

117TH CONGRESS
2D SESSION

S. 4331

To require a plan on emergency military assistance to Taiwan and other support to Taiwan’s defensive capabilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2022

Ms. DUCKWORTH (for herself, Ms. ROSEN, Mr. TILLIS, Mr. BLUMENTHAL, Mrs. FISCHER, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To require a plan on emergency military assistance to Taiwan and other support to Taiwan’s defensive capabilities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthen Taiwan’s
5 Security Act of 2022”.

1 **SEC. 2. ANNUAL REPORT ON THE ABILITY OF THE UNITED**
2 **STATES TO SUPPORT DEFENSIVE CAPABILI-**
3 **TIES OF TAIWAN.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, and annually thereafter
6 through fiscal year 2027, the Secretary of Defense shall
7 submit to the appropriate committees of Congress, a re-
8 port on the ability of the United States to support the
9 defensive capabilities of Taiwan.

10 (b) ELEMENTS.—

11 (1) IN GENERAL.—The elements described in
12 this paragraph are the following:

13 (A) An assessment of the implications of
14 current levels of pre-positioned war reserve ma-
15 teriel on the ability of the United States to re-
16 spond to a natural disaster in or military inva-
17 sion of Taiwan, with respect to—

18 (i) providing military or nonmilitary
19 aid to the Government of Taiwan; and

20 (ii) sustaining military installations
21 and other infrastructure of the United
22 States in the Indo-Pacific region.

23 (B) An evaluation of the use by the United
24 States Government of privileges available with
25 respect to Taiwan under the Foreign Assistance
26 Act of 1961 (22 U.S.C. 2151 et seq.), including

1 war reserve stockpiles for allies and pre-posi-
2 tioned facilities.

3 (C) An assessment of ways the United
4 States Government could employ such privileges
5 to support the defensive capabilities of Taiwan
6 in the event of a military invasion.

7 (D) An assessment of the current intel-
8 ligence, surveillance, and reconnaissance capa-
9 bilities of Taiwan and any existing gaps in such
10 capabilities.

11 (E) An evaluation of options to enhance
12 such capabilities, that includes for each such
13 option—

14 (i) a description of—

15 (I) the gaps addressed;

16 (II) the resources required for
17 implementation; and

18 (III) the potential constraints
19 with respect to implementation;

20 (ii) projected timeline for implementa-
21 tion; and

22 (iii) any other consideration the Sec-
23 retary of Defense considers necessary.

24 (2) INITIAL REPORT.—The initial report re-
25 quired by subsection (a) shall include the following:

1 (A) The elements described in paragraph
2 (1).

3 (B) The plan required by subsection (c).

4 (3) ADDITIONAL REPORTS.—The second and
5 any subsequent report required by subsection (a)
6 shall include the following:

7 (A) The elements described in paragraph
8 (1).

9 (B) A summary of changes to pre-posi-
10 tioned war reserve materiel of the United States
11 in the Indo-Pacific region as reported by the
12 Armed Forces since the preceding report.

13 (C) A summary of investments made by
14 Taiwan in intelligence, surveillance, and recon-
15 naissance capabilities since the preceding re-
16 port.

17 (D) Any updates to the plan required by
18 subsection (c), as determined by the Secretary
19 of Defense.

20 (c) PLAN FOR EMERGENCY MILITARY ASSIST-
21 ANCE.—

22 (1) IN GENERAL.—The Secretary of Defense, in
23 close consultation with the Taiwan Ministry of De-
24 fense of Taiwan and the military forces of Taiwan,
25 shall develop a plan for the United States to use, to

1 the maximum extent practicable, existing authorities
2 or programs to expedite military assistance to Tai-
3 wan necessary for Taiwan to defend itself in the
4 event of a military invasion.

5 (2) ELEMENTS.—The plan required by para-
6 graph (1) shall include the following:

7 (A) A list of defense articles of the United
8 States that may, with pre-approved authority,
9 be transferred to Taiwan during a military in-
10 vasion.

11 (B) A list of measures to be prioritized to
12 assist Taiwan during a military invasion, in-
13 cluding—

14 (i) prioritization of delivery of excess
15 defense articles to Taiwan;

16 (ii) use by the Secretary of Defense of
17 the lease authority and the Special Defense
18 Acquisition Fund established under section
19 51 of the Arms Export Control Act (22
20 U.S.C. 2795);

21 (iii) use of the presidential drawdown
22 authority under section 506(a) of the For-
23 eign Assistance Act of 1961 (22 U.S.C.
24 2318(a));

1 (iv) use of presidential authority to
 2 lend or lease defense articles to the Gov-
 3 ernment of Taiwan; and

4 (v) temporary expedited congressional
 5 review of arms sales to Taiwan.

6 (C) An assessment of methods that could
 7 be used to deliver aid to Taiwan during a mili-
 8 tary invasion of Taiwan, including—

9 (i) the feasibility of employing such
 10 methods in different scenarios; and

11 (ii) recommendations for improving
 12 the ability of the Armed Forces to deliver
 13 assistance to Taiwan.

14 (D) An assessment of additional assistance
 15 that could be provided to Taiwan if additional
 16 authority is granted.

17 (d) FORM.—Each report required by subsection (a)
 18 shall be submitted in unclassified form, but may include
 19 a classified annex.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) APPROPRIATE COMMITTEES OF CON-
 23 GRESS.—The term “appropriate committees of Con-
 24 gress” means—

1 (A) the Committee on Armed Services, the
 2 Committee on Foreign Relations, and the Select
 3 Committee on Intelligence of the Senate; and

4 (B) the Committee on Armed Services, the
 5 Committee on Foreign Affairs, and the Perma-
 6 nent Select Committee on Intelligence of the
 7 House of Representatives.

8 (2) MILITARY INVASION.—The term “military
 9 invasion” includes—

10 (A) an amphibious landing or assault;

11 (B) an airborne operation or air assault;

12 (C) an aerial bombardment or blockade;

13 (D) missile attacks, including rockets, bal-
 14 listic missiles, cruise missiles, and hypersonic
 15 missiles; and

16 (E) a naval bombardment or blockade.

17 (3) NATURAL DISASTER.—The term “natural
 18 disaster” means a disaster caused by natural forces,
 19 including extreme weather events, sea-level rise, or
 20 extreme drought conditions.

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