

117TH CONGRESS
1ST SESSION

H. R. 1173

To authorize the President to use military force for the purpose of securing and defending Taiwan against armed attack, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

Mr. RESCIENTHALER (for himself, Mr. GALLAGHER, Mr. BURCHETT, Mr. CRENSHAW, Mr. PERRY, Mr. WALTZ, and Mr. TIFFANY) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the President to use military force for the purpose of securing and defending Taiwan against armed attack, 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 “Taiwan Invasion Pre-
5 vention Act”.

1 **TITLE I—AUTHORIZATION FOR**
2 **USE OF UNITED STATES**
3 **ARMED FORCES**

4 **SEC. 101. FINDINGS AND SENSE OF CONGRESS.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Taiwan is a free and prosperous democracy
7 of nearly 24,000,000 people and an important con-
8 tributor to peace and stability around the world.

9 (2) Section 2(b) of the Taiwan Relations Act
10 (Public Law 96–8; 22 U.S.C. 3301(b)) states that it
11 is the policy of the United States—

12 (A) “to preserve and promote extensive,
13 close, and friendly commercial, cultural, and
14 other relations between the people of the United
15 States and the people on Taiwan, as well as the
16 people on the China mainland and all other peo-
17 ples of the Western Pacific area”;

18 (B) “to declare that peace and stability in
19 the area are in the political, security, and eco-
20 nomic interests of the United States, and are
21 matters of international concern”;

22 (C) “to make clear that the United States
23 decision to establish diplomatic relations with
24 the People’s Republic of China rests upon the

1 expectation that the future of Taiwan will be
2 determined by peaceful means”;

3 (D) “to consider any effort to determine
4 the future of Taiwan by other than peaceful
5 means, including by boycotts or embargoes, a
6 threat to the peace and security of the Western
7 Pacific area and of grave concern to the United
8 States”;

9 (E) “to provide Taiwan with arms of a de-
10 fensive character”; and

11 (F) “to maintain the capacity of the
12 United States to resist any resort to force or
13 other forms of coercion that would jeopardize
14 the security, or the social or economic system,
15 of the people on Taiwan”.

16 (3) Since the election of President Tsai Ing-wen
17 as President of Taiwan in 2016, the Government of
18 the People’s Republic of China has intensified its ef-
19 forts to pressure Taiwan through diplomatic isola-
20 tion and military provocations.

21 (4) The rapid modernization of the People’s
22 Liberation Army and recent military maneuvers in
23 and around the Taiwan Strait illustrate a clear
24 threat to Taiwan’s security.

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

3 (1) both the United States and Taiwan have
4 made significant strides since 1979 in bolstering
5 their defense relationship;

6 (2) the People’s Republic of China has dramati-
7 cally increased the capability of its military forces
8 since 1979;

9 (3) the People’s Republic of China has in recent
10 years increased the use of its military forces to har-
11 ass and provoke Taiwan with the threat of over-
12 whelming force; and

13 (4) that it is the policy of the United States to
14 consider any effort to determine the future of Tai-
15 wan by anything other than peaceful means, includ-
16 ing by boycotts or embargoes, a threat to the peace
17 and security of the Western Pacific area, and of
18 grave concern to the United States.

19 **SEC. 102. AUTHORIZATION FOR USE OF UNITED STATES**
20 **ARMED FORCES.**

21 (a) IN GENERAL.—The President is authorized to
22 use the Armed Forces of the United States and take such
23 other measures as the President determines to be nec-
24 essary and appropriate in order to secure and protect Tai-
25 wan against the following:

1 (1) Direct armed attack by the military forces
2 of the People's Republic of China against the mili-
3 tary forces of Taiwan.

4 (2) The taking of territory under the effective
5 jurisdiction of Taiwan by the military forces of the
6 People's Republic of China.

7 (3) The endangering of the lives of members of
8 the military forces of Taiwan or civilians within the
9 effective jurisdiction of Taiwan in cases in which
10 such members or civilians have been killed or are in
11 imminent danger of being killed.

12 (b) WAR POWERS RESOLUTION REQUIREMENTS.—

13 (1) SPECIFIC STATUTORY AUTHORIZATION.—
14 Consistent with section 8(a)(1) of the War Powers
15 Resolution, the Congress declares that this section is
16 intended to constitute specific statutory authoriza-
17 tion within the meaning of section 5(b) of the War
18 Powers Resolution.

19 (2) APPLICABILITY OF OTHER REQUIRE-
20 MENTS.—Nothing in this Act supersedes any re-
21 quirement of the War Powers Resolution.

22 (c) SENSE OF CONGRESS.—It is the sense of Con-
23 gress that, at the earliest possible date after the date of
24 the enactment of this Act, the President should release
25 a public declaration that it is the policy of the United

1 States to secure and protect Taiwan against the actions
2 of the People's Republic of China described in paragraphs
3 (1), (2), and (3) of subsection (a).

4 (d) STATEMENT OF POLICY.—It is the policy of the
5 United States to demand that the People's Republic of
6 China officially renounce the use or threat of military
7 force in any attempt to unify with Taiwan.

8 (e) AUTHORIZATION PERIOD.—

9 (1) IN GENERAL.—The authorization for use of
10 the Armed Forces under this section shall expire on
11 the date that is 5 years after the date of the enact-
12 ment of this Act.

13 (2) SENSE OF CONGRESS.—It is the sense of
14 Congress that the authorization for use of the
15 Armed Forces under this section should be reauthor-
16 ized by a subsequent Act of Congress.

17 **TITLE II—OTHER MATTERS**

18 **SEC. 201. REGIONAL SECURITY DIALOGUE TO IMPROVE SE-** 19 **CURITY RELATIONSHIPS IN THE WESTERN** 20 **PACIFIC AREA.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of De-
23 fense, in coordination with the Secretary of State and the
24 heads of other relevant Federal agencies as appropriate,
25 shall seek to convene on an annual basis a regional secu-

1 rity dialogue with the Government of Taiwan and the gov-
 2 ernments of like-minded security partners to improve the
 3 security relationships among the United States and such
 4 countries in the Western Pacific area.

5 (b) MATTERS TO BE INCLUDED.—The regional secu-
 6 rity dialogue may consider matters relating to—

7 (1) coordinating lower-level military-to-military
 8 dialogue; and

9 (2) planning for potential military confrontation
 10 scenarios.

11 **SEC. 202. UNITED STATES-TAIWAN BILATERAL TRADE**
 12 **AGREEMENT.**

13 Not later than 180 days after the date of the enact-
 14 ment of this Act, the United States Trade Representative
 15 should seek to enter into negotiations with representatives
 16 from Taiwan to establish a bilateral trade agreement be-
 17 tween the United States and Taiwan.

18 **SEC. 203. UNITED STATES-TAIWAN COMBINED MILITARY**
 19 **EXERCISES AND RELATED ACTIONS.**

20 (a) COMBINED MILITARY EXERCISES.—The Sec-
 21 retary of Defense, in coordination with the heads of other
 22 relevant Federal agencies, should seek to carry out a pro-
 23 gram of combined military exercises between the United
 24 States, Taiwan, and, if feasible, United States allies and

1 partners to improve military coordination and relations
2 with Taiwan.

3 (b) COMBINED DISASTER RELIEF EXERCISES.—The
4 Secretary of Defense, in coordination with the heads of
5 other relevant Federal agencies, should engage with their
6 counterparts in Taiwan to organize combined disaster and
7 humanitarian relief exercises.

8 (c) TAIWAN STRAIT TRANSITS, FREEDOM OF NAVI-
9 GATION OPERATIONS, AND PRESENCE OPERATIONS.—
10 The Secretary of Defense should consider increasing tran-
11 sits through the Taiwan Strait, Freedom of Navigation
12 Operations in the Taiwan Strait, and Presence Operations
13 in the Western Pacific area by the United States Navy,
14 including in conjunction with United States allies and
15 partners.

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that Taiwan should dedicate additional domestic re-
18 sources toward advancing its military readiness for pur-
19 poses of defending Taiwan, including through—

20 (1) steady increases in annual defense spending
21 as a share of gross domestic product (GDP);

22 (2) procurements of defense technologies that
23 directly bolster Taiwan’s asymmetric defense capa-
24 bilities;

1 (3) reform of Taiwan’s military reserves, includ-
2 ing increasing the length of training required and
3 number of days required in service annually;

4 (4) participation with United States Armed
5 Forces in combined military exercises; and

6 (5) further engagement with the United States
7 on strengthening Taiwan’s cyber capabilities.

8 **SEC. 204. UNITED STATES SUPPORT FOR DEFENDING TAI-**
9 **WAN.**

10 It is the sense of Congress that—

11 (1) the Secretary of State should, given the se-
12 curity considerations posed by the People’s Republic
13 of China, accelerate the approval of sales of defense
14 articles and services to Taiwan for purposes of de-
15 fending Taiwan; and

16 (2) the Secretary of Defense should offer sup-
17 port to Taiwan by—

18 (A) continuing to send United States mili-
19 tary advisors to Taiwan for training purposes;

20 (B) encouraging members of the United
21 States Armed Forces to enroll in Taiwan’s Na-
22 tional Defense University;

23 (C) maintaining a significant United
24 States naval presence within a close proximity
25 to Taiwan; and

1 (D) reestablishing the Taiwan Patrol
2 Force under the direction of the United States
3 Navy.

4 **SEC. 205. HIGH-LEVEL VISITS.**

5 (a) VISIT TO TAIWAN BY PRESIDENT OF THE
6 UNITED STATES.—Not later than 1 year after the date
7 of the enactment of this Act, the President, or, if the
8 President so designates, the Secretary of State, with inter-
9 agency consultation and participation as appropriate,
10 should arrange a meeting with the President of Taiwan
11 in Taiwan.

12 (b) VISIT TO THE UNITED STATES BY PRESIDENT
13 OF TAIWAN.—It is the sense of Congress that the United
14 States would benefit from a meeting between the Presi-
15 dent or the Secretary of State and the President of Tai-
16 wan in the United States.

17 **SEC. 206. ADDRESS TO JOINT MEETING OF CONGRESS BY**
18 **PRESIDENT OF TAIWAN.**

19 It is the sense of Congress that it would be beneficial
20 for the United States and Taiwan to invite the President
21 of Taiwan to address a Joint Meeting of Congress and
22 subsequently participate in a roundtable discussion with
23 Members of Congress.

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