

117TH CONGRESS  
1ST SESSION

# H. R. 4048

To impose sanctions and other measures in response to the failure of the Government of the People’s Republic of China to allow an investigation into the origins of COVID–19 at suspect laboratories in Wuhan.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2021

Mr. GALLAGHER introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To impose sanctions and other measures in response to the failure of the Government of the People’s Republic of China to allow an investigation into the origins of COVID–19 at suspect laboratories in Wuhan.

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 “COVID–19 Origins  
5 Accountability Act of 2021”.

1 **SEC. 2. MEASURES IN RESPONSE TO FAILURE OF THE GOV-**  
2 **ERNMENT OF THE PEOPLE’S REPUBLIC OF**  
3 **CHINA TO ALLOW AN INVESTIGATION OF SUS-**  
4 **PECT LABORATORIES IN WUHAN.**

5 (a) IN GENERAL.—If, by not later than the date that  
6 is 90 days after the date of the enactment of this Act,  
7 the President is unable to certify that the Government of  
8 the People’s Republic of China has allowed a transparent  
9 international forensic investigation of suspect laboratories  
10 in Wuhan to commence, including of the Wuhan Institute  
11 of Virology of the Chinese Academy of Sciences (in this  
12 section referred to as “CAS”), the President shall—

13 (1) impose the sanctions described in subsection  
14 (c) with respect to individuals employed by or pro-  
15 fessionally affiliated with the state-run CAS, includ-  
16 ing its more than 100 affiliated institutes and lab-  
17 oratories, 13 local branches, 2 universities, and more  
18 than 430 science and technology enterprises based in  
19 the People’s Republic of China across 11 industries  
20 that were created by CAS or founded with CAS in-  
21 vestment;

22 (2) prohibit Federal funding for any joint re-  
23 search or other collaborative projects between United  
24 States-based researchers and CAS researchers  
25 across all academic fields; and

1           (3) prohibit United States-based researchers  
2           and institutions that receive Federal funding from  
3           engaging in collaborative projects involving gain-of-  
4           function research on viruses with individuals or in-  
5           stitutions based in the People’s Republic of China.

6           (b) TERMINATION.—The requirements of subsection  
7           (a) shall terminate on the date on which the Government  
8           of the People’s Republic of China allows the transparent  
9           international forensic investigation described in that sub-  
10          section to be conducted and concluded without—

11          (1) imposition of restrictions on the scope or  
12          subject matter of the investigation; or

13          (2) limitations on the access of investigators to  
14          physical sites, persons of interest, or relevant epide-  
15          miological, serological, and virological data.

16          (c) SANCTIONS DESCRIBED.—The sanctions to be  
17          imposed under subsection (a)(1) are the following:

18          (1) ASSET BLOCKING.—

19                  (A) IN GENERAL.—The President shall ex-  
20                  ercise all of the powers granted to the President  
21                  under the International Emergency Economic  
22                  Powers Act (50 U.S.C. 1701 et seq.) to the ex-  
23                  tent necessary to block and prohibit all trans-  
24                  actions in property and interests in property de-  
25                  scribed in subparagraph (B) if such property

1           and interests in property are in the United  
2           States, come within the United States, or are or  
3           come within the possession or control of a  
4           United States person.

5           (B) PROPERTY AND INTERESTS IN PROP-  
6           ERTY DESCRIBED.—The property and interests  
7           in property described in this subparagraph are  
8           property or interests in property of—

9                   (i) an individual described in sub-  
10                  section (a)(1); or

11                  (ii) any family member or associate  
12                  acting for or on behalf of an individual de-  
13                  scribed in subsection (a)(1) and to whom  
14                  that individual transfers such property or  
15                  interests in property after the date on  
16                  which the President designates the indi-  
17                  vidual for the imposition of sanctions  
18                  under that subsection.

19           (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
20           PAROLE.—

21           (A) VISAS, ADMISSION, OR PAROLE.—An  
22           alien described in subsection (a)(1) is—

23                   (i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a)(1) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise the authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702

1 and 1704) to the extent necessary to carry out this  
2 section.

3 (2) PENALTIES.—A person that violates, at-  
4 tempts to violate, conspires to violate, or causes a  
5 violation of subsection (c)(1) or any regulation, li-  
6 cense, or order issued to carry out that subsection  
7 shall be subject to the penalties set forth in sub-  
8 sections (b) and (c) of section 206 of the Inter-  
9 national Emergency Economic Powers Act (50  
10 U.S.C. 1705) to the same extent as a person that  
11 commits an unlawful act described in subsection (a)  
12 of that section.

13 (e) EXCEPTIONS.—

14 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-  
15 TIES.—Sanctions under this section shall not apply  
16 to any activity subject to the reporting requirements  
17 under title V of the National Security Act of 1947  
18 (50 U.S.C. 3091 et seq.) or any authorized intel-  
19 ligence activities of the United States.

20 (2) EXCEPTION TO COMPLY WITH INTER-  
21 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-  
22 MENT ACTIVITIES.—Sanctions under subsection  
23 (c)(2) shall not apply with respect to an alien if ad-  
24 mitting or paroling the alien into the United States  
25 is necessary—

1 (A) to permit the United States to comply  
2 with the Agreement regarding the Head-  
3 quarters of the United Nations, signed at Lake  
4 Success June 26, 1947, and entered into force  
5 November 21, 1947, between the United Na-  
6 tions and the United States, or other applicable  
7 international obligations; or

8 (B) to carry out or assist law enforcement  
9 activity in the United States.

10 (3) EXCEPTION RELATING TO IMPORTATION OF  
11 GOODS.—

12 (A) IN GENERAL.—The authorities and re-  
13 quirements to impose sanctions authorized  
14 under this section shall not include the author-  
15 ity or a requirement to impose sanctions on the  
16 importation of goods.

17 (B) GOOD DEFINED.—In this paragraph,  
18 the term “good” means any article, natural or  
19 manmade substance, material, supply, or manu-  
20 factured product, including inspection and test  
21 equipment, and excluding technical data.

22 (f) DEFINITIONS.—In this section:

23 (1) ADMISSION; ADMITTED; ALIEN.—The terms  
24 “admission”, “admitted”, and “alien” have the

meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) GAIN-OF-FUNCTION.—The term “gain-of-function”, with respect to the study of viruses, means—

(A) the use of gene editing to increase the transmissibility, virulence, immunogenicity, or host tropism of a virus by artificially inserting genomic components from one virus into the backbone of another virus, which results in the creation of a new chimeric virus, particularly when the resultant chimeric virus is pathogenic to humans; or

(B) serial passaging in a cell culture to increase the transmissibility, virulence, immunogenicity, or host tropism of a virus by selectively applying pressure to a culture to artificially induce its mutation or RNA recombination with one or more viruses.

(3) TRANSPARENT INTERNATIONAL FORENSIC INVESTIGATION.—The term “transparent international forensic investigation”, with respect to investigating the origin of SARS-CoV-2, means an inquiry that is objective, data-driven, inclusive of broad expertise, subject to independent oversight,



1 and properly managed to exclude individuals with  
2 conflicts of interest and under which the following  
3 takes place:

4 (A) Relevant research laboratories and  
5 hospitals open their records to examination by  
6 the investigative team and grant the investiga-  
7 tive team unfettered access to any and all facili-  
8 ties and other sites of interest, and to any and  
9 all forms of epidemiological or virological data  
10 of interest, including serological records per-  
11 taining to the earliest confirmed or suspected  
12 cases of COVID–19, or cases of similar illnesses  
13 that may have been misdiagnosed, which ap-  
14 peared in and around Wuhan in the fall and  
15 winter of 2019. Investigators document the ve-  
16 racity and source of the data upon which their  
17 analysis is based in a manner that allows inde-  
18 pendent experts to reproduce their analysis and  
19 validate any conclusions they may draw.

20 (B) The international team is allowed to  
21 perform a full forensic investigation of the  
22 Wuhan Institute of Virology, and if necessary,  
23 the Wuhan Center for Disease Prevention and  
24 Control and the Wuhan Institute of Biological  
25 Products, and all other laboratories in Wuhan

1           that the team might identify as warranting ex-  
2           amination. The team is allowed to review the  
3           biosafety level under which bat coronavirus re-  
4           search was conducted, and to interview any and  
5           all personnel currently or previously employed  
6           at those laboratories, or related experts who  
7           may have information pertinent to the inves-  
8           tigation. All laboratory logs and notebooks kept  
9           by Shi Zhengli and other researchers at the  
10          Wuhan Institute of Virology who have con-  
11          ducted gain-of-function experiments between  
12          2007 and the date of the enactment of this Act,  
13          as well as their published and unpublished work  
14          in Chinese and English, are presented in a full  
15          and unaltered condition for examination by the  
16          team. The team is given unlimited access to the  
17          full range of virus cultures, isolates, genetic se-  
18          quences, databases, and patient specimens  
19          stored at these facilities as well as all chimeric  
20          synthetic viruses grown in vitro by cell culture  
21          passaging or engineered by genomic editing be-  
22          tween 2007 and the date of the enactment of  
23          this Act. Such access must include the oppor-  
24          tunity to examine the Wuhan Institute of  
25          Virology's database of approximately 22,000

1 samples and virus sequences, including 15,000  
2 taken from bats, which was previously available  
3 to the public but taken offline in September  
4 2019. The team is further allowed to examine  
5 in full all training procedures in effect at the  
6 laboratory prior to the pandemic, including  
7 those pertaining to recordkeeping and safety  
8 procedures and strategies to prevent the acci-  
9 dental escape of potential pathogens.

10 (C) The investigative team analyzes in de-  
11 tail all research related to the 293 bat coronavi-  
12 ruses reportedly isolated by Shi Zhengli and her  
13 team at the Wuhan Institute of Virology be-  
14 tween 2012 and 2015, particularly RaTG13  
15 and RaBtCoV/4991, including all virus isolates  
16 and cultures. The Wuhan Institute of Virology  
17 discloses the content of all classified and unpub-  
18 lished studies that the Institute reportedly con-  
19 ducted with the People’s Liberation Army if  
20 such studies involved gain-of-function research.  
21 The team is able to test all laboratory personnel  
22 for antibodies and other serological indicators  
23 of past infection of COVID–19. The team is  
24 given access to all other records kept by the  
25 Wuhan Institute of Virology, including security

logs, surveillance video footage, audio recordings, and electronic logs of employees entering and leaving the facility. The investigative team is permitted to take samples and conduct testing of the physical facilities where gain-of-function research has been conducted, including, if necessary, sewer samples. Unfettered access is also granted to the abandoned copper mine in Mojiang Hani Autonomous County in Yunnan province, where Wuhan Institute of Virology researchers are known to have collected bat virus specimens, including of RaTG13, during the decade preceding the date of the enactment of this Act.

(D) The international team is comprised of members chosen by the governments of the United States, Canada, the United Kingdom, France, the Netherlands, Germany, Australia, Japan, and India. The team includes molecular biologists, virologists, epidemiologists, and experts in biosafety and biosecurity. Individuals who have previously ruled out the possibility of either zoonotic transmission or a laboratory leak are disqualified from participation. The Government of the People's Republic of China

1 may appoint Chinese experts to accompany and  
2 advise the team as it conducts its work in the  
3 People’s Republic of China, but the Government  
4 of the People’s Republic of China has no au-  
5 thority to dictate the selection of team members  
6 and cannot obstruct the participation of any in-  
7 dividual selected by the individual’s government  
8 for the team. The central, provincial, and mu-  
9 nicipal authorities of the People’s Republic of  
10 China facilitate the work of the investigative  
11 team and refrain from imposing any restrictions  
12 on the scope, scale, and duration of the inves-  
13 tigation.

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

16 (A) an individual who is a United States  
17 citizen or an alien lawfully admitted for perma-  
18 nent residence to the United States;

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

23 (C) any person in the United States.

