
CONGRESSIONAL TESTIMONY

China's "Core" Maritime Interests: Security and Economic Factors Testimony before the Subcommittee on Asia

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Chairman Yoho, Ranking Member Sherman, and members of the House Foreign Affairs Committee. Thank you for the opportunity to testify to you this afternoon.

The South China Sea is a vital part of the global trading system. It is the carotid artery of international trade, through which some \$5.3 trillion passes every year. Ships bound for Japan, South Korea, and Taiwan, as well as China, transit these waters, bearing imports to these nations and carrying exports to global markets.

Arguments that merchant shipping can avoid the South China Sea, such as by transiting to the east of the Philippines, fail to recognize the realities of modern shipping. Container ships run more like railways or airlines, with comparable margins in terms of time in port (down-time). It is no more acceptable to add a day to a ship's transit time than it would be to add a day to a train schedule or an airplane flight.

Consequently, increased tensions in the South China Sea will generate repercussions that will be felt not only regionally but globally, in terms of economic impacts. As important, how various nations behave with regards to this vital maritime crossroads will influence perceptions of strength, affect

the applicability of the rule of international law, and ultimately shape regional security dynamics.

China Increasingly Depends on the Sea

As noted in previous testimony before this Committee and Subcommittee, the People's Republic of China (PRC) has become increasingly focused upon the maritime realm for both economic and national security reasons.

China depends upon access to the world's oceans in order to import the raw materials and energy which feed its industries, as well as the good which feeds its population. Indeed, since 2014, the PRC has been the world's largest net importer of petroleum.¹ In 2016, despite a slowing economy, Chinese oil imports reached 8 million barrels per day,² While some of this is shipped via rail and pipelines, most is transported by sea.

China is also now a net importer of key agricultural products, including wheat, barley, sorghum—and rice.³ In addition, China imports substantial quantities of soybeans and oilseeds, as well as fats and oils. Although China produces most of its own meat and dairy products, the U.S. Department of Agriculture notes that there is an increasing reliance on imports in this sector as well. Indeed, a January

31, 2017 update from the Department of Agriculture notes that “China has emerged as the world’s leading agricultural importer and now officials in China are adjusting policies to accommodate the country’s new status as an agricultural importer.”⁴

Chinese National Security Is Increasingly Tied to the Sea

This growing dependence on the sea makes maritime concerns an essential part of Chinese national security calculations. This is exacerbated by China’s increased vulnerability to seaborne threats. Under Mao Zedong, the Chinese leadership poured billions of dollars into developing the “third front” of defense industries, locating military industries deep in the Chinese interior (e.g., Shaanxi, Ningxia, and Sichuan provinces). The goal was to provide millions of square miles of territory (and potential defenses) to shield them from possible attack from either the United States or the Soviet Union.⁵

By contrast, China’s economic center of gravity since the rise of Deng Xiaoping in the 1980s has been largely located on the coast. This has allowed such economic centers as Shenzhen, Shanghai, and Guangzhou to more easily access global trade routes for both imports of raw materials and exports of products. This has meant, however, that China’s recent economic development is also more vulnerable to potential attack from the sea.

Chinese leaders have therefore made clear that maritime concerns are increasingly part of China’s fundamental interests. State Councilor Dai Bingguo, in 2009, stated that China would maintain

our core interests. And for China, our concern is we must uphold our basic systems, our national security; and secondly, the sovereignty and territorial integrity; and thirdly, economic and social sustained development.⁶

Those core interests include maritime concerns. Sovereignty and territorial integrity pertains not only to land features but maritime ones as well. Indeed, the Chinese have termed their maritime claims as “blue soil,” underscoring their importance.⁷

Chinese leader Xi Jinping himself has linked maritime interests and core interests. In July 2013, Xi stated to a Politburo study session that while China would pursue the path of peaceful development, it would “never abandon its legitimate maritime rights and interests, and furthermore, it will never sacrifice its core national interests.”⁸ The importance of the maritime domain to Chinese national security was further emphasized when it was included in the 2015 National Security Law.⁹

It is clear that the Chinese leadership sees maritime affairs as a central part of the national interest. In order to secure those interests, Beijing is intent upon extending the reach of Chinese sovereignty, and to brook no opposition or challenge to that sovereignty. In this regard, Chinese behavior at sea parallels their efforts in other international common spaces. China is striving to compel others to accept its version of rules and behavior in adjacent waters, much as it is intent upon getting others to accept its rules and behavior in cyber space.

1. U.S. Energy Information Administration, “China,” May 14, 2015, http://www.eia.gov/beta/international/analysis_includes/countries_long/China/china.pdf (accessed February 24, 2017).
2. Jenny W. Hsu, “Despite Slowdown, China’s Oil Imports Surge,” Marketwatch, March 7, 2016, <http://www.marketwatch.com/story/despite-slowdown-chinas-oil-imports-surge-2016-03-07> (accessed February 24, 2017).
3. Fred Gale, James Hansen, and Michael Jewison, *China’s Growing Demand for Agricultural Imports*, U.S. Department of Agriculture, Economic Research Service, Economic Information Bulletin #136 (February 2015), p. 9, https://www.ers.usda.gov/webdocs/publications/eib136/51888_eib136_summary.pdf (accessed February 24, 2017).
4. U.S. Department of Agriculture, Economic Research Service, “China: Overview,” January 31, 2017, <https://www.ers.usda.gov/topics/international-markets-trade/countries-regions/china/> (accessed February 24, 2017).
5. Barry Naughton, “The Third Front: Defence Industrialization in Chinese Interior,” *The China Quarterly*, Vol. 115 (September, 1988).
6. Hillary Clinton, Timothy Geitner, Dai Bingguo, and Wang Qishan, “Closing Remarks for US-China Strategic and Economic Dialogue,” July 28, 2009, <http://www.state.gov/secretary/20092013clinton/rm/2009a/july/126599.htm> (accessed February 24, 2017).
7. State Oceanic Administration, Ocean Development Strategy Research Study Group, *China’s Ocean Development Report, 2010* (Beijing, PRC: Maritime Publishing House, 2010), p. 469.
8. “Xi Jinping at 8th CCP Politburo Study Session Emphasizes Attention to Maritime Affairs, Advancing Maritime Knowledge, Economic and Strategic Importance of the Maritime Domain, and Constantly Pushing Construction of a Strong Maritime Nation,” *People’s Daily*, August 1, 2013, http://paper.people.com.cn/rmrb/html/2013-08/01/nw.D110000renmrb_20130801_2-01.htm (accessed February 24, 2017).
9. National Security Law of the People’s Republic of China, July 1, 2015, <http://chinalawtranslate.com/2015nsl/?lang=en> (accessed February 24, 2017).

In order to preserve those interests, it has become increasingly clear that China is prepared to challenge various international norms and rules, as it strives to extend its sovereignty over what others would consider international common spaces. When the Philippines brought a case before the Permanent Court of Arbitration (PCA) at the Hague, as provided for under the UN Convention on the Law of the Sea (UNCLOS), China chose not to participate in the proceedings. Beijing has subsequently chosen to ignore the findings of the PCA. Instead, it has continued to expand the infrastructure on the artificial islands it has built in the Spratly islands grouping, and is now building what appear to be military facilities. It is doing so in the face of the findings of the PCA that this activity has aggravated the dispute, and in the case of one feature—Mischief Reef—violating sovereign rights of the Philippines.

As important, it is steadily increasing regional tensions, as China's Southeast Asian neighbors increase their own defense capabilities, in part in order to counter Chinese actions. More worrisome, if Chinese efforts in the South China Sea are not met with a firm response, it is likely to apply the lessons learned to other disputes such as those with Japan over the Senkakus.

Growing Chinese Assertiveness in the South China Sea

As Naval War College professor Peter Dutton outlined in 2011, the disputes in the South China Sea actually cover three different aspects. First, there are disputes over sovereignty—who actually owns various features. Second is the related issue of jurisdiction—who administers the waters and airspace of related claimed Exclusive Economic Zones (EEZ), if anyone. Third, there is the issue of control—the right to conduct freedom of navigation and other military activities in various waters and airspace.¹⁰

Chinese claims to the South China Sea are encompassed within a nine-dash line (now ten dashes), which is in turn based upon maps issued by the Nationalist government. Unfortunately, the precise meaning of this nine-dash line has not been clarified by the PRC government. In particular, does the line

indicate that all of the waters (and attendant airspace) belong to China?

Archival research in the files of the ROC government on Taiwan has led several scholars to suggest that the line was intended to encompass only the land features and immediately adjacent waters within it, and was *not* intended as a claim over the waters and airspace beyond those land features.¹¹ Some Chinese scholars recognize this argument. In 2014, Dr. Wu Shichun stated that “China has never claimed all waters in the U-shaped line. From the historical archives from Taiwan and China, it’s clear that the line shows ownership of insular features within the U-shaped line.”¹²

Unfortunately, the PRC government has not clarified whether this is *its* interpretation of the nine-dash line, nor has it indicated the precise nature of its claims. What it has done, through the construction of artificial islands, is attempt to change the facts on the ground (or in the water). It has therefore simultaneously claimed sovereignty, and has also claimed jurisdiction over an expansive exclusive economic zone. At the same time, by interfering with American naval operations as with the USNS *Impeccable* and USS *John McCain* in 2009 and the USS *Cowpens* in 2013, as well as dangerous approaches to U.S. patrol aircraft operating in the area, China is clearly acting as though it has control over these waters and airspace. It makes this argument, in turn, based upon its claims of sovereignty over this air and water space.

The Chinese government’s claims were rejected by the PCA in a landmark 2016 ruling. The Court concluded that the Chinese “nine dash line” does not grant it historic claims to the resources in those waters. It also ruled that none of the natural features in the Spratly area are “islands” in the legal sense, and therefore none are entitled to a 200 nautical mile exclusive economic zone. At most, some of the features generate a 12 nautical mile territorial sea zone.

It is important to note here that the PCA did not rule on the sovereignty disputes, which is beyond its purview. However, through its findings, the Court clearly raises doubts about China’s efforts to exercise both jurisdiction over a presumed EEZ, and

10. Peter Dutton, “Three Disputes and Three Objectives,” *Naval War College Review* (Autumn 2011), <https://www.usnwc.edu/getattachment/feb516bf-9d93-4d5c-80dc-d5073ad84d9b/Three-Disputes-and-Three-Objectives--China-and-the> (accessed February 24, 2017).

11. Chris Chung, “Drawing the U-Shaped Line: China’s Claim in the South China Sea, 1946-1974,” *Modern China* (January 2016), <http://mcx.sagepub.com/content/42/1/38> (accessed February 24, 2017).

12. Hannah Beech, “Just Where Exactly Did China Get the South China Sea Nine-Dash Line From?” *Time* (July 19, 2016), <http://time.com/4412191/nine-dash-line-9-south-china-sea/> (accessed February 24, 2017).

control, in which it opposes the freedom of the U.S. Navy to operate.

The Chinese reaction to the PCA ruling has been, at best, intemperate. Having refused to submit to arbitration, Beijing openly derided the findings and questioned the qualifications of the Court and its judges. Chinese Foreign Minister Wang Yi described the ruling as “political farce.”¹³ China’s ambassador to the United States, Cui Tiankai, declared that the tribunal’s failure to recognize its lack of jurisdiction was “a matter of professional incompetence,” and raised questions of the court’s integrity.¹⁴

China’s Coast Guard Supports Chinese Efforts to Dominate the South China Sea

To help underscore China’s claims to the South China Sea, substantial resources have been devoted to expanding and strengthening its coast guard.¹⁵ In 2013, four of China’s maritime law enforcement agencies were combined into the Chinese Coast Guard (CCG). This has allowed the PRC to better coordinate its maritime law enforcement activities. While most of its fleet of cutters are unarmed, China is introducing larger and more capable vessels. Several of these appear to be modified versions of the Type 054 frigate already in service in the PLAN.¹⁶ China has also commissioned two coast guard cutters that each displace over 10,000 tons, larger than most World War II cruisers.¹⁷

These ships serve to intimidate not only fishing boats from neighboring states, but also rival coast guards. Being larger and also more heavily armed, China’s newest coast guard vessels clearly have the edge in the event of a clash.

As important, they have been actively intervened against various neighbors’ vessels. In 2014, CCG vessels were part of the flotilla protecting the Chinese deep sea oil rig HY981 from Vietnamese vessels, as it began operations in disputed waters. In 2016, a CCG vessel reportedly rammed a Chinese fishing boat that had been seized by Indonesian authorities for operating in Indonesian waters. The CCG vessel apparently sought to get the Indonesians to relinquish the boat.¹⁸ This follows an incident in 2013 where a Chinese vessel armed with machine guns had confronted Indonesian authorities who had seized a Chinese fishing boat found fishing in Indonesian waters. “Outgunned and fearing the Chinese ship might open fire, the Indonesian captain complied....”¹⁹ A CSIS report concluded that “of the 46 major incidents identified in the South China Sea between 2010 and 2016, at least one CCG (or other Chinese maritime law enforcement) vessel was involved in 72 percent of incidents.”²⁰

The use of law enforcement vessels, however, also serves as a political message. It underscores the idea that the disputed territories and waters are, in fact, Chinese. Just as one does not employ military forces to patrol the streets of one’s own city, Beijing’s use of law enforcement vessels underscores that it is enforcing its laws, i.e., that the waters and territories are under Chinese jurisdiction.

China’s Military Modernization Helps Support Its Claims

However, China’s activities in the South China Sea are not solely limited to civilian agencies. Indeed, there has been a steadily expanding military

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13. “Chinese Foreign Minister Says South Sea Arbitration a Political Farce,” Xinhua (July 13, 2016), http://news.xinhuanet.com/english/2016-07/13/c_135508275.htm (accessed February 24, 2017).
 14. Chen Weihua, “China Envoy Blasts Hague Ruling,” *China Daily*, July 13, 2016, http://usa.chinadaily.com.cn/epaper/2016-07/13/content_26071163.htm (accessed February 24, 2017).
 15. U.S. Navy, Office of Naval Intelligence, *The PLA Navy: New Capabilities and Missions for the 21st Century* (2015), 2015_PLA_NAVY_PUB_Print.pdf (accessed February 24, 2017).
 16. Andrew Tate, “China Builds More Armed Coast Guard Ships,” *Jane’s Defence Weekly*, November 3, 2016, <http://www.janes.com/article/65089/china-builds-more-armed-coastguard-ships> (accessed February 24, 2017).
 17. Kyle Mizokami, “China Launches Another Monster Coast Guard Cutter,” *Popular Mechanics*, January 14, 2016, <http://www.popularmechanics.com/military/navy-ships/a18990/china-launches-second-monster-coast-guard-cutter/> (accessed February 24, 2017).
 18. Joe Cochrane, “China’s Coast Guard Rams Fishing Boat to Free It from Indonesian Authorities,” *The New York Times*, March 21, 2016, <https://www.nytimes.com/2016/03/22/world/asia/indonesia-south-china-sea-fishing-boat.html> (accessed February 24, 2017).
 19. Ibid.
 20. Center for Strategic and International Studies, “Are Maritime Law Enforcement Forces Destabilizing Asia?” <http://chinapower.csis.org/maritime-forces-destabilizing-asia/> (accessed February 24, 2017).
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component in Chinese actions in this region. This latter effort includes the steady deployment of Chinese military power to the artificial islands it has constructed. Both government and think-tank analyses have indicated that China has now constructed revetments and aircraft shelters typically associated with military air bases, military radar facilities, as well as deployed anti-aircraft guns. Just this past week, new construction was identified typically associated with long range surface-to-air missile (SAM) sites, such as the HQ-9, the Chinese counterpart to the Patriot air defense system.²¹

These deployments are in direct contradiction of the commitment made by Xi Jinping to President Barack Obama in September 2015. At that time, the Chinese leader pledged that “relevant construction activities that China are undertaking in the Nansha (Spratly) Islands do not target or impact any country, and China does not intend to pursue militarization.”²²

Chinese activities in the area have not been restricted to just the artificial islands, however. Chinese naval forces have also sought to influence and intimidate other claimants. Chinese navy task forces have repeatedly sailed around James Shoal, for example, with Chinese press reporting that the crews “swore to safeguard its sovereignty.”²³

These deployments draw upon the steady modernization of the PLA Navy (PLAN). Over the past several years, the PLA Navy has introduced several new classes of surface combatants. The newest Chinese destroyer, the Type 052D, is comparable to the American DDG-51 *Arleigh Burke*-class. The Chinese Type 054A frigate is both more capable and more reliable than either American Littoral Combat Ship design, both types now having been repeatedly sidelined due to engineering problems. Meanwhile, the Chinese are producing multiple classes of submarines, and a new aircraft carrier is under construction. China’s naval combatants are among the youngest in average age, thanks to this major ship-building program underway.

As important, the Chinese are not neglecting the key issue of support. China is also building a

fleet-train of logistics support ships. Chinese submarines operating in the Indian Ocean have been accompanied by submarine tenders, allowing them to operate for longer periods away from Chinese ports. China, of course, has recently begun construction on a new facility in Djibouti, their first formal overseas military base, but probably not their last.

Given the importance of airpower for the Asia Pacific region, it is also worth noting how the PLA Air Force, or PLAAF, is working on the J-20 and J-31 fifth-generation fighters, the only other nation to be working on two stealth fighter programs at the same time. Chinese bombers have overflowed various islands in the South China Sea. These aircraft can be equipped with long-range anti-ship and land-attack cruise missiles, sending a clear signal to China’s neighbors.

As with their navy, the PLAAF is not neglecting the haft of the spear, even as they sharpen the tip. The PLAAF is fielding new transport aircraft that will allow them to project power across the region. And the PLAAF has displayed new electronic warfare aircraft, as well as AWACS-type aircraft, in recent military parades and exercises.

Most worrisome is the new PLA Strategic Support Force (PLASSF), which brings together under one service space warfare, electronic warfare, and network warfare capabilities. This reflects the ongoing Chinese effort at being able to establish “information dominance,” which the PLA considers critical to fighting and winning future wars. It is likely that there will be redoubled Chinese activity in these crucial domains, and application of them against local militaries and governments, as the PLASSF establishes itself and determines a new operational tempo.

Military Modernization Supports Extending Chinese Sovereignty

The objective of all these various force improvements, at the military level, is not solely to support China’s claims in the South China Sea. Instead, they mark the steady shift of the PLAN’s focus from a “near-shore” strategy of the 1960s, through the “near

21. Idrees Ali, “Exclusive: China Finishing South China Sea Buildings that Could House Missiles—US Officials,” Reuters, February 22, 2017, <http://www.reuters.com/article/us-china-usa-southchinasea-exclusive-idUSKBN161029> (accessed February 24, 2017).

22. David Brunnstrom and Michael Martina, “Xi Denies China Turning Artificial Islands Into Military Bases,” Reuters, September 25, 2015, <http://www.reuters.com/article/us-usa-china-pacific-idUSKCNORP1ZH20150925> (accessed February 24, 2017).

23. Erik Slavin, “Chinese Navy Makes Presence Felt at Disputed Shoal,” *Stars and Stripes*, March 27, 2013, <http://www.stripes.com/news/pacific/chinese-navy-makes-presence-felt-at-disputed-shoal-1.213662>, and “Chinese Ships Patrol Area Contested by Malaysia,” Reuters, January 26, 2014, <http://uk.reuters.com/article/uk-china-malaysia-idUKBREAOP06X20140126> (accessed February 24, 2017).

sea” strategy of the 1990s to today’s approach of the “far seas.” This steady evolution seeks to push Chinese military capability to ever more extended distance from its shores.

This military shift is not only a reflection of China’s growing capabilities, however, but reflects a broader transition in Chinese strategic thinking, affecting both the military and the nation as a whole.

For the military, this ever extending reach is part of the PLA’s “new historic missions” or the “missions for the new phase of the new century.” Never forgetting that the PLA is a Party-army, the armed wing of the Chinese Communist Party, where every officer above second lieutenant is a member of the party, it has been charged with the responsibility of defending both Party and national interests. This has gone beyond keeping the Party in power and maintaining the ability to take Taiwan (still a central, strategic goal) to safeguarding Chinese interests in key new domains, including the seas, outer space, and the electromagnetic spectrum.

In this regard, there is concern that Beijing may either announce an air defense identification zone or ADIZ over the South China Sea, or simply start behaving as though it has one. The reports that China is constructing facilities intended to house long-range SAM systems, coupled with the construction of runways that would support fighter operations, suggest that such a move could occur in the near future. The creation of a South China Sea ADIZ would further increase tension in the region, and likely compel various states to propose their own ADIZs in response.

U.S. Responses to Chinese Actions

The U.S. government, including the U.S. Congress, needs to pay continued attention to developments in the South China Sea. It needs to make clear that Chinese efforts to expand its sovereignty into international common spaces will not continue unimpeded.

One important element needs to be a clear enunciation of the position that the United States considers the PCA’s findings as the basis for international law. It is essential to counter China’s efforts at legal warfare and psychological warfare in the region by making clear that China’s positions have no legal standing. By remaining quiet on this issue, Washington cedes the political high ground.

Another essential aspect is to explore non-military means of degrading China’s efforts at artificial island construction. The focus should be on discouraging and frustrating the activities of the companies

that participate in China’s land reclamation efforts in the South China Sea. If the United States were to deny Chinese companies involved in Chinese artificial island building access to the American market, that could well prove a substantial deterrent to working on such projects. This would be even more true if the U.S. could persuade other states to impose comparable restrictions. One Chinese company, CCCC Dredging, for example, is reportedly extensively involved in Chinese land reclamation efforts; it is apparently also intent on establishing a worldwide presence in the dredging business. A concerted effort by the U.S., Japan, and European countries, as well as others, to deny the company access to their markets would compel CCCC Dredging to choose between South China Sea activities and its global ambitions.

Similarly, the dozens of dredgers that have been photographed in the Spratlys area are all complex pieces of equipment, involving equipment such as trailing suction hopper dredgers and the like. Some of these systems are imported, while others use parts and sub-systems that are supplied from a variety of commercial vendors, rather than specially fabricated by the People’s Liberation Army (PLA). If the United States and key allies in places like Europe and Japan were to act to prevent third party companies from supporting Chinese reclamation efforts in the South China Sea, it would certainly affect Chinese ability to sustain such activities in the future.

This would not prevent the PRC from manufacturing its own dredging equipment, but, again, the market for such items may be limited if the United States were to spearhead a global effort to deny Chinese companies partners and market presence in Europe, Japan, North America, and Australia, or their use by Western companies in contracts abroad (e.g., the Middle East, South America).

Another means of influencing Chinese companies may be to deny them the ability to list on the American stock exchanges. Listing there is not only a means of raising capital, but is also often seen as a stamp of approval, since it requires complying with American rules about financial stability and transparency. Limiting access to American (and Western) capital markets and denying them legitimacy could prove an effective instrument.

Additionally, the U.S. could, in the coming years, help expand deep sea exploration by other claimants to the South China Sea region. China has been striving to exclude all other states from engaging in oil exploration in this area, even as Beijing pursues

it. The incidents involving Chinese oil rig HY981 in 2014 saw China deploy its deep sea oil rig to disputed waters off Vietnam. This move was supported by statements by senior Chinese officials that oil rigs are “mobile national territory.” American efforts to help local states develop their own “mobile national territory” could serve as a means of challenging China’s excessive claims—and not only in the South China Sea.

Backing such economic moves must be the United States Coast Guard and Navy. In particular, the U.S. should study the requirements for deploying U.S. Coast Guard cutters and other vessels to the South China Sea as part of the broader array of Freedom of Navigation Operations (FONOPS). By deploying its own “white hulls,” the U.S. could avoid accusations that it is escalating tensions in the South China Sea, while nonetheless signaling its rejection of China’s expansive claims. U.S. Coast Guard vessels already operate overseas, and have even at times had to threaten the use of force in the course of their duties.²⁴ The U.S. should propose joint patrols in disputed areas, to make clear that it is intent upon preserving freedom of the seas—and is not taking a position on sovereignty. At the same time, by expanding cooperation with other regional coast guards, Washington would be making clear that its commitment to the region is not solely a military one.

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24. Hendrick Simoes, “Coast Guard Team Fires Shot at Iranian Dhow in Persian Gulf,” *Stars and Stripes*, August 27, 2014, <http://www.stripes.com/news/middle-east/coast-guard-team-fires-shot-at-iranian-dhow-in-persian-gulf-1.300099> (accessed February 24, 2017).