

**LASERS AND WATER CANNONS: EXPOSING THE
CHINESE COMMUNIST PARTY'S HARASSMENT
IN THE SOUTH CHINA SEA**

HEARING

BEFORE THE
SUBCOMMITTEE INDO-PACIFIC
OF THE

COMMITTEE ON FOREIGN AFFAIRS
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Thursday, September 28, 2023

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE INDO-PACIFIC,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:02 p.m., in room 2200, Rayburn House Office Building, Hon. Young Kim (chair of the subcommittee) presiding.

Mrs. KIM OF CALIFORNIA. Hello, everyone. Thanks for being here. I ask unanimous consent that the following members be allowed to sit on the dais and participate in today's hearing: Representative James Moylan of Guam. Welcome. Thanks for joining us. Without objection, so ordered.

The subcommittee on the Indo-Pacific of the House Foreign Affairs Committee will come to order. The purpose of this hearing is to examine the Chinese Communist Party's increasing aggression in the South China Sea. I now recognize myself for an opening statement.

Again, welcome to the Indo-Pacific Subcommittee hearing entitled Lasers and Water Cannons: Exposing the CCP's Harassment in the South China Sea. The South China Sea is an area of critical strategic importance for the United States and its allies and partners. It is one of the busiest shipping lanes in the world with an estimated 5.3 trillion dollars in annual trade flowing through its waters.

The Philippines, Brunei, Malaysia, Indonesia, Vietnam, China, and Taiwan all have territorial claims. The waters are rich with natural resources including seafood and large reserves of natural gas and oil. The Chinese Communist Party has long maintained illegal claims in the South China Sea, spreading propaganda about its notorious nine-dash line which is now ten dashes because they added a dash around Taiwan.

Across the South China Sea, China has illegally dredged nearly 3,200 acres of new land, some of which Service military outposts that have runways for military aircraft and isolated research platforms that can port military-grade vessels. These artificial islands allow the CCP's Coast Guard to maintain a permanent presence in the exclusive economic zones of our allies and partners. Further, il-

legal and unregulated fishing activities destroying the environment and depleting fishing stocks.

I led a bipartisan CODEL with Representatives Andy Barr, Jonathan Jackson, Jasmine Crockett last month to Thailand, Philippines, and Indonesia so that we can assess the CCP's buildup in the South China Sea. Just a week before our trip, the CCP's Coast Guard used lasers to temporarily blind Philippine sailors and water cannons to stop Philippine Coast Guard ships from re-supplying the Sierra Madre, a Philippine's ship permanently stationed in the South China Sea to protect the Philippine's claims to Spratly Islands. My delegation also flew on a mission with the U.S. Navy over the South China Sea and we saw as congestion.

Instead of open water, we saw civilian fishing fleets from South Asian countries, patrols from the Philippine Coast Guard, and vessels from the People's Liberation Army, Navy, and CCP Coast Guard. By far, the largest and the most common vessels in the seas all vying for the same water between rifts and islets. When flying near the Sierra Madre post, the CCP Navy radioed into our aircraft asking who we were and demanding that our plane turn around, claiming that we were flying over the Chinese territorial waters.

This was clearly a bullying tactic, intimidation tactic. Our partners in the region need our help, and our allies are questioning if the U.S. will be there to help if the CCP escalates aggression in the South China Sea. We have willing partners and allies ready to hold firm against the CCP's aggression.

But they need reassurances about the U.S.' commitment to peace and security in the region. Just this month for the first time ever, ASEAN countries held joint maritime patrols. The U.S. must encourage and support these activities in the South China Sea.

Congress must take the CCP's aggression in the South China Sea seriously and ensure that our allied nations are getting the assurances from the Administration that they need. This starts with ensuring our military supporting these countries' maritime domain awareness missions. The U.S. must also strengthen its economic relationships with countries in the region as the CCP seeks to use its economic influence as a means to achieve political goals.

The Administration's rhetoric about trade in the region has been positive but has not been met with deliverables. Finally, the Administration must stop sidelining Congress on its fruitless engagements with the CCP. A number of senior officials have met with the CCP in recent months while the CCP continues to double down on militarizing the South China Sea and acting aggressively toward the U.S. allies and partners.

For the U.S. to be taken seriously in the South China Sea, discussions with the CCP on this matter must be held from a position of strength. So I look forward to hearing the witnesses' testimonies, and I yield the balance of my time. And now the chair recognizes the ranking member, the gentleman from California, Mr. Bera, for your opening statements.

Mr. BERA. Thank you, Madam Chairwoman. And I want to thank the witnesses for being here and appreciate the importance of the recent delegation that you led and unfortunately was not able to make it. But over the last several years, I've been able to visit each of those countries and assure that the concern about what we're

seeing in the South China Sea and also share some of the issues that you raised in terms of what our strategy is, how we stand with our allies in the region.

I want to applaud the Biden Administration actually for early engagement, early two-by-two high-level meetings, not just in Vietnam, Indonesia, the Philippines, but also within all the ASEAN countries. The President's recent visit to the G20 followed by a stop in Vietnam and the announcement of what really is a historic agreement, the comprehensive strategic partnership with Vietnam is exactly what we should be doing. And again, I think that's incredibly important.

When I was in the Philippines just before the pandemic, it was a very different environment in terms of what the relationship was like with the United States under the prior Administration. But I applaud the Biden Administration's engagement with the Marcos Administration, Secretary Austin's engagement and visits there, and the fact that we are going to be back in the Philippines. And with the harassment that the chairwoman has outlined in terms of Filipino fishing vessels, Coast Guard, et cetera, the reiteration that we do an alliance with the Philippines.

And if there is aggression against Filipino vessels that the U.S. will uphold our mutual defense commitments to the Philippines in the face of an armed attack by the PRC. I think the present was very strong in his announcement. And I think our friends and allies in the Philippines understand that this is an important strategic relationship.

I also agree with—as much as I wish we had gotten TPP across the finish line, yet that's not where we are today. But the importance of economic engagement with the countries there, you see a lot of U.S. investment and support from the Administration in terms of supply chain resiliency, redundancy, and the opportunities there. Indonesia is a hugely important country. It's one of the largest democracies in the world.

And I think this is also a place where having visited Indonesia, understanding what's happening around the chain of islands and so forth is another place where I think we can work in a bipartisan manner to support our friends there as well support the Administration. Again, I do not think this should be a partisan issue. It should be a long-term strategy that we execute on because the Chinese are playing a long game.

So it shouldn't matter whether there's a Democratic or Republican Administration or Democratic or Republican majority in the House. I think this is an area where I look forward to working with the chairwoman and hopefully 1 day being chairman again.

Mrs. KIM OF CALIFORNIA. I'm not going to let—

Mr. BERA. But again, I think this is a place where my friends and colleagues on the subcommittee but also across the full committee, there's great agreement on. And just one or two last comments. I'm really happy that the Coast Guard is here.

And I think the Coast Guard will be critical in helping work with and build up the infrastructure. When I was in Vietnam, we had those conversations certainly in the Philippines because the Coast Guard mission is not a military mission. But it's a law enforcement mission.

And in that capacity as a law enforcement mission, it is about protecting the territorial integrity, the territorial sovereignty, the exclusive economic zones. The Chinese operate in the gray zones. And working to help build that Coast Guard capacity, having our Coast Guard make additional rotations through there, and then helping the countries in that region buildup their own ability and providing maritime domain awareness, et cetera.

I think those are all incredibly important strategies. And I see the Biden Administration executing them. I certainly think Congress should be very supportive in providing assets and others as necessary.

And again, I know in the comprehensive strategic partnership with Vietnam, hopefully some of those will be forthcoming. So again, thank you for holding this incredibly important topic. Appreciate the prior hearing on the Indian Ocean region which is also an area that we do not pay enough attention to and we ought to pay attention to so we do not find ourselves 4 years from now having these same issues there. So with that, I'll yield back. And again, thank you.

Mrs. KIM OF CALIFORNIA. Thank you, Ranking Member. Other members of the committee are reminded that opening statements may be submitted for the record. We are pleased to have a distinguished panel of witnesses before us today on this very important topic. Let me introduce our witnesses.

First, Ms. Lindsey Ford is the Deputy Assistant Secretary of Defense for South and Southeast Asia at the Department of Defense. Thank you for joining us. Dr. Jung Pak is the Deputy Assistant Secretary for Multilateral Affairs at the Department of State. Thank you for being with us. Vice Admiral Andrew Tiongson is the Commander, Pacific area of the U.S. Coast Guard. Thank you for being with us.

Thank you for being here, and your full statements will be made part of the record. And I'll ask each of you to keep your spoken remarks to 5 minutes in order to allow time for member questions. So let me now recognize our first witness, Ms. Ford, for your opening statement.

STATEMENT OF LINDSEY FORD, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR SOUTH AND SOUTHEAST ASIA, DEPARTMENT OF DEFENSE

Ms. FORD. Well, Chairwoman Kim, Ranker Member Bera, and distinguished members of the committee, thank you very much for the opportunity to come today and discuss how the Department of Defense is working with allies and partners to strengthen our common vision for peace and stability in the South China Sea. And I should say at the top, thank you all as well for the time that you have taken to go visit the region, to understand the challenges that our allies and partners are facing there. I will say in my engagements with them, I consistently hear that they not only want to see members of the executive branch.

But knowing that they also have support from the legislative branch in the United States makes a huge difference. So thank you. You have heard from leaders across the Department of Defense that our network of allies and partners is one of America's

greatest strategic advantages and the center of gravity for the Department's 2022 National Defense Strategy.

As the NDS clearly States, close collaboration with our allies and partners is foundational to sustaining and strengthening deterrence in the Indo-Pacific region including in the South China Sea. We cannot confront complex and interconnected challenges alone, and the South China Sea is not exception. Over the last decade as you mentioned, the People's Republic of China has increased the scope, the scale, and the pace of its approach to assert control over the entirety of the South China Sea.

They've constructed multiple military outposts on occupied and reclaimed features in the Spratly Islands and steadily equipped these outposts with an increasing array of advanced military capabilities. The PLA has sharply increased coercive and risky operational behavior in the air and at sea, threatening lawfully operating American, allied, and partner forces. This includes sinking Vietnamese fishing vessels using military aircraft to harass Malaysian offshore energy exploration, flying within 20 feet of U.S. military aircraft, and deploying water cannons and military grade lasers to block and target Philippine resupply boats headed toward Second Thomas Shoal.

Despite these attempts to assert further control of the South China Sea, there is another better vision, one that is shared by both the United States and the region. And over the past year, we've seen an unprecedented number of States enhance efforts to support rule of law in the South China Sea which is a very encouraging development. As you saw earlier, this week, the Philippine Coast Guard took a bold step in defending their own sovereignty by removing a floating barrier installed by the PRC Coast Guard near Scarborough Shoal.

And in the face of PRC threats and intimidation, we've seen Indonesian, Malaysia, and Vietnam continue to expand their offshore energy exploration efforts and challenge PRC encroachment. We've seen partners across Southeast Asia and beyond the region come together to condemn PRC behavior in the South China Sea, including in August Australia, Japan, Canada, the United Kingdom, and the EU all protested to the aggressive PRC maneuvers that we saw against the Philippine at Second Thomas Shoal. In the recent Camp David summit that President Biden convened with Japan and South Korea, all three nations strongly condemned the PRC's aggressive behavior in the South China Sea.

And just days ago, members of the G7 opposed the PRC's militarization of the South China Sea and called on them to uphold the principles of the law of the sea. While our allies and partners have taken great steps to stand up for our shared vision, DOD is also taking an increasingly proactive approach to counter PRC coercion. A key element of this approach is building asymmetric advantages for our allies and partners.

Since 2016, the Department has allocated over 475 million dollars in capabilities that enables Southeast Asian partners to sense, share, and contribute to regional maritime security. And we are laser focused on identifying new and cost effective emerging technologies that will bring greater capability to our allies and partners more quickly. Beyond the investments we're making in ally and

partner capabilities, we have enhanced the complexity of our military operations in and around the South China Sea to ensure deterrence is strong.

Earlier this year, the Nimitz Carrier Strike Group and the USS Ronald Reagan conducted multi-carrier, multi-domain operations in the South China Sea. And in June, Canada, France, and Japan all joined us for a large multi-national exercise in the South China Sea. Just this past month, we are very proud to have conducted our first joint bilateral sail since 2016 with the Philippines, an important step in our alliance.

We've expanded the scope, the scale of our annual exercises with partners, including Garuda Shield which is one of the largest multi-national exercises in the region and Exercise Balikatan with the Philippines which this year for the first time included high end coastal defense, cyber defense elements, again, showing how we are strengthening and modernizing our relationship. We are diversifying U.S. force posture to remain prepared for any crisis or contingency. That includes regular rotational deployments of U.S. P-8s and littoral combat ships with Singapore and in the Philippines recently agreeing to four new enhanced defense cooperation sites that U.S. forces will have access to.

Finally, we are making a concerted effort to support to support multi- and mini-lateral coalitions of allies and partners, supporting network security architecture of like-minded nations. In May, India and Singapore hosted their inaugural India-ASEAN maritime—

Mrs. KIM OF CALIFORNIA. Ms. Ford, can you wrap up, please?

Ms. FORD. Yes, maritime exercise in the South China Sea and Australia and the Philippines also conducted their first exercise in the South China Sea as well. So let me thank you very much, say we remain clear eyed about the challenges that we face, and we look forward to working with you on this problem.

[The prepared statement of Ms. Ford follows:]

**“Lasers and Water Cannons: Exposing the CCP’s Harassment in the South China Sea”
Deputy Assistant Secretary of Defense, Lindsey W. Ford
House Foreign Affairs Indo-Pacific Subcommittee
September 28, 2023**

Chairwoman Kim, Ranking Member Bera, and distinguished members of the Committee: thank you for the opportunity to testify today on how the Department of Defense (DoD) is working with allies and partners to strengthen our common vision for peace and stability in the South China Sea.

As you have heard from leaders across the Department, our network of allies and partners is one of the United States’ greatest strategic advantages and the center of gravity for the Department’s 2022 National Defense Strategy (NDS). As the NDS clearly states, close collaboration with our allies and partners is foundational to our ability to sustain and strengthen deterrence. We cannot confront complex and interconnected challenges alone, and the South China Sea is no exception.

The People’s Republic of China’s Assertiveness in the South China Sea

Over the last decade, the People’s Republic of China (PRC) has continued to expand its military and law enforcement presence in the South China Sea, harass the legitimate economic activities of other claimants, and interfere with the ability of other states to exercise navigational rights and freedoms under international law.

The PRC’s broader efforts to expand its overseas military footprint are felt acutely in the South China Sea, where the People’s Liberation Army (PLA) has constructed multiple military outposts on occupied and reclaimed features, despite prior public commitments not to militarize the South China Sea. Over the past decade, the PRC has added more than 3,200 acres of land to its seven occupied outposts in the Spratly Islands, which now feature airfields, berthing areas, and resupply facilities to support persistent PRC military and paramilitary presence in the region. Since early 2018, we have seen the PRC steadily equip its Spratly Island outposts—including Mischief Reef, Subi Reef, and Fiery Cross—with an increasing array of military capabilities, including advanced anti-ship cruise missiles, long-range surface-to-air missile systems, J-20 stealth fighter jets, laser and jamming equipment, and military radar and signals intelligence capabilities.

The PRC uses these outposts to support People’s Armed Forces Maritime Militia (PAFMM) vessels, People’s Liberation Army Navy (PLAN) deployments, and China Coast Guard (CCG) operations in the South China Sea, including routine harassment of Southeast Asian nations’ vessels and assets, undermining these nations’ sovereign rights under international law. We’ve witnessed a sharp uptick in coercive and risky operational behavior by the PRC, threatening the safety not only of U.S. forces, but of allied and partner forces operating in the South China Sea. In recent years, the PRC has sunk Vietnamese fishing vessels, used military aircraft to harass Malaysian offshore energy exploration, cut across the nose of Australian P-8s conducting routine and lawful overflight activities, flown within twenty feet of U.S. aircraft, and deployed water cannons and military-grade lasers to block and target

Philippine resupply boats headed toward Second Thomas Shoal. These are not isolated incidents. These actions demonstrate a pattern of increasingly risky and coercive behavior, a manifestation of the PRC's growing willingness to use its military instrument of power to achieve its foreign policy objectives.

In addition to an expanded presence and forward-deployed capabilities, the PRC has sought to undermine international law and enforce its invalidated maritime claims in the region using extra-legal mechanisms. In 2020, the PRC announced the creation of two new administrative districts covering the Paracel and Spratly Islands to advance PRC claims to these areas. In 2021, the PRC enacted legislation that explicitly authorizes the CCG to use lethal force against foreign vessels infringing on PRC sovereignty. That same year, it also updated its Maritime Traffic Safety Law to require all foreign vessels to notify PRC maritime authorities, carry required permits, and submit to PRC command and supervision when entering what the PRC claims as its "sovereign waters." And just last month, the PRC released a "standard map" reaffirming its claim to almost the entire South China Sea, while also claiming territory around Taiwan and India.

Strengthening a Common Vision for the South China Sea Region

Over the past year, an unprecedented number of states—including the United States—have enhanced efforts to support the rule of law and assert the importance of sovereign rights in the South China Sea, despite the PRC's aggressive attempts to assert further control of the region.

The Marcos administration in the Philippines has been increasingly vocal about publicizing PRC coercion, including recent water cannon and lasing incidents, as well as launching new information campaigns to raise awareness of the 2016 UN Arbitral Tribunal ruling that invalidated the PRC's nine-dash line. The Philippine Coast Guard (PCG) has strengthened its presence in the South China Sea, conducting more sorties and deploying additional vessels to protect the country's fishermen. Earlier this week, the PCG defended Philippine sovereignty and traditional fishing rights by removing a floating barrier installed by the CCG near Scarborough Shoal. And despite repeated incidences of harassment, the Philippines has continued to defend its right to resupply its garrison at Second Thomas Shoal—or Ayungin Shoal—a low-tide elevation that lies within the Philippine Exclusive Economic Zone.

Earlier this month, members of the Association of Southeast Asian Nations (ASEAN) released statements reaffirming the principles of freedom of navigation and overflight in the South China Sea, emphasizing the imperative to resolve maritime disputes peacefully, and in accordance with international law, including the 1982 UN Convention on the Law of the Sea. And, most recently, a chorus of governments, including Malaysia, the Philippines, Taiwan, and Vietnam, publicly objected to the PRC's aforementioned "standard map."

Southeast Asian nations are also working together to peacefully resolve their own overlapping disputes in the South China Sea and defend their rights to energy exploration. Last year, Vietnam and Indonesia settled a maritime boundary dispute after years of clashes over fishing rights. And last month, the Philippines and Vietnam began discussions on a similar

maritime agreement to facilitate cooperation in contested waters. Despite PRC threats and intimidation, Indonesia, Malaysia, and Vietnam are expanding their offshore energy exploration, deploying their own vessels to defend these efforts and challenge PRC encroachment.

Condemnation of the PRC's behavior in the South China Sea and support for international law also extends well beyond Southeast Asia. In May 2023, Quad partners criticized the militarization of disputed features and the dangerous use of coast guard vessels and maritime militia in the region. In August 2023, Australia, Canada, Japan, the European Union, and the United Kingdom joined the Philippines in protesting aggressive PRC maneuvers against the Philippines at Second Thomas Shoal. At the Camp David Summit last month, Japan and South Korea joined the President in explicitly condemning the PRC's aggressive behavior in the South China Sea. And just last week, members of the G-7 opposed the PRC's militarization of the South China Sea and called on the PRC to uphold the principles of the UN Charter.

Strengthening Partner Capability and Capacity

Ultimately, bolstering the self-defense capabilities of our allies and partners is among the most important things the United States can do to help them counter and deter PRC coercion in the South China Sea, and we are committed to delivering.

As the world has learned from Ukraine, deterrence doesn't require directly matching competitor capabilities. New low-cost and commercially available technologies offer a broader toolkit of options that can provide a country asymmetric advantage in self-defense and deter coercion by a larger opponent—especially in the maritime domain. These technologies range from ground-based radar and sensors to unmanned platforms that enable allies and partners to improve their persistent situational awareness and increase their operational effectiveness across the South China Sea.

Since 2016, the Department has used its authorities, such as the Maritime Security Initiative (MSI), to allocate over \$475 million in capabilities that enable Southeast Asian partners to sense, share, and contribute to regional maritime security. The Department has provided increased maritime domain awareness by fusing all sources into a common maritime picture; provided platforms to sense and respond to suspect activity in allies' and partners' sovereign maritime and air spaces; and used enduring training and exercises to improve partners' maritime operational effectiveness both bilaterally and multilaterally. Our specific investments include intelligence, surveillance, and reconnaissance (ISR) assets; unmanned aerial systems; excess defense article High Endurance Cutters; radars; secure communications systems; and maritime detection and monitoring equipment.

Moving forward, DoD is exploring providing regional allies and partners with unmanned surface and subsurface systems for situational awareness, mesh networks for at-sea communications, undersea sensing, and expeditionary logistics capabilities, such as 3D printing and modular at-sea resupply, among others. Delivery of these systems will be complemented with system-specific training, tactics, techniques, and procedures for creative employment options. The Department has taken a deliberate approach to identify these capabilities, using table-top exercises and other analytical methods to assess the best mix of systems and platforms.

We have already seen this process begin to bear fruit through specific capability procurement requests from partners.

Among the myriad capability enhancements the Department is pursuing, we are particularly focused on enhancing our ability to work with allies and partners to deliver ISR capabilities to the region, and thinking more intentionally about how we manage and share information and use transparency for greater effect. For example, the new Indo-Pacific Maritime Domain Awareness (IPMDA) initiative with Australia, Japan, and India uses commercial, space-based frequency data to provide enhanced maritime domain awareness capability to allies and partners across the Indo-Pacific region. In 2022, we launched IPMDA as a pilot program in Southeast Asia, and we are continuing to expand the program across the region, alongside Quad partners. IPMDA has delivered on a long-standing goal to build a common operating picture in the region that will greatly enhance the ability of regional states to monitor and police their own waters.

Strengthening U.S. Regional Presence

Beyond the investments the United States is making in the region, we maintain a robust tempo of military operations in and around the South China Sea—often with allies and partners—increasing our interoperability, strengthening deterrence, and highlighting our shared resolve against coercive behavior. Together, these efforts support a common vision shared by our allies and partners for a region where disputes are resolved peacefully, where ideas and commerce flow freely, and where the rule of law is the rule of the day. In January and February 2023, for example, the *Nimitz* Carrier Strike Group conducted multicarrier, multidomain operations in the South China Sea, including joint exercises with the 13th Marine Expeditionary Unit. Then in June 2023, ships from the navies of Canada, France, and Japan joined the USS *Nimitz* and the USS *Ronald Reagan* in the South China Sea for a large multinational exercise featuring flight operations, air defense exercises, and simulated strike scenarios. The USS *Ronald Reagan* conducted a successful port visit to Vietnam in June, the third-ever carrier visit to the country and a clear signal of our growing military relationship. And earlier this month, we conducted our first joint bilateral sail since 2016 with the Philippines in the South China Sea.

We've also expanded the scope, scale, and complexity of our annual bilateral and multilateral exercises in the region across the board and brought together new constellations of partners. Exercise GARUDA SHIELD with Indonesia, for example, has become one of the largest multilateral exercises in the region, with over a dozen participating nations and thousands of forces. Exercise BALIKATAN with the Philippines included more than 17,600 members of the Armed Forces of the Philippines, the U.S. military, and Australian forces, featuring cyber defense, coastal defense, and littoral live-fire exercises with High-mobility Artillery Rocket (HIMAR) systems, F-35s, and F-16s. Finally, in June of this year, the coast guards of the United States, Japan, and the Philippines launched their first-ever trilateral drills in the South China Sea, in what is becoming a steady drumbeat of coast guard deployments to the region.

In addition to our regular operations and exercises, we are diversifying our presence in the South China Sea to ensure we remain postured to respond to any crisis or contingency. In Singapore, we maintain regular rotational deployments of U.S. P-8 aircraft and littoral combat

ships. With the Philippines, we have agreed to four new sites that U.S. forces will have access to under the Enhanced Defense Cooperation Agreement (EDCA), expanding where we operate to new strategic locations. EDCA supports combined training, exercises, and interoperability between U.S. and Philippine forces that will enable us to help build the maritime defenses of our Philippine ally and respond more effectively to a range of crises across the region. Just last month, we used one of these EDCA sites in Northern Luzon to provide humanitarian support alongside our Philippine allies following Typhoon Egay.

Strengthening Regional Security Networks

Finally, the Department remains deeply encouraged by the work that U.S. allies and partners are doing together. Over the last several years, the Department has made a concerted effort to support multi- and mini-lateral coalitions of allies and partners, strengthening a networked security architecture of likeminded nations working in concert to defend our common interests.

In May, India and Singapore co-hosted the inaugural India-ASEAN maritime exercise in the South China Sea, demonstrating that Indian and ASEAN navies can operate as an integrated force. Last month, in their first-ever bilateral meeting, the coast guards of India and the Philippines signed a memorandum of understanding for enhancing maritime cooperation and committed to conducting joint exercises. We were also pleased to see Australia and the Philippines elevate their bilateral relationship to a strategic partnership and commit to conducting joint patrols during Prime Minister Albanese's recent visit to Manila. Earlier this month, Australia and the Philippines also conducted the first-ever Exercise ALON, a bilateral amphibious exercise in the South China Sea that enhanced interoperability between Philippine and Australian counterparts and included 120 U.S. Marines. And, finally, just this month, all ten ASEAN states held the first-ever ASEAN-only joint military exercise in the South China Sea, a significant step for the grouping and a signal of ASEAN resolve to enhance regional stability.

We've also been encouraged by the progress of new trilateral coalitions. At the U.S.-Japan-Australia trilateral defense ministers' meeting in June 2023, our three nations resolved to support states exercising their rights and freedoms in the region, and just last month we held a joint navy drill off the coast of the western Philippines to underscore our shared commitment to the rule of law. A relatively newer initiative that is equally promising is U.S.-Japan-Philippine cooperation. During their first joint talks in June 2023, our three national security advisers agreed to strengthen trilateral defense cooperation and discussed opportunities for joint naval exercises in the region.

Conclusion

Chairwoman Kim, Ranking Member Bera, distinguished Members of the Committee, and colleagues: let me conclude by stating that the United States remains clear-eyed about the stakes of coercive PRC behavior in the South China Sea. In the face of these challenges, I am proud to report that we are doing more than ever alongside our allies and partners across the region in support of a common vision for peace, stability, and prosperity for our peoples. We have begun to see these efforts bear fruit—and the Department welcomes the partnership of this Committee

and the entire Congress as we work with our colleagues across the U.S. Government to continue delivering results. Thank you for inviting me to testify on this important issue, and I look forward to your questions.

Mrs. KIM OF CALIFORNIA. Thank you, Ms. Ford. I now recognize Dr. Pak for your opening 5 minute statement.

STATEMENT OF DR. JUNG PAK, DEPUTY ASSISTANT SECRETARY FOR MULTILATERAL AFFAIRS, DEPARTMENT OF STATE

Dr. PAK. Chair Kim, Ranking Member Bera, and distinguished members of the subcommittee, thank you for the honor and the privilege of speaking with you today on the South China Sea. We have seen a clear and upward trend of PRC provocations in the South China Sea, including efforts to exercise its expansive and unlawful maritime claims. The PRC routinely harasses vessels lawfully operating in their respective EEZs and on their continental shelves. Further, the PRC uses intimidation, harassment, and unprofessional maneuvers at sea in areas where it has failed to put forth lawful maritime claims.

For example, PRC aircraft have increasingly engaged in unsafe intercepts of U.S. and other military aircraft in international airspace over the South China Sea. The PRC likewise has interfered with our ally the Philippines' exercise of high seas freedoms in conducting routine resupply missions of the Philippine marines stationed aboard the BRP Sierra Madre at Second Thomas Shoal, a low tide elevation located on the Philippines' continental shelf, and well within its exclusive economic zone. The world witnessed the PRC's dangerous and provocative conduct on August 5 when the China Coast Guard used water cannons and—along with PRC maritime militia vessels—employed unsafe blocking maneuvers against Philippine vessels.

We saw similar behavior during later resupply missions on August 22 and September 8 and again most recently when the PRC reportedly installed a barrier to prevent Philippines fishing vessels from entering Scarborough Reef. We have made clear that we stand with our Philippine allies and have reaffirmed that an armed attack on the Philippines public vessel, aircraft, and armed forces—including those of its Coast Guard in the South China Sea—would invoke the U.S. mutual defense commitment under Article IV of the 1951 U.S.-Philippines Mutual Defense Treaty. We have seen similarly dangerous PRC conduct against a Vietnamese fishing boat on August 28 that resulted in injuries to Vietnamese fishermen.

And open and accessible South China Sea is vital not only to global peace and stability, but also to the global economy. Nearly one third of global trade runs through the South China Sea, worth about three trillion U.S. dollars. We therefore have a strategic interest in upholding the rights of all countries to exercise freedom of navigation and overflight.

Indeed, all nations have a vital interest in preserving the international law of the sea from maritime claims that do not comply with international law. In keeping with our longstanding policy on this vitally important waterway, we take a strong and principled position that all States, including those with competing claims to parts of the South China Sea, should comport their maritime claims with international law, as reflected in the 1982 Law of the Sea Convention. The Administration's approach to protecting this

critical maritime domain falls into three key lines of effort: one, diplomatic outreach to promote respect for international law and the rules-based order, emphasizing the need for peaceful settlement of disputes; two, maritime capacity building programs for the region's maritime law enforcement agencies and militaries; and three, finally, our own operations, including Freedom of Navigation Operations and routine presence operations, to demonstrate that all countries have the right to fly, sail, and operate anywhere that international law allows.

First, on diplomacy, we have consistently prioritized multilateral engagement through ASEAN and other dialog mechanisms. And we have called on our ASEAN and other like-minded partners to call out the PRC's egregious behavior. Second, on capacity building, the U.S. Government has provided over 1.6 billion dollars in military and law enforcement assistance to Southeast Asian countries over the past 5 years, with a focus on building maritime capabilities and enhancing maritime domain awareness.

Through the Quad-supported Indo-Pacific Partnership for Maritime Domain Awareness, we are also enabling Southeast Asian nations to monitor their maritime areas and international sea lanes via low-Earth-orbit satellites that identify ships by their radio traffic and automated tracking systems. Last, we maintain a long-standing program to uphold freedom of the seas for all nations under international law. The United States conducts regular FONOPs in the South China Sea to demonstrate our commitment to these rights and our firm opposition to the PRC's and other claimants' unlawful maritime claims.

In summary, maintaining peace and stability, and freedom of navigation and overflight in the South China Sea, is part of our larger vision for a free and open Pacific. We will continue to work with you and we will continue to work with our allies and partners on this critical issues. Thank you.

[The prepared statement of Dr. Pak follows:]

Deputy Assistant Secretary Dr. Jung Pak
House Foreign Affairs Committee, Indo-Pacific Subcommittee Hearing
“Lasers and Water Cannons: Exposing the CCP’s Harassment in the South
China Sea”

September 28, 2023

Chairwoman Kim, Ranking Member Bera, and Members of the Subcommittee – thank you for the opportunity to appear before you today to testify regarding the South China Sea.

As you know, last year, the Biden Administration unveiled our Indo-Pacific Strategy, in part, to demonstrate our commitment to Southeast Asia – one of the most dynamic and strategically important regions in the world. Maritime security, including in the South China Sea, featured prominently in the IPS. That is because our vision for the Indo-Pacific is one in which the region remains open and accessible, and the region’s seas and skies are governed and used according to international law. Under the IPS, we have worked to build support for rules-based approaches to the maritime domain, including in the South China Sea.

Unfortunately, not all actors are committed to these principles. We have seen a clear and upward trend of PRC provocations in the South China Sea, including efforts to exercise its expansive and unlawful maritime claims. The PRC routinely harasses vessels lawfully operating in their respective EEZs and on their continental shelves. Further, the PRC uses intimidation, harassment, and unprofessional maneuvers at sea in areas where it has failed to put forth lawful maritime claims.

For example, PRC aircraft have increasingly engaged in unsafe intercepts of U.S. and other military aircraft in international airspace over the South China Sea. The PRC likewise has interfered with our ally the Philippines’ exercise of high seas freedoms in conducting routine resupply missions of the Philippine marines stationed aboard the *BRP Sierra Madre* at Second Thomas Shoal, a low-tide elevation located on the Philippines’ continental

shelf, and well within its exclusive economic zone. The world witnessed the PRC's dangerous and provocative conduct on August 5 when the China Coast Guard used water cannons and – along with PRC maritime militia vessels – employed unsafe blocking maneuvers against Philippine vessels. We saw similar behavior during later resupply missions on August 22 and September 8 and again most recently when the PRC reportedly installed a barrier to prevent Philippines fishing vessels from entering Scarborough Reef. We have made clear that we stand with our Philippine allies and have reaffirmed an armed attack on Philippines public vessels, aircraft, and armed forces – including those of its Coast Guard in the South China Sea – would invoke U.S. mutual defense commitments under Article IV of the 1951 U.S.-Philippines Mutual Defense Treaty. We have seen similarly dangerous PRC conduct against a Vietnamese fishing boat on August 28 that resulted in injuries to Vietnamese fishermen.

An open and accessible South China Sea is vital not only to global peace and stability, but also to the global economy. Nearly one third of global trade runs through the South China Sea, worth about three trillion U.S. dollars. We therefore have a strategic interest in upholding the rights of all countries to exercise freedom of navigation and overflight. Indeed, all nations have a vital interest in preserving the international law of the sea from maritime claims that do not comply with international law.

In keeping with our longstanding policy on this vitally important waterway, the United States takes no position on territorial claims to high-tide features in the South China Sea, but we take a strong and principled position that all States, including those with competing claims to parts of the SCS, should comport their maritime claims with international law, as reflected in the 1982 Law of the Sea Convention.

The Administration's approach to protecting this critical maritime domain falls into three key lines of effort: 1) Diplomatic outreach to promote respect for international law and the rules-based order, emphasizing the need for peaceful settlement of disputes; 2) Maritime capacity building programs for the region's maritime law enforcement agencies and

militaries; and 3) Our own operations, including Freedom of Navigation Operations (FONOPs) and routine presence operations, to demonstrate that all countries have the right to fly, sail, and operate anywhere that international law allows.

First, on diplomacy, we have consistently prioritized multilateral engagement through ASEAN and other dialogue mechanisms, and we have called on our ASEAN and other likeminded partners to call out the PRC's egregious behavior. Second, on capacity building, the U.S. government has provided over 1.6 billion dollars in military and law enforcement assistance to Southeast Asian countries over the past five years, with a focus on building maritime capabilities and enhancing maritime domain awareness. Through the Quad-supported Indo-Pacific Partnership for Maritime Domain Awareness (IPMDA), we are also enabling Southeast Asian nations to monitor their maritime areas and international sea lanes via low-Earth-orbit satellites that identify ships by their radio traffic and automated tracking systems.

Lastly, we maintain a long-standing program to uphold freedom of the seas for all nations under international law. The United States conducts regular FONOPs in the South China Sea to demonstrate our commitment to these rights and our firm opposition to the PRC's and other claimants' unlawful maritime claims.

In summary, maintaining peace and stability, and freedom of navigation and overflight in the South China Sea, is part of our larger vision for a free and open Indo-Pacific. We will continue to work with our allies and partners to ensure our skies and seas are governed and used in accordance with international law and grounded in respect for the rules-based maritime domain.

Thank you for inviting me to testify today.

Mrs. KIM OF CALIFORNIA. Thank you, Dr. Pak. I now recognize Vice Admiral Tiongson for your opening statement. Thank you.

**STATEMENT OF VICE ADMIRAL ANDREW TIONGSON,
COMMANDER, PACIFIC AREA, U.S. COAST GUARD**

Vice Admiral TIONGSON. Good afternoon, Chairwoman Kim, Ranking Member Bera, and distinguished members of the subcommittee. I am honored to appear before you today to discuss how the United States Coast Guard works, to be a trusted partner throughout the Indo-Pacific. Chairwoman and members of the subcommittee, every day the Coast Guard, a key component of the Department of Homeland Security, provides a distinct value proposition, maritime governance.

We protect, defend, and save those who live and work on the sea. We protect the sea itself, and we support the rule of law. At all times, a branch of the Armed Forces, a law enforcement agency, the Coast Guard protects, defends, and regulates more than 100,000 miles of U.S. coastline and inland waterways and 4.5 million square miles of exclusive economic zone.

Our white ships with orange racing stripes demonstrate maritime governance wherever we sail. The Coast Guard's specific area encompasses 74 million square miles of ocean, more than half of the world's population in 77 countries. Throughout the region, the Coast Guard serves as a vital link between our Nation's diplomatic and military options with unique expertise and authorities to support partner objectives.

The Indo-Pacific is experiencing increasing challenges across the maritime domain. Malign actors exploit gaps and seams in maritime governance that generate destabilizing effects. For example, illegal, unreported, and unregulated fishing threatens global fish stocks, an existential issue for some Pacific Island nations as well as the world's protein security.

Impacts to the global marine transportation system pose risk to trillions of dollars and economic activity. Also, the increasing frequency and magnitude of natural disasters combined with sea level rise endangers fragile economies and ecosystems. Chairwoman, I understand you recently returned from a trip to the Indo-Pacific region where you learned how malign actors exert influence, leveraging approaches to shift conditions to their advantage.

Aggressive fishing practices and natural resource exploitation undermine territorial sovereignty and economic prosperity of Indo-Pacific countries. As a counter to these malign activities, the United States Coast Guard has been and is now operating and engaging throughout the region to promote maritime governance. We are trusted to support partners as they deter, disrupt, and defeat threats and challenges.

In doing so, together we strengthen the rules-based international order. A robust network of partnerships is the cornerstone of a free, open, connected, prosperous, secure, and resilient maritime domain. Together we bolster maritime governance through combined operations, sharing of best practices, and leveraging collective expertise.

The key aspect of our approach in the region is to always meet partners where they are with what they need, always seeing

threats and challenges through their eyes. These engagements may look like a small team deploying in support of a major oil spill or embedding members with partners in Asia to improve maritime demand awareness or even conducting operations with a partner in Asia's maritime forces. In coordination with the U.S. interagency, the Coast Guard has deployed maritime law enforcement training teams and National Security Cutters to support partners, building regional interoperability in cooperation to uphold maritime governance.

So the Coast Guard is well positioned to continue to work in the region, to promote maritime governance, to contribute to efforts so that a rules-based international order is upheld throughout the Indo-Pacific. Thank you for the opportunity to testify before you today and for Congress' continued support for the Coast Guard. I look forward to answering your questions.

[The prepared statement of Vice Admiral Tiongson follows:]



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**TESTIMONY OF
VICE ADMIRAL ANDREW J. TIONGSON
COMMANDER, COAST GUARD PACIFIC AREA
ON**

“U. S. COAST GUARD INDO-PACIFIC OPERATIONS”

**BEFORE THE
HOUSE FOREIGN AFFAIRS COMMITTEE
INDO-PACIFIC SUBCOMMITTEE**

SEPTEMBER 28, 2023

Introduction

Good afternoon, Madam Chairwoman and distinguished Members of the Subcommittee. Today, I look forward to discussing the Coast Guard’s unique authorities and capabilities, and how our forces are employed to promote a free, open, and resilient Indo-Pacific in support of the Indo-Pacific Strategy of the United States.

Importance of the Indo-Pacific

The United States has direct sovereign interests in the Indo-Pacific comprising 1.3 million square miles, which is 43 percent of the 4.5 million square miles of ocean that is the U.S. Exclusive Economic Zone (EEZ).

Operations pursuant to the Coast Guard’s network of more than 60 multi- and bi-lateral agreements, with nations around the globe, and participation in international fora, are unique among other government agencies and military forces. The Coast Guard’s activities within the U.S. EEZ surrounding American Samoa, Guam, and the Northern Marianas, with neighboring Pacific Island Countries and South and Southeast Asian countries, bolster a rules-based order to address challenges ranging from fisheries enforcement, forced labor, human smuggling and counter narcotics, to support for disaster and pollution response. The partnerships the Coast Guard builds are vital to America’s ability to secure our EEZ and our success in the broader context of geostrategic competition.

Challenges in the Region

Many factors are transforming the maritime domain and converging at an unprecedented pace across the Indo-Pacific and beyond. Global competition can challenge rules-based order by eroding international norms, maritime governance, and regional stability. Malign Actors pose a threat to peace and prosperity throughout the maritime commons. Additional competitors, violent extremists, and increasingly powerful and capable transnational criminal organizations exploit weak governance at sea, corruption ashore, and gaps in maritime domain awareness to gain economic and political advantage.

The Indo-Pacific region is challenged by a wide range of criminal, geopolitical, and climate risks. Current regional governance limits the reach and efficacy of efforts to combat transnational crime and illegal, unreported, and unregulated (IUU) fishing. Increasingly innovative transnational criminal organizations challenge intelligence and law enforcement best practices. Natural disasters due to a changing climate, combined with sea level rise, threaten already fragile economies and ecosystems.

Why is the Coast Guard important for the region?

The Coast Guard's strategic vision for the Indo-Pacific is to build a more free, open, prosperous, secure, and resilient region with unrestricted, lawful access to the maritime commons for all nations—advancing the existing international rules-based order and solidifying the United States as a reliable, trusted partner for maritime safety, security, and prosperity in the region.

While the Coast Guard safeguards the U.S. EEZ, protects and defends more than 100,000 miles of U.S. coastline and inland waterways, and saves thousands of lives per year, the Service is also working to answer an increased demand for Indo-Pacific engagement within available resources, balancing numerous dynamic maritime risks facing our Nation.

A free and open Indo-Pacific can only be achieved through building collective capacity; these efforts begin with deepening regional partnerships and encouraging partners to strengthen their ties with one another. We will support our allies and partners as they take on regional leadership roles themselves, and we will pool our collective strength to face the defining issues of our time.

Over time, increasing engagement in South and Southeast Asia assists South China Sea claimants to further their own maritime governance. Frequent positive engagements – on land, at sea, and in the air – bolster efforts of partners to maintain sovereignty in their own EEZs. Our engagement also helps to deter malign activities in zones that are gray due to actions of those who would undermine international rules-based order.

Such a transformative environment demands sound maritime governance by, with, and through trusted partners that enable prioritization of available resources and a sustained, multilateral effort to combat the most critical threats and challenges. As such, the Coast Guard is postured to operate in unison with interagency, joint, and international partners to help address universal challenges posed by transnational crime, human smuggling, maritime safety and security, environmental stewardship, IUU fishing, and provocations in their nation's waters.

At all times a branch of the U.S. Armed Forces, a federal law enforcement agency, a regulatory body, a first responder, and a member of the U.S. Intelligence Community, the Coast Guard operates on all seven continents and throughout the homeland, serving a nation whose national security and economic prosperity are inextricably linked to the sea.

The Coast Guard supports national strategic guidance with our operations, activities, and investments by synchronizing efforts across the interagency and with allies and partners. Coast Guard actions in the region directly align with the Administration's five objectives in the U.S. Indo-Pacific Strategy:

1. Advance A Free and Open Indo-Pacific;
2. Build Connections Within and Beyond the Region;
3. Drive Regional Prosperity;
4. Bolster Indo-Pacific Security; and
5. Build Regional Resilience to Transnational Threats.

The Coast Guard has operated in the Indo-Pacific for more than 150 years, and the Service is increasing efforts through targeted patrols with our National Security and Fast Response Cutters in support of Coast Guard missions and to enhance our partnerships. With a modest regional Coast Guard footprint, the Service works with the Department of State (DOS) and the Department of Defense (DoD) to engage partners. Across Oceania, we actively leverage our 12 bilateral law enforcement agreements with Pacific Island Countries (PIC) to assist our partners in enforcing their sovereign rights, building good maritime governance regimes, and forming a unified front against malign activity.

Cooperation

The Coast Guard's law enforcement, regulatory, and humanitarian missions promote professional service-to-service relationships and enhanced cooperation on maritime, economic, and national security challenges. In this context, the Coast Guard works through Security Cooperation, Security Assistance, and capacity building programs in DoD and DOS to provide bilateral and multilateral training to partners.

The Coast Guard works with regional partners to assess their needs and develop strategies to improve their capabilities; for one nation this may mean advanced law enforcement training or subject matter expert (SME) exchanges, and for another country this may include disaster response training to build climate change resiliency. Beyond building capacity through a consistent training presence and SME exchanges, these efforts demonstrate commitment to the region and promote the United States as a trusted partner. Additionally, training and SME exchanges enable long-term relationships, as foreign military members and students advance in their respective organizations and continue interacting with Coast Guard personnel.

Further, the Coast Guard's multi- and bi-lateral agreements can authorize personnel with enforcement authority from partner nations to embark on Coast Guard cutters and conduct combined law enforcement operations inside a partner nation's EEZ. In doing so, the Coast Guard continues to build capacity and regional security cooperation through trust and enables partner nations to better protect their EEZs.

Advancing a Free and Open Indo-Pacific

Building and reinforcing partnerships, the Coast Guard provides specialized operational capabilities in support of national security objectives in the Indo-Pacific. The Coast Guard employs a unique blend of diplomatic, military, economic, and law enforcement tools. By setting and enforcing standards of behavior in the maritime domain, the Coast Guard represents the international rules-based order and provides options for like-minded nations to counter malign actors.

As part of a whole-of-government approach to addressing challenges in Oceania and the broader Indo-Pacific region, including South and Southeast Asia, the Coast Guard offers transparent, persistent engagement and partnership. The Coast Guard is establishing additional long-term presence as attaches, liaisons, and advisors to strengthen regional and partner engagement, working to build capacity of many in the coast guards and maritime law enforcement agencies in the region in coordination with DOS and DoD, creating a multi- and mini-lateral friendly and encouraging environment. We are also working closely with like-minded partners coordinate capacity building and expand information sharing in the region. The Coast Guard works closely with DoS to implement maritime law enforcement capacity building efforts to include symposiums encouraging multilateral cooperation.

The Coast Guard uses its expeditionary capacity to support operations with partners and allies to protect national interests and expand operations beyond the U.S. EEZ. Utilizing this capacity, the service focuses on enhancing partner nation capability and disrupting and deterring threats further from our shores. Coast Guard engagement throughout the region is increasingly desired as engagements at sea improve understanding and governing activity within their vast EEZs.

Beyond regular multi-mission patrols across the Indo-Pacific by our National Security Cutters, the Coast Guard demonstrated our enduring commitment to the region by homeporting three of our newest Fast Response Cutters (FRC) in Guam. The Service is also relocating a major cutter to the region in FY 2024, with the specific mission of promoting maritime governance, establishing persistent U.S. presence, and conducting meaningful engagements. These cutters increase Coast Guard operational presence throughout the vast Indo-Pacific region.

Defense Readiness

The Coast Guard has served in every major armed conflict involving the United States since 1790. Around the world, on any given day, Coast Guard members are deployed in direct support of geographic Combatant Commander priorities. In the Indo-Pacific theater, Coast Guard capabilities and authorities are leveraged to advance important strategic national security objectives. National Security Cutter deployments support the U.S. Indo-Pacific Command (INDOPACOM) and provide opportunities to engage partner nations. The Coast Guard also supports INDOPACOM with small adaptive force packages and professional engagements. The Service remains committed to interoperability with our DoD partners and is always ready to fulfill a complementary role during conflict or contingency operations as a part of the Joint Force. Whether we are supporting military mobility through our management of the marine transportation system or operating jointly with other services and combatant commanders, the Coast Guard remains *Semper Paratus* (Always Ready) to protect and serve whenever our nation calls.

Operations At Sea

To date in Fiscal Year (FY) 2023, multiple Coast Guard National Security Cutters participated in multi-national initiatives. These deployments supported the U.S. 7th Fleet during U.S. Navy-led Cooperation Afloat Readiness and Training, Rim of the Pacific, and Southeast Asia Cooperation and Training exercises. National Security Cutters supported the Pacific Islands Forum Fisheries Agency (FFA) targeting IUU fishing in Oceania. Finally, Coast Guard deployable specialized forces embarked on U.S. Navy vessels operating in the Western and Central Pacific in support of IUU fishing enforcement under the Oceania Maritime Security Initiative.

The Coast Guard's FY 2024, Unfunded Priority List included \$400 million for four FRCs to further the Indo-Pacific Strategy of the United States through expanded presence and engagement to promote a free and open Indo-Pacific. Additional FRCs would help transform the Coast Guard from an organization which currently provides episodic presence, to a persistent and visible presence, strengthening coordination with Allied and partner nations to bolster regional security.

Conclusion

The Coast Guard has operated in the Indo-Pacific with our key partners for more than 150 years and is proud to be considered a trusted partner in maritime security, safety, and stewardship. Partnership with relevant U.S. government agencies and like-minded partners is critical to the Coast Guard's continued capacity building efforts and regional presence. Through international engagement, partnership, and presence, the Coast Guard resides in that space between the DOS diplomacy and DoD force. The Coast Guard and our partners address threats to the maritime rule-based order regardless of who the perpetrator may be.

The Coast Guard recognizes this consequential new period of American foreign policy requires additional Coast Guard presence in the Indo-Pacific. U.S. interests in the region have become ever-clearer, just as they have become more difficult to protect. The Coast Guard has a valuable role in conducting persistent and effective operations to uphold rules-based maritime governance and supporting like-minded nations to govern their maritime interests in a manner that resists those that desire to undermine international order. The Coast Guard anticipates an increasingly dynamic future and stands ready to increase cooperation, promote order, and deter conflict.

Mrs. KIM OF CALIFORNIA. Thank you, all of our witnesses. Now we'll go into the Q&A session from the members. And let me recognize myself first for 5 minutes.

The CCP continues to ignore the 2016 permanent court of arbitration ruling that its nine-dash line has no legal basis and these artificial islands do not create its own exclusive economic zones, yet they continue to deploy the vessels to patrol the sea, intimidate our allies and partners. Dr. Pak, right? Will the CCP ever resolve their disputes in the South China Sea through a rule of law approach which I think we know what the answer may be? But will they always resort to might makes right?

Dr. PAK. Thank you, Chair Kim. And that's exactly what we're trying to push back against and to make sure that our allies and partners are 100 percent resilient to those challenges. We continue to say out loud and to all who will hear and to grow that chorus of condemnation against the PRC's unlawful and expansive maritime claims that have no basis in international law.

And so we will continue to support our allies and partners. I will leave it up to the PRC to speak for themselves. But I think what our assessment is that the PRC sees this as a long game, and they're using a variety of tactics across multiple domains.

And that includes economic. It includes security. It includes just outright harassment and coercion through might. And we're looking to tackle those issues in a multidimensional way.

Mrs. KIM OF CALIFORNIA. So considering the CCP isn't abiding by the 2016 ruling or Xi Jinping's 2015 commitment to President Obama not to militarize the South China Sea, what prospects does that raise for peaceful, orderly resolution of the disputed claims?

Dr. PAK. Thank you. One of the things that we're working with our allies and partners on is globalizing the South China Sea issue. As you have mentioned here today and in other venues that so much of the global economy runs through the South China Sea, and it's a vital economic throughway.

And so this is not just about China. This is not just about the countries in the region. It's vital for Europe. It's vital for us, the United States and Indo-Pacific nation. And it's vital for all that are dependent on their economic—the economy that runs through this.

So one, we're looking to globalize. And so we were very happy to have ginned up support among 11 countries across the globe that rejected and condemned the PRC's unlawful reclamation activities. And so we're trying to globalize and making sure that we have a common understanding of the threats.

Mrs. KIM OF CALIFORNIA. Got it. Thank you. As was mentioned, the U.S. and Philippines has our mutual defense treaty. And we are pursuing more cooperation through the multilateral or additional sites under the enhanced defense cooperation arrangement. So I want to ask you, Ms. Ford, is the U.S. prepared to back up its mutual defense treaty with military force? And what message would it send to other questions in the region if the U.S. does not respond forcefully enough to an event that triggers that treaty?

Ms. FORD. Thank you so much. I think the credibility of our alliances is the bedrock part of U.S. security in the Indo-Pacific region and globally. And that's one reason that the Department has been incredibly clear that when it comes to our treaty commitments to

the Philippines, we believe an armed attacks against Philippine armed forces, public vessels, aircraft apply to the South China Sea. That includes the Philippine Coast Guard. And we have said repeatedly and will continue to say that we stand by those commitments absolutely.

Mrs. KIM OF CALIFORNIA. Thank you. Our delegation also visited the Subic Bay. And I just wanted to ask you, what lessons did we learn from Subic Bay to ensure that we do not lose the critical infrastructure to the CCP and that region? Would you be able to answer that?

Ms. FORD. I'd be happy to chime in here. I actually had the opportunity to visit Subic earlier this year. I think we're very pleased to see that an American company is now helping with the Administration of the Hanjin shipyard.

I walked that shipyard. It's one of the largest shipyards in the world. It is critical strategic infrastructure. And the fact that U.S. companies are cooperating and helping to build jobs and make sure that strategic area stays in friendly hands I think is incredibly important.

Mrs. KIM OF CALIFORNIA. Thank you very, very much. At the time we visited, we weren't allowed to name the company name. But I guess it's becoming very clear that it is becoming final, Hanjin.

Ms. FORD. The Hanjin shipyard is currently being administered by an American company.

Mrs. KIM OF CALIFORNIA. Great, thank you. All right. Let me now recognize Ranking Member Bera for 5 minutes of questioning.

Mr. BERA. Thank you, Madam Chairwoman. I'm going to yield 5 minutes to Representative Jackson who I know accompanied you on the CODEL. And unfortunately, it has a time commitment. So I'd love to yield him that time.

Mr. JACKSON. Thank you. Very kind of you, Congressman Bera. Congresswomen Kim, Congressman Bera, thank you for inviting me on the trip. It was fascinating to see the front lines of what's going on there. Specifically, I want to talk about the looming, impending shutdown opportunities or challenges that we're going to face. First, to the vice admiral, could you please share with us what was the effect of the 2019 shutdown on the 35-day shutdown in the military in 2019?

Vice Admiral TIONGSON. In 2019, the United States Coast Guard was not funded. It was the first time ever that one of the armed services was not funded as a result of a lapse in appropriation. What we saw is that you had people—Coast Guard people that were deployed in different parts of the world, maybe side by side with their DOD counterparts who were getting paid but they were not getting paid. And devastating effects back home to families as well as future recruiting and retention still loom.

Mr. JACKSON. Thank you very much. To our Deputy Secretary Pak, the question I would have is what's the impact of the diplomatic initiatives that will be impacted by a shutdown?

Dr. PAK. Thank you for that question, Representative Jackson. It would have a huge impact on how we do business in Southeast Asia. As many of you know from visiting the region, showing up matters.

And I want to foot stomp what DASD Ford said about your engagement in the region. And we also in the State Department hear great things about the level of engagement that they have from Congress and that it's in a bipartisan way. So they see it, our partners and like-minded see it and they send us kudos for it.

So I wanted to really foot stomp what DASD Ford had said about your engagement. I'll note that 91 representatives or Members of Congress visited the region in the past year alone. And I know that we've seen each other in various ASEAN committee Washington events together. So showing up matters, and a government shutdown would affect that showing up those personal relationships, especially in matters like the South China Sea which are pretty sensitive conversations.

Mr. JACKSON. Will this give a greater opening or opportunity for the Chinese government to strengthen its relations?

Dr. PAK. I would argue that it would fuel the PRC's false narrative that we are not committed, that we are inward looking, that this engagement with the Southeast Asian countries are just a blip, and that ultimately our default position is looking inward and looking at domestic issues. So I think that would fuel that false narrative and feed Chinese disinformation on U.S. commitment to the region.

Mr. JACKSON. Thank you very much. Deputy Secretary Ford, I cannot call you assistant and all that. You're what I've got to work with, and I'm honored to be here. How will this deal with our readiness, the looming shutdown, and preparedness in the region?

Ms. FORD. Thanks very much. I think the impact of a shutdown would be significant for the Department of Defense. For one thing, there is a tremendous amount of momentum underway that I've already spoken about regarding to what we are doing to strengthen deterrence with our allies and partners.

So certainly from a budgetary perspective and how we implement our strategy, there's an enormous impact. We're seeking 40 percent increase in Pacific deterrence initiative funding. If we have a shutdown, if we have a CR, we cannot actually have that funding to implement that strategy.

For U.S. forces, for civilians, the work that we undertake in the Department of Defense on a daily basis to oversee the planning of our exercises and everything else, we will not be able to implement anymore. And you will have personnel across the Department of Defense who do not know when they're getting their next paycheck. They're focused on that rather than focusing on all the things that we ought to be doing to maintain deterrence on a daily basis.

Mr. JACKSON. I thank you all for your Service. Thank you, Chairwoman Kim, for inviting me and letting me have this opportunity. Thank you again, Congressman Bera and Mr. Barr. I yield back my time.

Mrs. KIM OF CALIFORNIA. Thank you, Rep. Jackson. It was really good to have you. I'll now recognize Representative Barr for 5 minutes.

Mr. BARR. Thank you, Chair Kim and thank you for your leadership and leading us on the CODEL. It was great to be with Congressman Jackson and Congresswoman Crockett. And I do think, Dr. Pak, to your point and hopefully our State Department dip-

lomats who are deployed over there saw the bipartisan unity that we expressed to our partners and allies and counterparts over there.

Let me start with Admiral Tiongson because we met when we were in Manila with our Filipino Coast Guard leaders there. And it was apparent in our conversation with the Filipino Coast Guard that they do not currently have enough assets to adequately confront the well funded Chinese Coast Guard and grey-zone operations. And they asked for help, and they specifically asked for more assets and ships.

How is the United States Coast Guard working with the Filipinos to expand the capabilities of their Coast Guard? Do we have enough assets, Cutters and whatnot, that could be deployed to the South China Sea to assist in those law enforcement operations?

Vice Admiral TIONGSON. We have a very strong relationship as you observed with the Philippine Coast Guard. In fact, the Philippine Coast Guard, we have our largest security sector assistance program with them. In fact, when you talk assets, we through the interagency partnerships built an entire training center to help them with operations as well as maintenance of the vessels that they do have that they are in a ribbon cutting. It was just in the last couple of weeks for that.

We have helped them grow their Coast Guard from 5,000 to their goal of about 35,000. They're still working on that, but they're well into that right now. And we have assigned a maritime advisor to them to help along that growth projection. In addition to that, we do work with them with our ships. In fact, just recently, we had our first trilateral underway exercise between Japan Coast Guard, Philippine Coast Guard, and U.S. Coast Guard.

Mr. BARR. No, you all are doing a great job. To Deputy Assistant Secretary Pak, you did note in your testimony about how we are doing. And one of the main objectives is maritime capacity building programs for the region's maritime law enforcement agencies and military. But the Filipino Coast Guard is specifically asking for more ships. Is that included in your plans as assistance to the Filipino Coast Guard, Navy and Coast Guard?

Dr. PAK. And thank you—

Mr. BARR. They cannot confront the PLN with what they've got is what they're telling us.

Dr. PAK. Right. The admiral has mentioned the Japan relationship. And that's part of our efforts to knit together groupings of like-minded countries together. And so I just hosted in July a maritime dialog with the Philippines, and they brought a sizable contingent to talk about these and other issues. And part of the State Department's goals there is to make sure that we're consulting frequently and in depth to talk about exactly what the Philippines need, Coast Guard capabilities, and otherwise—

Mr. BARR. That's great. And I'm running out of time. So my last two questions are to Deputy Assistant Secretary Ford. The Sierra Madre is falling apart. It's not a permanent solution to the Second Thomas Shoal issue.

As Chair Kim pointed out, we flew over and PA over the Chinese Coast Guard vessel there that's right off of the shore. They clearly want to—they want to militarize that just like they've done with

Fiery Reef and Mischief Reef and all these others. What is the long-term plan to help the Filipinos defend their exclusive economic zone beyond a temporary Sierra Madre situation there?

And then last question, the EDCA sites in the Philippines, this is a big, important development. What are we going to do at those EDCA sites? What does INDOPACOM want?

And why not make—and I know we met with Ambassador Carlson, I know there's some internal diplomatic changes. But why not make Subic an EDCA site? And can we not work with the Filipino government to reestablish a U.S. naval presence beyond just the ship building activity? There, it's Subic.

Ms. FORD. Thanks very much, Representative. We are in regular conversations with our Philippine allies about how we help them modernize their capabilities. And so we're doing a number of things.

We are in the process of negotiating a multi-year security sector assistance road map that will enable us to bring more maritime capability more quickly to them. We have committed to negotiate just only by the end of this year that will enhance our information and intelligence sharing that enables them to have a better understanding of what's going on. And we recently concluded defense guidelines that talk about how we will actually enhance our operational planning to enable them to be more effective in what they do on the water and in the air in the South China Sea.

When it comes to EDCA, we are really thrilled how EDCA is moving forward. The Department has already allocated over 100 million dollars for infrastructure investments that you'll continue to see over the next few years coming online. In response to your question about Subic, what I would say is anything that is designated that is designated as an EDCA site is done in partnership and in coordination with the Philippines and only when the Philippines is looking for that EDCA designation. Thank you.

Mrs. KIM OF CALIFORNIA. Thank you. I now recognize—your time is up. Sorry.

Mr. BARR. Yes, I know.

Mrs. KIM OF CALIFORNIA. I'm going to recognize Ranking Member Bera for 5 minutes.

Mr. BERA. Thank you, Madam Chairwoman. DAS Ford, in your opening comments, you referenced UNCLOS, the Law of the Sea, which on our side of Congress, we do not get a chance to ratify it. But obviously, it has not been ratified by the Senate. And the PRC uses that sometimes against us when we try to say, there's a ruling. From your perspective, how important is it that we—I've talked to other colleagues like Congressman Courtney and others that we really ought to make a push to ratify that and it would strengthen our hands in upholding the rule of law particularly in the South China Sea?

Ms. FORD. Thanks very much. And I'm sure the admiral has thoughts here as well. I would say it's incredibly important. You will hear no one speak more loudly than the Department of Defense and the U.S. Navy about how much upholding UNCLOS matters and that we think ratification is important.

The reality is the U.S. Navy continues to operate in accordance with UNCLOS everywhere we go. But operationally maintaining

the freedoms that we are allowed under UNCLOS is incredibly important. It is only one leg of the stool, though. And seeing that legal recognition as well, we think it matters a lot.

Mr. BERA. So we already held ourselves to that standard. So if my colleagues over on the other side of Congress are watching, I would hope the Senate would take that up and it would be important. Vice Admiral, if you want to add anything to that.

But I'd also—Congressman Barr touched on—as I've traveled around the region, obviously Vietnam, Philippines, others would love additional Coast Guard assets. Mexico would love additional help as well. Knowing we've got limitations, knowing that we have transferred some assets there, and knowing that we're doing some joint training and maritime domain awareness, and that the Coast Guard will really be vitally important in protecting territorial sovereignty and the maritime governance mission in that region. What are some things that we should be thinking about from the congressional side?

Vice Admiral TIONGSON. Just to add to that piece, I mentioned earlier our value proposition is maritime governance. And exactly as DASD Ford was saying, we live by the rule of law all the time. We agreed to the internationally accepted norms and standards.

We follow professional maritime behaviors everywhere we go without a doubt. That is part of maritime governance. To your points about—I'm going to say excess defense articles in many ways.

So as you were tracking, I believe, in Vietnam, we've provided two high endurance Cutters or 378-foot ships. There's a third one that could be there through help with the interagency partners. We've provided 25 response boats also to the Vietnam Coast Guard, and we have a maritime advisor there as well.

So we have a footprint in the Philippines I described earlier as well as in Vietnam. The key for us is right now we are episodic in our presence. What we need to be is a little bit more persistent in our presence.

We thank the Administration and Congress for this Indo-Pacific support Cutter that I hope to receive here very soon in the winter timeframe and then get it operational in the early spring, probably in the Oceania region first. A second one of those would do great wonders in different parts of the Indo-Pacific as well as on our unfunded priorities list that has been forwarded up to Congress. We have four fast response Cutters that allow us to provide more presence in the Indo-Pacific.

Mr. BERA. DAS Pak or Vice Admiral, you also talk about stretching our resources by working with our partners and allies, whether that's Australia, New Zealand, Japan. Others, could you just, in the brief time I have left, touch on the importance and what our strategy is in terms of kind of that coalition building?

Dr. PAK. Sure, we work through ASEAN as you know to make sure that ASEAN itself as an organization also calls out PRC's activities in the South China Sea. You'll note in the U.S.-ASEAN summit statement in which the Vice President participated, there was a strong statement about the South China Sea. We also work through AUKUS.

We work through dialogs with the EU. We work through the Japan-Philippines-U.S. relationship. In the Camp David—the unprecedented Camp David summit with Korea and Japan, South China Sea was a key part of that and the three countries, prioritization of Southeast Asia and to make that part of the world more resilient. And so there are a variety of groupings and ways and dialog mechanism. And that's not to mention the bilateral mechanisms as well.

Mr. BERA. I'll yield back.

Mrs. KIM OF CALIFORNIA. The gentleman's time is up. Now I recognize Representative Sherman for 5 minutes.

Mr. SHERMAN. Thank you. I think the meetings with high Chinese officials make a lot of sense. Ronald Reagan who's memory and Administration was commemorated yesterday at the Republican debate of course met with Kruschew—Gorbachev rather at a time when the Soviet Union had many thousands of nuclear weapons aimed at the United States far more than China has.

We are not approaching this from a position of strength. The trade deficit is enormous. Every dollar we ship to China empowers then and weakens us. In addition, we provide a capital gains allowance, an incentive at the cost of the U.S. Treasury for those who invest in Chinese stocks.

The purpose of the capital gains allowance is to encourage investment to build an economy. You can argue that it's a good investment in the American economy when we invest in American stocks. Why do we provide that? And I look forward to perhaps having some co-sponsors for a bill to say no capital gains allowance for investment in Chinese stocks.

And finally, I think our military is strong. But this shutdown is making us weaker, both militarily and in terms of diplomacy as well. We look like the Keystone Cops. Those Asian leaders who have studied history will note that empires fall and great nations fall when they're unable to pay their troops on time.

We're doing that to ourselves. Now we have up until this Administration had a deliberately ambiguous position as to how would we react militarily if Taiwan were blockaded or invaded. Dr. Pak, is it now clear that the Biden Administration would respond militarily in the case of such a military attack on Taiwan?

Dr. PAK. Thank you, Representative Sherman. I just wanted to just touch on the——

Mr. SHERMAN. I'm sorry. I have limited time.

Dr. PAK. Sure.

Mr. SHERMAN. Can you say yes or no?

Dr. PAK. Yes. For over four decades, we have abided by the One China policy that's been guided by the——

Mr. SHERMAN. Is it our policy——

Dr. PAK [continuing]. Taiwan's Relations Act.

Mr. SHERMAN [continuing]. To respond military if Taiwan is invaded?

Dr. PAK. Well, we will make—the United States will make available Taiwan defense articles and services necessary to enable——

Mr. SHERMAN. So our response——

Dr. PAK [continuing]. It to maintain sufficient self-defense capability.

Mr. SHERMAN. Our response may not include putting American lives at risk?

Dr. PAK. I do not really want to go into hypotheticals.

Mr. SHERMAN. I thought Biden said, we will defend Taiwan. Are you saying that's just his—

Dr. PAK. And we do so in multiple—

Mr. SHERMAN [continuing]. Policy and not the policy—

Dr. PAK [continuing]. Ways in terms of increasing Taiwan's—

Mr. SHERMAN. Defending Taiwan usually means—OK.

Dr. PAK [continuing]. International space. Taiwan has a lot to offer, its democratic—

Mr. SHERMAN. So we—

Dr. PAK [continuing]. Governance, its economy.

Mr. SHERMAN [continuing]. Continue to be ambiguous as to whether that would involve deployment of American troops?

Dr. PAK. We continue to assert and make sure that we have a peaceful resolution of the cross-strait.

Mr. SHERMAN. Well, obviously, everybody wants peace. I'm asking the more difficult question. How do we respond if China wages war? And You're not willing to answer or even tell me that you want to be ambiguous. There's nothing more ambiguous than refusing to tell me whether You're going to be ambiguous.

Dr. PAK. I think our policy speaks for itself. And I won't put words into the President's—

Mr. SHERMAN. What You're saying is that I'm stupid for asking the question because the answer is obvious.

Dr. PAK. I won't put words into the President's mouth. But for four decades, we believe that our One China policy has—

Mr. SHERMAN. OK. I'm going to go—

Dr. PAK [continuing]. Been successful in maintaining cross-strait stability.

Mr. SHERMAN. Well, what's been successful is that the Chinese military hasn't been powerful enough to invade Taiwan. They're getting closer every day. Forty years ago, China couldn't have invaded Taiwan.

I would point out that we continue—we were in an area where we should not be ambiguous is we should make it clear that if Taiwan is invaded or blockaded, that ends most favored nation status for China. Not because I want to see that happen, but because that's the way to put China on notice with something other than ambiguity.

Now I know at the State Department, a large percentage of your people will be furloughed if we have a government shutdown. Admiral, do your people get paid September 30th? And I assume they have to keep working. When is their first interrupted paycheck?

Vice Admiral TIONGSON. The first interrupted paycheck would come at the fiscal—at the change of the fiscal year. That's about 38,000 active duty members.

Mr. SHERMAN. So they get paid September—do they get a check September 30th and have to wait for the next one? When's the next one?

Vice Admiral TIONGSON. It would be on the 15th, halfway through the month.

Mr. SHERMAN. Fifteenth. So if we shut down the government, your people have to work. They do not get paid. That may apply to the military or maybe we would pass a military defense bill. What would that do to the morale in the Coast Guard if they have to work and they do not get paid?

Vice Admiral TIONGSON. Well will continue to focus on—

Mr. SHERMAN. What would it do to the morale?

Vice Admiral TIONGSON. Morale-wise, as experienced in 2019, it is hard.

Mrs. KIM OF CALIFORNIA. The gentleman's time is up.

Mr. SHERMAN. It impairs American security. I yield back.

Mrs. KIM OF CALIFORNIA. Thank you. Let me now recognize Representative Moylan for your questioning.

Mr. MOYLAN. Thank you, Madam Chair, and thank you to all the panel members here today for allowing me to weigh in for this hearing. I appreciate the chance to hear from the witnesses, panels, and a chance to speak about the importance of working to counter China's continued illegal actions in the South China Sea and the Pacific at large. It is essential that we in Washington show our allies in the Pacific that we do not accept rogue nations flaunting their disrespect for international borders and instead work with our regional allies to ensure a safe and secure Pacific.

Over 3.4 trillion dollars in trade pass through the South China Sea every year. If we continue to appease China and allow them to build artificial reefs throughout the region, it is only going to be a matter of time before they seek to disrupt this crucial trade corridor. Last month, I wrote an op-ed that was published on the Hill speaking on this very issue. Madam Chair, I ask unanimous consent that the op-ed titled the U.S. must send a strong message in the face of China's harassment of the Philippines to be entered into the record.

Mrs. KIM OF CALIFORNIA. Without objection.

Mr. MOYLAN. This op-ed, I call for the increase of joint patrols with our regional allies, an inclusion of the Philippines and future Quad-plus as well. My first question for Assistant Secretaries Pak and Ford, do you think we should seek to include the Philippines in future Quad-plus discussions? And when will we begin to seek more bi- and multilateral arrangements in the Indo-Pacific involving one of our closest regional allies?

Ms. FORD. Thank you very much, Representative. Those are great questions. I'm really thrilled to hear you advocating for joint patrols which as I mentioned is something that we just engaged in with the Philippines.

I know in the recent engagement between the Philippines and Australia, this is conversations that they're having as well. So from our perspective, we are strongly supportive of not just bilateral patrols but exploring opportunities for multilateral patrols with the Philippines and with other partners as well. When it comes to the Quad or other kinds of multilateral settings, what I would say is over the last year, we inaugurated a new U.S.-Japan-Philippines defense dialog.

So we are looking trilaterally along with other interagency partners on what more we can do to network the Philippines with our partners. The Secretary also convened the first ever meeting of

U.S., Japan, Australia, and Philippine defense ministers. So we have been networking the Philippines into many of our other alliances much more proactively. It's the central part of our strategy.

Dr. PAK. And from State Department's perspective, in addition to working with DOD on all of those—on those groupings, we've worked very hard to rally support for the Philippines and the Philippines' ability to lawfully exercise, operate, fly in their region. And so we've been very focused on making sure that the Philippines have the support, not just of the United States but on a global scale.

Mr. MOYLAN. I appreciate all that, working together and the networking. But I think the Quad would also be an addition to that. That would be very helpful. But thank you for your statements.

Vice Admiral, last week, the Chinese Coast Guard laid a 1,000-foot long barrier to block Scarborough Shoal which is well within the Philippines' exclusive economic zone. Nonetheless, China claims that the shoal belongs to them thanks in part to their ten-dash line map which is an increase of maritime area from the previous nine-dash line. That included contested areas that extends well beyond international agreed upon borders, both on land and sea.

This follows other prerogative actions by the Chinese Coast Guard in August when they attempted to interrupt routine resupply of Philippine base in Second Thomas Shoal. These actions are totally illegal in the current international law and fly in the face of the 2016 discussion by the Permanent Court of Arbitration in Hague. My question is, what more can our Coast Guard do to help support our allies as they attempt to deal with these constant assaults on their sovereignty? If asked by the Philippine Coast Guard, would the U.S. Coast Guard be inclined in joining our allies to deter bad faith action by the CCP?

Vice Admiral TIONGSON. We will continue to help build their capacity and capability to deter and defend their sovereign rights. We will continue to share with them our tactics, techniques, and procedures to make sure that they are ready for those types of events.

Mr. MOYLAN. Thank you. Thank you, Madam Chair.

Mrs. KIM OF CALIFORNIA. Thank you. We have a consensus that we're going to go for a second round of questioning. So let me ask a couple questions very quickly.

When we were out in the region, we spoke to our allies and we talked a lot about dangerous PRC behavior in South China Sea. And we did the flyover as was mentioned. And we were actually witnessing the Chinese military conducting in an unprofessional and unsafe ways, radioing in and asking questions, like, how many of us are there, why are we there, that type of thing.

So we want to know what is the contingency plan if there is an accident. And could an incident spark a conflict there? And when we were talking to the Philippine Coast Guard and our counterparts with the Philippine officials, they were talking about, yes, there is the hotline.

The problem is they do not even pick up the hotline. So how confident are we that they are going to pick up since they have shown not to be responsive to other flashpoints in our relationship such

as when we had the spy balloon incident flying over our continent. So what is our plan?

Ms. FORD. Thank you, Madam Chairwoman. We share your concern about the unsafe PRC operational behavior that we've seen not just in the South China Sea to be honest with you, through the Taiwan Strait across the Indo-Pacific region. The Department, the Secretary have spoken out on this repeatedly.

And you are exactly right. Unplanned incidents have real escalatory potential. And that's something that deeply concerns us. It is why we have continued to say that we believe that communication channels between the United States and the PRC, defense and military channels is incredibly important. And we are trying to keep that channel of communication open so that we can avoid those kinds of unplanned incidents.

Mrs. KIM OF CALIFORNIA. The probably is they do not pick up those lines.

Ms. FORD. It certainly is a problem. We certainly can continue to say as much as possible that that needs to be in place. And other than that, we do everything possible to closely coordinate with our allies like the Philippines to make sure that we're prepared for any potential crises.

Mrs. KIM OF CALIFORNIA. Thank you. What will we need to establish that with PRC? And what actions will we need to see from PRC to actually avoid miscalculation and accidental escalation?

Ms. FORD. I think the admiral can chime in here as well. But what I would say is they are well known, especially for naval vessels. We have a code for unplanned encounters at sea.

There are clear rules that define what safe operational behavior looks like in the maritime domain. China has said in the past that it is willing and had signed up to abide by those. It has not. So how to behave safely is not actually that complicated. It's simply that you actually need to stand by what you said you'll do.

Mrs. KIM OF CALIFORNIA. Thank you. I'm going to turn it over to Ranking Member Bera for your questions.

Mr. BERA. Great, thank you. This has been a great hearing and certainly a super important topic. We've talked a lot about the Philippines and Vietnam. I'd love to give any of the witnesses an opportunity to talk about what we might be seeing around Indonesia and so forth and get their perspective on that, maybe starting with DAS Ford.

Ms. FORD. Sure. Thank you so much. Indonesia is a critically important partner for us. The Secretary has seen Minister Prabowo whose counterpart twice this past year already. I expect we will again.

Certainly in every conversation that we have with our Indonesian partners, maritime security is an important part of what we talk about. It's one reason why as a department we have been working with Indonesia to provide them with ISR, Air, Maritime Capabilities. And as I mention in my opening statement, we have been actively working with them to identify new and emerging capabilities that also may help them police their EEZs more effectively. Over 17,000 islands, a tremendous amount of water that they have to police. So this is something we're very focused on with them.

Mr. BERA. Vice Admiral, if you'd like to add anything from the Coast Guard perspective.

Vice Admiral TIONGSON. I just would totally agree with DAS Ford in that piece. Maritime domain awareness is huge there, particularly because of all of those islands that were just discussed.

Mr. BERA. Great, thank you. Madam Chairwoman, I'm going to have to leave. But again, my deep appreciation to the witnesses here, to you for holding this hearings. And again, I think the scenario where we can work in a bipartisan, bicameral way with the Administration. Again, applaud—

Mr. SHERMAN. Will the gentleman—

Mr. BERA [continuing]. The strong work of the Administration.

Mr. SHERMAN [continuing]. Yield his time?

Mr. BERA. Of course.

Mr. SHERMAN. I want to resume with Dr. Pak. Back in last year, the President appeared on 60 Minutes. And I realize you work with the President—for the President you have, not the President you might wish we had.

And he made it—he said—and they wanted to clarify. He clarified that—and this is a Reuters story, and I'll ask unanimous consent to put this Reuters article of September 19, 2022 on the record. In that story, the President was asked whether we would commit American men and women to fight if Taiwan were invaded and he said yes. Are you saying that the President's words are not the words of Administration policy?

Dr. PAK. Thank you, Representative Sherman. I will—I'm not going to interpret the President's statements. What we do—

Mr. SHERMAN. Well, what is our policy?

Dr. PAK [continuing]. From our—what we do from—

Mr. SHERMAN. Is our policy an unambiguous commitment of American forces to fight against an invasion of Taiwan? Is our policy the policy we had under prior Administrations where we were intentionally ambiguous? Or you simply do not know the policy?

Dr. PAK. From State Department's perspective—and I'm not going to interpret—I think the President speaks for—I'll let his words stand.

Mr. SHERMAN. I know the President speaks for—

Dr. PAK. But I—but I just—

Mr. SHERMAN [continuing]. Himself. Does he speak for the Administration?

Dr. PAK. I want to say that what we're doing very intensely is to make sure that there is no conflict—

Mr. SHERMAN. OK. We both want peace.

Dr. PAK [continuing]. In the Taiwan Strait given that—

Mr. SHERMAN. I'm asking you a question. How do we react if there's an invasion? And your response is, we do not want an invasion.

Dr. PAK. Well, I think I do not want to go into the hypotheticals of how that might happen.

Mr. SHERMAN. That's not a response. That's a refusal to answer. If you want to refuse to answer, just say you refuse to answer. Don't pretend to answer.

Dr. PAK. I cannot answer that right now.

Mr. SHERMAN. OK. So—

Dr. PAK. But we can certainly get back to you on that.

Mr. SHERMAN [continuing]. The President makes statements. The State Department may or may not decide that is our policy. Ms. Ford, we have a situation where it appears to be our policy that the Defense Department's men and women would be deployed to defend Taiwan. But we do not have an explicit policy to end MFN for China if we're fighting.

What would the effect on morale be if American marines and troops and sailors are dying fighting the Chinese on the one hand but Walmart is importing things from China and making big profits on the same day? Would that have a good effect on American morale? Should we ask our troops to die while our corporations make money and our consumers buy Chinese goods? Would that make sense?

Ms. FORD. I cannot tell you what the effect specifically a most favored nation status or not would be. I would say—

Mr. SHERMAN. I'm not asking for most favored nation status. I'm asking if—

Ms. FORD [continuing]. The Department of Defense takes very seriously the morale of our troops, the well being of our troops. We never want to see them in harms way.

Mr. SHERMAN. I asked you what effect it would have on our troops—

Ms. FORD. And I think that's why we're very—

Mr. SHERMAN [continuing]. If corporations are making billions importing goods from China on the same day when marines and sailors are dying in the Taiwan Strait. Would that have an effect on morale, yes or no, you do not know?

Ms. FORD. Sir, my job is to make sure they're never in harms way. And that's why we're focused on deterrence.

Mr. SHERMAN. So we do not need to have a hearing about how to react if Taiwan is invaded because we just hope that it won't happen.

Ms. FORD. I do not think we hope. I think—we're laser focused on deterrence. And there are a number of things we're doing to enhance our posturing capabilities to make sure the deterrence remains strong.

Mr. SHERMAN. And are you 100 percent sure that those efforts will be successful?

Ms. FORD. I am very confident the deterrence is strong today, and we're doing what we—

Mr. SHERMAN. But You're confident—You're not 100 percent sure—

Ms. FORD [continuing]. Need to do to make sure it remains strong.

Mr. SHERMAN [continuing]. That the deterrence will be successful. And you refuse to respond how we will react if the deterrence is unsuccessful. The most important part of deterrence is to identify for the Chinese what our response would be.

And you won't even tell me that it's illogical and harmful to morale to make billions in trade on the same day when our troops are dying in the Taiwan Straits. It sounds like other than telling me that you do not want Taiwan invaded, you do not want to answer

any questions. And that's fine if you would just be honest enough to say you do not want to answer any questions.

Although why you would come here and testify is up in the air. Admiral, I do have one question for you and this is on the dovish side. We have the right to sail our military ships right up to the 12 miles off the coast of China and we do it from time to time. Does China operate with significant naval force 12, 13 miles off the U.S. coast on a regular basis?

Vice Admiral TIONGSON. I have not come across any incursions of that to our territorial seas.

Mr. SHERMAN. But we do it to them. I yield back.

Mrs. KIM OF CALIFORNIA. Thank you. The gentleman's time is up. Let me now recognize Representative Barr for your questions.

Mr. BARR. I think my colleague, Mr. Sherman, does make a good point that Congress needs to maybe make a policy decision here with respect to the economic ramifications of cross-strait invasion. And we could clarify what the policy of the United States would be in that case. And I'd offer to work with the gentleman on that, including the most favored nation suggestion and certainly powerful sanctions in that case.

And to telegraph that frankly to Beijing that there will be repercussions and it will be very painful. Let me go back to Dr. Pak on the nine-dash line, ten-dash line issue. I know that and I applaud the Administration's policy of trying to bring more international consensus on this question that really is—it should not be a subject to debate given the U.N. tribunal 2016 unanimous determination that this is a violation of international law.

But what can we do with the United Nations and these allies and partners to delegitimize China's claims on the nine-dash line? How can we amplify the international court ruling from the U.N.? I'll give you one suggestion from our Filipino partners which was to have a resolution in Congress referring to this body of water as the West Philippine Sea as opposed to the South China Sea. Now I know Vietnam has some claims there which could complicate matters. But what is the State Department's position on a renaming of that as the West Philippine Sea?

Dr. PAK. I do not have a technical answer to that, Representative Barr. But over and over again, we foot stomp this on the legally binding nature of the 2016 award. We do that bilaterally with the PRC and we do it in multilateral fora when the PRC is also in that room. And that's echoed by all of our like-minded allies and partners.

Mr. BARR. Xi Jinping lied to President Obama. He lied to President Obama. I can say it. Maybe you cannot. But that's what he did.

Dr. PAK. And you will hear us say that loud and clear from the hilltops and the mountaintops about the 2016 award being legally binding on all parties. As you know from your trips and your conversations, the PRC has been trying to erode that and trying to delegitimize that 2016 ruling. But we will continue to keep yelling it from the mountaintops—

Mr. BARR. Keep it up. Thank you. Keep it up. And to DAS Ford, what are the solutions to pushing back and preventing further PRC buildup and militarization of the reefs in the South China Sea or

West Philippine Sea? And the reason I say that is the militarized island outposts are a threat to U.S. forces in the Taiwan scenario.

So preventing further militarization or artificial island building is important for the Taiwan scenario for U.S. forces moving in that 440 nautical miles north but to have China on the south end of that. But what do we need to do to eject the Chinese or at least limit further militarization? I think that's really important for the Defense Department.

Ms. FORD. Thank you. I agree with you very much, Representative. So what I would say is the first thing that we need to do and are doing is to bring more awareness and transparency about what the PLA is actually doing in the South China Sea, including on its outposts. So that's one reason for us. We are very focused on information sharing and we are working with allies and partners to make sure that it is more publicly known what is taking place in the South China Sea.

Mr. BARR. And let's emphasize your testimony: advanced anti-ship cruise missiles, long range surface to air missile systems, J-20 stealth fighter jets, laser and jamming equipment, military radar and signals intelligence capabilities. Not just in the South China Sea, in the exclusive economic zone of the Philippines. This is preparing for war.

They do not do this other than that purpose. And that's what the American people need to understand there. I'm running out of time, but let me just ask one final question to Dr. Pak.

And I promised the foreign minister of Indonesia Marsudi that I would communicate back to Secretary Blinken on this and to the State Department. The Indonesian government was very disappointed that Vice President Kamala Harris was dispatched as opposed to the President when he was right there at the G-20 and went to Vietnam. Yes a partner but a communist country. They are the fourth largest population country in the world in a democracy. If we want to send a signal that Indonesia is our friend, we need the President there.

Dr. PAK. Thank you. The Vice President attended and she was hugely successful. She had great meetings with YSEALI. She had great meetings with Indonesian officials. As you might be tracking the President Jokowi will be in Washington sometime in November. And so we look forward to welcoming the Indonesian government.

Mr. BARR. Thank you. My time has expired.

Mrs. KIM OF CALIFORNIA. Thank you. I want to thank all the witnesses for your valuable testimony and engaging with our members and answering tough questions too, at times pretty feisty engagement. Thank you so much.

The members of the committee may have some additional questions for the witnesses. And in that case, we ask you to submit those answers in writing. And let me now recognize myself some closing remarks.

As the witnesses noted, as you noted, the PRC is ramping up their aggression and military footprint in the South China Sea. And since those waters are of critical importance to global shipping, the U.S. national security and our commitment to Indo-Pacific, the U.S. must respond to that aggression. And from each of

the countries that we visited in August, I heard the same thing, that the PRC is doing this because they can.

And they have received little or no pushback. And every single one of the people that we met, they said that. And it is thus critical that the U.S. respond to every single act of aggression by the PRC in the South China Sea.

In Indonesia, I was glad to give remark at Ambassador Sung Kim. He hosted a reception for Super Garuda Shield. The day after we had that reception, they were doing the multilateral exercises.

And spoke with servicemen and women from our allies and partners around the world that were gathered. I believe there were 19 nations present. And I saw the energy and the commitment to protecting our shared interest in the region.

And so I hope we can work together to get these folks the capabilities, the training, and the support they need to protect those shared interests. And I echo Dr. Pak's comments about the U.S.' need to show up in the region. As Congressman Barr mentioned, when we were Indonesia, we met with the foreign minister.

And she clearly told us. I mean, she did not mince her words. She told us how disappointed she was that President Biden was not able to attend the ASEAN summit where we tried to explain that there was some scheduling conflict and Vice President was coming. But it was very, very apparent that the disappointment was not lost on them.

And while I support the engagement with Vietnam, it's important. But it is more important that we show up and court democracies in the region too and obviously the largest democracy in Indonesia that it is. That's why it was important for me to ensure that my first CODEL as chairwoman of this Indo-Pacific Subcommittee was to visit with our two key allies, Thailand, Philippines, and of course the largest democracy in Southeast Asia, Indonesia.

So our trip was a show of commitment and reassurance. And we demonstrated bipartisan congressional support for those important relationships. And last, many Americans may be wondering why we're talking about South China Sea today.

Yet we rely on the South China Sea for much of our shipping, including to and from the four of our top ten trading partners. And it is a bellwether for our U.S. commitment to the region. So I say if we let China aggressively bully its way through the South China Sea, we could see large scale supply chain disruptions and a complete breakdown of the rules based international order.

And that will affect every American who enjoys the level of commerce and the freedom that we enjoy today. So let me once again repeat how grateful we are for your time, spending your afternoon with us, answering our questions. And I look forward to continuing our work together with each and every one of you on this very, very important issue.

So pursuant to committee rules, all members may have five additional days to submit statements, questions, and extraneous materials for the record subject to the length limitations. So without objection, the committee now stands adjourned.

[Whereupon, at 3:22 p.m., the subcommittee was adjourned.]

APPENDIX



**COMMITTEE ON FOREIGN AFFAIRS
SUBCOMMITTEE HEARING NOTICE**
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Indo-Pacific
Young Kim (R-CA), Chairwoman

September 21, 2023

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held at 2:00 p.m. in room 2200 of the Rayburn House Office Building. The hearing is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Thursday, September 28, 2023

TIME: 2:00 p.m.

LOCATION: RHOB-2200

SUBJECT: Lasers and Water Cannons: Exposing the Chinese Communist Party's Harassment in the South China Sea

WITNESSES: Dr. Jung H. Pak
Deputy Assistant Secretary for Multilateral Affairs
Department of State

Ms. Lindsey W. Ford
Deputy Assistant Secretary of Defense for South and Southeast Asia
Department of Defense

Vice Admiral Andrew J. Tiongson
Commander, Pacific Area
U.S. Coast Guard

*NOTE: Witnesses may be added.

By Direction of the Chairs

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COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF FULL COMMITTEE HEARING

Day 28 Date September Room RHOB 2200

Starting Time 2:02 PM Ending Time 3:25 PM

Recesses (___ to ___) (___ to ___) (___ to ___) (___ to ___) (___ to ___) (___ to ___)

Presiding Member(s) _____

Check all of the following that apply:

Open Session

Electronically Recorded (taped)

Executive (closed) Session

Stenographic Record

Televised

TITLE OF HEARING:

Lasers and Water Cannons: Exposing the CCP's Harassment in the South China Sea

COMMITTEE MEMBERS PRESENT:

Chairwoman Kim, Ranking Member Bera, Rep. Barr, Rep. Sherman

NON-COMMITTEE MEMBERS PRESENT:

Rep. Moylan, Rep. Jackson

HEARING WITNESSES: Same as meeting notice attached? Yes No

(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Connolly

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 3:25 PM

Meg Wagner
Full Committee Hearing Coordinator

**STATEMENT FOR THE RECORD FROM REPRESENTATIVE
CONNOLLY**

**Lasers and Water Cannons: Exposing the Chinese Communist Party's Harassment in the
South China Sea
House Foreign Affairs Committee Hearing
Subcommittee on the Indo-Pacific
2:00 PM, Thursday, September 29, 2023
Rayburn 2200
Rep. Gerald E. Connolly (D-VA)**

Under the leadership of President Xi Jinping, China has undertaken a dramatic expansion of its global investment and influence. Over the past decade, the PRC has exerted its economic, political, cyber, and military or quasi-military force to shift the power dynamic in the Indo-Pacific in their favor.

The People's Republic of China has made their intentions crystal clear: They have encroached on the territorial waters and airspace of their neighbors. They have made ludicrous claims of sovereignty over the entire South China Sea. They have engaged in – or threatened – kinetic activity on the India Border, on the Vietnam border, and of course, with Taiwan itself and across the Taiwan Strait. Without U.S. engagement in the Indo-Pacific, the region will only mold around the authoritarian values of China, which has exhibited increasingly brazen aggression in the South China Sea and Taiwan

China's nefarious tactics are one reason why I, as President of the NATO Parliamentary Assembly (NATO PA), urged NATO to put China on its agenda. In November 2020, I wrote a report for the NATO PA Political Committee entitled, "The Rise of China: Implications for Global and Euro-Atlantic Security" to encourage NATO to adapt to a new balance of power that reflects China as a world power. In this report, I urged my colleagues to include reference to China's actions in NATO's strategic documents, including the Strategic Concept which was unveiled in April 2022 and highlighted the stated ambitions and coercive policies that challenge the Trans-Atlantic Alliance's interests, security, and values. I welcome the newly adopted NATO Strategic Concept which does just that.

The United States had an opportunity to set the rules for economic engagement in the Asia-Pacific with the Trans-Pacific Partnership (TPP), which accounted for 40 percent of global GDP and 20 percent of global trade. A high-quality TPP deal would have given the United States the tools it would have needed to combat China's gray zone tactics by strengthening ties to emerging partners and creating a rules-based order that set the rules for labor, environmental, human rights, and intellectual property standards. Conversely, the U.S. withdrawal from TPP created a vacuum that gave an unbelievable gift to the PRC. They continue to pop champagne in Beijing.

Since President Trump withdrew the U.S. from TPP, China has actively and successfully pursued economic strategies to both expand their national security interests and exclude Taiwan from having a voice at international forums. China is set to overtake the U.S. as the world's largest economy by 2030 and has used its economic might to advance its national security and military interests in the Indo-Pacific, Africa, and around the world.[2] Without U.S. engagement in the Indo-Pacific, the region will only mold around the authoritarian values of China, which has exhibited increasingly emboldened aggression in Hong Kong, Tibet, the South China Sea and Taiwan.

China is playing the long game. For the United States to compete strategically, we must counter China's actions in the economic sphere, especially to promote our goals for an open and prosperous Indo-Pacific. I look forward to hearing from our witnesses on how they believe the United States and similar governments must compete effectively with China in the economic sphere.

11/16/23, 10:39 AM

Biden says U.S. forces would defend Taiwan in the event of a Chinese invasion | Reuters

Asked to clarify if he meant that unlike in Ukraine, U.S. forces - American men and women - would defend Taiwan in the event of a Chinese invasion, Biden replied: "Yes."

The CBS interview was just the latest time that Biden has appeared to go beyond long-standing stated U.S. policy on Taiwan, but his statement was clearer than previous ones about committing U.S. troops to the defend the island.

The United States has long stuck to a policy of "strategic ambiguity" and not making clear whether it would respond militarily to an attack on Taiwan.

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Asked to comment, a White House spokesperson said U.S. policy towards Taiwan had not changed.

"The president has said this before, including in Tokyo earlier this year. He also made clear then that our Taiwan policy hasn't changed. That remains true," the spokesperson said.

Chinese foreign ministry spokeswoman Mao Ning told a regular briefing in Beijing that Biden's comments sent a "seriously wrong signal" to separatists forces for Taiwan independence.

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China was "strongly dissatisfied and resolutely opposed" to Biden's comments and had lodged a formal complaint over it, she said, warning that China reserves the right to take all necessary measures to counter separatism.

Taiwan's foreign ministry expressed its thanks to Biden for his reaffirming of the "U.S. government's rock-solid security commitment to Taiwan".

Taiwan will continue to strengthen its self-defense capabilities and deepen the close security partnership between Taiwan and the United States, the Taiwan ministry said in a statement.

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11/16/23, 10:39 AM

Biden says U.S. forces would defend Taiwan in the event of a Chinese invasion | Reuters

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The CBS interview with Biden was conducted last week. The president is in Britain for Queen Elizabeth's funeral on Monday.



[1/2] US President Joe Biden accompanied by the First Lady Jill Biden arrive at Buckingham Palace in London, Sunday, Sept. 18, 2022. Markus Schreiber/Pool via REUTERS [Access via Library/Quote](#)

'PLAY WITH FIRE'

In May, Biden was asked if he was willing to get involved militarily to defend Taiwan [and replied](#): "Yes ... That's the commitment we made."

In the 60 Minutes interview, Biden reiterated the United States remained committed to a "one-China" policy in which Washington officially recognizes Beijing not Taipei, and said the United States was not encouraging Taiwanese independence.

"We are not moving, we are not encouraging their being independent ... that's their decision," he said.

China was angered by a visit to Taiwan by U.S. House speaker Nancy Pelosi in August and it conducted its largest-ever military exercises around Taiwan in response.

China has protested against moves by U.S. lawmakers to advance legislation that would enhance U.S. military support for Taiwan. [read more](#)

Chinese President Xi Jinping has vowed to bring Taiwan under Beijing's control and has not ruled out the use of force. Taiwan strongly objects to China's sovereignty claims.

In a phone call with Biden in July, Xi warned about Taiwan, saying "those who play with fire will perish by it." [read more](#)

<https://www.reuters.com/world/biden-says-us-forces-would-defend-taiwan-event-chinese-invasion-2022-09-18/>

3/8

11/16/23, 10:39 AM

Biden says U.S. forces would defend Taiwan in the event of a Chinese invasion | Reuters

Asked last October if the United States would come to the defense of Taiwan, which the United States is required by law to provide with the means to defend itself, Biden said: "Yes, we have a commitment to do that."

At that time, a White House spokesperson also said Biden was not announcing any change in U.S. policy. [read more](#)

Bonnie Glaser, an Asia expert at the German Marshall Fund of the United States, said if Biden made such pledges he needed to ensure he could back them up.

"If President Biden plans to defend Taiwan, then he should make sure the U.S. military has the capability to do so," she said. "Rhetorical support that isn't backed up by real capabilities is unlikely to strengthen deterrence."

Biden's Asia policy czar, Kurt Campbell, has in the past rejected any move to "strategic clarity" over Taiwan, saying there were ["significant downsides"](#) to such an approach.

Reporting by David Brunnstrom, Costas Pitas, Trevor Hunnicut; Additional reporting by Ben Blanchard in Taipei and Yew Lun Tian in Beijing; Editing by Gerry Doyle and Lincoln Feast

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