

118TH 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 2023”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) the United States Government should
9 strengthen cooperation with the military of Taiwan
10 under the framework of the Taiwan Relations Act
11 (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the

1 Six Assurances with consideration of the ongoing
2 military buildup in China and the imbalance in the
3 security environment in the Taiwan Strait;

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

8 (3) the United States Government should pro-
9 mote dignity and respect for its Taiwanese counter-
10 parts, who represent more than 23,000,000 citizens,
11 by using the full range of diplomatic and financial
12 tools available to promote Taiwan's inclusion and
13 meaningful participation in international organiza-
14 tions as well as in bilateral and multilateral security
15 summits, military exercises, and economic dialogues
16 and forums; and

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

1 **SEC. 3. A TWENTY-FIRST CENTURY PARTNERSHIP WITH**
2 **TAIWAN.**

3 (a) STATEMENT OF POLICY.—It is the policy of the
4 United States to create and execute a plan for enhancing
5 its relationship with Taiwan by forming a robust partner-
6 ship that meets the challenges of the 21st century, fully
7 accounts for Taiwan’s democratization, and remains faith-
8 ful to United States principles and values in keeping with
9 the Taiwan Relations Act and the Six Assurances.

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

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

1 **SEC. 4. AMERICAN INSTITUTE IN TAIWAN.**

2 The position of Director of the American Institute in
3 Taiwan's Taipei office shall be subject to the advice and
4 consent of the Senate, and effective upon enactment of
5 this Act shall have the title of Representative.

6 **SEC. 5. REPORT ON EDUCATION AND EXCHANGE PRO-**
7 **GRAMS.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Secretary of State shall submit to
10 the appropriate congressional committees a report on co-
11 operation between the United States Government and the
12 Taiwanese government on efforts to promote freedom, de-
13 mocracy, universal values, culture, and history in conjunc-
14 tion with Chinese language education.

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

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

21 (b) SUPPORT FOR MEANINGFUL PARTICIPATION.—
22 The Permanent Representative of the United States to the
23 United Nations and other relevant United States officials
24 should actively support Taiwan's membership and mean-
25 ingful participation in international organizations.

1 (c) REPORT.—Not later than 90 days after the date
2 of the enactment of this Act, the Secretary of State shall
3 submit to the appropriate congressional committees a re-
4 port on China’s efforts at the United Nations and other
5 international bodies to block Taiwan’s meaningful partici-
6 pation and inclusion and recommend appropriate re-
7 sponses to be taken by the United States.

8 **SEC. 7. INVITATION OF TAIWANESE COUNTERPARTS TO**
9 **HIGH-LEVEL BILATERAL AND MULTILATERAL**
10 **FORUMS AND EXERCISES.**

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

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

17 (1) the United States Government should invite
18 Taiwan to regional dialogues on issues of mutual
19 concern;

20 (2) the United States Government and Tai-
21 wanese counterparts should resume meetings under
22 the United States-Taiwan Trade and Investment
23 Framework Agreement and reach a bilateral free
24 trade agreement;

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

4 (4) the United States Government and Tai-
5 wanese counterparts should engage in a regular and
6 routine strategic bilateral dialogue on arms sales in
7 accordance with Foreign Military Sales mechanisms,
8 and the United States Government should support
9 export licenses for direct commercial sales sup-
10 porting Taiwan's indigenous defensive capabilities.

11 **SEC. 8. PROHIBITIONS AGAINST UNDERMINING UNITED**
12 **STATES POLICY REGARDING TAIWAN.**

13 (a) FINDING.—Congress finds that the efforts by the
14 Government of the People's Republic of China (PRC) and
15 the Chinese Communist Party to compel private United
16 States businesses, corporations, and nongovernmental en-
17 tities to use PRC-mandated language to describe the rela-
18 tionship between Taiwan and China are an intolerable at-
19 tempt to enforce political censorship globally and should
20 be considered an attack on the fundamental underpinnings
21 of all democratic and free societies, including the constitu-
22 tionally protected right to freedom of speech.

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 interacting
2 with the Government of the People’s Republic of China
3 and the Chinese Communist Party and affiliated entities,
4 the aim of which is—

5 (1) to counter PRC sharp power operations,
6 which threaten free speech, academic freedom, and
7 the normal operations of United States businesses
8 and nongovernmental entities; and

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

16 (c) PROHIBITION ON RECOGNITION OF PRC CLAIMS
17 TO SOVEREIGNTY OVER TAIWAN.—

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

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

24 (B) the dispute between the People’s Re-
25 public of China and Taiwan must be resolved

1 peacefully and with the assent of the people of
2 Taiwan;

3 (C) the primary obstacle to peaceful reso-
4 lution is the authoritarian nature of the PRC
5 political system under one-party rule of the Chi-
6 nese Communist Party, which is fundamentally
7 incompatible with Taiwan's democracy; and

8 (D) any attempt to coerce the people of
9 Taiwan to accept a political arrangement that
10 would subject them to direct or indirect rule by
11 the PRC, including a "one country, two sys-
12 tems" framework, would constitute a grave
13 challenge to United States security interests in
14 the region.

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

19 (3) PROHIBITION ON RECOGNITION OF PRC
20 CLAIMS WITHOUT ASSENT OF PEOPLE OF TAIWAN.—
21 No department or agency of the United States Gov-
22 ernment may formally or informally recognize PRC
23 claims to sovereignty over Taiwan without the assent
24 of the people of Taiwan, as expressed directly
25 through the democratic process.

1 (4) TREATMENT OF TAIWAN GOVERNMENT.—

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

19 (B) RULE OF CONSTRUCTION.—Nothing in
20 this paragraph shall be construed as entailing
21 restoration of diplomatic relations with the Re-
22 public of China, which were terminated on Jan-
23 uary 1, 1979, or altering the United States
24 Government’s position on Taiwan’s inter-
25 national status.

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

16 (1) Information on efforts by the Government
17 of the People’s Republic of China to censor the
18 websites of United States airlines, hotels, and other
19 businesses regarding the relationship between Tai-
20 wan and the People’s Republic of China.

21 (2) Information on efforts by the Government
22 of the People’s Republic of China to target United
23 States nongovernmental entities through sharp
24 power operations intended to weaken support for
25 Taiwan.

1 (3) Information on United States Government
2 efforts to counter the threats posed by Chinese
3 state-sponsored propaganda and disinformation, in-
4 cluding information on best practices, current suc-
5 cesses, and existing barriers to responding to this
6 threat.

7 (4) Details of any actions undertaken to create
8 a code of conduct pursuant to subsection (b) and a
9 timetable for implementation.

10 **SEC. 9. STRATEGY TO RESPOND TO SHARP POWER OPER-**
11 **ATIONS TARGETING TAIWAN.**

12 (a) **IN GENERAL.**—Not later than 180 days after the
13 date of the enactment of this Act, the Secretary of State
14 shall develop and implement a strategy to respond to
15 sharp power operations and the united front campaign
16 supported by the Government of the People’s Republic of
17 China and the Chinese Communist Party that are directed
18 toward persons or entities in Taiwan.

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

21 (1) Development of a response to PRC propa-
22 ganda and disinformation campaigns and cyber-in-
23 trusions targeting Taiwan, including—

24 (A) assistance in building the capacity of
25 the Taiwan government and private-sector enti-

1 ties to document and expose propaganda and
2 disinformation supported by the Government of
3 the People's Republic of China, the Chinese
4 Communist Party, or affiliated entities;

5 (B) assistance to enhance the Taiwan gov-
6 ernment's ability to develop a whole-of-govern-
7 ment strategy to respond to sharp power oper-
8 ations, including election interference; and

9 (C) media training for Taiwan officials and
10 other Taiwan entities targeted by
11 disinformation campaigns.

12 (2) Development of a response to political influ-
13 ence operations that includes an assessment of the
14 extent of influence exerted by the Government of the
15 People's Republic of China and the Chinese Com-
16 munist Party in Taiwan on local political parties, fi-
17 nancial institutions, media organizations, and other
18 entities.

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

22 (4) Establishment of a coordinated partnership,
23 through the Global Cooperation and Training
24 Framework, with like-minded governments to share
25 data and best practices with the Government of Tai-

1 wan on ways to address sharp power operations sup-
2 ported by the Government of the People’s Republic
3 of China and the Chinese Communist Party.

4 **SEC. 10. REPORT ON DETERRENCE IN THE TAIWAN STRAIT.**

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

17 **SEC. 11. DEFINITIONS.**

18 In this Act:

19 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
20 **TEES.**—The term “appropriate congressional com-
21 mittees” means the Committee on Foreign Relations
22 of the Senate and the Committee on Foreign Affairs
23 of the House of Representatives.

24 (2) **SHARP POWER.**—The term “sharp power”
25 means the coordinated and often concealed applica-

1 tion of disinformation, media manipulation, eco-
2 nomic coercion, cyber-intrusions, targeted invest-
3 ments, and academic censorship that is intended—

4 (A) to corrupt political and nongovern-
5 mental institutions and interfere in democratic
6 elections and encourage self-censorship of views
7 at odds with those of the Government of the
8 People’s Republic of China or the Chinese Com-
9 munist Party; or

10 (B) to foster attitudes, behavior, decisions,
11 or outcomes in Taiwan and elsewhere that sup-
12 port the interests of the Government of the
13 People’s Republic of China or the Chinese Com-
14 munist Party.