

United States Department of State

Washington, D.C. 20520

MEMORANDUM TO:

October 3, 1990

Mr. Brent Scowcroft
National Security Affairs Advisor
The White House

Mr. James R. Pittman
Acting Executive Secretary
Central Intelligence Agency

Colonel John A. Dubia
Executive Secretary
Department of Defense

Other Addresses (see attached)

Subject: Taiwan Guidelines

This memorandum reviews the existing guidelines for the conduct of our unofficial relations with the people on Taiwan. Please ensure that they receive broad circulation within your Department or Agency.

In establishing diplomatic relations with the People's Republic of China (PRC), the U.S. Government recognized the PRC Government as the sole legal government of China. Both sides agreed that, within this context, the people of the United States would maintain cultural, commercial and other unofficial relations with the people on Taiwan. The President has reaffirmed this policy.

The Taiwan Relations Act (TRA) (Public Law 96-8 of April 10, 1979) provides the legal framework for the conduct of these unofficial relations. In the absence of diplomatic ties, the TRA stipulates that programs, transactions, and other relations conducted or carried out by the President or any agency of the U.S. Government with respect to Taiwan shall be conducted and carried out by or through the American Institute in Taiwan (AIT). AIT, a nonprofit corporation headquartered in Rosslyn, VA, with offices in Taipei and Kaohsiung on Taiwan, is under contract to the Department of State to perform these functions.

Taiwan has established a counterpart organization to AIT called the Coordination Council for North American Affairs (CCNAA). CCNAA has its U.S. headquarters in Washington, DC and other offices in major cities around the United States. The unofficial relations between the people of the United States and the people on Taiwan are carried out through these two private organizations.

This framework has proven effective; trade and other unofficial relations with Taiwan have expanded dramatically since 1979.

Guidelines for specific areas of the conduct of unofficial relations with Taiwan are as follows:

Terminology: Consistent with the unofficial nature of U.S.-Taiwan ties, the U.S. Government no longer refers to Taiwan as the "Republic of China" -- a term reflecting Taipei's continuing claim to be the government of China. Nor does the U.S. Government refer to Taiwan as a "country" or a "government." We refer to Taiwan simply as Taiwan, and to its leadership as "the Taiwan authorities."

Correspondence: Executive Branch departments and agencies should not correspond directly with their counterparts on Taiwan or with CCNAA. All such correspondence must take place through, and under the auspices of, AIT. This usually takes the form of a letter from AIT Washington or AIT Taipei, incorporating the view of the concerned U.S. department or agency, to CCNAA in Washington or Taipei.

Unofficial Meetings and Contacts: Guidelines concerning unofficial meetings and contacts between Executive Branch personnel and CCNAA, or visitors from Taiwan, are complex. In general, these should take place at AIT or in other non-official settings -- not in Executive Branch offices. Questions should be directed to the Taiwan Coordination Staff (EAP/RA/TC) at the Department of State (telephone 202-647-7711).

Twin Oaks: Executive Branch personnel may not attend functions at Twin Oaks, the former residence of the "Republic of China" Ambassador. They may, however, accept invitations to social functions held at homes of CCNAA personnel.

"Double Ten" Celebrations: The Taiwan authorities celebrate October 10 as the anniversary of the founding of the "Republic of China." In general, officials at all levels of the foreign affairs agencies (State, NSC/White House, Defense, and CIA), as well as officials above the rank of GS-14 from any other part of the Executive Branch, may not attend the formal CCNAA reception held on that day. Questions regarding attendance by Executive Branch personnel at receptions hosted by CCNAA in honor of this event on other days should be directed to the Taiwan Coordination Staff.

Travel: Executive Branch personnel who contemplate travel to Taiwan for work-related reasons must have prior concurrence from the Taiwan Coordination Staff (fax 202-647-7350). Such personnel travel to Taiwan as consultants to AIT. Senior Executive Branch officials at

or above the level of assistant secretary, embassy counselor or consul general, and three star flag officer must obtain clearance from the State Department for personal travel as well. All travel must be on a regular (tourist) passport.

Gifts: U.S. law and government guidelines on gifts from foreign sources, including travel expenses, apply to Executive Branch personnel in their relations with Taiwan and CCNAA. Questions should be directed to the concerned recipient's department or agency ethics office.

Questions on policy matters related to these guidelines should be directed to the Taiwan Coordination Staff of the Department of State.

Questions on the actual conduct or procedural implementation of our unofficial relations should be directed to AIT (telephone 703-525-8474).


for J. Stapleton Roy
Executive Secretary

Attachment:

List of addressees