

Manager's Amendment

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**S. 4428**

To support the security of Taiwan and its right of self-determination, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. MENENDEZ

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

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”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for

7 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 in Taiwan.

Sec. 103. Taiwan symbols of sovereignty.

Sec. 104. Sense of Congress on designation and references to Taiwan Representative Office.

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

- Sec. 201. Amendments to the Taiwan Relations Act.
- Sec. 202. Anticipatory planning and annual review of the United States' strategy to deter the use of force by the People's Republic of China to change the status quo of Taiwan.
- Sec. 203. Joint assessment.
- Sec. 204. Modernizing Taiwan's security capabilities to deter and, if necessary, defeat aggression by the People's Republic of China.
- Sec. 205. Requirements regarding definition of counter intervention capabilities.
- Sec. 206. Comprehensive training program.
- Sec. 207. Assessment of Taiwan's needs for civilian defense and resilience.
- Sec. 208. Prioritizing excess defense article transfers for Taiwan.
- Sec. 209. Fast-tracking sales to Taiwan under foreign military sales program.
- Sec. 210. Whole-of-government deterrence measures to respond to the People's Republic of China's force against Taiwan.
- Sec. 211. Increase in annual regional contingency stockpile additions and support for Taiwan.
- Sec. 212. Treatment of Taiwan as a major non-NATO ally.
- Sec. 213. Use of presidential drawdown authority to provide security assistance to Taiwan.
- Sec. 214. International military education and training cooperation with Taiwan.
- Sec. 215. Expediting delivery of arms exports to Taiwan and United States allies in the Indo-Pacific.

TITLE III—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S
COERCION 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. China censorship monitor and action group.

TITLE IV—INCLUSION OF TAIWAN IN INTERNATIONAL
ORGANIZATIONS

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

TITLE VI—SUPPORTING UNITED STATES EDUCATIONAL AND
EXCHANGE PROGRAMS WITH TAIWAN

- Sec. 601. Short title.
 Sec. 602. Findings.
 Sec. 603. Purposes.
 Sec. 604. Definitions.
 Sec. 605. Taiwan Fellowship Program.
 Sec. 606. Reports and audits.
 Sec. 607. Taiwan fellows on detail from government service.
 Sec. 608. Funding.
 Sec. 609. Study and report.
 Sec. 610. Supporting United States educational and exchange programs with
Taiwan.

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Invitation of Taiwanese counterparts to high-level bilateral and multi-
lateral forums and exercises.
 Sec. 702. Report on Taiwan Travel Act.
 Sec. 703. Prohibitions against undermining United States policy regarding Tai-
wan.
 Sec. 704. Amendments to the Taiwan Allies International Protection and En-
hancement Initiative (Taipei) Act of 2019.
 Sec. 705. Report on role of People’s Republic of China’s nuclear threat in esca-
lation dynamics.
 Sec. 706. Report analyzing the impact of Russia’s war against Ukraine on the
objectives of the People’s Republic of China with respect to
Taiwan.

TITLE VIII—DETERRENCE MEASURES FOR CROSS-STRAIT STA-
BILITY AND TO IMPOSE COSTS ON THE PEOPLE’S REPUBLIC
OF CHINA FOR UNILATERALLY CHANGING OR ATTEMPTING TO
CHANGE THE STATUS QUO OF TAIWAN

- Sec. 801. Definitions.
 Sec. 802. Determinations with respect to activities of the People’s Republic of
China against Taiwan.
 Sec. 803. Imposition of sanctions on officials of the Government of the People’s
Republic of China relating to operations in Taiwan.
 Sec. 804. Imposition of sanctions with respect to financial institutions of the
People’s Republic of China.
 Sec. 805. Reporting requirement.
 Sec. 806. Additional sanctions.
 Sec. 807. Sanctions described.
 Sec. 808. Implementation; regulations; penalties.
 Sec. 809. Exceptions; waiver.
 Sec. 810. Termination.

TITLE IX—UNITED STATES-TAIWAN PUBLIC HEALTH
PROTECTION

- Sec. 901. Short title.
 Sec. 902. Definitions.
 Sec. 903. Study.

Sec. 904. Infectious Disease Monitoring Center.

TITLE X—SOUTH CHINA SEA AND EAST CHINA SEA SANCTIONS
ACT

Sec. 1001. Short title.

Sec. 1002. Sanctions with respect to Chinese persons responsible for China's activities in the South China Sea and the East China Sea.

Sec. 1003. Sense of Congress regarding portrayals of the South China Sea or the East China Sea as part of China.

Sec. 1004. Sense of Congress on 2016 permanent court of arbitration's tribunal ruling on arbitration case between Philippines and People's Republic of China.

Sec. 1005. Report on countries that recognize Chinese sovereignty over the South China Sea or the East China Sea.

TITLE XI—RULES OF CONSTRUCTION

Sec. 1101. Rule of construction.

Sec. 1102. Rule of construction regarding the use of military force.

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.

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

13 (3) The security of Taiwan and the ability for
14 the people of Taiwan to determine their own future
15 are fundamental to United States interests and val-
16 ues.

1 (4) The Taipei Economic and Cultural Rep-
2 representative Office in the United States and the
3 American Institute in Taiwan facilitate critical con-
4 sular relations that—

5 (A) protect the interests of the people of
6 the United States and the people of Taiwan;
7 and

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

9 (5) Increased engagement between public offi-
10 cials, commercial interests, civil society leaders, and
11 others enhances United States-Taiwan relations and
12 its economic, security, and democratic dimensions.

13 (6) Taiwan serves as a critical partner on re-
14 gional and transnational issues, such as public
15 health, climate change, critical and emerging tech-
16 nologies, cybersecurity, trade, and freedom of navi-
17 gation.

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

23 (8) President Xi Jinping of the People’s Repub-
24 lic of China (referred to in this Act as the “PRC”)
25 continues to repeat his desire to stifle the freedom

1 of Taiwan, as evidenced by his July 2021 proclama-
2 tion, in which he stated, “All sons and daughters of
3 China, including compatriots on both sides of the
4 Taiwan Strait, must work together and move for-
5 ward in solidarity, resolutely smashing any Taiwan
6 independence plots.”.

7 (9) As President Xi Jinping concentrates his
8 power in the Chinese Communist Party (referred to
9 in this Act as the “CCP”), he is escalating the
10 PRC’s campaign of coercion and intimidation
11 against Taiwan, as evidenced by—

12 (A) the accelerated preparations made by
13 the PRC and its People’s Liberation Army (re-
14 ferred to in this Act as the “PLA”) for an of-
15 fensive attack against Taiwan, such as the
16 PLA’s January 2022 incursion of nearly 40
17 fighters, bombers, and other warplanes into
18 Taiwan’s air defense identification zone;

19 (B) the PLA’s growing offensive prepara-
20 tions in the Taiwan Strait, such as amphibious
21 assault and live-fire exercises and record-scale
22 incursions into Taiwanese air space;

23 (C) the Foreign Ministry’s diplomatic ef-
24 forts to isolate Taiwan, such as abusing its po-
25 sition in international institutions and multilat-

1 eral fora to exclude Taiwanese participation de-
2 spite Taiwan’s demonstrated expertise in rel-
3 evant subjects, such as public health;

4 (D) threats and actions to compromise
5 Taiwan’s economy and critical suppliers, such
6 as draconian export controls and the “31 Meas-
7 ures” intended to lure Taiwanese talent to
8 mainland China and away from Taiwan;

9 (E) persistent and targeted cyberattacks,
10 numbering nearly 20,000,000 per month, which
11 are intended to compromise Taiwan’s critical
12 infrastructure and inflict civilian harm;

13 (F) political and economic pressure on
14 other countries who seek closer ties with Tai-
15 wan, such as recent export controls related to
16 Lithuania after Lithuania announced a perma-
17 nent Taiwanese Representative Office in Lith-
18 uania.

19 (10) On multiple occasions, through both for-
20 mal and informal channels, the United States has
21 expressed its concern for the PRC’s destabilizing ac-
22 tivities in the Taiwan Strait and on the international
23 stage that aim to subvert Taiwan’s democratic insti-
24 tutions.

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

3 (A) identifies Taiwan as an important
4 leading regional partner;

5 (B) seeks to bolster Taiwan’s self-defense
6 capabilities; and

7 (C) reaffirms that Taiwan’s future must be
8 determined peacefully and in accordance with
9 the wishes and best interests of the people of
10 Taiwan.

11 (12) The PRC considers stifling the freedom of
12 Taiwan as a critical and necessary step to displacing
13 the United States as the preeminent military power
14 in the Indo-Pacific and continues its modernization
15 campaign to enhance the power-projection capabili-
16 ties of the PLA and its ability to conduct joint oper-
17 ations.

18 (13) Taiwan maintains a modern, ready, self-
19 defense force that adheres to the highest democratic
20 principles and benefits from continued state of the
21 art security assistance.

22 (14) The defense of Taiwan is critical to—

23 (A) mitigating the PLA’s ability to project
24 power and establish contested zones within the
25 First and Second Island Chains and limiting

1 the PLA's freedom of maneuver to engage in
2 unconstrained power projection beyond the
3 First Island Chain in order to protect United
4 States territory, such as Hawaii and Guam;

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

7 (C) deterring other countries and competi-
8 tors from exercising force as a means to revise
9 the established status quo;

10 (D) championing democratic institutions
11 and societies in the Indo-Pacific region and
12 throughout the world; and

13 (E) maintaining a rules-based international
14 order that—

15 (i) constrains authoritarian powers;

16 (ii) enshrines collective security;

17 (iii) promotes democracy and respect

18 for human rights and fundamental free-

19 doms; and

20 (iv) promotes peace and prosperity.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) APPROPRIATE COMMITTEES OF CON-
24 GRESS.—Except as otherwise provided in this Act,

1 the term “appropriate committees of Congress”
2 means—

3 (A) the Committee on Foreign Relations of
4 the Senate;

5 (B) the Committee on Armed Services of
6 the Senate;

7 (C) the Committee on Appropriations of
8 the Senate;

9 (D) the Committee on Foreign Affairs of
10 the House of Representatives;

11 (E) the Committee on Armed Services of
12 the House of Representatives; and

13 (F) the Committee on Appropriations of
14 the House of Representatives.

15 (2) GOVERNMENT IN TAIWAN.—The term “gov-
16 ernment in Taiwan” means the national-level gov-
17 ernment and its administrative units at the munic-
18 ipal, county, and local levels in Taiwan, including its
19 representatives overseas.

20 (3) PEOPLE’S LIBERATION ARMY; PLA.—The
21 terms “People’s Liberation Army” and “PLA” mean
22 the armed forces of the People’s Republic of China.

23 (4) REPUBLIC OF CHINA.—The term “Republic
24 of China” means “Taiwan”.

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

6 (A) to corrupt political and nongovern-
7 mental institutions and interfere in democratic
8 elections and encourage self-censorship of views
9 at odds with those of the Government of the
10 People’s Republic of China or the Chinese Com-
11 munist Party; or

12 (B) to foster attitudes, behavior, decisions,
13 or outcomes in Taiwan and elsewhere that sup-
14 port the interests of the Government of the
15 People’s Republic of China or the Chinese Com-
16 munist Party.

17 **TITLE I—UNITED STATES**
18 **POLICY TOWARD TAIWAN**

19 **SEC. 101. DECLARATION OF POLICY.**

20 It is the policy of the United States—

21 (1) to support the security of Taiwan, the sta-
22 bility of cross-Strait relations, and the freedom of
23 the people of Taiwan to determine their own future,
24 and to strenuously oppose any action by the PRC to
25 use force to change the status quo of Taiwan;

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

4 (3) to deter the use of force by the PRC to
5 change the status quo of Taiwan by coordinating
6 with allies and partners—

7 (A) to identify and develop significant eco-
8 nomic, diplomatic, and other measures that will
9 deter and impose costs on any such use of
10 force;

11 (B) to convey, in advance, severe con-
12 sequences that would take effect immediately
13 after the PRC engaged in any such use of force;
14 and

15 (C) to support and cooperate with Taiwan
16 to implement, resource, and modernize its mili-
17 tary capabilities, including an effective defense
18 strategy, through security assistance and in-
19 creases in defense spending;

20 (4) to strengthen cooperation with the military
21 of Taiwan under the framework of the Taiwan Rela-
22 tions Act (Public Law 96–8; 22 U.S.C. 3301 et seq.)
23 and the Six Assurances, with consideration of the
24 ongoing military buildup in China and the military
25 balance in the Taiwan Strait, and to transfer de-

1 fense articles to Taiwan to enhance its capabilities,
2 including its efforts to undertake defensive oper-
3 ations and maintain the ability to deny PRC coer-
4 cion and invasion;

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

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

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

19 (8) to collaborate with Taiwan to strengthen
20 health systems, reinforce critical infrastructure, pro-
21 mote disaster resilience, protect marine resources,
22 and otherwise support socioeconomic development in
23 Pacific Island countries;

24 (9) to promote Taiwan's meaningful participa-
25 tion in important international organizations, includ-

1 ing organizations that address global health, civilian
2 air safety, and transnational crime, and bilateral and
3 multilateral security summits, military exercises, and
4 economic dialogues and forums;

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

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

20 (12) to create and execute a plan for enhancing
21 our relationship with Taiwan by forming a robust
22 partnership that—

23 (A) meets current geopolitical challenges;

24 (B) fully accounts for Taiwan's democratic
25 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 IN 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 in 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 in Taiwan.

21 **SEC. 103. TAIWAN SYMBOLS OF SOVEREIGNTY.**

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

24 (1) the wearing of official uniforms;

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

3 (3) appearances on Department of State social
4 media accounts promoting engagements with Tai-
5 wan.

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

18 (1) the flag of the Republic of China (Taiwan);

19 and

20 (2) the corresponding emblems or insignia of
21 military units.

1 **SEC. 104. SENSE OF CONGRESS ON DESIGNATION AND REF-**
2 **ERENCES TO TAIWAN REPRESENTATIVE OF-**
3 **FICE.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States, consistent with the Taiwan
6 Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.)
7 and the Six Assurances should—

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

11 (2) seek to enter into negotiations with the Tai-
12 pei Economic and Cultural Representative Office to
13 rename the “Taipei Economic and Cultural Rep-
14 resentative Office” in the United States as the “Tai-
15 wan Representative Office”.

16 (b) REFERENCES.—If the negotiations referred to in
17 subsection (a)(2) are undertaken and result in the renam-
18 ing of the Taipei Economic and Cultural Representative
19 Office as the Taiwan Representative Office, any reference
20 in a law, map, regulation, document, paper, or other
21 record of the United States Government to the Taipei
22 Economic and Cultural Representative Office shall be
23 deemed to be a reference to the Taiwan Representative
24 Office, including for all official purposes of the United
25 States Government, all courts of the United States, and
26 any proceedings by such Government or in such courts.

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

5 **SEC. 201. AMENDMENTS TO THE TAIWAN RELATIONS ACT.**

6 (a) DECLARATION OF POLICY.—Section 2(b)(5) of
7 the Taiwan Relations Act (22 U.S.C. 3301(b)(5)) is
8 amended by inserting “and to implement a strategy to
9 deny and deter acts of coercion or aggression by the Peo-
10 ple’s Liberation Army” after “to maintain a sufficient
11 self-defense capability”.

12 (b) PROVISION OF DEFENSE ARTICLES AND SERV-
13 ICES.—Section 3(a) of the Taiwan Relations Act (22
14 U.S.C. 3302(a)) is amended by inserting “and to imple-
15 ment a strategy to deny and deter acts of coercion or ag-
16 gression by the People’s Liberation Army” after “to main-
17 tain a sufficient self-defense capability”.

18 (c) RULE OF CONSTRUCTION.—Section 4 of the Tai-
19 wan Relations Act (22 U.S.C. 3303) is amended by adding
20 at the end the following:

21 “(e) RULE OF CONSTRUCTION.—Nothing in this Act,
22 nor the President’s action in extending diplomatic recogni-
23 tion to the People’s Republic of China, nor the absence
24 of diplomatic relations between the people of Taiwan and
25 the United States, and nor the lack of formal recognition

1 of Taiwan by the United States, and any related cir-
2 cumstances, may be construed to constitute a legal or
3 practical obstacle to any otherwise lawful action of the
4 President or of any United States Government agency
5 that is needed to advance or protect United States inter-
6 ests pertaining to Taiwan, including actions intended to
7 strengthen security cooperation between the United States
8 and Taiwan or to otherwise deter the use of force against
9 Taiwan by the People’s Liberation Army.”.

10 **SEC. 202. ANTICIPATORY PLANNING AND ANNUAL REVIEW**
11 **OF THE UNITED STATES’ STRATEGY TO**
12 **DETER THE USE OF FORCE BY THE PEOPLE’S**
13 **REPUBLIC OF CHINA TO CHANGE THE STA-**
14 **TUS QUO OF TAIWAN.**

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

18 (1) conduct a classified review of the United
19 States strategy to deter the use of force by the Peo-
20 ple’s Republic of China to change the status quo of
21 Taiwan; and

22 (2) share the results of such review with the
23 Chairman and Ranking Member of the appropriate
24 committees of Congress.

1 (b) ELEMENTS.—The review conducted pursuant to
2 subsection (a) shall include—

3 (1) an assessment of Taiwan’s current and
4 near-term capabilities, United States force readiness,
5 and the adequacy of the United States’ strategy to
6 deter the use of force by the People’s Republic of
7 China to change the status quo of Taiwan;

8 (2) a detailed strategy of deterrence and denial
9 to defend Taiwan against aggression by the People’s
10 Liberation Army, including an effort to seize and
11 hold the island of Taiwan;

12 (3) a comprehensive assessment of risks to the
13 United States and United States’ interests, includ-
14 ing readiness shortfalls that pose strategic risk;

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

18 (5) a list of military capabilities, including ca-
19 pabilities that enable a strategy of deterrence and
20 denial, that—

21 (A) would suit the operational environment
22 and allow Taiwan to respond effectively to a va-
23 riety of contingencies across all potential phases
24 of conflict involving the People’s Liberation
25 Army; and

1 (B) would reduce the threat of conflict,
2 deter the use of force by the People's Republic
3 of China, thwart an invasion, and mitigate
4 other risks to the United States and Taiwan.

5 **SEC. 203. JOINT ASSESSMENT.**

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

10 (1) to develop a joint assessment of, and coordi-
11 nate planning with respect to, the threats Taiwan
12 faces from the People's Republic of China across the
13 spectrum of possible military action; and

14 (2) to identify nonmaterial and material solu-
15 tions to deter and, if necessary, defeat such threats.

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

19 (1) an integrated priorities list;

20 (2) relevant plans for acquisition and training
21 for relevant nonmaterial and material solutions; and

22 (3) other measures to appropriately prioritize
23 the defense needs of Taiwan to maintain effective
24 deterrence across the spectrum of possible military
25 action by the People's Republic of China.

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

8 **SEC. 204. MODERNIZING TAIWAN'S SECURITY CAPABILITIES**
9 **TO DETER AND, IF NECESSARY, DEFEAT AG-**
10 **GRESSION BY THE PEOPLE'S REPUBLIC OF**
11 **CHINA.**

12 (a) TAIWAN SECURITY PROGRAMS.—The Secretary
13 of State, in consultation with the Secretary of Defense,
14 shall use the authorities under this section to strengthen
15 the United States-Taiwan defense relationship, and to
16 support the acceleration of the modernization of Taiwan's
17 defense capabilities.

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

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

23 (A) the Committee on Foreign Relations of
24 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 Taiwan Reserve Com-
15 mand can recruit, train, and equip its forces;

16 (F) an evaluation of—

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

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

22 (iii) the efforts made by the govern-
23 ment in Taiwan to address such shortages;

24 (G) an assessment of the efforts made by
25 Taiwan to boost its civilian defenses, including

1 any informational campaigns to raise awareness
2 among the population of Taiwan of the risks
3 Taiwan faces;

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

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

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

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

21 (L) a description of any resistance within
22 the government in Taiwan and the military
23 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 authorized pursuant to sub-
17 section (i) to provide assistance to the government in Tai-
18 wan to achieve the purpose described in subsection (d).

19 (d) PURPOSE.—In addition to the purposes otherwise
20 authorized for Foreign Military Financing programs
21 under the Arms Export Control Act (22 U.S.C. 2751 et
22 seq.), the purpose of the Foreign Military Financing Pro-
23 gram shall be to provide assistance, including equipment,
24 training, and other support, to enable the Government and
25 military of Taiwan—

1 (1) to accelerate the modernization of defense
2 capabilities that will enable Taiwan to delay, de-
3 grade, and deny attempts by People’s Liberation
4 Army forces—

5 (A) to conduct coercive or grey zone activi-
6 ties;

7 (B) to achieve maritime control over the
8 Taiwan Strait and adjoining seas;

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

13 (2) to prevent the People’s Republic of China
14 from decapitating, seizing control of, or otherwise
15 neutralizing or rendering ineffective the government
16 in Taiwan.

17 (e) REGIONAL CONTINGENCY STOCKPILE.—Of the
18 amounts authorized to be appropriated pursuant to sub-
19 section (i), not more than \$100,000,000 may be used dur-
20 ing each of the fiscal years 2023 through 2032 to main-
21 tain a stockpile (if established under section 211), in ac-
22 cordance with section 514 of the Foreign Assistance Act
23 of 1961 (22 U.S.C. 2321h), as amended by section 211.

24 (f) AVAILABILITY OF FUNDS.—

1 (1) ANNUAL SPENDING PLAN.—Not later than
2 December 1, 2022, and annually thereafter, the Sec-
3 retary of State, in coordination with the Secretary of
4 Defense, shall submit a plan to the appropriate com-
5 mittees of Congress describing how amounts author-
6 ized to be appropriated pursuant to subsection (i)
7 will be used to achieve the purpose described in sub-
8 section (d).

9 (2) CERTIFICATION.—Amounts authorized to be
10 appropriated for each fiscal year pursuant to sub-
11 section (i) shall be made available for the purpose
12 described in such subsection after the Secretary of
13 State certifies to the appropriate committees of Con-
14 gress that Taiwan has increased its defense spending
15 relative to Taiwan’s defense spending in its prior fis-
16 cal year, excepting accounts in Taiwan’s defense
17 budget related to personnel expenditures, (other
18 than military training and education and any fund-
19 ing related to the All-Out Defense Mobilization
20 Agency).

21 (3) REMAINING FUNDS.—

22 (A) IN GENERAL.—Subject to subpara-
23 graph (B), amounts authorized to be appro-
24 priated for a fiscal year pursuant to subsection
25 (i) that are not obligated and expended during

1 such fiscal year shall be added to the amount
2 that may be used for Foreign Military Financ-
3 ing to Taiwan in the subsequent fiscal year.

4 (B) RESCISSION.—Amounts appropriated
5 pursuant to subsection (i) that remain unobli-
6 gated on September 30, 2027 shall be rescinded
7 and deposited into the general fund of the
8 Treasury.

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

11 (1) IN GENERAL.—In addition to assistance
12 provided pursuant to subsection (c), the Secretary of
13 State, in coordination with the Secretary of Defense,
14 may make available to the government in Taiwan, in
15 such quantities as the Secretary of State considers
16 appropriate for the purpose described in subsection
17 (d)—

18 (A) weapons and other defense articles
19 from the United States inventory and other
20 sources; and

21 (B) defense services.

22 (2) REPLACEMENT.—The Secretary of State
23 may use amounts authorized to be appropriated pur-
24 suant to subsection (i) for the cost of replacing any

1 item provided to the government in Taiwan pursuant
2 to paragraph (1)(A).

3 (h) FOREIGN MILITARY FINANCING LOAN AND LOAN
4 GUARANTEE AUTHORITY.—

5 (1) DIRECT LOANS.—

6 (A) IN GENERAL.—Notwithstanding sec-
7 tion 23(c)(1) of the Arms Export Control Act
8 (22 U.S.C. 2763), during fiscal years 2023
9 through 2027, the Secretary of State may make
10 direct loans available for Taiwan pursuant to
11 section 23 of such Act.

12 (B) MAXIMUM OBLIGATIONS.—Gross obli-
13 gations for the principal amounts of loans au-
14 thorized under subparagraph (A) may not ex-
15 ceed \$2,000,000,000.

16 (C) SOURCE OF FUNDS.—

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

19 (I) has the meaning given such
20 term in section 502(5) of the Congres-
21 sional Budget Act of 1974 (2 U.S.C.
22 661a(5));

23 (II) shall include the cost of
24 modifying a loan authorized under
25 subparagraph (A); and

1 (III) may include the costs of
2 selling, reducing, or cancelling any
3 amounts owed to the United States or
4 to any agency of the United States.

5 (ii) IN GENERAL.—Amounts author-
6 ized to be appropriated pursuant to sub-
7 section (i) may be made available to pay
8 for the cost of loans authorized under sub-
9 paragraph (A).

10 (D) FEES AUTHORIZED.—

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

18 (ii) LIMITATION ON FEE PAYMENTS.—
19 Amounts made available under any appro-
20 priations Act for any fiscal year may not
21 be used to pay any fees associated with a
22 loan authorized under subparagraph (A).

23 (E) REPAYMENT.—Loans made pursuant
24 to subparagraph (A) shall be repaid not later
25 than 12 years after the loan is received by the

1 borrower, including a grace period of not more
2 than 1 year on repayment of principal.

3 (F) INTEREST.—

4 (i) IN GENERAL.—Notwithstanding
5 section 23(c)(1) of the Arms Export Con-
6 trol Act (22 U.S.C. 2763(c)(1), interest for
7 loans made pursuant to subparagraph (A)
8 may be charged at a rate determined by
9 the Secretary of State, except that such
10 rate may not be less than the prevailing in-
11 terest rate on marketable Treasury securi-
12 ties of similar maturity.

13 (ii) TREATMENT OF LOAN AMOUNTS
14 USED TO PAY INTEREST.—Amounts made
15 available under this paragraph for interest
16 costs shall not be considered assistance for
17 the purposes of any statutory limitation on
18 assistance to a country.

19 (2) LOAN GUARANTEES.—

20 (A) IN GENERAL.—Amounts authorized to
21 be appropriated pursuant to subsection (i) may
22 be made available for the costs of loan guaran-
23 tees for Taiwan under section 24 of the Arms
24 Export Control Act (22 U.S.C. 2764) for Tai-
25 wan to subsidize gross obligations for the prin-

1 ciproal amount of commercial loans and total loan
2 principal, any part of which may be guaranteed,
3 not to exceed \$2,000,000,000.

4 (B) MAXIMUM AMOUNTS.—A loan guar-
5 antee authorized under subparagraph (A)—

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

8 (ii) may not exceed 80 percent of the
9 loan principal with respect to any single
10 borrower.

11 (C) SUBORDINATION.—Any loan guaran-
12 teed pursuant to subparagraph (A) may not be
13 subordinated to—

14 (i) another debt contracted by the
15 borrower; or

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

18 (D) REPAYMENT.—Repayment in United
19 States dollars of any loan guaranteed under
20 this paragraph shall be required not later than
21 12 years after the loan agreement is signed.

22 (E) FEES.—Notwithstanding section 24 of
23 the Arms Export Control Act (22 U.S.C. 2764),
24 the Government of the United States may
25 charge fees for loan guarantees authorized

1 under subparagraph (A), which shall be col-
2 lected from borrowers, or from third parties on
3 behalf of such borrowers, through a financing
4 account (as defined in section 502(7) of the
5 Congressional Budget Act of 1974 (2 U.S.C.
6 661a(7)).

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

13 (3) NOTIFICATION REQUIREMENT.—Amounts
14 appropriated to carry out this subsection may not be
15 expended without prior notification of the appro-
16 priate committees of Congress.

17 (i) AUTHORIZATION OF APPROPRIATIONS.—

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

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

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

- 1 (C) \$1,500,000,000 for fiscal year 2025;
2 (D) \$2,000,000,000 for fiscal year 2026;
3 and
4 (E) \$2,000,000,000 for fiscal year 2027.

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

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

13 **SEC. 205. REQUIREMENTS REGARDING DEFINITION OF**
14 **COUNTER INTERVENTION CAPABILITIES.**

15 (a) STATEMENT OF POLICY.—It is the policy of the
16 United States—

- 17 (1) to ensure that requests by Taiwan to pur-
18 chase arms from the United States are not pre-
19 maturely rejected or dismissed before Taiwan sub-
20 mits a letter of request or other formal documenta-
21 tion, particularly when such requests are for capa-
22 bilities that are not included on any United States
23 Government priority lists of necessary capabilities
24 for the defense of Taiwan; and

1 what constitutes counter intervention capabili-
2 ties.

3 (c) FORM.—The report required in this section shall
4 be submitted in classified form.

5 **SEC. 206. COMPREHENSIVE TRAINING PROGRAM.**

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

9 (1) achieve interoperability;

10 (2) familiarize the militaries of the United
11 States and Taiwan with each other; and

12 (3) improve Taiwan's defense capabilities.

13 (b) ELEMENTS.—The training program should
14 prioritize relevant and realistic training, including as nec-
15 essary joint United States-Taiwan contingency tabletop
16 exercises, war games, full-scale military exercises, and an
17 enduring rotational United States military presence that
18 assists Taiwan in maintaining force readiness and uti-
19 lizing United States defense articles and services trans-
20 ferred from the United States to Taiwan.

21 (c) ANNUAL REPORT.—Not later than 90 days after
22 the date of the enactment of this Act, and annually there-
23 after for the following 5 years, the Secretary of State, in
24 consultation with the Secretary of Defense, shall submit
25 to the appropriate committees of Congress a classified re-

1 port that describes all training provided to the armed
2 forces of Taiwan in the prior fiscal year, including a de-
3 scription of how such training—

4 (1) achieved greater interoperability;

5 (2) familiarized the militaries of the United
6 States and Taiwan with each other; and

7 (3) improved Taiwan’s defense capabilities.

8 **SEC. 207. ASSESSMENT OF TAIWAN’S NEEDS FOR CIVILIAN**
9 **DEFENSE AND RESILIENCE.**

10 (a) **ASSESSMENT REQUIRED.**—Not later than 120
11 days after the date of enactment of this Act, the Secretary
12 of State and the Secretary of Defense, in coordination
13 with the Director of National Intelligence and other cabi-
14 net Secretaries, as appropriate, shall submit a written as-
15 sessment, with a classified annex, of Taiwan’s needs in
16 the areas of civilian defense and resilience to the appro-
17 priate committees of Congress, the Select Committee on
18 Intelligence of the Senate, and the Permanent Select Com-
19 mittee on Intelligence of the House of Representatives.

20 (b) **MATTERS TO BE INCLUDED.**—The assessment
21 required under subsection (a) shall—

22 (1) analyze the potential role of Taiwan’s public
23 and civilian assets in defending against various sce-
24 narios for foreign militaries to coerce or conduct
25 military aggression against Taiwan;

1 (2) carefully analyze Taiwan’s needs for en-
2 hancing its defensive capabilities through the sup-
3 port of civilians and civilian sectors, including—

4 (A) greater utilization of Taiwan’s high
5 tech labor force;

6 (B) the creation of clear structures and lo-
7 gistics support for civilian defense role alloca-
8 tion;

9 (C) recruitment and skills training for Tai-
10 wan’s defense and civilian sectors;

11 (D) strategic stockpiling of resources re-
12 lated to critical food security and medical sup-
13 plies; and

14 (E) other defense and resilience needs and
15 considerations at the provincial, city, and neigh-
16 borhood levels;

17 (3) analyze Taiwan’s needs for enhancing resil-
18 iency among its people and in key economic sectors;

19 (4) identify opportunities for Taiwan to en-
20 hance communications at all levels to strengthen
21 trust and understanding between the military, other
22 government departments, civilian agencies and the
23 general public, including—

1 (A) communications infrastructure nec-
2 essary to ensure reliable communications in re-
3 sponse to a conflict or crisis; and

4 (B) a plan to effectively communicate to
5 the general public in response to a conflict or
6 crisis; and

7 (5) identify the areas and means through which
8 the United States could provide training, exercises,
9 and assistance at all levels to support the needs dis-
10 covered through the assessment and fill any critical
11 gaps where capacity falls short of such needs.

12 (c) FORM OF REPORT.—Notwithstanding the classi-
13 fied nature of the assessment required under subsection
14 (a), the assessment shall be shared with appropriate offi-
15 cials of the government in Taiwan to facilitate coopera-
16 tion.

17 (d) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There is authorized to be
19 appropriated to complete the assessment required
20 under subsection (a) —

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

22 and

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

1 (2) **TRANSFER AUTHORITY.**—The Secretary of
2 State and the Secretary of Defense are authorized to
3 transfer any funds appropriated to their respective
4 departments pursuant to paragraph (1) to the Di-
5 rector of National Intelligence for the purposes of
6 facilitating the contributions of the intelligence com-
7 munity to the assessment required under subsection
8 (a).

9 **SEC. 208. PRIORITIZING EXCESS DEFENSE ARTICLE TRANS-**
10 **FERS FOR TAIWAN.**

11 (a) **SENSE OF CONGRESS.**—It is the sense of Con-
12 gress that the United States Government should appro-
13 priately prioritize the review of excess defense article
14 transfers to Taiwan.

15 (b) **FIVE-YEAR PLAN.**—Not later than 90 days after
16 the date of the enactment of this Act, the President
17 shall—

18 (1) develop a 5-year plan to appropriately
19 prioritize excess defense article transfers to Taiwan;
20 and

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

23 (c) **REQUIRED COORDINATION.**—The United States
24 Government shall coordinate and align excess defense arti-
25 cle transfers with capacity building efforts of Taiwan.

1 (d) TRANSFER AUTHORITY.—

2 (1) IN GENERAL.—Section 516(c)(2) of the
3 Foreign Assistance Act of 1961 (22 U.S.C.
4 2321j(c)(2)) is amended by striking “and to the
5 Philippines” and inserting “, to the Philippines, and
6 to Taiwan”.

7 (2) TREATMENT OF TAIWAN.—With respect to
8 the transfer of excess defense articles under section
9 516(c)(2) of the Foreign Assistance Act of 1961, as
10 amended by paragraph (1), Taiwan shall receive the
11 same benefits as the other countries referred to in
12 such section.

13 **SEC. 209. FAST-TRACKING SALES TO TAIWAN UNDER FOR-**
14 **EIGN MILITARY SALES PROGRAM.**

15 (a) PRECLEARANCE OF CERTAIN FOREIGN MILITARY
16 SALES ITEMS.—

17 (1) IN GENERAL.—Not later than one year
18 after the date of the enactment of this Act, and an-
19 nually thereafter, the Secretary of State, in coordi-
20 nation with the Secretary of Defense and in conjunc-
21 tion with coordinating entities such as the National
22 Disclosure Policy Committee and the Arms Transfer
23 and Technology Release Senior Steering Group,
24 shall compile a list of available and emerging mili-
25 tary platforms, technologies, and equipment that are

1 pre-cleared and prioritized for sale and release to
2 Taiwan through the Foreign Military Sales program.

3 (2) SELECTION OF ITEMS.—

4 (A) IN GENERAL.—The items pre-cleared
5 for sale pursuant to paragraph (1) shall rep-
6 resent a full range of capabilities required to
7 implement a strategy of denial informed by
8 United States readiness and risk assessments
9 and determined by Taiwan to be required for
10 various wartime scenarios and peacetime duties.

11 (B) RULE OF CONSTRUCTION.—The list
12 compiled pursuant to paragraph (1) shall not be
13 construed as limiting the type, timing, or quan-
14 tity of items that may be requested by, or sold
15 to, Taiwan under the Foreign Military Sales
16 program.

17 (C) RULE OF CONSTRUCTION.—Nothing in
18 this Act shall be construed to supersede con-
19 gressional notification requirements as required
20 by the Arms Export Control Act (22 U.S.C.
21 2751 et. seq.) or any informal tiered review
22 process for congressional notifications per-
23 taining to Foreign Military Sales.

24 (b) PRIORITIZED PROCESSING OF FOREIGN MILI-
25 TARY SALES REQUESTS FROM TAIWAN.—

1 (1) REQUIREMENT.—The Secretary of State
2 and the Secretary of Defense shall prioritize and ex-
3 pedite the processing of requests from Taiwan under
4 the Foreign Military Sales program, and may not
5 delay the processing of requests for bundling pur-
6 poses.

7 (2) DURATION.—The requirement under para-
8 graph (1) shall continue until the Secretary of State
9 determines and certifies to the Committee on For-
10 eign Relations of the Senate and the Committee on
11 Foreign Affairs of the House of Representatives that
12 the threat to Taiwan has significantly abated.

13 (c) PRIORITY PRODUCTION.—

14 (1) IN GENERAL.—Contractors awarded De-
15 partment of Defense contracts to provide items for
16 sale to Taiwan under the Foreign Military Sales pro-
17 gram should expedite and prioritize the production
18 of such items above the production of other items.

19 (2) ANNUAL REPORT.—Not later than 180 days
20 after the date of the enactment of this Act, and an-
21 nually thereafter for 10 years, the Secretary of State
22 and the Secretary of Defense shall jointly submit to
23 the Committee on Foreign Relations and the Com-
24 mittee on Armed Services of the Senate and the
25 Committee on Foreign Affairs and the Committee on

1 Armed Services of the House of Representatives a
2 report describing what actions the Department of
3 State and the Department of Defense have taken or
4 are planning to take to prioritize Taiwan's Foreign
5 Military Sales cases, and current procedures or
6 mechanisms for determining that a Foreign Military
7 Sales case for Taiwan should be prioritized above a
8 sale to another country of the same or similar item.

9 (d) INTERAGENCY POLICY.—The Secretary of State
10 and the Secretary of Defense shall jointly review and up-
11 date interagency policies and implementation guidance re-
12 lated to Foreign Military Sales requests from Taiwan, in-
13 cluding incorporating the preclearance provisions of this
14 section.

15 **SEC. 210. WHOLE-OF-GOVERNMENT DETERRENCE MEAS-**
16 **URES TO RESPOND TO THE PEOPLE'S REPUB-**
17 **LIC OF CHINA'S FORCE AGAINST TAIWAN.**

18 (a) WHOLE-OF-GOVERNMENT REVIEW.—Not later
19 than 14 days after the date of the enactment of this Act,
20 the President shall convene the heads of all relevant Fed-
21 eral departments and agencies to conduct a whole-of-gov-
22 ernment review of all available economic, diplomatic, and
23 other strategic measures to deter the use of force by the
24 People's Republic of China to change the status quo of
25 Taiwan.

1 (b) BRIEFING REQUIRED.—Not later than 180 days
2 after the date of the enactment of this Act, and annually
3 thereafter for the following 5 years, the Secretary of State,
4 the Secretary of the Treasury, the Secretary of Defense,
5 the Secretary of Commerce, the Director of National Intel-
6 ligence, and any other relevant heads of Federal depart-
7 ments and agencies shall provide a detailed briefing to the
8 appropriate committees of Congress regarding—

9 (1) all available economic, diplomatic, and other
10 strategic measures to deter the use of force by the
11 People’s Republic of China, including coercion, grey-
12 zone tactics, assertions, shows of force, quarantines,
13 embargoes, or other measures to change the status
14 quo of Taiwan;

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

18 (3) progress to date of all coordination efforts
19 between the United States Government and its allies
20 and partners with respect to deterring the use of
21 force to change the status quo of Taiwan.

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

24 (1) coordinate with United States allies and
25 partners to identify and develop significant eco-

1 nomic, diplomatic, and other measures to deter the
2 use of force by the People’s Republic of China to
3 change the status quo of Taiwan; and

4 (2) announce, in advance, the severe con-
5 sequences that would take effect immediately after
6 the People’s Republic of China engaged in any such
7 use of force.

8 (d) **ASSIGNMENTS FOR DEFENSE ATTACHÉS.**—The
9 Secretary of State shall work with the Secretary of De-
10 fense to post resident Defense attachés in the Indo-Pacific
11 region, particularly in locations where the People’s Repub-
12 lic of China has a resident military attaché and the United
13 States does not have a comparable position.

14 (e) **CLASSIFIED BRIEFINGS.**—The briefings required
15 under this section shall take place in a classified setting.

16 **SEC. 211. INCREASE IN ANNUAL REGIONAL CONTINGENCY**
17 **STOCKPILE ADDITIONS AND SUPPORT FOR**
18 **TAIWAN.**

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

24 (b) **ESTABLISHMENT.**—Subject to section 514 of the
25 Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the

1 President may establish a regional contingency stockpile
2 for Taiwan that consists primarily of munitions.

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

7 (1) in section 514(c)(2) (22 U.S.C.
8 2321h(c)(2)), by inserting “Taiwan,” after “Thai-
9 land,”; and

10 (2) in section 516(c)(2) (22 U.S.C.
11 2321j(c)(2)), by inserting “to Taiwan,” after “major
12 non-NATO allies on such southern and southeastern
13 flank,”.

14 (d) ANNUAL BRIEFING.—Not later than 1 year after
15 the date of enactment of this Act, and annually thereafter
16 for 7 years, the President shall provide a briefing to the
17 appropriate committees of Congress regarding the status
18 of a regional contingency stockpile established under sub-
19 section (b).

20 **SEC. 212. TREATMENT OF TAIWAN AS A MAJOR NON-NATO**
21 **ALLY.**

22 Notwithstanding any other provision of law, Taiwan
23 shall be treated as though it were designated a major non-
24 NATO ally, as defined in section 644(q) of the Foreign
25 Assistance Act of 1961 (22 U.S.C. 2403(q) et seq.), for

1 the purposes of the transfer or possible transfer of defense
2 articles or defense services under the Arms Export Control
3 Act (22 U.S.C. 2751 et seq.), section 2350a of title 10,
4 United States Code, the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151 et seq.), or any other provision of law.

6 **SEC. 213. USE OF PRESIDENTIAL DRAWDOWN AUTHORITY**
7 **TO PROVIDE SECURITY ASSISTANCE TO TAI-**
8 **WAN.**

9 It is the sense of Congress that the President should
10 use the presidential drawdown authority under sections
11 506(a) and 552(c) of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2318(a) and 2348a(c)) to provide security as-
13 sistance and other necessary commodities and services to
14 Taiwan in support of Taiwan's self-defense.

15 **SEC. 214. INTERNATIONAL MILITARY EDUCATION AND**
16 **TRAINING COOPERATION WITH TAIWAN.**

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

19 (1) International Military Education and Train-
20 ing (IMET) is a critical component of United States
21 security assistance that promotes improved capabili-
22 ties of the military forces of allied and friendly coun-
23 tries and closer cooperation between the United
24 States Armed Forces and such military forces;

1 (2) it is in the national interest of the United
2 States and consistent with the Taiwan Relations Act
3 (Public Law 96–8; 22 U.S.C. 3301 et seq.) to fur-
4 ther strengthen the military forces of Taiwan, par-
5 ticularly—

6 (A) to enhance the defensive capabilities of
7 such forces; and

8 (B) to improve interoperability of such
9 forces with the United States Armed Forces;
10 and

11 (3) the government in Taiwan—

12 (A) should be authorized to participate in
13 the International Military Education and Train-
14 ing program; and

15 (B) should encourage eligible officers and
16 civilian leaders of Taiwan to participate in such
17 training program and promote successful grad-
18 uates to positions of prominence in the military
19 forces of Taiwan.

20 (b) AUTHORIZATION OF PARTICIPATION OF TAIWAN
21 IN THE INTERNATIONAL MILITARY EDUCATION AND
22 TRAINING PROGRAM.—Taiwan is authorized to partici-
23 pate in the International Military Education and Training
24 program for the following purposes:

25 (1) To train future leaders of Taiwan.

1 (2) To establish a rapport between the United
2 States Armed Forces and the military forces of Tai-
3 wan to build partnerships for the future.

4 (3) To enhance interoperability and capabilities
5 for joint operations between the United States and
6 Taiwan.

7 (4) To promote professional military education,
8 civilian control of the military, and protection of
9 human rights in Taiwan.

10 (5) To foster a better understanding of the
11 United States among individuals in Taiwan.

12 **SEC. 215. EXPEDITING DELIVERY OF ARMS EXPORTS TO**
13 **TAIWAN AND UNITED STATES ALLIES IN THE**
14 **INDO-PACIFIC.**

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

17 (1) prioritizing the defense needs of United
18 States allies and partners in the Indo-Pacific is a
19 national security priority; and

20 (2) sustained support to key Indo-Pacific part-
21 ners for interoperable defense systems is critical to
22 preserve—

23 (A) the safety and security of American
24 persons;

1 (B) the free flow of commerce through
2 international trade routes;

3 (C) the United States commitment to col-
4 lective security agreements, territorial integrity,
5 and recognized maritime boundaries;

6 (D) United States values regarding democ-
7 racy and commitment to maintaining a free and
8 open Indo-Pacific; and

9 (E) Taiwan's defense capability.

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

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

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

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

23 (1) A list of all approved transfers of defense
24 articles and services authorized by Congress pursu-
25 ant to sections 25 and 36 of the Arms Export Con-

1 trol Act (22 U.S.C. 2765, 2776) with a total value
2 of \$25,000,000 or more, to Taiwan, Japan, South
3 Korea, Australia, or New Zealand, that have not
4 been fully delivered by the start of the fiscal year in
5 which the report is being submitted.

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

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

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

21 (B) the feasibility and advisability of pro-
22 viding the partner subject to such delayed deliv-
23 ery with an interim capability or solution, in-
24 cluding drawing from United States stocks, and
25 the mechanisms under consideration for doing

1 so as well as any challenges to implementing
2 such a capability or solution;

3 (C) authorities, appropriations, or waiver
4 requests that Congress could provide to improve
5 delivery timelines or authorize the provision of
6 interim capabilities or solutions identified pur-
7 suant to subparagraph (B); and

8 (D) a description of which countries are
9 ahead of Taiwan for delivery of each item listed
10 pursuant to paragraph (1).

11 (4) A description of ongoing interagency efforts
12 to support attainment of operational capability of
13 the corresponding defense articles and services once
14 delivered, including advance training with United
15 States or armed forces of partner countries on the
16 systems to be received. The description of any such
17 training shall also include an identification of the
18 training implementer.

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

22 (A) the case information for such transfer,
23 including the date of congressional notification,
24 delivery date of the Letter of Offer and Accept-
25 ance (LOA), final signature of the LOA, and

1 information pertaining to delays in delivering
2 LOAs for signature;

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

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

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

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

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

4 (1) the Committee on Foreign Relations and
5 the Committee on Armed Services of the Senate; and

6 (2) the Committee on Foreign Affairs and the
7 Committee on Armed Services of the House of Rep-
8 resentatives.

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

12 **TITLE III—COUNTERING PEO-**
13 **PLE’S REPUBLIC OF CHINA’S**
14 **COERCION AND INFLUENCE**
15 **CAMPAIGNS**

16 **SEC. 301. STRATEGY TO RESPOND TO INFLUENCE AND IN-**
17 **FORMATION OPERATIONS TARGETING TAI-**
18 **WAN.**

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

23 (1) covert, coercive, and corrupting activities
24 carried out to advance the Chinese Communist Par-
25 ty’s “United Front” work, including activities di-

1 rected, coordinated, or otherwise supported by the
2 United Front Work Department or its subordinate
3 or affiliated entities; and

4 (2) information and disinformation campaigns,
5 cyber attacks, and nontraditional propaganda meas-
6 ures supported by the Government of the People's
7 Republic of China and the Chinese Communist
8 Party that are directed toward persons or entities in
9 Taiwan.

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

12 (1) the proposed response to propaganda and
13 disinformation campaigns by the People's Republic
14 of China and cyber-intrusions targeting Taiwan, in-
15 cluding—

16 (A) assistance in building the capacity of
17 the government in Taiwan and private-sector
18 entities to document and expose propaganda
19 and disinformation supported by the Govern-
20 ment of the People's Republic of China, the
21 Chinese Communist Party, or affiliated entities;

22 (B) assistance to enhance the government
23 in Taiwan's ability to develop a whole-of-gov-
24 ernment strategy to respond to sharp power op-
25 erations, including election interference; and

1 (C) media training for Taiwan officials and
2 other Taiwan entities targeted by
3 disinformation campaigns;

4 (2) the proposed response to political influence
5 operations that includes an assessment of the extent
6 of influence exerted by the Government of the Peo-
7 ple's Republic of China and the Chinese Communist
8 Party in Taiwan on local political parties, financial
9 institutions, media organizations, and other entities;

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

13 (4) the establishment of a coordinated partner-
14 ship, through the American Institute in Taiwan's
15 Global Cooperation and Training Framework, with
16 like-minded governments to share data and best
17 practices with the government in Taiwan regarding
18 ways to address sharp power operations supported
19 by the Government of the People's Republic of
20 China and the Chinese Communist Party; and

21 (5) programs carried out by the Global Engage-
22 ment Center to expose misinformation and
23 disinformation in the Chinese Communist Party's
24 propaganda.

1 **SEC. 302. STRATEGY TO COUNTER ECONOMIC COERCION**
2 **BY THE PEOPLE’S REPUBLIC OF CHINA TAR-**
3 **GETING COUNTRIES AND ENTITIES THAT**
4 **SUPPORT TAIWAN.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, and every 180 days
7 thereafter for the following 5 years, the Secretary of State
8 shall submit to the appropriate committees of Congress
9 a description of the strategy being used by the Depart-
10 ment of State to respond to the Government of the Peo-
11 ple’s Republic of China’s increased economic coercion
12 against countries which have strengthened their ties with,
13 or support for, Taiwan.

14 (b) ASSISTANCE FOR COUNTRIES AND ENTITIES
15 TARGETED BY THE PEOPLE’S REPUBLIC OF CHINA FOR
16 ECONOMIC COERCION.—The Department of State, the
17 United States Agency for International Development, the
18 United States International Development Finance Cor-
19 poration, the Department of Commerce and the Depart-
20 ment of the Treasury shall provide appropriate assistance
21 to countries and entities that are subject to coercive eco-
22 nomic practices by the People’s Republic of China.

23 **SEC. 303. CHINA CENSORSHIP MONITOR AND ACTION**
24 **GROUP.**

25 (a) DEFINITIONS.—In this section:

1 (iii) any company incorporated in the
2 People’s Republic of China or a subsidiary
3 of such company; or

4 (iv) any company or entity incor-
5 porated outside of the People’s Republic of
6 China that is believed to have a substantial
7 financial or commercial interest in the Peo-
8 ple’s Republic of China.

9 (3) UNITED STATES PERSON.—The term
10 “United States person” means—

11 (A) a United States citizen or an alien law-
12 fully admitted for permanent residence to the
13 United States; or

14 (B) an entity organized under the laws of
15 the United States or any jurisdiction within the
16 United States, including a foreign branch of
17 such an entity.

18 (b) CHINA CENSORSHIP MONITOR AND ACTION
19 GROUP.—

20 (1) IN GENERAL.—The President shall establish
21 an interagency task force, which shall be known as
22 the “China Censorship Monitor and Action Group”
23 (referred to in this subsection as the “Task Force”).

1 (2) MEMBERSHIP.—The President shall take
2 the following actions with respect to the membership
3 of, and participation in, the Task Force:

4 (A) Appoint the chair of the Task Force
5 from among the staff of the National Security
6 Council.

7 (B) Appoint the vice chair of the Task
8 Force from among the staff of the National
9 Economic Council.

10 (C) Direct the head of each of the fol-
11 lowing executive branch agencies to appoint
12 personnel to participate in the Task Force:

13 (i) The Department of State.

14 (ii) The Department of Commerce.

15 (iii) The Department of the Treasury.

16 (iv) The Department of Justice.

17 (v) The Office of the United States
18 Trade Representative.

19 (vi) The Office of the Director of Na-
20 tional Intelligence, and other appropriate
21 elements of the intelligence community (as
22 defined in section 3 of the National Secu-
23 rity Act of 1947 (50 U.S.C. 3003)).

24 (vii) The Federal Communications
25 Commission.

1 (viii) The United States Agency for
2 Global Media.

3 (ix) Other agencies designated by the
4 President.

5 (3) RESPONSIBILITIES.—The Task Force
6 shall—

7 (A) oversee the development and execution
8 of an integrated Federal Government strategy
9 to monitor and address the impacts of efforts
10 directed, or directly supported, by the Govern-
11 ment of the People’s Republic of China to cen-
12 sor or intimidate, in the United States or in
13 any of its possessions or territories, any United
14 States person, including United States compa-
15 nies that conduct business in the People’s Re-
16 public of China, which are exercising their right
17 to freedom of speech; and

18 (B) submit the strategy developed pursu-
19 ant to subparagraph (A) to the appropriate
20 congressional committees not later than 120
21 days after the date of the enactment of this
22 Act.

23 (4) MEETINGS.—The Task Force shall meet
24 not less frequently than twice per year.

1 (5) CONSULTATIONS.—The Task Force should
2 regularly consult, to the extent necessary and appro-
3 priate, with—

4 (A) Federal agencies that are not rep-
5 resented on the Task Force;

6 (B) independent agencies of the United
7 States Government that are not represented on
8 the Task Force;

9 (C) relevant stakeholders in the private
10 sector and the media; and

11 (D) relevant stakeholders among United
12 States allies and partners facing similar chal-
13 lenges related to censorship or intimidation by
14 the Government of the People’s Republic of
15 China.

16 (6) REPORTING REQUIREMENTS.—

17 (A) ANNUAL REPORT.—The Task Force
18 shall submit an annual report to the appro-
19 priate congressional committees that describes,
20 with respect to the reporting period—

21 (i) the strategic objectives and policies
22 pursued by the Task Force to address the
23 challenges of censorship and intimidation
24 of United States persons while in the
25 United States or any of its possessions or

1 territories, which is directed or directly
2 supported by the Government of the Peo-
3 ple's Republic of China;

4 (ii) the activities conducted by the
5 Task Force in support of the strategic ob-
6 jectives and policies referred to in clause
7 (i); and

8 (iii) the results of the activities re-
9 ferred to in clause (ii) and the impact of
10 such activities on the national interests of
11 the United States.

12 (B) FORM OF REPORT.—Each report sub-
13 mitted pursuant to subparagraph (A) shall be
14 unclassified, but may include a classified annex.

15 (C) CONGRESSIONAL BRIEFINGS.—Not
16 later than 90 days after the date of the enact-
17 ment of this Act, and annually thereafter, the
18 Task Force shall provide briefings to the appro-
19 priate congressional committees regarding the
20 activities of the Task Force to execute the
21 strategy developed pursuant to paragraph
22 (3)(A).

23 (c) REPORT ON CENSORSHIP AND INTIMIDATION OF
24 UNITED STATES PERSONS BY THE GOVERNMENT OF THE
25 PEOPLE'S REPUBLIC OF CHINA.—

1 (1) REPORT.—

2 (A) IN GENERAL.—Not later than 90 days
3 after the date of the enactment of this Act, the
4 Secretary of State shall select and seek to enter
5 into an agreement with a qualified research en-
6 tity that is independent of the Department of
7 State to write a report on censorship and in-
8 timidation in the United States and its posses-
9 sions and territories of United States persons,
10 including United States companies that conduct
11 business in the People’s Republic of China,
12 which is directed or directly supported by the
13 Government of the People’s Republic of China.

14 (B) MATTERS TO BE INCLUDED.—The re-
15 port required under subparagraph (A) shall—

16 (i) assess major trends, patterns, and
17 methods of the Government of the People’s
18 Republic of China’s efforts to direct or di-
19 rectly support censorship and intimidation
20 of United States persons, including United
21 States companies that conduct business in
22 the People’s Republic of China, which are
23 exercising their right to freedom of speech;

24 (ii) assess, including through the use
25 of illustrative examples, as appropriate, the

1 impact on and consequences for United
2 States persons, including United States
3 companies that conduct business in the
4 People’s Republic of China, that criticize—

5 (I) the Chinese Communist
6 Party;

7 (II) the Government of the Peo-
8 ple’s Republic of China;

9 (III) the authoritarian model of
10 government of the People’s Republic
11 of China; or

12 (IV) a particular policy advanced
13 by the Chinese Communist Party or
14 the Government of the People’s Re-
15 public of China;

16 (iii) identify the implications for the
17 United States of the matters described in
18 clauses (i) and (ii);

19 (iv) assess the methods and evaluate
20 the efficacy of the efforts by the Govern-
21 ment of the People’s Republic of China to
22 limit freedom of expression in the private
23 sector, including media, social media, film,
24 education, travel, financial services, sports
25 and entertainment, technology, tele-

1 communication, and internet infrastructure
2 interests;

3 (v) include policy recommendations
4 for the United States Government, includ-
5 ing recommendations regarding collabora-
6 tion with United States allies and partners,
7 to address censorship and intimidation by
8 the Government of the People's Republic of
9 China; and

10 (vi) include policy recommendations
11 for United States persons, including
12 United States companies that conduct
13 business in China, to address censorship
14 and intimidation by the Government of the
15 People's Republic of China.

16 (C) APPLICABILITY TO UNITED STATES
17 ALLIES AND PARTNERS.—To the extent prac-
18 ticable, the report required under subparagraph
19 (A) should identify implications and policy rec-
20 ommendations that are relevant to United
21 States allies and partners facing censorship and
22 intimidation directed or directly supported by
23 the Government of the People's Republic of
24 China.

25 (2) SUBMISSION OF REPORT.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of the enactment of this Act, the
3 Secretary of State shall submit the report writ-
4 ten by the qualified research entity selected
5 pursuant to paragraph (1)(A) to the appro-
6 priate congressional committees.

7 (B) PUBLICATION.—The report referred to
8 in subparagraph (A) shall be made accessible to
9 the public online through relevant United
10 States Government websites.

11 **TITLE IV—INCLUSION OF TAI-**
12 **WAN IN INTERNATIONAL OR-**
13 **GANIZATIONS**

14 **SEC. 401. PARTICIPATION OF TAIWAN IN INTERNATIONAL**
15 **ORGANIZATIONS.**

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

19 (b) SUPPORT FOR MEANINGFUL PARTICIPATION.—
20 The Permanent Representative of the United States to the
21 United Nations and other relevant United States officials
22 shall actively support Taiwan’s meaningful participation
23 in all appropriate international organizations.

24 (c) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Secretary of State shall

1 submit a report to the appropriate congressional commit-
2 tees that—

3 (1) describes the People’s Republic of China’s
4 efforts at the United Nations and other international
5 bodies to block Taiwan’s meaningful participation
6 and inclusion; and

7 (2) recommends appropriate responses that
8 should be taken by the United States to carry out
9 the policy described in subsection (a).

10 **SEC. 402. PARTICIPATION OF TAIWAN IN THE INTER-AMER-**
11 **ICAN DEVELOPMENT BANK.**

12 It is the sense of Congress that—

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

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

22 (3) Taiwan’s significant contribution to the de-
23 velopment and economies of Latin America and the
24 Caribbean demonstrate that Taiwan’s membership
25 in the IDB as a non-borrowing member would ben-

1 enefit the IDB and the entire Latin American and
2 Caribbean region; and

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

8 **SEC. 403. PLAN FOR TAIWAN'S PARTICIPATION IN THE**
9 **INTER-AMERICAN DEVELOPMENT BANK.**

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

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

14 (2) to instruct the United States Governor of
15 the IDB to work with the IDB Board of Governors
16 to admit Taiwan as a non-borrowing member of the
17 IDB.

18 **SEC. 404. REPORT CONCERNING MEMBER STATE STATUS**
19 **FOR TAIWAN AT THE INTER-AMERICAN DE-**
20 **VELOPMENT BANK.**

21 Not later than 90 days after the date of the enact-
22 ment of this Act, and not later than April 1 of each year
23 thereafter for the following 5 years, the Secretary of State,
24 in coordination with the Secretary of the Treasury, shall
25 submit an unclassified report to the Committee on Foreign

1 Relations of the Senate and the Committee on Foreign
2 Affairs of the House of Representatives that—

3 (1) describes the United States plan to endorse
4 and obtain non-borrowing membership status for
5 Taiwan at the IDB;

6 (2) includes an account of the efforts made by
7 the Secretary of State and the Secretary of the
8 Treasury to encourage IDB member states to pro-
9 mote Taiwan’s bid to obtain non-borrowing member-
10 ship at the IDB; and

11 (3) identifies the steps that the Secretary of
12 State and the Secretary of the Treasury will take to
13 endorse and obtain non-borrowing membership sta-
14 tus for Taiwan at the IDB in the following year.

15 **SEC. 405. CLARIFICATION REGARDING UNITED NATIONS**

16 **GENERAL ASSEMBLY RESOLUTION 2758**

17 **(XXVI).**

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

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

24 “(A) established the representatives of the
25 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 and meaningful participation of Taiwan
5 and its people in the United Nations or in any
6 related organizations; and

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

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

14 **SEC. 406. MEANINGFUL PARTICIPATION OF TAIWAN IN THE**
15 **INTERNATIONAL CIVIL AVIATION ORGANIZA-**
16 **TION.**

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

19 (1) the International Civil Aviation Organiza-
20 tion (ICAO) should allow Taiwan to meaningfully
21 participate in the organization, including in ICAO
22 triennial assembly sessions, conferences, technical
23 working groups, meetings, activities, and mecha-
24 nisms;

1 (2) Taiwan is a global leader and hub for inter-
2 national aviation, with a range of expertise, informa-
3 tion, and resources and the fifth busiest airport in
4 Asia (Taoyuan International Airport), and its mean-
5 ingful participation in ICAO would significantly en-
6 hance the ability of ICAO to ensure the safety and
7 security of global aviation; and

8 (3) coercion by the Chinese Communist Party
9 and the People's Republic of China has ensured the
10 systematic exclusion of Taiwan from meaningful par-
11 ticipation in ICAO, significantly undermining the
12 ability of ICAO to ensure the safety and security of
13 global aviation.

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

18 (1) to initiate a United States plan to secure
19 Taiwan's meaningful participation in ICAO, includ-
20 ing in ICAO triennial assembly sessions, con-
21 ferences, technical working groups, meetings, activi-
22 ties, and mechanisms; and

23 (2) to instruct the United States representative
24 to the ICAO to—

1 (A) use the voice and vote of the United
2 States to ensure Taiwan’s meaningful participa-
3 tion in ICAO, including in ICAO triennial as-
4 sembly sessions, conferences, technical working
5 groups, meetings, activities, and mechanisms;
6 and

7 (B) seek to secure a vote at the next ICAO
8 triennial assembly session on the question of
9 Taiwan’s participation in that session.

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

20 (1) describes the United States plan to ensure
21 Taiwan’s meaningful participation in ICAO, includ-
22 ing in ICAO triennial assembly sessions, con-
23 ferences, technical working groups, meetings, activi-
24 ties, and mechanisms;

1 (2) includes an account of the efforts made by
2 the Secretary of State and the Secretary of Com-
3 merce to ensure Taiwan’s meaningful participation
4 in ICAO, including in ICAO triennial assembly ses-
5 sions, conferences, technical working groups, meet-
6 ings, activities, and mechanisms; and

7 (3) identifies the steps the Secretary of State
8 and the Secretary of Commerce will take in the next
9 year to ensure Taiwan’s meaningful participation in
10 ICAO, including in ICAO triennial assembly ses-
11 sions, conferences, technical working groups, meet-
12 ings, activities, and mechanisms.

13 **TITLE V—ENHANCED DEVELOP-**
14 **MENT AND ECONOMIC CO-**
15 **OPERATION BETWEEN THE**
16 **UNITED STATES AND TAIWAN**

17 **SEC. 501. FINDINGS.**

18 Congress makes the following findings:

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

22 (2) Taiwan has demonstrated the capacity to
23 hold a strong economic partnership with the United
24 States. Along with a robust trading profile of goods
25 and services, Taiwan supports an estimated 208,000

1 American jobs and its cumulative investment in the
2 United States is at least \$13,700,000,000, numbers
3 that will only increase with a comprehensive bilateral
4 trade agreement.

5 (3) In addition to supplementing United States
6 goods and services, Taiwan is a reliable partner in
7 many United States' industries, which is not only
8 critical for diversifying United States supply chains,
9 but is also essential to reducing the United States'
10 reliance on other countries, such as China, who seek
11 to leverage supply chain inefficiencies in their path
12 to regional and global dominance. Such diversifica-
13 tion of United States supply chains is critical to our
14 national security.

15 (4) The challenges to establishing an agreement
16 with Taiwan, such as reaching an agreement on ag-
17 ricultural standards, must not prevent the comple-
18 tion of a bilateral trade agreement. Taiwan has al-
19 ready taken steps to further the progress towards
20 such an agreement by announcing its intent to lift
21 restrictions on United States pork and beef prod-
22 ucts, which will greatly increase the accessibility of
23 American farmers and ranchers to Taiwan markets.
24 In light of this important development, the United
25 States should immediately move forward with sub-

1 stantial negotiations for a comprehensive bilateral
2 trade agreement with Taiwan.

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

8 (A) help the United States accomplish this
9 goal by building a network of like-minded gov-
10 ernments dedicated to fair competition and
11 open markets that are free from government
12 manipulation; and

13 (B) encourage other nations to deepen eco-
14 nomic ties with Taiwan.

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

19 (A) 5G networks and telecommunications
20 security;

21 (B) supply chains resiliency;

22 (C) infrastructure cooperation;

23 (D) renewable energy;

24 (E) global health; and

25 (F) science and technology.

1 (7) A trade agreement between the United
2 States and Taiwan would promote security and eco-
3 nomic growth for the United States, Taiwan, and
4 the entire Indo-Pacific region.

5 (8) Excluding Taiwan from the Indo-Pacific
6 Economic Framework would—

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

9 (B) run counter to the United States' eco-
10 nomic interests.

11 (9) Taiwan is the United States' largest trading
12 partner with whom we do not have an income tax
13 treaty or agreement. Taiwan has such agreements
14 with 34 countries, including countries that have
15 trade agreements with the United States and do not
16 maintain diplomatic relations with Taiwan.

17 (10) The American Chamber of Commerce in
18 Taipei, in its "2022 Taiwan White Paper", called
19 for the United States and Taiwan to continue ex-
20 ploring an income tax agreement to boost bilateral
21 trade and investment by reducing double taxation
22 and increasing economic efficiency and integration.

1 **SEC. 502. SENSE OF CONGRESS ON A FREE TRADE AGREE-**
2 **MENT AND BILATERAL TAX AGREEMENT**
3 **WITH TAIWAN, THE INDO-PACIFIC ECONOMIC**
4 **FRAMEWORK, AND CBP PRECLEARANCE.**

5 It is the Sense of Congress that—

6 (1) the United States Trade Representative
7 should resume meetings under the United States
8 and Taiwan Trade and Investment Framework
9 Agreement with the goal of reaching a bilateral free
10 trade agreement with Taiwan;

11 (2) the United States Trade Representative
12 should undertake efforts to assess whether the
13 Agreement Concerning Digital Trade, signed at
14 Washington October 7, 2019, and entered into force
15 January 1, 2020, between the United States and
16 Japan, provides a model for a similar agreement be-
17 tween the United States and Taiwan to strengthen
18 economic ties with Taiwan in key sectors;

19 (3) the United States Trade Representative and
20 the Secretary of Commerce should undertake efforts
21 to assure Taiwan's engagement and participation in
22 the Indo-Pacific Economic Framework;

23 (4) the United States should utilize and expand
24 Preclearance programs to meet the needs of the
25 United States travel and tourism industry, including
26 by prioritizing the establishment of Preclearance fa-

1 cilities with Indo-Pacific allies and partners, includ-
2 ing Taiwan; and

3 (5) the United States should—

4 (A) begin negotiations on an income tax
5 agreement between the American Institute in
6 Taiwan and the Taipei Economic and Cultural
7 Representative Office in the United States; and

8 (B) work on a congressional-executive
9 agreement to establish such an income tax
10 agreement.

11 **SEC. 503. SENSE OF CONGRESS ON UNITED STATES-TAIWAN**

12 **DEVELOPMENT COOPERATION.**

13 It is the sense of Congress that—

14 (1) the United States and Taiwan share com-
15 mon development goals in a wide range of sectors,
16 including public health, agriculture, food security,
17 democracy and governance, and education;

18 (2) enhanced cooperation between the United
19 States and Taiwan would better advance these goals;
20 and

21 (3) the United States Agency for International
22 Development should explore opportunities to partner
23 with Taiwan on projects in developing countries re-
24 lated to inclusive economic growth, resilience, global

1 health, education, infrastructure, humanitarian as-
2 sistance, disaster relief, and other areas.

3 **TITLE VI—SUPPORTING UNITED**
4 **STATES EDUCATIONAL AND**
5 **EXCHANGE PROGRAMS WITH**
6 **TAIWAN**

7 **SEC. 601. SHORT TITLE.**

8 This title may be cited as the “Taiwan Fellowship
9 Act”.

10 **SEC. 602. FINDINGS.**

11 Congress makes the following findings:

12 (1) The Taiwan Relations Act (Public Law 96–
13 8; 22 U.S.C. 3301 et seq.) affirmed United States
14 policy “to preserve and promote extensive, close, and
15 friendly commercial, cultural, and other relations be-
16 tween the people of the United States and the people
17 on Taiwan, as well as the people on the China main-
18 land and all other peoples of the Western Pacific
19 area”.

20 (2) Consistent with the Asia Reassurance Ini-
21 tiative Act of 2018 (Public Law 115–409), the
22 United States has grown its strategic partnership
23 with Taiwan’s vibrant democracy of 23,000,000 peo-
24 ple.

1 (3) Despite a concerted campaign by the Peo-
2 ple’s Republic of China to isolate Taiwan from its
3 diplomatic partners and from international organiza-
4 tions, including the World Health Organization, Tai-
5 wan has emerged as a global leader in the
6 coronavirus global pandemic response, including by
7 donating more than 2,000,000 surgical masks and
8 other medical equipment to the United States.

9 (4) The creation of a United States fellowship
10 program with Taiwan would support—

11 (A) a key priority of expanding people-to-
12 people exchanges, which was outlined in Presi-
13 dent Donald J. Trump’s 2017 National Secu-
14 rity Strategy;

15 (B) President Joseph R. Biden’s commit-
16 ment to Taiwan, “a leading democracy and a
17 critical economic and security partner”, as ex-
18 pressed in his March 2021 Interim National Se-
19 curity Strategic Guidance; and

20 (C) April 2021 guidance from the Depart-
21 ment of State based on a review required under
22 the Taiwan Assurance Act of 2020 (subtitle B
23 of title III of division FF of Public Law 116–
24 260) to “encourage U.S. government engage-

1 ment with Taiwan that reflects our deepening
2 unofficial relationship”.

3 **SEC. 603. PURPOSES.**

4 The purposes of this title are—

5 (1) to further strengthen the United States-Tai-
6 wan strategic partnership and broaden under-
7 standing of the Indo-Pacific region by temporarily
8 assigning officials of any agencies of the United
9 States Government to Taiwan for intensive study in
10 Mandarin and placement as Fellows with the govern-
11 ment in Taiwan or a Taiwanese civic institution;

12 (2) to provide for eligible United States per-
13 sonnel—

14 (A) to learn or strengthen Mandarin Chi-
15 nese language skills; and

16 (B) to expand their understanding of the
17 political economy of Taiwan and the Indo-Pa-
18 cific region; and

19 (3) to better position the United States to ad-
20 vance its economic, security, and human rights in-
21 terests and values in the Indo-Pacific region.

22 **SEC. 604. DEFINITIONS.**

23 In this title:

24 (1) **AGENCY HEAD.**—The term “agency head”
25 means, in the case of the executive branch of United

1 States Government or a legislative branch agency
2 described in paragraph (2), the head of the respec-
3 tive agency.

4 (2) AGENCY OF THE UNITED STATES GOVERN-
5 MENT.—The term “agency of the United States
6 Government” includes the Government Account-
7 ability Office, the Congressional Budget Office, and
8 the Congressional Research Service of the legislative
9 branch, as well as any agency of the executive
10 branch.

11 (3) APPROPRIATE COMMITTEES OF CON-
12 GRESS.—The term “appropriate committees of Con-
13 gress” means—

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

16 (B) the Committee on Appropriations of
17 the Senate;

18 (C) the Committee on Foreign Affairs of
19 the House of Representatives; and

20 (D) the Committee on Appropriations of
21 the House of Representatives.

22 (4) DETAILEE.—The term “detailee”—

23 (A) means an employee of an agency of the
24 United States Government on loan to the Amer-
25 ican Institute in Taiwan, without a change of

1 position from the agency at which he or she is
2 employed; and

3 (B) a legislative branch employee from the
4 Government Accountability Office, Congres-
5 sional Budget Office, or the Congressional Re-
6 search Service.

7 (5) IMPLEMENTING PARTNER.—The term “im-
8 plementing partner” means any United States orga-
9 nization described in 501(c)(3) of the Internal Rev-
10 enue Code of 1986 that—

11 (A) performs logistical, administrative, and
12 other functions, as determined by the Depart-
13 ment of State and the American Institute of
14 Taiwan in support of the Taiwan Fellowship
15 Program; and

16 (B) enters into a cooperative agreement
17 with the American Institute in Taiwan to ad-
18 minister the Taiwan Fellowship Program.

19 (6) PROGRAM.—The term “Program” means
20 the Taiwan Fellowship Program established pursu-
21 ant to section 605.

22 **SEC. 605. TAIWAN FELLOWSHIP PROGRAM.**

23 (a) ESTABLISHMENT.—The Secretary of State shall
24 establish the Taiwan Fellowship Program (referred to in
25 this section as the “Program”) to provide a fellowship op-

1 portunity in Taiwan of up to 2 years for eligible United
2 States citizens. The Department of State, in consultation
3 with the American Institute in Taiwan and the imple-
4 menting partner, may modify the name of the Program.

5 (b) COOPERATIVE AGREEMENT.—

6 (1) IN GENERAL.—The American Institute in
7 Taiwan should use amounts appropriated pursuant
8 to section 608(a) to enter into an annual or multi-
9 year cooperative agreement with an appropriate im-
10 plementing partner.

11 (2) FELLOWSHIPS.—The Department of State
12 or the American Institute in Taiwan, in consultation
13 with, as appropriate, the implementing partner,
14 should award to eligible United States citizens, sub-
15 ject to available funding—

16 (A) approximately 5 fellowships during the
17 first 2 years of the Program; and

18 (B) approximately 10 fellowships during
19 each of the remaining years of the Program.

20 (c) AMERICAN INSTITUTION IN TAIWAN AGREEMENT;
21 IMPLEMENTING PARTNER.—Not later than 30 days after
22 the date of the enactment of this Act, the American Insti-
23 tute in Taiwan, in consultation with the Department of
24 State, should—

1 (1) begin negotiations with the Taipei Economic
2 and Cultural Representative Office, or with another
3 appropriate entity, for the purpose of entering into
4 an agreement to facilitate the placement of fellows
5 in an agency of the government in Taiwan; and

6 (2) begin the process of selecting an imple-
7 menting partner, which—

8 (A) shall agree to meet all of the legal re-
9 quirements required to operate in Taiwan; and

10 (B) shall be composed of staff who dem-
11 onstrate significant experience managing ex-
12 change programs in the Indo-Pacific region.

13 (d) CURRICULUM.—

14 (1) FIRST YEAR.—During the first year of each
15 fellowship under this section, each fellow should
16 study—

17 (A) the Mandarin Chinese language;

18 (B) the people, history, and political cli-
19 mate on Taiwan; and

20 (C) the issues affecting the relationship be-
21 tween the United States and the Indo-Pacific
22 region.

23 (2) SECOND YEAR.—During the second year of
24 each fellowship under this section, each fellow, sub-
25 ject to the approval of the Department of State, the

1 American Institute in Taiwan, and the implementing
2 partner, and in accordance with the purposes of this
3 title, should work in—

4 (A) a parliamentary office, ministry, or
5 other agency of the government in Taiwan; or

6 (B) an organization outside of the govern-
7 ment in Taiwan, whose interests are associated
8 with the interests of the fellow and the agency
9 of the United States Government from which
10 the fellow is or had been employed.

11 (e) FLEXIBLE FELLOWSHIP DURATION.—Notwith-
12 standing any requirement under this section, the Sec-
13 retary of State, in consultation with the American Insti-
14 tute in Taiwan and, as appropriate, the implementing
15 partner, may award fellowships that have a duration of
16 less than two years, and may alter the curriculum require-
17 ments under subsection (d) for such purposes.

18 (f) SUNSET.—The fellowship program under this title
19 shall terminate 7 years after the date of the enactment
20 of this Act.

21 (g) PROGRAM REQUIREMENTS.—

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

1 (A) is an employee of the United States
2 Government;

3 (B) has received at least one exemplary
4 performance review in his or her current United
5 States Government role within at least the last
6 three years prior to beginning the fellowship;

7 (C) has at least 2 years of experience in
8 any branch of the United States Government;

9 (D) has a demonstrated professional or
10 educational background in the relationship be-
11 tween the United States and countries in the
12 Indo-Pacific region; and

13 (E) has demonstrated his or her commit-
14 ment to further service in the United States
15 Government.

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

19 (A) to maintain satisfactory progress in
20 language training and appropriate behavior in
21 Taiwan, consistent with United States Govern-
22 ment policy toward Taiwan, as determined by
23 the Department of State, the American Insti-
24 tute in Taiwan and, as appropriate, its imple-
25 menting partner;

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

4 (C) to continue Federal Government em-
5 ployment for a period of not less than 4 years
6 after the conclusion of the fellowship or for not
7 less than 2 years for a fellowship that is 1 year
8 or shorter.

9 (3) RESPONSIBILITIES OF IMPLEMENTING
10 PARTNER.—

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

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

18 (ii) select fellows for the Taiwan Fel-
19 lowship Program based solely on merit,
20 with appropriate supervision from the De-
21 partment of State and the American Insti-
22 tute in Taiwan; and

23 (iii) prioritize the selection of can-
24 didates willing to serve in a fellowship last-
25 ing 1 year or longer.

1 (B) FIRST YEAR.—The implementing part-
2 ner should provide each fellow in the first year
3 (or shorter duration, as jointly determined by
4 the Department of State and the American In-
5 stitute in Taiwan for those who are not serving
6 a 2-year fellowship) with—

7 (i) intensive Mandarin Chinese lan-
8 guage training; and

9 (ii) courses in the politics, culture,
10 and history of Taiwan, China, and the
11 broader Indo-Pacific.

12 (C) WAIVER OF FIRST-YEAR TRAINING.—
13 The Department of State, in coordination with
14 the American Institute in Taiwan and, as ap-
15 propriate, the implementing partner, may waive
16 any of the training required under paragraph
17 (2) to the extent that a fellow has Mandarin
18 language skills, knowledge of the topic de-
19 scribed in subparagraph (B)(ii), or for other re-
20 lated reasons approved by the Department of
21 State and the American Institute in Taiwan. If
22 any of the training requirements are waived for
23 a fellow serving a 2-year fellowship, the training
24 portion of his or her fellowship may be short-
25 ened to the extent appropriate.

1 (D) OFFICE; STAFFING.—The imple-
2 menting partner, in consultation with the De-
3 partment of State and the American Institute
4 in Taiwan, may maintain an office and at least
5 1 full-time staff member in Taiwan—

6 (i) to liaise with the American Insti-
7 tute in Taiwan and the government in Tai-
8 wan; and

9 (ii) to serve as the primary in-country
10 point of contact for the recipients of fellow-
11 ships under this Act and their dependents.

12 (E) OTHER FUNCTIONS.—The imple-
13 menting partner may perform other functions
14 in association with support of the Taiwan Fel-
15 lowship Program, including logistical and ad-
16 ministrative functions, as prescribed by the De-
17 partment of State and the American Institute
18 in Taiwan.

19 (4) NONCOMPLIANCE.—

20 (A) IN GENERAL.—Any fellow who fails to
21 comply with the requirements under this section
22 shall reimburse the American Institute in Tai-
23 wan, or the appropriate United States Govern-
24 ment agency for—

1 (i) the Federal funds expended for the
2 fellow's participation in the fellowship, as
3 set forth in paragraphs (2) and (3); and

4 (ii) interest accrued on such funds
5 (calculated at the prevailing rate).

6 (B) FULL REIMBURSEMENT.—Any fellow
7 who violates paragraph (1) or (2) of subsection
8 (b) shall reimburse the American Institute in
9 Taiwan, or the appropriate United States Gov-
10 ernment agency, in an amount equal to the sum
11 of—

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

15 (ii) interest on the amount specified in
16 subparagraph (A), which shall be cal-
17 culated at the prevailing rate.

18 (C) PRO RATA REIMBURSEMENT.—Any fel-
19 low who violates subsection (b)(3) shall reim-
20 burse the American Institute in Taiwan, or the
21 appropriate United States Government agency,
22 in an amount equal to the difference between—

23 (i) the amount specified in paragraph
24 (2); and

25 (ii) the product of—

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

7 (II) the percentage of the period
8 specified in subsection (b)(3) during
9 which the fellow did not remain em-
10 ployed by the Federal Government.

11 **SEC. 606. REPORTS AND AUDITS.**

12 (a) ANNUAL REPORT.—Not later than 90 days after
13 the selection of the first class of fellows under this title,
14 and annually thereafter for 7 years, the Department of
15 State shall offer to brief the appropriate committees of
16 Congress regarding the following issues:

17 (1) An assessment of the performance of the
18 implementing partner in fulfilling the purposes of
19 this Act.

20 (2) The names and sponsoring agencies of the
21 fellows selected by the implementing partner and the
22 extent to which such fellows represent the diversity
23 of the United States.

24 (3) The names of the parliamentary offices,
25 ministries, other agencies of the government in Tai-

1 wan, and nongovernmental institutions to which
2 each fellow was assigned during the second year of
3 the fellowship.

4 (4) Any recommendations, as appropriate, to
5 improve the implementation of the Taiwan Fellow-
6 ship Program, including added flexibilities in the ad-
7 ministration of the program.

8 (5) An assessment of the Taiwan Fellowship
9 Program's value upon the relationship between the
10 United States and Taiwan or the United States and
11 Asian countries.

12 (b) ANNUAL FINANCIAL AUDIT.—

13 (1) IN GENERAL.—The financial records of any
14 implementing partner shall be audited annually in
15 accordance with generally accepted government au-
16 diting standards by independent certified public ac-
17 countants or independent licensed public accountants
18 who are certified or licensed by a regulatory author-
19 ity of a State or another political subdivision of the
20 United States.

21 (2) LOCATION.—Each audit under paragraph
22 (1) shall be conducted at the place or places where
23 the financial records of the implementing partner
24 are normally kept.

1 liabilities, surplus or deficit, with reason-
2 able detail;

3 (iii) include a statement of the imple-
4 menting partner's income and expenses
5 during the year; and

6 (iv) include a schedule of—

7 (I) all contracts and cooperative
8 agreements requiring payments great-
9 er than \$5,000; and

10 (II) any payments of compensa-
11 tion, salaries, or fees at a rate greater
12 than \$5,000 per year.

13 (C) COPIES.—Each audit report shall be
14 produced in sufficient copies for distribution to
15 the public.

16 **SEC. 607. TAIWAN FELLOWS ON DETAIL FROM GOVERN-**
17 **MENT SERVICE.**

18 (a) IN GENERAL.—

19 (1) DETAIL AUTHORIZED.—With the approval
20 of the Secretary of State, an agency head may de-
21 tail, for a period of not more than 2 years, an em-
22 ployee of the agency of the United States Govern-
23 ment who has been awarded a fellowship under this
24 title, to the American Institute in Taiwan for the
25 purpose of assignment to the government in Taiwan

1 or an organization described in section
2 605(d)(2)(B).

3 (2) AGREEMENT.—Each detailee shall enter
4 into a written agreement with the Federal Govern-
5 ment before receiving a fellowship, in which the fel-
6 low shall agree—

7 (A) to continue in the service of the spon-
8 soring agency at the end of fellowship for a pe-
9 riod of at least 4 years (or at least 2 years if
10 the fellowship duration is 1 year or shorter) un-
11 less the detailee is involuntarily separated from
12 the service of such agency; and

13 (B) to pay to the American Institute in
14 Taiwan, or the United States Government agen-
15 cy, as appropriate, any additional expenses in-
16 curred by the Federal Government in connec-
17 tion with the fellowship if the detailee volun-
18 tarily separates from service with the spon-
19 soring agency before the end of the period for
20 which the detailee has agreed to continue in the
21 service of such agency.

22 (3) EXCEPTION.—The payment agreed to under
23 paragraph (2)(B) may not be required from a
24 detailee who leaves the service of the sponsoring
25 agency to enter into the service of another agency of

1 the United States Government unless the head of
2 the sponsoring agency notifies the detailee before the
3 effective date of entry into the service of the other
4 agency that payment will be required under this sub-
5 section.

6 (b) STATUS AS GOVERNMENT EMPLOYEE.—A
7 detailee—

8 (1) is deemed, for the purpose of preserving al-
9 lowances, privileges, rights, seniority, and other ben-
10 efits, to be an employee of the sponsoring agency;

11 (2) is entitled to pay, allowances, and benefits
12 from funds available to such agency, which is
13 deemed to comply with section 5536 of title 5,
14 United States Code; and

15 (3) may be assigned to a position with an entity
16 described in section 605(d)(2)(A) if acceptance of
17 such position does not involve—

18 (A) the taking of an oath of allegiance to
19 another government; or

20 (B) the acceptance of compensation or
21 other benefits from any foreign government by
22 such detailee.

23 (c) RESPONSIBILITIES OF SPONSORING AGENCY.—

24 (1) IN GENERAL.—The Federal agency from
25 which a detailee is detailed should provide the fellow

1 allowances and benefits that are consistent with De-
2 partment of State Standardized Regulations or other
3 applicable rules and regulations, including—

4 (A) a living quarters allowance to cover the
5 cost of housing in Taiwan;

6 (B) a cost of living allowance to cover any
7 possible higher costs of living in Taiwan;

8 (C) a temporary quarters subsistence al-
9 lowance for up to 7 days if the fellow is unable
10 to find housing immediately upon arriving in
11 Taiwan;

12 (D) an education allowance to assist par-
13 ents in providing the fellow's minor children
14 with educational services ordinarily provided
15 without charge by public schools in the United
16 States;

17 (E) moving expenses to transport personal
18 belongings of the fellow and his or her family
19 in their move to Taiwan, which is comparable
20 to the allowance given for American Institute in
21 Taiwan employees assigned to Taiwan; and

22 (F) an economy-class airline ticket to and
23 from Taiwan for each fellow and the fellow's
24 immediate family.

1 (2) MODIFICATION OF BENEFITS.—The Amer-
2 ican Institute in Taiwan and its implementing part-
3 ner, with the approval of the Department of State,
4 may modify the benefits set forth in paragraph (1)
5 if such modification is warranted by fiscal cir-
6 cumstances.

7 (d) NO FINANCIAL LIABILITY.—The American Insti-
8 tute in Taiwan, the implementing partner, and any gov-
9 ernment in Taiwan or nongovernmental entities in Taiwan
10 at which a fellow is detailed during the second year of
11 the fellowship may not be held responsible for the pay,
12 allowances, or any other benefit normally provided to the
13 detailee.

14 (e) REIMBURSEMENT.—Fellows may be detailed
15 under subsection (a)(1) without reimbursement to the
16 United States by the American Institute in Taiwan.

17 (f) ALLOWANCES AND BENEFITS.—Detailees may be
18 paid by the American Institute in Taiwan for the allow-
19 ances and benefits listed in subsection (c).

20 **SEC. 608. FUNDING.**

21 (a) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the American Insti-
23 tute in Taiwan—

24 (1) for fiscal year 2023, \$2,900,000, of which—

1 (A) \$500,000 shall be used to launch the
2 Taiwan Fellowship Program through a competi-
3 tive cooperative agreement with an appropriate
4 implementing partner;

5 (B) \$2,300,000 shall be used to fund a co-
6 operative agreement with an appropriate imple-
7 menting partner; and

8 (C) \$100,000 shall be used for manage-
9 ment expenses of the American Institute in Tai-
10 wan related to the management of the Taiwan
11 Fellowship Program; and

12 (2) for fiscal year 2024, and each succeeding
13 fiscal year, \$2,400,000, of which—

14 (A) \$2,300,000 shall be used for a cooper-
15 ative agreement to the appropriate imple-
16 menting partner; and

17 (B) \$100,000 shall be used for manage-
18 ment expenses of the American Institute in Tai-
19 wan related to the management of the Taiwan
20 Fellowship Program.

21 (b) PRIVATE SOURCES.—The implementing partner
22 selected to implement the Taiwan Fellowship Program
23 may accept, use, and dispose of gifts or donations of serv-
24 ices or property in carrying out such program, subject to

1 the review and approval of the American Institute in Tai-
2 wan.

3 **SEC. 609. STUDY AND REPORT.**

4 Not later than one year prior to the sunset of the
5 fellowship program under section 605(f), the Comptroller
6 General of the United States shall conduct a study and
7 submit to the Committee on Foreign Relations of the Sen-
8 ate and the Committee on Foreign Affairs of the House
9 a report that includes—

10 (1) an analysis of the United States Govern-
11 ment participants in this program, including the
12 number of applicants and the number of fellowships
13 undertaken, the place of employment, and an assess-
14 ment of the costs and benefits for participants and
15 for the United States Government of such fellow-
16 ships;

17 (2) an analysis of the financial impact of the
18 fellowship on United States Government offices
19 which have provided fellows to participate in the pro-
20 gram; and

21 (3) recommendations, if any, on how to improve
22 the fellowship program.

1 **SEC. 610. SUPPORTING UNITED STATES EDUCATIONAL AND**
2 **EXCHANGE PROGRAMS WITH TAIWAN.**

3 (a) ESTABLISHMENT OF THE UNITED STATES-TAI-
4 WAN CULTURAL EXCHANGE FOUNDATION.—The Sec-
5 retary of State should consider establishing an inde-
6 pendent nonprofit entity that—

7 (1) is dedicated to deepening ties between the
8 future leaders of Taiwan and the future leaders of
9 the United States; and

10 (2) works with State and local school districts
11 and educational institutions to send high school and
12 university students to Taiwan to study the Chinese
13 language, culture, history, politics, and other rel-
14 evant subjects.

15 (b) PARTNER.—State and local school districts and
16 educational institutions, including public universities, are
17 encouraged to partner with the Taipei Economic and Cul-
18 tural Representative Office in the United States to estab-
19 lish programs to promote more educational and cultural
20 exchanges.

1 **TITLE VII—MISCELLANEOUS**
2 **PROVISIONS**

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

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

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

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

15 (2) the United States Government and Tai-
16 wanese counterparts should resume meetings under
17 the United States-Taiwan Trade and Investment
18 Framework Agreement and reach a bilateral free
19 trade agreement that provides high levels of labor
20 rights and environmental protections;

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

24 (4) the United States Government and Tai-
25 wanese counterparts should engage in a regular and

1 routine strategic bilateral dialogue on arms sales in
2 accordance with Foreign Military Sales mechanisms;
3 and

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

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

8 (a) LIST OF HIGH-LEVEL VISITS.—Not later than
9 180 days after the date of the enactment of this Act, and
10 annually thereafter for the following 5 years, the Secretary
11 of State, in accordance with the Taiwan Travel Act (Pub-
12 lic Law 115–135), shall submit to the appropriate con-
13 gressional committees—

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

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

19 (b) ANNUAL REPORT.—Not later than 90 days after
20 the date of the enactment of this Act, and annually there-
21 after for a period of 5 years, the Secretary of State shall
22 submit a report on the implementation of the Taiwan
23 Travel Act, including a discussion of its positive effects
24 on United States interests in the region, to the appro-
25 priate congressional committees.

1 **SEC. 703. PROHIBITIONS AGAINST UNDERMINING UNITED**
2 **STATES POLICY REGARDING TAIWAN.**

3 (a) FINDING.—Congress finds that the efforts by the
4 Government of the People’s Republic of China and the
5 Chinese Communist Party to compel private United States
6 businesses, corporations, and nongovernmental entities to
7 use language mandated by the People’s Republic of China
8 (referred to in this section as the “PRC”) to describe the
9 relationship between Taiwan and the PRC are an illegit-
10 imate attempt to enforce political censorship globally.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that the United States Government, in coordination
13 with United States businesses and nongovernmental enti-
14 ties, should formulate a code of conduct for, and otherwise
15 coordinate on, interacting with the Government of the
16 PRC and the Chinese Communist Party and their affili-
17 ated entities, the aim of which is—

18 (1) to counter PRC operations that threaten
19 free speech, academic freedom, and the normal oper-
20 ations of United States businesses and nongovern-
21 mental entities; and

22 (2) to counter PRC efforts to censor the way
23 the world refers to issues deemed sensitive to the
24 PRC Government and Chinese Communist Party
25 leaders, including issues related to Taiwan, Tibet,
26 the Tiananmen Square Massacre, and the mass in-

1 ternment of Uyghurs and other Turkic Muslims,
2 among many other issues.

3 (c) PROHIBITION AGAINST RECOGNIZING THE PEO-
4 PLE'S REPUBLIC OF CHINA'S CLAIMS TO SOVEREIGNTY
5 OVER TAIWAN.—

6 (1) SENSE OF CONGRESS.—It is the sense of
7 Congress that—

8 (A) issues related to the sovereignty of
9 Taiwan are for the people of Taiwan to decide
10 through the democratic process they have estab-
11 lished;

12 (B) the dispute between the PRC and Tai-
13 wan must be resolved peacefully and with the
14 assent of the people of Taiwan;

15 (C) the 2 key obstacles to peaceful resolu-
16 tion are—

17 (i) the authoritarian nature of the
18 PRC political system under one-party rule
19 of the Chinese Communist Party, which is
20 fundamentally incompatible with Taiwan's
21 democracy; and

22 (ii) the PRC's pursuit of coercion and
23 aggression towards Taiwan, in potential
24 violation of the third United States-PRC

1 Joint Communiqué, which was completed
2 on August 17, 1982;

3 (D) any attempt to coerce or force the peo-
4 ple of Taiwan to accept a political arrangement
5 that would subject them to direct or indirect
6 rule by the PRC, including a “one country, two
7 systems” framework, would constitute a grave
8 challenge to United States security interests in
9 the region.

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

14 (3) PROHIBITION ON RECOGNITION OF PRC
15 CLAIMS WITHOUT THE ASSENT OF PEOPLE OF TAI-
16 WAN.—No department or agency of the United
17 States Government may formally or informally rec-
18 ognize PRC claims to sovereignty over Taiwan with-
19 out the assent of the people of Taiwan, as expressed
20 directly through the democratic process.

21 (d) STRATEGY TO PROTECT UNITED STATES BUSI-
22 NESSES AND NONGOVERNMENTAL ENTITIES FROM COER-
23 CION.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, the Secretary

1 of State, in consultation with the Secretary of Com-
2 merce, the Secretary of the Treasury, and the heads
3 of other relevant Federal agencies, shall submit an
4 unclassified report, with a classified annex, if nec-
5 essary, on how to protect United States businesses
6 and nongovernmental entities from PRC operations,
7 including coercion and threats that lead to censor-
8 ship or self-censorship, or which compel compliance
9 with political or foreign policy positions of the Gov-
10 ernment of the People’s Republic of China and the
11 Chinese Communist Party.

12 (2) ELEMENTS.—The strategy shall include—

13 (A) information regarding efforts by the
14 PRC Government to censor the websites of
15 United States airlines, hotels, and other busi-
16 nesses regarding the relationship between Tai-
17 wan and the PRC;

18 (B) information regarding efforts by the
19 PRC Government to target United States non-
20 governmental entities through operations in-
21 tended to weaken support for Taiwan;

22 (C) information regarding United States
23 Government efforts to counter the threats posed
24 by Chinese state-sponsored propaganda and
25 disinformation, including information on best

1 practices, current successes, and existing bar-
2 riers to responding to such threat; and

3 (D) details of any actions undertaken to
4 create the code of conduct described in sub-
5 section (b), including a timetable for the imple-
6 mentation of such code of conduct.

7 **SEC. 704. AMENDMENTS TO THE TAIWAN ALLIES INTER-**
8 **NATIONAL PROTECTION AND ENHANCEMENT**
9 **INITIATIVE (TAIPEI) ACT OF 2019.**

10 The Taiwan Allies International Protection and En-
11 hancement Initiative (TAIPEI) Act of 2019 (Public Law
12 116–135) is amended—

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

15 (2) in section 4—

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

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

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

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

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

25 (3) in section 5—

1 (A) in subsection (a)—

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

4 (ii) in paragraph (3), by striking the
5 period at the end and inserting “; and”;
6 and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(4) identify why governments and countries
10 have altered their diplomatic status vis-a-vis Taiwan
11 and make recommendations to mitigate further dete-
12 rioration in Taiwan’s diplomatic relations with other
13 governments and countries.”;

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

23 (C) by redesignating subsection (e) as sub-
24 section (d); and

1 (D) by inserting after subsection (b) the
2 following:

3 “(c) BRIEFINGS.—Not later than 90 days after the
4 date of the enactment of the Taiwan Policy Act of 2022,
5 and annually thereafter for a period of 7 years, the De-
6 partment of State shall provide briefings to the appro-
7 priate congressional committees on the steps taken in ac-
8 cordance with section (a). The briefings required under
9 this subsection shall take place in an unclassified setting,
10 but may be accompanied by an additional classified brief-
11 ing.”.

12 **SEC. 705. REPORT ON ROLE OF PEOPLE’S REPUBLIC OF**
13 **CHINA’S NUCLEAR THREAT IN ESCALATION**
14 **DYNAMICS.**

15 (a) IN GENERAL.—Not later than 90 days after the
16 date of the enactment of this Act, the Secretary of State,
17 in consultation with the Secretary of Defense and the Di-
18 rector of National Intelligence, shall submit to Congress
19 a report assessing the role of the increasing nuclear threat
20 of the People’s Republic of China in escalation dynamics
21 with respect to Taiwan.

22 (b) FORM.—The report required by subsection (a)
23 shall be submitted in unclassified form, but may include
24 a classified annex.

1 **SEC. 706. REPORT ANALYZING THE IMPACT OF RUSSIA'S**
2 **WAR AGAINST UKRAINE ON THE OBJECTIVES**
3 **OF THE PEOPLE'S REPUBLIC OF CHINA WITH**
4 **RESPECT TO TAIWAN.**

5 (a) IN GENERAL.—Not later than 90 days after the
6 date of the enactment of this Act, the Secretary of State,
7 in consultation with the Secretary of Defense and the Di-
8 rector of National Intelligence, shall submit a report to
9 the appropriate congressional committees that analyzes
10 the impact of Russia's war against Ukraine on the PRC's
11 diplomatic, military, economic, and propaganda objectives
12 with respect to Taiwan.

13 (b) ELEMENTS.—The report required under sub-
14 section (a) shall describe—

15 (1) adaptations or known changes to PRC
16 strategies and military doctrine since the commence-
17 ment of the Russian invasion of Ukraine on Feb-
18 ruary 24, 2022, including changes—

19 (A) to PRC behavior in international fo-
20 rums;

21 (B) within the People's Liberation Army,
22 with respect to the size of forces, the makeup
23 of leadership, weapons procurement, equipment
24 upkeep, the doctrine on the use of specific
25 weapons, such as weapons banned under the
26 international law of armed conflict, efforts to

1 move weapons supply chains onto mainland
2 PRC, or any other changes in its military strat-
3 egy with respect to Taiwan;

4 (C) in economic planning, such as sanc-
5 tions evasion, efforts to minimize exposure to
6 sanctions, or moves in support of the protection
7 of currency or other strategic reserves;

8 (D) to propaganda, disinformation, and
9 other information operations originating in the
10 PRC; and

11 (E) to the PRC's strategy for the use of
12 force against Taiwan, including any information
13 on preferred scenarios or operations to secure
14 its objectives in Taiwan, adjustments based on
15 how the Russian military has performed in
16 Ukraine, and other relevant matters;

17 (2) United States' plans to adapt its policies
18 and military planning in response to the changes re-
19 ferred to in paragraph (1).

20 (c) FORM.—The report required under subsection (a)
21 shall be submitted in classified form.

22 (d) COORDINATION WITH ALLIES AND PARTNERS.—
23 The Secretary of State shall share information contained
24 in the report required under subsection (a), as appro-
25 priate, with appropriate officials of allied and partner na-

1 tions, including Taiwan and allies in Europe and in the
2 Indo-Pacific.

3 (e) DEFINED TERM.—In this section, the term “ap-
4 propriate congressional committees” means—

5 (1) the Committee on Foreign Relations of the
6 Senate;

7 (2) the Committee on Armed Services of the
8 Senate;

9 (3) the Committee on Appropriations of the
10 Senate;

11 (4) the Select Committee on Intelligence of the
12 Senate;

13 (5) the Committee on Banking, Housing, and
14 Urban Affairs of the Senate;

15 (6) the Committee on Foreign Affairs of the
16 House of Representatives;

17 (7) the Committee on Armed Services of the
18 House of Representatives;

19 (8) the Committee on Appropriations of the
20 House of Representatives;

21 (9) the Permanent Select Committee on Intel-
22 ligence of the House of Representatives; and

23 (10) the Committee on Financial Services of
24 the House of Representatives.

1 **TITLE VIII—DETERRENCE MEAS-**
2 **URES FOR CROSS-STRAIT**
3 **STABILITY AND TO IMPOSE**
4 **COSTS ON THE PEOPLE’S RE-**
5 **PUBLIC OF CHINA FOR UNI-**
6 **LATERALLY CHANGING OR**
7 **ATTEMPTING TO CHANGE**
8 **THE STATUS QUO OF TAIWAN**

9 **SEC. 801. DEFINITIONS.**

10 In this title:

11 (1) **ADMISSION; ADMITTED; ALIEN.**—The terms
12 “admission”, “admitted”, and “alien” have the
13 meanings given such terms in section 101 of the Im-
14 migration and Nationality Act (8 U.S.C. 1101).

15 (2) **APPROPRIATE COMMITTEES OF CON-**
16 **GRESS.**—The term “appropriate committees of Con-
17 gress” means—

18 (A) the Committee on Foreign Relations of
19 the Senate;

20 (B) the Committee on Banking, Housing,
21 and Urban Affairs of the Senate;

22 (C) the Committee on Foreign Affairs of
23 the House of Representatives; and

24 (D) the Committee on Financial Services
25 of the House of Representatives.

1 (3) CCP.—The term “CCP” means the Chinese
2 Communist Party.

3 (4) FINANCIAL INSTITUTION.—The term “fi-
4 nancial institution” means a financial institution
5 specified in subparagraph (A), (B), (C), (D), (E),
6 (F), (G), (H), (I), (J), (M), or (Y) of section
7 5312(a)(2) of title 31, United States Code.

8 (5) FOREIGN FINANCIAL INSTITUTION.—The
9 term “foreign financial institution” has the meaning
10 given such term in regulations prescribed by the
11 Secretary of the Treasury.

12 (6) FOREIGN PERSON.—The term “foreign per-
13 son” means an individual or entity that is not a
14 United States person.

15 (7) KNOWINGLY.—The term “knowingly”, with
16 respect to conduct, a circumstance, or a result,
17 means that a person had actual knowledge, or
18 should have known, of the conduct, the cir-
19 cumstance, or the result.

20 (8) PEOPLE’S LIBERATION ARMY; PLA.—The
21 terms “People’s Liberation Army” and “PLA” mean
22 the armed forces of the People’s Republic of China.

23 (9) UNITED STATES PERSON.—The term
24 “United States person” means—

1 (A) a United States citizen or an alien law-
2 fully admitted for permanent residence to the
3 United States; or

4 (B) an entity organized under the laws of
5 the United States or of any jurisdiction within
6 the United States, including a foreign branch of
7 such an entity.

8 **SEC. 802. DETERMINATIONS WITH RESPECT TO ACTIVITIES**
9 **OF THE PEOPLE'S REPUBLIC OF CHINA**
10 **AGAINST TAIWAN.**

11 (a) IN GENERAL.—The President shall determine, in
12 accordance with subsection (b), whether—

13 (1) the Government of the People's Republic of
14 China, the Chinese Communist Party, or any proxy,
15 or person or entity under the control of or acting at
16 the direction thereof, is knowingly engaged in a sig-
17 nificant escalation in aggression, including overt or
18 covert military activity, in or against Taiwan, com-
19 pared to the level of aggression in or against Taiwan
20 on or after the date of the enactment of this Act;
21 and

22 (2) if such engagement exists, whether such es-
23 calation demonstrates an attempt to achieve or has
24 the significant effect of achieving the physical or po-
25 litical control of Taiwan, including by—

1 (A) overthrowing or dismantling the gov-
2 erning institutions in Taiwan;

3 (B) occupying any territory controlled or
4 administered by Taiwan as of the date of the
5 enactment of this Act;

6 (C) violating the territorial integrity of
7 Taiwan; or

8 (D) taking significant action against Tai-
9 wan, including—

10 (i) creating a naval blockade of Tai-
11 wan;

12 (ii) seizing the outer lying islands of
13 Taiwan; or

14 (iii) initiating a significant cyber at-
15 tack that threatens the civilian or military
16 infrastructure of Taiwan.

17 (b) TIMING OF DETERMINATIONS.—The President
18 shall make the determination described in subsection (a)—

19 (1) not later than 15 days after the date of the
20 enactment of this Act;

21 (2) after the first determination under para-
22 graph (1), not less frequently than once every 90
23 days (or more frequently, if warranted) during the
24 1-year period beginning on such date of enactment;
25 and

1 (3) after the end of such 1-year period, not less
2 frequently than once every 120 days.

3 (c) REPORT REQUIRED.—Upon making a determina-
4 tion described in subsection (a), the President shall submit
5 a report describing the factors influencing such determina-
6 tion to the appropriate committees of Congress.

7 (d) CONGRESSIONAL REQUESTS.—Not later than 30
8 days after receiving a request from the chairman and
9 ranking member of the Committee on Foreign Relations
10 of the Senate or the Committee on Foreign Affairs of the
11 House of Representatives with respect to whether the Peo-
12 ple’s Republic of China or the Chinese Communist Party,
13 including through any proxies of the People’s Republic of
14 China or the Chinese Communist Party, has engaged in
15 an act described in subsection (a), the President shall—

16 (1) determine if the People’s Republic of China
17 or the Chinese Communist Party has engaged in
18 such an act; and

19 (2) submit a report to the appropriate commit-
20 tees of Congress that contains a detailed explanation
21 of such determination.

1 **SEC. 803. IMPOSITION OF SANCTIONS ON OFFICIALS OF**
2 **THE GOVERNMENT OF THE PEOPLE’S REPUB-**
3 **LIC OF CHINA RELATING TO OPERATIONS IN**
4 **TAIWAN.**

5 (a) **DEFINED TERM.**—In this section, the term “top
6 decision-making bodies” may include—

7 (1) the CCP Politburo Standing Committee;

8 (2) the CCP Party Central Military Commis-
9 sion;

10 (3) the CCP Politburo;

11 (4) the CCP Central Committee;

12 (5) the CCP National Congress;

13 (6) the State Council of the People’s Republic
14 of China; and

15 (7) the State Central Military Commission of
16 the CCP.

17 (b) **IN GENERAL.**—Not later than 60 days after mak-
18 ing an affirmative determination under section 802(a), the
19 President shall impose the sanctions described in section
20 807 with respect to at least 100 officials of the Govern-
21 ment of the People’s Republic of China specified in sub-
22 section (c), to the extent such officials can be identified.

23 (c) **OFFICIALS SPECIFIED.**—The officials specified in
24 this subsection shall include—

25 (1) senior civilian and military officials of the
26 People’s Republic of China and military officials who

1 have command or clear and direct decision-making
2 power over military campaigns, military operations,
3 and military planning against Taiwan conducted by
4 the People's Liberation Army;

5 (2) senior civilian and military officials of the
6 People's Republic of China who have command or
7 clear and direct decision-making power in the Chi-
8 nese Coast Guard and the Chinese People's Armed
9 Police and are engaged in planning or implementing
10 activities that involve the use of force against Tai-
11 wan;

12 (3) senior or special advisors to the President
13 of the People's Republic of China;

14 (4) officials of the Government of the People's
15 Republic of China who are members of the top deci-
16 sion-making bodies of that Government;

17 (5) the highest-ranking Chinese Communist
18 Party members of the decision-making bodies re-
19 ferred to in paragraph (4); and

20 (6) officials of the Government of the People's
21 Republic of China in the intelligence agencies or se-
22 curity services who—

23 (A) have clear and direct decisionmaking
24 power; and

1 (B) have engaged in or implemented activi-
2 ties that—

3 (i) materially undermine the military
4 readiness of Taiwan;

5 (ii) overthrow or decapitate the Tai-
6 wan's government;

7 (iii) debilitate Taiwan's electric grid,
8 critical infrastructure, or cybersecurity sys-
9 tems through offensive electronic or cyber
10 attacks;

11 (iv) undermine Taiwan's democratic
12 processes through campaigns to spread
13 disinformation; or

14 (v) involve committing serious human
15 rights abuses against citizens of Taiwan,
16 including forceful transfers, enforced dis-
17 appearances, unjust detainment, or tor-
18 ture.

19 (d) ADDITIONAL OFFICIALS.—

20 (1) LIST REQUIRED.—Not later than 30 days
21 after making an affirmative determination under
22 section 802(a) and every 90 days thereafter, the
23 President shall submit a list to the appropriate com-
24 mittees of Congress that identifies any additional
25 foreign persons who—

1 (A) the President determines are officials
2 specified in subsection (c); and

3 (B) who were not included on any previous
4 list of such officials.

5 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
6 mission of the list required under paragraph (1), the
7 President shall impose the sanctions described in
8 section 807 with respect to each foreign person in-
9 cluded on the list.

10 **SEC. 804. IMPOSITION OF SANCTIONS WITH RESPECT TO FI-**
11 **NANCIAL INSTITUTIONS OF THE PEOPLE'S**
12 **REPUBLIC OF CHINA.**

13 (a) DEFINITIONS.—In this section:

14 (1) JOINT-EQUITY BANK.—The term “joint-eq-
15 uity bank” means a bank under the jurisdiction of
16 the People’s Republic of China in which—

17 (A) the bank’s equity is owned jointly by
18 the shareholders; and

19 (B) the Government of the People’s Re-
20 public of China holds an interest.

21 (2) NATIONAL JOINT-STOCK COMMERCIAL
22 BANK.—The term “national joint-stock commercial
23 bank” means a bank under the jurisdiction of the
24 People’s Republic of China in which—

1 (A) the bank’s stock is owned jointly by
2 the shareholders; and

3 (B) the Government of the People’s Re-
4 public of China holds an interest.

5 (3) NATIONAL STATE-OWNED POLICY BANK.—

6 The term “national state-owned policy bank” means
7 a bank that—

8 (A) is incorporated in the People’s Repub-
9 lic of China; and

10 (B) was established by the Government of
11 the People’s Republic of China to advance in-
12 vestments in specific policy domains that ad-
13 vance the interests and goals of the People’s
14 Republic of China.

15 (b) IN GENERAL.—

16 (1) IN GENERAL.—Not later than 30 days after
17 making an affirmative determination under section
18 802(a), the President shall impose the sanctions de-
19 scribed in section 807(a) with respect to—

20 (A) at least 5 state-owned banks in the
21 People’s Republic of China, including at least 3
22 of the largest state-owned banks.

23 (B) at least 3 national joint-stock commer-
24 cial banks in the People’s Republic of China;

1 (C) at least 3 national state-owned policy
2 banks in the People’s Republic of China;

3 (D) at least 3 joint-equity banks or other
4 commercial banks in the People’s Republic of
5 China; and

6 (E) entities that regulate the banking sec-
7 tor of the People’s Republic of China, or major
8 financial asset management companies regu-
9 lated by the Government of the People’s Repub-
10 lic of China.

11 (2) SUBSIDIARIES AND SUCCESSOR ENTITIES.—

12 The President may impose the sanctions described
13 in section 807 with respect to any subsidiary of, or
14 successor entity to, a financial institution specified
15 in paragraph (1).

16 (c) ADDITIONAL PEOPLE’S REPUBLIC OF CHINA FI-
17 NANCIAL INSTITUTIONS.—

18 (1) LIST REQUIRED.—Not later than 30 days
19 after making an affirmative determination under
20 section 802(a), and every 90 days thereafter, the
21 President shall submit a list to the appropriate com-
22 mittees of Congress that identifies any foreign per-
23 sons that the President determines—

1 (A) are significant financial institutions
2 owned or operated by the Government of the
3 People’s Republic of China; and

4 (B) should be sanctioned in the interest of
5 United States national security.

6 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
7 mission of each list required under paragraph (1),
8 the President shall impose the sanctions described in
9 section 807 with respect to each foreign person iden-
10 tified on such list.

11 **SEC. 805. REPORTING REQUIREMENT.**

12 (a) APPROPRIATE CONGRESSIONAL COMMITTEES.—
13 In this section, the term “appropriate congressional com-
14 mittees” means—

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

17 (2) the Committee on Banking, Housing, and
18 Urban Affairs of the Senate;

19 (3) the Committee on Armed Services of the
20 Senate;

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

23 (5) the Committee on Financial Services of the
24 House of Representatives; and

1 (6) the Committee on Armed Services of the
2 House of Representatives.

3 (b) IN GENERAL.—Not later than 120 days after the
4 date of the enactment of this Act, and every 90 days there-
5 after for a period of 3 years, the President shall submit
6 to the appropriate congressional committees a report that
7 includes information, if any, regarding the officials speci-
8 fied in section 803(b) and the entities specified in section
9 804(b) that could be relevant to making a determination
10 under section 802(a).

11 (c) FORM.—Each report required under subsection
12 (b) shall be submitted in classified form.

13 **SEC. 806. ADDITIONAL SANCTIONS.**

14 (a) IN GENERAL.—Beginning on the date that is 90
15 days after the date of the enactment of this Act, the Presi-
16 dent shall impose the sanctions described in section 807
17 on any foreign person that the President determines, while
18 acting for or on behalf of the Government of the People’s
19 Republic of China, knowingly—

20 (1) ordered or engaged directly in activities
21 interfering significantly in a democratic process in
22 Taiwan; or

23 (2) with the objective of destabilizing Taiwan,
24 engaged directly in, or ordered—

1 (A) malicious, offensive cyber-enabled ac-
2 tivities targeting—

3 (i) the Government or armed forces of
4 Taiwan; or

5 (ii) the critical infrastructure, includ-
6 ing military, industrial, or financial infra-
7 structure of Taiwan;

8 (B) significant economic practices intended
9 to coerce or intimidate—

10 (i) the government in Taiwan; or

11 (ii) businesses, academic, or civil soci-
12 ety institutions located in Taiwan; or

13 (C) military activities that are designed to
14 intimidate the armed forces of Taiwan or that
15 seek to normalize a coercive military posture
16 and sustained presence by the People's Libera-
17 tion Army in the Taiwan Strait.

18 (b) WAIVER.—The President may waive the applica-
19 tion of sanctions under subsection (a) if the President sub-
20 mits to the appropriate committees of Congress a written
21 determination that such waiver is in the national interests
22 of the United States.

23 **SEC. 807. SANCTIONS DESCRIBED.**

24 (a) PROPERTY BLOCKING.—Except as provided in
25 section 809, the President shall exercise all of the powers

1 granted by the International Emergency Economic Powers
2 Act (50 U.S.C. 1701 et seq.) to the extent necessary to
3 block and prohibit all transactions in all property and in-
4 terests in property of the foreign person if such property
5 and interests in property are in the United States, come
6 within the United States, or are or come within the posses-
7 sion or control of a United States person.

8 (b) ALIENS INADMISSIBLE FOR VISAS, ADMISSION,
9 OR PAROLE.—

10 (1) VISAS, ADMISSION, OR PAROLE.—In the
11 case of an alien, the alien is—

12 (A) inadmissible to the United States;

13 (B) ineligible to receive a visa or other doc-
14 umentation to enter the United States; and

15 (C) otherwise ineligible to be admitted or
16 paroled into the United States or to receive any
17 other benefit under the Immigration and Na-
18 tionality Act (8 U.S.C. 1101 et seq.).

19 (2) CURRENT VISAS REVOKED.—

20 (A) IN GENERAL.—The visa or other entry
21 documentation of an alien described in para-
22 graph (1) shall be revoked, regardless of when
23 such visa or other entry documentation was
24 issued.

1 (B) IMMEDIATE EFFECT.—A revocation
2 under subparagraph (A) shall—

3 (i) take effect immediately; and

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

7 **SEC. 808. IMPLEMENTATION; REGULATIONS; PENALTIES.**

8 (a) IMPLEMENTATION.—The President may exercise
9 all authorities provided to the President under sections
10 203 and 205 of the International Emergency Economic
11 Powers Act (50 U.S.C. 1702 and 1704) to carry out this
12 title.

13 (b) RULEMAKING.—The President shall issue such
14 regulations, licenses, and orders as are necessary to carry
15 out this title.

16 (c) PENALTIES.—Any person that violates, attempts
17 to violate, conspires to violate, or causes a violation of this
18 title, or any regulation, license, or order issued to carry
19 out this title, shall be subject to the penalties set forth
20 in subsections (b) and (c) of section 206 of the Inter-
21 national Emergency Economic Powers Act (50 U.S.C.
22 1705) to the same extent as a person that commits an
23 unlawful act described in subsection (a) of that section.

24 **SEC. 809. EXCEPTIONS; WAIVER.**

25 (a) EXCEPTIONS.—

1 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
2 TIES.—This title shall not apply with respect to—

3 (A) activities subject to the reporting re-
4 quirements under title V of the National Secu-
5 rity Act of 1947 (50 U.S.C. 3091 et seq.); or

6 (B) authorized intelligence activities of the
7 United States.

8 (2) EXCEPTION FOR COMPLIANCE WITH INTER-
9 NATIONAL OBLIGATIONS AND LAW ENFORCEMENT
10 ACTIVITIES.—Sanctions under this title shall not
11 apply with respect to an alien if admitting or parol-
12 ing such alien into the United States is necessary—

13 (A) to permit the United States to comply
14 with the Agreement regarding the Head-
15 quarters of the United Nations, signed at Lake
16 Success on June 26, 1947, and entered into
17 force November 21, 1947, between the United
18 Nations and the United States, or other appli-
19 cable international obligations of the United
20 States; or

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

23 (3) EXCEPTION RELATING TO IMPORTATION OF
24 GOODS.—

1 (A) DEFINED TERM.—In this paragraph,
2 the term “good” means any article, natural or
3 manmade substance, material, supply, or manu-
4 factured product, including inspection and test
5 equipment, and excluding technical data.

6 (B) IN GENERAL.—Notwithstanding any
7 other provision of this title, the authority or a
8 requirement to impose sanctions under this title
9 shall not include the authority or a requirement
10 to impose sanctions on the importation of
11 goods.

12 (b) NATIONAL SECURITY WAIVER.—The President
13 may waive the imposition of sanctions based on a deter-
14 mination under section 802(a) with respect to a person
15 if the President—

16 (1) determines that such a waiver is in the na-
17 tional security interests of the United States; and

18 (2) submits a notification of the waiver and the
19 reasons for the waiver to the appropriate committees
20 of Congress.

21 **SEC. 810. TERMINATION.**

22 The President may terminate the sanctions imposed
23 under this title based on a determination under section
24 802(a), after determining and certifying to the appro-

1 priate committees of Congress that the Government of the
2 People’s Republic of China—

3 (1) has verifiably ceased the activities described
4 in section 802(a) with respect to operations against
5 Taiwan; and

6 (2) to the extent applicable, has entered into an
7 agreed settlement with a legitimate democratic gov-
8 ernment in Taiwan.

9 **TITLE IX—UNITED STATES-TAI-**
10 **WAN PUBLIC HEALTH PRO-**
11 **TECTION**

12 **SEC. 901. SHORT TITLE.**

13 This title may be cited as the “United States-Taiwan
14 Public Health Protection Act”.

15 **SEC. 902. DEFINITIONS.**

16 In this title:

17 (1) APPROPRIATE CONGRESSIONAL COMMIT-
18 TEES.—For the purposes of this title, the term “ap-
19 propriate congressional committees” means—

20 (A) the Committee on Foreign Relations of
21 the Senate;

22 (B) the Committee on Health, Education,
23 Labor, and Pensions of the Senate;

24 (C) the Committee on Foreign Affairs of
25 the House of Representatives; and

1 (D) the Committee on Energy and Com-
2 merce of the House of Representatives.

3 (2) CENTER.—The term “Center” means the
4 Infectious Disease Monitoring Center described in
5 section 903.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of State.

8 **SEC. 903. STUDY.**

9 (a) STUDY.—Not later than 1 year after the date of
10 the enactment of this Act, the Secretary, in consultation
11 with the Secretary of Health and Human Services and the
12 heads of other relevant Federal departments and agencies,
13 shall submit to the relevant congressional committees a
14 study that includes the following:

15 (1) A description of ongoing cooperation be-
16 tween the United States Government and Taiwan re-
17 lated to public health, including disease surveillance,
18 information sharing, and telehealth.

19 (2) A description how the United States and
20 Taiwan can promote further cooperation, including
21 the feasibility of establishing an Infectious Disease
22 Monitoring Center within the American Institute of
23 Taiwan in Taipei, Taiwan that, in partnership with
24 the Taiwan Centers for Disease Control, conducts

1 health monitoring of infectious diseases in the region
2 by—

3 (A) regularly monitoring, analyzing, and
4 disseminating open-source material from coun-
5 tries in the region, including viral strains, bac-
6 terial subtypes, and other pathogens;

7 (B) engaging in people-to-people contacts
8 with medical specialists and public health offi-
9 cials in the region;

10 (C) providing expertise and information on
11 infectious diseases to the United States Govern-
12 ment and the Taiwanese government; and

13 (D) carrying out other appropriate activi-
14 ties, as determined by the Director of the Cen-
15 ter.

16 (b) ELEMENTS.—The study required by subsection
17 (a) shall include—

18 (1) a plan on how to establish and operate such
19 a Center, including—

20 (A) the personnel, material, and funding
21 requirements necessary to establish and operate
22 the Center; and

23 (B) the proposed structure and composi-
24 tion of Center personnel, which may include—

1 (i) infectious disease experts from
2 among the National Institutes of Health,
3 the Centers for Disease Control and Pre-
4 vention, and the Food and Drug Adminis-
5 tration, who are recommended to serve as
6 detailees to the Center; and

7 (ii) additional qualified persons to
8 serve as detailees to or employees of the
9 Center, including—

10 (I) from any other relevant Fed-
11 eral department or agencies, to in-
12 clude the Department of State and
13 the United States Agency for Inter-
14 national Development;

15 (II) qualified foreign service na-
16 tionals or locally engaged staff who
17 are considered citizens of Taiwan; and

18 (III) employees of the Taiwan
19 Centers for Disease Control;

20 (2) an evaluation, based on the factors in para-
21 graph (1), of whether to establish the Center, and
22 a timeline for doing so; and

23 (3) a description of any consultations or agree-
24 ments between the American Institute in Taiwan
25 and the Taipei Economic and Cultural Representa-

1 tive Office in the United States regarding the estab-
2 lishment and operation of the Center, including—

3 (A) the role that employees of the Taiwan
4 Centers for Disease Control would play in sup-
5 porting or coordinating with the Center; and

6 (B) whether any employees of the Taiwan
7 Centers for Disease Control would be detailed
8 to, or co-located with, the Center.

9 (c) CONSULTATION.—The Secretary of State shall
10 consultate with the appropriate congressional committees
11 before full completion of the study.

12 (d) SUBMISSION.—The Secretary of State, in coordi-
13 nation with the Secretary of Health and Human Services,
14 shall submit the study to the appropriate congressional
15 committees not later than one year after the enactment
16 of this Act.

17 **SEC. 904. INFECTIOUS DISEASE MONITORING CENTER.**

18 (a) ESTABLISHMENT.—The Secretary, in consulta-
19 tion with the Secretary of Health and Human Services
20 and the heads of other relevant Federal departments and
21 agencies, is authorized to establish an Infectious Disease
22 Monitoring Center under the auspices of the American In-
23 stitute in Taiwan in Taipei, Taiwan, when the conditions
24 outlined in subsection (b) have been met.

1 (b) CONDITIONS.—The conditions for establishment
2 of an Infectious Disease Monitoring Center within under
3 the auspices of the American Institute in Taiwan in Tai-
4 pei, Taiwan, are—

5 (1) that the study required in section 903 has
6 been submitted to the appropriate congressional
7 committees; and

8 (2) not later than 30 days after the submission
9 of the study, the Secretary of State and the Sec-
10 retary of Health and Human Services have briefed
11 the appropriate congressional committees;

12 (c) PARTNERSHIP.—Should the Secretary determine
13 to establish the Center, the American Institute in Taiwan
14 should seek to partner with the Taiwan Centers for Dis-
15 ease Control to conduct health monitoring of infectious
16 diseases in the region by—

17 (1) regularly monitoring, analyzing, and dis-
18 seminating open-source material from countries in
19 the region, including viral strains, bacterial
20 subtypes, and other pathogens;

21 (2) engaging in people-to-people contacts with
22 medical specialists and public health officials in the
23 region;

1 (3) providing expertise and information on in-
2 fectious diseases to the Government of the United
3 States and the Taiwanese government; and

4 (4) carrying out other appropriate activities, as
5 determined by the Director of the Center.

6 (d) UPDATES.—The Secretary, in consultation with
7 the Secretary of Health and Human Services, shall pro-
8 vide an annual update the appropriate congressional com-
9 mittees on the functioning and costs of the Center, if es-
10 tablished, as well as an assessment of how the Center is
11 serving United States interests.

12 **TITLE X—SOUTH CHINA SEA AND**
13 **EAST CHINA SEA SANCTIONS**
14 **ACT**

15 **SEC. 1001. SHORT TITLE.**

16 This title may be cited as the “South China Sea and
17 East China Sea Sanctions Act of 2022”.

18 **SEC. 1002. SANCTIONS WITH RESPECT TO CHINESE PER-**
19 **SONS RESPONSIBLE FOR CHINA’S ACTIVITIES**
20 **IN THE SOUTH CHINA SEA AND THE EAST**
21 **CHINA SEA.**

22 (a) INITIAL IMPOSITION OF SANCTIONS.—On and
23 after the date that is 120 days after the date of the enact-
24 ment of this Act, the President may impose the sanctions
25 described in subsection (b) with respect to any Chinese

1 person, including any senior official of the Government of
2 the People's Republic of China, that the President deter-
3 mines—

4 (1) is responsible for or significantly contributes
5 to large-scale reclamation, construction, militariza-
6 tion, or ongoing supply of outposts in disputed areas
7 of the South China Sea;

8 (2) is responsible for or significantly contributes
9 to, or has engaged in, directly or indirectly, actions,
10 including the use of coercion, to inhibit another
11 country from protecting its sovereign rights to ac-
12 cess offshore resources in the South China Sea, in-
13 cluding in such country's exclusive economic zone,
14 consistent with such country's rights and obligations
15 under international law;

16 (3) is responsible for or complicit in, or has en-
17 gaged in, directly or indirectly, actions that signifi-
18 cantly threaten the peace, security, or stability of
19 disputed areas of the South China Sea or areas of
20 the East China Sea administered by Japan or the
21 Republic of Korea, including through the use of ves-
22 sels and aircraft by the People's Republic of China
23 to occupy or conduct extensive research or drilling
24 activity in those areas;

1 (4) has materially assisted, sponsored, or pro-
2 vided financial, material, or technological support
3 for, or goods or services to, or in support of, any
4 person subject to sanctions pursuant to paragraph
5 (1), (2), or (3); or

6 (5) is owned or controlled by, or has acted for
7 or on behalf of, directly or indirectly, any person
8 subject to sanctions pursuant to paragraph (1), (2),
9 or (3).

10 (b) SANCTIONS DESCRIBED.—The sanctions that
11 may be imposed with respect to a person described in sub-
12 section (a) are the following:

13 (1) BLOCKING OF PROPERTY.—The President
14 may, in accordance with the International Emer-
15 gency Economic Powers Act (50 U.S.C. 1701 et
16 seq.), block and prohibit all transactions in all prop-
17 erty and interests in property of the person if such
18 property and interests in property are in the United
19 States, come within the United States, or are or
20 come within the possession or control of a United
21 States person.

22 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
23 PAROLE.—

24 (A) VISAS, ADMISSION, OR PAROLE.—In
25 the case of an alien, the alien may be—

1 (i) inadmissible to the United States;

2 (ii) ineligible to receive a visa or other

3 documentation to enter the United States;

4 and

5 (iii) otherwise ineligible to be admitted

6 or paroled into the United States or to re-

7 ceive any other benefit under the Immigra-

8 tion and Nationality Act (8 U.S.C. 1101 et

9 seq.).

10 (B) CURRENT VISAS REVOKED.—

11 (i) IN GENERAL.—An alien described

12 in subparagraph (A) may be subject to rev-

13 ocation of any visa or other entry docu-

14 mentation regardless of when the visa or

15 other entry documentation is or was

16 issued.

17 (ii) IMMEDIATE EFFECT.—A revoca-

18 tion under clause (i) may—

19 (I) take effect immediately; and

20 (II) cancel any other valid visa or

21 entry documentation that is in the

22 alien's possession.

23 (3) EXCLUSION OF CORPORATE OFFICERS.—

24 The President may direct the Secretary of State to

25 deny a visa to, and the Secretary of Homeland Secu-

1 rity to exclude from the United States, any alien
2 that the President determines is a corporate officer
3 or principal of, or a shareholder with a controlling
4 interest in, the person.

5 (4) EXPORT SANCTION.—The President may
6 order the United States Government not to issue
7 any specific license and not to grant any other spe-
8 cific permission or authority to export any goods or
9 technology to the person under—

10 (A) the Export Control Reform Act of
11 2018 (50 U.S.C. 4801 et seq.); or

12 (B) any other statute that requires the
13 prior review and approval of the United States
14 Government as a condition for the export or re-
15 export of goods or services.

16 (5) INCLUSION ON ENTITY LIST.—The Presi-
17 dent may include the entity on the entity list main-
18 tained by the Bureau of Industry and Security of
19 the Department of Commerce and set forth in Sup-
20 plement No. 4 to part 744 of the Export Adminis-
21 tration Regulations, for activities contrary to the na-
22 tional security or foreign policy interests of the
23 United States.

24 (6) BAN ON INVESTMENT IN EQUITY OR DEBT
25 OF SANCTIONED PERSON.—The President may, pur-

1 suant to such regulations or guidelines as the Presi-
2 dent may prescribe, prohibit any United States per-
3 son from investing in or purchasing equity or debt
4 instruments of the person.

5 (7) BANKING TRANSACTIONS.—The President
6 may, pursuant to such regulations as the President
7 may prescribe, prohibit any transfers of credit or
8 payments between financial institutions or by,
9 through, or to any financial institution, to the extent
10 that such transfers or payments are subject to the
11 jurisdiction of the United States and involve any in-
12 terest of the person.

13 (8) CORRESPONDENT AND PAYABLE-THROUGH
14 ACCOUNTS.—In the case of a foreign financial insti-
15 tution, the President may prohibit the opening, and
16 prohibit or impose strict conditions on the maintain-
17 ing, in the United States of a correspondent account
18 or a payable-through account by the foreign finan-
19 cial institution.

20 (c) EXCEPTIONS.—

21 (1) INAPPLICABILITY OF NATIONAL EMER-
22 GENCY REQUIREMENT.—The requirements of section
23 202 of the International Emergency Economic Pow-
24 ers Act (50 U.S.C. 1701) shall not apply for pur-
25 poses of subsection (b)(1).

1 (2) EXCEPTION FOR INTELLIGENCE, LAW EN-
2 FORCEMENT, AND NATIONAL SECURITY ACTIVI-
3 TIES.—Sanctions under this section shall not apply
4 to any authorized intelligence, law enforcement, or
5 national security activities of the United States.

6 (3) COMPLIANCE WITH UNITED NATIONS HEAD-
7 QUARTERS AGREEMENT.—Paragraphs (2) and (3) of
8 subsection (b) shall not apply if admission of an
9 alien to the United States is necessary to permit the
10 United States to comply with the Agreement regard-
11 ing the Headquarters of the United Nations, signed
12 at Lake Success, June 26, 1947, and entered into
13 force, November 21, 1947, between the United Na-
14 tions and the United States.

15 (4) EXCEPTION RELATING TO IMPORTATION OF
16 GOODS.—

17 (A) IN GENERAL.—The authority or a re-
18 quirement to impose sanctions under this sec-
19 tion shall not include the authority or a require-
20 ment to impose sanctions on the importation of
21 goods.

22 (B) GOOD DEFINED.—In this paragraph,
23 the term “good” means any article, natural or
24 manmade substance, material, supply, or manu-

1 factured product, including inspection and test
2 equipment, and excluding technical data.

3 (d) IMPLEMENTATION; PENALTIES.—

4 (1) IMPLEMENTATION.—The President may ex-
5 ercise all authorities provided under sections 203
6 and 205 of the International Emergency Economic
7 Powers Act (50 U.S.C. 1702 and 1704) to carry out
8 this section.

9 (2) PENALTIES.—The penalties provided for in
10 subsections (b) and (c) of section 206 of the Inter-
11 national Emergency Economic Powers Act (50
12 U.S.C. 1705) shall apply to a person that violates,
13 attempts to violate, conspires to violate, or causes a
14 violation of regulations prescribed under subsection
15 (b)(1) to the same extent that such penalties apply
16 to a person that commits an unlawful act described
17 in subsection (a) of such section 206.

18 (e) DEFINITIONS.—In this section:

19 (1) ACCOUNT; CORRESPONDENT ACCOUNT; PAY-
20 ABLE-THROUGH ACCOUNT.—The terms “account”,
21 “correspondent account”, and “payable-through ac-
22 count” have the meanings given those terms in sec-
23 tion 5318A of title 31, United States Code.

1 (2) ALIEN.—The term “alien” has the meaning
2 given that term in section 101(a) of the Immigration
3 and Nationality Act (8 U.S.C. 1101(a)).

4 (3) CHINESE PERSON.—The term “Chinese
5 person” means—

6 (A) an individual who is a citizen or na-
7 tional of the People’s Republic of China; or

8 (B) an entity organized under the laws of
9 the People’s Republic of China or otherwise
10 subject to the jurisdiction of the Government of
11 the People’s Republic of China.

12 (4) FINANCIAL INSTITUTION.—The term “fi-
13 nancial institution” means a financial institution
14 specified in subparagraph (A), (B), (C), (D), (E),
15 (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T),
16 (Y), or (Z) of section 5312(a)(2) of title 31, United
17 States Code.

18 (5) FOREIGN FINANCIAL INSTITUTION.—The
19 term “foreign financial institution” has the meaning
20 given that term in section 1010.605 of title 31, Code
21 of Federal Regulations (or any corresponding similar
22 regulation or ruling).

23 (6) PERSON.—The term “person” means any
24 individual or entity.

1 (7) UNITED STATES PERSON.—The term
2 “United States person” means—

3 (A) a United States citizen or an alien law-
4 fully admitted for permanent residence to the
5 United States;

6 (B) an entity organized under the laws of
7 the United States or of any jurisdiction within
8 the United States, including a foreign branch of
9 such an entity; or

10 (C) any person in the United States.

11 **SEC. 1003. SENSE OF CONGRESS REGARDING PORTRAYALS**
12 **OF THE SOUTH CHINA SEA OR THE EAST**
13 **CHINA SEA AS PART OF CHINA.**

14 It is the sense of Congress that the Government Pub-
15 lishing Office should not publish any map, document,
16 record, electronic resource, or other paper of the United
17 States (other than materials relating to hearings held by
18 committees of Congress or internal work product of a Fed-
19 eral agency) portraying or otherwise indicating that it is
20 the position of the United States that the territory or air-
21 space in the South China Sea that is disputed among two
22 or more parties or the territory or airspace of areas ad-
23 ministered by Japan or the Republic of Korea, including
24 in the East China Sea, is part of the territory or airspace
25 of the People’s Republic of China.

1 **SEC. 1004. SENSE OF CONGRESS ON 2016 PERMANENT**
2 **COURT OF ARBITRATION'S TRIBUNAL RUL-**
3 **ING ON ARBITRATION CASE BETWEEN PHIL-**
4 **IPPINES AND PEOPLE'S REPUBLIC OF CHINA.**

5 (a) FINDING.—Congress finds that on July 12, 2016,
6 a tribunal of the Permanent Court of Arbitration found
7 in the arbitration case between the Philippines and the
8 People's Republic of China under the United Nations Con-
9 vention on the Law of the Sea that the People's Republic
10 of China's claims, including those to offshore resources
11 and “historic rights”, were unlawful, and that the tribu-
12 nal's ruling is final and legally binding on both parties.

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

15 (1) the United States and the international
16 community should reject the unlawful claims of the
17 People's Republic of China within the exclusive eco-
18 nomic zone or on the continental shelf of the Phil-
19ippines, as well as the maritime claims of the Peo-
20ple's Republic of China beyond a 12-nautical-mile
21 territorial sea from the islands it claims in the South
22 China Sea;

23 (2) the provocative behavior of the People's Re-
24public of China, including coercing other countries
25 with claims in the South China Sea and preventing
26 those countries from accessing offshore resources,

1 undermines peace and stability in the South China
2 Sea;

3 (3) the international community should—

4 (A) support and adhere to the ruling de-
5 scribed in subsection (a) in compliance with
6 international law; and

7 (B) take all necessary steps to support the
8 rules-based international order in the South
9 China Sea; and

10 (4) all claimants in the South China Sea
11 should—

12 (A) refrain from engaging in destabilizing
13 activities, including illegal occupation or efforts
14 to unlawfully assert control over disputed
15 claims;

16 (B) ensure that disputes are managed
17 without intimidation, coercion, or force;

18 (C) clarify or adjust claims in accordance
19 with international law; and

20 (D) uphold the principle that territorial
21 and maritime claims, including over territorial
22 waters or territorial seas, must be derived from
23 land features and otherwise comport with inter-
24 national law.

1 **SEC. 1005. REPORT ON COUNTRIES THAT RECOGNIZE CHI-**
2 **NESE SOVEREIGNTY OVER THE SOUTH CHINA**
3 **SEA OR THE EAST CHINA SEA.**

4 (a) **IN GENERAL.**—Not later than 60 days after the
5 date of the enactment of this Act, and annually thereafter
6 until the date that is 3 years after such date of enactment,
7 the Secretary of State shall submit to the Committee on
8 Foreign Relations of the Senate and the Committee on
9 Foreign Affairs of the House of Representatives a report
10 identifying each country that the Secretary determines has
11 taken an official and stated position to recognize, after
12 such date of enactment, the sovereignty of the People’s
13 Republic of China over territory or airspace disputed by
14 one or more countries in the South China Sea or the terri-
15 tory or airspace of areas of the East China Sea adminis-
16 tered by Japan or the Republic of Korea.

17 (b) **FORM.**—The report required by subsection (a)
18 shall be submitted in unclassified form, but may include
19 a classified annex if the Secretary of State determines it
20 is necessary for the national security interests of the
21 United States to do so.

22 (c) **PUBLIC AVAILABILITY.**—The Secretary of State
23 shall publish the unclassified part of the report required
24 by subsection (a) on a publicly available website of the
25 Department of State.

1 **TITLE XI—RULES OF**
2 **CONSTRUCTION**

3 **SEC. 1101. RULE OF CONSTRUCTION.**

4 Nothing in this Act may be construed—

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

7 (2) to alter the United States Government's po-
8 sition with respect to the international status of the
9 Republic of China.

10 **SEC. 1102. RULE OF CONSTRUCTION REGARDING THE USE**
11 **OF MILITARY FORCE.**

12 Nothing in this Act may be construed as authorizing
13 the use of military force or the introduction of United
14 States forces into hostilities.