

(1) An assessment of the methods the PRC uses to coerce actors to into adhering to its “One-China Principle.” The methods should include those employed against governments, IOs, and civil society organizations. The assessment should also include pressure on commercial actors, to the extent it is relevant in the context of Taiwan’s meaningful participation in IOs.

(2) An assessment of the policies of foreign governments toward the PRC and Taiwan, to identify likeminded allies and partners who might become public or private partners in the strategy.

(3) A systematic analysis of all IOs, as practicable, to identify IOs that best lend themselves to advancing Taiwan’s participation.

(4) A plan to expand economic, security, and diplomatic engagement with nations that have demonstrably strengthened, enhanced, or upgraded relations with Taiwan, in accordance with United States interests.

(5) A survey of IOs that have allowed Taiwan’s meaningful participation, including an assessment of whether any erosion in Taiwan’s engagement has occurred within those organizations and how Taiwan’s participation has positively strengthened the capacity and activity of these organizations, thereby providing positive models for Taiwan’s inclusion in other similar forums.

(6) A list of no more than 20 IOs at which the United States Government will prioritize for using its voice, vote, and influence to advance Taiwan’s meaningful participation over the three-year period following December 23, 2022. The list should be derived from the IOs identified in paragraph (3).

(7) A description of the diplomatic strategies and the coalitions the United States Government plans to develop to implement paragraph (6).

(c) Form of report

The strategy required in subsection (a) shall be classified, but it may include an unclassified summary.

(d) Support for meaningful participation

The Permanent Representative of the United States to the United Nations and other relevant United States officials shall actively support Taiwan’s meaningful participation in all appropriate international organizations.

(Pub. L. 117–263, div. E, title LV, § 5518, Dec. 23, 2022, 136 Stat. 3318.)

§ 3373. Meaningful participation of Taiwan in the International Civil Aviation Organization

(a) Sense of Congress

It is the sense of Congress that—

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

(2) Taiwan is a global leader and hub for international aviation, with a range of expertise, information, and resources and the fifth busiest airport in Asia (Taoyuan International

Airport), and its meaningful participation in ICAO would significantly enhance the ability of ICAO to ensure the safety and security of global aviation; and

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

(b) Plan for Taiwan’s meaningful participation in the International Civil Aviation Organization

The Secretary of State, in coordination with the Secretary of Commerce and the Secretary of Transportation, is authorized—

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

(2) to instruct the United States representative to the ICAO to—

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

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

(c) Report concerning Taiwan’s meaningful participation in the International Civil Aviation Organization

Not later than 90 days after December 23, 2022, and not later than April 1 of each year thereafter for the following 6 years, the Secretary of State, in coordination with the Secretary of Commerce, shall submit to the Committee on Foreign Relations and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Foreign Affairs, the Committee on Transportation and Infrastructure, and the Committee on Energy and Commerce of the House of Representatives an unclassified report that—

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

(2) includes an account of the efforts made by the Secretary of State and the Secretary of Commerce to ensure Taiwan’s meaningful participation in ICAO, including in ICAO triennial assembly sessions, conferences, technical working groups, meetings, activities, and mechanisms; and

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

(Pub. L. 117–263, div. E, title LV, § 5519, Dec. 23, 2022, 136 Stat. 3319.)

SUBCHAPTER IV—SUPPORTING UNITED STATES EDUCATIONAL AND EXCHANGE PROGRAMS WITH TAIWAN

§ 3381. Findings

Congress makes the following findings:

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

(2) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115-409), the United States has grown its strategic partnership with Taiwan’s vibrant democracy of 23,000,000 people.

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

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

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

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

(Pub. L. 117-263, div. E, title LV, § 5527, Dec. 23, 2022, 136 Stat. 3324.)

Editorial Notes

REFERENCES IN TEXT

The Taiwan Relations Act, referred to in par. (1), is Pub. L. 96-8, Apr. 10, 1979, 93 Stat. 14, which is classified generally to chapter 48 (§ 3301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3301 of this title and Tables.

The Asia Reassurance Initiative Act of 2018, referred to in par. (2), is Pub. L. 115-409, Dec. 31, 2018, 132 Stat. 5387. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note set out under section 2651 of this title and Tables.

The Taiwan Assurance Act of 2020, referred to in par. (3)(C), is subtitle B (§§ 311-315) of Pub. L. 116-260, div. FF, title III, Dec. 27, 2020, 134 Stat. 3099, which enacted provisions set out as notes under section 3301 of this title. For complete classification of this Act to the Code, see Short Title of 2020 Amendment note set out under section 3301 of this title and Tables.

§ 3382. Purposes

The purposes of this subchapter are—

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

(2) to provide for eligible United States personnel—

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

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

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

(Pub. L. 117-263, div. E, title LV, § 5528, Dec. 23, 2022, 136 Stat. 3325.)

§ 3383. Definitions

In this subchapter:

(1) Agency head

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

(2) Agency of the United States Government

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

(3) Appropriate committees of Congress

The term “appropriate committees of Congress” means—

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

(B) the Committee on Appropriations of the Senate;

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

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

(4) Detailee

The term “detailee” means—

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

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

(5) Implementing partner

The term “implementing partner” means any United States organization described in section 501(c)(3) of title 26 that—

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

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

(6) Program

The term “Program” means the Taiwan Fellowship Program established pursuant to section 3384 of this title.

(Pub. L. 117-263, div. E, title LV, § 5529, Dec. 23, 2022, 136 Stat. 3325.)