AMENDMENT NO._________ Calendar No.______

Purpose: In the nature of a substitute.


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 following:

2

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

5 (b) TABLE OF CONTENTS.—The table of contents for 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.
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 Pre clearance.
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 multilateral forums and exercises.
Sec. 702. Report on Taiwan Travel Act.
Sec. 703. Prohibitions against undermining United States policy regarding Taiwan.
Sec. 705. Report on role of People’s Republic of China’s nuclear threat in escalation 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 STABILITY 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.

Congress finds the following:

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

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

(3) The security of Taiwan and the ability for the people of Taiwan to determine their own future are fundamental to United States interests and values.
(4) The Taipei Economic and Cultural Representative Office in the United States and the American Institute in Taiwan facilitate critical consular relations that—

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

   (B) strengthen people-to-people ties.

(5) Increased engagement between public officials, commercial interests, civil society leaders, and others enhances United States-Taiwan relations and its economic, security, and democratic dimensions.

(6) Taiwan serves as a critical partner on regional and transnational issues, such as public health, climate change, critical and emerging technologies, cybersecurity, trade, and freedom of navigation.

(7) Taiwan exemplifies a thriving democracy consisting of more than 23,000,000 people who value their suffrage, free markets, right to due process, freedom of expression, and other individual liberties.

(8) President Xi Jinping of the People’s Republic of China (referred to in this Act as the “PRC”) continues to repeat his desire to stifle the freedom
of Taiwan, as evidenced by his July 2021 proclamation, in which he stated, “All sons and daughters of China, including compatriots on both sides of the Taiwan Strait, must work together and move forward in solidarity, resolutely smashing any Taiwan independence plots.”

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

(A) the accelerated preparations made by the PRC and its People’s Liberation Army (referred to in this Act as the “PLA”) for an offensive attack against Taiwan, such as the PLA’s January 2022 incursion of nearly 40 fighters, bombers, and other warplanes into Taiwan’s air defense identification zone;

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

(C) the Foreign Ministry’s diplomatic efforts to isolate Taiwan, such as abusing its position in international institutions and multilat-
eral fora to exclude Taiwanese participation de-
spite Taiwan’s demonstrated expertise in rel-
evant subjects, such as public health;

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

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

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

(10) On multiple occasions, through both for-
mal and informal channels, the United States has
expressed its concern for the PRC’s destabilizing ac-
tivities in the Taiwan Strait and on the international
stage that aim to subvert Taiwan’s democratic insti-
tutions.
(11) The Indo-Pacific Strategy of the United States—

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

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

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

(12) The PRC considers stifling the freedom of Taiwan as a critical and necessary step to displacing the United States as the preeminent military power in the Indo-Pacific and continues its modernization campaign to enhance the power-projection capabilities of the PLA and its ability to conduct joint operations.

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

(14) The defense of Taiwan is critical to—

(A) mitigating the PLA’s ability to project power and establish contested zones within the First and Second Island Chains and limiting
the PLA’s freedom of maneuver to engage in unconstrained power projection beyond the First Island Chain in order to protect United States territory, such as Hawaii and Guam;

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

(C) deterring other countries and competitors from exercising force as a means to revise the established status quo;

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

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

(i) constrains authoritarian powers;

(ii) enshrines collective security;

(iii) promotes democracy and respect for human rights and fundamental freedoms; and

(iv) promotes peace and prosperity.

SEC. 3. DEFINITIONS.

In this Act:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—Except as otherwise provided in this Act,
the term “appropriate committees of Congress” means—

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

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

(C) the Committee on Appropriations of the Senate;

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

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

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

(2) GOVERNMENT IN TAIWAN.—The term “government in Taiwan” means the national-level government and its administrative units at the municipal, county, and local levels in Taiwan, including its representatives overseas.

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

(4) REPUBLIC OF CHINA.—The term “Republic of China” means “Taiwan”.
(5) **SHARP POWER.**—The term “sharp power” means the coordinated and often concealed application of disinformation, media manipulation, economic coercion, cyber-intrusions, targeted investments, and academic censorship that is intended—

(A) to corrupt political and nongovernmental institutions and interfere in democratic elections and encourage self-censorship of views at odds with those of the Government of the People’s Republic of China or the Chinese Communist Party; or

(B) to foster attitudes, behavior, decisions, or outcomes in Taiwan and elsewhere that support the interests of the Government of the People’s Republic of China or the Chinese Communist Party.

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

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

It is the policy of the United States—

(1) to support the security of Taiwan, the stability of cross-Strait relations, and the freedom of the people of Taiwan to determine their own future, and to strenuously oppose any action by the PRC to use force to change the status quo of Taiwan;
(2) to cooperate with Taiwan as an important partner of the United States in promoting a free and open Indo-Pacific;

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

(A) to identify and develop significant economic, diplomatic, and other measures that will deter and impose costs on any such use of force;

(B) to convey, in advance, severe consequences that would take effect immediately after the PRC engaged in any such use of force; and

(C) to support and cooperate with Taiwan to implement, resource, and modernize its military capabilities, including an effective defense strategy, through security assistance and increases in defense spending;

(4) to strengthen cooperation with the military of Taiwan under the framework of the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the Six Assurances, with consideration of the ongoing military buildup in China and the military balance in the Taiwan Strait, and to transfer de-
fense articles to Taiwan to enhance its capabilities, including its efforts to undertake defensive oper-
ations and maintain the ability to deny PRC coerc-
cion and invasion;

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

(6) to advance and finalize key provisions of the United States-Taiwan Trade and Investment Frame-
work Agreement and deepen economic ties between the United States and Taiwan and advance the inter-
ests of the United States by negotiating a bilat-
eral free trade agreement as soon as possible, which will include appropriate levels of labor rights and en-
vironmental protections;

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

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

(9) to promote Taiwan’s meaningful participa-
tion in important international organizations, includ-
ing organizations that address global health, civilian
air safety, and transnational crime, and bilateral and
multilateral security summits, military exercises, and
economic dialogues and forums;

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

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

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

(A) meets current geopolitical challenges;

(B) fully accounts for Taiwan’s democratic
status; and
(C) remains faithful to United States principles and values, consistent with the Taiwan Relations Act and the Six Assurances.

SEC. 102. TREATMENT OF THE GOVERNMENT IN TAIWAN.

(a) In General.—The Secretary of State and other Federal departments and agencies shall—

(1) engage with the democratically-elected government in Taiwan as the legitimate representative of the people of Taiwan; and

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

(b) No Restrictions on Bilateral Interactions.—Notwithstanding the continued supporting role of the American Institute in Taiwan in carrying out United States foreign policy and protecting United States interests in Taiwan, the United States Government shall not place any undue restrictions on the ability of officials of the Department of State or other Federal departments and agencies to interact directly and routinely with their counterparts in the government in Taiwan.

SEC. 103. TAIWAN SYMBOLS OF SOVEREIGNTY.

(a) Defined Term.—In this section, the term “official purposes” means—

(1) the wearing of official uniforms;
conducting government-hosted ceremonies or functions; and

appearances on Department of State social media accounts promoting engagements with Taiwan.

(b) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall rescind any contact guideline, internal restriction, section of the Foreign Affairs Manual or the Foreign Affairs Handbook, or related guidance or policies that, explicitly or implicitly, including through restrictions or limitations on activities of United States Government personnel, limits the ability of members of the armed forces of the Republic of China (Taiwan) and government representatives from the Taipei Economic and Cultural Representative Office to display, for official purposes, symbols of Republic of China sovereignty, including—

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

and

(2) the corresponding emblems or insignia of military units.
SEC. 104. SENSE OF CONGRESS ON DESIGNATION AND REFERENCES TO TAIWAN REPRESENTATIVE OFFICE.

(a) Sense of Congress.—It is the sense of Congress that the United States, consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the Six Assurances should—

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

(2) seek to enter into negotiations with the Taipei Economic and Cultural Representative Office to rename the “Taipei Economic and Cultural Representative Office” in the United States as the “Taiwan Representative Office”.

(b) References.—If the negotiations referred to in subsection (a)(2) are undertaken and result in the renaming of the Taipei Economic and Cultural Representative Office as the Taiwan Representative Office, any reference in a law, map, regulation, document, paper, or other record of the United States Government to the Taipei Economic and Cultural Representative Office shall be deemed to be a reference to the Taiwan Representative Office, including for all official purposes of the United States Government, all courts of the United States, and any proceedings by such Government or in such courts.
TITLE II—IMPLEMENTATION OF AN ENHANCED DEFENSE PARTNERSHIP BETWEEN THE UNITED STATES AND TAIWAN

SEC. 201. AMENDMENTS TO THE TAIWAN RELATIONS ACT.

(a) Declaration of Policy.—Section 2(b)(5) of the Taiwan Relations Act (22 U.S.C. 3301(b)(5)) is amended by inserting “and to implement a strategy to deny and deter acts of coercion or aggression by the People’s Liberation Army” after “to maintain a sufficient self-defense capability”.

(b) Provision of Defense Articles and Services.—Section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)) is amended by inserting “and to implement a strategy to deny and deter acts of coercion or aggression by the People’s Liberation Army” after “to maintain a sufficient self-defense capability”.

(c) Rule of Construction.—Section 4 of the Taiwan Relations Act (22 U.S.C. 3303) is amended by adding at the end the following:

“(e) Rule of Construction.—Nothing in this Act, nor the President’s action in extending diplomatic recognition to the People’s Republic of China, nor the absence of diplomatic relations between the people of Taiwan and the United States, and nor the lack of formal recognition
of Taiwan by the United States, and any related cir-

cumstances, may be construed to constitute a legal or

practical obstacle to any otherwise lawful action of the

President or of any United States Government agency

that is needed to advance or protect United States inter-
est pertaining to Taiwan, including actions intended to

strengthen security cooperation between the United States

and Taiwan or to otherwise deter the use of force against

Taiwan by the People’s Liberation Army.”.

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 STA-

TUS QUO OF TAIWAN.

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

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

(2) share the results of such review with the
Chairman and Ranking Member of the appropriate
committees of Congress.
(b) **ELEMENTS.**—The review conducted pursuant to subsection (a) shall include—

1. an assessment of Taiwan’s current and near-term capabilities, United States force readiness, and the adequacy 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;
2. a detailed strategy of deterrence and denial to defend Taiwan against aggression by the People’s Liberation Army, including an effort to seize and hold the island of Taiwan;
3. a comprehensive assessment of risks to the United States and United States’ interests, including readiness shortfalls that pose strategic risk;
4. a review of indicators of the near-term likelihood of the use of force by the People’s Liberation Army against Taiwan; and
5. a list of military capabilities, including capabilities that enable a strategy of deterrence and denial, that—
   1. would suit the operational environment and allow Taiwan to respond effectively to a variety of contingencies across all potential phases of conflict involving the People’s Liberation Army; and
(B) would reduce the threat of conflict, deter the use of force by the People’s Republic of China, thwart an invasion, and mitigate other risks to the United States and Taiwan.

SEC. 203. JOINT ASSESSMENT.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Defense, shall establish and maintain a joint consultative mechanism with Taiwan that convenes on a recurring basis—

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

(2) to identify nonmaterial and material solutions to deter and, if necessary, defeat such threats.

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

(1) an integrated priorities list;

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

(3) other measures to appropriately prioritize the defense needs of Taiwan to maintain effective deterrence across the spectrum of possible military action by the People’s Republic of China.
(c) Report.—Not later than 180 days after the date
of the enactment of this Act, and annually thereafter for
the following 5 years, the Secretary of Defense, in con-
sultation with the Secretary of State, shall submit a report
to the appropriate committees of Congress that describes
the joint assessment developed pursuant to subsection
(a)(1).

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

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

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

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

(A) the Committee on Foreign Relations of
the Senate; and
(B) the Committee on Foreign Affairs of
the House of Representatives.

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

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

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

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

(i) long-range precision fires;

(ii) integrated air and missile defense
systems;
(iii) anti-ship cruise missiles;
(iv) land-attack cruise missiles;
(v) coastal defense;
(vi) anti-armor;
(vii) undersea warfare;
(viii) survivable swarming maritime assets;
(ix) manned and unmanned aerial systems;
(x) mining and countermining capabilities;
(xi) intelligence, surveillance, and reconnaissance capabilities;
(xii) command and control systems;
and
(xiii) any other defense capabilities that the United States and Taiwan jointly determine are crucial to the defense of Taiwan, in accordance with the process developed pursuant to section 203(a);

(C) an evaluation of the balance between conventional and counter intervention capabilities in the defense force of Taiwan as of the date on which the report is submitted;
(D) an assessment of steps taken by Taiwan to enhance the overall readiness of its defense forces, including—

(i) the extent to which Taiwan is requiring and providing regular and relevant training to such forces;

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

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

(E) an assessment of steps taken by Taiwan to ensure that the Taiwan Reserve Command can recruit, train, and equip its forces;

(F) an evaluation of—

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

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

(iii) the efforts made by the government in Taiwan to address such shortages;

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

(H) an assessment of the efforts made by Taiwan to secure its critical infrastructure, including in transportation, telecommunications networks, and energy;

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

(J) an assessment of any significant gaps in any of the matters described in subparagraphs (A) through (I) with respect to which the United States assesses that additional action is needed;

(K) a description of cooperative efforts between the United States and Taiwan on the matters described in subparagraphs (A) through (J); and

(L) a description of any resistance within the government in Taiwan and the military leadership of Taiwan to—
(i) implementing the matters described in subparagraphs (A) through (I); or
(ii) United States’ support or engagement with regard to such matters.

(4) FORM.—The report required under paragraph (2) shall be submitted in classified form, but shall include a detailed unclassified summary.

(5) SHARING OF SUMMARY.—The Secretary of State and the Secretary of Defense shall jointly share the unclassified summary required under paragraph (4) with the government and military of Taiwan.

(e) AUTHORITY TO PROVIDE ASSISTANCE.—The Secretary of State, in consultation with the Secretary of Defense, shall use amounts authorized pursuant to subsection (i) to provide assistance to the government in Taiwan to achieve the purpose described in subsection (d).

(d) PURPOSE.—In addition to the purposes otherwise authorized for Foreign Military Financing programs under the Arms Export Control Act (22 U.S.C. 2751 et seq.), the purpose of the Foreign Military Financing Program shall be to provide assistance, including equipment, training, and other support, to enable the Government and military of Taiwan—
(1) to accelerate the modernization of defense capabilities that will enable Taiwan to delay, degrade, and deny attempts by People’s Liberation Army forces—

(A) to conduct coercive or grey zone activities;

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

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

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

(e) **REGIONAL CONTINGENCY STOCKPILE.**—Of the amounts authorized to be appropriated pursuant to subsection (i), not more than $100,000,000 may be used during each of the fiscal years 2023 through 2032 to maintain a stockpile (if established under section 211), in accordance with section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), as amended by section 211.

(f) **AVAILABILITY OF FUNDS.**—
(1) Annual Spending Plan.—Not later than December 1, 2022, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, shall submit a plan to the appropriate committees of Congress describing how amounts authorized to be appropriated pursuant to subsection (i) will be used to achieve the purpose described in subsection (d).

(2) Certification.—Amounts authorized to be appropriated for each fiscal year pursuant to subsection (i) shall be made available for the purpose described in such subsection after the Secretary of State certifies to the appropriate committees of Congress that Taiwan has increased its defense spending relative to Taiwan’s defense spending in its prior fiscal year, excepting accounts in Taiwan’s defense budget related to personnel expenditures, (other than military training and education and any funding related to the All-Out Defense Mobilization Agency).

(3) Remaining Funds.—

(A) In General.—Subject to subparagraph (B), amounts authorized to be appropriated for a fiscal year pursuant to subsection (i) that are not obligated and expended during
such fiscal year shall be added to the amount that may be used for Foreign Military Financing to Taiwan in the subsequent fiscal year.

(B) Rescission.—Amounts appropriated pursuant to subsection (i) that remain unobligated on September 30, 2027 shall be rescinded and deposited into the general fund of the Treasury.

(g) Defense Articles and Services From the United States Inventory and Other Sources.—

(1) In general.—In addition to assistance provided pursuant to subsection (c), the Secretary of State, in coordination with the Secretary of Defense, may make available to the government in Taiwan, in such quantities as the Secretary of State considers appropriate for the purpose described in subsection (d)—

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

(B) defense services.

(2) Replacement.—The Secretary of State may use amounts authorized to be appropriated pursuant to subsection (i) for the cost of replacing any
item provided to the government in Taiwan pursuant to paragraph (1)(A).

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

(1) **DIRECT LOANS.**—

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

(B) **MAXIMUM OBLIGATIONS.**—Gross obligations for the principal amounts of loans authorized under subparagraph (A) may not exceed $2,000,000,000.

(C) **SOURCE OF FUNDS.**—

(i) **DEFINED TERM.**—In this subparagraph, the term “cost”—

(I) has the meaning given such term in section 502(5) of the Congressional Budget Act of 1974 (2 U.S.C. 661a(5));

(II) shall include the cost of modifying a loan authorized under subparagraph (A); and
(III) may include the costs of selling, reducing, or cancelling any amounts owed to the United States or to any agency of the United States.

(ii) **IN GENERAL.**—Amounts authorized to be appropriated pursuant to subsection (i) may be made available to pay for the cost of loans authorized under subparagraph (A).

(D) **FEES AUTHORIZED.**—

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

(ii) **LIMITATION ON FEE PAYMENTS.**—Amounts made available under any appropriations Act for any fiscal year may not be used to pay any fees associated with a loan authorized under subparagraph (A).

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

(F) INTEREST.—

(i) IN GENERAL.—Notwithstanding section 23(c)(1) of the Arms Export Control Act (22 U.S.C. 2763(c)(1), interest for loans made pursuant to subparagraph (A) may be charged at a rate determined by the Secretary of State, except that such rate may not be less than the prevailing interest rate on marketable Treasury securities of similar maturity.

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

(2) LOAN GUARANTEES.—

(A) IN GENERAL.—Amounts authorized to be appropriated pursuant to subsection (i) may be made available for the costs of loan guarantees for Taiwan under section 24 of the Arms Export Control Act (22 U.S.C. 2764) for Taiwan to subsidize gross obligations for the prin-
pital amount of commercial loans and total loan
principal, any part of which may be guaranteed,
not to exceed $2,000,000,000.

(B) Maximum amounts.—A loan guarantee authorized under subparagraph (A)—

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

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

(C) Subordination.—Any loan guaran-
teed pursuant to subparagraph (A) may not be
subordinated to—

(i) another debt contracted by the
borrower; or

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

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

(E) Fees.—Notwithstanding section 24 of
the Arms Export Control Act (22 U.S.C. 2764),
the Government of the United States may
charge fees for loan guarantees authorized
under subparagraph (A), which shall be col-
lected from borrowers, or from third parties on
behalf of such borrowers, through a financing
account (as defined in section 502(7) of the
Congressional Budget Act of 1974 (2 U.S.C.
661a(7)).

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

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

(i) AUTHORIZATION OF APPROPRIATIONS.—

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

(A) $250,000,000 for fiscal year 2023;
(B) $750,000,000 for fiscal year 2024;
(C) $1,500,000,000 for fiscal year 2025;

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

and

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

(2) Training and Education.—Of the amounts authorized to be appropriated under paragraph (1), the Secretary of State shall use not less than $2,000,000 per fiscal year for 1 or more blanket order Foreign Military Financing training programs related to the defense needs of Taiwan.

(j) Sunset Provision.—Assistance may not be provided under this section after September 30, 2032.

SEC. 205. REQUIREMENTS REGARDING DEFINITION OF COUNTER INTERVENTION CAPABILITIES.

(a) Statement of Policy.—It is the policy of the United States—

(1) to ensure that requests by Taiwan to purchase arms from the United States are not prematurely rejected or dismissed before Taiwan submits a letter of request or other formal documentation, particularly when such requests are for capabilities that are not included on any United States Government priority lists of necessary capabilities for the defense of Taiwan; and
(2) to ensure close consultation among representatives of Taiwan, Congress, industry, and the Executive branch about requests referred to in paragraph (1) and the needs of Taiwan before Taiwan submits formal requests for such purchases.

(b) REPORTING REQUIREMENT.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall jointly submit to the appropriate committees of Congress—

(1) a list of categories of counter intervention capabilities and a justification for each such category; and

(2) a description of the degree to which the United States has a policy of openness or flexibility for the consideration of capabilities that may not fall within the scope of counter intervention capabilities included in the list required under paragraph (1), due to potential changes, such as—

(A) the evolution of defense technologies;

(B) the identification of new concepts of operation or ways to employ certain capabilities; and

(C) other factors that might change assessments by the United States and Taiwan of
what constitutes counter intervention capabili-
ties.

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

SEC. 206. COMPREHENSIVE TRAINING PROGRAM.

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

(1) achieve interoperability;

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

(3) improve Taiwan’s defense capabilities.

(b) ELEMENTS.—The training program should prioritize relevant and realistic training, including as nec-
essary joint United States-Taiwan contingency tabletop exercises, war games, full-scale military exercises, and an enduring rotational United States military presence that assists Taiwan in maintaining force readiness and uti-

(c) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually there-

after for the following 5 years, the Secretary of State, in consultation with the Secretary of Defense, shall submit to the appropriate committees of Congress a classified re-
port that describes all training provided to the armed forces of Taiwan in the prior fiscal year, including a description of how such training—

1. achieved greater interoperability;
2. familiarized the militaries of the United States and Taiwan with each other; and
3. improved Taiwan’s defense capabilities.

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

(a) Assessment Required.—Not later than 120 days after the date of enactment of this Act, the Secretary of State and the Secretary of Defense, in coordination with the Director of National Intelligence and other cabinet Secretaries, as appropriate, shall submit a written assessment, with a classified annex, of Taiwan’s needs in the areas of civilian defense and resilience to the appropriate committees of Congress, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) Matters To Be Included.—The assessment required under subsection (a) shall—

1. analyze the potential role of Taiwan’s public and civilian assets in defending against various scenarios for foreign militaries to coerce or conduct military aggression against Taiwan;
(2) carefully analyze Taiwan’s needs for enhancing its defensive capabilities through the support of civilians and civilian sectors, including—

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

(B) the creation of clear structures and logistics support for civilian defense role allocation;

(C) recruitment and skills training for Taiwan’s defense and civilian sectors;

(D) strategic stockpiling of resources related to critical food security and medical supplies; and

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

(3) analyze Taiwan’s needs for enhancing resiliency among its people and in key economic sectors;

(4) identify opportunities for Taiwan to enhance communications at all levels to strengthen trust and understanding between the military, other government departments, civilian agencies and the general public, including—
(A) communications infrastructure necessary to ensure reliable communications in response to a conflict or crisis; and

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

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

(c) FORM OF REPORT.—Notwithstanding the classified nature of the assessment required under subsection (a), the assessment shall be shared with appropriate officials of the government in Taiwan to facilitate cooperation.

(d) AUTHORIZATION OF APPROPRIATIONS.—

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

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

and

(B) $500,000 for the Department of Defense.
(2) Transfer authority.—The Secretary of State and the Secretary of Defense are authorized to transfer any funds appropriated to their respective departments pursuant to paragraph (1) to the Director of National Intelligence for the purposes of facilitating the contributions of the intelligence community to the assessment required under subsection (a).

SEC. 208. PRIORITIZING EXCESS DEFENSE ARTICLE TRANSFERS FOR TAIWAN.

(a) Sense of Congress.—It is the sense of Congress that the United States Government should appropriately prioritize the review of excess defense article transfers to Taiwan.

(b) Five-year plan.—Not later than 90 days after the date of the enactment of this Act, the President shall—

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

(2) submit a report to the appropriate committees of Congress that describes such plan.

(e) Required coordination.—The United States Government shall coordinate and align excess defense article transfers with capacity building efforts of Taiwan.
(d) Transfer Authority.—

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

(2) Treatment of Taiwan.—With respect to the transfer of excess defense articles under section 516(c)(2) of the Foreign Assistance Act of 1961, as amended by paragraph (1), Taiwan shall receive the same benefits as the other countries referred to in such section.

SEC. 209. Fast-Tracking Sales to Taiwan Under Foreign Military Sales Program.

(a) Preclearance of Certain Foreign Military Sales Items.—

(1) In general.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense and in conjunction with coordinating entities such as the National Disclosure Policy Committee and the Arms Transfer and Technology Release Senior Steering Group, shall compile a list of available and emerging military platforms, technologies, and equipment that are
pre-cleared and prioritized for sale and release to Taiwan through the Foreign Military Sales program.

(2) SELECTION OF ITEMS.—

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

(B) RULE OF CONSTRUCTION.—The list compiled pursuant to paragraph (1) shall not be construed as limiting the type, timing, or quantity of items that may be requested by, or sold to, Taiwan under the Foreign Military Sales program.

(C) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to supersede congressional notification requirements as required by the Arms Export Control Act (22 U.S.C. 2751 et. seq.) or any informal tiered review process for congressional notifications pertaining to Foreign Military Sales.

(b) PRIORITIZED PROCESSING OF FOREIGN MILITARY SALES REQUESTS FROM TAIWAN.—
(1) REQUIREMENT.—The Secretary of State and the Secretary of Defense shall prioritize and expedite the processing of requests from Taiwan under the Foreign Military Sales program, and may not delay the processing of requests for bundling purposes.

(2) DURATION.—The requirement under paragraph (1) shall continue until the Secretary of State determines and certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the threat to Taiwan has significantly abated.

(c) PRIORITY PRODUCTION.—

(1) IN GENERAL.—Contractors awarded Department of Defense contracts to provide items for sale to Taiwan under the Foreign Military Sales program should expedite and prioritize the production of such items above the production of other items.

(2) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 10 years, the Secretary of State and the Secretary of Defense shall jointly submit to the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on
Armed Services of the House of Representatives a report describing what actions the Department of State and the Department of Defense have taken or are planning to take to prioritize Taiwan’s Foreign Military Sales cases, and current procedures or mechanisms for determining that a Foreign Military Sales case for Taiwan should be prioritized above a sale to another country of the same or similar item.

(d) INTERAGENCY POLICY.—The Secretary of State and the Secretary of Defense shall jointly review and update interagency policies and implementation guidance related to Foreign Military Sales requests from Taiwan, including incorporating the preclearance provisions of this section.

SEC. 210. WHOLE-OF-GOVERNMENT DETERRENCE MEASURES TO RESPOND TO THE PEOPLE’S REPUBLIC OF CHINA’S FORCE AGAINST TAIWAN.

(a) WHOLE-OF-GOVERNMENT REVIEW.—Not later than 14 days after the date of the enactment of this Act, the President shall convene the heads of all relevant Federal departments and agencies to conduct a whole-of-government review of all available economic, diplomatic, and other strategic measures to deter the use of force by the People’s Republic of China to change the status quo of Taiwan.
(b) Briefing Required.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of Commerce, the Director of National Intelligence, and any other relevant heads of Federal departments and agencies shall provide a detailed briefing to the appropriate committees of Congress regarding—

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

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

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

(c) Coordinated Consequences With Allies and Partners.—The Secretary of State shall—

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

(2) announce, in advance, the severe consequences that would take effect immediately after the People’s Republic of China engaged in any such use of force.

(d) ASSIGNMENTS FOR DEFENSE ATTACHÉS.—The Secretary of State shall work with the Secretary of Defense to post resident Defense attachés in the Indo-Pacific region, particularly in locations where the People’s Republic of China has a resident military attaché and the United States does not have a comparable position.

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

SEC. 211. INCREASE IN ANNUAL REGIONAL CONTINGENCY STOCKPILE ADDITIONS AND SUPPORT FOR TAIWAN.

(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(b)(2)(A)) is amended by striking “$200,000,000” and all that follows and inserting “$500,000,000 for any of the fiscal years 2023, 2024, or 2025.”.

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

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

(1) in section 514(c)(2) (22 U.S.C. 2321h(c)(2)), by inserting “Taiwan,” after “Thailand,”; and

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

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

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

Notwithstanding any other provision of law, Taiwan shall be treated as though it were designated a major non-NATO ally, as defined in section 644(q) of the Foreign Assistance Act of 1961 (22 U.S.C. 2403(q) et seq.), for
the purposes of the transfer or possible transfer of defense
articles or defense services under the Arms Export Control
Act (22 U.S.C. 2751 et seq.), section 2350a of title 10,
United States Code, the Foreign Assistance Act of 1961
(22 U.S.C. 2151 et seq.), or any other provision of law.
SEC. 213. USE OF PRESIDENTIAL DRAWDOWN AUTHORITY
TO PROVIDE SECURITY ASSISTANCE TO TAI-
WAN.
It is the sense of Congress that the President should
use the presidential drawdown authority under sections
506(a) and 552(c) of the Foreign Assistance Act of 1961
(22 U.S.C. 2318(a) and 2348a(c)) to provide security as-
sistance and other necessary commodities and services to
Taiwan in support of Taiwan’s self-defense.
SEC. 214. INTERNATIONAL MILITARY EDUCATION AND
TRAINING COOPERATION WITH TAIWAN.
(a) SENSE OF CONGRESS.—It is the sense of Con-
gress that—
(1) International Military Education and Train-
ing (IMET) is a critical component of United States
security assistance that promotes improved capabili-
ties of the military forces of allied and friendly coun-
tries and closer cooperation between the United
States Armed Forces and such military forces;
(2) it is in the national interest of the United States and consistent with the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) to further strengthen the military forces of Taiwan, particularly—

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

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

(3) the government in Taiwan—

(A) should be authorized to participate in the International Military Education and Training program; and

(B) should encourage eligible officers and civilian leaders of Taiwan to participate in such training program and promote successful graduates to positions of prominence in the military forces of Taiwan.

(b) Authorization of Participation of Taiwan in the International Military Education and Training Program.—Taiwan is authorized to participate in the International Military Education and Training program for the following purposes:

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

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

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

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

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

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

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

(2) sustained support to key Indo-Pacific part-
tners for interoperable defense systems is critical to
preserve—

(A) the safety and security of American
persons;
(B) the free flow of commerce through international trade routes;

(C) the United States commitment to collective security agreements, territorial integrity, and recognized maritime boundaries;

(D) United States values regarding democracy and commitment to maintaining a free and open Indo-Pacific; and

(E) Taiwan’s defense capability.

(b) REPORT REQUIRED.—Not later than March 1, 2023, and annually thereafter for a period of five years, the Secretary of State, with the concurrence of the Secretary of Defense, shall transmit to the appropriate committees of Congress a report with respect to the transfer of all defense articles or defense services that have yet to be completed pursuant to the authorities provided by—

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

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

(c) ELEMENTS.—The report required under subsection (b) shall include the following elements:

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

(2) The estimated start and end dates of delivery for each approved and incomplete transfer listed pursuant to paragraph (1), including additional details and dates for any transfers that involve multiple tranches of deliveries.

(3) With respect to each approved and incomplete transfer listed pursuant to paragraph (1), a detailed description of—

(A) any changes in the delivery dates of defense articles or services relative to the dates anticipated at the time of congressional approval of the transfer, including specific reasons for any delays related to the United States Government, defense suppliers, or a foreign partner;

(B) the feasibility and advisability of providing the partner subject to such delayed delivery with an interim capability or solution, including drawing from United States stocks, and the mechanisms under consideration for doing
so as well as any challenges to implementing such a capability or solution;

(C) authorities, appropriations, or waiver requests that Congress could provide to improve delivery timelines or authorize the provision of interim capabilities or solutions identified pursuant to subparagraph (B); and

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

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

(5) If a transfer listed pursuant to paragraph (1) has been terminated prior to the date of the submission of the report for any reason—

(A) the case information for such transfer, including the date of congressional notification, delivery date of the Letter of Offer and Acceptance (LOA), final signature of the LOA, and
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    information pertaining to delays in delivering
    LOAs for signature;

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

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

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

    (7) A description of other potential actions al-
    ready undertaken by or currently under consider-
    ation by the Department of State and the Depart-
    ment of Defense to improve delivery timelines for
    the transfers listed pursuant to paragraph (1).
(d) **Appropriate Committees of Congress Defined.**—In this section, the term “appropriate committees of Congress” means—

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

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(e) **Form.**—The report required under subsection (b) shall be submitted in unclassified form but may include a classified annex.

**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.**

(a) **In General.**—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the Secretary of State shall develop and implement a strategy to respond to—

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

(2) information and disinformation campaigns, cyber attacks, and nontraditional propaganda measures supported by the Government of the People’s Republic of China and the Chinese Communist Party that are directed toward persons or entities in Taiwan.

(b) ELEMENTS.—The strategy required under subsection (a) shall include descriptions of—

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

(A) assistance in building the capacity of the government in Taiwan and private-sector entities to document and expose propaganda and disinformation supported by the Government of the People’s Republic of China, the Chinese Communist Party, or affiliated entities;

(B) assistance to enhance the government in Taiwan’s ability to develop a whole-of-government strategy to respond to sharp power operations, including election interference; and
(C) media training for Taiwan officials and other Taiwan entities targeted by disinformation campaigns;

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

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

(4) the establishment of a coordinated partnership, through the American Institute in Taiwan’s Global Cooperation and Training Framework, with like-minded governments to share data and best practices with the government in Taiwan regarding ways to address sharp power operations supported by the Government of the People’s Republic of China and the Chinese Communist Party; and

(5) programs carried out by the Global Engagement Center to expose misinformation and disinformation in the Chinese Communist Party’s propaganda.
SEC. 302. STRATEGY TO COUNTER ECONOMIC COERCION
BY THE PEOPLE'S REPUBLIC OF CHINA TARGETING COUNTRIES AND ENTITIES THAT SUPPORT TAIWAN.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter for the following 5 years, the Secretary of State shall submit to the appropriate committees of Congress a description of the strategy being used by the Department of State to respond to the Government of the People’s Republic of China’s increased economic coercion against countries which have strengthened their ties with, or support for, Taiwan.

(b) Assistance for countries and entities targeted by the People’s Republic of China for economic coercion.—The Department of State, the United States Agency for International Development, the United States International Development Finance Corporation, the Department of Commerce and the Department of the Treasury shall provide appropriate assistance to countries and entities that are subject to coercive economic practices by the People’s Republic of China.

SEC. 303. CHINA CENSORSHIP MONITOR AND ACTION GROUP.

(a) Definitions.—In this section:
(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

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

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

(2) **QUALIFIED RESEARCH ENTITY.**—The term “qualified research entity” means an entity that—

(A) is a nonpartisan research organization or a Federally funded research and development center;

(B) has appropriate expertise and analytical capability to write the report required under subsection (c); and

(C) is free from any financial, commercial, or other entanglements, which could undermine the independence of such report or create a conflict of interest or the appearance of a conflict of interest, with—

(i) the Government of the People’s Republic of China;

(ii) the Chinese Communist Party;
(iii) any company incorporated in the People’s Republic of China or a subsidiary of such company; or

(iv) any company or entity incorporated outside of the People’s Republic of China that is believed to have a substantial financial or commercial interest in the People’s Republic of China.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

(b) CHINA CENSORSHIP MONITOR AND ACTION GROUP.—

(1) IN GENERAL.—The President shall establish an interagency task force, which shall be known as the “China Censorship Monitor and Action Group” (referred to in this subsection as the “Task Force”).
(2) MEMBERSHIP.—The President shall take the following actions with respect to the membership of, and participation in, the Task Force:

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

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

(C) Direct the head of each of the following executive branch agencies to appoint personnel to participate in the Task Force:

(i) The Department of State.

(ii) The Department of Commerce.

(iii) The Department of the Treasury.

(iv) The Department of Justice.

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

(vi) The Office of the Director of National Intelligence, and other appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(vii) The Federal Communications Commission.
(viii) The United States Agency for Global Media.

(ix) Other agencies designated by the President.

(3) RESPONSIBILITIES.—The Task Force shall—

(A) oversee the development and execution of an integrated Federal Government strategy to monitor and address the impacts of efforts directed, or directly supported, by the Government of the People’s Republic of China to censor or intimidate, in the United States or in any of its possessions or territories, any United States person, including United States companies that conduct business in the People’s Republic of China, which are exercising their right to freedom of speech; and

(B) submit the strategy developed pursuant to subparagraph (A) to the appropriate congressional committees not later than 120 days after the date of the enactment of this Act.

(4) MEETINGS.—The Task Force shall meet not less frequently than twice per year.
(5) **CONSULTATIONS.**—The Task Force should regularly consult, to the extent necessary and appropriate, with—

(A) Federal agencies that are not represented on the Task Force;

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

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

(D) relevant stakeholders among United States allies and partners facing similar challenges related to censorship or intimidation by the Government of the People’s Republic of China.

(6) **REPORTING REQUIREMENTS.**—

(A) **ANNUAL REPORT.**—The Task Force shall submit an annual report to the appropriate congressional committees that describes, with respect to the reporting period—

(i) the strategic objectives and policies pursued by the Task Force to address the challenges of censorship and intimidation of United States persons while in the United States or any of its possessions or
territories, which is directed or directly supported by the Government of the People’s Republic of China;

(ii) the activities conducted by the Task Force in support of the strategic objectives and policies referred to in clause (i); and

(iii) the results of the activities referred to in clause (ii) and the impact of such activities on the national interests of the United States.

(B) FORM OF REPORT.—Each report submitted pursuant to subparagraph (A) shall be unclassified, but may include a classified annex.

(C) CONGRESSIONAL BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Task Force shall provide briefings to the appropriate congressional committees regarding the activities of the Task Force to execute the strategy developed pursuant to paragraph (3)(A).

(e) REPORT ON CENSORSHIP AND INTIMIDATION OF UNITED STATES PERSONS BY THE GOVERNMENT OF THE PEOPLE’S REPUBLIC OF CHINA.—
(1) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall select and seek to enter into an agreement with a qualified research entity that is independent of the Department of State to write a report on censorship and intimidation in the United States and its possessions and territories of United States persons, including United States companies that conduct business in the People’s Republic of China, which is directed or directly supported by the Government of the People’s Republic of China.

(B) MATTERS TO BE INCLUDED.—The report required under subparagraph (A) shall—

(i) assess major trends, patterns, and methods of the Government of the People’s Republic of China’s efforts to direct or directly support censorship and intimidation of United States persons, including United States companies that conduct business in the People’s Republic of China, which are exercising their right to freedom of speech;

(ii) assess, including through the use of illustrative examples, as appropriate, the
impact on and consequences for United States persons, including United States companies that conduct business in the People’s Republic of China, that criticize—

(I) the Chinese Communist Party;

(II) the Government of the People’s Republic of China;

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

(IV) a particular policy advanced by the Chinese Communist Party or the Government of the People’s Republic of China;

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

(iv) assess the methods and evaluate the efficacy of the efforts by the Government of the People’s Republic of China to limit freedom of expression in the private sector, including media, social media, film, education, travel, financial services, sports and entertainment, technology, tele-
communication, and internet infrastructure interests;

(v) include policy recommendations for the United States Government, including recommendations regarding collaboration with United States allies and partners, to address censorship and intimidation by the Government of the People’s Republic of China; and

(vi) include policy recommendations for United States persons, including United States companies that conduct business in China, to address censorship and intimidation by the Government of the People’s Republic of China.

(C) APPLICABILITY TO UNITED STATES ALLIES AND PARTNERS.—To the extent practicable, the report required under subparagraph (A) should identify implications and policy recommendations that are relevant to United States allies and partners facing censorship and intimidation directed or directly supported by the Government of the People’s Republic of China.

(2) SUBMISSION OF REPORT.—
(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit the report written by the qualified research entity selected pursuant to paragraph (1)(A) to the appropriate congressional committees.

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

TITLE IV—INCLUSION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS

SEC. 401. PARTICIPATION OF TAIWAN IN INTERNATIONAL ORGANIZATIONS.

(a) STATEMENT OF POLICY.—It is the policy of the United States to promote Taiwan’s inclusion and meaningful participation in international organizations.

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

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

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

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

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

It is the sense of Congress that—

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

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

(3) Taiwan’s significant contribution to the de-
velopment and economies of Latin America and the
Caribbean demonstrate that Taiwan’s membership
in the IDB as a non-borrowing member would ben-
erit the IDB and the entire Latin American and
Caribbean region; and

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

SEC. 403. PLAN FOR TAIWAN’S PARTICIPATION IN THE
INTER-AMERICAN DEVELOPMENT BANK.

The Secretary of State, in coordination with the Sec-
etary of the Treasury, is authorized—

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

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

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

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

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

(2) includes an account of the efforts made by the Secretary of State and the Secretary of the Treasury to encourage IDB member states to promote Taiwan’s bid to obtain non-borrowing membership at the IDB; and

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

SEC. 405. CLARIFICATION REGARDING UNITED NATIONS GENERAL ASSEMBLY RESOLUTION 2758 (XXVI).

Section 2(a) of the Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116–135) is amended by adding at the end the following:

“(10) United Nations General Assembly Resolution 2758 (1971)—

“(A) established the representatives of the Government of the People’s Republic of China
as the only lawful representatives of China to
the United Nations;

“(B) did not address the issue of representa-
tion and meaningful participation of Taiwan
and its people in the United Nations or in any
related organizations; and

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

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

SEC. 406. MEANINGFUL PARTICIPATION OF TAIWAN IN THE
INTERNATIONAL CIVIL AVIATION ORGANIZATION.

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

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

isms;
(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and

(3) coercion by the Chinese Communist Party and the People’s Republic of China has ensured the systematic exclusion of Taiwan from meaningful participation in ICAO, significantly undermining the ability of ICAO to ensure the safety and security of global aviation.

(b) Plan for Taiwan’s Meaningful Participation in the International Civil Aviation Organization.—The Secretary of State, in coordination with the Secretary of Commerce, is authorized—

(1) to initiate a United States plan to secure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

(2) to instruct the United States representative to the ICAO to—
(A) use the voice and vote of the United States to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

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

(c) **Report Concerning Taiwan’s Meaningful Participation in the International Civil Aviation Organization.**—Not later than 90 days after the date of the enactment of this Act, and not later than April 1 of each year thereafter for the following 6 years, the Secretary of State, in coordination with the Secretary of Commerce, shall submit an unclassified report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that—

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

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

TITLE V—ENHANCED DEVELOP-
MENT AND ECONOMIC CO-
OPERATION BETWEEN THE
UNITED STATES AND TAIWAN

SEC. 501. FINDINGS.

Congress makes the following findings:

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

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

(3) In addition to supplementing United States goods and services, Taiwan is a reliable partner in many United States’ industries, which is not only critical for diversifying United States supply chains, but is also essential to reducing the United States’ reliance on other countries, such as China, who seek to leverage supply chain inefficiencies in their path to regional and global dominance. Such diversification of United States supply chains is critical to our national security.

(4) The challenges to establishing an agreement with Taiwan, such as reaching an agreement on agricultural standards, must not prevent the completion of a bilateral trade agreement. Taiwan has already taken steps to further the progress towards such an agreement by announcing its intent to lift restrictions on United States pork and beef products, which will greatly increase the accessibility of American farmers and ranchers to Taiwan markets. In light of this important development, the United States should immediately move forward with sub-
stantial negotiations for a comprehensive bilateral trade agreement with Taiwan.

(5) A free and open Indo-Pacific is a goal that needs to be actively pursued to counter China’s use of unfair trading practices and other policies to advance its economic dominance in the Indo-Pacific region. An agreement with Taiwan would—

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

(B) encourage other nations to deepen economic ties with Taiwan.

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

(A) 5G networks and telecommunications security;

(B) supply chains resiliency;

(C) infrastructure cooperation;

(D) renewable energy;

(E) global health; and

(F) science and technology.
(7) A trade agreement between the United States and Taiwan would promote security and economic growth for the United States, Taiwan, and the entire Indo-Pacific region.

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

(A) create significant distortions in the regional and global economic architecture; and

(B) run counter to the United States’ economic interests.

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

(10) The American Chamber of Commerce in Taipei, in its “2022 Taiwan White Paper”, called for the United States and Taiwan to continue exploring an income tax agreement to boost bilateral trade and investment by reducing double taxation and increasing economic efficiency and integration.
SEC. 502. SENSE OF CONGRESS ON A FREE TRADE AGREEMENT AND BILATERAL TAX AGREEMENT WITH TAIWAN, THE INDO-PACIFIC ECONOMIC FRAMEWORK, AND CBP PRECLEARANCE.

It is the Sense of Congress that—

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

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

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

(4) the United States should utilize and expand Preclearance programs to meet the needs of the United States travel and tourism industry, including by prioritizing the establishment of Preclearance fa-
ilities with Indo-Pacific allies and partners, including Taiwan; and

(5) the United States should—

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

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

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

It is the sense of Congress that—

(1) the United States and Taiwan share common development goals in a wide range of sectors, including public health, agriculture, food security, democracy and governance, and education;

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

(3) the United States Agency for International Development should explore opportunities to partner with Taiwan on projects in developing countries related to inclusive economic growth, resilience, global
health, education, infrastructure, humanitarian assistance, disaster relief, and other areas.

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

**SEC. 601. SHORT TITLE.**

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

**SEC. 602. FINDINGS.**

Congress makes the following findings:

(1) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) affirmed United States policy “to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area”.

(2) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), the United States has grown its strategic partnership with Taiwan’s vibrant democracy of 23,000,000 people.
Despite a concerted campaign by the People’s Republic of China to isolate Taiwan from its diplomatic partners and from international organizations, including the World Health Organization, Taiwan has emerged as a global leader in the coronavirus global pandemic response, including by donating more than 2,000,000 surgical masks and other medical equipment to the United States.

The creation of a United States fellowship program with Taiwan would support—

(A) a key priority of expanding people-to-people exchanges, which was outlined in President Donald J. Trump’s 2017 National Security Strategy;

(B) President Joseph R. Biden’s commitment to Taiwan, “a leading democracy and a critical economic and security partner”, as expressed in his March 2021 Interim National Security Strategic Guidance; and

(C) April 2021 guidance from the Department of State based on a review required under the Taiwan Assurance Act of 2020 (subtitle B of title III of division FF of Public Law 116–260) to “encourage U.S. government engage-
ment with Taiwan that reflects our deepening unofficial relationship”.

SEC. 603. PURPOSES.

The purposes of this title are—

(1) to further strengthen the United States-Taiwan strategic partnership and broaden understanding of the Indo-Pacific region by temporarily assigning officials of any agencies of the United States Government to Taiwan for intensive study in Mandarin and placement as Fellows with the government in Taiwan or a Taiwanese civic institution;

(2) to provide for eligible United States personnel—

(A) to learn or strengthen Mandarin Chinese language skills; and

(B) to expand their understanding of the political economy of Taiwan and the Indo-Pacific region; and

(3) to better position the United States to advance its economic, security, and human rights interests and values in the Indo-Pacific region.

SEC. 604. DEFINITIONS.

In this title:

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

(2) Agency of the United States Government.—The term “agency of the United States Government” includes the Government Accountability Office, the Congressional Budget Office, and the Congressional Research Service of the legislative branch, as well as any agency of the executive branch.

(3) Appropriate Committees of Congress.—The term “appropriate committees of Congress” means—

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

(B) the Committee on Appropriations of the Senate;

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

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

(4) Detailee.—The term “detailee”—

(A) means an employee of an agency of the United States Government on loan to the American Institute in Taiwan, without a change of
position from the agency at which he or she is employed; and

(B) a legislative branch employee from the Government Accountability Office, Congressional Budget Office, or the Congressional Research Service.

(5) IMPLEMENTING PARTNER.—The term “implementing partner” means any United States organization described in 501(c)(3) of the Internal Revenue Code of 1986 that—

(A) performs logistical, administrative, and other functions, as determined by the Department of State and the American Institute of Taiwan in support of the Taiwan Fellowship Program; and

(B) enters into a cooperative agreement with the American Institute in Taiwan to administer the Taiwan Fellowship Program.

(6) PROGRAM.—The term “Program” means the Taiwan Fellowship Program established pursuant to section 605.

SEC. 605. TAIWAN FELLOWSHIP PROGRAM.

(a) ESTABLISHMENT.—The Secretary of State shall establish the Taiwan Fellowship Program (referred to in this section as the “Program”) to provide a fellowship op-
portunity in Taiwan of up to 2 years for eligible United States citizens. The Department of State, in consultation with the American Institute in Taiwan and the implementing partner, may modify the name of the Program.

(b) COOPERATIVE AGREEMENT.—

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

(2) FELLOWSHIPS.—The Department of State or the American Institute in Taiwan, in consultation with, as appropriate, the implementing partner, should award to eligible United States citizens, subject to available funding—

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

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

c) AMERICAN INSTITUTION IN TAIWAN AGREEMENT; IMPLEMENTING PARTNER.—Not later than 30 days after the date of the enactment of this Act, the American Institute in Taiwan, in consultation with the Department of State, should—
(1) begin negotiations with the Taipei Economic and Cultural Representative Office, or with another appropriate entity, for the purpose of entering into an agreement to facilitate the placement of fellows in an agency of the government in Taiwan; and

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

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

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

(d) CURRICULUM.—

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

(A) the Mandarin Chinese language;

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

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

(2) SECOND YEAR.—During the second year of each fellowship under this section, each fellow, subject to the approval of the Department of State, the
American Institute in Taiwan, and the implementing partner, and in accordance with the purposes of this title, should work in—

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

(B) an organization outside of the government in Taiwan, whose interests are associated with the interests of the fellow and the agency of the United States Government from which the fellow is or had been employed.

(c) FLEXIBLE FELLOWSHIP DURATION.—Notwithstanding any requirement under this section, the Secretary of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, may award fellowships that have a duration of less than two years, and may alter the curriculum requirements under subsection (d) for such purposes.

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

(g) PROGRAM REQUIREMENTS.—

(1) ELIGIBILITY REQUIREMENTS.—A United States citizen is eligible for a fellowship under this section if he or she—
(A) is an employee of the United States Government;

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

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

(D) has a demonstrated professional or educational background in the relationship between the United States and countries in the Indo-Pacific region; and

(E) has demonstrated his or her commitment to further service in the United States Government.

(2) RESPONSIBILITIES OF FELLOWS.—Each recipient of a fellowship under this section shall agree, as a condition of such fellowship—

(A) to maintain satisfactory progress in language training and appropriate behavior in Taiwan, consistent with United States Government policy toward Taiwan, as determined by the Department of State, the American Institute in Taiwan and, as appropriate, its implementing partner;
(B) to refrain from engaging in any intelligence or intelligence-related activity on behalf of the United States Government; and

(C) to continue Federal Government employment for a period of not less than 4 years after the conclusion of the fellowship or for not less than 2 years for a fellowship that is 1 year or shorter.

(3) Responsibilities of Implementing Partner.—

(A) Selection of Fellows.—The implementing partner, with the concurrence of the Department of State and the American Institute in Taiwan, shall—

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

(ii) select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan; and

(iii) prioritize the selection of candidates willing to serve in a fellowship lasting 1 year or longer.
(B) FIRST YEAR.—The implementing partner should provide each fellow in the first year (or shorter duration, as jointly determined by the Department of State and the American Institute in Taiwan for those who are not serving a 2-year fellowship) with—

(i) intensive Mandarin Chinese language training; and

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

(C) WAIVER OF FIRST-YEAR TRAINING.—The Department of State, in coordination with the American Institute in Taiwan and, as appropriate, the implementing partner, may waive any of the training required under paragraph (2) to the extent that a fellow has Mandarin language skills, knowledge of the topic described in subparagraph (B)(ii), or for other related reasons approved by the Department of State and the American Institute in Taiwan. If any of the training requirements are waived for a fellow serving a 2-year fellowship, the training portion of his or her fellowship may be shortened to the extent appropriate.
(D) Office; Staffing.—The implementing partner, in consultation with the Department of State and the American Institute in Taiwan, may maintain an office and at least 1 full-time staff member in Taiwan—

(i) to liaise with the American Institute in Taiwan and the government in Taiwan; and

(ii) to serve as the primary in-country point of contact for the recipients of fellowships under this Act and their dependents.

(E) Other Functions.—The implementing partner may perform other functions in association with support of the Taiwan Fellowship Program, including logistical and administrative functions, as prescribed by the Department of State and the American Institute in Taiwan.

(4) Noncompliance.—

(A) In General.—Any fellow who fails to comply with the requirements under this section shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency for—
(i) the Federal funds expended for the fellow’s participation in the fellowship, as set forth in paragraphs (2) and (3); and

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

(B) FULL REIMBURSEMENT.—Any fellow who violates paragraph (1) or (2) of subsection (b) shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency, in an amount equal to the sum of—

(i) all of the Federal funds expended for the fellow’s participation in the fellowship; and

(ii) interest on the amount specified in subparagraph (A), which shall be calculated at the prevailing rate.

(C) PRO RATA REIMBURSEMENT.—Any fellow who violates subsection (b)(3) shall reimburse the American Institute in Taiwan, or the appropriate United States Government agency, in an amount equal to the difference between—

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

(ii) the product of—
(I) the amount the fellow received in compensation during the final year of the fellowship, including the value of any allowances and benefits received by the fellow; multiplied by

(II) the percentage of the period specified in subsection (b)(3) during which the fellow did not remain employed by the Federal Government.

SEC. 606. REPORTS AND AUDITS.

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

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

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

(3) The names of the parliamentary offices, ministries, other agencies of the government in Tai-
wan, and nongovernmental institutions to which each fellow was assigned during the second year of the fellowship.

(4) Any recommendations, as appropriate, to improve the implementation of the Taiwan Fellowship Program, including added flexibilities in the administration of the program.

(5) An assessment of the Taiwan Fellowship Program’s value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(b) ANNUAL FINANCIAL AUDIT.—

(1) IN GENERAL.—The financial records of any implementing partner shall be audited annually in accordance with generally accepted government auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States.

(2) LOCATION.—Each audit under paragraph (1) shall be conducted at the place or places where the financial records of the implementing partner are normally kept.
(3) Access to documents.—The implementing partner shall make available to the accountants conducting an audit under paragraph (1)—

(A) all books, financial records, files, other papers, things, and property belonging to, or in use by, the implementing partner that are necessary to facilitate the audit; and

(B) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(4) Report.—

(A) In general.—Not later than 9 months after the end of each fiscal year, the implementing partner shall provide a report of the audit conducted for such fiscal year under paragraph (1) to the Department of State and the American Institute in Taiwan.

(B) Contents.—Each audit report shall—

(i) set forth the scope of the audit;

(ii) include such statements, along with the auditor’s opinion of those statements, as may be necessary to present fairly the implementing partner’s assets and
liabilities, surplus or deficit, with reasonable detail;

(iii) include a statement of the implementing partner’s income and expenses during the year; and

(iv) include a schedule of—

(I) all contracts and cooperative agreements requiring payments greater than $5,000; and

(II) any payments of compensation, salaries, or fees at a rate greater than $5,000 per year.

(C) Copies.—Each audit report shall be produced in sufficient copies for distribution to the public.

SEC. 607. TAIWAN FELLOWS ON DETAIL FROM GOVERNMENT SERVICE.

(a) In General.—

(1) Detail Authorized.—With the approval of the Secretary of State, an agency head may detail, for a period of not more than 2 years, an employee of the agency of the United States Government who has been awarded a fellowship under this title, to the American Institute in Taiwan for the purpose of assignment to the government in Taiwan
or an organization described in section 605(d)(2)(B).

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

(A) to continue in the service of the sponsoring agency at the end of fellowship for a period of at least 4 years (or at least 2 years if the fellowship duration is 1 year or shorter) unless the detailee is involuntarily separated from the service of such agency; and

(B) to pay to the American Institute in Taiwan, or the United States Government agency, as appropriate, any additional expenses incurred by the Federal Government in connection with the fellowship if the detailee voluntarily separates from service with the sponsoring agency before the end of the period for which the detailee has agreed to continue in the service of such agency.

(3) EXCEPTION.—The payment agreed to under paragraph (2)(B) may not be required from a detailee who leaves the service of the sponsoring agency to enter into the service of another agency of
the United States Government unless the head of
the sponsoring agency notifies the detailee before the
effective date of entry into the service of the other
agency that payment will be required under this sub-
section.

(b) Status as Government Employee.—A
detailee—

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

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

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

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

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

(e) Responsibilities of Sponsoring Agency.—

(1) In general.—The Federal agency from
which a detailee is detailed should provide the fellow
allowances and benefits that are consistent with Department of State Standardized Regulations or other applicable rules and regulations, including—

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

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

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

(D) an education allowance to assist parents in providing the fellow’s minor children with educational services ordinarily provided without charge by public schools in the United States;

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

(F) an economy-class airline ticket to and from Taiwan for each fellow and the fellow’s immediate family.
(2) Modification of Benefits.—The American Institute in Taiwan and its implementing partner, with the approval of the Department of State, may modify the benefits set forth in paragraph (1) if such modification is warranted by fiscal circumstances.

(d) No Financial Liability.—The American Institute in Taiwan, the implementing partner, and any government in Taiwan or nongovernmental entities in Taiwan at which a fellow is detailed during the second year of the fellowship may not be held responsible for the pay, allowances, or any other benefit normally provided to the detailee.

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

(f) Allowances and Benefits.—Detailees may be paid by the American Institute in Taiwan for the allowances and benefits listed in subsection (e).

SEC. 608. FUNDING.

(a) Authorization of Appropriations.—There are authorized to be appropriated to the American Institute in Taiwan—

(1) for fiscal year 2023, $2,900,000, of which—
(A) $500,000 shall be used to launch the
Taiwan Fellowship Program through a competitive cooperative agreement with an appropriate implementing partner;

(B) $2,300,000 shall be used to fund a cooperative agreement with an appropriate implementing partner; and

(C) $100,000 shall be used for management expenses of the American Institute in Taiwan related to the management of the Taiwan Fellowship Program; and

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

(A) $2,300,000 shall be used for a cooperative agreement to the appropriate implementing partner; and

(B) $100,000 shall be used for management expenses of the American Institute in Taiwan related to the management of the Taiwan Fellowship Program.

(b) PRIVATE SOURCES.—The implementing partner selected to implement the Taiwan Fellowship Program may accept, use, and dispose of gifts or donations of services or property in carrying out such program, subject to
the review and approval of the American Institute in Taiwan.

SEC. 609. STUDY AND REPORT.

Not later than one year prior to the sunset of the fellowship program under section 605(f), the Comptroller General of the United States shall conduct a study and submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House a report that includes—

(1) an analysis of the United States Government participants in this program, including the number of applicants and the number of fellowships undertaken, the place of employment, and an assessment of the costs and benefits for participants and for the United States Government of such fellowships;

(2) an analysis of the financial impact of the fellowship on United States Government offices which have provided fellows to participate in the program; and

(3) recommendations, if any, on how to improve the fellowship program.
SEC. 610. SUPPORTING UNITED STATES EDUCATIONAL AND EXCHANGE PROGRAMS WITH TAIWAN.

(a) Establishment of the United States-Taiwan Cultural Exchange Foundation.—The Secretary of State should consider establishing an independent nonprofit entity that—

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

(2) works with State and local school districts and educational institutions to send high school and university students to Taiwan to study the Chinese language, culture, history, politics, and other relevant subjects.

(b) Partner.—State and local school districts and educational institutions, including public universities, are encouraged to partner with the Taipei Economic and Cultural Representative Office in the United States to establish programs to promote more educational and cultural exchanges.
TITLE VII—MISCELLANEOUS PROVISIONS

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

(a) STATEMENT OF POLICY.—It is the policy of the United States to invite Taiwanese counterparts to participate in high-level bilateral and multilateral summits, military exercises, and economic dialogues and forums.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

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

(2) the United States Government and Taiwanese counterparts should resume meetings under the United States-Taiwan Trade and Investment Framework Agreement and reach a bilateral free trade agreement that provides high levels of labor rights and environmental protections;

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

(4) the United States Government and Taiwanese counterparts should engage in a regular and
routine strategic bilateral dialogue on arms sales in accordance with Foreign Military Sales mechanisms; and

(5) the United States Government should support export licenses for direct commercial sales supporting Taiwan’s indigenous defensive capabilities.

SEC. 702. REPORT ON TAIWAN TRAVEL ACT.

(a) LIST OF HIGH-LEVEL VISITS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in accordance with the Taiwan Travel Act (Public Law 115–135), shall submit to the appropriate congressional committees—

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

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

(b) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter for a period of 5 years, the Secretary of State shall submit a report on the implementation of the Taiwan Travel Act, including a discussion of its positive effects on United States interests in the region, to the appropriate congressional committees.
SEC. 703. PROHIBITIONS AGAINST UNDERMINING UNITED STATES POLICY REGARDING TAIWAN.

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

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government, in coordination with United States businesses and nongovernmental entities, should formulate a code of conduct for, and otherwise coordinate on, interacting with the Government of the PRC and the Chinese Communist Party and their affiliated entities, the aim of which is—

(1) to counter PRC operations that threaten free speech, academic freedom, and the normal operations of United States businesses and nongovernmental entities; and

(2) to counter PRC efforts to censor the way the world refers to issues deemed sensitive to the PRC Government and Chinese Communist Party leaders, including issues related to Taiwan, Tibet, the Tiananmen Square Massacre, and the mass in-
1 ternment of Uyghurs and other Turkic Muslims,
2 among many other issues.
3
4 (c) PROHIBITION AGAINST RECOGNIZING THE PEOPLE’S REPUBLIC OF CHINA’S CLAIMS TO SOVEREIGNTY

5 OVER TAIWAN.—

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

7 (A) issues related to the sovereignty of Taiwan are for the people of Taiwan to decide through the democratic process they have established;

8 (B) the dispute between the PRC and Taiwan must be resolved peacefully and with the assent of the people of Taiwan;

9 (C) the 2 key obstacles to peaceful resolution are—

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

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

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

(2) Statement of Policy.—It is the policy of the United States to oppose any attempt by the PRC authorities to unilaterally impose a timetable or deadline for unification on Taiwan.

(3) Prohibition on Recognition of PRC Claims Without the Assent of People of Taiwan.—No department or agency of the United States Government may formally or informally recognize PRC claims to sovereignty over Taiwan without the assent of the people of Taiwan, as expressed directly through the democratic process.

(d) Strategy to Protect United States Businesses and Nongovernmental Entities From Coercion.—

(1) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary
of State, in consultation with the Secretary of Commerce, the Secretary of the Treasury, and the heads of other relevant Federal agencies, shall submit an unclassified report, with a classified annex, if necessary, on how to protect United States businesses and nongovernmental entities from PRC operations, including coercion and threats that lead to censorship or self-censorship, or which compel compliance with political or foreign policy positions of the Government of the People’s Republic of China and the Chinese Communist Party.

(2) ELEMENTS.—The strategy shall include—

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

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

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

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

SEC. 704. AMENDMENTS TO THE TAIWAN ALLIES INTERNATIONAL PROTECTION AND ENHANCEMENT INITIATIVE (TAIPEI) ACT OF 2019.

The Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 (Public Law 116–135) is amended—

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

(2) in section 4—

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

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

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

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

(3) in section 5—
(A) in subsection (a)—

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

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

(iii) by adding at the end the following:

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

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

(C) by redesignating subsection (c) as subsection (d); and
(D) by inserting after subsection (b) the following:

“(c) BRIEFININGS.—Not later than 90 days after the date of the enactment of the Taiwan Policy Act of 2022, and annually thereafter for a period of 7 years, the Department of State shall provide briefings to the appropriate congressional committees on the steps taken in accordance with section (a). The briefings required under this subsection shall take place in an unclassified setting, but may be accompanied by an additional classified briefing.”.

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

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

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

(a) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Defense and the Director of National Intelligence, shall submit a report to the appropriate congressional committees that analyzes the impact of Russia’s war against Ukraine on the PRC’s diplomatic, military, economic, and propaganda objectives with respect to Taiwan.

(b) Elements.—The report required under subsection (a) shall describe—

(1) adaptations or known changes to PRC strategies and military doctrine since the commencement of the Russian invasion of Ukraine on February 24, 2022, including changes—

(A) to PRC behavior in international forums;

(B) within the People’s Liberation Army, with respect to the size of forces, the makeup of leadership, weapons procurement, equipment upkeep, the doctrine on the use of specific weapons, such as weapons banned under the international law of armed conflict, efforts to
move weapons supply chains onto mainland
PRC, or any other changes in its military strategy with respect to Taiwan;

(C) in economic planning, such as sanctions evasion, efforts to minimize exposure to sanctions, or moves in support of the protection of currency or other strategic reserves;

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

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

(2) United States’ plans to adapt its policies and military planning in response to the changes referred to in paragraph (1).

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

(d) COORDINATION WITH ALLIES AND PARTNERS.—
The Secretary of State shall share information contained in the report required under subsection (a), as appropriate, with appropriate officials of allied and partner na-
tions, including Taiwan and allies in Europe and in the Indo-Pacific.

(c) DEFINED TERM.—In this section, the term “appropriate congressional committees” means—

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

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

(3) the Committee on Appropriations of the Senate;

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

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

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

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

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

(9) the Permanent Select Committee on Intelligence of the House of Representatives; and

(10) the Committee on Financial Services of the House of Representatives.
TITLE VIII—DETERRENCE MEASURES FOR CROSS-STRAIT STABILITY 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.

In this title:

(1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the meanings given such terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

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

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

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

(D) the Committee on Financial Services of the House of Representatives.
(3) CCP.—The term “CCP” means the Chinese Communist Party.

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

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

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

(7) KNOWINGLY.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person had actual knowledge, or should have known, of the conduct, the circumstance, or the result.

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

(9) UNITED STATES PERSON.—The term “United States person” means——
(A) a United States citizen or an alien law-
fully admitted for permanent residence to the
United States; or

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

SEC. 802. DETERMINATIONS WITH RESPECT TO ACTIVITIES
OF THE PEOPLE’S REPUBLIC OF CHINA
AGAINST TAIWAN.

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

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

(2) if such engagement exists, whether such es-
calation demonstrates an attempt to achieve or has
the significant effect of achieving the physical or po-
литical control of Taiwan, including by—
(A) overthrowing or dismantling the governing institutions in Taiwan;

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

(C) violating the territorial integrity of Taiwan; or

(D) taking significant action against Taiwan, including—

   (i) creating a naval blockade of Taiwan;

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

   (iii) initiating a significant cyber attack that threatens the civilian or military infrastructure of Taiwan.

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

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

   (2) after the first determination under paragraph (1), not less frequently than once every 90 days (or more frequently, if warranted) during the 1-year period beginning on such date of enactment; and
(3) after the end of such 1-year period, not less frequently than once every 120 days.

(c) **Report Required.**—Upon making a determination described in subsection (a), the President shall submit a report describing the factors influencing such determination to the appropriate committees of Congress.

(d) **Congressional Requests.**—Not later than 30 days after receiving a request from the chairman and ranking member of the Committee on Foreign Relations of the Senate or the Committee on Foreign Affairs of the House of Representatives with respect to whether the People’s Republic of China or the Chinese Communist Party, including through any proxies of the People’s Republic of China or the Chinese Communist Party, has engaged in an act described in subsection (a), the President shall—

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

(2) submit a report to the appropriate committees of Congress that contains a detailed explanation of such determination.
SEC. 803. IMPOSITION OF SANCTIONS ON OFFICIALS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA RELATING TO OPERATIONS IN TAIWAN.

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

(1) the CCP Politburo Standing Committee;

(2) the CCP Party Central Military Commission;

(3) the CCP Politburo;

(4) the CCP Central Committee;

(5) the CCP National Congress;

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

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

(b) IN GENERAL.—Not later than 60 days after making an affirmative determination under section 802(a), the President shall impose the sanctions described in section 807 with respect to at least 100 officials of the Government of the People’s Republic of China specified in subsection (c), to the extent such officials can be identified.

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

(1) senior civilian and military officials of the People’s Republic of China and military officials who
have command or clear and direct decision-making power over military campaigns, military operations, and military planning against Taiwan conducted by the People’s Liberation Army; (2) senior civilian and military officials of the People’s Republic of China who have command or clear and direct decision-making power in the Chinese Coast Guard and the Chinese People’s Armed Police and are engaged in planning or implementing activities that involve the use of force against Taiwan; (3) senior or special advisors to the President of the People’s Republic of China; (4) officials of the Government of the People’s Republic of China who are members of the top decision-making bodies of that Government; (5) the highest-ranking Chinese Communist Party members of the decision-making bodies referred to in paragraph (4); and (6) officials of the Government of the People’s Republic of China in the intelligence agencies or security services who— (A) have clear and direct decisionmaking power; and
(B) have engaged in or implemented activities that—

(i) materially undermine the military readiness of Taiwan;

(ii) overthrow or decapitate the Taiwan’s government;

(iii) debilitate Taiwan’s electric grid, critical infrastructure, or cybersecurity systems through offensive electronic or cyber attacks;

(iv) undermine Taiwan’s democratic processes through campaigns to spread disinformation; or

(v) involve committing serious human rights abuses against citizens of Taiwan, including forceful transfers, enforced disappearances, unjust detainment, or torture.

(d) ADDITIONAL OFFICIALS.—

(1) LIST REQUIRED.—Not later than 30 days after making an affirmative determination under section 802(a) and every 90 days thereafter, the President shall submit a list to the appropriate committees of Congress that identifies any additional foreign persons who—
(A) the President determines are officials specified in subsection (c); and

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

(2) IMPOSITION OF SANCTIONS.—Upon the submission of the list required under paragraph (1), the President shall impose the sanctions described in section 807 with respect to each foreign person included on the list.

SEC. 804. IMPOSITION OF SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) JOINT-EQUITY BANK.—The term “joint-equity bank” means a bank under the jurisdiction of the People's Republic of China in which—

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

(B) the Government of the People’s Republic of China holds an interest.

(2) NATIONAL JOINT-STOCK COMMERCIAL BANK.—The term “national joint-stock commercial bank” means a bank under the jurisdiction of the People’s Republic of China in which—
(A) the bank’s stock is owned jointly by
the shareholders; and

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

(3) NATIONAL STATE-OWNED POLICY BANK.—
The term “national state-owned policy bank” means
a bank that—

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

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

(b) IN GENERAL.—

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

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

(B) at least 3 national joint-stock commer-
cial banks in the People’s Republic of China;
(C) at least 3 national state-owned policy banks in the People’s Republic of China;

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

(E) entities that regulate the banking sector of the People’s Republic of China, or major financial asset management companies regulated by the Government of the People’s Republic of China.

(2) Subsidiaries and successor entities.—

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

(e) Additional People’s Republic of China Financial Institutions.—

(1) List required.—Not later than 30 days after making an affirmative determination under section 802(a), and every 90 days thereafter, the President shall submit a list to the appropriate committees of Congress that identifies any foreign persons that the President determines—
are significant financial institutions owned or operated by the Government of the People’s Republic of China; and
(B) should be sanctioned in the interest of United States national security.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of each list required under paragraph (1), the President shall impose the sanctions described in section 807 with respect to each foreign person identified on such list.

SEC. 805. REPORTING REQUIREMENT.

(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—
(1) the Committee on Foreign Relations of the Senate;
(2) the Committee on Banking, Housing, and Urban Affairs of the Senate;
(3) the Committee on Armed Services of the Senate;
(4) the Committee on Foreign Affairs of the House of Representatives;
(5) the Committee on Financial Services of the House of Representatives; and
(6) the Committee on Armed Services of the House of Representatives.

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

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

SEC. 806. ADDITIONAL SANCTIONS.

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

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

(2) with the objective of destabilizing Taiwan, engaged directly in, or ordered—
(A) malicious, offensive cyber-enabled activities targeting—

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

(ii) the critical infrastructure, including military, industrial, or financial infrastructure of Taiwan;

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

(i) the government in Taiwan; or

(ii) businesses, academic, or civil society institutions located in Taiwan; or

(C) military activities that are designed to intimidate the armed forces of Taiwan or that seek to normalize a coercive military posture and sustained presence by the People’s Liberation Army in the Taiwan Strait.

(b) WAIVER.—The President may waive the application of sanctions under subsection (a) if the President submits to the appropriate committees of Congress a written determination that such waiver is in the national interests of the United States.

SEC. 807. SANCTIONS DESCRIBED.

(a) PROPERTY BLOCKING.—Except as provided in section 809, the President shall exercise all of the powers
1 granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to
2 block and prohibit all transactions in all property and in-
3 terests in property of the foreign person if such property
4 and interests in property are in the United States, come
5 within the United States, or are or come within the posses-
6 sion or control of a United States person.
7
8 (b) ALIENS INADMISSIBLE FOR VISAS, ADMISSION,
9 OR PAROLE.—
10
11 (1) VISAS, ADMISSION, OR PAROLE.—In the
case of an alien, the alien is—
12
13 (A) inadmissible to the United States;
14 (B) ineligible to receive a visa or other doc-
15 umentation to enter the United States; and
16 (C) otherwise ineligible to be admitted or
17 paroled into the United States or to receive any
18 other benefit under the Immigration and Na-
19 tionality Act (8 U.S.C. 1101 et seq.).
20
21 (2) CURRENT VISAS REVOKED.—
22
23 (A) IN GENERAL.—The visa or other entry
documentation of an alien described in para-
24 graph (1) shall be revoked, regardless of when
25 such visa or other entry documentation was
26 issued.
(B) IMMEDIATE EFFECT.—A revocation under subparagraph (A) shall—
(i) take effect immediately; and
(ii) automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

SEC. 808. IMPLEMENTATION; REGULATIONS; PENALTIES.
(a) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this title.
(b) RULEMAKING.—The President shall issue such regulations, licenses, and orders as are necessary to carry out this title.
(e) PENALTIES.—Any person that violates, attempts to violate, conspires to violate, or causes a violation of this title, or any regulation, license, or order issued to carry out this title, shall be subject to the penalties set forth in subsections (b) and (e) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 809. EXCEPTIONS; WAIVER.
(a) EXCEPTIONS.—
(1) Exception for Intelligence Activities.—This title shall not apply with respect to—

(A) activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) authorized intelligence activities of the United States.

(2) Exception for Compliance with International Obligations and Law Enforcement Activities.—Sanctions under this title shall not apply with respect to an alien if admitting or paroling such alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist law enforcement activity in the United States.

(3) Exception Relating to Importation of Goods.—
(A) Defined Term.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(B) In General.—Notwithstanding any other provision of this title, the authority or a requirement to impose sanctions under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) National Security Waiver.—The President may waive the imposition of sanctions based on a determination under section 802(a) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits a notification of the waiver and the reasons for the waiver to the appropriate committees of Congress.

SEC. 810. Termination.

The President may terminate the sanctions imposed under this title based on a determination under section 802(a), after determining and certifying to the appro-
appropriate committees of Congress that the Government of the
People’s Republic of China—

(1) has verifiably ceased the activities described
in section 802(a) with respect to operations against
Taiwan; and

(2) to the extent applicable, has entered into an
agreed settlement with a legitimate democratic gov-
ernment in Taiwan.

TITLE IX—UNITED STATES-TAI-
WAN PUBLIC HEALTH PRO-
TECTION

SEC. 901. SHORT TITLE.
This title may be cited as the “United States-Taiwan
Public Health Protection Act”.

SEC. 902. DEFINITIONS.
In this title:

(1) APPROPRIATE CONGRESSIONAL COMMIT-
TEES.—For the purposes of this title, the term “ap-
propriate congressional committees” means—

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

(B) the Committee on Health, Education,
Labor, and Pensions of the Senate;

(C) the Committee on Foreign Affairs of
the House of Representatives; and
(D) the Committee on Energy and Commerce of the House of Representatives.

(2) CENTER.—The term "Center" means the Infectious Disease Monitoring Center described in section 903.

(3) SECRETARY.—The term "Secretary" means the Secretary of State.

SEC. 903. STUDY.

(a) STUDY.—Not later than 1 year after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Health and Human Services and the heads of other relevant Federal departments and agencies, shall submit to the relevant congressional committees a study that includes the following:

(1) A description of ongoing cooperation between the United States Government and Taiwan related to public health, including disease surveillance, information sharing, and telehealth.

(2) A description how the United States and Taiwan can promote further cooperation, including the feasibility of establishing an Infectious Disease Monitoring Center within the American Institute of Taiwan in Taipei, Taiwan that, in partnership with the Taiwan Centers for Disease Control, conducts
health monitoring of infectious diseases in the region

by—

(A) regularly monitoring, analyzing, and disseminating open-source material from countries in the region, including viral strains, bacterial subtypes, and other pathogens;

(B) engaging in people-to-people contacts with medical specialists and public health officials in the region;

(C) providing expertise and information on infectious diseases to the United States Government and the Taiwanese government; and

(D) carrying out other appropriate activities, as determined by the Director of the Center.

(b) ELEMENTS.—The study required by subsection (a) shall include—

(1) a plan on how to establish and operate such a Center, including—

(A) the personnel, material, and funding requirements necessary to establish and operate the Center; and

(B) the proposed structure and composition of Center personnel, which may include—
(i) infectious disease experts from among the National Institutes of Health, the Centers for Disease Control and Prevention, and the Food and Drug Administration, who are recommended to serve as detailees to the Center; and

(ii) additional qualified persons to serve as detailees to or employees of the Center, including—

(I) from any other relevant Federal department or agencies, to include the Department of State and the United States Agency for International Development;

(II) qualified foreign service nationals or locally engaged staff who are considered citizens of Taiwan; and

(III) employees of the Taiwan Centers for Disease Control;

(2) an evaluation, based on the factors in paragraph (1), of whether to establish the Center, and a timeline for doing so; and

(3) a description of any consultations or agreements between the American Institute in Taiwan and the Taipei Economic and Cultural Representa-
tive Office in the United States regarding the establish-
ishment and operation of the Center, including—

(A) the role that employees of the Taiwan
Centers for Disease Control would play in sup-
porting or coordinating with the Center; and

(B) whether any employees of the Taiwan
Centers for Disease Control would be detailed
to, or co-located with, the Center.

(c) CONSULTATION.—The Secretary of State shall
consult with the appropriate congressional committees
before full completion of the study.

(d) SUBMISSION.—The Secretary of State, in coordi-
nation with the Secretary of Health and Human Services,
shall submit the study to the appropriate congressional
committees not later than one year after the enactment
of this Act.

SEC. 904. INFECTIOUS DISEASE MONITORING CENTER.

(a) ESTABLISHMENT.—The Secretary, in consulta-
tion with the Secretary of Health and Human Services
and the heads of other relevant Federal departments and
agencies, is authorized to establish an Infectious Disease
Monitoring Center under the auspices of the American In-
stitute in Taiwan in Taipei, Taiwan, when the conditions
outlined in subsection (b) have been met.
(b) CONDITIONS.—The conditions for establishment of an Infectious Disease Monitoring Center within under the auspices of the American Institute in Taiwan in Taipei, Taiwan, are—

(1) that the study required in section 903 has been submitted to the appropriate congressional committees; and

(2) not later than 30 days after the submission of the study, the Secretary of State and the Secretary of Health and Human Services have briefed the appropriate congressional committees;

(c) PARTNERSHIP.—Should the Secretary determine to establish the Center, the American Institute in Taiwan should seek to partner with the Taiwan Centers for Disease Control to conduct health monitoring of infectious diseases in the region by—

(1) regularly monitoring, analyzing, and disseminating open-source material from countries in the region, including viral strains, bacterial subtypes, and other pathogens;

(2) engaging in people-to-people contacts with medical specialists and public health officials in the region;
(3) providing expertise and information on infectious diseases to the Government of the United States and the Taiwanese government; and

(4) carrying out other appropriate activities, as determined by the Director of the Center.

(d) UPDATES.—The Secretary, in consultation with the Secretary of Health and Human Services, shall provide an annual update the appropriate congressional committees on the functioning and costs of the Center, if established, as well as an assessment of how the Center is serving United States interests.

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

**SEC. 1001. SHORT TITLE.** This title may be cited as the “South China Sea and East China Sea Sanctions Act of 2022”.

**SEC. 1002. SANCTIONS WITH RESPECT TO CHINESE PERSONS RESPONSIBLE FOR CHINA’S ACTIVITIES IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA.**

(a) INITIAL IMPOSITION OF SANCTIONS.—On and after the date that is 120 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (b) with respect to any Chinese
person, including any senior official of the Government of
the People’s Republic of China, that the President deter-
mines—

(1) is responsible for or significantly contributes
to large-scale reclamation, construction, militariza-
tion, or ongoing supply of outposts in disputed areas
of the South China Sea;

(2) is responsible for or significantly contributes
to, or has engaged in, directly or indirectly, actions,
including the use of coercion, to inhibit another
country from protecting its sovereign rights to ac-
cess offshore resources in the South China Sea, in-
cluding in such country’s exclusive economic zone,
consistent with such country’s rights and obligations
under international law;

(3) is responsible for or complicit in, or has en-
gaged in, directly or indirectly, actions that signifi-
cantly threaten the peace, security, or stability of
disputed areas of the South China Sea or areas of
the East China Sea administered by Japan or the
Republic of Korea, including through the use of ves-
sels and aircraft by the People’s Republic of China
to occupy or conduct extensive research or drilling
activity in those areas;
(4) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, or in support of, any person subject to sanctions pursuant to paragraph (1), (2), or (3); or

(5) is owned or controlled by, or has acted for or on behalf of, directly or indirectly, any person subject to sanctions pursuant to paragraph (1), (2), or (3).

(b) SANCTIONS DESCRIBED.—The sanctions that may be imposed with respect to a person described in subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—The President may, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien, the alien may be—
(i) inadmissible to the United States;
(ii) ineligible to receive a visa or other
documentation to enter the United States;
and
(iii) otherwise ineligible to be admitted
or paroled into the United States or to re-
ceive any other benefit under the Immigra-
tion and Nationality Act (8 U.S.C. 1101 et
seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described
in subparagraph (A) may be subject to rev-
ocation of any visa or other entry docu-
mentation regardless of when the visa or
other entry documentation is or was
issued.

(ii) IMMEDIATE EFFECT.—A revoca-
tion under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or
entry documentation that is in the
alien’s possession.

(3) EXCLUSION OF CORPORATE OFFICERS.—
The President may direct the Secretary of State to
deny a visa to, and the Secretary of Homeland Secu-
rity to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person.

(4) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to the person under—

(A) the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.); or

(B) any other statute that requires the prior review and approval of the United States Government as a condition for the export or re-export of goods or services.

(5) INCLUSION ON ENTITY LIST.—The President may include the entity on the entity list maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of the Export Administration Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(6) BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.—The President may, pur-
suant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing equity or debt instruments of the person.

(7) Banking Transactions.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the person.

(8) Correspondent and Payable-Through Accounts.—In the case of a foreign financial institution, the President may prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(c) Exceptions.—

(2) Exception for intelligence, law enforcement, and national security activities.—Sanctions under this section shall not apply to any authorized intelligence, law enforcement, or national security activities of the United States.

(3) Compliance with United Nations Headquarters Agreement.—Paragraphs (2) and (3) of subsection (b) shall not apply if admission of an alien to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success, June 26, 1947, and entered into force, November 21, 1947, between the United Nations and the United States.

(4) Exception relating to importation of goods.—

(A) In general.—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) Good defined.—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manu-
factured product, including inspection and test equipment, and excluding technical data.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under subsection (b)(1) to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(e) DEFINITIONS.—In this section:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31, United States Code.
(2) ALIEN.—The term “alien” has the meaning given that term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(3) CHINESE PERSON.—The term “Chinese person” means—

(A) an individual who is a citizen or national of the People’s Republic of China; or

(B) an entity organized under the laws of the People’s Republic of China or otherwise subject to the jurisdiction of the Government of the People’s Republic of China.

(4) FINANCIAL INSTITUTION.—The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z) of section 5312(a)(2) of title 31, United States Code.

(5) FOREIGN FINANCIAL INSTITUTION.—The term “foreign financial institution” has the meaning given that term in section 1010.605 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) PERSON.—The term “person” means any individual or entity.
(7) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 1003. SENSE OF CONGRESS REGARDING PORTRAYALS OF THE SOUTH CHINA SEA OR THE EAST CHINA SEA AS PART OF CHINA.

It is the sense of Congress that the Government Publishing Office should not publish any map, document, record, electronic resource, or other paper of the United States (other than materials relating to hearings held by committees of Congress or internal work product of a Federal agency) portraying or otherwise indicating that it is the position of the United States that the territory or airspace in the South China Sea that is disputed among two or more parties or the territory or airspace of areas administered by Japan or the Republic of Korea, including in the East China Sea, is part of the territory or airspace of the People’s Republic 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.

(a) FINDING.—Congress finds that on July 12, 2016, a tribunal of the Permanent Court of Arbitration found in the arbitration case between the Philippines and the People’s Republic of China under the United Nations Convention on the Law of the Sea that the People’s Republic of China’s claims, including those to offshore resources and “historic rights”, were unlawful, and that the tribunal’s ruling is final and legally binding on both parties.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and the international community should reject the unlawful claims of the People’s Republic of China within the exclusive economic zone or on the continental shelf of the Philippines, as well as the maritime claims of the People’s Republic of China beyond a 12-nautical-mile territorial sea from the islands it claims in the South China Sea;

(2) the provocative behavior of the People’s Republic of China, including coercing other countries with claims in the South China Sea and preventing those countries from accessing offshore resources,
undermines peace and stability in the South China Sea;

(3) the international community should—

(A) support and adhere to the ruling described in subsection (a) in compliance with international law; and

(B) take all necessary steps to support the rules-based international order in the South China Sea; and

(4) all claimants in the South China Sea should—

(A) refrain from engaging in destabilizing activities, including illegal occupation or efforts to unlawfully assert control over disputed claims;

(B) ensure that disputes are managed without intimidation, coercion, or force;

(C) clarify or adjust claims in accordance with international law; and

(D) uphold the principle that territorial and maritime claims, including over territorial waters or territorial seas, must be derived from land features and otherwise comport with international law.
SEC. 1005. REPORT ON COUNTRIES THAT RECOGNIZE CHINESE SOVEREIGNTY OVER THE SOUTH CHINA SEA OR THE EAST CHINA SEA.

(a) In General.—Not later than 60 days after the date of the enactment of this Act, and annually thereafter until the date that is 3 years after such date of enactment, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report identifying each country that the Secretary determines has taken an official and stated position to recognize, after such date of enactment, the sovereignty of the People’s Republic of China over territory or airspace disputed by one or more countries in the South China Sea or the territory or airspace of areas of the East China Sea administered by Japan or the Republic of Korea.

(b) Form.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex if the Secretary of State determines it is necessary for the national security interests of the United States to do so.

(c) Public Availability.—The Secretary of State shall publish the unclassified part of the report required by subsection (a) on a publicly available website of the Department of State.
TITLE XI—RULES OF
CONSTRUCTION

SEC. 1101. RULE OF CONSTRUCTION.
Nothing in this Act may be construed—

(1) to restore diplomatic relations with the Repub-

lic of China; or

(2) to alter the United States Government’s po-

sition with respect to the international status of the

Republic of China.

SEC. 1102. RULE OF CONSTRUCTION REGARDING THE USE
OF MILITARY FORCE.
Nothing in this Act may be construed as authorizing
the use of military force or the introduction of United
States forces into hostilities.