

116TH CONGRESS  
1ST SESSION

# S. 878

To foster security in Taiwan, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 26, 2019

Mr. COTTON (for himself, Mr. MENENDEZ, Mr. RUBIO, Mr. CRUZ, Ms. CORTEZ MASTO, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To foster security in Taiwan, 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 Assurance Act  
5       of 2019”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) April 10, 2019, marks the 40th anniversary  
9       of the Taiwan Relations Act of 1979 (Public Law  
10       96–8).

1           (2) Since 1949, the close relationship between  
2 the United States and Taiwan has been of enormous  
3 benefit to both parties and to the Indo-Pacific region  
4 as a whole.

5           (3) The security of Taiwan and its democracy  
6 are key elements for the continued peace and sta-  
7 bility of the greater Indo-Pacific region, and a vital  
8 national security interest of the United States.

9           (4) The military balance of power across the  
10 Taiwan Strait continues to shift in favor of the Peo-  
11 ple’s Republic of China, which is currently engaged  
12 in a comprehensive military modernization campaign  
13 to enhance the power-projection capabilities of the  
14 People’s Liberation Army and its ability to conduct  
15 joint operations.

16           (5) Taiwan and its diplomatic partners continue  
17 to face sustained pressure and coercion from the  
18 Government of the People’s Republic of China to  
19 isolate Taiwan from the international community.

20           (6) It is the policy of the United States to rein-  
21 force its commitments to Taiwan under the Taiwan  
22 Relations Act in a manner consistent with the “Six  
23 Assurances” and in accordance with the United  
24 States “One China” policy as both governments  
25 work to improve bilateral relations.

1           (7) In the Taiwan Travel Act, which became  
2 law on March 16, 2018, Congress observed that the  
3 “self-imposed restrictions that the United States  
4 maintains” on relations with Taiwan have negative  
5 consequences for the United States-Taiwan relation-  
6 ship.

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

9           (1) Taiwan is a vital part of the United States  
10 Free and Open Indo-Pacific Strategy;

11           (2) the United States Government—

12                   (A) supports Taiwan’s implementation of  
13 its asymmetric defense strategy; and

14                   (B) urges Taiwan to increase its defense  
15 spending in order to fully resource its defense  
16 strategy;

17           (3) the United States should conduct regular  
18 transfers of defense articles to Taiwan in order to  
19 enhance its self-defense capabilities, particularly its  
20 efforts to develop and integrate asymmetric capabili-  
21 ties, including undersea warfare and air defense ca-  
22 pabilities, into its military forces; and

23           (4) in 2019, the United State Trade Represent-  
24 ative should resume meetings under the United  
25 States and Taiwan Trade and Investment Frame-

1 work Agreement with the goal of reaching a bilateral  
2 free trade agreement.

3 **SEC. 4. TAIWAN'S INCLUSION IN INTERNATIONAL ORGANI-**  
4 **ZATIONS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that the People's Republic of China's attempts to  
7 exclude Taiwan from international organizations—

8 (1) are detrimental to global health, civilian air  
9 safety, and efforts to counter transnational crime;  
10 and

11 (2) are a national security concern of the  
12 United States.

13 (b) STATEMENT OF POLICY.—It is the policy of the  
14 United States to advocate for Taiwan's meaningful par-  
15 ticipation in the United Nations, the World Health Assem-  
16 bly, the International Civil Aviation Organization, the  
17 International Criminal Police Organization, and other  
18 international bodies as appropriate.

19 **SEC. 5. REVIEW OF DEPARTMENT OF STATE TAIWAN**  
20 **GUIDELINES.**

21 (a) IN GENERAL.—Not later than 180 days after the  
22 date of the enactment of this Act, the President shall con-  
23 duct a review of the Department of State's guidance on  
24 diplomatic practice with Taiwan, including the periodic  
25 memorandum entitled "Guidelines on Relations with Tai-

1 wan” and related documents, and reissue the guidance to  
2 executive branch agencies and offices.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that the Department of State’s guidance regarding  
5 relations with Taiwan—

6 (1) should be crafted with the intent to deepen  
7 and expand United States-Taiwan relations, and be  
8 based on the value, merits, and importance of the  
9 United States-Taiwan relationship;

10 (2) should acknowledge the reality that Taiwan  
11 is governed by a representative democratic govern-  
12 ment that is peacefully constituted through free and  
13 fair elections that reflect the will of the people of  
14 Taiwan, and that Taiwan is a free and open society  
15 that respects universal human rights and democratic  
16 values; and

17 (3) should ensure that any distinctions in diplo-  
18 matic practice regarding relations with Taiwan must  
19 be consistent with the longstanding, comprehensive,  
20 strategic, and values-based relationship the United  
21 States shares with Taiwan, and contribute to the  
22 peaceful resolution of cross-Strait issues.

1 **SEC. 6. ENHANCING THE U.S.-TAIWAN DEFENSE RELATION-**  
2 **SHIP.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-  
4 gress that it should be the policy of the Department of  
5 Defense to support Taiwan’s asymmetric defense strategy,  
6 including the development of Taiwan’s undersea warfare  
7 and air defense capabilities.

8 (b) REQUIRED DEPARTMENT OF DEFENSE AC-  
9 TIONS.—The Secretary of Defense shall make efforts to  
10 include Taiwanese forces in bilateral and multilateral mili-  
11 tary exercises, as appropriate, to bolster Taiwan’s defense  
12 capabilities.

13 (c) DEFENSE ATTACHÉ.—The Chief of the Liaison  
14 Affairs section at the American Institute in Taiwan shall  
15 be a general or flag officer.

16 **SEC. 7. REPORTING REQUIREMENTS.**

17 Not later than 180 days after the date of the enact-  
18 ment of this Act, the President shall submit a report to  
19 the Committee on Foreign Relations of the Senate and  
20 the Committee on Foreign Affairs of the House of Rep-  
21 resentatives that includes a description of—

22 (1) the results of the President’s review of guid-  
23 ance on diplomatic practice with Taiwan, including  
24 a copy of the reissued “Guidelines of Relations with  
25 Taiwan” memorandum; and

- 1           (2) the implementation of the Taiwan Travel
- 2           Act (Public Law 115–135).

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