

(iii) a sanction has not been imposed by reason of section 6301(c)(2) of this title or the imposition of a sanction has been delayed under section 2799aa-1(b)(4) of this title; or

(iv) a waiver of a sanction has been made under—

(I) section 6301(f) of this title or section 6303 of this title,

(II) section 2375(d) of this title, or paragraph (5) or (6)(B) of section 2799aa-1(b) of this title,

(III) section 2780(g) of this title with respect to the last sentence of section 2780(d) of this title, or

(IV) section 2364 of this title with respect to section 2375 of this title or section 2753(f) of this title, the last sentence of section 2780(d) of this title, or 2799aa-1(b)(1)² of this title; and

(C) the progress of those independent states of the former Soviet Union that are non-nuclear-weapon states and of the Baltic states towards achieving the objective of applying full scope safeguards to all their peaceful nuclear activities.

Portions of the information required by paragraph (6) may be submitted in classified form, as necessary. Any such information that may not be published or disclosed under section 12(c)(1)³ of the Export Administration Act of 1979 shall be submitted as confidential.

(b) Analysis of civil agreements for cooperation

In the first report required by this section, the President shall analyze each civil agreement for cooperation negotiated pursuant to section 2153 of title 42, and shall discuss the scope and adequacy of the requirements and obligations relating to safeguards and other controls therein.

(Pub. L. 95-242, title VI, §601, Mar. 10, 1978, 92 Stat. 150; Pub. L. 103-236, title VIII, §811, Apr. 30, 1994, 108 Stat. 507.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(4), was in the original “this Act”, meaning Pub. L. 95-242, Mar. 10, 1978, 92 Stat. 120, known as the Nuclear Non-Proliferation Act of 1978. For complete classification of this Act to the Code, see Short Title note set out under section 3201 of this title and Tables.

The Export Administration Act of 1979, referred to in subsec. (a), is Pub. L. 96-72, Sept. 29, 1979, 93 Stat. 503, which was classified principally to chapter 56 (§4601 et seq.) of Title 50, War and National Defense, prior to repeal by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232, except for sections 11A, 11B, and 11C thereof (50 U.S.C. 4611, 4612, 4613). Section 12 of the Act was classified to section 4614 of Title 50 prior to repeal.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-236 struck out “and” after the semicolon in par. (4), substituted a semicolon for the period in par. (5), and added par. (6) and concluding provisions.

² So in original. Probably should be preceded by “section”.

³ See References in Text note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-236 effective 60 days after Apr. 30, 1994, see section 831 of Pub. L. 103-236, set out as an Effective Date note under section 6301 of this title.

EFFECTIVE DATE

Section effective Mar. 10, 1978, except as otherwise provided and regardless of any requirements for the promulgation of implementing regulations, see section 603(c) of Pub. L. 95-242, set out as a note under section 3201 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (a) of this section relating to the requirement that the President annually report to Congress on the Government’s efforts to prevent proliferation, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 15 of House Document No. 103-7.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under subsec. (a) of this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46073, set out as a note under section 301 of Title 3, The President.

§ 3282. Reports by departments and agencies

(a) Reports by Nuclear Regulatory Commission and Department of Energy

The annual reports to the Congress by the Commission and the Department of Energy which are otherwise required by law shall also include views and recommendations regarding the policies and actions of the United States to prevent proliferation which are the statutory responsibility of those agencies. The Department’s report shall include a detailed analysis of the proliferation implications of advanced enrichment and reprocessing techniques, advanced reactors, and alternative nuclear fuel cycles. This part of the report shall include a comprehensive version which includes any relevant classified information and a summary unclassified version.

(b) Additional reporting requirements

The reporting requirements of this subchapter are in addition to and not in lieu of any other reporting requirements under applicable law.

(c) Committees on Foreign Relations and Governmental Affairs of Senate and Committee on International Relations of House of Representatives to be kept informed

(1) The Department of State, the Department of Defense, the Department of Commerce, the Department of Energy, the Commission, and, with regard to subparagraph (B), the Director of Central Intelligence, shall keep the Committees on Foreign Relations and Governmental Affairs of the Senate and the Committee on International Relations of the House of Representatives fully and currently informed with respect to—

(A) their activities to carry out the purposes and policies of this chapter and to otherwise

prevent proliferation, including the proliferation of nuclear, chemical, or biological weapons, or their means of delivery; and

(B) the current activities of foreign nations which are of significance from the proliferation standpoint.

(2) For the purposes of this subsection with respect to paragraph (1)(B), the phrase “fully and currently informed” means the transmittal of credible information not later than 60 days after becoming aware of the activity concerned.

(d) Classified portions of reports

Any classified portions of the reports required by this chapter shall be submitted to the Senate Foreign Relations Committee and the House Foreign Affairs Committee.

(e) Omitted

(f) Access by Secretary of Defense to information regarding nuclear proliferation matters; applicability

(1) The Secretary of Defense shall have access, on a timely basis, to all information regarding nuclear proliferation matters which the Secretary of State or the Secretary of Energy has or is entitled to have. Such access shall include access to all communications, materials, documents, and records relating to nuclear proliferation matters.

(2) This subsection does not apply to any intradepartmental document of the Department of State or the Department of Energy, or any portion of such document, that is solely concerned with internal, confidential advice on policy concerning the conduct of interagency deliberations on nuclear proliferation matters.

(Pub. L. 95-242, title VI, §602, Mar. 10, 1978, 92 Stat. 151; Pub. L. 99-661, div. A, title XIII, §1370, Nov. 14, 1986, 100 Stat. 4004; Pub. L. 103-437, §9(a)(8), Nov. 2, 1994, 108 Stat. 4588; Pub. L. 105-277, div. G, subdiv. A, title XII, §1225(e)(6), Oct. 21, 1998, 112 Stat. 2681-775; Pub. L. 106-113, div. B, §1000(a)(7), [div. B, title XI, §1131], Nov. 29, 1999, 113 Stat. 1536, 1501A-492.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in subsecs. (c)(1)(A) and (d), was in the original “this Act”, meaning Pub. L. 95-242, Mar. 10, 1978, 92 Stat. 120, known as the Nuclear Non-Proliferation Act of 1978. For complete classification of this Act to the Code, see Short Title note set out under section 3201 of this title and Tables.

CODIFICATION

Subsec. (e) directed that, three years after Mar. 10, 1978, the Comptroller General complete a study and report to Congress on the implementation and impact of this chapter on the nuclear non-proliferation policies, purposes, and objectives of this chapter, with such recommendations as deemed necessary to support the nuclear non-proliferation policies, purposes, and objectives of this chapter.

AMENDMENTS

1999—Subsec. (c). Pub. L. 106-113 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “The Department of State, the Department of Defense, the Department of Commerce, the Department of Energy, and the Commission shall keep the Commit-

tees on Foreign Relations and Governmental Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives fully and currently informed with respect to their activities to carry out the purposes and policies of this chapter and to otherwise prevent proliferation, and with respect to the current activities of foreign nations which are of significance from the proliferation standpoint.”

1998—Subsec. (c). Pub. L. 105-277, §1225(e)(6)(A), struck out “the Arms Control and Disarmament Agency,” after “the Department of Defense.”

Subsec. (e). Pub. L. 105-277, §1225(e)(6)(B), struck out “and the Director” after “and the Commission” in subsec. (e), which had previously been omitted from the Code. See Codification note above.

1994—Subsecs. (c), (d). Pub. L. 103-437 substituted “Foreign Affairs” for “International Relations”.

1986—Subsec. (c). Pub. L. 99-661, §1370(1), inserted “the Department of Defense.”

Subsec. (f). Pub. L. 99-661, §1370(2), added subsec. (f).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-277 effective Apr. 1, 1999, see section 1201 of Pub. L. 105-277, set out as an Effective Date note under section 6511 of this title.

EFFECTIVE DATE

Section effective Mar. 10, 1978, except as otherwise provided and regardless of any requirements for the promulgation of implementing regulations, see section 603(c) of Pub. L. 95-242, set out as a note under section 3201 of this title.

PROVISION OF CERTAIN INFORMATION TO CONGRESS

Pub. L. 106-113, div. B, §1000(a)(7) [div. B, title XI, §1134], Nov. 29, 1999, 113 Stat. 1536, 1501A-494, provided that:

“(a) REQUIREMENT TO PROVIDE INFORMATION.—The head of each department and agency described in section 602(c) of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c)) shall promptly provide information to the chairman and ranking minority member of the Committee on Foreign Relations of the Senate and the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives in meeting the requirements of subsection (c) or (d) of section 602 of such Act [22 U.S.C. 3282(c), (d)].

“(b) ISSUANCE OF DIRECTIVES.—Not later than February 1, 2000, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, the Secretary of Energy, the Director of Central Intelligence, and the Chairman of the Nuclear Regulatory Commission shall issue directives, which shall provide access to information, including information contained in special access programs, to implement their responsibilities under subsections (c) and (d) of section 602 of the Nuclear Non-Proliferation Act of 1978 (22 U.S.C. 3282(c) and (d)). Copies of such directives shall be forwarded promptly

to the Committee on Foreign Relations of the Senate and the Committee on International Relations [now Committee on Foreign Affairs] of the House of Representatives upon the issuance of the directives.”

CHAPTER 48—TAIWAN RELATIONS

Sec.	
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§ 3301. Congressional findings and declaration of policy

(a) Findings

The President having terminated governmental relations between the United States and the governing authorities on Taiwan recognized by the United States as the Republic of China prior to January 1, 1979, the Congress finds that the enactment of this chapter is necessary—

- (1) to help maintain peace, security, and stability in the Western Pacific; and
- (2) to promote the foreign policy of the United States by authorizing the continuation of commercial, cultural, and other relations between the people of the United States and the people on Taiwan.

(b) Policy

It is the policy of the United States—

- (1) to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area;
- (2) to declare that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern;
- (3) to make clear that the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means;
- (4) to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States;
- (5) to provide Taiwan with arms of a defensive character; and

(6) to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

(c) Human rights

Nothing contained in this chapter shall contravene the interest of the United States in human rights, especially with respect to the human rights of all the approximately eighteen million inhabitants of Taiwan. The preservation and enhancement of the human rights of all the people on Taiwan are hereby reaffirmed as objectives of the United States.

(Pub. L. 96-8, § 2, Apr. 10, 1979, 93 Stat. 14.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 96-8, § 18, Apr. 10, 1979, 93 Stat. 21, provided that: “This Act [enacting this chapter] shall be effective as of January 1, 1979.”

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-260, div. FF, title III, § 311, Dec. 27, 2020, 134 Stat. 3099, provided that: “This subtitle [subtitle B (§§ 311-315) of title III of div. FF of Pub. L. 116-260, enacting provisions set out as a note below] may be cited as the ‘Taiwan Assurance Act of 2020.’”

SHORT TITLE

Pub. L. 96-8, § 1, Apr. 10, 1979, 93 Stat. 14, provided that: “This Act [enacting this chapter] may be cited as the ‘Taiwan Relations Act.’”

STATEMENT OF POLICY AND SENSE OF CONGRESS ON THE TAIWAN RELATIONS ACT

Pub. L. 117-81, div. A, title XII, §§ 1246, 1247, Dec. 27, 2021, 135 Stat. 1986, 1987, provided that:

“SEC. 1246. SENSE OF CONGRESS ON TAIWAN DEFENSE RELATIONS.

“It is the sense of Congress that—

“(1) the Taiwan Relations Act (Public Law 96-8; 22 U.S.C. 3301 et seq.) and the Six Assurances provided by the United States to Taiwan in July 1982 are the foundation for United States-Taiwan relations;

“(2) as set forth in the Taiwan Relations Act, the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means, and that any effort to determine the future of Taiwan by other than peaceful means, including boycotts and embargoes, is of grave concern to the United States;

“(3) the increasingly coercive and aggressive behavior of the People's Republic of China towards Taiwan is contrary to the expectation of a peaceful resolution of the future of Taiwan;

“(4) as set forth in the Taiwan Relations Act, the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan and the policy of the United States to make available to Taiwan such defense articles and defense services in such quantities as may be necessary to enable Taiwan to maintain a sufficient self-defense capability should be maintained; and

“(5) the United States should continue to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability, including by—

“(A) supporting acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on capabilities that support the asymmetric defense strategy of Taiwan;