

117TH CONGRESS
1ST SESSION

S. 3312

To analyze the impacts of establishing U.S. Customs and Border Protection Preclearance facilities in Taiwan and in other Indo-Pacific countries.

IN THE SENATE OF THE UNITED STATES

DECEMBER 2, 2021

Mr. HAWLEY (for himself, Mr. CORNYN, Mr. TILLIS, Mr. SCOTT of Florida, Mr. TUBERVILLE, Mr. BRAUN, and Mrs. HYDE-SMITH) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To analyze the impacts of establishing U.S. Customs and Border Protection Preclearance facilities in Taiwan and in other Indo-Pacific countries.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taiwan Preclearance
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) U.S. Customs and Border Protection
9 preclearance stations U.S. Customs and Border Pro-

1 tection officers and specialists at foreign airports to
2 inspect travelers prior to boarding United States-
3 bound flight.

4 (2) More than 600 U.S. Customs and Border
5 Protection officers and specialists are stationed in
6 Aruba, The Bahamas, Bermuda, Canada, Ireland,
7 and The United Arab Emirates.

8 (3) A preclearance program at Taiwan's
9 Taoyuan International Airport (TPE) would signal
10 Taiwan's importance to the United States and com-
11 pliance with international aviation rules.

12 (4) In 2012, the United States announced Tai-
13 wan's designation for participation in the Visa Waiv-
14 er Program, which allows for Taiwanese passport
15 holders to enter and remain in the United States for
16 up to 90 days obtaining a United States visa.

17 (5) In 2017, Taiwan became the third location
18 in East Asia and the 12th nation worldwide to be
19 eligible for the Global Entry program, which allows
20 for expedited immigration and customs clearance
21 and pre-approval.

22 **SEC. 3. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

1 (1) Taiwan is a steadfast partner of the United
2 States in the common pursuit of a free and open
3 Indo-Pacific region; and

4 (2) the United States should prioritize the es-
5 tablishment of preclearance facilities and other secu-
6 rity programs with allies and partners in the Indo-
7 Pacific region, including Taiwan.

8 **SEC. 4. DEFINED TERM.**

9 The term “appropriate congressional committees”
10 means—

11 (1) the Committee on Homeland Security and
12 Governmental Affairs of the Senate;

13 (2) the Committee on Finance of the Senate;

14 (3) the Committee on Commerce, Science, and
15 Transportation of the Senate;

16 (4) the Committee on Homeland Security of the
17 House of Representatives; and

18 (5) the Committee on Ways and Means of the
19 House of Representatives.

20 **SEC. 5. REPORT.**

21 Not later than 180 days after the date of the enact-
22 ment of this Act, the Secretary of Homeland Security, in
23 consultation with the Secretary of Commerce, shall submit
24 a report to the appropriate congressional committees
25 that—

1 (1) describes the plan for the establishment of
2 a preclearance facility in Taiwan or in other coun-
3 tries in the Indo-Pacific region;

4 (2) analyzes the feasibility and advisability for
5 the establishment of a preclearance facility in Tai-
6 wan;

7 (3) assesses the impacts that preclearance oper-
8 ations in Taiwan will have on—

9 (A) trade between the United States and
10 Taiwan, including the impact on established
11 supply chains;

12 (B) the tourism industry in the United
13 States, including the potential impact on rev-
14 enue and tourist-related commerce;

15 (C) United States and foreign passengers
16 traveling to the United States for business-re-
17 lated activities;

18 (D) cost savings and potential market ac-
19 cess by expanding operations into the Indo-Pa-
20 cific region;

21 (E) opportunities for government-to-gov-
22 ernment collaboration available in Taiwan after
23 preclearance operations are established; and

1 (F) U.S. Customs and Border Patrol inter-
2 national and domestic port of entry staffing;
3 and

4 (4) includes country-specific information on the
5 anticipated homeland security benefits and the secu-
6 rity vulnerabilities associated with conducting
7 preclearance operations in Taiwan.

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