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## The Asia Reassurance Initiative Act (ARIA) of 2018

In December 2018, the 115<sup>th</sup> Congress passed, and President Trump signed into law, the Asia Reassurance Initiative Act of 2018 (ARIA; P.L. 115-409), which provides a broad statement of U.S. policy for the Indo-Pacific region. ARIA states, “Without strong leadership from the United States, the international system, fundamentally rooted in the rule of law, may wither.... It is imperative that the United States continue to play a leading role in the Indo-Pacific.” The act, which utilizes the “Indo-Pacific” framework adopted by the Trump Administration in its “Free and Open Indo-Pacific” policy, appears to seek to reassure U.S. allies, strategic partners, and other nations of the United States’ continued commitment to the region.

Immediately after signing the act on December 31, 2018, President Trump issued an accompanying “signing statement,” noting that several of ARIA’s provisions “purport to dictate the policy of the United States in external military and foreign affairs” or “require the executive branch to undertake certain diplomatic initiatives with international partners.” The statement indicated the Administration “will treat these provisions consistent with the President’s exclusive constitutional authorities as Commander in Chief and as the sole representative of the United States in foreign affairs.”

### Main Components

The act is divided into three titles—“Promoting United States Security Interests in the Indo-Pacific Region,” “Promoting United States Economic Interests in the Indo-Pacific Region,” and “Promoting United States Values in the Indo-Pacific Region.” Each title includes a statement of U.S. policy, authorizes funding to implement policy (see **Table 1**), and requires the Administration to report to Congress on various aspects of its implementation (see **Table 2**).

### Security Provisions

ARIA finds that the Indo-Pacific region “poses security challenges that threaten to undermine United States national security interests, regional peace, and global stability” and that “[t]he core tenets of the United States-backed international system are being challenged” by China, North Korea, and international terrorist organizations.

ARIA emphasizes the importance of working with allies and partners “to confront common challenges” and calls for a policy that “secures the vital national security interests of the United States and our allies and partners.” In addition to emphasizing the U.S. commitment to “freedom of navigation under international law” and the “peaceful resolution of maritime and territorial disputes,” ARIA emphasizes the need to “expand security and defense

cooperation with allies and partners” and to “sustain a strong military presence in the Indo-Pacific region.”

**Table 1. ARIA’s Authorizations for Appropriations**

Purpose	Amount
For certain security programs	\$1.5 billion per year
To promote democracy, strengthen civil society, human rights, rule of law, transparency, and accountability in the Indo-Pacific region	\$210 million per year
To enhance cooperation with Indo-Pacific nations to combat cybersecurity threats	\$100 million per year
To support Indo-Pacific young leaders, including the Young Southeast Asian Leaders Initiative (YSEALI) and the ASEAN Volunteers Program	\$25 million per year
For critical assistance to human rights defenders	\$1 million per year
To establish “a comprehensive, integrated, multiyear strategy to encourage the efforts of Indo-Pacific countries to implement national power strategies”	\$1 million per year
To “produce a robust and comprehensive trade capacity building and trade facilitation strategy	“Such amounts as may be necessary”
To sponsor bilateral and multilateral activities for intellectual property protection	“Such amounts as may be necessary”

**Note:** Funds are authorized for FY2019 through FY2023.

ARIA makes specific reference to the U.S. commitment to treaty alliances with Australia, Japan, the Philippines, South Korea, and Thailand. It highlights the United States’ strategic partnership with India and calls for “the strengthening and broadening of diplomatic, economic, and security ties between the United States and India.” It also states that it is U.S. policy “to support the close economic, political, and security relationship” with Taiwan. In addition, ARIA states that the United States should elevate the U.S. relationship with the Association of Southeast Asian Nations (ASEAN) to a strategic partnership and develop a strategy to deepen trilateral security cooperation between the United States, Japan, and South Korea. It also argues that the quadrilateral “security dialogue between the United States, Australia, India, and Japan is vital to address pressing security challenges in the Indo-Pacific region.” It also commits the United States to enhanced security partnerships with Indonesia, Malaysia, Singapore, and

Vietnam; reaffirms the United States' commitment to New Zealand; and supports "strong United States engagement with the nations of the South Pacific."

## Economic Provisions

ARIA expresses congressional support for bilateral, multilateral, or regional trade agreements that respect the rule of law and will create U.S. jobs and grow the U.S. economy. It urges a "comprehensive economic engagement" framework with ASEAN, and continued use of the Asia-Pacific Economic Cooperation (APEC), the East Asia Summit, and the Group of 20 to pursue U.S. economic objectives. ARIA also supports "full implementation of the World Trade Organization's Trade Facilitation Agreement by Indo-Pacific countries." To that end, ARIA authorizes monies for trade capacity building and facilitation activities in the region.

Other economic provisions include an annual report (for five years) on U.S. efforts to "combat intellectual property violations and commercial cyber-enabled theft" in the region; the authorization of appropriations to "establish a comprehensive, integrated, multiyear strategy" to encourage Indo-Pacific countries to implement "national power strategies"; continuing support for the Lower Mekong Initiative; and support for natural resource conservation and women's economic rights.

## U.S. Values

ARIA states that it is in the national security interest of the United States to promote "human rights and respect for democratic values in the Indo-Pacific region." It expresses serious concerns about the rule of law and civil liberties in Cambodia, China, Laos, North Korea, Thailand, and Vietnam, as well as "disturbing human rights developments" in Burma (Myanmar) and the Philippines.

ARIA encourages the President to "pursue additional efforts to combat trafficking in persons and human slavery." In addition, it calls on the Secretary of State to "establish high-level bilateral and regional dialogues with nations in the Indo-Pacific region regarding human rights and religious freedom violations," plus people-to-people, educational, and capacity-building exchanges. ARIA authorizes the President to impose sanctions and suspend foreign aid to individuals, entities, or countries that have violated human rights or religious freedoms.

## Regional Response

Official responses in the region were limited. Taiwan's Foreign Ministry welcomed ARIA, saying it "underscores U.S. support for and friendship toward Taiwan, on the eve of the 40<sup>th</sup> anniversary of the Taiwan Relations Act." Focusing on ARIA's Taiwan-related provisions, China's Foreign Ministry said ARIA "grossly interferes in China's internal affairs." The ministry warned that the United States "must not implement" those provisions and "should carefully handle the Taiwan-related issues in a cautious manner." Australia's Foreign Minister commented, "[W]e welcome the bipartisan and bicameral support within Congress for a strong and enduring U.S. role in the Indo-Pacific, most recently enunciated by the Asia Reassurance Initiative Act, the ARIA."

## Reporting Requirements

ARIA requires several reports be provided to Congress, most within either 90 or 180 days after enactment, or March 31, 2019, and June 29, 2019, respectively (see **Table 2**). In some cases, the reports are to be provided semiannually or annually thereafter, most for the following five years.

**Table 2. ARIA's Reporting Requirements**

Topic	Deadline and Frequency
Strategic framework for engagement with ASEAN	180 days after enactment and annually thereafter
Cessation of illicit activity violating U.N. Security Council resolutions by the DPRK government or person acting on its behalf	30 days after termination of any sanction on the DPRK government or person acting on its behalf
Strategy "to address the threats posed by, and the capabilities of," the DPRK	90 days after enactment and every 180 days thereafter
Assessment of the capabilities of violent extremist groups in Southeast Asia	180 days after enactment
U.S. government efforts to combat intellectual property violations and commercial cyber-enabled threats in the Indo-Pacific region	180 days after enactment and annually thereafter
Evaluation of Lower Mekong Initiative activities	180 days after enactment and annually thereafter until 2023
Strategy to promote human rights, democracy, and good governance in ASEAN nations	90 days after enactment
Evaluation of the Human Rights Defender Funds activities	180 days after enactment and annually thereafter

**Note:** Unless otherwise noted, recurring reports are required for five years after submission of first report.

## Implications for U.S. Policy

ARIA's main impact is likely to be mostly symbolic, signaling U.S. commitment to the region and the efforts Congress supports to that end. The act shows congressional support for many elements of the Administration's approach to China as a strategic competitor. Many observers have also read it, however, as a sign of congressional unease with President Trump's treatment of U.S. allies and traditional partners. The President's proposed budget for FY2020 requests funding for some of the programs ARIA authorized, such as cybersecurity threats and YSEALI, but does not provide sufficient detail to determine if it reaches ARIA's authorization levels.

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