

Calendar No. 488

117TH CONGRESS
2D SESSION**S. 4428**

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

IN THE SENATE OF THE UNITED STATES

JUNE 16, 2022

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

SEPTEMBER 15, 2022

Reported by Mr. MENENDEZ, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To support the security of Taiwan and its right of self-
determination, 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; TABLE OF CONTENTS.**

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

6 (b) ~~TABLE OF CONTENTS.—The table of contents for~~
7 ~~this Act is as follows:~~

- Sec. 1: Short title; table of contents.
- Sec. 2: Findings.
- Sec. 3: Definitions.

TITLE I—UNITED STATES POLICY TOWARD TAIWAN

- Sec. 101: Declaration of policy.
- Sec. 102: Treatment of the Government of Taiwan.
- Sec. 103: Taiwan symbols of sovereignty.
- Sec. 104: Designation and references to Taiwan Representative Office.
- Sec. 105: Senate confirmation of the Director of the Taipei office of the American Institute in Taiwan.

TITLE H—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 defend Taiwan.
- Sec. 203: Joint assessment.
- Sec. 204: Taiwan Security Assistance Initiative.
- Sec. 205: Requirements regarding definition of counter intervention capabilities.
- Sec. 206: Comprehensive training program.
- Sec. 207: Military planning mechanism.
- Sec. 208: Assessment of Taiwan's needs for civilian defense and resilience.
- Sec. 209: Prioritizing excess defense article transfers for Taiwan.
- Sec. 210: Fast-tracking sales to Taiwan under the Foreign Military Sales program.
- Sec. 211: Whole-of-government deterrence measures to respond to the People's Republic of China's force against Taiwan.
- Sec. 212: Increase in annual war reserves stockpile additions and support for Taiwan.
- Sec. 213: Designation of Taiwan as a major non-NATO ally.

TITLE III—COUNTERING PEOPLE'S REPUBLIC OF CHINA'S AGGRESSION 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.

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).

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 with Taiwan, the Indo-Pacific Economic Framework, and CBP Preeclearance.

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. Supporting United States educational and exchange programs with Taiwan.

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Invitation of Taiwanese counterparts to high-level bilateral and multi-lateral forums and exercises.
- Sec. 702. Report on Taiwan Travel Act.
- Sec. 703. Prohibitions against undermining United States policy regarding Taiwan.

TITLE VIII—SANCTIONS MEASURES FOR CROSS-STRAIT STABILITY

- Sec. 801. Definitions.
- Sec. 802. Determinations with respect to activities of the People's Republic of China impacting 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. Imposition of sanctions with respect to provision of specialized financial messaging services to sanctioned People's Republic of China financial institutions.
- Sec. 806. Imposition of sanctions with respect to People's Republic of China extractive industries.
- Sec. 807. Additional sanctions.
- Sec. 808. Sanctions described.
- Sec. 809. Implementation; regulations; penalties.
- Sec. 810. Exceptions; waiver.
- Sec. 811. Termination.

TITLE IX—RULE OF CONSTRUCTION

- Sec. 901. Rule of construction.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

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

5 (2) The Taiwan Relations Act (Public Law 96–
6 8; 22 U.S.C. 3301 et seq.) has enabled the people
7 of the United States and the people of Taiwan to
8 maintain a strong and important relationship that
9 promotes regional security, prosperity, and shared
10 democratic values.

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

15 (4) The Taipei Economic and Cultural Rep-
16 resentative Office in the United States and the
17 American Institute in Taiwan facilitate critical con-
18 sular relations that—

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

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

23 (5) Increased engagement between public offi-
24 cials, commercial interests, civil society leaders, and

1 others enhances Taiwanese-American relations and
2 its economic, security, and democratic dimensions.

3 (6) Taiwan serves as a critical partner on re-
4 gional and transnational issues, such as public
5 health, climate change, critical and emerging tech-
6 nologies, cybersecurity, trade, and freedom of navi-
7 gation.

8 (7) Taiwan exemplifies a thriving democracy
9 consisting of more than 23,000,000 people who
10 value their suffrage, free markets, right to due proc-
11 ess, freedom of expression, and other individual lib-
12 erties.

13 (8) President Xi Jinping of the People's Repub-
14 lic of China (referred to in this Act as the "PRC")
15 continues to repeat his desire to stifle the freedom
16 of Taiwan, as evidenced by his July 2021 proclama-
17 tion, in which he stated, "All sons and daughters of
18 China, including compatriots on both sides of the
19 Taiwan Strait, must work together and move for-
20 ward in solidarity, resolutely smashing any Taiwan
21 independence plots."

22 (9) As President Xi Jinping concentrates his
23 power in the Chinese Communist Party (referred to
24 in this Act as the "CCP"), he is escalating the

1 PRC's campaign of coercion and intimidation
2 against Taiwan, as evidenced by—

3 (A) the accelerated preparations made by
4 the PRC and its People's Liberation Army (re-
5 ferred to in this Act as the "PLA") for an of-
6 fensive attack against Taiwan, such as the
7 PLA's January 2022 incursion of nearly 40
8 fighters, bombers, and other warplanes into
9 Taiwan's air defense identification zone;

10 (B) the PLA's growing offensive prepara-
11 tions in the Taiwan Strait, such as amphibious
12 assault and live-fire exercises and record-scale
13 incursions into Taiwanese air space;

14 (C) the Foreign Ministry's diplomatic ef-
15 forts to isolate Taiwan, such as abusing its po-
16 sition in international institutions and multilat-
17 eral fora to exclude Taiwanese participation de-
18 spite Taiwan's demonstrated expertise in rel-
19 evant subjects, such as public health;

20 (D) threats and actions to compromise
21 Taiwan's economy and critical suppliers, such
22 as draconian export controls and the "31 Meas-
23 ures" intended to lure Taiwanese talent to
24 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; and

(F) political and economic pressure on other countries who seek closer ties with Taiwan, such as recent export controls related to Lithuania after Lithuania announced a permanent Taiwanese Representative Office in Lithuania.

(10) On multiple occasions, through both formal and informal channels, the United States has expressed its concern for the PRC's destabilizing activities in the Taiwan Strait and on the international stage that aim to subvert Taiwan's democratic institutions.

(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

1 the wishes and best interests of the people of
2 Taiwan.

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

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

14 ~~(14) It is a vital national security interest of~~
15 the United States to defend Taiwan for the purposes
16 of—

17 ~~(A) mitigating the PLA's ability to project~~
18 power and establish contested zones within the
19 First and Second Island Chains and limiting
20 the PLA's freedom of maneuver to conduct un-
21 constrained power projection capabilities beyond
22 the First Island Chain in order to protect
23 United States territory, such as Hawaii and
24 Guam;

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

3 (C) deterring other countries and competi-
4 tors from exercising force as a means to revise
5 the established status quo;

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

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

11 (i) constrains authoritarian powers;

12 (ii) enshrines collective security;

13 (iii) promotes democracy and respect
14 for human rights and fundamental free-
15 doms; and

16 (iv) promotes peace and prosperity.

17 **SEC. 3. DEFINITIONS.**

18 In this Act:

19 (1) **APPROPRIATE COMMITTEES OF CON-**
20 **GRESS.**—Except as otherwise provided in this Act,
21 the term “appropriate committees of Congress”
22 means—

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

1 ~~(B)~~ the Committee on Armed Services of
2 the Senate;

3 ~~(C)~~ the Committee on Appropriations of
4 the Senate;

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

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

9 ~~(F)~~ the Committee on Appropriations of
10 the House of Representatives.

11 ~~(2)~~ COUNTER INTERVENTION CAPABILITIES.—

12 The term “counter intervention capabilities” in-
13 cludes, in such quantities as the Secretary of State,
14 in consultation with the Secretary of Defense, deter-
15 mines to be necessary to achieve the purpose de-
16 scribed in section 204(c)—

17 ~~(A)~~ mobile, ground-based coastal defense
18 cruise missiles and launchers;

19 ~~(B)~~ mobile, ground-based short-range and
20 medium-range air defense systems;

21 ~~(C)~~ smart, self-propelled naval mines and
22 coastal minelaying platforms;

23 ~~(D)~~ missile boats and fast-attack craft
24 equipped with anti-ship and anti-landing craft
25 missiles;

1 (E) manned and unmanned aerial and
2 other mobile, resilient surveillance systems to
3 support coastal and air defense operations;

4 (F) equipment to support target location,
5 tracking, identification, and targeting, especially
6 at the local level, in communications degraded
7 or denied environments;

8 (G) man-portable anti-armor weapons,
9 mortars, and small arms for ground combat op-
10 erations;

11 (H) equipment and technical assistance for
12 the purpose of developing civil defense forces,
13 composed of civilian volunteers and militia;

14 (I) training and equipment, including ap-
15 propriate war reserves, required for Taiwan
16 forces to independently maintain, sustain, and
17 employ the capabilities described in subpara-
18 graphs (A) through (H);

19 (J) concept development for coastal de-
20 fense, air defense, decentralized command and
21 control, civil defense, logistics, planning, and
22 other critical military functions, with an empha-
23 sis on operations in a communications degraded
24 or denied environment; and

1 ~~(K)~~ any other capability that the Secretary
 2 of State, in consultation with the Secretary of
 3 Defense, considers appropriate for the purpose
 4 described in section 204(d).

5 ~~(3)~~ REPUBLIC OF CHINA.—The term “Republic
 6 of China” means the East Asia island country com-
 7 monly known as “Taiwan”.

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

13 ~~(A)~~ to corrupt political and nongovern-
 14 mental institutions and interfere in democratic
 15 elections and encourage self-censorship of views
 16 at odds with those of the Government of the
 17 People’s Republic of China or the Chinese Com-
 18 munist Party; or

19 ~~(B)~~ to foster attitudes, behavior, decisions,
 20 or outcomes in Taiwan and elsewhere that sup-
 21 port the interests of the Government of the
 22 People’s Republic of China or the Chinese Com-
 23 munist 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 to identify and develop significant economic, diplomatic, and other measures that will deter and impose costs on any such use of force and support and cooperate with Taiwan to implement, resource, and modernize its military capabilities, including an asymmetric 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.)

1 and the Six Assurances, with consideration of the
2 ongoing military buildup in China and the imbalance
3 in the security environment in the Taiwan Strait,
4 and to transfer defense articles to Taiwan to en-
5 hance its capabilities, including its efforts to under-
6 take defensive operations, such as undersea warfare
7 and air defense capabilities, and maintain the ability
8 to deny PRC coercion and invasion;

9 (5) to urge Taiwan to increase its own invest-
10 ments in military capabilities, including those that
11 support the implementation of an asymmetric de-
12 fense strategy;

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

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

23 (8) to welcome Taiwan's meaningful participa-
24 tion in important international organizations, includ-
25 ing organizations that address global health, civilian

1 air safety, and efforts to counter transnational crime
2 and bilateral and multilateral security summits, mili-
3 tary exercises, and economic dialogues and forums;

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

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

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

22 (A) meets the challenges of the 21st cen-
23 tury;

24 (B) fully accounts for Taiwan's democratic
25 status; and

1 ~~(C)~~ remains faithful to United States prin-
 2 ciples and values, consistent with the Taiwan
 3 Relations Act and the Six Assurances.

4 **SEC. 102. TREATMENT OF THE GOVERNMENT OF TAIWAN.**

5 ~~(a) IN GENERAL.~~—The Secretary of State and other
 6 Federal departments and agencies shall—

7 ~~(1)~~ engage with the democratically elected gov-
 8 ernment of Taiwan as the legitimate representative
 9 of the people of Taiwan; and

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

12 ~~(b) NO RESTRICTIONS ON BILATERAL INTER-~~
 13 ~~ACTIONS.~~—Notwithstanding the continued supporting role
 14 of the American Institute in Taiwan in carrying out
 15 United States foreign policy and protecting United States
 16 interests in Taiwan, the United States Government shall
 17 not place any undue restrictions on the ability of officials
 18 of the Department of State or other Federal departments
 19 and agencies to interact directly and routinely with their
 20 counterparts in the Government of Taiwan.

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

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

24 ~~(1)~~ the wearing of official uniforms;

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

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

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

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

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

22 **SEC. 104. DESIGNATION AND REFERENCES TO TAIWAN REP-**
23 **RESENTATIVE OFFICE.**

24 (a) STATEMENT OF POLICY.—It shall be the policy
25 of the United States, consistent with the Taiwan Relations

1 Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the
2 Six Assurances—

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

7 (2) to rename the “Taipei Economic and Cul-
8 tural Representative Office” in the United States as
9 the “Taiwan Representative Office”.

10 (b) RENAMING.—The Secretary of State shall seek
11 to enter into negotiations with the Taipei Economic and
12 Cultural Representative Office to rename its office in
13 Washington, DC, the “Taiwan Representative Office”.

14 (c) REFERENCES.—If the negotiations under sub-
15 section (b) results in the renaming of the Taipei Economic
16 and Cultural Representative Office as the Taiwan Rep-
17 resentative Office, any reference in a law, map, regulation,
18 document, paper, or other record of the United States
19 Government to the Taipei Economic and Cultural Rep-
20 resentative Office shall be deemed to be a reference to the
21 Taiwan Representative Office, including for all official
22 purposes of the United States Government, all courts of
23 the United States, and any proceedings by such Govern-
24 ment or in such courts.

1 **SEC. 105. SENATE CONFIRMATION OF THE DIRECTOR OF**
 2 **THE TAIPEI OFFICE OF THE AMERICAN INSTI-**
 3 **TUTE IN TAIWAN.**

4 The appointment of an individual to the position of
 5 Director of the American Institute in Taiwan's Taipei of-
 6 fice shall be subject to the advice and consent of the Sen-
 7 ate. Upon Senate confirmation, such individual shall have
 8 the title of Representative.

9 **TITLE II—IMPLEMENTATION OF**
 10 **AN ENHANCED DEFENSE**
 11 **PARTNERSHIP BETWEEN THE**
 12 **UNITED STATES AND TAIWAN**

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

14 (a) **DECLARATION OF POLICY.**—Section 2(b) of the
 15 Taiwan Relations Act (22 U.S.C. 3301(b)) is amended—

16 (1) in paragraph (5), by inserting “and arms
 17 conducive to deterring acts of aggression by the Peo-
 18 ple’s Liberation Army” after “arms of a defensive
 19 character”; and

20 (2) in paragraph (6), by striking “to maintain
 21 the capacity of the United States”.

22 (b) **PROVISION OF DEFENSE ARTICLES AND SERV-**
 23 **ICES.**—Section 3(a) of the Taiwan Relations Act (22
 24 U.S.C. 3302(a)) is amended by striking “to maintain a
 25 sufficient self-defense capability” and inserting “to imple-

1 ment a strategy to deny and deter acts of coercion or ag-
 2 gression by the People's Liberation Army.”.

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

6 “(e) **RULE OF CONSTRUCTION.**—Nothing in this Act,
 7 nor the President’s action in extending diplomatic recogni-
 8 tion to the People’s Republic of China, nor the absence
 9 of diplomatic relations between the people of Taiwan and
 10 the United States, and nor the lack of formal recognition
 11 of Taiwan by the United States, and any related cir-
 12 cumstances, may be construed to constitute a legal or
 13 practical obstacle to any otherwise lawful action of the
 14 President or of any United States Government agency
 15 that is needed to advance or protect United States inter-
 16 ests pertaining to Taiwan, including actions intended to
 17 strengthen security cooperation between the United States
 18 and Taiwan or to otherwise deter the use of force against
 19 Taiwan by the People’s Liberation Army.”.

20 **SEC. 202. ANTICIPATORY PLANNING AND ANNUAL REVIEW**
 21 **OF THE UNITED STATES STRATEGY TO DE-**
 22 **FEND TAIWAN.**

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

1 (1) conduct a classified review of the United
2 States strategy to defend Taiwan; and

3 (2) share the results of such review with the
4 Chairman and Ranking Member of the appropriate
5 committees of Congress.

6 (b) ELEMENTS.—The review conducted pursuant to
7 subsection (a) shall include—

8 (1) an assessment of Taiwan’s current and
9 near-term capabilities; United States force readiness;
10 and the adequacy of the United States strategy to
11 enable the defense of Taiwan;

12 (2) a detailed strategy of denial to defend Tai-
13 wan against aggression by the People’s Liberation
14 Army, including an effort to seize and hold the is-
15 land of Taiwan;

16 (3) a comprehensive assessment of risks to the
17 United States and United States interests, including
18 readiness shortfalls that pose strategic risk;

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

22 (5) a list of military capabilities, including ca-
23 pabilities that enable a strategy of denial, that—

24 (A) would suit the operational environment
25 and allow Taiwan to respond effectively to a va-

riety of contingencies across all potential phases of conflict involving the People's Liberation Army; and

(B) would reduce the threat of conflict, 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 a mechanism with Taiwan—

(1) to develop a joint assessment of 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 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.

1 (c) **REPORT.**—Not later than 180 days after the date
 2 of the enactment of this Act, the Secretary of Defense,
 3 in consultation with the Secretary of State, shall submit
 4 a report to the appropriate committees of Congress that
 5 describes the joint assessment developed pursuant to sub-
 6 section (a)(1).

7 **SEC. 204. TAIWAN SECURITY ASSISTANCE INITIATIVE.**

8 (a) **TAIWAN SECURITY PROGRAMS.**—The Secretary
 9 of State, in consultation with the Secretary of Defense,
 10 shall establish an initiative, to be known as the “Taiwan
 11 Security Assistance Initiative” (referred to in this section
 12 as the “Initiative”), that provides a Foreign Military Fi-
 13 nancing Program for Taiwan and other measures to
 14 strengthen the United States-Taiwan defense relationship,
 15 and to accelerate the modernization of Taiwan’s defense
 16 capabilities required to deter or, if necessary, to defeat an
 17 invasion of Taiwan by the People’s Republic of China.

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

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

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

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

3 ~~(2)~~ ~~IN GENERAL.~~—Not later than 180 days
 4 after the date of the enactment of this Act, and an-
 5 nually thereafter for 7 years, the Secretary of State
 6 and the Secretary of Defense shall jointly submit a
 7 report to the appropriate congressional committees
 8 that describes Taiwan’s enhancement of its self-de-
 9 fense capabilities.

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

12 ~~(A)~~ an assessment of the commitment of
 13 Taiwan to implementing the tenets of the Over-
 14 all Defense Concept, including the steps that
 15 Taiwan has taken and the steps that Taiwan
 16 has not taken to implement those tenets;

17 ~~(B)~~ an assessment of the efforts of Taiwan
 18 to acquire and employ within its forces asym-
 19 metric capabilities, including—

- 20 ~~(i)~~ long-range precision fires;
- 21 ~~(ii)~~ integrated air and missile defense
- 22 systems;
- 23 ~~(iii)~~ anti-ship cruise missiles;
- 24 ~~(iv)~~ land-attack cruise missiles;
- 25 ~~(v)~~ coastal defense;

- 1 (vi) anti-armor;
- 2 (vii) undersea warfare;
- 3 (viii) survivable swarming maritime
- 4 assets;
- 5 (ix) manned and unmanned aerial sys-
- 6 tems;
- 7 (x) mining and countermining capa-
- 8 bilities;
- 9 (xi) intelligence, surveillance, and re-
- 10 connaissance capabilities;
- 11 (xii) command and control systems;
- 12 and
- 13 (xiii) any other defense capabilities
- 14 that the United States and Taiwan jointly
- 15 determine are crucial to the defense of Tai-
- 16 wan, in accordance with the process devel-
- 17 oped pursuant to section 203(a);
- 18 (C) an evaluation of the balance between
- 19 conventional and counter intervention capabili-
- 20 ties in the defense force of Taiwan as of the
- 21 date on which the report is submitted;
- 22 (D) an assessment of steps taken by Tai-
- 23 wan to enhance the overall readiness of its de-
- 24 fense forces, including—

1 (i) the extent to which Taiwan is re-
2 quiring and providing regular training to
3 such forces;

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

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

10 (E) an assessment of steps taken by Tai-
11 wan to ensure that the Taiwan Reserve Com-
12 mand can recruit, train, and equip its forces;

13 (F) an evaluation of—

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

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

19 (iii) the efforts made by Taiwan to
20 address such shortages;

21 (G) an assessment of the efforts made by
22 Taiwan to boost its civilian defenses, including
23 any informational campaigns to raise awareness
24 among the population of Taiwan of the risks of
25 Taiwan's security environment;

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

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

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

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

18 (L) a description of any resistance within
19 the Government of Taiwan to—

20 (i) implementing the matters de-
21 scribed in subparagraphs (A) through (I);
22 or

23 (ii) United States support or engage-
24 ment with regard to such matters.

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

4 (5) SHARING OF SUMMARY.—The Secretary of
 5 State and the Secretary of Defense shall jointly
 6 share the unclassified summary required under para-
 7 graph (4) with the government and military of Tai-
 8 wan.

9 (c) AUTHORITY TO PROVIDE ASSISTANCE.—The Sec-
 10 retary of State, in consultation with the Secretary of De-
 11 fense, shall use amounts appropriated pursuant to sub-
 12 section (i) to provide assistance to the Government of Tai-
 13 wan to achieve the purpose described in subsection (d).

14 (d) PURPOSE.—The purpose of the Foreign Military
 15 Financing Program shall be to provide assistance, includ-
 16 ing equipment, training, and other support, to enable the
 17 Government of Taiwan—

18 (1) to accelerate the modernization of its de-
 19 fense capabilities, including for asymmetric oper-
 20 ations, that will delay, degrade, and deny attempts
 21 by People's Liberation Army forces—

22 (A) to conduct coercive or grey zone activi-
 23 ties;

24 (B) to enter or transit the Taiwan Strait
 25 and adjoining seas; or

1 (C) to secure a lodgment on Taiwan and
 2 expand or otherwise use such lodgment to seize
 3 control of a population center or other key ter-
 4 ritory in Taiwan; and

5 (2) to prevent the People's Republic of China
 6 from decapitating, seizing control of, or otherwise
 7 neutralizing or rendering ineffective the Government
 8 of Taiwan.

9 (c) WAR RESERVE STOCKPILE.—Of the amounts ap-
 10 propriated pursuant to subsection (i)(2), not more than
 11 \$100,000,000 may be used during each of the fiscal years
 12 2023 through 2032 to maintain a stockpile (if established
 13 under section 213), in accordance with section 514 of the
 14 Foreign Assistance Act of 1961 (22 U.S.C. 2321h), as
 15 amended by section 212.

16 (f) AVAILABILITY OF FUNDS.—

17 (1) ANNUAL SPENDING PLAN.—Not later than
 18 December 1, 2022, and annually thereafter, the Sec-
 19 retary of State, in coordination with the Secretary of
 20 Defense, shall submit a plan to the appropriate com-
 21 mittees of Congress describing how funds appro-
 22 priated pursuant to subsection (i)(2) will be used to
 23 achieve the purpose described in subsection (d).

24 (2) CERTIFICATION.—Amounts appropriated
 25 for each fiscal year pursuant to subsection (i)(2)

1 shall be made available for the purpose described in
 2 such subsection after the Secretary of State certifies
 3 to the appropriate committees of Congress that Tai-
 4 wan has increased its defense spending relative to
 5 Taiwan's defense spending in its prior fiscal year,
 6 excepting accounts in Taiwan's defense budget re-
 7 lated to personnel expenditures (other than military
 8 training and education).

9 ~~(3) REMAINING FUNDS.—~~

10 ~~(A) IN GENERAL.—~~Subject to subpara-
 11 graph (B), amounts appropriated for a fiscal
 12 year pursuant to subsection (i)(2) that are not
 13 obligated and expended during such fiscal year
 14 shall be added to the amount that may be used
 15 for the Initiative in the subsequent fiscal year.

16 ~~(B) RESCISSION.—~~Amounts appropriated
 17 pursuant to subsection (i)(2) that remain unob-
 18 ligated on September 30, 2027, shall be re-
 19 scinded and deposited into the general fund of
 20 the Treasury.

21 ~~(g) DEFENSE ARTICLES AND SERVICES FROM THE~~
 22 ~~UNITED STATES INVENTORY AND OTHER SOURCES.—~~

23 ~~(1) IN GENERAL.—~~In addition to assistance
 24 provided pursuant to subsection (e), the Secretary of
 25 State, in coordination with the Secretary of Defense,

1 may make available to the Government of Taiwan;
 2 in such quantities as the Secretary of State con-
 3 sidered appropriate for the purpose described in sub-
 4 section (d)—

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

8 (B) excess defense articles from the United
 9 States inventory; and

10 (C) defense services.

11 (2) REPLACEMENT.—The Secretary of State
 12 may use amounts appropriated pursuant to sub-
 13 section (i)(2) for the cost of replacing any item pro-
 14 vided to the Government of Taiwan pursuant to
 15 paragraph (1)(A).

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

18 (1) DIRECT LOANS.—

19 (A) IN GENERAL.—Notwithstanding sec-
 20 tion 23(e)(1) of the Arms Export Control Act
 21 (22 U.S.C. 2763), during fiscal years 2022 and
 22 2023, the Secretary of State may make direct
 23 loans available for Taiwan pursuant to section
 24 23 of such Act.

1 ~~(B) MAXIMUM OBLIGATIONS.—~~Gross obli-
 2 gations for the principal amounts of loans au-
 3 thorized under subparagraph ~~(A)~~ may not ex-
 4 ceed \$2,000,000,000.

5 ~~(C) SOURCE OF FUNDS.—~~

6 ~~(i) DEFINED TERM.—~~In this subpara-
 7 graph, the term “cost”—

8 ~~(I)~~ has the meaning given such
 9 term in section 502(5) of the Congres-
 10 sional Budget Act of 1974 (2 U.S.C.
 11 661a(5));

12 ~~(II)~~ shall include the cost of
 13 modifying a loan authorized under
 14 subparagraph ~~(A)~~; and

15 ~~(III)~~ may include the costs of
 16 selling, reducing, or cancelling any
 17 amounts owed to the United States or
 18 to any agency of the United States.

19 ~~(ii) IN GENERAL.—~~Amounts appro-
 20 priated pursuant to subsection ~~(i)(1)~~ may
 21 be made available to pay for the cost of
 22 loans authorized under subparagraph ~~(A)~~.

23 ~~(D) FEES AUTHORIZED.—~~

24 ~~(i) IN GENERAL.—~~The Government of
 25 the United States may charge fees for

1 loans made pursuant to subparagraph (A),
 2 which shall be collected from borrowers
 3 through a financing account (as defined in
 4 section 502(7) of the Congressional Budget
 5 Act of 1974 (2 U.S.C. 661a(7)).

6 (ii) LIMITATION ON FEE PAYMENTS.—

7 Amounts made available under any appro-
 8 priations Act for any fiscal year may not
 9 be used to pay any fees associated with a
 10 loan authorized under subparagraph (A).

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

16 (F) INTEREST.—

17 (i) IN GENERAL.—Notwithstanding
 18 section 23(c)(1) of the Arms Export Con-
 19 trol Act (22 U.S.C. 2763(c)(1)), interest
 20 for loans made pursuant to subparagraph
 21 (A) may be charged at a rate determined
 22 by the Secretary of State, except that such
 23 rate may not be less than the prevailing in-
 24 terest rate on marketable Treasury securi-
 25 ties of similar maturity.

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

7 (2) LOAN GUARANTEES.—

8 (A) IN GENERAL.—Amounts appropriated
 9 pursuant to subsection (i)(1) may be made
 10 available for the costs of loan guarantees for
 11 Taiwan under section 24 of the Arms Export
 12 Control Act (22 U.S.C. 2764) for Taiwan to
 13 subsidize gross obligations for the principal
 14 amount of commercial loans and total loan
 15 principal, any part of which may be guaranteed,
 16 not to exceed \$2,000,000,000.

17 (B) MAXIMUM AMOUNTS.—A loan guar-
 18 antee authorized under subparagraph (A)—

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

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

1 (C) SUBORDINATION.—Any loan guaran-
2 teed pursuant to subparagraph (A) may not be
3 subordinated to—

4 (i) another debt contracted by the
5 borrower; or

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

8 (D) REPAYMENT.—Repayment in United
9 States dollars of any loan guaranteed under
10 this paragraph shall be required not later than
11 12 years after the loan agreement is signed.

12 (E) FEES.—Notwithstanding section 24 of
13 the Arms Export Control Act (22 U.S.C. 2764),
14 the Government of the United States may
15 charge fees for loan guarantees authorized
16 under subparagraph (A), which shall be col-
17 lected from borrowers, or from third parties on
18 behalf of such borrowers, through a financing
19 account (as defined in section 502(7) of the
20 Congressional Budget Act of 1974 (2 U.S.C.
21 661a(7))).

22 (F) TREATMENTS OF LOAN GUARAN-
23 TEES.—Amounts made available under this
24 paragraph for the costs of loan guarantees au-
25 thorized under subparagraph (A) shall not be

1 considered assistance for the purposes of any
2 statutory limitation on assistance to a country.

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

7 ~~(i) AUTHORIZATION OF APPROPRIATIONS.—~~

8 ~~(1) FOREIGN MILITARY FINANCING PRO-~~
9 ~~GRAM.—~~There is authorized to be appropriated,
10 under the heading “Foreign Military Financing Pro-
11 gram”, such sums as may be necessary to carry out
12 the program authorized under subsection (c).

13 ~~(2) AUTHORIZATION OF APPROPRIATIONS.—~~In
14 addition to amounts appropriated pursuant to para-
15 graph (1), there is authorized to be appropriated to
16 the Department of State to carry out the Initia-
17 tive—

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

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

20 ~~(C) \$1,500,000,000 for fiscal year 2025;~~

21 and

22 ~~(D) \$2,000,000,000 for fiscal year 2026.~~

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

1 **SEC. 205. REQUIREMENTS REGARDING DEFINITION OF**
2 **COUNTER INTERVENTION CAPABILITIES.**

3 (a) **STATEMENT OF POLICY.**—It is the policy of the
4 United States—

5 (1) to ensure that requests by Taiwan to pur-
6 chase arms from the United States are not pre-
7 maturely rejected or dismissed before Taiwan sub-
8 mits a letter of request or other formal documenta-
9 tion; particularly when such requests are for capa-
10 bilities that are not included on any United States
11 Government priority lists of necessary capabilities
12 for the defense of Taiwan; and

13 (2) to ensure close consultation among rep-
14 resentatives of Taiwan, Congress, industry, and the
15 Executive branch about requests referred to in para-
16 graph (1) and the needs of Taiwan before Taiwan
17 submits formal requests for such purchases.

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

22 (1) a list of categories of counter intervention
23 capabilities and a justification for each such cat-
24 egory; and

25 (2) a description of the degree to which the
26 United States has a policy of openness or flexibility

1 for the consideration of capabilities that may not fall
 2 within the scope of counter intervention capabilities
 3 included in the list required under paragraph (1);
 4 due to potential changes, such as—

5 (A) the evolution of defense technologies;

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

9 (C) other factors that might change assess-
 10 ments by the United States and Taiwan of
 11 what constitutes counter intervention capabili-
 12 ties.

13 **SEC. 206. COMPREHENSIVE TRAINING PROGRAM.**

14 (a) IN GENERAL.—The Secretary of State, in con-
 15 sultation with the Secretary of Defense, shall establish a
 16 comprehensive training program with the Government of
 17 Taiwan that is designed—

18 (1) to achieve interoperability;

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

21 (3) to improve Taiwan's defense capabilities.

22 (b) ELEMENTS.—The training program established
 23 pursuant to subsection (a) shall include joint United
 24 States-Taiwan—

25 (1) contingency tabletop exercises;

1 ~~(2)~~ war games; and

2 ~~(3)~~ robust, operationally relevant, or full-scale
3 military exercises.

4 ~~(c) ANNUAL REPORT.~~—Not later than 180 days after
5 the date of the enactment of this Act, and annually there-
6 after for the following 10 years, the Secretary of State,
7 in consultation with the Secretary of Defense, shall submit
8 a report to the appropriate committees of Congress that
9 describes the establishment and implementation of the
10 training program established pursuant to subsection (a).

11 **SEC. 207. MILITARY PLANNING MECHANISM.**

12 The Secretary of Defense, in consultation with the
13 Secretary of State, shall establish a high-level military
14 planning mechanism between the United States and Tai-
15 wan that—

16 ~~(1)~~ is designed to oversee a Joint and Com-
17 bined Exercise Program and to coordinate Inter-
18 national Military Education and Training assistance
19 and professional exchanges aimed at determining
20 and coordinating the acquisition of capabilities for
21 United States and Taiwan military forces to address
22 the needs of currently anticipated and future contin-
23 gencies; and

24 ~~(2)~~ may be modeled after the Joint United
25 States Military Advisory Group Thailand, or any

1 such similar existing arrangement, as determined by
2 the Secretary of Defense.

3 **SEC. 208. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN**
4 **DEFENSE AND RESILIENCE.**

5 (a) **ASSESSMENT REQUIRED.**—Not later than 120
6 days after the date of enactment of this Act, the Secretary
7 of State and the Secretary of Defense, in consultation with
8 heads of other relevant Federal departments and agencies,
9 shall submit a written, classified assessment of Taiwan's
10 needs in the areas of civilian defense and resilience to the
11 appropriate committees of Congress, the Committee on
12 Appropriations of the Senate, and the Committee on Ap-
13 propriations of the House of Representatives.

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

16 (1) analyze the potential role of Taiwan's public
17 and civilian assets in defending against various sce-
18 narios to coerce or conduct military aggression
19 against Taiwan;

20 (2) carefully analyze Taiwan's needs for en-
21 hancing its defensive capabilities through the sup-
22 port of civilians and civilian sectors, including—

23 (A) greater utilization of Taiwan's high
24 tech labor force;

1 ~~(B)~~ the creation of clear structures and lo-
 2 gistics support for civilian defense role alloca-
 3 tion;

4 ~~(C)~~ recruitment and skills training for Tai-
 5 wan's defense and civilian sectors; and

6 ~~(D)~~ other defense needs and considerations
 7 at the provincial, city, and neighborhood levels;

8 ~~(3)~~ analyze Taiwan's needs for enhancing resil-
 9 iency among its people and in key economic sectors;
 10 and

11 ~~(4)~~ identify the areas and means through which
 12 the United States could provide training and assist-
 13 ance to support the needs discovered through the as-
 14 sessment and fill any critical gaps where capacity
 15 falls short of such needs.

16 ~~(c) FORM OF REPORT.~~—Notwithstanding the classi-
 17 fied nature of the assessment required under subsection
 18 ~~(a)~~, the assessment shall be shared with appropriate offi-
 19 cials of the Government of Taiwan to facilitate coopera-
 20 tion.

21 ~~(d) AUTHORIZATION OF APPROPRIATIONS.~~—

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

1 (A) \$500,000 for the Department of State;
2 and

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

5 (2) TRANSFER AUTHORITY.—The Secretary of
6 State and the Secretary of Defense are authorized to
7 transfer any funds appropriated to their respective
8 departments pursuant to paragraph (1) to other
9 Federal departments and agencies for the purposes
10 of facilitating the contributions of such departments
11 and agencies to the assessment required under sub-
12 section (a).

13 **SEC. 209. PRIORITIZING EXCESS DEFENSE ARTICLE TRANS-**
14 **FERS FOR TAIWAN.**

15 (a) SENSE OF CONGRESS.—It is the sense of Con-
16 gress that the United States Government should appro-
17 priately prioritize the review of excess defense article
18 transfers to Taiwan.

19 (b) FIVE-YEAR PLAN.—Not later than 90 days after
20 the date of the enactment of this Act, the President
21 shall—

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

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

3 (c) ~~REQUIRED COORDINATION.~~—The United States
4 Government shall coordinate and align excess defense arti-
5 cle transfers with capacity building efforts of Taiwan.

6 (d) ~~TRANSFER AUTHORITY.~~—

7 (1) ~~IN GENERAL.~~—Section 516(c)(2) of the
8 Foreign Assistance Act of 1961 (22 U.S.C.
9 2321j(c)(2)) is amended by striking “and to the
10 Philippines” and inserting “, to the Philippines, and
11 to Taiwan”.

12 (2) ~~TREATMENT OF TAIWAN.~~—With respect to
13 the transfer of excess defense articles under section
14 516(c)(2) of the Foreign Assistance Act of 1961, as
15 amended by paragraph (1), Taiwan shall receive the
16 same benefits as the other countries referred to in
17 such section.

18 **SEC. 210. FAST-TRACKING SALES TO TAIWAN UNDER THE**
19 **FOREIGN MILITARY SALES PROGRAM.**

20 (a) ~~PRIORITIZED PROCESSING OF FOREIGN MILI-~~
21 ~~TARY SALES REQUESTS FROM TAIWAN.~~—The Secretary
22 of State, in coordination with the Secretary of Defense
23 shall appropriately prioritize and expedite the processing
24 of requests from Taiwan under the Foreign Military Sales

1 program and may not delay the processing of such re-
 2 quests for bundling purposes.

3 (b) ~~ANNUAL REPORT.~~—Not later than 180 days after
 4 the date of the enactment of this Act, and annually there-
 5 after for the following 10 years, the Secretary of State,
 6 in coordination with the Secretary of Defense, shall submit
 7 a report to the appropriate committees of Congress that
 8 describes the steps that have been taken to carry out sub-
 9 section (a).

10 **SEC. 211. WHOLE-OF-GOVERNMENT DETERRENCE MEAS-**
 11 **URES TO RESPOND TO THE PEOPLE'S REPUB-**
 12 **LIC OF CHINA'S FORCE AGAINST TAIWAN.**

13 (a) ~~BRIEFING REQUIRED.~~—Not later than 180 days
 14 after the date of the enactment of this Act, and annually
 15 thereafter for the following 5 years, the Secretary of State,
 16 the Secretary of the Treasury, the Secretary of Defense,
 17 the Secretary of Commerce, the Director of National Intel-
 18 ligence, and any other relevant heads of Federal depart-
 19 ments and agencies shall provide a detailed briefing to the
 20 appropriate committees of Congress regarding—

21 (1) all available economic, diplomatic, and other
 22 strategic measures to deter the use of force by the
 23 People's Republic of China, including coercion, grey-
 24 zone tactics, assertions, shows of force, quarantines,

1 embargoes, or other measures to change the status
2 quo of Taiwan;

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

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

10 ~~(b) COORDINATED CONSEQUENCES WITH ALLIES~~
11 ~~AND PARTNERS.~~—The Secretary of State shall coordinate
12 with United States allies and partners to identify and de-
13 velop significant economic, diplomatic, and other measures
14 to deter the use of force by the People's Republic of China
15 to change the status quo of Taiwan.

16 **SEC. 212. INCREASE IN ANNUAL WAR RESERVES STOCK-**
17 **PILE ADDITIONS AND SUPPORT FOR TAIWAN.**

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

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

1 President may establish a war reserve stockpile for Tai-
 2 wan that consists primarily of munitions.

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

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

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

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

19 **SEC. 213. DESIGNATION OF TAIWAN AS A MAJOR NON-NATO**
 20 **ALLY.**

21 Section 517 of the Foreign Assistance Act of 1961
 22 (22 U.S.C. 2321k) is amended by adding at the end the
 23 following:

24 “(c) ADDITIONAL DESIGNATIONS.—

1 “(1) IN GENERAL.—Taiwan is designated as a
2 major non-NATO ally for purposes of this Act, the
3 Arms Export Control Act (22 U.S.C. 2751 et seq.),
4 and section 2350a of title 10, United States Code.

5 “(2) NOTICE OF TERMINATION OF DESIGNA-
6 TION.—The President shall notify Congress in ac-
7 cordance with subsection (a)(2) before terminating
8 the designation specified in paragraph (1).”.

9 **TITLE III—COUNTERING PEO-**
10 **PLE’S REPUBLIC OF CHINA’S**
11 **AGGRESSION AND INFLU-**
12 **ENCE CAMPAIGNS**

13 **SEC. 301. STRATEGY TO RESPOND TO INFLUENCE AND IN-**
14 **FORMATION OPERATIONS TARGETING TAI-**
15 **WAN.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of State
18 shall develop and implement a strategy to respond to—

19 (1) the Chinese Communist Party’s United
20 Front; and

21 (2) information and disinformation campaigns;
22 cyber attacks; and nontraditional propaganda meas-
23 ures supported by the Government of the People’s
24 Republic of China and the Chinese Communist

1 Party that are directed toward persons or entities in
 2 Taiwan.

3 (b) ELEMENTS.—The strategy required under sub-
 4 section (a) shall include—

5 (1) the development of a response to propa-
 6 ganda and disinformation campaigns by the People’s
 7 Republic of China and cyber-intrusions targeting
 8 Taiwan, including—

9 (A) assistance in building the capacity of
 10 the Government of Taiwan and private-sector
 11 entities to document and expose propaganda
 12 and disinformation supported by the Govern-
 13 ment of the People’s Republic of China, the
 14 Chinese Communist Party, or affiliated entities;

15 (B) assistance to enhance the Government
 16 of Taiwan’s ability to develop a whole-of-govern-
 17 ment strategy to respond to sharp power oper-
 18 ations, including election interference; and

19 (C) media training for Taiwan officials and
 20 other Taiwan entities targeted by
 21 disinformation campaigns;

22 (2) the development of a response to political
 23 influence operations that includes an assessment of
 24 the extent of influence exerted by the Government of
 25 the People’s Republic of China and the Chinese

1 Communist Party in Taiwan on local political par-
2 ties, financial institutions, media organizations, and
3 other entities;

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

7 (4) the establishment of a coordinated partner-
8 ship, through the American Institute in Taiwan's
9 Global Cooperation and Training Framework, with
10 like-minded governments to share data and best
11 practices with the Government of Taiwan regarding
12 ways to address sharp power operations supported
13 by the Government of the People's Republic of
14 China and the Chinese Communist Party.

15 **SEC. 302. STRATEGY TO COUNTER ECONOMIC COERCION**
16 **BY THE PEOPLE'S REPUBLIC OF CHINA TAR-**
17 **GETING COUNTRIES AND ENTITIES THAT**
18 **SUPPORT TAIWAN.**

19 (a) IN GENERAL.—Not later than 90 days after the
20 date of the enactment of this Act, and every 180 days
21 thereafter for the following 5 years, the Secretary of State
22 shall submit to the appropriate committees of Congress
23 a description of the strategy being used by the Depart-
24 ment of State to respond to the Government of the Peo-
25 ple's Republic of China's increased economic coercion

1 against countries which have strengthened their ties with,
 2 or support for, Taiwan.

3 (b) ASSISTANCE FOR COUNTRIES AND ENTITIES
 4 TARGETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR
 5 ECONOMIC COERCION.—The Department of State, the
 6 United States Agency for International Development, the
 7 United States International Development Finance Cor-
 8 poration, the Department of Commerce and the Depart-
 9 ment of the Treasury shall provide appropriate assistance
 10 to countries and entities that are subject to trade restric-
 11 tions and other forms of economic coercion by the People's
 12 Republic of China to support its supply chain resilience
 13 and other economic measures in response to the trade re-
 14 strictions imposed by China.

15 **TITLE IV—INCLUSION OF TAI-** 16 **WAN IN INTERNATIONAL OR-** 17 **GANIZATIONS**

18 **SEC. 401. PARTICIPATION OF TAIWAN IN INTERNATIONAL** 19 **ORGANIZATIONS.**

20 (a) STATEMENT OF POLICY.—It is the policy of the
 21 United States to promote Taiwan's inclusion and mean-
 22 ingful participation in meetings held by international orga-
 23 nizations.

24 (b) SUPPORT FOR MEANINGFUL PARTICIPATION.—
 25 The Permanent Representative of the United States to the

1 United Nations and other relevant United States officials
2 should actively support Taiwan's meaningful participation
3 in all appropriate international organizations.

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

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

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

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

17 It is the sense of Congress that—

18 (1) the United States fully supports Taiwan's
19 participation in, and contribution to, international
20 organizations and understands the importance of the
21 relationship between Taiwan and the United States;

22 (2) diversifying the donor base of the Inter-
23 American Development Bank (referred to in this
24 title as the "IDB") and increasing ally engagement

1 in the Western Hemisphere reinforces United States
2 national interests;

3 ~~(3)~~ Taiwan's significant contribution to the de-
4 velopment and economies of Latin America and the
5 Caribbean demonstrate that Taiwan's membership
6 in the IDB as a non-borrowing member would ben-
7 efit the IDB and the entire Latin American and
8 Caribbean region; and

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

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

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

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

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

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

4 Not later than 90 days after the date of the enact-
5 ment of this Act, and not later than April 1 of each year
6 thereafter, the Secretary of State, in coordination with the
7 Secretary of the Treasury, shall submit an unclassified re-
8 port to the Committee on Foreign Relations of the Senate
9 and the Committee on Foreign Affairs of the House of
10 Representatives that—

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

14 (2) includes an account of the efforts made by
15 the Secretary of State and the Secretary of the
16 Treasury to encourage IDB member states to pro-
17 mote Taiwan's bid to obtain non-borrowing member-
18 ship at the IDB; and

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

1 **SEC. 405. CLARIFICATION REGARDING UNITED NATIONS**
2 **GENERAL ASSEMBLY RESOLUTION 2758**
3 **(XXVI).**

4 Section 2(a) of the Taiwan Allies International Pro-
5 tection and Enhancement Initiative (TAIPEI) Act of 2019
6 (Public Law 116–135) (relating to diplomatic relations
7 with Taiwan) is amended by adding at the end the fol-
8 lowing:

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

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

15 “(B) did not address the issue of represen-
16 tation of Taiwan and its people in the United
17 Nations or in any related organizations; and

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

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

1 **TITLE V—ENHANCED DEVELOP-**
2 **MENT AND ECONOMIC CO-**
3 **OPERATION BETWEEN THE**
4 **UNITED STATES AND TAIWAN**

5 **SEC. 501. FINDINGS.**

6 Congress makes the following findings:

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

10 (2) Taiwan has demonstrated the capacity to
11 hold a strong economic partnership with the United
12 States. Along with a robust trading profile of goods
13 and services, Taiwan supports an estimated 208,000
14 American jobs, a number that will only increase with
15 a comprehensive bilateral trade agreement.

16 (3) In addition to supplementing United States
17 goods and services, Taiwan is a reliable partner in
18 many of our Nation's industries, which is not only
19 critical for diversifying our Nation's supply chains,
20 but is also essential to reducing our Nation's reli-
21 ance on other countries, such as China, who seek to
22 leverage supply chain inefficiencies in their path to
23 regional and global dominance. Such diversification
24 of our Nation's supply chain is critical to United
25 States national security.

1 (4) The challenges to establishing an agreement
2 with Taiwan, such as reaching an agreement on ag-
3 ricultural standards, will not prevent the completion
4 of a bilateral trade agreement. Taiwan has already
5 taken steps to further the progress towards such an
6 agreement by announcing its intent to lift their re-
7 strictions on United States pork and beef products,
8 which will greatly increase the accessibility of Amer-
9 ican farmers and ranchers to Taiwan markets. In
10 light of this important development, the United
11 States should immediately move forward with sub-
12 stantial negotiations for a comprehensive bilateral
13 trade agreement with Taiwan.

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

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

1 ~~(B)~~ serve as a signal to other nations that
2 Taiwan is a viable partner that is open for busi-
3 ness.

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

8 ~~(A)~~ 5G networks and telecommunications
9 security;

10 ~~(B)~~ supply chains resiliency;

11 ~~(C)~~ infrastructure cooperation;

12 ~~(D)~~ renewable energy;

13 ~~(E)~~ global health; and

14 ~~(F)~~ science and technology.

15 ~~(7)~~ A trade agreement between the United
16 States and Taiwan would promote security and eco-
17 nomic growth for the United States, Taiwan, and
18 the entire Indo-Pacific region.

19 ~~(8)~~ Leaving Taiwan out of the conversation on
20 Indo-Pacific Economic Framework would—

21 ~~(A)~~ create significant distortions for the
22 structure of the regional and global economic
23 architecture; and

24 ~~(B)~~ run counter to the United States eco-
25 nomic interests.

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

5 It is the sense of Congress that—

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

11 (2) the United States Trade Representative and
12 the Secretary of Commerce should undertake efforts
13 to assure Taiwan's engagement and participation in
14 the Indo-Pacific Economic Framework; and

15 (3) the United States should utilize and expand
16 Preclearance programs to meet the needs of the
17 United States travel and tourism industry, including
18 by prioritizing the establishment of Preclearance fa-
19 cilities with Indo-Pacific allies and partners, includ-
20 ing Taiwan.

1 **TITLE VI—SUPPORTING UNITED**
 2 **STATES EDUCATIONAL AND**
 3 **EXCHANGE PROGRAMS WITH**
 4 **TAIWAN**

5 **SEC. 601. SHORT TITLE.**

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

8 **SEC. 602. FINDINGS.**

9 Congress makes the following findings:

10 (1) The Taiwan Relations Act (Public Law 96–
 11 8; 22 U.S.C. 3301 et seq.) affirmed United States
 12 policy “to preserve and promote extensive, close, and
 13 friendly commercial, cultural, and other relations be-
 14 tween the people of the United States and the people
 15 on Taiwan, as well as the people on the China main-
 16 land and all other peoples of the Western Pacific
 17 area”.

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

23 (3) Despite a concerted campaign by the Peo-
 24 ple’s Republic of China to isolate Taiwan from its
 25 diplomatic partners and from international organiza-

tions, 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.

(4) The creation of a United States fellowship program with Taiwan would support a key priority of expanding people-to-people exchanges, which was outlined in the President's 2017 National Security Strategy.

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 branch of the United States Government to Taiwan for intensive study in Mandarin and placement as Fellows with the governing authorities on Taiwan or a Taiwanese civic institution;

(2) to provide for eligible United States personnel—

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

1 ~~(B)~~ to expand their understanding of the
 2 political economy of Taiwan and the Indo-Pa-
 3 cific region; and

4 ~~(3)~~ to better position the United States to ad-
 5 vance its economic, security, and human rights in-
 6 terests and values in the Indo-Pacific region.

7 **SEC. 604. DEFINITIONS.**

8 In this title:

9 ~~(1)~~ AGENCY HEAD.—The term “agency head”
 10 means—

11 ~~(A)~~ with respect to the executive branch of
 12 United States Government or an agency of the
 13 legislative branch other than the Senate or the
 14 House of Representatives, the head of the re-
 15 spective agency;

16 ~~(B)~~ with respect to the judicial branch of
 17 United States Government, the chief judge of
 18 the respective court;

19 ~~(C)~~ with respect to the Senate, the Presi-
 20 dent pro tempore, in consultation with the ma-
 21 jority leader and the minority leader of the Sen-
 22 ate; and

23 ~~(D)~~ with respect to the House of Rep-
 24 resentatives, the Speaker of the House, in con-

1 sultation with the majority leader and the mi-
2 nority leader of the House of Representatives.

3 ~~(2) AGENCY OF THE UNITED STATES GOVERN-~~
4 ~~MENT.~~—The term “agency of the United States
5 Government” includes—

6 (A) any agency of the legislative branch;

7 (B) any court of the judicial branch; and

8 (C) any agency of the executive branch.

9 ~~(3) APPROPRIATE CONGRESSIONAL COMMIT-~~
10 ~~TEES.~~—The term “appropriate congressional com-
11 mittees” means—

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

14 (B) the Committee on Appropriations of
15 the Senate;

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

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

20 ~~(4) DETAILEE.~~—The term “detailee”—

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

1 (B) does not include employees of the leg-
 2 islative branch, who may separate from their
 3 branch in order to fulfill the terms of their fel-
 4 lowship pursuant to section 607(g).

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

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

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

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

20 **SEC. 605. TAIWAN FELLOWSHIP PROGRAM.**

21 (a) ESTABLISHMENT.—The Secretary of State—

22 (1) shall establish the Taiwan Fellowship Pro-
 23 gram to provide eligible United States citizens with
 24 fellowship opportunities in Taiwan lasting up to 2
 25 years; and

1 (2) may modify the name of the Program, in
 2 consultation with the American Institute in Taiwan
 3 and the implementing partner.

4 (b) GRANTS.—

5 (1) IN GENERAL.—The American Institute in
 6 Taiwan should use amounts appropriated pursuant
 7 to section 608(a) to provide annual or multi-year
 8 grants to an appropriate implementing partner.

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

14 (A) not fewer than 5 fellowships during
 15 each of the first 2 years of the Program; and

16 (B) not fewer than 10 fellowships during
 17 each of the remaining years of the Program.

18 (c) INTERNATIONAL AGREEMENT; IMPLEMENTING
 19 PARTNER.—Not later than 30 days after the date of the
 20 enactment of this Act, the American Institute in Taiwan,
 21 in consultation with the Secretary of State, should—

22 (1) begin negotiations with the Taipei Economic
 23 and Cultural Representative Office, or with another
 24 appropriate entity, for the purpose of entering into
 25 an agreement to facilitate the placement of fellows

1 in an agency of the governing authorities on Taiwan;
 2 and

3 ~~(2) begin the process of selecting an imple-~~
 4 ~~menting partner, which—~~

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

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

10 ~~(d) CURRICULUM.—~~

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

14 (A) the Mandarin Chinese language;

15 (B) the people, history, and political cli-
 16 mate on Taiwan; and

17 (C) the issues affecting the relationship be-
 18 tween the United States and the Indo-Pacific
 19 region.

20 ~~(2) SECOND YEAR.—During the second year of~~
 21 ~~each fellowship under this section, each fellow, sub-~~
 22 ~~ject to the approval of the Secretary of State, the~~
 23 ~~American Institute in Taiwan, and the implementing~~
 24 ~~partner, and in accordance with the purposes of this~~
 25 ~~title, shall work in—~~

1 (A) a parliamentary office, ministry, or
 2 other agency of the governing authorities on
 3 Taiwan; or

4 (B) an organization outside of the gov-
 5 erning authorities on Taiwan, whose interests
 6 are associated with the interests of the fellow
 7 and the agency of the United States Govern-
 8 ment from which the fellow had been employed.

9 (c) FLEXIBLE FELLOWSHIP DURATION.—Notwith-
 10 standing any requirement under this section, the Sec-
 11 retary of State, in consultation with the American Insti-
 12 tute in Taiwan and, as appropriate, the implementing
 13 partner, may alter the curriculum requirements under
 14 subsection (d) for fellows whose placement in a parliamen-
 15 tary office, ministry, or other agency of the governing au-
 16 thorities on Taiwan is for a period shorter than 2 years.

17 (f) PROGRAM REQUIREMENTS.—

18 (1) ELIGIBILITY REQUIREMENTS.—A United
 19 States citizen is eligible for a fellowship under this
 20 section if he or she—

21 (A) is an employee of the United States
 22 Government;

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

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

(D) 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, 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 shorter than 4 years after the conclusion of the fellowship or for not shorter than 2 years for a fellowship that is 1 year or shorter.

(3) RESPONSIBILITIES OF IMPLEMENTING PARTNER.—

(A) SELECTION OF FELLOWS.—The implementing partner, in close coordination with 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 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

1 (ii) courses in the political economy of
2 Taiwan, China, and the broader Indo-Pa-
3 cific.

4 ~~(C) WAIVER OF REQUIRED TRAINING.—~~

5 The Department of State, in coordination with
6 the American Institute in Taiwan and, as ap-
7 propriate, the implementing partner, may waive
8 any of the training required under paragraph
9 ~~(2)~~ to the extent that a fellow has Mandarin
10 language skills, knowledge of the topic de-
11 scribed in paragraph ~~(2)~~(B), or for other re-
12 lated reasons approved by the Department of
13 State and the American Institute in Taiwan. If
14 any of the training requirements are waived for
15 a fellow serving a 2-year fellowship, the training
16 portion of his or her fellowship may be short-
17 ened to the extent appropriate.

18 ~~(D) OFFICE; STAFFING.—~~The imple-
19 menting partner, in consultation with the De-
20 partment of State and the American Institute
21 in Taiwan, shall maintain an office and at least
22 1 full-time staff member in Taiwan—

23 (i) to liaise with the American Insti-
24 tute in Taiwan and the governing authori-
25 ties on Taiwan; and

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

4 (E) OTHER FUNCTIONS.—The imple-
5 menting partner shall perform other functions
6 in association in support of the Taiwan Fellow-
7 ship Program, including logistical and adminis-
8 trative functions, as prescribed by the Depart-
9 ment of State and the American Institute in
10 Taiwan.

11 (4) NONCOMPLIANCE.—

12 (A) IN GENERAL.—Any fellow who fails to
13 comply with the requirements under this section
14 shall reimburse the American Institute in Tai-
15 wan for—

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

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

21 (B) FULL REIMBURSEMENT.—Any fellow
22 who violates paragraph (1) or (2) of subsection
23 (b) shall reimburse the American Institute in
24 Taiwan in an amount equal to the sum of—

1 (i) all of the Federal funds expended
2 for the fellow's participation in the fellow-
3 ship; and

4 (ii) interest on the amount specified in
5 subparagraph (A), which shall be cal-
6 culated at the prevailing rate.

7 (C) PRO RATA REIMBURSEMENT.—Any fel-
8 low who violates subsection (b)(3) shall reim-
9 burse the American Institute in Taiwan in an
10 amount equal to the difference between—

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

13 (ii) the product of—

14 (I) the amount the fellow re-
15 ceived in compensation during the
16 final year of the fellowship, including
17 the value of any allowances and bene-
18 fits received by the fellow; multiplied
19 by

20 (II) the percentage of the period
21 specified in subsection (b)(3) during
22 which the fellow did not remain em-
23 ployed by the Federal Government.

1 **SEC. 606. REPORTS AND AUDITS.**

2 ~~(a) ANNUAL REPORT.~~—Not later than 90 days after
3 the selection of the first class of fellows under this title,
4 and annually thereafter, the Department of State shall
5 offer to brief the appropriate congressional committees re-
6 garding the following issues:

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

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

14 ~~(3) The names of the parliamentary offices,~~
15 ~~ministries, other agencies of the governing authori-~~
16 ~~ties on Taiwan, and nongovernmental institutions to~~
17 ~~which each fellow was assigned during the second~~
18 ~~year of the fellowship.~~

19 ~~(4) Any recommendations, as appropriate, to~~
20 ~~improve the implementation of the Taiwan Fellows~~
21 ~~Program, including added flexibilities in the admin-~~
22 ~~istration of the program.~~

23 ~~(5) An assessment of the Taiwan Fellows Pro-~~
24 ~~gram's value upon the relationship between the~~
25 ~~United States and Taiwan or the United States and~~
26 ~~Asian countries.~~

1 (b) ANNUAL FINANCIAL AUDIT.—

2 (1) IN GENERAL.—The financial records of any
 3 implementing partner shall be audited annually in
 4 accordance with generally accepted auditing stand-
 5 ards by independent certified public accountants or
 6 independent licensed public accountants who are cer-
 7 tified or licensed by a regulatory authority of a State
 8 or another political subdivision of the United States.

9 (2) LOCATION.—Each audit under paragraph
 10 (1) shall be conducted at the place or places where
 11 the financial records of the implementing partner
 12 are normally kept.

13 (3) ACCESS TO DOCUMENTS.—The imple-
 14 menting partner shall make available to the account-
 15 ants conducting an audit under paragraph (1)—

16 (A) all books, financial records, files, other
 17 papers, things, and property belonging to, or in
 18 use by, the implementing partner that are nec-
 19 essary to facilitate the audit; and

20 (B) full facilities for verifying transactions
 21 with the balances or securities held by deposi-
 22 tories, fiscal agents, and custodians.

23 (4) REPORT.—

24 (A) IN GENERAL.—Not later than 6
 25 months after the end of each fiscal year, the

1 implementing partner shall provide a report
2 containing the findings of the audit conducted
3 for such fiscal year pursuant to paragraph (1)
4 to the Secretary of State and the American In-
5 stitute in Taiwan.

6 (B) CONTENTS.—Each audit report under
7 subparagraph (A) shall—

8 (i) set forth the scope of the audit;

9 (ii) include such statements, along
10 with the auditor's opinion of those state-
11 ments, as may be necessary to present fair-
12 ly the implementing partner's assets and
13 liabilities, surplus or deficit, with reason-
14 able detail;

15 (iii) include a statement of the imple-
16 menting partner's income and expenses
17 during the year; and

18 (iv) include a schedule of—

19 (I) all contracts and grants re-
20 quiring payments greater than
21 \$5,000; and

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

1 (C) COPIES.—Each audit report under
 2 subparagraph (A) shall be produced in suffi-
 3 cient copies for distribution to the public.

4 **SEC. 607. TAIWAN FELLOWS ON DETAIL FROM GOVERN-**
 5 **MENT SERVICE.**

6 (a) IN GENERAL.—

7 (1) DETAIL AUTHORIZED.—With the approval
 8 of the Secretary of State, an agency head may de-
 9 tail, for a period of not more than 2 years, an em-
 10 ployee of the agency of the United States Govern-
 11 ment who has been awarded a fellowship under this
 12 title, to the American Institute in Taiwan for the
 13 purpose of assignment to the governing authorities
 14 on Taiwan or an organization described in section
 15 605(d)(2)(B).

16 (2) AGREEMENT.—Each detailee or legislative
 17 branch employee who separates from service of the
 18 sponsoring agency shall enter into a written agree-
 19 ment with the Federal Government before receiving
 20 a fellowship, in which the fellow shall agree—

21 (A) to continue in the service of the spon-
 22 soring agency at the end of fellowship for a pe-
 23 riod of at least 4 years (or at least 2 years if
 24 the fellowship duration is 1 year or shorter) un-

1 less the detailee is involuntarily separated from
 2 the service of such agency; and

3 ~~(B)~~ to pay to the American Institute in
 4 Taiwan any additional expenses incurred by the
 5 Federal Government in connection with the fel-
 6 lowship if the detailee voluntarily separates
 7 from service with the sponsoring agency before
 8 the end of the period for which the detailee has
 9 agreed to continue in the service of such agen-
 10 cy.

11 ~~(3)~~ EXCEPTION.—The payment agreed to under
 12 paragraph ~~(2)~~(B) may not be required from—

13 ~~(A)~~ a detailee who leaves the service of the
 14 sponsoring agency to enter into the service of
 15 another agency of the United States Govern-
 16 ment unless the head of the sponsoring agency
 17 notifies the detailee before the effective date of
 18 entry into the service of the other agency that
 19 payment will be required under this subsection;
 20 or

21 ~~(B)~~ a legislative branch employee who sep-
 22 arates from service of such agency to partici-
 23 pate in the fellowship.

24 ~~(b)~~ STATUS AS GOVERNMENT EMPLOYEE.—A
 25 detailee—

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

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

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

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

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

16 (c) RESPONSIBILITIES OF SPONSORING AGENCY.—

17 (1) IN GENERAL.—The Federal agency from
 18 which a detailee is detailed should provide the fellow
 19 allowances and benefits that are consistent with De-
 20 partment of State Standardized Regulations or other
 21 applicable rules and regulations, including—

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

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

1 (C) a temporary quarters subsistence al-
 2 lowance for up to 7 days if the fellow is unable
 3 to find housing immediately upon arriving in
 4 Taiwan;

5 (D) an education allowance to assist par-
 6 ents in providing the fellow's minor children
 7 with educational services ordinarily provided
 8 without charge by public schools in the United
 9 States;

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

15 (F) an economy-class airline ticket to and
 16 from Taiwan for each fellow and the fellow's
 17 immediate family.

18 (2) MODIFICATION OF BENEFITS.—The Amer-
 19 ican Institute in Taiwan and its implementing part-
 20 ner, with the approval of the Secretary of State, may
 21 modify the benefits set forth in paragraph (1) if
 22 such modification is warranted by fiscal cir-
 23 cumstances.

24 (d) NO FINANCIAL LIABILITY.—The American Insti-
 25 tute in Taiwan, the implementing partner, and any gov-

erning authorities on 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.

(c) 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 and legislative branch fellows who separate from service to participate in the fellowship may be paid by the American Institute in Taiwan for the allowances and benefits listed in subsection (c).

(g) SEPARATION OF LEGISLATIVE BRANCH PERSONNEL DURING THE FELLOWSHIPS.—

(1) IN GENERAL.—Under such terms and conditions as the agency head may direct, a legislative branch agency of the United States Government may separate from Government service for a specified period any officer or employee of such agency who accepts a fellowship under the Taiwan Fellowship Program and is not a detailee under subsection (a).

(2) RIGHTS AND BENEFITS.—

1 (A) ~~IN GENERAL.~~—Notwithstanding sec-
 2 tion 8347(o), 8713, or 8914 of title 5, United
 3 States Code, and in accordance with regulations
 4 of the Office of Personnel Management, a legis-
 5 lative branch employee, while serving as a fellow
 6 who is not a detailee under subsection (a), is
 7 entitled to the rights and benefits described in
 8 subsections (a) and (d) of section 3582 of title
 9 5, United States Code.

10 (B) ~~REIMBURSEMENT.~~—The American In-
 11 stitute in Taiwan shall reimburse the employing
 12 agency for any costs incurred for fellows under
 13 subsections (a) and (d) of section 3582 of title
 14 5, United States Code, during a fellowship
 15 under this title and may provide any other pay
 16 or allowances to such fellows.

17 **SEC. 608. FUNDING.**

18 (a) ~~AUTHORIZATION OF APPROPRIATIONS.~~—There
 19 are authorized to be appropriated to the American Insti-
 20 tute in Taiwan—

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

22 (A) \$500,000 shall be used to launch the
 23 Taiwan Fellowship Program through the
 24 issuance of a competitive grant to an appro-
 25 priate implementing partner;

1 ~~(B)~~ \$2,300,000 shall be used for a grant
 2 to the appropriate implementing partner; and

3 ~~(C)~~ \$100,000 shall be used for manage-
 4 ment expenses of the American Institute in Tai-
 5 wan related to the management of the Taiwan
 6 Fellowship Program; and

7 ~~(2)~~ for fiscal year 2023, and each succeeding
 8 fiscal year, \$2,400,000, of which—

9 ~~(A)~~ \$2,300,000 shall be used for a grant
 10 to the appropriate implementing partner; and

11 ~~(B)~~ \$100,000 shall be used for manage-
 12 ment expenses of the American Institute in Tai-
 13 wan related to the management of the Taiwan
 14 Fellowship Program.

15 ~~(b) PRIVATE SOURCES.—~~The implementing partner
 16 selected to implement the Taiwan Fellowship Program
 17 may accept, use, and dispose of gifts or donations of serv-
 18 ices or property in carrying out such program, subject to
 19 the review and approval of the American Institute in Tai-
 20 wan.

21 **SEC. 609. SUPPORTING UNITED STATES EDUCATIONAL AND**
 22 **EXCHANGE PROGRAMS WITH TAIWAN.**

23 ~~(a) ESTABLISHMENT OF THE UNITED STATES-TAI-~~
 24 ~~WAN CULTURAL EXCHANGE FOUNDATION.—~~The Sec-

1 retary of State should consider establishing an inde-
 2 pendent nonprofit entity that—

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

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

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

17 **TITLE VII—MISCELLANEOUS** 18 **PROVISIONS**

19 **SEC. 701. INVITATION OF TAIWANESE COUNTERPARTS TO** 20 **HIGH-LEVEL BILATERAL AND MULTILATERAL** 21 **FORUMS AND EXERCISES.**

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

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

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

6 (2) the United States Government and Tai-
7 wanese counterparts should resume meetings under
8 the United States-Taiwan Trade and Investment
9 Framework Agreement and reach a bilateral free
10 trade agreement;

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

14 (4) the United States Government and Tai-
15 wanese counterparts should engage in a regular and
16 routine strategic bilateral dialogue on arms sales in
17 accordance with Foreign Military Sales mechanisms;
18 and

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

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

23 (a) LIST OF HIGH-LEVEL VISITS.—Not later than
24 180 days after the date of the enactment of this Act, and
25 annually thereafter, the Secretary of State, in accordance

1 with the Taiwan Travel Act (Public Law 115–135), shall
 2 submit to the appropriate congressional committees—

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

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

8 (b) ANNUAL REPORT.—Not later than 90 days after
 9 the date of the enactment of this Act, and annually there-
 10 after, the Secretary of State shall submit a report on the
 11 implementation of the Taiwan Travel Act to the appro-
 12 priate congressional committees.

13 **SEC. 703. PROHIBITIONS AGAINST UNDERMINING UNITED**
 14 **STATES POLICY REGARDING TAIWAN.**

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

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
 24 gress that the United States Government, in coordination
 25 with United States businesses and nongovernmental enti-

1 ties, should formulate a code of conduct for, and otherwise
 2 coordinate on, interacting with the Government of the
 3 PRC and the Chinese Communist Party and their affili-
 4 ated entities, the aim of which is—

5 (1) to counter PRC operations that threaten
 6 free speech, academic freedom, and the normal oper-
 7 ations of United States businesses and nongovern-
 8 mental entities; and

9 (2) to counter PRC efforts to censor the way
 10 the world refers to issues deemed sensitive to the
 11 PRC Government and Chinese Communist Party
 12 leaders, including issues related to Taiwan, Tibet,
 13 the Tiananmen Square Massacre, and the mass in-
 14 terment of Uyghurs and other Turkic Muslims,
 15 among many other issues.

16 (c) PROHIBITION AGAINST RECOGNIZING THE PEO-
 17 PLE'S REPUBLIC OF CHINA'S CLAIMS TO SOVEREIGNTY
 18 OVER TAIWAN.—

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

21 (A) issues related to the sovereignty of
 22 Taiwan are for the people of Taiwan to decide
 23 through the democratic process they have estab-
 24 lished;

1 (B) the dispute between the PRC and Tai-
2 wan must be resolved peacefully and with the
3 assent of the people of Taiwan;

4 (C) the 2 key obstacles to peaceful resolu-
5 tion are—

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

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

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

23 (2) STATEMENT OF POLICY.—It is the policy of
24 the United States to oppose any attempt by the

1 PRC authorities to unilaterally impose a timetable
2 or deadline for unification on Taiwan.

3 ~~(3) PROHIBITION ON RECOGNITION OF PRC~~
4 ~~CLAIMS WITHOUT THE ASSENT OF PEOPLE OF TAI-~~
5 ~~WAN.—No department or agency of the United~~
6 ~~States Government may formally or informally rec-~~
7 ~~ognize PRC claims to sovereignty over Taiwan with-~~
8 ~~out the assent of the people of Taiwan, as expressed~~
9 ~~directly through the democratic process.~~

10 ~~(4) TREATMENT OF GOVERNMENT OF TAI-~~
11 ~~WAN.—~~

12 ~~(A) IN GENERAL.—The Department of~~
13 ~~State and other United States Government~~
14 ~~agencies shall—~~

15 ~~(i) treat the democratically elected~~
16 ~~government of Taiwan as the legitimate~~
17 ~~representative of the people of Taiwan; and~~

18 ~~(ii) end the outdated practice of refer-~~
19 ~~ring to the Government in Taiwan as the~~
20 ~~“authorities”.~~

21 ~~(B) NO RESTRICTIONS.—Notwithstanding~~
22 ~~the continued supporting role of the American~~
23 ~~Institute in Taiwan in carrying out United~~
24 ~~States foreign policy and protecting United~~
25 ~~States interests in Taiwan, the United States~~

Government may not place any undue restrictions on the ability of officials of the Department of State and other United States Government agencies from interacting directly and routinely with counterparts in the Taiwan government.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed as—

(i) restoring diplomatic relations with the Republic of China (Taiwan), which were terminated on January 1, 1979; or

(ii) altering the United States Government's position on Taiwan's international status.

(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;

1 including coercion and threats that lead to censor-
2 ship or self-censorship, or which compel compliance
3 with political or foreign policy positions of the Gov-
4 ernment of the People's Republic of China and the
5 Chinese Communist Party.

6 ~~(2) ELEMENTS.—~~The strategy shall include—

7 ~~(A)~~ information regarding efforts by the
8 PRC Government to censor the websites of
9 United States airlines, hotels, and other busi-
10 nesses regarding the relationship between Tai-
11 wan and the PRC;

12 ~~(B)~~ information regarding efforts by the
13 PRC Government to target United States non-
14 governmental entities through operations in-
15 tended to weaken support for Taiwan;

16 ~~(C)~~ information regarding United States
17 Government efforts to counter the threats posed
18 by Chinese state-sponsored propaganda and
19 disinformation, including information on best
20 practices, current successes, and existing bar-
21 riers to responding to such threat; and

22 ~~(D)~~ details of any actions undertaken to
23 create the code of conduct described in sub-
24 section (b), including a timetable for the imple-
25 mentation of such code of conduct.

1 **TITLE VIII—SANCTIONS MEAS-**
 2 **URES FOR CROSS-STRAIT**
 3 **STABILITY**

4 **SEC. 801. DEFINITIONS.**

5 In this title:

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

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

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

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

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

19 (D) the Committee on Financial Services
 20 of the House of Representatives.

21 (3) **CCP.**—The term “CCP” means the Chinese
 22 Communist Party.

23 (4) **FINANCIAL INSTITUTION.**—The term “fi-
 24 nancial institution” means a financial institution
 25 specified in subparagraph (A), (B), (C), (D), (E),

1 (F), (G), (H), (I), (J), (M), or (Y) of section
2 5312(a)(2) of title 31, United States Code.

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

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

10 (7) KNOWINGLY.—The term “knowingly”, with
11 respect to conduct, a circumstance, or a result,
12 means that a person had actual knowledge, or
13 should have known, of the conduct, the cir-
14 cumstance, or the result.

15 (8) UNITED STATES PERSON.—The term
16 “United States person” means—

17 (A) a United States citizen or an alien law-
18 fully admitted for permanent residence to the
19 United States; or

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

1 **SEC. 802. DETERMINATIONS WITH RESPECT TO ACTIVITIES**
2 **OF THE PEOPLE'S REPUBLIC OF CHINA IM-**
3 **PACTING TAIWAN.**

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

6 (1) the Government of the People's Republic of
7 China, including through any of its proxies, is know-
8 ingly engaged in a significant escalation in hostile
9 action in or against Taiwan, compared to the level
10 of hostile action in or against Taiwan before Decem-
11 ber 1, 2021; and

12 (2) if such engagement exists, whether such es-
13 calation has the significant effect of—

14 (A) undermining, overthrowing, or disman-
15 tling the governing institutions in Taiwan;

16 (B) occupying the territory of Taiwan; or

17 (C) interfering with the territorial integrity
18 of Taiwan.

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

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

23 (2) after the first determination under para-
24 graph (1), not less frequently than once every 90
25 days (or more frequently, if warranted) during the

1 1-year period beginning on such date of enactment;
 2 and

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

5 (e) REPORT REQUIRED.—Upon making a determina-
 6 tion described in subsection (a), the President shall submit
 7 a report describing the factors influencing such determina-
 8 tion to—

9 (1) the appropriate committees of Congress;

10 (2) the Committee on Armed Services of the
 11 Senate; and

12 ~~(3) the Committee on Armed Services of the~~
 13 ~~House of Representatives.~~

14 **SEC. 803. IMPOSITION OF SANCTIONS ON OFFICIALS OF**
 15 **THE GOVERNMENT OF THE PEOPLE'S REPUB-**
 16 **LIC OF CHINA RELATING TO OPERATIONS IN**
 17 **TAIWAN.**

18 (a) IN GENERAL.—Not later than 60 days after mak-
 19 ing an affirmative determination under section 802, the
 20 President shall, to the extent they can be identified, im-
 21 pose the sanctions described in section 808 with respect
 22 to each of the officials specified in subsection (b).

23 (b) OFFICIALS SPECIFIED.—The officials specified in
 24 this subsection are—

1 (1) the President of the People's Republic of
2 China;

3 (2) the Premier of the People's Republic of
4 China;

5 (3) the Foreign Minister of the People's Repub-
6 lie of China;

7 (4) members of the CCP Politburo Standing
8 Committee;

9 (5) members of the CCP Party Central Military
10 Commission;

11 (6) members of the CCP Politburo;

12 (7) members of the CCP Central Committee;

13 (8) members of the CCP National Congress;

14 (9) members of the State Council of the Peo-
15 ple's Republic of China; and

16 (10) members of the State Central Military
17 Commission of the CCP.

18 (c) ~~ADDITIONAL OFFICIALS.—~~

19 (1) ~~LIST REQUIRED.—~~Not later than 30 days
20 after making an affirmative determination under
21 section 802 and every 90 days thereafter, the Presi-
22 dent shall submit a list to the appropriate commit-
23 tees of Congress that identifies any foreign persons
24 not specified in subsection (b) who the President de-
25 termines—

1 (A) are—

2 (i) senior officials of any branch of
3 the armed forces of the People's Republic
4 of China leading any of the operations de-
5 scribed in section 802; or

6 (ii) senior officials of the Government
7 of the People's Republic of China, includ-
8 ing any intelligence agencies or security
9 services of the People's Republic of China,
10 who have significant roles in planning or
11 implementing such operations; and

12 (B) with respect to which sanctions should
13 be imposed in the interest of the national secu-
14 rity of the United States.

15 (2) IMPOSITION OF SANCTIONS.—Upon the sub-
16 mission of each list required under paragraph (1),
17 the President shall impose the sanctions described in
18 section 808 with respect to each foreign person in-
19 cluded on the list.

20 **SEC. 804. IMPOSITION OF SANCTIONS WITH RESPECT TO FI-**
21 **NANCIAL INSTITUTIONS OF THE PEOPLE'S**
22 **REPUBLIC OF CHINA.**

23 (a) IMPOSITION OF SANCTIONS.—

24 (1) IN GENERAL.—Not later than 30 days after
25 making an affirmative determination under section

1 802, the President shall impose the sanctions de-
 2 scribed in section 808(a) with respect to 3 or more
 3 of the following financial institutions:

4 (A) Industrial and Commercial Bank of
 5 China (ICBC).

6 (B) China Construction Bank.

7 (C) Bank of China.

8 (D) Agricultural Bank of China.

9 (E) Bank of Communications.

10 (F) China Development Bank.

11 (G) Postal Savings Bank of China
 12 (PSBC).

13 (H) Industrial Bank Co., Ltd.

14 (I) China CITIC Bank Corporation.

15 (J) China Merchants Bank.

16 (K) Export-Import Bank of China.

17 (L) Shanghai Pudong Development Bank
 18 Co., Ltd.

19 (M) China Everbright Bank Co., Ltd.

20 (N) Hua Xia Bank.

21 (O) Ping An Bank Co., Ltd.

22 (2) SUBSIDIARIES AND SUCCESSOR ENTITIES.—

23 The President may impose the sanctions described
 24 in section 808(a) with respect to any subsidiary of,

1 or successor entity to, a financial institution speci-
 2 fied in paragraph (1).

3 (b) ~~ADDITIONAL PEOPLE'S REPUBLIC OF CHINA FI-~~
 4 ~~NANCIAL INSTITUTIONS.—~~

5 (1) ~~LIST REQUIRED.—~~Not later than 30 days
 6 after making an affirmative determination under
 7 section 802, and every 90 days thereafter, the Presi-
 8 dent shall submit a list to the appropriate commit-
 9 tees of Congress that identifies any foreign persons
 10 that the President determines—

11 (A) are significant financial institutions
 12 owned or operated by the Government of the
 13 People's Republic of China; and

14 (B) should be sanctioned in the interest of
 15 United States national security.

16 (2) ~~IMPOSITION OF SANCTIONS.—~~Upon the sub-
 17 mission of each list required under paragraph (1),
 18 the President shall impose the sanctions described in
 19 section 808(a) with respect to each foreign person
 20 identified on the list.

1 **SEC. 805. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 2 **PROVISION OF SPECIALIZED FINANCIAL MES-**
 3 **SAGING SERVICES TO SANCTIONED PEOPLE'S**
 4 **REPUBLIC OF CHINA FINANCIAL INSTITU-**
 5 **TIONS.**

6 (a) LIST OF PROVIDERS OF SPECIALIZED FINANCIAL
 7 MESSAGING SERVICES TO PRC FINANCIAL INSTITU-
 8 TIONS.—Not later than 60 days after making an affirma-
 9 tive determination under section 802, and not later than
 10 30 days after the submission of any list of People's Repub-
 11 lie of China financial institutions under section 804(b)(1),
 12 the Secretary of State, in consultation with the Secretary
 13 of the Treasury, shall submit a list to the appropriate com-
 14 mittees of Congress that identifies all known persons that
 15 provide specialized financial messaging services to, or that
 16 enable or facilitate access to such services for, any finan-
 17 cial institution specified in section 804(a) or that is on
 18 the list required under section 804(b).

19 (b) REPORT ON EFFORTS TO TERMINATE THE PRO-
 20 VISION OF SPECIALIZED FINANCIAL MESSAGING SERV-
 21 ICES FOR SANCTIONED PEOPLE'S REPUBLIC OF CHINA
 22 FINANCIAL INSTITUTIONS.—Not later than 90 days after
 23 the imposition of any sanctions authorized under section
 24 804, and every 30 days thereafter, as necessary, the Sec-
 25 retary of State, in consultation with the Secretary of the

1 Treasury, shall submit a report to the appropriate com-
 2 mittees of Congress that—

3 (1) describes the status of efforts to ensure that
 4 the termination of the provision of specialized finan-
 5 cial messaging services to, and the enabling and fa-
 6 cilitation of access to such services for, any financial
 7 institution against which sanctions are imposed pur-
 8 suant to section 804; and

9 (2) identifies any other provider of specialized
 10 financial messaging services that continues to pro-
 11 vide messaging services to, or enables or facilitates
 12 access to such services for, any such financial insti-
 13 tution.

14 (c) AUTHORIZATION FOR THE IMPOSITION OF SANC-
 15 TIONS.—If, on or after the date that is 90 days after the
 16 imposition of any sanctions authorized under section 804,
 17 a provider of financial specialized financial messaging
 18 services continues to knowingly provide specialized finan-
 19 cial messaging services to, or knowingly enable or facilitate
 20 direct or indirect access to such messaging services for,
 21 any financial institution with respect to which sanctions
 22 are imposed pursuant to section 804, the President may
 23 impose sanctions pursuant to that section or the Inter-
 24 national Emergency Economic Powers Act (50 U.S.C.
 25 1701 et seq.) with respect to such provider.

1 (d) ~~ENABLING OR FACILITATION OF ACCESS TO SPE-~~
 2 ~~cialized FINANCIAL MESSAGING SERVICES THROUGH~~
 3 ~~INTERMEDIARY FINANCIAL INSTITUTIONS.~~—For purposes
 4 of this section, enabling or facilitating direct or indirect
 5 access to specialized financial messaging services includes
 6 doing so by serving as an intermediary financial institu-
 7 tion with access to such messaging services.

8 (e) ~~FORM OF LISTS AND REPORTS.~~—Each list re-
 9 quired under subsection (a) and each report required
 10 under subsection (b) shall be submitted in unclassified
 11 form, but may include a classified annex.

12 **SEC. 806. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 13 **PEOPLE'S REPUBLIC OF CHINA EXTRACTIVE**
 14 **INDUSTRIES.**

15 (a) ~~IDENTIFICATION.~~—Not later than 60 days after
 16 making an affirmative determination under section 802,
 17 the President shall identify foreign persons involved in any
 18 of the sectors or industries described in subsection (b) that
 19 the President determines should be sanctioned in the in-
 20 terest of United States national security.

21 (b) ~~SECTORS AND INDUSTRIES DESCRIBED.~~—The
 22 sectors and industries described in this subsection are—

- 23 (1) oil and gas extraction and production;
- 24 (2) coal extraction, mining, and production;
- 25 (3) minerals extraction and processing; and

1 (4) any other sector or industry with respect to
 2 which the President determines the imposition of
 3 sanctions is in the United States national security
 4 interest.

5 (e) LIST; IMPOSITION OF SANCTIONS.—Not later
 6 than 90 days after making an affirmative determination
 7 under section 802, the President shall—

8 (1) submit a list of the persons identified under
 9 subsection (a) to the appropriate committees of Con-
 10 gress; and

11 (2) impose the sanctions described in section
 12 808 with respect to each such person.

13 **SEC. 807. ADDITIONAL SANCTIONS.**

14 (a) IN GENERAL.—Beginning on the date that is 90
 15 days after the date of the enactment of this Act, the Presi-
 16 dent shall impose the sanctions described in section 808
 17 on any foreign person that the President determines, while
 18 acting for or on behalf of the Government of the People's
 19 Republic of China, knowingly—

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

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

25 (A) malicious cyber-enabled activities; or

1 ~~(B) any military exercise that crossed that~~
 2 ~~“middle line” in the Taiwan Strait.~~

3 ~~(b) WAIVER.—The President may waive the applica-~~
 4 ~~tion of sanctions under this section if the President sub-~~
 5 ~~mits to the appropriate committees of Congress a written~~
 6 ~~determination that such waiver is in the national interests~~
 7 ~~of the United States.~~

8 **SEC. 808. SANCTIONS DESCRIBED.**

9 ~~(a) PROPERTY BLOCKING.—Except as provided in~~
 10 ~~section 810, the President shall exercise all of the powers~~
 11 ~~granted by the International Emergency Economic Powers~~
 12 ~~Act (50 U.S.C. 1701 et seq.) to the extent necessary to~~
 13 ~~block and prohibit all transactions in all property and in-~~
 14 ~~terests in property of the foreign person if such property~~
 15 ~~and interests in property are in the United States, come~~
 16 ~~within the United States, or are or come within the posses-~~
 17 ~~sion or control of a United States person.~~

18 ~~(b) ALIENS INADMISSIBLE FOR VISAS, ADMISSION,~~
 19 ~~OR PAROLE.—~~

20 ~~(1) VISAS, ADMISSION, OR PAROLE.—In the~~
 21 ~~case of an alien, the alien is—~~

22 ~~(A) inadmissible to the United States;~~

23 ~~(B) ineligible to receive a visa or other docu-~~
 24 ~~mentation to enter the United States; and~~

(C) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) CURRENT VISAS REVOKED.—

(A) IN GENERAL.—The visa or other entry documentation of an alien described in paragraph (1) shall be revoked, regardless of when such visa or other entry documentation was 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. 809. 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.

1 (c) ~~PENALTIES.~~—Any person that violates, attempts
 2 to violate, conspires to violate, or causes a violation of this
 3 title, or any regulation, license, or order issued to carry
 4 out this title, shall be subject to the penalties set forth
 5 in subsections (b) and (c) of section 206 of the Inter-
 6 national Emergency Economic Powers Act (50 U.S.C.
 7 1705) to the same extent as a person that commits an
 8 unlawful act described in subsection (a) of that section.

9 **~~SEC. 810. EXCEPTIONS; WAIVER.~~**

10 (a) ~~EXCEPTIONS.~~—

11 (1) ~~EXCEPTION FOR INTELLIGENCE ACTIVITIES.~~—This title shall not apply with respect to—

12 (A) activities subject to the reporting re-
 13 quirements under title V of the National Secu-
 14 rity Act of 1947 (50 U.S.C. 3091 et seq.); or

15 (B) authorized intelligence activities of the
 16 United States.

17 (2) ~~EXCEPTION FOR COMPLIANCE WITH INTER-~~
 18 ~~NATIONAL OBLIGATIONS AND LAW ENFORCEMENT~~
 19 ~~ACTIVITIES.~~—Sanctions under this title shall not
 20 apply with respect to an alien if admitting or parol-
 21 ing such alien into the United States is necessary—

22 (A) to permit the United States to comply
 23 with the Agreement regarding the Head-
 24 quarters of the United Nations, signed at Lake
 25

1 Success on June 26, 1947, and entered into
2 force November 21, 1947, between the United
3 Nations and the United States, or other appli-
4 cable international obligations of the United
5 States; or

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

8 (3) EXCEPTION RELATING TO IMPORTATION OF
9 GOODS.—

10 (A) DEFINED TERM.—In this paragraph,
11 the term “good” means any article, natural or
12 manmade substance, material, supply, or manu-
13 factured product, including inspection and test
14 equipment, and excluding technical data.

15 (B) IN GENERAL.—Notwithstanding any
16 other provision of this title, the authority or a
17 requirement to impose sanctions under this title
18 shall not include the authority or a requirement
19 to impose sanctions on the importation of
20 goods.

21 (b) NATIONAL SECURITY WAIVER.—The President
22 may waive the imposition of sanctions based on a deter-
23 mination under section 802 with respect to a person if
24 the President—

1 (1) determines that such a waiver is in the na-
2 tional security interests of the United States; and

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

6 **SEC. 811. TERMINATION.**

7 The President may terminate the sanctions imposed
8 under this title based on a determination under section
9 802, after determining and certifying to the appropriate
10 committees of Congress that the Government of the Peo-
11 ple's Republic of China—

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

15 ~~(2) to the extent applicable, has entered into an~~
16 agreed settlement with a legitimate democratic Gov-
17 ernment of Taiwan.

18 **TITLE IX—RULE OF**
19 **CONSTRUCTION**

20 **SEC. 901. RULE OF CONSTRUCTION.**

21 Nothing in this Act may be construed—

22 ~~(1) to restore diplomatic relations with the Re-~~
23 public of China; or

1 (2) to alter the United States Government's po-
 2 sition with respect to the international status of the
 3 Republic of China.

4 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) *SHORT TITLE.*—*This Act may be cited as the “Tai-*
 6 *wan Policy Act of 2022”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 8 *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 Representa-
tive 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 Re-
public of China's force against Taiwan.

Sec. 211. Increase in annual regional contingency stockpile additions and sup-
port 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 Tai-
wan.

Sec. 215. Expediting delivery of arms exports to Taiwan and United States allies
in the Indo-Pacific.

*TITLE III—COUNTERING PEOPLE’S REPUBLIC OF CHINA’S
COERCION AND INFLUENCE CAMPAIGNS*

- Sec. 301. Strategy to respond to influence and information operations targeting Taiwan.*
- Sec. 302. Strategy to counter economic coercion by the People’s Republic of China targeting countries and entities that support Taiwan.*
- Sec. 303. China censorship monitor and action group.*

*TITLE IV—INCLUSION OF TAIWAN IN INTERNATIONAL
ORGANIZATIONS*

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

*TITLE V—ENHANCED DEVELOPMENT AND ECONOMIC COOPERATION
BETWEEN THE UNITED STATES AND TAIWAN*

- Sec. 501. Findings.*
- Sec. 502. Sense of Congress on a free trade agreement and bilateral tax agreement with Taiwan, the Indo-Pacific Economic Framework, and CBP Preclearance.*
- Sec. 503. Sense of Congress on United States-Taiwan development cooperation.*

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

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

TITLE VII—MISCELLANEOUS PROVISIONS

- Sec. 701. Invitation of Taiwanese counterparts to high-level bilateral and multi-lateral forums and exercises.*
- Sec. 702. Report on Taiwan Travel Act.*
- Sec. 703. Prohibitions against undermining United States policy regarding Taiwan.*
- Sec. 704. Amendments to the Taiwan Allies International Protection and Enhancement Initiative (Taipei) Act of 2019.*

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.

Sec. 707. Stability across the Taiwan Strait.

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.

2 Congress finds the following:

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

5 (2) *The Taiwan Relations Act (Public Law 96–*
6 *8; 22 U.S.C. 3301 et seq.) has enabled the people of*
7 *the United States and the people of Taiwan to main-*
8 *tain a strong and important relationship that pro-*
9 *motes regional security, prosperity, and shared demo-*
10 *cratic values.*

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

15 (4) *The Taipei Economic and Cultural Rep-*
16 *resentative Office in the United States and the Amer-*
17 *ican Institute in Taiwan facilitate critical consular*
18 *relations that—*

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

21 (B) *strengthen people-to-people ties.*

22 (5) *Increased engagement between public offi-*
23 *cials, commercial interests, civil society leaders, and*
24 *others enhances United States-Taiwan relations and*
25 *its economic, security, and democratic dimensions.*

1 (6) *Taiwan serves as a critical partner on re-*
2 *gional and transnational issues, such as public*
3 *health, climate change, critical and emerging tech-*
4 *nologies, cybersecurity, trade, and freedom of naviga-*
5 *tion.*

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

10 (8) *President Xi Jinping of the People’s Repub-*
11 *lic of China (referred to in this Act as the “PRC”)*
12 *continues to repeat his desire to stifle the freedom of*
13 *Taiwan, as evidenced by his July 2021 proclamation,*
14 *in which he stated, “All sons and daughters of China,*
15 *including compatriots on both sides of the Taiwan*
16 *Strait, must work together and move forward in soli-*
17 *darity, resolutely smashing any Taiwan independence*
18 *plots.”.*

19 (9) *As President Xi Jinping concentrates his*
20 *power in the Chinese Communist Party (referred to*
21 *in this Act as the “CCP”), he is escalating the PRC’s*
22 *campaign of coercion and intimidation against Tai-*
23 *wan, as evidenced by—*

24 (A) *the accelerated preparations made by*
25 *the PRC and its People’s Liberation Army (re-*

1 ferred to in this Act as the “PLA”) for an offen-
2 sive attack against Taiwan, such as the PLA’s
3 January 2022 incursion of nearly 40 fighters,
4 bombers, and other warplanes into Taiwan’s air
5 defense identification zone;

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

10 (C) the Foreign Ministry’s diplomatic ef-
11 forts to isolate Taiwan, such as abusing its posi-
12 tion in international institutions and multilat-
13 eral fora to exclude Taiwanese participation de-
14 spite Taiwan’s demonstrated expertise in rel-
15 evant subjects, such as public health;

16 (D) threats and actions to compromise Tai-
17 wan’s economy and critical suppliers, such as
18 draconian export controls and the “31 Measures”
19 intended to lure Taiwanese talent to mainland
20 China and away from Taiwan;

21 (E) persistent and targeted cyberattacks,
22 numbering nearly 20,000,000 per month, which
23 are intended to compromise Taiwan’s critical in-
24 frastructure and inflict civilian harm;

1 (F) political and economic pressure on other
 2 countries who seek closer ties with Taiwan, such
 3 as recent export controls related to Lithuania
 4 after Lithuania announced a permanent Tai-
 5 wanese Representative Office in Lithuania.

6 (10) On multiple occasions, through both formal
 7 and informal channels, the United States has ex-
 8 pressed its concern for the PRC's destabilizing activi-
 9 ties in the Taiwan Strait and on the international
 10 stage that aim to subvert Taiwan's democratic insti-
 11 tutions.

12 (11) The Indo-Pacific Strategy of the United
 13 States—

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

16 (B) seeks to bolster Taiwan's self-defense ca-
 17 pabilities; and

18 (C) reaffirms that Taiwan's future must be
 19 determined peacefully and in accordance with
 20 the wishes and best interests of the people of Tai-
 21 wan.

22 (12) The PRC considers stifling the freedom of
 23 Taiwan as a critical and necessary step to displacing
 24 the United States as the preeminent military power
 25 in the Indo-Pacific and continues its modernization

1 *campaign to enhance the power-projection capabilities*
 2 *of the PLA and its ability to conduct joint operations.*

3 *(13) Taiwan maintains a modern, ready, self-de-*
 4 *fense force that adheres to the highest democratic*
 5 *principles and benefits from continued state of the art*
 6 *security assistance.*

7 *(14) The defense of Taiwan is critical to—*

8 *(A) mitigating the PLA's ability to project*
 9 *power and establish contested zones within the*
 10 *First and Second Island Chains and limiting the*
 11 *PLA's freedom of maneuver to engage in uncon-*
 12 *strained power projection beyond the First Is-*
 13 *land Chain in order to protect United States ter-*
 14 *ritory, such as Hawaii and Guam;*

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

17 *(C) deterring other countries and competi-*
 18 *tors from exercising force as a means to revise*
 19 *the established status quo;*

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

23 *(E) maintaining a rules-based inter-*
 24 *national order that—*

25 *(i) constrains authoritarian powers;*

- 1 (ii) enshrines collective security;
- 2 (iii) promotes democracy and respect
- 3 for human rights and fundamental free-
- 4 doms; and
- 5 (iv) promotes peace and prosperity.

6 **SEC. 3. DEFINITIONS.**

7 *In this Act:*

8 (1) *APPROPRIATE COMMITTEES OF CONGRESS.*—

9 *Except as otherwise provided in this Act, the term*
 10 *“appropriate committees of Congress” means—*

11 (A) *the Committee on Foreign Relations of*
 12 *the Senate;*

13 (B) *the Committee on Armed Services of the*
 14 *Senate;*

15 (C) *the Committee on Appropriations of the*
 16 *Senate;*

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

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

21 (F) *the Committee on Appropriations of the*
 22 *House of Representatives.*

23 (2) *GOVERNMENT IN TAIWAN.*—*The term “gov-*
 24 *ernment in Taiwan” means the national-level govern-*
 25 *ment and its administrative units at the municipal,*

1 *county, and local levels in Taiwan, including its rep-*
 2 *resentatives overseas.*

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

6 (4) *REPUBLIC OF CHINA.—The term “Republic*
 7 *of China” means “Taiwan”.*

8 (5) *SHARP POWER.—The term “sharp power”*
 9 *means the coordinated and often concealed applica-*
 10 *tion of disinformation, media manipulation, eco-*
 11 *nomie coercion, cyber-intrusions, targeted invest-*
 12 *ments, and academic censorship that is intended—*

13 (A) *to corrupt political and nongovern-*
 14 *mental institutions and interfere in democratic*
 15 *elections and encourage self-censorship of views*
 16 *at odds with those of the Government of the Peo-*
 17 *ple’s Republic of China or the Chinese Com-*
 18 *munist Party; or*

19 (B) *to foster attitudes, behavior, decisions,*
 20 *or outcomes in Taiwan and elsewhere that sup-*
 21 *port the interests of the Government of the Peo-*
 22 *ple’s Republic of China or the Chinese Com-*
 23 *munist 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

1 *strategy, through security assistance and in-*
2 *creases in defense spending;*

3 *(4) to strengthen cooperation with the military*
4 *of Taiwan under the framework of the Taiwan Rela-*
5 *tions Act (Public Law 96–8; 22 U.S.C. 3301 et seq.)*
6 *and the Six Assurances, with consideration of the on-*
7 *going military buildup in China and the military*
8 *balance in the Taiwan Strait, and to transfer defense*
9 *articles to Taiwan to enhance its capabilities, includ-*
10 *ing its efforts to undertake defensive operations and*
11 *maintain the ability to deny PRC coercion and inva-*
12 *sion;*

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

17 *(6) to advance and finalize key provisions of the*
18 *United States-Taiwan Trade and Investment Frame-*
19 *work Agreement and deepen economic ties between the*
20 *United States and Taiwan and advance the interests*
21 *of the United States by negotiating a bilateral free*
22 *trade agreement as soon as possible, which will in-*
23 *clude appropriate levels of labor rights and environ-*
24 *mental protections;*

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

3 (8) to collaborate with Taiwan to strengthen
4 *health systems, reinforce critical infrastructure, pro-*
5 *moté disaster resilience, protect marine resources, and*
6 *otherwise support socioeconomic development in Pa-*
7 *cific Island countries*;

8 (9) to promote Taiwan's meaningful participa-
9 *tion in important international organizations, in-*
10 *cluding organizations that address global health, ci-*
11 *vilian air safety, and transnational crime, and bilat-*
12 *eral and multilateral security summits, military exer-*
13 *cises, and economic dialogues and forums*;

14 (10) to support the Government in Taiwan as a
15 *representative democratic government, constituted*
16 *through free and fair elections that reflect the will of*
17 *the people of Taiwan and promote dignity and re-*
18 *spect for the democratically-elected leaders of Taiwan,*
19 *who represent more than 23,000,000 citizens, by using*
20 *the full range of diplomatic and other appropriate*
21 *tools available to promote Taiwan's international*
22 *space*;

23 (11) to ensure that distinctions in practice re-
24 *garding United States relations with Taiwan are con-*
25 *sistent with the longstanding, comprehensive, stra-*

1 *tegic, and values-based relationship the United States*
 2 *shares with Taiwan, and contribute to the peaceful*
 3 *resolution of cross-Strait issues; and*

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

7 *(A) meets current geopolitical challenges;*

8 *(B) fully accounts for Taiwan’s democratic*
 9 *status; and*

10 *(C) remains faithful to United States prin-*
 11 *ciples and values, consistent with the Taiwan*
 12 *Relations Act and the Six Assurances.*

13 **SEC. 102. TREATMENT OF THE GOVERNMENT IN TAIWAN.**

14 *(a) IN GENERAL.—The Secretary of State and other*
 15 *Federal departments and agencies shall—*

16 *(1) engage with the democratically-elected gov-*
 17 *ernment in Taiwan as the legitimate representative of*
 18 *the people of Taiwan; and*

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

21 *(b) NO RESTRICTIONS ON BILATERAL INTER-*
 22 *ACTIONS.—Notwithstanding the continued supporting role*
 23 *of the American Institute in Taiwan in carrying out*
 24 *United States foreign policy and protecting United States*
 25 *interests in Taiwan, the United States Government shall*

1 *not place any undue restrictions on the ability of officials*
 2 *of the Department of State or other Federal departments*
 3 *and agencies to interact directly and routinely with their*
 4 *counterparts in the government in Taiwan.*

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

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

8 (1) *the wearing of official uniforms;*

9 (2) *conducting government-hosted ceremonies or*
 10 *functions; and*

11 (3) *appearances on Department of State social*
 12 *media accounts promoting engagements with Taiwan.*

13 (b) *IN GENERAL.*—*Not later than 90 days after the*
 14 *date of the enactment of this Act, the Secretary of State*
 15 *shall rescind any contact guideline, internal restriction, sec-*
 16 *tion of the Foreign Affairs Manual or the Foreign Affairs*
 17 *Handbook, or related guidance or policies that, explicitly*
 18 *or implicitly, including through restrictions or limitations*
 19 *on activities of United States Government personnel, limits*
 20 *the ability of members of the armed forces of the Republic*
 21 *of China (Taiwan) and government representatives from the*
 22 *Taipei Economic and Cultural Representative Office to dis-*
 23 *play, for official purposes, symbols of Republic of China*
 24 *sovereignty, including—*

- 1 (1) *the flag of the Republic of China (Taiwan);*
 2 *and*
 3 (2) *the corresponding emblems or insignia of*
 4 *military units.*

5 **SEC. 104. SENSE OF CONGRESS ON DESIGNATION AND REF-**
 6 **ERENCES TO TAIWAN REPRESENTATIVE OF-**
 7 **FICE.**

8 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 9 *that the United States, consistent with the Taiwan Rela-*
 10 *tions Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and*
 11 *the Six Assurances should—*

- 12 (1) *provide the people of Taiwan with de facto*
 13 *diplomatic treatment equivalent to foreign countries,*
 14 *nations, states, governments, or similar entities; and*
 15 (2) *seek to enter into negotiations with the Tai-*
 16 *pei Economic and Cultural Representative Office to*
 17 *rename the “Taipei Economic and Cultural Rep-*
 18 *resentative Office” in the United States as the “Tai-*
 19 *wan Representative Office”.*

20 (b) *REFERENCES.*—*If the negotiations referred to in*
 21 *subsection (a)(2) are undertaken and result in the renaming*
 22 *of the Taipei Economic and Cultural Representative Office*
 23 *as the Taiwan Representative Office, any reference in a*
 24 *law, map, regulation, document, paper, or other record of*
 25 *the United States Government to the Taipei Economic and*

1 *Cultural Representative Office shall be deemed to be a ref-*
 2 *erence to the Taiwan Representative Office, including for*
 3 *all official purposes of the United States Government, all*
 4 *courts of the United States, and any proceedings by such*
 5 *Government or in such courts.*

6 ***TITLE II—IMPLEMENTATION OF***
 7 ***AN ENHANCED DEFENSE***
 8 ***PARTNERSHIP BETWEEN THE***
 9 ***UNITED STATES AND TAIWAN***

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

11 *(a) DECLARATION OF POLICY.—Section 2(b)(5) of the*
 12 *Taiwan Relations Act (22 U.S.C. 3301(b)(5)) is amended*
 13 *by inserting “and to implement a strategy to deny and*
 14 *deter acts of coercion or aggression by the People’s Libera-*
 15 *tion Army” after “to maintain a sufficient self-defense ca-*
 16 *pability”.*

17 *(b) PROVISION OF DEFENSE ARTICLES AND SERV-*
 18 *ICES.—Section 3(a) of the Taiwan Relations Act (22 U.S.C.*
 19 *3302(a)) is amended by inserting “and to implement a*
 20 *strategy to deny and deter acts of coercion or aggression*
 21 *by the People’s Liberation Army” after “to maintain a suf-*
 22 *ficient self-defense capability”.*

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

1 “(e) *RULE OF CONSTRUCTION.*—*Nothing in this Act,*
2 *nor the President’s action in extending diplomatic recogni-*
3 *tion to the People’s Republic of China, nor the absence of*
4 *diplomatic relations between the people of Taiwan and the*
5 *United States, and nor the lack of formal recognition of*
6 *Taiwan by the United States, and any related cir-*
7 *cumstances, may be construed to constitute a legal or prac-*
8 *tical obstacle to any otherwise lawful action of the President*
9 *or of any United States Government agency that is needed*
10 *to advance or protect United States interests pertaining to*
11 *Taiwan, including actions intended to strengthen security*
12 *cooperation between the United States and Taiwan or to*
13 *otherwise deter the use of force against Taiwan by the Peo-*
14 *ple’s Liberation Army.”.*

15 **SEC. 202. ANTICIPATORY PLANNING AND ANNUAL REVIEW**
16 **OF THE UNITED STATES’ STRATEGY TO**
17 **DETER THE USE OF FORCE BY THE PEOPLE’S**
18 **REPUBLIC OF CHINA TO CHANGE THE STA-**
19 **TUS QUO OF TAIWAN.**

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

23 (1) *conduct a classified review of the United*
24 *States strategy to deter the use of force by the People’s*

1 *Republic of China to change the status quo of Tai-*
2 *wan; and*

3 *(2) share the results of such review with the*
4 *Chairman and Ranking Member of the appropriate*
5 *committees of Congress.*

6 *(b) ELEMENTS.—The review conducted pursuant to*
7 *subsection (a) shall include—*

8 *(1) an assessment of Taiwan’s current and near-*
9 *term capabilities, United States force readiness, and*
10 *the adequacy of the United States’ strategy to deter*
11 *the use of force by the People’s Republic of China to*
12 *change the status quo of Taiwan;*

13 *(2) a detailed strategy of deterrence and denial*
14 *to defend Taiwan against aggression by the People’s*
15 *Liberation Army, including an effort to seize and*
16 *hold the island of Taiwan;*

17 *(3) a comprehensive assessment of risks to the*
18 *United States and United States’ interests, including*
19 *readiness shortfalls that pose strategic risk;*

20 *(4) a review of indicators of the near-term likeli-*
21 *hood of the use of force by the People’s Liberation*
22 *Army against Taiwan; and*

23 *(5) a list of military capabilities, including ca-*
24 *pabilities that enable a strategy of deterrence and de-*
25 *nial, that—*

1 (A) *would suit the operational environment*
 2 *and allow Taiwan to respond effectively to a va-*
 3 *riety of contingencies across all potential phases*
 4 *of conflict involving the People's Liberation*
 5 *Army; and*

6 (B) *would reduce the threat of conflict, deter*
 7 *the use of force by the People's Republic of*
 8 *China, thwart an invasion, and mitigate other*
 9 *risks to the United States and Taiwan.*

10 **SEC. 203. JOINT ASSESSMENT.**

11 (a) *IN GENERAL.*—*The Secretary of State, in consulta-*
 12 *tion with the Secretary of Defense, shall establish and main-*
 13 *tain a joint consultative mechanism with Taiwan that con-*
 14 *venes on a recurring basis—*

15 (1) *to develop a joint assessment of, and coordi-*
 16 *nate planning with respect to, the threats Taiwan*
 17 *faces from the People's Republic of China across the*
 18 *spectrum of possible military action; and*

19 (2) *to identify nonmaterial and material solu-*
 20 *tions to deter and, if necessary, defeat such threats.*

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

24 (1) *an integrated priorities list;*

1 (2) *relevant plans for acquisition and training*
 2 *for relevant nonmaterial and material solutions; and*
 3 (3) *other measures to appropriately prioritize*
 4 *the defense needs of Taiwan to maintain effective de-*
 5 *terrence across the spectrum of possible military ac-*
 6 *tion by the People's Republic of China.*

7 (c) *REPORT.—Not later than 180 days after the date*
 8 *of the enactment of this Act, and annually thereafter for*
 9 *the following 5 years, the Secretary of Defense, in consulta-*
 10 *tion with the Secretary of State, shall submit a report to*
 11 *the appropriate committees of Congress that describes the*
 12 *joint assessment developed pursuant to subsection (a)(1).*

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

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

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

1 (1) *APPROPRIATE CONGRESSIONAL COMMITTEES*
 2 *DEFINED.*—*In this subsection, the term “appropriate*
 3 *congressional committees” means—*

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

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

8 (2) *IN GENERAL.*—*Not later than 180 days after*
 9 *the date of the enactment of this Act, and annually*
 10 *thereafter for 7 years, the Secretary of State and the*
 11 *Secretary of Defense shall jointly submit a report to*
 12 *the appropriate congressional committees that de-*
 13 *scribes steps taken to enhance the United States-Tai-*
 14 *wan defense relationship and Taiwan’s modernization*
 15 *of its-defense capabilities.*

16 (3) *MATTERS TO BE INCLUDED.*—*Each report re-*
 17 *quired under paragraph (2) shall include—*

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

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

4 *(i) long-range precision fires;*

5 *(ii) integrated air and missile defense*
6 *systems;*

7 *(iii) anti-ship cruise missiles;*

8 *(iv) land-attack cruise missiles;*

9 *(v) coastal defense;*

10 *(vi) anti-armor;*

11 *(vii) undersea warfare;*

12 *(viii) survivable swarming maritime*
13 *assets;*

14 *(ix) manned and unmanned aerial sys-*
15 *tems;*

16 *(x) mining and countermining capa-*
17 *bilities;*

18 *(xi) intelligence, surveillance, and re-*
19 *connnaissance capabilities;*

20 *(xii) command and control systems;*
21 *and*

22 *(xiii) any other defense capabilities*
23 *that the United States and Taiwan jointly*
24 *determine are crucial to the defense of Tai-*

1 *wan, in accordance with the process devel-*
2 *oped pursuant to section 203(a);*

3 *(C) an evaluation of the balance between*
4 *conventional and counter intervention capabili-*
5 *ties in the defense force of Taiwan as of the date*
6 *on which the report is submitted;*

7 *(D) an assessment of steps taken by Taiwan*
8 *to enhance the overall readiness of its defense*
9 *forces, including—*

10 *(i) the extent to which Taiwan is re-*
11 *quiring and providing regular and relevant*
12 *training to such forces;*

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

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

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

22 *(F) an evaluation of—*

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

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

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

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

10 (H) an assessment of the efforts made by
11 Taiwan to secure its critical infrastructure, in-
12 cluding in transportation, telecommunications
13 networks, and energy;

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

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

22 (K) a description of cooperative efforts be-
23 tween the United States and Taiwan on the mat-
24 ters described in subparagraphs (A) through (J);
25 and

1 (L) a description of any resistance within
2 the government in Taiwan and the military
3 leadership of Taiwan to—

4 (i) implementing the matters described
5 in subparagraphs (A) through (I); or

6 (ii) United States' support or engage-
7 ment with regard to such matters.

8 (4) *FORM.*—The report required under para-
9 graph (2) shall be submitted in classified form, but
10 shall include a detailed unclassified summary.

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

15 (c) *AUTHORITY TO PROVIDE ASSISTANCE.*—The Sec-
16 retary of State, in consultation with the Secretary of De-
17 fense, shall use amounts authorized pursuant to subsection
18 (i) to provide assistance to the government in Taiwan to
19 achieve the purpose described in subsection (d).

20 (d) *PURPOSE.*—In addition to the purposes otherwise
21 authorized for Foreign Military Financing programs under
22 the Arms Export Control Act (22 U.S.C. 2751 et seq.), the
23 purpose of the Foreign Military Financing Program shall
24 be to provide assistance, including equipment, training,

1 *and other support, to enable the Government and military*
 2 *of Taiwan—*

3 *(1) to accelerate the modernization of defense ca-*
 4 *pabilities that will enable Taiwan to delay, degrade,*
 5 *and deny attempts by People’s Liberation Army*
 6 *forces—*

7 *(A) to conduct coercive or grey zone activi-*
 8 *ties;*

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

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

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

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

1 (f) *AVAILABILITY OF FUNDS.*—

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

10 (2) *CERTIFICATION.*—Amounts authorized to be
11 appropriated for each fiscal year pursuant to sub-
12 section (i) shall be made available for the purpose de-
13 scribed in such subsection after the Secretary of State
14 certifies to the appropriate committees of Congress
15 that Taiwan has increased its defense spending rel-
16 ative to Taiwan’s defense spending in its prior fiscal
17 year, excepting accounts in Taiwan’s defense budget
18 related to personnel expenditures, (other than mili-
19 tary training and education and any funding related
20 to the All-Out Defense Mobilization Agency).

21 (3) *REMAINING FUNDS.*—

22 (A) *IN GENERAL.*—Subject to subparagraph
23 (B), amounts authorized to be appropriated for
24 a fiscal year pursuant to subsection (i) that are
25 not obligated and expended during such fiscal

1 *year shall be added to the amount that may be*
2 *used for Foreign Military Financing to Taiwan*
3 *in the subsequent fiscal year.*

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

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

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

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

21 (B) *defense services.*

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

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

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

5 *(1) DIRECT LOANS.—*

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

12 *(B) MAXIMUM OBLIGATIONS.—Gross obliga-*
 13 *tions for the principal amounts of loans author-*
 14 *ized under subparagraph (A) may not exceed*
 15 *\$2,000,000,000.*

16 *(C) SOURCE OF FUNDS.—*

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

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

23 *(II) shall include the cost of modi-*
 24 *fying a loan authorized under sub-*
 25 *paragraph (A); and*

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

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

10 (D) *FEES AUTHORIZED.*—

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

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

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

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

3 *(F) INTEREST.—*

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

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

19 *(2) LOAN GUARANTEES.—*

20 *(A) IN GENERAL.—Amounts authorized to*
 21 *be appropriated pursuant to subsection (i) may*
 22 *be made available for the costs of loan guarantees*
 23 *for Taiwan under section 24 of the Arms Export*
 24 *Control Act (22 U.S.C. 2764) for Taiwan to sub-*
 25 *sidize gross obligations for the principal amount*

1 *of commercial loans and total loan principal,*
2 *any part of which may be guaranteed, not to ex-*
3 *ceed \$2,000,000,000.*

4 *(B) MAXIMUM AMOUNTS.—A loan guarantee*
5 *authorized under subparagraph (A)—*

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

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

11 *(C) SUBORDINATION.—Any loan guaranteed*
12 *pursuant to subparagraph (A) may not be subor-*
13 *minated to—*

14 *(i) another debt contracted by the bor-*
15 *rower; or*

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

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

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

paragraph (A), which shall be collected 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 GUARANTEES.—

Amounts made available under this paragraph for the costs of loan guarantees authorized 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 appropriate committees of Congress.

(i) AUTHORIZATION OF APPROPRIATIONS.—

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

(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;

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

2 and

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

4 (2) *TRAINING AND EDUCATION.*—Of the amounts
5 authorized to be appropriated under paragraph (1),
6 the Secretary of State shall use not less than
7 \$2,000,000 per fiscal year for 1 or more blanket order
8 Foreign Military Financing training programs re-
9 lated to the defense needs of Taiwan.

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

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

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

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

24 (2) to ensure close consultation among represent-
25 atives of Taiwan, Congress, industry, and the Execu-

1 *tive branch about requests referred to in paragraph*
2 *(1) and the needs of Taiwan before Taiwan submits*
3 *formal requests for such purchases.*

4 *(b) REPORTING REQUIREMENT.—Not later than 45*
5 *days after the date of the enactment of this Act, the Sec-*
6 *retary of State and the Secretary of Defense shall jointly*
7 *submit to the appropriate committees of Congress—*

8 *(1) a list of categories of counter intervention ca-*
9 *pabilities and a justification for each such category;*
10 *and*

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

17 *(A) the evolution of defense technologies;*

18 *(B) the identification of new concepts of op-*
19 *eration or ways to employ certain capabilities;*
20 *and*

21 *(C) other factors that might change assess-*
22 *ments by the United States and Taiwan of what*
23 *constitutes counter intervention capabilities.*

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

1 **SEC. 206. COMPREHENSIVE TRAINING PROGRAM.**

2 (a) *IN GENERAL.*—*The Secretary of State and the Sec-*
3 *retary of Defense shall establish or expand a comprehensive*
4 *training program with Taiwan designed to—*

5 (1) *achieve interoperability;*

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

8 (3) *improve Taiwan’s defense capabilities.*

9 (b) *ELEMENTS.*—*The training program should*
10 *prioritize relevant and realistic training, including as nec-*
11 *essary joint United States-Taiwan contingency tabletop ex-*
12 *ercises, war games, full-scale military exercises, and an en-*
13 *during rotational United States military presence that as-*
14 *sists Taiwan in maintaining force readiness and utilizing*
15 *United States defense articles and services transferred from*
16 *the United States to Taiwan.*

17 (c) *ANNUAL REPORT.*—*Not later than 90 days after*
18 *the date of the enactment of this Act, and annually there-*
19 *after for the following 5 years, the Secretary of State, in*
20 *consultation with the Secretary of Defense, shall submit to*
21 *the appropriate committees of Congress a classified report*
22 *that describes all training provided to the armed forces of*
23 *Taiwan in the prior fiscal year, including a description*
24 *of how such training—*

25 (1) *achieved greater interoperability;*

1 (2) *familiarized the militaries of the United*
 2 *States and Taiwan with each other; and*

3 (3) *improved Taiwan's defense capabilities.*

4 **SEC. 207. ASSESSMENT OF TAIWAN'S NEEDS FOR CIVILIAN**
 5 **DEFENSE AND RESILIENCE.**

6 (a) *ASSESSMENT REQUIRED.*—*Not later than 120*
 7 *days after the date of enactment of this Act, the Secretary*
 8 *of State and the Secretary of Defense, in coordination with*
 9 *the Director of National Intelligence and other cabinet Sec-*
 10 *retaries, as appropriate, shall submit a written assessment,*
 11 *with a classified annex, of Taiwan's needs in the areas of*
 12 *civilian defense and resilience to the appropriate commit-*
 13 *tees of Congress, the Select Committee on Intelligence of the*
 14 *Senate, and the Permanent Select Committee on Intel-*
 15 *ligence of the House of Representatives.*

16 (b) *MATTERS TO BE INCLUDED.*—*The assessment re-*
 17 *quired under subsection (a) shall—*

18 (1) *analyze the potential role of Taiwan's public*
 19 *and civilian assets in defending against various sce-*
 20 *narios for foreign militaries to coerce or conduct mili-*
 21 *tary aggression against Taiwan;*

22 (2) *carefully analyze Taiwan's needs for enhanc-*
 23 *ing its defensive capabilities through the support of*
 24 *civilians and civilian sectors, including—*

1 (A) *greater utilization of Taiwan's high*
2 *tech labor force;*

3 (B) *the creation of clear structures and lo-*
4 *gistics support for civilian defense role alloca-*
5 *tion;*

6 (C) *recruitment and skills training for Tai-*
7 *wan's defense and civilian sectors;*

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

11 (E) *other defense and resilience needs and*
12 *considerations at the provincial, city, and neigh-*
13 *borhood levels;*

14 (3) *analyze Taiwan's needs for enhancing resil-*
15 *ency among its people and in key economic sectors;*

16 (4) *identify opportunities for Taiwan to enhance*
17 *communications at all levels to strengthen trust and*
18 *understanding between the military, other government*
19 *departments, civilian agencies and the general public,*
20 *including—*

21 (A) *communications infrastructure nec-*
22 *essary to ensure reliable communications in re-*
23 *sponse to a conflict or crisis; and*

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

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

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

13 (d) *AUTHORIZATION OF APPROPRIATIONS.*—

14 (1) *IN GENERAL.*—There is authorized to be ap-
 15 propriated to complete the assessment required under
 16 subsection (a) —

17 (A) \$500,000 for the Department of State;
 18 and

19 (B) \$500,000 for the Department of Defense.

20 (2) *TRANSFER AUTHORITY.*—The Secretary of
 21 State and the Secretary of Defense are authorized to
 22 transfer any funds appropriated to their respective
 23 departments pursuant to paragraph (1) to the Direc-
 24 tor of National Intelligence for the purposes of facili-

1 *tating the contributions of the intelligence community*
 2 *to the assessment required under subsection (a).*

3 **SEC. 208. PRIORITIZING EXCESS DEFENSE ARTICLE TRANS-**
 4 **FERS FOR TAIWAN.**

5 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*
 6 *that the United States Government should appropriately*
 7 *prioritize the review of excess defense article transfers to*
 8 *Taiwan.*

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

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

14 (2) *submit a report to the appropriate commit-*
 15 *tees of Congress that describes such plan.*

16 (c) *REQUIRED COORDINATION.*—*The United States*
 17 *Government shall coordinate and align excess defense article*
 18 *transfers with capacity building efforts of Taiwan.*

19 (d) *TRANSFER AUTHORITY.*—

20 (1) *IN GENERAL.*—*Section 516(c)(2) of the For-*
 21 *ign Assistance Act of 1961 (22 U.S.C. 2321j(c)(2)) is*
 22 *amended by striking “and to the Philippines” and in-*
 23 *serting “, to the Philippines, and to Taiwan”.*

24 (2) *TREATMENT OF TAIWAN.*—*With respect to the*
 25 *transfer of excess defense articles under section*

1 516(c)(2) of the Foreign Assistance Act of 1961, as
 2 amended by paragraph (1), Taiwan shall receive the
 3 same benefits as the other countries referred to in such
 4 section.

5 **SEC. 209. FAST-TRACKING SALES TO TAIWAN UNDER FOR-**
 6 **EIGN MILITARY SALES PROGRAM.**

7 (a) *PRECLEARANCE OF CERTAIN FOREIGN MILITARY*
 8 *SALES ITEMS.*—

9 (1) *IN GENERAL.*—Not later than one year after
 10 the date of the enactment of this Act, and annually
 11 thereafter, the Secretary of State, in coordination
 12 with the Secretary of Defense and in conjunction with
 13 coordinating entities such as the National Disclosure
 14 Policy Committee and the Arms Transfer and Tech-
 15 nology Release Senior Steering Group, shall compile
 16 a list of available and emerging military platforms,
 17 technologies, and equipment that are pre-cleared and
 18 prioritized for sale and release to Taiwan through the
 19 Foreign Military Sales program.

20 (2) *SELECTION OF ITEMS.*—

21 (A) *IN GENERAL.*—The items pre-cleared for
 22 sale pursuant to paragraph (1) shall represent a
 23 full range of capabilities required to implement
 24 a strategy of denial informed by United States
 25 readiness and risk assessments and determined

1 *by Taiwan to be required for various wartime*
2 *scenarios and peacetime duties.*

3 (B) *RULE OF CONSTRUCTION.—The list*
4 *compiled pursuant to paragraph (1) shall not be*
5 *construed as limiting the type, timing, or quan-*
6 *tity of items that may be requested by, or sold*
7 *to, Taiwan under the Foreign Military Sales*
8 *program.*

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

16 (b) *PRIORITIZED PROCESSING OF FOREIGN MILITARY*
17 *SALES REQUESTS FROM TAIWAN.—*

18 (1) *REQUIREMENT.—The Secretary of State and*
19 *the Secretary of Defense shall prioritize and expedite*
20 *the processing of requests from Taiwan under the For-*
21 *eign Military Sales program, and may not delay the*
22 *processing of requests for bundling purposes.*

23 (2) *DURATION.—The requirement under para-*
24 *graph (1) shall continue until the Secretary of State*
25 *determines and certifies to the Committee on Foreign*

1 *Relations of the Senate and the Committee on Foreign*
2 *Affairs of the House of Representatives that the threat*
3 *to Taiwan has significantly abated.*

4 *(c) PRIORITY PRODUCTION.—*

5 *(1) IN GENERAL.—Contractors awarded Depart-*
6 *ment of Defense contracts to provide items for sale to*
7 *Taiwan under the Foreign Military Sales program*
8 *should expedite and prioritize the production of such*
9 *items above the production of other items.*

10 *(2) ANNUAL REPORT.—Not later than 180 days*
11 *after the date of the enactment of this Act, and annu-*
12 *ally thereafter for 10 years, the Secretary of State and*
13 *the Secretary of Defense shall jointly submit to the*
14 *Committee on Foreign Relations and the Committee*
15 *on Armed Services of the Senate and the Committee*
16 *on Foreign Affairs and the Committee on Armed*
17 *Services of the House of Representatives a report de-*
18 *scribing what actions the Department of State and*
19 *the Department of Defense have taken or are planning*
20 *to take to prioritize Taiwan's Foreign Military Sales*
21 *cases, and current procedures or mechanisms for de-*
22 *termining that a Foreign Military Sales case for Tai-*
23 *wan should be prioritized above a sale to another*
24 *country of the same or similar item.*

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

6 **SEC. 210. WHOLE-OF-GOVERNMENT DETERRENCE MEAS-**
 7 **URES TO RESPOND TO THE PEOPLE’S REPUB-**
 8 **LIC OF CHINA’S FORCE AGAINST TAIWAN.**

9 (a) *WHOLE-OF-GOVERNMENT REVIEW.*—*Not later than*
 10 *14 days after the date of the enactment of this Act, the*
 11 *President shall convene the heads of all relevant Federal de-*
 12 *partments and agencies to conduct a whole-of-government*
 13 *review of all available economic, diplomatic, and other stra-*
 14 *tegic measures to deter the use of force by the People’s Re-*
 15 *public of China to change the status quo of Taiwan.*

16 (b) *BRIEFING REQUIRED.*—*Not later than 180 days*
 17 *after the date of the enactment of this Act, and annually*
 18 *thereafter for the following 5 years, the Secretary of State,*
 19 *the Secretary of the Treasury, the Secretary of Defense, the*
 20 *Secretary of Commerce, the Director of National Intel-*
 21 *ligence, and any other relevant heads of Federal depart-*
 22 *ments and agencies shall provide a detailed briefing to the*
 23 *appropriate committees of Congress regarding—*

24 (1) *all available economic, diplomatic, and other*
 25 *strategic measures to deter the use of force by the Peo-*

1 *ple's Republic of China, including coercion, grey-zone*
 2 *tactics, assertions, shows of force, quarantines, embar-*
 3 *goes, or other measures to change the status quo of*
 4 *Taiwan;*

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

8 *(3) progress to date of all coordination efforts be-*
 9 *tween the United States Government and its allies*
 10 *and partners with respect to deterring the use of force*
 11 *to change the status quo of Taiwan.*

12 *(c) COORDINATED CONSEQUENCES WITH ALLIES AND*
 13 *PARTNERS.—The Secretary of State shall—*

14 *(1) coordinate with United States allies and*
 15 *partners to identify and develop significant economic,*
 16 *diplomatic, and other measures to deter the use of*
 17 *force by the People's Republic of China to change the*
 18 *status quo of Taiwan; and*

19 *(2) announce, in advance, the severe con-*
 20 *sequences that would take effect immediately after the*
 21 *People's Republic of China engaged in any such use*
 22 *of force.*

23 *(d) ASSIGNMENTS FOR DEFENSE ATTACHÉS.—The*
 24 *Secretary of State shall work with the Secretary of Defense*
 25 *to post resident Defense attachés in the Indo-Pacific region,*

1 *particularly in locations where the People’s Republic of*
 2 *China has a resident military attaché and the United*
 3 *States does not have a comparable position.*

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

6 **SEC. 211. INCREASE IN ANNUAL REGIONAL CONTINGENCY**
 7 **STOCKPILE ADDITIONS AND SUPPORT FOR**
 8 **TAIWAN.**

9 *(a) IN GENERAL.—Section 514(b)(2)(A) of the Foreign*
 10 *Assistance Act of 1961 (22 U.S.C. 2321j(b)(2)(A)) is*
 11 *amended by striking “\$200,000,000” and all that follows*
 12 *and inserting “\$500,000,000 for any of the fiscal years*
 13 *2023, 2024, or 2025.”.*

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

18 *(c) INCLUSION OF TAIWAN AMONG OTHER ALLIES EL-*
 19 *IGIBLE FOR DEFENSE ARTICLES.—Chapter 2 of part II of*
 20 *the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.)*
 21 *is amended—*

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

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

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

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

12 *Notwithstanding any other provision of law, Taiwan*
 13 *shall be treated as though it were designated a major non-*
 14 *NATO ally, as defined in section 644(q) of the Foreign As-*
 15 *sistance Act of 1961 (22 U.S.C. 2403(q) et seq.), for the pur-*
 16 *poses of the transfer or possible transfer of defense articles*
 17 *or defense services under the Arms Export Control Act (22*
 18 *U.S.C. 2751 et seq.), section 2350a of title 10, United States*
 19 *Code, the Foreign Assistance Act of 1961 (22 U.S.C. 2151*
 20 *et seq.), or any other provision of law.*

21 **SEC. 213. USE OF PRESIDENTIAL DRAWDOWN AUTHORITY**
 22 **TO PROVIDE SECURITY ASSISTANCE TO TAI-**
 23 **WAN.**

24 *It is the sense of Congress that the President should*
 25 *use the presidential drawdown authority under sections*

1 506(a) and 552(c) of the Foreign Assistance Act of 1961
 2 (22 U.S.C. 2318(a) and 2348a(c)) to provide security as-
 3 sistance and other necessary commodities and services to
 4 Taiwan in support of Taiwan's self-defense.

5 **SEC. 214. INTERNATIONAL MILITARY EDUCATION AND**
 6 **TRAINING COOPERATION WITH TAIWAN.**

7 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
 8 that—

9 (1) *International Military Education and*
 10 *Training (IMET) is a critical component of United*
 11 *States security assistance that promotes improved ca-*
 12 *pabilities of the military forces of allied and friendly*
 13 *countries and closer cooperation between the United*
 14 *States Armed Forces and such military forces;*

15 (2) *it is in the national interest of the United*
 16 *States and consistent with the Taiwan Relations Act*
 17 *(Public Law 96–8; 22 U.S.C. 3301 et seq.) to further*
 18 *strengthen the military forces of Taiwan, particu-*
 19 *larly—*

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

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

24 (3) *the government in Taiwan—*

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

4 (B) should encourage eligible officers and ci-
5 vilian leaders of Taiwan to participate in such
6 training program and promote successful grad-
7 uates to positions of prominence in the military
8 forces of Taiwan.

9 (b) AUTHORIZATION OF PARTICIPATION OF TAIWAN IN
10 THE INTERNATIONAL MILITARY EDUCATION AND TRAINING
11 PROGRAM.—Taiwan is authorized to participate in the
12 International Military Education and Training program
13 for the following purposes:

14 (1) To train future leaders of Taiwan.

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

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

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

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

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

4 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
5 *that—*

6 (1) *prioritizing the defense needs of United*
7 *States allies and partners in the Indo-Pacific is a na-*
8 *tional security priority; and*

9 (2) *sustained support to key Indo-Pacific part-*
10 *ners for interoperable defense systems is critical to*
11 *preserve—*

12 (A) *the safety and security of American per-*
13 *sons;*

14 (B) *the free flow of commerce through inter-*
15 *national trade routes;*

16 (C) *the United States commitment to collec-*
17 *tive security agreements, territorial integrity,*
18 *and recognized maritime boundaries;*

19 (D) *United States values regarding democ-*
20 *racy and commitment to maintaining a free and*
21 *open Indo-Pacific; and*

22 (E) *Taiwan’s defense capability.*

23 (b) *REPORT REQUIRED.—Not later than March 1,*
24 *2023, and annually thereafter for a period of five years,*
25 *the Secretary of State, with the concurrence of the Secretary*
26 *of Defense, shall transmit to the appropriate committees of*

1 Congress a report with respect to the transfer of all defense
 2 articles or defense services that have yet to be completed
 3 pursuant to the authorities provided by—

4 (1) section 3, 21, or 36 of the Arms Export Con-
 5 trol Act (22 U.S.C. 2753, 2761, or 2776); or

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

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

10 (1) A list of all approved transfers of defense ar-
 11 ticles and services authorized by Congress pursuant to
 12 sections 25 and 36 of the Arms Export Control Act
 13 (22 U.S.C. 2765, 2776) with a total value of
 14 \$25,000,000 or more, to Taiwan, Japan, South
 15 Korea, Australia, or New Zealand, that have not been
 16 fully delivered by the start of the fiscal year in which
 17 the report is being submitted.

18 (2) The estimated start and end dates of delivery
 19 for each approved and incomplete transfer listed pur-
 20 suant to paragraph (1), including additional details
 21 and dates for any transfers that involve multiple
 22 tranches of deliveries.

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

1 (A) any changes in the delivery dates of de-
2 fense articles or services relative to the dates an-
3 ticipated at the time of congressional approval of
4 the transfer, including specific reasons for any
5 delays related to the United States Government,
6 defense suppliers, or a foreign partner;

7 (B) the feasibility and advisability of pro-
8 viding the partner subject to such delayed deliv-
9 ery with an interim capability or solution, in-
10 cluding drawing from United States stocks, and
11 the mechanisms under consideration for doing so
12 as well as any challenges to implementing such
13 a capability or solution;

14 (C) authorities, appropriations, or waiver
15 requests that Congress could provide to improve
16 delivery timelines or authorize the provision of
17 interim capabilities or solutions identified pur-
18 suant to subparagraph (B); and

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

22 (4) A description of ongoing interagency efforts
23 to support attainment of operational capability of the
24 corresponding defense articles and services once deliv-
25 ered, including advance training with United States

1 *or armed forces of partner countries on the systems to*
2 *be received. The description of any such training shall*
3 *also include an identification of the training imple-*
4 *menter.*

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

8 *(A) the case information for such transfer,*
9 *including the date of congressional notification,*
10 *delivery date of the Letter of Offer and Accept-*
11 *ance (LOA), final signature of the LOA, and in-*
12 *formation pertaining to delays in delivering*
13 *LOAs for signature;*

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

16 *(C) the impact this termination will have*
17 *on the intended end-user and the consequent im-*
18 *plications for regional security, including the*
19 *impact on deterrence of military action by coun-*
20 *tries hostile to the United States, the military*
21 *balance in the Taiwan Strait, and other factors.*

22 *(6) A separate description of the actions the*
23 *United States is taking to expedite deliveries of de-*
24 *fense articles and services to Taiwan, including in*
25 *particular, whether the United States intends to di-*

1 *vert defense articles from United States stocks to pro-*
 2 *vide an interim capability or solution with respect to*
 3 *any delayed deliveries to Taiwan and the plan, if ap-*
 4 *plicable, to replenish any such diverted stocks.*

5 *(7) A description of other potential actions al-*
 6 *ready undertaken by or currently under consideration*
 7 *by the Department of State and the Department of*
 8 *Defense to improve delivery timelines for the transfers*
 9 *listed pursuant to paragraph (1).*

10 *(d) APPROPRIATE COMMITTEES OF CONGRESS DE-*
 11 *FINED.—In this section, the term “appropriate committees*
 12 *of Congress” means—*

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

15 *(2) the Committee on Foreign Affairs and the*
 16 *Committee on Armed Services of the House of Rep-*
 17 *resentatives.*

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

1 **TITLE III—COUNTERING PEO-**
 2 **PLE’S REPUBLIC OF CHINA’S**
 3 **COERCION AND INFLUENCE**
 4 **CAMPAIGNS**

5 **SEC. 301. STRATEGY TO RESPOND TO INFLUENCE AND IN-**
 6 **FORMATION OPERATIONS TARGETING TAI-**
 7 **WAN.**

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

12 *(1) covert, coercive, and corrupting activities*
 13 *carried out to advance the Chinese Communist Par-*
 14 *ty’s “United Front” work, including activities di-*
 15 *rected, coordinated, or otherwise supported by the*
 16 *United Front Work Department or its subordinate or*
 17 *affiliated entities; and*

18 *(2) information and disinformation campaigns,*
 19 *cyber attacks, and nontraditional propaganda meas-*
 20 *ures supported by the Government of the People’s Re-*
 21 *public of China and the Chinese Communist Party*
 22 *that are directed toward persons or entities in Tai-*
 23 *wan.*

24 *(b) ELEMENTS.—The strategy required under sub-*
 25 *section (a) shall include descriptions of—*

1 (1) *the proposed response to propaganda and*
2 *disinformation campaigns by the People's Republic of*
3 *China and cyber-intrusions targeting Taiwan, includ-*
4 *ing—*

5 (A) *assistance in building the capacity of*
6 *the government in Taiwan and private-sector en-*
7 *tities to document and expose propaganda and*
8 *disinformation supported by the Government of*
9 *the People's Republic of China, the Chinese Com-*
10 *munist Party, or affiliated entities;*

11 (B) *assistance to enhance the government in*
12 *Taiwan's ability to develop a whole-of-govern-*
13 *ment strategy to respond to sharp power oper-*
14 *ations, including election interference; and*

15 (C) *media training for Taiwan officials and*
16 *other Taiwan entities targeted by disinformation*
17 *campaigns;*

18 (2) *the proposed response to political influence*
19 *operations that includes an assessment of the extent*
20 *of influence exerted by the Government of the People's*
21 *Republic of China and the Chinese Communist Party*
22 *in Taiwan on local political parties, financial insti-*
23 *tutions, media organizations, and other entities;*

1 (3) support for exchanges and other technical as-
 2 sistance to strengthen the Taiwan legal system's abil-
 3 ity to respond to sharp power operations;

4 (4) the establishment of a coordinated partner-
 5 ship, through the American Institute in Taiwan's
 6 Global Cooperation and Training Framework, with
 7 like-minded governments to share data and best prac-
 8 tices with the government in Taiwan regarding ways
 9 to address sharp power operations supported by the
 10 Government of the People's Republic of China and the
 11 Chinese Communist Party; and

12 (5) programs carried out by the Global Engage-
 13 ment Center to expose misinformation and
 14 disinformation in the Chinese Communist Party's
 15 propaganda.

16 **SEC. 302. STRATEGY TO COUNTER ECONOMIC COERCION BY**
 17 **THE PEOPLE'S REPUBLIC OF CHINA TAR-**
 18 **GETING COUNTRIES AND ENTITIES THAT**
 19 **SUPPORT TAIWAN.**

20 (a) *IN GENERAL.*—Not later than 90 days after the
 21 date of the enactment of this Act, and every 180 days there-
 22 after for the following 5 years, the Secretary of State shall
 23 submit to the appropriate committees of Congress a descrip-
 24 tion of the strategy being used by the Department of State
 25 to respond to the Government of the People's Republic of

1 *China's increased economic coercion against countries*
 2 *which have strengthened their ties with, or support for, Tai-*
 3 *wan.*

4 **(b) ASSISTANCE FOR COUNTRIES AND ENTITIES TAR-**
 5 **GETED BY THE PEOPLE'S REPUBLIC OF CHINA FOR ECO-**
 6 **NOMIC COERCION.**—*The Department of State, the United*
 7 *States Agency for International Development, the United*
 8 *States International Development Finance Corporation, the*
 9 *Department of Commerce and the Department of the Treas-*
 10 *ury shall provide appropriate assistance to countries and*
 11 *entities that are subject to coercive economic practices by*
 12 *the People's Republic of China.*

13 **SEC. 303. CHINA CENSORSHIP MONITOR AND ACTION**
 14 **GROUP.**

15 **(a) DEFINITIONS.**—*In this section:*

16 **(1) APPROPRIATE CONGRESSIONAL COMMIT-**
 17 **TEES.**—*The term “appropriate congressional commit-*
 18 *tees” means—*

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

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

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

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

4 (B) has appropriate expertise and analyt-
 5 ical capability to write the report required under
 6 subsection (c); and

7 (C) is free from any financial, commercial,
 8 or other entanglements, which could undermine
 9 the independence of such report or create a con-
 10 flict of interest or the appearance of a conflict of
 11 interest, with—

12 (i) the Government of the People’s Re-
 13 public of China;

14 (ii) the Chinese Communist Party;

15 (iii) any company incorporated in the
 16 People’s Republic of China or a subsidiary
 17 of such company; or

18 (iv) any company or entity incor-
 19 porated outside of the People’s Republic of
 20 China that is believed to have a substantial
 21 financial or commercial interest in the Peo-
 22 ple’s Republic of China.

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

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

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

8 (b) CHINA CENSORSHIP MONITOR AND ACTION
 9 GROUP.—

10 (1) IN GENERAL.—The President shall establish
 11 an interagency task force, which shall be known as the
 12 “China Censorship Monitor and Action Group” (re-
 13 ferred to in this subsection as the “Task Force”).

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

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

20 (B) Appoint the vice chair of the Task
 21 Force from among the staff of the National Eco-
 22 nomic Council.

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

- 1 (i) *The Department of State.*
- 2 (ii) *The Department of Commerce.*
- 3 (iii) *The Department of the Treasury.*
- 4 (iv) *The Department of Justice.*
- 5 (v) *The Office of the United States*
- 6 *Trade Representative.*
- 7 (vi) *The Office of the Director of Na-*
- 8 *tional Intelligence, and other appropriate*
- 9 *elements of the intelligence community (as*
- 10 *defined in section 3 of the National Secu-*
- 11 *rity Act of 1947 (50 U.S.C. 3003)).*
- 12 (vii) *The Federal Communications*
- 13 *Commission.*
- 14 (viii) *The United States Agency for*
- 15 *Global Media.*
- 16 (ix) *Other agencies designated by the*
- 17 *President.*

18 (3) *RESPONSIBILITIES.—The Task Force shall—*

19 (A) *oversee the development and execution of*

20 *an integrated Federal Government strategy to*

21 *monitor and address the impacts of efforts di-*

22 *rected, or directly supported, by the Government*

23 *of the People’s Republic of China to censor or in-*

24 *timidate, in the United States or in any of its*

25 *possessions or territories, any United States per-*

son, 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.

1 (6) *REPORTING REQUIREMENTS.*—

2 (A) *ANNUAL REPORT.*—*The Task Force*
3 *shall submit an annual report to the appropriate*
4 *congressional committees that describes, with re-*
5 *spect to the reporting period—*

6 (i) *the strategic objectives and policies*
7 *pursued by the Task Force to address the*
8 *challenges of censorship and intimidation of*
9 *United States persons while in the United*
10 *States or any of its possessions or terri-*
11 *tories, which is directed or directly sup-*
12 *ported by the Government of the People's*
13 *Republic of China;*

14 (ii) *the activities conducted by the*
15 *Task Force in support of the strategic objec-*
16 *tives and policies referred to in clause (i);*
17 *and*

18 (iii) *the results of the activities referred*
19 *to in clause (ii) and the impact of such ac-*
20 *tivities on the national interests of the*
21 *United States.*

22 (B) *FORM OF REPORT.*—*Each report sub-*
23 *mitted pursuant to subparagraph (A) shall be*
24 *unclassified, but may include a classified annex.*

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

8 (c) REPORT ON CENSORSHIP AND INTIMIDATION OF
 9 UNITED STATES PERSONS BY THE GOVERNMENT OF THE
 10 PEOPLE’S REPUBLIC OF CHINA.—

11 (1) REPORT.—

12 (A) IN GENERAL.—Not later than 90 days
 13 after the date of the enactment of this Act, the
 14 Secretary of State shall select and seek to enter
 15 into an agreement with a qualified research enti-
 16 ty that is independent of the Department of
 17 State to write a report on censorship and in-
 18 timidation in the United States and its posses-
 19 sions and territories of United States persons,
 20 including United States companies that conduct
 21 business in the People’s Republic of China, which
 22 is directed or directly supported by the Govern-
 23 ment of the People’s Republic of China.

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

1 (i) assess major trends, patterns, and
 2 methods of the Government of the People's
 3 Republic of China's efforts to direct or di-
 4 rectly support censorship and intimidation
 5 of United States persons, including United
 6 States companies that conduct business in
 7 the People's Republic of China, which are
 8 exercising their right to freedom of speech;

9 (ii) assess, including through the use of
 10 illustrative examples, as appropriate, the
 11 impact on and consequences for United
 12 States persons, including United States
 13 companies that conduct business in the Peo-
 14 ple's Republic of China, that criticize—

15 (I) the Chinese Communist Party;

16 (II) the Government of the Peo-
 17 ple's Republic of China;

18 (III) the authoritarian model of
 19 government of the People's Republic of
 20 China; or

21 (IV) a particular policy advanced
 22 by the Chinese Communist Party or
 23 the Government of the People's Repub-
 24 lic of China;

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

4 (iv) assess the methods and evaluate
5 the efficacy of the efforts by the Government
6 of the People's Republic of China to limit
7 freedom of expression in the private sector,
8 including media, social media, film, edu-
9 cation, travel, financial services, sports and
10 entertainment, technology, telecommuni-
11 cation, and internet infrastructure interests;

12 (v) include policy recommendations for
13 the United States Government, including
14 recommendations regarding collaboration
15 with United States allies and partners, to
16 address censorship and intimidation by the
17 Government of the People's Republic of
18 China; and

19 (vi) include policy recommendations
20 for United States persons, including United
21 States companies that conduct business in
22 China, to address censorship and intimidati-
23 on by the Government of the People's Re-
24 public of China.

1 (C) *APPLICABILITY TO UNITED STATES AL-*
2 *LIES AND PARTNERS.*—*To the extent practicable,*
3 *the report required under subparagraph (A)*
4 *should identify implications and policy rec-*
5 *ommendations that are relevant to United States*
6 *allies and partners facing censorship and intimi-*
7 *dation directed or directly supported by the Gov-*
8 *ernment of the People’s Republic of China.*

9 (2) *SUBMISSION OF REPORT.*—

10 (A) *IN GENERAL.*—*Not later than 1 year*
11 *after the date of the enactment of this Act, the*
12 *Secretary of State shall submit the report writ-*
13 *ten by the qualified research entity selected pur-*
14 *suant to paragraph (1)(A) to the appropriate*
15 *congressional committees.*

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

1 **TITLE IV—INCLUSION OF TAI-**
2 **WAN IN INTERNATIONAL OR-**
3 **GANIZATIONS**

4 **SEC. 401. PARTICIPATION OF TAIWAN IN INTERNATIONAL**
5 **ORGANIZATIONS.**

6 (a) *STATEMENT OF POLICY.*—It is the policy of the
7 United States to promote Taiwan’s inclusion and meaning-
8 ful participation in international organizations.

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

14 (c) *REPORT.*—Not later than 90 days after the date
15 of the enactment of this Act, the Secretary of State shall
16 submit a report to the appropriate congressional committees
17 that—

18 (1) describes the People’s Republic of China’s ef-
19 forts at the United Nations and other international
20 bodies to block Taiwan’s meaningful participation
21 and inclusion; and

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

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

3 *It is the sense of Congress that—*

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

8 *(2) diversifying the donor base of the Inter-*
9 *American Development Bank (referred to in this title*
10 *as the “IDB”) and increasing allied engagement in*
11 *the Western Hemisphere reinforces United States na-*
12 *tional interests;*

13 *(3) Taiwan’s significant contribution to the de-*
14 *velopment and economies of Latin America and the*
15 *Caribbean demonstrate that Taiwan’s membership in*
16 *the IDB as a non-borrowing member would benefit*
17 *the IDB and the entire Latin American and Carib-*
18 *bean region; and*

19 *(4) non-borrowing membership in the IDB would*
20 *allow Taiwan to substantially leverage and channel*
21 *the immense resources Taiwan already provides to*
22 *Latin America and the Caribbean to reach a larger*
23 *number of beneficiaries.*

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

3 *The Secretary of State, in coordination with the Sec-*
4 *retary of the Treasury, is authorized—*

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

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

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

14 *Not later than 90 days after the date of the enactment*
15 *of this Act, and not later than April 1 of each year there-*
16 *after for the following 5 years, the Secretary of State, in*
17 *coordination with the Secretary of the Treasury, shall sub-*
18 *mit an unclassified report to the Committee on Foreign Re-*
19 *lations of the Senate and the Committee on Foreign Affairs*
20 *of the House of Representatives that—*

21 *(1) describes the United States plan to endorse*
22 *and obtain non-borrowing membership status for Tai-*
23 *wan at the IDB;*

24 *(2) includes an account of the efforts made by the*
25 *Secretary of State and the Secretary of the Treasury*
26 *to encourage IDB member states to promote Taiwan's*

1 *bid to obtain non-borrowing membership at the IDB;*
 2 *and*

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

7 **SEC. 405. CLARIFICATION REGARDING UNITED NATIONS**
 8 **GENERAL ASSEMBLY RESOLUTION 2758**
 9 **(XXVI).**

10 *Section 2(a) of the Taiwan Allies International Protec-*
 11 *tion and Enhancement Initiative (TAIPEI) Act of 2019*
 12 *(Public Law 116–135) is amended by adding at the end*
 13 *the following:*

14 *“(10) United Nations General Assembly Resolu-*
 15 *tion 2758 (1971)—*

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

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

24 *“(C) did not take a position on the relation-*
 25 *ship between the People’s Republic of China and*

1 *Taiwan or include any statement pertaining to*
 2 *Taiwan's sovereignty.*

3 “(11) *The United States opposes any initiative*
 4 *that seeks to change Taiwan's status without the con-*
 5 *sent of the people of Taiwan.*”.

6 **SEC. 406. MEANINGFUL PARTICIPATION OF TAIWAN IN THE**
 7 **INTERNATIONAL CIVIL AVIATION ORGANIZA-**
 8 **TION.**

9 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
 10 *that—*

11 (1) *the International Civil Aviation Organiza-*
 12 *tion (ICAO) should allow Taiwan to meaningfully*
 13 *participate in the organization, including in ICAO*
 14 *triennial assembly sessions, conferences, technical*
 15 *working groups, meetings, activities, and mechanisms;*

16 (2) *Taiwan is a global leader and hub for inter-*
 17 *national aviation, with a range of expertise, informa-*
 18 *tion, and resources and the fifth busiest airport in*
 19 *Asia (Taoyuan International Airport), and its mean-*
 20 *ingful participation in ICAO would significantly en-*
 21 *hance the ability of ICAO to ensure the safety and se-*
 22 *curity of global aviation; and*

23 (3) *coercion by the Chinese Communist Party*
 24 *and the People's Republic of China has ensured the*
 25 *systematic exclusion of Taiwan from meaningful par-*

1 *ticipation in ICAO, significantly undermining the*
 2 *ability of ICAO to ensure the safety and security of*
 3 *global aviation.*

4 *(b) PLAN FOR TAIWAN'S MEANINGFUL PARTICIPATION*
 5 *IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.—*
 6 *The Secretary of State, in coordination with the Secretary*
 7 *of Commerce, is authorized—*

8 *(1) to initiate a United States plan to secure*
 9 *Taiwan's meaningful participation in ICAO, includ-*
 10 *ing in ICAO triennial assembly sessions, conferences,*
 11 *technical working groups, meetings, activities, and*
 12 *mechanisms; and*

13 *(2) to instruct the United States representative*
 14 *to the ICAO to—*

15 *(A) use the voice and vote of the United*
 16 *States to ensure Taiwan's meaningful participa-*
 17 *tion in ICAO, including in ICAO triennial as-*
 18 *sembly sessions, conferences, technical working*
 19 *groups, meetings, activities, and mechanisms;*
 20 *and*

21 *(B) seek to secure a vote at the next ICAO*
 22 *triennial assembly session on the question of Tai-*
 23 *wan's participation in that session.*

24 *(c) REPORT CONCERNING TAIWAN'S MEANINGFUL*
 25 *PARTICIPATION IN THE INTERNATIONAL CIVIL AVIATION*

1 *ORGANIZATION.*—*Not later than 90 days after the date of*
2 *the enactment of this Act, and not later than April 1 of*
3 *each year thereafter for the following 6 years, the Secretary*
4 *of State, in coordination with the Secretary of Commerce,*
5 *shall submit an unclassified report to the Committee on*
6 *Foreign Relations of the Senate and the Committee on For-*
7 *ign Affairs of the House of Representatives that—*

8 (1) *describes the United States plan to ensure*
9 *Taiwan’s meaningful participation in ICAO, includ-*
10 *ing in ICAO triennial assembly sessions, conferences,*
11 *technical working groups, meetings, activities, and*
12 *mechanisms;*

13 (2) *includes an account of the efforts made by the*
14 *Secretary of State and the Secretary of Commerce to*
15 *ensure Taiwan’s meaningful participation in ICAO,*
16 *including in ICAO triennial assembly sessions, con-*
17 *ferences, technical working groups, meetings, activi-*
18 *ties, and mechanisms; and*

19 (3) *identifies the steps the Secretary of State and*
20 *the Secretary of Commerce will take in the next year*
21 *to ensure Taiwan’s meaningful participation in*
22 *ICAO, including in ICAO triennial assembly sessions,*
23 *conferences, technical working groups, meetings, ac-*
24 *tivities, and mechanisms.*

1 **TITLE V—ENHANCED DEVELOP-**
2 **MENT AND ECONOMIC CO-**
3 **OPERATION BETWEEN THE**
4 **UNITED STATES AND TAIWAN**

5 **SEC. 501. FINDINGS.**

6 *Congress makes the following findings:*

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

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

18 *(3) In addition to supplementing United States*
19 *goods and services, Taiwan is a reliable partner in*
20 *many United States' industries, which is not only*
21 *critical for diversifying United States supply chains,*
22 *but is also essential to reducing the United States' re-*
23 *liance on other countries, such as China, who seek to*
24 *leverage supply chain inefficiencies in their path to*
25 *regional and global dominance. Such diversification*

1 *of United States supply chains is critical to our na-*
2 *tional security.*

3 *(4) The challenges to establishing an agreement*
4 *with Taiwan, such as reaching an agreement on agri-*
5 *cultural standards, must not prevent the completion*
6 *of a bilateral trade agreement. Taiwan has already*
7 *taken steps to further the progress towards such an*
8 *agreement by announcing its intent to lift restrictions*
9 *on United States pork and beef products, which will*
10 *greatly increase the accessibility of American farmers*
11 *and ranchers to Taiwan markets. In light of this im-*
12 *portant development, the United States should imme-*
13 *diately move forward with substantial negotiations*
14 *for a comprehensive bilateral trade agreement with*
15 *Taiwan.*

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

21 *(A) help the United States accomplish this*
22 *goal by building a network of like-minded gov-*
23 *ernments dedicated to fair competition and open*
24 *markets that are free from government manipu-*
25 *lation; and*

1 (B) encourage other nations to deepen eco-
2 nomic ties with Taiwan.

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

7 (A) 5G networks and telecommunications
8 security;

9 (B) supply chains resiliency;

10 (C) infrastructure cooperation;

11 (D) renewable energy;

12 (E) global health; and

13 (F) science and technology.

14 (7) A trade agreement between the United States
15 and Taiwan would promote security and economic
16 growth for the United States, Taiwan, and the entire
17 Indo-Pacific region.

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

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

22 (B) run counter to the United States' eco-
23 nomic interests.

24 (9) Taiwan is the United States' largest trading
25 partner with whom we do not have an income tax

1 *treaty or agreement. Taiwan has such agreements*
 2 *with 34 countries, including countries that have trade*
 3 *agreements with the United States and do not main-*
 4 *tain diplomatic relations with Taiwan.*

5 *(10) The American Chamber of Commerce in*
 6 *Taipei, in its “2022 Taiwan White Paper”, called for*
 7 *the United States and Taiwan to continue exploring*
 8 *an income tax agreement to boost bilateral trade and*
 9 *investment by reducing double taxation and increas-*
 10 *ing economic efficiency and integration.*

11 **SEC. 502. SENSE OF CONGRESS ON A FREE TRADE AGREE-**
 12 **MENT AND BILATERAL TAX AGREEMENT WITH**
 13 **TAIWAN, THE INDO-PACIFIC ECONOMIC**
 14 **FRAMEWORK, AND CBP PRECLEARANCE.**

15 *It is the Sense of Congress that—*

16 *(1) the United States Trade Representative*
 17 *should resume meetings under the United States and*
 18 *Taiwan Trade and Investment Framework Agreement*
 19 *with the goal of reaching a bilateral free trade agree-*
 20 *ment with Taiwan;*

21 *(2) the United States Trade Representative*
 22 *should undertake efforts to assess whether the Agree-*
 23 *ment Concerning Digital Trade, signed at Wash-*
 24 *ington October 7, 2019, and entered into force Janu-*
 25 *ary 1, 2020, between the United States and Japan,*

1 provides a model for a similar agreement between the
 2 United States and Taiwan to strengthen economic
 3 ties with Taiwan in key sectors;

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

8 (4) the United States should utilize and expand
 9 Preclearance programs to meet the needs of the United
 10 States travel and tourism industry, including by
 11 prioritizing the establishment of Preclearance facili-
 12 ties with Indo-Pacific allies and partners, including
 13 Taiwan; and

14 (5) the United States should—

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

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

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

22 **DEVELOPMENT COOPERATION.**

23 *It is the sense of Congress that—*

24 (1) the United States and Taiwan share common
 25 development goals in a wide range of sectors, includ-

ing 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

1 on Taiwan, as well as the people on the China main-
2 land and all other peoples of the Western Pacific
3 area”.

4 (2) *Consistent with the Asia Reassurance Initia-*
5 *tive Act of 2018 (Public Law 115–409), the United*
6 *States has grown its strategic partnership with Tai-*
7 *wan’s vibrant democracy of 23,000,000 people.*

8 (3) *Despite a concerted campaign by the People’s*
9 *Republic of China to isolate Taiwan from its diplo-*
10 *matic partners and from international organizations,*
11 *including the World Health Organization, Taiwan*
12 *has emerged as a global leader in the coronavirus*
13 *global pandemic response, including by donating*
14 *more than 2,000,000 surgical masks and other med-*
15 *ical equipment to the United States.*

16 (4) *The creation of a United States fellowship*
17 *program with Taiwan would support—*

18 (A) *a key priority of expanding people-to-*
19 *people exchanges, which was outlined in Presi-*
20 *dent Donald J. Trump’s 2017 National Security*
21 *Strategy;*

22 (B) *President Joseph R. Biden’s commit-*
23 *ment to Taiwan, “a leading democracy and a*
24 *critical economic and security partner”, as ex-*

1 *pressed in his March 2021 Interim National Se-*
 2 *curity Strategic Guidance; and*

3 *(C) April 2021 guidance from the Depart-*
 4 *ment of State based on a review required under*
 5 *the Taiwan Assurance Act of 2020 (subtitle B of*
 6 *title III of division FF of Public Law 116–260)*
 7 *to “encourage U.S. government engagement with*
 8 *Taiwan that reflects our deepening unofficial re-*
 9 *lationship”.*

10 **SEC. 603. PURPOSES.**

11 *The purposes of this title are—*

12 *(1) to further strengthen the United States-Tai-*
 13 *wan strategic partnership and broaden understanding*
 14 *of the Indo-Pacific region by temporarily assigning*
 15 *officials of any agencies of the United States Govern-*
 16 *ment to Taiwan for intensive study in Mandarin and*
 17 *placement as Fellows with the government in Taiwan*
 18 *or a Taiwanese civic institution;*

19 *(2) to provide for eligible United States per-*
 20 *sonnel—*

21 *(A) to learn or strengthen Mandarin Chi-*
 22 *nese language skills; and*

23 *(B) to expand their understanding of the*
 24 *political economy of Taiwan and the Indo-Pa-*
 25 *cific region; and*

1 (3) *to better position the United States to ad-*
 2 *vance its economic, security, and human rights inter-*
 3 *ests and values in the Indo-Pacific region.*

4 **SEC. 604. DEFINITIONS.**

5 *In this title:*

6 (1) *AGENCY HEAD.*—*The term “agency head”*
 7 *means, in the case of the executive branch of United*
 8 *States Government or a legislative branch agency de-*
 9 *scribed in paragraph (2), the head of the respective*
 10 *agency.*

11 (2) *AGENCY OF THE UNITED STATES GOVERN-*
 12 *MENT.*—*The term “agency of the United States Gov-*
 13 *ernment” includes the Government Accountability Of-*
 14 *fice, the Congressional Budget Office, and the Con-*
 15 *gressional Research Service of the legislative branch,*
 16 *as well as any agency of the executive branch.*

17 (3) *APPROPRIATE COMMITTEES OF CONGRESS.*—
 18 *The term “appropriate committees of Congress”*
 19 *means—*

20 (A) *the Committee on Foreign Relations of*
 21 *the Senate;*

22 (B) *the Committee on Appropriations of the*
 23 *Senate;*

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

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

3 (4) *DETAILEE*.—The term “detailee”—

4 (A) means an employee of an agency of the
5 United States Government on loan to the Amer-
6 ican Institute in Taiwan, without a change of
7 position from the agency at which he or she is
8 employed; and

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

13 (5) *IMPLEMENTING PARTNER*.—The term “imple-
14 menting partner” means any United States organiza-
15 tion described in 501(c)(3) of the Internal Revenue
16 Code of 1986 that—

17 (A) performs logistical, administrative, and
18 other functions, as determined by the Depart-
19 ment of State and the American Institute of Tai-
20 wan in support of the Taiwan Fellowship Pro-
21 gram; and

22 (B) enters into a cooperative agreement
23 with the American Institute in Taiwan to ad-
24 minister the Taiwan Fellowship Program.

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

4 **SEC. 605. TAIWAN FELLOWSHIP PROGRAM.**

5 (a) *ESTABLISHMENT.*—*The Secretary of State shall es-*
 6 *tablish the Taiwan Fellowship Program (referred to in this*
 7 *section as the “Program”)* *to provide a fellowship oppor-*
 8 *tunity in Taiwan of up to 2 years for eligible United States*
 9 *citizens. The Department of State, in consultation with the*
 10 *American Institute in Taiwan and the implementing part-*
 11 *ner, may modify the name of the Program.*

12 (b) *COOPERATIVE AGREEMENT.*—

13 (1) *IN GENERAL.*—*The American Institute in*
 14 *Taiwan should use amounts appropriated pursuant*
 15 *to section 608(a) to enter into an annual or multi-*
 16 *year cooperative agreement with an appropriate im-*
 17 *plementing partner.*

18 (2) *FELLOWSHIPS.*—*The Department of State or*
 19 *the American Institute in Taiwan, in consultation*
 20 *with, as appropriate, the implementing partner,*
 21 *should award to eligible United States citizens, sub-*
 22 *ject to available funding—*

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

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

3 (c) *AMERICAN INSTITUTION IN TAIWAN AGREEMENT;*
 4 *IMPLEMENTING PARTNER.—Not later than 30 days after*
 5 *the date of the enactment of this Act, the American Institute*
 6 *in Taiwan, in consultation with the Department of State,*
 7 *should—*

8 (1) *begin negotiations with the Taipei Economic*
 9 *and Cultural Representative Office, or with another*
 10 *appropriate entity, for the purpose of entering into*
 11 *an agreement to facilitate the placement of fellows in*
 12 *an agency of the government in Taiwan; and*

13 (2) *begin the process of selecting an imple-*
 14 *menting partner, which—*

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

17 (B) *shall be composed of staff who dem-*
 18 *onstrate significant experience managing ex-*
 19 *change programs in the Indo-Pacific region.*

20 (d) *CURRICULUM.—*

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

24 (A) *the Mandarin Chinese language;*

1 (B) the people, history, and political cli-
2 mate on Taiwan; and

3 (C) the issues affecting the relationship be-
4 tween the United States and the Indo-Pacific re-
5 gion.

6 (2) *SECOND YEAR.*—During the second year of
7 each fellowship under this section, each fellow, subject
8 to the approval of the Department of State, the Amer-
9 ican Institute in Taiwan, and the implementing
10 partner, and in accordance with the purposes of this
11 title, should work in—

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

14 (B) an organization outside of the govern-
15 ment in Taiwan, whose interests are associated
16 with the interests of the fellow and the agency of
17 the United States Government from which the
18 fellow is or had been employed.

19 (e) *FLEXIBLE FELLOWSHIP DURATION.*—Notwith-
20 standing any requirement under this section, the Secretary
21 of State, in consultation with the American Institute in
22 Taiwan and, as appropriate, the implementing partner,
23 may award fellowships that have a duration of less than
24 two years, and may alter the curriculum requirements
25 under subsection (d) for such purposes.

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

4 (g) *PROGRAM REQUIREMENTS.*—

5 (1) *ELIGIBILITY REQUIREMENTS.*—*A United*
 6 *States citizen is eligible for a fellowship under this*
 7 *section if he or she—*

8 (A) *is an employee of the United States*
 9 *Government;*

10 (B) *has received at least one exemplary per-*
 11 *formance review in his or her current United*
 12 *States Government role within at least the last*
 13 *three years prior to beginning the fellowship;*

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

16 (D) *has a demonstrated professional or edu-*
 17 *cational background in the relationship between*
 18 *the United States and countries in the Indo-Pa-*
 19 *cific region; and*

20 (E) *has demonstrated his or her commit-*
 21 *ment to further service in the United States Gov-*
 22 *ernment.*

23 (2) *RESPONSIBILITIES OF FELLOWS.*—*Each re-*
 24 *cipient of a fellowship under this section shall agree,*
 25 *as a condition of such fellowship—*

1 (A) to maintain satisfactory progress in
 2 language training and appropriate behavior in
 3 Taiwan, consistent with United States Govern-
 4 ment policy toward Taiwan, as determined by
 5 the Department of State, the American Institute
 6 in Taiwan and, as appropriate, its imple-
 7 menting partner;

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

11 (C) to continue Federal Government em-
 12 ployment for a period of not less than 4 years
 13 after the conclusion of the fellowship or for not
 14 less than 2 years for a fellowship that is 1 year
 15 or shorter.

16 (3) RESPONSIBILITIES OF IMPLEMENTING PART-
 17 NER.—

18 (A) SELECTION OF FELLOWS.—The imple-
 19 menting partner, with the concurrence of the De-
 20 partment of State and the American Institute in
 21 Taiwan, shall—

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

1 (ii) select fellows for the Taiwan Fel-
2 lowship Program based solely on merit,
3 with appropriate supervision from the De-
4 partment of State and the American Insti-
5 tute in Taiwan; and

6 (iii) prioritize the selection of can-
7 didates willing to serve in a fellowship last-
8 ing 1 year or longer.

9 (B) *FIRST YEAR.*—The implementing part-
10 ner should provide each fellow in the first year
11 (or shorter duration, as jointly determined by the
12 Department of State and the American Institute
13 in Taiwan for those who are not serving a 2-
14 year fellowship) with—

15 (i) intensive Mandarin Chinese lan-
16 guage training; and

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

20 (C) *WAIVER OF FIRST-YEAR TRAINING.*—
21 The Department of State, in coordination with
22 the American Institute in Taiwan and, as ap-
23 propriate, the implementing partner, may waive
24 any of the training required under paragraph
25 (2) to the extent that a fellow has Mandarin lan-

1 *guage skills, knowledge of the topic described in*
2 *subparagraph (B)(ii), or for other related rea-*
3 *sons approved by the Department of State and*
4 *the American Institute in Taiwan. If any of the*
5 *training requirements are waived for a fellow*
6 *serving a 2-year fellowship, the training portion*
7 *of his or her fellowship may be shortened to the*
8 *extent appropriate.*

9 *(D) OFFICE; STAFFING.—The implementing*
10 *partner, in consultation with the Department of*
11 *State and the American Institute in Taiwan,*
12 *may maintain an office and at least 1 full-time*
13 *staff member in Taiwan—*

14 *(i) to liaise with the American Insti-*
15 *tute in Taiwan and the government in Tai-*
16 *wan; and*

17 *(ii) to serve as the primary in-country*
18 *point of contact for the recipients of fellow-*
19 *ships under this Act and their dependents.*

20 *(E) OTHER FUNCTIONS.—The implementing*
21 *partner may perform other functions in associa-*
22 *tion with support of the Taiwan Fellowship Pro-*
23 *gram, including logistical and administrative*
24 *functions, as prescribed by the Department of*
25 *State and the American Institute in Taiwan.*

1 (4) *NONCOMPLIANCE.*—

2 (A) *IN GENERAL.*—*Any fellow who fails to*
3 *comply with the requirements under this section*
4 *shall reimburse the American Institute in Tai-*
5 *wan, or the appropriate United States Govern-*
6 *ment agency for—*

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

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

12 (B) *FULL REIMBURSEMENT.*—*Any fellow*
13 *who violates paragraph (1) or (2) of subsection*
14 *(b) shall reimburse the American Institute in*
15 *Taiwan, or the appropriate United States Gov-*
16 *ernment agency, in an amount equal to the sum*
17 *of—*

18 (i) *all of the Federal funds expended*
19 *for the fellow's participation in the fellow-*
20 *ship; and*

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

24 (C) *PRO RATA REIMBURSEMENT.*—*Any fel-*
25 *low who violates subsection (b)(3) shall reim-*

1 *burse the American Institute in Taiwan, or the*
 2 *appropriate United States Government agency,*
 3 *in an amount equal to the difference between—*

4 *(i) the amount specified in paragraph*
 5 *(2); and*

6 *(ii) the product of—*

7 *(I) the amount the fellow received*
 8 *in compensation during the final year*
 9 *of the fellowship, including the value of*
 10 *any allowances and benefits received*
 11 *by the fellow; multiplied by*

12 *(II) the percentage of the period*
 13 *specified in subsection (b)(3) during*
 14 *which the fellow did not remain em-*
 15 *ployed by the Federal Government.*

16 **SEC. 606. REPORTS AND AUDITS.**

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

22 *(1) An assessment of the performance of the im-*
 23 *plementing partner in fulfilling the purposes of this*
 24 *Act.*

1 (2) *The names and sponsoring agencies of the fel-*
2 *lows selected by the implementing partner and the ex-*
3 *tent to which such fellows represent the diversity of*
4 *the United States.*

5 (3) *The names of the parliamentary offices, min-*
6 *istries, other agencies of the government in Taiwan,*
7 *and nongovernmental institutions to which each fel-*
8 *low was assigned during the second year of the fellow-*
9 *ship.*

10 (4) *Any recommendations, as appropriate, to*
11 *improve the implementation of the Taiwan Fellow-*
12 *ship Program, including added flexibilities in the ad-*
13 *ministration of the program.*

14 (5) *An assessment of the Taiwan Fellowship Pro-*
15 *gram's value upon the relationship between the*
16 *United States and Taiwan or the United States and*
17 *Asian countries.*

18 (b) *ANNUAL FINANCIAL AUDIT.—*

19 (1) *IN GENERAL.—The financial records of any*
20 *implementing partner shall be audited annually in*
21 *accordance with generally accepted government audit-*
22 *ing standards by independent certified public ac-*
23 *countants or independent licensed public accountants*
24 *who are certified or licensed by a regulatory authority*

1 *of a State or another political subdivision of the*
 2 *United States.*

3 (2) *LOCATION.*—*Each audit under paragraph*
 4 *(1) shall be conducted at the place or places where the*
 5 *financial records of the implementing partner are*
 6 *normally kept.*

7 (3) *ACCESS TO DOCUMENTS.*—*The implementing*
 8 *partner shall make available to the accountants con-*
 9 *ducting an audit under paragraph (1)—*

10 (A) *all books, financial records, files, other*
 11 *papers, things, and property belonging to, or in*
 12 *use by, the implementing partner that are nec-*
 13 *essary to facilitate the audit; and*

14 (B) *full facilities for verifying transactions*
 15 *with the balances or securities held by deposi-*
 16 *tories, fiscal agents, and custodians.*

17 (4) *REPORT.*—

18 (A) *IN GENERAL.*—*Not later than 9 months*
 19 *after the end of each fiscal year, the imple-*
 20 *menting partner shall provide a report of the*
 21 *audit conducted for such fiscal year under para-*
 22 *graph (1) to the Department of State and the*
 23 *American Institute in Taiwan.*

24 (B) *CONTENTS.*—*Each audit report shall—*

25 (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

1 *agency of the United States Government who has been*
2 *awarded a fellowship under this title, to the American*
3 *Institute in Taiwan for the purpose of assignment to*
4 *the government in Taiwan or an organization de-*
5 *scribed in section 605(d)(2)(B).*

6 (2) *AGREEMENT.—Each detailee shall enter into*
7 *a written agreement with the Federal Government be-*
8 *fore receiving a fellowship, in which the fellow shall*
9 *agree—*

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

16 (B) *to pay to the American Institute in*
17 *Taiwan, or the United States Government agen-*
18 *cy, as appropriate, any additional expenses in-*
19 *curred by the Federal Government in connection*
20 *with the fellowship if the detailee voluntarily*
21 *separates from service with the sponsoring agen-*
22 *cy before the end of the period for which the*
23 *detailee has agreed to continue in the service of*
24 *such agency.*

1 (3) *EXCEPTION.*—*The payment agreed to under*
 2 *paragraph (2)(B) may not be required from a detailee*
 3 *who leaves the service of the sponsoring agency to*
 4 *enter into the service of another agency of the United*
 5 *States Government unless the head of the sponsoring*
 6 *agency notifies the detailee before the effective date of*
 7 *entry into the service of the other agency that pay-*
 8 *ment will be required under this subsection.*

9 (b) *STATUS AS GOVERNMENT EMPLOYEE.*—*A*
 10 *detailee—*

11 (1) *is deemed, for the purpose of preserving al-*
 12 *lowances, privileges, rights, seniority, and other bene-*
 13 *fits, to be an employee of the sponsoring agency;*

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

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

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

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

1 (c) *RESPONSIBILITIES OF SPONSORING AGENCY.*—

2 (1) *IN GENERAL.*—*The Federal agency from*
3 *which a detailee is detailed should provide the fellow*
4 *allowances and benefits that are consistent with De-*
5 *partment of State Standardized Regulations or other*
6 *applicable rules and regulations, including—*

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

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

11 (C) *a temporary quarters subsistence allow-*
12 *ance for up to 7 days if the fellow is unable to*
13 *find housing immediately upon arriving in Tai-*
14 *wan;*

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

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

1 (F) *an economy-class airline ticket to and*
 2 *from Taiwan for each fellow and the fellow's im-*
 3 *mediate family.*

4 (2) *MODIFICATION OF BENEFITS.*—*The American*
 5 *Institute in Taiwan and its implementing partner,*
 6 *with the approval of the Department of State, may*
 7 *modify the benefits set forth in paragraph (1) if such*
 8 *modification is warranted by fiscal circumstances.*

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

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

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

22 **SEC. 608. FUNDING.**

23 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 24 *authorized to be appropriated to the American Institute in*
 25 *Taiwan—*

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

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

6 (B) *\$2,300,000 shall be used to fund a coop-*
7 *erative agreement with an appropriate imple-*
8 *menting partner; and*

9 (C) *\$100,000 shall be used for management*
10 *expenses of the American Institute in Taiwan re-*
11 *lated to the management of the Taiwan Fellow-*
12 *ship Program; and*

13 (2) *for fiscal year 2024, and each succeeding fis-*
14 *cal year, \$2,400,000, of which—*

15 (A) *\$2,300,000 shall be used for a coopera-*
16 *tive agreement to the appropriate implementing*
17 *partner; and*

18 (B) *\$100,000 shall be used for management*
19 *expenses of the American Institute in Taiwan re-*
20 *lated to the management of the Taiwan Fellow-*
21 *ship Program.*

22 (b) *PRIVATE SOURCES.—The implementing partner*
23 *selected to implement the Taiwan Fellowship Program may*
24 *accept, use, and dispose of gifts or donations of services or*

1 *property in carrying out such program, subject to the re-*
 2 *view and approval of the American Institute in Taiwan.*

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

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

10 *(1) an analysis of the United States Government*
 11 *participants in this program, including the number*
 12 *of applicants and the number of fellowships under-*
 13 *taken, the place of employment, and an assessment of*
 14 *the costs and benefits for participants and for the*
 15 *United States Government of such fellowships;*

16 *(2) an analysis of the financial impact of the fel-*
 17 *lowship on United States Government offices which*
 18 *have provided fellows to participate in the program;*
 19 *and*

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

22 **SEC. 610. SUPPORTING UNITED STATES EDUCATIONAL AND**
 23 **EXCHANGE PROGRAMS WITH TAIWAN.**

24 *(a) ESTABLISHMENT OF THE UNITED STATES-TAIWAN*
 25 *CULTURAL EXCHANGE FOUNDATION.—The Secretary of*

1 *State should consider establishing an independent nonprofit*
 2 *entity that—*

3 *(1) is dedicated to deepening ties between the fu-*
 4 *ture leaders of Taiwan and the future leaders of the*
 5 *United States; and*

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

11 *(b) PARTNER.—State and local school districts and*
 12 *educational institutions, including public universities, are*
 13 *encouraged to partner with the Taipei Economic and Cul-*
 14 *tural Representative Office in the United States to establish*
 15 *programs to promote more educational and cultural ex-*
 16 *changes.*

17 ***TITLE VII—MISCELLANEOUS***
 18 ***PROVISIONS***

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

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

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

3 (1) *the United States Government should invite*
4 *Taiwan to regional dialogues on issues of mutual con-*
5 *cern;*

6 (2) *the United States Government and Tai-*
7 *wanese counterparts should resume meetings under*
8 *the United States-Taiwan Trade and Investment*
9 *Framework Agreement and reach a bilateral free*
10 *trade agreement that provides high levels of labor*
11 *rights and environmental protections;*

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

15 (4) *the United States Government and Tai-*
16 *wanese counterparts should engage in a regular and*
17 *routine strategic bilateral dialogue on arms sales in*
18 *accordance with Foreign Military Sales mechanisms;*
19 *and*

20 (5) *the United States Government should support*
21 *export licenses for direct commercial sales supporting*
22 *Taiwan's indigenous defensive capabilities.*

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

24 (a) *LIST OF HIGH-LEVEL VISITS.*—*Not later than 180*
25 *days after the date of the enactment of this Act, and annu-*

1 *ally thereafter for the following 5 years, the Secretary of*
 2 *State, in accordance with the Taiwan Travel Act (Public*
 3 *Law 115–135), shall submit to the appropriate congres-*
 4 *sional committees—*

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

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

9 *(b) ANNUAL REPORT.—Not later than 90 days after*
 10 *the date of the enactment of this Act, and annually there-*
 11 *after for a period of 5 years, the Secretary of State shall*
 12 *submit a report on the implementation of the Taiwan Trav-*
 13 *el Act, including a discussion of its positive effects on*
 14 *United States interests in the region, to the appropriate*
 15 *congressional committees.*

16 **SEC. 703. PROHIBITIONS AGAINST UNDERMINING UNITED**
 17 **STATES POLICY REGARDING TAIWAN.**

18 *(a) FINDING.—Congress finds that the efforts by the*
 19 *Government of the People’s Republic of China and the Chi-*
 20 *nese Communist Party to compel private United States*
 21 *businesses, corporations, and nongovernmental entities to*
 22 *use language mandated by the People’s Republic of China*
 23 *(referred to in this section as the “PRC”) to describe the*
 24 *relationship between Taiwan and the PRC are an illegit-*
 25 *imate attempt to enforce political censorship globally.*

1 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
 2 *that the United States Government, in coordination with*
 3 *United States businesses and nongovernmental entities,*
 4 *should formulate a code of conduct for, and otherwise co-*
 5 *ordinate on, interacting with the Government of the PRC*
 6 *and the Chinese Communist Party and their affiliated enti-*
 7 *ties, the aim of which is—*

8 (1) *to counter PRC operations that threaten free*
 9 *speech, academic freedom, and the normal operations*
 10 *of United States businesses and nongovernmental en-*
 11 *tities; and*

12 (2) *to counter PRC efforts to censor the way the*
 13 *world refers to issues deemed sensitive to the PRC*
 14 *Government and Chinese Communist Party leaders,*
 15 *including issues related to Taiwan, Tibet, the*
 16 *Tiananmen Square Massacre, and the mass intern-*
 17 *ment of Uyghurs and other Turkic Muslims, among*
 18 *many other issues.*

19 (c) *PROHIBITION AGAINST RECOGNIZING THE PEO-*
 20 *PLE’S REPUBLIC OF CHINA’S CLAIMS TO SOVEREIGNTY*
 21 *OVER TAIWAN.—*

22 (1) *SENSE OF CONGRESS.—It is the sense of*
 23 *Congress that—*

24 (A) *issues related to the sovereignty of Tai-*
 25 *wan are for the people of Taiwan to decide*

1 *through the democratic process they have estab-*
2 *lished;*

3 *(B) the dispute between the PRC and Tai-*
4 *wan must be resolved peacefully and with the as-*
5 *sent of the people of Taiwan;*

6 *(C) the 2 key obstacles to peaceful resolution*
7 *are—*

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

13 *(ii) the PRC's pursuit of coercion and*
14 *aggression towards Taiwan, in potential*
15 *violation of the third United States-PRC*
16 *Joint Communiqué, which was completed*
17 *on August 17, 1982;*

18 *(D) any attempt to coerce or force the peo-*
19 *ple of Taiwan to accept a political arrangement*
20 *that would subject them to direct or indirect rule*
21 *by the PRC, including a “one country, two sys-*
22 *tems” framework, would constitute a grave chal-*
23 *lenge to United States security interests in the*
24 *region.*

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

5 (3) *PROHIBITION ON RECOGNITION OF PRC*
6 *CLAIMS WITHOUT THE ASSENT OF PEOPLE OF TAI-*
7 *WAN.—No department or agency of the United States*
8 *Government may formally or informally recognize*
9 *PRC claims to sovereignty over Taiwan without the*
10 *assent of the people of Taiwan, as expressed directly*
11 *through the democratic process.*

12 (d) *STRATEGY TO PROTECT UNITED STATES BUSI-*
13 *NESSES AND NONGOVERNMENTAL ENTITIES FROM COER-*
14 *SION.—*

15 (1) *IN GENERAL.—Not later than 90 days after*
16 *the date of the enactment of this Act, the Secretary of*
17 *State, in consultation with the Secretary of Com-*
18 *merce, the Secretary of the Treasury, and the heads*
19 *of other relevant Federal agencies, shall submit an*
20 *unclassified report, with a classified annex, if nec-*
21 *essary, on how to protect United States businesses*
22 *and nongovernmental entities from PRC operations,*
23 *including coercion and threats that lead to censorship*
24 *or self-censorship, or which compel compliance with*
25 *political or foreign policy positions of the Government*

1 *of the People's Republic of China and the Chinese*
2 *Communist Party.*

3 (2) *ELEMENTS.—The strategy shall include—*

4 (A) *information regarding efforts by the*
5 *PRC Government to censor the websites of*
6 *United States airlines, hotels, and other busi-*
7 *nesses regarding the relationship between Tai-*
8 *wan and the PRC;*

9 (B) *information regarding efforts by the*
10 *PRC Government to target United States non-*
11 *governmental entities through operations in-*
12 *tended to weaken support for Taiwan;*

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

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

1 **SEC. 704. AMENDMENTS TO THE TAIWAN ALLIES INTER-**
 2 **NATIONAL PROTECTION AND ENHANCEMENT**
 3 **INITIATIVE (TAIPEI) ACT OF 2019.**

4 *The Taiwan Allies International Protection and En-*
 5 *hancement Initiative (TAIPEI) Act of 2019 (Public Law*
 6 *116–135) is amended—*

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

9 *(2) in section 4—*

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

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

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

16 *(D) by adding at the end the following:*

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

19 *(3) in section 5—*

20 *(A) in subsection (a)—*

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

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

1 (iii) by adding at the end the fol-
2 lowing:

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

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

17 (C) by redesignating subsection (c) as sub-
18 section (d); and

19 (D) by inserting after subsection (b) the fol-
20 lowing:

21 “(c) BRIEFINGS.—Not later than 90 days after the
22 date of the enactment of the Taiwan Policy Act of 2022,
23 and annually thereafter for a period of 7 years, the Depart-
24 ment of State shall provide briefings to the appropriate con-
25 gressional committees on the steps taken in accordance with

1 *section (a). The briefings required under this subsection*
 2 *shall take place in an unclassified setting, but may be ac-*
 3 *companied by an additional classified briefing.”.*

4 **SEC. 705. REPORT ON ROLE OF PEOPLE’S REPUBLIC OF CHI-**
 5 **NA’S NUCLEAR THREAT IN ESCALATION DY-**
 6 **NAMICS.**

7 *(a) IN GENERAL.—Not later than 90 days after the*
 8 *date of the enactment of this Act, the Secretary of State,*
 9 *in consultation with the Secretary of Defense and the Direc-*
 10 *tor of National Intelligence, shall submit to Congress a re-*
 11 *port assessing the role of the increasing nuclear threat of*
 12 *the People’s Republic of China in escalation dynamics with*
 13 *respect to Taiwan.*

14 *(b) FORM.—The report required by subsection (a) shall*
 15 *be submitted in unclassified form, but may include a classi-*
 16 *fied annex.*

17 **SEC. 706. REPORT ANALYZING THE IMPACT OF RUSSIA’S**
 18 **WAR AGAINST UKRAINE ON THE OBJECTIVES**
 19 **OF THE PEOPLE’S REPUBLIC OF CHINA WITH**
 20 **RESPECT TO TAIWAN.**

21 *(a) IN GENERAL.—Not later than 90 days after the*
 22 *date of the enactment of this Act, the Secretary of State,*
 23 *in consultation with the Secretary of Defense and the Direc-*
 24 *tor of National Intelligence, shall submit a report to the*
 25 *appropriate congressional committees that analyzes the im-*

1 *pact of Russia's war against Ukraine on the PRC's diplo-*
2 *matic, military, economic, and propaganda objectives with*
3 *respect to Taiwan.*

4 *(b) ELEMENTS.—The report required under subsection*
5 *(a) shall describe—*

6 *(1) adaptations or known changes to PRC strate-*
7 *gies and military doctrine since the commencement of*
8 *the Russian invasion of Ukraine on February 24,*
9 *2022, including changes—*

10 *(A) to PRC behavior in international fo-*
11 *runs;*

12 *(B) within the People's Liberation Army,*
13 *with respect to the size of forces, the makeup of*
14 *leadership, weapons procurement, equipment up-*
15 *keep, the doctrine on the use of specific weapons,*
16 *such as weapons banned under the international*
17 *law of armed conflict, efforts to move weapons*
18 *supply chains onto mainland PRC, or any other*
19 *changes in its military strategy with respect to*
20 *Taiwan;*

21 *(C) in economic planning, such as sanctions*
22 *evasion, efforts to minimize exposure to sanc-*
23 *tions, or moves in support of the protection of*
24 *currency or other strategic reserves;*

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

4 (E) to the PRC's strategy for the use of force
5 against Taiwan, including any information on
6 preferred scenarios or operations to secure its ob-
7 jectives in Taiwan, adjustments based on how
8 the Russian military has performed in Ukraine,
9 and other relevant matters;

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

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

15 (d) *COORDINATION WITH ALLIES AND PARTNERS*.—
16 The Secretary of State shall share information contained
17 in the report required under subsection (a), as appropriate,
18 with appropriate officials of allied and partner nations, in-
19 cluding Taiwan and allies in Europe and in the Indo-Pa-
20 cific.

21 (e) *DEFINED TERM*.—In this section, the term “appro-
22 priate congressional committees” means—

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

1 (2) *the Committee on Armed Services of the Sen-*
2 *ate;*

3 (3) *the Committee on Appropriations of the Sen-*
4 *ate;*

5 (4) *the Select Committee on Intelligence of the*
6 *Senate;*

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

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

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

13 (8) *the Committee on Appropriations of the*
14 *House of Representatives;*

15 (9) *the Permanent Select Committee on Intel-*
16 *ligence of the House of Representatives; and*

17 (10) *the Committee on Financial Services of the*
18 *House of Representatives.*

19 **SEC. 707. STABILITY ACROSS THE TAIWAN STRAIT.**

20 (a) *SENSE OF CONGRESS.—It is the sense of Congress*
21 *that—*

22 (1) *United States engagement with Taiwan*
23 *should include actions, activities, and programs that*
24 *mutually benefit the United States and Taiwan such*
25 *as—*

1 (A) *people-to-people exchanges;*

2 (B) *bilateral and multilateral economic co-*
3 *operation; and*

4 (C) *assisting Taiwan's efforts to participate*
5 *in international institutions;*

6 (2) *the United States should pursue new engage-*
7 *ment initiatives with Taiwan, such as—*

8 (A) *enhancing cooperation on science and*
9 *technology;*

10 (B) *joint infrastructure development in*
11 *third countries;*

12 (C) *renewable energy and environmental*
13 *sustainability development; and*

14 (D) *investment screening coordination;*

15 (3) *the United States should expand its financial*
16 *support for the Global Cooperation and Training*
17 *Framework, and encourage like-minded countries to*
18 *co-sponsor workshops, to showcase Taiwan's capacity*
19 *to contribute to solving global challenges in the face*
20 *of the Government of the PRC's campaign to isolate*
21 *Taiwan in the international community;*

22 (4) *to advance the goals of the April 2021 De-*
23 *partment of State guidance expanding unofficial*
24 *United States-Taiwan contacts, the United States,*
25 *Taiwan, and Japan should aim to host Global Co-*

1 *operation and Training Framework workshops timed*
 2 *to coincide with plenaries and other meetings of inter-*
 3 *national organizations;*

4 *(5) the United States should support efforts to*
 5 *engage regional counterparts in Track 1.5 and Track*
 6 *2 dialogues on the stability across the Taiwan Strait,*
 7 *which are important for increasing strategic aware-*
 8 *ness amongst all parties and the avoidance of conflict;*

9 *(6) bilateral confidence-building measures and*
 10 *crisis stability dialogues between the United States*
 11 *and the PRC are important mechanisms for main-*
 12 *taining deterrence and stability across the Taiwan*
 13 *Strait and should be prioritized; and*

14 *(7) the United States and the PRC should*
 15 *prioritize the use of a fully operational military crisis*
 16 *hotline to provide a mechanism for the leadership of*
 17 *the two countries to communicate directly in order to*
 18 *quickly resolve misunderstandings that could lead to*
 19 *military escalation.*

20 *(b) AUTHORIZATION OF APPROPRIATIONS FOR THE*
 21 *GLOBAL COOPERATION AND TRAINING FRAMEWORK.—*

22 *There are authorized to be appropriated for the Global Co-*
 23 *operation and Training Framework under the Economic*
 24 *Support Fund authorized under section 531 of the Foreign*
 25 *Assistance Act of 1961 (22 U.S.C. 2346), \$6,000,000 for*

1 *each of the fiscal years 2022 through 2025, which may be*
2 *expended for trainings and activities that increase Tai-*
3 *wan's economic and international integration.*

4 *(c) SUPPORTING CONFIDENCE BUILDING MEASURES*
5 *AND STABILITY DIALOGUES.—*

6 *(1) ANNUAL REPORT.—Not later than 180 days*
7 *after the date of the enactment of this Act, and annu-*
8 *ally thereafter, the Secretary of State, in coordination*
9 *with the Secretary of Defense, shall submit an unclas-*
10 *sified report, with a classified annex, to the appro-*
11 *priate congressional committees that includes—*

12 *(A) a description of all military-to-military*
13 *dialogues and confidence-building measures be-*
14 *tween the United States and the PRC during the*
15 *10-year period ending on the date of the enact-*
16 *ment of this Act;*

17 *(B) a description of all bilateral and multi-*
18 *lateral diplomatic engagements with the PRC in*
19 *which cross-Strait issues were discussed during*
20 *such 10-year period, including Track 1.5 and*
21 *Track 2 dialogues;*

22 *(C) a description of the efforts in the year*
23 *preceding the submission of the report to conduct*
24 *engagements described in subparagraphs (A) and*
25 *(B); and*

(D) a description of how and why the engagements described in subparagraphs (A) and (B) have changed in frequency or substance during such 10-year period.

(2) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated for the Department of State, and, as appropriate, the Department of Defense, no less than \$2,000,000 for each of the fiscal years 2022 through 2025, which shall be used to support existing Track 1.5 and Track 2 strategic dialogues facilitated by independent nonprofit organizations in which participants meet to discuss cross-Strait stability issues.

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 mean-

ings 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.

1 (6) *FOREIGN PERSON*.—The term “foreign per-
 2 son” means an individual or entity that is not a
 3 United States person.

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

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

11 (9) *UNITED STATES PERSON*.—The term “United
 12 States person” means—

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

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

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

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

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

9 (2) *if such engagement exists, whether such esca-*
10 *lation demonstrates an attempt to achieve or has the*
11 *significant effect of achieving the physical or political*
12 *control of Taiwan, including by—*

13 (A) *overthrowing or dismantling the gov-*
14 *erning institutions in Taiwan;*

15 (B) *occupying any territory controlled or*
16 *administered by Taiwan as of the date of the en-*
17 *actment of this Act;*

18 (C) *violating the territorial integrity of*
19 *Taiwan; or*

20 (D) *taking significant action against Tai-*
21 *wan, including—*

22 (i) *creating a naval blockade of Tai-*
23 *wan;*

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

1 (iii) initiating a significant cyber at-
2 tack that threatens the civilian or military
3 infrastructure of Taiwan.

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

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

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

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

14 (c) *REPORT REQUIRED.*—Upon making a determina-
15 tion described in subsection (a), the President shall submit
16 a report describing the factors influencing such determina-
17 tion to the appropriate committees of Congress.

18 (d) *CONGRESSIONAL REQUESTS.*—Not later than 30
19 days after receiving a request from the chairman and rank-
20 ing member of the Committee on Foreign Relations of the
21 Senate or the Committee on Foreign Affairs of the House
22 of Representatives with respect to whether the People’s Re-
23 public of China or the Chinese Communist Party, including
24 through any proxies of the People’s Republic of China or

1 *the Chinese Communist Party, has engaged in an act de-*
 2 *scribed in subsection (a), the President shall—*

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

6 (2) *submit a report to the appropriate commit-*
 7 *tees of Congress that contains a detailed explanation*
 8 *of such determination.*

9 **SEC. 803. IMPOSITION OF SANCTIONS ON OFFICIALS OF**
 10 **THE GOVERNMENT OF THE PEOPLE’S REPUB-**
 11 **LIC OF CHINA RELATING TO OPERATIONS IN**
 12 **TAIWAN.**

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

15 (1) *the CCP Politburo Standing Committee;*

16 (2) *the CCP Party Central Military Commis-*
 17 *sion;*

18 (3) *the CCP Politburo;*

19 (4) *the CCP Central Committee;*

20 (5) *the CCP National Congress;*

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

23 (7) *the State Central Military Commission of the*
 24 *CCP.*

1 (b) *IN GENERAL*.—Not later than 60 days after mak-
2 ing an affirmative determination under section 802(a), the
3 President shall impose the sanctions described in section
4 807 with respect to at least 100 officials of the Government
5 of the People’s Republic of China specified in subsection (c),
6 to the extent such officials can be identified.

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

9 (1) senior civilian and military officials of the
10 People’s Republic of China and military officials who
11 have command or clear and direct decision-making
12 power over military campaigns, military operations,
13 and military planning against Taiwan conducted by
14 the People’s Liberation Army;

15 (2) senior civilian and military officials of the
16 People’s Republic of China who have command or
17 clear and direct decision-making power in the Chi-
18 nese Coast Guard and the Chinese People’s Armed Po-
19 lice and are engaged in planning or implementing ac-
20 tivities that involve the use of force against Taiwan;

21 (3) senior or special advisors to the President of
22 the People’s Republic of China;

23 (4) officials of the Government of the People’s
24 Republic of China who are members of the top deci-
25 sion-making bodies of that Government;

1 (5) *the highest-ranking Chinese Communist*
2 *Party members of the decision-making bodies referred*
3 *to in paragraph (4); and*

4 (6) *officials of the Government of the People's*
5 *Republic of China in the intelligence agencies or secu-*
6 *rity services who—*

7 (A) *have clear and direct decisionmaking*
8 *power; and*

9 (B) *have engaged in or implemented activi-*
10 *ties that—*

11 (i) *materially undermine the military*
12 *readiness of Taiwan;*

13 (ii) *overthrow or decapitate the Tai-*
14 *wan's government;*

15 (iii) *debilitate Taiwan's electric grid,*
16 *critical infrastructure, or cybersecurity sys-*
17 *tems through offensive electronic or cyber*
18 *attacks;*

19 (iv) *undermine Taiwan's democratic*
20 *processes through campaigns to spread*
21 *disinformation; or*

22 (v) *involve committing serious human*
23 *rights abuses against citizens of Taiwan,*
24 *including forceful transfers, enforced dis-*
25 *appearances, unjust detainment, or torture.*

1 (d) *ADDITIONAL OFFICIALS.*—

2 (1) *LIST REQUIRED.*—Not later than 30 days
3 after making an affirmative determination under sec-
4 tion 802(a) and every 90 days thereafter, the Presi-
5 dent shall submit a list to the appropriate committees
6 of Congress that identifies any additional foreign per-
7 sons who—

8 (A) the President determines are officials
9 specified in subsection (c); and

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

12 (2) *IMPOSITION OF SANCTIONS.*—Upon the sub-
13 mission of the list required under paragraph (1), the
14 President shall impose the sanctions described in sec-
15 tion 807 with respect to each foreign person included
16 on the list.

17 **SEC. 804. IMPOSITION OF SANCTIONS WITH RESPECT TO FI-**
18 **NANCIAL INSTITUTIONS OF THE PEOPLE'S**
19 **REPUBLIC OF CHINA.**

20 (a) *DEFINITIONS.*—In this section:

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

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

1 (B) the Government of the People's Republic
2 of China holds an interest.

3 (2) NATIONAL JOINT-STOCK COMMERCIAL
4 BANK.—The term “national joint-stock commercial
5 bank” means a bank under the jurisdiction of the
6 People's Republic of China in which—

7 (A) the bank's stock is owned jointly by the
8 shareholders; and

9 (B) the Government of the People's Republic
10 of China holds an interest.

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

14 (A) is incorporated in the People's Republic
15 of China; and

16 (B) was established by the Government of
17 the People's Republic of China to advance invest-
18 ments in specific policy domains that advance
19 the interests and goals of the People's Republic
20 of China.

21 (b) IN GENERAL.—

22 (1) IN GENERAL.—Not later than 30 days after
23 making an affirmative determination under section
24 802(a), the President shall impose the sanctions de-
25 scribed in section 807(a) with respect to—

1 (A) at least 5 state-owned banks in the Peo-
 2 ple's Republic of China, including at least 3 of
 3 the largest state-owned banks.

4 (B) at least 3 national joint-stock commer-
 5 cial banks in the People's Republic of China;

6 (C) at least 3 national state-owned policy
 7 banks in the People's Republic of China;

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

11 (E) entities that regulate the banking sector
 12 of the People's Republic of China, or major fi-
 13 nancial asset management companies regulated
 14 by the Government of the People's Republic of
 15 China.

16 (2) *SUBSIDIARIES AND SUCCESSOR ENTITIES.*—
 17 The President may impose the sanctions described in
 18 section 807 with respect to any subsidiary of, or suc-
 19 cessor entity to, a financial institution specified in
 20 paragraph (1).

21 (c) *ADDITIONAL PEOPLE'S REPUBLIC OF CHINA FI-*
 22 *NANCIAL INSTITUTIONS.*—

23 (1) *LIST REQUIRED.*—Not later than 30 days
 24 after making an affirmative determination under sec-
 25 tion 802(a), and every 90 days thereafter, the Presi-

1 *dent shall submit a list to the appropriate committees*
 2 *of Congress that identifies any foreign persons that*
 3 *the President determines—*

4 *(A) are significant financial institutions*
 5 *owned or operated by the Government of the Peo-*
 6 *ple’s Republic of China; and*

7 *(B) should be sanctioned in the interest of*
 8 *United States national security.*

9 *(2) IMPOSITION OF SANCTIONS.—Upon the sub-*
 10 *mission of each list required under paragraph (1), the*
 11 *President shall impose the sanctions described in sec-*
 12 *tion 807 with respect to each foreign person identified*
 13 *on such list.*

14 **SEC. 805. REPORTING REQUIREMENT.**

15 *(a) APPROPRIATE CONGRESSIONAL COMMITTEES.—In*
 16 *this section, the term “appropriate congressional commit-*
 17 *tees” means—*

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

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

22 *(3) the Committee on Armed Services of the Sen-*
 23 *ate;*

24 *(4) the Committee on Foreign Affairs of the*
 25 *House of Representatives;*

1 (5) *the Committee on Financial Services of the*
 2 *House of Representatives; and*

3 (6) *the Committee on Armed Services of the*
 4 *House of Representatives.*

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

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

15 **SEC. 806. ADDITIONAL SANCTIONS.**

16 (a) *IN GENERAL.*—*Beginning on the date that is 90*
 17 *days after the date of the enactment of this Act, the Presi-*
 18 *dent shall impose the sanctions described in section 807 on*
 19 *any foreign person that the President determines, while act-*
 20 *ing for or on behalf of the Government of the People's Re-*
 21 *public of China, knowingly—*

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

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

3 (A) *malicious, offensive cyber-enabled ac-*
4 *tivities targeting—*

5 (i) *the Government or armed forces of*
6 *Taiwan; or*

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

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

12 (i) *the government in Taiwan; or*

13 (ii) *businesses, academic, or civil soci-*
14 *ety institutions located in Taiwan; or*

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

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

1 **SEC. 807. SANCTIONS DESCRIBED.**

2 (a) *PROPERTY BLOCKING.*—*Except as provided in sec-*
3 *tion 809, the President shall exercise all of the powers grant-*
4 *ed by the International Emergency Economic Powers Act*
5 *(50 U.S.C. 1701 et seq.) to the extent necessary to block and*
6 *prohibit all transactions in all property and interests in*
7 *property of the foreign person if such property and interests*
8 *in property are in the United States, come within the*
9 *United States, or are or come within the possession or con-*
10 *trol of a United States person.*

11 (b) *ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR*
12 *PAROLE.*—

13 (1) *VISAS, ADMISSION, OR PAROLE.*—*In the case*
14 *of an alien, the alien is—*

15 (A) *inadmissible to the United States;*

16 (B) *ineligible to receive a visa or other doc-*
17 *umentation to enter the United States; and*

18 (C) *otherwise ineligible to be admitted or*
19 *paroled into the United States or to receive any*
20 *other benefit under the Immigration and Nation-*
21 *ality Act (8 U.S.C. 1101 et seq.).*

22 (2) *CURRENT VISAS REVOKED.*—

23 (A) *IN GENERAL.*—*The visa or other entry*
24 *documentation of an alien described in para-*
25 *graph (1) shall be revoked, regardless of when*

1 *such visa or other entry documentation was*
2 *issued.*

3 *(B) IMMEDIATE EFFECT.—A revocation*
4 *under subparagraph (A) shall—*

5 *(i) take effect immediately; and*

6 *(ii) automatically cancel any other*
7 *valid visa or entry documentation that is in*
8 *the alien’s possession.*

9 **SEC. 808. IMPLEMENTATION; REGULATIONS; PENALTIES.**

10 *(a) IMPLEMENTATION.—The President may exercise*
11 *all authorities provided to the President under sections 203*
12 *and 205 of the International Emergency Economic Powers*
13 *Act (50 U.S.C. 1702 and 1704) to carry out this title.*

14 *(b) RULEMAKING.—The President shall issue such reg-*
15 *ulations, licenses, and orders as are necessary to carry out*
16 *this title.*

17 *(c) PENALTIES.—Any person that violates, attempts to*
18 *violate, conspires to violate, or causes a violation of this*
19 *title, or any regulation, license, or order issued to carry*
20 *out this title, shall be subject to the penalties set forth in*
21 *subsections (b) and (c) of section 206 of the International*
22 *Emergency Economic Powers Act (50 U.S.C. 1705) to the*
23 *same extent as a person that commits an unlawful act de-*
24 *scribed in subsection (a) of that section.*

1 **SEC. 809. EXCEPTIONS; WAIVER.**

2 (a) *EXCEPTIONS.*—

3 (1) *EXCEPTION FOR INTELLIGENCE ACTIVI-*
4 *TIES.*—*This title shall not apply with respect to—*

5 (A) *activities subject to the reporting re-*
6 *quirements under title V of the National Secu-*
7 *rity Act of 1947 (50 U.S.C. 3091 et seq.); or*

8 (B) *authorized intelligence activities of the*
9 *United States.*

10 (2) *EXCEPTION FOR COMPLIANCE WITH INTER-*
11 *NATIONAL OBLIGATIONS AND LAW ENFORCEMENT AC-*
12 *TIVITIES.*—*Sanctions under this title shall not apply*
13 *with respect to an alien if admitting or paroling such*
14 *alien into the United States is necessary—*

15 (A) *to permit the United States to comply*
16 *with the Agreement regarding the Headquarters*
17 *of the United Nations, signed at Lake Success on*
18 *June 26, 1947, and entered into force November*
19 *21, 1947, between the United Nations and the*
20 *United States, or other applicable international*
21 *obligations of the United States; or*

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

24 (3) *EXCEPTION RELATING TO IMPORTATION OF*
25 *GOODS.*—

1 (A) *DEFINED TERM.*—*In this paragraph,*
 2 *the term “good” means any article, natural or*
 3 *manmade substance, material, supply, or manu-*
 4 *factured product, including inspection and test*
 5 *equipment, and excluding technical data.*

6 (B) *IN GENERAL.*—*Notwithstanding any*
 7 *other provision of this title, the authority or a*
 8 *requirement to impose sanctions under this title*
 9 *shall not include the authority or a requirement*
 10 *to impose sanctions on the importation of goods.*

11 (b) *NATIONAL SECURITY WAIVER.*—*The President*
 12 *may waive the imposition of sanctions based on a deter-*
 13 *mination under section 802(a) with respect to a person if*
 14 *the President—*

15 (1) *determines that such a waiver is in the na-*
 16 *tional security interests of the United States; and*

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

20 **SEC. 810. TERMINATION.**

21 *The President may terminate the sanctions imposed*
 22 *under this title based on a determination under section*
 23 *802(a), after determining and certifying to the appropriate*
 24 *committees of Congress that the Government of the People’s*
 25 *Republic of China—*

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

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

7 ***TITLE IX—UNITED STATES-TAI-***
 8 ***WAN PUBLIC HEALTH PRO-***
 9 ***TECTION***

10 ***SEC. 901. SHORT TITLE.***

11 *This title may be cited as the “United States-Taiwan*
 12 *Public Health Protection Act”.*

13 ***SEC. 902. DEFINITIONS.***

14 *In this title:*

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

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

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

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

24 (D) *the Committee on Energy and Com-*
 25 *merce of the House of Representatives.*

1 (2) *CENTER.*—*The term “Center” means the In-*
2 *fectious Disease Monitoring Center described in sec-*
3 *tion 903.*

4 (3) *SECRETARY.*—*The term “Secretary” means*
5 *the Secretary of State.*

6 **SEC. 903. STUDY.**

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

13 (1) *A description of ongoing cooperation between*
14 *the United States Government and Taiwan related to*
15 *public health, including disease surveillance, informa-*
16 *tion sharing, and telehealth.*

17 (2) *A description how the United States and*
18 *Taiwan can promote further cooperation, including*
19 *the feasibility of establishing an Infectious Disease*
20 *Monitoring Center within the American Institute of*
21 *Taiwan in Taipei, Taiwan that, in partnership with*
22 *the Taiwan Centers for Disease Control, conducts*
23 *health monitoring of infectious diseases in the region*
24 *by—*

1 (A) regularly monitoring, analyzing, and
2 disseminating open-source material from coun-
3 tries in the region, including viral strains, bac-
4 terial subtypes, and other pathogens;

5 (B) engaging in people-to-people contacts
6 with medical specialists and public health offi-
7 cials in the region;

8 (C) providing expertise and information on
9 infectious diseases to the United States Govern-
10 ment and the Taiwanese government; and

11 (D) carrying out other appropriate activi-
12 ties, as determined by the Director of the Center.

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

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

17 (A) the personnel, material, and funding re-
18 quirements necessary to establish and operate the
19 Center; and

20 (B) the proposed structure and composition
21 of Center personnel, which may include—

22 (i) infectious disease experts from
23 among the National Institutes of Health, the
24 Centers for Disease Control and Prevention,
25 and the Food and Drug Administration,

1 *who are recommended to serve as detailees*
2 *to the Center; and*

3 (ii) *additional qualified persons to*
4 *serve as detailees to or employees of the Cen-*
5 *ter, including—*

6 (I) *from any other relevant Fed-*
7 *eral department or agencies, to include*
8 *the Department of State and the*
9 *United States Agency for International*
10 *Development;*

11 (II) *qualified foreign service na-*
12 *tionals or locally engaged staff who are*
13 *considered citizens of Taiwan; and*

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

16 (2) *an evaluation, based on the factors in para-*
17 *graph (1), of whether to establish the Center, and a*
18 *timeline for doing so; and*

19 (3) *a description of any consultations or agree-*
20 *ments between the American Institute in Taiwan and*
21 *the Taipei Economic and Cultural Representative Of-*
22 *fice in the United States regarding the establishment*
23 *and operation of the Center, including—*

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

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

7 (c) *CONSULTATION.—The Secretary of State shall con-*
8 *sultate with the appropriate congressional committees before*
9 *full completion of the study.*

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

15 **SEC. 904. INFECTIOUS DISEASE MONITORING CENTER.**

16 (a) *ESTABLISHMENT.—The Secretary, in consultation*
17 *with the Secretary of Health and Human Services and the*
18 *heads of other relevant Federal departments and agencies,*
19 *is authorized to establish an Infectious Disease Monitoring*
20 *Center under the auspices of the American Institute in Tai-*
21 *wan in Taipei, Taiwan, when the conditions outlined in*
22 *subsection (b) have been met.*

23 (b) *CONDITIONS.—The conditions for establishment of*
24 *an Infectious Disease Monitoring Center within under the*

1 *auspices of the American Institute in Taiwan in Taipei,*
2 *Taiwan, are—*

3 (1) *that the study required in section 903 has*
4 *been submitted to the appropriate congressional com-*
5 *mittees; and*

6 (2) *not later than 30 days after the submission*
7 *of the study, the Secretary of State and the Secretary*
8 *of Health and Human Services have briefed the ap-*
9 *propriate congressional committees;*

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

15 (1) *regularly monitoring, analyzing, and dis-*
16 *seminating open-source material from countries in*
17 *the region, including viral strains, bacterial subtypes,*
18 *and other pathogens;*

19 (2) *engaging in people-to-people contacts with*
20 *medical specialists and public health officials in the*
21 *region;*

22 (3) *providing expertise and information on in-*
23 *fectious diseases to the Government of the United*
24 *States and the Taiwanese government; and*

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

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

9 ***TITLE X—SOUTH CHINA SEA AND***
 10 ***EAST CHINA SEA SANCTIONS***
 11 ***ACT***

12 ***SEC. 1001. SHORT TITLE.***

13 *This title may be cited as the “South China Sea and*
 14 *East China Sea Sanctions Act of 2022”.*

15 ***SEC. 1002. SANCTIONS WITH RESPECT TO CHINESE PER-***
 16 ***SONS RESPONSIBLE FOR CHINA’S ACTIVITIES***
 17 ***IN THE SOUTH CHINA SEA AND THE EAST***
 18 ***CHINA SEA.***

19 (a) *INITIAL IMPOSITION OF SANCTIONS.—On and after*
 20 *the date that is 120 days after the date of the enactment*
 21 *of this Act, the President may impose the sanctions de-*
 22 *scribed in subsection (b) with respect to any Chinese person,*
 23 *including any senior official of the Government of the Peo-*
 24 *ple’s Republic of China, that the President determines—*

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

5 (2) is responsible for or significantly contributes
6 to, or has engaged in, directly or indirectly, actions,
7 including the use of coercion, to inhibit another coun-
8 try from protecting its sovereign rights to access off-
9 shore resources in the South China Sea, including in
10 such country's exclusive economic zone, consistent
11 with such country's rights and obligations under
12 international law;

13 (3) is responsible for or complicit in, or has en-
14 gaged in, directly or indirectly, actions that signifi-
15 cantly threaten the peace, security, or stability of dis-
16 puted areas of the South China Sea or areas of the
17 East China Sea administered by Japan or the Repub-
18 lic of Korea, including through the use of vessels and
19 aircraft by the People's Republic of China to occupy
20 or conduct extensive research or drilling activity in
21 those areas;

22 (4) has materially assisted, sponsored, or pro-
23 vided financial, material, or technological support
24 for, or goods or services to, or in support of, any per-

1 son subject to sanctions pursuant to paragraph (1),
 2 (2), or (3); or

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

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

9 (1) *BLOCKING OF PROPERTY.*—*The President*
 10 *may, in accordance with the International Emer-*
 11 *gency Economic Powers Act (50 U.S.C. 1701 et seq.),*
 12 *block and prohibit all transactions in all property*
 13 *and interests in property of the person if such prop-*
 14 *erty and interests in property are in the United*
 15 *States, come within the United States, or are or come*
 16 *within the possession or control of a United States*
 17 *person.*

18 (2) *INELIGIBILITY FOR VISAS, ADMISSION, OR PA-*
 19 *ROLE.*—

20 (A) *VISAS, ADMISSION, OR PAROLE.*—*In the*
 21 *case of an alien, the alien may be—*

22 (i) *inadmissible to the United States;*

23 (ii) *ineligible to receive a visa or other*
 24 *documentation to enter the United States;*

25 *and*

1 (iii) otherwise ineligible to be admitted
 2 or paroled into the United States or to re-
 3 ceive any other benefit under the Immigra-
 4 tion and Nationality Act (8 U.S.C. 1101 et
 5 seq.).

6 (B) *CURRENT VISAS REVOKED.*—

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

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

14 (I) take effect immediately; and

15 (II) cancel any other valid visa or
 16 entry documentation that is in the
 17 alien's possession.

18 (3) *EXCLUSION OF CORPORATE OFFICERS.*—The
 19 President may direct the Secretary of State to deny
 20 a visa to, and the Secretary of Homeland Security to
 21 exclude from the United States, any alien that the
 22 President determines is a corporate officer or prin-
 23 cipal of, or a shareholder with a controlling interest
 24 in, the person.

1 (4) *EXPORT SANCTION.*—*The President may*
2 *order the United States Government not to issue any*
3 *specific license and not to grant any other specific*
4 *permission or authority to export any goods or tech-*
5 *nology to the person under—*

6 *(A) the Export Control Reform Act of 2018*
7 *(50 U.S.C. 4801 et seq.); or*

8 *(B) any other statute that requires the prior*
9 *review and approval of the United States Gov-*
10 *ernment as a condition for the export or reexport*
11 *of goods or services.*

12 (5) *INCLUSION ON ENTITY LIST.*—*The President*
13 *may include the entity on the entity list maintained*
14 *by the Bureau of Industry and Security of the De-*
15 *partment of Commerce and set forth in Supplement*
16 *No. 4 to part 744 of the Export Administration Regu-*
17 *lations, for activities contrary to the national security*
18 *or foreign policy interests of the United States.*

19 (6) *BAN ON INVESTMENT IN EQUITY OR DEBT OF*
20 *SANCTIONED PERSON.*—*The President may, pursuant*
21 *to such regulations or guidelines as the President may*
22 *prescribe, prohibit any United States person from in-*
23 *vesting in or purchasing equity or debt instruments*
24 *of the person.*

1 (7) *BANKING TRANSACTIONS.*—*The President*
 2 *may, pursuant to such regulations as the President*
 3 *may prescribe, prohibit any transfers of credit or*
 4 *payments between financial institutions or by,*
 5 *through, or to any financial institution, to the extent*
 6 *that such transfers or payments are subject to the ju-*
 7 *risdiction of the United States and involve any inter-*
 8 *est of the person.*

9 (8) *CORRESPONDENT AND PAYABLE-THROUGH*
 10 *ACCOUNTS.*—*In the case of a foreign financial institu-*
 11 *tion, the President may prohibit the opening, and*
 12 *prohibit or impose strict conditions on the maintain-*
 13 *ing, in the United States of a correspondent account*
 14 *or a payable-through account by the foreign financial*
 15 *institution.*

16 (c) *EXCEPTIONS.*—

17 (1) *INAPPLICABILITY OF NATIONAL EMERGENCY*
 18 *REQUIREMENT.*—*The requirements of section 202 of*
 19 *the International Emergency Economic Powers Act*
 20 *(50 U.S.C. 1701) shall not apply for purposes of sub-*
 21 *section (b)(1).*

22 (2) *EXCEPTION FOR INTELLIGENCE, LAW EN-*
 23 *FORCEMENT, AND NATIONAL SECURITY ACTIVITIES.*—
 24 *Sanctions under this section shall not apply to any*

1 *authorized intelligence, law enforcement, or national*
 2 *security activities of the United States.*

3 (3) *COMPLIANCE WITH UNITED NATIONS HEAD-*
 4 *QUARTERS AGREEMENT.—Paragraphs (2) and (3) of*
 5 *subsection (b) shall not apply if admission of an alien*
 6 *to the United States is necessary to permit the United*
 7 *States to comply with the Agreement regarding the*
 8 *Headquarters of the United Nations, signed at Lake*
 9 *Success, June 26, 1947, and entered into force, No-*
 10 *vember 21, 1947, between the United Nations and the*
 11 *United States.*

12 (4) *EXCEPTION RELATING TO IMPORTATION OF*
 13 *GOODS.—*

14 (A) *IN GENERAL.—The authority or a re-*
 15 *quirement to impose sanctions under this section*
 16 *shall not include the authority or a requirement*
 17 *to impose sanctions on the importation of goods.*

18 (B) *GOOD DEFINED.—In this paragraph,*
 19 *the term “good” means any article, natural or*
 20 *manmade substance, material, supply, or manu-*
 21 *factured product, including inspection and test*
 22 *equipment, and excluding technical data.*

23 (d) *IMPLEMENTATION; PENALTIES.—*

24 (1) *IMPLEMENTATION.—The President may exer-*
 25 *cise all authorities provided under sections 203 and*

1 *205 of the International Emergency Economic Powers*
 2 *Act (50 U.S.C. 1702 and 1704) to carry out this sec-*
 3 *tion.*

4 (2) *PENALTIES.*—*The penalties provided for in*
 5 *subsections (b) and (c) of section 206 of the Inter-*
 6 *national Emergency Economic Powers Act (50 U.S.C.*
 7 *1705) shall apply to a person that violates, attempts*
 8 *to violate, conspires to violate, or causes a violation*
 9 *of regulations prescribed under subsection (b)(1) to*
 10 *the same extent that such penalties apply to a person*
 11 *that commits an unlawful act described in subsection*
 12 *(a) of such section 206.*

13 (e) *DEFINITIONS.*—*In this section:*

14 (1) *ACCOUNT; CORRESPONDENT ACCOUNT; PAY-*
 15 *ABLE-THROUGH ACCOUNT.*—*The terms “account”,*
 16 *“correspondent account”, and “payable-through ac-*
 17 *count” have the meanings given those terms in section*
 18 *5318A of title 31, United States Code.*

19 (2) *ALIEN.*—*The term “alien” has the meaning*
 20 *given that term in section 101(a) of the Immigration*
 21 *and Nationality Act (8 U.S.C. 1101(a)).*

22 (3) *CHINESE PERSON.*—*The term “Chinese per-*
 23 *son” means—*

24 (A) *an individual who is a citizen or na-*
 25 *tional of the People’s Republic of China; or*

1 (B) an entity organized under the laws of
 2 the People’s Republic of China or otherwise sub-
 3 ject to the jurisdiction of the Government of the
 4 People’s Republic of China.

5 (4) *FINANCIAL INSTITUTION*.—The term “finan-
 6 cial institution” means a financial institution speci-
 7 fied in subparagraph (A), (B), (C), (D), (E), (F), (G),
 8 (H), (I), (J), (K), (M), (N), (P), (R), (T), (Y), or (Z)
 9 of section 5312(a)(2) of title 31, United States Code.

10 (5) *FOREIGN FINANCIAL INSTITUTION*.—The term
 11 “foreign financial institution” has the meaning given
 12 that term in section 1010.605 of title 31, Code of Fed-
 13 eral Regulations (or any corresponding similar regu-
 14 lation or ruling).

15 (6) *PERSON*.—The term “person” means any in-
 16 dividual or entity.

17 (7) *UNITED STATES PERSON*.—The term “United
 18 States person” means—

19 (A) a United States citizen or an alien law-
 20 fully admitted for permanent residence to the
 21 United States;

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

1 (C) any person in the United States.

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

5 *It is the sense of Congress that the Government Pub-*
 6 *lishing Office should not publish any map, document,*
 7 *record, electronic resource, or other paper of the United*
 8 *States (other than materials relating to hearings held by*
 9 *committees of Congress or internal work product of a Fed-*
 10 *eral agency) portraying or otherwise indicating that it is*
 11 *the position of the United States that the territory or air-*
 12 *space in the South China Sea that is disputed among two*
 13 *or more parties or the territory or airspace of areas admin-*
 14 *istered by Japan or the Republic of Korea, including in*
 15 *the East China Sea, is part of the territory or airspace of*
 16 *the People's Republic of China.*

17 **SEC. 1004. SENSE OF CONGRESS ON 2016 PERMANENT**
 18 **COURT OF ARBITRATION'S TRIBUNAL RULING**
 19 **ON ARBITRATION CASE BETWEEN PHIL-**
 20 **IPPINES AND PEOPLE'S REPUBLIC OF CHINA.**

21 (a) *FINDING.*—Congress finds that on July 12, 2016,
 22 *a tribunal of the Permanent Court of Arbitration found in*
 23 *the arbitration case between the Philippines and the Peo-*
 24 *ple's Republic of China under the United Nations Conven-*
 25 *tion on the Law of the Sea that the People's Republic of*

1 *China's claims, including those to offshore resources and*
 2 *"historic rights", were unlawful, and that the tribunal's*
 3 *ruling is final and legally binding on both parties.*

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

6 *(1) the United States and the international com-*
 7 *munity should reject the unlawful claims of the Peo-*
 8 *ple's Republic of China within the exclusive economic*
 9 *zone or on the continental shelf of the Philippines, as*
 10 *well as the maritime claims of the People's Republic*
 11 *of China beyond a 12-nautical-mile territorial sea*
 12 *from the islands it claims in the South China Sea;*

13 *(2) the provocative behavior of the People's Re-*
 14 *public of China, including coercing other countries*
 15 *with claims in the South China Sea and preventing*
 16 *those countries from accessing offshore resources, un-*
 17 *dermines peace and stability in the South China Sea;*

18 *(3) the international community should—*

19 *(A) support and adhere to the ruling de-*
 20 *scribed in subsection (a) in compliance with*
 21 *international law; and*

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

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

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

6 (B) ensure that disputes are managed with-
7 out intimidation, coercion, or force;

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

10 (D) uphold the principle that territorial
11 and maritime claims, including over territorial
12 waters or territorial seas, must be derived from
13 land features and otherwise comport with inter-
14 national law.

15 **SEC. 1005. REPORT ON COUNTRIES THAT RECOGNIZE CHI-**
16 **NESE SOVEREIGNTY OVER THE SOUTH CHINA**
17 **SEA OR THE EAST CHINA SEA.**

18 (a) *IN GENERAL.*—Not later than 60 days after the
19 date of the enactment of this Act, and annually thereafter
20 until the date that is 3 years after such date of enactment,
21 the Secretary of State shall submit to the Committee on For-
22 eign Relations of the Senate and the Committee on Foreign
23 Affairs of the House of Representatives a report identifying
24 each country that the Secretary determines has taken an
25 official and stated position to recognize, after such date of

1 *enactment, the sovereignty of the People's Republic of China*
 2 *over territory or airspace disputed by one or more countries*
 3 *in the South China Sea or the territory or airspace of areas*
 4 *of the East China Sea administered by Japan or the Repub-*
 5 *lic of Korea.*

6 (b) *FORM.*—*The report required by subsection (a) shall*
 7 *be submitted in unclassified form, but may include a classi-*
 8 *fied annex if the Secretary of State determines it is nec-*
 9 *essary for the national security interests of the United*
 10 *States to do so.*

11 (c) *PUBLIC AVAILABILITY.*—*The Secretary of State*
 12 *shall publish the unclassified part of the report required by*
 13 *subsection (a) on a publicly available website of the Depart-*
 14 *ment of State.*

15 ***TITLE XI—RULES OF*** 16 ***CONSTRUCTION***

17 ***SEC. 1101. RULE OF CONSTRUCTION.***

18 *Nothing in this Act may be construed—*

19 (1) *to restore diplomatic relations with the Re-*
 20 *public of China; or*

21 (2) *to alter the United States Government's posi-*
 22 *tion with respect to the international status of the Re-*
 23 *public of China.*

1 **SEC. 1102. RULE OF CONSTRUCTION REGARDING THE USE**
2 **OF MILITARY FORCE.**

3 *Nothing in this Act may be construed as authorizing*
4 *the use of military force or the introduction of United States*
5 *forces into hostilities.*

Calendar No. 488

117TH CONGRESS
2^D Session

S. 4428

A BILL

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

SEPTEMBER 15, 2022

Reported with an amendment