

# Senate Foreign Relations Committee hearing The Future of U.S. Policy on Taiwan, sked FINAL

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COMMITTEE HEARING

SEN. ROBERT MENENDEZ, D-N.J.

SENATE FOREIGN RELATIONS COMMITTEE HEARING THE FUTURE OF U.S. POLICY  
ON TAIWAN

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SENATE FOREIGN RELATIONS COMMITTEE HEARING THE FUTURE OF U.S.  
POLICY ON TAIWAN

DECEMBER 8, 2021

SPEAKERS:

SEN. ROBERT MENENDEZ, D-N.J., CHAIR

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SEN. BRIAN SCHATZ, D-HAWAII

SEN. CHRIS VAN HOLLEN, D-MD.

SEN. JIM RISCH, R-IDAHO, RANKING MEMBER

SEN. JOHN BARRASSO, R-WYO.

SEN. MARCO RUBIO, R-FLA.

SEN. RON JOHNSON, R-WIS.

SEN. RAND PAUL, R-KY.

SEN. TODD YOUNG, R-IND.

SEN. ROB PORTMAN, R-OHIO

SEN. MITT ROMNEY, R-UTAH

SEN. TED CRUZ, R-TEXAS

SEN. MIKE ROUNDS, R-S.D.

SEN. BILL HAGERTY, R-TENN.

WITNESSES:

THE HONORABLE DANIEL KRITENBRINK, ASSISTANT SECRETARY OF STATE  
FOR EAST ASIAN AND PACIFIC AFFAIRS, U.S. DEPARTMENT OF STATE

THE HONORABLE ELY RATNER, ASSISTANT SECRETARY OF DEFENSE FOR  
INDO-PACIFIC SECURITY AFFAIRS, U.S. DEPARTMENT OF DEFENSE

MENENDEZ: This hearing of the Senate Foreign Relations Committee will come to order.

Let me thank Ambassador Kritenbrink and Dr. Ratner for joining the committee today. This hearing on The Future of U.S. Policy and Strategy With Taiwan may well prove to be one of the more consequential hearings that this committee holds this year. And that is for one clear reason, Beijing's increasingly aggressive rhetoric and action, its threats and coercion underscore that the Taiwan Strait remains one of the most dangerous divides in the world today and one of the handful of places in the world where miscalculation could lead to a war with potentially catastrophic global consequences.

Xi Jinping has orchestrated Beijing's hyper nationalist aggression for his own domestic ends as he imposes his authoritarian neo-Maoist vision on the Chinese people. His relentless incursions into Taiwan's air defense identification zone this year are a significant threat to the people of Taiwan and the entire international community.

It may be that with Beijing's cynical manipulation of its hosting of the Olympic Games, that we will have a period of quote unquote "calm" over the next few months, but there should be no question about Xi's mindset. So we may have a crucial window of opportunity for the United States and our partners to reinvigorate our strategy for the challenges ahead.

But let's be clear, the starting point for U.S. policy is a recognition that Taiwan's flourishing democracy and free market economy is one of the world's real success stories. It should be a point of great pride, something to be cherished, for all people on both sides of the strait. We certainly cherish it here on both sides of the aisle.

And let's also be clear, the U.S. commitment to the people of Taiwan and our obligation to safeguard Taiwan space to make its own determinations about its own future, without threat of coercion or use of force must be unequivocal. There should be no doubt or ambiguity about the nature, depth and strength of that commitment or of our endurance as an Indo-Pacific power or of our determination as a people and as a nation just stand with those, like Taiwan who share our interests and our values.

Beijing should have no doubt or question that any cross-strait military or kinetic contingency directly affects the United States and our interests and values, directly affects our commitments under the Taiwan Relations Act and the six assurances, and there should be no doubt, question or misunderstanding that we will respond appropriately.

And as Beijing also seeks to reset baselines through coercive measures in the quote unquote "gray zone," you should also understand that we remain committed to the essential constituent elements of deterrence across the strait as well. Likewise, the United States must stand prepared and ready to assist Taiwan as it seeks to build its own security capabilities and to deter potential PRC military pressure.

While I do not expect Dr. Ratner to get into sensitive specifics in an open setting, I am interested in hearing about how the Department of Defense is thinking about priorities in this area. I know the Ranking Member has a narrow bill that he has introduced on security assistance to Taiwan and as he knows, I'm working on a larger bipartisan package into which we hope to incorporate his bill and I hope to work with him and other colleagues on it during the course of the balance of this year into next.

Beyond military and security matters, trade and economic ties also lie at the heart of the U.S.-Taiwan relationship. I'm interested to hear the outcomes of the most recent round of the prosperity and partnership dialogue with Taiwan through the State Department, as well as other initiatives to deepen bilateral trade and commercial ties and to enmesh Taiwan in regional economic architecture, especially given Taiwan centrality to secure semiconductor supply chains.

Building closer and more enduring economic ties between Taiwan and the world is also crucial to assure that Taiwan and others have the wherewithal to withstand Beijing's efforts at economic coercion. As I know Ambassador Kritenbrink is aware, I have been deeply concerned about the pressure Beijing has been bringing to bear on Lithuania for its willingness to stand by Taiwan, for example and I'm interested in your thoughts on what else the United States can do to support Lithuania and others who stand with Taiwan.

Lastly, let me flag that I am interested in the administration's thinking about how to open and expand Taiwan's diplomatic space, be it how we engage with Taiwan here in Washington and how we work with our partners to assure Taiwan's meaningful participation in appropriate international organizations like the World Health Assembly or consistent with a bill I just introduced, the Inter-American Development Bank.

So we have a very rich and full agenda today. And with that, let me turn to the Ranking Member, Senator Risch, for his remarks.

RISCH: Well, thank you very much, Mr. Chairman.

The tensions as we all know, are high in the Taiwan Strait and we all know why. China is taking increasingly aggressive actions to pressure Taiwan to unify. We're seeing more and more disinformation, political attacks, economic coercion and military downright belligerence. I'm glad this committee is holding this hearing at this critical time on Taiwan.

As we increase the time, energy and resources devoted to supporting this Indo-Pacific democracy, we need to be able to tell the American people why it is so important. We also need more extensive discussions with civilian and military leaders, including in a classified setting to properly engage on the issues at hand. I hope we can work together to hold classified briefings on Taiwan early after the first of the year.

A unilateral change in the status quo regarding Taiwan would not only threaten the security and liberty of 23 million Taiwanese, but also significantly damage vital U.S. interests and alliances in the Indo-Pacific. We would lose a model democracy at a time of creeping authoritarianism. It would give China a platform in the first island chain to dominate the Western Pacific and threaten indeed the U.S. homeland, the consequences for Japan security, and therefore, the U.S. Japan alliance are hard to overstate.

Semiconductor supply chains would fall into China's hands and it would embolden China in other territorial disputes, including with India and in the South China Sea. Many U.S. allies and partners fear Taiwan would just be China's first step and China's aggressive actions give us no reason to believe otherwise.

To deter the Chinese Communist Party from coercing Taiwan, the United States must be laser focused on concrete actions that put Taiwan in the best possible position to defend against Chinese military. Last month I introduced, as the Chairman indicated, the Taiwan Deterrence Act with several colleagues. The bill authorizes \$2 billion in foreign military financing for Taiwan every year through 2032.

Such a program would accelerate Taiwan's acquisition of asymmetric capabilities and incentivize closer U.S.-Taiwan joint defense coordination. I look forward to working with the Chairman as he puts his bill forward, and melding the two bills together, this is not, I'm sure the Chairman would agree, a partisan matter. This is a matter that is important to all American people.

I applaud President Tsai's commitment to important defensive reforms that we've been urging, including recent purchases of key capabilities and the planned establishment of an agency for civilian resilience. But more needs to be done to ensure the Taiwanese military fully implements her reform-minded vision.

Close coordination with our executive and legislative branches is essential. The U.S. government should prioritize getting the right capabilities to Taiwan quickly and enhancing other important forms of defense engagement. If there's a problem, the executive branch should tell Congress that we all need to fix it. We should be delivering the same messages on reform to our friends in Taiwan.

What we do in the next two years is of great importance, but what we say also matters. I'm deeply concerned by confused and varying statements on our Taiwan policy from high members in the current administration, including the President. This confusion demonstrates weakness and weakness invites, always invites, more aggression.

Our Taiwan policy has remained consistent, regardless of the false claims by Chinese leaders. U.S. policy towards Taiwan has always called for robust support for its defense. This is enshrined in the Taiwan Relations Act. There's been much talk recently about U.S. policy regarding Taiwan and I would urge anyone, whether they're friends or enemies, to read the Taiwan Relations Act. This is United States law. This is not a suggestion. It's not a thought. It is law that was put in place on January 1st, 1979. It's called the Taiwan Relations Act.

It sets forth the policy of the United States regarding Taiwan. It is binding, it is the law. It is not a suggestion. It is a commitment to ourselves. It is a commitment to our allies. It's a commitment to Taiwan. And it's a commitment to the world. I will quote very, very briefly from the Act.

In section two, subsection B5, it says that it is the policy of the United States to provide Taiwan with arms of a defensive character. And it is the policy of the United States in subsection six, to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security or the social economic system of the people on Taiwan. Section three goes on to say, it's 3A, in furtherance of the policy set forth in Section 2 of this act, the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability. This is the law of America. It is the law that has been in place since January 1, 1979. So any debate that's going on right now needs to start with this law. This is where we begin.

In 1982, President Reagan wrote that the linkage between U.S. policy on arms sales to Taiwan and whether China pursues a peaceful resolution across the Taiwan Strait is a permanent imperative of U.S. foreign policy. Today, China sends large numbers of military aircraft into the Taiwan Strait for what they call rehearsals for future operations and threatens to take all necessary means to unify with Taiwan and uses its economic might to punish countries that engage with Taiwan.

These are not tenets of a peaceful resolution, which is what it's called for in the United States policy. These actions, coupled with China's massive military buildup create a very different geopolitical environment. The United States must continue executing our long standing Taiwan policy in a manner that matches today's geopolitical realities. Thank you very much, Mr. Chairman. I yield back.

MENENDEZ: Thank you, Senator Risch for those remarks. And we're very much in sync here.

Let's turn to Ambassador Krittenbrink first and then Dr. Ratner. We will have your full statements included for the record. Without objection, we'd ask you to summarize them in about five minutes or so, so that members of the committee could engage in a conversation with you. And let's start off with Ambassador Krittenbrink.

KRITENBRINK: Thank you, Mr. Chairman. Chairman Menendez, Ranking Member Risch, distinguished members of the committee, thank you for the opportunity to speak with you today about our growing partnership with Taiwan.

As you know, Taiwan is a leading democracy, a technological powerhouse and a force for good. Our shared values, commercial and economic links, as well as people to people ties form the bedrock of our friendship and serve as the impetus for our expanding engagement with Taiwan. This sentiment, shared across multiple administrations from both parties, is the lodestar in managing our critically important unofficial relationship with Taiwan.

Our One China Policy, as guided by the Taiwan Relations Act, the three joint communiques and the six assurances has promoted peace and prosperity in the region for more than 40 years. Our policy also maximizes our ability to broaden and deepen U.S.-Taiwan cooperation and best ensures the future of Taiwan is determined by its people peacefully and free of PRC coercion.



Through the American Institute in Taiwan, our cooperation with Taiwan has increased in recent years. Taiwan has become an important U.S. partner in trade and investment, health, semiconductor and other critical supply chains, investment screening, science and technology, education and democratic governance. Under this administration, we have advanced these cooperative efforts in a number of ways, including convening the second annual U.S.-Taiwan Economic Prosperity Partnership Dialogue to build secure and resilient supply chains and counter economic coercion, and inviting Taiwan to share its expertise to combat disinformation and authoritarianism at the Summit for Democracy.

We've also expanded the global cooperation and training framework in which we, Japan and now Australia work together to showcase Taiwan's expertise around the world. Our relationship with Taiwan brings tremendous benefits to the American people. As just one example, cutting edge semiconductors from Taiwan are key components for many of our most important industries. Taiwan companies, most notably TSMC, are now investing billions of dollars in the United States to create high paying jobs and help ensure our semiconductor supply chains are resilient.

The United States is firmly committed to peace and stability in the Indo-Pacific region where we have an enduring national interest. We continue to oppose unilateral changes to the status quo and we call for cross-strait issues to be resolved in a peaceful manner consistent with the wishes and best interests of the people on Taiwan.

It is for this reason that we view the PRC's growing military, diplomatic and economic coercion toward Taiwan with serious concern. These actions are destabilizing to the region and risk a miscalculation that could harm the global economy.

In response, the United States has and will continue to make available to Taiwan the defense articles and services necessary to maintain a sufficient self-defense capability consistent with the Taiwan Relations Act.

The United States has notified Congress of more than \$32 billion worth of arms to Taiwan since 2009, but we should be clear that arms sales alone are not enough. We also are encouraging Taiwan to prioritize asymmetric capabilities that complicate PRC planning and to implement defense reforms that will strengthen the resilience of Taiwan society against PRC coercion.

The PRC also continues to execute campaigns to sway Taiwan's few remaining diplomatic partners into breaking official ties, to bully countries such as Lithuania when they seek to deepen engagement with Taiwan and to block Taiwan's meaningful participation in international organizations. These campaigns are part of a broader PRC effort to diminish Taiwan's international space, which ultimately robs all of us of the many benefits derived from Taiwan's expertise.

We continue to work with like-minded countries to ensure Taiwan is acknowledged as a respected and constructive democratic actor in global affairs. Maintaining Taiwan's international space is fundamental to preserving the cross-strait status quo and denying the PRC the political conditions it views as conducive for coerced unification.

To that end, it is critical that we have our Senate confirmed ambassadors in country to help shore up our alliances and push back against malign influence. Our nominees to some of the most important countries in the region, including Japan, Vietnam and China itself are waiting confirmation in the Senate after being voice voted out of this committee with broad bipartisan support. I respectfully ask the committee's help in confirming them as quickly as possible.

The United States continues to raise the importance of peace and stability in the Taiwan Strait with our allies and partners. We have publicly and privately urged the PRC to abide by its commitment to peacefully resolve cross strait issues and to engage Taiwan in a meaningful dialogue to deescalate tensions.

As a result of the PRC's actions, the global community has become more vocal in supporting Taiwan. Several countries' parliamentarians have visited Taiwan or passed measures of support. Many U.S. allies and partners have also publicly raised their concerns about maintaining peace and stability in the Taiwan Strait. Congress has played a critical role in championing continued U.S. and international support for Taiwan, for which we are very grateful.

In summary, our relationship with Taiwan is truly rock solid. Taiwan time and again has proven to be a valuable partner. Only by continuing all our efforts to work with Taiwan, to work with and support Taiwan can we ultimately preserve peace and stability in the Indo-Pacific that undergirds a strong global economy and our national interest.

Thank you very much. I look forward to your questions.

MENENDEZ: Thank you. Dr. Ratner.

RATNER: Chairman Menendez, Ranking Member Risch, distinguished members of the committee, thank you for the opportunity to be here today to describe how the Department of Defense is supporting Taiwan's ability to defend its vibrant, prosperous democracy.

I'd like to begin with an overview of why Taiwan's security is so important to the United States. As you know, Taiwan is located at a critical node within the first island chain, anchoring a network of U.S. allies and partners that is critical to the region's security and critical to the defense of vital U.S. interests in the Indo-Pacific.



Geographically, Taiwan is also situated alongside major trade lanes that provide sea lines of communication for much of the world's commerce and energy shipping. It is in part for these strategic reasons that this administration, like those before it, has affirmed our commitment to our One China Policy as guided by the Taiwan Relations Act, the three joint U.S. PRC communiques, and the six assurances.

Taiwan is also integral as you know, to the regional and global economy. Its free market economy embraces innovation, entrepreneurship and private sector-led growth, which has helped Taiwan become a valuable economic and trade partner for the United States.

Moreover, Taiwan is a beacon of democratic values ideals. In stark contrast to deepening authoritarianism and oppression in the PRC, Taiwan has proven the possibilities of an alternative path to that of the Chinese Communist Party.

Unfortunately, although the PRC publicly advocates for peaceful unification with Taiwan, leaders in Beijing have never renounced the use of military aggression. In fact, the PLA is likely preparing for a contingency to unify Taiwan with the PRC by force, while simultaneously attempting to deter, delay, or deny third-party intervention on Taiwan's behalf.

The PRC threat to Taiwan, however, is not limited to invasion or blockade. The PLA is conducting a broader coercive campaign in the air and maritime domains around Taiwan. These operations are destabilizing, intentionally provocative, and increase the likelihood of miscalculation. Nevertheless, although the PLA's actions are real and dangerous, and PLA modernization is unlikely to abate, the PRC can still be deterred through a combination of Taiwan's own defenses, its partnership with the United States, and growing support from like-minded democracies.

Through smart investments in key reforms, Taiwan can send a clear signal that its society and armed forces are committed and prepared to defend Taiwan. Without question, bolstering Taiwan's self-defenses is an urgent task and an essential feature of deterrence. We therefore appreciate that President Tsai has prioritized the development of asymmetric capabilities for Taiwan's self-defense that are credible, resilient, mobile, distributed, and cost effective.

Asymmetric capabilities, however, are only one part of the deterrence equation. Taiwan must complement investments in these critical capabilities with equal focus on enhancing resilience, supporting civil-military integration, and building a strategy that includes defense-in-depth.

Now in addition to the provision of defensive arms and services to Taiwan, the Department remains committed to maintaining the capacity of the United States to resist the resort to force or other forms of coercion that may jeopardize the security of the people on Taiwan. And let me be clear that this is an absolute priority. The PRC is the Department of Defense's pacing challenge and a Taiwan contingency is the pacing scenario. We are modernizing our capabilities, updating U.S. force posture, and developing new operational concepts accordingly.

I should also underscore that the Department's efforts to deter PRC aggression and enhance Taiwan's defenses will not be in isolation. Countries throughout the Indo-Pacific and beyond recognize that PRC aggression against Taiwan would have serious consequences for their own interests, and are increasingly voicing concerns about PRC coercion and potential aggression against Taiwan. As evidenced by a number of recent multilateral operations and exercises, the Department is focused on enhancing our regional cooperation as a means of bolstering deterrence.

Finally, I'd like to close by thanking all of you for your strong bipartisan support for Taiwan. It is my firm belief that this bipartisanship is one of our most powerful assets in the defense of Taiwan, and should be nurtured and treated as such. In that context, the Department's partnership and bipartisan collaboration with Congress are critical to ensuring that we continue to meet our commitments under the Taiwan Relations Act. Thank you for your time and attention today, and I look forward to your questions.

MENENDEZ: Well thank you both very much. We'll start a series of, round of five-minute questions and I'll recognize myself.

Given the increased muscle-flexing and threatening rhetoric from Beijing, some policymakers and analysts have called for an end to the policy of strategic ambiguity with regards to Taiwan. What's your views on the advantages and disadvantages of maintaining strategic ambiguity? Is it time for additional clarity or a new framework for managing the cross-strait relations?

KRITENBRINK: Mr. Chairman, if it's okay, I'd like to reply first.

MENENDEZ: Sure.

KRITENBRINK: Mr. Chairman, I would say, first of all, I fully agree that the coercive and bullying behavior that we've seen from the People's Republic of China directed at Taiwan is concerning, it's destabilizing, and it risks undermining peace and stability in the region.

But Mr. Chairman, we continue to believe that our One China Policy and the framework provided by the Taiwan Relations Act provides us with all the tools that we need to counter that threat and to continue to maintain peace and stability across...

MENENDEZ: Do you think China is undoubtedly convinced that we will be as vigorous in our support of Taiwan and in defense of it as we assert here?

KRITENBRINK: Well, Mr. Chairman, I think that is our goal and it is an urgent one. We think that contributing to that stability and providing that deterrence that we believe provides that stability is a here and now problem.

And we're committed to that on an urgent basis, on a daily basis. And my view, Mr. Chairman is that our policy over the last four decades as you noted, a bipartisan policy with leadership from both the executive and Congressional branches I think has succeeded and has allowed Taiwan possibly...

MENENDEZ: I appreciate that. And I'm strong of the support and of the view that not only as it relates to Taiwan but in anything that we can do that relates to foreign policy, the strength of bipartisanship is an incredibly important message globally and to the country.

KRITENBRINK: Yes sir.

MENENDEZ: My question really revolves around, okay, that's been the reality of how we approach the cross-straits relationship, but we have not had the hypernationalism of Xi Jinping. We have not had the type of rather overt threats that have taken place. Is the Defense Department of the same view as the Department of State?

RATNER: Senator, I know there has been a very robust public discussion of this issue and I have deep respect for folks on both sides of this debate.

In addition to agreeing with everything that Ambassador Kritenbrink said, my personal view is that a change in U.S. declaratory policy would not meaningfully strengthen deterrence. And I'd be happy to say more about that in a classified setting.

MENENDEZ: All right. We'll leave it at that then. What is your assessment? I am concerned that in recent years the PLA military operations near Taiwan have become more sophisticated and more frequent including recent incursion into Taiwan's air defense identification zone.

And, frankly, I'm concerned that these incursions would circumnavigate the island demonstrating Beijing's ability to execute a blockade of Taiwan. What's your assessment of the current cross-trade military balance? Are you concerned that the PRC can take unilateral military action against Taiwan?

RATNER: Sure. Senator, I am concerned about China's military modernization. The Defense Department recently provided an extremely detailed report on the annual China military power report.

And clearly they are engaging in increased coercion and aggressive behaviors not only toward Taiwan but around the region. This has effects in terms of tempting miscalculation in crisis. It has effects on Taiwan's readiness. But I think our job at the Department of Defense is to strengthen deterrence and to ensure that we are taking actions such that Beijing understands that it would not be able to achieve its military objectives and certainly not without facing substantial risks and costs.

And we're doing that by supporting Taiwan's defenses and reforms, by bolstering our own deterrence and by working on this issue with the broader international community.

MENENDEZ: Ambassador, what would trigger such a step by Beijing?

KRITENBRINK: Well Mr. Chairman, I'm reluctant to speculate what might be in President Xi Jinping's mind on any given day. But I would just say that we feel the urgent need every day to take a broad range of steps that we've tried to outline in our opening statements to deter such a step and to provide that stability.

And if I could add one point to my colleague, Assistant Secretary Ratner's comment, we do believe that to contribute to that stability, we have to do more than just focus on military deterrence. It's vitally important we believe to continue to bolster and expand Taiwan's international space and also to deepen our engagement with Taiwan and to help enable Taiwan to resist economic coercion. We also think those are important parts.

MENENDEZ: In that regard, I don't know, for myself, I have a lot more but I'll stop here.

In that regard, if we want to expand Taiwan's diplomatic space, when we succeed at it because there are many countries that have succumbed to China's closing the doors on Taiwan even though they had official recognition and relationships with Taiwan, we've seen Taiwan's diplomatic channels close due to Chinese pressure in multiple capitals.

Indeed since 2016 eight former Taiwan diplomatic partners have switched diplomatic recognition to the PRC. And even now we're watching as Beijing places significant economic pressure on a country like Lithuania for authorizing the opening of a Taiwanese representative office. How is the administration supporting our democratic partners in countering undue Chinese influence and helping Taiwan to establish and maintain formal relationships?

If we cannot help Lithuania who's being threatened in economic terms, supply chains, and whatnot which I view is a test for the west, then if we fail that test, then ultimately we will face the consequences of it, when others say it's not worth to stand up to China, the U.S. won't be there for us.

KRITENBRINK: Yes sir. Mr. Chairman, I would say that when we focus on trying to expand and strengthen Taiwan's diplomatic space, we work with a range of partners to demonstrate what Taiwan has to offer to the international community and what the benefits of engaging with Taiwan are.

You mentioned both diplomatic partners and in countries like Lithuania who have simply tried to expand their engagement with a Taiwan representative office. In the case of Lithuania, Mr. Chairman, we took a number of steps to assist our Lithuanian partners. We engaged at both the secretary and deputy secretary level to express our support to Lithuania and to hear their concerns.

We engaged in a dialogue that was hosted by the White House that I participated in with the Lithuanian foreign minister. That same day, Lithuania and EXIM Bank announced an MOU that involved \$600 million of credits to assist Lithuania. And we also dispatched a private sector commercial delegation to Lithuania to try to assist them as well in finding other markets, other supply chains.

So that is one example Mr. Chairman in which we've taken very seriously the need to assist our partners in resisting Chinese economic coercion in the context of engagement with Taiwan. And maybe just one last comment Mr. Chairman, we also as I mentioned in my opening statement, we've expanded the global cooperation and training framework as well, which is another way in which we help partners around the world engage with Taiwan and learn about the capabilities that Taiwan can offer, and we're grateful to Congress for the support of that program. Thank you.

MENENDEZ: Senator Risch.

RISCH: Thanks for those comments about Lithuania. That's not getting nearly enough ink around the world. We all want to counter this Chinese influence that when they do it malignly like they did in Lithuania, it's important that we do counter that. The list you just ticked off is an important list, but the world should take note that we are engaged in that sort of thing and will help when it's appropriate.

Most of the areas I want to cover are in the intelligence lane, so I'm going to be brief here. But tell me your thoughts and the fact and everybody talks about this and that is what China did to Hong Kong. And really, the repercussions were de minimis for China.

Certainly in China one would think they're tempted to look at that and say, "Hey, this was so easy. Next one's not going to be any tougher." Do they have a sense in China, do you think that we the west, particularly America, view the Taiwanese situation entirely different than the Hong Kong situation? Either one of you can start. I'd like to hear both your views on that.

KRITENBRINK: Thank you, Mr. Ranking Member. Obviously as the administration has stated clearly, what happened in Hong Kong and the previous administration as well, what happened in Hong Kong was completely unacceptable.

But Mr. Ranking Member, it would be a great mistake if China were to conclude from that that somehow it gave them an opportunity to take coercive action vis-a-vis Taiwan. And I know that Secretary Blinken has been quoted extensively including this past week in stating what a serious mistake it would be if China were to undertake such a path. And we believe Mr. Ranking Member that our job every day is to make sure that we provide a level of deterrence and stability across the strait so that China is not tempted to take that step.

RISCH: I don't think that proposition about how we view this could be understood. We need to underscore that and underscore it strongly.

KRITENBRINK: Yes sir.

RATNER: Senator, to the specific question of our understanding of Beijing's perception and whether they think we view the Hong Kong problem differently than Taiwan, I think the answer to that is categorically yes.

As you mentioned, these relate to intelligence matters and I would be eager to discuss that with you in a classified setting. The only thing I would add to what Ambassador Krittenbrink said is the Taiwanese themselves took very careful notice of what happened in Hong Kong. And then certainly in their view reinforced the unacceptability of some kind of one country, two systems bargain given what they saw what happened to Hong Kong. Thank you.

RISCH: Thank you. Thank you, Mr. Chairman.

CARDIN: Well let me thank both of you for your service. Let me continue this discussion as much as we can discuss in an open setting. But could you just assess for us how much China, Mainland China is doing within Taiwan itself?

It seems like there's shifting politics within Taiwan in regards to the attitude of its relations with the Mainland China. Can you just share with us how active the PRC is in regards to politics within Taiwan?

KRITENBRINK: Senator, thank you very much for your remarks and for your question. In terms of a detailed response, perhaps that would be better in another session, but I think that I could say here in great confidence and safely that certainly, the PRC's attempts to intimidate and coerce and influence friends on Taiwan does involve activities inside Taiwan as well, which is deeply concerning.

I would pick up on your final comment and then I think attitudes in Taiwan have shifted overtime. I have some skepticism about the effectiveness of China's actions. In fact, I think the more the PRC tries to squeeze, the more it simply pushes Taiwan and the Taiwanese people away.

CARDIN: So let me talk about the U.S. engagement in the Asian-Pacific area. With the withdrawal from TPP we know that created a vacuum but we have the issues of so many countries in that region concern about the free commerce on the China seas and what PRC has done in that regard.

Our ability to have influence in regards to Taiwan is very much related to how America's perceived as interested in the Asian-Pacific area. So can you just coordinate for us how your strategies in that region are being arranged in order to deal with PRC's increasing activities in the China seas as well as its compromising of Taiwan's security?

KRITENBRINK: Yes sir. Senator, our goal is to demonstrate the strength and the credibility of America's commitment to the Indo-Pacific region and to our many allies and partners in that region. We have demonstrated that the Indo-Pacific region is vital to our future security and prosperity and we try to demonstrate that through our actions every day. As you know...

CARDIN: Can you be more specific about that?



KRITENBRINK: Yes. Yes, sir. Senator, as you know, for example, the first two world leaders hosted by President Biden at the White House were the Japanese prime minister and the South Korean president.

The Secretary of State and the Secretary of Defense's first trips to the region were to Japan and Korea. Just this morning, we announced that Secretary Blinken will travel to Southeast Asia next week to visit to Indonesia, Malaysia, and Thailand to, again, demonstrate the strength of our commitment to our partners and allies in ASEAN.

In addition, of course, to that diplomatic engagement, Senator, we're carrying out a very aggressive policy, vis-a-vis the maritime domains in the South China Sea and the East China Sea to both diplomatically garner support for pushing back against Chinese illegal behavior and bullying and to strengthen support for the international rule of law.

Secondly, we are providing hundreds of millions of dollars worth of maritime assistance to partners in the region to increase their domain awareness and their ability to defend their own interest which we think contribute to stability in the region.

And then finally, of course, an alternative to Assistant Secretary Ratner, we are developing and exercising our own capabilities on a regular basis in both the South and East China Seas and elsewhere in the region, all, again, designed to contribute to stability and demonstrate the strength of our commitment.

And finally, Senator, you mentioned our economic engagement as well, the President announced recently, last month, at the end of October rather, at the East Asia Summit his desire to launch a new Indo-Pacific economic framework that will certainly be a focus of our engagement in the weeks and months ahead.

RATNER: Senator, I'll only say Secretary Austin has said repeatedly that allies and partners are perhaps our biggest strategic advantage in our military competition with China. They have capabilities they can bring to bear on their own and with us. They support our force posture and forward deployments in the region. And they exercise and operate with us to ensure a free and open region.

I'll say for my part, I've been in this role since the summer and right down the line from the Republic of Korea where we were last week, to Japan, Taiwan, the Philippines, Australia, Vietnam, India, in every one of these instances, there is incredible positive momentum in those defense partnerships and in most instances those relationships are stronger than they've ever been.

CARDIN: Thank you. Senator Romney is recognized.

ROMNEY: Thank you, Mr. Chairman. I don't know that we have laid out a comprehensive strategy for supporting the people of Taiwan and the capacity of the people to determine their own destiny. But if I were to jot down several of the elements that I think would be part of that, I'm afraid that on almost all of them we're failing, not succeeding. And I say that a bit to get your response.

I think one of the ones that we're succeeding on is the attitude of the people of Taiwan themselves. That's not due to anything we've done, I don't imagine but instead due to the fact that the Chinese have been brutal against the Uyghurs and against the people of Hong Kong and, of course, people of Tibet and that has concentrated the thinking of the people of Taiwan.

So, we've been successful there, but other elements it strikes me that we're not being successful. So, one element of our strategy would surely be to make sure that world opinion is watching this and is concerned about what China is doing and wants to see Taiwan have its capacity for self-rule. And yet, as has already been mentioned, we're seeing greater and greater diplomatic isolation of Taiwan by nations around the world.

A second element or a third element would be the, if you will, the military porcupining, if you will, the capacity of Taiwan to make decisions to make itself a very difficult target and to make sure that the Chinese aggressors would recognize that the cost of invasion would be severe indeed. And on that one, I know this is not a classified session so we can't go to that in depth, but I don't come away thinking that that's become as much stronger as we would have liked it to become.

The next would be a communication of severe economic consequence where there to be an incursion against Taiwan. And while we talk about that, I don't know that we've communicated to the Chinese or elaborated with our friends around the world a decision of just what we would do to inform China in advance of what we, the collective nations of the world, would do were they to take aggressive action against Taiwan.

And the final element of our strategy might be our commitment to the region and communicating our commitment to the region. And the decision made by the prior administration and not yet reversed by this one to back out of the TPP does not communicate commitment to the region.

There are some things we do that obviously are able to so commit but that decision was not. There was a discussion made that we don't like multilateral trade agreements, we like bilateral agreements but we didn't enter into bilateral agreements. So, we're just sort of, we disappeared.

There would be opportunities for instance with the ASEAN nations to enter into a digital trade agreement and to begin the process again. But I'm concerned that that if I were China looking at this, I'd say this is getting easier, not harder.

Am I misreading that? And I don't mean to be blaming just this administration. I'm looking back over the last several years of American policy. But it strikes me that on almost every dimension of an effective strategy, we're not winning, we're losing.

KRITENBRINK: Senator, thank...

ROMNEY: Ambassador, please, yes.

KRITENBRINK: Senator, thank you very much for your comments and your question. Senator, none of us underestimate the scope of the challenge, but I would argue that there are also reasons for optimism. In terms of world opinion and the interest of our partners around the world, I think it's quite significant that for the first time in many instances or the first time in a long time, many of our allies and partners have spoken up together with us in joint statements and other venues to express publicly their concern for the situation in Taiwan and the national interest that they see in peace and stability across the Taiwan Strait. And I'm thinking about the statements made publicly by Japanese leaders, our South Korean allies, G7 just last week by the Secretary General of the EU External Action Service and the like.

So, I think there are an increasing number of partners and allies around the world who recognize the importance of peace and stability across the Strait and they're publicly stating that fact.

In terms of our military deterrence strategy, I'll let Assistant Secretary Ratner reply to that in more detail. But what you've outlined, Senator, precisely is our strategy, assisting Taiwan to develop an asymmetric defense and that's what we're focused on every day.

Certainly, the economic consequences of any conflict across the Strait would be severe. And I think that we are making that clear and it's up to us every day to, I think, demonstrate that. And as Secretary Blinken has said recently, this would be a serious mistake if China were to ever take that step with very serious consequences.

And in terms of our commitment to the region, Senator, I would say it's what animates our actions every day. I know from my most recent travels to the region over the last month and the engagement of our leadership from the President, the Secretary of State, Secretary of Defense on down, we demonstrate on a daily basis our ironclad commitment to the security of our treaty allies, our strong commitment to peace and security and prosperity across the Indo-Pacific region, and that's what animates our actions every day. Let me stop there, sir.

ROMNEY: Dr. Ratner. Thank you.

RATNER: Yeah, Senator Romney, thank you. I would offer a more optimistic view of at least the trajectory of where we're headed on some of the issues that you raised. I share your concerns about the military challenge, China's military modernization is certainly stressing stability across the strait.

But we have seen particularly under the leadership of President Tsai, we have seen Taiwan taking incredibly important steps on trying to modernize and reform its own military. We have seen them increasing their defense budget.

We have seen them increasingly focused on asymmetric capabilities and the kinds of capabilities that we think will strengthen deterrence. And we've seen them starting to walk down the road of making some fairly significant reforms, reserve reforms and in other areas that are going to enable them to defend themselves.

At the same time at the Department of Defense, we are increasingly focused on this challenge. Secretary Austin has articulated China as the top pacing challenge and we're in the process of updating capabilities, expediting experimentation and prototyping, developing new operational concepts and updating our posture in the region to be better prepared to deter aggression in this area.

And as it relates to allies and partners, I think we are seeing increasing concern and increasing action including on the security side. We had our very first ever combined meeting with another country Taiwan Strait transit within the last couple months that was with Canada. We have held major military exercises with partners from inside and outside of the region including multi-carrier operations with aircraft carriers from the UK, large-deck amphibs from Japan, a number of countries participating.

We've seen countries in the region starting to do their own Taiwan Strait transits. And so, I think we are seeing countries stepping up their military presence in the region and their willingness to support deterrence in a way that we haven't before. So, collectively, I agree with you it's an enormous challenge, but I think the urgency is there and we've got the right formula and we're moving as fast as we can.

MENENDEZ: Senator Shaheen is recognized.

ROMNEY: Thank you, Mr. Chairman.

SHAHEEN: Thank you, both, for being here. Just to follow up on your comments about our allies and what they are doing, because we know that our messages are going to be much more effective when they're delivered with our allies. I noticed that the European Parliament sent its first official parliamentary delegation to Taiwan last month and it adopted a non-binding resolution to deepen ties with Taiwan.

So, can you discuss to what extent the administration is engaging with our European allies around issues with and working to align our policy toward Taiwan?

KRITENBRINK: Senator, thank you very much for the question. Yes, I would say that if I were to summarize in one line our approach to the Indo-Pacific, it would be allies, partners and friends. And our efforts are focused not just on our partners within the region but without as well, those outside of the region who also see the Indo-Pacific as being vital to their future. And the EU is very important in that regard.

Just three weeks ago, I held two days of consultations with my EU counterpart on these very issues, both focused on our engagement across the Indo-Pacific and specifically vis-a-vis China that included a discussion of Taiwan. Just last week, as I mentioned, the EU Secretary General of the EU External Action Service was in Washington for consultations with Deputy Secretary Sherman.

And I think as you may have seen from the public readout, there was a very robust discussion of all of these issues. And the word that I would use to describe our consultations is convergent. If you look at what the EU has done, what our friends in Japan have done, what ASEAN itself has done, we've all talked about the principles that ought to define behavior in the Indo-Pacific and the principles that are most important for supporting peace and stability and we all share those principles.

And our focus now whether it's with the EU or many other allies and partners across the region is what is the concrete action that we can take together. That was certainly the nature of our discussion with the EU and it is with the rest of our partners as well.

SHAHEEN: And I assume these discussions would be even more effective if we had ambassadors to the EU and to China to engage in these conversations. Can you speak to the impact that it's having not having our diplomats in those critical positions?

KRITENBRINK: Yes, ma'am. I'm honored, of course, to be in this chair and I'm grateful to the members of this committee and in the larger Senate for the support regarding my confirmation. But we are truly hamstrung in the region when we do not have our fully confirmed capable ambassadors on the ground.

No doubt in every capital we have very capable representatives whether they are ambassadors or our talented charge d'affaires. But there's simply no substitute for a fully confirmed U.S. ambassador in terms of their capabilities, the legitimacy they have within that country and their ability to fully operate and to have influence.

And so, yes, ma'am, respectfully as I mentioned in my opening statement, we would be grateful for the Senate taking quick action to confirm as many of our ambassadors as possible. I do believe it represents a real vulnerability for us in the field including in the east Asia Pacific region for which I'm responsible. Thank you.

SHAHEEN: Thank you, Mr. Chairman and Ranking Member Risch. I think it's particularly concerning that these positions are being held up by members of this committee who ought to understand better than most people in the Senate just why it's so important to have our diplomats in position when we're trying to engage in our foreign policy.

And I would add, by the way, that it also is hamstringing American interests in China, for example, where we have a number of Americans who are being held hostage by the government of China and we have no one in the position of ambassador to advocate on behalf of those people. So, again, I think we should note that this is an area that is affecting our national security, because our colleagues on the other side of the aisle and it's not all of them. I know Senator Risch has been very active in trying to move these nominations, but we've got a couple of people who are holding things up in a way that's having a real impact on our ability to conduct American foreign policy.

So, thank you, Mr. Chairman.

MENENDEZ: Thank you, Senator Shaheen. I agree with you and this is becoming increasingly a critical issue. Would be great if we had an ambassador in China right now both on Taiwan as we try to get China to join us against the challenges of Iran and others.

So, Senator Hagerty?

HAGERTY: Thank you, Mr. Chairman. And I want to thank both the Chairman and the Ranking Member for your holding this meeting. We wrote and asked for this. And I so appreciate your accommodation of this.

And I appreciate our witnesses here today to provide insight on a very challenging area. I'd like to start with you, Assistant Secretary Ratner if I might -- I want to focus on the importance of Taiwan to the broader security in the Indo-Pacific region.

Earlier this year, Japanese Defense Minister Kishi stated that the peace and stability of Taiwan are directly connected to Japan. And building on that statement, just last month, former Prime Minister Shinzo Abe said and I quote, "A Taiwan emergency is a Japanese emergency and, therefore, an emergency for the U.S.-Japan alliance."

As former U.S. Ambassador to Japan, I understand the strategic importance of Taiwan to the U.S.-Japan alliance, but I also believe an emergency in the U.S.-Japan alliance will also represent an emergency for our alliances both in Korea and in Australia. Protecting Taiwan is key to protecting the entire U.S. alliance network within the Indo-Pacific.

So, first, I'd just like to start with yes or no questions, Secretary Ratner. Is the security of Taiwan important to the security and stability of the Indo-Pacific region?

RATNER: Senator, I would say it's essential.



HAGERTY: And I agree. And then I just would like to then ask you how Taiwan impacts our defense posture in the Indo-Pacific and our ability to work with, to protect and defend Japan, Korea and Australia?

RATNER: Senator, I would describe our partnership with Taiwan as an anchor to our network of allies and partners in the region.

HAGERTY: Thank you.

I'll come to my good friend Ambassador Kritenbrink. China is engaged in a deeply destabilizing nuclear arms race right now. It's currently building underground silos for intercontinental ballistic missiles. It's improving its nuclear triad of land-based, of sea-based, of air-based weapons and it's testing nuclear-capable hypersonic weapons.

General Mark Milley, the Chairman of the Joint Chiefs of Staff, described China's recent hypersonic missile test as a Sputnik moment. General John Hyten, who until recently served as Vice Chairman of the Joint Chiefs, described these nuclear-capable hypersonics as likely a first use weapon or a first strike weapon.

Our allies and partners in the Indo-Pacific are increasingly alarmed about China's laser focus and emphasis on their strategic capabilities. The United States needs to maintain a credible extended deterrence commitment to our allies in the Indo-Pacific.

So, Ambassador Kritenbrink, do you agree with the premise that the United States should do all it can to maintain credible deterrence?

KRITENBRINK: Senator Hagerty, thank you very much for the question. Absolutely. I believe that it is America -- I'm sorry, I believe it is a vital American national interest to demonstrate the credibility and the sanctity of our security treaty commitments to our allies in the region using all of our capabilities.

HAGERTY: Thank you. In November, Japan's chief cabinet secretary publicly stated that adopting a No First Use Policy in the term -- in terms of using nuclear weapons would and I quote, "Make it difficult to ensure Japan's national security."

So, I'd come to both of you now and ask if you agree that the United States should seriously take into consideration the views of Japan as well as our other allies and partners in the Indo-Pacific with respect to U.S declaratory policy?

KRITENBRINK: Senator, what I would say I would simply reiterate my comment from a moment ago that it's a vital American national interest to demonstrate the credibility of our security treaty commitments involving all of our capabilities, including our extended deterrence capabilities.

HAGERTY: Secretary Ratner?

RATNER: Yes. Senator, as you know the Department is currently conducting its nuclear posture review. In the context of that process we have been engaging deeply and repeatedly with allies around the world, including our allies in the Indo-Pacific.

And we have heard their concerns and certainly Secretary Austin has spoken repeatedly about the importance of our extended deterrence commitments.

HAGERTY: Secretary Ratner, thank you for the comment and I would just encourage you as I hear from our allies in the region as well, they have very strong views on this. Their proximity makes those views very relevant and thank you for taking those views into account.

Thank you, both. Thank you, Mr. Chairman.

MENENDEZ: Thank you.

Senator Booker?

Senator Booker is with us virtually.

BOOKER: First, I just want to echo the concerns that there were stressed by both the chairman and obviously by Senator Shaheen about our lack of full diplomatic corps at the time that we're seeing multiple continents that we are have flash points and crisis points and the urgency of diplomacy.

And I want to add to that that there are still a number of positions at the State Department that are unfulfilled -- unfilled that are necessary for national security and perhaps to the assistant secretary of state, that's true right? These are important positions when it comes to U.S. national security and should not be held up with the urgencies that we have. Would you agree?

KRITENBRINK: Senator, yes, sir. I do believe it is a major hindrance to the conduct of our foreign policy not to have our full team on the field and, again, I would express my thanks to the Senate for their support in my nomination and others, but I would respectfully ask that we please move as quickly as possible on the many remaining nominations, both for our ambassadors in the field and our many positions unfilled here domestically.

BOOKER: I'm grateful. I'm grateful for that. I know this has been covered a little bit, but I'd like to just ask you again. China had made a lot of statements about pursuing a peaceful rise. And it just doesn't -- and like they weren't really seeking confrontation but clearly, we have seen that change and the aggressive actions taken in Taiwanese airspace, international waterways and more is indicative of a change in posture.

And I'm wondering this rhetoric, how much is it really, and these actions, is it in your opinion not only belying their claims but really reflecting a real intention? Or is this, in some ways, just to satisfy internal Chinese politics and sort of the wolf-warrior constituency in others?

Do you really think that they are looking to potentially engage in more overt conflict of a military nature?

KRITENBRINK: Senator, thank you very much...

BOOKER: That's either of them.

KRITENBRINK: Senator, thank you very much for the question. Our concern, our focus here today is, of course, on Taiwan and the situation across the strait, but we are deeply concerned about a range of destabilizing and aggressive and coercive actions that we have seen the People's Republic of China carry out across the region and in some instances around the world, whether it's in the maritime domain, whether it's the situation on the PRC's border with India, whether it's economic coercion that it has carried out regarding a range of countries around the world or it's increasingly aggressive in course of activities in the south and east China seas.

We are laser focused on the threat posed by those aggressive and coercive actions and that's what animates much of our policy. And I would just say, Senator, I think you noted at the top of your comments whatever PRC rhetoric may say I think we have to focus on China's actions and base our policies there.

And that is why we're focused, Senator, so intently on supporting and maintaining the rules-based order in the Indo-Pacific region that we believe is under threat from the PRC. And that order we believe is so vital to our future security and prosperity and that of our allies. And therefore our intention is to work closely with our many like-minded partners around the region to support that order, which is as I said under threat.

BOOKER: And I -- I'm sorry, was there another comment? Yes. I'm concerned about in my visits to Africa, the incredible influence that the Chinese have there and their erosion of diplomatic relations between African nations and Taiwan.

They've been incredibly successful. I think it's Eswatini and Somaliland that are the last two that have maintained diplomatic relations with Taiwan. And I think this is indicative of a larger picture of Chinese influence in -- on the continent and in many ways undermining our position and our interests there as well.

And I'm wondering what can the U.S. government do to help reverse the erosion and encourage countries to support really our democratic principles, ideals as well as be supportive of a larger effort to contain China's influence?

KRITENBRINK: Senator, thank you. Whether it's in the context of trying to shore up international support for Taiwan or Taiwan's international space or ensuring that countries in regions around the world, including Africa are not subject to Chinese coercion, I think this, again, has to be and is a central focus of our policy and our efforts.

And our intent is, one, to remind countries of some of the risks, for example, of taking on certain Chinese investments or incurring certain debts vis-a-vis the PRC and what those implications for a country's sovereignty may be down the line.

Secondly, we need to demonstrate the benefits of partnering with the with the United States and other like-minded partners. And thirdly, we need to continue to highlight the importance of a rules-based order and the values that we all hold there and that is what we're doing and that is what we intend to continue to do. But certainly, the scope of the challenge is growing, Senator. I agree.

BOOKER: I appreciate that. I appreciate -- Mr. Chairman, I just want to reaffirm, I've been pleased to hear a bipartisan commitment to our relationships with Taiwan. I feel very strongly with that.

I think what is happening there and the fear and insecurity there they are creating in the country is unacceptable to such a strong partner of the United States. And I know on behalf of a lot of Taiwanese-Americans that a strong American posture in support of that democracy is something that we all should be doing everything we can to support, so thank you.

MENENDEZ: Thank you. Senator Van Hollen?

VAN HOLLEN: Thank you, Mr. Chairman and thank both of you for your testimony. Thank you for your service. I've been trying to keep track of the testimony in the hearing as it's gone on but I apologize if I ask questions that have already been covered.

We know from what's been said and following developments in the area that we see real Chinese sort of aggressive moves. We saw the military moves up against toward Taiwanese airspace.

We've seen other actions taken. Obviously, the United States also has sort of held its position in the region. What are we doing now? What's in place now to avoid miscalculations that could lead to unintended escalation and conflict? If you could each talk from the vantage views of your -- the vantage -- the perspectives of your departments.

KRITENBRINK: Senator, thank you for your comment and for your questions as well. I would say from our position in order to prevent the miscalculation and the risk of that that you've outlined, we're doing a number of things.

First of all, we're taking a range of actions to demonstrate the strength of our -- the strength of our commitment to the region and the strength of our deterrent capabilities and those of our allies and partners and friends.

And we're trying to strengthen countries' abilities to resist Chinese coercion in all its forms. So, I think those actions are the most important steps that we can take and the main focus for this administration and me in my job is how can we best support our allies, partners, and friends across the region to support that rules-based order that is under pressure from the People's Republic of China.

But secondly, Senator, there is an element involved in our diplomacy directly with the People's Republic of China as well. As you have seen, President Biden recently engaged in a virtual meeting with President Xi Jinping, one of the main objectives of that meeting was to make sure as our competition becomes increasingly intense, we also engage in intense diplomacy at the most senior levels to reduce the risk of miscalculation that could veer into an unintended conflict.

So, I do think that that is an important element of what we do. We do need to continue to signal at senior levels to the PRC leadership the depth of our concerns and a desire to avoid miscalculation, but again, Senator, I would say the most important part of what we're doing I would argue across the region is the work with our allies and partners to shore up the regional order.

VAN HOLLEN: No, I agree with the overall strategy that the President's put forward. But I do want to push a little bit more and maybe on the defense side as well as to what kind -- what operationally is in place to make sure lines of communication are open in order to avoid miscalculation?

RATNER: Between the United States and the PRC, specifically, sir?

VAN HOLLEN: Yes.

RATNER: Yes. So, I would echo Ambassador Kritenbrink's comments that clearly one of the key priorities for the administration and the President said this clearly, is to try to develop guard rails on the relationship.

And there is going to be follow-up to the President's meeting to try to do that in practice. From the perspective of the Defense Department, we have been working to renew military to military relations with the PLA over the course of the last year with a very laser focus on questions of crisis communications and crisis management.

We've had interactions within the Office of the Secretary of Defense and interactions with Indo-Pacom and some of their PLA counterparts. So, we're in the process of renewing those efforts.

VAN HOLLEN: I appreciate that obviously. And I know the Chairman and others have mentioned that. If we had an ambassador in place, those kind of communications could be even more effective and more clear.

I think it's hurting our national security every day that the Ambassador Nick Burns' nomination is being held up. My last question is this, look, China has long taken the position that eventually they want what they claim will be the peaceful reunification of China.

Obviously, their actions have been anything but peaceful. But do you note a real change in position taken and the tone taken by President Xi in his comments on Taiwan compared to many of his predecessors?

KRITENBRINK: Senator, thank you. I don't know that the tone or the rhetoric has been dramatically different from Beijing. There is still occasionally a reiteration of a stated desire to resolve the situation in their view peacefully and, yet, China has never ruled out the use of force and that continues to this day.

I think the dramatic change that we've seen in recent months is years and years has been in Chinese actions and behavior, including its coercive and bullying behavior vis-a-vis Taiwan and that is our primary concern and that is as what is driving primarily our response rather than a focus on rhetoric, Senator.

VAN HOLLEN: Thank you.

Thank you, Mr. Chairman.

KRITENBRINK (?): Thank you, Senator.

MENENDEZ: Senator Young is with us virtually.

YOUNG: Thank you, Mr. Chairman and welcome before the committee gentlemen. Recent press reports have highlighted concerning developments with Taiwan's domestic defense strategy and capability.

Reserve forces are in need of reform and there are questions around Taiwan's recent shift in favor of counter-strike weapons rather than adopting a porcupine strategy of strategic denial capabilities.

Beyond weapons sales, gentlemen, what is the administration doing to support Taiwan's domestic military readiness?

RATNER: I'm not sure I heard the very last part of that question...

YOUNG (?): ... beyond weapons what is the administration doing...

(UNKNOWN): To support Taiwan's...

RATNER: To support Taiwan's...

YOUNG: To support Taiwan's domestic military readiness.

RATNER: Yes. Got -- copy.

MENENDEZ: Domestic military readiness. Senator Young, if you can lean into your --when you're asking questions lean into your, I guess, the computer there or raise the volume. It would be helpful but I think we heard that one.

RATNER: No, this is -- thank you, Senator Young. It's a hugely important question and we have to always remember that Taiwan's ability to defend itself is more than just its arms purchases and that as a government, we ought to be taking -- widening our aperture as much as we can.



And its reserve reforms are an important element of that in so far as Taiwan's shift to an all-volunteer force and the subsequent decrease of its active force strength has led to the need to ensure that its reserve forces are prepared to assume increasingly difficult missions.

The good news is that President Xi and Minister of Defense Chow have begun walking down this path as you know. They have approved changes to reservist training requirements, increasing the number of days required for reservists.

And they've also been creating requirements for more realistic combat training and in addition to that as was mentioned earlier in the hearing Taiwan is slated at the beginning of next year to establish an all-out defense mobilization agency, an ADMA which is geared to combine mobilization and reserve functions in one agency to better align training exercises and force development requirements.

So we think they're making real tangible progress on this. Some of it is very much initial and we're going to do everything we can to support these efforts.

YOUNG: So, Dr. Ratner, okay, so that was my question. Were there things that you think we should be doing, perhaps this committee can be helpful with as it pertains to supporting Taiwan and its efforts to reform its reserve forces?

RATNER: Absolutely. Senator, I would be happy to explain that in some detail in a closed session. What I will say is that we are taking a more proactive approach to supporting Taiwan in some of these reforms, working with them on some of their defense concepts, doctrine, supporting them on some of their...

YOUNG: Why don't we take it to a classified setting, Doctor. I'll pick up on that thread with you at a later date. Thank you.

RATNER: Glad to do that, Senator.

YOUNG: So are they likely -- what capabilities are most needed for asymmetric defense because my sense is the legacy systems and weapons that that Taiwan has relied on in the past aren't sufficient, aren't adequate for a robust defense of the island right now?

RATNER: Senator, that's right. That is precisely the argument that the administration has been making and the Trump administration was making as well. Again, we support President Tsai's commitment to achieve greater balance of asymmetric capabilities.

To your question specifically these include coastal defense cruise missiles, short and medium range air defenses, defensive naval mines, enabling C4 ISR, and other capabilities, but those would be at the top of our priorities.

YOUNG: Okay. Lastly, in what time period do you see the greatest risks for conflict between the CCP and perhaps Taiwan?

RATNER: Senator, my answer to that is that the China challenge is a today problem, a tomorrow problem, a 2027 problem, a 2030 problem, a 2040 problem and beyond. I don't think there is a date we ought to pick on the calendar and we have to make sure that we're sustaining deterrence from today and maintaining it going forward.

YOUNG: It's a today problem. That's all I need to hear. Thank you.

MENENDEZ: Thank you.

Senator Coons?

COONS: Thank you, Chairman Menendez and Ranking Member Risch for this hearing. And thank you, Ambassador Kritenbrink, Doctor Ratner, for your testimony and your public service. I don't know. Can you hear me well? We're having some trouble with the audio. Thank you.

You mentioned in your testimony, Doctor Ratner, the significance of partisanship and it being a key part of our relationship, and our defense of Taiwan, and that it should be nurtured. I'll just mention at the outset that I think bipartisanship in this hearing and in the actions of members of this Committee, and in partnership with the administration has been a long and a critical part of our work together. I have visited Taiwan twice in recent years, coordinating with the Trump administration and the Biden administration before doing so. And I went on a bipartisan trip just a few months ago to deliver vaccines. And I think it is striking how the status quo and the support of both Republican and Democratic administrations, including through defense of arms sales has served its successful and free-market democracy.

Doctor Ratner, what's the most critical investment that we in Congress could make to help both ensure and strengthen deterrence, and U.S. military readiness in the Indo-Pacific. So most important investment in Taiwan, both in terms of arms sales, but moving forward some of the strategic and military reforms that previous members have discussed, but also most important investment in terms of the Indo-Pacific region and strengthening our partnership with our allies?

RATNER: Senator I think the answer I would give to that is rather and if the question is around U.S. capability or investment in terms of strengthening Taiwan's capabilities.

COONS: Both.

RATNER: I think the list that I -- that I just provided to Senator Young would be at the top of our prioritization list in terms of the types of capabilities that are mobile and resilient, and cost effective for Taiwan including coastal defense, cruise missiles, and defensive naval mines and others, I think we've articulated those, as well as the reserve reforms and civil-military integration efforts that Taiwan is undergoing...

COONS: And, Doctor, there continues to be some ongoing tension within Taiwan military planning between those who want to invest in expensive but perhaps less critical capabilities, and those who agree with the vision that you just laid out. How do we help move forward Taiwan's defense reforms?

RATNER: Senator, this is a question we often get. I would say I am encouraged by the direction that President Tsai and Taiwan's Minister of National Defense are heading in terms of its capability development, its reserve reforms, other defense reforms. As in -- as in any bureaucracy they're going to be competing priorities, they're going to be service rivalries, especially in a resource constrained environment. I think what we need to do is speak with one voice as an administration, as a Congress, as a government and work with allies and partners in the region as well on this issue.

COONS: How much harm would a year-long CR where we do no more appropriation, no more policy through appropriation as well, how much harm would that do possibly to our Indo-Pacific strategy?

RATNER: Senator, leaders at the Defense Department have been clear from the secretary on down about concerns, about a CR and the need for stability in our budgeting cycles.

COONS: Thank you.

Ambassador, I'd like to see us work in close coordination with our European allies and partners to strengthen our trade investment relationships. Taiwan is one of the world's most significant sources of advanced semiconductor chips. We currently have just come through some real supply chain disruptions and significant shortages. What do you think we could do to develop the standards for the 21st Century for the digital economy in partnership with Taiwan including them in the world community of open societies that is in part convening through the Summit for Democracy this week? And what do you think we could do to better engage our European allies in that work in strengthening both economic ties and potentially security ties with Taiwan?

KRITENBRINK: Senator, thank you very much for your question. On the issue of Taiwan's role in global economy and the importance of resilient, and diverse supply chains I think that's absolutely critical for Taiwan, it's absolutely critical for the global economy and for our prosperity as well.

We have engaged in a range of forum (ph) and a range of dialogues with our Taiwan partners on those very issues, including assisting Taiwan in making sure that its supply chains are more diverse, and secure. And that Taiwan carries out the export control and other screening policies designed to protect its most important technologies and trade secrets as well. Our European partners are absolutely critical in this effort as well, given their obviously central role in the economy and these same supply chains. And this has been in fact an area of discussion between the EU and the United States, including in the recent engagements with the EU that I mentioned earlier both at my level and at the Deputy Secretary level.

So, Senator, I couldn't agree more with the importance of the issue, the importance of Taiwan's role in the supply chains, and in the global economy, and in the importance of the EU's role in achieving our goals.

COONS: Thank you both.

MENENDEZ: Thank you.

Senator Cruz?

CRUZ: Thank you, Mr. Chairman.

Welcome to the witnesses. Over the last year the world has gotten much more dangerous, and unfortunately that danger is a direct consequence of a series of foreign policy failures by the Biden-Harris administration. We have seen President Biden's weakness over and over again translating into making America less safe. In Afghanistan we saw an absolute catastrophe with Biden's surrender to the Taliban, abandoning Americans behind enemy lines and the chaos that resulted. When that occurred every enemy of America looked to Washington and took measure of the man in the Oval Office, and whether it was Russia or Iran, or North Korea, or China, they all determined that the President was too weak to be a serious threat to them, and unfortunately as a consequence each of them has gotten substantially more bellicose, substantially more aggressive.

As we sit here today over 100,000 Russian troops are massed on the border of Ukraine preparing to invade Ukraine because Joe Biden surrendered to Vladimir Putin on the Nord Stream 2 pipeline and paved the way for Putin to take a major step towards his long-term goal of rebuilding the Soviet Union, and once again posing a massive threat to the safety and security of Americans. In China the weakness of the Biden administration from abandoning Afghanistan, from surrendering to Putin has been noticed, and the Afghanistan disaster I believed made it substantially more likely that China will launch an amphibious military assault against Taiwan sometime between now and the end of 2024 because for the same reason that Putin is preparing to launch an invasion of Ukraine, our enemies have determined this President is too weak to stand up

To them. That has been complicated even further by the Biden administration's incoherence and undermining of Taiwan, which unfortunately serves as an encouragement to the Chinese communist government to engage in military hostilities directed at Taiwan.

Every few weeks we see another example of bumbling and incompetence from this administration when it comes to Taiwan. Over the summer for instance the White House's official Twitter account first posted and then deleted a tweet about vaccination donations in Taiwan because the tweet included a flag of Taiwan. Our Taiwanese allies were forced to publicly ask the White House not to cause unnecessary speculation or misunderstanding from all walks of life due to the removal of the related tweet. The Biden White House publicly retreated from Taiwan to avoid angering the communist overlords in China. More broadly the Biden administration has imposed a policy forbidding our Taiwanese allies from displaying symbols of their sovereignty, whether flags or medals, or uniforms on U.S. soil.

There's a policy that goes back to 2015 when the Obama administration capitulated to the Chinese Communist Party demands to restrict Taiwanese activities. I fought for the Trump administration to change this policy. It took four years to get it done, but ultimately they did, they changed the policy to allow our Taiwanese allies to display their flags and military uniforms. The Biden administration reversed that policy, and it did so knowing it was over the objection of Republicans and Democrats in the Senate on this Committee. I introduced legislation in this Committee to restore the policy allowing Taiwan to display its symbols of sovereignty. It passed overwhelmingly in this Committee with bipartisan support. It passed the Senate overwhelmingly with bipartisan support and yet the Biden administration is defying the United States Senate and continues to impose this policy, undermining our ally, Taiwan.

And I've even heard recently from officers at several bases that DOD is asking for stricter enforcement of the ban after a Taiwanese graduate of the Air Force Academy wore the Taiwanese flag at a graduation ceremony. Meanwhile we hear from the Biden administration officials that they've actually loosened contact guidance for Taiwan.

Doctor Ratner, what is the Biden administration's actual policy regarding the ability of Taiwanese allies to display their national symbols of sovereignty and has that policy been memorialized in a written memo that is being distributed within the administration?

RATNER: Senator, I'm going to defer to my State Department colleague who has oversight of that particular piece. What I will say is I'm not familiar with the case that you raised, vis-a-vis DOD and I'll look into that. Thank you.

CRUZ: But your office has not circulated any guidance within DOD?

(UNKNOWN): All right, it's enough.

RATNER: The State Department determines contact guidance for the Department, for the U.S. government as a whole.

CRUZ: Okay. Well, then, same question.

KRITENBRINK: Senator, first I would say that everything that animates our approach to the Indo-Pacific is designed to demonstrate the credibility of our commitment to the region and to our allies, and no one should doubt the strength of that commitment, and the capabilities that America brings to bear. Under this administration and since I've had the honor of having this job America has revitalized its engagement with allies and partners across the region in a way that improves our national security, and our prosperity that counters the aggressive and coercive actions by the PRC...

CRUZ: I just asked - what I'm saying it wasn't Taiwan...

KRITENBRINK: I'm sorry, I'm sorry, yes, Senator.

MENENDEZ: The time of the senator...

KRITENBRINK: If I can respond, Senator?

MENENDEZ: Mr. Secretary?

KRITENBRINK: I'm sorry, Senator.

MENENDEZ: I'm sorry, but the time of the senator is well past expired, there have been members who have been waiting here...

CRUZ: He hasn't answered the question.

MENENDEZ: The Senator used five minutes to make a statement before he ever got to a question. I can't allow all members to do or we will be here forever, so I'm happy...

CRUZ: You are not going to me...

MENENDEZ: ...for it to be included to the record -- no, you can speak for five minutes if you choose to, but then you can speak for five minutes and then think you can ask a series of questions.

CRUZ: I asked one question...

MENENDEZ: It's unfair...

CRUZ: I asked one question...

MENENDEZ: This is your third. This is your third.

CRUZ: I asked one question.

MENENDEZ: It's unfair to the other members who have been waiting here.

CRUZ: I asked one question, the DOD, the witness said...

MENENDEZ: The secretary will answer it for the record. Senator Kaine?

CRUZ: Let the record reflect that the Chair is protecting the Biden administration from admitting their policy is undermining...



MENENDEZ: Let the record reflect that when the Senator from Texas turns his back to the Chair and thinks that he can run out the clock, and then begin to ask questions, that dog won't hunt.

CRUZ: I actually just looked at the person whom I'm speaking, so I look at the witnesses when I'm asking them questions...

MENENDEZ: But you see the clock.

CRUZ: I'm looking at you now when you're trying to prevent the witness from answering the question...

MENENDEZ: ...I know you enjoyed it because you put it up on your YouTube channel. You can't run the clock in statement, which you're free to do.

CRUZ: Look, your exchange has taken longer than it would take for them to answer the question...

MENENDEZ: Senator Kaine is recognized.

KAINE: Thank you, Mr. Chair. I have one item I would like to ask each of you about, I do believe the Biden administration is earnestly trying to rebuild and shore up alliances around the world, and that's a positive thing. I think with respect to this particular region the elevation of importance of the Quad is an important component. I think U.S. support for vaccine delivery in Taiwan has been very positive, as well as vaccine delivery around the world. We're the most generous donor of vaccines. That's a good thing.

And I think the announcement of a more potent Indo-Pacific partnership between the U.S., Australia, and the United Kingdom is positive. But now my critique and my question, I have yet to get an answer from the administration about why that particular partnership, U.S. Australia, UK, blindsided France, or at least was perceived to have been blindsiding France. Since France is an ally, and France is an Indo-Pacific nation it would seem like we would want to include France in our efforts in the Indo-Pacific, that that would be a real positive and instead the U.S., Australia, UK partnership around submarines was perceived to be blindsiding France, and left France out of something that I think it would be in our interest and other nations in the region for France to be included. So I want to ask each of you from the DOD perspective, from the State perspective, were you individually involved in crafting this U.S.-U.K.-Australia partnership around submarines and if so, why wasn't France included? If I could start with you, Dr. Ratner, from the defense side.

RATNER: Sure, Senator. The answer to your last question is yes, I was involved in the latter stage of the negotiations. They had been underway for several months by the time I was confirmed, but I was - I did participate in the final development of the MOUs and some of the other elements of the AUKUS agreement. I guess what I would say there is it is a particular agreement around three sets of countries which have and is very particular to the strategic context and as well as our existent bilateral cooperation with each.

And as it relates to the question of France, one of the reasons why negotiations were so secret is because of the sensitivity of the subject and I guess I'll leave it to the Australians to explain their own engagement with the French on the question of their own submarine deal.

KAINE: But you would agree with me, wouldn't you, that France is an Indo-Pacific country?

RATNER: Absolutely, Senator. And we are actively...

KAINE: And France is a great military ally of the United States.

RATNER: They are and I have met with...

KAINE: And if we - and if we to be, you know, engaged with allies in the Indo-Pacific in a way that will support other allies like Taiwan and potentially be a bit of deterrent to China, the involvement of France in those efforts would a positive, right?

RATNER: It is a positive. It is existent. We engage with them on defense issues in the Indo-Pacific and we look forward to doing even more of that into the future. They are a resident power in the Indo-Pacific.

KAINE: So, I - but I gather from your answer that you were involved in negotiations between three nations, France was not part of those negotiations and the U.S. expectation was that Australia would somehow give notice to France about what was going on at the appropriate...

RATNER: Senator, my own conception of the AUKUS agreement is that it is complementary to what is a very diverse set of security relationships and arrangements in the Indo-Pacific and globally. So, we have AUKUS. We have The Quad as you mentioned. We have a number of trilateral arrangements with the Japanese and the Koreans with the Australians and the Japanese. We, of course, have our approach to ASEAN and these are meant to be complementary. None is meant to be exclusive of the other.

KAINE: Let me ask you, Mr. Ambassador. Were you involved from the State Department side in discussions about the AUKUS framework or agreement and why was France blindsided and shouldn't we be including France in the Indo-Pacific alliance efforts?

KRITENBRINK: Thank you, Senator. All of that happened, Senator, before I was confirmed and sworn in, but I would say that as you outlined, I think the - I think the progress made by The Quad and the announcement AUKUS agreement, I think these are very significant strategic moves that contribute to peace and stability across the region.

I think the President has stated publicly that the rollout in particular could have been handled better and I think you've seen the administration take a number of steps even since I have been in this position to engage intensively with our French allies and our EU partners, to recognize their critical role. In the region, we recognize it, we value it and we're in touch on a regular basis how to advance our shared interest.

KAINE: Thank you. I've exceeded my time. Thank you, Mr. Chair.

MENENDEZ: Thank you. Senator Markey.

MARKEY: Thank you, Mr. Chairman. Dr. Ratner, then Vice-President Joe Biden said in January of 2017, "Given our non-nuclear capabilities and the nature of today's threats, it's hard to envision a plausible scenario in which the first use of nuclear weapons by the United States would be necessary or make sense." Do you agree with the President in the context of the East Asia and Pacific region that you oversee that his statement as Vice-President is accurate?

RATNER: Senator, what I would say is the global posture review and these types of questions are currently under review at the Department and likely to be completed early next year in terms of the role of nuclear weapons and U.S. nuclear doctrine and...

MARKEY: Well, I hope that your Department's nuclear posture review will be drawing inspiration from the President's own views namely that we do not need to be the first country to escalate a non-nuclear conflict into a nuclear conflict. And if a nuclear war cannot be won, it must never be fought as President Biden reiterated in Geneva this summer, surely we should have no issues stating that the sole purpose of nuclear weapons is to deter nuclear attacks against the United States and its allies but that we would never be the first country to use nuclear weapons in a non-nuclear war setting.

The Chairman of the Joint Chiefs recently called China's test of an orbital hypersonic missile as a Sputnik moment, suggesting that there is a technological gap with respect to China that the United States needs to fill. Dr. Ratner, is it true the United States exceeds the next 11 countries combined in defense spending, one of which is China?

RATNER: I don't have the data at my fingertips, sir, but certainly, Senator, the United States has the largest defense budget in the world.

MARKEY: And I will confirm for you that yes, our budget is larger than the next 11 combined including China, just so that we don't get back to 1960s missile gap. We're looking over our shoulders at number two, three, and four. Dr. Ratner, Department of Defense witnesses have testified that China's development of nuclear-capable hypersonic missiles is meant to counter U.S. missile defenses but does our regional or homeland-based missile defense architecture pose a threat to China's strategic deterrent be it from a traditional Chinese ICBM or a hypersonic glide vehicle?

RATNER: Sorry, Senator. Could you - could you repeat the question? Is our missile...

MARKEY: Does our regional or homebased - homeland-based missile defense architecture pose a threat to China's strategic deterrent be it from a traditional Chinese ICBM or a hypersonic glide vehicle?

RATNER: Senator, the purpose of our missile defense is to enhance stability and deter aggression. It does not...

MARKEY: So...

RATNER: ...does not pose a threat to China, no.

MARKEY: It does not pose a threat. Thank you. That's the answer. It does not pose a threat. Isn't it true that U.S. ICBMs that we have right now are actually faster than the hypersonic glide vehicles than the United States, Russia, and China are all rushing to develop?

RATNER: Senator, I'd be happy to discuss that in a classified setting.

MARKEY: I appreciate that. The Union of Concerned Scientists says that our ICBMs are 20 times the speed of sound. I just think it's important to get that out there. And I don't think there's any evidence thus far that the Chinese hypersonic weapons are going to be able to exceed what we can do in our country. I always hate it when they make out the Chinese or the Russians to be 10 feet tall and we are midgets. It's just the opposite and I just think we have to keep that out there. Is it true that even if China were to have 1,000 deliverable warheads by 2030, it would still be one-fourth of what is already in our active nuclear weapons inventory of 3,750, is that correct?

RATNER: That's correct. Though, of course, we deploy lower numbers from that, Senator.

MARKEY: But we have the capacity right now in our active nuclear weapons inventory to counter the 300 that they have right now or the 1,000 that they might have by the year 2030, is that correct?

RATNER: That's correct, Senator. There are still reasons to be concerned about China's nuclear buildup despite United States having a larger overall size.

MARKEY: I appreciate that perspective. I just want to say though that the Pentagon should not be hyping the threat from hypersonics or goading us into an arms race. We should absolutely engage with China on talks to reduce nuclear risk. We should be prepared to acknowledge mutual vulnerability with China and as we did with the former Soviet Union, we just should not be trying - which I really feel the arms manufacturers are trying to do and many - and many in the Pentagon to just create artificial fear in the United States. It's not a Sputnik moment. One hundred percent, it is not a Sputnik moment and the Pentagon should not be saying it. Thank you, Mr. Chairman.

MENENDEZ: Thank you, Senator Markey. Senator Risch.

RISCH: Very briefly, Mr. Chairman, I - notwithstanding the row here with Senator Cruz. There's a lot of us that do have an interest in that question that he asked. And you indicated they would answer it for the record. And I guess I would be interested in hearing the answer.

MENENDEZ: If you want to use your time now, Senator Risch, I'm happy to have the Secretary answer you. I'm not afraid of the answer nor am I hiding something.

RISCH: Yeah, I - yeah. No, I get that. Mr. Secretary, I just appreciate - you never got to the answer of the question. You talked about all the good stuff we were doing and we appreciate that. We really do. But we've all heard anecdotal stories about suppression of Taiwanese flag, what have you. Is there an official policy on this? Do we have anything in writing on this?

KRITENBRINK: Mr. Ranking Member, thank you very much for the question and I'm happy to answer it to the best of my ability.

RISCH: Please.

KRITENBRINK: I would state first we have tremendous respect for our Taiwan partners. We treat them with great respect and dignity in every interaction. However, over the last four decades, it's been United States policy to not allow Taiwan partners to display symbols of sovereignty on U.S. facilities. That includes flags, that includes military uniforms. That has been a long-standing American policy for the last 40 years and it remains as such.

RISCH: Is there a written - is there a written policy in that regard?

KRITENBRINK: Senator, there is written policy regarding our contact guidelines and the guidance that we give and the encouragement that we give to U.S. government officials to meet with Taiwan partners in a way that is fully in accordance with our unofficial but vitally important relationship with Taiwan. I don't know if the contact guidelines covers the uniform or flag issue, but I would be happy to research that...

RISCH: If you could check that...

KRITENBRINK: ...immediately and get back to you, but what I can state with confidence is that the policy on symbols of sovereignty has been long-standing over this.

RISCH: And I appreciate that. And I - you know, like I said, we hear anecdotal stories that are - that are unique to a particular situation and can be awkward would be a good word. So, whatever you can provide in that regard, I think a lot of us would be interested.

KRITENBRINK: Yes, sir.

RATNER: Mr. Chairman, if I could just clarify for the record, I said earlier in response to Senator Cruz that the Defense Department does not issue its own guidance. The Defense Department does issue guidance. That guidance requires adherence to the State Department guidance, to clarify the record there.

MENENDEZ: All right. Let me ask some final set of questions. I want just to follow this up fully. At the end of the Trump administration, Secretary Pompeo rescinded previous Department guidance on executive branch contacts with Taiwan. This past April, the State Department issue guidance that allows working level meetings with Taiwan counterparts in federal buildings. Is that - is that the case, Mr. Secretary?

KRITENBRINK: Yes, Mr. Chairman, that is the case.

MENENDEZ: Okay. Which is different than the question of symbols, but meetings are taking place in federal - with Taiwanese counterparts in federal buildings.

KRITENBRINK: Yes, sir.

MENENDEZ: Now, it was reported earlier this year that the U.S. was seriously considering, quote, changing the name of the Taiwan office from the Taiwan Economic and Cultural Office to the Taiwan Representative Office to elevate our treatment of Taiwan consistent, however, with the One China Policy and the Taiwan Relations Act. Has Taipei made an official request for the United States to consider changing the name of TECO?

KRITENBRINK: Mr. Chairman, my understanding is that we're continuing to assess a request to that effect.

MENENDEZ: So, they have made a request.

KRITENBRINK: That is my understanding, but I will confirm that...

MENENDEZ: Would you confirm that for the record? And also if, in fact, they have made a request, I'd like to know the status of the administration's consideration of TECO's name change?

KRITENBRINK: Yes, sir.

MENENDEZ: They've also asked or engaged in conversations that I've had on two things that they are very interested in pursuing. One is for deployment of our customs or personnel as we do in other countries. So that those who are transiting from Taiwan to the United States could go to that forward deployment. Is - are you cognizant of that?

KRITENBRINK: Mr. Chairman, I'm not tracking that issue, but I would happy to - be happy to check it and get back to you.

MENENDEZ: If you would, I'd like to know that. And, Dr. Ratner, I understand that one of their - other issues is surplus defense equipment. Are you aware of that?



RATNER: Yes, Senator.

MENENDEZ: And are we engaged with them in that?

RATNER: I'd be happy to discuss that in a classified setting, Senator.

MENENDEZ: Okay. I'd like - I'm going to follow up on that. And then finally, let me ask you, you touched upon this a little bit, but I want to get a sense of - what is the view of the Biden administration in prioritizing providing Taiwan with asymmetric weapons for the island's force modernization and how do you, meaning the Department, define asymmetric? And thirdly, is that definition shared with Taipei including Taiwan's military leadership?

RATNER: Senator, we view Taiwan's development of asymmetric capabilities as an absolute priority, not only for Taiwan but a priority for the United States. We have defined those capabilities that the - as in m, both written and oral statement, as capabilities that are credible, resilient, mobile, distributed, and cost-effective. By and large, there is consensus between the United States and Taiwan on the definition of asymmetric defense capabilities and strategies and the Department of Defense and U.S. government as a whole is taking a proactive approach to try to support Taiwan's development of these. And, again, I'd be happy to get into details in a closed session.

MENENDEZ: I'd like to know that including are we prioritizing providing Taiwan with those asymmetric weapons as defined by your testimony.

RATNER: Absolutely, Senator, without question.

MENENDEZ: Okay. And what operational concept is most appropriate to follow for an overall defense concept when we're talking about Taiwan?

RATNER: Senator, as we - as I mentioned earlier, in addition to just the provision of arms, there's a wide range of reforms and capabilities that are going to be important to Taiwan's defense and we are engaged across the board including on issues of concept development, analysis doctrine and otherwise. Happy to get involved in specific questions related to concept development, but we would be looking at operational concepts that are taking advantage not only just of Taiwan's geography but also its technology, its economic strength, and some of its capability strengths. And also helping it develop the role of its reserves as we discussed earlier, greater civil military integration and what we described as defense in-depth as well, so concepts that build upon all of those efforts, not just the provision of arms.

MENENDEZ: And finally, is the administration presently delaying any DSP-5 license for arms sales to Taiwan?

RATNER: I believe that would be a question for Ambassador Krittenbrink.

MENENDEZ: I'm sorry. Ambassador?

KRITENBRINK: Mr. Chairman, I would be happy - I do not know, but I would be happy to check...

MENENDEZ: All right. Well, let me - let me help your situational awareness.

KRITENBRINK: Yes, sir.

MENENDEZ: I'm aware of at least one DSP case that has been sitting at State after clearing DOD for five plus months. It basically covers upgrades for Taiwan's tanks which isn't a cutting-edge ask. But as we seek to normalize arms sales and avoid returning to a packaged approach, it makes no sense that we'd be sitting on it at this point after DOD's clearance in five months to make a consideration. So, I'd like to hear back from the Department on that.

KRITENBRINK: Yes, sir.

MENENDEZ: And, Dr. Ratner, I'm going to be asking my staff to set up a classified briefing with you and whoever else you want to bring from the Department to answer some of the questions we have not been able to pursue in public hearing, which I understand, but I want to hear the answers to.

RATNER: Senator, I'm keen to do that. I think we've got a great story to tell. I would look forward to that.

MENENDEZ: Well, we're always listening. Ready to listen to great stories especially when it comes to Taiwan, so we're happy to hear it. No other member seeking recognize. The record for this hearing will remain open until the close of business on Thursday, December 9th. Please ensure that questions for the record are submitted no later than Thursday. We certainly ask you to answer them expeditiously and with the thanks of the committee for your service and your testimony here today, this hearing is adjourned.

END

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