

117TH CONGRESS
1ST SESSION

S. _____

To support United States policy toward Taiwan.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself and Mr. MERKLEY) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To support United States policy toward Taiwan.

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 Relations Re-
5 inforcement Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Taiwan Relations Act of 1979 (Public
9 Law 96–8) and the Six Assurances, first articulated
10 by President Ronald Reagan in 1982, are both cor-

1 nerstones of United States relations with Taiwan,
2 formally known as the Republic of China (ROC).

3 (2) The People’s Republic of China (PRC) and
4 Taiwan have been ruled without interruption by sep-
5 arate governments since 1949, and Taiwan has not
6 been subjected to rule by the PRC at any point since
7 the PRC was first established in 1949.

8 (3) The so-called “One China Policy” of the
9 United States Government is not the same as the
10 “One China principle” espoused by the People’s Re-
11 public of China.

12 (4) Threats and actions by the Government of
13 the People’s Republic of China to unilaterally deter-
14 mine Taiwan’s future through non-peaceful means,
15 including the direct use of force, military coercion,
16 economic boycotts or embargoes, and efforts to
17 internationally isolate or annex Taiwan, would un-
18 dermine stability in the Taiwan Strait and are of
19 grave concern to the United States Government.

20 (5) The Chinese Communist Party’s (CCP)
21 global influence operations and efforts to exert sharp
22 power have sought to diplomatically undermine the
23 legitimacy of the democratically elected Government
24 of Taiwan, intimidate the people of Taiwan, and
25 force Taiwan’s diplomatic partners to abandon it.

1 (6) The force modernization program and mili-
2 tary buildup of the CCP-controlled People’s Libera-
3 tion Army poses a serious challenge to the balance
4 of power in the Indo-Pacific region, including the
5 Taiwan Strait, and to United States national secu-
6 rity interests as a Pacific power.

7 (7) Cultural and educational exchanges between
8 the United States and Taiwan are a key component
9 of building and strengthening bilateral people-to-peo-
10 ple ties and provide important, high-quality learning
11 opportunities for students interested in politics, his-
12 tory, language, and culture.

13 (8) Taiwan is an important trading partner for
14 the United States, representing the 10th largest
15 market for United States exports in 2019.

16 (9) April 10, 2020, marked the 41st anniver-
17 sary of the Taiwan Relations Act of 1979 (Public
18 Law 96–8).

19 **SEC. 3. SENSE OF CONGRESS.**

20 It is the sense of Congress that—

21 (1) the United States Government should
22 strengthen cooperation with the military of Taiwan
23 under the framework of the Taiwan Relations Act
24 (Public Law 96–8) and the Six Assurances with con-
25 sideration of the ongoing military buildup in China

1 and the imbalance in the security environment in the
2 Taiwan Strait;

3 (2) the United States Government should urge
4 Taiwan to increase its own investments in military
5 capabilities that support implementation of its asym-
6 metric defense strategy;

7 (3) the United States Government should pro-
8 mote dignity and respect for its Taiwanese counter-
9 parts, 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 inclusion and
12 meaningful participation in international organiza-
13 tions as well as in bilateral and multilateral security
14 summits, military exercises, and economic dialogues
15 and forums; and

16 (4) in order to deepen economic ties and ad-
17 vance the interests of the United States, the United
18 States Government should prioritize the negotiation
19 of a free trade agreement with Taiwan that provides
20 high levels of labor rights and environmental protec-
21 tion as soon as possible.

22 **SEC. 4. A TWENTY-FIRST CENTURY PARTNERSHIP WITH**
23 **TAIWAN.**

24 (a) STATEMENT OF POLICY.—It is the policy of the
25 United States to create and execute a plan for enhancing

1 its relationship with Taiwan by forming a robust partner-
2 ship that meets the challenges of the 21st century, fully
3 accounts for Taiwan's democratization, and remains faith-
4 ful to United States principles and values in keeping with
5 the Taiwan Relations Act and the Six Assurances.

6 (b) INTERAGENCY TAIWAN POLICY TASK FORCE.—
7 Not later than 90 days after the date of the enactment
8 of this Act, the President shall create an interagency Tai-
9 wan policy task force consisting of senior officials from
10 the Office of the President, the National Security Council,
11 the Department of State, the Department of Defense, the
12 Department of the Treasury, the Department of Com-
13 merce, and the Office of the United States Trade Rep-
14 resentative.

15 (c) REPORT.—The interagency Taiwan Policy Task
16 Force established under subsection (b) shall submit an an-
17 nual unclassified report with a classified annex to the ap-
18 propriate congressional committees outlining policy and
19 actions to be taken to create and execute a plan for en-
20 hancing our partnership and relations with Taiwan.

21 **SEC. 5. AMERICAN INSTITUTE IN TAIWAN.**

22 The position of Director of the American Institute in
23 Taiwan's Taipei office shall be subject to the advice and
24 consent of the Senate, and effective upon enactment of
25 this Act shall have the title of Representative.

1 **SEC. 6. SUPPORTING UNITED STATES EDUCATIONAL AND**
2 **EXCHANGE PROGRAMS WITH TAIWAN.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States to support United States educational and
5 exchange programs with Taiwan, including by authorizing
6 such sum as may be necessary to promote the study of
7 Chinese language, culture, history, and politics in Taiwan.

8 (b) ESTABLISHMENT OF THE UNITED STATES-TAI-
9 WAN CULTURAL EXCHANGE FOUNDATION.—The Sec-
10 retary of State shall establish a new United States-Taiwan
11 Cultural Exchange Foundation, an independent nonprofit
12 dedicated to deepening ties between the future leaders of
13 Taiwan and the United States. The Foundation shall work
14 with State and local school districts and educational insti-
15 tutions to send high school and university students to Tai-
16 wan to study the Chinese language, culture, history, poli-
17 tics, and other relevant subjects.

18 (c) PARTNERING WITH TECRO.—State and local
19 school districts and educational institutions such as public
20 universities shall partner with the Taipei Economic and
21 Cultural Representative Office (TECRO) in the United
22 States to establish programs to promote an increase in
23 educational and cultural exchanges.

24 (d) REPORT.—Not later than 90 days after the date
25 of the enactment of this Act, the Secretary of State shall
26 submit to the appropriate congressional committees a re-

1 port on cooperation between the United States Govern-
2 ment and the Taiwanese government to create an alter-
3 native to Confucius Institutes in an effort to promote free-
4 dom, democracy, universal values, culture, and history in
5 conjunction with Chinese language education.

6 **SEC. 7. PARTICIPATION OF TAIWAN IN INTERNATIONAL OR-**
7 **GANIZATIONS.**

8 (a) STATEMENT OF POLICY.—It is the policy of the
9 United States to promote Taiwan’s inclusion and mean-
10 ingful participation in meetings held by international orga-
11 nizations.

12 (b) SUPPORT FOR MEANINGFUL PARTICIPATION.—
13 The Permanent Representative of the United States to the
14 United Nations and other relevant United States officials
15 should actively support Taiwan’s membership and mean-
16 ingful participation in international organizations.

17 (c) REPORT.—Not later than 90 days after the date
18 of the enactment of this Act, the Secretary of State shall
19 submit to the appropriate congressional committees a re-
20 port on China’s efforts at the United Nations and other
21 international bodies to block Taiwan’s meaningful partici-
22 pation and inclusion and recommend appropriate re-
23 sponses to be taken by the United States.

1 **SEC. 8. INVITATION OF TAIWANESE COUNTERPARTS TO**
2 **HIGH-LEVEL BILATERAL AND MULTILATERAL**
3 **FORUMS AND EXERCISES.**

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

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

10 (1) the United States Government should invite
11 Taiwan to regional dialogues on issues of mutual
12 concern;

13 (2) the United States Government and Tai-
14 wanese counterparts should resume meetings under
15 the United States-Taiwan Trade and Investment
16 Framework Agreement and reach a bilateral free
17 trade agreement;

18 (3) the United States Government should invite
19 Taiwan to participate in bilateral and multilateral
20 military training exercises; and

21 (4) the United States Government and Tai-
22 wanese counterparts should engage in a regular and
23 routine strategic bilateral dialogue on arms sales in
24 accordance with Foreign Military Sales mechanisms,
25 and the United States Government should support

1 export licenses for direct commercial sales sup-
2 porting Taiwan's indigenous defensive capabilities.

3 **SEC. 9. REPORT ON TAIWAN TRAVEL ACT.**

4 (a) LIST OF HIGH-LEVEL VISITS.—Not later than
5 180 days after the date of the enactment of this Act, and
6 annually thereafter, the Secretary of State shall, in ac-
7 cordance with the Taiwan Travel Act (Public Law 115–
8 135), submit to the appropriate congressional committees
9 a list of high-level officials from the United States Govern-
10 ment that have traveled to Taiwan and a list of high-level
11 officials of Taiwan that have entered the United States.

12 (b) ANNUAL REPORT.—Not later than 90 days after
13 the date of the enactment of this Act, and annually there-
14 after, the Secretary of State shall submit to the appro-
15 priate congressional committees a report on implementa-
16 tion of the Taiwan Travel Act.

17 **SEC. 10. PROHIBITIONS AGAINST UNDERMINING UNITED**
18 **STATES POLICY REGARDING TAIWAN.**

19 (a) FINDING.—Congress finds that the efforts by the
20 Government of the People's Republic of China (PRC) and
21 the Chinese Communist Party to compel private United
22 States businesses, corporations, and nongovernmental en-
23 tities to use PRC-mandated language to describe the rela-
24 tionship between Taiwan and China are an intolerable at-
25 tempt to enforce political censorship globally and should

1 be considered an attack on the fundamental underpinnings
2 of all democratic and free societies, including the constitu-
3 tionally protected right to freedom of speech.

4 (b) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United States Government, in coordination
6 with United States businesses and nongovernmental enti-
7 ties, should formulate a code of conduct for interacting
8 with the Government of the People’s Republic of China
9 and the Chinese Communist Party and affiliated entities,
10 the aim of which is—

11 (1) to counter PRC sharp power operations,
12 which threaten free speech, academic freedom, and
13 the normal operations of United States businesses
14 and nongovernmental entities; and

15 (2) to counter PRC efforts to censor the way
16 the world refers to issues deemed sensitive to the
17 Government of the People’s Republic of China and
18 Chinese Communist Party leaders, including issues
19 related to Taiwan, Tibet, the Tiananmen Square
20 Massacre, and the mass internment of Uyghurs and
21 other Turkic Muslims, among many other issues.

22 (c) PROHIBITION ON RECOGNITION OF PRC CLAIMS
23 TO SOVEREIGNTY OVER TAIWAN.—

24 (1) SENSE OF CONGRESS.—It is the sense of
25 Congress that—

1 (A) issues related to the sovereignty of
2 Taiwan are for the people of Taiwan to decide
3 through the democratic process they have estab-
4 lished;

5 (B) the dispute between the People's Re-
6 public of China and Taiwan must be resolved
7 peacefully and with the assent of the people of
8 Taiwan;

9 (C) the primary obstacle to peaceful reso-
10 lution is the authoritarian nature of the PRC
11 political system under one-party rule of the Chi-
12 nese Communist Party, which is fundamentally
13 incompatible with Taiwan's democracy; and

14 (D) any attempt to coerce the people of
15 Taiwan to accept a political arrangement that
16 would subject them to direct or indirect rule by
17 the PRC, including a "one country, two sys-
18 tems" framework, would constitute a grave
19 challenge to United States security interests in
20 the region.

21 (2) STATEMENT OF POLICY.—It is the policy of
22 the United States to oppose any attempt by the
23 PRC authorities to unilaterally impose a timetable
24 or deadline for unification on Taiwan.

1 (3) PROHIBITION ON RECOGNITION OF PRC
2 CLAIMS WITHOUT ASSENT OF PEOPLE OF TAIWAN.—
3 No department or agency of the United States Gov-
4 ernment may formally or informally recognize PRC
5 claims to sovereignty over Taiwan without the assent
6 of the people of Taiwan, as expressed directly
7 through the democratic process.

8 (4) TREATMENT OF TAIWAN GOVERNMENT.—

9 (A) IN GENERAL.—The Department of
10 State and other United States Government
11 agencies shall treat the democratically elected
12 government of Taiwan as the legitimate rep-
13 resentative of the people of Taiwan and end the
14 outdated practice of referring to the govern-
15 ment in Taiwan as the “authorities”. Notwith-
16 standing the continued supporting role of the
17 American Institute in Taiwan in carrying out
18 United States foreign policy and protecting
19 United States interests in Taiwan, the United
20 States Government shall not place any restric-
21 tions on the ability of officials of the Depart-
22 ment of State and other United States Govern-
23 ment agencies from interacting directly and
24 routinely with counterparts in the Taiwan gov-
25 ernment.

1 (B) RULE OF CONSTRUCTION.—Nothing in
2 this paragraph shall be construed as entailing
3 restoration of diplomatic relations with the Re-
4 public of China, which were terminated on Jan-
5 uary 1, 1979, or altering the United States
6 Government’s position on Taiwan’s inter-
7 national status.

8 (d) STRATEGY TO PROTECT UNITED STATES BUSI-
9 NESSES AND NONGOVERNMENTAL ENTITIES FROM COER-
10 CION.—Not later than 90 days after the date of the enact-
11 ment of this Act, the Secretary of State, in consultation
12 with the Secretary of Commerce, the Secretary of the
13 Treasury, and the heads of other relevant Federal agen-
14 cies, shall submit an unclassified report, with a classified
15 annex if necessary, to protect United States businesses
16 and nongovernmental entities from sharp power oper-
17 ations, including coercion and threats that lead to censor-
18 ship or self-censorship, or which compel compliance with
19 political or foreign policy positions of the Government of
20 the People’s Republic of China and the Chinese Com-
21 munist Party. The strategy shall include the following ele-
22 ments:

23 (1) Information on efforts by the Government
24 of the People’s Republic of China to censor the
25 websites of United States airlines, hotels, and other

1 businesses regarding the relationship between Tai-
2 wan and the People's Republic of China.

3 (2) Information on efforts by the Government
4 of the People's Republic of China to target United
5 States nongovernmental entities through sharp
6 power operations intended to weaken support for
7 Taiwan.

8 (3) Information on United States Government
9 efforts to counter the threats posed by Chinese
10 state-sponsored propaganda and disinformation, in-
11 cluding information on best practices, current suc-
12 cesses, and existing barriers to responding to this
13 threat.

14 (4) Details of any actions undertaken to create
15 a code of conduct pursuant to subsection (b) and a
16 timetable for implementation.

17 **SEC. 11. STRATEGY TO RESPOND TO SHARP POWER OPER-**
18 **ATIONS TARGETING TAIWAN.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of State
21 shall develop and implement a strategy to respond to
22 sharp power operations and the united front campaign
23 supported by the Government of the People's Republic of
24 China and the Chinese Communist Party that are directed
25 toward persons or entities in Taiwan.

1 (b) ELEMENTS.—The strategy required under sub-
2 section (a) shall include the following elements:

3 (1) Development of a response to PRC propa-
4 ganda and disinformation campaigns and cyber-in-
5 trusions targeting Taiwan, including—

6 (A) assistance in building the capacity of
7 the Taiwan government and private-sector enti-
8 ties to document and expose propaganda and
9 disinformation supported by the Government of
10 the People’s Republic of China, the Chinese
11 Communist Party, or affiliated entities;

12 (B) assistance to enhance the Taiwan gov-
13 ernment’s ability to develop a whole-of-govern-
14 ment strategy to respond to sharp power oper-
15 ations, including election interference; and

16 (C) media training for Taiwan officials and
17 other Taiwan entities targeted by
18 disinformation campaigns.

19 (2) Development of a response to political influ-
20 ence operations that includes an assessment of the
21 extent of influence exerted by the Government of the
22 People’s Republic of China and the Chinese Com-
23 munist Party in Taiwan on local political parties, fi-
24 nancial institutions, media organizations, and other
25 entities.

1 (3) Support for exchanges and other technical
2 assistance to strengthen the Taiwan legal system's
3 ability to respond to sharp power operations.

4 (4) Establishment of a coordinated partnership,
5 through the Global Cooperation and Training
6 Framework, with like-minded governments to share
7 data and best practices with the Government of Tai-
8 wan on ways to address sharp power operations sup-
9 ported by the Government of the People's Republic
10 of China and the Chinese Communist Party.

11 **SEC. 12. REPORT ON DETERRENCE IN THE TAIWAN STRAIT.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, and annually thereafter, the Secretary
14 of State and the Secretary of Defense shall submit to the
15 appropriate congressional committees a joint report that
16 assesses the military posture of Taiwan and the United
17 States as it specifically pertains to the deterrence of mili-
18 tary conflict and conflict readiness in the Taiwan Strait.
19 In light of the changing military balance in the Taiwan
20 Strait, the report should include analysis of whether cur-
21 rent Taiwan and United States policies sufficiently deter
22 efforts to determine the future of Taiwan by other than
23 peaceful means.

24 **SEC. 13. DEFINITIONS.**

25 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means the Committee on Foreign Relations
4 of the Senate and the Committee on Foreign Affairs
5 of the House of Representatives.

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

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

17 (B) to foster attitudes, behavior, decisions,
18 or outcomes in Taiwan and elsewhere that sup-
19 port the interests of the Government of the
20 People’s Republic of China or the Chinese Com-
21 munist Party.