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TIME TO ACT ON TAIWAN'S SECURITY

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On February 1, the House of Representatives sent a powerful message to China, Taiwan, and President Clinton that the status quo is no longer acceptable in U.S. policy toward Taiwan. By an overwhelming and bipartisan 341–70 vote, the House passed the Taiwan Security Enhancement Act (H.R. 1838), strengthening America's ability to fulfill the mandate of the 1979 Taiwan Relations Act (TRA) that the U.S. make available defense articles and services for Taiwan's self-defense. Faced with a promised presidential veto, the bill now moves on to an uncertain future in the Senate.

To Beijing, the Taiwan Security Enhancement Act (TSEA) demonstrates that the United States will not stand by as China modernizes and deploys its military in ways that threaten Taiwan. To Taipei, it offers the sense of security that will allow Taiwan to enter confidently into dialogue with the mainland. To the current and future U.S. Presidents, it insists that Section 3 of the Taiwan Relations Act be implemented faithfully to ensure Taiwan access to what it needs for an adequate self-defense.

Beijing responded by threatening very serious damage to U.S.–China relations should the bill become law, and war should Taiwan declare its independence. The Clinton Administration then reiterated its veto threat, claiming that the measure would aggravate regional tensions and jeopardize its landmark trade agreement. In fact, the opposite is true.

Why the TSEA Is Necessary. Congress passed the Taiwan Relations Act to ensure that Taiwan's

security would not be compromised as a result of the termination of diplomatic relations with the United States. Since then, the United States has continued to sell defensive arms to Taiwan. But Taiwan's security is still threatened by China's escalating military modernization and buildup across the Taiwan Strait.

Section 3(a) of the TRA instructs the U.S. government to make available "defense articles and services" to Taiwan "in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability." Section 3(b) specifies that "The President and the Congress shall determine the nature and quantity of such defense articles and services based solely on their judgement of the needs of Taiwan."

Despite the clear intent of this language, this has not been the case. Although administrations occasionally have reported to Congress after the fact the nature and quantity of arms sold to Taiwan, none has consulted Congress as prescribed in the TRA. Furthermore, as China dramatically modernizes its military forces, there are persistent reports that the U.S. has denied Taiwan the sale of

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weapons systems necessary to meet this increased threat.

The TSEA enhances America's ability to determine and provide adequately for Taiwan's self defense needs by:

- **Requiring Administration reports to facilitate congressional consultation.** The TRA mandates congressional consultation to determine Taiwan's defense needs and U.S. sales of military arms and services. The TSEA simply calls on the executive branch, at a minimum, to provide reports to Congress containing information necessary to make such determinations.
- **Establishing direct communication with Taiwan's military.** The TSEA does not prescribe the nature or content of communication, only that a direct channel be established. Direct communication does not change the nature of the U.S.–Taiwan relationship; it simply minimizes the risk of miscalculation due to miscommunication.
- **Removing restrictions on rank and content of military to military exchanges.** The TSEA calls on the Secretary of Defense to implement a plan for operational training and exchanges of senior officers “for work in threat analysis, doctrine, force planning, operational methods, and other areas.”

Why the Senate Should Not Delay. Faced with Beijing's rebuke and the President's veto threat, some Senators have suggested not taking up the Taiwan Security Enhancement Act until after Taiwan's March 18 election, if at all. Many have expressed concern that it might upset consideration of permanent extension of China's normal trade relations status. For several reasons, however, U.S. interests are better served by timely Senate consideration of the TSEA.

- **Security supports democracy.** By voting before Taiwan's election, the Senate assures Taiwan's people that they can exercise their democratic franchise, confident that China's military coercion is not going unnoticed or unchecked by the United States.
- **Enhanced security leads to flexibility in the Cross-Strait dialogue.** Arguments that enhancing Taiwan's security will encourage “moves toward independence” and a regional arms race ignore the history of cross-Strait dialogue, which progresses when Taiwan feels secure.
- **The TSEA will help, not hinder, passage of permanent normal trade relations.** It demonstrates that the U.S. will not relent on important security and political interests in pursuit of trade with China. As House Majority Leader Richard Armey has said, “Friends of Taiwan should have no fear of our greater trade with China, just as those who want more trade with China should not object to us helping Taiwan. Both measures serve exactly the same end—to advance the cause of freedom in East Asia.”

The TSEA is largely a matter of the implementation of U.S. law. At its heart is the question of whether Congress will reclaim for itself a portion of its authority and responsibility under the Taiwan Relations Act. The TSEA advocates a form of implementation of the TRA, not a change in substance. Clearly, the U.S. should enhance its own ability to determine and provide for Taiwan's self-defense needs. This is the purpose of the Taiwan Security Enhancement Act. The alternative—Taiwan's total vulnerability to Chinese attack or total reliance on American intervention—is unacceptable.

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