Breaking the Logjam: Navigating the Complexities and Delays of US Arms Sales to Taiwan

By Eric Gomez

Senior Fellow, Cato Institute

Arms sales are one of the most important and highly visible forms of US support for Taiwan. Announcements of new arms sales are major news items on both sides of the Taiwan Strait, and China has aggressively sanctioned US defense companies to protest recent sales.

China's increasingly aggressive military activities, Russia's invasion of Ukraine, and high-profile debates about a <u>potential timeline for Chinese military action</u> have drawn greater attention to the backlog of US weapons that have been sold but not yet delivered to Taiwan.

<u>Since November 2023</u>, I have maintained and regularly updated a dataset that tracks the composition of Taiwan's arms sale backlog, which I value at \$20.5 billion as of September 2024. The rest of this memo is divided into three sections. First, I describe how I created my dataset and discuss the challenges of accurately measuring the backlog. Second, I explain why the backlog exists. Finally, I examine the strategic implications of the backlog.

The Taiwan Arms Backlog Dataset and the Difficulty of Accurate Measurements

Getting an accurate picture of what US arms sales Taiwan is waiting for is very difficult due to limited data availability.

Congress is notified of any US foreign military sale (FMS) case <u>above certain dollar</u> <u>thresholds</u>—in Taiwan's case \$14 million for major defense equipment, \$50 million for any defense articles or services, and \$200 million for design and construction services—which can be found on the <u>Defense Security Cooperation Agency (DSCA) website</u> and in the <u>Congressional Record</u>. The dollar figures in Congressional notifications are subject to change, but they tend to be good estimates of the final dollar value of the arms sale. The Department of Defense publishes <u>contract award notifications</u>, but for FMS cases contract awards often include multiple recipient countries without specifying when each country will receive its equipment.

Information about all other steps in the FMS process is not readily available. Occasionally I have been able to locate information about <u>Letters of Offer and Acceptance (LOA)</u>, which contain detailed cost information as well as a timeline for weapons deliveries, in <u>letters written by members of Congress</u> or <u>reports made by Taiwan's Ministry of National Defense (MND)</u> to the Legislative Yuan (LY). However, this information is only released piecemeal and on an ad hoc basis, which makes it difficult to get a comprehensive view of the Taiwan arms backlog.

Data availability is not just a problem for analysts outside of government. An August 2024 RAND Corporation report on FMS reform states that the report authors were unable to perform a quantitative analysis of delays in arms sale deliveries saying, "Due to the presence of some gaps or inconsistencies in the case development data we received from DSCA, we were unable to

confidently interpret the results of the quantitative analysis we conducted and to independently quantify the extent of delays in the FMS case development phase." The RAND report also points out that the Pentagon uses different information systems to track FMS case progress and the procurement of weapons to fulfill those cases.

My dataset uses DSCA announcements of FMS cases found on the agency's website (new cases) and in the *Congressional Record* (new cases and amendments to old cases) to establish a list of US arms sales to Taiwan. I use data from <u>SIPRI's Arms Transfer Database</u>, supplemented with press reporting, to determine which arms sales have been fully delivered. My dataset includes arms sales that have been partially delivered and only removes those that are fully delivered.

I do not include FMS cases involving spare parts, training, or maintenance services because, unlike undelivered weaponry, Taiwan can use the capabilities that maintenance sales support to defend itself. Since the beginning of the Trump administration, the United States has sold Taiwan \$4.3 billion worth of maintenance.

I have occasionally used <u>Chinese-language MND reports to the LY to</u> determine delivery status, but I have not been systematic in my use of MND documents. I acknowledge that my dataset is imperfect but given the limits of available data I am confident that it paints a mostly accurate picture.

Three things stand out about the backlog. The first is the sheer size. As of September 2024, Taiwan is waiting for delivery of \$20.5 billion worth of US weapons. This is slightly more than Taiwan's planned 2025 defense budget (\$20.2 billion). Second, by dollar value a majority of the backlog represents traditional military capabilities that are more more flexible but also more easily countered by China's military. Two FMS cases for F-16s (\$8 billion) and Abrams tanks (\$2 billion) represent half of the backlog's dollar value. Third, most of the backlog was notified to Congress during the Trump administration, with the Biden administration focusing more on maintenance sales and asymmetric capabilities.

Why the Backlog Exists

The FMS process is not designed to move quickly, and some delay between an FMS case being notified to Congress and final delivery of a weapon system is to be expected for every sale. Almost all FMS cases require new equipment to be manufactured, which means that recipients benefit from getting new weapons but also means longer wait times. The Department of Defense judges whether a capability is delayed based on the delivery timeline in the LOA, but since LOA information is not readily available it is difficult to judge whether an arms sale to Taiwan (or any other recipient) is "backlogged" or if it is on a normal, albeit long schedule.

Many prominent arms sales that Taiwan is waiting for are either delayed only very slightly or not delayed at all. The F-16 and Abrams sales are both a few months behind schedule, but initial deliveries of both sales should occur by the end of 2024, with full delivery by the end of 2026. MND documents have repeatedly stated that delivery of 18 HIMARS from a 2022 plus-up order will arrive in 2026 and be ahead of schedule. The initial batch of 11 HIMARS notified to

Congress in 2020 should arrive by 2025. In fact, if all deliveries proceed without significant further delays, and assuming no new arms sales are announced, the value of the backlog should be more than halved by the end of 2026.

Despite this relatively good news, there are several examples of massively delayed arms sales, often involving weapons systems that should be simpler to manufacture. Taiwan was supposed to receive 1,700 TOW-2B anti-tank missiles by the end of 2023, with a first batch of 460 arriving in 2022. In a spring 2024 letter to the LY, the MND said that no missiles had been delivered yet, despite delivery of Humvees to carry the missiles. The MND said that the missiles had failed quality control inspections.

A sale of approximately 50 Joint Standoff Weapon (JSOW) guided glide bombs was notified to Congress in 2017, <u>but a contract award was not announced until February 2024</u>. The MND expects final delivery by 2026, nine years after notification.

<u>An October 2023 letter</u> from members of the House Select Committee on Competition with China stated that production contracts had not been awarded for either a 2022 sale of airlaunched Harpoon anti-ship missiles or a 2020 sale of SLAM-ER land-attack missiles despite both sales having signed LOAs as of December 2022. As of September 2024, I have not been able to locate contract award announcements for either of these missiles.

Without more publicly available information about the FMS process it is difficult to say why these delays exist. The MND frequently cites the COVID-19 pandemic and its disruption of supply chains as a major contributing factor, and this probably has some negative impact on timely deliveries. Anecdotal evidence points to inefficient bureaucratic processes in both the United States and Taiwan as being major sources of delay.

Both Taiwanese and US government officials have claimed that US aid to Ukraine is not causing a delay in arms shipments to Taiwan. This is partially true. While there is some overlap between US weapons sent to Ukraine and those in the Taiwan arms backlog, for the most part Ukraine is receiving drawdowns of existing US stockpiles rather than newly produced equipment. However, a massive surge in new FMS cases since Russia's invasion of Ukraine, medium-term US support for Ukraine via the Ukraine Security Assistance Initiative, and the need to recapitalize US stockpiles will mean a lot of demand for new weapons hitting the US defense industrial base. The industrial base is making investments to expand production, including several items in the Taiwan backlog, but this additional capacity will take time to come online.

Fixing the Taiwan arms sale backlog will be difficult without more information about the origins of delays, which is difficult to determine because of the lack of transparency in the FMS process. Delays could decrease as the US defense industrial base builds more capacity, but high demand for US weapons might still mean long wait times despite growing capacity. Washington is using Presidential Drawdown Authority to get equipment to Taiwan faster, but this will not have a significant impact on the backlog if FMS cases are already under contract or, in the case of some of the most expensive items, if the US military does not have stockpiles of the equipment in question.

In addition to greater data transparency to better guide policy reforms, the United States and Taiwan should think carefully about what FMS cases to pursue in the next few years. The backlog should be significantly reduced by the end of 2026 as several large FMS cases are delivered. If Taipei and Washington want to keep the rest of the backlog at a more reasonable level, then they should think about only approving cases that can be produced quickly and provide large quantities of capability per dollar. The recent sale of several hundred loitering munitions is a good example of the type of capability that future FMS cases should focus on because they have hot production lines, low per-unit cost, and relatively less demand from other foreign customers.

Strategic Implications

Fixing the Taiwan arms sale backlog will be important regardless of where one stands on the question of should the US intervene in a China-Taiwan conflict. The large size of the arms sale backlog raises reasonable questions about US foreign policy priorities and security assistance capacity. If China is indeed the "pacing threat," then why is Taiwan waiting so long for relatively simple weapons like TOW missiles, JSOWs, and Stingers? If Taiwan is taking asymmetric defense seriously, then why did it request and why did Washington approve the sale of \$10 billion worth of F-16s and Abrams tanks?

Another important question about the Taiwan arms backlog is whether it is unique to Taiwan or if it could be indicative of the next five or even ten years of FMS cases. Between January and September 2024, DSCA has notified Congress of approximately \$90 billion in new FMS cases. According to the Department of Defense, in fiscal year 2023 the value of new FMS cases was almost \$62.3 billion. Is Taiwan's experience the canary in the coal mine, signaling long wait times for other countries as the defense industrial base struggles to boost supply to meet demand? Or is Taiwan's case unique, meaning it waits longer than other buyers for the same weapons anyway with the potential of those wait times getting longer still?

The good news is that stakeholders in the FMS process are motivated to make changes. Since mid-2023, the <u>Department of Defense</u>, <u>State Department</u>, and <u>House Foreign Affairs Committee</u> have put forth ideas for reforming FMS with an eye for speeding up deliveries. This is a good first step, but there has not been much progress yet on implementing these changes. Moreover, most of the reforms are focused on the US security assistance bureaucracy, which is only one potential source of delay alongside foreign government bureaucracy and the US defense industry.

The best things for Taiwan to do about the arms backlog are to minimize bureaucratic delays, refrain from buying expensive capabilities with long manufacturing timelines, and to expand its own defense industry to build more equipment domestically. Taiwan has demonstrated that it can build high-quality indigenous weapons systems, but it needs more capacity so it can build up peacetime stockpiles of critical munitions and equipment.