

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

**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.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. RISCH (for himself and Mr. MENENDEZ)

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

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

5 (a) FINDINGS.—Congress makes the following find-  
6 ings:

7 (1) The World Health Organization (WHO) is  
8 a specialized agency of the United Nations, charged  
9 with coordinating health efforts within the United  
10 Nations system. The World Health Assembly  
11 (WHA) is the decision-making body of the WHO,

1       which convenes annually in May to set the policies  
2       and priorities of the organization. Statehood is not  
3       a requirement for attendance at the WHA, and nu-  
4       merous observers, including non-members and non-  
5       governmental organizations, attended the most re-  
6       cent WHA in May 2018.

7               (2) Taiwan began seeking to participate in the  
8       WHO as an observer in 1997. In 2009, with strong  
9       support from successive United States Administra-  
10      tions, Congress, and like-minded WHO Member  
11      States, and during a period of improved Cross-Strait  
12      relations, Taiwan received an invitation to attend  
13      the WHA as an observer under the name “Chinese  
14      Taipei”. Taiwan received the same invitation each  
15      year until 2016, when following the election of Presi-  
16      dent Tsai-Ing Wen of the Democratic Progressive  
17      Party, Taiwan’s engagement in the international  
18      community began facing increased resistance from  
19      the People’s Republic of China (PRC). Taiwan’s in-  
20      vitation to the 2016 WHA was received late and in-  
21      cluded new language conditioning Taiwan’s partici-  
22      pation on the PRC’s “one China principle”. In 2017  
23      and 2018, Taiwan did not receive an invitation to  
24      the WHA.

1           (3) Taiwan remains a model contributor to  
2 world health, having provided financial and technical  
3 assistance to respond to numerous global health  
4 challenges. Taiwan has invested over  
5 \$6,000,000,000 in international medical and human-  
6 itarian aid efforts impacting over 80 countries since  
7 1996. In 2014, Taiwan responded to the Ebola crisis  
8 by donating \$1,000,000 and providing 100,000 sets  
9 of personal protective equipment. Through the Glob-  
10 al Cooperation and Training Framework, the United  
11 States and Taiwan have jointly conducted training  
12 programs for experts to combat MERS, Dengue  
13 Fever, and Zika. These diseases know no borders,  
14 and Taiwan's needless exclusion from global health  
15 cooperation increases the dangers presented by glob-  
16 al pandemics.

17           (4) Taiwan's international engagement has  
18 faced increased resistance from the PRC. Taiwan  
19 was not invited to the 2016 Assembly of the Inter-  
20 national Civil Aviation Organization (ICAO), despite  
21 participating as a guest at the organization's prior  
22 summit in 2013. Taiwan's requests to participate in  
23 the General Assembly of the International Criminal  
24 Police Organization (INTERPOL) have also been  
25 rejected. In May 2017, PRC delegates disrupted a

1 meeting of the Kimberley Process on conflict dia-  
2 monds held in Perth, Australia, until delegates from  
3 Taiwan were asked to leave. Since 2016, the Demo-  
4 cratic Republic of São Tomé and Príncipe, the Re-  
5 public of Panama, the Dominican Republic, Burkina  
6 Faso, and the Republic of El Salvador have termi-  
7 nated longstanding diplomatic relationships with  
8 Taiwan and granted diplomatic recognition to the  
9 PRC.

10 (5) Congress has established a policy of support  
11 for Taiwan's participation in international bodies  
12 that address shared transnational challenges, par-  
13 ticularly in the WHO. Congress passed H.R. 1794  
14 in the 106th Congress, H.R. 428 in the 107th Con-  
15 gress, and S. 2092 in the 108th Congress to direct  
16 the Secretary of State to establish a strategy for,  
17 and to report annually to Congress on, efforts to ob-  
18 tain observer status for Taiwan at the WHA. Con-  
19 gress also passed H.R. 1151 in the 113th Congress,  
20 directing the Secretary to report on a strategy to  
21 gain observer status for Taiwan at the ICAO Assem-  
22 bly, and H.R. 1853 in the 114th Congress, directing  
23 the Secretary to report on a strategy to gain ob-  
24 server status for Taiwan at the INTERPOL Assem-  
25 bly. However, since 2016 Taiwan has not received

1 an invitation to attend any of these events as an ob-  
2 server.

3 (b) AUGMENTATION OF REPORT CONCERNING THE  
4 PARTICIPATION OF TAIWAN IN THE WORLD HEALTH OR-  
5 GANIZATION.—

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

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

16 (2) EFFECTIVE DATE.—The amendment made  
17 by paragraph (1) shall take effect and apply begin-  
18 ning with the first report required under subsection  
19 (c) of section 1 of Public Law 108–235 that is sub-  
20 mitted after the date of the enactment of this Act.

21 **SEC. 2. BRIEFING ON UNITED STATES STRATEGY REGARD-**  
22 **ING TAIWAN'S INTERNATIONAL RECOGNI-**  
23 **TION.**

24 (a) IN GENERAL.—Not later than 90 days after the  
25 date of the enactment of this Act, and every 180 days

1 thereafter for three years, the Secretary of State shall pro-  
2 vide to the appropriate congressional committees a brief-  
3 ing on actions taken by the United States to reaffirm and  
4 strengthen Taiwan's official and unofficial diplomatic rela-  
5 tionships.

6 (b) ELEMENTS.—The briefing required by subsection  
7 (a) shall include the following elements:

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

16 (2) An enumeration of specific countries of con-  
17 cern, if any, and a description of the actions taken,  
18 or actions anticipated, by those governments, com-  
19 mencing May 20, 2016, to alter the formal diplo-  
20 matic ties with Taiwan or to otherwise downgrade  
21 official or unofficial relations.

22 (3) A plan of action to engage with the govern-  
23 ments of the countries identified in paragraphs (1)  
24 and (2) and increase cooperation with respect to  
25 Taiwan.

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 In this section, the term “appropriate congressional com-  
3 mittees” means—

4 (1) the Committee on Foreign Relations of the  
5 Senate; and

6 (2) the Committee on Foreign Affairs of the  
7 House of Representatives.

8 **SEC. 3. SENSE OF CONGRESS ON THE IMPLEMENTATION OF**  
9 **THE ASIA REASSURANCE INITIATIVE ACT.**

10 It is the sense of Congress that the full and timely  
11 implementation of section 209 of the Asia Reassurance  
12 Initiative Act (Public Law 115–409), which reiterates  
13 longstanding bipartisan United States policy, is critical to  
14 demonstrate United States support for Taiwan.