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## The Taiwan Relations Act in 2017

By: Russell Hsiao

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On April 10, 1979, President Jimmy Carter signed the Taiwan Relations Act (TRA) into law. This year marked the 38th anniversary of this extraordinary domestic law, which was enacted to *legally* govern the informal relationship between the United States and Taiwan, following the normalization of relations between the United States and the People's Republic of China (PRC). After 38 years, it is easy to take for granted the considerable debate between the executive branch—which wanted to honor its commitments to the PRC—and the legislative branch—which wanted to maintain US relations with Taiwan and its people—that went into passing the Act. Yet, the critical role that the TRA continues to play, as the cornerstone of managing relations between the United States and Taiwan, calls for a closer examination of the considerations that led to its enactment, and more importantly, their application to the circumstances in which the relationship exists today nearly four decades later.

Indeed, a fierce debate followed the short notice that the Carter administration provided to Congress of the imminent end in diplomatic relations with Taiwan. While it should be noted that the administration's decision to establish diplomatic relations with the PRC was widely accepted by lawmakers as necessary, [1] two [major sticking points](#) emerged concerning the questions of "officiality" and US security commitments to Taiwan. The executive branch had its own idea for maintaining informal relations with Taiwan, and the Carter administration submitted a barebones piece of legislation called [the Taiwan Enabling Act \(TEA\)](#). The TEA, which was met with stiff resistance from Congress, was [referred to](#) by members of Congress as "woefully inadequate to the task" and "too weak a statement to fulfill the need of the people of Taiwan."

Of these two aforementioned issues, the Carter administration pushed back most strongly against several lawmakers' [proposal](#) to upgrade the American Institute in Taiwan (AIT) to an "official liaison office," but ultimately relented in Congressional demands that the Act provide more security commitments to Taiwan. The resistance from the executive branch was largely motivated by the administration's fear

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that such measures would exceed the understanding reached under the US-PRC Second Communiqué.”[2] The compromise legislation became known as the Taiwan Relations Act. President Carter ultimately signed the TRA despite the reservations of his close advisers. For 38 years, the TRA has remained the guideline for successive presidents to interpret and implement the United States’ obligations to and relations with Taiwan.

In this special issue of the *Global Taiwan Brief* celebrating the 38th anniversary of the TRA, we asked three members of GTI’s advisory board to provide their personal assessments of the legislation’s bandwidth and durability. Ambassador Stephen Young’s article reflects on his time as a young foreign service officer in AIT’s office in Taipei implementing the TRA. Longtime Asia specialist Shirley Kan invokes Ronald Reagan’s example in interpreting the TRA and its applications for today. Former State Department official John Tkacik unpacks the US “One China” enigma and weighs its authority against the TRA. Each of these firsthand observations about the TRA’s application over time stands as a testament to its significance in maintaining the delicate-yet-evolving relationship between the United States, Taiwan, and China.

Indeed, Taiwan policy does not exist in a vacuum:[3] the US normalization of relations with the PRC established a bilateral relationship, with obligations for both sides, which raises the question of whether Beijing has held up its end of the deal. The US president has substantial discretion to interpret and implement law, and a core connotation in the legislative mandate of the TRA is that the Taiwan question be resolved by peaceful means. As former Congressman Lester Wolff (D-NY), who served as a principal author of the TRA, [wrote recently](#): the “[TRA] states that the status of Taiwan should be determined by peaceful means, and that nonpeaceful means to do so are a threat to the region and of grave concern to the United States.” Yet, Beijing’s continued refusal to renounce the use of force and its systematic military build-up are straining the military balance, and jeopardizing peace and stability in the Western Pacific.

Congressman Wolff was right when he [wrote](#), “In every sense, the TRA and the relationship that has been built upon it have been successful.” Yet a law is only as effective as its implementation. Indeed, it depends on executive leadership to ensure that its legislative intent is fulfilled. The global geopolitical environment has changed considerably since 1979: while the United States and Taiwan could have afforded to give Beijing the benefit of the doubt concerning the intent and capabilities of the PRC,[4] continuing to do so would militate against the mounting evidence of a growing military imbalance and ignore the re-

markable achievements of Taiwan’s democracy.

**The main point:** The TRA, despite its many faults, has been hugely successful. But a law is only as good as the paper it is printed on unless it is properly implemented. Indeed, the president has substantial discretion to interpret and implement law, and it depends on strong executive leadership to ensure that its true legislative intent is fulfilled.

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[1] Lung-chu Chen, *The U.S.-Taiwan-China Relationship in International Law and Policy* (Oxford: Oxford University Press, 2016) 105.

[2] Chen, *The U.S.-Taiwan-China Relationship*, 106.

[3] For a comprehensive primer on the US “One China” policy, please refer to former AIT Chairman Richard Bush’s “A One-China Policy Primer” at <https://www.brookings.edu/research/a-one-china-policy-primer/>.

[4] Chen, *The U.S.-Taiwan-China Relationship*, 106-107 (referring to the arguments put forward by Deputy Secretary of State Warren Christopher and Secretary of Defense Harold Brown about how the PRC was unlikely to use force against Taiwan because Beijing relied on the United States to modernize and because of the Sino-Soviet split).

## The TRA at 38: What Would Reagan Do?

By: Shirley Kan

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This month is not the time to note with platitudes another symbolic anniversary of the enactment on April 10, 1979, of the Taiwan Relations Act (TRA) as Public Law 96-8. The Trump administration offers an opportunity for substantive action in US policy on Taiwan in the interests of international security, democratic values, and economic growth. Since November, expectations that arose during the transition and Administration’s first months have not yet been met with results. There is a parallel with Ronald Reagan, who entered office raising questions about the US “One-China” policy with pro-Taiwan remarks that cited its official name of Republic of China (ROC), but then issued the third US Joint Communiqué with the People’s Republic of China

(PRC) in 1982. Likewise, Donald Trump elevated expectations concerning Taiwan and then caused uncertainty, with countervailing comments and no major actions. Though early in the Administration's first 100 days, a Trump-Xi summit already occurred which made Taiwan feel more insecure even before new key officials would replace Obama administration holdovers. Optimistically, what would Reagan do?

**First, articulate principles with clear understanding to direct firm policies.** Last December 11, Trump told *Fox News Sunday*, "I fully understand the 'One-China' policy, but I don't know why we have to be bound by a 'One-China' policy unless we make a deal with China having to do with other things, including trade." Trump meant that Washington is not bound by Beijing's definition of our "One-China" policy, but his statement suggested a transactional approach. In a [phone conversation](#) with PRC ruler Xi Jinping soon after entering the White House, President Trump agreed, at the request of President Xi, to honor our "One-China" policy. Trump conceded to Xi's "request."

Nonetheless, Trump significantly cited "our" policy. The US "One-China" policy differs from the PRC's "One-China" principle, which claims Taiwan as a PRC province. US policy focuses on the process, rather than the outcome, to resolve the question of Taiwan's status. Still, Trump's short statement did not help the news media, which often confuses Washington's policy with Beijing's principle and wrongly insinuates US-PRC agreement on Taiwan's status as a part of China. As Senator John Glenn (D-OH) stated, the United States simply acknowledged, like a neutral bystander, in the Shanghai Communiqué that, "all Chinese on either side of the Taiwan Strait" maintain that there is one China with Taiwan a part of China.[1] Indeed, in that year of the Joint Communiqué (1972), the "One-China" that the United States recognized diplomatically was the ROC, commonly called Taiwan. The term "Chinese" included the ruling Kuomintang (KMT) in Taipei that regarded Taiwan as a part of the ROC. Under the KMT and Democratic Progressive Party (DPP), Taiwan's official title has remained the ROC.

**Second, confront the top strategic priority while keeping balanced policies between Beijing and Taipei.** Reagan's primary problem in seeking cooperation with China was to face the Soviet Union's threat. Now, under Trump, the White House finally has made North Korea's threat the top priority in US dealings with the PRC. However, Trump's words suggest rewarding China for working on the North Korean threat, which is like paying an arsonist's accomplice to sprinkle water on his fires. Reagan did not accept the premise that engagement with Taiwan and the PRC was a zero-sum game. In June 1981, James Lilley (advisor at

the NSC) and Richard Armitage (official at the Pentagon) advised Reagan to reaffirm publicly the TRA and its clause on arms sales. [2]

This principle of balanced policies remains relevant in pressuring Beijing to confront Pyongyang, an effort that should not come at Taipei's expense. Since Reagan's presidency, Taiwan has liberalized as a democracy. So, President Bill Clinton added the US expectation that the dispute between Beijing and Taipei must be resolved not only peacefully but also "with the assent of the people of Taiwan." [3] Moreover, Taiwan has become an "important security and economic partner," a moniker the Obama Administration added in 2011. Both points need to be affirmed with policy changes to [expand contacts with Taiwan](#).

**Third, consistently affirm that the TRA guides policy on Taiwan, in order to assert credibility and leadership.** Before the Senate confirmed him as Secretary of State, [Rex Tillerson responded](#) to Senator Ben Cardin (D-MD) that the three US-PRC Joint Communiqués, the TRA, and the Six Assurances form the foundation for policy on Taiwan. However, after questions arose about Tillerson's visit to Beijing in March, the State Department simply stated that the US stance on Taiwan is [our "One-China" policy](#). Recognizing that the State Department's failure to cite the TRA sent the wrong signal, NSC official Matt Pottinger [reminded members of the press](#) before the Trump-Xi summit that President Trump had already reaffirmed our "One-China" policy as consistent with the Joint Communiqués as well as the TRA.

As the only law specifically governing policy on Taiwan, the TRA did not even discuss the "One-China" concept. Lester Wolff (D-NY), who was Chairman of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs when Congress passed the TRA (and who turned 98 years old in January) says that the legislative intent of the TRA was to ensure Taiwan's viability, regardless of the "one China" policy. Furthermore, according to Wolff, the TRA protects Taiwan and supports its freedom from China's claims of sovereignty, while Taiwan and China settle their differences. He worked with Senator Edward Kennedy (D-MA), among other members of Congress, to pass the "unique" TRA that was signed by the President and then endorsed by successive Congresses with the force of law, unlike the Six Assurances. [4]

In also reaffirming the Six Assurances, Tillerson echoed former Assistant Secretary of State James Kelly's key testimony at a hearing on the TRA's 25th anniversary, in 2004. Kelly testified that, "our position continues to be embodied in the so-called Six Assurances offered to Taiwan by President Reagan." [5]

**Fourth, assure Taipei before dealing with Beijing.** It is important to remember that Reagan assured Taipei *before* Washington issued the third Joint Communiqué with Beijing. On July 14, 1982, Lilley, as Director of the American Institute in Taiwan (AIT), conveyed Six Assurances from Reagan to ROC President Chiang Ching-kuo. During US-PRC negotiations on the third Joint Communiqué, [Reagan assured Taiwan](#) that the United States has not agreed to set a date for ending arms sales to Taiwan; has not agreed to hold prior consultations with the PRC on arms sales to Taiwan; will not play any mediation role between Taipei and Beijing, has not agreed to revise the TRA; has not altered its position regarding sovereignty over Taiwan; and will not exert pressure on Taiwan to negotiate with the PRC. The language of the assurance on “sovereignty” led to misunderstandings and competing versions. Reagan’s careful words did not state any US position on Taiwan’s status. US policy regards that status as unsettled.

**Fifth, name presidential representatives.** Though Lilley was AIT Director, he acted as Reagan’s ambassador. Lilley’s critical role, which he related to this author, shows that Trump needs his own officials to execute policies, rather than using holdovers at AIT, the Pentagon, and the State Department.

**Sixth, continue arms sales in full adherence to the TRA.** Two of Reagan’s assurances stressed that arms sales to Taiwan would continue, despite the Joint Communiqué of August 17, 1982. On the same day, Reagan issued a [public statement](#), declaring that arms sales to Taiwan would continue, in accordance with the TRA and the PRC’s professed peaceful policy. In a non-public directive, Reagan added that, “both in quantitative and qualitative terms, Taiwan’s defense capability relative to that of the PRC will be maintained.”[6] Reagan also wrote that day in his diary that “truth is we are standing with Taiwan and the PRC made all the concessions.”[7] Changes since that time pose a policy issue about whether Taiwan can maintain a military balance in its favor. Still, Reagan linked arms sales to Taiwan with the PRC’s threat as a “permanent imperative” of US foreign policy, reasoning that arms sales would increase if the PRC built up its military threat. Also, [the TRA](#)—trumping the communiqués—stipulates that the president and the Congress shall determine the nature and quantity of such defense articles and services “based solely” upon their judgment of Taiwan’s needs.

Now is the urgent time to correct the arms sales process that started in the latter part of George W. Bush’s Administration and continued under Obama. Going astray from Reagan’s linkage in the private directive accompanying the last communiqué, the changed process linked individual defense programs in so-called

“packages” and commonly froze notifications to Congress on arms sales [before major events connected with the PRC](#). The Trump Administration should submit the pending programs for congressional review and end the distortion of “packages.”

Reagan’s main concern was the military balance between Taiwan and the PRC. Taiwan is obligated to maintain a sufficient self-defense and assert its defense needs. In March, Taiwan issued a new defense strategy and a [Quadrennial Defense Review](#), but without significantly increasing defense funds. Taiwan’s Defense Minister repeated a long-standing plea for [defense spending](#) at 3 percent of GDP, but the budget amounts to NT \$350.7 billion (US \$11.5 billion), or only 2 percent of GDP.

**The main point:** Only the US defines “our” policy on Taiwan, which cannot be reduced to simply a “One-China” policy. Clear, credible, and consistent US actions and statements are needed to adhere to the TRA and to counter misleading media stories and the PRC’s political warfare.

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[1] Lester Wolff and David Simon, “Statement of Senator John Glenn on China-Taiwan Policy,” July 22, 1982, *Legislative History of the Taiwan Relations Act* (New York: American Association for Chinese Studies, 1982).

[2] James Lilley with Jeffrey Lilley, *China Hands* (New York: Public Affairs, 2004), 251-252.

[3] White House, “Remarks by the President to the Business Council,” February 24, 2000.

[4] This paragraph is based on the author’s interviews with former Representative Lester Wolff, March and April 2017.

[5] Testimony of Assistant Secretary of State for East Asian and Pacific Affairs James Kelly at hearing held by the House International Relations Committee on “The Taiwan Relations Act: The Next 25 Years,” April 21, 2004.

[6] Lilley, *China Hands*, 248.

[7] Ronald Reagan, *The Reagan Diaries* (New York: Harper, 2007), 75.

## Defining President Trump’s “Our ‘One-China’ Policy”: The Taiwan Relations Act vs. The Three Communiqués

By: John J. Tkacik

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On the evening of Thursday, February 9, 2017, President Donald J. Trump spoke for 45 minutes by phone with People’s Republic of China (PRC) State Chairman, Xi Jinping. According to a “senior US official”, it took only five minutes for the Chinese leader to [mention Taiwan](#): “I would like you to uphold the ‘One China’ policy,” Chairman Xi requested. The President replied, “At your request, I will do that.”

And the issue was laid to rest.

That evening, the White House issued a [press release](#) announcing that, among the “numerous topics” discussed, “President Trump agreed, at the request of President Xi, to honor *our* ‘one China’ policy” [emphasis added]. Immediately, hundreds of news outlets reported across the world that President Trump had abandoned his support of Taiwan and embraced the “One-China” principle.

Fake News? The White House release clearly stated that what the President had agreed to honor was *not* China’s “One-China” Principle,” but rather “*our* ‘One China’ policy.”

Indeed, “*our* ‘One China’ policy” has been a specific diplomatic formulation followed by the US Department of State for at least the past 15 years—usually accompanied by the explanation that it is “based on the Taiwan Relations Act and the Three Communiqués.”[1] Beijing’s “One-China” principle is an entirely different creature that insists that Taiwan Island is an integral part of Chinese territory over which the Beijing government has sovereignty in international law.

So, what exactly is “*our* One China policy based on the Taiwan Relations Act and the Three Communiqués”?

Perhaps the most authoritative articulation of “*our* ‘One China’” is in a formal testimony to the US Congress by then-Assistant

Secretary of State for East Asian and Pacific Affairs James Kelly on April 21, 2004. Secretary Kelly briefed the House International Relations Committee on the 25th anniversary of the signing of the Taiwan Relations Act is the legislation that sets the legal basis for the conduct of defense, commercial, cultural and other normal foreign relations with Taiwan in the absence of formal diplomatic recognition of the “Republic of China” government in Taipei.

Among the definitive sections of the TRA, the section central to its legal authority states: “Whenever the laws of the United States refer or relate to foreign countries, nations, states, governments, or similar entities, such terms *shall* include and such laws shall apply with respect to Taiwan” at §3303(a), (b)(1), [emphasis added].

The 2015 Supreme Court decision, [Zivotofsky v. Kerry](#), quoting the Solicitor General of the United States, observes that the TRA “treated Taiwan as if it were a legally distinct entity from China—an entity with which the United States intended to maintain strong ties.” For the purposes of United States law, Taiwan is a “country, nation, state, government,” to be treated juridical exactly like any other. In *Zivotofsky*, the Judicial Branch posited the question of how the Executive Branch viewed the People’s Republic of China’s claim that “Taiwan is a part of China.” The Court’s decision recorded that, “The Solicitor General explains that the designation ‘China’ involves ‘a geographic description, not an assertion that Taiwan is . . . part of sovereign China,’” an explanation that the late Justice Antonin Scalia wryly endorsed, writing, “[Quite so.](#)”

So, what is the legal force of the “Three Communiqués,” particularly the December 16, 1978, communiqué in which the United States “acknowledges the Chinese position” that Taiwan is part of China? The Court in *Zivotofsky* points out that “according to the Solicitor General, the United States ‘acknowledges the Chinese position’ that Taiwan is a part of China, but ‘does not take a position’ of its own on that issue.”

The Taiwan Relations Act is, therefore, necessarily the core legal component of “*our* ‘One China’ policy.” Indeed, the Taiwan Relations Act—the foundation of “*our* ‘One China’ policy” emphasizes that US relations with Taiwan are separate from its relations with China.

Indeed, in the course of his 2004 testimony to the US Congress, then-Assistant Secretary of State for East Asian and Pacific Affairs James Kelly used the term “*our* ‘One China’” five times. [Mr. Kelly explained](#) that “The TRA [Taiwan Relations Act], along with the three communiqués and our one China policy, form the founda-

tion for the complex political and security interplay among China, Taiwan and the United States.” (Note that Secretary Kelly’s statement gave precedence to the TRA before the “Three Communiqués.”) Mr. Kelly continued, “This is a unique situation, with sensitive and *sometimes contradictory* elements.”

Puzzled about this, one member of Congress asked the obvious question: “can the evolution of full-fledged democracy on Taiwan and the clear emergence of a sense of Taiwanese identity meld with the principle of One China, or are they in stark contrast with each other?”

Without hesitation, Secretary Kelly [responded](#):

*“... In my testimony, I made the point our one China, and I really did not define it. I am not sure that I very easily could define it.*

*I can tell you what it is not. It is not the one China policy or the one China principle that Beijing suggests, and it may not be the definition that some would have in Taiwan, but it does convey a meaning of solidarity of a kind among the people on both sides of the Strait that has been our policy for a very long time.”*

Still not convinced? The State Department also made a confidential representation to the United Nations in August 2007 when UN Secretary General Ban Ki Moon asserted that, under the terms of UN General Assembly Resolution 2758 of October 1971, “the United Nations considers Taiwan for all purposes to be an integral part of the People’s Republic of China.”

To this, the United States Mission [issued a counter-demarche saying](#):

*“The United States reiterates its One China policy which is based on the three US-China Communiqués and the Taiwan Relations Act, to the effect that the United States acknowledges China’s view that Taiwan is a part of China. We take no position on the status of Taiwan. We neither accept nor reject the claim that Taiwan is a part of China.”*

According to the Wikileaks database, the US ambassador to the UN, Zalmay Khalilzad, [reported to the Secretary of State](#) on August 16, 2007, “Ban said he realized he had gone too far in his recent public statements, and confirmed that the UN would no longer use the phrase ‘Taiwan is a part of China,’ as reported reftel.”

If “our ‘One China’ policy” is good enough for the Supreme Court

and the United Nations, then I suppose we should all agree that it is good enough for President Trump.

**The main point:** The phrase “our ‘One China’ policy based on the Taiwan Relations Act and the Three Communiqués” is a proposition entirely distinct from Beijing’s “One China Principle.” The Act itself is the controlling legal core of “our ‘One China’ policy,” while the “Three Communiqués” are diplomatic imprecisions in which, according to the Solicitor General of the United States, “the United States ‘acknowledges the Chinese position’ that Taiwan is a part of China, but ‘does not take a position’ of its own on that issue” and, indeed, the United States believes “the designation ‘China’ involves ‘a geographic description, not an assertion that Taiwan is . . . part of sovereign China.”

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[1] My database has dozens of hits for “our ‘One China’”, beginning with “U.S. Department of State Daily Press Briefing Index, 1:10 p.m. — Thursday, June 27, 2002, Briefer: Richard Boucher, Spokesman.”

## The Trump Administration and Taiwan: 38 Years after the TRA

By: Ambassador Stephen M. Young (ret)

*Ambassador Young served in the US Foreign Service for over 33 years, including four assignments to Taiwan. His overseas assignments also sent him to Moscow, Beijing, Hong Kong, and Kyrgyzstan. He graduated from Wesleyan University and earned a Ph.D. in history from the University of Chicago. Young is now retired and living in New Hampshire. He is also a member of GTI’s advisory board.*

In the early 1980s I was a young Foreign Service Officer working in the American Institute in Taiwan (AIT). In January 1982, veteran China Hand, Jim Lilley, arrived to become the second head of AIT, replacing Chuck Cross. Jim had come directly from President Reagan’s National Security Council and he had brought considerable new focus on preserving the dignity of Taiwan, a long-time friend and ally, despite the break in diplomatic relations two years prior. I knew that President Reagan and his vice president, George H. W. Bush had handpicked Jim to represent them in Taiwan, in order to convey America’s deep respect for the island and its people.

Morale at AIT improved considerably with Jim’s arrival, as we felt our important work, from top to bottom, would be more re-

spected back in Washington with a leader of his caliber. Having met Jim in the late seventies, when we were both studying Chinese at Middlebury College's Summer Language School, I was privileged to consider him a friend and mentor from an early age. From the very start of his tour in Taiwan, Jim stressed to all of us working in AIT the importance of treating Taiwan with the respect an old friend deserved.

This came less than two years after the passage of the Taiwan Relations Act (TRA) by the US Congress, which codified our informal commitment to the island's security. The TRA was passed in the wake of the December 1978 agreement with the People's Republic of China (PRC) that established formal diplomatic relations between Washington and Beijing. Several months later, the third US-PRC Communiqué was released on August 17, 1982. This document, the result of Beijing's pressure on Washington to flesh out terms for American security cooperation with Taiwan, envisioned the gradual reduction of weapons sales to the island.

But it was importantly premised on steps by the PRC to reduce its threat to use force to resolve the issue. Thus there was a considerable amount of flexibility in the way the United States determined its arms sales and other security assurances to Taiwan. I am pleased that this document has not significantly impaired our ability to continue providing appropriate defensive weaponry to Taiwan well into the 21st century.

That summer I remember Jim going to see President Chiang Ching-kuo to brief him on President Reagan's "Six Assurances," designed to assure our friends in Taiwan that we would continue to honor our moral commitment to their safety and security. Though the initiative for the TRA sprang largely from Taiwan's many friends on the Hill, Jim was already fully on board with the idea that a special relationship with Taiwan was central to American values and policy in the Asia-Pacific region.

I had the honor of again serving under Ambassador Lilley at the Beijing Embassy 10 years later. While fully cognizant of the importance of good relations with the PRC, Jim had not lost his affection for Taiwan. He firmly believed that we did not have to suppress or hide that sentiment, even as we sought to work with a rising China on the multitude of issues that relationship encompassed.

Over the course of the past three and a half decades, we have witnessed the Tiananmen massacre, the democratization of Taiwan, and the growing economic and political importance of China. But thanks to the vision of people like Jim Lilley, the United States has been true to our friends in Taiwan, in a commitment

to treat the island with the respect and attention the relationship deserves.

Every time a new administration takes office in Washington, anxiety in Taiwan over the future of US-Taiwan ties resurfaces. But just as regularly, each new administration, be it Republican or Democrat, has quickly reaffirmed the basics of the relationship, including references to our diplomatic ties to Beijing, the TRA, and the "One-China" policy. The Trump Administration has thus far conformed to this pattern, albeit with some small wrinkles.

The phone conversation between President-elect Trump and Taiwan's President Tsai Ing-wen in December 2016 understandably created some waves. The call, placed by President Tsai, was a bit unusual and suggested a lack of understanding by Mr. Trump of the long and complicated history on this subject. But I believe Mr. Trump's acceptance of the call, and the generally warm character of the exchange as reported, falls within the broader parameters of our policy. In short, America recognizes Beijing as our diplomatic partner under the "One-China" policy, while preserving a large reservoir of respect and friendship for Taiwan and its people.

That includes preservation of the important—albeit informal—relationship we enjoy with Taiwan, as well as our sense that any possible reunification of Taiwan with the mainland must occur without the threat or use of force. The TRA also charges the US Government with maintaining a strong military presence in the Asia-Pacific region, and with continuing to provide arms to permit Taiwan to maintain an adequate defense. These provisions are aimed at assuring that China will never attempt to use force to resolve this question.

President Trump is the least experienced person in modern times to assume the presidency, having never previously served in government at any level. It has been postulated that a more knowledgeable person might not have accepted President Tsai's phone call last December. But I accept his explanation that it was the right thing to do under the circumstances. Nor am I surprised that Mr. Trump and his staff [agreed to formally acknowledge the "One-China" policy](#) (as we interpret it), during his first phone conversation with Chinese President Xi Jinping. This all occurred in preparation for the subsequent summit between the two leaders earlier this month in Florida.

I firmly believe that it would be appropriate for the Trump Administration to approve new arms sales to Taiwan, including upgrades to its air defense systems and a review of Taiwan's air force, with an eye toward a long-term plan to provide more

sophisticated aircraft to the island. The question of supporting Taiwan's development of an indigenously manufactured submarine capability is complicated by the fact that the United States has not made diesel submarines for several decades. But within those constraints, it may be possible for Washington—or its friends in Europe—to provide some quiet assistance on the technology of such warships.

Another small but symbolically important step that could be taken is to allow State Department and other US Government officials to receive Taiwan officials in their offices. Current practice is that such meetings must be conducted outside of federal buildings. But US officials receive all varieties of non-official persons in their offices, so there is little logic in denying the same right to TECRO representatives. When there is business to conduct, it should be done the same way US officials manage relations with all sorts of other guests, from academics to journalists to friends.

Equally important, the Trump Administration has committed to a robust and enhanced defense budget, which should focus in particular on our ability to defend our partners and allies in the Asia-Pacific region. Taiwan—as well as our more traditional allies like Japan, South Korea, and Australia—would naturally figure into this planning. The broader goal of American security planning vis-à-vis Taiwan is to signal to Beijing that we would never allow it to resolve the cross-Strait issue with the use of force. This has worked well now for nearly four decades. Recommitment to this policy by each new US administration has been central to our approach on the cross-Strait issue.

Any peaceful resolution of the Taiwan situation is unlikely to unfold quickly. The persistence of an authoritarian regime in Beijing that does not allow its own people to choose their leaders or policies makes the PRC an outlier in the region. A truly democratic PRC would not guarantee greater progress toward unification with Taiwan, but would, in my opinion, be a critical prerequisite.

The United States should also continue to engage in the broad spectrum of economic and people-to-people relations that have long defined our ties to Taiwan. The American Institute in Taiwan has a strong professional staff that helps to manage this important relationship with one of our biggest trade partners in the region. Plans to move to a new AIT office complex in the coming months will underscore the enduring nature of America's ties to the people of Taiwan. I am proud to have made a small contribution to this process during my diplomatic career, which included four assignments to AIT, culminating in my ser-

vice as AIT Director from 2006-2009.

**The main point:** The overall policy of the United States toward Taiwan over the past 40 years has been successful and should be continued, building upon the established framework of the TRA and our “One-China” policy. Steps should also be pursued by the Trump Administration to enhance Taiwan's defense capabilities—including upgrades to its air defense and consideration of new fighter aircraft. Washington can also enhance the dignity we accord Taiwan's TECRO staff by permitting them to meet their American counterparts in their offices.