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S. HRG. 116–212

ARIA (ASIA REASSURANCE INITIATIVE ACT) IN ACTION

Part 1: Human Rights, Democracy, and the Rule of Law

Part 2: The Benefits of Economic Diplomacy

Part 3: Implementation and the Indo-Pacific Strategy

HEARINGS

BEFORE THE

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBER SECURITY POLICY

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

APRIL 9, MAY 23, AND OCTOBER 16, 2019

Printed for the use of the Committee on Foreign Relations

Available via the World Wide Web:
http://www.govinfo.gov

U.S. GOVERNMENT PUBLISHING OFFICE

40–536 PDF WASHINGTON : 2020

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ARIA (ASIA REASSURANCE INITIATIVE ACT) IN ACTION, PART 1:

Human Rights, Democracy, and the Rule of Law

TUESDAY, APRIL 9, 2019

U.S. SENATE,
SUBCOMMITTEE ON EAST ASIA,
THE PACIFIC AND INTERNATIONAL
CYBERSECURITY POLICY,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:04 a.m. in Room SD–419, Dirksen Senate Office Building, Hon. Cory Gardner, chairman of the subcommittee, presiding.

Present: Senators Gardner [presiding], Young, Markey, and Coons.

OPENING STATEMENT OF HON. CORY GARDNER, U.S. SENATOR FROM COLORADO

Senator GARDNER. This hearing will come to order.

Let me welcome you all to the second hearing of the Senate Foreign Relations Committee on East Asia, The Pacific, and International Cybersecurity Policy in the 116th Congress.

This hearing will be the first hearing in a three-part series to examine the implementation of the Asia Reassurance Initiative Act, or ARIA, which Senator Markey and I led in the 115th Congress and which was signed into law on December 31st, 2018.

Today's hearing is focused on human rights, democracy, and the rule of law in the Indo-Pacific region, an essential component, building block component of ARIA and an urgent priority for U.S. policy in the region.

As stated in section 401 of ARIA, the promotion of human rights and respect for democratic values in the Indo-Pacific region is in the United States' national security interests. Continued support for human rights, democratic values, and good governance is critical to a successful United States diplomatic strategy in the Indo-Pacific.

In section 409 of ARIA, Congress authorized over $1 billion in new funding to promote democracy, strengthen civil society, human rights, rule of law, transparency, and accountability in the Indo-Pacific region, including for universities, civil society, and multilateral institutions that are focusing on education awareness, training, and capacity building.

What makes today's hearing especially timely and unique is that all three of our witnesses are distinguished human rights and religious freedom advocates themselves with firsthand experience in dealing with human rights abuses with regard to their communities inside China and Burma. Some of their family members and friends are detained and persecuted to this day.

So I would like to thank our witnesses. Thank you for your courage in speaking to us today. Thank you for your words today. And I look forward to hearing their recommendation on how the United States can better prioritize human rights, democracy, and the rule of law in the Indo-Pacific region and certainly beyond as this eternal value of the United States.

With that, I will turn it over to Senator Markey when he arrives. But we will go ahead and start with the witnesses today, and I will just turn it over to you and introduce you and maybe have your comments and hear from Senator Markey shortly.

Before I begin, though, with witness introduction, I would like to ask unanimous consent to enter into the record a statement by Amnesty International prepared for today's hearing. We will wait for Senator Markey to make sure we get that consent.

And then to all witnesses today, we kindly ask you to limit your verbal remarks to no more than 5 minutes, and your full written statements will be made part of the record. I am going to introduce all three witnesses.

Our first witness is Ms. Rushan Abbas, who is the Director of the Campaign for Uyghurs. Ms. Abbas is a former student activist of the pro-democracy demonstrations at Xinjiang University in 1985 and 1988. She left Xinjiang in 1989 and came to the United States to study at the Washington State University.

Since her arrival in the United States in 1989, Ms. Abbas has been an ardent campaigner for the human rights of the Uyghur people. When the U.S. Congress funded Uyghur language service at the Radio Free Asia in 1998, Ms. Abbas was the first Uyghur reporter and news anchor broadcasting daily to the Uyghur region.

As she describes in her testimony, Ms. Abbas has close family members that are currently imprisoned in Chinese concentration camps in Xinjiang. Ms. Abbas, we look forward to hearing from you.

Today we are also joined by Mr. Bhuchung Tsering, who is Vice President of the International Campaign for Tibet. Mr. Tsering was born in Tibet. His family fled to India in 1960 in the wake of the Chinese Communist invasion. He studied in India and worked as a journalist in New Delhi before joining the Central Tibetan Administration in Dharamsala in 1984.

He joined the International Campaign for Tibet in Washington, D.C. in 1995. He is a member of the task force set up by the CTA to work on issues relating to the dialogue process with the Chinese and was a member of the team led by the envoys of His Holiness the Dalai Lama in the discussions that they had with the Chinese leadership between 2002 and 2010.

Welcome, Mr. Tsering. We look forward to your testimony.

Finally, joined by Mr. Tun Khin, who is President of the Burmese Rohingya Organisation based in London, United Kingdom. Mr. Khin was born and raised in Burma and is a member of the

Rohingya Muslim minority. He has resided in the United Kingdom since 2004 where he founded the Burmese Rohingya Organisation and in his capacity has addressed the British Parliament, the U.S. Congress, the European Parliament to the United Nations Human Rights Council.

In April 2015, he received a leadership award from Refugees International for his advocacy work, and we welcome you, Mr. Khin, and we look forward to hearing your testimony today.

Before I do that and turn to you, though, I would turn to Senator Markey for his opening comments.

STATEMENT OF HON. EDWARD J. MARKEY, U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Thank you, Mr. Chairman, very much, and we thank you for this very important hearing that we are having today and for your continued partnership on all of these issues.

We applaud your courage to speak out in defense of your rights and are humbled by the personal sacrifices that each of our witnesses are willing to do on a daily basis. Thank you for the sacrifices of your families as well.

Mr. Chairman, we are able to accomplish a great deal this year because of the Gardner-Markey Asia Reassurance Initiative Act, or ARIA as it is called. It was a statement of American commitment to our friends and partners throughout the Indo-Pacific.

ARIA covers a wide range of issues. It is no coincidence that this subcommittee's first hearing on this legislation in this Congress is addressing human rights, democracy, and the rule of law. These principles are not just integral to advancing U.S. interests abroad; these principles define us. For some, it is easy to question the importance of human rights in our foreign policy. The current administration's policies often highlight these doubts.

Is there a tradeoff between promoting human rights and protecting the political, economic, and military security of the United States? I believe history clearly demonstrates that the answer is no. When governments deny the fundamental rights of their people, they take their countries down paths that result all too often in mass atrocities, humanitarian crises, and civil war. These tragedies transcend borders, destabilizing entire regions, and impact the interests of the United States, our allies, and our partners.

And when America stays silent in the face of these abuses, we cede our position as the last bastion of hope everywhere fighting for the rights and dignities each of us deserves. And to whom do we cede this moral authority and leadership? Authoritarian governments, strongmen who are proliferating throughout the region are becoming increasingly emboldened, not just in how they repress their own people, but also in how they export their inhumanity to others.

So, Mr. Chairman, I believe it is in part our responsibility to shine a light on some of the most pressing human rights concerns. Today's hearing is an opportunity to give a voice to the voiceless and to discuss what America can, should, and must do to defend those being persecuted.

After all, we are nearing the 2-year anniversary of the mass atrocities committed by the Burmese military against the Rohingya

people. And while the United Nations and others have used the terms, quote, genocide and crimes against humanity when referring to what happened to nearly 800,000 Rohingya, the Trump administration's lack of any such assessment is glaringly conspicuous.

And the Chinese Government has established a virtual prison state under the pretext of counterterrorism. Security checkpoints, police, intelligence operatives, and facial recognition technology are just some of the tools Chinese authorities use to carry out a massive surveillance operation against the Uyghur and Central Asian minorities. Over 1 million people are still in internment camps, and the Chinese are threatening anyone trying to highlight these abuses, even activists residing in the United States.

And 60 years after the exile of the Dalai Lama, the Chinese Government continues to apply the same heavy-handed tactics of repression against the Tibetan people that it has carried out for decades.

But we should be clear. These are not the only human rights crises in the Indo-Pacific. Last week with four other Senators, I introduced a bipartisan resolution condemning the Duterte Government in the Philippines for committing extrajudicial killings, falsely imprisoning human rights defenders, and independent journalists.

In Brunei, the government recently enacted brutal new criminal laws that include death by stoning for sex between men or for adultery and amputation of limbs for theft. This is nothing short of barbaric.

And in Cambodia, the Hun Sen regime continues its campaign to dismantle the country's democratic institutions, holding a major opposition leader under house arrest and jailing journalists.

These developments are extremely troubling, but I hope that calling attention to them will help reduce their prevalence. And I hope that today's hearing will demonstrate that promoting human rights and defending our national interests are not mutually exclusive, but rather mutually reinforcing.

So, again, we thank each of our witnesses for all of the work which they do on human rights.

And I thank you, Mr. Chairman, for this very important hearing.

Senator GARDNER. Thank you, Senator Markey.

And I would like to submit for the record a letter from Amnesty International regarding today's hearing.

Senator MARKEY. Beautiful.

Senator GARDNER. Thank you. Without objection, that will be entered into the record.

[The information referred to is located at the end of this hearing transcript.]

Senator GARDNER. Ms. Abbas, if you would like to proceed with your testimony. Thank you.

STATEMENT OF RUSHAN ABBAS, DIRECTOR, CAMPAIGN FOR UYGHURS, HERNDON, VA

Ms. ABBAS. Thank you, Senator Gardner and the members of the subcommittee.

Since September 11, 2018, my sister has been detained in China's Orwellian political education camps. We call it concentration

camps. She is detained in retaliation for my public advocacy. On September 5th, 2018, I spoke at one of the think tanks in Washington about the conditions of the camps outlining the fate of my in-laws. Six days later, my sister, Dr. Gulshan Abbas, and my aunt were abducted.

I have been a proud citizen of the United States for 25 years. Yet, the long arm of the Chinese Communist regime has extended its reach across the borders to ravage my heart by jailing the only close family I have back home.

My sister was a retired medical doctor. The only reason for her abduction is guilt by association with me, an American who dared to exercise her freedom of speech in the U.S. I am extremely worried for my sister. I am not sure if she is able to tolerate the harsh conditions of the camps for long and to survive when she has been facing food and sleep deprivation, dehydration, forced medications, and the physical and the mental torture for over 7 months now. Please help us get information about my sister to secure release.

My sister has only two daughters, and they both live in the U.S. My niece, Ziba, a U.S. citizen came from Florida to be with us today where she lives with her husband and her 9-month-old baby. She is here now behind me. She wants to know if her mother is alive. Her husband and I both served this great country as DOD contractors.

My brother, Dr. Rashad Abbas, is also among us. He is a U.S. citizen contributing both as a senior scientist and a human rights advocate.

This is a targeted attack on American citizens.

Ms. Zeynep Ablajan is here with us too. She is the wife of a prominent Uyghur scholar, Yalqun Rozi. Yalqun Rozi worked on compiling Uyghur textbooks with the Chinese Government's request. With the current crisis, he was sentenced to 15 years in jail.

Like so many other Uyghurs in the U.S. and around the world, our stories are not unique. Almost every Uyghur in the U.S. has friends and family who are currently detained. Sometimes dozens and dozens of family members are missing.

The only crime of my sister, Ms. Ablajan's husband, and the other millions of Uyghurs suffering is being Uyghur Muslims. What the Chinese Government is doing is evil, a crime against humanity, and at this point, it has become about the right to live and the means to survive as human beings. It challenges basic integrity, and the world cannot be silent when over a million Uyghurs and the other Muslims are being detained, stripped of their culture, and forced to swear blind loyalty to the Communist Chinese regime and to Xi Jinping.

China should be held accountable for its actions. We appreciate the strong words coming from the State Department and Vice President Pence. But at some point, words are not enough. Action is needed to hold China's officials and businesses accountable, push back against the Chinese Government's narrative and actually demand China close the camps.

We truly appreciate the leadership of Senator Rubio and Congressman Smith on the CCEC as they started raising these issues over a year ago and continue to press the administration to act. The letters sent to the administration last week by Senator Rubio

and more than 40 Members of the Congress is important. The Senate should stay on top of the administration to use Global Magnitsky sanctions to target the Chinese officials who are responsible for these crimes against humanity.

Please pass the Uyghur Human Rights Policy Act sponsored by Senator Rubio and Senator Menendez. Over 25 percent of the Senate have sponsored. We hope the bill will be passed quickly.

Instruct the FBI and the State Department to work to protect Uyghurs, Tibetans, and the other activists from threats or coercion from the Chinese affiliated agents.

Authorize doubling the broadcast time for Radio Free Asia Uyghur service. RFA reporters have provided the best information about what is happening on the ground in the Uyghur region. RFA reporters have families detained for retaliation for their work.

Of the money authorized in the Asia Reassurance Initiative Act for the promotion of democracy, human rights defenders, and young leaders, section 409, 410, and 411, we ask that money can be designated to assist Uyghur, Kazakh, and the other groups to document the atrocities, to document the Chinese Government's propaganda globally, and to support activities to preserve cultural traditions.

Point out to the administration that if China is successfully keeping it from acting to deter the targeting of American citizens and to hold China accountable for the concentration camps, China has already won in linking anything, whether money from trade or fear of retaliation, to America's ability to stand up independently against evident evil. If the administration waits to act until after the trade talks end, will it ever act when it has conceded such linkage and granted China such leverage over U.S. actions?

Thank you for allowing me to testify today.

[The prepared statement of Ms. Abbas follows:]

PREPARED STATEMENT OF RUSHAN ABBAS

Dr. Michael Pillsbury points out in his book The Hundred-Year Marathon that Chinese Communist Party leaders are aiming to challenge American leadership in the world. In their minds, "every place could be a battlefield in the future." Chinese leaders are indeed currently treating every single country in the world as their own battlefield now as they take extraordinary measures to target individuals and whole governments to keep them quiet and passive to the world's largest mass incarceration of an ethnic minority since the 1940s.

This re-emergence on Earth of concentration camps is happening in my homeland of East Turkestan, home to more than 11 million Uyghurs, in what the Chinese government refers to as its "New Frontier"—Xinjiang. Formally, China calls it the Xinjiang Uyghur Autonomous Region, but in reality, there is no autonomy—just an Orwellian mass surveillance state where Uyghurs are treated as an "other" and subjected to forced Sinification as Chinese Han rapidly settle there, and more than one million Uyghurs are arbitrarily detained outside the legal system in concentration camps.

Since early 2017, the Chinese government has conducted a policy of mass disappearance, internment, and imprisonment of Uyghur people. Experts have estimated the number of Uyghurs interned in the concentration camps at between 800,000 to 1.5 million, in addition to approximately 1.5 million imprisoned formally, making this campaign targeting an ethnic minority—in this case Uyghurs and ethnic Kazakhs—the most extensive since the Second World War. In March 2019, researcher Adrian Zenz estimated the number of Uyghurs and Turkic people interned outside of the formal prison system at 1.5 million. The few survivors' reports emerging from the camps describe an alarming catalog of crimes against humanity, including torture and deaths in custody. Incessant political indoctrination, enforced si-

lence, inhuman conditions, and denial of Uyghur ethnic identity is part of the daily routine in these facilities.

The camps are the result of decades of repressive and assimilatory policies by the Chinese government that aim to totally assimilate and socially reengineer the Uyghur people. Due to the Chinese government's information blockade, many people in the world do not even know about the plight of the Uyghur people. The tragedy unfolding today is beyond comprehension and only comparable to some of the worst human rights atrocities the world has ever seen. Everything that makes the Uyghur people unique has been treated as an abnormality and targeted: language, culture, history, religion, and ethnic identity. According to the Chinese ambassador to the US, Beijing is trying to turn Uyghurs into "normal persons". Today, all normal religious activities are banned for the Uyghurs as though they constituted a form of religious extremism that must be eradicated under a "War on Terror" pretext. Utilizing this anti-terrorism pretext, China has developed a mass surveillance police state, complete with DNA collection, ubiquitous cameras, facial recognition software, and GPS tracking devices on vehicles. There are QR codes on Uyghur homes and even utensils. The entire region is marked. Punishment is collective, aimed at Uyghur culture. This is the testing ground for China's vision for using technology and artificial intelligence to subject all individuals to an unimaginably invasive authoritarian state. What China tries out in Xinjiang against Uyghurs will surely be deployed against other minorities in Tibet and against China's more than 300 million Han Christians and even against the Han population generally in order to keep the ever-diminishing Communist Party, that actually rules as an authoritarian kleptocracy siphoning the country's wealth into officials' pockets, in power.

Today, the entire Uyghur population faces persecution and arbitrary detention. Every family is affected. Fear is intentionally instilled by the authoritarian regime. Famous Uyghurs and those well known for having a voice, have been silenced to completely eliminate anyone who might cultivate or defend Uyghur ideas and values. Uyghur elites, philanthropists, shop-owners, intellectuals, professors, writers, journalists, doctors, academics, actors, and entertainers are primary targets. At least 386 identified Uyghur intellectuals imprisoned or forcibly disappeared since April 2017 clearly reveal the falsity of the Chinese government's continuously repeated claim that those camps are somehow for "vocational training" in addition to targeting "religious extremists".

According to numerous testimonies, detainees in those camps are subjected to food and sleep deprivation, forced medication, and torture leading to brutal deaths; and the dead are cremated to leave no evidence. Radio Free Asia reports the government is constructing massive crematoria throughout the region nearby the concentration camps for a culture that does not believe in cremation. Is this not a potent warning sign to the whole world? Conditions in the camps are so intolerable that a brother of my high school classmate, Qeyser Qeyyum, who was the chief editor of a literature magazine, committed suicide in September 2018 by jumping from an 8th-floor window when he received the order for his arrest and detention.

I am a vocal human rights activist for my people. I decided to help expose the atrocities perpetrated by the Chinese government in Xinjiang, the fate of my in-laws, and the conditions inside the camps as one of the panelists at the Hudson Institute on September 5, 2018. Six days later, my sister, Dr. Gulshan Abbas, and my aunt were abducted as Beijing's tactic to silence me and stop my lawful activism inside the United States, which is my Constitutional right. Since September 11, 2018, my sister is detained in Xinjiang's Orwellian political re-education camps in retaliation for my public advocacy here in my own country. Both my sister and my aunt are unusual targets. They are not famous; they are not educators, writers or scholars. Neither has traveled to any foreign Muslim country, and they both speak Mandarin Chinese fluently. I say this because Uyghurs are often targeted when they travel abroad (under the suspicion of "collusion" with "terrorism" or "foreign powers") or if they cannot speak Mandarin (which is seen by the Chinese central government as a sign either of ignorant backwardness or nationalist rebellion).

My sister worked in a government-run hospital as a medical doctor before she retired early for medical reasons. Neither she nor my aunt fit any of the usual criteria for so-called "vocational training centers." The only reason for their abduction is "guilt by association" with me—an American who dared to exercise her freedom of speech inside the U.S. They became victims of reprisal by the Chinese Communist Party (CCP) for my free speech in the United States. I have been a proud citizen of the United States for 25 years, yet the long arm of the Chinese communist regime has extended its reach across borders to ravage my heart by jailing the only close family it could. China's targeting of Americans to take away their Constitutional right to free speech must be deterred by the United States as it is otherwise a highly effective attack on individual Americans. And China is repeating these attacks

regularly against Uyghurs in every country to silence them. Physical attacks are far less troubling psychologically than China's current unanswered tactics. Knowing my sister's health conditions, I am extremely worried for her. I am not sure if she is able to tolerate the intentionally harsh conditions of the camps this long and survive when she is facing food and sleep deprivation, dehydration, forced medication of unknown chemicals, and physical and mental abuse for over 7 months now.

My niece is here with us today. She came from Florida, where she lives with her husband and 9-month-old baby. She wants to know if her mother is alive. Her husband and I both served this country as DOD contractors supporting Operation Enduring Freedom in Guantanamo, Cuba, as U.S. citizens. Please help us get information about my sister. We do not have any information on her since her unlawful detention. This is a specific attack on American citizens that needs an answer by our government. It is too much for individual Americans to have to bear alone while our government takes no meaningful action to deter China from targeting Americans intentionally via their family members. We worry for my sister's health conditions. It is devastating not knowing what has happened to my sister. We feel stranded, isolated.

Do we have a government that would defend its citizens from such targeted attacks against them? Or is the lure of a trade deal sufficient to buy off yet another country's silence when the whole world should be saying "Never Again!" right now to China via sanctioning the perpetrators and their enablers? If China can keep the U.S. silent in action before a trade deal, it has already won in linking the two issues together. We must reject such linkage and assure the authoritarians of this world that they hold no power over us either as individuals or as governments to silence us. I will not be silenced. Will you stand by as our country remains silent when U.S. law—the Global Magnitsky Act's targeted sanctions on gross human rights violators—has yet to be meaningfully applied against China for its concentration camps?

Ms. Zeynep Ablajan here with us today is the wife of a famous Uyghur scholar Yalqun Rozi. Yalqun Rozi worked on compiling Uyghur textbooks with the Chinese government's request. However, Beijing changed its laws later and eliminated the Uyghur language. Consequently, Yalqun Rozi's work became his crime and he was sentenced 15 years in jail.

Like so many other Uyghurs in the U.S. and around the world, my family's and Ms. Ablajan's stories are not unique. Almost every Uyghur in the U.S. has friends and family detained—sometimes dozens and dozens of family members detained.

Beijing's human rights abuses do not stop in East Turkestan; they terrorize psychologically the entire Uyghur Diaspora. Uyghurs living abroad are in despair. They cannot communicate with their families. They cannot get any information on where their missing relatives are located or even if they are alive or dead. The harsh situation in East Turkestan is affecting their work, schooling, daily activities, emotional states, and health. Helplessness, obscurity, pessimism and depression are growing, and they are suffering from intensely traumatic chronic fear and anxiety. Many young students abroad no longer receive the funds sent by their parents back in East Turkistan for their schooling because the Chinese Government has stopped all money transfers abroad, frozen financial accounts, or simply detained their families. They are facing hardships in their lives and are often unable to continue their education. While the U.S. government has yet to demand with actions that China empty its concentration camps, it has also failed to even address the follow-on effects happening within its borders. Surely there could be some program to assist Uyghur students whose parents are taken into the concentration camps. If that is too financially burdensome for the U.S. government, please start charging the Chinese officials responsible for the concentration camps whose relatives enjoy ease of access to western education here in the U.S.

I personally know several young Uyghur girls in NY and Boston who came to the U.S. as international students and who have one or both parents who have disappeared into the vast system of concentration camps. Their relatives back home have told them not to go back and not to call them. Since they no longer receive financial support from home, suddenly their lives in this new environment are turned upside down. Instead of focusing on their college studies for future career success, these young women in their early 20's are worried about their school tuition, daily living expenses, and their younger siblings left behind at home alone or sent to orphanages in mainland China. Financial hardship and emotional distress have taken a toll on their emotional, mental, and physical health. Certainly the U.S. Congress can effectively address this particular hardship caused by China's concentration camps but experienced within our own borders.

Miss Adila Sadir, a young Uyghur lady living in Boston is an American citizen. More than thirty of her relatives are in the concentration camps, with ages ranging from a 20-year-old to a grandfather who is 90 years old. Why would the U.S. govern-

ment not ask by name for the freedom of Americans' relatives when they are intentionally targeted for being Americans' relatives? Please start asking by name for their freedom. And if that list grows to record every individual of the more than one million victims inside China's concentration camps, please deliver a hardcopy to President Xi personally with the request that they be freed.

To combat the backlash China is receiving from some of the western countries pertaining to the Uyghur crisis, the Chinese government is pressuring countries that they have influence over to make public statements showing support of the camps to justify what they are doing and ultimately weaken the opposition of western countries. This is unsurprising when you look at how countries influenced by China act within the United Nations. China is the second largest donor to the U.N. and economically dependent countries turn a blind eye to China's actions. China has been granting loans and paying for infrastructure projects in poor countries around the globe, knowing that those countries cannot pay them back, as a means to buy their silence in the United Nations and bully them on other political matters. China claims it is "anti-terrorism and de-extremization work protecting its national security." The only "crime" of my sister and the other million Uyghurs in China's Gulag is being ethnic Uyghurs.

What the Chinese government is doing is evil. It is a crime against humanity. It threatens life and liberty. Collective punishment of an entire ethnic group with atrocities not seen since Fascism should not be allowed in 2019. Most of the world remains silent while over a million Uyghurs are detained, stripped of their culture and language, and forced to swear fealty to the Chinese Communist Party and Xi Jinping. The U.S. began speaking up a year ago in response to China's actions, but it has yet to take even the slightest action to separate itself from the perpetrators and enablers. Indeed, while existing U.S. law remains unimplemented by the Treasury, U.S. companies, researchers, technologies, and even CA and NY teachers are being found to be complicit in providing services, funding, and high tech used inside the concentration camps.

Secretary of Education DeVos' own brother, Erik Prince, even had a company that announced its intention to build a training center for China's security personnel in Xinjiang.

Thousands of Uyghur children have been forcibly separated from their families and put into state run orphanages as a means to assimilate them into Chinese culture. Dilnur Enver, a mother of three, went to Istanbul in 2016 to study for a master's degree. Her two young children (ages 5 and 7) were left with their grandparents in Qashqar. In April 2017, the local police in Qashqar contacted her and requested her immediate return; otherwise she would be punished. Dilnur knew the returnees from Egypt and Turkey were arrested and died or disappeared with no trace. So she did not return. Her children were then taken from their own grandparents. As of today, she does not know their whereabouts. While China takes such extraordinary measures to pressure Uyghur exiles to return to be sent to the concentration camps, very few countries have even turned off deportations of Uyghurs and ethnic Kazakhs to China, let alone asked or taken actions to deter China from such now routine methods to pressure people within their borders to comply with whatever China asks, even turning some into spying agents for China.

Many male Uyghur detainees were moved from the "New Frontier" to mainland China last year. As predominantly Uyghur men are locked away in concentration camps, Uyghur women are being forced to marry Chinese men with government gratifications such as money, housing, and jobs for such inter-ethnic marriages. Neither the girls nor their families may reject such marriages for fear of repercussions.

The Associated Press reported recently that according to the Communist Party's official newspaper, 1.1 million Chinese cadres deployed to live inside Uyghurs' living rooms, dining areas, and even their bedrooms, and asked their children to spy on them. Yet, the world is silent. Worse, the OIC recently "commended" China, not condemned it, for its treatment of Uyghur Muslims.

As reported recently, in the last several years China invested billions of dollars in what is coined "debt-trap" diplomacy with foreign countries. This includes projects in Kenya, Malaysia, Ethiopia, Pakistan, and the list goes on and on. These deals translate to much more than just money when it comes to foreign diplomacy. China is able to use economic pressure that it has on these countries in order to manipulate them politically. This manifests itself in many ways, but one of the most alarming is influence over the effectiveness of the United Nations. The United Nations was created in 1945 as a means of keeping international peace and security. But with China's overwhelming influence over key U.N. members through economic pressure, and the fact that China is the second largest donor to the United Nations, it has been able to halt criticism of its human rights abuses to barely above a whisper. What concentration camps? Where?

International inspections—we'll handle that by offering carefully guided tours and keeping them well away from the razor-wire-topped walls and heavily guarded "vocational training centers" where instead of textbooks and pencils, officials procured batons, torture devices, and riot gear for them.

China is getting away with genocide while advancing its economic power. The Uyghurs have become human collateral. Unfortunately for the Uyghurs, their heartland lies in the strategic center of Xi Jinping's Belt and Road Initiative, and the land resides on top of the richest oil reserve in China. China is evidently resolved to eliminate Uyghurs through genocidal measures, but of course to be consistent with so many past genocides, countries are not even close to using that word lest they be required to act to stop it. With over 2 million people thrown into concentration camps and prisons arbitrarily, and millions more displaced, China is getting away with atrocities in front of the entire world. You would think all other countries would speak out against China's massive human rights abuses, especially Muslim countries, but China counts on their silence and believes it can uniquely get away with it at this time when the U.S. is evidently not prepared even to ask the rest of the world to stop deporting Uyghurs and ethnic Kazakhs to China since they are effectively sending them directly into the concentration camps.

It is no secret that China created militarized islands on top of coral reef reserves in the South China Sea. This land grab effectively extended their sea territory and increased tensions over disputed waters in the South China Sea. Keep that in mind when looking at the Belt and Road Initiative (BRI)'s projected path so you are not surprised. Taking over the land is not enough for China, there is also a projected sea path for the BRI which will drastically affect neighboring countries and threaten the security of the democratically independent Taiwan. Control over key sea passages will choke out economic competition in the area and enhance China's authority in the Indo-Pacific region. From North to South, and East to West, China's growth and thirst for power is ceaseless. Bullying and manipulation of the United Nations should not go unchallenged. The model and the technology underpinning mass repression in Xinjiang is already being rolled out to other parts of China. East Turkestan has been a laboratory of repression, and the results are already being felt in Ningxia and elsewhere. Incredibly, the Hong Kong government announced that it was sending a delegation to Xinjiang to study China's model there, of all places. This should set our hair on fire. Instead there is nothing more than talk to this day. No actions. Yet there is even more. Not only is Beijing seeking to export its surveillance systems around the globe, it has openly stated that its model of "social stability" should be emulated within Europe and the Middle East, and it is actively exporting it to countries in Africa.

China should be held accountable for its actions. If we fail to challenge Communist China on this terrible atrocity with the determination to stop it, it would be the beginning of darkness for accountable democracies as authoritarian governments effectively utilize mass surveillance and repression to instill fear at home and abroad, depressing actions even within the free world that we enjoy today. If we do not act soon, China's debt trap tactics, expansion of its BRI, and provision of 5G technology to the West will position China to treat the entire world's population according to its vision for Xinjiang, utilizing the West's technology for mass surveillance and individualized threats for far more than even ignoring the re-emergence of concentration camps. Just look at what the people of East Turkestan are facing right now and imagine the life and world that you are leaving behind for your children and grandchildren if you do not act to stop it now.

We appreciate the strong words coming from the State Department and Vice President Pence, but at some point, words are not enough—action is needed to hold Chinese officials and businesses accountable and to push back against the Chinese government's narrative, and to actually demand China close the camps.

We truly appreciate the leadership of Senator Rubio and Congressman Smith on the CECC—they started raising warnings over a year ago—and have kept this issue in the public eye and pressed the administration to act.

The letter sent to the administration last week by Mr. Rubio and 50 Members of Congress is important—and the Senate should stay on top of the administration to use Global Magnitsky sanctions to target the Chinese officials complicit in crimes against humanity and employ enhanced export controls so that U.S. businesses are not assisting the Xinjiang government or Chinese businesses profiting from the mass internment and surveillance of the Uyghurs. I ask that this letter be added to the transcript of this hearing.

Please:

- Pass the Uyghur Human Rights Policy Act sponsored by Senators Rubio and Menendez. Over 25 percent of the Senate have cosponsored. We hope the bill can be passed quickly.
- Direct Secretary Mnuchin and Secretary Pompeo to impose sanctions on Chinese officials under the Global Magnitsky Act. It is U.S. law that is inexplicably unimplemented meaningfully against China in particular.
- Press for an urgent fact-finding visit to the Uyghur region, and to other cities where Uyghur detainees are being transported. Announce the request publicly. Urge every Member who visits China to request access to the Uyghur region, and specifically to the detention centers.
- Instruct the FBI and State Department to work to protect Uyghur, Tibetan, and other Chinese communities from threats or coercion from Chinese affiliated agents-this should include information to Uyghur and Chinese students that they can report on efforts to intimidate and censor them while they are on U.S. and international campuses. This is part of the Uyghur Human Rights Policy Act and a priority of Senator Rubio and Representative Smith, but I wanted to highlight that here for you. The FBI must urgently act to protect Uyghur-Americans from Chinese government "influence operations" here in America as they occur regularly. Chinese officials have openly stated, "The current target is the Uyghur 'separatists' and organizations abroad." Beijing is extending its oppression to Uyghurs who are American citizens, including me and probably every other person who speaks up.
- Authorize the doubling of broadcast time for RFA Uyghur language service—RFA reporters have provided the best information about what is happening on the ground in Xinjiang and RFA reporters have family detained in retaliation for their activities.
- Direct Secretary Betsy DeVos to work with American colleges to waive tuition for Uyghur students who are stranded in the U.S., unable to return home, and unable to pay fees due to their parents' detention in China.
- Of the money authorized in the Asia Reassurance Act for the promotion of democracy, human rights defenders, and young leaders (Sec. 409, 410, 411), we ask that money can be designated to assist Uyghur, Kazak, and other groups to document the atrocities happening in Xinjiang, document Chinese government's propaganda globally about their activities in Xinjiang, and support activities to preserve cultural traditions, sustainable development, and education in Uyghur communities in China and elsewhere.
- Direct the DHS Secretary to urgently review the cases of Uyghurs who have fled the repression of the Chinese Communist Party, currently being held up in the United States immigration offices.
- Let China know you are serious by closing its Consulate in San Francisco to protest its use of western technology for mass surveillance until it closes its concentration camps and agrees to reopen one as a U.S. Consulate that will closely monitor the human rights of Uyghurs.
- Point out to the administration that if China is successfully keeping it from acting to deter the targeting of American citizens and to hold China accountable for the concentration camps, China has already won in linking anything, whether money from trade or fear of retaliation, to America's ability to stand up independently against evident evil. If the administration waits to act until after the trade talks end, will it ever act when it has conceded such linkage and granted China such leverage over U.S. actions?

Senator GARDNER. Thank you, Ms. Abbas.

Mr. Tsering?

STATEMENT OF BHUCHUNG K. TSERING, VICE PRESIDENT, INTERNATIONAL CAMPAIGN FOR TIBET, WASHINGTON, DC

Mr. TSERING. Chairman Gardner, Ranking Member Markey, Senator Coons, thank you for giving us this opportunity to testify about Tibet to the subcommittee. I would like to request that my full testimony, including three attachments, which are the statement of His Holiness Dalai Lama on his succession, a report by the Foreign Correspondents' Club of China on access to Tibet, as well

as a joint op-ed by 30 European parliamentarians on the issue of reciprocity with China, be included in the record.

Senator GARDNER. Without objection.

Mr. TSERING. Thank you so much.

[The information referred to is located at the end of this hearing transcript.]

My testimony will focus on the 60 years of political subjugation of Tibetan people by China that includes a consistent pattern of violation of their fundamental human rights. I will outline China's attempt to isolate Tibet from the rest of the world and show why Tibet matters in the context of the Indo-Pacific region.

In 1959, China took over complete political control of Tibet. Beginning on March 10, 2019, His Holiness the Dalai Lama and the Tibetan people began marking the 60th anniversary of the Tibetan national uprising, the escape of the Dalai Lama and his eventual crossing into freedom in India, and the establishment of a democratic governance system, which is known as the Central Tibetan Administration.

In the past 60 years, the Dalai Lama had the farsighted vision to undertake initiatives and establish institutions in exile that have empowered the Tibetan people to preserve and practice their religion, tradition, and way of life. At the same time, the Dalai Lama has continued to work for a peaceful resolution of the Tibetan problem. In this regard, his steadfast commitment to keeping the Tibetan struggle nonviolent in the face of tremendous challenges remain an inspiration to nonviolent movements throughout the world.

In Tibet, the Tibetan people have endured 60 years of political subjugation. Chinese leaders say they seek stability in Tibet, but they strive to achieve it through an iron fist rather than understanding the grievances of the Tibetan people and finding ways to address them. These hardline measures are sowing seeds of instability in Tibet, exemplified in acts of protest, including self-immolation.

Access to Tibet is one of the issues that is being faced by all concerned. The problems faced by journalists wanting to cover Tibet has been clearly outlined in a position paper issued by the Foreign Correspondents' Club of China, which I mentioned earlier.

On March 25, as mandated by the Reciprocal Access to Tibet Act, the State Department submitted to the Congress a report on U.S. access to Tibet. We would like to commend the State Department for the report, which finds that China systematically impeded Americans' travel to Tibet in 2018.

But reciprocal access to Tibet is an issue faced not just by the United States. On March 14, more than 30 parliamentarians across Europe published an op-ed saying Europeans should also look at the issue of reciprocity and pass similar legislation.

In the past 60 years, the Chinese authorities have adapted from a policy of total destruction of Tibetan religion and culture to one of controlling them to serve its own political objectives. The case of China wanting to appoint the next Dalai Lama is a clear example, as they tried to do with the issue of the Panchen Lama.

The Dalai Lama has categorically maintained that only he can make a decision on his reincarnation. In 2011, he came out with a formal statement explaining the reincarnation system and how he intends to go about on the issue of his succession.

By wanting to select the next Dalai Lama, the Chinese Government aims at extending its control on Tibetan Buddhism in the Indo-Pacific region with clear geopolitical implications. If not challenged vigorously by free countries, this decision could affect the religious freedom not just of the Tibetans, but of millions of followers of Tibetan Buddhism worldwide, which affects the United States' security interests.

A majority of the several hundred Tibetan political prisoners who have been detained have been done solely for their assertion of their identity, whether calling for the protection of their culture or displaying their reverence to the Dalai Lama. The fact that even after 60 years of occupation, the historical bond between the Tibetan people and the Dalai Lama remains strong is a reminder to the Chinese Government that they have failed in their policies and they have failed to understand the Tibetan people.

The Chinese Government knows that there is a problem in Tibet, and only during the lifetime of this Dalai Lama can there be a possibility of a lasting solution.

The Asia Reassurance Initiative Act rightly places the issue of Tibet within the parameters of U.S. security concerns in the Indo-Pacific region. In this context, the issue of water in Asia is something that can be taken up by the United States Congress. The Tibetan plateau is today the largest repository of fresh water, and China's attempt to manage the Tibetan water resources has implications on downstream countries. Just the other day the Atlantic Council came out with a report on Himalayan Asia water that recommended that the United States create a coherent Asia policy that includes water as a pivotal element.

I have some recommendations.

First, highlight Tibet as a key factor in the Indo-Pacific region strategy.

Update and strengthen the Tibetan Policy Act, which is a comprehensive expression of United States support for the Tibetan people. The Congress should think of incorporating recent developments, including clarifying U.S. policy on the issue of reincarnation of the Dalai Lama.

And the administration should ask to pursue the United States' longstanding goal of establishing a consulate in Lhasa.

And finally, the United States should incorporate water security into the National Security Strategy and explore using platforms like the Quadrilateral Security Dialogue and the Lower Mekong Initiative to create awareness about China's usage of Tibetan water and its impact on the Indo-Pacific region.

Thank you so much.

[The prepared statement of Mr. Tsering follows:]

PREPARED STATEMENT OF BHUCHUNG K. TSERING,

Chairman Gardner, Ranking Member Markey, and Members of the subcommittee. I thank you for this opportunity to testify on the situation in Tibet and its impact on the Indo-Pacific region before your subcommittee. I would like to submit the full

text of my report, including three attachments mentioned in my testimony, for the record.

The International Campaign for Tibet is a non-profit organization that has been advocating for over three decades for the democratic freedoms and human rights of the Tibetan people.

My testimony will focus on the 60 years of political subjugation of the Tibetan people by the Chinese Communist Party that includes a consistent pattern of violation of their fundamental human rights. I will outline China's attempt to isolate Tibet from the rest of the world and show why Tibet matters to the Indo-Pacific region. Finally, I will have some recommendations to the United States that will include consideration of Tibet's water resources within the discussion of U.S. security interests in the Indo-Pacific region.60 Years of Political subjugation

In 1959, China took over complete political control of Tibet. Beginning on March 10, 2019, His Holiness the Dalai Lama and the Tibetan people began marking the 60th anniversary of the Tibetan National Uprising, the escape of the Dalai Lama and his eventual crossing over into freedom in India, and the establishment of a democratic governance system in exile, known as the Central Tibetan Administration.

In the past 60 years, the Dalai Lama had the farsighted vision to undertake initiatives and establish institutions in exile that have empowered the Tibetan people to preserve and practice their religion, traditions and way of life. At the same time, the Dalai Lama has continued to look for a peaceful resolution of the Tibetan problem. In this regard, his steadfast commitment to keeping the Tibetan struggle nonviolent in the face of tremendous challenges remains an inspiration to nonviolent movements throughout the world. Here I would like to take the opportunity to thank the successive American Congress and Administration for the policy and programmatic support rendered to the Dalai Lama and the Tibetan people. Legislations like the Tibetan Policy Act of 2002, Congressional Gold Medal to H.H. the Dalai Lama of 2007, the Reciprocal Access to Tibet Act of 2018 as well as the Asia Reassurance Initiative Act of 2018 have all contributed in institutionalizing support for Tibet in the United States.

In Tibet, the Tibetan people have endured 60 years of political subjugation at the hands of the Chinese Communist Party. Chinese leaders say they seek stability in Tibet, but they strive to achieve it through an iron fist rather than through an understanding of the grievances of the Tibetan people and finding ways to address them. These hardline measures are sowing seeds of instability in Tibet, exemplified in acts of protest, including self-immolation.

Since 2008, after the heavy-handed clampdown of the pan-Tibetan demonstrations, human rights in Tibet have deteriorated greatly. In reality, Tibetans today are second-class citizens in their own homeland. Their capacity to engage in religious activities, move and associate freely, express concerns, access information, and enjoy due process is severely curtailed. Their right to enjoy a healthy environment, access resources to achieve an adequate livelihood, and access Tibetan medium language education is also restricted. Freedom house has ranked Tibet as the second least free region in the world for four years in a row, behind only Syria.

In an indicator of China's focus on total ideological control and deepening suppression in Tibet, China announced in January 2019 the opening of a new training camp in Tibet under paramilitary supervision aiming to "correct" and mold the thinking of Party cadres carrying out political "education" in broader Tibetan society.[1]

Tibetans seeking recourse to protest by self-immolation is one consequence of the deteriorating situation in Tibet. Since 2009, 155 Tibetans have self-immolated in Tibet and China.[2] The common messages coming from the Tibetan self-immolators are freedom in Tibet and the return of the Dalai Lama. It is important to note that the self-immolators have conducted themselves in a non-violent way, making sure that nobody else would be hurt or any other property damaged or destroyed in the course of their action. In rest of the world, even one political self-immolation would attract media attention. However, in the case of Tibet, the Chinese authorities have restricted communications, including access to journalists, and the self-immolations have been under-reported. It is incredible that even after 155 self-immolated not one independent journalist has been allowed to investigate them. This is implementation of the Chinese Government's strategy to isolate Tibet from the rest of the world.

[1] "New training camp for Party cadres in Tibet demonstrates tougher approach and challenges in ensuring loyalty," https://www.savetibet.org/new-training-camp-for-party-cadres-in-tibet-demonstrates-tougher-approach-and-challenges-in-ensuring-loyalty/

[2] "Self-Immolations in Tibet," https://www.savetibet.org/resources/fact-sheets/self-immolations-by-tibetans/

RESTRICTED ACCESS TO TIBET

The problems faced by journalists wanting to cover Tibet has been clearly outlined in a position paper issued by The Foreign Correspondents' Club of China (FCCC).[3] Released on March 29, 2019, the FCCC paper says, "obstacles to reporting pose a serious impediment to obtaining accurate information about the lives of ethnic Tibetans in China." It further said, "Unlike other provinces and regions in the country, journalists who seek to report in the Tibet Autonomous Region (TAR) are required to first obtain permission from the Government. This permission is rarely granted." I would like to submit the full text of the FCCC report for the record.

The FCCC paper also corroborates the rationale for the Reciprocal Access to Tibet Act (RATA), which drew renewed attention to China's isolation of Tibet. It was signed into law in December 2018. See the attachments to my prepared statement located at the end of this transcript.

The RATA takes aim at China's double standard of preventing American journalists, diplomats and ordinary citizens from traveling to Tibet even though Chinese citizens travel unhindered throughout the U.S. and Chinese state media operate freely in this country.

On March 25, 2019 as mandated by RATA, the State Department submitted to Congress a first-of-its-kind report on U.S. access to Tibet. We would like to commend the State Department for the report, which finds that China "systematically" impeded Americans' travel to the region in 2018. The Chinese authorities should now be getting the message: for too long, China has exploited the freedoms provided by democratic societies to spread its propaganda around the world even as foreign media, diplomats and tourists are prevented from entering Tibet.

Reciprocal access to Tibet is an issue faced not just by the United States. Other countries are increasingly citing the concept of reciprocity as an instrument for countering China's attempt to assert itself internationally while not allowing the international community to have access to Tibet. On March 14, 2019, more than 30 parliamentarians across Europe published an op-ed drawing inspiration from RATA[4] and saying, "It is now up to us in Europe to consider concrete ways to rebalance our relationship with China—not only in terms of trade, but also in regard to respect for fundamental rights like freedom of movement and of the press." I would like to submit the full text of this op-ed for the record.

FROM DESTRUCTION TO CONTROL OF TIBETAN BUDDHISM

In the past 60 years, the Chinese authorities have adapted from a policy of total destruction of Tibetan religious institutions and system to one of controlling them to serve its own political objectives. The most visible aspect of this is China's atheist, authoritarian government asserting its right to select the next Dalai Lama. They tried doing so with the reincarnation of the Panchen Lama, the second most well-known Tibetan Buddhist leader, by kidnapping him when he was six years old (the youngest political prisoner ever) and by appointing one controlled by the Chinese Communist Party.. Since China has not been able to put the present Dalai Lama under its control, it wants to see that the next one will be someone that is subservient to the Communist Party of China. Not only do the Chinese Government's claims completely disregard centuries-old Tibetan religious tradition, they also violate the universal principle of religious freedom.

The Dalai Lama has categorically maintained that only he can make a decision on his reincarnation. In 2011, he came out with a formal statement explaining the reincarnation system and how he intends to handle the issue of his succession.[5] I am attaching the statement here and would like to submit for the record. The Dalai Lama says, "It is particularly inappropriate for Chinese communists, who explicitly reject even the idea of past and future lives, let alone the concept of reincarnate Tulkus, to meddle in the system of reincarnation and especially the reincarnations of the Dalai Lamas and Panchen Lamas. Such brazen meddling contradicts their own political ideology and reveals their double standards. Should this situation continue in the future, it will be impossible for Tibetans and those who follow the Tibetan Buddhist tradition to acknowledge or accept it."

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[3] *The Foreign Correspondents' Club of China Position Paper: Foreign Journalists Access to Tibet,* March 2019.

[4] *Time to rebalance EU-China relations and demand unfettered access to Tibet,* March 14, 2019, https://www.euractiv.com/section/eu-china/opinion/time-to-rebalance-eu-china-relations-and-demand- unfettered-access-to-tibet/

[5] *Statement of H.H. the 14th Dalai Lama Tenzin Gyatso on the issue of his reincarnation,* September 24, 2011 https://www.dalailama.com/news/2011/statement-of-his-holiness-the-fourteenth-dalai-lama-tenzin-gyatso-on- the-issue-of-his-reincarnation

China's plans to control the Dalai Lama's reincarnation under the present situation will not be accepted by Tibetan Buddhists inside and outside Tibet. It will also not get endorsement from the international community. Senator Cory Gardner spoke forcefully on this issue at a hearing by this Subcommittee in December 2018. In addition, on March 8, 2019 the U.S. Ambassador at Large for Religious Freedom Sam Brownback, speaking at the Foreign Correspondents Club in Hong Kong, stated: "This is the Chinese Government's record, and it indicates that they are likely to interfere with the selection of the next Dalai Lama. The international community must make clear now that we believe that members of the Tibetan communities, like members of all faith communities, should be able to select, educate, and venerate their religious leaders without government interference."

By selecting the next Dalai Lama, the Chinese Government aims also at extending its control on Tibetan Buddhism and its many institutions in the Indo-Pacific region with clear geopolitical implications. If not challenged vigorously by free countries, this decision would affect the religious freedom, not only of Tibetans, but also of millions of followers of Tibetan Buddhism worldwide as also the national security interests of the U.S. and other countries in the region.

Among those individuals who are responsible for China's misguided policies in Tibet is Chen Quanguo, currently heading the Xinjiang Uyghur Autonomous Region. He was the Party Secretary in the Tibet Autonomous Region in August 2011 and formulated a militarized strategy that pushed for accelerated assimilation backed by a sophisticated security architecture of surveillance and control. His security architecture, which has since been expanded into other Tibetan areas and is being implemented on the Uyghurs and Kazakhs, consists of numerous 'convenience police stations', a neighborhood grid surveillance system, cadres stationed in local communities and monasteries, and new technologies that enable face-recognition and integration with big data analytics.

THE DALAI LAMA MATTERS TO TIBETANS

However, the human rights violation in Tibet is symptomatic of a bigger political problem. A new generation of Tibetans have grown up in Tibet without any experience of life before the Chinese takeover. Nevertheless, these Tibetans take pride in their language, culture, traditions and spiritualism, including the historical bond between the Tibetan people and the Dalai Lama, which are the targets of Chinese oppressive policies.

A majority of the several hundred Tibetan political prisoners have been detained solely for their assertion of their Tibetan identity, whether calling for the protection of their culture or displaying their reverence to the Dalai Lama. The fact that, even after 60 years under Chinese occupation, the historical bond between the Tibetan people and the Dalai Lama remains strong is a reminder to the Chinese Government that they have failed to understand the Tibetan people.

However, China still attempts to falsify the situation. On March 27, 2019, it released its latest White Paper on Tibet, "Democratic Reform in Tibet—Sixty Years On," in an attempt to justify its continued control over Tibet and to seek legitimacy. Ironically, the White Paper, in which China's claim about everything being fine in Tibet, was released in Beijing even as much of Tibet remained closed to foreigners.

If the situation of the Tibetan people is as good as they claim, China should have nothing to fear in providing access to Tibet to independent observers, journalists and diplomats. If Beijing seriously believes the people of Tibet have benefited greatly under its rule, it should allow them freedom of movement and expression so that they can travel and make this case themselves.

The fact is that to the Tibetan people, the Dalai Lama symbolizes their identity, religion and culture. The Chinese Government knows that the there is a political problem in Tibet and that the Dalai Lama is the key to resolving it. The only way for China to have genuine stability in Tibet and respect in the international arena is for it to engage directly with the representatives of the Dalai Lama and find a mutually agreeable solution. During the lifetime of the present Dalai Lama, there is the possibility of a lasting solution.

TIBET'S WATER RESOURCES AND THE INDO-PACIFIC REGION

What should the United States do? The Asia Reassurance Initiative Act of 2018 rightly places the issue of Tibet within the parameters of U.S. security interests in the Indo-Pacific region. Tibet occupies an Asian fault zone of clashing cultures and big power politics. Tibet is where Russia, China and British India played the Great Game in the past. A stable Tibet would contribute greatly to peace in this sensitive region.

The issue of water in Asia is a fundamental reason why Tibet is relevant to the Indo-Pacific region. Water security in many countries of the Indo-Pacific region is a matter of daily survival and so has geopolitical implications. The United Nations recognizes access to water as human rights. The Tibetan plateau is today the third largest repository of fresh water after the South and North Pole and around ten rivers that originate in Tibet serve over a billion people in the Indo-Pacific region. China's plan on management of the Tibetan water resources, including construction of dams on rivers arising in Tibet, has implications to many downstream countries. For example, the Mekong River (known to Tibetans as Dzachu) which originates on the Tibetan plateau, flows through China, Myanmar, Laos, Thailand, Cambodia, and Vietnam. According to observers, China has built ten dams on the Upper Mekong mainstream that is directly affecting the lives of 60 million people downstream living in Thailand, Laos, Cambodia and Vietnam. The Mekong is a source of living to these people and China has the capability of its upstream position to dictate on these countries, as China has refused to join multilateral regional mechanisms to manage water resources.

Similarly, on the Indian subcontinent, countries like India and Bangladesh have expressed concern at China's water diversion projects along the Brahmaputra River (known to Tibetans as Yarlung Tsangpo) that flows from Tibet to India and Bangladesh.

In this connection, the Atlantic Council came out with a timely report on April 4, 2019 on water security in the Himalayan Asia titled "Ecology Meets Geopolitics".[6] It says, "Across much of Himalayan Asia, water has become part of a geopolitical chess match, viewed as an asset to be protected against encroachment by one's international rivals." The report defines the term Himalayan Asia as "referring to the Asian countries that depend on river water from the high mountain ranges of the Tibetan Plateau."

The report recommends that the United States create a coherent strategy toward Asia incorporating water as a pivotal element. It further calls on the United States to "support the protection of the Himalayan Asia's water tower". The report suggests that the Arctic Council is an appropriate model. Accordingly, the report calls for "the inclusion of water security into the National Security Strategy (NSS) and other strategy documents at the highest levels of governance."

In the light of the above, the following are our recommendations:

- Highlight Tibet as a key element in the Indo-Pacific region strategy: The U.S. Government should work multilaterally with like-minded countries, including the EU, in undertaking coordinated initiatives in developing a united Tibet policy, including at the U.N. and other regional and international forums, that puts Tibet as a key element in the Indo-Pacific region.
- Update and strengthen the Tibetan Policy Act: The Tibetan Policy Act is a comprehensive expression of United States support for the Tibetan people, including on resolving the issue through dialogue. Since its enactment in 2002, there have been several developments. Therefore, Congress should explore amending the TPA to reflect these developments, including clarifying U.S. policy on the issue of reincarnation of the Dalai Lama.
- Organize congressional delegations to Tibet and ask American diplomats as well as organizations, including representatives of multilateral organizations, to seek access to Tibet to as part of the implementation of the Reciprocal Access to Tibet Act.
- U.S. should support the findings of the Foreign Correspondents' Club of China position paper on Tibet and ask China to do away with the restrictions on journalists access to Tibet
- US should continue humanitarian assistance to Tibetan refugees in the Indo-Pacific region to preserve and promote their distinct identity and culture;
- The Administration should be asked to pursue the United States' long-stated goal of establishing a consulate in Lhasa.
- China should be urged to release Tibetan political prisoners, including the 11th Panchen Lama, Gedhun Choekyi Nyima.
- Secretary Pompeo should be asked to appoint the Special Coordinator for Tibetan Issues at the earliest.
- Work with like-minded countries, including the EU, to have a coordinated and united Tibet policy

[6] "Ecology Meets Geopolitics: water security in Himalayan Asia," *The Atlantic Council,* April 2019 https://www.atlanticcouncil.org/publications/reports/ecology-meets-geopolitics

- The United States should incorporate water security into the National Security Strategy and explore using platforms like the Quadrilateral Security Dialogue and the Lower Mekong Initiative to create awareness about China's usage of Tibetan water and its impact on the Indo-Pacific region.

Senator GARDNER. Thank you, Mr. Tsering.
Mr. Khin?

STATEMENT OF TUN KHIN, PRESIDENT, BURMESE ROHINGYA ORGANISATION UK, LONDON, UNITED KINGDOM

Mr. KHIN. Chairman Gardner, Ranking Member Markey, and distinguished members of the committee, thank you for the opportunity to appear before this committee to testify on the ongoing genocide of the Rohingya people in Burma.

I speak as a survivor of decades-long persecution by the government of Burma, which is now carrying out a genocide that has long been in the making. My family experienced firsthand waves of government-orchestrated military attacks and mass violence against unarmed and peaceful communities throughout Rakhine region.

In fact, Burma, despite continued promises to the international community to improve the lives of the Rohingya people, to listen to recommendations from the Kofi Annan commission, to set up its own investigation into abuses, continues to fail the Rohingya community. There is absolutely no political will or desire by the Burmese authorities to improve the lives of the Rohingya people.

There is a government and a military that have actively tried to wipe us out as a people for several decades. They continue to deny my community as an ethnic group integral to the Union of Burma, depriving our children any meaningful access to education, denying us access to essential health and other social services, and worse, maintaining conditions that are designed to bring about the eventual destruction of our entire community.

Mr. Chairman, it is genocide, the intentional destruction of an ethnic community, our Rohingya community, that Burma has commissioned.

Recently at the Free Rohingya Coalition Conference, I heard with my own ears one of the distinguished members of the U.N. International Fact-Finding Mission, Professor Radhika Coomaraswamy, asked the question: is what happened to the Rohingya genocide? What else could it be?

Legal, humanitarian, and religious organizations, including a coalition of American Jewish groups, have also issued statements calling this a genocide. This is welcome support, but we need to move beyond what civil society globally has widely recognized as Rohingya genocide. We need action from governments and the international community.

That is why the hearing today is so important. We must stand together and push for change. The international community must do more. "Never again" is a meaningless phrase unless it is backed up with action.

A powerful action that the United States can take is to reintroduce the Burma Human Rights and Freedom Act and pass it and sign it into law. It authorizes critical humanitarian assistance for Rohingya refugees in Bangladesh. It calls for a safe, dignified, and voluntary repatriation process of Rohingya refugees to Burma and

for any repatriation process to be developed with significant input from the Rohingya community. It further calls for the restoration of full citizenship rights for the Rohingya people.

The repatriation process and citizenship is important, as China helped to draw up a plan where no single Rohingya is prepared to return to Burma voluntarily. This is not acceptable. For 40 years, we have been promised safety by the Burmese Government, only to be slaughtered and violently deported subsequent to our return. As in the cases of Tibet and Uyghurs, China has been an evil force in our oppression. China protects Burmese perpetrators instead of standing up for the Rohingya people.

It is important to remember that the United Nations Fact-Finding Mission has stressed that the NLD civilian government is also complicit in genocide due to their crimes of commission and other acts of dismissal of genocide finding.

Burma's nonexistent democratic process must not be pursued or supported at the expense of several million Rohingya people, whether they are in Burma, in refugee camps in Bangladesh, or in the diaspora.

Mr. Chairman, the U.S. Government and the international community must act now. I call on the U.S. Congress to recalibrate its policies towards Burma as exemplified by last year's Burma Human Rights and Freedom Act. I urge you to reintroduce it and pass it to walk with the Rohingya diaspora and the survivors in the camps to ensure the protection of the Rohingya people.

Thank you very much for your time.

[The prepared statement of Mr. Khin follows:]

PREPARED STATEMENT OF TUN KHIN

Chairman Gardner, Ranking Member Markey, and distinguished members of the committee, thank you for the opportunity to appear before this committee to testify on the ongoing genocide of the Rohingya people in Burma.

I speak as a survivor of decades-long persecution by the Government of Burma, which is now carrying out a genocide that has long been in the making. My own personal history reflects this story. My extended family experienced first-hand waves of government-orchestrated military attacks and mass violence against unarmed and peaceful communities throughout Rakhine region.

In 1978, my parents, then in their twenties, fled their homeland of Northern Rakhine into Bangladesh during the very first wave of violent mass deportation of the Rohingya community.

In response to this humanitarian crisis, the late Senator Edward Kennedy travelled to Bangladesh and bore witness to the devastating impact of the Burmese military's policies of targeted persecution against the Rohingya. He helped secure vital humanitarian aid for Bangladesh to support the refugee population.

More than a generation has passed and though my father and Senator Kennedy are no longer with us, we continue to live with the policies that have enabled the vicious persecution of the Rohingya people.

In fact, Burma—despite continued promises to the international community to improve the lives of the Rohingya people, to listen to recommendations from the Kofi Annan Commission, to set up its own investigation into abuses—continues to fail the Rohingya community. There is absolutely no political will or desire by the Burmese authorities to improve the lives of Rohingya.

This is a government and a military that have actively tried to wipe us out as a people for several decades. They continue to deny my community as an ethnic group integral to the Union of Burma, depriving our children any meaningful access to education, denying us access to essential health and other social services, and worse, maintaining conditions that are designed to bring about the eventual destruction of our entire community.

Today, there are far greater numbers of Rohingya people outside of their ancestral homeland of Rakhine State than inside of it. After a widespread, deliberate cam-

paign of egregious violence, there are approximately one million displaced Rohingya people who now live in sub-human conditions in camps in Bangladesh where they are recognized neither as "refugees" nor by their very group identity as "Rohingyas." They have left behind nearly 400 villages, most of which have been burned and bulldozed and are being primed for commercial development by Daw Aung San Suu Kyi's NLD Government.

With all of the evidence of the last year and a half, the world has caught up with what we have been saying for many years—the only word to describe what is going on is genocide. Mr. Chairman, it is genocide—the intentional destruction of an ethnic community, our Rohingya community—that Burma has commissioned.

Recently at the Free Rohingya Coalition Conference one of the distinguished members of the U.N. International Fact-Finding Mission and a Yale-trained legal scholar, Professor Radhika Coomaraswamy, asked the question: "Is what happened to the Rohingya genocide? What else could it be?"

An array of organizations—legal, humanitarian, and religious organizations, including a coalition of American Jewish groups—have issued statements calling this a genocide. This is welcome support, but we need to move beyond what civil society globally has widely recognized as Rohingya genocide. We need action from governments and the international community.

That is why the hearing today is so important. We must stand together and push for change. The international community must do more. "Never again" is a meaningless phrase unless it is backed up with action. The world of conscience must now use all legal tools to address this heinous situation by pursuing international justice mechanisms that will hold the perpetrators of this atrocity accountable.

A powerful action that the United States Senate can take is to re-introduce the Burma Human Rights and Freedom Act and pass it and sign it into law. The legislation addresses the Rohingya refugee crisis from a few different angles. It authorizes humanitarian assistance for Rohingya refugees in Bangladesh. It calls for a safe, dignified, and voluntary repatriation process of Rohingya refugees to Burma and for any repatriation process to be developed with significant input from the Rohingya community. It further calls for the restoration of full citizenship for the Rohingya people.

The legislation also calls for targeted sanctions and visa denials against military officials implicated in human rights abuses, which is very much welcome and needed. While the Treasury Department has sanctioned five military officials and two units, it is yet to sanction the most senior Burmese military officials, including General Min Aung Hlaing and his Deputy, Vice Senior-General Soe Win, who are considered most responsible for the violence. Even though they do not hold assets in your country, the United States' leadership in sanctioning these two individuals would help stop ongoing atrocities taking place in Burma and may well have a "domino effect" on the actions of countries in holding Burma accountable. It is also no coincidence that at least four of the five military officials sanctioned thus far have been quietly retired from the Burmese military. The Burmese military has also started hiding their patches that identify their battalion command for fear of international condemnation. It demonstrates that the Burmese military is taking notice of U.S. action and underscores that accountability starts at the top of the military command. It is also important that the United States targets military-linked companies and entities as the European Union is already considering doing.

But, Mr. Chairman, both civilian ministries and the security ministries have for decades been engaged in policies of genocidal persecution. Therefore, we must address larger issues of justice and accountability. For example, the United Nations Fact-Finding Mission (FFM) stressed that NLD Government is complicit in the genocide due to their crimes of omission and other acts of dismissal of genocide findings. The appointment of Nicholas Koumjian as head of the Independent Investigative Mechanism for Myanmar is a positive step and the United States should continue to support and fund the mechanism. The United States should also support international justice mechanisms that are impartial, credible, and independent including the establishment of a new ad-hoc international criminal tribunal in whatever way possible.

The international community should be fully conscious that since 2012, the Burmese military and Daw Aung San Suu Kyi have established eight inquiry commissions with the clear objective of bleaching the crimes of the Burmese state against the Rohingya people and to exonerate the Burmese state. None of the commissions have been proven credible. Burma's judicial system does not have the will or the capacity for trying war crimes, crimes against humanity and genocide, the three gravest crimes which the U.N. FFM has officially said are being committed in Burma in Rakhine, Shan and Kachin states. Criminal accountability is only one tool

for justice, and it cannot wholly reverse the damage done, but it can make break the entrenched cycle of violations.

The international community must also address citizenship and repatriation with full rights. At present, China has helped to draw up a plan where no single Rohingya is prepared to return to Burma voluntarily. This is not acceptable. For forty years, we have been promised safety by the Burmese Government, only to be slaughtered and violently deported subsequent to our return. As in the cases of Tibet and Uyghurs, China has been an evil force in our oppression. China protects Burmese perpetrators instead of standing up for the Rohingya people.

I also understand that there is a genuine interest throughout the U.S. Government to protect Burma's fragile democratic transition. But there is no such thing as a democratic transition under the current conditions. The U.N. Special Rapporteur on the human rights situation in Myanmar, Professor Yanghee Lee, has reiterated a widely shared observation: that no democracy can emerge under the Constitution of 2008, which was drawn up by the military to keep itself in power. The Burmese military has never relinquished levers of state power: they have only allowed the civilian facade of Daw Aung San Suu Kyi and NLD to emerge.

Burma's non-existent democratic progress must not be pursued or supported at the expense of several million Rohingya people, whether they are in Burma, in refugee camps in Bangladesh, or in the diaspora.

Mr. Chairman, I call on the U.S. Congress to recalibrate its policies towards Burma by focusing on finding ways to address the root cause of our decades-long suffering. It is important that Rohingya voices are included in finding effective pathways to end the ongoing genocide of our people. This also includes the crimes the Burmese military is committing in Shan and Kachin states against other ethnic brethren there.

Finally, the U.S. Government should use its influence to prevent its humanitarian and strategic partners of India and Bangladesh to treat Rohingyas as survivors of atrocity crimes. India must stop all attempts to deport Rohingya refugees back to Northern Rakhine State. Bangladesh should also be requested to halt its plan to relocate 100,000 Rohingya survivors to the remote island of Bhasan Char, which the U.N. and other experts have widely considered unfit and unsafe for human life.

In closing, the U.S. Government and the international community must act now. We are grateful for the efforts of U.S. lawmakers, as exemplified by last year's Burma Human Rights and Freedom Act. I urge you to reintroduce it and pass it and to work with the Rohingya diaspora and the survivors in the camps to ensure the protection of the Rohingya people.

Thank you for your time.

Senator GARDNER. Thank you, Mr. Khin.

Thank you all again for your testimony and words today.

I want to ask a question to all three of you. We have had considerable testimony here today about what more the United States can be doing when it comes to the genocide in Burma taking place against the Rohingya people. We talked about the Uyghurs and the concentration camps and the conditions in these camps, the work conditions, civil liberties, the religious freedom concerns. We have talked about the Chinese declaration of the next Dalai Lama. And let me be very clear. The United States Congress will never recognize a Dalai Lama that is selected by the Chinese. This is something, as His Holiness has laid out, a succession—only then will the U.S. follow that succession, as laid out in your testimony.

To all of you, the United States has condemned the concentration camps in China, condemned genocide. I want to drill a little bit further into that question of what the U.S. has done and clearly the concerns in Tibet.

Ms. Abbas, to you I would ask this. What have you seen from other countries around the world when it comes the condemnation or actions taken against the Chinese for the imprisonment of the Uyghur people?

Ms. ABBAS. The United States is really leading this action. They are doing something by condemning. The Turkish Government is

the only government saying the concentration camps are not right and they should be closed, condemning.

But, unfortunately, because of the Chinese influence with the Chinese market, trade, and the debt trap that they are doing around the developing countries, they are buying out the silence of other countries. Currently OIC, the Organization of Islamic Cooperation, passed a resolution approving the treatment of the Uyghur Muslims.

Senator GARDNER. Did you say approving?

Ms. ABBAS. Approving, unfortunately. It is all because of the Chinese influence, Chinese money. It is really disappointing for 57 member states of the Islamic countries doing such a shameful act.

Canada, Australia, UK, and New Zealand are having fact-finding hearings and the representatives, the lawmakers, are condemning the Chinese concentration camps.

That is about what is happening, but we really need to see some actions.

Senator GARDNER. Mr. Khin, to you on the genocide taking place, we have heard various words used to describe what is taking place by this administration in Burma. What is your belief of the U.S. position as it relates to the current genocide in Burma?

Mr. KHIN. Mr. Chairman, thank you very much for your question.

It is important that we are a people, as I mentioned, as I read in my statement. More than 40 years, we have been facing this persecution that is systematically destroying our community. This is a time now where 80 percent of the Rohingya population has already fled from Burma because of the systematic policy to wipe out our community.

And finally, the U.N. fact-finding mission mentioned what is happening is a genocide.

So when I visited the camps, I heard from the victims. They have a kind of high expectation from the United States, the United States being a champion for human rights and democracy for Burma. So when the United States is supporting human rights and democracy for the reform in Burma, we need to look at the Rohingya community facing genocide, and we need to look at how it is possible to end this genocide, firstly to bring perpetrators to the justice mechanism, all need to be used.

And we welcome targeted sanctions, but still we have not seen the commander in chief who mentioned in the Washington Post that unfinished business of 1942. That commander is still not on targeted list and other commanders who ordered to slaughter, to raid, to kill in masses, to throw children to the fire. They are still not on the list. It is very important, I believe, to put on the sanctions list those in the military who are and also military-related companies there are in Burma even though we have seen Daw Aung San Suu Kyi and various military—2008 constitution granting them power. And the military companies related—those need to be sanctioned from the U.S.

And also, it is important that the United States has to call what we victims want to call it, as a genocide.

Thank you very much.

Senator GARDNER. Thank you.

Senator Markey?

Senator MARKEY. Thank you.

So, Mr. Khin, what is the impact of the United States remaining silent on this issue of whether or not it is a genocide, crimes against humanity? What does that mean for the world when we do not speak out?

Mr. KHIN. It is very clear, Senator Markey. We have to see that as a kind of giving—if not pushing them, pressing them, is not taking action, they are encouraged to move forward. And we have seen that is not only Rohingyas. Other Kachin, Shan minorities, crimes against humanity, and war crimes are going on. Even today, Rakhine state, Rakhine army and Burmese central armed forces are fighting. Humanitarian aid has been blocked. It is because of the international community not pressing enough and why genocide is ongoing. We need stronger pressure, otherwise these impunity they enjoy.

Senator MARKEY. So if the United States was to speak out, what would the impact be in terms of additional pressure on the Burmese Government?

Mr. KHIN. We have seen in the past long-time pressure from the international community. That is why this military came to a kind of 2008 constitution coming up and why they held an election. They care about international pressure. That is why the Burmese military and the government—they care about it. If this U.S. Government pushes it, we believe that these human rights violations will stop. And we believe that they cannot go along with these murders again and again.

Senator MARKEY. So thank you for your statements on the need for targeted sanctions. I could not agree more.

I recently wrote a letter to the State Department and the Treasury Department asking why the Trump administration had not sanctioned additional officials for the August 2017 attacks against the Rohingya, to include the country's commander in chief and deputy commander in chief. So this is the letter which I sent on just March 19th, and I ask unanimous consent that this be included in the record.

Senator GARDNER. Without objection.

[The information referred to is located at the end of this hearing transcript.]

Senator MARKEY. Thank you, Mr. Chairman.

And even though the United Nations and others have cited these two individuals as ultimately responsible for military orders that led to the horrific attacks against the Rohingya, the United States has taken no action against them, which is unbelievable.

Let's say the administration does not take your advice and decides not to pursue further sanctions against these individuals. What do you think the impact of that decision not to sanction would be in terms of the attitude of the government and military in Burma?

Mr. KHIN. Definitely that will embolden the military to move forward, as I mentioned earlier. And the other side, you know, the military is moving not only Rohingya, but other minorities in

Burma. They still believe that there is no one to press them. So they can go on with these murders.

We need to look at—Rohingyas as a community is facing 21st century genocide. And you know, when I visited to the camps, one thing I heard from them is they want justice. So it is important the United States supports all justice mechanisms to bring those perpetrators—this is very important.

Senator MARKEY. So you mentioned also going against military-linked companies, bearing in mind that enterprises managed by the military are tied to a number of economic sectors that employ ordinary Burmese, and the goal of sanctions should not be to target—should be to target military officials responsible for human rights abuses and not economically punish the Burmese people.

What are your recommendations for targeting companies that would shape the military's behavior but not hurt the Burmese people themselves?

Mr. KHIN. As a whole Burma, we have seen since 1962 the military coup's power, the military being on top everywhere. The military is controlling, you know, there are military cronies there and the military is controlling most of the business. So we believe that the military is totally in control of most business. If this were blocked and this were frozen, the military would not be able to move forward, and they will feel the pressure. Definitely I can say that. Thank you.

Senator MARKEY. You mentioned in your testimony that China continues to protect the Burmese military from condemnation at the United Nations, and they have continued to discourage international efforts to support the plight of the Rohingya.

In addition, there are disturbing reports that Chinese officials have given Burmese officials advice on how to effectively repress Rohingya minorities still in the Rakhine state.

What more can you tell us about China's ties with the Burmese Government?

Mr. KHIN. China, firstly, is still influential to the military. They have a pipeline and port in Rakhine state. And Burma as a whole, China is really influencing economically, politically, that is what we can see, and even civilian government is still under the influence of China as far as what we can see.

Senator MARKEY. What would your recommendation be to the United States to reduce China's negative influence on human rights in Burma?

Mr. KHIN. Sorry?

Senator MARKEY. What would your recommendation be to us, that is, the United States, in terms of actions we could take to reduce China's negative influence on human rights in Burma?

Mr. KHIN. This is very important that—you know, China has long been influential. And so on that note, on that point, we need to look at if China influences much further in Burma, whether there will be more human rights violation. And you can see that China is blocking when genocide is going on. As a whole country, they are blocking coastal and other, and they are even influencing Bangladesh to bring back those refugees where we do not want to return without our rights and protection. So that will be encour-

aging to China if the U.S. will not do anything. So you have to step up geopolitically that China's influences should not be there.

Senator MARKEY. So are you concerned that the Chinese might export the technologies which they are using against the Uyghurs to use in Burma against the Rohingya?

Mr. KHIN. That could be.

Senator MARKEY. That could be.

Mr. KHIN. Yes.

Senator MARKEY. So you are concerned.

Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Markey.

I am going to head to the floor here for a speech on a nominee, as well as a vote. I will turn it over to Senator Markey, and then I will come back as quickly as I can, if the hearing is still continuing, to allow Senator Markey to vote.

A quick question before I leave, though. The Asia Reassurance Initiative, as we have talked about the various sections that address human rights, democracy, and rule of law, provides significant funding, a billion dollars in authorizations from the U.S. Government to address these areas, including BBG and Radio Free Asia efforts and programs.

ARIA is an important platform for us to have this discussion as we look at our policy toward Burma, as we look at our policy toward China and Uyghurs, as we look at Tibet, as we look at Hong Kong and so many other areas where we see growing concerns about rights, freedoms, and rule of law.

One of the challenges we have, of course, is speaking with one voice as it relates to Burma. As recently as the Defense Authorization Act of last year, there was language initially in the legislation that would have given more opportunities for the U.S. Government to work with the military in Burma despite the ongoing concerns of genocide, the reality of genocide in Burma. And we were able to get that language stripped out of the Defense Authorization Act. But it shows that the U.S. Government is not speaking with one voice and one clear message as it relates to the atrocities in Burma.

So, Ms. Abbas, quickly—and then I am going to step out, but I want this for the record. Could you talk a little bit about the dollars authorized by ARIA, where you believe they could be spent? Radio Free Asia is something you mentioned. How could we target dollars, money support from ARIA to more effectively counter violations of human rights throughout Asia and to help assure voices of freedom are able to secure a foothold?

With that, I will turn it over to Senator Markey.

Ms. ABBAS. The Radio Free Asia Uyghur service has been very essential when there is a strong information blockade by the Chinese Government. It is really difficult to get the reality out about the atrocity. So Radio Free Asia reporters are working really hard. So we do need that. That is the most essential part.

And also, we have organizations that need support. We have so many activists that are doing this advocacy work like part-time. For example, myself. I have a full-time job, and I am doing advocacy work almost full-time. So the organizations, human rights organizations, being funded by this money also really supports where Congress needs to have offices in the major, like, political hubs in

the other countries as well. This is really essential to get the Uyghur voice out, Uyghur advocacy and activism out internationally.

And also we have so many Uyghur students here in the United States because of their parents being taken to concentration camps. And also, the financial assets are being frozen. They cannot receive money. So the Uyghur students studying in universities are unable to continue their education. So we really need to help with that as well.

Thank you.

Senator MARKEY [presiding]. Thank you. That is very helpful to us.

Let me just follow up with you, Ms. Abbas. Given the terrible nature of China's repression of the Uyghur and Central Asian minority communities in Xinjiang, the clearest question that comes to mind is, what should we be doing to hold the Chinese officials accountable? One way for the United States to try to change Chinese Government behavior would be to place Quanguo, the top official administering the repressive policies in the region, under U.S. sanctions. However, the administration does not appear to be taking any action.

Do you believe that sanctions against Chinese officials will be effective in countering their egregious policies?

Ms. ABBAS. Yes, very much so. At least the United States Government is taking action doing something to imposing that currently existed Global Magnitsky Act and sanctioning some of the Chinese officials who are responsible.

And also, we have current trade negotiations. This atrocity should be included in the trade talks. Human rights must be included in the foreign policy of this administration. So it is very crucial.

Senator MARKEY. Do you have a list of Chinese officials——

Ms. ABBAS. Yes, we do.

Senator MARKEY.—who you believe should be sanctioned?

Ms. ABBAS. Yes. Uyghur Human Rights Project and the World Labor Congress have given those names to the State Department. We do have a list of the names.

Senator MARKEY. Is there anyone in particular who you think should be at the top of that list?

Ms. ABBAS. Yes. Chen Quanguo, who is the party secretary for Xinjiang Autonomous Region. He was the party secretary in Tibet. That is where he started actually targeting religious figures there, taking them to concentration camps. He came to our province in August 2016, and then just 2 months later, he started his harsh—the policies against the Uyghurs. He is the number one person.

Senator MARKEY. Excellent.

Senator Coons? Senator Coons in his usual bipartisan, pluperfect form has indicated nonverbally that he would prefer to defer his colleague from Indiana, Senator Young.

Senator YOUNG. Well, and thank you, Senator Markey, and thank you, Senator Coons, for your characteristic comity. I am grateful for that.

Thank you to our witnesses for being here today.

Mr. Khin, in September of 2018, I along with Senator Menendez asked our Department of State to provide a formal legal determination regarding the actions of the Burmese military to Congress.

On December 3rd of last year, the United States Holocaust Memorial Museum announced it found compelling evidence that the Burmese military committed ethnic cleansing, crimes against humanity, and genocide against the Rohingya.

How would a U.S. Government formal legal finding that genocide was committed help bring accountability, but also further long-term reconciliation in Burma?

Mr. KHIN. Firstly, when we have seen fact-finding mission, U.N. Fact-Finding Mission already mentioned, what is—the genocide is clear. It is important that the U.S. Government call what the legal name is a genocide. The U.S. Holocaust Museum already declared what is happening to the Rohingyas is genocide. And it is important to bring those perpetrators to justice, it is really important to push.

And also, what is happening now is genocide is still ongoing in Rakhine state where recently last week dozens of Rohingya have been killed while the Rakhine army and Burmese armed forces are fighting. From helicopters the Burmese army shot many Rohingyas, and they are saying that this was an accident and that they did not aim to do that and the kind of the same lame excuse they are trying to do. So while this genocide is ongoing it is important that we bring those perpetrators to justice mechanism only to be used.

Senator YOUNG. Well, I think that it's especially important as we head into next year's elections because, of course, at some point we want to have a functioning government representative of all the peoples of Burma. So now, it strikes me, is a critical time to diplomatically and programmatically drain the enabling environment for violence and support the people of Burma so that those 2020 elections are the best they can be for the future of the country.

Are there ways in which the United States, to your mind, Mr. Khin, can best invest in conflict prevention programming in preparation for next year's elections?

Mr. KHIN. Senator, that is a very good point. But we need to look—as a whole Burma is not only military. The civilian government is also dismissing this genocide, and acts of genocide or findings is not only military, you know, killing the Rohingyas. The other side, civilian led government of Daw Aung San Suu Kyi party and her government ministers are spreading hate speech, and they are not allowing humanitarian aid access and others.

I campaigned for Daw Aung Suu Kyi for many years for her release in this Senate and Congress. I campaigned for her release and other political prisoners. I was a long-time supporter of her. But what we can see here is we had a high expectation in the 2015 election, but we have not seen any. And she is totally silent. And so we believe that as a whole Burma, we need to look at, of course, we should support a 2020 election, inclusion of Rohingya. At the same time, we need to push how to have constitutional change and others, and how to effect systematic change in Burma. That is very important.

Senator YOUNG. Well, all of this is more deeply rooted—is it not—in ethnic conflict and some really deep things that have ravaged the country and left Rohingya and the Chin minority marginalized, poverty-stricken, and living in a country in which they are not represented and they do not have a meaningful voice.

We have seen some attempts at addressing these issues at the 21st Century Panglong Union Peace Conference, and that did not produce the desired outcome, unfortunately.

How do you envision a peace process progressing, Mr. Khin, and what type of democratic reforms can lead to a national reconciliation and a true democracy emerging in Burma?

Mr. KHIN. As a whole Burma, we have to see that is a constitutional problem. First thing, ethnic people—they are demanding a federal union. We have not seen any ethnic groups that are enjoying their rights. You can see why still there is a 21st century—there is not much of a peace process going on. Everything has been stalled. And the military is increasingly fighting Kachin, Rakhine, our sister community, and others. On the other side, Rohingyas are facing ongoing genocide.

So as a whole country, we really need to focus on how it can be changed, the U.S. Government can place stronger pressure. This is very important because, you know, the ethnic Kachin—they are in IDPs and Rakhine, more than 30,000 IDPs, and Rohingyas are still not allowed basic rights, you know, to move from one place to another, education, and others. So we have seen that even, you know, the Government has set up a commission to investigate. There is no such thing, talk of citizenship rights, full citizenship rights, and others. And the NLD-led government is pushing—and we see—the national verification card, which is legalizing Rohingyas being illegal immigrants.

So we can see, frankly speaking, as a genocide survivor, as my grandfather was a member of parliament, as I was born and brought up in Rakhine state, I left. My age was 17. I grew up there. I have seen how systematically going against Rohingyas and other minorities as a whole country. So for me, much needs to be done from U.S. Government to put pressure.

And, of course, we should support democratic reform, but the 2020 election—all ethnic minorities must be allowewd to vote and allowed to be a member of parliament, particularly the Rohingya people. We had a right to vote and a right to be a member of parliament since 1936. In 2015, we were not allowed to vote. So the 2020 election—it is important Rohingya—restoration of full citizenship rights before that and they are allowed the right to vote and to be a member of parliament. And also, ethnic groups all need—have to be given their rights, and a recognition of a federal union is important. Otherwise, this fighting will not end because we have not seen any progressive things even from the NDL-led civilian government.

Senator YOUNG. Thank you, Mr. Khin. I am out of time. I am grateful again for your testimony today.

Mr. KHIN. Thank you.

Senator MARKEY. Senator Coons?

Ms. COONS. Thank you, Chairman Gardner and Ranking Member Markey, for convening this important hearing. I apologize. I

will be brief because we have a vote that is about to be called. I am particularly grateful for your leadership on the Asia Reassurance Initiative and am eager to work with you to ensure full and appropriate implementation of this significant legislation.

As the co-chair of the Human Rights Caucus here in the Senate, I want to thank all three of our panelists here today and for your important human rights work in Asia. I am particularly focused on the atrocities against the Rohingya and am hosting a photo exhibit today in the Rotunda of the Russell Senate Office Building, and I encourage anyone concerned about or interested in better understanding the ongoing genocide against the Rohingya to come and visit this disturbing photo exhibit.

I also have concerns about the treatment of Tibetans and Uyghur Muslims, but given the press of time, I am going to focus my questions, if I could, on following up on Senator Young's questions.

It is clear to me that you support a prompt determination by our State Department that the atrocities against the Rohingya constitute genocide. Why is that determination important? What would be the legal consequences for the Burmese Government if we reach that? And I am concerned about the lack of accountability for an ongoing genocide by leaders in Burma. If you have a concise answer to how that determination would affect it, I would appreciate it.

Mr. KHIN. Firstly, we have been facing this for more than 4 decades. So the U.N. Fact-Finding Mission already mentioned what has happened to the Rohingyas is genocide.

So the Rohingya have high expectations from U.S. Government. So whenever I visited the camps, Rohingya victims, Rohingya survivors—they ask me to tell our U.S. friends to change our situation to stop this genocide. So they want to see also what we are facing as the Rohingya. I as a survivor, we want to see what we are facing and we want to call it by its legal name, genocide.

Ms. COONS. Do you think that will help prevent other countries from forcibly repatriating Rohingya to Burma in a way that might increase their danger?

Mr. KHIN. Definitely now that will stop. Now India is deporting the Rohingyas. Saudi, also deporting some Rohingyas. Even though they have been living there a long time, they have no access to education and health care. So it is important that these survivors get protection from internationally other countries as a diaspora. You can see 80 percent Rohingya population are out of the country. So they need proper protection from the international community and other countries. That is very important.

Ms. COONS. My last question. Are there other countries in the region that are playing a constructive role? I hear what you are describing about India's actions. Are there constructive regional players on trying to confront and resolve this ongoing human rights crisis?

Mr. KHIN. Some countries, yes. Particularly India—they are deporting the Rohingya where 35,000 Rohingyas are in India. So they need protection. And also, you know, Thailand and, of course, on top of that, we need to look at Bangladesh where a million Rohingya people live. We can see that in the very near future, they

will not be able to return because the genocide is ongoing on the other side of the country, you know, in Burma.

So 60 percent are children in refugee camps as survivors. What will be their future? How the United States can help to get—for the long term, we need to look at how we can integrate them. We worry that our young generation will face exploitation because the political atmosphere is not as good as other countries there in Bangladesh. So there are a lot of—many women. Children are 60 percent.

So we need to look for the longer term how they should be recognized also in Bangladesh as a refugee. The Bangladesh Government should leave the restrictions, and also the Bangladesh Government must stop that to relocating 100,000 refugees to Bhasan Char island. This is very important.

So when the U.S. Government recognizes that genocide and actions need to become and also other countries—they will treat Rohingyas as a genocide survivor. They must treat them as genocide survivors, and they will get protection.

On top of that, we belong to Burma. We are a part of Burmese society. We are not demanding a state or anything. We want to get our ethnic rights and citizenship rights back. So I would like to appeal to the Senate to pressure any way you can to restore the rights of our people and, of course, on top of that, justice and all mechanisms need to be explored. It is very important.

Also, at our tribunal and other—bringing those perpetrators to justice is important. Thank you.

Ms. COONS. Thank you all for your testimony.

Thank you.

Senator MARKEY. Thank you, Senator Coons.

There is a real role that social media plays in allowing for dangerous speech to be used in Burma in a way that promotes violence against the Rohingya, promotes violence against other minorities. I think it is quite clear.

So I wrote a letter to Facebook questioning this policy of allowing Facebook to be used for that purpose within Burma. To date, I have been very unimpressed with Facebook's efforts to consider the views of the Burmese civil society and its decisions that have an impact on the country's treatment of its minorities and its overall efforts to achieve national reconciliation.

The United Nations officials just last week said that the company's efforts to curb hate speech online are, quote, still insufficient and that there is still, quote, denigration of the Rohingya on Facebook's platform.

Do you believe that Facebook's efforts to address hate speech has been sufficient?

Mr. KHIN. Of course, they have to stop it. They have been a part of it when after 2012, 140,000 Rohingya became IDPs in Rakhine state. And through Facebook, Ma Ba Thu group—group, all particularly, including racist and extremist Buddhist monks, Wirathu and others, they spread hate speech through Facebook. Facebook has done great damage to our community while you are facing genocide as a whole Burma, on not only Rohingya, other minorities they face. But we have seen recently that Facebook closed down some pages. It is really good. But I do not think it is enough, and

Facebook should deal with the communities who are really suffering.

Senator MARKEY. Has Facebook reached out to you?

Mr. KHIN. No, not at all. Thank you.

Senator MARKEY. That is not good. I would ask Facebook to reach out to you, and we will make that a specific request to help you facilitate a conversation.

Mr. KHIN. Please.

Senator MARKEY. What do you think that Facebook can and should do to better address the nature of speech that targets the Rohingya? Do you have any specific recommendations?

Mr. KHIN. It is important Facebook being, you know, used by a whole country in Burma mostly, not even Twitter, you know, in Burma. So Facebook can integrate many ways how a community suffering in Burma, how 80 percent population can get rid of systematically by the government, and how important inclusion, all need to live in harmony side by side other communities in Burma. That is a key role they can play. Also, they can integrate many other ways how Burma—you know, human rights violation being faced and many different ways they can integrate normal, ordinary Burmese people into seeing Rohingyas and how other minorities are important internationally. There is a lot of things Facebook could do.

Senator MARKEY. Excellent.

Mr. Tsering, we have noted earlier this year is the 60th anniversary of the Dalai Lama's exile from Tibet. Clearly the persecution of the Tibetan people is one of the longest running challenges to the international community's human rights record. And I am not sure we have seen much progress in promoting human rights in the region.

Do you think U.S. programs to support human rights in Tibet have been effective? And if not, what recommendations would you make in order to improve U.S. programs to press for better human rights?

Mr. TSERING. Senator, the United States Government has been an important player in terms of encouraging the Chinese Government to resolve the issue of Tibet, including altering human rights policies and, broadly speaking, in finding a political solution of the issue of Tibet. So that position is good. And in fact, it is one of the reasons that helped the Dalai Lama's envoys in starting a dialogue between the envoys and the Chinese Government between 2002 and 2010.

Since then, there have not been any resumption of the dialogue process. And one reason could be that in the past, the Chinese Government realized that the United States was serious in its effort. Since 1997, all American presidents until President Trump have spoken out publicly asking the Chinese Government to talk to His Holiness the Dalai Lama and his representatives because the United States feels that the Middle Way approach of His Holiness the Dalai Lama is the right approach. So far, we have not seen President Trump make public addresses nor has Secretary Pompeo made public addresses or in their summits with the Chinese president.

Senator MARKEY. You want President Trump and Secretary Pompeo to make public statements.

Mr. TSERING. We need that because then the Chinese authorities realize that the United States is serious.

Senator MARKEY. And what impact do you think publicly calling out the lack of access given to U.S. visitors and officials will have on Chinese Government behavior into that?

Mr. TSERING. I think the lack of access to Tibet, which is again in the Reciprocal Access to Tibet Act, as well as the Asia Reassurance Initiative Act—both have a significant message to the Chinese Government. Whenever the international community raises the issue of Tibet, one of the Chinese defense mechanisms is to say that you are interfering in the internal affairs of China. But, both the Reciprocal Access to Tibet Act, as well as the Asia Reassurance Initiative Act, say that national security of the United States and the right of the American people are also involved in the matter of Tibet. Therefore, China should act. So coming from this perspective, the Chinese Government cannot claim that the United States is interfering in China's internal affairs when you take up the right of access to Tibet for Americans, just as the Chinese have free access to the United States. And therefore, it is important.

Senator MARKEY. In title 4 of the Asia Reassurance Initiative Act, it supports additional resources for a human rights defenders fund for the Indo-Pacific. Can you speak about the challenges and opportunities such a fund could have in supporting human rights defenders in Asia?

Mr. TSERING. Senator, is that addressed to me?

Senator MARKEY. Yes, to any of you.

Mr. TSERING. We see that ARIA has a provision for that, and also I think ARIA specifically talks about Tibet in the context of sustainable development promotion, promotion of education, promotion of environmental conservation. So money could be allocated to these as set in ARIA to the Tibetan community both in Tibet as well as in exile that can help the Tibetan people preserve and promote their identity. That is one way of confronting China's effort at destroying Tibetan culture and way of life in Tibet.

Ms. ABBAS. We ask that money can be designated to assist the Uyghur, Kazakh, and the other groups to document the atrocities happening back home and also Chinese Government's propaganda globally about their activities and to support the activities to preserve the Uyghurs' traditions and the sustainable development and education in Uyghur communities in China and abroad.

Senator MARKEY. Mr. Khin, any recommendations for how a human rights fund might be used out of title 4 of the ARIA act?

Mr. KHIN. I think for Burma, it is important to support ethnic minorities, civil societies. Particularly it is very important. And also, I mean, for the Rohingya people, they are 800,000, almost a million in camps. It is important that we empower our community to build up our young generations there. It is very important to support, particularly in Bangladesh, by a stronger request to look at how we can develop Rohingya young people in the camps and support human rights.

Senator MARKEY. Excellent. Well, thank you. And thank each and every one of you for your incredible leadership on human

rights. Thank you for spending your lives helping to shine a spotlight on what needs to be known about human rights abuses in your own countries of origin, but in countries all around the world.

That is the job of the United States. We are not only the political and economic and national security leader of the world, but we are also the moral leader. We should be, and when we remain silent on human rights issues, we send a signal that the United States has gone out of the human rights protection business. And that is not who we are. The United States must be the moral leader of the planet. That is the expectation. And when we speak on these moral issues, the rest of the world has to pay attention.

So I would call upon the Trump administration to step up on each one of the countries that we are hearing from today. I think it is absolutely imperative that they do so. And you will be hearing voices from this committee on an ongoing basis.

So I just cannot thank you each enough for everything that you continue to do.

And to you, Ms. Abbas, I am going to work with Senator Gardner to work to maybe spotlight what the Chinese have done to your family members. I think we have to highlight that more. When you speak, your own family should not be punished back in China. So we are going to try to work together here to make sure that we put more of a highlight on what happened in your particular instance because it is a perfect example of how the Chinese Government does operate with regard to the Uyghurs, but it is also a perfect example of what they are doing in Tibet and actually the aid and comfort they are giving to the Burmese Government as well. So that is a big part of what we are going to be trying to work on in the coming weeks and months.

Senator Gardner is still over on the floor waiting to speak. It is just a little bit delayed over there.

So with that, I will close off this hearing. And I want to thank everyone for attending today's hearing and to the witnesses for providing us with your testimony and responses.

And for the information of all members, the record will remain open until the close of business Thursday, including for members to submit questions for the record. And I would ask the witnesses to respond as quickly as possible to the questions that will be presented to you in writing.

So with all of that, we thank you for your leadership, and this hearing is adjourned.

[Whereupon, at 11:18 a.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

MATERIAL PLACED IN THE HEARING RECORD BY MEMBERS OF THE COMMITTEE, WITNESSES, AND INTERESTED ORGANIZATIONS

- Letter Submitted for the Record by Amnesty International
- Attachments to the prepared statement of Bhuchung Tsering
  - Attachment 1: Foreign Correspondents' Club of China (FCCC) Position Paper,"Foreign Journalist Access to Tibet," *March 2019*
  - Attachment 2: Euractiv, "Time to Rebalance EU-China Relations and Demand Unfettered Access to Tibet," *March 14, 2019*
  - Attachment 3: Statement of His Holiness the Fourteenth Dalai Lama, Tenzin Gyatso, on the Issue of His Reincarnation, *September 24, 2011*
- Letter to Secretaries Pompeo and Munchin Regarding the Administration's Policy on Sanctions on the Perpretrators of Atrocities Against the Rohingya People, *March 19, 2019*
- American Jewish World Service Statement on the Genocide of the Rohinya, *December 12, 2018*
- Jewish Rohingya Justice Network Statement on the Genocide of the Rohingya, *February 26, 2019*

LETTER SUBMITTED FOR THE RECORD BY AMNESTY INTERNATIONAL

April 09, 2019

Senator Cory Gardner
354 Russell Senate Office Building
Washington, DC 20510
Subcommittee on East Asia, the Pacific,
and International Cybersecurity Policy
Subcommittee

Senator Ed Markey
255 Dirksen Senate Office Building
Washington, D.C. 20510
Subcommittee on East Asia, the Pacific,
and International Cybersecurity Policy
Subcommittee

Re: April 9 hearing on "ARIA in Action, Part 1: Human Rights, Democracy, and the Rule of Law

Dear Chairman Gardner, Ranking Member Markey, and Members of the Subcommittee:

On behalf of Amnesty International USA and our more than two million supporters and members nationwide, we submit this statement for the hearing record.

Over the past couple of years countries in the Indo-Pacific region have backslided in implementing their international human rights commitments. The U.S. Congress has a crucial role to help spotlight these problems and, when appropriate, use U.S. diplomatic and economic tools to help reverse them. In particular, we have noticed three significant trends taking place in the region – the closing space for civil society, exemplified by the harrassment, detention, or killing of human rights defenders and independent journalists; the systematic and egregious oppression of Muslim minority groups; and the continuing lack of accountability and justice with respect to the perpetrators of those rights abuses, leading to a culture of impunity in the Indo-Pacific.

The Senate Foreign Relations Committee, in particular the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy will face a multitude of vexing human rights challenges in the Indo-Pacific region that will require the United States Congress to have a comprehensive human rights strategy with respect to the region. U.S. national security and

moral interests require that both Congress and the Executive Branch have a unified, clear and well-resourced human rights policy when it comes to the Indo-Pacific. The rights-based international order requires U.S. leadership to be engaged in protecting and promoting human rights both at home and abroad.

One of the key reasons that human rights matter for U.S. national security interests are clear. Countries in the Indo-Pacific that respect the rights of their people are more likely to be stable functioning societies and prosper economically. Asia is one of the most ethnically, racially, politically, and economically diverse regions in the world, in which people must be empowered to voice their grievances. When minority groups are not protected and are even actively targeted, not only are human rights violated, but also the political and economic structures that sustain them are put at risk.

In the Indo-Pacific we have seen governments attacking and campaigning against civil society actors such as human rights organizations, activists, and defenders, all of which play an important role in checking rights-abusing governments. In China, we have seen the Foreign NGO Management Law used to impose increased restrictions on foreign and domestic NGOs in terms of registration, reporting, banking, and hiring requirements, and fundraising. As quoted in a new report that Amnesty International published in February, an NGO in southern China described the chilling effect the law has had and said some of the "international funders that financed the organizations focusing on advocacy … have pulled out of China considering the legal risks involved… The law has had detrimental effects on the development of civil society in China, and the situation is irreversable in the foreseeable future." [1] In India, Amnesty International and other civil society organizations have recently come under attack by the Indian government. With their accounts partially frozen, Amnesty India's vital human rights work has run into serious difficulties and the organization now faces a crisis as to its ability to effectively do human rights work. [2] Throughout the region we have seen free press come under attack simply for doing its job.

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[1] Amnesty International, "Laws Designed to Silence," February 2019, p.g. 35, https://www.amnestyusa.org/reports/laws-designed-to-silence-the-global-crackdown-on-civil-society-organizations/

[2] Amnesty International, "Amnesty India Target of Government Crackdown," October 2018, https://www.amnestyusa.org/press-releases/amnesty-india-latest-target-of-government-crackdown/

Human rights defenders, lawyers, journalists, academics and others have found themselves the target of state repression – from an unprecedented crackdown on freedom of expression in China to sweeping intolerance of dissent in Cambodia and Thailand and enforced disappearances in Bangladesh and Sri Lanka. High profile cases like the Myanmar Reuters journalists Wa Lone and Kyaw Soe Oo or Maria Ressa, executive editor of online news outlet Rappler in the Philippines, illustrate that rights abusers see a independent press as antithetical to their goals [3].

In addition, nationalist and Islamophobic forces have taken hold in parts of the Indo-Pacific region, resulting in systematic and egregious violations of the rights of Muslim minorities in ways not seen for many years. In Myanmar, Buddhist nationalists have campaigned against the the citizenship claims of members of the Rohingya minority. This is part of a regime of long-term systematic discrimination and persecution, by which the Rohingya have been deprived of their right to a nationality via an array of discriminatory laws, policies, and practices. This discriminatory system also facilitated the crimes under international law perpetrated by the Myanmar security forces. Since August 2017, they have killed thousands of Rohingya, including young children; raped and committed other acts of sexual violence against hundreds of Rohingya women and girls; tortured Rohingya men and boys in detention sites; pushed Rohingya communities toward starvation by burning markets and blocking access to farmland, and burned hundreds of Rohingya villages in a targeted and deliberate manner. [4]

In the Xinjiang Uighur Autonomous Region, intrusive surveillance, arbitrary detention, political indoctrination and forced cultural assimilation are carried out targeting Uighurs, Kazakhs and other predominantly Muslim ethnic minority groups, with the goal to replace religious affiliation and ethnic identity with secular, patriotic political allegiance. There are

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[3] Amnesty International, "Myanmar: Case against Reuters Journalists Upheld as Media Restrictions Intensify," April 2018, https://www.amnestyusa.org/press-releases/myanmar-case-against-reuters-journalists-upheld-as-media-restrictions-intensify/

[4] Amnesty International, "We Will Destroy Everything: Military Responsibility for Crimes against Humanity in Rakhine State, Myanmar" June 2018, https://www.amnestyusa.org/wp-content/uploads/2018/06/Amnesty-We-Will-Destroy-Everything.pdf

estimates of up to one million people reportedly being detained for so-called "transformation-through-education". [5] Sri Lanka on the other hand is grappling with Sinhalese nationalism, making efforts to pursue truth, justice, and reconciliation initiatives challenging and slow. While this does not describe all the drivers for why the Rohingya and Uighurs, Kazakhs and other ethnic Muslim groups are being oppressed they certainly help illustrate common threads we are seeing throughout the region.

Finally, there continues to be an accountability vacuum in the Indo-Pacific region, where security forces that violate human rights are allowed to act with impunity. In the Philippines we are witnessing the third year of President Duterte's unchecked drug war, which has entailed actions that may amount to crimes against humanity. [6] Despite mounting evidence of atrocities in Myanmar, the international community, including the United States, has failed to take effective action or send a clear message that there will be accountability for the military's crimes. In Indonesia's Papua province there has been a lack of accountability for unnecessary or excessive use of force during mass protests or other security operations. The Philippines and Malaysia governments have pulled out of the Rome Statute of the International Criminal Court, and there are no meaningful regional or national institutions able to hold perpetrators accountable, allowing impunity to become widespread and entrenched.

The United States Congress took an important step in including certain provisions in Title IV of the Asia Re-Assurance Initiative Act (P.L. 115-409).[7] Three areas that are cross-cutting and crucial to implement a comprehensive human rights strategy in the Indo-Pacific include personnel, regional institutions, and a focus on youth exchanges; however, questions remain on implementation and whether political will exists within the Administration to see it through.

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[5] Amnesty International, "China: "Where Are They?": Time for Answers about Mass Detentions in the Xinjiang Uighur Autonomous Region" September 2018, https://www.amnesty.org/en/documents/asa17/9113/2018/en/

[6] Amnesty International, "If You Are Poor, You Are Killed: Extrajudicial Executions in the Philippines' "War on Drugs"" January 2017, https://www.amnesty.org/download/Documents/ASA3555172017ENGLISH.PDF

[7] P.L. 115-409, Asia Reassurance Initiative Act of 2018, 12/31/2019 became Public Law, https://www.congress.gov/bill/115th-congress/senate-bill/2736/text#toc-HC32034D917FB4A08B5958C6C23C9CF0C

The Asia Re-Assurance Initiative Act (ARIA) law mandates that embassies and consulates in the Indo-Pacific region should have adequate resources and personnel to report on and advance United States human rights policy interests. The Government Accountability Office report on democracy in Myanmar demonstrates how staffing embassies with human rights personnel who report to the Bureau of East Asian and Pacific Affairs can lead to oversight on important human rights programming.[8] Challenges sometimes arise because raising human rights issues can undermine the access of regional bureaus to governments, but integrating personnel in multiple agencies and bureaus would hedge against that possibility. Congress would be well placed to take it a step further and make sure that the United States Indo-Pacific Command should also have a senior-level human rights officer that engages with combatant commanders to ensure that the military respects human rights and adheres to international law. This position would be best served by a civilian at an experience level equivalent to a GS-15. This applies to USAID, the Treasury Department, and U.S. financial institutions as well. The State Department's traditional diplomacy is one way to raise human rights challenges, but in the Indo-Pacific, these challeges also come into play in defense and economic relationships go farther. As such, the expertise on East Asia and the Pacific within the Bureau of Democracy, Human Rights, and Labor should cross-cut into these various other U.S. government bureaucracies.

The State Department is required within the coming weeks to report on a strategy on how to use ASEAN bodies to support human rights norms in the region. The United States should use ASEAN's convening power to bring human rights groups to the sidelines of the East Asia Summit and various U.S.-ASEAN dialogues, as well as at the foreign minister meetings leading up to them. Human rights need to be discussed in all bilateral and multilateral forums, even those that may not typically touch on human rights, such as the negotiation of trade agreements, the Shangri-La Dialogue, the ASEAN Regional Forum, and even the Asia-Pacific Economic Cooperation, the ASEAN Defence Ministers' Meeting, and the ASEAN Defence Ministers' Meeting-Plus.

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[8] Government Accountability Office, "U.S. Democracy Assistance in Burma: USAID and State Could Strengthen Oversight of Partners' Due Diligence Procedures," 2017, https://www.gao.gov/assets/690/686272.pdf

ARIA also recognizes harnessing the power of youth and exchanges can help complement U.S. civil society engagement. The Young Southeast Asian Leaders Initiative (YSEALI) is the United States' hallmark regional exchange program to build leadership development, youth civic engagement, and networking in Southeast Asia. ARIA has the State Department build on the model of YSEALI and launch a network of young Indo-Pacific activists who focus on human rights issues. The initiative fittingly targets youth, given that 65% of the population in Southeast Asia is under the age of 34, but it should be expanded in geographic scope and narrowed in areas of expertise. These networking opportunities allow human rights activists to build best practices, share networks, and help train a generation of activists in the Indo-Pacific human rights community. Congress began to lay the foundation for this in the ARIA, but implementation and appropriations funding for these types of programs remain uncertain.

If the free and open Indo-Pacific concept is to be imbued with the values, principles, and norms that the United States, its allies, and its partners in the region see as underpinning the regional order, then it must also include universal human rights. If the United States does not support a vision of a region that includes human rights through bold new policies and initiatives, the free and open Indo-Pacific risks becoming yet another hollow concept. Thus, Congress and the Executive Branch should ensure that efforts to realize this vision include a comprehensive and innovative human rights strategy.

For more information, please contact Francisco Bencosme by phone at: (202) 845-5075 or email at: fbencosme@aiusa.org.

Sincerely,

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FOREIGN CORRRESPONDENTS' CLUB OF CHINA POSITION PAPER,
"FOREIGN JOURNALIST ACCESS TO TIBET," *March 2019*

FOREIGN CORRESPONDENTS' CLUB OF CHINA POSITION PAPER

Foreign Journalist Access to Tibet

March 2019

SUMMARY

Surveys conducted by the Foreign Correspondents' Club of China show obstacles to reporting pose a serious impediment to obtaining accurate information about the lives of ethnic Tibetans in China.

Unlike other provinces and regions in the country, journalists who seek to report in the Tibet Autonomous Region (TAR)[1] are required to first obtain permission from the government. This permission is rarely granted to journalists seeking to make independent reporting trips; the FCCC is aware of only one such instance. Chinese authorities instead occasionally organize highly-controlled media trips, and have specifically told some foreign journalists not to report on Tibet.

China also limits reporting through other forms of pressure, including intimidation and harassment of sources and constant surveillance of journalists in the TAR and other Tibetan-inhabited areas.

The FCCC is alarmed by China's recent, heavy-handed punishment of a Tibetan source who spoke to foreign media. In late 2018, China sentenced Tibetan language activist Tashi Wangchuk to five years in prison largely based on comments in a New York Times video documentary about his efforts to promote Tibetan language education.

The case sent a clear signal of China's willingness to abridge its citizens' right to free speech and silence sources by sending them to jail, setting another impediment to newsgathering. More broadly, it has a chilling effect on journalists worried about the safety of their sources.

In 2018, five respondents to the FCCC annual working conditions survey[2] applied to go on reporting trips to the Tibet Autonomous Region. Not a single trip was approved.

Notably, the number of applicants in 2018 was significantly lower than the 45 who applied in 2015. The FCCC notes that foreign media reporting in the TAR in 2015 and 2016 primarily depended on a few government-arranged trips.

The FCCC view is that the sharp decline in applications is due to stringent government restrictions on physical access and independent reporting.

The Tibet situation coincides with tightening restrictions in the Xinjiang Uighur Autonomous Region (XUAR) where an estimated one million Muslims are incarcerated in "re-education" camps, and suggests that access problems are worsening in China.

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[1] This report distinguishes between Tibet Autonomous Region (TAR), which journalists must apply to for access, and "Tibetan-inhabited areas," defined as Qinghai, Gansu, Sichuan and Yunnan provinces, which are theoretically open under China's regulations for foreign reporters.
[2] http://www.fccchina.org/2019/01/29/under-watch-working-conditions-report-2018/

In some cases, organizations have applied many times for years without ever being granted access to visit the TAR. For five years, journalists for a Spanish newspaper sought to join government-arranged group trips; no requests were approved. One organization was told the application was "under review," but never received an official response.

Government explanations for denying access include concerns over journalists' ability to acclimate to high altitudes and the cold weather on the Tibetan plateau.

Moreover, reporting in other Tibetan-inhabited areas – more than half of the six million Tibetans in China live outside of the TAR in the neighboring provinces of Qinghai, Gansu, Sichuan, and Yunnan – is often obstructed, despite China's stated regulations stipulating that international journalists have the freedom to travel to all areas outside the TAR, and speak to sources who agree to be interviewed.

As China's influence increases, and it seeks center stage in many global organizations, including as host of the 2022 Winter Olympics, the nation's leadership should take more responsibility to ensure greater transparency and accountability to the international community.

RECOMMENDATIONS

The FCCC calls for unfettered access to the Tibet Autonomous Region and all Tibetan-inhabited regions.

Toward that goal, the Chinese government should:

- Work toward elimination of the requirement for pre-approval of reporting trips to the TAR by 2021, one year before the 2022 Olympics
- Approve all applications for individual reporting trips by end-2019
- Allow journalists to speak to whoever accepts an interview
- Cease intimidation of sources or would-be sources
- Make the application process transparent for both individual and group trips, including informing journalists of specific itineraries and costs of government-arranged group trips in advance
- Make public the number of journalist applications to report in the TAR, both as individuals and as part of group trips, as well as the number approved for both categories

Foreign governments should:

- Press for the elimination of the requirement for pre-approval of reporting trips to the TAR by 2021, one year before the 2022 Olympics
- Press for approval of all applications for individual reporting trips by end-2019, and publicize any significant and meaningful positive developments
- Inform foreign journalists in advance regarding planned foreign delegation visits and itineraries and press for journalist access to cover such trips
- Persistently press for the early release of Tashi Wangchuk, and press for the law to protect all journalistic sources, in keeping with international best practices
- Monitor and publicize reporting access issues in government reports related to human rights, including intimidation of sources
- Protest Chinese government intimidation of international media that conduct interviews with the Dalai Lama, spiritual leader of Tibetan Buddhism and Nobel Peace Prize winner
- Request data on the number of journalist applications and their outcome from the Chinese government, and, short of that, collate information from their nation's press corps

GOVERNMENT-ARRANGED MEDIA TRIPS TO TIBET AUTONOMOUS REGION

Government-arranged trips to Tibet Autonomous Region are stage-managed and tightly controlled. Information regarding the trips, the application process, and the selection of outlets and journalists allowed to participate remains opaque.

The government does not publicize upcoming trips widely. In some cases, officials have contacted organizations specifically to invite them to apply; that invitation does not, however, guarantee a spot.

These escorted trips run anywhere from three to five days, and in at least one case included Chinese state media journalists. Trips have been arranged by China's Ministry of Foreign Affairs and the State Council.

Journalists report restrictions on movement, harassment, and interference with their work. Sources also are hesitant to speak.

"By any standard, 'reporting conditions' were utterly nonexistent during this trip. I've felt freer in North Korea," said a journalist who visited on a 2016 government trip. Minders were so upset when the journalist filmed monks and people praying at a temple – a planned itinerary stop – that they yanked his shirt collar to get him to cease working. Locals told him that the usual military presence of armed troops and checkpoints had been removed for the press trip.

On a separate 2016 government-arranged trip, journalists appeared to have slightly more freedom as some were able to escape their minders for a short time.

"As you might expect, from dawn to dusk, they kept us super busy. They didn't deviate from the itinerary; they did the whole dog and pony show," said one journalist. The handful of minders on the trip would tell him not to ask certain questions, though he was able to get one independent interview: "I snuck out during lunch, and when I say 'snuck out,' I just didn't ask permission."

A journalist from an American news organization on the same trip said: "We were able to go outside the hotel without anybody following us and go and try to get comments around town. I think we made at least one trip into the center of town [in Lhasa] independently."

"Bear in mind the year before, there had been tales of minders sleeping in the corridors of hotel rooms to prevent people leaving in the night, so it was a freer atmosphere than it had been in the past. I think it reflected their confidence that they had everything nailed down in Lhasa."

His sense was that perhaps the government hoped if it "treated journalists well, they would have a positive story to present." Upon return, MOFA was, however, displeased with the coverage.

Since that 2016 trip, the FCCC is aware of only one government-arranged trip in 2018, in which MOFA took five bureau chiefs from two US organisations, and one each from Germany, Japan and Russia.

No other representatives from those organisations were allowed. The itinerary was arranged between MOFA and and the Tibet government, and included sessions with local officials.

FCCC CORRESPONDENT SURVEY RESULTS

The FCCC conducts an annual survey on reporting conditions in China, including questions about reporting on Tibetan issues.

2018

- Of four respondents who reported in Tibetan-inhabited areas, defined as Qinghai, Gansu, Sichuan and Yunnan provinces, two experienced problems, and two did not
- Five respondents applied to visit Tibet Autonomous Region (TAR), but none were approved

2017

- Of 10 respondents who reported in Tibetan-inhabited areas, eight experienced problems, and two did not
- Six respondents applied to visit TAR, but none were approved
- 95% of 101 respondents didn't apply for access to TAR[3]

2016

- Of 26 respondents who reported in Tibetan-inhabited areas, 15 experienced problems, and 11 did not
- Of 33 respondents who applied to visit TAR, 23 were not approved; ten were approved for government-arranged trips

2015

- Of 124 respondents, 45 said they applied to visit TAR either on government or independent trips or both
- Of the 14 respondents who applied for independent trips, 13 said their application for an independent reporting trip to TAR was not approved; only one respondent said an application was approved
- Of 40 respondents, 25 said no applications to government-organized reporting trips were approved, 12 said one trip was approved, two said two trips were approved, and one said three trips were approved[4]

2014

- Of 12 respondents who reported in Tibetan-inhabited areas, nine experienced problems, and three did not

[3] Survey did not ask specifically why respondents did not apply for access
[4] A Japanese media organization applied for four trips, and was invited to three

TIMELINE OF KEY EVENTS

2019

- 60th anniversary of uprisings in Tibet that led to the Dalai Lama, a Nobel Peace Prize winner, to flee China for India

2018

- China Ambassador to U.S. Cui Tiankai gives interview to NPR saying Tibet is "open" to students, academics and journalists[5]
- Bureau chiefs from two US news organizations and one each from Germany, Japan and Russia visit on government-arranged trip
- Expulsion of BuzzFeed's Megha Rajagopalan through visa denial
- Australian broadcaster ABC's Matthew Carney received visa of 2.5 months, leading to his departure

2017

- MOFA reportedly cancels plans for government-arranged trip to Tibet Autonomous Region (TAR) due to 19th Party Congress

2016

- Reuters (U.K.); CNN, Washington Post (U.S.); Globe & Mail (Canada); AFP (France), EFE (Spain); Australian Financial Review (Australia); Handelsblatt (Germany), an Italian publication visit TAR on government-arranged trips

2015

- Foreign diplomats visit TAR, including U.S. Ambassador Max Baucus and House Minority Leader Nancy Pelosi. Foreign journalists were not informed in advance and did not accompany visiting delegations
- Financial Times, Reuters (U.K.); Bloomberg, Associated Press (U.S.); Le Figaro (France); ABC Spanish Daily Newspaper (Spain); Der Spiegel (Germany); ANSA (Italy); Mainichi Shimbun, Yonhap (Japan); Lianhe Zaobao (Singapore); Russian and Kazakhstan television visit on government-arranged trips
- Expulsion of French newsmagazine L'Obs journalist Ursula Gauthier through visa denial

2014

- U.S. President Obama holds talks with the Dalai Lama in Washington; China summons U.S. embassy official in Beijing in protest
- Dalai Lama denied visa to South Africa to attend a Nobel peace conference for the third time in five years

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[5] China's ambassador to US Cui Tiankai interview with NPR: https://www.npr.org/2018/10/03/654088777/transcript-nprs-interview-with-china-s-ambassador-to-the-u-s

2013

- Foreign diplomats visit TAR, including U.S. Ambassador Gary Locke and Australian Ambassador Frances Adamson. The FCCC is not aware of foreign journalists accompanying the delegations

2012

- More self-immolations. China holds 18th Party Congress
- Expulsion of Al Jazeera English's Melissa Chan through visa denial, first such incident in 15 years

2011

- String of self-immolations
- U.S. President Barack Obama receives Dalai Lama in Washington; expresses support for human rights
- Incoming Chinese President Xi Jinping vows to "smash" Tibetan separatism in speech to mark 60th anniversary of Chinese Communist takeover of Tibet

2010

- U.S. Ambassador Jon Huntsman visits TAR
- CBS, New York Times (U.S.); Reuters (U.K.) visit on government-arranged trip, the only one that year. This was posted on MOFA's International Press Center website[6] at the time. The FCCC also sends a notice to members

2009

- Chinese authorities detain dozens and question thousands of alleged criminals in security crackdown ahead of the anniversary of Dalai Lama fleeing China in March 1959
- France and China restore high-level contact

2008

- Major uprising, riots before 2008 Beijing Summer Olympics
- 26 foreign journalists, including the Financial Times (U.K.); Associated Press, Wall Street Journal, New York Times (U.S.) visit on three-day government-arranged trip in March, the first since riots break out earlier that month[7]
- U.K. government recognizes China's direct rule over Tibet for the first time
- Row between the EU and China after Dalai Lama addresses European MPs
- China cuts high-level ties with France after President Nicolas Sarkozy meets Dalai Lama

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[6] http://ipc.fmprc.gov.cn/eng/

[7] FCCC 2008 statement on media trip: https://washingtonbureau.typepad.com/china/2008/03/more-on-access.html

SOURCES & NOTES

This position paper is primarily based on the FCCC's annual survey results on working conditions during 2014 to 2018 and recent interviews with foreign journalists in China who have applied for and/or attended government trips over the last few years.

Please note the FCCC's annual survey is qualitative, not quantitative. While results are limited to what respondents self-report and are not considered statistically comprehensive, the FCCC believes it presents as close a picture as possible of working conditions each year. In 2015, a series of specific questions on Tibet were posed.[8]

More media outlets than included in the timeline may have visited in the past; this should be regarded as a rough outline.

[8] FCCC 2015 working conditions in Tibet survey results: https://cpj.org/blog/04262016FCCCTIBETSURVEY.pdf

EURACTIV, "TIME TO REBALANCE EU-CHINA RELATIONS AND DEMAND UNFETTERED ACCESS TO TIBET," *March 14, 2019*

March 14, 2019

https://www.euractiv.com/section/eu-china/opinion/time-to-rebalance-eu-china-relations-and-demand-unfettered-access-to-tibet

The US recently adopted the Reciprocal Access to Tibet Act, promoting access to Tibetan areas for American diplomats, journalists and ordinary citizens, just as their Chinese counterparts enjoy in America. It is now up to Europe to consider ways of rebalancing its relationship with China, write a cross-party group of parliamentarians.

This opinion piece is co-signed by a group of national and European members of parliament (full list at the bottom).

Last Sunday (10 March), Tibetans and Tibet activists gathered in Brussels, at the heart of the European Union, to mark the 60th anniversary of the Tibetan Uprising, which led to the Dalai Lama's flight into exile in 1959.

As the situation in Tibet remains critical six decades later, it's high time that we in Europe demand unfettered access to the region for our citizens in keeping with our values and in support of a more balanced relationship with China.

Awareness about the continuing plight of the Tibetan people under Chinese rule – including the tragic self-immolations of more than 150 Tibetans since 2009 – seems to have decreased in our countries. That is largely due to the Chinese government's efforts to prevent the full truth about its grave human rights abuses in Tibet from reaching the outside world by strictly controlling access to the area.

Today, foreigners, including EU citizens, require a number of special authorisations and permits in addition to their Chinese visa to enter the Tibet Autonomous Region (TAR), which spans about half of Tibet.

For those who do get in, a government-appointed guide must accompany them. During politically sensitive periods – such as this anniversary month – the TAR is completely closed off to foreigners. Such closures have occurred regularly since a wave of mostly peaceful protests swept across the Tibetan plateau ahead of the 2008 Beijing Olympics.

Foreign diplomats, parliamentarians, journalists and even UN officials are almost always denied visits to the region, other than on rare official tours carefully orchestrated by Chinese authorities.

At the same time, Tibetans are regularly prevented from travelling outside China, and those passing information abroad are severely punished. A prominent example is Tashi Wangchuk, a young language rights advocate who was sentenced to five years in prison last year after he gave an interview to The New York Times about his efforts to protect Tibetans' mother tongue.

This isolation of Tibet naturally raises questions about the Chinese government's credibility when it comes to assessing the situation on the ground. If there is nothing to hide in Tibet, why has China for years prevented us from travelling freely in Tibet and seeing the situation for ourselves?

But China's intransigence also reveals a dangerous lack of reciprocity in our relationship that could eventually threaten our rights and democracies.

While Europeans face huge restrictions in visiting Tibet, the same rule does not apply to Chinese citizens, who are free to travel throughout the whole territory of the European Union all year long. And China does not hesitate to take advantage of this openness to influence our perceptions, including on Tibet.

In recent years for example, an increasing number of official Chinese delegations have been sent to our countries, where they have spread Beijing's official view on Tibet and other sensitive issues. Similarly, while Chinese state media can come and go in Europe –and use this freedom to flood us with propaganda – European journalists reporting on both China and Tibet face mounting obstacles, including expulsion and intimidation.

The Foreign Correspondent Association has reported that it is easier for Beijing-based journalists to visit North Korea than Tibet. In addition, French journalist Ursula Gauthier was expelled from China in 2015 for her reporting on Xinjiang, where at least 1 million Uyghurs are detained in 're-education camps.' Even journalists based in Europe have reportedly been subjected to pressure from Chinese authorities.

Sadly, these restrictions are even harsher for European citizens of Tibetan heritage, many of who are refugees who escaped from Tibet and are specifically targeted and discriminated against by Chinese embassies and consulates when they apply for a travel permit. This cruelly prevents them from being able to see their families whom, in many cases, they have been separated from for a very long time.

European leaders have increasingly called for more reciprocity in the partnership with China in recent months, mainly focusing on trade and access to markets for foreign investment and companies. But the other dimension of this lack of reciprocity is that Chinese authorities take advantage of our freedoms – freedoms they do not respect at home – while continuing to oppress the Tibetan people with complete impunity and discriminating against EU citizens. This should not be tolerated by democratic governments.

Recognising this, the United States adopted in December 2018 the Reciprocal Access to Tibet Act, legislation that promotes access to Tibetan areas for American diplomats, journalists and ordinary citizens, just as their Chinese counterparts enjoy in the US.

Despite China's denunciation of this law, the legislation already appears to have made an impact as Chinese state media are now reporting that Beijing has decided to adopt a faster process for foreign tourists to receive permits to enter Tibet.

The European Parliament's latest report on EU-China relations also recommends that reciprocity be strengthened in all areas of cooperation and calls for unfettered access to Tibet for EU citizens.

It is now up to us in Europe to consider concrete ways to rebalance our relationship with China – not only in terms of trade, but also in regard to respect for fundamental rights like freedom of movement and of the press.

Demanding access to Tibet should be a concrete first step in this direction. If we fail to take that step, it will not only prevent justice for the Tibetan people, but will also give a green light to China to continue manipulating our societies and eventually restrict the very rights and freedoms on which our democracies depend.

Signatories:

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[Photo: Carlos-Brum Melo]

Statement of His Holiness the Fourteenth Dalai Lama, Tenzin Gyatso, on the Issue of His Reincarnation

September 24, 2011

Introduction

My fellow Tibetans, both in and outside Tibet, all those who follow the Tibetan Buddhist tradition, and everyone who has a connection to Tibet and Tibetans: due to the foresight of our ancient kings, ministers and scholar-adepts, the complete teaching of the Buddha, comprising the scriptural and experiential teachings of the Three Vehicles and the Four Sets of Tantra and their related subjects and disciplines flourished widely in the Land of Snow. Tibet has served as a source of Buddhist and related cultural traditions for the world. In particular, it has contributed significantly to the happiness of countless beings in Asia, including those in China, Tibet and Mongolia.

In the course of upholding the Buddhist tradition in Tibet, we evolved a unique Tibetan tradition of recognizing the reincarnations of scholar-adepts that has been of immense help to both the Dharma and sentient beings, particularly to the monastic community.

Since the omniscient Gedun Gyatso was recognized and confirmed as the reincarnation of Gedun Drub in the fifteenth century and the Gaden Phodrang Labrang (the Dalai Lama's institution) was established, successive reincarnations have been recognized. The third in the line, Sonam Gyatso, was given the title of the Dalai Lama. The Fifth Dalai Lama, Ngawang Lobsang Gyatso, established the Gaden Phodrang Government in 1642, becoming the spiritual and political head of Tibet. For more than 600 years since Gedun Drub, a series of unmistaken reincarnations has been recognised in the lineage of the Dalai Lama.

The Dalai Lamas have functioned as both the political and spiritual leaders of Tibet for 369 years since 1642. I have now voluntarily brought this to an end, proud and satisfied that we can pursue the kind of democratic system of government flourishing elsewhere in the world. In fact, as far back as 1969, I made clear that concerned people should decide whether the Dalai Lama's reincarnations should continue in the future. However, in the absence of clear guidelines, should the concerned public express a strong wish for the Dalai Lamas to continue, there is an obvious risk of vested political interests misusing the reincarnation system to fulfil their own political agenda. Therefore, while I remain physically and mentally fit, it seems important to me that we draw up clear guidelines to recognise the next Dalai Lama, so that there is no room for doubt or deception. For these guidelines to be fully comprehensible, it is essential to understand the system of Tulku recognition and the basic concepts behind it. Therefore, I shall briefly explain them below.

Past and future lives

In order to accept reincarnation or the reality of Tulkus, we need to accept the existence of past and future lives. Sentient beings come to this present life from their previous lives and take rebirth again after death. This kind of continuous rebirth is accepted by all the ancient Indian spiritual traditions and schools of philosophy, except the Charvakas, who were a materialist movement. Some modern thinkers deny past and future lives on the premise that we cannot see them. Others do not draw such clear cut conclusions on this basis.

Although many religious traditions accept rebirth, they differ in their views of what it is that is reborn, how it is reborn, and how it passes through the transitional period between two lives. Some religious traditions accept the prospect of future life, but reject the idea of past lives.

Generally, Buddhists believe that there is no beginning to birth and that once we achieve liberation from the cycle of existence by overcoming our karma and destructive emotions, we will not be reborn under the sway of these conditions. Therefore, Buddhists believe that there is an end to being reborn as a result of karma and destructive emotions, but most Buddhist philosophical schools do not accept that the mind-stream comes to an end. To reject past and future rebirth would contradict the Buddhist concept of the ground, path and result, which must be explained on the basis of the disciplined or undisciplined mind. If we accept this argument, logically, we would also have to accept that the world and its inhabitants come about without causes and conditions. Therefore, as long as you are a Buddhist, it is necessary to accept past and future rebirth.

For those who remember their past lives, rebirth is a clear experience. However, most ordinary beings forget their past lives as they go through the process of death, intermediate state and rebirth. As past and future rebirths are slightly obscure to them, we need to use evidence-based logic to prove past and future rebirths to them.

There are many different logical arguments given in the words of the Buddha and subsequent commentaries to prove the existence of past and future lives. In brief, they come down to four points: the logic that things are preceded by things of a similar type, the logic that things are preceded by a substantial cause, the logic that the mind has gained familiarity with things in the past, and the logic of having gained experience of things in the past.

Ultimately all these arguments are based on the idea that the nature of the mind, its clarity and awareness, must have clarity and awareness as its substantial cause. It cannot have any other entity such as an inanimate object as its substantial cause. This is self-evident. Through logical analysis we infer that a new stream of clarity and awareness cannot come about without causes or from unrelated causes. While we observe that mind cannot be produced in a laboratory, we also infer that nothing can eliminate the continuity of subtle clarity and awareness.

As far as I know, no modern psychologist, physicist, or neuroscientist has been able to observe or predict the production of mind either from matter or without cause.

There are people who can remember their immediate past life or even many past lives, as well as being able to recognise places and relatives from those lives. This is not just

something that happened in the past. Even today there are many people in the East and West, who can recall incidents and experiences from their past lives. Denying this is not an honest and impartial way of doing research, because it runs counter to this evidence. The Tibetan system of recognising reincarnations is an authentic mode of investigation based on people's recollection of their past lives.

How rebirth takes place

There are two ways in which someone can take rebirth after death: rebirth under the sway of karma and destructive emotions and rebirth through the power of compassion and prayer. Regarding the first, due to ignorance negative and positive karma are created and their imprints remain on the consciousness. These are reactivated through craving and grasping, propelling us into the next life. We then take rebirth involuntarily in higher or lower realms. This is the way ordinary beings circle incessantly through existence like the turning of a wheel. Even under such circumstances ordinary beings can engage diligently with a positive aspiration in virtuous practices in their day-to-day lives. They familiarise themselves with virtue that at the time of death can be reactivated providing the means for them to take rebirth in a higher realm of existence. On the other hand, superior Bodhisattvas, who have attained the path of seeing, are not reborn through the force of their karma and destructive emotions, but due to the power of their compassion for sentient beings and based on their prayers to benefit others. They are able to choose their place and time of birth as well as their future parents. Such a rebirth, which is solely for the benefit of others, is rebirth through the force of compassion and prayer.

The meaning of Tulku

It seems the Tibetan custom of applying the epithet 'Tulku' (Buddha's Emanation Body) to recognized reincarnations began when devotees used it as an honorary title, but it has since become a common expression. In general, the term Tulku refers to a particular aspect of the Buddha, one of the three or four described in the Sutra Vehicle. According to this explanation of these aspects of the Buddha, a person who is totally bound by destructive emotions and karma has the potential to achieve the Truth Body (Dharmakaya), comprising the Wisdom Truth Body and Nature Truth Body. The former refers to the enlightened mind of a Buddha, which sees everything directly and precisely, as it is, in an instant. It has been cleared of all destructive emotions, as well as their imprints, through the accumulation of merit and wisdom over a long period of time. The latter, the Nature Truth Body, refers to the empty nature of that all-knowing enlightened mind. These two together are aspects of the Buddhas for themselves. However, as they are not directly accessible to others, but only amongst the Buddhas themselves, it is imperative that the Buddhas manifest in physical forms that are accessible to sentient beings in order to help them. Hence, the ultimate physical aspect of a Buddha is the Body of Complete Enjoyment (Sambhogakaya), which is accessible to superior Bodhisattvas, and has five definite qualifications such as residing in the Akanishta Heaven. And from the Body of Complete Enjoyment are manifested the myriad Emanation Bodies or Tulkus (Nirmanakaya), of the Buddhas, which appear as gods or humans and are accessible even to ordinary beings. These two physical aspects of the Buddha are termed Form Bodies, which are meant for others.

The Emanation Body is three-fold: a) the Supreme Emanation Body like Shakyamuni Buddha, the historical Buddha, who manifested the twelve deeds of a Buddha such as being born in the place he chose and so forth; b) the Artistic Emanation Body which serves others by appearing as craftsmen, artists and so on; and c) the Incarnate Emanation Body, according to which Buddhas appear in various forms such as human beings, deities, rivers, bridges, medicinal plants, and trees to help sentient beings. Of these three types of Emanation Body, the reincarnations of spiritual masters recognized and known as 'Tulkus' in Tibet come under the third category. Among these Tulkus there may be many who are truly qualified Incarnate Emanation Bodies of the Buddhas, but this does not necessarily apply to all of them. Amongst the Tulkus of Tibet there may be those who are reincarnations of superior Bodhisattvas, Bodhisattvas on the paths of accumulation and preparation, as well as masters who are evidently yet to enter these Bodhisattva paths. Therefore, the title of Tulku is given to reincarnate Lamas either on the grounds of their resembling enlightened beings or through their connection to certain qualities of enlightened beings.

As Jamyang Khyentse Wangpo said:

"Reincarnation is what happens when someone takes rebirth after the predecessor's passing away; emanation is when manifestations take place without the source's passing away."

Recognition of Reincarnations

The practice of recognizing who is who by identifying someone's previous life occurred even when Shakyamuni Buddha himself was alive. Many accounts are found in the four Agama Sections of the Vinaya Pitaka, the Jataka Stories, the Sutra of the Wise and Foolish, the Sutra of One Hundred Karmas and so on, in which the Tathagata revealed the workings of karma, recounting innumerable stories about how the effects of certain karmas created in a past life are experienced by a person in his or her present life. Also, in the life stories of Indian masters, who lived after the Buddha, many reveal their previous places of birth. There are many such stories, but the system of recognizing and numbering their reincarnations did not occur in India.

The system of recognizing reincarnations in Tibet

Past and future lives were asserted in the indigenous Tibetan Bon tradition before the arrival of Buddhism. And since the spread of Buddhism in Tibet, virtually all Tibetans have believed in past and future lives. Investigating the reincarnations of many spiritual masters who upheld the Dharma, as well as the custom of praying devotedly to them, flourished everywhere in Tibet. Many authentic scriptures, indigenous Tibetan books such as the Mani Kabum and the Fivefold Kathang Teachings and others like the The Books of Kadam Disciples and the Jewel Garland: Responses to Queries, which were recounted by the glorious, incomparable Indian master Dipankara Atisha in the 11th century in Tibet, tell stories of the reincarnations of Arya Avalokiteshvara, the Bodhisattva of compassion. However, the present tradition of formally recognizing the reincarnations of masters first began in the early 13th century with the recognition of Karmapa Pagshi as the reincarnation of Karmapa Dusum Khyenpa by his disciples in accordance with his prediction. Since then, there have been seventeen Karmapa incarnations over more than nine hundred years. Similarly, since the recognition of Kunga Sangmo as the reincarnation of Khandro Choekyi Dronme in the 15th century

there have been more than ten incarnations of Samding Dorje Phagmo. So, among the Tulkus recognized in Tibet there are monastics and lay tantric practitioners, male and female. This system of recognizing the reincarnations gradually spread to other Tibetan Buddhist traditions, and Bon, in Tibet. Today, there are recognized Tulkus in all the Tibetan Buddhist traditions, the Sakya, Geluk, Kagyu and Nyingma, as well as Jonang and Bodong, who serve the Dharma. It is also evident that amongst these Tulkus some are a disgrace.

The omniscient Gedun Drub, who was a direct disciple of Je Tsongkhapa, founded Tashi Lhunpo Monastery in Tsang and took care of his students. He passed away in 1474 at the age of 84. Although initially no efforts were made to identify his reincarnation, people were obliged to recognize a child named Sangye Chophel, who had been born in Tanak, Tsang (1476), because of what he had to say about his amazing and flawless recollections of his past life. Since then, a tradition began of searching for and recognizing the successive reincarnations of the Dalai Lamas by the Gaden Phodrang Labrang and later the Gaden Phodrang Government.

The ways of recognizing reincarnations

After the system of recognizing Tulkus came into being, various procedures for going about it began to develop and grow. Among these some of the most important involve the predecessor's predictive letter and other instructions and indications that might occur; the reincarnation's reliably recounting his previous life and speaking about it; identifying possessions belonging to the predecessor and recognizing people who had been close to him. Apart from these, additional methods include asking reliable spiritual masters for their divination as well as seeking the predictions of mundane oracles, who appear through mediums in trance, and observing the visions that manifest in sacred lakes of protectors like Lhamoi Latso, a sacred lake south of Lhasa.

When there happens to be more than one prospective candidate for recognition as a Tulku, and it becomes difficult to decide, there is a practice of making the final decision by divination employing the dough-ball method (zen tak) before a sacred image while calling upon the power of truth.

Emanation before the passing away of the predecessor (ma-dhey tulku)

Usually a reincarnation has to be someone's taking rebirth as a human being after previously passing away. Ordinary sentient beings generally cannot manifest an emanation before death (ma-dhey tulku), but superior Bodhisattvas, who can manifest themselves in hundreds or thousands of bodies simultaneously, can manifest an emanation before death. Within the Tibetan system of recognizing Tulkus there are emanations who belong to the same mind-stream as the predecessor, emanations who are connected to others through the power of karma and prayers, and emanations who come as a result of blessings and appointment.

The main purpose of the appearance of a reincarnation is to continue the predecessor's unfinished work to serve Dharma and beings. In the case of a Lama who is an ordinary being, instead of having a reincarnation belonging to the same mind-stream, someone else with connections to that Lama through pure karma and prayers may be recognized as his or her emanation. Alternatively it is possible for the Lama to appoint a successor who is either his disciple or someone young who is to be recognized as his emanation.

Since these options are possible in the case of an ordinary being, an emanation before death that is not of the same mind-stream is feasible. In some cases one high Lama may have several reincarnations simultaneously, such as incarnations of body, speech and mind and so on. In recent times, there have been well-known emanations before death such as Dudjom Jigdral Yeshe Dorje and Chogye Trichen Ngawang Khyenrab.

Using the Golden Urn

As the degenerate age gets worse, and as more reincarnations of high Lamas are being recognized, some of them for political motives, increasing numbers have been recognized through inappropriate and questionable means, as a result of which huge damage has been done to the Dharma.

During the conflict between Tibet and the Gurkhas (1791-93) the Tibetan Government had to call on Manchu military support. Consequently the Gurkha military was expelled from Tibet, but afterwards Manchu officials made a 29-point proposal on the pretext of making the Tibetan Government's administration more efficient. This proposal included the suggestion of picking lots from a Golden Urn to decide on the recognition of the reincarnations of the Dalai Lamas, Panchen Lamas and Hutuktus, a Mongolian title given to high Lamas. Therefore, this procedure was followed in the case of recognizing some reincarnations of the Dalai Lama, Panchen Lama and other high Lamas. The ritual to be followed was written by the Eighth Dalai Lama Jampel Gyatso. Even after such a system had been introduced, this procedure was dispensed with for the Ninth, Thirteenth and myself, the Fourteenth Dalai Lama.

Even in the case of the Tenth Dalai Lama, the authentic reincarnation had already been found and in reality this procedure was not followed, but in order to humour the Manchus it was merely announced that this procedure had been observed.

The Golden Urn system was actually used only in the cases of the Eleventh and Twelfth Dalai Lamas. However, the Twelfth Dalai Lama had already been recognized before the procedure was employed. Therefore, there has only been one occasion when a Dalai Lama was recognized by using this method. Likewise, among the reincarnations of the Panchen Lama, apart from the Eighth and the Ninth, there have been no instances of this method being employed. This system was imposed by the Manchus, but Tibetans had no faith in it because it lacked any spiritual quality. However, if it were to be used honestly, it seems that we could consider it as similar to the manner of divination employing the dough-ball method (zen tak).

In 1880, during the recognition of the Thirteenth Dalai Lama as the reincarnation of the Twelfth, traces of the Priest-Patron relationship between Tibet and the Manchus still existed. He was recognized as the unmistaken reincarnation by the Eighth Panchen Lama, the predictions of the Nechung and Samye oracles and by observing visions that appeared in Lhamoi Latso, therefore the Golden Urn procedure was not followed. This can be clearly understood from the Thirteenth Dalai Lama's final testament of the Water-Monkey Year (1933) in which he states:

"As you all know, I was selected not in the customary way of picking lots from the golden urn, but my selection was foretold and divined. In accordance with these divinations and prophecies I was recognized as the reincarnation of the Dalai Lama and enthroned."

When I was recognized as the Fourteenth incarnation of the Dalai Lama in 1939, the Priest-Patron relationship between Tibet and China had already come to an end. Therefore, there was no question of any need to confirm the reincarnation by employing the Golden Urn. It is well-known that the then Regent of Tibet and the Tibetan National Assembly had followed the procedure for recognizing the Dalai Lama's reincarnation taking account of the predictions of high Lamas, oracles and the visions seen in Lhamoi Latso; the Chinese had no involvement in it whatever. Nevertheless, some concerned officials of the Guomintang later cunningly spread lies in the newspapers claiming that they had agreed to forego the use of the Golden Urn and that Wu Chung-tsin presided over my enthronement, and so on. This lie was exposed by Ngabo Ngawang Jigme, the Vice-Chairman of the Standing Committee of the National People's Congress, who the People's Republic of China considered to be a most progressive person, at the Second Session of the Fifth People's Congress of the Tibet Autonomous Region (31st July 1989). This is clear, when, at the end of his speech, in which he gave a detailed explanation of events and presented documentary evidence, he demanded:

"What need is there for the Communist Party to follow suit and continue the lies of the Guomintang?"

Deceptive strategy and false hopes

In the recent past, there have been cases of irresponsible managers of wealthy Lama-estates who indulged in improper methods to recognize reincarnations, which have undermined the Dharma, the monastic community and our society. Moreover, since the Manchu era Chinese political authorities repeatedly engaged in various deceitful means using Buddhism, Buddhist masters and Tulkus as tools to fulfil their political ends as they involved themselves in Tibetan and Mongolian affairs. Today, the authoritarian rulers of the People's Republic of China, who as communists reject religion, but still involve themselves in religious affairs, have imposed a so-called re-education campaign and declared the so-called Order No. Five, concerning the control and recognition of reincarnations, which came into force on 1st September 2007. This is outrageous and disgraceful. The enforcement of various inappropriate methods for recognizing reincarnations to eradicate our unique Tibetan cultural traditions is doing damage that will be difficult to repair.

Moreover, they say they are waiting for my death and will recognize a Fifteenth Dalai Lama of their choice. It is clear from their recent rules and regulations and subsequent declarations that they have a detailed strategy to deceive Tibetans, followers of the Tibetan Buddhist tradition and the world community. Therefore, as I have a responsibility to protect the Dharma and sentient beings and counter such detrimental schemes, I make the following declaration.

The next incarnation of the Dalai Lama

As I mentioned earlier, reincarnation is a phenomenon which should take place either through the voluntary choice of the concerned person or at least on the strength of his or her karma, merit and prayers. Therefore, the person who reincarnates has sole legitimate authority over where and how he or she takes rebirth and how that reincarnation is to be recognized. It is a reality that no one else can force the person concerned, or manipulate him or her. It is particularly inappropriate for Chinese communists, who explicitly reject even the idea of past and future lives, let alone the

concept of reincarnate Tulkus, to meddle in the system of reincarnation and especially the reincarnations of the Dalai Lamas and Panchen Lamas. Such brazen meddling contradicts their own political ideology and reveals their double standards. Should this situation continue in the future, it will be impossible for Tibetans and those who follow the Tibetan Buddhist tradition to acknowledge or accept it.

When I am about ninety I will consult the high Lamas of the Tibetan Buddhist traditions, the Tibetan public, and other concerned people who follow Tibetan Buddhism, and re-evaluate whether the institution of the Dalai Lama should continue or not. On that basis we will take a decision. If it is decided that the reincarnation of the Dalai Lama should continue and there is a need for the Fifteenth Dalai Lama to be recognized, responsibility for doing so will primarily rest on the concerned officers of the Dalai Lama's Gaden Phodrang Trust. They should consult the various heads of the Tibetan Buddhist traditions and the reliable oath-bound Dharma Protectors who are linked inseparably to the lineage of the Dalai Lamas. They should seek advice and direction from these concerned beings and carry out the procedures of search and recognition in accordance with past tradition. I shall leave clear written instructions about this. Bear in mind that, apart from the reincarnation recognized through such legitimate methods, no recognition or acceptance should be given to a candidate chosen for political ends by anyone, including those in the People's Republic of China.

The Dalai Lama
Dharamsala

(Translated from the Tibetan)

LETTER TO SECRETARIES POMPEO AND MUNCHIN REGARDING THE ADMINISTRATION'S POLICY ON SANCTIONS ON THE PERPETRATORS OF ATROCITIES AGAINST THE ROHINGYA PEOPLE

United States Senate
WASHINGTON, DC 20510

March 19, 2019

The Honorable Michael R. Pompeo
Secretary of State
United States Department of State
2201 C Street, N.W.
Washington, DC 20520

The Honorable Steven Mnuchin
Secretary of the Treasury
United States Department of the Treasury
1500 Pennsylvania Ave N.W.
Washington, DC 20220

Dear Secretary Pompeo and Secretary Mnuchin,

We are writing to request clarification of the administration's policy on sanctioning the perpetrators of horrific atrocities committed against the Rohingya people.

The United Nations Fact Finding Mission, the U.S. government, and several non-governmental organizations have documented the killing of an estimated 6,000 to 43,000 Rohingya, and the displacement of 727,000 to neighboring Bangladesh, as well as cases of summary executions, mass rapes, and burnings of villages — all directed primarily by military units deployed to Rakhine State. The Department of State's own extensive report on the subject found that "fully one fifth" of Rohingya refugees interviewed by the Department had witnessed "a mass-casualty event of killings or injuries . . . with more than 100 victims," and that 82 percent had witnessed a killing, more than 50 percent had witnessed sexual violence, and 45 percent had witnessed a rape.[1]

Despite broad agreement on the horrific nature of these attacks and the need for a solution that supports the rights of the Rohingya, there have been no credible signs of progress. In fact, during an October 25, 2018 briefing to the Security Council, the chair of the United Nations Independent Fact-Finding Mission reported that "atrocities continue to take place today."[2] He specifically pointed to the presence of more than 240,000 Rohingya in northern Rakhine state who remain at "grave risk," and the likelihood that Rohingya returning to Rakhine from Bangladesh would continue to be "condemned to life as sub-humans and further mass killings."[3]

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[1] US Department of State, *Documentation of Atrocities in Northern Rakhine State* (Sept. 24, 2018), https://www.state.gov/j/drl/rls/286063.htm.
[2] Farnaz Fassihi, *Genocide Continues in Myanmar, Says U.N. Investigator*, Wall Street Journal (Oct. 24, 2018), https://www.wsj.com/articles/u-n-investigator-says-genocide-continues-in-myanmar-1540427100.
[3] *Id.*

The December 2018 threat by the governments of Burma and Bangladesh to involuntarily repatriate hundreds of Rohingya, despite warnings by the international community, underscores this risk.[4]

Further action is needed. According to the United Nations Independent Fact-Finding Mission, "targeted individual sanctions, including travel bans and asset freezes, could support a reduction in violations of international law, particularly acts amounting to gross human rights violations and serious crimes under international law."[5] The Fact-Finding Mission emphasized that those steps would "send a strong message to Myanmar officials who appear most responsible for the violations and crimes."[6]

In response to the atrocities, the Trump administration sanctioned five Burmese military officers and two units.[7] While a welcome development, it was insufficient.

We agree with the United Nations, human rights organizations, and members of Burmese civil society who have urged the imposition of strong sanctions against four senior Burmese military officials identified as complicit in orchestrating the human rights violations and who have not been subject to sanctions:

1. Tatmadaw Commander-in-Chief, Senior-General Min Aung Hlaing
2. Deputy Commander-in-Chief, Vice Senior-General Soe Win
3. Commander, 33rd Light Infantry Division, Brigadier-General Aung Aung[8]
4. Commander, 99th Light Infantry Division, Brigadier-General Than Oo.[9]

The Trump administration has taken no action against these senior officials even though sanctions designations would send a strong message that the United States supports accountability for those perpetrating well-documented human rights abuses against the Rohingya and other ethnic minorities. Additionally, while not the goal of sanctions, some individuals who have in the past been sanctioned by the Unites States the European Union, Australia, and/or Canada have subsequently retired from the Burmese military.

Press reports from last year suggested that Treasury officials disagreed with State officials on the value of imposing sanctions on Burmese authorities, given the lack of U.S. assets held by these officials.[10] We believe that it is important for the United States to signal its intolerance for behavior that contravenes fundamental human rights. In particular, the designation of Min Aung

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[4] *Rohingya refugees in Bangladesh refuse to go back to Myanmar*, The Economist (Nov. 22, 2018), https://www.economist.com/asia/2018/11/24/rohingya-refugees-in-bangladesh-refuse-to-go-back-to-myanmar.
[5] United Nations Human Rights Council, *Myanmar: UN Fact-Finding Mission releases its full account of massive violations by military in Rakhine, Kachin and Shan States* (Sept. 18, 2018).
[6] *Id.*
[7] U.S. Department of the Treasury, Treasury Sanctions Commanders and Units of the Burmese Security Forces for Serious Human Rights Abuses (Aug. 17, 2018), https://home.treasury.gov/news/press-releases/sm460.
[8] While the U.S. has sanctioned the division, organizations have recommended a specific designation on the commander.
[9] While the U.S. has sanctioned the division, organizations have recommended a specific designation on the commander.
[10] Nahal Toosi, *Trump officials split over punishing Myanmar over atrocities*, Politico (July 31, 2018), https://www.politico.com/story/2018/07/31/myanmar-rohingya-white-house-trump-officials-752730.

Hlaing under the Global Magnitsky program would carry special significance given his role as the head of the Burmese armed forces. The body of evidence establishing Min Aung Hlaing's complicity in the human rights abuses against the Rohingya plainly warrants designations under both the Global Magnitsky Act and President Trump's sanctions order.

To better understand the administration's plans to address the August 2017 violence and other human rights abuses of the Rohingya, we respectfully request a written response to the following questions no later than April 5, 2019:

1) Has the administration considered sanctioning Senior-General Min Aung Hlaing and Vice Senior-General Soe Win? If not, why not?
2) Do current designations on the 33rd and 99th Light Infantry Battalions apply to the commanders and senior officers of those battalions?
    a. If yes, how likely is it that financial institutions and other entities worldwide that screen against the Specially Designated Nationals and Blocked Persons (SDN) List will identify commanders, given that only unit names are explicitly listed and the Office of Foreign Assets Control (OFAC) has issued no clear guidance on implementation?
3) Does the administration believe there is value in sanctions designations even if Burmese human rights violators lack assets in the United States and rarely travel here?
    a. If no, how is this situation different from the October 13, 2017 designation under Executive Order 13224 of the Islamic Revolutionary Guard Corps (IRGC) despite the IRGC's prior designation under Executive Orders 13382, 13553, and 13606? (Given that it had already been sanctioned, the IRGC was unlikely to have had assets or counterparties inside the United States.)
4) Does the administration believe additional designations would send the right message regarding the U.S. commitment to holding accountable the perpetrators of gross human rights abuses?
    a. If no, has the administration engaged with human rights groups to better understand the practical effects of Global Magnitsky designations
    b. If yes, which individuals are being considered for designation, and what is delaying their designation?
5) Has the United States determined the location of the financial assets or common counterparties of the individuals specifically listed above and of the other Burmese officials already designated by the European Union, but not yet designated by the United States?
    a. If not, why not?
    b. If yes, is the United States engaging with the countries associated with these individuals' assets or counterparties to encourage sanctions measures including the freezing of assets?
6) Does the United States plan to sanction individuals or entities who are sanctioned by the European Union, Australia, or Canada?

7) Some have suggested that insufficient State Department resources are an obstacle to implementing new Global Magnitsky Act sanctions. Is this true?
    a. If so, we request a briefing from Secretary Mnuchin to identify the budgetary increase Treasury's Global Magnitsky program needs in order to meet U.S. human rights priorities in Burma.

Thank you for your attention to this matter. Should you have any questions about this request please contact Satrajit Sardar of Senator Markey's staff at 202-224-2742.

Sincerely,

Edward J. Markey
United States Senator

Todd Young
United States Senator

Jeffrey A. Merkley
United States Senator

Richard J. Durbin
United States Senator

American Jewish World Service Statement on the Genocide of the Rohingya

American Jewish World Service Statement on the Genocide of the Rohingya

The American Jewish community stands boldly against the genocide of the Rohingya people and the persecution of all ethnic minorities in Burma.

December 12, 2018

Inspired by the Jewish commitment to justice, American Jewish World Service (AJWS) works to realize human rights in 19 countries in Africa, Asia, the Caribbean and Latin America, including Burma (Myanmar), where we have been working in close partnership with human rights defenders from ethnic minority communities for over 15 years. As Jews, Americans, and global citizens, we cannot remain silent while acts of brutality continue against the Rohingya people and other ethnic minorities. To respond to the magnitude of this genocide, we call upon the U.S. government to lead in bringing justice to the Rohingya people.

The Rohingya people are facing a genocide. A long-persecuted ethnic minority, Burmese military forces escalated a coordinated campaign against the Rohingya people on August 25, 2017. Soldiers, along with Burmese civilians, burned Rohingya villages to the ground and indiscriminately massacred Rohingya men, women and children. More than 720,000 people have been forced to flee by foot and boats from their burned villages to refugee camps in Bangladesh. Credible reports by the United Nations and international non-governmental organizations (NGOs) now say sufficient evidence exists to show that the Burmese military maintained a clear intent to destroy, in whole or in part, the Rohingya people – the legal hallmarks of the crime of genocide. **And persecution of other ethnic minorities in Burma by the Burmese military constitutes crimes against humanity and war crimes – among the most serious crimes known to humankind, putting countless lives among Burmese ethnic minorities at risk.**

We believe that only in a democratic and pluralistic Burma will the Rohingya people – and all ethnic minorities – be able to realize their full human rights and be treated with dignity. To achieve this goal, AJWS provides direct financial support to more than 37 human rights organizations that have been working to advance the rights of minority ethnic groups in Burma (learn more here). Moreover, there is a continued need for justice for the atrocities occurring in Burma.

"At last, there is a growing acceptance of the fact that the Burmese military committed genocide on the Rohingya people—the deliberate and intentional destruction of their community based on their ethnicity and religion. AJWS calls on the U.S. Congress and the administration to follow suit and hold the Burmese regime accountable for killings, sexual violence, displacement and torture. The U.S. government must act to help the hundreds of thousands of suffering, displaced Rohingya people," says Robert Bank, President and CEO of AJWS.

The lack of unified US government leadership to halt a genocide has been disappointing. In 2018, legislation that aimed to sanction the military perpetrating this violence, provide more funding for the

humanitarian crisis and start the process of accountability and justice for the Rohingya people and other minorities, stalled in the Senate, despite overwhelming support in both chambers of Congress. A US State Department report released in August found compelling evidence of the atrocities, although it came short of making a legal determination of crimes against humanity or genocide.

But the work of countless human rights defenders and advocates is beginning to bear fruit, resulting in momentum for justice. In August 2018, a robust and sobering UN Fact Finding Mission to Burma found conclusive evidence of the gravity of the Burmese military's campaign against the Rohingya. Mission Chair, Marzuki Darusman, wrote, "What we have found are not only the most serious human rights violations, but crimes of the highest order under international law."

Further documentation has only corroborated this statement. In December 2018, the Public International Law & Policy Group (PILPG), the non-partisan law firm contracted by the State Department to conduct the extensive investigation and legal analysis of the atrocities, released their own genocide determination. PILPG's exceptionally thorough investigation for the State Department documented the coordinated nature of the Burmese military's brutal attacks. PILPG stated in a press conference that, "It is clear from our intense legal review that there is, in fact, a legal basis to conclude that the Rohingya were the victims of war crimes, crimes against humanity and genocide."

Furthermore, on the same day, the United States Holocaust Memorial Museum boldly stated that there was "compelling evidence that the Burmese military committed ethnic cleansing, crimes against humanity, and genocide against the Rohingya." These statements are based on the irrefutable facts of the magnitude of this humanitarian and political crisis.

These developments prompted a group of committed U.S. Senators to place the *Burma Human Rights and Freedoms Act 2018* – the legislation calling for sanctions, humanitarian aid and justice – back on the table in early December 2018, indicating a commitment to pursue its passage again in 2019.

These recent developments unfolded over Chanukah, the Jewish festival of lights where many Jewish people come together to rededicate themselves to fighting ethnic persecution against any minority. **Throughout Jewish history, we have known what it is like to face exclusion from society, expulsion and genocide**. We are inheritors of a biblical and historical imperative to integrate those who society casts out as strangers and create a just society where all are equal under the law. The persecution, torture, and systemic government-sanctioned brutality against Rohingya people echoes the persecution suffered by Jews throughout history, and AJWS is acting powerfully on our promise that "never again" means no genocide ever again against *any* people.

AJWS is proud to stand in solidarity with the growing number of organizations and individuals who bear witness to this genocide and other serious crimes and demand US leadership in response. These developments are important steps towards justice and dignity for the victims of the Rohingya genocide as well as other ethnic minorities, alongside the many Rohingya refugees who struggle to meet their basic needs and are uncertain about their futures.

Therefore, AJWS calls on the United States Congress to show leadership by passing **the *Burma Human Rights and Freedoms Act* in 2019, which would accomplish three key goals:**

- Imposing targeted sanctions on those in the Burmese military directly responsible for the atrocities committed against the Rohingya people;
- Beginning the process for creating justice and accountability mechanisms for perpetrators of these crimes; and
- Increasing humanitarian aid to Rohingya refugees in Bangladesh.

AJWS will continue be at the forefront of this fight, and along with **our Jewish partners, has come together to build a unified American Jewish response to the Rohingya crisis.** We are proud to be a leader of the Jewish Rohingya Justice Network (JRJN), a powerful coalition of American Jewish NGOs representing the majority of American Jews through our members and allies, including representation from three branches of Judaism and organizational members from each denomination. Our history as Jews compels us to speak out loudly for the rights and safety of the Rohingya people and other ethnic minorities who suffer discrimination and violence.

We are heartened by the strong statements recognizing the international crimes that the Rohingya and other ethnic minorities in Burma face. **We call on the U.S. Government to demonstrate leadership in providing justice for the Rohingya genocide and for the massive crimes against other ethnic minorities in Burma.**

About American Jewish World Service (AJWS)

American Jewish World Service (AJWS) is the leading Jewish organization working to pursue justice and fight poverty in the developing world. By supporting hundreds of social change organizations in 19 countries, we respond to the most pressing issues of our time—from disasters, genocide and hunger to the persecution of women and minorities worldwide. With Jewish values and a global reach, AJWS is making a difference in millions of lives and bringing a more just and equitable world closer for all. Learn more at www.ajws.org.

About American Jewish World Service's work in Burma

For more than 15 years, AJWS has supported the human rights of ethnic minorities in Burma, including the Rohingya people. AJWS provides direct financial support to more than 30 human rights organizations in Burma that have been working to advance the rights of minority ethnic groups and to create a truly pluralistic and democratic society. Please read more about our work in Burma here.

JEWISH ROHINGYA JUSTICE NETWORK STATEMENT
ON THE GENOCIDE OF THE ROHINGYA

Jewish Rohingya Justice Network Statement on the Genocide of the Rohingya

The American Jewish community stands united against the genocide of the Rohingya people and the persecution of all ethnic minorities in Burma.

February 26, 2019

Inspired by the Jewish commitment to justice, the Jewish Rohingya Justice Network (JRJN)* works to promote a robust U.S. and international response to the Rohingya genocide. Convened by American Jewish World Service (AJWS), we are the coalition of 19 American Jewish organizations that together encompass the support of millions of American Jews, including all four major branches of American Judaism. Together, we are committed to ending the atrocities against the Rohingya people.

"Today, we stand up as Jews and Americans against the ongoing genocide of the Rohingya people by the Burmese military, as we believe deeply from our own historical experience and understand from our ethical values that we cannot remain silent when any people is on the brink of destruction simply because of race, ethnicity or religion. American Jewish World Service, which provides direct support to the Rohingya and other oppressed ethnic minorities and human rights activists in Burma, is proud to join with the millions of Jews represented by the Jewish Rohingya Justice Network to demand that the killing cease and that justice is pursued," said Robert Bank, President and CEO of American Jewish World Service.

"The American Jewish community is united in the belief that the atrocities being perpetrated against the Rohingya people constitute a genocide—the deliberate and intentional destruction of a community based on ethnicity and religion," said David Bernstein, CEO of the Jewish Council for Public Affairs and a member of the Jewish Rohingya Justice Network. "Recently, JCPA's members, which include the four denominations, unanimously voted to adopt a resolution expressing this belief and calling on the United States government and the international community to take immediate action."

The Jewish Rohingya Justice Network recognizes that the Rohingya people are facing a genocide. "The Myanmar [Burmese] military has been slowly erasing the Rohingya for quite some time, fanning the flames of hate and dehumanization," said Ann Strimov Durbin, director of advocacy and grantmaking at JRJN member Jewish World Watch. Burmese military forces escalated their coordinated campaign against the Rohingya people on August 25, 2017. Soldiers, along with Burmese civilians, burned Rohingya villages to the ground and indiscriminately massacred Rohingya men, women and children. More than 720,000 people were forced to flee to refugee camps in Bangladesh.

"We will not stand idly by while this calculated destruction of human beings continues apace. We are committed to calling this act of genocide by its name, and to taking action before it's too late," expressed Rabbi Jay Kornsgold, chair of the Rabbinical Assembly Social Justice Commission. Naomi Steinberg, Vice President for Policy and Advocacy at HIAS, said, "In the face of another genocide that aimed to rid a country of an entire ethnic and religious group, we must let our elected officials know where we stand. HIAS wants the U.S. to take a leadership role to help ensure that the rights of Rohingya refugees, and those still in Rakhine State, are respected."

Credible reports from the UN Fact Finding Mission, the Public International Law & Policy Group (PILPG), **and** The US Holocaust Memorial Museum, **now say sufficient evidence exists that the Burmese military maintained a clear intent to destroy, in whole or in part, the Rohingya people – the legal hallmarks of the crime of genocide.** The United States Holocaust Memorial Museum confirmed "compelling evidence that the Burmese military committed ethnic cleansing, crimes against humanity, and genocide against the Rohingya." These statements are based on irrefutable facts.

"In the Talmud, our sages teach that if we can speak out against injustice but choose not to, we become complicit in said injustices. Our history as the Jewish people has shown us the grave consequences when people fail to act in the face of genocide. Now, as we witness the genocide of the Rohingya people, we call upon the United States government to hold those responsible accountable and work toward ensuring the complete restoration of human rights for the Rohingya community," said Rabbi Jonah Dov Pesner, director of the Religious Action Center of Reform Judaism.

Throughout Jewish history, we have known what it is like to face genocide, expulsion, and exclusion from society. The persecution and government-sanctioned brutality against Rohingya people echoes the persecution suffered by Jews throughout history. The JRJN is acting powerfully on our promise that "never again" means no genocide ever again against any people.

The Jewish community calls upon the U.S. government to respond to the magnitude of this genocide by leading in bringing justice for the Rohingya people. We will continue be at the forefront of this fight, working together to build a unified response to the Rohingya crisis.

The Jewish Rohingya Justice Network is the powerful consortium of Jewish NGOs advocating for the rights of the persecuted Rohingya people of Burma. JRJN's membership includes 19 organizations and all four major branches of American Judaism.

**Members include American Jewish World Service, Jewish Council for Public Affairs, American Jewish Committee, Jewish Community Relations Council of New York, Union for Reform Judaism, HIAS, Anti-Defamation League, Jewish World Watch, JACOB, The Orthodox Union, T'ruah, Reconstructing Judaism, Reconstructionist Rabbinical Association, and the Rabbinical Assembly. Allies include Hebrew College, The New York Board of Rabbis, Uri L'Tzedek, Foundation for Ethnic Understanding, The Shalom Center.*

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ARIA (ASIA REASSURANCE INITIATIVE ACT) IN ACTION, PART 2:
The Benefits of Economic Diplomacy

THURSDAY, MAY 23, 2019

U.S. SENATE,
SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND
INTERNATIONAL CYBERSECURITY POLICY,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:50 a.m. in Room SD-419, Dirksen Senate Office Building, Hon. Cory Gardner, chairman of the subcommittee, presiding.

Present: Senators Gardner [presiding], Young, and Markey.

OPENING STATEMENT OF HON. CORY GARDNER, U.S. SENATOR FROM COLORADO

Senator GARDNER. This hearing will come to order.

Let me first welcome you all to the third hearing of the Senate Foreign Relations Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy in the 116th Congress. Thank you very much for being here today and participating in this hearing.

This hearing will be the second hearing in a three-part series to examine the implementation of the Asia Reassurance Initiative Act, or ARIA, which Senator Markey and I led in the 115th Congress and which was signed into law on December 31st, 2018. Today's hearing is focused on trade and economic issues, an essential component of ARIA and an urgent priority for U.S. policy in the Indo-Pacific region.

As stated in section 301 of ARIA, trade between the United States and the nations in the Indo-Pacific region is vitally important to the United States economy, the United States exports, jobs in the United States. As cited in that section, by 2030 it is estimated that 66 percent of the global middle class population will be living in Asia and 59 percent of middle class consumption will take place in Asia.

The United States simply cannot miss the opportunity to be a key player in these markets. The future success of our economy depends on the Indo-Pacific that is free and open to American goods and services and, perhaps more importantly, to American standards of transparency, accountability, and the rule of law.

This is why, as part of ARIA, Congress has officially endorsed multilateral, bilateral, or regional trade agreements between the

United States and nations of the Indo-Pacific, as well as the negotiation of a comprehensive economic engagement framework with the Association of Southeast Asian Nations.

We also specifically authorized funds for the administration to produce a robust comprehensive trade capacity building and trade facilitation strategy in the Indo-Pacific and to produce an Indo-Pacific energy strategy that will help to provide access to sufficient, reliable, and affordable power in order to reduce poverty, drive economic growth and job creation, and to increase energy security in the Indo-Pacific region.

What also makes today's hearing unique is that we have witnesses from outside the D.C. beltway to help members provide firsthand experience on how to trade with the nations of the Indo-Pacific and how trade with the Indo-Pacific impacts the livelihoods of American farmers and ranchers and what they would like to see from Washington to help them succeed.

So I would like to thank all of our witnesses for being here today and look forward to hearing their recommendations on how the United States can better prioritize trade and economic tools in the Indo-Pacific region to benefit American companies, exporters, and workers.

And with that, I will turn it over to Senator Markey.

OPENING STATEMENT OF HON. EDWARD J. MARKEY, U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Thank you so much, Mr. Chairman. And thank you once again for this comprehensive set of hearings, which we have been conducting.

Mr. Chairman, we were able to accomplish a great deal last year when the Gardner-Markey Asia Reassurance Initiative Act, or ARIA, became law. It was a statement of American commitment to our friends and partners throughout the Indo-Pacific. But it was also a statement about the incredible growth and dynamism of the region. It recognized that approximately half of the world's population lives in the Indo-Pacific. That is the fastest growing economic region of the world, with a GDP growth rate of more than 5 percent. An estimated 60 percent of global maritime trade traverses the sea lanes of the South China Sea. 60 percent. And it recognized that promoting U.S. economic interests in the Indo-Pacific is a critical component of American foreign policy.

So I am pleased that this hearing provides an opportunity to discuss some of the most pressing economic issues that the United States faces as it engages in the region.

First, as a region, the Indo-Pacific is America's largest trading partner with nearly $1.8 trillion in total trade per year. Of American goods and services exports, 30 percent go to that region, and 3 million U.S. jobs are supported by exports to and investments in the Indo-Pacific.

Although American companies have a wide array of goods and services that can competitively meet the needs of the people throughout the region, I would like to draw attention to one area where there are particular opportunities: renewable energy.

Right now, Asia is building more new coal power plants than any other region, even though overall coal plant construction is falling

globally. The Chinese Government's Belt and Road Initiative, a conglomeration of various infrastructure development projects around the world, is a major contributor. According to the Natural Resources Defense Council, Chinese financial institutions are the world's largest investors of overseas coal plants, providing $15 billion through international development funds in coal projects from 2013 to 2016, with an additional $13 billion in proposed funding. The combination of the supply with the demand from the region for energy creates a major problem. These and other non-climate friendly BRI projects could put the region on an unsustainable course.

But we are not resigned to this fate. We are at an inflection point, one that presents significant opportunities for us to do the right thing for the planet but also for the American economy.

According to the International Finance Corporation, the Paris Agreement will help to open up nearly $16 trillion in opportunities for climate-smart investments in just four Indo-Pacific countries: China, Indonesia, Vietnam, and the Philippines. Southeast Asia faces a $2.6 trillion energy and infrastructure investment gap through 2040. And more than a quarter of Indonesia's population is not connected to the national grid, leaving approximately 66 million people without access to electricity.

These are opportunities to simultaneously: 1) Reduce poverty and improve people's lives; 2) Implement good energy policy for the benefit of the planet; 3) Maintain America's close economic partnerships with the region; and 4) Create economic growth for American companies.

Right now, according to a Tufts University study, there is, quote, danger of U.S. companies being blocked out of emerging clean energy technology markets.

We require a two-pronged approach to take advantage of the opportunities before us. The U.S. Government must pave the way by setting up fully resourced structures to provide proactive solutions to infrastructure and energy challenges in the Indo-Pacific. Simultaneously, we must address impediments in foreign government policies wherever they exist. From government-encouraged intellectual property theft to the unfair advantages enjoyed by state-owned enterprises, abuses of the global economic system need to stop. We can settle for nothing less than a set of rules that ensures a level playing field for all, giving the opportunity for U.S. companies to continue to be the gold standard for dynamic, effective, and responsible business practices around the world and allowing the ingenuity and productivity of American workers to flourish and prosper.

These challenges are too important and the stakes are too high. The United States simply cannot afford to cede leadership on this to China or any other country.

Thank you, Mr. Chairman, and thank you for this hearing.

Senator GARDNER. Thank you, Senator Markey.

And I know one of our witnesses has to leave a little bit early and catch a plane. So I am going to cut our introductions of the witnesses just a little bit short so we can get to testimony and get to questions as soon as possible.

So I am going to begin this morning's hearing with Mr. Carlyle Currier, Vice President of the Colorado Farm Bureau, active in production agriculture, and appreciate your willingness to be here today.

We are joined as well by Mr. Matthew Goodman, the Senior Vice President for the Center for Strategic and International Studies, as well as Dr. Joanna Lewis, Associate Professor at the Edmund A. Walsh School of Foreign Service, Georgetown University.

So I thank all of you for being here, and we will just cut those introductions a little bit short so we can begin with Mr. Currier's testimony.

STATEMENT OF CARLYLE CURRIER, VICE PRESIDENT, COLORADO FARM BUREAU, CENTENNIAL, COLORADO

Mr. CURRIER. Thank you and good morning, Mr. Chairman and members of the committee. Thank you for the time to speak with you today.

My name is Carlyle Currier. I am a rancher from Molina, Colorado. Ours is a fourth generation mountain ranch and part of it is officially recognized as a Colorado Centennial Farm, being owned and operated by my family for more than 100 years. We run about 500 cows with summer grazing on Grand Mesa National Forest and irrigate about 1,200 acres where we raise alfalfa, grass hay, and small grains.

I serve on a number of boards and committees with many organizations. Currently I am Vice President of the Colorado Farm Bureau. I also serve on the board of directors of the U.S. Meat Export Federation, a past member of the Cattlemen's Beef Board, and serve on numerous water boards, including as chairman of the Colorado Agricultural Water Alliance.

My testimony today will focus on the role of Indo-Pacific markets and the potential positive outcomes of new policies such as the Asia Reassurance Initiative Act that is in front of us today. The act will help increase market access in the Indo-Pacific countries and avoid harmful disputes.

Export markets are critical to American agriculture. American farmers and ranchers exported over $140 billion in products worldwide in 2017. Overall, more than 25 percent of total agricultural production goes to export markets.

In Colorado, as in other States, we rely on trade each day to market the products we work so hard to grow. In fact, about 35 percent of U.S. farm income is derived from selling agricultural products overseas.

Legislation like ARIA is important to building and maintaining long-lasting relationships with our trading partners and helps avoid trade disruptions and disputes.

We are concerned with the blowback from the administration's decision to place tariffs on our trading partners. While some of these barriers have fallen in the past few days, agriculture is still bearing the brunt of retaliation at a time when farmers are already facing low commodity prices, high input costs, and unpredictable weather.

The trade dispute between the U.S. and China is placing tremendous pressure on American agricultural products. While we support

the administration's goals of pushing China to abandon its unfair trading practices, it is difficult for agriculture to bear this burden.

Net farm income has dropped 52 percent in the last 5 years, making it extremely difficult for farmers and ranchers to continue operating. The addition of a trade war comes at a time when we can ill afford it.

But legislation like ARIA can help to ease the burden in the immediate term.

In 2018, ag exports from Colorado to 16 countries in the Indo-Pacific region were in excess of $903 million. Several markets in the region have seen significant expansion in the last couple of years, with overall volume, market share, and value all on the rise.

For instance, total ag exports from Colorado to Indonesia totaled more than $51 million in 2018, and it looks like that trend will continue as exports increased 22 percent between March 2018 and March 2019.

Additionally, Colorado's exports to Thailand increased 53 percent between 2017 and 2018 to more than $30 million.

These numbers show the massive potential for agricultural exports to the region. As incomes rise and consumer tastes changes, legislation like ARIA can provide a solid footing for agriculture to build the necessary relationships and programs to seize the opportunity and grow market share in the region.

Strengthened relationships and increased market access is important to provide needed stability to farm families not only in Colorado but nationwide. Legislation that can strengthen ties in the Indo-Pacific region, improve trading relationships, expand markets and advance economic diplomacy will be a powerful tool to help offset losses associated with the shrinking market access and tariff-related barriers that we are currently experiencing in markets like China.

For all these reasons, I would ask for your support of the Asia Reassurance Initiative Act. This is a tremendous opportunity to advance open and fair agricultural trade and for farm and ranch families like mine now and in the future.

[The prepared statement of Mr. Currier follows:]

PREPARED STATEMENT OF CARLYLE CURRIER

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I serve on a number of boards and committees with many organizations. I'm currently the Vice President of the Colorado Farm Bureau. I am also a member of the U.S. Meat Export Federation's Board of Directors, a past member of the Cattlemen's Beef Board, and numerous water boards including Chair of Colorado Ag Water Alliance.

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The trade dispute between the U.S. and China is placing tremendous pressure on American agriculture producers. While we support the administration's goals of pushing China to abandon its unfair trading practices, it is difficult for agriculture to bear this burden.

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For all these reasons, I would ask for your support of the Asia Reassurance Initiative Act. This is a tremendous opportunity to advance open and fair agricultural trade and for farm and ranch families like mine, now and in the future.

Senator GARDNER. Thank you, Mr. Currier, for coming all the way from Colorado to be here today and for surviving yet another May snowstorm to get through here. Thank you.

Mr. Goodman?

MATTHEW P. GOODMAN, SENIOR VICE PRESIDENT AND SIMON CHAIR IN POLITICAL ECONOMY, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES (CSIS), WASHINGTON, DC

Mr. GOODMAN. Thank you, Mr. Chairman. Thank you, Senator Markey, and thank you for this opportunity to offer my thoughts on the benefits of economic diplomacy in the Indo-Pacific region.

Let me first commend the chairman and other members for their work in passing the ARIA act in the last Congress. The act is pitch-perfect in reassuring skeptics both in the region and here at home about the U.S.'s stake and commitment in the vital Indo-Pacific region.

In my written testimony, I offer more detailed thoughts on why and how the United States should step up its economic diplomacy in the Indo-Pacific. Here I just want to make one broad point and then mention a specific program that highlights what we should be doing more of in the region.

The point I want to stress is that we should be more confident about our position in the Indo-Pacific. Do we have challenges there? Of course. But if the competition in the region is a marathon, we started about 2 miles ahead of the pack. Our security posture in the region, founded on a bedrock of strong alliances, is a source of stability that most countries there highly value. Our economic position is strong. We have the world's largest market and we are growing above potential. We have great companies that offer great products and services and operate according to the rule of law.

The United States has invested in the success of our allies and partners in the region. We offer technical assistance to build capacity in these countries, like the things suggested in ARIA, and help them develop the right way.

And the traditional openness of our society, our great universities, our movies, and other elements of our soft power are huge draws for people in the region.

Is China a growing presence in the region? Yes. Is Beijing offering things Asians want, including a growing consumer market, advanced technologies, and infrastructure? Yes.

Back to my marathon metaphor, do the Chinese cheat by running over the hill from milepost 7 to milepost 17? Yes. Should we try to stop this cheating? Absolutely.

But our main focus should be on running our own race and trying to run faster. We certainly should not tie our shoelaces together by doing unhelpful things like pulling out of the Trans-Pacific Partnership or hitting our allies with tariffs.

But we can sustain our leadership if we do the right things like some of the things mentioned in ARIA. But I would start with showing up, making sure we are in the region and present at all levels, from the President down to junior officials regularly, developing a comprehensive strategy that involves all the main tools of economic policy, especially a credible trade policy, and actively participating in regional institution building, for which there is a big demand in the region.

In my written testimony, I offer a number of recommendations for putting ARIA into action which fall into three broad buckets: credible policies, effective programs, and needed investments in people. I would be happy to elaborate on these ideas in answer to your questions.

But I would like to use my remaining time to focus on one program that highlights the kind of low-cost, high-impact economic diplomacy that can bolster our position in the Indo-Pacific.

Last month, there was an article in the Wall Street Journal about a program administered by USAID that involved dropping teams of American lawyers and economists into Myanmar, Burma, to help local officials ask the right questions when negotiating contracts for infrastructure projects with Chinese entities. According to the article, as a result of this assistance, Myanmar was able to renegotiate the terms of a deep-water port project funded by the Chinese, cutting the scale of the project by billions of dollars and reducing the country's potential debt burden.

The USAID program in Myanmar is the kind of work that would be boosted by the Trump administration's proposed Transaction

Advisory Fund, or TAF, under its Free and Open Indo-Pacific Strategy rolled out last summer. I understand the administration has requested a relatively small amount of money, on the order of $10 million I think, to get the TAF up and running, but that it is stuck in the House. In my view, this program is the kind of creative economic statecraft that is key to U.S. success in the Indo-Pacific. It is not expensive, but it leverages our comparative advantages—and certainly lawyering is a U.S. comparative advantage—to bring something that the countries in the region want, especially where they have real questions about what China is offering.

Again, I go back to my point at the beginning. The United States starts with tremendous advantages in the Indo-Pacific, and we do not need to spend trillions of dollars on grand initiatives with fancy names to sustain our economic leadership there. What we do need is a comprehensive, well-coordinated, nimble economic diplomacy that plays to our strengths.

There is a lot more to say, but I do not want to abuse my time. Thank you, Mr. Chairman.

[The prepared statement of Mr. Goodman follows:]

PREPARED STATEMENT OF MATTHEW P. GOODMAN

INTRODUCTION

Mr. Chairman, Mr. Ranking Member, Members of the Subcommittee, thank you for this chance to offer my thoughts on how the United States can use economic diplomacy as a strategic tool to advance its interests in the vital Indo-Pacific region.

Let me first commend the Chairman and fellow Members for their work in the previous Congress to pass the Asia Reassurance Initiative Act (ARIA; P.L. 115-409). I could not agree more with the core finding of the Act in its preamble: "Without strong leadership from the United States, the international system, fundamentally rooted in the rule of law, may wither, to the detriment of the United States, regional, and global interests. It is imperative that the United States continue to play a leading role in the Indo-Pacific region by defending peace and security, advancing economic prosperity, and promoting respect for human rights."

I am particularly pleased to see economics get equal billing in the Act with security and values as one of three pillars of a successful U.S. strategy in the Indo-Pacific region. International economic policy plays a critical role in shaping both U.S. economic and foreign policy interests. As I have written before,[1] smart economic statecraft is a two-sided coin: on one side, it involves using diplomacy to advance our exports, investment, and other commercial activities that enhance our growth and prosperity; on the other—the more strategic side—it is about using economic tools to shape international rules and norms and promote broader U.S. foreign policy objectives and national security.

Nowhere is it more important that we deploy smart economic statecraft than in the Indo-Pacific region. I will use the rest of my testimony to explain why and how we should do that, but I want to emphasize one key point at the start: in the competition for economic leadership in the Indo-Pacific region, the United States starts with a huge lead. This has been built up over 70 years, not only through massive flows of trade and investment, but also through our demonstrated commitment to allies' and partners' success, our support for the rule of law, and our reputation for reliability. These are advantages we cannot afford to squander and need to work harder to reinforce.

THE INDO-PACIFIC LANDSCAPE

ARIA captures well the economic opportunities and risks in the Indo-Pacific, but I would like to briefly underscore here how dynamic the region is and to highlight some of the key trends there that affect U.S. interests. The Indo-Pacific is home to more than half the world's population and seven of its 16 trillion-dollar economies

[1] Matthew P. Goodman, "Economics as Strategy," Center for Strategic and International Studies, January 26, 2014.

by gross domestic product (GDP).[2] According to the International Monetary Fund (IMF), emerging and developing Asia is the fastest-growing region in the world, with real GDP growth expected to average 6.3 percent in 2019 and 2020.[3] The Indo-Pacific contains 58 percent of the world's youth, positioning it for sustained growth in the coming decade.[4]

Countries in the Indo-Pacific are rapidly connecting to take advantage of this economic dynamism. In 2017, Asian intraregional trade growth accelerated to 7.1 percent from 1.7 percent in 2016, nearly double the pace of global trade growth.[5] While inward foreign direct investment (FDI) from the rest of the world to the region slowed in 2017, investment flows from the rest of Asia grew. As Indo-Pacific capital markets continue to deepen, Asia's financing needs are increasingly met locally, with the intraregional share of cross-border bank claims rising from 18.2 percent in 2012 to 22.6 percent in 2017.[6]

Two evolving regional trade agreements will facilitate this integration: the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the Regional Comprehensive Economic Partnership (RCEP). On December 30, 2018, CPTPP came into force, lowering trade barriers between 11 countries representing 495 million consumers and 13.5 percent of global GDP.[7] Despite U.S. withdrawal from the original TPP agreement on President Trump's third day in office, Japan marshaled the remaining members and preserved many of the high-quality standards in the original text. As CPTPP countries begin to implement their obligations, trade within the bloc has increased, sometimes to the disadvantage of the United States.

Although RCEP negotiations have dragged on through 26 rounds, countries in the agreement have made progress toward integration. For example, on May 2, finance ministers from the Association of Southeast Asian Nations (ASEAN), plus China, Japan, and Korea, agreed to consider the Japanese yen and Chinese yuan for currency swap arrangements in addition to the U.S. dollar.[8] Some RCEP countries have concluded new or revised bilateral trade agreements in the last year, including Indonesia and Australia. All that said, the prospects for concluding RCEP in the short-term remain low, given highly divergent trade and economic policies among its potential signatories (notably India).

Meanwhile, Beijing has launched several ambitious programs to expand its economic influence in the region. Under President Xi Jinping's signature foreign policy effort, the Belt and Road Initiative (BRI), China has invested billions of dollars in Indo-Pacific infrastructure and other forms of connectivity.[9] Despite concerns about corruption and predatory lending, countries in the region remain receptive to Chinese loans to fill infrastructure-financing gaps. China also launched the Asian Infrastructure Investment Bank (AIIB) in 2016 to complement lending efforts by the World Bank and Asian Development Bank (ADB).

Yet at the same time that it pushes out this charm offensive, Beijing has also increasingly turned to economic coercion to achieve its political objectives. In 2016, it effectively shut down South Korean retail and tourism interests in China after Seoul's agreement to deploy a U.S. missile defense system.[10] More recently, it arrested two Canadians after Ottawa took into custody the daughter of the founder of Chinese telecommunications giant Huawei on fraud charges. Beijing's behavior has given the region a stark picture of what a return to a Chinese-led order in the Indo-Pacific might look like.

Other powers are active in the region in more benign ways. Australia and Japan have invested especially heavily in regional economic affairs, while encouraging free and open economic rules. Australian direct investment in East and South Asia nearly quadrupled between 2007 and 2017, and in November last year, Canberra an-

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[2] The White House, "President Trump's Administration is Advancing a Free and Open Indo-Pacific Through Investments and Partnerships in Economics, Security, and Governance," November 18, 2018.

[3] International Monetary Fund, "World Economic Outlook Database," April 2019.

[4] United Nations Economic and Social Council, "8th Economic and Social Council Youth Forum," April 8, 2019.

[5] Asian Development Bank, "Asian Economic Integration Report 2018," October 2018.

[6] *Ibid.*

[7] Matthew P. Goodman, "From TPP to CPTPP," Center for Strategic and International Studies, March 8, 2018.

[8] "Joint Statement of the 22nd ASEAN+3 Finance Ministers' and Central Bank Governors' Meeting," May 2, 2019.

[9] Reconnecting Asia interactive project map and database, Center for Strategic and International Studies.

[10] Bonnie S. Glaser, Daniel G. Sofio, and David A. Parker, "The Good, the THAAD, and the Ugly," Foreign Affairs, March 17, 2017.

nounced a $2 billion Australian Infrastructure Financing Facility for the Pacific.[11] Japan, the second biggest investor in Southeast Asia after the United States, has responded to the BRI with various efforts. In 2015, Japanese Prime Minister Shinzo Abe unveiled the Partnership for Quality Infrastructure, a $110 billion (later increased to $200 billion) collaborative effort with the ADB to finance infrastructure projects.[12] During its current Group of Twenty (G20) host year, Japan hopes to gain wider adoption of its Ise-Shima Principles for Promoting Quality Infrastructure Investment.[13]

U.S. INTERESTS AND POSITION IN THE REGION

The overarching U.S. policy objective in the Indo-Pacific-one that has traditionally enjoyed bipartisan support-is to promote a peaceful, prosperous, and rules-based regional order. Economic engagement in the region serves that goal-and U.S. interests-in several ways. First, open and connected economies promote stability and decrease the likelihood of conflict. Countries that trade together and play by the rules tend not to fight. Second, maintaining a free and open rules-based economic order facilitates two-way trade and investment that supports millions of American jobs. A prosperous Indo-Pacific means billions of middle-class customers for U.S. products, new markets for U.S. services companies, and millions of new tourists visiting the United States. Finally, U.S. engagement is critical because if we do not lead and shape the rules, others will. Beijing seeks to validate its brand of authoritarianism that may deliver economic growth but undermines basic freedoms.

We will not achieve our goals without active engagement in the region. U.S. leadership encourages market-oriented reform and demonstrates to our allies, partners, and potential adversaries our continued commitment to a free, open, and prosperous Indo-Pacific. Our absence or lack of effective engagement has the opposite effect. For example, under U.S. persuasion, Vietnam agreed to unprecedented digital rules as part of TPP, including no data localization requirements. However, after the United States left the agreement, an emboldened Vietnam passed a controversial cybersecurity law modeled after China's restrictive 2016 law that included localization requirements.[14]

As I mentioned earlier, the United States starts with huge advantages in the competition for economic leadership in the region. Our large economy and consumer market are a major attraction for Asian trading partners. U.S. companies offer the region high-quality products and services and the transparent, reliable business practices that come with them. Despite the mythology of BRI, U.S. direct investment in ASEAN between 2010-2017 was twice as large as China's.[15] U.S. portfolio investment in the region, meanwhile, is measured in the trillions of dollars, providing valuable capital to support Asian countries' growth.

For over 70 years, U.S. economic diplomacy has supported these market advantages. Our development assistance has boosted growth, reduced poverty, improved health, built technical capacity, and earned the United States tremendous goodwill in the region. Until recently, we were the undisputed leader in regional trade negotiations, culminating in the TPP agreement signed in 2016. We have also worked to develop mutually beneficial economic rules and norms through regional institutions such as the Asia-Pacific Economic Cooperation forum (APEC).

All of this economic engagement is undergirded by our security presence in the region, as well as by our soft power. Our alliances with Japan, South Korea, Australia, Thailand, and the Philippines, as well as our partnerships with many other countries from Singapore to New Zealand, provide the stability that underpins economic activity in the region. These countries are also vital partners in our efforts to uphold and extend market-based rules and norms. Meanwhile, the traditional openness of our society, our world-leading universities, our movies, and other aspects of our soft power give us a tremendous advantage over regional competitors.

But there is little doubt that the advantages we enjoy in the Indo-Pacific region are being eroded. Partly this is the result of external forces, notably the economic

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[11] Gordon de Brouwer, Matthew P. Goodman et al, "Delivering Prosperity in the Indo-Pacific," Center for Strategic and International Studies, April 2019.

[12] Ministry of Foreign Affairs of Japan, "Announcement of Partnership for Quality Infrastructure: Investment for Asia's Future," ay 21, 2015. Ministry of Economy, Trade, and Industry of Japan, "The Expanded Partnership for Quality Infrastructure," May 23, 2016.

[13] "Japan to propose G-20 aid rules to check China's Belt and Road," Nikkei Asian Review, March 18, 2019.

[14] Murray Hiebert, "Vietnam's New Cyber Law Could Hobble Foreign Investors and Limit Basic Freedoms," Center for Strategic and International Studies, July 2, 2018.

[15] United Nations Conference on Trade and Development, "ASEAN Investment Report 2018," November 2018.

rise of China and Beijing's more assertive policies in the region, mentioned earlier. But much of the fault is our own. The back-to-back blows of the Asian financial crisis of 1997-98 and the global financial crisis of 2008-09 did enormous and lasting damage to the U.S. brand in the region and raised severe doubts about our model of economic governance.[16]

Recent policy mistakes have further undermined our position in the region. The failure of the Obama Administration to win passage of TPP in 2016 and President Trump's ill-considered decision to withdraw from the agreement days after he took office have arguably exacted the single most damaging cost to U.S. economic leadership in the region. Abandoning the main tool of our strategic economic engagement in the region was a severe blow to our credibility and kicked the legs out from under our leadership of regional trade arrangements. Moreover, it left the Trump Administration's ″free and open Indo-Pacific strategy"—a reasonable conceptual framing for a regional strategy-empty of the credible economic content that is crucial to the broader strategy's success.

TOWARD A SMARTER ECONOMIC STATECRAFT

To restore its advantageous position in the Indo-Pacific region, the United States needs a comprehensive economic strategy, involving both defensive and offensive elements. I have written elsewhere about four pillars of a successful strategy,[17] namely:

1. "Protecting the crown jewels,″ that is, securing key technologies and other assets critical to our economic competitiveness and/or national security;
2. Enforcing the rules, including pushing back against countries like China when they violate established rules and norms in trade, finance, or other areas;
3. Deploying a set of positive economic tools that build out existing rules and norms and incentivize the kind of constructive behavior we seek; and
4. Investing in the domestic foundations of our economic strength, from infrastructure to skills to R&D spending.

Critically, across all of these pillars, we need to work closely with allies and partners and to honor the rules ourselves.

Given the focus of this hearing on economic diplomacy, I will spend the rest of my testimony on the third pillar above. In my view, a positive economic statecraft in the Indo-Pacific region involves at least four key elements.

First, we need to show up. It is trite but true to say that, "80 percent of success in Asia is showing up." One advantage the United States does not have in Asia is geographical proximity; we have to earn our position as an engaged participant in regional affairs. Asians measure U.S. commitment to the region by the presence or absence of senior U.S. officials at regional gatherings. This means that presidents need to attend the two annual Asian summits, the APEC Leaders' Meeting and the East Asia Summit (EAS); Cabinet secretaries need to attend meetings of their peers in APEC and other forums; and lower-level American officials need to be a visible presence at other regional gatherings.

Second, U.S. policy in the region needs to credibly speak to all main substantive areas of economic policy, including trade, development, finance, and energy. The biggest gap at present is trade policy. The Trump Administration's bilateral approach to trade negotiations is simply not sufficient to fill the void left by the U.S. withdrawal from TPP. These deals will take too long to negotiate and, even if completed, will not produce the collective benefits of TPP, either commercially or strategically. If we are not going to apply for membership in CPTPP—and in my view, we should—the Administration needs to develop an alternative that tries to come as close as it can to replicating TPP's power in incentivizing others to follow us in building out U.S.-preferred rules and norms in trade in the region.

Nowhere are the stakes higher in rulemaking than in the digital domain. TPP included the first binding rules on digital commerce in a trade agreement, calling for substantially free cross-border flows of data, no data localization requirements, no customs duties on electronic commerce, and other disciplines.[18] These rules were updated and expanded in the U.S.-Mexico-Canada (USMCA) agreement now pending before Congress. With China, Europe, and others pushing out models of digital gov-

[16] Homi Kharas and Johannes F. Linn, "Hypocrisy in Financial Crisis Response: East Asia 1998 versus the USA 2008," Emerging Markets, April 30, 2008.

[17] Matthew P. Goodman and Ely Ratner, "A Better Way to Challenge China on Trade," Foreign Affairs, March 22, 2018.

[18] U.S. Trade Representative, "The Digital 2 Dozen," April 2016.

ernance starkly different from that preferred by the United States, we have a compelling interest in leading rulemaking efforts in this area.

We also need a credible strategy to compete in the historic infrastructure build-out in the Indo-Pacific. The need for infrastructure in the region over the next decade is estimated to be in the tens of trillions of dollars.[19] Despite the noise surrounding BRI, China is not going to fill this need alone-or fill it well. As CSIS argued in a recent report, "The Higher Road,"[20] there is a tremendous opportunity for the United States to compete in the regional infrastructure build-out, if we articulate a strategic vision and draw on our competitive advantages. These include great companies offering high-quality products and services; commitment to the rule of law and to social, environmental, and financial sustainability; and tens of trillions of dollars of private capital-particularly pension and insurance monies-looking for long-term returns.

A third dimension of a successful U.S. economic strategy in the Indo-Pacific is active participation in regional institution-building. Messy and painstaking as it can be, there is a strong demand for such institution-building and U.S. participation in it—provided we are seen as constructive and willing to do things "the Asian way." The economic architecture in the region revolves around APEC. Since we co-founded the forum exactly 30 years ago, it has been an invaluable tool for spreading U.S.-preferred norms on a wide range of issues, from trade liberalization to energy security to women's economic empowerment. There is also a demand for U.S. participation in ASEAN-centered institution-building that Washington should tap into by doubling down on initiatives such as U.S.-ASEAN Connect and the U.S.-ASEAN Smart Cities Partnership.[21]

Fourth, we need to reinforce our regional economic strategy with active engagement on the bilateral and global levels. Bilaterally, we should encourage—and sometimes cajole-allies and partners from Japan to Singapore to support our regional rulemaking and norm-setting initiatives. To win the support of developing countries in the region, we should use a combination of diplomacy and increased development assistance to help these countries build capacity and understand the benefits of our preferred approach. Globally, we should increase financial and policy support for multilateral institutions working in the region, from the IMF to the World Bank, and use the G-20—half of whose members are in the Indo-Pacific—to amplify the economic rules and norms we are working to spread regionally.

RECOMMENDATIONS: PUTTING ARIA INTO ACTION

ARIA covers many of the critical elements of an effective economic strategy in the Indo-Pacific region. Funding the specific programs authorized in the Act would be an excellent starting point to put it into action. Let me offer seven other ideas that build on some of the points in the Act and would support a smarter economic statecraft in the Indo-Pacific, with an accent on the role for Congress.

1. *Develop a credible regional trade strategy:* The single most powerful step the United States could take to bolster its strategic economic position in the Indo-Pacific is to announce its intention to accede to CPTPP. In addition to rectifying the loss of U.S. competitive position in key markets like Japan and Vietnam due to withdrawal from TPP, joining CPTPP would send a strong statement of U.S. commitment to the region-one that China and others could not fail to notice.[22] While no substitute for a regional trade approach, pursuing bilateral deals with important Asian partners not currently in CPTPP such as the Philippines and Taiwan would also be a valuable part of a comprehensive strategy. In addition to its Constitutional authority to direct trade policy, Congress also has an important role to play in investing in the domestic economic foundations I mentioned in my fourth pillar above—infrastructure, education and skills, R&D, etc.—which in my view are essential to win the support of the American people for an active trade policy.

2. *Launch a major digital governance initiative:* As mentioned above, nowhere is there more at stake in Indo-Pacific-indeed, global-economic rulemaking than in

[19] Sungsup Ra and Zhigang Li, "Closing the Financing Gap in Asian Infrastructure," Asian Development Bank, June 2018.

[20] Charlene Barshefsky and Stephen J. Hadley, "The Higher Road: Forging a U.S. Strategy for the Global Infrastructure Challenge," Center for Strategic and International Studies, April 2019.

[21] U.S. Mission to ASEAN, "U.S.-ASEAN Connect." The White House, "Remarks by Vice President Pence at the 6th U.S.-ASEAN Summit," November 14, 2018.

[22] Matthew P. Goodman, "United States and Japan Finally Exorcise Trade Ghosts," Center for Strategic and International Studies, October 5, 2015.

the digital arena. Congressional passage of USMCA and U.S. accession to CPTPP would give major impetus to the U.S.-preferred digital rules contained in both agreements. In parallel with work on those deals, the United States should propose a high-level regional initiative on digital governance that makes the case for the benefit of its approach and seeks to shape regional decisions on critical issues such as an open internet, cross-border data flows, and digital taxation. Endorsement of Japanese Prime Minister Shinzo Abe's proposed concept of "data free flow with trust"[23] would give a useful push to an approach that appears broadly in line with U.S. interests.

3. Articulate and implement a regional infrastructure strategy: Again, there is an active competition in the Indo-Pacific to fill the region's massive infrastructure needs, and the United States needs a strategy and tools to compete in this arena. In our recent report, "The Higher Road," CSIS offers a strategic framework, seven topline recommendations, and a number of specific implementation steps to shape a U.S. global infrastructure strategy.[24] In addition to policy recommendations for the executive branch, such as working to win international agreement on a set of principles for high-quality infrastructure investment, our report includes several proposals requiring Congressional action, e.g.: a. Contributing $200 million from the new U.S. Development Finance Corporation (USDFC) to the Currency Exchange Fund, which helps mitigate foreign exchange risks in infrastructure projects;[25]
   a. Reauthorizing the U.S. Export-Import Bank when its charter expires at the end of September;
   b. Substantially increasing funding for the U.S. Agency for International Development (USAID) and the U.S. Trade and Development Agency (USTDA) to support capacity building and other programs that support quality infrastructure investment;
   c. Expanding the interagency Infrastructure Transaction and Assistance Network (ITAN), including by funding the proposed Transaction Advisory Fund (TAF) to send experts to recipient countries to assist with contract negotiation;[26] and
   d. Contributing to the World Bank's Global Infrastructure Facility (GIF) and other relevant programs at multilateral development banks.
4. *Increase support for regional institutions and initiatives:* As discussed above, Asian countries generally welcome U.S. participation in regional institution-building efforts. With a relatively small investment, the United States can leverage these institutions to spread U.S.-preferred rules and norms. Accordingly, Congress should support increased funding for regional institutions and initiatives that promote our economic and strategic interests. These include APEC, the ADB, U.S.-ASEAN Connect and the U.S.-ASEAN Smart Cities Partnership, and the Lower Mekong Initiative (LMI).
5. *Invest in economic expertise:* To carry out effective economic statecraft, the U.S. Government needs to substantially enhance its staffing, skills, and incentives at relevant agencies. Action is needed at several levels. Congress should move quickly to confirm an administration nominee for Under Secretary of State for Economic Growth, Energy, and the Environment. It should support expansion of the number of Foreign Commercial Service attachés at post (including digital attachés; see "The Higher Road," p.30). Congress should also support increased training and incentives for State Department officers on both sides of the coin of economic statecraft that I mentioned earlier, i.e., commercial diplomacy and strategic use of economic tools to promote U.S. foreign policy objectives.
6. *Deepen educational exchange:* Attracting Asian students to our colleges and universities is one of the most powerful tools of U.S. soft power. In addition to the skills they take back home (or keep here if they are allowed to stay), exposure to our open society and way of life shapes lifelong attitudes-overwhelmingly positive-toward the United States. Expanding scholarships for students from strategically important Asian countries like Indonesia, as well as creating incentives for U.S. colleges and universities to set up branches in Asia, are among the useful programs that Congress might consider supporting. It is also impor-

[23] Shinzo Abe, Remarks at the 2019 World Economic Forum, January 23, 2019.
[24] Charlene Barshefsky and Stephen J. Hadley, "The Higher Road."
[25] "Infrastructure Finance," Currency Exchange Fund,
[26] U.S. International Trade Administration, "The Infrastructure Transaction and Assistance Network," March 2019

tant that visa and deemed-export policies not unduly hinder legitimate foreign students from opportunities to study in the United States.

7. *Work with allies and partners:* It cannot be said often enough that our alliances and partnerships are among the most important advantages the United States has over its competitors in the Indo-Pacific region. We should be seeking more opportunities to cooperate and coordinate regional economic policies with allies and like-minded partners. Over the past six months, CSIS has issued two reports exploring such opportunities with Japan and Australia and offering specific recommendations for joint or complementary action in the region.[27] These cover a wide range of substantive areas of economic policy, including infrastructure, digital governance, finance, and energy.

This is just a sampling of ideas for putting ARIA into action. My CSIS colleagues and I would be happy to work with the Committee to flesh out other ideas as you take this important legislation forward.

Before closing, I would like to briefly mention two areas in which I believe Congress should consider not acting—or pausing to weigh costs and benefits—in the interest of encouraging more effective economic statecraft.

The first is avoiding excessive reporting requirements for State and Commerce officers at post. While understanding Congress' legitimate interest in being informed of developments on the ground in other countries, I believe much of this demand can be met through the plethora of public news and analytical sources available in today's media environment; certainly this is true when it comes to basic economic data and trends in most countries. The time of officers at post would be better spent "doing things"—advocating for U.S. commercial or policy interests—rather than reporting facts and trends readily available elsewhere.

Second, when considering economic sanctions—a legitimate tool of statecraft to shape other countries' behavior where appropriate—Congress should weigh the unintended short- and long-term costs of proposed action. The most obvious of these is the burden on legitimate commerce, which can impede U.S. international competitiveness and ultimately growth. There can also be diplomatic costs for our relations with allies and partners, particularly where secondary sanctions are in play. Potential long-term costs include driving other countries away from the U.S. financial system and ultimately use of the dollar as a reserve currency. These costs may not outweigh the benefits of sanctions in particular cases but should always be considered, in my view.

CONCLUSION

There is a fierce competition for leadership underway in the vital Indo-Pacific region. The stakes for the United States in this competition are enormous, given the opportunities and risks involved in the world's most dynamic region. Fortunately, the United States has been dealt a strong hand and has worked to strengthen it over time. But there is a clear and present risk of complacency or of playing the hand badly. With smart economic statecraft incorporating the ideas I have discussed here, I believe we can maintain our strong position in the Indo-Pacific region and ensure a peaceful, prosperous, and rules-based order there.

Thank you again for the opportunity to offer my views on this important set of issues.

Senator GARDNER. Thank you, Mr. Goodman.

Dr. Lewis?

STATEMENT OF DR. JOANNA LEWIS, ASSOCIATE PROFESSOR, EDMUND A. WALSH SCHOOL OF FOREIGN SERVICE, GEORGETOWN UNIVERSITY, WASHINGTON, DC

Dr. LEWIS. Chairman Gardner, Ranking Member Markey, thank you for the opportunity to discuss economic diplomacy in Asia, particularly as it relates to the opportunities for clean energy.

Developing countries are the engine for growth in energy demand of the 21st century. India, China, and Southeast Asia together ac-

[27] Gordon de Brouwer, Matthew P. Goodman et al, "Delivering Prosperity in the Indo-Pacific." Matthew P. Goodman, Ann Listerud, and Daniel Remler, "The Article II Mandate: Forging a Stronger Economic Alliance between the United States and Japan," Center for Strategic and International Studies, December 2018,

count for 60 percent of the projected future energy demand globally through 2040.

Growing global energy demand will require significant investments in new energy infrastructure, and most of this investment will be in renewable energy. Around $7.8 trillion is projected to be invested in renewable power worldwide through 2040. BP projects two-thirds of new power generation will come from renewables over the next 2 decades.

The directions that Asia's energy growth takes are driven by a variety of national and regional concerns, including economic development and job creation, energy security, electricity access, air quality and public health, and climate change mitigation. Asia's energy future will be both green and brown. Asia will make up half of global growth in natural gas, 60 percent of the rise in wind and solar, more than 80 percent of the increase in oil, and more than 100 percent of the growth in coal and nuclear.

If Asia's growing economies continue to rely on fossil fuels and do not leapfrog to advanced cleaner technologies, emerging Asia will lock in a commitment to future carbon emissions that will crush global climate efforts. As we have been warned by the most recent IPCC report, power generation systems will need to reach net zero carbon emissions around 2050 to stabilize global emissions and avoid the most dangerous climate impacts.

There are two key opportunities to shape Asia's clean energy future: one, by shaping the source and nature of investments in Asia's growing energy infrastructure; and two, by shaping the types of technologies that are deployed.

Currently, the country playing the biggest role in shaping the energy future of its neighbors is China. China has emerged as the largest single provider of overseas infrastructure investment in the world and particularly in Asia. Many of these investments are, indeed, motivated by China's Belt and Road Initiative.

China has been dominating the sales of coal plants abroad. As the largest coal user in the world, China has put in place very stringent environmental regulations to reduce domestic air pollution and has established the world's largest carbon market. As a result, there are reports that as China is shutting down some of their dirtier, less efficient coal plants before the end of their useful life, they are exporting these dismantled plants to countries in Southeast Asia. This goes against the vision for a cleaner energy future that many governments are putting forward. For example, many Asian countries have pledged aggressive renewable energy targets in their Paris Agreement commitments.

In contrast, almost all of the multilateral development banks have been restricting coal plant investments due to environmental concerns.

It is clear from these trends that the source of investment matters in shaping energy technology decisions.

And there are major opportunities to expand U.S. involvement in both technology and investment decisions in emerging Asia. For example, energy storage technologies represent a $620 billion investment opportunity over the next 2 decades.

If China's first major clean energy technology successes were in wind and solar, their next big success is poised to be in energy stor-

age. China has made bold commitments for electric vehicles that are driving its dominance in battery technologies. Its 2018 new energy vehicle mandate includes a target for 4.6 million electric vehicles by 2020 and plans to eventually ban cars with traditional internal combustion engines. This single policy has had ripple effects across the globe. Within 48 hours of China's announcing their target, General Motors and Ford both announced major electric vehicle initiatives.

There has been a lot of attention rightfully placed on intellectual property theft by China. At least one high profile case occurred in the wind power industry. However, research supports the finding that most of the IP that Chinese companies acquired in the clean energy space was obtained legally. Most studies of Chinese wind and solar industries have not found significant obstacles to accessing advanced technologies and intellectual property through licensing, mergers, or research partnerships with foreign firms. The much larger challenge for China has been the development of a healthy innovation system.

The U.S. should not stand by and let China use its state-directed industrial policy to dominate the energy technologies of the future. As one Detroit publication states, ″The U.S. auto industry risks becoming an isolated technical backwater while China surges into the global lead in a technology its government has targeted as a key to leadership for the 21st century.″

The transition to a low carbon economy is already underway, and the U.S. is currently a leader in the development of the next generation of energy technologies. Therefore, it is now time to double down on programs that are accelerating the clean energy transition, ensuring we do not fall behind in innovating the core technologies of the future.

The Asia Reassurance Initiative Act of 2018 calls for expanded energy cooperation in the region. The United States is innovative because of its global linkages and partnerships, not in spite of them.

Therefore, I recommend that the U.S. Government launch new bilateral cooperation in emerging Asia, including building off of effective models of collaboration in both China and India that have directly dealt with intellectual property rights. We should partner with the private sector to design and pilot a finance facility for clean energy technology projects in emerging markets, and we should engage in expanded dialogue with China on how we can ensure development finance institutions do not undermine global decarbonization efforts.

These recommendations are elaborated in my statement, and I am happy to discuss any further during questioning. Thank you.

[The prepared statement of Dr. Lewis follows:]

PREPARED STATEMENT OF JOANNA I. LEWIS

THE ROLE OF RENEWABLE ENERGY IN MEETING 21ST CENTURY ENERGY DEMAND IN ASIA

Developing countries are the engine for growth in energy demand in the 21st century. India, China and Southeast Asia together account for 60% of the projected future energy demand globally through 2040.[1] While China has been the driver of

[1] International Energy Agency, "World Energy Outlook 2018" (Paris: OCED, 2019).

global growth of the past two decades, due to the rapid economic and population growth expected across Southeast Asia, its projected growth in energy demand will be twice as large as China's over the next two decades, representing one-tenth of the rise in global demand.[2]

Growing global energy demand will require significant investments in new energy infrastructure, and most of this investment will be in renewable energy. Around $7.8 trillion is projected to be invested in renewable power worldwide through 2040 in technologies including onshore and offshore wind; utility-scale, rooftop and distributed solar; and hydropower. Renewable energy in fact comprises the bulk of the investment that is projected to be spent across the entire power sector, compared with $2.1 trillion to be invested in fossil fuels, mainly in emerging economies.[3] BP projects that two-thirds of new power generation will come from renewables over the next two decades.[4] Developing economies committed $177 billion to renewables last year, up 20% from the prior year; this is even larger than the $103 billion in developed countries, where investment was actually down 19%.[5] Last year marked the largest shift towards renewable energy investment in developing countries that we have seen yet. In the Indo-Pacific alone, investment totaled $168.9 billion.[6]

The directions that Asia's energy growth takes are driven by a variety of national and regional concerns including economic development and job creation, energy security, electricity access, air quality and public health, and climate change mitigation. Asia's energy future will be both green and brown. Asia will make up half of global growth in natural gas, 60% of the rise in wind and solar photovoltaics, more than 80% of the increase in oil, and more than 100% of the growth in coal and nuclear.[7]

In Southeast Asia in particular, renewable energy is expected to play an increasingly important role. The declining cost of renewables globally also presents new options for off-grid applications, which can increase energy access and reduce reliance on costly diesel generators in remote areas. The International Energy Agency (IEA) projects that by 2040 renewables will account for the largest share of installed capacity in Southeast Asia at around 40%, but will still lag behind coal in terms of share of total electricity generation.[8] Even high efficiency supercritical or ultra-supercritical coal plants will put these countries on a high carbon energy development pathway. But if its growing economies continue to rely on fossil fuels and do not leapfrog to advanced, cleaner technologies, emerging Asia will lock in a commitment to future carbon emissions that will crush global climate efforts. As we have been warned by the most recent IPCC report, power generation systems will need to reach net zero carbon emissions around 2050 to stabilize global emissions and avoid the most dangerous climate impacts.[9] While much focus has rightfully been on China's power system as the largest source of current emissions, for plants that are in the pipeline (meaning planned but not yet built), other developing countries, particularly throughout emerging Asia, will be far a more important source of emissions in the coming decades.

OPPORTUNITIES TO SHAPE ASIA'S CLEAN ENERGY FUTURE

There are two key opportunities to shape Asia's clean energy future: (1) by shaping the source and nature of investments in Asia's growing energy infrastructure, and (2) by shaping the types of energy technologies that are deployed. Currently, the country playing the biggest role in shaping the energy future of its Asian neighbors, is China.

China has emerged as the largest single provider of overseas infrastructure investment in the world, and particularly in Asia. Many of these investments are motivated by China's Belt and Road Initiative (BRI). China does not provide official numbers for outbound energy infrastructure investments, but estimates suggest that, since 2000, China's two state-run policy banks (the China Development Bank and the China Export-Import Bank) may have provided between $150-250 billion in global energy infrastructure financing, of which approximately half stayed within

[2] International Energy Agency, "Southeast Asia Energy Outlook 2017," World Energy Outlook Special Report, 2017.

[3] BNEF, "World to Invest USD 7.8trn in Renewables by 2040.

[4] Emma Foehringer Merchant, "BP and McKinsey Agree Renewables Will Be the Dominant Power Source by 2040, but Diverge on Numbers," February 16, 2019.

[5] Angus McCrone et al., eds., "Global Trends in Renewable Energy Investment Report 2018" (FS-UNEP Collaborating Centre for Climate & Sustainable Energy Finance, April 2018).

[6] McCrone *et al*.

[7] International Energy Agency, "Southeast Asia Energy Outlook 2017."

[8] International Energy Agency.

[9] IPCC, "Summary for Policymakers—Global Warming of 1.5 oC," 2018.

Asia.[10] An increasing amount of that funding is being directed toward Southeast Asia to meet the region's growing infrastructure needs, including energy infrastructure.

China has been dominating the sales of coal plants abroad since the early 2000s. While China actually exports far more solar panels around the world than any other country, this deployment is not evenly distributed across the world.[11] Developing countries tend to want coal plants, not just because they are being sold inexpensively, but because they represent a tried and true model of development that they want to replicate. The vision for technology leapfrogging is like the model we saw in cell phones, where many developing countries leapfrogged over the use of landlines and straight towards mobile phones, allowing access to the internet and financial services even in remote locations. In clean energy this is not always being achieved, because the countries that industrialized first and are already transitioning to clean energy technologies still want to export their polluting technologies elsewhere. For example, we see that even China, still the largest coal user in the world, has put in place very stringent environmental regulations to reduce domestic air pollution, and has established the world's largest carbon market. As a result, there are reports that they are shutting down some of their dirtier, less efficient coal plants before end of their useful life, and exporting these dismantled plants to countries in Southeast Asia.

China is not alone in financing coal-fired power plants overseas. Japanese, Korean, French, and German banks are currently the major sources of finance for coal-fired power plants around the world, but China is beginning to catch up with and will potentially surpass Japan as the region's largest foreign direct investor and component provider.[12] One study estimates that Chinese firms are involved in the construction, ownership, or financing of at least 16% of all coal-fired power stations under development outside China.[13] Chinese energy companies have strong national support and domestic policies that favor them and their overseas investments; they can outbid competitors and provide power plant projects at a lower cost. This access to cheaper labor, materials, and financing has helped China become a leading investor in overseas coal plant development. Of all the power capacity additions in Asia involving Chinese corporations, 68 percent of operating capacity and 77 percent of under-construction capacity is in coal.[14] Most of this coal power finance is concentrated in South Asia and Southeast Asia, with the largest markets in India, Indonesia, and Vietnam.[15]

This goes against the vision for a clean energy future that many governments are putting forward. For example, many emerging Asian countries have pledged aggressive renewable energy targets as part of their Paris Agreement commitments that if met could lead to many gigawatts of renewable power being built in these countries.[16] In addition, there are significant risks to an extensive reliance on coal given the rising environmental and social costs. Around the world, coal plants are increasingly at risk of becoming stranded assets and a frequent target of public protests.[17] Despite the risks, Chinese coal plant development is on a growth trajectory due to the pull from poorer nations that seek the cheapest options for energy finance, as well as the desire for Chinese companies to expand their markets overseas.

In contrast, almost all of the multilateral development banks have been restricting coal plant investments due to environmental concerns. The World Bank pledged in 2010 to stop investments in coal, and more recently in oil and gas as well. The Asian Development Bank (ADB) has not funded any coal plants since 2013. Even the China-led Asia Infrastructure Investment Bank (AIIB) has an aggressive energy sector strategy guiding its investments with very restrictive language about supporting coal and oil investments.

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[10] Kevin P Gallagher, "China Global Energy Finance: A New Interactive Database," GEGI Policy Brief (Boston University, 2017).

[11] United Nations, "UN Comtrade International Trade Statistics Database," 2019.

[12] Melanie Hart and Joanna Lewis, "China's Role in Southeast Asia's Energy Development: Identifying Drivers Behind Coal Plant Investment Decisions" (Working Paper prepared for the Georgetown U.S.-China Climate Research Dialogue, February 2019).

[13] Christine Shearer et al., "Tracking the Global Coal Plant Pipeline," 2018, 16.

[14] Phillip M. Hannam *et al.*, "Developing Country Finance in a Post-2020 Global Climate Agreement," Nature Climate Change 5, no. 11 (November 2015): 983-87.

[15] Herve Hervé-Mignucci and Xueying Wang, "Slowing the Growth of Coal Power Outside China: The Role of Chinese Finance," CPI, November 2015.

[16] Lihuan Zhou *et al.*, "Moving the Green Belt and Road Initiative: From Words to Actions" (World Resources Institute and BU Global Development Policy Center, October 2018).

[17] Jennifer Hadden, "EPS Seminar: Beyond Coal? Exploring Variations in Global Protests Against Proposed Coal- Fired Power Plants" (November 15, 2018); Kevin P. Gallagher *et al.*, "Fueling Growth and Financing Risk: The Benefits and Risks of China's Development Finance in the Global Energy Sector," May 2016.

It is clear from the trends described above that the source of investment matters in shaping energy technology decisions. And a lack of American investment will leave these technology decisions to China, Japan, and others in the region.

CHALLENGES AND OPPORTUNITIES FOR U.S. COMPANIES

There are major opportunities to expand U.S. involvement in both technology and investment decisions in emerging Asia. To understand these opportunities, we must understand the political economy of low carbon technology development.

Now a $332 billion-dollar industry globally, the political economy of renewable energy around the world is becoming increasingly consistent.[18] Many countries have identified renewable energy as a strategic industry for promoting economic development.[19] Because the social benefit of reducing greenhouse gas emissions is not generally reflected in cost structures, the deployment of socially desirable technologies is not always immediately economically profitable. As a result, governments use policy tools to adjust relative prices to encourage the adoption of alternative energy technologies through subsidies or other forms of public support.[20]

To garner such support, the political rationale for renewable energy, namely carbon mitigation, is increasingly being directly linked to the economic rationale, namely job creation and technological leadership. While the carbon mitigation benefits of renewable energy may be global, economic development impacts are a benefit of renewable energy utilization that can be captured locally. For governments to justify extending the costs associated with renewable energy to ratepayers they must also make the case for other direct economic benefits from promoting renewables, such as job creation and long-term economic competitiveness. As a result, countries have increasingly been using protectionist policies to encourage domestic manufacturing for renewable energy and raise barriers to foreign entry into domestic markets.Not all countries are well positioned to become competitive exporters of the same green technologies, but if industrial policies can help create competitive domestic manufacturers, there may be direct domestic economic benefits. There may be global benefits as well; new market entrants can lead to more competition in the sector, and encourage further technological innovation.[21]

Governments around the world have prioritized the development of renewable energy technologies with a range of policies and incentives. As the manufacturing and use of these technologies has grown rapidly in recent years, national leaders have shifted. The emergence of several rapidly industrializing economies in these industries has led to an increasingly globalized supply chain, and consequently an increase in the international trade of renewable energy technologies. It is therefore not surprising that trade-related disputes have also increased, both via the World Trade Organization (WTO) and domestic trade remedy channels.[22]

Perhaps no country has used industrial policy to promote renewable energy as effectively, and as controversially, as China.[23] China's policies to promote renewable energy have long included mandates and incentives to support the development of domestic technologies and industries. While some elements of these policies, such as local content requirements, are unduly protectionist, others are far less controversial, such as R&D support, technology certification and quality control programs, and fiscal or other tax-related incentives. The Chinese government has identified several renewable energy industries as strategic national priorities for science and technology (S&T) investment, and established a constant and increasing stream of government support for R&D and technology demonstration. Other forms of industry support have been given through more informal channels, such as low interest loans or other favorable loan terms given by central and local governments and state-controlled banks, low-cost land grants, or expedited permitting.

China's renewable energy growth over the past decade has been extremely impressive, particularly considering many of the challenges the country faces in this

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[18] Joanna I. Lewis, "The Rise of Renewable Energy Protectionism: Emerging Trade Conflicts and Implications for Low Carbon Development," *Global Environmental Politics* 14, no. 4 (2014).

[19] Kelly Sims Gallagher, "Why & How Governments Support Renewable Energy," *Daedalus* 142, no. 1 (January 1, 2013): 59-77.

[20] John A. Alic, David C Mowery, and Edward D. Rubin, "U.S. Technology and Innovation Policies: Lessons for Climate Change" (Arlington, VA: Pew Center on Global Climate Change, 2003).

[21] Lewis, "The Rise of Renewable Energy Protectionism: Emerging Trade Conflicts and Implications for Low Carbon Development."

[22] Lewis.

[23] Joanna I. Lewis, Green Innovation in China: China's Wind Power Industry and the Global Transition to a Low- Carbon Economy. (New York: Columbia University Press, 2013); Lewis, "The Rise of Renewable Energy Protectionism: Emerging Trade Conflicts and Implications for Low Carbon Development."

sector. Much of the country has mediocre renewable energy resources, and the geographic distribution of these resources is not well matched with where demand is located. Energy technology that has primarily been domestically developed has far less demonstration experience than that of other countries, and in many cases is still struggling to catch up to the technological performance achievements of comparable technology made by other countries. In addition, renewable energy project siting has frequently been inefficient, resulting in lower capacity factors. Inexperienced operation and maintenance (O&M) and poor forecasting only increases obstacles to achieving high-performance renewable energy facilities.[24]

While renewable energy has been growing quite rapidly over the last decade in China, key technologies are facing serious obstacles. Continued curtailment of wind and solar power and consolidation among technology manufacturers has affected the growth of the industry. While widespread curtailment of wind and solar power is in part a technical issue driven by insufficient peak capacity, distribution congestion and transmission capacity limits, political and institutional factors play an even larger role. Curtailment is also caused by the incentive structure created by fragmented transmission authorities and local taxation structures, as well as the way electricity is priced in a still predominately state-regulated power sector.[25]

There has been a lot of attention rightfully placed on intellectual property theft by China, and at least one high profile case related to IP theft in China's wind power sector. However, research supports the finding that most of the IPR that Chinese companies have acquired in the clean energy space has been obtained legally. Most studies of the Chinese wind and solar industries have not found any significant obstacles to accessing advanced technologies and intellectual property through licensing, mergers, or research partnerships with foreign firms. There have been some examples of foreign firms not wanting to give up key elements of their proprietary technology due to concerns about IP protection and competition, most prevalently in the wind industry, but also in the solar industry particularly for second generation technologies. There have not been any major barriers to increasing manufacturing scale locally due to China's strong manufacturing base and skilled workforce.[26]

The larger challenge for China has been the development of a healthy innovation system that provides multiple layers of support for innovative activity including by fostering access to global learning networks. The tension between the state-led push for indigenous or independent innovation and the needs of Chinese firms to catch-up to global counterparts using international collaborations in innovation has to some extent hurt Chinese firms. In addition, protectionism and barriers to market entry and to trade by foreign technology firms are still widespread, and it is unlikely this will change. This prevents innovation that can happen through international collaborations, as well as through competition. This is one reason that many Chinese solar firms and increasingly wind firms have developed R&D centers abroad.[27]

If China's first major clean energy technology successes were in wind and solar, their next big success is poised to be in energy storage. Energy storage technologies represent a $620 billion investment opportunity over the next two decades.[28] While China is still in the early stages of energy storage deployment and utilization, its companies are already among the world's top energy storage technology manufacturers.[29] At the end of 2017, the Chinese government released a 10-year plan for developing a domestic energy storage industry for two key purposes: (1) to support battery manufacturing for its already massive electric vehicle manufacturing enterprise; and 2) to help with the serious grid challenges related to integrating substantial amounts of wind and solar power into the grid.[30]

It is projected that energy storage deployments will grow thirteenfold over the next six years. Last year's deployments already made up more than half of the total

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[24] Joanna I Lewis, "Innovative Activity in China's Wind and Solar Power Technology Sectors," Prepared for the Project on Promoting Green Innovation as a New Driver of Growth in China (World Bank-IFC, December 2016).

[25] Lewis.

[26] Lewis.

[27] Lewis.

[28] BNEF, "Energy Storage Is a $620 Billion Investment Opportunity to 2040," Bloomberg NEF, January 2, 2019.

[29] Joanna I. Lewis, "China's Role in Energy Storage Technology Development," Prepared for the Project on Promoting Green Innovation as a New Driver of Growth in China World Bank-IFC (World Bank-IFC, March 2017).

[30] Smita Kuriakose *et al.*, "Accelerating Innovation in China's Solar, Wind and Energy Storage Sectors," World Bank, 2017; Jeff St John, "Global Energy Storage to Hit 158 Gigawatt-Hours by 2024, Led by US and China," April 10, 2019,

amount of storage deployed in the past five years. This growth likely will be concentrated in the United States and China, which together are projected to account for over half of global deployments by 2024.[31] In the United States, the States are currently taking the primary leadership role in supporting energy storage deployment, with California, New York and Massachusetts all having mandates. Big U.S. utility-scale solar projects are also adopting storage, including projects in Hawaii, Texas, Minnesota and Colorado.

But China is becoming the market to watch. It has made bold commitments for electric vehicles that are driving its dominance in battery technologies. Its 2018 New Energy Vehicle (NEV) mandate includes a target for 4.6 million electric vehicles by 2020, and a plan to eventually ban cars with traditional internal combustion engines. This single policy has had ripple effects across the globe. Within 48 hours of China's announcing this target, General Motors and Ford announced major electric vehicle initiatives.[32] This is a great example of how a strong, clear policy signal can push businesses to drive technology deployment efforts even further, leading to what has been called an "ambition loop."[33] Government leaders likewise should build on corporate commitments and implement policies and targets that will further incentivize these efforts.

The United States should not stand by and let China use its state-directed industrial policy to dominate the energy technologies of the future. As one Detroit publication states, "The U.S. auto industry risks becoming an isolated technical backwater while China surges into the global lead in a technology its government has targeted as a key to leadership for the 21st Century."[34] The market for electric vehicles, batteries and other energy storage applications is massive, and the opportunities for American technology companies and investors are significant. Tesla is completing construction on its third "Gigafactory" in Shanghai. (Gigafactory 1 is in Reno, Nevada; Gigafactory 2 in Buffalo, New York.) The massive electric car production facility was constructed in months in the middle of a muddy field. Many in the United States called Tesla's two-year timeframe from construction to production in Shanghai not feasible, but it looks like they will meet this schedule.[35] China can use state intervention to make things move quickly. And they obviously saw a major opportunity from being the first Tesla factory outside the United States.

RECOMMENDATIONS FOR U.S. POLICY AND ENGAGEMENT IN THE REGION

The transition to a low carbon economy is already underway, and the United States is currently a leader in the development of the next generation of energy technology industries. American companies are leading the world in making solar photovoltaics cheaper with more efficient materials as well as flexible solar cells; in developing advanced biochemical and renewable fuels; in developing solar thermal technologies to operate conventional steam turbines; and in developing smart grid technologies to allow for intelligent energy systems that can shift and reduce demand.[36] We are leading in developing efficient building materials, lighting, and energy management software. We are also leading in the soft, technical skills needed to plan for and design low carbon energy systems. These industries are creating domestic jobs, and are generating new innovation with spillover effects across the economy.[37]

For all countries, the transition to cleaner sources of energy is not just about climate change; this transition will lead to the creation of new, globally competitive industries. For all countries, the low carbon transition is an economic issue, a competitiveness issue, and a public health issue—not "just" an environmental issue. And this transition does not have to come at the expense of economic growth. As global carbon emissions growth slows, economic growth has increased. In the United

[31] St John, "Global Energy Storage to Hit 158 Gigawatt-Hours by 2024, Led by US and China."

[32] Andrew Steer, "How China Raised the Stakes for Electric Vehicles," World Resources Institute, December 2018.

[33] Steer.

[34] Mark Phelan, "China EV Production Is Booming While U.S. Efforts Stagnate," Detroit Free Press, March 27, 2019.

[35] Simon Alvarez, "Tesla Gigafactory 3's Rise Shows That It's Too Early to Dismiss Elon Musk's 'Sci-Fi Projects,'" May 20, 2019.

[36] "The 50 Most Innovative New Renewable Energy Companies AltEnergyMag," May 6, 2016,

[37] EESI, "Fact Sheet—Jobs in Renewable Energy and Energy Efficiency," 2015; Megan Nicholson and Matthew Stepp, "Lean, Mean, and Clean II: Assessing DOD Investments in Clean Energy Innovation" (Information Technology and Innovation Foundation, October 16, 2012).

States, air quality has improved dramatically over the past two decades, even as the economy has expanded.[38]

Now is the time to double down on programs that are accelerating the clean energy transition, ensuring we do not fall behind in innovating the core technologies of the future. The U.S. government has established several sophisticated programs that are directly supporting U.S. energy entrepreneurs. Programs like the Advanced Research Projects Agency (ARPA-E) and Cyclotron Road target early-stage, high-impact energy technologies with the potential to radically improve economic prosperity, national security, and environmental well-being.[39] These innovative programs are being emulated by many other countries around the world. At the subnational level, many U.S. states have been promoting aggressive clean energy policies and developing smarter, more efficient ways to manage power systems. These incentives are creating new job opportunities ranging from installation and manufacturing jobs to high tech jobs. In California, employment in advanced energy technologies grew six times faster than overall employment growth last year.[40]

The United States has been engaging with numerous Indo-Pacific nations on clean energy, natural resources, and climate change; engagement with some countries including China and India spans several decades. In many cases, this engagement has directly benefited U.S. companies, and led to fruitful technology partnerships with researchers at U.S. universities and national laboratories.[41] This cooperation has also played a crucial role in expanding global action on energy and climate change.

In addition, global linkages can spur innovation. The United States benefits from collaboration with other countries, including China: the largest clean energy market in the world. Should the United States decrease its involvement in such efforts, it risks its own technology industries and research community becoming more isolated. The United States is innovative because of its global linkages and partnerships, not in spite of them.

We should launch new bilateral collaboration in emerging Asia. Existing collaborations with China (CERC) and India (PACE-R) have revealed characteristics of effective bilateral collaboration, including an *a priori* intellectual property framework, joint work-planning, and integration of public and private capital and institutions. Now the United States has an opportunity to launch new collaborations that improve on existing initiatives. For example, in addition to R&D, international technology collaborations should also target industrial-scale demonstration projects that consolidate individual research projects and provide more scope for joint patent filings. Moreover, the funding and prioritization schemes should be even more flexible to adapt to changing needs.

Given the scale of investment that will be directed at the energy sector in Asia in the coming decades, the U.S. Government should partner with the private sector to design and pilot a finance facility for clean energy technology projects in emerging markets. The goal of the facility would be to develop a self-sustaining, replicable and scalable fund that requires decreasing amounts of concessionary capital over time as the risks associated with investment in this space are better understood and quantified. In addition, conventional energy infrastructure has traditionally consisted of large, centralized fixed assets developed using well established project financing structures and instruments, while many of the most promising sources of clean energy are harnessed using smaller scale, distributed facilities. Therefore, the government should look to lay a key role in establishing and incentivizing means of capital aggregation for next generation distributed renewables and low carbon technologies. Such efforts can help to counter Chinese dominated investment in Asia's energy infrastructure.

As existing multilateral agencies like the World Bank are moving away from financing polluting energy sources such as coal, China has emerged as an important alternative source of finance that has yet to enact strict lending guidelines on the environment, particularly in the context of its expansive Belt and Road Initiative. The U.S. should directly, bilaterally engage in expanded dialogue with China on how the two countries can work together to ensure that development finance institutions do not undermine global decarbonization efforts. Commonly agreed safeguards

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[38] IEA, "Decoupling of Global Emissions and Economic Growth Confirmed," International Energy Agency, March 16, 2016. EPA, "Our Nation's Air 2016," 2016.

[39] "ARPA-E: Changing What's Possible," accessed May 22, 2019; "Cyclotron Road," Cyclotron Road, accessed May 22, 2019.

[40] BW Research Partnership, "Advanced Energy Jobs in California" (Advanced Energy Economy Institute, 2016).

[41] DOE, "Energy Department Announces New Projects between U.S. and China to Cut Emissions," Energy.gov, October 13, 2016.

should be developed to promote green over brown investments, particularly in emerging and developing economies in the Indo-Pacific.

Senator GARDNER. Thank you, Dr. Lewis. And again, thank you all for your testimony today and the time you took to be here.

I will begin with a 5-minute round of questions, if you do not mind.

Mr. Currier, I know you are going to have to leave, so I will start with you.

You mentioned a couple of, I think, very compelling statistics in your opening statement, that 35 percent of U.S. farm income is derived from selling agricultural products overseas. And if you look at the top exports from Colorado, throughout the top 10 exported items from Colorado, you will find agriculture at least in five or six of those different components, various sectors in agriculture.

You also mentioned, though, that we have seen a 52 percent drop in farm income over the last 5 years.

Commodity prices were low prior to the tariff imposition by the administration, but certainly the tariffs have not made it any easier or better or how to recover from those low commodity prices.

Could you talk a little bit about the impact of tariffs on agriculture in Colorado or beyond?

Mr. CURRIER. Yes. Thank you for the question, Senator Gardner.

Tariffs have impacted the ability to market products to certain markets, specifically China. There is huge potential for markets in China. We have exported in the past a great deal of soybeans, a great deal of pork to the Chinese market.

More importantly from my standpoint is the potential for further markets. We were just getting the market open to beef in China. Beef is the largest agricultural export market from Colorado. Really about two-thirds of our ag exports from Colorado are beef and hides from beef cattle. By limiting the ability to send those products to China, it is forcing us to look at other markets to find a place to sell those products. Without the Chinese market available, that limits our ability to reach out to that part of the world and to sell the products at a price that helps our prices. Because of that, beef prices have decreased significantly, about 15 percent in the last 3 months.

We would very much like to see all the markets opened that we can. The whole Indo-Pacific region is a huge area for potential. You know, one of the big areas we saw great increases in was Korea. I did not mention earlier, but after the improved Korea-U.S. trade package that was approved last year, our markets to Korea have really increased significantly. And we feel that that can happen in only Indo-Pacific markets if we have that open market and that level playing field where we can sell our product.

As I said earlier, we understand the problems with China. You know, China was not playing fair, and that needs to be addressed. So as quickly as possible, if we can find ways to address that issue, we would like to be able to sell our beef and other products to all the Indo-Pacific markets, including China.

Senator GARDNER. Thank you, Mr. Currier.

You talked about some of the challenges we face in trade and the tariffs and the price challenges. We have had some good news recently with the opening of Japan to U.S. beef. The Asia Reassur-

ance Initiative Act sets out several different standards for pursuing multilateral and bilateral trade engagements.

And you mentioned also in your comments the Korea-U.S. Free Trade Agreement that we entered into years ago and, of course, the renegotiated terms of this past year. And I think Colorado alone, that has added about 6,000 jobs to the State. Most of those jobs are in agriculture. And so we know the benefit of trade.

Could you talk a little bit about what you think the impact of just opening Japan would be?

Mr. CURRIER. I think Japan would be huge if we could get that totally open. By pulling out of the TPP agreement, it allowed Australia and New Zealand to have advantages from a tariff standpoint over American beef going into Japan. We very much would like to see some kind of bilateral agreement so that we can have a level playing field with Australia and New Zealand in selling our beef products to Japan. I think that is very doable, and we certainly hope that that can be done as quickly as possible.

Japan, historically over the last 10 years, has been our number one market for export for beef. We are actually in a situation right now where Korea may pass it in the next year. Korea is increasing very rapidly, and the potential in Japan is huge. There is a very large population there, and they are learning to really like beef and we would like to provide that beef. I think American beef is better for them than Australian or New Zealand beef. So we want to be able to be in that market, and so whatever we can do to fully open that market.

We are very thankful that Japan did this last week, agreed to buy beef from all cattle in the U.S. It was limited to those under 30 months. They have now opened it up so that all beef is eligible to send to Japan, and we hope we can get the tariff down to where we are on a level playing field with our competitors.

Senator GARDNER. Thank you, Mr. Currier.

Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman, very much.

Dr. Lewis, you stated that China's state-run banks, the China Development Bank and the China Export-Import Bank, may have provided somewhere between $75 billion and $125 billion in energy infrastructure financing within Asia. And you also mentioned that India, China, and Southeast Asia together account for 60 percent of the projected future energy demand globally through 2040.

We also know from the International Finance Corporation the three key Southeast Asian countries, Indonesia, Vietnam, and the Philippines, all of which were singled out in the Gardner-Markey ARIA legislation as key partners, together have climate-smart business investment potential of over $1 trillion.

Dr. Lewis, how important is the Indo-Pacific as a market for American companies especially in the areas of renewable energy, including energy infrastructure and services?

Dr. LEWIS. I think it is extremely important. As you have just laid out, this is already becoming the biggest market in the world, and all projections state that this is really where the future of energy demand lies. We see a lot of emerging Asian countries at an inflection point of deciding the direction that energy future is going to take. These are countries that are struggling with traditional en-

vironmental pollution problems, and clean energy, of course, is something that is helpful in many respects. It can bring a local economic development benefit. It can bring local jobs, and it can deal with environmental problems.

Senator MARKEY. So to what degree can American companies play a role here in these Asian emerging marketplaces?

Dr. LEWIS. There are many technology areas in the clean energy space where American companies still provide world-class technologies and are leading the world. We see this across the renewable energy technology industries, and particularly in the skills that need to go along with building out these technology industries. So if these countries want to shift towards renewable energy, they cannot just immediately put in place solar panels. They need a lot of planning. They need the tools. They need the policy environment in place. And there is a lot of work going on in the United States to look at how to build these industries from the ground up. U.S. companies have the expertise still in many of the core clean energy technologies of the future, and energy storage is one I mentioned that is quite—

Senator MARKEY. Energy storage is the center of opportunity for American companies?

Dr. LEWIS. Absolutely. This is still an area where we are leading. The two biggest markets right now are in the United States and China. And energy storage has a dual purpose of helping to integrate renewables in the grid. So it has power systems application, as well as—

Senator MARKEY. Again just to come back to what you are saying, you are saying that China and the U.S. are in a competition on storage technologies and that these countries are going to be looking to someplace to purchase it. And ultimately it is going to be integrated into their electricity strategies in the years ahead. So it is a huge market opening for the United States.

Dr. LEWIS. And I think there are strengths that China has, there are strengths that the United States has. And there are a lot of Chinese companies right now that are really quickly expanding in this area, but they are struggling a lot from technology quality, from over-capacity in the industry. It is a very different innovation environment, of course, in China than the U.S. And so I think this is an area where we should really be moving much more quickly.

Senator MARKEY. Section 306 of the Gardner-Market Asia Reassurance Initiative legislation requires the President to submit a strategy to encourage the efforts of Indo-Pacific countries to implement national power strategies in cooperation with United States energy companies and the Department of Energy national laboratories to develop an appropriate mix of power solutions.

The reason is because we believe that doing so can provide access to sufficient, reliable, and affordable power to reduce poverty, drive economic growth and job creation, and to increase energy security in the Indo-Pacific region.

Dr. Lewis, can you describe how the Department of Energy's national laboratories can help develop power solutions, especially in renewable energy for countries in the Indo-Pacific?

Dr. LEWIS. Our national laboratories under the U.S. Department of Energy are some of the best in the world at providing energy

technology solutions. I spent many years working at Lawrence Berkeley National Laboratory on clean energy technologies in China and around the world. The National Renewable Energy Laboratory also has a lot of expansive work in developing countries, in particular helping them to think through appropriate energy technologies and how to maximize low carbon development.

There is a wide variety of tools, models, data analysis, which are extremely important aspects to understanding energy potential in these countries. And the national laboratories provide an extremely important role in technical cooperation in pushing forward the clean energy future that these countries would like to provide.

Senator MARKEY. Beautiful.

And I am just going to come back to your testimony and just say these words again because they are so staggering. "Growing global energy demand will require significant investments in new energy infrastructure, and most of this investment will be renewable energy. Around $7.8 trillion is projected to be invested in renewable power worldwide through 2040 in technologies, including onshore and offshore wind, utility scale rooftop distributed solar, and hydropower. Renewable energy, in fact, comprises the bulks of the investment that is projected to be spent across the entire power sector." So that is just a staggering opportunity and something that we need a plan to capture before all these countries move on and are not including American technologies and workers in the solution.

So I am looking forward to a second round. Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Markey.

Mr. CURRIER, I know anytime now please feel free to be excused from the committee if you need to go catch that flight. So at any point. I do not think Senator Markey or I will be offended if you need to leave. So thank you very much for appearing here today.

Mr. Goodman, I will come back to you with a couple of questions as well.

Just to point out that according to the Asian Development Bank, Asian countries have signed 140 bilateral or regional trade agreements, and more than 75 more trade agreements with Asian countries are currently under negotiation or they are concluded and awaiting entry into enactment. In that time, 140 plus 75 are in the works. Free trade agreements between the United States and three nations in the Indo-Pacific region have entered into force. We are woefully behind.

And so if you look at the numbers that Mr. Currier pointed out in terms of the dollars that exports add to our agricultural industries, you look at the opportunities in trade, trillions of dollars in trade that occurs in these regions with three trade agreements that we are a part of. The Gardner-Markey ARIA legislation talks about that trade capacity. It directs the President to seek a United States-ASEAN economic partnership, a comprehensive economic engagement framework with the Association of Southeast Asian Nations. It talks about trade capacity building, trade facilitation.

If you were to talk to the U.S. Trade Representative today, their office would continue to say and state their opposition to the Trans-Pacific Partnership. Now, I have been a supporter of the Trans-Pa-

cific Partnership and believe this is important, and I believe ARIA makes it very clear that Congress' firm position is to support the multilateral and bilateral trade engagements.

One of the excuses that the U.S. Trade Representative has used against ARIA is to state that it would allow China to sell goods to a TPP nation that could then turn around and sell that good to the United States and undermine U.S. goods because of unfair subsidies or unfair practices of China that would be washed by the participating TPP nation and then sold in the United States. That is an excuse.

So they would take this approach that if six of the countries or several of the countries in TPP already have a free trade agreement with the United States, Canada, Mexico, the United States, Australia, Korea—excuse me—some others, six of them. And then five of them are not involved in a trade agreement with the United States. Japan would represent, of those five, 95 percent of the economy.

How would you respond to the U.S. Trade Representative with their approach?

Mr. GOODMAN. Well, thank you, Senator, and I totally agree with your analysis of the problem that we are behind in this area and we are losing opportunities. I mean, to speak to Mr. Currier's concern about Japan, because we pulled out of the Trans-Pacific Partnership, Australia and New Zealand are paying 27 and a half percent, I think, for beef. We are paying 38 and a half. And that number is dropping for them, and we are losing market share by the day.

So we are losing opportunities today, and that is why I would say we need to get back in this game. And I just do not think there is any substitute for doing a broad regional agreement like TPP. It has three big elements of power in this agreement.

One is the economic benefit like access to big markets like Japan's.

Second is the strategic benefit of being embedded in this region and being a leader in the regional institution building and regional architecture of this critical region, Indo-Pacific.

And third, which gets to this point about possible Chinese working the system to get their advantage, it establishes economic rules and standards which countries like Japan, like Vietnam, like all the rest of the members here and ultimately others that get drawn in—there are a lot of people interested in joining the comprehensive partnership, the new CPTPP like Thailand and Indonesia and others that have expressed interest. You know, it establishes a set of rules on things like digital governance, on subsidies, on more broadly the role of the state and the economy on good regulatory practices, on a whole bunch of things that are American preferred standards and that play to our advantages. If we are not going to rejoin CPTPP, we need to have an alternative that draws people into this rulemaking process on our terms, and that will help deal with a lot of these efforts to try to circumvent the existing system.

Senator GARDNER. Thank you.

And just to follow up on Japan, do we have any trade negotiations taking place right now outside of Japan? I know we do, but

could you kind of give us where you think we are with some of these negotiations?

Mr. GOODMAN. I think that we are so distracted by the China trade issue that we are not really focused even on Japan. I mean, we are going to meet this week. The President is going to Japan, and there will probably be some conversation about the bilateral U.S.-Japan deal. I do not think that is a high priority for USTR Lighthizer. I think he has got to deal with this China issue and probably rightly so. That is an enormous set of issues.

In terms of other countries, I have heard talk of some conversations with the Philippines, maybe some conversations with Taiwan. That is complicated, but an important economy in the region. And then there is talk of the UK. I would not hold my breath on that. I think the UK has a lot of issues they have to go through.

You know, these bilaterals are fine, but they are no substitute for the broader regional agreement that shows our leadership and establishes that firm position in our strategic position in the region and our rulemaking leadership.

Senator GARDNER. Could you spend a little bit of time explaining the importance of multilateral versus bilateral, just to lay that out?

Mr. GOODMAN. Yes. I mean, in a narrow sense, if you think that sitting across the table from one country is going to get you advantage, I see the argument if it is purely sort of zero sum conversation. But in trade, it is much more complicated than that, and you have got a lot of different players with different things to ask for and to offer. And I think TPP was shown—and there has been sort of even regression analysis done about this—that the benefits of a plurilateral or even broader—I mean, a multilateral would be the best, but we have really, I think, concluded that that is not going to happen in the WTO in our lifetime.

But these plurilateral agreements do bring multiple benefits. They provide an ability to get tradeoffs with different players, and I think they just have bigger economic bang for the buck and bigger strategic bang for the buck. So I think that is definitely the way we should be headed.

Senator GARDNER. Thank you, Mr. Goodman.

Senator Markey?

Senator MARKEY. Again, thank you, Mr. Chairman.

Dr. Lewis, I want to come back to your report again just to read these staggering numbers, which you have included. And this goes to British Petroleum. British Petroleum projects that two-thirds of new power generation will come from renewables over the next 2 decades. Let me say that again. British Petroleum projects that two-thirds of new power generation will come from renewables over the next 2 decades.

Quote: Developing countries committed $177 billion to renewables last year. $177 billion last year, up 20 percent from the prior year. This is even larger than the $103 billion in developed countries. So in developing countries, more money is being spent on renewables than in developed countries where investment was actually down 19 percent last year. Last year marked the largest shift towards renewable energy investments in developing countries that we have seen yet. In the Indo-Pacific alone, investment totaled $168.9 billion.

So that is an incredible market that is opening up, heading towards $7.8 trillion over the next 20 years. So if you are looking for a market, there it is. It is a growth market. And the price of renewables and battery storage technology are plummeting. They are making these other technologies less competitive because of the efficiency that the marketplace is driving with these technologies.

So let me just continue with you, Dr. Lewis. Southeast Asia's energy demand is expected to grow by two-thirds by 2040, requiring a massive investment in new energy generation and transmission. These are challenges, but they are surmountable. Indonesia, the largest economy in Southeast Asia, comprises thousands of islands, over 900 of which are permanently inhabited. So power generation can be a significant problem, and central generators make less sense than other options.

Dr. Lewis, how important is renewable energy in meeting 21st century energy demands in that region? And which countries in the Indo-Pacific represent some of the greatest opportunities for growth?

Dr. LEWIS. Thank you for the question.

As you have laid out, this is just a massive market with extreme potential for whoever is going to be providing these technologies and supplying the investment. And right now, the U.S. is leading in many of these technologies.

Within the Indo-Pacific, right now, of course, China is the largest market in the world, but India is rapidly expanding its renewable energy use as well, especially in the solar energy industry. And we see Southeast Asia as the next up and coming source of demand.

There has been a lot of focus on China, of course, in the last couple decades as it has really been the engine for growth in the clean energy space, as well in the fossil energy space. But if you look forward to the next 2 decades, the fastest growth rates are going to be in Southeast Asia.

Senator MARKEY. So Indonesia. Just go down the list. Where are the opportunities?

Dr. LEWIS. Indonesia, Vietnam. Yes, it is the countries you mentioned, Indonesia, Vietnam, to some extent Thailand—

Senator MARKEY. And how big will these markets become for renewables?

Dr. LEWIS. How big will the markets be?

Senator MARKEY. How big will they become?

Dr. LEWIS. The projections are all over the place. A lot of these countries, as you mentioned, are still electrifying. So there is a lot of need to build out new energy systems. And I think the real question is what is that going to look like and what model are they going to take. Are they going to copy the model that China used and build out a coal-based energy system with large centralized power plants? It does not make sense often in these countries where you have not built out a full grid connection. You have the opportunity to leapfrog to more advanced distributed energy technologies that are also clean.

Senator MARKEY. Right, yes. So countries like Vietnam are graduating from the United Nations least developed country status, meaning that they no longer qualify for certain assistance. Increasingly then, they are likely to look to countries like China to be their

primary lender. And a recent report from the Center for American Progress states that, quote, the absence of U.S. leadership on climate is giving China wide leeway to set the standards by which the rest of the world is judging its actions.

One has to look no further than the recent Belt and Road Forum to see indications that Xi Jinping is trying to fill what he sees as a vacuum in global leadership. According to that CAP report, the United States, quote, should push international lending institutions to form capacity building funds to help developing nations make the leap from low standard to high standard projects. These would include transitioning from high emission coal plants to cleaner energy technologies. Unfortunately, developing nations with high energy demand often seek coal plants based on outdated information about the cost difference between coal power and renewable energy. So the inexorable pressure of kind of intellectual investment already made in one approach blocks them from seeing that the renewable pathway is now less expensive and cleaner and ultimately more efficient for their country.

So can you talk about that?

Dr. LEWIS. Yes. I think there are a couple of drivers behind the decisions that are made in these countries. Of course, when they are looking to develop these projects, they are looking for inexpensive technologies, inexpensive capital. But in this day and age, renewable energy provides some of the cheapest options for electricity particularly in remote areas, and so there is really no reason why these countries should be turning to coal plants even if China is offering them a good deal on a dismantled, outdated coal plant. Right?

And I think the other part of this is that—

Senator MARKEY. You are saying that China is breaking down its jalopy coal plants, putting them on ships, and sending them over to other Asian countries and reassembling coal plants that they are taking down. And these countries are just kind of getting sold kind of a used car with high mileage and low efficiency when they should be moving over here to something that is less expensive, cleaner, and better for their country in the long term.

Dr. LEWIS. Unfortunately, this is the dark side of leap-frogging, whereas countries move to more advanced technologies, they often want to off-source the technologies they are no longer using because they still have a useful life, and they would like to cash in.

In fact, the U.S. did this when China was looking for advanced vehicle technologies a few decades ago. We sold them our older technology as opposed to our state-of-the-art technology.

But I think the thing to point out is that China is also exporting more solar panels around the world than any other country in the world. So it is not just a story of China exporting coal plants. They are playing an important role in all technologies, including clean energy.

But the United States could be much more involved there because we are still leading in a lot of these technologies. And our bilateral engagement in the region has really dwindled in the last few years, and this is an important part of this, as well as our multilateral engagement.

The Paris Agreement is not just about reducing climate change. It is about opening up new clean energy markets around the world. It is about assisting developing countries and thinking about their low carbon energy future. And the U.S. has led in helping shape this conversation for many years and can still play a very important role there.

Senator MARKEY. Beautiful.

Thank you, Mr. Chairman.

Senator GARDNER. Thank you, Senator Markey.

And, Dr. Lewis, I think a couple questions I have for you on this issue. Obviously, renewable energy opportunities are significant. Colorado, home to the National Renewable Energy Laboratory, has had a great number of partnerships with international organizations and nations around the globe to help further both understanding education, technical capabilities and capacity for renewable energy.

When you look at sort of the barriers to entry, though, to China and others, renewable energy really faces the same kind of—renewable energy, I guess, goods or technologies from the United States faces the same kind of barriers in China as agriculture does or any other thing. Is that correct?

Dr. LEWIS. That is correct now. It was not true in the early stages. But now that China has developed several national champions in this industry, it is more of a protected market.

Senator GARDNER. And so as we focus on just how we are going to tear down barriers for intellectual property or at least make sure they are abiding by standards and norms that we would follow when it comes to intellectual property protections, when it comes to opening markets up for like agriculture, we need to focus on that for renewable energy goods as well.

Dr. LEWIS. Absolutely. In fact, a lot of our most successful bilateral clean energy engagement with China has had a strong intellectual property training component where if you are bringing together the national laboratories, whether it is NREL, LBNL, all the other ones that have been involved in working in China for many years, they have played a really important role in training researchers about intellectual property because it might surprise you—right-- that not every researcher in China is an expert in this, in the U.S. either. I have been part of training sessions with U.S.-Chinese partnerships where we actually bring in IP lawyers to talk to researchers in the national laboratories, look for where they see problems and how we can work through this. The U.S.-China Clean Energy Research Center was an excellent model of how this could work well.

Of course, now China has innovative companies. Many of these companies domestically are pushing for stronger IP protections at home because China is a different place than it was a couple decades ago. And so you actually see pressure from the inside as well for China to have stronger IP protections.

Senator GARDNER. And, Dr. Lewis, you believe that the language in the Gardner-Markey bill that provides or creates the U.S.-Asia Energy Partnership program could be a tool for U.S. renewable energy opportunities in Asia.

Dr. LEWIS. I would hope that it would be, yes.

Senator GARDNER. I hope so too. So thank you.

Mr. Goodman, a couple questions for you. With the trade war tariffs, escalation of tension between the U.S. and China as it relates to trade, how has that affected trade in perhaps ASEAN countries or other Asian nations? What is the sort of side effect of that trade war been and how has that affected our ability to increase capacities, trade opportunities there?

Mr. GOODMAN. Well, everyone in the region is very worried about this trade war because it risks disrupting patterns of trade that have been established over the last 20-30 years in which there are elaborate supply chains across the region. Southeast Asia is very much central to that, and I think people are worried about disruption to, obviously, both of their biggest markets, but also to these patterns of supply chains.

Now, some countries may benefit actually from some of this disruption. So, for example, Vietnam may be a beneficiary if these tariffs stick and American companies make a decision to move some of their production out of China and into Vietnam, for example. There are analyses that show that Vietnam could actually, on a net basis, be an economic beneficiary in that sense. But I am not sure the Vietnamese Government would say we would prefer that sort of outcome but also with tariffs and disruption of trade patterns and potential continued conflict between our two biggest trading partners to be the price of getting that additional investment.

So there are mixed results, but it certainly provides an opportunity or it puts an accent on the importance of our resolving the trade problems with China, which are going to be very challenging because I think even if we get a deal—and I still believe we are going to get a deal because I think there are incentives for both presidents to try to come to the table. But everybody knows that is not going to solve the underlying problem. So we are going to have to keep working at these issues of subsidies, intellectual property, technology acquisition, and so forth.

But meanwhile, we should be dealing with ASEAN. And I think it is great that you mentioned ASEAN in here. There are a couple of initiatives that are already on the table. The U.S.-ASEAN Connect Initiative, which I think the Obama administration started late in its time and has been renewed by the Trump administration, looking at a bunch of areas, including energy cooperation. And then the Smart Cities Partnership. There is a U.S.-ASEAN Smart Cities Partnership that I mentioned in my written testimony where we are working with ASEAN countries to help them. You know, they have got a huge urbanization challenge, and helping them bring smart solutions to that is something that the U.S. can help with including, by the way, renewable energy solutions. So I think there is a lot of work to be done with ASEAN.

ASEAN is a challenging place because it is 10 very diverse countries that do things in a very different way than we are sort of familiar with, but really powerful potential, a lot of people, a lot of economic growth opportunities.

Senator GARDNER. ARIA also has a very strong human rights, democracy, rule of law component to it, additional authorizations for funding for human rights issues. More and more attention is rightfully being given to the situation in Xinjiang in China as it re-

lates to the treatment of Uyghurs and at least a million people who are in reeducation camps basically being held prisoners. And recent attention has also turned to U.S. companies that are manufacturing goods in that region that may be using labor from these camps as well.

Could you talk a little bit about how ARIA can be used to help economically send a message to China that this kind of treatment and this kind of violation of human rights and basic dignity is unacceptable?

Mr. GOODMAN. Well, first of all, the situation in Xinjiang is just appalling. Last week or the week before, there were back to back programs on the daily podcast the New York Times did, and if you listened to that, it is absolutely just unconscionable what is happening there. And it is something I think the U.S. needs to speak out on.

I think the elements of ARIA that address the human rights and the values questions are really important, and I am glad that you included that in there.

From an economic perspective, I think we want—it is one of the reasons that we should be engaging with China on trade and investment and other issues because I do think it is still true that if we can incentivize China to do the right things in economics on the rules and norms and standards of trade and economic activity, there is a correlation to their improved general behavior. I know that is not going to solve the problem by itself, but I do think it helps.

So I think it is important that you have got both economic and values pillars to ARIA and should continue to find specific ways to implement those.

Senator GARDNER. Thank you.

Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman, very much.

Again, Dr. Lewis, I want to keep coming back to you. This is very scary what you have in your testimony about electric vehicles. The goal of China, as they have stated, is 4.6 million electric vehicles in 2020 with a goal to eventually ban any kind of traditional internal combustion engine.

Now, again, that single policy in this huge market drives policy around the world, and every company in the world then starts to say, well, we have to start moving on this track as well. One Detroit publication states—this is from your testimony—the U.S. auto industry risks becoming an isolated technical backwater while China surges into the global lead in a technology its government has targeted as one where they want to be the leader in the 21st century. The market for electric vehicles, batteries, and other energy storage applications is massive, and the opportunities for American technology companies and investors is significant.

So we see one country leading and another country not really even talking about what our plan is in order to capture this massive marketplace that is going to open up because of China's leadership.

So what is your recommendation to the United States to deal with these issues?

Dr. LEWIS. Well, my main recommendation would be that our ability to lead in these technologies, to supply clean energy technology to Asia and the world starts at home. We have an innovation ecosystem that China envies, and we need to be much more strategic about where we are investing in clean energy innovation across the entire supply chain.

We have very innovative programs like ARPA-E, Cyclotron Road, programs that look to incubate early stage innovative technologies. We could be much stronger in policies that support the deployment of clean energy at home because that is where our companies are going to be able to test their new innovative technologies and allow them to sell them around the world. You see U.S. companies often demonstrating their technologies in China and elsewhere because it is the biggest market and it is where they can often sell their technologies—

Senator MARKEY. The administration is talking about rolling back the fuel economy standards in our country, which in my opinion might give too many American companies a sense of false security because they are only looking at this marketplace when they are not looking at this global marketplace that is opening up with high goals that are being set by China and other countries in the vehicles that people are going to buy in the 21st century, not the 20th century. So that is a great concern to me.

Mr. Goodman, when you look at these issues, these clean energy issues, these automotive issues and you look at, among other things, the intellectual property theft that goes on wholesale in China, could you talk to those issues in terms of what the long-term economic impact on our country will be?

Mr. GOODMAN. Sure. Thank you, Mr. Senator.

It is a really important set of issues. Joanna is much more the energy expert than I am, but if I could just make it a shameless piece of advertising.

At CSIS, we have something called Reconnecting Asia, which is a database website on about 14,000 projects, infrastructure projects, across the Indo-Pacific and beyond. And we are increasingly focused on the energy story. So we are actually doing more work on that, including on renewable energy infrastructure. And so stay tuned because we are going to have some more thoughts on that over time.

Senator MARKEY. Very important. Thank you.

Mr. GOODMAN. Sorry. One other thought from the earlier conversation. Your capacity building efforts I think are really important and getting in there, as I mentioned even in my own oral testimony, the programs where we go in and we help countries understand what the costs and benefits of taking a Chinese jalopy versus a U.S.—or I would say U.S., Japanese, Australian. I mean, we should be working with partners who are also offering a good, solid Toyota Corolla. I think often we are seen as the Lexus provider, the high end, the really expensive provider. But there is a lot of technology we could provide that is solid and reliable and affordable that we should be trying to get in front of countries and help them understand—

Senator MARKEY. We had a Cash for Clunkers program in the United States, but that was meant to take the clunkers off the

road. Their program is these Asian countries will pay cash for the clunkers. It is almost like their junkyard is the other countries in Asia, which is crazy.

Mr. GOODMAN. This is why I think it is so important to have our experts go in and try and explain the down sides of taking that kind of cheap option. But if we are not there and you got a choice—my colleague, Dan Runde, is very colorful about this. He said if you got a choice of a dirty coal project and no project to provide power or energy, you are going to take the dirty one. So we have got to be in the game.

I am sorry. I have not answered your question. IP is a real problem, and it is a big and persistent problem. We need to keep working on it. I think the good news is, as Joanna alluded to, the Chinese I think actually at the central level understand this is a problem for them too because they have got technology too that they want to protect. They have a problem at local levels and in enforcement. But it is something we need to keep their feet to the fire on.

Senator MARKEY. Thank you both very much. Excellent testimony.

Senator GARDNER. Thank you, Senator Markey.

Our next hearing may be a cash for jalopies program or something like that. Power plants included.

[Laughter.]

Senator GARDNER. Thank you very much. We unfortunately have to stop at 11:00 here. Thank you for attending today's hearing. I appreciate your time and testimony today. I appreciate Mr. Currier being here as well.

For the information of all members, the record will remain open until the close of business on Thursday next week, including for members to submit questions for the record. I kindly ask the witnesses to respond as promptly as possible. Your responses will be made a part of the record.

And thank you very much for your time and testimony today.

The hearing is adjourned.

[Whereupon, at 10:55 a.m., the hearing was adjourned.]

ARIA (ASIA REASSURANCE INITIATIVE ACT) IN ACTION, PART 3:

Implementation and the Indo–Pacific Strategy

WEDNESDAY, OCTOBER 16, 2019

U.S. SENATE,
SUBCOMMITTEE ON EAST ASIA, THE PACIFIC,
AND INTERNATIONAL CYBERSECURITY POLICY,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3:13 p.m. in Room SD–419, Dirksen Senate Office Building, Hon. Cory Gardner, chairman of the subcommittee, presiding.

Members Present: Senators Gardner [presiding], Young, Johnson, Markey, and Coons.

OPENING STATEMENT OF HON. CORY GARDNER, U.S. SENATOR FROM COLORADO

Senator GARDNER. This hearing will come to order.

Let me welcome you all to the fifth hearing of the Senate Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy in the 116th Congress.

Today, we will hold our third hearing in the ARIA in Action series which will examine the implementation of the Asia Reassurance Initiative Act and the administration's Indo-Pacific Strategy.

We are privileged to have three Assistant Secretaries from the Department of State, the Department of Defense, and USAID before us today to provide testimony.

I thank Senator Markey and the administration for the cooperation in making this hearing happen.

As the Chinese Community Party celebrates 70 years of repression at home and is increasing its malign economic and military activities abroad, the challenge before us today is to successfully adjust U.S. policy to prepare for the era of strategic competition with a totalitarian near-peer adversary that seeks to displace the U.S. in the Indo-Pacific and to challenge U.S. primacy worldwide. We must not let the CCP shape the future uncontested. This is why, for the last several years, Senator Markey and I worked on the bipartisan Asia Reassurance Initiative Act, which was signed into law on December 31st, 2018. ARIA reaffirmed the United States commitment to our allies and partners in the Indo-Pacific and provided a generational blueprint for U.S. policy.

ARIA authorizes an additional $10 billion over 5 years to enhance security cooperation, economic engagement, and reaffirms U.S. commitment to advance the fundamental values of human rights and the rule of law in the Indo-Pacific. ARIA incorporates and elaborates on the administration's Indo-Pacific Strategy, a strategy that defined—is defined by the enduring United States commitment to uphold international law, to maintain an Indo-Pacific that is free of coercion, militarily, economic, or in violation of basic human rights and freedoms. ARIA has codified this vision of the free and open Indo-Pacific into U.S. law.

Lastly, promoting democracy and human rights will be vital for the United States to succeed in the Indo-Pacific, and ARIA cements that in U.S. law. These values differentiate the United States from anyone, from any of the competition around the globe. These values are just and right, and they are certainly worth fighting for.

The current events in Hong Kong are evidence of why ARIA is needed. As we are gathered here, millions of brave Hong Kongers have been out on the streets, for month after month after month, demonstrating for freedom—freedom from coercion, freedom from authoritarianism, and freedom to choose their future.

That is why we need to fully implement ARIA and the Indo-Pacific Strategy. The Senate Appropriations Committee recently took a good step forward by recommending $2.5 billion for ARIA implementation in their fiscal year 2020 legislation that is currently pending before the full Senate.

I look forward to hearing from our distinguished witnesses on the implementation of ARIA over the last 10 months since it has been into law, greatly appreciate the witnesses' time, testimony, and service today.

And, with that, I will turn it over to Senator Markey.

STATEMENT OF HON. EDWARD J. MARKEY, U.S. SENATOR FROM MASSACHUSETTS

Senator MARKEY. Thank you, Mr. Chairman, very much. Thank you for this hearing.

I also want to thank our witnesses for being here today. It is incredibly important for the Senate Foreign Relations Committee to hear from administration officials, especially those responsible for implementing a wide range of key policies throughout the Indo-Pacific.

Mr. Chairman, I also want to thank you for your partnership on the subcommittee, and your work on helping to pass the Asia Reassurance Initiative Act into law. You were just speaking about it.

Our primary goal with that bill was to show that there is broad congressional support for a robust Asia policy, to show that developments in the Indo-Pacific have outsized importance for the future of the United States, to show that we, as a Nation, oppose coercion and that we respect the sovereignty of countries, that we recognize the importance of strong alliances and partnerships across the region, that we simultaneously recognize that, crucial as it may be, we have to actually show that peoples across the Indo-Pacific should enjoy fundamental rights and freedoms to which they are entitled, and to state unequivocally that it is the role of the United States to assert leadership in those roles, because if we do not ad-

vocate for these ideals, they will not take hold on their own. After all, we are witnessing a resurgence of authoritarian governments around the region. We see countries like China and North Korea advancing their respective weapons programs. We are concerned about violent extremism in Southeast Asia and the potential for ISIS fighters to return to the region from Syria. And we see challenges to the global rules-based order that has helped maintain peace and stability for decades.

At the same time, we must resource a host of programs and initiatives that will move American Asia policy in the right direction. Failure to do so will undermine the norms, interests, and values we want to perpetuate, which is why I was shocked and disappointed to learn that President Trump abused the power of his office to urge the Government of Ukraine to insert itself into our democratic process, and I was shocked and disappointed to hear President Trump tell reporters at the White House that he wants the Chinese government to influence the election in his favor. This invitation for a foreign government to interfere in the American electoral process not only violates the oath of office of the President of the United States, but it also undermines the very values for which this country stands. It is concerning enough that a sitting President would invite interference from any foreign entity, but it is especially troubling when the request is made of a government activity undermining freedoms and rights around the world.

It is plausible that President Xi interpreted this request as an opening to further threaten fundamental freedoms of expression, assembly, and the press, whether in Tibet, in Hong Kong, or any other place beyond. And such a signal could have significant implementations for the implementation of U.S. policy in Asia. It could undermine the objectives our professional diplomats, officials, and servicemembers are working hard to achieve. We have an obligation to push back against those Chinese government policies that are inimitable to our interests and our values. We must advocate for the Uyghurs facing repression and imprisonment. We must also support the tenets of freedom in Hong Kong. And we must promote the freedom of navigation in the East and South China Seas, as we do all over the world.

So, let me be clear. Pushing back on China cannot be the rationale for everything the United States does in Asia. What makes diplomacy so difficult and so important is being able to deftly balance priorities. Pursuing stronger alliances and partnerships, and promoting human rights and democracy are not mutually exclusive. In fact, they are mutually reinforcing. We must think of the long-term effects of abandoning our principles.

So, I thank you, Mr. Chairman. And I look forward to exploring, with our witnesses, how they are helping their respective departments push American Asian policy forward in the face of mounting challenges.

Senator GARDNER. Thank you, Senator Markey.

And, to our witnesses today, thank you again for being here. I would ask that you kindly limit your testimony to 5 minutes. I am going to be asking the members on the panel to do the same thing, to keep their questions within the 5-minute timeframe. We have a vote coming up at 4:15, and I want to make sure that we can get

as many questions and as much back-and-forth as possible throughout that time.

Our first witness is The Honorable David Stilwell, who currently serves as the Assistant Secretary of State for East Asian and Pacific Affairs. Prior to his appointment as Assistant Secretary on June 20th, just a couple of months ago, he served in the Air Force for 35 years, beginning as an enlisted Korean linguist in 1980, and retiring in 2015, in the rank of brigadier general, as the Asia Advisor to the Chairman of the Joint Chiefs.

Secretary Stilwell, thank you very much for your service. Honored to welcome you to the subcommittee.

Our next witness will be The Honorable Randall Schriver—Randy Schriver, who currently serves as Assistant Secretary of Defense for Indo-Pacific Security Affairs. Previously, Mr. Schriver served as Deputy Assistant Secretary of State for East Asian and Pacific Affairs. He was a—he was responsible for China, Taiwan, Mongolia, Hong Kong, Australia, New Zealand, and the Pacific Islands. From 2001 to 2003, he served as Chief of Staff and Senior Policy Advisor to the Deputy Secretary of State. Secretary Schriver testified before this subcommittee in the 115th Congress on May 15th, 2018, at our third hearing dedicated to developing the ARIA legislation.

Delighted to have you back. Thank you very much for being here.

And our final witness today is The Honorable Gloria Steele, who serves as Acting Assistant Administrator for Asia at the United States Agency for International Development, or USAID. In this capacity, she oversees USAID's operations in 30 countries in Asia, which in 2018 had an annual budget of over $1.3 billion. Prior to this assignment, she served as USAID's Mission Director for the Philippines, the Pacific Islands, and Mongolia, with a program budget of over $500 million, from 2010 to 2015. Secretary Steele previously testified before this subcommittee on December 4th, 2018, in our third hearing of the China Challenge series dedicated to democracy and human rights.

So, welcome back, to you, as well.

Look forward to hearing from all of you.

Mr. Stilwell—excuse me—Secretary Stilwell, you may begin.

HON. DAVID R. STILWELL, ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Mr. STILWELL. Thank you, Senator.

Senator GARDNER. members of the subcommittee, thank you for the opportunity to discuss U.S. policy in the Indo-Pacific region and the implementation of ARIA.

I would like to thank Senator Gardner and Senator Markey for championing ARIA, and the whole subcommittee for its work to advance U.S. interests in the Indo-Pacific.

Pleased to be here today with the Assistant Secretary of Defense, Randy Schriver, and Assistant Administrator Steele, who are crucial partners, and who we coordinate with extensively.

ARIA advances a comprehensive and principled implementation of our vision for a free and open Indo-Pacific. It reaffirms our longstanding commitment to support our allies and partners and deter

adversaries in the region. It advances U.S. leadership in promoting peace and security, economic prosperity, and respect for human rights and fundamental freedoms.

With the support of ARIA our Indo-Pacific approach recognizes the region's central role in American foreign policy, as highlighted in the President's National Security Strategy. "Free and open Indo-Pacific" means a region built on common principles that have benefited all countries in the region, including respect for the sovereignty and independence of all nations, regardless of size.

In FY 2018, State Department and USAID allocated over 2.5 billion in foreign assistance and diplomatic engagement funds toward the Indo-Pacific region. Consistent with ARIA, our programs seek to unlock private-sector investment, improve defense capacity and resiliency of partners, promote regular bilateral and multilateral engagement, support good governance, and encourage responsible natural resource management. ARIA mandated executive-branch reports on a range of important issues. EAP is proud to have submitted to Congress, on time, the reports assigned to it, including reports on North Korea, ASEAN, and the Lower Mekong Initiative.

I recently returned from a productive trip to the UNGA, where, while there, U.S., Canada, Germany, Netherlands, and the United Kingdom cohosted a panel on human rights crisis in Xinjiang. We underlined our continuing demand that Beijing reverse its highly repressive policies in Xinjiang, and we listened to brave Uyghur survivors of detention and other abuses as they shared their deeply painful experiences.

On October 7th, the Commerce Department placed export restrictions on 28 PRC entities for ties to repression in Xinjiang. And October 8th, the State Department announced visa restrictions on responsible Chinese government and Communist Party officials.

Next visit to the region, coming up in a week, will include Indo-Pacific Business Forum on the sidelines of the East Asia Summit in Bangkok on November 4th. Shortly thereafter, we will be at the Asia-Pacific Economic Cooperation Forum, working with partners to break down trade barriers for companies to boost exports and support job growth.

We have seized on ARIA's call to advance U.S. economic interests in the Indo-Pacific. We are advancing high standards and transparency in all investments and projects, advancing free, fair, reciprocal trade. Our interagency Infrastructure Transaction and Assistance Network, ITAN, optimizes U.S. development, finance, and assistance tools to catalyze private-sector investment. The new U.S. Development Finance Corporation will further these efforts, thanks to the 2018 BUILD Act.

Asia EDGE is our whole-of-government approach to support private investment in energy markets. In August, we announced our intent to provide an initial $29.5 million to support Mekong countries' energy security and access to the U.S.-Japan Mekong Power Partnership.

The Digital Connectivity and Cybersecurity Partnership supports secure and reliable Internet and ICT development, enabling nations to realize the tremendous economic benefits of the digital economy. This month, we completed the U.S.-Japan Digital Trade

Agreement, which will boost the already approximately 40 billion worth of digital trade between the U.S. and Japan.

On the security front, in line with ARIA's objectives, we seek to build a flexible, robust network of like-minded security partners. Secretary Pompeo committed an additional 300 million in security assistance in 2018.

In the South China Sea, Beijing is bullying its neighbors in a manner consistent with the statement of Beijing's then-Foreign Minister in the 2010 ASEAN Summit that said, "China is a big country, and all other countries are small countries. And that is just a fact." This notion that "might makes right" is a threat to sovereignty, peace, dignity, and prosperity in the world's most dynamic region.

PRC maritime claims in the South China Sea, exemplified by the preposterous Nine-Dash Line, are both unlawful and unreasonable. And these claims, which are both without historic legal or geographic merit, and pose real costs in other countries.

With respect to Taiwan, we have repeatedly expressed our concern over Beijing's bullying actions, economic pressure, constraints on Taiwan's international space, and poaching of its diplomatic partners. These actions undermine the cross-strait status quo that has benefited both sides of the straits for decades.

Through the American Institute of Taiwan, we recently held the inaugural U.S.-Taiwan consultations on democratic governance in the Indo-Pacific. The—on October 7th in Taipei, the United States and Taiwan launched a new U.S.-Taiwan-Pacific Islands dialogue to better coordinate aid and help prevent Taiwan's diplomatic allies from falling victim to Beijing's debt-trap development inducements.

In Hong Kong, we believe that freedoms of expression and peaceful assembly must be vigorously protected. We continue to urge Beijing to uphold its commitments. And, as President Trump said at the United Nations, "The world fully expects that the Chinese government will honor its binding treaty, made with the British and registered with the United Nations, in which China commits to protect Hong Kong's freedom, legal system, and democratic ways of life."

We strongly concur with ARIA's finding that promotion of human rights and respect for democratic values in the Indo-Pacific is the United States national interest. Our Indo-Pacific Transparency Initiative, with more than 200 programs worth over 600 million since the beginning of the Trump administration, focuses on fiscal transparency, anticorruption, democracy assistance, youth development, and fundamental freedoms and human rights.

Thank you for offering this opportunity to testify. I look forward to your questions.

[The prepared statement of Mr. Stilwell follows:]

PREPARED STATEMENT OF DAVID R. STILWELL

Senator Gardner and members of the subcommittee, thank you for the opportunity to appear before you to discuss U.S. policy in the Indo-Pacific region and implementation of the Asia Reassurance Initiative Act of 2018, or ARIA. I would like to thank Senator Gardner, as well as Senator Cardin and other co-sponsors, for their leadership in introducing and championing ARIA, and to express my appreciation for the work of the entire Subcommittee in advancing U.S. interests by supporting engagement across the Indo-Pacific region.

ARIA AND U.S. POLICY IN THE INDO-PACIFIC

Secretary Pompeo expressed his deep appreciation earlier this year for the strong bipartisan support that led to the passage of ARIA. He voiced our belief that ARIA implements a comprehensive, multifaceted, and principled U.S. policy to advance our vision for a free and open Indo-Pacific—a vision we share with allies and partners worldwide. ARIA reaffirms our longstanding commitment to support our allies and partners and deter adversaries in the region. It advances U.S. leadership in promoting peace and security, advancing economic prosperity, and promoting respect for human rights and fundamental freedoms.

With the support of ARIA, we continue to implement a whole-of-government effort to advance a free and open Indo-Pacific. Our approach recognizes the region's global importance and central role in American foreign policy, as underscored by the President's National Security Strategy. Our vision for a free and open Indo-Pacific is built on common principles that have benefited all countries in the region, including respect for the sovereignty and independence of all nations, regardless of their size.

We have a fundamental interest in ensuring that the future of the Indo-Pacific is one of freedom and openness rather than coercion and corruption. The United States is the largest source of foreign direct investment in the Indo-Pacific. We conducted over $1.9 trillion in two-way trade with the region in 2018. Several of our non-NATO bilateral defense alliances are in the IndoPacific. More than two-thirds of international students currently in the United States are from the Indo-Pacific, more than double the number from the rest of the world combined.

This approach champions the values that underpin the rules-based order and promote strong, stable, democratic, and prosperous sovereign states. We know that market economies, open investment environments, free, fair, and reciprocal trade, good governance and respect for human rights are crucial for the region's prosperity. We defend and promote freedom of the seas in accordance with international law. We are building new partnerships with countries and institutions that share our commitment to an international system based on clear and transparent rules.

In FY 2018, the State Department and USAID allocated over $2.5 billion in foreign assistance and diplomatic engagement funds toward the Indo-Pacific Region.[1] While this amount is higher than the $1.5 billion authorized in ARIA annually for fiscal years 2020 through 2023, our IndoPacific allocations also include funding for efforts authorized in bills other than ARIA, such as law enforcement programs. Consistent with key provisions in ARIA, a wide range of our programs seek to unlock private sector investment throughout the Indo-Pacific, improve defense capacity and resiliency of partners, promote regular bilateral and multilateral engagement, support good governance, and encourage responsible natural resource management.

In my few months as Assistant Secretary, I have been grateful to see how closely our efforts align with bipartisan views in Congress, as reflected in ARIA, the BUILD Act, and many other pieces of legislation, public statements, travel, and other efforts by lawmakers. We benefit greatly in the region from the strong and consistent voices from across the U.S. government in support of the norms and values our approach represents.

EAP is proud to have submitted to Congress on time the reports assigned to it. These reports include: the Strategy to Address the Threats Posed by, and the Capabilities of, the Democratic People's Republic of Korea; the Strategic Framework for Engagement with ASEAN; and progress on the Lower Mekong Initiative. We work closely with other bureaus of the Department and with interagency partners as they draft reports on their responsibilities, and I look forward to continuing to share information with Congress as we progress on implementation of ARIA and the Indo-Pacific Strategy.

As ARIA recognizes, our alliances with Japan, the Republic of Korea, the Philippines, Thailand, and Australia have helped sustain regional peace and prosperity for generations. ASEAN, which is at the literal center of the Indo-Pacific and is central to our vision, recently released its Outlook on the Indo-Pacific, recognizing shared values as essential for regional stability and development. We are expanding our partnership with India as it elevates its economic, security, and cultural role in the region. We continue to strengthen and deepen our relationship with Taiwan, consistent with the Taiwan Relations Act and other important legislation. And we are joining with the Mekong states, the Pacific Island countries, and many multilateral organizations to face emerging challenges.

I recently returned from a productive trip to the United Nations General Assembly, where I joined Secretary Pompeo in deepening our commitment to the region. In meetings with counterparts, we advanced cooperation on good governance and se-

[1] The FY 2019 allocations are not yet final.

curity issues, and deepened economic ties based on free, fair, and reciprocal trade and transparent, market-based investments.

On the sidelines of the U.N. General Assembly, I joined Deputy Secretary of State John Sullivan and co-sponsors Canada, Germany, the Netherlands, and the United Kingdom to hold a panel discussion on the human rights crisis in Xinjiang. We underlined our continuing demand that Beijing reverse its highly repressive policies in Xinjiang. We listened to brave survivors of detention and other abuses in Xinjiang share their deeply painful experiences, so that the world cannot continue denying the truth about the assault on religious freedom in the People's Republic of China. I encourage everyone to listen to the testimony of Uighurs such as Zumuret Dawut, Nury Turkel, and Rishat Abbas, who spoke that day. I also note that on October 7 the Commerce Department placed export restrictions on 28 People's Republic of China entities for ties to repression in Xinjiang, and on October 8 the State Department announced visa restrictions on responsible Chinese government and Communist Party officials.

My next visit to the region begins later this month and will include the Indo-Pacific Business Forum, on the sidelines of the East Asia Summit in Bangkok on November 4. Co-sponsored by the governments of the United States and Thailand, the Indo-Pacific Business Forum is the premier U.S.-sponsored business event in the region for 2019, elevating our economic and commercial engagement, especially in the areas of infrastructure, energy, and digital economy. The Forum will reinforce the benefits of partnering with the dynamic U.S. private sector and the importance of high standard development, transparency, and the rule of law. Later in November, we will work closely with our partners in the region to break down trade barriers for companies, boost exports, and support job growth at the Asia-Pacific Economic Cooperation (APEC) forum, the premier economic forum in the region.

ARIA AND U.S. SECURITY INTERESTS IN THE INDO-PACIFIC

In line with ARIA's objective "to improve the defense capacity and resiliency of partner nations to resist coercion and deter and defend against security threats," we seek to build a flexible, robust network of like-minded security partners. Together we promote regional stability, ensure freedom of navigation, overflight, and other lawful uses of the sea, and address other shared challenges in the region.

Last year, Secretary Pompeo committed an additional $300 million in security assistance to improve maritime domain awareness, maritime security capabilities, information sharing, humanitarian assistance and disaster relief, and peacekeeping capabilities. In addition to implementing this assistance, we launched a new program in August to counter transnational crime along the Mekong, and we recently conducted the first-ever U.S.-ASEAN maritime security exercise. We have also seen progress in our relationship with India, both bilaterally and through the Quadrilateral Consultations with Japan and Australia.

While we have made significant progress in reinforcing and advancing the free and open order in the Indo-Pacific region, we recognize that some are actively seeking to challenge and supplant this order. We are committed to working with any country that plays by the rules, but we will also stand up to any country that uses predatory practices to undermine or replace them.

As the President's National Security Strategy makes clear, we are especially concerned by Beijing's use of market-distorting economic inducements and penalties, influence operations, and intimidation to persuade other states to heed its political and security agenda. The Chinese Communist Party's pursuit of a repressive alternative vision for the Indo-Pacific seeks to reorder the region in its favor and has put Beijing in a position of strategic competition with all who seek to preserve a free and open order of sovereign nations within a rules-based order.

Maritime Security

As stated in ARIA, "the core tenets of the United States-backed international system are being challenged.by China's illegal construction and militarization of artificial features in the South China Sea." PRC actions in the South China Sea are a threat not only to South China Sea claimant states, or to Southeast Asian nations generally, but to all trading nations and all who value freedom of the seas and the peaceful settlement of disputes.

The manner in which Beijing has bullied its neighbors is consistent with the statement of Beijing's then-foreign minister at the 2010 ASEAN Regional Forum that "China is a big country and other countries are small countries, and that's just a fact." This notion that might makes right, and that the big will do what as they will while the small suffer what they must, is a threat to sovereignty, peace, dignity, and prosperity in the world's most dynamic region.

PRC maritime claims in the South China Sea, exemplified by the preposterous nine-dashed line, are both unlawful and unreasonable. These claims, which are without legal, historic, or geographic merit, impose real costs on other countries. Through repeated provocative actions to assert the nine-dashed line, Beijing is inhibiting ASEAN members from accessing over $2.5 trillion in recoverable energy reserves, while contributing to instability and the risk of conflict.

We remain skeptical of the PRC's sincerity to negotiate a meaningful Code of Conduct that reinforces international law. While claiming that they are committed to peaceful diplomacy, the reality is that Chinese leaders—through the PLA navy, law enforcement agencies, and maritime militia—continue to intimidate and bully other countries. Their constant harassment of

Vietnamese assets around Vanguard Bank is a case in point. If it is used by the PRC to legitimize its egregious behavior and unlawful maritime claims, and to evade the commitments Beijing signed up to under international law, a Code of Conduct would be harmful to the region, and to all who value freedom of the seas.

As ARIA emphasizes, it is the policy of the United States to ensure freedom of navigation, overflight, and other lawful uses of the sea. We work with Indo-Pacific allies and partners to conduct joint maritime training and operations to maintain free and open access, and we have welcomed historic firsts in that regard.

We participated in the first joint sail by U.S., Indian, Japanese, and Philippine navies through the South China Sea in May 2019. We hosted the first U.S.-ASEAN maritime exercise in September 2019, building on the expansion of the Southeast Asia Maritime Law Enforcement Initiative (SEAMLEI) in 2018. Along with the daily operations of U.S. ships and aircraft throughout the region, we conducted more Freedom of Navigation Operations in the South China Sea in 2019 than in any of the past 25 years, to demonstrate that the United States will continue to fly, sail, and operate wherever international law allows.

At a meeting in New York on September 23, President Trump and Singapore's Prime Minister Lee Hsien Loong signed the latest update to the 1990 memorandum of understanding regarding U.S. use of facilities in Singapore. This agreement allows continued U.S. military access to Singapore's air and naval bases and provides logistic support for transiting personnel, aircraft and vessels. The agreement extends the original MOU for an additional 15 years, reflecting Singapore's ongoing support for U.S. military presence which has underpinned the peace, stability and prosperity of the Indo-Pacific region for decades.

Quadrilateral Consultations

ARIA rightly emphasizes the importance of the Quadrilateral Consultations (involving the United States, Australia, India, and Japan) to augment the numerous bilateral and trilateral arrangements that support the U.S. Indo-Pacific Strategy and strengthen the region's ASEAN-led multilateral architecture.

On September 26 in New York, Secretary Pompeo hosted the first ever Ministerial-level meeting with the foreign ministers of Australia, India, and Japan to discuss collective efforts to advance a free and open Indo-Pacific. This "Quad" meeting reaffirmed our countries' shared commitment to close cooperation on maritime security, quality infrastructure, and regional connectivity in support of a rules-based order that promotes stability, growth, and economic prosperity.

Taiwan

Consistent with ARIA and other legislation, we have repeatedly expressed our concern over Beijing's actions to bully Taiwan through economic pressure, constraints on its international space, and poaching of its diplomatic partners. These actions undermine the cross-Strait status quo that has benefitted both sides of the Strait for decades.

Through the American Institute in Taiwan, we recently held the inaugural U.S.-Taiwan Consultations on Democratic Governance in the Indo-Pacific, to explore ways to prevent election interference and promote adherence to the rule of law in the region. This builds upon the success of the Global Cooperation and Training Framework, jointly sponsored by the United States and Taiwan, which has convened experts from over 30 nations from the Indo-Pacific and beyond to forge solutions to make our societies healthier, safer, and more democratic.

On October 7 in Taipei, the United States and Taiwan launched a new U.S.-Taiwan Pacific Islands Dialogue. In accordance with the Taiwan Travel Act, Sandra Oudkirk, the Deputy Assistant Secretary for Australia, New Zealand and the Pacific, led the U.S. delegation. The United States, Taiwan, and major donors in the Pacific identified ways to better coordinate aid and help prevent Taiwan's remaining diplomatic allies in the Pacific from taking on unsustainable and opaque debt from China.

The United States has an abiding interest in peace and stability across the Taiwan Strait. The United States has—for decades-supported Taiwan's ability to maintain a sufficient self-defense capability, as required in the Taiwan Relations Act. We will continue to support an effective deterrent capability for Taiwan that is, as ARIA states, "tailored to meet the existing and likely future threats from the People's Republic of China."

U.S. arms sales to Taiwan and its 23 million people are informed by the Taiwan Relations Act and based solely on continuing assessments of Taiwan's defense needs. While some claim that U.S. arms sales to Taiwan contravene the 1982 U.S.-China Joint Communique that mentions the gradual reduction of arms sales to Taiwan, recently declassified documents pertaining to this socalled "Third Communique" clearly illuminate President Reagan's intent. As President Reagan wrote on August 17, 1982: "In short, the U.S. willingness to reduce its arms sales to Taiwan is conditioned absolutely upon the continued commitment of China to the peaceful solution of the Taiwan-PRC differences. . . . In addition, it is essential that the quality and quantity of the arms provided Taiwan be conditioned entirely on the threat posed by the PRC." To meet those needs, in 2019 alone, this administration approved and notified Congress of potential sales of more than $10 billion of equipment to preserve peace and stability in the Taiwan Strait.

North Korea

ARIA calls for "pursuing a peaceful denuclearization of the Democratic People's Republic of Korea through a policy of maximum pressure and engagement," which is the approach we are taking. The United States remains ready to resume constructive discussions with North Korea on each of the four pillars of the Singapore Joint Statement. Our goal is to achieve the final, fully verified denuclearization of the DPRK, as committed to by Chairman Kim in Singapore. That includes transforming the U.S.-DPRK relationship, establishing a lasting and stable peace on the Korean Peninsula, complete denuclearization, and making progress on the recovery of remains.

As President Trump has said, sanctions remain in effect. Relevant U.N. Security Council resolutions remain in full effect, and U.N. Member States are bound by the obligations they impose. We also call on countries around the world to continue to take action to combat sanctions evasion.

Republic of Korea-Japan Relations

Our steadfast alliances with Japan and the Republic of Korea have enabled decades of peace, prosperity, and development throughout the Indo-Pacific. Both key allies are committed to maintaining a free and open Indo-Pacific and to pursuing denuclearization of the Korean Peninsula. In line with ARIA, we work to deepen the trilateral security cooperation between us, including in missile defense, intelligence-sharing, and other defense-related initiatives.

Recent challenges in the relationship, stemming from historical grievances and trade and security-related actions, have created an increasingly unsafe and unstable security environment in Northeast Asia. We have repeatedly expressed our concern with South Korea's decision to terminate the General Security of Military Information Agreement (GSOMIA) with Japan. The value of arrangements such as GSOMIA to U.S., South Korean, Japanese, and regional security was underscored again recently with North Korea's Oct. 2 missile launches.

While our position has been that we will not serve as a mediator between our two allies, this certainly has not precluded extensive engagement. We have been meeting frequently in both bilateral and trilateral settings to deliver clear messages to both sides and seek mutually agreeable solutions. We trust that our allies will prioritize our collective strategic interests, as they have in the past.

Cybersecurity

In line with the ARIA's finding that there "should be robust cybersecurity cooperation between the United States and nations in the Indo-Pacific region," the United States is increasing its support to partners to help defend their networks from cyber threats that undermine our mutual economic and security interests.

These efforts help counter malicious cyber activities by North Korea, China, cyber criminals, and other state and non-state cyber actors that seek to steal money, intellectual property, and other sensitive information. The United States also coordinates with likeminded Indo-Pacific partners-such as Japan, India, Australia, and Republic of Korea-to build cyber capacity in the region, share best practices, and strengthen the resilience of critical infrastructure.

We have seized on ARIA's call to "work with partners to build a network of states dedicated to free markets and protected from forces that would subvert their sovereignty." We are advancing high standards and transparency in all investments and projects, and advancing free, fair, and reciprocal trade. Our economic initiatives help countries in the region use private sector investment as the path to sustainable development. We encourage innovation and reinforce that all parties must respect intellectual property rights.

Infrastructure and Investment

The United States supports the development of infrastructure in the Indo-Pacific region that is physically secure, financially viable, and socially responsible. The interagency Infrastructure Transaction and Assistance Network (ITAN) optimizes U.S. development finance and assistance tools to catalyze private sector investment.

Since its launch in July 2018, ITAN has enhanced transparent legal and procedural frameworks for overseeing complex infrastructure projects in Southeast and South Asia. In addition, USAID has increased support to the Philippines' infrastructure development strategy, advised Vietnam on its Power Development Plan and attracting private sector investment, and improved public financial management in the Maldives. ITAN also launched the Transaction Advisory Fund (TAF) on September 16. The TAF helps partners assess major infrastructure projects by supporting transaction advisory services, including contract negotiation and bid or proposal evaluation.

The new U.S. International Development Finance Corporation (DFC) will further these efforts, thanks to the 2018 passage of the BUILD Act. By doubling the U.S. government's development financing capacity to $60 billion and enabling equity investments and feasibility studies, the BUILD Act empowers the DFC to advance private-sector-led development for projects that are quality, transparent, and financially viable.

Energy

In line with ARIA's exhortation to "explore opportunities to partner with the private sector and multilateral institutions, such as the World Bank and the Asian Development Bank, to promote universal access to reliable electricity in the Indo-Pacific region," we are pushing forward on energy cooperation with friends and allies across the region.

Energy demand in South and Southeast Asia is projected to grow drastically by 2040, and meeting this growth will be critical to security and economic development in the region. The Indo-Pacific accounts for nearly 30 percent of all U.S. energy exports and totaled more than $50 billion in 2018. The United States uses its energy resources and technological expertise to promote energy security and access across the Indo-Pacific region, expand opportunities for U.S. exports of energy and related services and technology, and work with partners to set transparent, market-based energy policies.

Asia EDGE (Enhancing Development and Growth through Energy) is a U.S. whole-ofgovernment effort to meet these goals and catalyze private sector investment in energy markets. Since its launch, Asia EDGE has facilitated U.S. private investment in Vietnam's energy sector, including a U.S. company's natural gas-fired power plant and liquefied natural gas (LNG) import terminal. In August 2019, the United States announced its intent to provide an initial $29.5 million to support Mekong countries' pursuit of energy security and their citizens' reliable access to electricity in line with the U.S-Japan Mekong Power Partnership.

Digital Economy

The Digital Connectivity and Cybersecurity Partnership is a multi-year, whole of government effort to promote an open, interoperable, secure, and reliable Internet. By catalyzing economically sustainable and secure private sector network investments, promoting regulatory reforms, and encouraging adoption of cyber security best practices, this initiative will provide a credible alternative to top-down, authoritarian approaches to internet and ICT development and enable nations to realize the tremendous economic benefits of the digital economy.

ASEAN is the world's fastest growing internet region, and DCCP includes several ASEANfocused programs, such as support for e-commerce and digital services in the ASEAN Economic Community and technical assistance for policy makers from ASEAN member states. We are advancing the U.S.-ASEAN Smart Cities Partnership. The capstone of our ASEAN engagement was the first U.S.-ASEAN Cyber Policy Dialogue in Singapore in October 2019.

Also, the USTR negotiated a United States-Japan Digital Trade Agreement, which was signed this month. The United States-Japan Digital Trade Agreement includes high-standard provisions that address key digital trade issues and meets the same gold standard on digital trade rules that was set by President Trump's landmark United States-Mexico-Canada Agreement (USMCA). This agreement will boost the already approximately $40 billion worth of digital trade between the U.S. and Japan.

Multilateral Engagement

As highlighted in our ARIA reports on the Lower Mekong Initiative and our Strategic Framework for Engagement with ASEAN, multilateral engagement is vital to our vision for the Indo-Pacific. ASEAN is most effective when it speaks with one voice about pressing political and security issues. It took an important step in this regard with the June 2019 release of its "Outlook on the Indo-Pacific," which articulates an inclusive vision for a rules-based order. The United States supports ASEAN's efforts to ensure that all Indo-Pacific countries, regardless of their size, have a proper stake in determining the future of the region.

The United States is one of 21 member economies in the Asia-Pacific Economic Cooperation (APEC) forum for facilitating economic growth, cooperation, trade and investment in the AsiaPacific region. We also continue to take an active role in the Lower Mekong Initiative, especially to increase engagement on issues such as the environment, health, education, and infrastructure development.

ARIA AND U.S. VALUES IN THE INDO-PACIFIC

The United States is a champion of civil society, the rule of law, and transparent and accountable governance across the region. We concur with ARIA's finding that "the promotion of human rights and respect for democratic values in the Indo-Pacific region is in the United States' national security interest," and we work to advance these objectives across the region.

We seek to build capacity for good governance and adherence to international law, rules, and standards. We are implementing governance programs under our whole-of-government IndoPacific Transparency Initiative and identifying new areas of cooperation with likeminded partners. These efforts strengthen civil society and democratic institutions in the region, counter corruption, and help countries attract the high-quality financing necessary for sustainable economic development. In addition, in line with ARIA, we work to establish high-level bilateral and regional dialogues with Indo-Pacific nations on human rights and religious freedom, while supporting robust people-to-people exchange programs.

Among current issues affecting the region, Secretary Pompeo has pressed Burma to create conditions conducive to provide for the safe, voluntary, dignified, and sustainable repatriation return of displaced Rohingya. We are galvanizing international pressure on the People's Republic of China to halt its repression of Uighurs, ethnic Kazakhs, Kyrgyz, and members of other Muslim minority groups in Xinjiang, and we insist that the selection of religious leaders by the Tibetan community be free of interference by the Chinese Communist Party. With respect to Cambodia, we have been vocal that the government should re-open political space and permit genuine political competition to strengthen and support democratic institutions.

Hong Kong

In Hong Kong, we believe that the freedoms of expression and peaceful assembly-core values that we share with the people of Hong Kong-must be vigorously protected. We continue to urge Beijing to uphold its commitments under the Sino-British Joint Declaration to respect Hong Kong's high degree of autonomy.

As President Trump said at the United Nations General Assembly, "As we endeavor to stabilize our relationship [with Beijing], we're also carefully monitoring the situation in Hong Kong. The world fully expects that the Chinese government will honor its binding treaty, made with the British and registered with the United Nations, in which China commits to protect Hong Kong's freedom, legal system, and democratic ways of life. How China chooses to handle the situation will say a great deal about its role in the world in the future. We are all counting on President Xi as a great leader."

Transparency Initiative

In November 2018, Vice President Pence announced the Indo-Pacific Transparency Initiative to empower the region's citizens, combat corruption, and build resilience to foreign influence operations that threaten nations' sovereignty. Over 200 programs, worth more than $600 million since the beginning of the Trump administration, focus on anti-corruption and fiscal transparency, democracy assistance,

youth development, freedom of expression, including for journalists, and other fundamental freedoms and human rights.

The U.S. Government uses all available tools-including sanctions under the Global Magnitsky Human Rights Accountability and the Foreign Corrupt Practices Acts, visa restrictions, and other means-to punish and deter those who engage in serious human rights abuse and corruption abroad. These tools also hold U.S. companies accountable to high standards of transparency and ethical behavior in all engagements across the Indo-Pacific region and globally.

Human Capital

Human capital development underpins all our engagement throughout the Indo-Pacific. To implement youth initiatives outlined in ARIA, the United States has supported more than 5,000 emerging regional leaders in Young Southeast Asian Leaders Initiative (YSEALI) exchange programs or regional training workshops on topics such as sustainable infrastructure, good governance, and entrepreneurship since 2013. In addition, the Young Pacific Leaders program has forged strong ties with emerging leaders across 19 Pacific nations.

As Secretary Pompeo said in Bangkok in August: In addition to investing over generations in official alliances, partnerships and multilateral institutions across the Indo-Pacific, the United States has also, importantly, "invested in your human capital. Our educational programs and universities have nurtured thousands of Asian leaders for decades, from local leaders to heads of state. And some of our most important ambassadors—private businesses—grew alongside you to our mutual benefit."

These remarks captured a fundamental but often overlooked aspect of U.S. international engagement: Our government, education sector, and private sector all do significant work, both together and separately, to invest in talent and to help nurture the future of our foreign partners. This is seen in a range of areas, from U.S. firms training local engineers in growing markets, to official U.S. government efforts to promote education, entrepreneurship, economic empowerment, leadership, and health. Congressional support for such programs is longstanding, and we will be expanding our emphasis on these going forward.

As always, though, we must be cautious as we pursue some kinds of international exchange. We welcome the large numbers of Chinese students and scholars who come to the United States to study, research, and learn with their American peers. But they must not be pressured by the People's Republic of China to engage in activities beyond the scope of legitimate academic pursuits. Coercion of even a single Chinese student or scholar in the United States is unacceptable.

President Xi Jinping has set forth an ambitious national strategy to break down all barriers between the civilian and military technological spheres by "fusing" the defense and civilian industrial bases through what Chinese officials call "military-civil fusion." This strategy prioritizes developing or acquiring advanced technology that is useful militarily, either for the modernization of the People's Liberation Army or for other domestic purposes, such as general surveillance or the particularly egregious repression seen in Xinjiang. The acquisition of technology needed for military-civil fusion occurs both via legitimate means, such as joint research and development with foreign firms or collaboration with foreign universities, but also via illicit means, through theft and espionage that must be countered. (I addressed these issues in a speech on Sept. 28.)

I would like again to thank Senator Gardner and this subcommittee for your efforts to advance U.S. interests and values in the Indo-Pacific region. I truly believe that by working together, in a whole-of-government effort, we can ensure the security, prosperity, and success of the United States and the peoples and countries of the Indo-Pacific. I look forward to answering your questions and working with you and your staffs further on these issues.

Senator GARDNER. Well done, Secretary Stilwell. Thank you. And at—your extensive comments will be made a part of the record. Thank you very much for that.

Secretary Schriver.

STATEMENT OF HON. RANDALL G. SCHRIVER, ASSISTANT SECRETARY OF DEFENSE FOR INDO–PACIFIC SECURITY AFFAIRS, U.S. DEPARTMENT OF DEFENSE, WASHINGTON, DC

Mr. SCHRIVER. Good afternoon, Mr. Chairman, Ranking Member Markey, Senator Coons. Thank you for allowing DOD to participate

in this hearing and talk about our approach to the Indo-Pacific and how we are pursuing implementation of our strategy and ARIA.

As we work to develop and implement a strategy to secure a free and open Indo-Pacific, we are certainly aided by the strong bipartisan support of Congress, including the passage of ARIA. ARIA provides a comprehensive set of national security and economic policies to achieve our interests, and does indeed reassure our allies while helping to deter our adversaries in the Indo-Pacific.

In DOD's Indo-Pacific Strategy Report, or IPSR, we state clearly, quote, "The Indo-Pacific is the Department of Defense's priority theater. We have an enduring commitment to uphold a free and open Indo-Pacific in which all nations, large and small, are secure in their sovereignty and able to pursue economic growth consistent with international rules, norms, and principles of fair competition."

This free and open Indo-Pacific vision that is also enshrined in ARIA is based on enduring and widely-shared principles, including respect for sovereignty and independence of all nations, no matter their size, peaceful resolution of disputes, free, fair, and reciprocal trade and investment, and adherence to international rules and norms, including freedom of navigation and overflight.

The Department is making this vision a reality, along with our interagency colleagues, by focusing on our investments on preparedness, strengthening our allies and partnerships, and empowering a regional security network.

First, when we talk about preparedness, we mean investing in a more lethal, resilient, agile, and combat-effective Indo-Pacific force posture appropriate for great-power competition. Thus, we are increasing investments in contested domains, like space and cyber, while preserving our advantages in undersea warfare, tactical aircraft, C4ISR, and missile defense.

Second, with respect to our alliances and partnerships, we are both reinforcing established alliances, such as those with Japan and Australia, as well as expanding relationships with new and emerging partners, such as India, Vietnam, and Indonesia. We are also enhancing our engagement in areas where China is seeking to compete more vigorously, such as in the Pacific Islands.

And third, the Department is taking steps to promote, strengthen, and evolve U.S. alliances and partnerships into a networked security architecture capable of deterring aggression, maintaining stability, and ensuring free access to common domains. Augmenting our system of bilateral alliances with a more interconnected region among countries that seek a free and open Indo-Pacific enhances our ability to compete effectively.

Finally, our approach to the region and our strategy to maintain a free and open Indo-Pacific region accounts for our relationship with China. Although the United States will continue to pursue a constructive, results-oriented relationship with China, we will not accept policies or actions that threaten to undermine the international rules-based order. ARIA is a significant tool for us, and it allows us to stand up for, and defend, that order. And allow—and although we are committed to cooperating with China where our interests align, we will compete vigorously where our interests diverge.

China's approach, under the leadership of Chairman Xi and the CCP, demonstrated by both words and deeds, stands in contrast to our vision for a free and open Indo-Pacific. And some of its activities seek to undermine principles that have benefited all nations. We are competing with China because CCP leaders have, themselves, assessed they are in competition with us, both our ideas and our capabilities, and they are developing their own capabilities designed to erode our advantages. Globally, Chairman Xi and the CCP seek to shape a world consistent with its authoritarian model and national goals. We see the CCP using its growing clout to change the behavior of other countries, realigning them with Chinese preferences through persuasion and, at times, coercion.

All of this does matter, because if the CCP were to be successful and its authoritarian approach were to become ascendant, the world could look quite different. Indo-Pacific states will find that they have less control of their futures and their economies. The regional institutions may become less independent and, therefore, less effective. Freedom of seas and overflights in the Indo-Pacific may no longer be free. And we could also see a diminished respect for individual and human rights, as the CCP would seek to normalize its domestic repression and protection of human rights violators elsewhere, such as in Burma. All of this portends a less free and less open and more unstable Indo-Pacific, and high potential for these trends to manifest on a global scale.

A competitive strategy with China is not meant to lead to conflict. While we compete vigorously with China, our military-to-military contacts are aimed at reducing risk and promoting international norms and standards. We remain committed to this vital region. We are encouraged by the leadership of this Congress and the bipartisan support of ARIA. And we look forward to continuing to work with you on the implementation of our Indo-Pacific Strategy.

Thank you. And look forward to your questions.

[The prepared statement of Mr. Schriver follows:]

PREPARED STATEMENT OF RANDALL SCHRIVER

Good afternoon Chairman Gardner, Ranking Member Markey, and members of the committee. Thank you for this opportunity to update you on the Department of Defense's approach to the Indo-Pacific region and support to implementation of the Administration's Indo-Pacific strategy and the Asia Reassurance Initiative Act (ARIA). I would also like to take this opportunity to thank Assistant Secretary David Stilwell and Assistant Administrator Gloria Steele for their remarks. Our interagency efforts to develop the U.S. strategy and approach to the Indo-Pacific region have been an excellent example of interagency focus and cooperation. As we've worked to develop and implement a strategy that demonstrates the U.S. commitment to a free and open Indo-Pacific region, we have been aided in our efforts by bipartisan support from Congress. I'd like to commend this committee's efforts to support the passage of ARIA, which informs our whole-of-government approach to the region.

The ARIA demonstrates the U.S. commitment to a free and open Indo-Pacific, providing a comprehensive set of national security and economic policies to advance U.S. interests and goals in this critical region. Most importantly, the ARIA reassures our allies and deters our adversaries in the Indo-Pacific through promoting U.S. security interests, economic engagement, and values in the region. The Department of Defense is intently focused on supporting implementation of the ARIA and a broader, whole-of-government approach to the crucial Indo-Pacific region. The Department has been consistent in this approach, where Secretary Esper, and Secretary Mattis before him, have emphasized the Indo-Pacific as the priority theater,

a point of view reflected in our National Defense Strategy (NDS) and in our robust engagement with the region.

The Department has articulated its role within this whole-of-government approach for the region through the Indo-Pacific Strategy Report (IPSR) released in June, coinciding with the Shangri-La Dialogue. This report is not a new strategy, but rather provides clarity on the NDS as it applies to the Indo-Pacific. As stated unambiguously in the report, ″The Indo-Pacific is the Department of Defense's priority theater. We have an enduring commitment to uphold a free and open IndoPacific in which all nations, large and small, are secure in their sovereignty and able to pursue economic growth consistent with international rules, norms, and principles of fair competition."

This free and open Indo-Pacific vision that is also enshrined in the ARIA is one that is based on principles of cooperation that are enduring, inclusive, and shared across the region and the world. This includes respect for sovereignty and independence of all nations, large and small; peaceful resolution of disputes; free, fair, and reciprocal trade and investment, which includes protections for intellectual property; and adherence to international rules and norms, including freedom of navigation and overflight. The Department is making this vision a reality by focusing our investments on preparedness, strengthening our alliances and partnerships, and empowering a regional security network.

First, when we talk about preparedness, we mean having the right capabilities in the right places to respond to crises, and to compete with and deter near-peer competitors. The Department, alongside our allies and partners, is diversifying our regional posture and investing in a more lethal, resilient, agile, and combat-effective Indo-Pacific force posture. We are increasing investments in contested domains like space and cyber, while preserving our advantages in undersea warfare, tactical aircraft, C4ISR, and missile defense to ensure the commons remain open to all in the Indo-Pacific. While we do not seek conflict, we know that having the capability to win wars is the best way to deter them. We want to ensure no adversary believes it can successfully achieve political objectives through military force.

A central theme of the NDS, and one that is predominantly reflected in both the Indo-Pacific strategy and the ARIA, is our focus on our alliances and partnerships. We are reinforcing our commitment to established alliances and partnerships, while expanding relationships with new partners that share respect for sovereignty, fair and reciprocal trade, and rule of law. We are committed to working with allies and partners to find ways to address common challenges, enhance shared capabilities, increase defense investment and improve interoperability, streamline information sharing, and build networks of capable and like-minded partners. Our mutually beneficial alliances and partnerships give a durable, asymmetric advantage that no competitor can match.

The Department is expanding collaborative planning and prioritizing requests for U.S. military equipment sales to deepen interoperability and training for high-end combat missions in alliance, bilateral, and multilateral exercises. The Department is looking to strengthen traditional close relationships with countries like Japan through integrating our NDS implementation with Japan's National Defense Program Guidelines, important emerging relationships with countries like India through implementing its Major Defense Partner status and Singapore through increased access and training opportunities, and emerging partnerships with countries like Indonesia and Vietnam. U.S. Navy forces tested interoperability, command and control, and key maritime security tasks with the ten ASEAN Member States during the first-ever ASEAN-U.S. Maritime Exercise in September. The Department is also enhancing our engagement in the Pacific Islands to preserve a free and open Indo-Pacific region, maintain access, and promote our status as a security partner of choice.

Beyond the Indo-Pacific, the Department is engaging allies and partners—as seen by recent senior leader engagements to Europe and the Middle East, for example. China and others recognize U.S. advantages, and are actively working to disrupt America's alliances and partnerships in Europe, the Middle East, and the Indo-Pacific. They also understand those advantages because they see them in action through initiatives like the Enforcement Coordination Cell in Yokosuka, Japan, a command center including representatives from the Republic of Korea, Australia, Canada, New Zealand, the United Kingdom, Japan, and France which are committed to enforcing U.N. Security Council Resolutions that prohibit North Korea's ability to unlawfully export coal and import refined petroleum in the maritime domain.

The Department also conducts routine freedom of navigation and other presence operations in the South China Sea (SCS), also strongly promoted in the ARIA, in which we are increasingly enjoying the participation and support of partners and

allies. This has been particularly important in responding to steps Beijing has taken to militarize outposts in the SCS, where we want to make the investment China has made to operationalize an expansive and unlawful maritime claim as insignificant as possible. The Department continues to implement the Maritime Security Initiative (MSI), which has boosted key Southeast Asian partners' abilities to conduct maritime security and domain awareness operations.

Finally, the Department is taking steps to promote, strengthen, and evolve U.S. alliances and partnerships into a networked security architecture capable of deterring aggression, maintaining stability, and ensuring free access to common domains. From our tri-lateral relationships with Australia, Japan, and South Korea, to our work with Thailand co-organizing last month's ASEAN-U.S. Maritime Exercise, we are augmenting our bilateral relationships and building an interconnected Indo-Pacific.

The United States continues to support ASEAN centrality, as it "speaks with one voice" to promote a rules-based international order and maintain a region free from coercion. In fact, the IPSR aligns with ASEAN's Indo-Pacific Outlook, spearheaded by Indonesia, which emphasizes ASEAN centrality and promotes regional cooperation through existing ASEAN-led mechanisms. The United States and ASEAN share common values, and ASEAN is a key partner in promoting the values and policies enshrined in the IPSR. As ASEAN nations support one another to maintain the freedom, sovereignty, and territorial integrity of countries within the region, this cohesion strengthens ASEAN's voice.

A critical part of our engagement is meaningful work with various ASEAN-based institutions.From the East Asia Summit to the ASEAN Regional Forum and ASEAN Defense Ministers' Meeting-Plus and subordinate mechanisms, we seek to advance peace and security by working with ASEAN and partners across the region against common threats—including transnational crime, trafficking, terrorism, and maritime security. A particular focus is addressing ASEAN countries' desire to better share information with one another and to enhance regional maritime domain awareness. The Department also continues to cultivate intra-Asian security relationships that support common goals—whether maritime security, counter-terrorism, or counterproliferation—across shared domains and in defense of shared principles.

As we strengthen our alliances and partnerships we are also taking the steps necessary to improve our military readiness and capabilities to reassure our allies and deter potential adversaries, complementing the substantive U.S. resource commitments provided by the ARIA. Strong deterrence is at the foundation of our regional, and indeed, our global approach, and Secretary Esper is clear in his emphasis on the Department's role in supporting our diplomats so they can engage and negotiate from a position of strength.

Given the long-term, consequential nature of the Indo-Pacific region to U.S. national security and emerging threats to the region's stability, the Department is sustaining its focus on the region in Fiscal Year (FY) 2020. The FY 2020 defense budget continues to execute the NDS by reprioritizing resources and shifting investments to prepare for a potential future, high-end fight. It also focuses on strengthening our alliances and attracting new partners to generate decisive and sustained military advantages in the Indo-Pacific through enhancing cooperation with allies such as Australia, Japan, and the Republic of Korea through ongoing engagements, their procurement of high-end U.S. platforms, and working with each to build missile defense systems that are increasingly interoperable with U.S. capabilities.

Finally, our approach to the region and our strategy to maintain a free and open Indo-Pacific region accounts for our relationship with China. China should and does have a voice in shaping the international system, as do all countries. However, in recent years, we have grown concerned by Beijing's strategic intentions and trajectory, including some activities in the region that we view as destabilizing and counterproductive-in the SCS, for example. Although the United States will continue to pursue a constructive, results-oriented relationship with China, we will not accept policies or actions that threaten to undermine a free and open Indo-Pacific that has benefited everyone in the region, including China. The ARIA is a significant tool that allows us to stand up for and defend that order, and we will encourage others to do the same; and although we are committed to welcoming cooperation from China where our interests align, we will compete, vigorously, where our interests diverge.

Beijing's approach—demonstrated by both words and deeds—stands in contrast to our vision for a free and open Indo-Pacific, and some of its activities seek to undermine principles that have benefited all nations, including China. We had patiently hoped the Communist Party of China would see the value of cooperative engagement, but the its actions in Hong Kong, Xinjiang, the SCS and elsewhere have dashed that hope. We are competing with China because Chinese leaders have as-

sessed that they are in competition with us—both our ideas and our capabilities—and they are developing capabilities designed to erode our advantages. Globally, Beijing seeks to shape a world consistent with its authoritarian model and national goals. We see China using its growing clout to change the behavior of other countries, realigning them with the Communist Party of China's preferences through persuasion, implication, and at times coercion. We see the domestic governance of the Communist Party of China rule as increasingly authoritarian where human rights and dignity are concerned. China has begun exporting tools such as facial recognition software and nationwide surveillance capabilities of all aspects of a person's life.

A competitive strategy with China is not meant to lead us to conflict. For the United States, competition does not mean confrontation, containment, nor must it lead to conflict. We seek to maintain competition as a stable deterrent that avoids conflict. While we compete vigorously with China, our military-to-military contacts are aimed at reducing risk and promoting international norms and standards. We will cooperate with China where our interests align while competing within a rules-based framework where our interests diverge. That said, the United States will continue to call out China's behaviors that are counter to the norms expected of all countries.

Our vision for the Indo-Pacific region excludes no nation. We seek to partner with all nations that respect national sovereignty, fair and reciprocal trade, and the rule of law. Although we accept that States will make some decisions that are not in our interests, we recognize that for the Indo-Pacific region to flourish, each nation in the region must be free to determine its own course within a system of values that ensures opportunity for even the smallest countries to thrive, free from the dictates of the strong. Our aim is for all nations to live in prosperity, security, and liberty, free from coercion and able to choose their own path.

The United States is a Pacific nation and has been one for centuries. We will remain committed to maintaining the security and stability in this all-important region. This is a view that has transcended political transitions and has maintained strong bipartisan support. During my tenure as Assistant Secretary, I have been encouraged by the leadership demonstrated by Congress and the bipartisan support for prioritizing the Indo-Pacific. I look forward to working with you on the specific measures you propose to enhance U.S. leadership in the Indo-Pacific region, like implementation of the ARIA.

Chairman Gardner, Ranking Member Markey, members of the committee, thank you for the opportunity to testify this afternoon. I look forward to your questions.

Senator GARDNER. Thank you, Secretary Schriver.

Secretary Steele.

STATEMENT OF HON. GLORIA D. STEELE, ACTING ASSISTANT ADMINISTRATOR FOR ASIA, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, WASHINGTON, DC

Ms. STEELE. Chairman Gardner, Ranking Member Markey, Senator Coons, thank you for inviting me to testify today.

As ARIA underscores, strong American leadership is needed to ensure that an international system rooted in the rule of law endures. In fiscal year 2018, USAID programmed roughly $1.2 billion in assistance funds to the Indo-Pacific region. This assistance helps USAID to advance the Administration's Indo-Pacific Strategy. It is also key to USAID's ability to project strong American leadership on development priorities that advance U.S. economic and national security interests, which are at the heart of ARIA.

To advance the Indo-Pacific Strategy, USAID focuses on three objectives. One, strengthening democratic systems. Two, fostering private-sector-led economic growth. And three, improving natural resources management. The President's fiscal year 2020 budget request includes $534 million for USAID to drive this objective forward, a 114-percent increase over his fiscal year 2019 request.

USAID's objectives to advance the Indo-Pacific Strategy go hand-in-hand with our efforts to improve the lives and well-being of the

people across Asia by increasing their self-reliance. These efforts include our health and education programming, which are foundational for the creation of a free, open, and secure Indo-Pacific region. Accordingly, the fiscal year 2020 budget request includes $230 million for health, education, and food assistance in the Indo-Pacific region.

Within USAID's three Indo-Pacific objectives, we are sharply focused on countering the immediate- and medium-term effects of malign influences that contest our progress towards a free, open, and secure Indo-Pacific region. To maximize our impact, we are closely monitoring and evaluating our development programs; taking a leading role in whole-of-U.S.-Government initiatives; coordinating with like-minded donor partners, including Australia, Japan, New Zealand, and the Republic of Korea; and exploring potential collaboration with Taiwan. In line with ARIA, USAID is also contributing to efforts to strengthen the United States' strategic partnership with India, an emerging regional and global leader in development.

On our first objective of strengthening democratic systems, we have achieved some notable progress to date. In Indonesia, for example, thanks to USAID's advocacy and assistance, the number of people from marginalized communities who have been able to seek legal aid have increased tenfold from 2017 to 2018. This contributed to expanded access to justice for the most vulnerable.

On fostering economic growth in Vietnam, we are building upon our past successes in improving the enabling environment for trade. We recently launched a new program that will help reduce the time and cost of trading with Vietnam, and increase Vietnam's ability to mitigate the inappropriate transshipment of Chinese goods to Vietnam to avoid U.S. tariffs.

On improving natural resources management, we are promoting the application of international environmental and social safeguards for infrastructure development. In the Lower Mekong region, for example, we are gearing up to launch an interactive website that will enable decision makers and advocates to visually map the negative impacts of sub-par infrastructure approaches. We are also combating transnational environmental crime. In partnership with INTERPOL, USAID is helping to dismantle cross-continental syndicates that traffic in elephant ivory and pangolin.

We are accelerating the region's energy transformation through a number of activities, including a recently launched partnership with the Asian Development Bank, which aims to mobilize $7 billion in energy investments in Asia.

At USAID, our ultimate goal is for our partner countries to progress from being aid recipients to partners to fellow donors. We call this, the path of getting there, the "Journey to Self-Reliance," and it focuses on increasing the capacity and commitment of partner countries to drive their own development. USAID's mission to advance self-reliance mutually reinforces our focus on the Indo-Pacific Strategy. In order to advance our partner countries' self-reliance that is inclusive and sustainable over generations, we prioritize achieving gains in health and education. For example, in Burma, which has the highest malaria burden in the Greater Mekong region, USAID assistance contributed to an 82-percent de-

cline in malaria cases from 2012 to 2017. In Cambodia, we have strengthened early-grade reading by helping the Ministry of Education ensure that services and policies are more inclusive and responsive to the needs of children, especially those with disabilities.

Across the Indo-Pacific region, we are also supporting programs that increase women's access to capital and land. With USAID's support, for example, a new investment bond aimed at raising $100 million to bolster women's livelihoods through micro and small loans will soon hit the Singapore stock exchange.

In closing, I would like to thank the committee for its leadership on ARIA, which sends a strong message of the United States' enduring commitment to the region. We greatly appreciate the strong congressional support for USAID's work in advancing partner-country self-reliance in a free, open, and secure Indo-Pacific region.

Thank you. And I look forward to your counsel and questions.

[The prepared statement of Ms. Steele follows:]

PREPARED STATEMENT OF GLORIA STEELE

Chairman Gardner, Ranking Member Markey, and distinguished Members of the subcommittee: Thank you for inviting me to testify on the vital role the United States Agency for International Development (USAID) plays in advancing the Administration's Indo-Pacific Strategy (IPS) and the Asia Reassurance Initiative Act of 2018 (ARIA). In Fiscal Year (FY) 2018, USAID programmed $1.236 billion in appropriated and reprogrammed development assistance to the Indo-Pacific region. I would like to thank the Committee for its leadership on ARIA, which, in setting a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, sends a strong signal of bipartisan Congressional support for the IPS.

As both the IPS and ARIA emphasize, it is essential to our own prosperity and security for the Indo-Pacific region to be free and open. The Indo-Pacific region is home to the world's fastest-growing markets and offers unprecedented potential to strengthen the U.S. economy while improving lives in Asia and around the world. Yet, the region's continued growth—and the ability of U.S. companies to compete in the Indo-Pacific region freely and fairly faces deficits in citizen-responsive governance; the rule of law; and respect for human rights, fundamental freedoms, and democratic values. These conditions also compromise stability in a region of the world that is home to the majority of humanity. As ARIA underscores, strong American leadership is needed to ensure that an international system rooted in the rule of law endures.

USAID is proud to play a major role in advancing the Administration's IPS, and projecting strong American leadership on development priorities that advance U.S. economic and national security interests at the heart of ARIA. Under the IPS, the U.S. framework for the region focuses on three pillars: economics, governance, and security. In support of these core pillars, USAID's strategy to advance the IPS is structured around three objectives, all strongly endorsed by ARIA: strengthening democratic systems, fostering economic growth, and improving the management of natural resources. To advance these objectives in the Indo-Pacific region, the President's FY 2020 budget request includes a development assistance budget for USAID of $534 million—a 114 percent increase over or a more than doubling of our FY 2019 request. These objectives also go hand-in-hand with our long-standing efforts to improve the lives and well-being of people across Asia as fundamental to creating the foundations for a free, open, and secure Indo-Pacific region. The President's FY 2020 budget request includes $230 million for USAID's development assistance in the Indo-Pacific region that is consistent with our vision for the Journey to Self-Reliance, such as programming in health and basic education.

Within USAID's three IPS objective areas, we are sharply focused on countering the immediate- and medium-term effects of malign influences that contest our progress towards a free, open, and secure Indo-Pacific region. USAID is designing and implementing development programs; taking a leading role in whole-of-U.S. Government initiatives; coordinating with like-minded donor partners, including Australia, Japan, New Zealand, and the Republic of Korea; and exploring potential collaboration with Taiwan. In line with ARIA, USAID is also contributing to efforts to strengthen the United States' strategic partnership with the Republic of India,

an emerging regional and global leader in development, in advancing our shared objectives for peace and security in the Indo-Pacific region. USAID is supporting India's regional and global leadership role on combating development challenges, including bolstering the central role India plays in efforts to facilitate energy and infrastructure investment and connectivity.

I will next provide a brief overview of our efforts under each of our three objectives.

STRENGTHENING CITIZEN-RESPONSIVE DEMOCRATIC SYSTEMS

Over the last few years, democratic institutions across Asia have faced significant tests. In some places, malign influences have intervened overtly and covertly to exploit institutional weaknesses and spawn corruption, which consequently have undermined democratic institutions and the long-term stability of our partner countries. This reduces competitiveness and poses significant risks to sustainable development, autonomy of countries in the region, and citizenresponsive governance.

USAID is at the forefront of the U.S. Government's efforts to address these challenges, including through the whole-of-Government Indo-Pacific Transparency Initiative. In line with ARIA, our activities include promoting the integrity of electoral processes; supporting the independence of media and the integrity of information; protecting human rights and dignity, including civil and political rights and religious freedom; fostering accountability and transparency, including by fighting corruption; improving the rule of law; and strengthening civil society.

We have achieved some notable progress to date. For example, in support of transparency and accountability that elicit high-quality investment, USAID's assistance enabled the launch of a new system for vetting all major infrastructure projects proposed in Burma, known as the "Project Bank." In Republic of the Philippines, where public frustration with a slow and inefficient court system has contributed to tolerance for a harsh anti-drug campaign, USAID has introduced an e-court case-management system, now used in more than 300 trial courts, which accounts for nearly 25 percent of the country's total caseload. We have trained more than 3,000 judicial personnel. These actions are equipping the courts to handle cases more transparently, efficiently, and expeditiously. For example, the average age of pending cases in the courts that receive U.S. assistance has been reduced by over 40 percent, from four years to just over two years.

Bolstering the United States' strategic partnership with the Association of Southeast Asian Nations (ASEAN) is a priority of ARIA. Similarly, the IPS acknowledges ASEAN as a cornerstone of the U.S. vision for a free and open Indo-Pacific. Over the years, USAID has worked extensively with ASEAN at both the multilateral and bilateral levels to advance shared priorities, and we are committed to strengthening this partnership. USAID is in the process of negotiating a comprehensive development cooperation agreement with ASEAN to deepen our relationship. Through USAID programs, we provide technical assistance to ASEAN on a range of key regional policies to address transnational challenges that threaten regional stability and growth. In partnership with the State Department, our engagement with ASEAN on a range of regional policies, including those that promote human rights, improve transparency, and fight corruption, provide an opportunity for the United States to influence ASEAN's dialogue on advancing a rules-based architecture that furthers regional integration.

In Mongolia, we are helping up-and-coming local leaders—including students, academics, government officials, civil-society activists, and businessmen and women—understand and value democracy as they champion effective, citizen-responsive, and accountable governance. We have launched new programs in Burma and The Philippines to expand public access to credible information. In the Kingdom of Cambodia, where the United States remains committed to supporting the Cambodian people in protecting their fundamental freedoms, USAID partners have provided legal counseling over the past year to around 40 human-rights defenders and land, environmental, and political activists subjected by the government to politically motivated charges for their work.

In Timor-Leste, years of USAID's assistance led to a significant breakthrough in 2017, when the country ran national elections for the first time in history without international supervision, and in 2018, when the country peacefully navigated its first snap election after the new Parliament was dissolved for failing to pass a budget. In the Republic of Indonesia, the number of people from marginalized communities who sought legal aid through USAID partners increased more than tenfold between 2017 and 2018 thanks to our advocacy and technical assistance, which contributed to expanded access to justice for the most vulnerable. With your support, we seek to build on successes like these.

Finally, I'd like to mention the crisis in Xinjiang, which remains one of the Administration's top priorities. The United States is outraged by the Chinese Government's highly repressive campaign of human rights abuses against Uighurs, ethnic Kazakhs, Kyrgyz, and other Muslims and other religious and ethnic minorities. The Chinese Government has, by U.S. Government estimates, detained more than one million individuals in internment camps since April 2017. USAID is in the process of conducting a needs assessment to inform the design of new rapidresponse programs to support Xinjiang refugee communities outside of China.

FOSTERING ECONOMIC GROWTH

A key constraint to the region's continued growth is the tremendous financing shortfall it faces for its infrastructure needs, which amounts to $1.7 trillion per year from 2016 to 2030. According to the Asian Development Bank, fiscal reforms could help bridge about 40 percent of Asia's gap in financing for infrastructure. But the remainder depends on the private sector, which would need to increase its funding contributions by about 300 percent compared to current levels. However, a number of conditions impede free and fair competition and unhindered market access for legitimate investors, such as inadequate fiscal space, weak policies, and corruption in government procurement.

In line with ARIA, USAID is helping governments, civil society, the private sector, and partner countries overcome these constraints to growth by working to ensure that their legal, regulatory, and policy environments for trade, infrastructure, and investment are transparent, open, and free of corruption. Specifically, USAID's assistance is leveling the playing field by developing the capacity of partner governments to enforce contractual agreements under international trade arrangements; meet internationally accepted standards for intellectual property, labor, and sanitary and phytosanitary measures, and address technical barriers to trade; and promote trade facilitation by easing border controls and compliance requirements.

USAID is also improving competitiveness through support for bilateral programs that reduce barriers to entry and market access by legitimate commercial investors; lower the cost of doing business by streamlining procedures and cutting red tape for obtaining permits and licenses, easing labor market restrictions, and strengthening the enforcement of contracts; and promote greater competition by reforming procurement rules to allow legitimate players to participate, strengthening antitrust and competition requirements, promoting conformance with standards following international best practices, and strengthening the enforcement of intellectual property rights.

We seek to build on our past success, such as our work in the Philippines that has helped eight secondary cities become more competitive, according to the Cities and Municipalities Competitiveness Index. Developed with USAID assistance, the index is an annual ranking of Philippine cities and municipalities, based on each city's economic dynamism, government efficiency, and infrastructure. Across the eight cities, USAID has helped lower the cost of doing business, thanks to a reduction in the business-registration process from as many as 20 steps in 2014 to as few as two steps today.

A key feature of our collaboration with the cities in the Philippines is to promote investment to bolster and sustain development efforts. For example, last month, USAID supported Puerto Princesa City in attracting private-sector pledges amounting to $540 million worth of investments in sectors including tourism, food, agriculture, fisheries, and education—commercial investments that help Puerto Princesa fulfill its potential as an engine of sustainable, inclusive growth for the country.

Incentivizing greater private sector investment helps unlock new financing streams—and greater choice of approaches and partners—for development. As part of our efforts to unlock enterpriseled economic growth, we are helping to advance open, interoperable, reliable, and secure communications networks in partner countries through the U.S. Government's Digital Connectivity and Cybersecurity Partnership (DCCP).

We also play a leading role in strengthening the ability of governments and the private sector in our partner countries to implement and manage sustainable, transparent, and high-quality infrastructure projects through the U.S. Government's Infrastructure Transaction and Assistance Network (ITAN). For example, in the Republic of the Maldives, USAID is providing technical assistance to the government on public financial management best practices for responsible resource allocation in its annual budget. In addition, USAID is helping to prioritize public infrastructure investments, explore opportunities for public-private partnerships, and promote procurement reform. By the end of this year, USAID will also start providing the Government of Maldives technical assistance on mobilizing domestic resources. In the

Socialist Republic of Vietnam, we are advising the government on implementing its Power Development Plan and attracting private-sector investment. And in the Philippines, we have launched a new project focused on increasing technical assistance to support the country's ambitious infrastructure development strategy. Our efforts under DCCP and ITAN include advancing best-value analysis, open and transparent procurement processes, and adherence to high standards.

We are making significant progress. For example, in Vietnam, we recently launched a new trade facilitation program that will build the capacity of Vietnam's customs department to comply with global trade norms. Our efforts will help reduce the time and cost of trade and increase capacity to address the inappropriate transshipment of Chinese goods through Vietnam to avoid U.S.imposed tariffs.

We also are helping to advance the integration of the Lao People's Democratic Republic into the global market economy. USAID's support led to the approval by the Lao National Assembly of amendments to the Law on Intellectual Property that increase transparency and due process. For instance, the Lao Government will publish applications for patents and trademarks electronically, which will allow access to this information by interested parties in a more readily accessible format.

In Timor-Leste, we have helped the customs authority cut clearance times in half at the seaport in Dili, and a national risk-management system for cargo inspection we introduced is moving the customs authority toward compliance with international standards required for accession to the World Customs Organization, the World Trade Organization, and ASEAN.

In partnership with ASEAN, we are developing the ASEAN Single Window (ASW), a tool to accelerate trade among the organization's ten Member States. We are also working with U.S. Customs and Border Protection to develop a clearance process for U.S. goods through the ASW.

In the Philippines, our long-standing relationships continue to pay dividends for U.S. companies. Previous USAID programming helped lead to the issuance of the Open Skies policy, which highlighted the increased demand for additional international airports in Metro Manila. In August 2019, Texas-based Jacobs was one of three companies selected to design and build the proposed $14.7 billion new Bulacan International Airport, located outside of Manila.

IMPROVING THE MANAGEMENT OF NATURAL RESOURCES

The Indo-Pacific region is rich in forests, fisheries, and other natural resources, including energy, which are vital for countries' long-term growth—as are water, land, and clean air. The region's incredible biodiversity includes the world's largest concentration of marine life, and the world's largest area of mangrove forests. Yet the sustainability of these natural resources—and the vulnerable communities that depend on them for their livelihoods—face the threat of irresponsible infrastructure development and the reckless extraction of resources that ignore environmental and social safeguards. Furthermore, high rates of transnational crime in Asia are associated with fishing, logging, and wildlife, and contribute to rapid environmental degradation, while also undermining the regional stability that underpins a free and open Indo-Pacific region.

In line with ARIA, USAID works with governments and civil society in countries across the region to strengthen the responsible management of natural resources. We help strengthen laws on the management of natural resources and promote the adoption and enforcement of environmental standards that reflect international best practices. We foster engagement with the private sector on sustainable supply-chains and the transformation of the energy sector. We focus on supporting water and energy security, legal and sustainable fishing and timber production, and efforts to combat transnational environmental crime.

For example, as this subcommittee well knows, unsound infrastructure development along the Mekong River in Southeast Asia is causing irreversible damage to the Mekong ecosystem, which threatens the food, water, and livelihoods of more than 70 million people. Last year, USAID launched a three-year project that aims to reduce the negative impact of infrastructure development in the Lower Mekong region through the stronger, more-consistent application of environmental and social safeguards. As part of the project, we are developing and gearing up to launch an interactive, web-based platform that will enable governments, policy-makers, non-governmental organizations (NGOs), researchers, and the general public to visually map the potential extent and range of socioeconomic and environmental impacts of different infrastructure approaches.

To combat transnational wildlife crime, USAID is contributing to broader U.S. Government efforts, in partnership with INTERPOL, that are helping to dismantle cross-continental syndicates that traffic in elephant ivory and pangolin. Our part-

nership with INTERPOL is also disrupting illegal fishing networks, including the recent confiscation by Indonesian authorities of over 350,000 juvenile lobsters worth $4 million that were en route to Singapore and Vietnam. In addition to this, last year, to combat illegal, unreported, and unregulated fishing, USAID worked with the first group of 27 companies to roll out and test traceability technology in the Republic of Indonesia and The Philippines—which has resulted in the successful tracking of more than 4.4 million pounds of seafood from point-of-catch to export.

On energy, USAID plays a leading role in Asia EDGE (Enhancing Development and Growth through Energy), a U.S. Government initiative that works to grow sustainable and secure energy markets throughout the Indo-Pacific region. As part of our contribution to Asia EDGE, we recently launched a partnership with the Asian Development Bank (ADB) to mobilize $7 billion in investments to accelerate the region's transition to a sustainable, secure, market-driven energy sector. Our partnership with the ADB aims to increase the capacity of deployed energy systems by six gigawatts and increase regional energy trade by 10 percent over the next five years. This reinforces an explicit clause in ARIA that states that the United States should explore opportunities to partner with the private sector and multilateral institutions, such as the ADB, to promote universal access to reliable electricity in the Indo-Pacific region.

Alongside Australia, New Zealand, and Japan, we are also contributing to the U.S. Government's efforts under the Papua New Guinea Electrification Partnership to provide electricity to 70 percent of that country's population by 2030. USAID Administrator Mark Green was proud to announce the U.S. Government's first tranche of funding toward this effort at the United Nations General Assembly last month.

Our financial and technical support has contributed to critical steps forward in our partner countries. For example, in Vietnam, where the demand for energy is expected to more than double by 2030, USAID is working closely with the Government to develop and implement policies that support scaling up the generation of renewable energy. This has contributed to a massive increase in solar energy production over the past two years—from less than 2 percent of the country's total power-generation to over 10 percent. USAID is also engaging with the private sector to accelerate clean energy and increase the deployment of new energy technologies. In May 2019, the Ha Do Group, one of USAID's partners, completed construction of its first solar-power farm in Vietnam by using services and advanced technology from SunPower, a U.S. leader in solar energy.

In Indonesia, USAID's work helping countries overcome their energy-related constraints to growth is unlocking new market opportunities, including for U.S. companies. For example, in partnership with the California Independent System Operator, which manages about 80 percent of California's electricity flow, and Indonesia's national power utility, USAID is supporting the integration of variable renewable energy into Indonesian power grids. This work has paved the way for the development of Indonesia's first two utility-scale wind farms—by Colorado-based UPC Renewables, and Vena Energy, a subsidiary of the New York-based equity fund, Global Infrastructure Partners. During FY 2018 in Indonesia, 11 renewable energy projects to which USAID provided technical advisory services reached financial closure, successfully mobilizing a combined $806 million in investments from the public and private sectors.

USAID assistance in creating an enabling environment for regional power trade in South Asia has led to transformative policy changes. For example, a revision the Indian Government made in December 2018 to its guidelines on cross-border power trade led to a June 2019 agreement between the Federal Democratic Republic of Nepal and the People's Republic of Bangladesh to trade power using Indian transmission lines.

USAID's efforts under Asia EDGE build on our past successes. Nepal's significant untapped hydropower potential—coupled with insatiable demand for energy from neighboring India—holds substantial economic promise. To help unleash investment in this area, USAID helped the Government of Nepal to improve the energy sector's legal and regulatory framework. Our efforts contributed to the successful passage of legislation that established the Electricity Regulatory Commission in 2017. To lay the foundation for the $500 million Millenium Challenge Corporation Compact, USAID trained 390 government officials on the technical aspects of clean energy; we are helping several hydropower projects to finalize and secure the necessary investments to begin construction; and we are supporting the newly-appointed energy regulatory commissioners to ensure that they have the skills and resources necessary to help Nepal realize its vast and largely untapped energy potential.

JOURNEY TO SELF-RELIANCE

At USAID, our ultimate goal is for our partner countries to progress from being aid recipients, to partners, to fellow donors. We look forward to the day when foreign assistance is no longer necessary. We call the path to get there the "Journey to Self-Reliance."

In support of this, USAID is realigning and reorienting its policies, strategies, and programmatic practices to improve how it works with governments, civil society, faith-based organizations, and the private sector to develop their capacity and commitment to drive, fund, and manage their own development. This includes commitments to open, citizen-responsive, accountable governance; inclusive growth; and the capacity to mobilize development funds domestically and through foreign direct investment. It also includes an emphasis on unlocking development driven by private enterprise to sustain—and accelerate—progress.

USAID's mission to advance self-reliance mutually reinforces USAID's focus under the IPS—on strengthening democratic systems, fostering economic growth, and improving the management of natural resources, as described above—to precipitate systemic change in the near-term that leaves people in our partner countries better off in the long-term.

USAID prioritizes gains in health and education for development journeys to be inclusive and sustainable over generations. USAID's health and education programs—which focus on achieving longer-term goals that contribute to building human capital and economic growth—are important for creating the foundation for a free and open Indo-Pacific region in the long-run. ARIA states the importance of this work in the Lower Mekong region in particular, a view that we at USAID share.

We are making progress across the region, including in the Lower Mekong countries. After 15 years of funding from USAID, next year will be the first time the Cambodian Government will be able to fully own, administer, and pay for the health care for the poorest 20 percent of the population. USAID also transitioned the management and cost of several information systems to the Ministry of Health, which will allow it to track the care of its patients more effectively.

In Burma, preliminary findings from a new USAID-funded national survey of the prevalence of tuberculosis (TB) indicate an over 50 percent decline in the prevalence of the active form of the disease over the past decade. This progress is vital to health security in the region as Burma has a high burden of not only TB, but also multi-drug-resistant TB and co-infection of TB with HIV. In Laos, USAID has contributed to a decrease in stunting—from 44 percent in 2012 to 33 percent in 2018—which thereby improves the development potential and economic contribution of the next generation.

On education, in Cambodia, USAID's assistance strengthened early-grade reading by helping the Ministry of Education ensure that schools and policies are more inclusive, relevant, and responsive to the needs of children, in particular those with disabilities. And in Vietnam last month, we reached a turning point in that country's reform of higher education with the official launch of the undergraduate program at the USAID-funded Fulbright University Vietnam, the country's first fully independent, non-profit university. Modern, high-quality higher education is key to Vietnam's transformation to an economy that can engage in the opportunities of the fourth industrial revolution and sustain its economic growth.

Throughout the region, USAID is also supporting programming focused on women's economic empowerment. For example, just last month, we were excited to sign a partial credit-guarantee agreement with Singapore-based Impact Investment Exchange (IIX). This innovative partnership will mobilize $100 million in new investment to empower women across the IndoPacific region. A unique financial product, the Women's Livelihood Bond 2 (WLB2), bolsters women's livelihoods through raising private financing. The proceeds of the bond will help one million underserved women in Asia secure sustainable livelihoods through investments in financial inclusion, access to clean energy, and sustainable agriculture. Long-term expected benefits include more successful women-owned businesses, greater women's participation in the workforce, higher standards of living, more opportunities for quality education, and improved health outcomes for women and children.

USAID's support for WLB2 is a key deliverable under the Women's Global Development and Prosperity Initiative (WGDP), established in February 2019 by President Donald Trump to advance women's economic empowerment globally. It also supports the Women's Entrepreneurship and Economic Empowerment Act, signed into law by President Trump in January 2019. WGDP is also supporting women's economic empowerment in Papua New Guinea, India, Indonesia, Vietnam, and The Philippines.

Finally, on Tibet: In line with ARIA, USAID's activities to support Tibetan communities focus on improving sustainable livelihoods and strengthening local institutions, equipping Tibetans to become effective leaders and maintain the vitality of their communities and institutions while preserving and sustaining their unique identity and culture.

USAID's Mission in India currently programs the Congressional directive aimed at strengthening the self-reliance and resilience of Tibetan communities in India and Nepal. Our activities are helping them thrive economically, become effective leaders, and maintain the vitality of their communities and institutions while sustaining their unique identity and culture. We focus on increasing the financial security of Tibetan households, increasing the vitality and cohesion of Tibetan settlement communities, and increasing the effectiveness and sustainability of Tibetan institutions, in particular the Central Tibetan Administration (CTA) and its various agencies. In the Tibetan Autonomous Region (TAR) of China, USAID programming promotes efforts to preserve Tibetan culture and traditions and improve sustainable livelihoods for ethnic Tibetans in China.

CONCLUSION

Mr. Chairman: In closing, I would once again like to thank the Committee for its championing of the Asia Reassurance Initiative Act, which sends a strong message of the United States' enduring commitment to the region. We are appreciative of the strong bipartisan, bicameral Congressional support for USAID's work to advance partner country self-reliance and a free, open, and secure Indo-Pacific region. Thank you for the opportunity to appear before you today. I look forward to your counsel and questions.

Senator GARDNER. Thank you, Secretary Steele.

And again, thanks, to all of you, all three of you, for your testimony today.

This morning, we heard from Brian Hook, at the State Department, talking about the impact that U.S. diplomacy and public diplomacy can have, efforts that we can put to bear on other countries to influence their treatment of their citizens, including women. The specific example that Mr. Hook gave this morning was in relationship to Iran. And he talked about the FIFA match to take place that was excluding women from attending. And that changed as a result. And, of course, there are other complications that we have to address, but that public diplomacy can be very effective.

And if you look at ARIA and you look at the significant amount of resources that we program for human rights, democracy, rule law, you look at what is happening in Hong Kong right now, and you look at what is happening in and around Asia with the Chinese activities, particularly in China, whether it is the Xinjiang Province and how they are treating Uyghurs, how they are treating Christians, how they are treating religious freedoms, what is happening in autonomy of Hong Kong, what they are doing in Taiwan, I think this implementation of ARIA matters greatly. Today, we learned that the head coach of the Golden State Warriors received over 17,000 comments as a result of Chinese trolls who were standing up in opposition to an expression of basic rights in Hong Kong. There is a headline on CNN, just from a few days ago, that talks about a comment that President Xi made vowing "to attempt to split China will end in crushed bodies and shattered bones." That hardly sounds like a nation intent on a peaceful rise, especially when we are simply asking to adhere to the agreements that they had already agreed to when it comes to autonomy.

And so, Secretary Stilwell, how is ARIA being implemented at the Department of State to address not only concerns and the

treatment in Hong Kong as China pursues its, perhaps, different directions or treatments, human rights as it relates to the Uyghurs, the treatment of Taiwan and our relationship with Taiwan, and, of course, nations throughout the Indo-Pacific?

Mr. STILWELL. I thank you for that question. And it is a pretty easy and straightforward response.

You know, the resources that ARIA brings and produces for the State Department for the Secretary to then allocate against things like public diplomacy outreach at the U.N.—the Deputy Secretary hosted the Xinjiang Human Rights event—these are all things that can, some say, shine some sunlight on these issues, which I think is probably the best antidote to all these things, things that Beijing would prefer kept quiet, in the dark, in the shadows. By bringing those to light through things like congressional visits to Hong Kong recently, those things are huge.

So, certainly there are things that require funding. And I think Secretary Steele can talk to those, for sure. And State Department obviously needs those sorts of funds, as well. And again, we appreciate the fact this is a reinforcing relationship with the Congress between the administration and the Hill. That is probably the bright spot in taking this job, is that we are working together on this. I can give many examples, if you like.

Senator GARDNER. Yeah, and Secretary Stilwell, if you could, please, maybe, cite some of the specific examples of ARIA implementation, if you could, just to detail the specific initiatives that Department of State is undertaking as a result of ARIA.

Mr. STILWELL. I think you can look at the Indo-Pacific Strategy that focuses on economic engagement, such as the Indo-Pacific Business Forum, coming up, right, the resources required to put something like that together. If you look at the strategy, again, focus on governance, economics and security, and as I read through the Act again last night, those things track perfectly. So, the resources are important, but the support from the Congress, as well, are extremely important as we deal with things like security issues, governance, and the rest. I can get you the specifics, but they pretty much deal with what we are executing right now. Outreach to ASEAN, so we have the ASEAN Outlook Strategy. It looks just like ARIA, which looks just like the Indo-Pacific Strategy, which looks like Korea's New Southern Policy. I will leave it at that.

Senator GARDNER. Mr. Secretary, one of the things that came to light as a result of this conversation the NBA has started in this country, more tension taking—being focused on treatment of people in Hong Kong and beyond in China as a result, do you think that the State Department—is it appropriate for the State Department to, perhaps, host or—either on its website, its official website, or perhaps through a report—do you think it is a good idea that we should, in one place, keep track of all of China's efforts to suppress freedom, to bully those who object to China's treatment of people in Hong Kong or people in Taiwan? I mean, in the past years, we have seen, as Apple has removed, sort of, different icons from their platforms, we have seen Taiwan flags removed from Hollywood movies, we have seen entire countries be replaced in major Hollywood productions with another country because of worry that it

would offend, we have seen suspension of people from gaming platforms, and firings from hotel chains, and airlines intimidated because they dare use the word "Taipei, Taiwan," in the same sentence—do you think that it would be helpful for the American people, in one spot, one source, to be able to identify and see all of the ways that China is using either economic or diplomatic power—force to bully people's behavior?

Mr. STILWELL. Senator, I think anything we can do to shine a light on this is important. I think you saw that the Secretary gave a speech in L.A. to the Motion Picture Academy of America on exactly what you are talking about. These talking points—again, not only restricted to the administration—highlighting these, you know, unthinkable approaches to what we consider free speech are readily available. These speeches are available on the State Department site. Compiling them into one place, again, would be helpful, for sure, but I do think that the civil sector has done that job for us quite well, as of late. You know, we have touched a nerve on some of these things, and Americans are responding, just like the Australians did about 3 years ago, they are responding to seeing that their assumed rights and, you know, things they took for granted are suddenly no longer available to them. And so, both public, State, and private approached, I think, would be very useful.

Thank you, Mr. Secretary.

Senator Markey.

Senator MARKEY. Thank you, Mr. Chairman, very much.

As I mentioned in my opening statement, it is crucial that the United States Government espouse the principles it encourages overseas, especially in the Indo-Pacific. Our policy should be to lead with experts who advise the President well, and the President should heed that expert advice.

The President has asked multiple foreign governments to investigate a domestic political rival. He asked the Chinese government to do so, on October 3rd, and asked the President of Ukraine, as well. I would like to understand if this administration and the State Department leadership believe asking foreign governments to look into a political rival is acceptable.

Mr. Stilwell, is it appropriate for a President to ask a foreign government to investigate a domestic political rival?

Mr. STILWELL.

Senator Markey, thank you for that question.

Other than—you know, for my region, other than offhand comment on that subject that you quoted, I have seen nothing in that regard, and I am not going to go past that.

Senator MARKEY. Do you believe it is acceptable if the question—if the request was made?

Mr. STILWELL. Senator, again, I do not know that the request was made, and that is what I would offer.

Senator MARKEY. Well, it was made. It was made in public. President Trump's request to China to investigate a political rival has clear implications for the implementation of U.S. foreign policy, the jurisdiction of the committee reaches that issue. And that is why I actually sent a letter on this matter to Donald Trump today. It is a letter that I think is important, and should actually, you

know, be something that people on this committee should be able to support, given the implications of the President's actions on the implementation of U.S. policy towards China and the broader region. I asked the members of the East Asia Subcommittee, both Democrats and Republicans, to join. I am disappointed that none of my Republican colleagues joined, as protecting American democracy should not be a partisan one. I think this issue goes right to the heart of our values and what we are supposed to advance across the rest of the world.

So, Mr. Stilwell, are you aware of the President or anyone in the administration directly asking President Xi or other Chinese officials to investigate a political rival?

Mr. STILWELL. Senator, other than that offhand comment that you cited, I am not aware.

Senator MARKEY. So, do you know if there are any records at the State Department with regard to requests that were made by the administration to President Xi or other Chinese officials?

Mr. STILWELL. Senator, I do not know of anything like that.

Senator MARKEY. And again, I am not asking for anything that is outside of the jurisdiction of this committee. We have a right to know. It goes right to the issue of our foreign policymaking and what it is that we want to have the United States of America stand for.

So, this committee takes seriously our oversight of foreign policy, the Department of State, and the confirmation process for Department appointees. I am disturbed at the news of private citizens conducting a shadow diplomacy instead of relying on our diplomatic professionals.

Mr. Stilwell, is it appropriate for private U.S. citizens to engage with foreign governments on behalf of the United States President and without knowledge of the Department of State?

Mr. STILWELL. Senator, again, I would need some specifics on that, because I am not aware of the point you are making.

Senator MARKEY. Well, how would you react if you learned that a private citizen was dictating foreign policy to senior State Department officials in your region?

Mr. STILWELL. Senator, again, I would have to see the details, specifics. And again, I am not going to speculate.

Senator MARKEY. How would you tell your region's ambassadors to react if a foreign policy issue was being dictated by a private citizen inside of your region? Would you think that was appropriate?

Mr. STILWELL. Senator, I would give direction to those ambassadors on this topic. They would take that from me. So.

Senator MARKEY. Well, I am concerned that this administration undermined Senate-confirmed career ambassadors, the very experts who are sworn to lead foreign policy with the interests of the American people being first and foremost.

Are you aware of the President or any private citizen seeking the removal of any career ambassadors in your region?

Mr. STILWELL. No, Senator.

Senator MARKEY. Do you agree employees of the Federal Government, including the Civil Service and the Foreign Service, are protected under Federal law when they file whistleblower complaints through proper procedures?

Mr. STILWELL. Senator, I am aware of whistleblower regulations and rules, and I enforce those in EAP.

Senator MARKEY. And those whistleblowers are protected under Federal law, is that correct?

Mr. STILWELL. Under Federal law, there is a whistleblower law, it is true.

Senator MARKEY. Okay. So, what have you done, personally, to ensure the State Department whistleblowers know and understand their rights? Do you think whistleblower protections is something that is important for the protection of the United States?

Mr. STILWELL. Senator, I messaged all of my people that they—that we know what those laws, rules, regulations, guidance is from the—by law, by Congress, and by the administration, and we reinforce those with our people.

Senator MARKEY. Okay. Well, I ask you and your colleagues—to protect career officials so that they can continue to advise this administration without fearing reprisal. My fear is that just the opposite signal is now being sent out of the White House.

The Chinese government's human rights abuses are of deep concern. In Hong Kong, China continues to intimidate those who exercise support for democratic rights. The Chinese government is indignant when the United States expresses support for human rights and democracy in Hong Kong. We can see the reach of China's efforts to suppress free expression even here on our shores. We saw that over the last week with China retaliating against the NBA and its fans because of support for legitimate demonstrations in Hong Kong. Do you think it is appropriate for China to attempt to use its marketplace power to curtail free expression in the United States?

Mr. STILWELL. Senator, it certainly breaches, you know, what we consider a separation of diplomatic or political speech and economic, but it is theirs to do. They chose to take that path. I do not think it is the right path, and I think you are seeing what happens when American people see exactly what this—it has definite reputational costs for Beijing.

Senator MARKEY. Are you troubled by the escalation of the actions by China against the NBA and what that means for other corporations inside of China?

Mr. STILWELL. Senator, earlier, in opening statements, we noted that multiple companies, not just American companies, have felt the sting of the Chinese government using economic levers for political reasons, you know, for their own personal or small view of what free speech looks like. And so, I am disturbed, but I am also encouraged, in some ways, that it has brought to light these things to the greater American public, something that we talked of and understood and assumed was not well known, but is becoming very visible.

Senator MARKEY. Do corporate officials tell you that they are afraid to actually express their views, for fear of losing business? Do those corporations express that in a way that actually makes this something that is not an exception, but perhaps the rule, in terms of the way in which our companies interact with the Chinese government on an ongoing basis?

Mr. STILWELL. Senator, personally, I have not had that conversation, but it is all over the press. I mean, you can read that, you know, pretty much anywhere. Again, these responses seem excessive and counterproductive.

Senator MARKEY. So, you are saying that you do not hear from corporations that their ability to speak freely is, in fact, curtailed because of their fear that their businesses would be impacted. No one says that to you?

Mr. STILWELL. Senator, I interact with them infrequently, if at all. I have had some interaction with Chambers of Commerce in business communities while I am on the road, but most of the conversation has to do with things like ARIA, where we are encouraging public/private activities, such as in the BUILD Act and the rest of those activities.

Senator MARKEY. Well, just last evening, the Chinese Foreign Ministry spokesperson said that the Hong Kong Human Rights and Democracy Act, of which I am a cosponsor, demonstrated, quote, "a naked double standard which fully exposes the extreme hypocrisy of some people in the United States on the issue of human rights and democracy, and their sinister intentions to undermine Hong Kong's prosperity and stability and contain China's development."

Mr. STILWELL. should the United States bend to Chinese criticism of the Hong Kong Human Rights and Democracy Act?

Mr. STILWELL. Senator, absolutely not. This is a good chance for us to stand up and be counted on exactly the things that we believe. You are seeing the collision of two systems, a system that looks for free, open, market-based, and another system that looks is more authoritarian. And these are the results.

Senator MARKEY. Well, I am concerned that the administration is too easily swayed by criticism from foreign governments. China's actions against the Uyghurs and Central Asian communities in Xinjiang is abhorrent, and it continues Beijing's campaign of detention, mass surveillance, severe controls of religious and cultural expression is indeed, quote, "the stain of the century," as Secretary Pompeo has said, yet the administration refuses to apply global Magnitsky sanctions.

Mr. Stilwell, given our—

Senator GARDNER. Senator Markey. I am going to interrupt you, if you do not mind. Trying to keep it—

Senator MARKEY. No, fine.

Senator Gardner.—even, here.

Thank you for answering these questions. I want to follow up, too, because I want to see if you agree with me, or not, that President Xi represents perhaps the greatest long-term threat to U.S. security and interests and global stability. Would you agree with that?

Mr. STILWELL. Senator, the approach he has taken, I mean, starts with the 18th Party Congress—most recently, 19th Party Congress, the—then 2018, naming himself and becoming President without a term. Those things are all troubling choices that deviated from a system that had been becoming more regularized. In some ways, that predictability brought stability. It is becoming less predictable.

Senator GARDNER. Secretary Schriver?

Mr. SCHRIVER. We clearly identify China as our long-term strategic competitor in the National Defense Strategy and in our Indo-Pacific Strategy report, and Chairman Xi's advocacy of the China Dream and Asia for Asians just simply underscores why we feel that way and why we need to be postured for that long-term competition.

Senator GARDNER. Obviously, the United States, when we were attempting, decades ago, to build an open relations with China, whether it was trade opportunities or diplomatic overtures, we were hoping that the values that we, as a Western democracy, hold would, I guess, rub off on China in a way, that freedom, democracy, human rights would somehow prevail, that our interests would, I guess, appeal to the leadership in China in a way that could allow a nation of, you know, over 1 billion people eventually, to enjoy the same rights, the same opportunities, the same trajectory.

Now, the trajectory has been significant, from an economic power, from the growing military power of China. But, obviously, the export of U.S. freedom, democracy, and values has failed to be adopted in China, those ideas of religious freedom, and freedom to protest, freedom to worship as you choose.

If you look at what the United States has, in turn, imported, you go to a basketball game, and a sign that says "Google Uyghurs" is removed from a U.S. sporting event, people are removed from a game because of a T-shirt they are wearing. It seems like we have now imported—as people and commentators have well noted, we have imported some of the totalitarian aspects of China as our exports of freedom, human rights, have failed. Would you agree with that, General—Secretary Stilwell?

Mr. STILWELL. Senator, that is an interesting way of putting it, and I definitely see the logic to that. The outcry, even to late-night talk shows, on these things, to me, again, is encouraging. This is not unusual. I mean, this sort of thing happens. You use cultural influence to your own benefit or detriment. You know, a wise way of doing—

Senator GARDNER. They are actually using our cultural sporting events and other things to their benefit.

Mr. STILWELL. They do. But, the fact that the NBA is so popular in China, I think is a positive thing. The fact that so many Chinese people—this is not about the Chinese people, it is Chinese government decisions, and we always need to make that very clear, they are disappointed that they cannot watch NBA at home. It shows another poor decision on the part of their government.

In the meantime, here in the U.S., like I said, I believe these are things that people are now recognizing, the fact that it is all over social media that people were asked to take down signs or told not to chant certain things at a basketball game. Those pressures on American businesses will have an effect, and I think it is going to wake a lot of people. We are finally aware of what Australia figured out 3 or 4 years ago.

Senator GARDNER. Secretary Schriver, getting back to a question that I asked Secretary Stilwell on implementation of ARIA, could you identify some of the initiatives that you are undertaking as a result of ARIA? I had a conversation with Secretary Esper several weeks ago, and in that conversation he said that the Department

of Defense was, you know, gearing up toward a sort of whole-of-department approach toward ARIA. If you could talk about some of the specific initiatives you are pursuing, that would be great.

Mr. SCHRIVER. Sure. The Department of Defense is organizing itself for the long-term strategic competition with China. ARIA is a powerful tool for us in that regard. We are working internally. We have created a new position in my office, in my organization, to help with that alignment process throughout the defense enterprise that Secretary Esper spoke with you about.

Outwardly-looking, ARIA has been a great tool for us. It is often mentioned to me from foreign interlocutors when I travel in the region, which is a sign that they do feel reassured, and they see that congressional and executive cooperation. But, I think some of the things that ARIA highlights that we have been working to implement, the capacity-building of our partners in Southeast Asia, maritime Southeast Asia, so that they have better awareness in their maritime territorial waters and through their EEZs, the work we are doing with Taiwan to engage and give them confidence in the lead-up to their election, to include providing sufficient weapon systems for their self-defense, would be included. I think the work we are doing on the emerging partners that—ARIA speaks a lot about emerging partners such as India, Vietnam—I have traveled to Vietnam six times. I will be going back for a seventh time in less than 2 years next month with Secretary Esper. It is a terrific partner. India, we have a new "2+2" process supported by what we call a "mini 2+2" at our level. We have had three of those this year, and we are building out our defense relationship. So, this has been a terrific tool for us, and very empowering for us.

Senator GARDNER. Thank you, Secretary Schriver.

Senator Markey, for more questioning.

Senator MARKEY. Thank you, Mr. Chairman.

Thailand is one of our oldest allies, our closest friends. As I have stated many times, I hope to see our two countries further improve our relations. However, I have expressed serious concerns about the State Department's decision to label this year's election in Thailand as "free and fair." Authoritarian behavior continues, including brutal attacks on Thai dissidents. Weeks ago, a judge made headlines after his impassioned plea against using the judicial system to scapegoat innocent people.

Mr. Stilwell, in your view, what are the most important steps that Thailand can take to establish stronger democratic institutions?

Mr. STILWELL. Senator, that is a great question.

For one thing, the fact that we interact with them on a regular basis is a far better approach than isolating them and keeping them at arm's length. The most we can interact, and as we have done—in fact, this year, as the Chair for ASEAN, we have spent a lot of time with our Thai counterparts. I certainly have. And again, on 4 November, we are going to all go to Bangkok for the East Asia Summit and the Indo-Pacific Business Forum. And, in doing so, we have the chance to help them understand the benefits of, again, the sanctity of elections, the importance of democratic processes, and all those things. And I know they—

Senator MARKEY. Should we ask them to make changes to their constitution so that they can, in fact, be promoting the democratic ideals that we would hope that their country would adopt?

Mr. STILWELL. Senator, I have not read their constitution, and I do not know what I would change, but I would say that, over history—I will just tell you, my father lives there, and so I am pretty in tune to what goes on in Thailand. Their constitution, their process, their democracy is fine. Our job is to work with them to help them understand the benefits of enforcing and doing—

Senator MARKEY. No, I understand what you are saying, but the military's influence on the 2017 constitution undermined the freedom of this year's elections, well before a single vote was cast. For example, the army appoints all 250 members of the senate, making it far easier for the army's favorite candidate to become Prime Minister. So, that is just the opposite, I would think, of the direction in which we should be going.

Mr. Schriver, can you comment upon the direction of Thailand and the need to have constitutional reform?

Mr. SCHRIVER. Well, we do use our engagements with Thailand not only to address the security environment and the shared interests, particularly with respect to the pressure they face in their maritime spaces, but we use our engagement also to underscore the importance of the military's role in a democracy. If we are at a point where we can restore IMET, for example, a lot of that training goes to that effort so that they understand the appropriate role for a military in a democracy. So, we plug away at this. They do have a troubled history and a flawed system. We want to see them get in a better place, because the strategic challenges in the region will be much better off if Thailand stays onsides.

Senator MARKEY. No, without question. You know, there have been 12 military coups since 1932, so I think that is just the case for us increasing our demands for constitutional reform for real democratic principles to be imbued into their political system.

Now I want to turn to one particular tool that the United States could be using to press reform in Thailand. As you know, this administration has accelerated our arms sales to Thailand. Mr. Stilwell, I am interested in understanding the Government's approach to U.S. arms sales to Thailand. For instance, would you support an approach that withholds equipment that can be used to repress domestic opposition but otherwise provides the Thai military what it requests?

Mr. STILWELL. Senator, I will take that one, but I would definitely defer to my Defense counterpart for that judgment.

Again, Thailand has been a very strong security partner for many years. I mean, one of our longest allies in the region, 150 years. The large majority of that time has been spent using those weapons, which can be used against any number of people—you pick—appropriately. So, working with them through programs like IMET and other things, I think, will only highlight to them the importance of, you know, appropriate use, the importance of democratic processes, and the rest.

Senator MARKEY. Well, from my perspective—I mean, that is why Senator Gardner and I worked on ARIA. It is to give you additional tools, on top of arms sales, that can be used as leverage, be-

cause otherwise the arms sales only further reinforce this military leadership within the country and its ability to, in fact, repress real democracy from emerging. Could you comment upon that, Mr. Schriver?

Mr. SCHRIVER. We do apply some scrutiny to the arms sales that we make, and we work with Congress through the notification process. They are certainly not intended for the types of use you are describing. We do have some end-use monitoring and some follow-on activities to try to enforce properties through the military systems. They do face legitimate external threats, and we do want them as a partner. So, I think exercising prudent judgment and scrutiny is important, and we are willing to continue to have that discussion with Congress on a case-by-case basis as we consider these systems.

Senator MARKEY. Well, again, from my perspective, I see ARIA as a better approach than arms sales to this country in order to ensure that we are incentivizing the right parts of the country, the private sector, the civil society emerging, so that we just do not continue to see a repetition syndrome going back to 1932 with the military constantly interjecting itself where we should, in fact, have a different approach which takes place in that country.

Thank you, Mr. Chairman.

Senator GARDNER. Secretary Steele, the implementation of ARIA, a question I have asked to both Secretaries Stilwell and Schriver, if you would like to make some comments on how USAID may be implementing various provisions of ARIA?

Ms. STEELE. Chairman Gardner, yes, the ARIA has really strengthened and provided the framework for us to implement our Indo-Pacific Strategy. As I mentioned earlier, using FY18 funds, we have allocated $534 million to work on strengthening democratic institutions, working with civil societies, with private citizens, and with the government to make sure that their democratic systems are strong, and misinformation is prevented, and civil society is able to serve as watchdog to government and the private sector. At the same time, we are using the resources to level the playing field for legitimate actors so that they can trade and provide investment in the region, and help to increase the growth in the region.

And finally, we are working with civil society and governments to make sure that international standards for environment and social safeguards are taken into account and enforced as infrastructure, in particular, are developed in these countries.

Senator GARDNER. Thank you.

Secretary Stilwell, when you are talking in the region, what is the response have been to U.S. efforts through the BUILD Act, through ARIA, and other leadership initiatives?

Mr. STILWELL. Senator, the track record of other proposed infrastructure and other initiatives has come home to roost. People understand that you cannot get something for nothing. They have come to understand the importance of high standards and, you know, market-based, true win-win arrangements. And so, we have seen a number of countries reconsider deals that they have made, and they have come to the U.S. and asked for help, both in renegotiating—that is one thing we do offer through the Transaction As-

sistance Fund, TAF—the ability to, you know, consider a contractor they are looking at.

But, again, I think what you will see, in about 2 weeks, following the Indo-Pacific Business Forum—the second one, by the way, with a much larger number of attendees is the ribbon tying a bow on this thing to demonstrate—I mean these things do take time to develop interest, for us to message properly. And so, I do think this one will have some significant outcomes, and I definitely look forward to coming back and briefing those out to you.

Senator GARDNER. Thank you.

Secretary Schriver?

Mr. SCHRIVER. The response has been overwhelmingly positive, and they do feel reassured, as the title of your legislation sought to do. As I said, it is often commented on, when I travel through the region, and they note the strong congressional/executive cooperation on implementing ARIA and the Indo-Pacific Strategy. So, overwhelmingly positive. And, as Secretary Stilwell said, countries are looking for an alternative OBOR and the relationship with China. There is a lot of buyer's remorse out there. Now we feel more empowered with the tools that you are helping to provide that alternative. So, it is been quite positive.

Senator GARDNER. Secretary Steele.

Ms. STEELE. Yes. Similarly, response has been very positive, I think, by now. As was mentioned earlier, countries have seen what happened in Sri Lanka, and that what we offer, what the United States offers, is long-term, sustainable development, one that takes advantage of people's labor in the countries to develop their capacity to be able to participate in the growth rather than putting them on a path of indebtedness, which they have seen in other countries.

I believe that, with ARIA and the finances that the funding that we have been given through the Indo-Pacific Strategy and ARIA, we will be able to level the playing field and strengthen democratic rights in these countries.

Senator GARDNER. Thank you.

Secretary Schriver, in Secretary Stilwell's opening comments, he states, "President Xi Jinping has set forth an ambitious national strategy to break down all barriers between the civilian and military technological spheres by fusing the defense and civilian industrial bases through what Chinese officials call military/civil fusion." Could you talk about concerns from the Department of Defense for this approach?

Mr. SCHRIVER. We are concerned, because it means that normal commerce is oftentimes not normal and that their objectives in developing commercial relations relate to their military modernization goals. So, we look at their attempts to acquire dual-use technology, for example, in what, with another country, might be genuine interest in developing a commercial relationship, developing a product for commercial use, were highly suspicious in these cases, and believe that, in fact, the motivations are otherwise; in fact, related to military modernization. So, we keep a close eye on it, and we are trying to adjust, as a whole-of-government, to account for that development in China.

Senator GARDNER. Secretary Stilwell, how does the Department of State—or perhaps even Department of Defense—how do you

reach out to U.S. businesses that may be unwittingly subjected to this fusion?

Mr. STILWELL. Senator, I think, obviously, the best way is messaging. Again, that is my number-one priority. You can do that in formats like this. You can do that through the media. But, I think one of the best ways is to do it one-on-one. During the time in New York City, here recently for the General Assembly, we had an opportunity to do that. And visits to the region, we have done lots and lots of Chamber of Commerce events. And we do raise this issue about the risks raised—the risk you put yourself at. And we can use historical examples to show how these things are being used not only to deny them their intellectual property and the profits they so richly deserve, but also how these things can be turned and used from a civil to a very unhelpful military use.

Senator GARDNER. Thank you.

Senator Coons.

Senator COONS. Let me just briefly thank Senator Gardner and Senator Markey, who have worked so well together on such an important topic, and to express my gratitude to this strong panel. And my apologies. There are other committee hearings going on at the same time.

A particular topic of interest to me that has been touched on but, I think, deserves a little more exploration—if I could, to Assistant Secretary Schriver—is on force modernization. China is, of course, rapidly modernizing all of its military capabilities. And I am concerned about steps that we could take that would better secure both U.S. and partner interests in the face of that. And, in particular, a concern I have about existing forces and the cost of sustaining longstanding, relatively slow, irreplaceable, large, legacy equipment—aircraft carriers—as compared to inexpensive, expendable, potentially autonomous systems. The new Marine Corps Commandant, General Berger, recently noted in his planning guidance, "Military equipment that has served us well yesterday may not serve us well today." How will we get ahead of technology trends that are increasingly favoring low-cost, high-impact systems rather than high-cost, low-impact systems?

Mr. SCHRIVER. With leadership that is very focused on preparing for strategic competition with China. As I was saying earlier, we are doing unprecedented work to try to bring the whole defense enterprise into alignment in an appropriate way for the China challenge, and that includes the elements of our Department that are involved in research and development, acquisition, and talking about the future force.

So, our National Defense Strategy makes a clear priority on the theater and the pacing threat, which is China. If you look at the resources that we have asked for in the three budgets in this administration, there is a movement towards investing more in the contested domains of cyber, space, hypersonics, AI. And so, I think we are moving in the right direction. It is a very dynamic environment. And the Chinese get a vote. As we say in the military, "The enemy gets a vote."

Senator COONS. Let me just push back a little bit on that. I agree with you that there is increased investment in those areas, but the areas where there is traditionally the heaviest and most costly in-

vestment—take ships—is a platform like aircraft carriers, where, if I get my numbers roughly right, you know, a missile that is $10 million can take out something that costs literally billions to build and deploy and sustain. I am worried about legacy systems that are large and expensive, both in air and in space. I agree with you that there are new domains, like hypersonics, or well-known domains, but that relatively new, like cyber, where we have to invest more. But, the majority of what we are investing, what we have already got, and what we are building is in these very significant and costly legacy systems. How are we reexamining what we are doing, in terms of warfighting, not some future research project for 25 years from now, but today?

Mr. SCHRIVER. No, I understand. And what I can say is, that conversation is well underway, and it is at the direction of our leadership to make decisions that are appropriate for the competition with China and the threat that we face in China's approach in what many call the "anti-access/area denial," which means we have got to think about dispersal, we have got to think about diversification. Lethality means survivability and sustainment.

Senator COONS. Right.

Mr. SCHRIVER. We are bringing together the warfighters, the planners, those that are involved in R&D, those that are involved in acquisition, and having as sophisticated a conversation as we can have about that. And all I can tell you is, the leadership is focused on this. There are, obviously, legacy platforms that have advocates, and I see a need for continuing investment for some of the other mission sets. But, I am confident that we are going to come out in the right place, given the focus and the prioritization that the leadership has on this.

Senator COONS. I appreciate your answer. I wish we had time for a more robust and broader engagement, but it is already 4:20, and I suspect we are going to have votes called any second.

Senator GARDNER. Thank you, Senator Coons.

Senator COONS. Thank you.

Senator GARDNER. Votes are now at 4:30, if you want to continue.

We can continue. I will ask a question to follow up on what Senator Coons has to say.

In terms of warfighting, force modernization efforts, could you maybe get into a little bit more specifics on ARIA and how that can play a role in force modernization efforts and weapon systems, those kinds of things? The very beginning stages of ARIA, we had a number of conversations, both with Senator McCain and the Asia-Pacific Security Initiative, as well as Ambassador—excuse me, I guess then-Admiral Harris at PACOM. Could you talk a little bit more how ARIA fits into that, and what can be used?

Mr. SCHRIVER. Well, I think it informs the process. It talks about our national security objectives, and gives us, really, a blueprint for the future. So, it really helps inform those discussions as they unfold. I think, again, there is no confusion over what our priority is and what the pacing element is, so it is another tool to help us keep that alignment as we go forward and as advocates for other ways try to emerge. It keeps us aligned and keeps us focused on what we need to be focused on.

Senator GARDNER. And can some of the funding from ARIA—I mean, that, obviously, can be used to help with this effort. Is that correct?

Mr. SCHRIVER. I am sorry, Senator?

Senator GARDNER. The funding through ARIA.

Mr. SCHRIVER. Yeah. I do not know that we have worked out exactly how it would be apportioned. Certainly we do see it as a potential tool for us, as long as we can work with our interagency colleagues on that.

Senator GARDNER. Okay, thank you.

Secretary Stilwell, in your testimony you talk about ARIA calling for pursuing a peaceful denuclearization of the Democratic People's Republic of Korea through a policy of maximum pressure and engagement. Could you give us an update of where we are with that ARIA principle?

Mr. STILWELL. Senator, I mentioned earlier, the engagement part is where we are best postured, where we are best suited. I think this chamber and all of us, you know, even in the best of times, the worst of times, we represent to many, to include North Korea, a model that I think many—certainly, the North Korean people would like to see, would definitely enjoy, if they could get there. And so, Special Representative Biegun, I know, is working on engagement and trying to get these folks to the table to reassure them that their security interests—we take those into consideration as we work through this problem. It has been 60-plus years of this process. And so, it is not going to go away right away, but we are certainly on a better track now than I think we were in the past. They have come out to talk. We need to encourage them to continue doing that. And I think ARIA does help. At least, the message is certainly, "We are here to engage."

Senator GARDNER. You talking about North Korea's security interests, the issues that North Korea has brought up, in terms of their security interests. That is correct? Are you concerned that perhaps recent actions in Syria could influence the thought process as it relates to security-interest guarantees that North Korea may be making?

Mr. STILWELL. Senator, as you mentioned during the intro, you know, I started this world in 1980, looking and tracking and trying to understand North Korea. There is only one thing that North Korea thinks about, and that is North Korea. A lot of these other things that they throw out there are distracters, something—leverage in some form. But, you know, in this security dilemma that we face, in somehow convincing them that a massively overpowering U.S. force truly, you know, will have their security interests, and they can successfully trade its nuclear program, which, frankly, makes them less secure, for U.S. assurances—that is where we make our money. And—yeah, I think that is where we should focus.

Senator GARDNER. Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman.

As you may recognize, there is a consistent refrain. I want to see the United States and Asian countries develop stronger relationships. That is what ARIA is all about. But, this desire to keep a closer relationship with countries is always in the context of the

history of the country that we are dealing with, and their own leadership right now. So, that is no different with the Philippines. However, my colleagues and I continue to call for the administration to hold the Government of the Philippines accountable for extrajudicial killings and unjust imprisonment of political rivals and journalists.

The most recent State Department Human Rights Report raises numerous significant concerns, including persecution of human rights defenders and detention of political prisoners, including Senator Leila de Lima. I have introduced a resolution on that issue. Extrajudicial killings perpetuated by the Government of the Philippines under the cover of a government-directed anti-drug campaign continue, yet President Trump says he has, quote, "a great relationship with President Duterte."

Mr. Stilwell, in light of President Trump's "great relationship with President Duterte," how is the State Department holding Duterte accountable for his human rights violations and those of his government?

Mr. STILWELL. Senator, we do that by leading with, you know, our fundamental beliefs in human rights, by demonstrating those, and certainly by engaging. You have heard from their defense minister and from my counterpart, or—the person I work most with is Secretary Locsin. You know, we express these concerns. And I think you have heard from other parts of the Philippine government, the similar concern. So, the message is getting across.

As far as the, you know, presidential decisions, I cannot speak to that. But, as far as my interactions with the foreign affairs side—and we have had significant progress in, certainly, communicating our message and getting them to read it back, demonstrating their concern, as well.

Senator MARKEY. Okay. Well, what is the administration's strategy to exert more pressure on the government to release Senator de Lima from detention as soon as possible?

Mr. STILWELL. Senator, we are aware of her continued detention, and, again, when we interact, we raise this. And to me, that demonstration of concern on a repeated, steady basis is the way that you convince sovereign governments to take decisions that benefit themselves and us, as well.

Senator MARKEY. Well, I think that there is a mixed message that is being sent, obviously, when the President says that he has got a "great relationship with Duterte." I think it makes it more difficult for you and others to hold Duterte accountable for extrajudicial killings and unjust imprisonments, which, in my opinion, is what we are talking about here, with Senator de Lima. So, I just think that there has to be some public statement by this administration with regard to the immediate release of Senator de Lima, to have it happen in a way that reflects our concern about the way in which Duterte is punishing those who are critical of his administration's policies. So, that would be my message to you.

So, I thank you, Mr. Chairman. I could ask one more question, if you want, Mr. Chairman.

[Laughter.]

Senator GARDNER. He just asked if I needed him, and I said, "I do not think so." Was that the right answer? Yeah, okay. Good.

Well, thank you, Senator Markey.

And I want to thank Senator Johnson for his willingness to come in at 4:30 and take over. We are going not start votes, I think, anytime now, so I am going to go ahead and wrap up the hearing, if that is all right with you, Senator Markey.

So, I want to thank everyone for your time and testimony today, for providing the statements that you did.

For the information of members, the record will remain open until the close of business on Friday, including for those members wishing to submit questions for the record. I would kindly ask that the witnesses would respond as quickly as possible, promptly as possible; and your responses will be made a part of the record.

And so, with the thanks of this committee, the hearing is now adjourned.

[Whereupon, at 4:30 p.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES OF HON. DAVID R. STILWELL TO QUESTIONS
SUBMITTED BY SENATOR EDWARD J. MARKEY

Question. Were all funds Congress appropriated for human rights, civil society, and democracy programs in China in fiscal year 2019 fully obligated before the end of the fiscal year?

Answer. No, the Department was not able to obligate all FY 2018 China funds for human rights and democracy programs by the end of fiscal year FY 2019.

Question. Do delays in the obligation of program funds for important priorities risk the continuity of U.S. democracy and human rights programs in China? If no, why not?

Answer. The Department is committed to finding the necessary funding to ensure the continuity of U.S. democracy and human rights programs in China. DRL is an important provider of such funding. DRL's China program portfolio currently consists of approximately $29 million across 30 multi-year human rights and democracy programs. Of those, eight will be completed by December and an additional thirteen by September 2020. We aim to find a solution to the current funding shortfalls to ensure the continuity of our overall China portfolio.

Question. What is the State Department's plan to obligate human rights and democracy policy and program funds well before the fiscal year's end, moving forward?

Answer. The State Department is committed to obligating all of its funding in a timely manner and in line with applicable requirements. Department officials are currently reviewing procedures associated with the obligation of funds, and will make adjustments as necessary to improve those procedures and avoid the expiration of funds. The Department will continue to keep Congress informed on these issues.

Question. Even if the U.N. process is stalled, does the Trump administration have authority to add names of Kim-regime enablers to our own sanctions list?

Answer. Sanctions will remain in full effect until North Korea denuclearizes. We will continue to go wherever the evidence leads and explore available sanctions on entities or individuals that engage in sanctionable activity involving North Korea, which could include providing support for North Korea's proscribed programs.

Question. What is your plan to regularly add names to the U.S. sanctions list - for direct impact, to lead by example, and enhance U.S. diplomatic efforts to raise global pressure?

Answer. It would be inappropriate to comment on internal deliberations on potential actions. I refer you to the Department of Treasury for further questions on sanctions designations. The Department of State will continue to work closely with the Department of Treasury to enhance economic pressure, including through implementing and enforcing our sanctions regime with respect to North Korea.

RESPONSE OF HON. RANDALL G. SCHRIVER TO A QUESTION
SUBMITTED BY SENATOR TODD YOUNG

Question. ARIA strives to expand security and defense cooperation with our allies and partners in the region. We already have a long history and strong, comprehensive relations with Japan, Korea, Australia, and others in the region. How well does India fit into this broader regional strategy? What are we doing enough to cultivate that relationship?

Answer. India shares a common vision with the United States and its allies and partners for an "open, stable, secure, and prosperous Indo-Pacific Region." Since taking office, Prime Minister Modi has prioritized engagement with major powers in the region and emphasized the transformation of India's "Look East" policy into a proactive "Act East" policy that aims to strengthen economic ties in East and

Southeast Asia. As part of its outreach, India is emphasizing the importance of protecting sea lines of communication in the Indian Ocean and beyond. This common vision of the Indo-Pacific region has formed the foundation of the U.S.-India strategic partnership and India's leadership as a net security provider in the Indo-Pacific region. Over the past few years, the United States and India have taken significant steps to cultivate the relationship and expand defense cooperation. In 2016, the United States designated India as a "Major Defense Partner," and in 2018, the United States granted India Strategic Trade Authorization-1 (STA–1) status, both of which have opened the door to increased defense trade and technological collaboration. Likewise, the United States and India signed the Communications, Compatibility, and Security Agreement (COMCASA) in 2018. With this agreement, the United States can provide advanced communications equipment to India, allowing for secure, real-time information and intelligence sharing between our militaries and enabling a level of cooperation and interoperability unprecedented to date. Finally, with the inauguration of the annual Ministerial-level 2+2 dialogue in September 2018, the United States and India have formalized high-level, strategic dialogue to promote and defend shared principles in the region. Moving forward, the United States will seek to build upon already strong military-to-military ties to enhance our interoperability, operational coordination, and readiness to address shared regional challenges.

RESPONSES OF HON. RANDALL G. SCHRIVER TO QUESTIONS
SUBMITTED BY SENATOR EDWARD J. MARKEY

Question. This administration has accelerated U.S. arms sales to Thailand. The United States should opt to use these sales as a tool to press for democratic reform, and the U.S. should make sure our arms sales should not be used to discourage domestic protests or opposition. How should the U.S. structure arms sales to Thailand?

Answer. In support of our broader strategy objectives in the Indo-Pacific region, reinvigorating our defense cooperation with Thailand is a critical signal to both the Thais and competitors in the region that the United States remains the partner of choice. Although Thailand's modernization efforts with the United States currently give priority to the Royal Thai Army, we also hope to expand modernization efforts with the Royal Thai Air Force and Royal Thai Navy to enhance current operations and support contingency planning requirements in the region. At several points in this deliberative process we rely heavily on the State Department's foreign policy input and include senior stakeholders from both DoD and DoS regional and functional offices.

Question. This administration has accelerated U.S. arms sales to Thailand. The United States should opt to use these sales as a tool to press for democratic reform, and the U.S. should make sure our arms sales should not be used to discourage domestic protests or opposition. Should the U.S. withhold equipment that can be used to repress domestic opposition?

Answer. Appropriate mitigation measures are in place to avoid the misuse of U.S.-provided equipment. All foreign military sales cases are examined case-by-case among the relevant departments and agencies. This includes a mandatory country team review and assessment and concurrence from the U.S. Ambassador to Thailand. Rule of law training and human rights training are provided to Thailand, along with institution capacity-building efforts. Both the country team and non-governmental organizations conduct substantial monitoring to help ensure equipment is not used to repress domestic opponents. Although we want to remain a reliable partner in the region, DoD does retain the ability to cut sustainment packages, training and education activities, and future sales and grant assistance.

Question. This administration has accelerated U.S. arms sales to Thailand. The United States should opt to use these sales as a tool to press for democratic reform, and the U.S. should make sure our arms sales should not be used to discourage domestic protests or opposition. Should the U.S. use arms sales as leverage for democratic reforms? Would the Thai government respond with structural changes if the U.S. withholds arms sales until they reform?

Answer. No. Using a transactional model with our arms sales would create significant mistrust in our relationship with Thailand. Our best tools for influencing political reforms in Thailand fall within our diplomatic and economic lines of effort.

RESPONSES OF HON. GLORIA D. STEELE TO QUESTIONS
SUBMITTED BY SENATOR EDWARD J. MARKEY

Green and renewable energy is a critical part of our development policy in Asia. USAID has a number of renewable energy programs under the government wide ASIA EDGE—"Enhancing Development and Growth through Energy" initiative. It appears USAID's related renewable energy programs are winding down, as many EDGE programs have not updated their websites or upcoming events, or only list programming through early 2020.

Question. What is the state of USAID's renewable energy programs in Asia? Are the numbers increasing? Which have been added? Have any been discontinued? If so, why?

Answer. The United States Agency for International Development (USAID) currently supports 12 programs with renewable energy activities in eight of our bilateral and regional operations in Asia.

In keeping with the objectives of Asia EDGE, USAID has increased its support for modern energy programs that have been launched by USAID country and regional missions, most notably in Vietnam, India, and our Regional Development Mission for Asia (RDMA).We have not discontinued any of our renewable energy programs, and may begin new RE programs in countries such as Mongolia and Laos. In fact, with decreasing prices for solar and wind-based energy, interests in and requests for renewable energy-support from countries in the region have increased in recent years.

Question. What is the value and the status of Asia EDGE programs obligated from FY 2019 funds? [No Response Received]

Answer. The Fiscal Year 2019 funds have not yet been finalized. In FY 2018, the Department of State and USAID obligated $145 million and other expiring funds for EDGE.

Question. How many renewable energy requests for proposals for FY 2020 and beyond have been released under the auspices of ASIA EDGE, or when will they be released, if at all.

Answer The United States Agency for International Development (USAID) has at least seven future projects with renewable energy components that will begin implementation in Fiscal Year (FY) 2020 and beyond. USAID has already announced 14 Asia EDGE programs whose life-of-project timelines extend beyond FY 2020.

Through USAID's programs, we should be empowering countries in Asia to produce their own renewable energy. Our policy should help our partners increase their resiliency and keep their development moving forward without sacrificing the goal of net zero greenhouse gas emissions, among other objectives set by the Intergovernmental Panel on Climate Change.

Question. What are your plans to effectively advocate within the administration for USAID to implement comprehensive renewable energy solutions?

Answer. The United States Agency for International Development (USAID) is an inter-agency leader in the implementation of the Administration's Asia EDGE initiative, which constitutes a whole-of-government effort to leverage market-based policies to support energy security within the region. We have a strong history of establishing policy environments necessary to enable the cost-effective entry of renewables into countries' markets. For example, in India, USAID and the Government of India (GOI) co-chair two of the four pillars under the U.S.-India Strategic Energy Partnership: the renewable energy and sustainable growth pillars.

In Vietnam, where the demand for energy is expected to more than double by 2030, USAID is working closely with the government to develop and implement policies that support scaling up the generation of renewable energy. This has contributed to a massive increase in solar energy production over the past two years—from less than 2 percent of the country's total power—generation to over 10 percent.

During Fiscal Year 2018 in Indonesia, USAID provided technical advisory services in support of 11 renewable energy projects that have since ended after successfully mobilizing a combined $806 million in investments from the public and private sectors.

Question. What percentage of USAID's energy solutions are renewable energy programs?

Answer. Given that much of United States Agency for International Development's (USAID) work relates to the development of national energy plans, power-sector master plans, and optimization of generation and power systems, it can be

difficult to separate our renewable energy-specific work from our more general sectoral interventions in energy or utility reform. However, across the region, renewable energy and energy efficiency are essential considerations in more than 90 percent of our energy programming.

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