

112TH CONGRESS  
1ST SESSION

# S. 1539

To provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2011

Mr. CORNYN (for himself and Mr. MENENDEZ) introduced the following bill;  
which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To provide Taiwan with critically needed United States-built multirole fighter aircraft to strengthen its self-defense capability against the increasing military threat from China.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan Airpower Mod-  
5 ernization Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings.

1           (1) The Department of Defense, in its 2011 re-  
2           port to Congress on “Military and Security Develop-  
3           ments Involving the People’s Republic of China,”  
4           found that “China continued modernizing its mili-  
5           tary in 2010, with a focus on Taiwan contingencies,  
6           even as cross-Strait relations improved. The PLA  
7           seeks the capability to deter Taiwan independence  
8           and influence Taiwan to settle the dispute on Bei-  
9           jing’s terms. In pursuit of this objective, Beijing is  
10          developing capabilities intended to deter, delay, or  
11          deny possible U.S. support for the island in the  
12          event of conflict. The balance of cross-Strait military  
13          forces and capabilities continues to shift in the  
14          mainland’s favor.” In this report, the Department of  
15          Defense also concludes that, over the next decade,  
16          China’s air force will remain primarily focused on  
17          “building the capabilities required to pose a credible  
18          military threat to Taiwan and U.S. forces in East  
19          Asia, deter Taiwan independence, or influence Tai-  
20          wan to settle the dispute on Beijing’s terms”.

21          (2) The Defense Intelligence Agency (DIA) con-  
22          ducted a preliminary assessment of the status and  
23          capabilities of Taiwan’s air force in an unclassified  
24          report, dated January 21, 2010. The DIA found  
25          that, “[a]lthough Taiwan has nearly 400 combat air-

1       craft in service, far fewer of these are operationally  
2       capable.” The report concluded, “Many of Taiwan’s  
3       fighter aircraft are close to or beyond service life,  
4       and many require extensive maintenance support.  
5       The retirement of Mirage and F-5 aircraft will re-  
6       duce the total size of the Taiwan Air Force.”

7               (3) Since 2006, authorities from Taiwan have  
8       made repeated requests to purchase 66 F-16C/D  
9       multirole fighter aircraft from the United States, in  
10      an effort to modernize the air force of Taiwan and  
11      maintain its self-defense capability.

12              (4) According to a report by the Perryman  
13      Group, a private economic research and analysis  
14      firm, the requested sale of F-16C/Ds to Taiwan  
15      “would generate some \$8,700,000,000 in output  
16      (gross product) and more than 87,664 person-years  
17      of employment in the US,” including 23,407 direct  
18      jobs, while “economic benefits would likely be real-  
19      ized in 44 states and the District of Columbia”.

20              (5) The sale of F-16C/Ds to Taiwan would  
21      both sustain existing high-skilled jobs in key United  
22      States manufacturing sectors and create new ones.

23              (6) On August 1, 2011, a bipartisan group of  
24      181 members of the House of Representatives sent  
25      a letter to the President, expressing support for the

1 sale of F-16C/Ds to Taiwan. On May 26, 2011, a  
2 bipartisan group of 45 members of the Senate sent  
3 a similar letter to the President, expressing support  
4 for the sale. Two other members of the Senate wrote  
5 separately to the President or the Secretary of State  
6 in 2011 and expressed support for this sale.

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

9 (1) a critical element to maintaining peace and  
10 stability in Asia in the face of China's two-decade-  
11 long program of military modernization and expan-  
12 sion of military capabilities is ensuring a militarily  
13 strong and confident Taiwan;

14 (2) a Taiwan that is confident in its ability to  
15 deter Chinese aggression will increase its ability to  
16 proceed in developing peaceful relations with China  
17 in areas of mutual interest;

18 (3) the cross-Strait military balance between  
19 China and our longstanding strategic partner, Tai-  
20 wan, has clearly shifted in China's favor;

21 (4) China's military expansion poses a clear and  
22 present danger to Taiwan, and this threat has very  
23 serious implications for the ability of the United  
24 States to fulfill its security obligations to allies in

1 the region and protect our vital United States na-  
2 tional interests in East Asia;

3 (5) Taiwan's air force continues to deteriorate,  
4 and it needs additional advanced multirole fighter  
5 aircraft in order to modernize its fleet and maintain  
6 a sufficient self-defense capability;

7 (6) the United States has a statutory obligation  
8 under the Taiwan Relations Act (22 U.S.C. 3301 et  
9 seq.) to provide Taiwan the defense articles nec-  
10 essary to enable Taiwan to maintain sufficient self-  
11 defense capabilities, in furtherance of maintaining  
12 peace and stability in the western Pacific region;

13 (7) in order to comply with the Taiwan Rela-  
14 tions Act, the United States must provide Taiwan  
15 with additional advanced multirole fighter aircraft,  
16 as well as significant upgrades to Taiwan's existing  
17 fleet of multirole fighter aircraft; and

18 (8) the proposed sale of F-16C/D multirole  
19 fighter aircraft to Taiwan would have significant  
20 economic benefits to the United States economy.

21 **SEC. 4. SALE OF F-16 AIRCRAFT TO TAIWAN.**

22 The President shall carry out the sale of no fewer  
23 than 66 F-16C/D multirole fighter aircraft to Taiwan.

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