

117TH CONGRESS
1ST SESSION

H. R. 2103

To improve defense cooperation between the United States and Taiwan,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mr. PERRY (for himself, Mr. TIFFANY, Mr. CRENSHAW, and Mr. CHABOT) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To improve defense cooperation between the United States
and Taiwan, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan PLUS Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) Taiwan is the 10th largest trading partner
8 in goods with the United States.

9 (2) Taiwan is recognized by 15 countries as an
10 independent state, and it is presently treated as a

1 major non-NATO ally by the United States under
2 section 1206 of the Foreign Relations Authorization
3 Act, Fiscal Year 2003 (Public Law 107–228; 22
4 U.S.C. 2321k note).

5 (3) The unclassified summary of the 2018 Na-
6 tional Defense Strategy notably prioritized United
7 States efforts to protect America’s allies and part-
8 ners, stating that United States defense objectives
9 include “defending allies from military aggression,
10 and bolstering partners against coercion, and fairly
11 sharing responsibilities for common defense”.

12 (4) The Taiwan Relations Act (Public Law 96–
13 8; 22 U.S.C. 3301 et seq.) states that “the United
14 States will make available to Taiwan such defense
15 articles and defense services in such quantity as may
16 be necessary to enable Taiwan to maintain a suffi-
17 cient self-defense capability”.

18 (5) Consistent with the Taiwan Relations Act,
19 the United States Congress has for four decades ap-
20 proved numerous defense articles and defense serv-
21 ices for Taiwan’s self-defense, including, since 2017,
22 High Mobility Artillery Rocket Systems (HIMARS),
23 F–16 C/D fighter jets, MK 48 torpedoes, Harpoon
24 Coastal Defense Systems, Stinger man-portable air
25 defense systems, M109A6 Paladin howitzers, MS–

1 110 Airborne Reconnaissance Systems, Sniper Ad-
2 vanced Targeting Pods, Field Information Commu-
3 nications Systems, and recertification of MIM-104
4 Patriot Missiles.

5 (6) Defense Security Cooperation Agency
6 (DSCA) data indicates that Taiwan was the United
7 States' largest Foreign Military Sales customer in
8 fiscal year 2020.

9 (7) DSCA data also indicates that from fiscal
10 years 1950 through 2020, Taiwan was the United
11 States' third-largest Foreign Military Sales cus-
12 tomer, tied with Japan.

13 (8) The Taiwan Assurance Act of 2020 (sub-
14 title B of title III of division FF of Public Law 116-
15 260), states, "the United States should conduct reg-
16 ular sales and transfers of defense articles to Tai-
17 wan in order to enhance its self-defense capabilities,
18 particularly its efforts to develop and integrate
19 asymmetric capabilities, including undersea warfare
20 and air defense capabilities, into its military forces".

21 (9) Subparagraph (A) of section 1260(b)(1) of
22 the National Defense Authorization Act for Fiscal
23 Year 2021 (Public Law 116-283) states, "[the
24 United States should continue] supporting acquisi-
25 tion by Taiwan of defense articles and services

1 through foreign military sales, direct commercial
2 sales, and industrial cooperation, with an emphasis
3 on capabilities that support the asymmetric defense
4 strategy of Taiwan, including anti-ship, coastal de-
5 fense, anti-armor, air defense, undersea warfare, ad-
6 vanced command, control, communications, com-
7 puters, intelligence, surveillance, and reconnaissance,
8 and resilient command and control capabilities.”.

9 (10) Subparagraph (B) of section 1260(b)(1) of
10 such Act further states that the United States
11 should continue supporting the development of de-
12 fense forces necessary for Taiwan to maintain a suf-
13 ficient self-defense capability by “ensuring timely re-
14 view of an response to response to requests of Tai-
15 wan for defense articles and services”.

16 (11) In its 2019 Recommendations to Congress,
17 the bipartisan U.S.-China Economic and Security
18 Commission issued the following judgement: “Con-
19 gress [should] raise the threshold of congressional
20 notification on sales of defense articles and services
21 to Taiwan to the highest tier set to U.S. allies and
22 partners. Congress [should] also terminate any re-
23 quirement to provide prior notification of mainte-
24 nance and sustainment of military equipment and
25 capabilities previously sold to Taiwan.”.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) enhanced support for defense cooperation
4 with Taiwan is critical to the national security of the
5 United States, including through designation of Tai-
6 wan as a member of the colloquially titled “NATO
7 Plus” community of states, which presently includes
8 Japan, Australia, the Republic of Korea, Israel, and
9 New Zealand, with respect to consideration by Con-
10 gress of Foreign Military Sales to Taiwan, as well
11 as all other rights, privileges, and responsibilities af-
12 farded to such community of states; and

13 (2) Taiwan should be so designated as a mem-
14 ber of the “NATO Plus” community of states.

15 **SEC. 4. ENHANCED DEFENSE COOPERATION.**

16 (a) IN GENERAL.—During the 5-year period begin-
17 ning on the date of the enactment of this Act, Taiwan
18 shall be treated as if it were a country listed in the provi-
19 sions of law described in subsection (b) for purposes of
20 applying and administering such provisions of law.

21 (b) PROVISIONS OF LAW DESCRIBED.—The provi-
22 sions of law described in this subsection are—

23 (1) subsections (b)(2), (d)(2)(B), (d)(3)(A)(i),
24 and (d)(5) of section 3 of the Arms Export Control
25 Act (22 U.S.C. 2753);

1 (2) subsections (e)(2)(A), (h)(1)(A), and (h)(2)
2 of section 21 of such Act (22 U.S.C. 2761);

3 (3) the matter following subparagraph (P) of
4 subsection (b)(1) and subsections (b)(2), (b)(6),
5 (c)(2)(A), (c)(5), and (d)(2)(A) of section 36 of such
6 Act (22 U.S.C. 2776);

7 (4) section 62(c)(1) of such Act (22 U.S.C.
8 2796a(c)(1)); and

9 (5) section 63(a)(2) of such Act (22 U.S.C.
10 2796b(a)(2)).

11 (c) CONTINUED APPLICATION.—The Secretary of
12 State is authorized to continue to apply this section with
13 respect to Taiwan for additional 5-year periods beginning
14 after the end of the 5-year period described in subsection
15 (a) if, with respect to each such additional 5-year period,
16 the Secretary—

17 (1) determines that such continued application
18 is in the national security interests of the United
19 States; and

20 (2) submits such determination to the Com-
21 mittee on Foreign Affairs of the House of Rep-
22 resentatives and the Committee on Foreign Rela-
23 tions of the Senate not later than 14 days before the
24 start of such additional 5-year period.

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