

**AMENDMENT TO RULES COMM. PRINT 117-54**  
**OFFERED BY MR. RESCHENTHALER OF**  
**PENNSYLVANIA**

At the appropriate place in title LVIII, insert the following:

1 **SEC. \_\_\_\_ . REPORT ON NATIONAL SECURITY IMPACTS OF**  
2 **TRIPS WAIVERS.**

3 (a) INVESTIGATION.—The Secretary of Defense shall  
4 immediately initiate an investigation, in consultation with  
5 the Secretary of Commerce, to determine the effects of  
6 any proposed TRIPS waiver on national security.

7 (b) REPORT.—

8 (1) IN GENERAL.—Not later than 120 days  
9 after the date on which an investigation is initiated  
10 under subsection (a), the Secretary of Defense, in  
11 consultation with the Secretary of Commerce, shall  
12 submit to the President a report that includes—

13 (A) the findings of such investigation with  
14 respect to the effects of a TRIPS waiver on na-  
15 tional security; and

16 (B) the recommendations of the Secretary  
17 of Defense for action or inaction regarding the  
18 TRIPS waiver.

1           (2) MANDATORY RECOMMENDATION OF OPPOSI-  
2           TION.—If the Secretary of Defense finds that a  
3           TRIPS waiver threatens to impair national security,  
4           the Secretary shall include in the report described in  
5           paragraph (1) a recommendation to permanently op-  
6           pose such TRIPS waiver.

7           (3) PUBLICATION.—Not later than 10 days  
8           after the President receives the report required by  
9           paragraph (1), each portion of the report that does  
10          not contain classified or proprietary information  
11          shall be published in the Federal Register.

12          (c) STATEMENT TO CONGRESS.—Not later than 30  
13          days after the date on which the President receives the  
14          report required by subsection (b)(1), the President shall  
15          submit to the Committees on Armed Services of the Sen-  
16          ate and the House of Representatives a written statement  
17          describing the manner and extent to which the findings  
18          in such report will influence the decisions of the President  
19          on using the voice, vote, and influence of the United States  
20          at the World Trade Organization with respect to the  
21          TRIPS waiver.

22          (d) DEFINITIONS.—For purposes of this section—

23                  (1) The term “TRIPS Agreement” means the  
24                  Agreement on Trade-Related Aspects of Intellectual  
25                  Property Rights referred to in section 101(d)(15) of

1 the Uruguay Round Agreements Act (19 U.S.C.  
2 3511(d)(15)).

3 (2) The term “TRIPS waiver” means any waiv-  
4 er related to COVID-19 technologies of an obligation  
5 imposed on members of the World Trade Organiza-  
6 tion under the TRIPS Agreement.

