

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To amend the preamble.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.**

**S. Res. 406**

Recognizing that for 50 years, the Association of South East Asian Nations (ASEAN) and its ten members, Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, have worked with the United States toward stability, prosperity, and peace in Southeast Asia, and expressing the sense of the Senate that the United States will continue to remain a strong, reliable, and active partner in the ASEAN region.

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. MENENDEZ

Viz:

1 Strike the preamble and insert the following:

Whereas the 10 members of the Association of South East Asian Nations (ASEAN) represent a variety of different cultures and beliefs;

Whereas an estimated 70,000,000 United States citizens identify with an ethnicity represented in ASEAN;

Whereas the United States and ASEAN have been cooperating to advance our mutual interests for 40 years, having first established dialogue relations on September 10, 1977, through the 1977 Joint Communique of the First

ASEAN-United States Dialogue and the United States' accession to the Treaty of Amity and Cooperation in Southeast Asia (TAC) at the ASEAN Post Ministerial Conference Session in Thailand on July 22, 2009;

Whereas the United States was the first non-ASEAN country to appoint an ambassador to ASEAN on April 29, 2008, and the first non-member to establish a permanent mission to ASEAN in 2010;

Whereas cooperation between the United States Government and the governments and people of the ASEAN nations can help realize our common goals of a free, open, peaceful, and prosperous Indo-Pacific rooted in a rule-based order that promotes security, opportunity, and dignity to all peoples;

Whereas the member states of ASEAN are all vibrant economies that have given rise to a flourishing middle class and collectively are predicted to become the world's fourth-largest economy by 2050;

Whereas, in 2019, ASEAN's 10 members represented the sixth largest economy in the world and constitute the United States fourth-largest export market, with total United States exports to ASEAN countries reaching \$116,200,000,000;

Whereas ASEAN is the number one destination for United States investment in the Indo-Pacific, with \$329,000,000,000 in cumulative foreign direct investment;

Whereas ASEAN nations surround critical global sea lanes, with \$5,300,000,000,000 of global trade and more than half of the world's total shipped tonnage transiting through ASEAN waters each year;

Whereas the ultimate goal of the ASEAN Economic Community (AEC) is to create one of the world's largest single market economies and facilitate the free movement of goods, services, and professionals;

Whereas the United States-ASEAN Single Window custom facilitation system expedites intra-ASEAN trade and enhances the ability of United States businesses to operate in the region;

Whereas the United States-ASEAN Business Alliance for Competitive Small and Medium-Sized Enterprises (SMEs) has trained more than 4,600 small-to-medium size enterprises, with nearly half of the participants being women entrepreneurs;

Whereas the Lower Mekong Initiative, established on July 23, 2009, promotes sustainable long-term economic development throughout mainland Southeast Asia and fosters regional cooperation, integration, and capacity building;

Whereas the newly announced Japan-United States. Mekong Power Partnership aims to “promote a more sustainable energy sector and quality energy infrastructure development” and demonstrates the shared commitment of the United States and other Indo-Pacific nations to strengthen ties with Mekong countries;

Whereas, in 2018 and 2019, the United States announced several additional initiatives to enhance cooperation with ASEAN, including the United States-ASEAN Smart Cities Partnership, the ASEAN Policy Implementation Project, and the United States-ASEAN Innovation Circle;

Whereas the United States is cooperating with ASEAN member states and providing emergency health assistance to

enhance their resilience in the face of the COVID–19 pandemic, including through the recently announced United States-ASEAN Health Futures program that builds on the over \$3,500,000,000 the United States has invested in global health collaboration with ASEAN nations over the last 20 years;

Whereas the United States remains committed to working with ASEAN to improve the promotion and protection of human rights and fundamental dignity of the people of ASEAN countries, a key ingredient to maintaining stability, promoting economic growth, and advancing good governance;

Whereas the United States opposes all actions and claims that infringe upon the freedom and lawful use of the sea, and has a national interest in ensuring freedom of navigation and overflight, open access to the Indo-Pacific region’s maritime commons, and respect for international law in the South China Sea;

Whereas the United States is deeply concerned about recent assertive and unsafe behavior by the People’s Republic of China in the South China Sea, and urges all claimants with competing territorial claims to seek peaceful resolution of disputes through collaborative diplomacy and, as necessary, international arbitration mechanisms consistent with international law;

Whereas the United States supports the Philippines’ decision to use arbitration under the United Nations Convention on the Law of the Sea (UNCLOS), done at Montego Bay December 10, 1982, to peacefully and lawfully address competing claims;

Whereas the United States supports development of a Code of Conduct (COC) that represents the interests of all parties and promotes peace and stability in the region, opposes efforts by any nation to use a COC as a vehicle to limit presence in or lawful use of the South China Sea, encourages claimants not to undertake new or unilateral attempts to change the status quo since the signing of the 2002 Declaration of Conduct, including reclamation activities or administrative measures or controls in disputed areas in the South China Sea, and encourages ASEAN countries to adopt a unified position in negotiating the COC;

Whereas the ASEAN-United States Maritime Exercise (AUXM), which ran from September 2-6, 2019, and featured over 1,000 sailors from all 11 countries, built greater maritime security on the strength of ASEAN, strengthened navy-to-navy bonds, and exemplified our shared belief in a free and open Indo-Pacific; and

Whereas natural disasters in the ASEAN region over the past four decades have resulted in major loss and damage, with a disproportionate impact on developing countries, and the United States will pursue initiatives that are consistent with sustainable long-term economic development, including the achievement of food security and poverty alleviation; improvement of conservation and sustainable management of forests, fish stocks, and oceanic resources; resilience to extreme weather events that are increasing in frequency and severity; and provision of sustainable livelihoods for local communities throughout the ASEAN region: