

United States Senate

WASHINGTON, DC 20510

May 24, 2018

The Honorable Mike Pompeo
Secretary of State
2201 C Street NW
Washington, DC 20520

The Honorable James Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretaries Pompeo and Mattis:

We write to you to express grave concerns about China's ongoing militarization of the South China Sea, which is contrary to international law and intended to undermine the rules-based international order in the Indo-Pacific region.

The Chinese government has clearly reneged on President Xi Jinping's pledge that "China does not intend to pursue militarization" on the disputed Spratly Islands, which he made during a joint press conference with then-President Barack Obama on September 25, 2015. The Department of Defense ("DoD") notes China has reclaimed over 3,200 acres of artificial features in the South China Sea since 2013, and in recent years has built facilities with potential military uses on these islands, including airstrips, hangars, harbors, anti-aircraft batteries, radars, and structures that could house surface-to-air missiles. In recent days, China reportedly landed several long-range, nuclear-capable H-6K bombers on an airfield that it constructed in the South China Sea, and also installed weapons systems, including anti-ship cruise missiles and surface-to-air missile systems, on three separate man-made islands in the Spratly archipelago.

By placing weapons on these artificial islands—Fiery Cross, Subi Reef, and Mischief Reef—China has increased the risk of conflict between itself and the five other claimants in the Spratlys. China's People's Liberation Army's deployment of these weapons systems allows it to project power well into the Pacific Ocean. As Admiral Philip Davidson noted in his written testimony to the Senate Armed Services Committee on April 17, 2018: "The only thing lacking [by the Chinese military's expansion activities the South China Sea] are the deployed forces. Once occupied, China will be able to extend its influence thousands of miles to the south and project power deep into Oceania."

Moreover, the missiles that China keeps in the Spratly's are not solely for defense. Increasing its offensive firepower in the South China Sea gives the Chinese government an additional element of coercion in its disputes with its neighbors, including our allies in the Philippines and our partners in Vietnam and Indonesia.

We believe there is strong bipartisan congressional support for taking significant actions in response to the Chinese government's continuing militarization of the South China Sea. As you know:

- On April 24, 2018, a bipartisan group of Senators introduced the Gardner-Markey *Asia Reassurance Initiative Act* (S. 2736), which promotes a new policy framework to enhance U.S. leadership in the Indo-Pacific region and to demonstrate a commitment to a free and open Indo-Pacific and the rules-based international order. Sec. 112 of ARIA calls for the United States to conduct regular U.S. freedom of navigation and overflight operations in the South China Sea and to work with United States allies and partners to conduct joint maritime training and freedom of navigation operations in the Indo-Pacific region, including the East China Sea and the South China Sea. ARIA also authorizes additional funding to improve the defense capacity of partner nations to resist coercion and to deter and defend against security threats, including through foreign military financing and international military education and training programs;
- On March 15, 2017, a bipartisan group of Senators introduced the Rubio-Cardin *South China Sea and East China Sea Sanctions Act of 2017* (S. 659) to impose sanctions against Chinese individuals and entities that participate in Beijing's illegitimate activities in the South and East China Seas.

The Chinese government's latest aggressive actions clearly demonstrate that continued brow-beating of Beijing via diplomatic demarches is not enough. We therefore call on you to respond to Beijing's introduction of advanced weapons systems into the South China Sea. In particular, we urge the State Department to:

- reiterate that Beijing must unequivocally abide by the ruling of international tribunal in The Hague on July 12, 2016, that China violated international law in constructing artificial islands;
- work with Congress to provide robust U.S. foreign assistance for international military and education training (IMET) and Foreign Military Financing (FMF) funds for our partners in the region;
- work with the Defense Department in pursuit of a trilateral MOU with Japan and Australia to coordinate our maritime security assistance and better pool our collective resources; and
- support enactment of the *Asia Reassurance Initiative Act of 2018* and the *South China Sea and East China Sea Sanctions Act of 2017*.

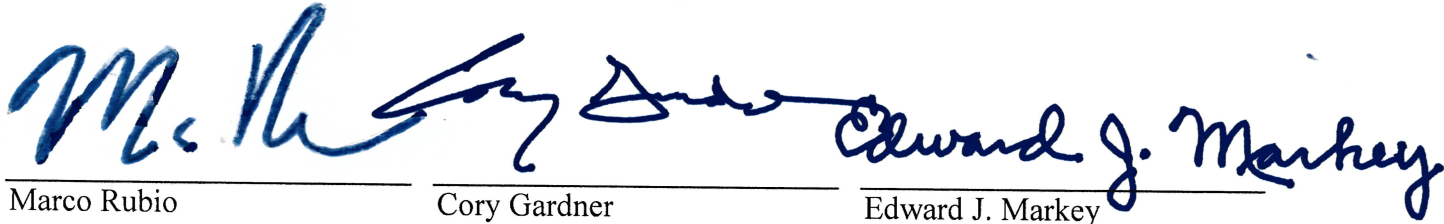
We were glad to see the Department of Defense recently retract U.S. invitations for the People's Liberation Army Navy to participate in the upcoming Ring of the Pacific (RIMPAC) naval exercise. We also urge the DoD to:

- provide a response on the operational impact that these deployed weapon systems will have on Freedom of Navigation Operations (FONOPs) in the South China Sea;
- explore the creation of a Joint Maritime Task Force-Pacific, led by the U.S. Navy, to operate through a persistent deployment of surface ships from a group of allies and partners

in the broader Indo-Pacific region who are committed to protecting a free and open South China Sea maritime environment.

Thank you for your consideration of these important matters. We look forward to your response and to engaging with you further on the serious challenges posed by the Chinese government in the South China Sea.

Sincerely,



Marco Rubio
U.S. Senator

Cory Gardner
U.S. Senator

Edward J. Markey
U.S. Senator