20 (viii) any other information that the  
21 Delegation determines to be appropriate.

22 (3) FORM.—Each report under paragraph  
23 (1)—

1 (A) shall be submitted to the appropriate  
2 congressional committees in unclassified form,  
3 but may include a classified annex; and

4 (B) shall be posted on a publicly available  
5 website of the Department of State, with the  
6 exception of any classified annex.

7 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
8 TEES DEFINED.—In this section, the term “appro-  
9 priate congressional committees” means—

10 (A) the Committee on Agriculture, Nutri-  
11 tion, and Forestry of the Senate;

12 (B) the Committee on Health, Education,  
13 Labor, and Pensions of the Senate;

14 (C) the Committee on the Judiciary of the  
15 Senate;

16 (D) the Committee on Foreign Relations of  
17 the Senate;

18 (E) the Select Committee on Intelligence  
19 of the Senate;

20 (F) the Committee on Agriculture of the  
21 House of Representatives;

22 (G) the Committee on Education and  
23 Labor of the House of Representatives;

24 (H) the Committee on the Judiciary of the  
25 House of Representatives;



1 (I) the Committee on Foreign Affairs of  
2 the House of Representatives;

3 (J) the Permanent Select Committee on  
4 Intelligence of the House of Representatives;  
5 and

6 (K) any congressional committee not listed  
7 in subparagraphs (A) through (J) that provides  
8 oversight for any of the Federal agencies as-  
9 signed to the Delegation by the Assistant to the  
10 President for National Security Affairs, or his  
11 or her designee, pursuant to subsection (c)(6).

12 (f) TERMINATION.—The Assistant to the President  
13 for National Security Affairs, or his or her designee, shall  
14 terminate and disband the Delegation at such time as the  
15 United States Special Representative for Global Health  
16 Diplomacy, with the concurrence of the Secretary of State,  
17 certifies that—

18 (1) the International Commission has fulfilled  
19 its purpose by rendering a full and impartial account  
20 of the facts associated with actions or omissions by  
21 the Government of the People’s Republic of China to  
22 conceal the emergence and spread of COVID–19 and  
23 the impact thereof on the transformation of  
24 COVID–19 from a local disease outbreak to a global  
25 pandemic; or

1           (2) the International Commission is unable to  
2           fulfill its purpose due to obstruction by the Govern-  
3           ment of the People’s Republic of China.

4 **SEC. 6. INTERAGENCY WORKING GROUP TO QUANTIFY**  
5                           **HARM CAUSED BY THE GOVERNMENT OF THE**  
6                           **PEOPLE’S REPUBLIC OF CHINA.**

7           (a) IN GENERAL.—The Assistant to the President for  
8           National Security Affairs, or his or her designee, shall es-  
9           tablish the Interagency Working Group to Quantify Harm  
10           Caused by the Government of the People’s Republic of  
11           China (referred to in this Act as “Working Group to  
12           Quantify Harm”) not later than 30 days after either of  
13           the following conditions is met:

14                   (1) The international investigation establishes  
15                   that actions or omissions by the Government of the  
16                   People’s Republic of China to conceal the emergence  
17                   and spread of COVID–19 caused or substantially  
18                   aggravated the transformation of COVID–19 from a  
19                   local disease outbreak into a global pandemic.

20                   (2) The United States Special Representative  
21                   for Global Health Diplomacy, with the concurrence  
22                   of the Secretary of State, certifies that the Inter-  
23                   national Commission is unable to fulfill its purpose.

24           (b) DUTIES.—The Working Group to Quantify Harm  
25           shall—

1           (1) encourage other International Commission  
2 Members to form their own interagency working  
3 groups or equivalent bodies; and

4           (2) use information or findings produced by the  
5 International Commission and data from other  
6 sources—

7           (A) to quantify the harm caused or sub-  
8 stantially aggravated by actions or omissions by  
9 the Government of the People’s Republic of  
10 China to conceal the emergence and spread of  
11 COVID–19 to the health and economic well-  
12 being of the people of the United States and  
13 other nations; and

14           (B) to provide data, technical support, and  
15 other support to International Commission  
16 Members and other similar nations seeking to  
17 quantify the harm caused or substantially ag-  
18 gravated by actions or omissions by the Govern-  
19 ment of the People’s Republic of China to the  
20 health and economic well-being of their respec-  
21 tive nations.

22 (c) LEADERSHIP.—

23           (1) QUANTIFYING HARM TO HUMAN HEALTH.—

24 The Secretary of Health and Human Services, act-  
25 ing through a designee at the level of Assistant Sec-

1       retary or above, shall direct and coordinate efforts  
2       by the Working Group to Quantify Harm to quan-  
3       tify the harm caused or substantially aggravated by  
4       actions or omissions by the Government of the Peo-  
5       ple’s Republic of China to the health of the people  
6       of the United States and other nations.

7               (2) QUANTIFYING ECONOMIC HARM.—The Sec-  
8       retary of Commerce, acting through a designee at  
9       the level of Assistant Secretary or above, shall direct  
10      and coordinate efforts by the Working Group to  
11      Quantify Harm to quantify the harm caused or sub-  
12      stantially aggravated by actions or omissions by the  
13      Government of the People’s Republic of China to the  
14      economic well-being of the people of the United  
15      States and other nations.

16      (d) MEMBERSHIP.—The Working Group to Quantify  
17      Harm shall include representatives, at the level of Deputy  
18      Assistant Secretary or equivalent rank, from the following  
19      Task Force Member agencies:

20              (1) The Department of Health and Human  
21      Services.

22              (2) The Department of Commerce.

23              (3) The Department of State.

24              (4) The Department of the Treasury.

1           (5) The Office of the Director of National Intel-  
2           ligence.

3           (6) The Office of Science and Technology Pol-  
4           icy.

5           (7) Any other Task Force Member agency that  
6           the Assistant to the President for National Security  
7           Affairs, or his or her designee, determines to be ap-  
8           propriate.

9           (e) FOREIGN ENGAGEMENT.—The Secretary of  
10          Health and Human Services and Secretary of Commerce,  
11          acting through their respective designees, shall coordinate  
12          with the United States Special Representative for Global  
13          Health Diplomacy when providing support to other na-  
14          tions seeking to quantify the harm caused by the Govern-  
15          ment of the People’s Republic of China.

16          (f) REPORT.—

17                 (1) IN GENERAL.—Not later than 90 days after  
18                 the establishment of the Working Group, and every  
19                 6 months thereafter until the Working Group to  
20                 Quantify Harm is disbanded, the Working Group to  
21                 Quantify Harm shall submit a report to the appro-  
22                 priate congressional committees and to the public  
23                 that describes the activities undertaken and the in-  
24                 formation produced by the Working Group to Quan-  
25                 tify Harm.

1           (2) MATTERS TO BE INCLUDED.—Each report  
2           under paragraph (1) shall include—

3                   (A) the latest assessments of the harm  
4                   caused or substantially aggravated by actions or  
5                   omissions by the Government of the People’s  
6                   Republic of China to conceal the emergence and  
7                   spread of COVID–19 to the health and eco-  
8                   nomic well-being of the people of the United  
9                   States;

10                   (B) the latest assessments of the harm  
11                   caused or substantially aggravated by actions or  
12                   omissions by the Government of the People’s  
13                   Republic of China to conceal the emergence and  
14                   spread of COVID–19 to the health and eco-  
15                   nomic well-being of other nations; and

16                   (C) an update on support provided by the  
17                   Working Group to Quantify Harm to other na-  
18                   tions seeking to quantify the harm suffered by  
19                   their respective nations on account of actions or  
20                   omissions by the Government of the People’s  
21                   Republic of China to conceal the emergence and  
22                   spread of COVID–19.

23           (3) FORM.—Each report under paragraph  
24           (1)—

1 (A) shall be submitted to the appropriate  
2 congressional committees in unclassified form,  
3 but may include a classified annex; and

4 (B) shall be posted on a publicly available  
5 website of the Department of State, with the  
6 exception of any classified annex.

7 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
8 TEES DEFINED.—In this section, the term “appro-  
9 priate congressional committees” means—

10 (A) the Committee on Banking, Housing,  
11 and Urban Affairs of the Senate;

12 (B) the Committee on Finance of the Sen-  
13 ate;

14 (C) the Committee on Health, Education,  
15 Labor, and Pensions of the Senate;

16 (D) the Committee on Foreign Relations of  
17 the Senate;

18 (E) the Select Committee on Intelligence  
19 of the Senate;

20 (F) the Committee on Financial Services  
21 of the House of Representatives;

22 (G) the Committee on Ways and Means of  
23 the House of Representatives;

24 (H) the Committee on Education and  
25 Labor of the House of Representatives;

1 (I) the Committee on Foreign Affairs of  
2 the House of Representatives;

3 (J) the Permanent Select Committee on  
4 Intelligence of the House of Representatives;  
5 and

6 (K) any congressional committee not listed  
7 in subparagraphs (A) through (J) that provides  
8 oversight for any of the Federal agencies as-  
9 signed to the Working Group by the Assistant  
10 to the President for National Security Affairs,  
11 or his or her designee, pursuant to subsection  
12 (d)(7).

13 (g) TERMINATION.—The Assistant to the President  
14 for National Security Affairs, or his or her designee, shall  
15 terminate and disband the Working Group to Quantify  
16 Harm on the later of the date—

17 (1) on which the Task Force determines, by  
18 consensus, that the Working Group to Quantify  
19 Harm has completed its duties; or

20 (2) that is 2 years after the establishment of  
21 the Working Group to Quantify Harm.



1 **SEC. 7. INTERAGENCY WORKING GROUP TO SECURE DAM-**  
2 **AGES FROM THE GOVERNMENT OF THE PEO-**  
3 **PLE'S REPUBLIC OF CHINA.**

4 (a) IN GENERAL.—The Assistant to the President for  
5 National Security Affairs, or his or her designee, shall es-  
6 tablish the Interagency Working Group to Secure Dam-  
7 ages from the Government of the People's Republic of  
8 China (referred to in this Act as “Working Group to Se-  
9 cure Damages”) not later than 30 days after either of the  
10 following conditions is met:

11 (1) The international investigation establishes  
12 that actions or omissions by the Government of the  
13 People's Republic of China to conceal the emergence  
14 and spread of COVID–19 caused or substantially  
15 aggravated the transformation of COVID–19 from a  
16 local disease outbreak into a global pandemic.

17 (2) The United States Special Representative  
18 for Global Health Diplomacy, with the concurrence  
19 of the Secretary of State, certifies that the Inter-  
20 national Commission is unable to fulfill its purpose.

21 (b) DUTIES.—The Working Group to Secure Dam-  
22 ages, in consultation with the Working Group to Quantify  
23 Harm, shall—

24 (1) identify ways for the United States Govern-  
25 ment to compel the Government of the People's Re-  
26 public of China to pay damages—

1 (A) to ease the pain suffered by individual  
2 citizens and residents of the United States for  
3 actions or omissions by the Government of the  
4 People's Republic of China to conceal the emer-  
5 gence and spread of COVID-19; and

6 (B) to reimburse expenses incurred by the  
7 United States Government to provide relief and  
8 economic recovery to the people of the United  
9 States for actions or omissions by the Govern-  
10 ment of the People's Republic of China; and

11 (2) encourage other International Commission  
12 Members to form their own interagency working  
13 groups or equivalent bodies to secure damages from  
14 the Government of the People's Republic of China  
15 and provide technical and other support to such  
16 working groups.

17 (c) LEADERSHIP.—The Secretary of State, acting  
18 through a designee at or above the level of Assistant Sec-  
19 retary, shall direct and coordinate activities by the Work-  
20 ing Group to Secure Damages.

21 (d) MEMBERSHIP.—The Working Group to Secure  
22 Damages shall include representatives, at the level of Dep-  
23 uty Assistant Secretary or equivalent rank, from the fol-  
24 lowing Task Force Member agencies:

25 (1) The Department of State.

1 (2) The Department of Justice.

2 (3) The Department of Commerce.

3 (4) The Department of the Treasury.

4 (5) The Office of the United States Trade Rep-  
5 resentative.

6 (6) The Department of Health and Human  
7 Services.

8 (7) The Office of the Director of National Intel-  
9 ligence.

10 (8) Any other Task Force Member agency that  
11 the Assistant to the President for National Security  
12 Affairs, or his or her designee, determines to be ap-  
13 propriate.

14 (e) REPORT.—

15 (1) IN GENERAL.—Not later than 90 days after  
16 the establishment of the Working Group to Secure  
17 Damages, and every 6 months thereafter until the  
18 Working Group to Secure Damages is disbanded,  
19 the Working Group to Secure Damages shall submit  
20 a report to the appropriate congressional committees  
21 that describes the activities undertaken and the in-  
22 formation produced by the Working Group to Secure  
23 Damages.

24 (2) MATTERS TO BE INCLUDED.—Each report  
25 under paragraph (1) shall include—

1 (A) descriptions of unilateral measures  
2 that may be taken by the United States Gov-  
3 ernment to compel the Government of the Peo-  
4 ple's Republic of China to pay damages, such  
5 as—

6 (i) seizure of assets owned by the  
7 Government of the People's Republic of  
8 China in the United States and its terri-  
9 tories, including assets owned by Chinese  
10 state-owned enterprises or otherwise tied  
11 to the Government of the People's Repub-  
12 lic of China;

13 (ii) suspension by the United States  
14 Government of legal obligations owed by  
15 the United States Government to the Gov-  
16 ernment of the People's Republic of China;  
17 or

18 (iii) employment of other counter-  
19 measures as deemed necessary by the  
20 United States Government to secure dam-  
21 ages from the Government of the People's  
22 Republic of China;

23 (B) descriptions of multilateral action that  
24 may be taken by the United States Government

1 to compel the Government of the People's Re-  
2 public of China to pay damages, such as—

3 (i) using the vote and influence of the  
4 United States, in cooperation with Inter-  
5 national Commission Members and other  
6 allies and partners, to seek—

7 (I) the expulsion or temporary  
8 suspension of the Government of the  
9 People's Republic of China from inter-  
10 national institutions whose mandates,  
11 rules, or guiding principles the Gov-  
12 ernment of People's Republic of China  
13 undermined in its attempt to conceal  
14 the emergence and spread of COVID-  
15 19;

16 (II) to downgrade the status of  
17 the Government of the People's Re-  
18 public of China, such as through the  
19 suspension of voting rights or dis-  
20 qualification from serving in certain  
21 roles, in international institutions  
22 whose mandates, rules, or guiding  
23 principles the Government of People's  
24 Republic of China undermined in its

1 attempt to conceal the emergence and  
2 spread of COVID–19; or

3 (III) the removal of representa-  
4 tives of the Government of the Peo-  
5 ple’s Republic of China from leader-  
6 ship, senior, and other influential po-  
7 sitions in international institutions  
8 whose mandates, rules, or guiding  
9 principles the Government of People’s  
10 Republic of China undermined in its  
11 attempt to conceal the emergence and  
12 spread of COVID–19;

13 (ii) collaborating with International  
14 Commission Members and other allies and  
15 partners to compel the Government of the  
16 People’s Republic of China—

17 (I) to cease operations at its Bio-  
18 safety Level-4 laboratory at the  
19 Wuhan Institute of Virology and halt  
20 research related to bat coronavirus at  
21 other biosafety laboratories, including  
22 by restricting or terminating inter-  
23 national assistance to these or other  
24 Chinese institutions; or

1 (II) to provide timely and suffi-  
2 cient access for international mon-  
3 itors, including representatives from  
4 the United States Government, to en-  
5 sure the Government of the People's  
6 Republic of China has taken all meas-  
7 ures necessary to prevent other out-  
8 breaks within the territory of the Peo-  
9 ple's Republic of China that may  
10 cause another global pandemic;

11 (C) recommendations for—

12 (i) the establishment of a victim's  
13 fund or another vehicle to deliver damages  
14 secured by the United States Government  
15 from the Government of the People's Re-  
16 public of China to the people of the United  
17 States; and

18 (ii) any additional authorities required  
19 to enable the United States Government to  
20 secure damages from the Government of  
21 the People's Republic of China;

22 (D) an update on support provided by the  
23 Working Group to Secure Damages to other na-  
24 tions seeking—

1 (i) to compel the Government of the  
2 People's Republic of China to pay dam-  
3 ages, including through unilateral and mul-  
4 tilateral actions such as the actions de-  
5 scribed in subparagraphs (A) through (C);  
6 and

7 (ii) to design vehicles by which to de-  
8 liver such damages to their respective pop-  
9 ulations or governments.

10 (3) FORM.—Each report under paragraph (1)  
11 shall be submitted to the appropriate congressional  
12 committees in unclassified form, but may include a  
13 classified annex.

14 (4) APPROPRIATE CONGRESSIONAL COMMIT-  
15 TEES DEFINED.—The term “appropriate congres-  
16 sional committees” means—

17 (A) the Committee on Banking, Housing,  
18 and Urban Affairs of the Senate;

19 (B) the Committee on Finance of the Sen-  
20 ate;

21 (C) the Committee on Health, Education,  
22 Labor, and Pensions of the Senate;

23 (D) the Committee on the Judiciary of the  
24 Senate;



1 (E) the Committee on Foreign Relations of  
2 the Senate;

3 (F) the Select Committee on Intelligence of  
4 the Senate;

5 (G) the Committee on Financial Services  
6 of the House of Representatives;

7 (H) the Committee on Ways and Means of  
8 the House of Representatives;

9 (I) the Committee on Education and Labor  
10 of the House of Representatives;

11 (J) the Committee on the Judiciary of the  
12 House of Representatives;

13 (K) the Committee on Foreign Affairs of  
14 the House of Representatives;

15 (L) the Permanent Select Committee on  
16 Intelligence of the House of Representatives;  
17 and

18 (M) any congressional committee not listed  
19 in subparagraphs (A) through (L) that provides  
20 oversight for any of the Federal agencies as-  
21 signed to the Working Group to Secure Dam-  
22 ages by the Assistant to the President for Na-  
23 tional Security Affairs, or his or her designee,  
24 pursuant to subsection (d)(8).

1 (f) TERMINATION.—The Assistant to the President  
2 for National Security Affairs, or his or her designee, shall  
3 terminate and disband the Working Group to Secure  
4 Damages on the later of the date—

5 (1) on which the Task Force determines, by  
6 consensus, that the Working Group to Secure Dam-  
7 ages has completed its duties; or

8 (2) that is 2 years after the establishment of  
9 the Working Group to Secure Damages.

10 **SEC. 8. AUTHORITIES AND APPROPRIATIONS.**

11 (a) AUTHORITIES.—Task Force members shall—

12 (1) coordinate use of the programs and authori-  
13 ties resident in their respective Federal agencies to  
14 perform the duties assigned to them under this Act;  
15 and

16 (2) notify Congress upon the discovery of any  
17 lack of authority that might impede the ability of  
18 their respective Federal agencies to perform the du-  
19 ties assigned to them under this Act.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
21 are authorized to be appropriated such sums as may be  
22 necessary for Task Force members to perform the duties  
23 assigned to them under this Act.