

117TH CONGRESS
2D SESSION

H. R. 9010

To provide for United States policy toward Taiwan.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2022

Mr. MCCAUL (for himself, Mr. CHABOT, Mr. WILSON of South Carolina, Mr. BANKS, Mr. RESCHENTHALER, Mr. GALLAGHER, Mr. BURCHETT, Mr. JOHNSON of Ohio, Mr. KINZINGER, Mr. TIFFANY, Mr. BILIRAKIS, Mr. CURTIS, Mr. CRENSHAW, Mrs. MILLER-MEEKS, Mrs. RADEWAGEN, Mr. LAMBORN, Ms. TENNEY, Mr. GREEN of Tennessee, Ms. STEFANIK, Mr. BARR, Mr. ISSA, Mrs. KIM of California, Mr. DESJARLAIS, Mr. MEUSER, Mr. CARTER of Georgia, Mr. WOMACK, Ms. MACE, Mr. SMITH of New Jersey, Mrs. WAGNER, Mr. WALTZ, Mr. GOODEN of Texas, Mrs. CAMMACK, Mr. FALLON, Mrs. HINSON, Mr. KATKO, Mr. CLINE, and Ms. MALLIOTAKIS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Financial Services, Ways and Means, and Homeland Security, 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

A BILL

To provide for United States policy toward Taiwan.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Taiwan Policy Act of 2022”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings.
 Sec. 3. Definitions.

TITLE I—UNITED STATES POLICY TOWARD TAIWAN

- Sec. 101. Declaration of policy.
 Sec. 102. Treatment of the Government of Taiwan.
 Sec. 103. Reauthorization of Taiwan Assurance Act of 2020.
 Sec. 104. Prohibition on maps depicting Taiwan as part of the territory of the
 People's Republic of China.
 Sec. 105. Taiwan symbols of sovereignty.
 Sec. 106. Designation and references to Taiwan Representative Office.
 Sec. 107. Clarifying amendments.
 Sec. 108. Senate confirmation of the Director of the Taipei office of the Amer-
 ican Institute in Taiwan.

TITLE II—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

- Sec. 201. Increasing the strategic clarity of United States policy towards Tai-
 wan's defense.
 Sec. 202. Security assistance to modernize Taiwan's security capabilities to
 deter and defeat aggression by the People's Republic of China.
 Sec. 203. Anticipatory planning and annual review of the United States strat-
 egy to defend Taiwan.
 Sec. 204. Joint assessment.
 Sec. 205. Requirements regarding definition of counter intervention capabilities.
 Sec. 206. Comprehensive training program.
 Sec. 207. Joint exercises with Taiwan.
 Sec. 208. Assessment of Taiwan's needs for civilian defense and resilience.
 Sec. 209. Annual report on cooperation between the National Guard and Tai-
 wan.
 Sec. 210. Prioritizing excess defense article transfers for Taiwan.
 Sec. 211. Fast-tracking sales to Taiwan under the Foreign Military Sales pro-
 gram.
 Sec. 212. Arms export delivery solutions.
 Sec. 213. Whole-of-government deterrence measures to respond to the People's
 Republic of China's force against Taiwan.
 Sec. 214. Increase in annual regional contingency stockpile additions and sup-
 port for Taiwan.
 Sec. 215. Emergency drawdown authority of Taiwan Strait contingencies.
 Sec. 216. Designation of Taiwan as a major non-NATO ally.

TITLE III—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S AGGRESSION AND INFLUENCE CAMPAIGNS

- Sec. 301. Strategy to respond to influence and information operations targeting
 Taiwan.
 Sec. 302. Strategy to counter economic coercion by the People's Republic of
 China targeting countries and entities that support Taiwan.
 Sec. 303. Shared planning for the defense of Taiwan.

TITLE IV—INCLUSION OF TAIWAN IN INTERNATIONAL
ORGANIZATIONS

- Sec. 401. Participation of Taiwan in international organizations.
 Sec. 402. Clarification regarding United Nations General Assembly Resolution 2758 (XXVI).
 Sec. 403. Participation of Taiwan in the Inter-American Development Bank.
 Sec. 404. Plan for Taiwan's participation in the Inter-American Development Bank.
 Sec. 405. Report concerning member state status for Taiwan at the Inter-American Development Bank.
 Sec. 406. Support for Taiwan admission to the IMF.
 Sec. 407. Meaningful participation of Taiwan in the International Civil Aviation Organization.

TITLE V—ENHANCED DEVELOPMENT AND ECONOMIC
COOPERATION BETWEEN THE UNITED STATES AND TAIWAN

- Sec. 501. Findings.
 Sec. 502. Sense of Congress on a free trade agreement and bilateral tax agreement with Taiwan, the Indo-Pacific Economic Framework, and CBP Preclearance.
 Sec. 503. Sense of Congress on United States-Taiwan development cooperation.
 Sec. 504. Report.

TITLE VI—TAIWAN FELLOWSHIP PROGRAM

- Sec. 601. Taiwan Fellowship Program.

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Invitation of Taiwanese counterparts to high-level bilateral and multilateral forums and exercises.
 Sec. 702. Report on Taiwan Travel Act.
 Sec. 703. Authorization of Global Cooperation and Training Framework.
 Sec. 704. Prohibitions against undermining United States policy regarding Taiwan.
 Sec. 705. Amendments to the Taiwan Allies International Protection and Enhancement Initiative (Taipei) Act of 2019.
 Sec. 706. Rule of construction.
 Sec. 707. Consolidation of reports.

1 SEC. 2. FINDINGS.

2 Congress finds the following:

3 (1) Since 1949, the close relationship between
4 the United States and Taiwan has been of enormous
5 benefit to both parties and to the Indo-Pacific region
6 as a whole.

1 (2) The Taiwan Relations Act (Public Law 96–
2 8; 22 U.S.C. 3301 et seq.) has enabled the people
3 of the United States and the people of Taiwan to
4 maintain a strong and important relationship that
5 promotes regional security, prosperity, and shared
6 democratic values.

7 (3) The security of Taiwan and the ability for
8 the people of Taiwan to determine their own future
9 is fundamental to United States interests and val-
10 ues.

11 (4) The Taipei Economic and Cultural Rep-
12 resentative Office in the United States and the
13 American Institute in Taiwan facilitate critical con-
14 sular relations that—

15 (A) protect the interests of the people of
16 the United States and the people of Taiwan;
17 and

18 (B) strengthen people-to-people ties.

19 (5) Increased engagement between public offi-
20 cials, commercial interests, civil society leaders, and
21 others enhances United States-Taiwan relations and
22 its economic, security, and democratic dimensions.

23 (6) Taiwan serves as a critical partner on re-
24 gional and transnational issues, such as public
25 health, climate change, critical and emerging tech-

1 nologies, cybersecurity, trade, and freedom of navi-
2 gation.

3 (7) Taiwan exemplifies a thriving democracy
4 consisting of more than 23,000,000 people who
5 value their suffrage, free markets, right to due proc-
6 ess, freedom of expression, and other individual lib-
7 erties.

8 (8) President Xi Jinping of the People’s Repub-
9 lic of China (referred to in this Act as the “PRC”)
10 continues to repeat his desire to stifle the freedom
11 of Taiwan, as evidenced by his July 2021 proclama-
12 tion, in which he stated, “All sons and daughters of
13 China, including compatriots on both sides of the
14 Taiwan Strait, must work together and move for-
15 ward in solidarity, resolutely smashing any Taiwan
16 independence plots.”.

17 (9) As President Xi Jinping consolidates his
18 power in the Chinese Communist Party (referred to
19 in this Act as the “CCP”), he is escalating the
20 PRC’s campaign of coercion and intimidation
21 against Taiwan, as evidenced by—

22 (A) the accelerated preparations made by
23 the PRC and its People’s Liberation Army (re-
24 ferred to in this Act as the “PLA”) for an of-
25 fensive attack against Taiwan, such as the

1 PLA's January 2022 incursion of nearly 40
2 fighters, bombers, and other warplanes into
3 Taiwan's air defense identification zone;

4 (B) the PLA's growing offensive prepara-
5 tions in the Taiwan Strait, such as amphibious
6 assault and live-fire exercises and record-scale
7 incursions into Taiwanese air space;

8 (C) the Foreign Ministry's diplomatic ef-
9 forts to isolate Taiwan, such as abusing its po-
10 sition in international institutions and multilat-
11 eral fora to exclude Taiwanese participation de-
12 spite Taiwan's demonstrated expertise in rel-
13 evant subjects, such as public health;

14 (D) threats and actions to compromise
15 Taiwan's economy and critical suppliers, such
16 as draconian export controls and the "31 Meas-
17 ures" intended to lure Taiwanese talent to
18 mainland China and away from Taiwan;

19 (E) persistent and targeted cyberattacks,
20 numbering nearly 20,000,000 per month, which
21 are intended to compromise Taiwan's critical
22 infrastructure and inflict civilian harm;

23 (F) political and economic pressure on
24 other countries who seek closer ties with Tai-
25 wan, such as recent export controls related to

1 Lithuania after Lithuania announced a perma-
2 nent Taiwanese Representative Office in Lith-
3 uania.

4 (10) On multiple occasions, through both for-
5 mal and informal channels, the United States has
6 expressed its concern for the PRC's destabilizing ac-
7 tivities in the Taiwan Strait and on the international
8 stage that aim to subvert Taiwan's democratic insti-
9 tutions.

10 (11) The Indo-Pacific Strategy of the United
11 States—

12 (A) identifies Taiwan as an important
13 leading regional partner;

14 (B) seeks to bolster Taiwan's self-defense
15 capabilities; and

16 (C) reaffirms that Taiwan's future must be
17 determined peacefully and in accordance with
18 the wishes and best interests of the people of
19 Taiwan.

20 (12) The PRC considers stifling the freedom of
21 Taiwan as a critical and necessary step to displacing
22 the United States as the preeminent military power
23 in the Indo-Pacific and continues its modernization
24 campaign to enhance the power-projection capabili-

1 ties of the PLA and its ability to conduct joint oper-
2 ations.

3 (13) Taiwan maintains a modern, ready, self-
4 defense force that adheres to the highest democratic
5 principles and benefits from continued state-of-the-
6 art security assistance.

7 (14) It is a vital national security interest of
8 the United States to defend Taiwan for the purposes
9 of—

10 (A) mitigating the PLA’s ability to project
11 power and establish contested zones within the
12 First and Second Island Chains and limiting
13 the PLA’s freedom of maneuver to conduct un-
14 constrained power projection capabilities beyond
15 the First Island Chain in order to protect
16 United States territory, such as Hawaii and
17 Guam;

18 (B) defending the territorial integrity of
19 Indo-Pacific allies, such as Japan;

20 (C) deterring other countries and competi-
21 tors from exercising force as a means to revise
22 the established status quo;

23 (D) championing democratic institutions
24 and societies in the Indo-Pacific region and
25 throughout the world; and

1 (E) maintaining a rules-based international
2 order that—

3 (i) constrains authoritarian powers;

4 (ii) enshrines collective security;

5 (iii) promotes democracy and respect
6 for human rights and fundamental free-
7 doms; and

8 (iv) promotes peace and prosperity.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—Except as otherwise provided in this Act,
13 the term “appropriate committees of Congress”
14 means—

15 (A) the Committee on Foreign Relations of
16 the Senate;

17 (B) the Committee on Armed Services of
18 the Senate;

19 (C) the Committee on Appropriations of
20 the Senate;

21 (D) the Committee on Foreign Affairs of
22 the House of Representatives;

23 (E) the Committee on Armed Services of
24 the House of Representatives; and

1 (F) the Committee on Appropriations of
2 the House of Representatives.

3 (2) PEOPLE’S LIBERATION ARMY; PLA.—The
4 terms “People’s Liberation Army” and “PLA” mean
5 the Armed Forces of the People’s Republic of China.

6 (3) REPUBLIC OF CHINA.—The term “Republic
7 of China” means the East Asia island country com-
8 monly known as “Taiwan”.

9 (4) SHARP POWER.—The term “sharp power”
10 means the coordinated and often concealed applica-
11 tion of disinformation, media manipulation, eco-
12 nomic coercion, cyber-intrusions, targeted invest-
13 ments, and academic censorship that is intended—

14 (A) to corrupt political and nongovern-
15 mental institutions and interfere in democratic
16 elections and encourage self-censorship of views
17 at odds with those of the Government of the
18 People’s Republic of China or the Chinese Com-
19 munist Party; or

20 (B) to foster attitudes, behavior, decisions,
21 or outcomes in Taiwan and elsewhere that sup-
22 port the interests of the Government of the
23 People’s Republic of China or the Chinese Com-
24 munist Party.

1 **TITLE I—UNITED STATES**
2 **POLICY TOWARD TAIWAN**

3 **SEC. 101. DECLARATION OF POLICY.**

4 It is the policy of the United States—

5 (1) to support the security of Taiwan, the sta-
6 bility of cross-Strait relations, and the freedom of
7 the people of Taiwan to determine their own future,
8 and to strenuously oppose any action by the PRC to
9 use force to change the status quo of Taiwan;

10 (2) to cooperate with Taiwan as an important
11 partner of the United States in promoting a free and
12 open Indo-Pacific;

13 (3) to deter the use of force by the PRC to
14 change the status quo of Taiwan by coordinating
15 with allies and partners to identify and develop sig-
16 nificant economic, diplomatic, and other measures
17 that will deter and impose costs on any such use of
18 force and support and cooperate with Taiwan to im-
19 plement, resource, and modernize its military capa-
20 bilities, including an effective defense strategy,
21 through security assistance and increases in defense
22 spending;

23 (4) to strengthen cooperation with the military
24 of Taiwan under the framework of the Taiwan Rela-
25 tions Act (Public Law 96–8; 22 U.S.C. 3301 et seq.)

1 and the Six Assurances, with consideration of the
2 ongoing military buildup in China and the military
3 balance in the Taiwan Strait, and to transfer de-
4 fense articles to Taiwan to enhance its capabilities,
5 including its efforts to undertake defensive oper-
6 ations and maintain the ability to deny PRC coer-
7 cion and invasion;

8 (5) to urge Taiwan to increase its own invest-
9 ments in military capabilities, including those that
10 support the implementation of an effective defense
11 strategy;

12 (6) to advance and finalize key provisions of the
13 United States-Taiwan Trade and Investment Frame-
14 work Agreement and deepen economic ties between
15 the United States and Taiwan and advance the in-
16 terests of the United States by negotiating a bilat-
17 eral free trade agreement as soon as possible, which
18 will include appropriate levels of labor rights and en-
19 vironmental protections;

20 (7) to include Taiwan as a partner in the Indo-
21 Pacific Economic Framework;

22 (8) to welcome Taiwan's meaningful participa-
23 tion in important international organizations, includ-
24 ing organizations that address global health, civilian
25 air safety, and efforts to counter transnational crime

1 and bilateral and multilateral security summits, mili-
2 tary exercises, and economic dialogues and forums;

3 (9) to support the Government of Taiwan as a
4 representative democratic government, constituted
5 through free and fair elections that reflect the will
6 of the people of Taiwan and promote dignity and re-
7 spect for the democratically elected leaders of Tai-
8 wan, who represent more than 23,000,000 citizens,
9 by using the full range of diplomatic and other ap-
10 propriate tools available to promote Taiwan's inter-
11 national space;

12 (10) to ensure that distinctions in practice re-
13 garding United States relations with Taiwan are
14 consistent with the longstanding, comprehensive,
15 strategic, and values-based relationship the United
16 States shares with Taiwan, and contribute to the
17 peaceful resolution of cross-Strait issues; and

18 (11) to create and execute a plan for enhancing
19 our relationship with Taiwan by forming a robust
20 partnership that—

21 (A) meets current geopolitical challenges;

22 (B) fully accounts for Taiwan's democratic
23 status; and

1 (C) remains faithful to United States prin-
2 ciples and values, consistent with the Taiwan
3 Relations Act and the Six Assurances.

4 **SEC. 102. TREATMENT OF THE GOVERNMENT OF TAIWAN.**

5 (a) IN GENERAL.—The Secretary of State and other
6 Federal departments and agencies shall—

7 (1) engage with the democratically elected gov-
8 ernment of Taiwan as the legitimate representative
9 of the people of Taiwan; and

10 (2) end the outdated practice of referring to the
11 government in Taiwan as the “Taiwan authorities”.

12 (b) NO RESTRICTIONS ON BILATERAL INTER-
13 ACTIONS.—Notwithstanding the continued supporting role
14 of the American Institute in Taiwan in carrying out
15 United States foreign policy and protecting United States
16 interests in Taiwan, the United States Government shall
17 not place any undue restrictions on the ability of officials
18 of the Department of State or other Federal departments
19 and agencies to interact directly and routinely with their
20 counterparts in the Government of Taiwan.

21 **SEC. 103. REAUTHORIZATION OF TAIWAN ASSURANCE ACT**
22 **OF 2020.**

23 Section 315 of the Taiwan Assurance Act of 2020
24 (Public Law 116–260) is amended—

1 (1) in subsection (c)(1), by adding at the end
2 before “; and” the following: “and any successor
3 document or related document disseminating such
4 policies”; and

5 (2) by adding at the end the following:

6 “(d) PERIODIC REVIEWS.—For as long as the De-
7 partment of State’s guidance that governs relations with
8 Taiwan described in subsection (a) remains in effect, the
9 Secretary of State shall conduct periodic reviews as de-
10 scribed in subsection (a) and submit updated reports as
11 described in subsection (c) not less frequently than every
12 two years following the submission of the initial report de-
13 scribed in subsection (c).”.

14 **SEC. 104. PROHIBITION ON MAPS DEPICTING TAIWAN AS**
15 **PART OF THE TERRITORY OF THE PEOPLE’S**
16 **REPUBLIC OF CHINA.**

17 No funds authorized or appropriated for the Depart-
18 ment of State, the United States Agency for International
19 Development, the Millennium Challenge Corporation, the
20 United States Development Finance Corporation, or the
21 Peace Corps may be used to create, procure, or display
22 any map that depicts Taiwan, Kinmen, Matsu, Penghu,
23 Wuqiu, Green Island, or Orchid Island as part of the terri-
24 tory of the People’s Republic of China.

1 **SEC. 105. TAIWAN SYMBOLS OF SOVEREIGNTY.**

2 (a) DEFINED TERM.—In this section, the term “offi-
3 cial purposes” means—

4 (1) the wearing of official uniforms;

5 (2) conducting government-hosted ceremonies
6 or functions; and

7 (3) appearances on Department of State social
8 media accounts promoting engagements with Tai-
9 wan.

10 (b) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of State
12 shall rescind any contact guideline, internal restriction,
13 section of the Foreign Affairs Manual or the Foreign Af-
14 fairs Handbook, or related guidance or policies that, ex-
15 plicitly or implicitly, including through restrictions or limi-
16 tations on activities of United States Government per-
17 sonnel, limits the ability of members of the Armed Forces
18 of the Republic of China (Taiwan) and government rep-
19 resentatives from the Taipei Economic and Cultural Rep-
20 resentative Office to display, for official purposes, symbols
21 of Republic of China sovereignty, including—

22 (1) the flag of the Republic of China (Taiwan);
23 and

24 (2) the corresponding emblems or insignia of
25 military units.

1 **SEC. 106. DESIGNATION AND REFERENCES TO TAIWAN REP-**
2 **RESENTATIVE OFFICE.**

3 (a) STATEMENT OF POLICY.—It shall be the policy
4 of the United States, consistent with the Taiwan Relations
5 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the
6 Six Assurances—

7 (1) to provide the people of Taiwan with de
8 facto diplomatic treatment equivalent to foreign
9 countries, nations, states, governments, or similar
10 entities; and

11 (2) to rename the “Taipei Economic and Cul-
12 tural Representative Office” in the United States as
13 the “Taiwan Representative Office”.

14 (b) RENAMING.—The Secretary of State shall seek
15 to enter into negotiations with the Taipei Economic and
16 Cultural Representative Office to rename its office in
17 Washington, DC, the “Taiwan Representative Office”.

18 (c) REFERENCES.—If the negotiations under sub-
19 section (b) result in the renaming of the Taipei Economic
20 and Cultural Representative Office as the Taiwan Rep-
21 resentative Office, any reference in a law, map, regulation,
22 document, paper, or other record of the United States
23 Government to the Taipei Economic and Cultural Rep-
24 resentative Office shall be deemed to be a reference to the
25 Taiwan Representative Office, including for all official
26 purposes of the United States Government, all courts of

1 the United States, and any proceedings by such Govern-
2 ment or in such courts.

3 **SEC. 107. CLARIFYING AMENDMENTS.**

4 (a) ASIA REASSURANCE INITIATIVE ACT OF 2018.—
5 Section 209(a)(2) of the Asia Reassurance Initiative Act
6 of 2018 (22 U.S.C. 3301 note) is amended by striking
7 “, the 3 joint communiques,”.

8 (b) TAIWAN ASSURANCE ACT OF 2020.—Section
9 312(6) of the Taiwan Assurance Act of 2020 (Public Law
10 116–260) is amended by striking “and in accordance with
11 the United States ‘One China’ policy”.

12 **SEC. 108. SENATE CONFIRMATION OF THE DIRECTOR OF**
13 **THE TAIPEI OFFICE OF THE AMERICAN INSTI-**
14 **TUTE IN TAIWAN.**

15 The appointment of an individual to the position of
16 Director of the American Institute in Taiwan’s Taipei of-
17 fice shall be subject to the advice and consent of the Sen-
18 ate. Upon Senate confirmation, such individual shall have
19 the title of Representative.

1 **TITLE II—IMPLEMENTATION OF**
2 **AN ENHANCED DEFENSE**
3 **PARTNERSHIP BETWEEN THE**
4 **UNITED STATES AND TAIWAN**

5 **SEC. 201. INCREASING THE STRATEGIC CLARITY OF**
6 **UNITED STATES POLICY TOWARDS TAIWAN'S**
7 **DEFENSE.**

8 (a) DETERRENCE OF PEOPLE'S LIBERATION ARMY
9 AGGRESSION.—It is the policy of the United States to pro-
10 vide Taiwan arms conducive to deterring acts of aggres-
11 sion by the People's Liberation Army.

12 (b) PROVISION OF DEFENSE ARTICLES AND SERV-
13 ICES.—It is the policy of the United States to make avail-
14 able to Taiwan such defense articles and services in such
15 quantity as may be necessary to enable Taiwan to imple-
16 ment a strategy to deny and deter acts of coercion or ag-
17 gression by the People's Liberation Army.

18 (c) RULE OF CONSTRUCTION.—Nothing in this Act,
19 nor the President's action in extending diplomatic recogni-
20 tion to the People's Republic of China, nor the absence
21 of diplomatic relations between the people of Taiwan and
22 the United States, nor the lack of formal recognition of
23 Taiwan by the United States, and any related cir-
24 cumstances, may be construed to constitute a legal or
25 practical obstacle to any otherwise lawful action of the

1 President or of any United States Government agency
2 that is needed to advance or protect United States inter-
3 ests pertaining to Taiwan, including actions intended to
4 strengthen security cooperation between the United States
5 and Taiwan or to otherwise deter the use of force against
6 Taiwan by the People’s Liberation Army.

7 **SEC. 202. SECURITY ASSISTANCE TO MODERNIZE TAIWAN’S**
8 **SECURITY CAPABILITIES TO DETER AND DE-**
9 **FEAT AGGRESSION BY THE PEOPLE’S REPUB-**
10 **LIC OF CHINA.**

11 (a) TAIWAN SECURITY PROGRAMS.—The Secretary
12 of State, in consultation with the Secretary of Defense,
13 shall use the authorities under this section to strengthen
14 the United States-Taiwan defense relationship, and to
15 support the acceleration of the modernization of Taiwan’s
16 defense capabilities required to deter or, if necessary, to
17 defeat an invasion of Taiwan by the People’s Republic of
18 China.

19 (b) ANNUAL REPORT ON ADVANCING THE DEFENSE
20 OF TAIWAN.—

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES DEFINED.—In this subsection, the term “ap-
23 propriate congressional committees” means—

24 (A) the Committee on Foreign Relations of
25 the Senate; and

1 (B) the Committee on Foreign Affairs of
2 the House of Representatives.

3 (2) IN GENERAL.—Not later than 180 days
4 after the date of the enactment of this Act, and an-
5 nually thereafter for 7 years, the Secretary of State
6 and the Secretary of Defense shall jointly submit a
7 report to the appropriate congressional committees
8 that describes steps taken to enhance the United
9 States-Taiwan defense relationship and Taiwan’s
10 modernization of its defense capabilities.

11 (3) MATTERS TO BE INCLUDED.—Each report
12 required under paragraph (2) shall include—

13 (A) an assessment of the commitment of
14 Taiwan to implement a military strategy that
15 will deter and, if necessary, defeat military ag-
16 gression by the People’s Republic of China, in-
17 cluding the steps that Taiwan has taken and
18 the steps that Taiwan has not taken towards
19 such implementation;

20 (B) an assessment of the efforts of Taiwan
21 to acquire and employ within its forces counter
22 intervention capabilities, including—

23 (i) long-range precision fires;

24 (ii) integrated air and missile defense
25 systems;

- 1 (iii) anti-ship cruise missiles;
- 2 (iv) land-attack cruise missiles;
- 3 (v) coastal defense;
- 4 (vi) anti-armor;
- 5 (vii) undersea warfare;
- 6 (viii) survivable swarming maritime
- 7 assets;
- 8 (ix) manned and unmanned aerial sys-
- 9 tems;
- 10 (x) mining and countermining capa-
- 11 bilities;
- 12 (xi) intelligence, surveillance, and re-
- 13 connaissance capabilities;
- 14 (xii) command and control systems;
- 15 and
- 16 (xiii) any other defense capabilities
- 17 that the United States and Taiwan jointly
- 18 determine are crucial to the defense of Tai-
- 19 wan, in accordance with the process devel-
- 20 oped pursuant to section 203(a);
- 21 (C) an evaluation of the balance between
- 22 conventional and counter intervention capabili-
- 23 ties in the defense force of Taiwan as of the
- 24 date on which the report is submitted;

1 (D) an assessment of steps taken by Tai-
2 wan to enhance the overall readiness of its de-
3 fense forces, including—

4 (i) the extent to which Taiwan is re-
5 quiring and providing regular and relevant
6 training to such forces;

7 (ii) the extent to which such training
8 is realistic to the security environment that
9 Taiwan faces; and

10 (iii) the sufficiency of the financial
11 and budgetary resources Taiwan is putting
12 toward readiness of such forces;

13 (E) an assessment of steps taken by Tai-
14 wan to ensure that the All-Out Defense Mobili-
15 zation Agency can recruit, train, equip, and mo-
16 bilize its forces;

17 (F) an evaluation of—

18 (i) the severity of manpower shortages
19 in the military of Taiwan, including in the
20 reserve forces;

21 (ii) the impact of such shortages in
22 the event of a conflict scenario; and

23 (iii) the efforts made by the Govern-
24 ment of Taiwan to address such shortages;

1 (G) an assessment of the efforts made by
2 Taiwan to boost its civilian defenses, including
3 any informational campaigns to raise awareness
4 among the population of Taiwan of the risks
5 Taiwan faces;

6 (H) an assessment of the efforts made by
7 Taiwan to secure its critical infrastructure, in-
8 cluding in transportation, telecommunications
9 networks, and energy;

10 (I) an assessment of the efforts made by
11 Taiwan to enhance its cybersecurity, including
12 the security of civilian government and military
13 networks;

14 (J) an assessment of any significant gaps
15 in any of the matters described in subpara-
16 graphs (A) through (I) with respect to which
17 the United States assesses that additional ac-
18 tion is needed;

19 (K) a description of cooperative efforts be-
20 tween the United States and Taiwan on the
21 matters described in subparagraphs (A)
22 through (J); and

23 (L) a description of any resistance within
24 the Government of Taiwan and the military
25 leadership of Taiwan to—

1 (i) implementing the matters de-
2 scribed in subparagraphs (A) through (I);

3 or

4 (ii) United States support or engage-
5 ment with regard to such matters.

6 (4) FORM.—The report required under para-
7 graph (2) shall be submitted in classified form, but
8 shall include a detailed unclassified summary.

9 (5) SHARING OF SUMMARY.—The Secretary of
10 State and the Secretary of Defense shall jointly
11 share the unclassified summary required under para-
12 graph (4) with the government and military of Tai-
13 wan.

14 (c) AUTHORITY TO PROVIDE ASSISTANCE.—The Sec-
15 retary of State, in consultation with the Secretary of De-
16 fense, shall use amounts appropriated pursuant to sub-
17 section (i) to provide assistance to the Government of Tai-
18 wan under subsection (d).

19 (d) FOREIGN MILITARY FINANCING PROGRAM ES-
20 TABLISHED.—The Secretary of State shall establish a
21 Foreign Military Financing Program to provide assist-
22 ance, including equipment, training, and other support, to
23 enable the Government and military of Taiwan—

24 (1) to accelerate the modernization of defense
25 capabilities that will enable Taiwan to delay, de-

1 grade, and deny attempts by People's Liberation
2 Army forces—

3 (A) to conduct coercive or grey zone activi-
4 ties;

5 (B) to achieve maritime control over the
6 Taiwan Strait and adjoining seas;

7 (C) to secure a lodgment on any Taiwanese
8 islands and expand or otherwise use such
9 lodgment to seize control of a population center
10 or other key territory in Taiwan; and

11 (2) to prevent the People's Republic of China
12 from decapitating, seizing control of, or otherwise
13 neutralizing or rendering ineffective the Government
14 of Taiwan.

15 (e) REGIONAL CONTINGENCY STOCKPILE.—Of the
16 amounts appropriated pursuant to subsection (i)(1), not
17 more than \$100,000,000 may be used during each of the
18 fiscal years 2023 through 2032 to maintain a stockpile
19 (if established under section 212), in accordance with sec-
20 tion 514 of the Foreign Assistance Act of 1961 (22 U.S.C.
21 2321h), as amended by section 211.

22 (f) AVAILABILITY OF FUNDS.—

23 (1) ANNUAL SPENDING PLAN.—Not later than
24 December 1, 2022, and annually thereafter, the Sec-
25 retary of State, in coordination with the Secretary of

1 Defense, shall submit a plan to the appropriate com-
2 mittees of Congress describing how funds appro-
3 priated pursuant to subsection (i)(2) will be used to
4 achieve the purposes described in subsection (d).

5 (2) CERTIFICATION.—Amounts appropriated
6 for each fiscal year pursuant to subsection (i)(2)
7 shall be made available for the purpose described in
8 such subsection after the Secretary of State certifies
9 to the appropriate committees of Congress that Tai-
10 wan has increased its defense spending relative to
11 Taiwan’s defense spending in its prior fiscal year,
12 excepting accounts in Taiwan’s defense budget re-
13 lated to personnel expenditures, (other than military
14 training and education and any funding related to
15 the All-Out Defense Mobilization Agency).

16 (3) REMAINING FUNDS.—

17 (A) IN GENERAL.—Subject to subpara-
18 graph (B), amounts appropriated for a fiscal
19 year pursuant to subsection (i)(2) that are not
20 obligated and expended during such fiscal year
21 shall be added to the amount that may be used
22 for Foreign Military Financing to Taiwan in
23 the subsequent fiscal year.

24 (B) RESCISSION.—Amounts appropriated
25 pursuant to subsection (i)(2) that remain unob-

1 ligated on September 30, 2027 shall be re-
2 scinded and deposited into the general fund of
3 the Treasury.

4 (g) DEFENSE ARTICLES AND SERVICES FROM THE
5 UNITED STATES INVENTORY AND OTHER SOURCES.—

6 (1) IN GENERAL.—In addition to assistance
7 provided pursuant to subsection (c), the Secretary of
8 State, in coordination with the Secretary of Defense,
9 may make available to the Government of Taiwan,
10 in such quantities as the Secretary of State con-
11 siders appropriate to provide assistance to the Gov-
12 ernment of Taiwan under subsection (d)—

13 (A) weapons and other defense articles
14 from the United States inventory and other
15 sources; and

16 (B) defense services.

17 (2) REPLACEMENT.—The Secretary of State
18 may use amounts appropriated pursuant to sub-
19 section (i)(2) for the cost of replacing any item pro-
20 vided to the Government of Taiwan pursuant to
21 paragraph (1)(A).

22 (h) FOREIGN MILITARY FINANCING LOAN AND LOAN
23 GUARANTEE AUTHORITY.—

24 (1) DIRECT LOANS.—

1 (A) IN GENERAL.—Notwithstanding sec-
2 tion 23(c)(1) of the Arms Export Control Act
3 (22 U.S.C. 2763), during fiscal years 2023
4 through 2027, the Secretary of State may make
5 direct loans available for Taiwan pursuant to
6 section 23 of such Act.

7 (B) MAXIMUM OBLIGATIONS.—Gross obli-
8 gations for the principal amounts of loans au-
9 thorized under subparagraph (A) may not ex-
10 ceed \$2,000,000,000.

11 (C) SOURCE OF FUNDS.—

12 (i) DEFINED TERM.—In this subpara-
13 graph, the term “cost”—

14 (I) has the meaning given such
15 term in section 502(5) of the Congres-
16 sional Budget Act of 1974 (2 U.S.C.
17 661a(5));

18 (II) shall include the cost of
19 modifying a loan authorized under
20 subparagraph (A); and

21 (III) may include the costs of
22 selling, reducing, or cancelling any
23 amounts owed to the United States or
24 to any agency of the United States.

1 (ii) IN GENERAL.—Amounts appro-
2 priated pursuant to subsection (i)(1) may
3 be made available to pay for the cost of
4 loans authorized under subparagraph (A).

5 (D) FEES AUTHORIZED.—

6 (i) IN GENERAL.—The Government of
7 the United States may charge fees for
8 loans made pursuant to subparagraph (A),
9 which shall be collected from borrowers
10 through a financing account (as defined in
11 section 502(7) of the Congressional Budget
12 Act of 1974 (2 U.S.C. 661a(7)).

13 (ii) LIMITATION ON FEE PAYMENTS.—
14 Amounts made available under any appro-
15 priations Act for any fiscal year may not
16 be used to pay any fees associated with a
17 loan authorized under subparagraph (A).

18 (E) REPAYMENT.—Loans made pursuant
19 to subparagraph (A) shall be repaid not later
20 than 12 years after the loan is received by the
21 borrower, including a grace period of not more
22 than 1 year on repayment of principal.

23 (F) INTEREST.—

24 (i) IN GENERAL.—Notwithstanding
25 section 23(c)(1) of the Arms Export Con-

1 trol Act (22 U.S.C. 2763(c)(1), interest for
2 loans made pursuant to subparagraph (A)
3 may be charged at a rate determined by
4 the Secretary of State, except that such
5 rate may not be less than the prevailing in-
6 terest rate on marketable Treasury securi-
7 ties of similar maturity.

8 (ii) TREATMENT OF LOAN AMOUNTS
9 USED TO PAY INTEREST.—Amounts made
10 available under this paragraph for interest
11 costs shall not be considered assistance for
12 the purposes of any statutory limitation on
13 assistance to a country.

14 (2) LOAN GUARANTEES.—

15 (A) IN GENERAL.—Amounts appropriated
16 pursuant to subsection (i)(1) may be made
17 available for the costs of loan guarantees for
18 Taiwan under section 24 of the Arms Export
19 Control Act (22 U.S.C. 2764) for Taiwan to
20 subsidize gross obligations for the principal
21 amount of commercial loans and total loan
22 principal, any part of which may be guaranteed,
23 not to exceed \$2,000,000,000.

24 (B) MAXIMUM AMOUNTS.—A loan guar-
25 antee authorized under subparagraph (A)—

1 (i) may not guarantee a loan that ex-
2 ceeds \$2,000,000,000; and

3 (ii) may not exceed 80 percent of the
4 loan principal with respect to any single
5 borrower.

6 (C) SUBORDINATION.—Any loan guaran-
7 teed pursuant to subparagraph (A) may not be
8 subordinated to—

9 (i) another debt contracted by the
10 borrower; or

11 (ii) any other claims against the bor-
12 rower in the case of default.

13 (D) REPAYMENT.—Repayment in United
14 States dollars of any loan guaranteed under
15 this paragraph shall be required not later than
16 12 years after the loan agreement is signed.

17 (E) FEES.—Notwithstanding section 24 of
18 the Arms Export Control Act (22 U.S.C. 2764),
19 the Government of the United States may
20 charge fees for loan guarantees authorized
21 under subparagraph (A), which shall be col-
22 lected from borrowers, or from third parties on
23 behalf of such borrowers, through a financing
24 account (as defined in section 502(7) of the

1 Congressional Budget Act of 1974 (2 U.S.C.
2 661a(7)).

3 (F) TREATMENTS OF LOAN GUARAN-
4 TEES.—Amounts made available under this
5 paragraph for the costs of loan guarantees au-
6 thorized under subparagraph (A) shall not be
7 considered assistance for the purposes of any
8 statutory limitation on assistance to a country.

9 (3) NOTIFICATION REQUIREMENT.—Amounts
10 appropriated to carry out this subsection may not be
11 expended without prior notification of the appro-
12 priate committees of Congress.

13 (i) AUTHORIZATION OF APPROPRIATIONS.—

14 (1) AUTHORIZATION OF APPROPRIATIONS.—In
15 addition to amounts otherwise authorized to be ap-
16 propriated for Foreign Military Financing, there is
17 authorized to be appropriated to the Department of
18 State for Taiwan Foreign Military Finance grant as-
19 sistance—

20 (A) \$250,000,000 for fiscal year 2023;

21 (B) \$750,000,000 for fiscal year 2024;

22 (C) \$1,500,000,000 for fiscal year 2025;

23 (D) \$2,000,000,000 for fiscal year 2026;

24 and

25 (E) \$2,000,000,000 for fiscal year 2027.

1 (2) TRAINING AND EDUCATION.—Of the
2 amounts authorized to be appropriated under para-
3 graph (1), the Secretary of State shall use not less
4 than \$2,000,000 per fiscal year for 1 or more blan-
5 ket order Foreign Military Financing training pro-
6 grams related to the defense needs of Taiwan.

7 (j) SUNSET PROVISION.—Assistance may not be pro-
8 vided under this section after September 30, 2032.

9 **SEC. 203. ANTICIPATORY PLANNING AND ANNUAL REVIEW**
10 **OF THE UNITED STATES STRATEGY TO DE-**
11 **FEND TAIWAN.**

12 (a) IN GENERAL.—Not later than 180 days after the
13 date of the enactment of this Act, and annually thereafter
14 for 10 years, the Secretary of Defense shall—

15 (1) conduct a classified review of the United
16 States strategy to defend Taiwan; and

17 (2) share the results of such review with the
18 Chairman and Ranking Member of the appropriate
19 committees of Congress.

20 (b) ELEMENTS.—The review conducted pursuant to
21 subsection (a) shall include—

22 (1) an assessment of Taiwan’s current and
23 near-term capabilities, United States force readiness,
24 and the adequacy of the United States strategy to
25 enable the defense of Taiwan;

1 (2) a detailed strategy of denial to defend Tai-
2 wan against aggression by the People’s Liberation
3 Army, including an effort to seize and hold the is-
4 land of Taiwan;

5 (3) a comprehensive assessment of risks to the
6 United States and United States interests, including
7 readiness shortfalls that pose strategic risk;

8 (4) a review of indicators of the near-term like-
9 lihood of the use of force by the People’s Liberation
10 Army against Taiwan; and

11 (5) a list of military capabilities, including ca-
12 pabilities that enable a strategy of denial, that—

13 (A) would suit the operational environment
14 and allow Taiwan to respond effectively to a va-
15 riety of contingencies across all potential phases
16 of conflict involving the People’s Liberation
17 Army; and

18 (B) would reduce the threat of conflict,
19 thwart an invasion, and mitigate other risks to
20 the United States and Taiwan.

21 **SEC. 204. JOINT ASSESSMENT.**

22 (a) IN GENERAL.—The Secretary of State, in con-
23 sultation with the Secretary of Defense, shall establish and
24 maintain a joint consultative mechanism with Taiwan that
25 convenes on a recurring basis—

1 (1) to develop a joint assessment of, and coordi-
2 nate planning with respect to, the threats Taiwan
3 faces from the People’s Republic of China across the
4 spectrum of possible military action; and

5 (2) to identify nonmaterial and material solu-
6 tions to deter and defeat such threats.

7 (b) INTEGRATED PRIORITIES LIST.—In carrying out
8 subsection (a), the Secretary of Defense, in consultation
9 with the Secretary of State, shall develop with Taiwan—

10 (1) an integrated priorities list;

11 (2) relevant plans for acquisition and training
12 for relevant nonmaterial and material solutions; and

13 (3) other measures to appropriately prioritize
14 the defense needs of Taiwan to maintain effective
15 deterrence across the spectrum of possible military
16 action by the People’s Republic of China.

17 (c) REPORT.—Not later than 180 days after the date
18 of the enactment of this Act, and annually thereafter for
19 the following 5 years, the Secretary of Defense, in con-
20 sultation with the Secretary of State, shall submit a report
21 to the appropriate committees of Congress that describes
22 the joint assessment developed pursuant to subsection
23 (a)(1).

1 **SEC. 205. REQUIREMENTS REGARDING DEFINITION OF**
2 **COUNTER INTERVENTION CAPABILITIES.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States—

5 (1) to ensure that requests by Taiwan to pur-
6 chase arms from the United States are not pre-
7 maturely rejected or dismissed before Taiwan sub-
8 mits a letter of request or other formal documenta-
9 tion, particularly when such requests are for capa-
10 bilities that are not included on any United States
11 Government priority lists of necessary capabilities
12 for the defense of Taiwan;

13 (2) to ensure requests by Taiwan to purchase
14 arms from the United States are evaluated with full
15 consideration of the United States strategy to de-
16 fend Taiwan pursuant to section 203 and the joint
17 consultative mechanism with Taiwan pursuant to
18 section 204; and

19 (3) to ensure close consultation among rep-
20 resentatives of Taiwan, Congress, industry, and the
21 Executive branch about requests referred to in para-
22 graph (1) and the needs of Taiwan before Taiwan
23 submits formal requests for such purchases.

24 (b) REQUIREMENT.—Not later than 45 days after the
25 date of the enactment of this Act, the Secretary of State

1 and the Secretary of Defense shall jointly submit to the
2 appropriate committees of Congress—

3 (1) a list of categories of counter intervention
4 capabilities and a justification for each such cat-
5 egory; and

6 (2) a description of the degree to which the
7 United States has a policy of openness or flexibility
8 for evaluating requests by Taiwan to purchase arms
9 from the United States that may not fall within the
10 scope of counter intervention capabilities included in
11 the list required under paragraph (1), due to consid-
12 erations such as—

13 (A) joint planning of respective mission
14 roles between the United States, Taiwan, and
15 other parties in the event of conflict concerning
16 Taiwan;

17 (B) the evolution of defense technologies;

18 (C) the identification of new concepts of
19 operation or ways to employ certain capabilities;
20 and

21 (D) other factors that might change as-
22 sessments by the United States and Taiwan of
23 what constitutes counter intervention capabili-
24 ties.

1 **SEC. 206. COMPREHENSIVE TRAINING PROGRAM.**

2 (a) IN GENERAL.—The Secretary of State and the
3 Secretary of Defense shall establish or expand a com-
4 prehensive training program with Taiwan designed to—

5 (1) enhance interoperability and capabilities for
6 joint operations between the United States and Tai-
7 wan;

8 (2) enhance rapport and deepen partnership be-
9 tween the militaries of the United States and Tai-
10 wan, and foster understanding of the United States
11 among individuals in Taiwan;

12 (3) improve Taiwan’s defense capabilities; and

13 (4) train future leaders of Taiwan, promote
14 professional military education, civilian control of
15 the military, and protection of human rights.

16 (b) ELEMENTS.—The training program required by
17 subsection (a) should prioritize relevant and realistic
18 training, including as necessary joint United States-Tai-
19 wan contingency tabletop exercises, war games, full-scale
20 military exercises, and an enduring rotational United
21 States military presence that assists Taiwan in maintain-
22 ing force readiness and utilizing United States defense ar-
23 ticles and services transferred from the United States to
24 Taiwan.

25 (c) AUTHORIZATION OF PARTICIPATION OF TAIWAN
26 IN THE INTERNATIONAL MILITARY EDUCATION AND

1 TRAINING PROGRAM.—Taiwan is authorized to partici-
2 pate in the International Military Education and Training
3 program for the purposes described in subsection (a) and
4 to carry out the elements described in subsection (b).

5 (d) REPORT.—Not later than 90 days after the date
6 of the enactment of this Act, and annually thereafter for
7 the following 3 years, the Secretary of State, in consulta-
8 tion with the Secretary of Defense, shall submit to the
9 appropriate committees of Congress a classified report
10 that describes all training provided to the Armed Forces
11 of Taiwan in the prior fiscal year, including—

12 (1) a description of advancements in United
13 States-Taiwan military interoperability pursuant to
14 such training;

15 (2) a description of increasing familiarization of
16 the militaries of the United States and Taiwan with
17 each other pursuant to such training;

18 (3) improvements to Taiwan’s defense capabili-
19 ties pursuant to such training; and

20 (4) an identification of all requests from Tai-
21 wan for further training.

22 **SEC. 207. JOINT EXERCISES WITH TAIWAN.**

23 (a) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that—

1 (1) joint military exercises with Taiwan are an
2 important component of improving military readi-
3 ness and joint operability of both countries;

4 (2) the Commander of United States Indo-Pa-
5 cific Command, and other commands in the United
6 States Indo-Pacific Command area of responsibility,
7 already possess the legal authority to carry out such
8 exercises; and

9 (3) the United States should better use existing
10 authorities to improve the readiness and joint oper-
11 ability of United States and Taiwanese forces.

12 (b) **AUTHORITY RECOGNIZED.**—The Commander of
13 United States Indo-Pacific Command is authorized to
14 carry out military exercises with Taiwan that—

15 (1) include multiple warfare domains and make
16 extensive use of the military common operations net-
17 work used by United States, allied, and Taiwanese
18 forces;

19 (2) to the maximum extent practical, incor-
20 porate the cooperation of 2 or more combatant and
21 subordinate unified commands; and

22 (3) present a complex military problem and in-
23 clude a force presentation of a strategic competitor.

1 **SEC. 208. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN**
2 **DEFENSE AND RESILIENCE.**

3 (a) ASSESSMENT REQUIRED.—Not later than 120
4 days after the date of enactment of this Act, the Secretary
5 of State and the Secretary of Defense, in coordination
6 with the Director of National Intelligence, shall submit a
7 written, classified assessment of Taiwan's needs in the
8 areas of civilian defense and resilience to the appropriate
9 committees of Congress, the Select Committee on Intel-
10 ligence of the Senate, and the Permanent Select Com-
11 mittee on Intelligence of the House of Representatives.

12 (b) MATTERS TO BE INCLUDED.—The assessment
13 required under subsection (a) shall—

14 (1) analyze the potential role of Taiwan's public
15 and civilian assets in defending against various sce-
16 narios for foreign militaries to coerce or conduct
17 military aggression against Taiwan;

18 (2) carefully analyze Taiwan's needs for en-
19 hancing its defensive capabilities through the sup-
20 port of civilians and civilian sectors, including—

21 (A) greater utilization of Taiwan's high
22 tech labor force;

23 (B) the creation of clear structures and lo-
24 gistics support for civilian defense role alloca-
25 tion;

1 (C) recruitment and skills training for Tai-
2 wan's defense and civilian sectors;

3 (D) strategic stockpiling of resources re-
4 lated to critical food security and medical sup-
5 plies; and

6 (E) other defense needs and considerations
7 at the provincial, city, and neighborhood levels;

8 (3) analyze Taiwan's needs for enhancing resil-
9 iency among its people and in key economic sectors;

10 (4) identify opportunities for Taiwan to en-
11 hance communications and strengthen cooperation
12 between the military, other government departments,
13 civilian agencies, and the general public, including—

14 (A) communications infrastructure nec-
15 essary to ensure reliable communications in re-
16 sponse to a conflict or crisis; and

17 (B) a plan to effectively communicate to
18 the general public in response to a conflict or
19 crisis; and

20 (5) identify the areas and means through which
21 the United States could provide training and assist-
22 ance to support the needs discovered through the as-
23 sessment and fill any critical gaps where capacity
24 falls short of such needs.

1 (c) FORM OF REPORT.—Notwithstanding the classi-
2 fied nature of the assessment required under subsection
3 (a), the assessment shall be shared with appropriate offi-
4 cials of the Government of Taiwan to facilitate coopera-
5 tion.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be
8 appropriated to complete the assessment required
9 under subsection (a)—

10 (A) \$500,000 for the Department of State;

11 and

12 (B) \$500,000 for the Department of De-
13 fense.

14 (2) TRANSFER AUTHORITY.—The Secretary of
15 State and the Secretary of Defense are authorized to
16 transfer any funds appropriated to their respective
17 departments pursuant to paragraph (1) to the Di-
18 rector of National Intelligence for the purposes of
19 facilitating the contributions of the intelligence com-
20 munity to the assessment required under subsection
21 (a).

22 **SEC. 209. ANNUAL REPORT ON COOPERATION BETWEEN**
23 **THE NATIONAL GUARD AND TAIWAN.**

24 (a) IN GENERAL.—Not later than February 15,
25 2023, and annually thereafter, the Secretary of Defense

1 shall submit to the congressional defense committees (as
2 defined in section 101 of title 10, United States Code)
3 a report on the feasibility and advisability of enhanced co-
4 operation between the National Guard and Taiwan.

5 (b) ELEMENTS.—Each report required by subsection
6 (a) shall include the following:

7 (1) A description of the cooperation between the
8 National Guard and Taiwan during the preceding
9 calendar year, including mutual visits, exercises,
10 training, and equipment opportunities.

11 (2) An evaluation of the feasibility of enhancing
12 cooperation between the National Guard and Taiwan
13 on a range of activities, including—

14 (A) disaster and emergency response;

15 (B) cyber defense and communications se-
16 curity;

17 (C) military medical cooperation;

18 (D) cultural exchange and education of
19 members of the National Guard in Mandarin
20 Chinese; and

21 (E) programs for National Guard advisors
22 to assist in training the reserve components of
23 the military forces of Taiwan.

24 (3) Recommendations to enhance such coopera-
25 tion and improve interoperability, including through

1 familiarization visits, cooperative training and exer-
2 cises, and co-deployments.

3 (4) Any other matter the Secretary of Defense
4 determines appropriate.

5 **SEC. 210. PRIORITIZING EXCESS DEFENSE ARTICLE TRANS-**
6 **FERS FOR TAIWAN.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the United States Government should appro-
9 priately prioritize the review of excess defense article
10 transfers to Taiwan.

11 (b) FIVE-YEAR PLAN.—Not later than 90 days after
12 the date of the enactment of this Act, the President
13 shall—

14 (1) develop a 5-year plan to appropriately
15 prioritize excess defense article transfers to Taiwan;
16 and

17 (2) submit a report to the appropriate commit-
18 tees of Congress that describes such plan.

19 (c) REQUIRED COORDINATION.—The United States
20 Government shall coordinate and align excess defense arti-
21 cle transfers with capacity-building efforts of Taiwan.

22 (d) TRANSFER AUTHORITY.—

23 (1) IN GENERAL.—Section 516(c)(2) of the
24 Foreign Assistance Act of 1961 (22 U.S.C.
25 2321j(c)(2)) is amended by striking “and to the

1 Philippines” and inserting “, to the Philippines, and
2 to Taiwan”.

3 (2) TREATMENT OF TAIWAN.—With respect to
4 the transfer of excess defense articles under section
5 516(c)(2) of the Foreign Assistance Act of 1961, as
6 amended by paragraph (1), Taiwan shall receive the
7 same benefits as the other countries referred to in
8 such section.

9 **SEC. 211. FAST-TRACKING SALES TO TAIWAN UNDER THE**
10 **FOREIGN MILITARY SALES PROGRAM.**

11 (a) PRIORITIZED PROCESSING AND PROHIBITION ON
12 BUNDLING OF FOREIGN MILITARY SALES REQUESTS
13 FROM TAIWAN.—The Secretary of State, in coordination
14 with the Secretary of Defense, shall appropriately
15 prioritize and expedite the processing of requests from
16 Taiwan under the Foreign Military Sales program con-
17 sistent with the Arms Export Control Act and in further-
18 ance of the Taiwan Relations Act.

19 (b) USE OF SPECIAL DEFENSE ACQUISITION
20 FUND.—The Secretary of Defense, in consultation with
21 the Secretary of State, shall seek to utilize the Special De-
22 fense Acquisition Fund established under chapter 5 of the
23 Arms Export Control Act (22 U.S.C. 2795 et seq.) to ex-
24 pedite the procurement and delivery of defense articles

1 and defense services for the purpose of assisting and sup-
2 porting the Armed Forces of Taiwan.

3 (c) ANNUAL REPORT.—Not later than 180 days after
4 the date of the enactment of this Act, and annually there-
5 after for the following 10 years, the Secretary of State,
6 in coordination with the Secretary of Defense, shall submit
7 a report to the appropriate committees of Congress that
8 describes the steps that have been taken to carry out sub-
9 section (a).

10 **SEC. 212. ARMS EXPORT DELIVERY SOLUTIONS.**

11 (a) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that—

13 (1) prioritizing the defense needs of United
14 States allies and partners in the Indo-Pacific is a
15 national security priority; and

16 (2) sustained support to key Indo-Pacific part-
17 ners for interoperable defense systems is critical to
18 preserve—

19 (A) the safety and security of American
20 persons;

21 (B) the free flow of commerce through
22 international trade routes;

23 (C) the United States commitment to col-
24 lective security agreements, territorial integrity,
25 and recognized maritime boundaries;

1 (D) United States values regarding democ-
2 racy and commitment to maintaining a free and
3 open Indo-Pacific; and

4 (E) Taiwan’s defense capability.

5 (b) REPORT REQUIRED.—Not later than March 1,
6 2023, and annually thereafter for a period of five years,
7 the Secretary of State, with the concurrence of the Sec-
8 retary of Defense, shall transmit to the appropriate com-
9 mittees of Congress a report with respect to the transfer
10 of all defense articles or defense services that have yet to
11 be completed pursuant to the authorities provided by—

12 (1) section 3, 21, or 36 of the Arms Export
13 Control Act (22 U.S.C. 2753, 2761, or 2776); or

14 (2) section 516(c)(2) of the Foreign Assistance
15 Act of 1961 (22 U.S.C. 2321j(c)(2)).

16 (c) ELEMENTS.—The report required under sub-
17 section (b) shall include the following elements:

18 (1) A list of all approved transfers of defense
19 articles and services authorized by Congress pursu-
20 ant to sections 25 and 36 of the Arms Export Con-
21 trol Act (22 U.S.C. 2765, 2776) with a total value
22 of \$25,000,000 or more, to Taiwan, Japan, South
23 Korea, Australia, or New Zealand, that have not
24 been fully delivered by the start of the fiscal year in
25 which the report is being submitted.

1 (2) The estimated start and end dates of deliv-
2 ery for each approved and incomplete transfer listed
3 pursuant to paragraph (1), including additional de-
4 tails and dates for any transfers that involve mul-
5 tiple tranches of deliveries.

6 (3) With respect to each approved and incom-
7 plete transfer listed pursuant to paragraph (1), a de-
8 tailed description of—

9 (A) any changes in the delivery dates of
10 defense articles or services relative to the dates
11 anticipated at the time of congressional ap-
12 proval of the transfer, including specific reasons
13 for any delays related to the United States Gov-
14 ernment, defense suppliers, or a foreign part-
15 ner;

16 (B) the feasibility and advisability of pro-
17 viding the partner subject to such delayed deliv-
18 ery with an interim capability or solution, in-
19 cluding drawing from United States stocks, and
20 the mechanisms under consideration for doing
21 so as well as any challenges to implementing
22 such a capability or solution;

23 (C) authorities, appropriations, or waiver
24 requests that Congress could provide to improve
25 delivery timelines or authorize the provision of

1 interim capabilities or solutions identified pur-
2 suant to subparagraph (B); and

3 (D) a description of which countries are
4 ahead of Taiwan for delivery of each item listed
5 pursuant to paragraph (1).

6 (4) A description of ongoing interagency efforts
7 to support attainment of operational capability of
8 the corresponding defense articles and services once
9 delivered, including advance training with United
10 States or Armed Forces of partner countries on the
11 systems to be received. The description of any such
12 training shall also include an identification of the
13 training implementer.

14 (5) If a transfer listed pursuant to paragraph
15 (1) has been terminated prior to the date of the sub-
16 mission of the report for any reason—

17 (A) the case information for such transfer,
18 including the date of congressional notification,
19 delivery date of the Letter of Offer and Accept-
20 ance (LOA), final signature of the LOA, and
21 information pertaining to delays in delivering
22 LOAs for signature;

23 (B) a description of the reasons for which
24 the transfer is no longer in effect; and

1 (C) the impact this termination will have
2 on the intended end user and the consequent
3 implications for regional security, including the
4 impact on deterrence of military action by coun-
5 tries hostile to the United States, the military
6 balance in the Taiwan Strait, and other factors.

7 (6) A separate description of the actions the
8 United States is taking to expedite deliveries of de-
9 fense articles and services to Taiwan, including in
10 particular, whether the United States intends to di-
11 vert defense articles from United States stocks to
12 provide an interim capability or solution with respect
13 to any delayed deliveries to Taiwan and the plan, if
14 applicable, to replenish any such diverted stocks.

15 (7) A description of other potential actions al-
16 ready undertaken by or currently under consider-
17 ation by the Department of State and the Depart-
18 ment of Defense to improve delivery timelines for
19 the transfers listed pursuant to paragraph (1).

20 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the Committee on Foreign Relations and
24 the Committee on Armed Services of the Senate; and

1 (2) the Committee on Foreign Affairs and the
2 Committee on Armed Services of the House of Rep-
3 resentatives.

4 (e) FORM.—The report required under subsection (b)
5 shall be submitted in unclassified form but may include
6 a classified annex.

7 **SEC. 213. WHOLE-OF-GOVERNMENT DETERRENCE MEAS-**
8 **URES TO RESPOND TO THE PEOPLE’S REPUB-**
9 **LIC OF CHINA’S FORCE AGAINST TAIWAN.**

10 (a) WHOLE-OF-GOVERNMENT REVIEW.—Not later
11 than 14 days after the date of the enactment of this Act,
12 the President shall convene the heads of all relevant Fed-
13 eral departments and agencies to conduct a whole-of-gov-
14 ernment review of all available economic, diplomatic, and
15 other strategic measures to deter the use of force by the
16 People’s Republic of China to change the status quo of
17 Taiwan.

18 (b) BRIEFING REQUIRED.—Not later than 180 days
19 after the date of the enactment of this Act, and annually
20 thereafter for the following 5 years, the Secretary of State,
21 the Secretary of the Treasury, the Secretary of Defense,
22 the Secretary of Commerce, the Director of National Intel-
23 ligence, and any other relevant heads of Federal depart-
24 ments and agencies shall provide a detailed briefing to the
25 appropriate committees of Congress regarding—

1 (1) all available economic, diplomatic, and other
2 strategic measures to deter the use of force by the
3 People’s Republic of China, including coercion, grey-
4 zone tactics, assertions, shows of force, quarantines,
5 embargoes, or other measures to change the status
6 quo of Taiwan;

7 (2) efforts by the United States Government to
8 deter the use of force by the People’s Republic of
9 China to change the status quo of Taiwan; and

10 (3) progress to date of all coordination efforts
11 between the United States Government and its allies
12 and partners with respect to deterring the use of
13 force to change the status quo of Taiwan.

14 (c) COORDINATED CONSEQUENCES WITH ALLIES
15 AND PARTNERS.—The Secretary of State shall—

16 (1) coordinate with United States allies and
17 partners to identify and develop significant eco-
18 nomic, diplomatic, and other measures to deter the
19 use of force by the People’s Republic of China to
20 change the status quo of Taiwan; and

21 (2) announce in advance, the severe multilateral
22 consequences that would be imposed on the People’s
23 Republic of China immediately after it engaged in
24 any such use of force.

1 **SEC. 214. INCREASE IN ANNUAL REGIONAL CONTINGENCY**
 2 **STOCKPILE ADDITIONS AND SUPPORT FOR**
 3 **TAIWAN.**

4 (a) IN GENERAL.—Section 514(b)(2)(A) of the For-
 5 eign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A))
 6 is amended by striking “\$200,000,000” and all that fol-
 7 lows and inserting “\$500,000,000 for any of the fiscal
 8 years 2023, 2024, or 2025.”.

9 (b) ESTABLISHMENT.—Subject to section 514 of the
 10 Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the
 11 President may establish a regional contingency stockpile
 12 for Taiwan that consists primarily of munitions.

13 (c) INCLUSION OF TAIWAN AMONG OTHER ALLIES
 14 ELIGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part
 15 II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311
 16 et seq.) is amended—

17 (1) in section 514(c)(2) (22 U.S.C.
 18 2321h(c)(2)), by inserting “Taiwan,” after “Thai-
 19 land,”; and

20 (2) in section 516(c)(2) (22 U.S.C.
 21 2321j(c)(2)), by inserting “to Taiwan,” after “major
 22 non-NATO allies on such southern and southeastern
 23 flank,”.

24 (d) ANNUAL BRIEFING.—Not later than 1 year after
 25 the date of enactment of this Act, and annually thereafter
 26 for 7 years, the President shall provide a briefing to the

1 appropriate committees of Congress regarding the status
 2 of a regional contingency stockpile established under sub-
 3 section (b).

4 **SEC. 215. EMERGENCY DRAWDOWN AUTHORITY OF TAIWAN**
 5 **STRAIT CONTINGENCIES.**

6 It is the sense of Congress that the President should
 7 use the presidential drawdown authority under sections
 8 506(a) and 552(c) of the Foreign Assistance Act of 1961
 9 (22 U.S.C. 2318(a) and 2348a(c)) to provide security as-
 10 sistance and other necessary commodities and services to
 11 Taiwan in support of Taiwan's self-defense.

12 **SEC. 216. DESIGNATION OF TAIWAN AS A MAJOR NON-NATO**
 13 **ALLY.**

14 Section 517 of the Foreign Assistance Act of 1961
 15 (22 U.S.C. 2321k) is amended by adding at the end the
 16 following:

17 “(c) ADDITIONAL DESIGNATIONS.—

18 “(1) IN GENERAL.—Taiwan is designated as a
 19 major non-NATO ally for purposes of this Act, the
 20 Arms Export Control Act (22 U.S.C. 2751 et seq.),
 21 and section 2350a of title 10, United States Code.

22 “(2) NOTICE OF TERMINATION OF DESIGNA-
 23 TION.—The President shall notify Congress in ac-
 24 cordance with subsection (a)(2) before terminating
 25 the designation specified in paragraph (1).”.

1 **TITLE III—COUNTERING PEO-**
2 **PLE’S REPUBLIC OF CHINA’S**
3 **AGGRESSION AND INFLU-**
4 **ENCE CAMPAIGNS**

5 **SEC. 301. STRATEGY TO RESPOND TO INFLUENCE AND IN-**
6 **FORMATION OPERATIONS TARGETING TAI-**
7 **WAN.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of the enactment of this Act and annually thereafter
10 for the following 5 years, the Secretary of State shall de-
11 velop and implement a strategy to respond to—

12 (1) covert, coercive, and corrupting activities
13 carried out to advance the Chinese Communist Par-
14 ty’s “United Front” work, including activities di-
15 rected, coordinated, or otherwise supported by the
16 United Front Work Department or its subordinate
17 or affiliated entities; and

18 (2) information and disinformation campaigns,
19 cyber attacks, and nontraditional propaganda meas-
20 ures supported by the Government of the People’s
21 Republic of China and the Chinese Communist
22 Party that are directed toward persons or entities in
23 Taiwan.

24 (b) ELEMENTS.—The strategy required under sub-
25 section (a) shall include descriptions of—

1 (1) the proposed response to propaganda and
2 disinformation campaigns by the People’s Republic
3 of China and cyber-intrusions targeting Taiwan, in-
4 cluding—

5 (A) assistance in building the capacity of
6 the Government of Taiwan and private-sector
7 entities to document and expose propaganda
8 and disinformation supported by the Govern-
9 ment of the People’s Republic of China, the
10 Chinese Communist Party, or affiliated entities;

11 (B) assistance to enhance the Government
12 of Taiwan’s ability to develop a whole-of-govern-
13 ment strategy to respond to sharp power oper-
14 ations, including election interference; and

15 (C) media training for Taiwan officials and
16 other Taiwan entities targeted by
17 disinformation campaigns;

18 (2) the proposed response to political influence
19 operations that includes an assessment of the extent
20 of influence exerted by the Government of the Peo-
21 ple’s Republic of China and the Chinese Communist
22 Party in Taiwan on local political parties, financial
23 institutions, media organizations, and other entities;

1 (3) support for exchanges and other technical
2 assistance to strengthen the Taiwan legal system's
3 ability to respond to sharp power operations;

4 (4) the establishment of a coordinated partner-
5 ship, through the American Institute in Taiwan's
6 Global Cooperation and Training Framework, with
7 like-minded governments to share data and best
8 practices with the Government of Taiwan regarding
9 ways to address sharp power operations supported
10 by the Government of the People's Republic of
11 China and the Chinese Communist Party; and

12 (5) programs carried out by the Global Engage-
13 ment Center to expose misinformation and
14 disinformation in the Chinese Communist Party's
15 propaganda.

16 **SEC. 302. STRATEGY TO COUNTER ECONOMIC COERCION**
17 **BY THE PEOPLE'S REPUBLIC OF CHINA TAR-**
18 **GETING COUNTRIES AND ENTITIES THAT**
19 **SUPPORT TAIWAN.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, and every 180 days
22 thereafter for the following 5 years, the Secretary of State
23 shall submit to the appropriate committees of Congress
24 a description of the strategy being used by the Depart-
25 ment of State to respond to the Government of the Peo-

1 ple's Republic of China's increased economic coercion
2 against countries which have strengthened their ties with,
3 or support for, Taiwan.

4 (b) ASSISTANCE FOR COUNTRIES AND ENTITIES
5 TARGETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR
6 ECONOMIC COERCION.—The Department of State, the
7 United States Agency for International Development, the
8 United States International Development Finance Cor-
9 poration, the Department of Commerce and the Depart-
10 ment of the Treasury shall provide appropriate assistance
11 to countries and entities that are subject to trade restric-
12 tions and other forms of economic coercion by the People's
13 Republic of China.

14 **SEC. 303. SHARED PLANNING FOR THE DEFENSE OF TAI-**
15 **WAN.**

16 (a) IN GENERAL.—The Secretary of Defense, in con-
17 sultation with the Secretary of State, acting through the
18 American Institute in Taiwan, as appropriate, shall seek
19 to establish a framework with Taiwan's Ministry of Na-
20 tional Defense and other entities, as appropriate, for ro-
21 bust, continuous, shared defense planning and force devel-
22 opment that includes regular dialogues at appropriate lev-
23 els throughout the United States Government.

24 (b) OBJECTIVES.—The objectives of the framework
25 described in subsection (a) shall include—

1 (1) outlining pathways for the advancement of
2 shared priorities to meet current and emerging secu-
3 rity challenges;

4 (2) developing common threat perceptions and
5 perceptions surrounding escalation;

6 (3) developing a common understanding of po-
7 tential conflict scenarios, including their likelihood,
8 predictability, and political import, and a shared
9 conception on the means required to deter such ag-
10 gression and the risk tolerance for employing such
11 means;

12 (4) delineating further how the United States
13 and Taiwan can collaborate to advance the military
14 capabilities and readiness of Taiwan;

15 (5) ensuring unified planning and role clarity
16 for various contingencies involving the People's Re-
17 public of China and Taiwan;

18 (6) ensuring the Armed Forces of Taiwan have
19 the appropriate systems, munitions, capabilities, and
20 training for maximum deterrent effect within a com-
21 bined deterrence;

22 (7) ensuring Taiwan's existing and new systems
23 and capabilities are integrated into a combined de-
24 terrence effort for maximum deterrent effect;

1 (8) aligning Taiwan’s defense budgeting prior-
2 ities with the overall combined deterrence effort;

3 (9) ensuring that systems and capabilities be-
4 tween Taiwan and the United States support com-
5 plementary missions and achieve interoperability, as
6 appropriate;

7 (10) strengthening cooperation on cybersecurity
8 to deter malicious cyber activities against Taiwan’s
9 security systems and critical infrastructure, to at-
10 tribute such activities, and to defend against adver-
11 saries effectively;

12 (11) strengthening cooperation on information
13 operations to counter People’s Republic of China
14 disinformation campaigns;

15 (12) developing closer partnership of defense in-
16 telligence communities in support of military plan-
17 ning and defensive operations; and

18 (13) ensuring appropriate counterintelligence
19 measures for other elements of the framework.

20 (c) TECHNICAL ASSISTANCE.—The Secretary of De-
21 fense and the Secretary of State shall provide Taiwan with
22 such technical assistance, including with respect to budg-
23 eting, as is necessary to ensure productive operation of
24 the framework described in subsection (a).

1 (d) INCLUSION OF ADDITIONAL ALLIES AND PART-
2 NERS.—The Secretary of Defense and the Secretary of
3 State shall seek to, as appropriate, coordinate with or in-
4 clude additional allies and partners in the framework de-
5 scribed in subsection (a).

6 (e) REPORT.—

7 (1) IN GENERAL.—Not later than 180 days
8 after the date of the enactment of this Act, the Sec-
9 retary of Defense and the Secretary of State shall
10 submit to the appropriate congressional committees
11 a report on the progress in establishing the frame-
12 work described in subsection (a).

13 (2) ELEMENTS.—The report required by para-
14 graph (1) shall include the following elements:

15 (A) A description of the structure of the
16 framework.

17 (B) The effectiveness of the framework in
18 establishing a unified defense posture.

19 (C) Obstacles to the creation of the frame-
20 work, either political or procedural, with respect
21 to the Secretaries counterparts in Taiwan.

22 (D) Progress made in establishing shared
23 defense planning for various Taiwan Strait con-
24 tingencies.

1 (E) A description and assessment of the
2 effectiveness of counterintelligence measures
3 taken to ensure the needed secrecy for joint
4 planning.

5 (F) The effectiveness of incorporating
6 third parties into the framework.

7 (3) EVALUATION.—Not later than 1 year after
8 the date on which the Secretary of Defense and the
9 Secretary of State submit the report required by
10 paragraph (1), the Secretaries shall submit to the
11 appropriate congressional committees an evaluation
12 of the progress and effectiveness of the framework
13 that includes the elements listed in paragraph (2)
14 and a discussion of the effectiveness of the frame-
15 work in rationalizing Taiwan’s arms procurement in
16 relation to producing a maximally deterrent posture.

17 (4) FORM.—The report required by paragraph
18 (1) and the evaluation required by paragraph (3)
19 shall be submitted in classified form, with an unclas-
20 sified summary if appropriate.

21 (5) DEFINITIONS.—In this section:

22 (A) APPROPRIATE CONGRESSIONAL COM-
23 MITTEES.—The term “appropriate congres-
24 sional committees” means—

1 (i) the Committee on Armed Services
2 and the Committee on Foreign Affairs of
3 the House of Representatives; and

4 (ii) the Committee on Armed Services
5 and the Committee on Foreign Relations
6 of the Senate.

7 (B) COMBINED DETERRENCE EFFORT.—

8 The term “combined deterrence effort” means
9 the development and operation of complemen-
10 tary deterrent postures by the United States,
11 Taiwan, and other like-minded countries, as ap-
12 propriate, to maintain peace and stability in the
13 area of Taiwan.

14 **TITLE IV—INCLUSION OF TAI-**
15 **WAN IN INTERNATIONAL OR-**
16 **GANIZATIONS**

17 **SEC. 401. PARTICIPATION OF TAIWAN IN INTERNATIONAL**
18 **ORGANIZATIONS.**

19 (a) STATEMENT OF POLICY.—It is the policy of the
20 United States to promote Taiwan’s inclusion and mean-
21 ingful participation in international organizations.

22 (b) SUPPORT FOR MEANINGFUL PARTICIPATION.—
23 The Permanent Representative of the United States to the
24 United Nations and other relevant United States officials

1 shall actively support Taiwan’s meaningful participation
2 in all appropriate international organizations.

3 (c) REPORT.—Not later than 90 days after the date
4 of the enactment of this Act, the Secretary of State shall
5 submit a report to the appropriate congressional commit-
6 tees that—

7 (1) describes the People’s Republic of China’s
8 efforts at the United Nations and other international
9 bodies to block Taiwan’s meaningful participation
10 and inclusion; and

11 (2) recommends appropriate responses that
12 should be taken by the United States to carry out
13 the policy described in subsection (a).

14 **SEC. 402. CLARIFICATION REGARDING UNITED NATIONS**

15 **GENERAL ASSEMBLY RESOLUTION 2758**

16 **(XXVI).**

17 Section 2(a) of the Taiwan Allies International Pro-
18 tection and Enhancement Initiative (TAIPEI) Act of 2019
19 (Public Law 116–135) is amended by adding at the end
20 the following:

21 “(10) United Nations General Assembly Reso-
22 lution 2758 (1971)—

23 “(A) established the representatives of the
24 Government of the People’s Republic of China

1 as the only lawful representatives of China to
2 the United Nations;

3 “(B) did not address the issue of represen-
4 tation of Taiwan and its people in the United
5 Nations or in any related organizations; and

6 “(C) did not take a position on the rela-
7 tionship between the People’s Republic of China
8 and Taiwan or include any statement pertaining
9 to Taiwan’s sovereignty.

10 “(11) The United States opposes any initiative
11 that seeks to change Taiwan’s status without the
12 consent of the people of Taiwan.”.

13 **SEC. 403. PARTICIPATION OF TAIWAN IN THE INTER-AMER-**
14 **ICAN DEVELOPMENT BANK.**

15 It is the sense of Congress that—

16 (1) the United States fully supports Taiwan’s
17 participation in, and contribution to, international
18 organizations and underscores the importance of the
19 relationship between Taiwan and the United States;

20 (2) diversifying the donor base of the Inter-
21 American Development Bank (referred to in this
22 title as the “IDB”) and increasing allied engage-
23 ment in the Western Hemisphere reinforces United
24 States national interests;

1 (3) Taiwan's significant contribution to the de-
2 velopment and economies of Latin America and the
3 Caribbean demonstrate that Taiwan's membership
4 in the IDB as a non-borrowing member would ben-
5 efit the IDB and the entire Latin American and
6 Caribbean region; and

7 (4) non-borrowing membership in the IDB
8 would allow Taiwan to substantially leverage and
9 channel the immense resources Taiwan already pro-
10 vides to Latin America and the Caribbean to reach
11 a larger number of beneficiaries.

12 **SEC. 404. PLAN FOR TAIWAN'S PARTICIPATION IN THE**
13 **INTER-AMERICAN DEVELOPMENT BANK.**

14 The Secretary of State, in coordination with the Sec-
15 retary of the Treasury, is authorized—

16 (1) to initiate a United States plan to endorse
17 non-borrowing IDB membership for Taiwan; and

18 (2) to instruct the United States Governor of
19 the IDB to work with the IDB Board of Governors
20 to admit Taiwan as a non-borrowing member of the
21 IDB.

1 **SEC. 405. REPORT CONCERNING MEMBER STATE STATUS**
2 **FOR TAIWAN AT THE INTER-AMERICAN DE-**
3 **VELOPMENT BANK.**

4 Not later than 90 days after the date of the enact-
5 ment of this Act, and not later than April 1 of each year
6 thereafter for the following 5 years, the Secretary of State,
7 in coordination with the Secretary of the Treasury, shall
8 submit an unclassified report to the Committee on Foreign
9 Relations of the Senate and the Committee on Foreign
10 Affairs of the House of Representatives that—

11 (1) describes the United States plan to endorse
12 and obtain non-borrowing membership status for
13 Taiwan at the IDB;

14 (2) includes an account of the efforts made by
15 the Secretary of State and the Secretary of the
16 Treasury to encourage IDB member states to pro-
17 mote Taiwan's bid to obtain non-borrowing member-
18 ship at the IDB; and

19 (3) identifies the steps that the Secretary of
20 State and the Secretary of the Treasury will take to
21 endorse and obtain non-borrowing membership sta-
22 tus for Taiwan at the IDB in the following year.

23 **SEC. 406. SUPPORT FOR TAIWAN ADMISSION TO THE IMF.**

24 (a) IN GENERAL.—The United States Governor of
25 the International Monetary Fund (in this section referred

1 to as the “Fund”) shall use the voice and vote of the
2 United States to vigorously support—

3 (1) the admission of Taiwan as a member of
4 the Fund;

5 (2) participation by Taiwan in regular surveil-
6 lance activities of the Fund with respect to the eco-
7 nomic and financial policies of Taiwan, consistent
8 with Article IV consultation procedures of the Fund;

9 (3) employment opportunities for Taiwan na-
10 tionals, without regard to any consideration that, in
11 the determination of the United States Governor,
12 does not generally restrict the employment of nation-
13 als of member countries of the Fund; and

14 (4) the ability of Taiwan to receive appropriate
15 technical assistance and training by the Fund.

16 (b) WAIVER.—The Secretary of the Treasury may
17 waive any requirement of subsection (a) for 1 year at a
18 time on reporting to Congress that providing the waiver
19 will substantially promote the objective of securing the
20 meaningful participation of Taiwan at each international
21 financial institution (as defined in section 1701(c)(2) of
22 the International Financial Institutions Act).

23 (c) SUNSET.—This section shall have no force or ef-
24 fect on the earlier of—

1 (1) the date of approval by the Board of Gov-
2 ernors of the Fund for the admission of Taiwan as
3 a member of the Fund; or

4 (2) the date that is 10 years after the date of
5 the enactment of this Act.

6 **SEC. 407. MEANINGFUL PARTICIPATION OF TAIWAN IN THE**
7 **INTERNATIONAL CIVIL AVIATION ORGANIZA-**
8 **TION.**

9 (a) SENSE OF CONGRESS.—It is the sense of Con-
10 gress that—

11 (1) the International Civil Aviation Organiza-
12 tion (ICAO) should allow Taiwan to meaningfully
13 participate in the organization, including in ICAO
14 triennial assembly sessions, conferences, technical
15 working groups, meetings, activities, and mecha-
16 nisms;

17 (2) Taiwan is a global leader and hub for inter-
18 national aviation, with a range of expertise, informa-
19 tion, and resources and the fifth busiest airport in
20 Asia (Taoyuan International Airport), and its mean-
21 ingful participation in ICAO would significantly en-
22 hance the ability of ICAO to ensure the safety and
23 security of global aviation; and

24 (3) coercion by the Chinese Communist Party
25 and the People's Republic of China has ensured the

1 systematic exclusion of Taiwan from meaningful par-
2 ticipation in ICAO, significantly undermining the
3 ability of ICAO to ensure the safety and security of
4 global aviation.

5 (b) PLAN FOR TAIWAN'S MEANINGFUL PARTICIPA-
6 TION IN THE INTERNATIONAL CIVIL AVIATION ORGANIZA-
7 TION.—The Secretary of State, in coordination with the
8 Secretary of Commerce, is authorized—

9 (1) to initiate a United States plan to secure
10 Taiwan's meaningful participation in ICAO, includ-
11 ing in ICAO triennial assembly sessions, con-
12 ferences, technical working groups, meetings, activi-
13 ties, and mechanisms; and

14 (2) to instruct the United States representative
15 to the ICAO to—

16 (A) use the voice and vote of the United
17 States to ensure Taiwan's meaningful participa-
18 tion in ICAO, including in ICAO triennial as-
19 sembly sessions, conferences, technical working
20 groups, meetings, activities, and mechanisms;
21 and

22 (B) seek to secure a vote at the next ICAO
23 triennial assembly session on the question of
24 Taiwan's participation in that session.

1 (c) REPORT CONCERNING TAIWAN’S MEANINGFUL
2 PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION
3 ORGANIZATION.—Not later than 90 days after the date
4 of the enactment of this Act, and not later than April 1
5 of each year thereafter for the following 6 years, the Sec-
6 retary of State, in coordination with the Secretary of Com-
7 merce, shall submit an unclassified report to the Com-
8 mittee on Foreign Relations of the Senate and the Com-
9 mittee on Foreign Affairs of the House of Representatives
10 that—

11 (1) describes the United States plan to ensure
12 Taiwan’s meaningful participation in ICAO, includ-
13 ing in ICAO triennial assembly sessions, con-
14 ferences, technical working groups, meetings, activi-
15 ties, and mechanisms;

16 (2) includes an account of the efforts made by
17 the Secretary of State and the Secretary of Com-
18 merce to ensure Taiwan’s meaningful participation
19 in ICAO, including in ICAO triennial assembly ses-
20 sions, conferences, technical working groups, meet-
21 ings, activities, and mechanisms; and

22 (3) identifies the steps the Secretary of State
23 and the Secretary of Commerce will take in the next
24 year to ensure Taiwan’s meaningful participation in
25 ICAO, including in ICAO triennial assembly ses-

1 sions, conferences, technical working groups, meet-
2 ings, activities, and mechanisms.

3 **TITLE V—ENHANCED DEVELOP-**
4 **MENT AND ECONOMIC CO-**
5 **OPERATION BETWEEN THE**
6 **UNITED STATES AND TAIWAN**

7 **SEC. 501. FINDINGS.**

8 Congress makes the following findings:

9 (1) Taiwan has been an important trading part-
10 ner of the United States for many years, accounting
11 for \$114,000,000,000 in two-way trade in 2021.

12 (2) Taiwan has demonstrated the capacity to
13 hold a strong economic partnership with the United
14 States. Along with a robust trading profile of goods
15 and services, Taiwan supports an estimated 208,000
16 American jobs and its cumulative investment in the
17 United States is at least \$13,700,000,000, numbers
18 that will only increase with a comprehensive bilateral
19 trade agreement.

20 (3) In addition to supplementing United States
21 goods and services, Taiwan is a reliable partner in
22 many United States industries, which is not only
23 critical for diversifying United States supply chains,
24 but is also essential to reducing the United States
25 reliance on other countries, such as China, who seek

1 to leverage supply chain inefficiencies in their path
2 to regional and global dominance. Such diversifica-
3 tion of United States supply chains is critical to our
4 national security.

5 (4) The challenges to establishing an agreement
6 with Taiwan, such as reaching an agreement on ag-
7 ricultural standards, must not prevent the comple-
8 tion of a bilateral trade agreement. Taiwan has al-
9 ready taken steps to further the progress towards
10 such an agreement by announcing its intent to lift
11 restrictions on United States pork and beef prod-
12 ucts, which will greatly increase the accessibility of
13 American farmers and ranchers to Taiwan markets.
14 In light of this important development, the United
15 States should immediately move forward with sub-
16 stantial negotiations for a comprehensive bilateral
17 trade agreement with Taiwan.

18 (5) A free and open Indo-Pacific is a goal that
19 needs to be actively pursued to counter China's use
20 of unfair trading practices and other policies to ad-
21 vance its economic dominance in the Indo-Pacific re-
22 gion. An agreement with Taiwan would—

23 (A) help the United States accomplish this
24 goal by building a network of like-minded gov-
25 ernments dedicated to fair competition and

1 open markets that are free from government
2 manipulation; and

3 (B) encourage other nations to deepen eco-
4 nomic ties with Taiwan.

5 (6) Since November 2020, Taiwan and the
6 United States have engaged in the U.S.-Taiwan Eco-
7 nomic Prosperity Partnership Dialogue, covering a
8 broad range of economic issues including—

9 (A) 5G networks and telecommunications
10 security;

11 (B) supply chains resiliency;

12 (C) infrastructure cooperation;

13 (D) renewable energy;

14 (E) global health; and

15 (F) science and technology.

16 (7) A trade agreement between the United
17 States and Taiwan would promote security and eco-
18 nomic growth for the United States, Taiwan, and
19 the entire Indo-Pacific region.

20 (8) Excluding Taiwan from the Indo-Pacific
21 Economic Framework would—

22 (A) create significant distortions in the re-
23 gional and global economic architecture; and

24 (B) run counter to the United States eco-
25 nomic interests.

1 (9) Taiwan is the United States largest trading
2 partner with whom we do not have an income tax
3 treaty or agreement. Taiwan has such agreements
4 with 34 countries, including countries that have
5 trade agreements with the United States and do not
6 maintain diplomatic relations with Taiwan.

7 (10) The American Chamber of Commerce in
8 Taipei, in its “2022 Taiwan White Paper”, called
9 for the United States and Taiwan to continue ex-
10 ploring an income tax agreement to boost bilateral
11 trade and investment by reducing double taxation
12 and increasing economic efficiency and integration.

13 **SEC. 502. SENSE OF CONGRESS ON A FREE TRADE AGREE-**
14 **MENT AND BILATERAL TAX AGREEMENT**
15 **WITH TAIWAN, THE INDO-PACIFIC ECONOMIC**
16 **FRAMEWORK, AND CBP PRECLEARANCE.**

17 It is the sense of Congress that—

18 (1) the United States Trade Representative
19 should resume meetings under the United States
20 and Taiwan Trade and Investment Framework
21 Agreement with the goal of reaching a bilateral free
22 trade agreement with Taiwan;

23 (2) the United States Trade Representative
24 should undertake efforts to assess whether the
25 Agreement Concerning Digital Trade, signed at

1 Washington October 7, 2019, and entered into force
2 January 1, 2020, between the United States and
3 Japan, provides a model for a similar agreement be-
4 tween the United States and Taiwan to strengthen
5 economic ties with Taiwan in key sectors;

6 (3) the United States Trade Representative and
7 the Secretary of Commerce should undertake efforts
8 to assure Taiwan's engagement and participation in
9 the Indo-Pacific Economic Framework;

10 (4) the United States should utilize and expand
11 Preclearance programs to meet the needs of the
12 United States travel and tourism industry, including
13 by prioritizing the establishment of Preclearance fa-
14 cilities with Indo-Pacific allies and partners, includ-
15 ing Taiwan; and

16 (5) the United States should—

17 (A) begin negotiations on an income tax
18 agreement between the American Institute in
19 Taiwan and the Taipei Economic and Cultural
20 Representative Office in the United States; and

21 (B) work on a congressional-executive
22 agreement to establish such an income tax
23 agreement.

1 **SEC. 503. SENSE OF CONGRESS ON UNITED STATES-TAIWAN**
2 **DEVELOPMENT COOPERATION.**

3 It is the sense of Congress that—

4 (1) the United States and Taiwan share com-
5 mon development goals in a wide range of sectors,
6 including public health, agriculture, food security,
7 democracy and governance, and education;

8 (2) enhanced cooperation between the United
9 States and Taiwan would better advance these goals;
10 and

11 (3) the United States Agency for International
12 Development should explore opportunities to partner
13 with Taiwan on projects in developing countries re-
14 lated to inclusive economic growth, resilience, global
15 health, education, infrastructure, humanitarian as-
16 sistance, disaster relief, and other areas.

17 **SEC. 504. REPORT.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of Home-
20 land Security, in consultation with the Secretary of Com-
21 merce, shall submit a report to the appropriate congres-
22 sional committees that—

23 (1) analyzes the feasibility and advisability for
24 the establishment of a preclearance facility in Tai-
25 wan;

1 (2) describes the plan for the establishment of
2 a preclearance facility in Taiwan or in other coun-
3 tries in the Indo-Pacific region;

4 (3) assesses the impacts that preclearance oper-
5 ations in Taiwan will have on—

6 (A) the security partnership between the
7 United States and Taiwan;

8 (B) trade between the United States and
9 Taiwan, including the impact on established
10 supply chains;

11 (C) the tourism industry in the United
12 States, including the potential impact on rev-
13 enue and tourist-related commerce;

14 (D) United States and foreign passengers
15 traveling to the United States for business-re-
16 lated activities;

17 (E) cost savings and potential market ac-
18 cess by expanding operations into the Indo-Pa-
19 cific region;

20 (F) opportunities for government-to-gov-
21 ernment collaboration available in Taiwan after
22 preclearance operations are established; and

23 (G) U.S. Customs and Border Patrol inter-
24 national and domestic port of entry staffing;
25 and

1 (4) includes country-specific information on the
 2 anticipated homeland security benefits and the secu-
 3 rity vulnerabilities associated with conducting
 4 preclearance operations in Taiwan.

5 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
 6 DEFINED.—In this section, the term “appropriate con-
 7 gressional committees” means—

8 (1) the Committee on Homeland Security and
 9 Governmental Affairs, the Committee on Finance,
 10 and the Committee on Commerce, Science, and
 11 Transportation of the Senate; and

12 (2) the Committee on Homeland Security and
 13 the Committee on Ways and Means of the House of
 14 Representatives.

15 **TITLE VI—TAIWAN FELLOWSHIP** 16 **PROGRAM**

17 **SEC. 601. TAIWAN FELLOWSHIP PROGRAM.**

18 (a) DEFINITIONS.—In this section:

19 (1) AGENCY HEAD.—The term “agency head”
 20 means, in the case of the executive branch of United
 21 States Government, or in the case of a legislative
 22 branch agency specified in paragraph (2), the head
 23 of the respective agency.

24 (2) AGENCY OF THE UNITED STATES GOVERN-
 25 MENT.—The term “agency of the United States

1 Government” includes the Government Account-
2 ability Office, the Congressional Budget Office, the
3 Congressional Research Service, and the United
4 States-China Economic and Security Review Com-
5 mission of the legislative branch, as well as any
6 agency of the executive branch.

7 (3) APPROPRIATE CONGRESSIONAL COMMIT-
8 TEES.—The term “appropriate congressional com-
9 mittees” means—

10 (A) the Committee on Appropriations of
11 the Senate;

12 (B) the Committee on Foreign Relations of
13 the Senate;

14 (C) the Committee on Appropriations of
15 the House of Representatives; and

16 (D) the Committee on Foreign Affairs of
17 the House of Representatives.

18 (4) DETAILEE.—The term “detailee” means an
19 employee of an agency of the United States Govern-
20 ment on loan to the American Institute in Taiwan,
21 without a change of position from the agency at
22 which such employee is employed.

23 (5) IMPLEMENTING PARTNER.—The term “im-
24 plementing partner” means any United States orga-
25 nization described in section 501(c)(3) of the Inter-

1 nal Revenue Code of 1986 and exempt from tax
2 under section 501(a) of such Code that—

3 (A) is selected through a competitive proc-
4 ess;

5 (B) performs logistical, administrative, and
6 other functions, as determined by the Depart-
7 ment of State and the American Institute of
8 Taiwan, in support of the Taiwan Fellowship
9 Program; and

10 (C) enters into a cooperative agreement
11 with the American Institute in Taiwan to ad-
12 minister the Taiwan Fellowship Program.

13 (b) ESTABLISHMENT OF TAIWAN FELLOWSHIP PRO-
14 GRAM.—

15 (1) ESTABLISHMENT.—The Secretary of State
16 shall establish the “Taiwan Fellowship Program”
17 (hereafter referred to in this section as the “Pro-
18 gram”) to provide a fellowship opportunity in Tai-
19 wan of up to two years for eligible United States
20 citizens through the cooperative agreement estab-
21 lished in paragraph (2). The Department of State,
22 in consultation with the American Institute in Tai-
23 wan and the implementing partner, may modify the
24 name of the Program.

25 (2) COOPERATIVE AGREEMENTS.—

1 (A) IN GENERAL.—The American Institute
2 in Taiwan shall use amounts authorized to be
3 appropriated pursuant to subsection (f)(1) to
4 enter into an annual or multi-year cooperative
5 agreement with an appropriate implementing
6 partner.

7 (B) FELLOWSHIPS.—The Department of
8 State, in consultation with the American Insti-
9 tute in Taiwan and, as appropriate, the imple-
10 menting partner, shall award to eligible United
11 States citizens, subject to available funding—

12 (i) not fewer than five fellowships dur-
13 ing the first two years of the Program; and

14 (ii) not fewer than ten fellowships
15 during each of the remaining years of the
16 Program.

17 (3) INTERNATIONAL AGREEMENT; IMPE-
18 MENTING PARTNER.—Not later than 30 days after
19 the date of the enactment of this Act, the American
20 Institute in Taiwan, in consultation with the Depart-
21 ment of State, shall—

22 (A) begin negotiations with the Taipei
23 Economic and Cultural Representative Office,
24 or with another appropriate entity, for the pur-
25 pose of entering into an agreement to facilitate

the placement of fellows in an agency of the governing authorities on Taiwan; and

(B) begin the process of selecting an implementing partner, which—

(i) shall agree to meet all of the legal requirements required to operate in Taiwan; and

(ii) shall be composed of staff who demonstrate significant experience managing exchange programs in the Indo-Pacific region.

(4) CURRICULUM.—

(A) FIRST YEAR.—During the first year of each fellowship under this subsection, each fellow should study—

(i) the Mandarin Chinese language;

(ii) the people, history, and political climate on Taiwan; and

(iii) the issues affecting the relationship between the United States and the Indo-Pacific region.

(B) SECOND YEAR.—During the second year of each fellowship under this section, each fellow, subject to the approval of the Department of State, the American Institute in Tai-

1 wan, and the implementing partner, and in ac-
2 cordance with the purposes of this Act, shall
3 work in—

4 (i) a parliamentary office, ministry, or
5 other agency of the governing authorities
6 on Taiwan; or

7 (ii) an organization outside of the gov-
8 erning authorities on Taiwan, whose inter-
9 ests are associated with the interests of the
10 fellow and the agency of the United States
11 Government from which the fellow had
12 been employed.

13 (5) FLEXIBLE FELLOWSHIP DURATION.—Not-
14 withstanding any requirement under this section, the
15 Secretary of State, in consultation with the Amer-
16 ican Institute in Taiwan and, as appropriate, the im-
17 plementing partner, may award fellowships that have
18 a duration of between nine months and two years,
19 and may alter the curriculum requirements under
20 paragraph (4) for such purposes.

21 (6) SUNSET.—The Program shall terminate ten
22 years after the date of the enactment of this Act.

23 (c) PROGRAM REQUIREMENTS.—

1 (1) ELIGIBILITY REQUIREMENTS.—A United
2 States citizen is eligible for a fellowship under this
3 section if he or she—

4 (A) is an employee of the United States
5 Government;

6 (B) has received at least one exemplary
7 performance review in his or her current United
8 States Government role within at least the last
9 three years prior to the beginning of the fellow-
10 ship;

11 (C) has at least two years of experience in
12 any branch of the United States Government;

13 (D) has a demonstrated professional or
14 educational background in the relationship be-
15 tween the United States and countries in the
16 Indo-Pacific region; and

17 (E) has demonstrated his or her commit-
18 ment to further service in the United States
19 Government.

20 (2) RESPONSIBILITIES OF FELLOWS.—Each re-
21 cipient of a fellowship under this section shall agree,
22 as a condition of such fellowship—

23 (A) to maintain satisfactory progress in
24 language training and appropriate behavior in
25 Taiwan, as determined by the Department of

1 State, the American Institute in Taiwan and, as
2 appropriate, its implementing partner;

3 (B) to refrain from engaging in any intel-
4 ligence or intelligence-related activity on behalf
5 of the United States Government; and

6 (C) to continue Federal Government em-
7 ployment for a period of not less than four
8 years after the conclusion of the fellowship or
9 for not less than two years for a fellowship that
10 is one year or shorter.

11 (3) RESPONSIBILITIES OF IMPLEMENTING
12 PARTNER.—

13 (A) SELECTION OF FELLOWS.—The imple-
14 menting partner, in close coordination with the
15 Department of State and the American Insti-
16 tute in Taiwan, shall—

17 (i) make efforts to recruit fellowship
18 candidates who reflect the diversity of the
19 United States;

20 (ii) select fellows for the Program
21 based solely on merit, with appropriate su-
22 pervision from the Department of State
23 and the American Institute in Taiwan; and

1 (iii) prioritize the selection of can-
2 didates willing to serve a fellowship lasting
3 one year or longer.

4 (B) FIRST YEAR.—The implementing part-
5 ner should provide each fellow in the first year
6 (or shorter duration, as jointly determined by
7 the Department of State and the American In-
8 stitute in Taiwan for those who are not serving
9 a two-year fellowship) with—

10 (i) intensive Mandarin Chinese lan-
11 guage training; and

12 (ii) courses in the politic, culture, and
13 history of Taiwan, China, and the broader
14 Indo-Pacific.

15 (C) WAIVER OF REQUIRED TRAINING.—
16 The Department of State, in coordination with
17 the American Institute in Taiwan and, as ap-
18 propriate, the implementing partner, may waive
19 any of the training required under subpara-
20 graph (B) to the extent that a fellow has Man-
21 darin Chinese language skills, knowledge of the
22 topic described in subparagraph (B)(ii), or for
23 other related reasons approved by the Depart-
24 ment of State and the American Institute in
25 Taiwan. If any of the training requirements are

1 waived for a fellow serving a two-year fellow-
2 ship, the training portion of his or her fellow-
3 ship may be shortened to the extent appro-
4 priate.

5 (D) OFFICE; STAFFING.—The imple-
6 menting partner, in consultation with the De-
7 partment of State and the American Institute
8 in Taiwan, shall maintain an office and at least
9 one full-time staff member in Taiwan—

10 (i) to liaise with the American Insti-
11 tute in Taiwan and the governing authori-
12 ties on Taiwan; and

13 (ii) to serve as the primary in-country
14 point of contact for the recipients of fellow-
15 ships under this section and their depend-
16 ents.

17 (E) OTHER FUNCTIONS.—The imple-
18 menting partner should perform other functions
19 in association in support of the Program, in-
20 cluding logistical and administrative functions,
21 as prescribed by the Department of State and
22 the American Institute in Taiwan.

23 (4) NONCOMPLIANCE.—

24 (A) IN GENERAL.—Any fellow who fails to
25 comply with the requirements under this section

1 shall reimburse the American Institute in Tai-
2 wan for—

3 (i) the Federal funds expended for the
4 fellow's participation in the fellowship, as
5 set forth in subparagraphs (B) and (C);
6 and

7 (ii) interest accrued on such funds
8 (calculated at the prevailing rate).

9 (B) FULL REIMBURSEMENT.—Any fellow
10 who violates subparagraph (A) or (B) of para-
11 graph (2) shall reimburse the American Insti-
12 tute in Taiwan in an amount equal to the sum
13 of—

14 (i) all of the Federal funds expended
15 for the fellow's participation in the fellow-
16 ship; and

17 (ii) interest on the amount specified in
18 clause (i), which shall be calculated at the
19 prevailing rate.

20 (C) PRO RATA REIMBURSEMENT.—Any fel-
21 low who violates paragraph (2)(C) shall reim-
22 burse the American Institute in Taiwan in an
23 amount equal to the difference between—

24 (i) the amount specified in subpara-
25 graph (B); and

1 (ii) the product of—

2 (I) the amount the fellow re-
3 ceived in compensation during the
4 final year of the fellowship, including
5 the value of any allowances and bene-
6 fits received by the fellow; multiplied
7 by

8 (II) the percentage of the period
9 specified in paragraph (2)(C) during
10 which the fellow did not remain em-
11 ployed by the United States Govern-
12 ment.

13 (5) ANNUAL REPORT.—Not later than 90 days
14 after the selection of the first class of fellows under
15 this Act, and annually thereafter for ten years, the
16 Department of State shall offer to brief the appro-
17 priate congressional committees regarding the fol-
18 lowing issues:

19 (A) An assessment of the performance of
20 the implementing partner in fulfilling the pur-
21 poses of this section.

22 (B) The number of applicants each year,
23 the number of applicants willing to serve a fel-
24 lowship lasting one year or longer, and the

1 number of such applicants selected for the fel-
2 lowship.

3 (C) The names and sponsoring agencies of
4 the fellows selected by the implementing part-
5 ner and the extent to which such fellows rep-
6 resent the diversity of the United States.

7 (D) The names of the parliamentary of-
8 fices, ministries, other agencies of the governing
9 authorities on Taiwan, and nongovernmental in-
10 stitutions to which each fellow was assigned.

11 (E) Any recommendations, as appropriate,
12 to improve the implementation of the Program,
13 including added flexibilities in the administra-
14 tion of the program.

15 (F) An assessment of the Program's value
16 upon the relationship between the United States
17 and Taiwan or the United States and Asian
18 countries.

19 (6) ANNUAL FINANCIAL AUDIT.—

20 (A) IN GENERAL.—The financial records
21 of any implementing partner shall be audited
22 annually in accordance with generally accepted
23 auditing standards by independent certified
24 public accountants or independent licensed pub-
25 lic accountants who are certified or licensed by

1 a regulatory authority of a State or another po-
2 litical subdivision of the United States.

3 (B) LOCATION.—Each audit under sub-
4 paragraph (A) shall be conducted at the place
5 or places where the financial records of the im-
6 plementing partner are normally kept.

7 (C) ACCESS TO DOCUMENTS.—The imple-
8 menting partner shall make available to the ac-
9 countants conducting an audit under subpara-
10 graph (A)—

11 (i) all books, financial records, files,
12 other papers, things, and property belong-
13 ing to, or in use by, the implementing
14 partner that are necessary to facilitate the
15 audit; and

16 (ii) full facilities for verifying trans-
17 actions with the balances or securities held
18 by depositories, fiscal agents, and
19 custodians.

20 (D) REPORT.—

21 (i) IN GENERAL.—Not later than six
22 months after the end of each fiscal year,
23 the implementing partner shall provide a
24 report of the audit conducted for such fis-
25 cal year under subparagraph (A) to the

1 Department of State and the American In-
2 stitute in Taiwan.

3 (ii) CONTENTS.—Each audit report
4 shall—

5 (I) set forth the scope of the
6 audit;

7 (II) include such statements,
8 along with the auditor's opinion of
9 those statements, as may be necessary
10 to present fairly the implementing
11 partner's assets and liabilities, surplus
12 or deficit, with reasonable detail;

13 (III) include a statement of the
14 implementing partner's income and
15 expenses during the year; and

16 (IV) include a schedule of—

17 (aa) all contracts and coop-
18 erative agreements requiring pay-
19 ments greater than \$5,000; and

20 (bb) any payments of com-
21 pensation, salaries, or fees at a
22 rate greater than \$5,000 per
23 year.

1 (iii) COPIES.—Each audit report shall
2 be produced in sufficient copies for dis-
3 tribution to the public.

4 (d) TAIWAN FELLOWS ON DETAIL FROM GOVERN-
5 MENT SERVICE.—

6 (1) IN GENERAL.—

7 (A) DETAIL AUTHORIZED.—With the ap-
8 proval of the Secretary of State, an agency
9 head may detail, for a period of not more than
10 two years, an employee of the agency of the
11 United States Government who has been award-
12 ed a fellowship under this Act, to the American
13 Institute in Taiwan for the purpose of assign-
14 ment to the governing authorities on Taiwan or
15 an organization described in subsection
16 (b)(4)(B)(ii).

17 (B) AGREEMENT.—Each detailee shall
18 enter into a written agreement with the Federal
19 Government before receiving a fellowship, in
20 which the fellow shall agree—

21 (i) to continue in the service of the
22 sponsoring agency at the end of fellowship
23 for a period of at least four years (or at
24 least two years if the fellowship duration is
25 one year or shorter) unless such detailee is

1 involuntarily separated from the service of
2 such agency; and

3 (ii) to pay to the American Institute
4 in Taiwan any additional expenses incurred
5 by the United States Government in con-
6 nection with the fellowship if the detailee
7 voluntarily separates from service with the
8 sponsoring agency before the end of the
9 period for which the detailee has agreed to
10 continue in the service of such agency.

11 (C) EXCEPTION.—The payment agreed to
12 under subparagraph (B)(ii) may not be re-
13 quired of a detailee who leaves the service of
14 the sponsoring agency to enter into the service
15 of another agency of the United States Govern-
16 ment unless the head of the sponsoring agency
17 notifies the detailee before the effective date of
18 entry into the service of the other agency that
19 payment will be required under this subsection.

20 (2) STATUS AS GOVERNMENT EMPLOYEE.—A
21 detailee—

22 (A) is deemed, for the purpose of pre-
23 serving allowances, privileges, rights, seniority,
24 and other benefits, to be an employee of the
25 sponsoring agency;

1 (B) is entitled to pay, allowances, and ben-
2 efits from funds available to such agency, which
3 is deemed to comply with section 5536 of title
4 5, United States Code; and

5 (C) may be assigned to a position with an
6 entity described in subsection (b)(4)(B)(i) if ac-
7 ceptance of such position does not involve—

8 (i) the taking of an oath of allegiance
9 to another government; or

10 (ii) the acceptance of compensation or
11 other benefits from any foreign govern-
12 ment by such detailee.

13 (3) RESPONSIBILITIES OF SPONSORING AGEN-
14 CY.—

15 (A) IN GENERAL.—The agency of the
16 United States Government from which a
17 detailee is detailed should provide the fellow al-
18 lowances and benefits that are consistent with
19 Department of State Standardized Regulations
20 or other applicable rules and regulations, in-
21 cluding—

22 (i) a living quarters allowance to cover
23 the cost of housing in Taiwan;

1 (ii) a cost-of-living allowance to cover
2 any possible higher costs of living in Tai-
3 wan;

4 (iii) a temporary quarters subsistence
5 allowance for up to seven days if the fellow
6 is unable to find housing immediately upon
7 arriving in Taiwan;

8 (iv) an education allowance to assist
9 parents in providing the fellow's minor
10 children with educational services ordi-
11 narily provided without charge by public
12 schools in the United States;

13 (v) moving expenses to transport per-
14 sonal belongings of the fellow and his or
15 her family in their move to Taiwan, which
16 is comparable to the allowance given for
17 American Institute in Taiwan employees
18 assigned to Taiwan; and

19 (vi) an economy-class airline ticket to
20 and from Taiwan for each fellow and the
21 fellow's immediate family.

22 (B) MODIFICATION OF BENEFITS.—The
23 American Institute in Taiwan and its imple-
24 menting partner, with the approval of the De-
25 partment of State, may modify the benefits set

1 forth in subparagraph (A) if such modification
2 is warranted by fiscal circumstances.

3 (4) NO FINANCIAL LIABILITY.—The American
4 Institute in Taiwan, the implementing partner, and
5 any governing authorities on Taiwan or nongovern-
6 mental entities in Taiwan at which a fellow is de-
7 tailed during the second year of the fellowship may
8 not be held responsible for the pay, allowances, or
9 any other benefit normally provided to the detailee.

10 (5) REIMBURSEMENT.—Fellows may be de-
11 tailed under paragraph (1)(A) without reimburse-
12 ment to the United States by the American Institute
13 in Taiwan.

14 (6) ALLOWANCES AND BENEFITS.—Detailees
15 may be paid by the American Institute in Taiwan
16 for the allowances and benefits listed in paragraph
17 (3).

18 (e) GAO REPORT.—Not later than one year prior to
19 the sunset of the Program pursuant to subsection (b)(6),
20 the Comptroller General of the United States shall trans-
21 mit to the Committee on Foreign Relations of the Senate
22 and the Committee on Foreign Affairs of the House of
23 Representatives a report that includes the following:

24 (1) An analysis of United States Government
25 participants in the Program, including the number

1 of applicants and the number of fellowships under-
2 taken, and the places of employment.

3 (2) An assessment of the costs and benefits for
4 participants in the Program and for the United
5 States Government of such fellowships.

6 (3) An analysis of the financial impact of the
7 fellowship on United States Government offices that
8 have detailed fellows to participate in the Program.

9 (4) Recommendations, if any, on how to im-
10 prove the Program.

11 (f) FUNDING.—

12 (1) AUTHORIZATION OF APPROPRIATIONS.—
13 There are authorized to be appropriated to the
14 American Institute in Taiwan—

15 (A) for fiscal year 2023, \$2,900,000, of
16 which \$500,000 should be used by an appro-
17 priate implementing partner to launch the Pro-
18 gram; and

19 (B) for fiscal year 2024, and each suc-
20 ceeding fiscal year, \$2,400,000.

21 (2) PRIVATE SOURCES.—Subject to appropria-
22 tion, the implementing partner selected to implement
23 the Program may accept, use, and dispose of gifts
24 or donations of services or property in carrying out

1 such program, subject to the review and approval of
2 the American Institute in Taiwan.

3 **TITLE VII—MISCELLANEOUS**
4 **PROVISIONS**

5 **SEC. 701. INVITATION OF TAIWANESE COUNTERPARTS TO**
6 **HIGH-LEVEL BILATERAL AND MULTILATERAL**
7 **FORUMS AND EXERCISES.**

8 (a) STATEMENT OF POLICY.—It is the policy of the
9 United States to invite Taiwanese counterparts to partici-
10 pate in high-level bilateral and multilateral summits, mili-
11 tary exercises, and economic dialogues and forums.

12 (b) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that—

14 (1) the United States Government should invite
15 Taiwan to regional dialogues on issues of mutual
16 concern;

17 (2) the United States Government and Tai-
18 wanese counterparts should resume meetings under
19 the United States-Taiwan Trade and Investment
20 Framework Agreement and reach a bilateral free
21 trade agreement;

22 (3) the United States Government should invite
23 Taiwan to participate in bilateral and multilateral
24 military training exercises;

1 (4) the United States Government and Tai-
2 wanese counterparts should engage in a regular and
3 routine strategic bilateral dialogue on arms sales in
4 accordance with Foreign Military Sales mechanisms;
5 and

6 (5) the United States Government should sup-
7 port export licenses for direct commercial sales sup-
8 porting Taiwan's indigenous defensive capabilities.

9 **SEC. 702. REPORT ON TAIWAN TRAVEL ACT.**

10 (a) LIST OF HIGH-LEVEL VISITS.—Not later than
11 180 days after the date of the enactment of this Act, and
12 annually thereafter for the following 5 years, the Secretary
13 of State, in accordance with the Taiwan Travel Act (Pub-
14 lic Law 115–135), shall submit to the appropriate con-
15 gressional committees—

16 (1) a list of high-level officials from the United
17 States Government who have traveled to Taiwan;
18 and

19 (2) a list of high-level officials of Taiwan who
20 have entered the United States.

21 (b) ANNUAL REPORT.—Not later than 90 days after
22 the date of the enactment of this Act, and annually there-
23 after for a period of 5 years, the Secretary of State shall
24 submit a report on the implementation of the Taiwan
25 Travel Act to the appropriate congressional committees.

1 **SEC. 703. AUTHORIZATION OF GLOBAL COOPERATION AND**
2 **TRAINING FRAMEWORK.**

3 (a) GLOBAL COOPERATION AND TRAINING FRAME-
4 WORK.—

5 (1) IN GENERAL.—The Secretary of State is
6 authorized to conduct training programs, workshops,
7 and other activities with the government of Taiwan
8 pursuant to the Memorandum of Understanding be-
9 tween the United States and Taiwan signed in 2015
10 on the Global Cooperation and Training Framework.

11 (2) SENSE OF CONGRESS.—It is the sense of
12 Congress that Global Cooperation and Training
13 Framework activities that promote ties between the
14 United States, Taiwan, and other democratic part-
15 ners, or that undergird Taiwan’s diplomatic relation-
16 ships, or that counter malign authoritarian activi-
17 ties, are particularly beneficial to our shared inter-
18 ests, and that examples of such activities in 2019 in-
19 clude—

20 (A) the “Good Energy Governance in the
21 Indo-Pacific” workshop, co-hosted by Japan
22 and Australia;

23 (B) the “International Austronesian Lan-
24 guages Revitalization Forum”, co-hosted with
25 Japan and held in Palau, a nation that main-
26 tains diplomatic relations with Taiwan;

1 (C) the “Defending Democracy through
2 Media Literacy II” workshop, which focused on
3 addressing and countering disinformation in
4 democratic elections and was co-hosted by
5 Japan and Sweden; and

6 (D) the “Anti-Corruption in the Public and
7 Private Sections” workshop, which focused on
8 promoting clean governance, preventing cor-
9 porate governance, and preserving competitive-
10 ness through trade secret protection, and co-
11 hosted by Japan.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated \$3,000,000 for each of
14 the fiscal years 2023 through 2026 for the Global Co-
15 operation and Training Framework.

16 **SEC. 704. PROHIBITIONS AGAINST UNDERMINING UNITED**
17 **STATES POLICY REGARDING TAIWAN.**

18 (a) FINDING.—Congress finds that the efforts by the
19 Government of the People’s Republic of China and the
20 Chinese Communist Party to compel private United States
21 businesses, corporations, and nongovernmental entities to
22 use language mandated by the People’s Republic of China
23 (referred to in this section as the “PRC”) to describe the
24 relationship between Taiwan and the PRC are an illegit-
25 imate attempt to enforce political censorship globally.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that the United States Government, in coordination
3 with United States businesses and nongovernmental enti-
4 ties, should formulate a code of conduct for, and otherwise
5 coordinate on, interacting with the Government of the
6 PRC and the Chinese Communist Party and their affili-
7 ated entities, the aim of which is—

8 (1) to counter PRC operations that threaten
9 free speech, academic freedom, and the normal oper-
10 ations of United States businesses and nongovern-
11 mental entities; and

12 (2) to counter PRC efforts to censor the way
13 the world refers to issues deemed sensitive to the
14 PRC Government and Chinese Communist Party
15 leaders, including issues related to Taiwan, Tibet,
16 the Tiananmen Square Massacre, and the mass in-
17 ternment of Uyghurs and other Turkic Muslims,
18 among many other issues.

19 (c) PROHIBITION AGAINST RECOGNIZING THE PEO-
20 PLE’S REPUBLIC OF CHINA’S CLAIMS TO SOVEREIGNTY
21 OVER TAIWAN.—

22 (1) SENSE OF CONGRESS.—It is the sense of
23 Congress that—

24 (A) issues related to the sovereignty of
25 Taiwan are for the people of Taiwan to decide

1 through the democratic process they have estab-
2 lished;

3 (B) the dispute between the PRC and Tai-
4 wan must be resolved peacefully and with the
5 assent of the people of Taiwan;

6 (C) the 2 key obstacles to peaceful resolu-
7 tion are—

8 (i) the authoritarian nature of the
9 PRC political system under one-party rule
10 of the Chinese Communist Party, which is
11 fundamentally incompatible with Taiwan’s
12 democracy; and

13 (ii) the PRC’s pursuit of coercion and
14 aggression towards Taiwan, in potential
15 violation of the third United States-PRC
16 Joint Communiqué, which was completed
17 on August 17, 1982;

18 (D) any attempt to coerce or force the peo-
19 ple of Taiwan to accept a political arrangement
20 that would subject them to direct or indirect
21 rule by the PRC, including a “one country, two
22 systems” framework, would constitute a grave
23 challenge to United States security interests in
24 the region.

1 (2) STATEMENT OF POLICY.—It is the policy of
2 the United States to oppose any attempt by the
3 PRC authorities to unilaterally impose a timetable
4 or deadline for unification on Taiwan.

5 (3) PROHIBITION ON RECOGNITION OF PRC
6 CLAIMS WITHOUT THE ASSENT OF PEOPLE OF TAI-
7 WAN.—No department or agency of the United
8 States Government may formally or informally rec-
9 ognize PRC claims to sovereignty over Taiwan with-
10 out the assent of the people of Taiwan, as expressed
11 directly through the democratic process.

12 (d) STRATEGY TO PROTECT UNITED STATES BUSI-
13 NESSES AND NONGOVERNMENTAL ENTITIES FROM COER-
14 SION.—

15 (1) IN GENERAL.—Not later than 90 days after
16 the date of the enactment of this Act, the Secretary
17 of State, in consultation with the Secretary of Com-
18 merce, the Secretary of the Treasury, and the heads
19 of other relevant Federal agencies, shall submit an
20 unclassified report, with a classified annex, if nec-
21 essary, on how to protect United States businesses
22 and nongovernmental entities from PRC operations,
23 including coercion and threats that lead to censor-
24 ship or self-censorship, or which compel compliance
25 with political or foreign policy positions of the Gov-

ernment of the People's Republic of China and the Chinese Communist Party.

(2) ELEMENTS.—The strategy shall include—

(A) information regarding efforts by the PRC Government to censor the websites of United States airlines, hotels, and other businesses regarding the relationship between Taiwan and the PRC;

(B) information regarding efforts by the PRC Government to target United States non-governmental entities through operations intended to weaken support for Taiwan;

(C) information regarding United States Government efforts to counter the threats posed by Chinese state-sponsored propaganda and disinformation, including information on best practices, current successes, and existing barriers to responding to such threat; and

(D) details of any actions undertaken to create the code of conduct described in subsection (b), including a timetable for the implementation of such code of conduct.

1 **SEC. 705. AMENDMENTS TO THE TAIWAN ALLIES INTER-**
2 **NATIONAL PROTECTION AND ENHANCEMENT**
3 **INITIATIVE (TAIPEI) ACT OF 2019.**

4 The Taiwan Allies International Protection and En-
5 hancement Initiative (TAIPEI) Act of 2019 (Public Law
6 116–135) is amended—

7 (1) in section 2(5), by striking “and Kiribati”
8 and inserting “Kiribati, and Nicaragua,”;

9 (2) in section 4—

10 (A) in the matter preceding paragraph (1),
11 by striking “should be” and inserting “is”;

12 (B) in paragraph (2), by striking “and” at
13 the end;

14 (C) in paragraph (3), by striking the pe-
15 riod at the end and inserting “; and”; and

16 (D) by adding at the end the following:

17 “(4) to support Taiwan’s diplomatic relations
18 with other governments and countries.”; and

19 (3) in section 5—

20 (A) in subsection (a)—

21 (i) in paragraph (2), by striking
22 “and” at the end;

23 (ii) in paragraph (3), by striking the
24 period at the end and inserting “; and”;
25 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(4) identify why governments and countries
4 have altered their diplomatic status vis-a-vis Taiwan
5 and make recommendations to mitigate further dete-
6 rioration in Taiwan’s diplomatic relations with other
7 governments and countries.”;

8 (B) in subsection (b), by striking “1 year
9 after the date of the enactment of this Act, and
10 annually thereafter for five years, the Secretary
11 of State shall report” and inserting “90 days
12 after the date of the enactment of the Taiwan
13 Policy Act of 2022, and annually thereafter for
14 a period of 7 years, the Secretary of State shall
15 submit an unclassified report, with a classified
16 annex,”;

17 (C) by redesignating subsection (c) as sub-
18 section (d); and

19 (D) by inserting after subsection (b) the
20 following:

21 “(c) BRIEFINGS.—Not later than 90 days after the
22 date of the enactment of the Taiwan Policy Act of 2022,
23 and annually thereafter for a period of 7 years, the De-
24 partment of State shall provide briefings to the appro-
25 priate congressional committees on the steps taken in ac-

1 cordance with section (a). The briefings required under
2 this subsection shall take place in an unclassified setting,
3 but may be accompanied by an additional classified brief-
4 ing.”.

5 **SEC. 706. RULE OF CONSTRUCTION.**

6 Nothing in this Act may be construed—

7 (1) to restore diplomatic relations with the Re-
8 public of China; or

9 (2) to alter the United States Government’s po-
10 sition with respect to the international status of the
11 Republic of China.

12 **SEC. 707. CONSOLIDATION OF REPORTS.**

13 Any reports required to be submitted under this Act
14 or any amendment made by this Act that are subject to
15 deadlines for submission consisting of similar units of time
16 may be consolidated into a single report.

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