

# United States Senate

WASHINGTON, DC 20510

May 10, 2017

The Honorable Mr. Donald J. Trump  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

We write to express concern that the United States has not conducted regular and routine Freedom of Navigation Operations in the South China Sea since October 2016. As you know, the United States is the only nation with a formal Freedom of Navigation Operations program, or FONOPS, under which the United States has regularly conducted operations since 1979 on a global basis. We strongly support the principle that the United States should “fly, sail and operate wherever international law allows,” and that FONOPS are essential elements of larger U.S. strategy to safeguard freedom of navigation and overflight in the Asia-Pacific. These principles have ensured security, stability and prosperity in the region for decades.

We are encouraged by the statement made by Admiral Harry Harris, Commander of U.S. Pacific Command, during his testimony before the Senate Armed Services Committee on April 26, that he expects new FONOPS to take place soon. We also share Admiral Harris’s assessments that “China’s militarization of the South China Sea is real” and that “China continues its methodical strategy to control the South China Sea.”

The South China Sea is one of the world’s most strategically important waterways. Almost 30 percent of the world’s maritime trade transits the Sea annually, including approximately \$1.2 trillion in shipborne trade bound for the United States. As a maritime trading nation, the United States has had a national security interest in freedom of navigation since the founding of our Republic.

The United States takes no position on competing sovereignty claims in the South China Sea. However, U.S. policy has been clear that all such claims must derive from land—in the case of islands, defined under international law as naturally formed areas of land that are above water at high tide—and that all maritime claims must derive from such land in accordance with international law.

In recent years, China, in particular, has taken a series of aggressive steps in disputed areas of the South China Sea. These include construction and militarization of artificial islands; ramming of commercial fishing boats of other nations; towing an oil drilling rig into disputed waters; issuing warnings to aircraft and ships operating in international airspace and waters; and seizing a U.S. unmanned undersea drone, among other troubling actions. All of these measures raise serious questions about China’s commitment to regional security, the free flow of commerce, and freedom of navigation and overflight.

We are also concerned about China's continued refusal to honor the unanimous ruling of the Arbitral Tribunal in the case brought at the request of the Republic of Philippines concerning a dispute over the maritime jurisdiction in the South China Sea. While we are pleased by the recent progress towards a framework for an ASEAN-China Code of Conduct, we believe that United States engagement in the South China Sea remains essential to continue to protect freedom of navigation and overflight and to uphold international law..

We therefore urge your administration to take necessary steps to routinely exercise freedom of navigation and overflight in the South China Sea, which is critical to U.S. national security interests and to peace and prosperity in the Asia-Pacific region.

Sincerely,



Bob Corker  
United States Senator



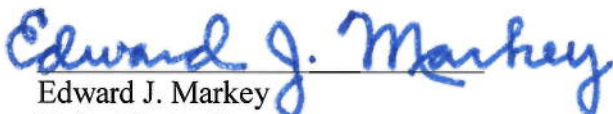
Benjamin L. Cardin  
United States Senator



Jack Reed  
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Cory Gardner  
United States Senator



Edward J. Markey  
United States Senator



Marco Rubio  
United States Senator



Brian Schatz  
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