AMENDMENT TO RULES COMMITTEE PRINT 117–31
OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Page 1012, after line 6, insert the following new sections (and redesignate subsequent subsections as appropriate):

SEC. 30223. STATEMENT OF POLICY.

It shall be the policy of the United States to—

(1) prioritize the Indo-Pacific region in United States foreign policy, and prioritize resources for achieving United States political and military objectives in the region;

(2) exercise freedom of operations in the international waters and airspace in the Indo-Pacific maritime domains, which are critical to the prosperity, stability, and security of the Indo-Pacific region;

(3) maintain forward-deployed forces in the Indo-Pacific region, including a rotational bomber presence, integrated missile defense capabilities, long-range precision fires, undersea warfare capabilities, and diversified and resilient basing and rota-
tional presence, including support for pre-positioning strategies;

(4) strengthen and deepen the alliances and partnerships of the United States to build capacity and capabilities, increase multilateral partnerships, modernize communications architecture, address anti-access and area denial challenges, and increase joint exercises and security cooperation efforts;

(5) reaffirm the commitment and support of the United States for allies and partners in the Indo-Pacific region, including longstanding United States policy regarding—

(A) Article V of the Treaty of Mutual Co-operation and Security between the United States and Japan, signed at Washington January 19, 1960;

(B) Article III of the Mutual Defense Treaty between the United States and the Republic of Korea, signed at Washington October 1, 1953;

(C) Article IV of the Mutual Defense Treaty between the United States and the Republic of the Philippines, signed at Washington August 30, 1951, including that, as the South China Sea is part of the Pacific, any armed at-
tack on Philippine forces, aircraft or public vessels in the South China Sea will trigger mutual defense obligations under Article IV of our mutual defense treaty;

(D) Article IV of the Australia, New Zealand, United States Security Treaty, done at San Francisco September 1, 1951; and

(E) the Southeast Asia Collective Defense Treaty, done at Manila September 8, 1954, together with the Thanat-Rusk Communique of 1962;

(6) collaborate with United States treaty allies in the Indo-Pacific to foster greater multilateral security and defense cooperation with other regional partners;

(7) ensure the continuity of operations by the United States Armed Forces in the Indo-Pacific region, including, as appropriate, in cooperation with partners and allies, in order to reaffirm the principle of freedom of operations in international waters and airspace in accordance with established principles and practices of international law;

(8) sustain the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the “Six Assurances” provided by the United States to Taiwan
in July 1982 as the foundations for United States-
Taiwan relations, and to deepen, to the fullest extent
possible, the extensive, close, and friendly relations
of the United States and Taiwan, including cooperation
to support the development of capable, ready,
and modern forces necessary for the defense of Tai-
wan;

(9) enhance security partnerships with India,
across Southeast Asia, and with other nations of the
Indo-Pacific;

(10) deter acts of aggression or coercion by the
PRC against United States and allies’ interests, es-
pecially along the First Island Chain and in the
Western Pacific, by showing PRC leaders that the
United States can and is willing to deny them the
ability to achieve their objectives, including by—

(A) consistently demonstrating the political
will of the United States to deepening existing
treaty alliances and growing new partnerships
as a durable, asymmetric, and unmatched stra-
etic advantage to the PRC’s growing military
capabilities and reach;

(B) maintaining a system of forward-de-
ployed bases in the Indo-Pacific region as the
most visible sign of United States resolve and
commitment to the region, and as platforms to 
ensure United States operational readiness and 
advance interoperability with allies and part-
ners;

(C) adopting a more dispersed force pos-
ture throughout the region, particularly the 
Western Pacific, and pursuing maximum access 
for United States mobile and relocatable 
launchers for long-range cruise, ballistic, and 
hypersonic weapons throughout the Indo-Pacific 
region;

(D) fielding long-range, precision-strike 
networks to United States and allied forces, in-
cluding ground-launched cruise missiles, under-
sea and naval capabilities, and integrated air 
and missile defense in the First Island Chain 
and the Second Island Chain, in order to deter 
and prevent PRC coercion and aggression, and 

(E) strengthening extended deterrence to 
ensure that escalation against key United 
States interests would be costly, risky, and self-
defeating; and
(F) collaborating with allies and partners to accelerate their roles in more equitably sharing the burdens of mutual defense, including through the acquisition and fielding of advanced capabilities and training that will better enable them to repel PRC aggression or coercion; and

(11) maintain the capacity of the United States to impose prohibitive diplomatic, economic, financial, reputational, and military costs on the PRC for acts of coercion or aggression, including to defend itself and its allies regardless of the point of origin of attacks against them.

SEC. 30224. FOREIGN MILITARY FINANCING IN THE INDO-PACIFIC AND AUTHORIZATION OF APPROPRIATIONS FOR SOUTHEAST ASIA MARITIME SECURITY PROGRAMS AND DIPLOMATIC OUTREACH ACTIVITIES.

(a) FOREIGN MILITARY FINANCING FUNDING.—In addition to any amount appropriated pursuant to section 23 of the Arms Export Control Act (22 U.S.C. 2763) (relating to foreign military financing assistance), there is authorized to be appropriated for each of fiscal years 2022 through fiscal year 2026 for activities in the Indo-Pacific region in accordance with this section—

(1) $110,000,000 for fiscal year 2022;
(2) $125,000,000 for fiscal year 2023;
(3) $130,000,000 for fiscal year 2024;
(4) $140,000,000 for fiscal year 2025; and
(5) $150,000,000 for fiscal year 2026.

(b) SOUTHEAST MARITIME LAW ENFORCEMENT INITIATIVE.—There is authorized to be appropriated
$10,000,000 for each of fiscal years 2022 through 2026
for the Department of State for International Narcotics
Control and Law Enforcement (INCLE) for the support
of the Southeast Asia Maritime Law Enforcement Initiative.

(c) DIPLOMATIC OUTREACH ACTIVITIES.—There is
authorized to be appropriated to the Department of State
$1,000,000 for each of fiscal years 2022 through 2026,
which shall be used—

(1) to conduct, in coordination with the Department of Defense, outreach activities, including conferences and symposia, to familiarize partner countries, particularly in the Indo-Pacific region, with the United States’ interpretation of international law relating to freedom of the seas; and

(2) to work with allies and partners in the Indo-Pacific region to better align respective interpretations of international law relating to freedom of the seas, including on the matters of operations by
military ships in exclusive economic zones, innocent passage through territorial seas, and transits through international straits.

(d) PROGRAM AUTHORIZATION AND PURPOSE.—
Using amounts appropriated pursuant to subsection (a), the Secretary of State, in coordination with the Secretary of Defense, is authorized to provide assistance for the purpose of increasing maritime security and domain awareness for countries in the Indo-Pacific region—

(1) to provide assistance to national military or other security forces of such countries that have maritime security missions among their functional responsibilities;

(2) to provide training to ministry, agency, and headquarters level organizations for such forces; and

(3) to provide assistance and training to other relevant foreign affairs, maritime, or security-related ministries, agencies, departments, or offices that manage and oversee maritime activities and policy that the Secretary of State may so designate.

(e) DESIGNATION OF ASSISTANCE.—Assistance provided by the Secretary of State under subsection (g) shall be known as the “Indo-Pacific Maritime Security Initiative” (in this section referred to as the “Initiative”).
(f) **Program Objectives.**—Assistance provided through the Initiative may be used to accomplish the following objectives:

(1) Retaining unhindered access to and use of international waterways in the Indo-Pacific region that are critical to ensuring the security and free flow of commerce and to achieving United States national security objectives.

(2) Improving maritime domain awareness in the Indo-Pacific region.

(3) Countering piracy in the Indo-Pacific region.

(4) Disrupting illicit maritime trafficking activities and other forms of maritime trafficking activity in the Indo-Pacific that directly benefit organizations that have been determined to be a security threat to the United States.

(5) Enhancing the maritime capabilities of a country or regional organization to respond to emerging threats to maritime security in the Indo-Pacific region.

(6) Strengthening United States alliances and partnerships in Southeast Asia and other parts of the Indo-Pacific region.

(g) **Authorization of Appropriations.**—
1. **In General.**—Of the amount appropriated pursuant to subsection (a) (relating to foreign military financing assistance), there is authorized to be appropriated to the Department of State for the Indo-Pacific Maritime Security Initiative and other related regional programs exactly—
   
   (A) $70,000,000 for fiscal year 2022;
   
   (B) $80,000,000 for fiscal year 2023;
   
   (C) $90,000,000 for fiscal year 2024;
   
   (D) $100,000,000 for fiscal year 2025;
   
   and
   
   (E) $110,000,000 for fiscal year 2026.

2. **Rule of Construction.**—The “Indo-Pacific Maritime Security Initiative” and funds authorized for the Initiative shall include existing regional programs carried out by the Department of State related to maritime security, including the Southeast Asia Maritime Security Initiative.

**h) Eligibility and Priorities for Assistance.**—

1. **In General.**—The Secretary of State shall use the following considerations when selecting which countries in the Indo-Pacific region should receive assistance pursuant to the Initiative:
(A) Assistance may be provided to a country in the Indo-Pacific region to enhance the capabilities of that country according to the objectives outlined in (f), or of a regional organization that includes that country, to conduct—

(i) maritime intelligence, surveillance, and reconnaissance;

(ii) littoral and port security;

(iii) Coast Guard operations;

(iv) command and control; and

(v) management and oversight of maritime activities.

(B) Priority shall be placed on assistance to enhance the maritime security capabilities of the military or security forces of countries in the Indo-Pacific region that have maritime missions and the government agencies responsible for such forces.

(2) TYPES OF ASSISTANCE AND TRAINING.—

(A) AUTHORIZED ELEMENTS OF ASSISTANCE.—Assistance provided under paragraph (1)(A) may include the provision of equipment, training, and small-scale military construction.

(B) REQUIRED ELEMENTS OF ASSISTANCE AND TRAINING.—Assistance and training pro-
vided under subparagraph (A) shall include elements that promote—

(i) the observance of and respect for human rights; and

(ii) respect for legitimate civilian authority within the country to which the assistance is provided.

SEC. 30225. FOREIGN MILITARY FINANCING COMPACT PILOT PROGRAM IN THE INDO-PACIFIC.

(a) Authorization of Appropriations.—There is authorized to be appropriated $20,000,000 for each of fiscal years 2022 and 2023 for the creation of a pilot program for foreign military financing (FMF) compacts.

(b) Assistance.—

(1) In general.—The Secretary of State is authorized to create a pilot program, for a duration of two years, with an assessment for any additional or permanent programming, to provide assistance under this section for each country that enters into an FMF Challenge Compact with the United States pursuant to subsection (d) to support policies and programs that advance the progress of the country in achieving lasting security and civilian-military governance through respect for human rights, good governance (including transparency and free and
fair elections), and cooperation with United States
and international counter-terrorism, anti-trafficking,
and counter-crime efforts and programs.

(2) **FORM OF ASSISTANCE.**—Assistance under
this subsection may be provided in the form of
grants, cooperative agreements, contracts, or no-in-
terest loans to the government of an eligible country
described in subsection (c).

(c) **ELIGIBLE COUNTRIES.**—

(1) **IN GENERAL.**—A country shall be a can-
didate country for purposes of eligibility for assist-
ance for fiscal years 2022 and 2023 if—

(A) the country is classified as a lower
middle income country in the then-most recent
edition of the World Development Report for
Reconstruction and Development published by
the International Bank for Reconstruction and
Development and has an income greater than
the historical ceiling for International Develop-
ment Association eligibility for the fiscal year
involved; and

(B) the Secretary of State determines that
the country is committed to seeking just and
democratic governance, including with a dem-
onstrated commitment to—
(i) the promotion of political pluralism, equality, and the rule of law;
(ii) respect for human and civil rights;
(iii) protection of private property rights;
(iv) transparency and accountability of government;
(v) anti-corruption; and
(vi) the institution of effective civilian control, professionalization, and respect for human rights by and the accountability of the armed forces.

(2) Identification of Eligible Countries.—Not later than 90 days prior to the date on which the Secretary of State determines eligible countries for an FMF Challenge Compact, the Secretary—

(A) shall prepare and submit to the appropriate congressional committees a report that contains a list of all eligible countries identified that have met the requirements under paragraph (1) for the fiscal year; and

(B) shall consult with the appropriate congressional committees on the extent to which
such countries meet the criteria described in paragraph (1).

(d) FMF CHALLENGE COMPACT.—

(1) COMPACT.—The Secretary of State may provide assistance for an eligible country only if the country enters into an agreement with the United States, to be known as an “FMF Challenge Compact” (in this subsection referred to as a “Compact”) that establishes a multi-year plan for achieving shared security objectives in furtherance of the purposes of this title.

(2) ELEMENTS.—The elements of the Compact shall be those listed in subsection (c)(1)(B) for determining eligibility, and be designed to significantly advance the performance of those commitments during the period of the Compact.

(3) IN GENERAL.—The Compact should take into account the national strategy of the eligible country and shall include—

(A) the specific objectives that the country and the United States expect to achieve during the term of the Compact, including both how the foreign military financing under the Compact will advance shared security interests and advance partner capacity building efforts as
well as to advance national efforts towards just
and democratic governance;

(B) the responsibilities of the country and
the United States in the achievement of such
objectives;

(C) regular benchmarks to measure, where
appropriate, progress toward achieving such ob-
jectives; and

(D) the strategy of the eligible country to
sustain progress made toward achieving such
objectives after expiration of the Compact.

(e) CONGRESSIONAL CONSULTATION PRIOR TO COM-

PACT NEGOTIATIONS.—Not later than 15 days before
commencing negotiations of a Compact with an eligible
country, the Secretary of State shall consult with the ap-
propriate congressional committees with respect to the
proposed Compact negotiation and shall identify the objec-
tives and mechanisms to be used for the negotiation of
the Compact.

(f) ASSESSMENT OF PILOT PROGRAM AND RE-

COMMENDATIONS.—Not later than 90 days after the con-
clusion of the pilot program, the Secretary of State shall
provide a report to the appropriate congressional commit-
tees with respect to the pilot program, including an assess-
ment of the success and utility of the pilot program estab-
lished under this subsection in meeting United States objectives and a recommendation with respect to whether to continue a further foreign military financing compact program on a pilot or permanent basis.