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United States Department of State

Washington, D.C. 20520

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MEMORANDUM TO:

October 5, 1989

Mr. Brent Scowcroft
National Security Affairs Advisor
The White House

Mr. H. Lawrence Sandall
Executive Secretary
Central Intelligence Agency

Colonel George P. Cole, Jr.
Executive Secretary
Department of Defense

Other Addresses (see attached)

Subject: Taiwan Guidelines

The Department of State has received a number of inquiries from other agencies on how to do business with Taiwan's Coordination Council for North American Affairs or with representatives of the Taiwan authorities. Many callers are new to the federal government and thus unfamiliar with the nuances of our people-to-people relationship with Taiwan. To clarify this situation, please circulate the following guidelines on the conduct of unofficial relations with Taiwan.

In establishing diplomatic relations with the People's Republic of China (PRC), the US 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 US 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.

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Taiwan has established a counterpart organization to AIT called the Coordination Council for North American Affairs (CCNAA). CCNAA has its US headquarters in Washington, D.C. and other offices in major cities around the US. 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 in the past decade.

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

Terminology. Consistent with the unofficial nature of US-Taiwan ties, the US 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 US 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 departments and agencies should not correspond directly with CCNAA or their counterparts on Taiwan. All such correspondence must take place through or under the auspices of AIT. This usually takes the form of a letter from AIT Washington or Taipei, incorporating the view of the concerned US department or agency, to CCNAA 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, they 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) of the Department of State.

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 the 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 any level from the foreign affairs agencies (State, Defense, NSC/White House, and CIA), as well as officials above the rank of GS-14 from any other part of the Executive Branch,

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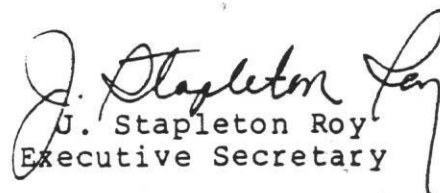
may not attend the formal CCNAA reception held on that day. Questions regarding attendance by executive branch personnel at receptions hosted by CCNAA in honor of this event in October should be directed to the Taiwan Coordination Staff.

Travel. Executive branch personnel who contemplate travel to Taiwan for work-related reasons must have the prior concurrence of the State Department (EAP/RA/TC). Such personnel travel to Taiwan as consultants to AIT. Senior executive branch officials at or above the level of consul general or counsellor of embassy/assistant secretary/flag officer of three stars must also obtain clearance from the State Department for tourist travel to Taiwan. All travel must be on a regular passport.

Gifts. US Government guidelines on gifts from foreign sources, including free travel, apply to executive branch personnel in their relations with Taiwan/CCNAA. Questions should be directed to the ethics office of the concerned individual's department or agency.

Questions on policy matters related to these guidelines should be directed to the Taiwan Coordination Staff of the Department of State (tel. 647-7711).

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


J. Stapleton Roy
Executive Secretary

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