

S. 022

Taiwan Relations and Defense Act

Vice President Seldom237 authored the following bill which was submitted to the Senate by Senator Adithyansoccer (R-DX)

It is co-sponsored by Senate Majority Leader DDYT (R-GL), Senator Gunnz (R-AC), Senator Polkadot48 (D-GA/CH)

AN ACT

To Ensure the Protection of the Citizens and Government of the Island of Taiwan in the event of an invasion by foreign aggressors, to advocate for Taiwanese interests in international affairs, updating the Six Assurances to the Eight Assurances, and to equip and prepare the military of the Taiwanese Government for defensive operations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

(a) This Act may be cited as the “Taiwanese Relations and Defense Act of 2021”.

SEC. 2. DEFINITIONS

- (a) “The Island of Taiwan” is defined as the island of Taiwan, sometimes referred to as Formosa, located in East Asia, upon which the Government of the Island of Taiwan, its military, and its citizens reside.
- (b) “Government of the Island of Taiwan”, “Taiwan”, “ROC”, or “the Republic of China”, shall be defined as the government that oversees domestic and military affairs upon the island of Taiwan, sometimes referred to as the Republic of China. This government consists of five branches, which consists of
- (i) The Executive Yuan
 - (ii) The Legislative Yuan
 - (iii) The Judicial Yuan
 - (iv) The Control Yuan, an audit agency meant to ensure the legitimate function of the government
 - (v) The Examination Yuan, a civil service examination agency meant to ensure the validation of civil servants.
- (c) “Legislative Yuan” or “Taiwanese Legislature” shall refer to the democratically elected decision making body that makes up the legislative branch of the ROC Government.
- (d) “ROCAF” and “Taiwanese Military” shall refer to the military of the island of Taiwan, sometimes referred to as the Republic of China Armed Forces. The ROCAF consists of the...
- (i) The Republic of China Army, also known as the Taiwanese Army
 - (ii) The Republic of China Navy, also known as the Taiwanese Navy
 - (iii) The Republic of China Marine Corp, also known as the Taiwanese Marine Corps
 - (iv) The Republic of China Air Force, also known as the Taiwanese Air Force
 - (v) The Republic of China Military Police, also known as the Taiwanese Military Police

- (vi) The ROC Armed Forces Reserve, also known as the Taiwanese Armed Forces Reserve
- (e) “Mainland China”, “China”, “PRC”, and “the People’s Republic of China” shall refer to the government and nation in Mainland China, led at this time by the Chinese Communist Party.
- (f) “People’s Liberation Army” or “PLA” shall be defined as the military of the Mainland Government of China, under the control of the Chinese Communist Party. The People’s Liberation Army includes the...
 - (i) PLA Ground Force
 - (ii) PLA Navy
 - (iii) PLA Air Force
 - (iv) PLA Rocket Force
 - (v) PLA Strategic Support Force
- (g) “Chinese Communist Party” shall be defined as the communist, authoritarian, dominant party of the Mainland Government of China.

SEC. 3. FINDINGS AND DECLARATIONS

- (a) The Congress of the United States finds that the Government of the Island of Taiwan functions as a Democratic Republic, which actively seeks to implement the will of its people.
- (b) The Congress of the United States finds that the relationship between the Taiwanese Government and the United States has been one of prosperity and unity.
- (c) The Congress of the United States finds that the Mainland Government, at the direction of the People’s Liberation Army and the Chinese Communist Party, has continuously harassed the Taiwanese Government, both militaristically and diplomatically, including

- (i) [Violating Taiwanese airspace on numerous occasions](#), likely done with the intent to analyze flight patterns and response times of the ROC Air Force, as well as wear down Taiwanese fighters.
 - (ii) [Violating Taiwanese waters and harassing Taiwanese ships](#).
 - (iii) Damaging and hindering Taiwanese international standing, [especially by stiff-arming them out](#) of international organizations.
 - (iv) Harming the [culture and national pride](#) of the Taiwanese people by attempting to forbid the display of their national symbols.
 - (v) By [coercing several nations](#) to abandon relations with Taiwan in favor of the Mainland Government.
- (d) The Congress of the United States finds that the Mainland Government is oftentimes oppressive and totalitarian in nature, frequently suppressing the rights of its citizens, despite being a member of the United Nations Human Rights Council, including but not limited to...
- (i) The [violent execution](#) of at least eight hundred thousand landlords between 1949-1953.
 - (ii) “[Red August](#)” a massacre in the Capital City of the Mainland Government took place in August 1966, in which it is estimated that it claimed at least ten thousand lives.
 - (iii) June 4th, 1989, a [massacre at Tiananmen Square](#). [Needs no introduction](#).
- (e) The Congress of the United States finds that, in order to prevent the spread of communist authoritarianism to the island of Taiwan, defensive measures must be taken.
- (f) The Congress of the United States finds that maintaining the Status Quo in the Formosa Strait cannot be done if we continue the current course, and that action must be taken on behalf of the United States.

SEC. 4. GENERAL POLICY ON ADVOCATION

- (a) As a General Policy, the United States shall advocate for Taiwanese Admission, specifically full member status, in international organizations such as, but is not limited to:
- (i) The United Nations;
 - (ii) The World Trade Organization;
 - (iii) The Association of Southeast Asian Nations

SEC. 5. UPDATED EIGHT ASSURANCES TO TAIWAN

- (a) The United States will not set a date for ending arm sales to the Republic of China Armed Forces and the Taiwanese Government.
- (i) This includes, but is not limited to the sale of small arms, tanks and other armored vehicles, technicals, ammunition, artillery pieces, other infantry weaponry, aircraft, aircraft parts, tools for maintenance of aircraft, amphibious equipment, short range missiles, naval vessels, cyberwarfare instruments, and signal intelligence gathering equipment.
- (b) The United States will not set a role for ending intelligence sharing with the Taiwanese Government and the ROCAF in the interest of joint Taiwanese-American Security.
- (c) The United States will not consult the People's Republic of China on the matter of arms sales or intelligence sharing with the Taiwanese Government.
- (d) The United States may only mediate between Taiwan and the Mainland Government on the issue of Taiwanese Sovereignty if...
- (i) Taiwanese sovereignty will not be violated.
 - (ii) Taiwanese interests will not be harmed.
 - (iii) The ROCAF will not be disbanded, demobilized, or demilitarized as a result of the mediation.

- (iv) The democratic government of Taiwan will not be disbanded, destroyed, or otherwise harmed by the mediation.
- (e) The United States will not revise the Taiwan Relations Act.
- (f) The United States has not altered its position regarding the sovereignty of the island of Taiwan.
- (g) The United States will not exert pressure on the Taiwanese Government to enter into negotiations with the Mainland Government.
- (h) The United States will provide diplomatic support to the United Nations, and similar organizations, including working to secure Taiwanese representation in these bodies.

SEC. 6. ENSURING TAIWANESE SAFETY IN THE EVENT OF INVASION

- (a) Should the Island of Taiwan fall under unprovoked attack from the Mainland Government's military, the United States will aid the Republic of China Armed Forces in defending the island of Taiwan.
 - (i) Unprovoked attack consists of, but is not limited to,
 - (1) amphibious invasion of the territory of Taiwan,
 - (2) PLA paratrooper landings in Taiwanese territory,
 - (3) Guerilla strikes on Taiwanese soil via the use of embedded sleeper cells,
 - (4) Detonation of an explosive device on Taiwanese territory with the intent to kill or harm Taiwanese citizens,
 - (5) Armed blockades of Taiwanese merchant ships and other civilian craft, as well as ports,
 - (6) Aerial bombardment of Taiwanese ships or the territory of Taiwan,
 - (7) Naval combat between the ROC Navy and the PLA Navy, initiated by the PLA Navy,

- (8) Naval bombardment of the territory of Taiwan,
 - (9) Naval bombardment of Taiwanese civilian ships,
 - (10) Short or long range missile strikes on the island of Taiwan, or,
 - (11) High level assassination attempts.
- (ii) In the event that Taiwanese airspace is violated without direct engagement by either side, the United States Military is permitted to send aircraft and airmen to assist the ROC Air Force in defensive measures.
 - (iii) Nothing in this Act should be construed to mean that the United States Military cannot aid the ROCAF in counter-offensive measures against the Mainland Government and its military.
 - (iv) This should not be construed to be offering Taiwan a “blank check” in the form of unconditional military defense, nor would the United States be obligated to come to Taiwan’s aid in an unprovoked offensive action by the ROCAF.
- (b) In the event that Taiwan would fall under unprovoked military attack from the PLA, the American defenders shall be under the discretion of the United States Pacific Command.