



Calendar No. _____

116TH CONGRESS
1ST SESSION

S. 249

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2019

Mr. INHOFE (for himself, Mr. RUBIO, Mr. MENENDEZ, Mr. BROWN, Mr. CORNYN, Mr. MARKEY, Mr. CASSIDY, Mr. LANKFORD, Mr. BOOZMAN, Mr. MANCHIN, Mr. ROUNDS, Mr. CRUZ, Mr. PETERS, Mr. WYDEN, Ms. MCSALLY, Mr. COONS, Mr. SCOTT of Florida, Mr. YOUNG, and Mr. GARDNER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

_____ (legislative day, _____), _____

Reported by Mr. RISCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, 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,*

1 **SECTION 1. PARTICIPATION OF TAIWAN IN THE WORLD**
2 **HEALTH ORGANIZATION.**

3 (a) **FINDINGS.**—Congress makes the following find-
4 ings:

5 (1) The World Health Organization (WHO) is
6 a specialized agency of the United Nations, charged
7 with coordinating health efforts within the United
8 Nations system. The World Health Assembly
9 (WHA) is the decision-making body of the WHO,
10 which convenes annually in May to set the policies
11 and priorities of the organization. Statehood is not
12 a requirement for attendance at the WHA, and nu-
13 merous observers, including non-members and non-
14 governmental organizations, attended the most re-
15 cent WHA in May 2018.

16 (2) Taiwan began seeking to participate in the
17 WHO as an observer in 1997. In 2009, with strong
18 support from successive United States Administra-
19 tions, Congress, and like-minded WHO Member
20 States, and during a period of improved Cross-Strait
21 relations, Taiwan received an invitation to attend
22 the WHA as an observer under the name “Chinese
23 Taipei”. Taiwan received the same invitation each
24 year until 2016, when following the election of Presi-
25 dent Tsai-Ing Wen of the Democratic Progressive
26 Party, Taiwan’s engagement in the international

1 community began facing increased resistance from
2 the People's Republic of China (PRC). Taiwan's in-
3 vitation to the 2016 WHA was received late and in-
4 cluded new language conditioning Taiwan's partici-
5 pation on the PRC's "one China principle". In 2017
6 and 2018, Taiwan did not receive an invitation to
7 the WHA.

8 (3) Taiwan remains a model contributor to
9 world health, having provided financial and technical
10 assistance to respond to numerous global health
11 challenges. Taiwan has invested over
12 \$6,000,000,000 in international medical and human-
13 itarian aid efforts impacting over 80 countries since
14 1996. In 2014, Taiwan responded to the Ebola crisis
15 by donating \$1,000,000 and providing 100,000 sets
16 of personal protective equipment. Through the Glob-
17 al Cooperation and Training Framework, the United
18 States and Taiwan have jointly conducted training
19 programs for experts to combat MERS, Dengue
20 Fever, and Zika. These diseases know no borders,
21 and Taiwan's needless exclusion from global health
22 cooperation increases the dangers presented by glob-
23 al pandemics.

24 (4) Taiwan's international engagement has
25 faced increased resistance from the PRC. Taiwan

1 was not invited to the 2016 Assembly of the Inter-
2 national Civil Aviation Organization (ICAO); despite
3 participating as a guest at the organization's prior
4 summit in 2013. Taiwan's requests to participate in
5 the General Assembly of the International Criminal
6 Police Organization (INTERPOL) have also been
7 rejected. In May 2017, PRC delegates disrupted a
8 meeting of the Kimberley Process on conflict dia-
9 monds held in Perth, Australia, until delegates from
10 Taiwan were asked to leave. Since 2016, the Demo-
11 cratic Republic of São Tomé and Príncipe, the Re-
12 public of Panama, the Dominican Republic, Burkina
13 Faso, and the Republic of El Salvador have termi-
14 nated longstanding diplomatic relationships with
15 Taiwan and granted diplomatic recognition to the
16 PRC.

17 (5) Congress has established a policy of support
18 for Taiwan's participation in international bodies
19 that address shared transnational challenges, par-
20 ticularly in the WHO. Congress passed H.R. 1794
21 in the 106th Congress, H.R. 428 in the 107th Con-
22 gress, and S. 2092 in the 108th Congress to direct
23 the Secretary of State to establish a strategy for,
24 and to report annually to Congress on, efforts to ob-
25 tain observer status for Taiwan at the WHA. Con-

1 gress also passed H.R. 1151 in the 113th Congress,
2 directing the Secretary to report on a strategy to
3 gain observer status for Taiwan at the ICAO Assem-
4 bly, and H.R. 1853 in the 114th Congress, directing
5 the Secretary to report on a strategy to gain ob-
6 server status for Taiwan at the INTERPOL Assem-
7 bly. However, since 2016 Taiwan has not received
8 an invitation to attend any of these events as an ob-
9 server.

10 (b) AUGMENTATION OF REPORT CONCERNING THE
11 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-
12 GANIZATION.—

13 (1) IN GENERAL.—Subsection (e) of section 1
14 of Public Law 108–235 (118 Stat. 656) is amended
15 by adding at the end the following new paragraph:

16 “(3) An account of the changes and improve-
17 ments the Secretary of State has made to the
18 United States plan to endorse and obtain observer
19 status for Taiwan at the World Health Assembly,
20 following any annual meetings of the World Health
21 Assembly at which Taiwan did not obtain observer
22 status.”.

23 (2) EFFECTIVE DATE.—The amendment made
24 by paragraph (1) shall take effect and apply begin-
25 ning with the first report required under subsection

1 (e) of section 1 of Public Law 108-235 that is sub-
2 mitted after the date of the enactment of this Act.

3 **SECTION 1. PARTICIPATION OF TAIWAN IN THE WORLD**

4 **HEALTH ORGANIZATION.**

5 (a) *FINDINGS.*—Congress makes the following findings:

6 (1) *The World Health Organization (WHO) is a*
7 *specialized agency of the United Nations, charged*
8 *with coordinating health efforts within the United*
9 *Nations system. The World Health Assembly (WHA)*
10 *is the decision-making body of the WHO, which con-*
11 *venes annually in May to set the policies and prior-*
12 *ities of the organization. Statehood is not a require-*
13 *ment for attendance at the WHA, and numerous ob-*
14 *servers, including non-members and non-govern-*
15 *mental organizations, attended the most recent WHA*
16 *in May 2018.*

17 (2) *Taiwan began seeking to participate in the*
18 *WHO as an observer in 1997. In 2009, with strong*
19 *support from successive United States Administra-*
20 *tions, Congress, and like-minded WHO Member*
21 *States, and during a period of improved Cross-Strait*
22 *relations, Taiwan received an invitation to attend the*
23 *WHA as an observer under the name “Chinese Tai-*
24 *pei”. Taiwan received the same invitation each year*
25 *until 2016, when following the election of President*

1 *Tsai-Ing Wen of the Democratic Progressive Party,*
2 *Taiwan's engagement in the international community*
3 *began facing increased resistance from the People's*
4 *Republic of China (PRC). Taiwan's invitation to the*
5 *2016 WHA was received late and included new lan-*
6 *guage conditioning Taiwan's participation on the*
7 *PRC's "one China principle". In 2017 and 2018,*
8 *Taiwan did not receive an invitation to the WHA.*

9 (3) *Taiwan remains a model contributor to*
10 *world health, having provided financial and technical*
11 *assistance to respond to numerous global health chal-*
12 *lenges. Taiwan has invested over \$6,000,000,000 in*
13 *international medical and humanitarian aid efforts*
14 *impacting over 80 countries since 1996. In 2014, Tai-*
15 *wan responded to the Ebola crisis by donating*
16 *\$1,000,000 and providing 100,000 sets of personal*
17 *protective equipment. Through the Global Cooperation*
18 *and Training Framework, the United States and Tai-*
19 *wan have jointly conducted training programs for ex-*
20 *perts to combat MERS, Dengue Fever, and Zika.*
21 *These diseases know no borders, and Taiwan's need-*
22 *less exclusion from global health cooperation increases*
23 *the dangers presented by global pandemics.*

24 (4) *Taiwan's international engagement has faced*
25 *increased resistance from the PRC. Taiwan was not*

1 *invited to the 2016 Assembly of the International*
2 *Civil Aviation Organization (ICAO), despite partici-*
3 *pating as a guest at the organization's prior summit*
4 *in 2013. Taiwan's requests to participate in the Gen-*
5 *eral Assembly of the International Criminal Police*
6 *Organization (INTERPOL) have also been rejected.*
7 *In May 2017, PRC delegates disrupted a meeting of*
8 *the Kimberley Process on conflict diamonds held in*
9 *Perth, Australia, until delegates from Taiwan were*
10 *asked to leave. Since 2016, the Democratic Republic*
11 *of São Tomé and Príncipe, the Republic of Panama,*
12 *the Dominican Republic, Burkina Faso, and the Re-*
13 *public of El Salvador have terminated longstanding*
14 *diplomatic relationships with Taiwan and granted*
15 *diplomatic recognition to the PRC.*

16 *(5) Congress has established a policy of support*
17 *for Taiwan's participation in international bodies*
18 *that address shared transnational challenges, particu-*
19 *larly in the WHO. Congress passed H.R. 1794 in the*
20 *106th Congress, H.R. 428 in the 107th Congress, and*
21 *S. 2092 in the 108th Congress to direct the Secretary*
22 *of State to establish a strategy for, and to report an-*
23 *nually to Congress on, efforts to obtain observer status*
24 *for Taiwan at the WIIA. Congress also passed H.R.*
25 *1151 in the 113th Congress, directing the Secretary to*

1 *report on a strategy to gain observer status for Tai-*
2 *wan at the ICAO Assembly, and H.R. 1853 in the*
3 *114th Congress, directing the Secretary to report on*
4 *a strategy to gain observer status for Taiwan at the*
5 *INTERPOL Assembly. However, since 2016 Taiwan*
6 *has not received an invitation to attend any of these*
7 *events as an observer.*

8 **(b) AUGMENTATION OF REPORT CONCERNING THE**
9 **PARTICIPATION OF TAIWAN IN THE WORLD HEALTH ORGA-**
10 **NIZATION.—**

11 **(1) IN GENERAL.—***Subsection (c) of section 1 of*
12 *Public Law 108–235 (118 Stat. 656) is amended by*
13 *adding at the end the following new paragraph:*

14 **“(3) An account of the changes and improve-**
15 *ments the Secretary of State has made to the United*
16 *States plan to endorse and obtain observer status for*
17 *Taiwan at the World Health Assembly, following any*
18 *annual meetings of the World Health Assembly at*
19 *which Taiwan did not obtain observer status.”.*

20 **(2) EFFECTIVE DATE.—***The amendment made by*
21 *paragraph (1) shall take effect and apply beginning*
22 *with the first report required under subsection (c) of*
23 *section 1 of Public Law 108–235 that is submitted*
24 *after the date of the enactment of this Act.*

1 **SEC. 2. BRIEFING ON UNITED STATES STRATEGY REGARD-**
2 **ING TAIWAN'S INTERNATIONAL RECOGNI-**
3 **TION.**

4 (a) *IN GENERAL.*—Not later than 90 days after the
5 date of the enactment of this Act, and every 180 days there-
6 after for three years, the Secretary of State shall provide
7 to the appropriate congressional committees a briefing on
8 actions taken by the United States to reaffirm and strength-
9 en Taiwan's official and unofficial diplomatic relation-
10 ships.

11 (b) *ELEMENTS.*—The briefing required by subsection
12 (a) shall include the following elements:

13 (1) A description of the actions taken by the
14 United States commencing May 20, 2016, to consult
15 with governments around the world, including the
16 governments that maintain official diplomatic rela-
17 tions with Taiwan, with the purpose of inducing
18 those governments to maintain official diplomatic re-
19 lations with Taiwan or otherwise strengthen unoffi-
20 cial relations with Taiwan.

21 (2) An enumeration of specific countries of con-
22 cern, if any, and a description of the actions taken,
23 or actions anticipated, by those governments, com-
24 mencing May 20, 2016, to alter the formal diplomatic
25 ties with Taiwan or to otherwise downgrade official
26 or unofficial relations.

1 (3) *A plan of action to engage with the govern-*
2 *ments of the countries identified in paragraphs (1)*
3 *and (2) and increase cooperation with respect to Tai-*
4 *wan.*

5 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
6 *this section, the term “appropriate congressional commit-*
7 *tees” means—*

8 (1) *the Committee on Foreign Relations of the*
9 *Senate; and*

10 (2) *the Committee on Foreign Affairs of the*
11 *House of Representatives.*

12 **SEC. 3. SENSE OF CONGRESS ON THE IMPLEMENTATION OF**
13 **THE ASIA REASSURANCE INITIATIVE ACT.**

14 *It is the sense of Congress that the full and timely im-*
15 *plementation of section 209 of the Asia Reassurance Initia-*
16 *tive Act (Public Law 115–409), which reiterates long-*
17 *standing bipartisan United States policy, is critical to*
18 *demonstrate United States support for Taiwan.*