

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. Res. 370

Recognizing that for nearly 40 years, the United States and the Association of South East Asian Nations (ASEAN) have worked toward stability, prosperity, and peace in Southeast Asia.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CORKER

Viz:

- 1 Strike all after the resolving clause and insert the fol-
- 2 lowing: “That the Senate—
- 3 (1) welcomed the leaders of ASEAN to the
- 4 United States for the special February 2016 U.S.-
- 5 ASEAN summit meeting at Rancho Mirage, Cali-
- 6 fornia, and affirmed the summit as the first regular
- 7 U.S.-ASEAN summit;
- 8 (2) supports and welcomes the elevation of the
- 9 United States-ASEAN relationship to a strategic
- 10 partnership and recommits the United States to
- 11 ASEAN centrality and to helping to build a strong,

1 stable, politically cohesive, economically integrated,
2 and socially responsible ASEAN community with
3 common rules, norms, procedures, and standards
4 consistent with international law and the principles
5 of a “rule-based” Asia-Pacific community;

6 (3) supports efforts towards increasing two-way
7 trade and investment, promoting trade and invest-
8 ment liberalization and facilitation, encouraging
9 strong, sustainable, and inclusive economic growth
10 and job creation, and deepening connectivity;

11 (4) urges ASEAN to continue its efforts to fos-
12 ter greater integration and unity, including with
13 non-ASEAN economic, political, and security part-
14 ners, including Japan, the Republic of Korea, Aus-
15 tralia, the European Union, and India, both inside
16 of and outside of Asia;

17 (5) supports efforts by ASEAN nations to ad-
18 dress maritime and territorial disputes in a con-
19 structive manner and to pursue claims through
20 peaceful, diplomatic, and legitimate regional and
21 international arbitration mechanisms, consistent
22 with international law;

23 (6) urges all parties to maritime and territorial
24 disputes in the Asia-Pacific region to—

25 (A) respect the status quo;

1 (B) exercise self-restraint in the conduct of
2 activities that would undermine stability or
3 complicate or escalate disputes through the use
4 of coercion, intimidation, or military force;

5 (C) cease land reclamation activities; and

6 (D) refrain from inhabiting or garrisoning
7 or otherwise militarizing uninhabited islands,
8 reefs, shoals, and other features;

9 (7) opposes actions by any country to prevent
10 any other country from exercising its sovereign
11 rights to the resources of the exclusive economic
12 zone (EEZ) and continental shelf by making claims
13 to those areas in the South China Sea that have no
14 support in international law;

15 (8) opposes unilateral declarations of adminis-
16 trative and military districts in contested areas in
17 the South China Sea;

18 (9) opposes the imposition of new fishing regu-
19 lations covering disputed areas in the South China
20 Sea, which have raised tensions in the region;

21 (10) urges parties to refrain from unilateral ac-
22 tions that cause permanent physical change to the
23 marine environment in areas pending final delimita-
24 tion;

1 (11) supports efforts by the Association of
2 Southeast Asian Nations (ASEAN) and the People’s
3 Republic of China to develop an effective Code of
4 Conduct (COC) and urges ASEAN to implement
5 and work toward the expeditious conclusion of an ef-
6 fective Code of Conduct with regards to the South
7 China Sea;

8 (12) urges ASEAN to develop a common ap-
9 proach to reaffirm the decision of the Permanent
10 Court of Arbitration in The Hague’s ruling with re-
11 spect to the case between the Republic of the Phil-
12 ippines and the People’s Republic of China;

13 (13) supports efforts by United States partners
14 and allies in ASEAN—

15 (A) to enhance maritime capability;

16 (B) to retain unhindered access to and use
17 of international waterways in the Asia-Pacific
18 region that are critical to ensuring the security
19 and free flow of commerce;

20 (C) to improve maritime domain aware-
21 ness;

22 (D) to counter piracy;

23 (E) to disrupt illicit maritime trafficking
24 activities and other forms of maritime traf-
25 ficking activity; and

1 (F) to enhance the maritime capabilities of
2 a country or regional organizations to respond
3 to emerging threats to maritime security in the
4 Asia-Pacific region;

5 (14) reaffirms the enhancement of United
6 States-ASEAN economic engagement, including the
7 elimination of barriers to cross-border commerce,
8 and supports the ASEAN Economic Community's
9 goals, including strong, inclusive, and sustainable
10 growth and cooperation between the United States
11 and ASEAN that focuses on innovation and capacity
12 building efforts in technology, education, disaster
13 management, food security, human rights, and trade
14 facilitation, including for ASEAN's poorest coun-
15 tries;

16 (15) recognizes the efforts of the Lower
17 Mekong Initiative to promote sustainable economic
18 development in mainland Southeast Asia and foster
19 integrated subregional cooperation and capacity
20 building;

21 (16) supports capacity building for the pro-
22 motion and protection of human rights and related
23 priority, programs, and activities;

24 (17) supports the Young Southeast Asian Lead-
25 ers Initiative program as an example of people-to-

1 people partnership building that provides skills and
2 networks to a new generation of people who will cre-
3 ate and fill the jobs of the future;

4 (18) reaffirms the commitment of the United
5 States to continue joint efforts with ASEAN to halt
6 human smuggling and trafficking of persons and
7 urges ASEAN to make increased efforts to create
8 and strengthen regional mechanisms to provide as-
9 sistance and support to refugees and migrants;

10 (19) urges ASEAN nations to engage directly
11 with leaders of civil society, human rights, and envi-
12 ronmental groups before, during, and after the Feb-
13 ruary 2016 summit; and

14 (20) encourages the President to continue to
15 communicate to ASEAN leaders the importance of
16 releasing political prisoners and ending politically
17 motivated prosecutions.