To require the placement of Taiwan in Country Group A:5 for purposes of the strategic trade authorization license exception under the Export Administration Regulations.

IN THE HOUSE OF REPRESENTATIVES

Mr. BANKS introduced the following bill; which was referred to the Committee on

A BILL

To require the placement of Taiwan in Country Group A:5 for purposes of the strategic trade authorization license exception under the Export Administration Regulations.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Taiwan Weapons Exports Act of 2022”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—
(1) the United States has a strong interest, in accordance with its obligations under the Taiwan Relations Act (22 U.S.C. 3301 et seq.), in ensuring that Taiwan has all resources necessary to defend itself, especially by asymmetric ways and means, against military action by the People’s Republic of China;

(2) the threat of military action by the People’s Republic of China against Taiwan is growing more rapidly than many anticipated, with the current and former commanders of the United States Indo-Pacific Command testifying that the Government of the People’s Republic of China may view the local military balance over Taiwan as favorable to an invasion well before 2035 and potentially as soon as 2027;

(3) it is imperative that the United States provide Taiwan with defensive resources with urgency, not only so that Taiwan can better defend itself against military action by the People’s Republic of China, but also to reduce the operational risk to the United States Armed Forces, if the President commits such forces to Taiwan’s defense following the initiation of hostilities by the Government of the People’s Republic of China;
(4) the inclusion of Taiwan in Country Group A:5 under Supplement No. 1 to part 740 of the Export Administration Regulations would address the need described in paragraph (3) by allowing Taiwan to acquire critical asymmetric defensive capabilities on an expedited basis, including undersea sensors, naval mines, man-portable air defense systems, and unmanned aerial vehicles, pursuant to the strategic trade authorization license exception under section 740.20 of the Export Administration Regulations; and

(5) Taiwan has been designated a major non-NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k).

SEC. 3. STRATEGIC TRADE AUTHORIZATION LICENSE EXCEPTION FOR TAIWAN.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce shall revise part 740 of the Export Administration Regulations to remove Taiwan from Country Group A:6 and add it to Country Group A:5.

SEC. 4. DEFINITION OF EXPORT ADMINISTRATION REGULATIONS.

In this Act, the term “Export Administration Regulations” has the meaning given that term in section 1742