

Calendar No. 237

116TH CONGRESS
1ST SESSION

S. 1678

To express United States support for Taiwan’s diplomatic alliances around the world.

IN THE SENATE OF THE UNITED STATES

MAY 23 (legislative day, MAY 22), 2019

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

SEPTEMBER 26, 2019

Reported by Mr. RISCH, with an amendment

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

A BILL

To express United States support for Taiwan’s diplomatic alliances around the world.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan Allies Inter-
5 national Protection and Enhancement Initiative (TAIPEI)
6 Act of 2019”.

1 **SEC. 2. DIPLOMATIC RELATIONS WITH TAIWAN.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) The Taiwan Relations Act of 1979 (Public
5 Law 96–8) states that it is the policy of the United
6 States “to preserve and promote extensive, close,
7 and friendly commercial, cultural, and other rela-
8 tions between the people of the United States and
9 the people on Taiwan”.

10 (2) The Taiwan Relations Act of 1979 states
11 that it is the policy of the United States “to main-
12 tain the capacity of the United States to resist any
13 resort to force or other forms of coercion that would
14 jeopardize the security, or the social or economic
15 system, of the people on Taiwan”.

16 (3) Taiwan is a free, democratic, and pros-
17 perous nation of 23,000,000 people and an impor-
18 tant contributor to peace and stability around the
19 world.

20 (4) Since the election of President Tsai Ing-wen
21 as President of Taiwan in 2016, the Government of
22 the People’s Republic of China has intensified its ef-
23 forts to pressure Taiwan.

24 (5) Since 2016, the Gambia, Sao Tome and
25 Principe, Panama, the Dominican Republic, Burkina
26 Faso, and El Salvador have severed diplomatic rela-

1 tions with Taiwan in favor of diplomatic relations
2 with China.

3 (6) Taiwan currently maintains full diplomatic
4 relations with 17 nations around the world.

5 (7) According to President Tsai Ing-wen, the
6 severance of diplomatic ties is “part of a series of
7 diplomatic and military acts of coercion”.

8 (8) The Asia Reassurance Initiative Act of
9 2018 (Public Law 115–409) states that—

10 (A) it is United States policy “to support
11 the close economic, political, and security rela-
12 tionship between Taiwan and the United
13 States”; and

14 (B) the President should—

15 (i) “conduct regular transfers of de-
16 fense articles to Taiwan that are tailored
17 to meet the existing and likely future
18 threats from the People’s Republic of
19 China, including supporting the efforts of
20 Taiwan to develop and integrate asym-
21 metric capabilities, as appropriate, includ-
22 ing mobile, survivable, and cost-effective
23 capabilities, into its military forces”; and

1 (ii) “encourage the travel of high-level
 2 United States officials to Taiwan, in ac-
 3 cordance with the Taiwan Travel Act”.

4 **SEC. 3. REPORT ON UNITED STATES STRATEGY REGARD-**
 5 **ING TAIWAN’S INTERNATIONAL RECOGNI-**
 6 **TION.**

7 (a) IN GENERAL.—Not later than 90 days after the
 8 date of the enactment of this Act, and every 180 days
 9 thereafter, the Secretary of State or a designee of the Sec-
 10 retary shall submit to the appropriate congressional com-
 11 mittees a report on actions taken by the United States
 12 to reaffirm and strengthen Taiwan’s international alli-
 13 ances around the world.

14 (b) ELEMENTS.—Each report required by subsection
 15 (a) shall include the following elements:

16 (1) A description of the actions taken by the
 17 Secretary of State, or designees of the Secretary, ef-
 18 fective May 20, 2016, to consult with governments
 19 around the world, including the governments that
 20 maintain official diplomatic relations with Taiwan,
 21 with the purpose of inducing those governments to
 22 maintain official diplomatic relations with Taiwan or
 23 otherwise strengthen unofficial relations with Tai-
 24 wan.

1 (2) An enumeration of specific countries of con-
 2 cern, if any, and a description of the actions taken,
 3 or actions anticipated, by those governments, com-
 4 mencing May 20, 2016, to alter the formal diplo-
 5 matic ties with Taiwan or to otherwise downgrade
 6 official or unofficial relations.

7 (3) A plan of action to engage with the govern-
 8 ments of the countries identified in paragraphs (1)
 9 and (2) and increase cooperation with respect to
 10 Taiwan.

11 (c) FORM OF REPORT.—Each report required by sub-
 12 section (a) shall be submitted in unclassified form but may
 13 include a classified annex.

14 **SEC. 4. AUTHORIZATION TO CONSIDER MODIFICATION OF**
 15 **UNITED STATES DIPLOMATIC PRESENCE**
 16 **WITH NATIONS TAKING ACTIONS TO UNDER-**
 17 **MINE TAIWAN.**

18 (a) IN GENERAL.—The Secretary of State may con-
 19 sider taking such action to modify United States diplo-
 20 matic presence as necessary and appropriate to provide
 21 incentives to countries considering or taking steps to alter
 22 or downgrade official or unofficial ties with Taiwan.

23 (b) ACTIONS INCLUDED.—Actions described in sub-
 24 section (a) may include—

1 (1) supplementing or reducing the appropriate
 2 diplomatic presence in the United States of coun-
 3 tries identified pursuant to section 3 as having
 4 taken, or anticipating, actions to alter formal diplo-
 5 matic ties with Taiwan or otherwise downgrade rela-
 6 tions; and

7 (2) supplementing or reducing the diplomatic
 8 presence of the United States in those countries.

9 (c) CONSULTATION.—Not less than 30 days before
 10 taking any action under subsection (a), the Secretary shall
 11 consult with the appropriate congressional committees
 12 with respect to the action.

13 **SEC. 5. AUTHORIZATION TO CONSIDER ADJUSTMENT OF**
 14 **UNITED STATES ASSISTANCE TO NATIONS**
 15 **TAKING ACTIONS TO UNDERMINE TAIWAN.**

16 (a) IN GENERAL.—The Secretary of State may con-
 17 sider the expansion, termination, or reduction of United
 18 States foreign assistance to countries identified pursuant
 19 to section 3 as having taken, or anticipating, actions to
 20 alter or downgrade official or unofficial ties with Taiwan
 21 or otherwise downgrade relations.

22 (b) ASSISTANCE INCLUDED.—Assistance for consid-
 23 eration under subsection (a) may include—

1 (1) assistance under chapter 4 of part H of the
2 Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
3 seq.; relating to the Economic Support Fund);

4 (2) military assistance provided pursuant to
5 section 23 of the Arms Export Control Act (22
6 U.S.C. 2763; relating to the Foreign Military Fi-
7 nancing Program); and

8 (3) assistance provided under chapter 5 of part
9 H of the Foreign Assistance Act of 1961 (22 U.S.C.
10 2347 et seq.; relating to international military edu-
11 cation and training).

12 (c) CONSULTATION.—Not less than 30 days before
13 taking any action under subsection (a), the Secretary shall
14 consult with the appropriate congressional committees
15 with respect to the action, as well as comply with the noti-
16 fication procedures applicable to reprogramming pursuant
17 to section 634A of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2394–1).

19 **SEC. 6. POLICY OF THE UNITED STATES WITH REGARD TO**
20 **TAIWAN'S PARTICIPATION IN INTERNATION-**
21 **AL ORGANIZATIONS.**

22 It should be the policy of the United States—

23 (1) to advocate, as appropriate—

24 (A) for Taiwan's membership in all inter-
25 national organizations in which statehood is not

a requirement and in which the United States is also a participant; and

~~(B) for Taiwan to be granted observer status in other appropriate international organizations;~~

~~(2) to instruct, as appropriate, representatives of the United States Government in all organizations described in paragraph (1) to use the voice and vote of the United States to advocate for Taiwan's membership or observer status in such organizations; and~~

~~(3) for the President or the President's designees to advocate, as appropriate, for Taiwan's membership or observer status in all organizations described in paragraph (1) as part of any relevant bilateral engagements between the United States and the People's Republic of China, including leader summits and the U.S.-China Comprehensive Economic Dialogue.~~

SEC. 7. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term "appropriate congressional committees" means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

1 ~~(2) the Committee on Foreign Affairs and the~~
 2 ~~Committee on Appropriations of the House of Rep-~~
 3 ~~resentatives.~~

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “Taiwan Allies Inter-*
 6 *national Protection and Enhancement Initiative (TAIPEI)*
 7 *Act of 2019”.*

8 **SEC. 2. DIPLOMATIC RELATIONS WITH TAIWAN.**

9 (a) *FINDINGS.*—Congress makes the following findings:

10 (1) *The Taiwan Relations Act of 1979 (Public*
 11 *Law 96–8) states that it is the policy of the United*
 12 *States “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”.*

16 (2) *The Taiwan Relations Act of 1979 states that*
 17 *it is the policy of the United States “to maintain the*
 18 *capacity of the United States to resist any resort to*
 19 *force or other forms of coercion that would jeopardize*
 20 *the security, or the social or economic system, of the*
 21 *people on Taiwan”.*

22 (3) *Taiwan is a free, democratic, and prosperous*
 23 *nation of 23,000,000 people and an important con-*
 24 *tributor to peace and stability around the world.*

1 (4) *Since the election of President Tsai Ing-wen*
 2 *as President of Taiwan in 2016, the Government of*
 3 *the People's Republic of China has intensified its ef-*
 4 *forts to pressure Taiwan.*

5 (5) *Since 2016, the Gambia, Sao Tome and*
 6 *Principe, Panama, the Dominican Republic, Burkina*
 7 *Faso, El Salvador, the Solomon Islands, and Kiribati*
 8 *have severed diplomatic relations with Taiwan in*
 9 *favor of diplomatic relations with China.*

10 (6) *Taiwan currently maintains full diplomatic*
 11 *relations with 15 nations around the world.*

12 (7) *Taiwan's unofficial relations with the United*
 13 *States, Australia, India, Japan, and other countries*
 14 *are of significant benefit in strengthening Taiwan's*
 15 *economy and preserving its international space.*

16 (8) *According to President Tsai Ing-wen, the sev-*
 17 *erance of diplomatic ties with Taiwan in favor of*
 18 *diplomatic relations with China is “part of a series*
 19 *of diplomatic and military acts of coercion” by*
 20 *China.*

21 (9) *The Asia Reassurance Initiative Act of 2018*
 22 *(Public Law 115–409) states that—*

23 (A) *it is United States policy “to support*
 24 *the close economic, political, and security rela-*

1 *tionship between Taiwan and the United*
 2 *States”; and*

3 *(B) the President should—*

4 *(i) “conduct regular transfers of de-*
 5 *fense articles to Taiwan that are tailored to*
 6 *meet the existing and likely future threats*
 7 *from the People’s Republic of China, includ-*
 8 *ing supporting the efforts of Taiwan to de-*
 9 *velop and integrate asymmetric capabilities,*
 10 *as appropriate, including mobile, surviv-*
 11 *able, and cost-effective capabilities, into its*
 12 *military forces”; and*

13 *(ii) “encourage the travel of high-level*
 14 *United States officials to Taiwan, in ac-*
 15 *cordance with the Taiwan Travel Act”.*

16 **SEC. 3. STRENGTHENING OF OFFICIAL OR UNOFFICIAL**
 17 **TIES WITH TAIWAN.**

18 *(a) SENSE OF CONGRESS.—It is the sense of Congress*
 19 *that the United States Government should—*

20 *(1) support Taiwan in strengthening its official*
 21 *diplomatic relationships as well as unofficial partner-*
 22 *ships with countries in the Indo-Pacific region and*
 23 *around the world;*

24 *(2) consider, in certain cases as appropriate and*
 25 *in alignment with United States interests, increasing*

1 *its economic, security, and diplomatic engagement*
 2 *with nations that have demonstrably strengthened, en-*
 3 *hanced, or upgraded relations with Taiwan; and*

4 *(3) consider, in certain cases as appropriate and*
 5 *in alignment with United States interests, reducing*
 6 *its economic, security, and diplomatic engagement*
 7 *with nations that take serious or significant actions*
 8 *to undermine Taiwan.*

9 *(b) CONSULTATION.—Not less than 30 days before in-*
 10 *creasing or decreasing the United States Government's eco-*
 11 *nomie, security, or diplomatic engagement with another na-*
 12 *tion as a result of an action taken by that nation to either*
 13 *strengthen or undermine ties with Taiwan, the Secretary*
 14 *of State shall consult with the appropriate congressional*
 15 *committees with respect to the proposed United States ac-*
 16 *tion or actions.*

17 *(c) RULE OF CONSTRUCTION.—Nothing in this Act*
 18 *shall be construed to supersede or otherwise alter obligations*
 19 *to comply with the notification procedures applicable to re-*
 20 *programming pursuant to section 634A of the Foreign As-*
 21 *sistance Act of 1961 (22 U.S.C. 2394–1).*

22 **SEC. 4. POLICY OF THE UNITED STATES WITH REGARD TO**
 23 **TAIWAN'S PARTICIPATION IN INTER-**
 24 **NATIONAL ORGANIZATIONS.**

25 *It should be the policy of the United States—*

1 (1) to advocate, as appropriate—

2 (A) for Taiwan's membership in all inter-
3 national organizations in which statehood is not
4 a requirement and in which the United States is
5 also a participant; and

6 (B) for Taiwan to be granted observer sta-
7 tus in other appropriate international organiza-
8 tions;

9 (2) to instruct, as appropriate, representatives of
10 the United States Government in all organizations
11 described in paragraph (1) to use the voice, vote, and
12 influence of the United States to advocate for Tai-
13 wan's membership or observer status in such organi-
14 zations; and

15 (3) for the President or the President's designees
16 to advocate, as appropriate, for Taiwan's membership
17 or observer status in all organizations described in
18 paragraph (1) as part of any relevant bilateral en-
19 gagements between the United States and the People's
20 Republic of China, including leader summits and the
21 U.S.-China Comprehensive Economic Dialogue.

22 **SEC. 5. SENSE OF CONGRESS ON TRADE NEGOTIATIONS**
23 **WITH TAIWAN.**

24 *It is the sense of Congress that the United States should*
25 *engage in bilateral trade negotiations with Taiwan, with*

1 *the goal of entering into a free trade agreement that is of*
2 *mutual economic benefit and that protects United States*
3 *workers and benefits United States exporters.*

4 **SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
5 **FINED.**

6 *In this Act, the term “appropriate congressional com-*
7 *mittees” means—*

8 *(1) the Committee on Foreign Relations and the*
9 *Committee on Appropriations of the Senate; and*

10 *(2) the Committee on Foreign Affairs and the*
11 *Committee on Appropriations of the House of Rep-*
12 *resentatives.*

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