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Fireside Chat with Senator Chris Van Hollen

Chris Van Hollen, Senator for Maryland, U.S. Senate

Moderator: Nick Schiffrin, Foreign Affairs and Defense Correspondent, PBS NewsHour

Nick Schiffrin:

Thanks so much, everyone, for being here. It's great to see so many familiar faces. It's a bummer we have to wear ties at Aspen, but I think because we're in DC with a beautiful view. Wow, it's a real pleasure, Senator to have you here. And I'll jump in. I think we will probably do a tour around the world in the next 20 minutes or so, and I'll try and save just a couple minutes at the end of our 30 minute conversation for questions. We'll do Gaza, we'll do China, we'll do Ukraine, Sudan, and perhaps some wildcard. So let me start on Gaza. This week you wrote an op-ed in the Washington Post, whose first sentence was nothing will haunt President Joe Biden's foreign policy legacy as much as his failed policies in the Middle East. You called on the president to do a few things. One, sanction far right members of Benjamin Netanyahu's government. Number two, declare the Israeli government has arbitrarily blocked usaid, therefore kicking in a US law that would require at least the pausing of armed sales to Israel. And three, the US recognized an independent state of Palestine. Why do you recommend those steps when you know that all three would quickly be reversed by the Trump administration?

Chris Van Hollen:

So first, it's great to be with you and thank you Niamh and the Aspen Security Forum for hosting us. And I'm glad you started with the op-ed. I wrote, I'm also glad we're going to be talking about other parts of the world because I do think President Biden as an administration have done a good job in other parts of the world. But I do believe that when it comes to Gaza and the Middle East, that the president has failed to effectively use American leverage to accomplish his own stated goals, which include providing humanitarian assistance and making sure it's not blocked, which include making sure US weapons are used in accordance with international humanitarian law, which include a ceasefire and a return of the hostages. So I think it is important that even in these final days that the president takes some of these actions, some could be reversed by the Trump administration and may well be reversed.

But I think it's important to send a message to the region, both to our Israeli partners as well as to Palestinians and others of the region. I just came from a gathering earlier today between the Senate Foreign Relations Committee and King Abdullah of Jordan, where we talked about these things that when it comes to being serious about a two state solution, that if we're going to keep saying those words and not have people hear them as just an excuse for doing nothing year after year, that we have to take that action. And the most important of the actions I mentioned was to recognize a Palestinian state. I made it clear that it would be contingent on the Palestinian authority changing its prisoner payment law, which by the way, they've already

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drafted legislation that meets the requirements of US law. So again, that action, it could be reversed by the Trump administration. But I will say the Trump administration did a lot of things on the way out the door that actually the Biden administration did not reverse, which in my view, they should have reversed.

Nick Schiffrin:

And in fact, Trump officials at the time were very blatant saying that they hoped the Biden administration or their last minute moves would shackle the Biden administration and forced them into those policies in those last few weeks.

Chris Van Hollen:

And if you look at a number of actions they took with respect to the West Bank and Israel in their final weeks, and I'm talking about Trump 1 administration, they put in place a number of mechanisms, which some of which the Biden administration has not reversed to this day, even though they said earlier in the administration at least communicated to many of us that they would,

Nick Schiffrin:

You used a phrase in the first answer, send a message. Perhaps this question would've been more relevant six months ago, but I think it's still relevant on the arm sales. Do you want the United States to send a message to Israel or do you want the US to pause armed sales enough to actually affect Israel's readiness to wage the war, the ongoing war in Gaza?

Chris Van Hollen:

What I want to do is to make sure that the transfer of US weapons are done in accordance with US law. We have a number of laws on the books. Six 20 I of the Foreign Assistance Act says that we should not be transferring offensive military assistance. So this doesn't include iron dome or defensive systems. We should not be transferring them to any country that is not facilitating and is not arbitrarily restricting the delivery of humanitarian assistance. I was just in many briefings where we know, especially today in Northern Gaza, there's essentially a complete cutoff of delivery of humanitarian assistance that is a clear violation of US law. So we're asking that we pause until the Netanyahu government come in. The compliance with US law, this is a minimum requirement, right? We put all sorts of limitations, restrictions on US security assistance to countries all over the world to Egypt. We don't send our most advanced F 35 fighters to Turkey and NATO ally. So there are lots of restrictions that we have. What I'm talking about is baseline law that's supposed to be universally applicable to everybody, friend and foe alike. And I do believe we significantly undermine our credibility and create a double standard that it's exploited by our adversaries when we don't uniformly apply US law.

Nick Schiffrin:

And finally, on this issue, do you believe that taking these steps would actually create behavior change by the Netanyahu government?

Chris Van Hollen:

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Actually I do. And what we've seen is that President Biden has repeatedly made demands, all sorts of demands. I could give you a long list which have been repeatedly ignored by the Netanyahu government only to be rewarded in terms of the transfer of more US taxpayer dollars and more offensive weapons. And on the one hand, you have Netanyahu as part of a coalition government, which with some very right wing ultra Rightwing members, right? Ben Vere, Sam Morich, and he is essentially listening to them much more than the President of the United States. You have to have a counterweight. Counterweight needs to be the US leverage. And if you're going to have a partnership, and I strongly believe in the usis Israel partnership, it needs to be a two-way street, not a one-way blank check.

Nick Schiffrin:

Forgive me, but what evidence is there that if Netanyahu has, in your words, ignored the Biden administration so far, they would actually change behavior if the US used the leverage that you're asking 'em to

Chris Van Hollen:

Because there have been no consequences. There's been no counterbalance to the positions that people like Ben Vere and Smoker have taken. Look, Gallant defense minister Gallant was fired, right? Former defense minister, he was fired. Why? Because he wanted to prioritize the return of hostages and a ceasefire. I've met with many of the hostage families. All of them have said that Prime Minister Netanyahu is an obstacle to getting their loved ones home because he doesn't ultimately want to agree to the terms of a permanent cease fire. So I believe actually that if the United States stood with those families, not just in terms of our rhetoric, but in terms of putting conditions on the transfer of offensive weapons, the minimum one being compliance with US law, yes, I think that that would have an impact.

Nick Schiffrin:

You're the chair of the East Asia Pacific and International Cybersecurity Policy Subcommittee, and I use that subcommittee title in full for a reason of the Senate formulations Committee. Chinese hackers have launched the largest most successful attack on US telecommunications in history. The FBI says there are three categories of victims. One, a huge number of Americans whose metadata has been stolen. Two, a small number of Americans on the hill in presidential campaigns over the last few months whose audio calls have actually been successfully intercepted. And three, the portal that law enforcement uses to submit court orders to those telecommunications and internet service writers. So those are the three categories of victims. My first question to you is, do you know in the first category how many Americans metadata has been stolen?

Chris Van Hollen:

I do not. And as we very briefly discussed, I'm heading from this forum to a briefing for all members of the Senate, from the Director of National Intelligence and other US intelligence officials, where I hope to get some answers to those questions, all three categories of those questions. Obviously, it's incredibly alarming to see a hack of this scope and this scale, and so lots of questions to be answered.

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Nick Schiffrin:

One of the big questions that we had when a senior FBI official briefed journalists yesterday and a senior CISA official, the Cybersecurity Infrastructure Security Agency, I think I got that right yesterday, was the FBI admitted they've been investigating this for six, seven months. Maybe this is a question you'll ask in the next couple hours, but just in general, can you give us any insight into how it is that the FBI could investigate this for six months, and they admit that we cannot say with certainty the adversary is evicted, we're still figuring out how deeply they've penetrated. I guess one question was how alarming is that to you or two, how can that possibly happen that after six months, the US still doesn't even know the extent of penetration of Chinese hackers and telecommunication systems?

Chris Van Hollen:

Well, you're right. This will be a question for the briefers because I mean, you just laid out the question, which is what do you know and what do you not know because it's what you don't know. Obviously that's alarming if you don't know the scale, if you don't know the scope of what kind of penetration there's been. I mean, I have seen the public reporting on this so far. It does appear, at least from the public reporting, that people who were using encrypted message things like WhatsApp or signal were protected. That's been the public reporting. So there are some things that we apparently do know. My understanding is we also know, and again from reporting that you and others have done that they were not able to actually hack into the process of listening in on wiretapping. But again, obviously it's very alarming to know that this level of penetration was successful.

Nick Schiffrin:

A topic that you've worked on and Aspen has worked on this week, China banned exports of critical minerals, gallium germanium and antimony to the US saying that they specifically have defense industry applications came one day after the US expanded its export controls and semiconductor companies added 140 semiconductor companies. You've worked on this. Do you believe that the administration's efforts to block technology and critical minerals to China has actually worked and prevented China from taking the steps that the US has hoped it?

Chris Van Hollen:

I do. I do believe that while we're obviously in a technology race, the reality has been that the most advanced US semiconductors are more advanced than Chinese semiconductors. Therefore, I've strongly supported the Biden administration's policy of what they call small garden high walls, which is you target really the crown jewels of US technology, those that can be used for military purposes. I do think the evidence suggests that it's having an impact. And in fact, China's actions and their words have indicated that they are worried that it is cramping their technology. They claim it's aimed at their economy broadly, not at their military sector. But that is why we have targeted these in the way we have. See, the other part of the question you're opening, it is important that we develop more secure supply chains

Nick Schiffrin:

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Because our supply chains are vulnerable, but we're also vulnerable to China, Beijing taking a step like they did yesterday of actually blocking the very minerals that we need too.

Chris Van Hollen:

Well, that's exactly right, which is part of why President Biden is Angola right now is to try to develop more secure supply chains from the DRC to Angola using the new corridor.

Nick Schiffrin:

Let's look at, let's go from China to Ukraine with a connection between the two. Last week, very publicly, the commander of Indo-Pacific Command, Admiral Piro said that the number of weapons going to and being used by Ukraine and Israel, mostly Ukraine, was beginning to affect the readiness in his mind of his plans in the Indo-Pacific, including Taiwan. I interviewed the Taiwanese president, former Taiwanese president, saying when over the weekend, and I asked her that question specifically, do you fear that US support for Ukraine is affecting US support for Taiwan? And it was very, very interesting. She said, it is okay that the US is rushing weapons that could go to US instead to Ukraine right now because Ukraine needs them now. And in her words, we have time. And she stopped and the audience dramatically, and she said, we have time. They don't. Do you agree?

Chris Van Hollen:

I agree with her that the priority needs to be making sure that the people of Ukraine have the weapons they need to defend themselves against Putin's aggression, which is why the president has been so focused on that. It's why the president just announced another round of military assistance to Ukraine. And it's a perfect example of why that support is number one important to defend Ukraine against Putin's aggression. But also this is about much more than Ukraine. The fact that you have the former president of Taiwan making that statement means that she clearly recognizes very well, better than any of us, that Putin has one eye on Taiwan and the other eye on what's happening in Ukraine. And if the message coming out of Ukraine is that the United States and our allies are going to throw the Ukrainians under the bus, that would send a very bad message, not just to our NATO allies, but to our friends and allies and partners in East Asia. That's exactly what she was communicating, I believe, through that statement.

Nick Schiffrin:

And again, just to put a point on it, that's what you believe, even if it affects readiness for us, plans to help Taiwan or respond to a contingency when it comes to the Taiwan strike?

Chris Van Hollen:

Well, I've shared the concerns that was made by the head of the Indo-Pacific command about the drain on US resources. We've seen a huge diversion of US military assets to the Middle East over the last now 14 months, aircraft carriers moved from the Indo-Pacific submarines, other resources. So all the more reason, in my view, to get a ceasefire and return of the hostages right away. But to her fundamental point, which is that if Putin is seen as successful in accomplishing his goals in Ukraine, that will clearly undermine the security of Taiwan and other partners in the Indo-Pacific.

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Nick Schiffrin:

And do you agree in general with Papa's assessment? This is something that the Biden administration has denied for a few years now, that ultimately the way the US is helping Ukraine, and you rightly point out Israel is affecting readiness in Indo-Pacific.

Chris Van Hollen:

Look, you have a limited number of resources overall. You have to decide how to allocate them. I support allocating them to defend Ukraine for the reasons the former president said. And I also supported our partnership with Israel. Again, my big issue when it comes to the Netanyahu government has been compliance with US law and the president's unfortunate failure to successfully use US leverage to achieve our own stated goals

Nick Schiffrin:

On Ukraine. The incoming Ukraine Envoy, I think that's what President-elect Trump has called him. General Keith Kellogg, vice President, former Vice President Pence's national Security advisor, someone who's been close to Trump for a while now, the Ukraine special envoy. He wrote a plan last year about, sorry, earlier this year about Ukraine makes three key recommendations. One, continue to arm Ukraine, but say further aid requires peace talks, essentially using USAID as leverage. Number two, offer Russia to delay Ukrainian membership of nato, but also offer Russia limited sanctions relief to get to them the table and then bigger sanction relief if they actually sign a peace deal. And three, offer long-term security architecture. That's his words architecture for Ukraine's defense. Now, it's always dangerous because we don't know what President Trump's when he becomes President. Trump's policy will be, but this is Keith Kellogg's policy. Could you support that?

Chris Van Hollen:

No. And the reason is it's not because I oppose any peace negotiations. I'm all four parties coming together to try to achieve peace, but you don't go into a negotiation by tying the Ukrainian's hands behind their back. That's exactly what that would do. I mean, it suggests that if you better go into the negotiation or we're going to withhold our military assistance or you're in the negotiation, if you don't cooperate from however we see the world, we're going to withdraw it. And if you're Putin and you know that you're like, Hey, I got all the cards here. So again, when you go into a negotiation, you shouldn't go in where you're unilaterally sort of cut off at the knees.

Nick Schiffrin:

And do you also object to pausing NATO membership? Or do you think that could be used as a card?

Chris Van Hollen:

I don't think anything should be announced unilaterally and prematurely before you go into a discussion. I support NATO's position. They're open to considering Ukraine's entry into nato.

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And you don't go into a negotiation with Putin by saying at the outset, that's not going to be our policy anymore.

Nick Schiffrin:

And I want to get to Sudan just in probably the two or three minutes I've got left. But very quickly, the US has taken two dramatic policy steps. Maybe I shouldn't use an adjective. The US has taken two policy steps with Ukraine that the first one, many, many people have been calling for the use of attacks inside Russia, which is now being allowed with some limits in the sense that they're supposed to target North Korean soldiers or related command and control or ammunition in the course region inside Russia that Ukraine still holds. The second step they've taken is to send Ukraine anti-personnel landmines with the intention of allowing Ukraine to essentially what Russia did a year and a half ago, mine the front, to help Ukraine's defenses. And this obviously comes as there's a big question of whether President Trump will support Ukraine. Those two steps the administration has taken, do you support those steps?

Chris Van Hollen:

I certainly support the increased flexibility with regard to the attack. I think that that was the right move. It's one that I, along with colleagues on a bipartisan basis, encouraged to be able to hit some of the military targets that were being used as the base for targeting Ukrainian forces. With respect to the anti-personnel minds, I have really serious concerns about it. I haven't had a full briefing on the military utility of that. What I do know, if you look at places around the world right now, you have many kids without legs because of anti-personnel minds. So this is obviously a tough question. It's why the administration didn't do it earlier On.

Nick Schiffrin:

This debate has been going on.

Chris Van Hollen:

Russians, as you know, the Russians have, as you said, use those minds to try to prevent the Ukrainians from advancing. But I will say that that one troubles me,

Nick Schiffrin:

Troubles you. It sounds like you are not coming out against it. It just sounds like you want more information or you are coming out against it.

Chris Van Hollen:

I do want more information. My inclination is to, my gut has been that this is not in the longterm interests of the United States, but I am open to hearing a counter argument, which I've not fully received.

Nick Schiffrin:

Alright, quick last one on Sudan, and then we can get one question from the audience you've called on the US to halt weapon sales to the United Arab Emirates. Until the US can confirm that the UAE is not supplying the RSF, the Rapid Support Forces, the paramilitary group that is

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fighting the Sudanese government, the Sudanese armed forces, it has been widely reported that the UAE is flying weapons into the RSF, but the US government has never said it is. Do you believe the UAE is supporting the RSF and do you think the UAE would change its behavior if the US used the leverage that you wanted to use?

Chris Van Hollen:

So based on all the publicly available information, I think it's pretty clear that the UAE has been transferring weapons to the RSF and making a really bad situation. Even worse. The United States is already said that the RSF is committing war crimes, crimes against humanity. And so it's my view that if we want to try to address the humanitarian situation in Sudan, we should use our available leverage to accomplish our goals. The UAE is an important partner, but I do not support transferring more weapons to the UAE so long as we believe that they are weapons to the RSF and committing these atrocities. And as you say, the UAE denies that they're doing it. So what I have said along with Sarah Jacobs, Congresswoman Jacobs in the house, is that we should not proceed with this noticed arm sale to the UAE until the president can inform the Congress that he has credible assurances from the UAE that they're not doing this. Now, I'm sure they're getting assurances because actually the UAE representatives have told me to my face that they're not doing this. So the question is on the credibility, and I do think that the administration could use this as leverage effectively to stop the transfer of weapons to the RSF. You want to? Yeah.

Question 1:

Thank you Niamh. So Senator,

Nick Schiffrin:

Seth, can you just identify yourself first?

Question 1:

I'm an army officer currently stationed in Korea, but that's not what my question is going to be about.

So over the past decade, we've seen the US withdraw from Afghanistan and the Taliban come in. We've seen Iraq widely be perceived as heavily influenced by Iran and hosting Iranian or aligned organizations. We've seen Ukraine struggle to defeat Russia and the US has been accused of slow walking aid to them, or at least not doing all that it can. And we've seen the United States pressure, Saudi Arabia to stop the bombing campaign against the Houthis that they were on a few years ago. And now we've seen proposals to stop arming Israel and to stop arming the UAE. So I see at what point, and so it's something that Israel says is that the US has really lost,

Nick Schiffrin:

Seth, just want you to get to the question.

Question 1:

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Sure. Getting the question right now. So what Israel says is that the US has really lost its vision for winning wars and really only understands how to thread an allies with withholding aid and indefinitely managed conflicts. Just looking at the track record over the past 10 years, my question is looking at our track record over the past 10 years and the proposals for withholding aid and limiting aid to other allies, what do you think the US still has the capacity to effectively win wars and aid our allies?

Chris Van Hollen:

Well, the short answer is yes I do. I think we're doing that right now in Ukraine. My big concern is the incoming administration will not do that. They've been pretty clear. The former president's been pretty clear that he's not committed to Ukraine's defense. I think that would be a big problem with respect to the situation right now in Israel, as I've been very clear, I mean the United States has been a partner with Israel. We've provided them billions and billions of dollars of weapons. That is why they are the superpower in the region right now, in addition to being a nuclear power. But in order to convert military gains on the battlefield into actually sustainable peace and stability, you need ultimately to reach an agreement. Now, an agreement will not allow, of course, Hamas to have any governance role in Gaza. But the president of the United States has put together what I think is an important proposal.

One that's by the way, embraced by our Arab allies, including King Abdullah, who I just saw earlier, which is this idea of creating at least the nucleus of Palestinian authority governance in Gaza, together with outside forces to help keep any peace agreement or agreement that's reached it in the end of the day. Obviously, the return of the hostages has got to be part of this, but you also have to have a vision for long-term peace and security and dignity for all peoples in the region. And you're not going to resolve the Palestinian Israel conflict by military means alone. And the best people to cite about this are actually Israeli defense leaders and former defense, former prime ministers of Israel who've recognized that if you want a sustainable piece, you need security and dignity for both peoples. In order to do that, I strongly believe we need a two state solution.

The problem is the United States has mouthed those words, but we've actually never been serious about addressing the expansion of settlements throughout the West Bank, making a two-state solution much harder. And now you have an Israeli government with people like Smoke Rich and Ben DeVere who were cheering the fact that Donald Trump was just elected because they believe he and people like his nominee, ambassador Huckabee will support a greater Israel, essentially Israeli annexation of the West Bank. That is a recipe for continued conflict. And so my view is the United States should be investing some of our own leverage and influence in actually being serious about what we've said is our policy since George w Bush's administration, which is a two state solution, rather than just saying those words and ignoring ongoing actions which make that option impossible. So the bottom line is you have to convert military gains into politically sustainable solutions. The president of the United States has put that idea on the table. My complaint is that he's not effectively utilized American leverage even before the Gaza War to accomplish that goal.

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