

117TH CONGRESS
2D SESSION

S. 4035

To require the placement of Taiwan in Country Group A:5 for purposes of the strategic trade authorization license exception under the Export Administration Regulations.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2022

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the placement of Taiwan in Country Group A:5 for purposes of the strategic trade authorization license exception under the Export Administration Regulations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan Weapons Ex-
5 ports Act of 2022”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the United States has a strong interest, in
9 accordance with its obligations under the Taiwan

1 Relations Act (22 U.S.C. 3301 et seq.), in ensuring
2 that Taiwan has all resources necessary to defend
3 itself, especially by asymmetric ways and means,
4 against military action by the People's Republic of
5 China;

6 (2) the threat of military action by the People's
7 Republic of China against Taiwan is growing more
8 rapidly than many anticipated, with the current and
9 former commanders of the United States Indo-Pa-
10 cific Command testifying that the Government of the
11 People's Republic of China may view the local mili-
12 tary balance over Taiwan as favorable to an invasion
13 well before 2035 and potentially as soon as 2027;

14 (3) it is imperative that the United States pro-
15 vide Taiwan with defensive resources with urgency,
16 not only so that Taiwan can better defend itself
17 against military action by the People's Republic of
18 China, but also to reduce the operational risk to the
19 United States Armed Forces, if the President com-
20 mits such forces to Taiwan's defense following the
21 initiation of hostilities by the Government of the
22 People's Republic of China;

23 (4) the inclusion of Taiwan in Country Group
24 A:5 under Supplement No. 1 to part 740 of the Ex-
25 port Administration Regulations would address the

1 need described in paragraph (3) by allowing Taiwan
2 to acquire critical asymmetric defensive capabilities
3 on an expedited basis, including undersea sensors,
4 naval mines, man-portable air defense systems, and
5 unmanned aerial vehicles, pursuant to the strategic
6 trade authorization license exception under section
7 740.20 of the Export Administration Regulations;
8 and

9 (5) Taiwan has been designated a major non-
10 NATO ally under section 517 of the Foreign Assist-
11 ance Act of 1961 (22 U.S.C. 2321k).

12 **SEC. 3. STRATEGIC TRADE AUTHORIZATION LICENSE EX-**
13 **CEPTION FOR TAIWAN.**

14 Not later than 90 days after the date of the enact-
15 ment of this Act, the Secretary of Commerce shall revise
16 part 740 of the Export Administration Regulations to re-
17 move Taiwan from Country Group A:6 and add it to
18 Country Group A:5.

19 **SEC. 4. DEFINITION OF EXPORT ADMINISTRATION REGULA-**
20 **TIONS.**

21 In this Act, the term “Export Administration Regula-
22 tions” has the meaning given that term in section 1742
23 of the Export Control Reform Act of 2018 (50 U.S.C.
24 4801).

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