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119TH CONGRESS 1ST SESSION

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To require the Secretary of the Treasury to pursue more equitable treatment of Taiwan at the international financial institutions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

May 22, 2025

Mr. McCormick (for himself, Ms. ROSEN, Mr. SULLIVAN, and Ms. SLOTKIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JUNE _____ (legislative day, JUNE _____), 2025 Reported by Mr. RISCH, without amendment

A BILL

- To require the Secretary of the Treasury to pursue more equitable treatment of Taiwan at the international financial institutions, and for other purposes.
 - 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 Non-Discrimi-

5 nation Act of 2025".

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1 SEC. 2. FINDINGS.

2 Congress finds as follows:

3 (1) As enshrined in its Articles of Agreement,
4 the International Monetary Fund (IMF) is devoted
5 to promoting international monetary cooperation, fa6 cilitating the expansion and balanced growth of
7 international trade, encouraging exchange stability,
8 and avoiding competitive exchange depreciation.

9 (2) Taiwan is the 21st largest economy in the
10 world and the 10th largest goods trading partner of
11 the United States.

(3) Although Taiwan is not an IMF member, it
is a member of the World Trade Organization, the
Asian Development Bank, and the Asia-Pacific Economic Cooperation forum.

(4) According to the January 2020 Report on
Macroeconomic and Foreign Exchange Policies of
Major Trading Partners of the United States, published by the Department of the Treasury, Taiwan
held \$471,900,000,000 in foreign exchange reserves,
more than major economies such as India, South
Korea, and Brazil.

(5) According to section 4(d) of the Taiwan Relations Act (Public Law 96-8), enacted on April 10,
1979, "Nothing in this Act may be construed as a
basis for supporting the exclusion or expulsion of

MDM25B95 398

3

Taiwan from continued membership in any inter national financial institution or any other inter national organization.".

4 (6) Taiwan held membership in the IMF for 9 5 years following the recognition of the People's Re-6 public of China (PRC) by the United Nations, and 7 16 Taiwan staff members at the Fund were allowed 8 to continue their employment after the PRC was 9 seated at the IMF in 1980. As James M. Boughton 10 has noted in his Silent Revolution: The International 11 Monetary Fund 1979–1989, even as the PRC was 12 seated, the United States Executive Director to the 13 IMF, Sam Y. Cross, expressed support on behalf of 14 the United States Government for "some kind of as-15 sociation between Taiwan and the Fund".

16 (7) On September 27, 1994, in testimony be-17 fore the Senate Committee on Foreign Relations re-18 garding the 1994 Taiwan Policy Review, then-As-19 sistant Secretary of State for East Asian and Pacific 20 Affairs Winston Lord stated: "Recognizing Taiwan's 21 important role in transnational issues, we will sup-22 port its membership in organizations where state-23 hood is not a prerequisite, and we will support op-24 portunities for Taiwan's voice to be heard in organi-25 zations where its membership is not possible.".

1 (8) The Congress has repeatedly reaffirmed 2 support for this policy, including in Public Laws 3 107–10, 107–158, 108–28, 108–235, 113–17, and 4 114–139, and the unanimous House and Senate 5 passage of the Taiwan Allies International Protec-6 tion and Enhancement Initiative (TAIPEI) Act of 7 2019.

8 (9) In its fact sheet, entitled "U.S. Relations 9 with Taiwan", published on August 31, 2018, the 10 Department of State asserts: "The United States 11 supports Taiwan's membership in international orga-12 nizations that do not require statehood as a condi-13 tion of membership and encourages Taiwan's mean-14 ingful participation in international organizations 15 where its membership is not possible.".

16 (10) According to the Articles of Agreement of
17 the IMF, "membership shall be open to other coun18 tries", subject to conditions prescribed by the Board
19 of Governors of the IMF.

(11) In the IMF publication "Membership and
Nonmembership in the International Monetary
Fund: A Study in International Law and Organization", Joseph Gold, the then-General Counsel and
Director of the Legal Department of the IMF, elaborated on the differences between the terms "coun-

MDM25B95 39S

 $\mathbf{5}$

1 tries" and "states", noting that "the word 'country' 2 may have been adopted because of the absence of 3 agreement on the definition of a 'state'" and, with respect to the use of "countries" and applications 4 5 for IMF membership, "the absence of any adjective 6 in the Articles emphasizes the breadth of the discre-7 tion that the Fund may exercise in admitting coun-8 tries to membership". According to Mr. Gold, "the 9 desire to give the Fund flexibility in dealing with ap-10 plications may explain not only the absence of any 11 adjective that qualifies 'countries' but also the choice 12 of that word itself".

13 (12) In his IMF study, Mr. Gold further ob-14 serves, "in the practice of the Fund the concepts of 15 independence and sovereignty have been avoided on 16 the whole as a mode of expressing a criterion for 17 membership in the Fund". He continues, "Although 18 the Fund usually takes into account the recognition 19 or nonrecognition of an entity as a state, there are 20 no rules or even informal understandings on the ex-21 tent to which an applicant must have been recog-22 nized by members or other international organiza-23 tions before the Fund will regard it as eligible for 24 membership.". In fact, when considering an applica-25 tion for membership where the status of an appliMDM25B95 39S

6

1 cant may not be resolved, Mr. Gold writes "there 2 have been occasions on which the Fund has made a 3 finding before decisions had been taken by the 4 United Nations or by most members or by members 5 with a majority of the total voting power." Mr. Gold 6 concludes, "the Fund makes its own findings on 7 whether an applicant is a 'country', and makes them 8 solely for its own purposes.".

9 (13) Although not a member state of the
10 United Nations, the Republic of Kosovo is a member
11 of both the IMF and the World Bank, having joined
12 both organizations on June 29, 2009.

13 (14) On October 26, 2021, Secretary of State 14 Antony Blinken issued a statement in support of 15 Taiwan's "robust, meaningful participation" in the 16 United Nations system, which includes the IMF, the 17 World Bank, and other specialized United Nations 18 agencies. Secretary of State Blinken noted, "As the 19 international community faces an unprecedented 20 number of complex and global issues, it is critical for 21 all stakeholders to help address these problems. This 22 includes the 24 million people who live in Taiwan. 23 Taiwan's meaningful participation in the UN system 24 is not a political issue, but a pragmatic one.". He 25 continued, "Taiwan's exclusion undermines the im-

1 portant work of the UN and its related bodies, all 2 of which stand to benefit greatly from its contribu-3 tions.". 4 (15) In October 2024, Taiwan announced it 5 would seek IMF membership, with the Taipei Eco-6 nomic and Cultural Representative Office in the 7 United States stating, "Taiwan's membership at the 8 IMF would help boost financial resilience.". 9 SEC. 3. SENSE OF THE CONGRESS. 10 It is the sense of the Congress that— 11 (1) the size, significance, and connectedness of 12 the Taiwanese economy highlight the importance of 13 greater participation by Taiwan in the International 14 Monetary Fund, given the purposes of the Fund ar-15 ticulated in its Articles of Agreement; and 16 (2) the experience of Taiwan in developing a vi-17 brant and advanced economy under democratic gov-

ernance and the rule of law should inform the work
of the international financial institutions, including
through increased participation by Taiwan in the institutions.

22 SEC. 4. SUPPORT FOR TAIWAN ADMISSION TO THE IMF.

(a) IN GENERAL.—The United States Governor ofthe International Monetary Fund (in this section referred

to as the "Fund") shall use the voice and vote of the
 United States to vigorously support—

3 (1) the admission of Taiwan as a member of
4 the Fund, to the extent that admission is sought by
5 Taiwan;

6 (2) participation by Taiwan in regular surveil7 lance activities of the Fund with respect to the eco8 nomic and financial policies of Taiwan, consistent
9 with Article IV consultation procedures of the Fund;

(3) employment opportunities for Taiwan nationals, without regard to any consideration that, in
the determination of the United States Governor,
does not generally restrict the employment of nationals of member countries of the Fund; and

(4) the ability of Taiwan to receive appropriatetechnical assistance and training by the Fund.

17 (b) UNITED STATES POLICY.—It is the policy of the
18 United States not to discourage or otherwise deter Taiwan
19 from seeking admission as a member of the Fund.

20 (c) WAIVER.—The Secretary of the Treasury may 21 waive any requirement of subsection (a) for up to 1 year 22 at a time on reporting to Congress that providing the 23 waiver will substantially promote the objective of securing 24 the meaningful participation of Taiwan at each inter-25 national financial institution (as defined in section

1 1701(c)(2) of the International Financial Institutions
 2 Act).

3 (d) SUNSET.—This section shall have no force or ef4 fect on the earlier of—

5 (1) the date of approval by the Board of Gov6 ernors of the Fund for the admission of Taiwan as
7 a member of the Fund; or

8 (2) the date that is 10 years after the date of9 the enactment of this Act.

10 SEC. 5. TESTIMONY REQUIREMENT.

11 In each of the next 7 years in which the Secretary 12 of the Treasury is required by section 1705(b) of the 13 International Financial Institutions Act to present testimony, the Secretary shall include in the testimony a de-14 15 scription of the efforts of the United States to support the greatest participation practicable by Taiwan at each 16 international financial institution (as defined in section 17 1701(c)(2) of such Act). 18