

118TH CONGRESS  
2D SESSION

# S. 4097

To modernize the defense capabilities of the Philippines, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 10, 2024

Mr. HAGERTY (for himself and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To modernize the defense capabilities of the Philippines, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Philippines Enhanced  
5 Resilience Act” or the “PERA Act”.

6 **SEC. 2. MODERNIZING THE DEFENSE CAPABILITIES OF THE**  
7 **PHILIPPINES.**

8 (a) USE OF AUTHORITIES.—The Secretary of State,  
9 in consultation with the Secretary of Defense, shall use  
10 the authorities under this section—

1           (1) to strengthen the United States-Philippines  
2           alliance; and

3           (2) to support the acceleration of the mod-  
4           ernization of the defense capabilities of the Phil-  
5           ippines.

6           (b) PURPOSE.—In addition to the purposes otherwise  
7           authorized for Foreign Military Financing programs  
8           under the Arms Export Control Act ( 22 U.S.C. 2751 et  
9           seq.), a purpose of such programs shall be to provide as-  
10          sistance, including equipment, training, and other support,  
11          to modernize the defense capabilities of the Armed Forces  
12          of the Philippines—

13           (1) to safeguard the territorial sovereignty of  
14          the Philippines;

15           (2) to improve maritime domain awareness;

16           (3) to counter coercive military activities;

17           (4) to improve the military and civilian infra-  
18          structure and capabilities necessary to prepare for  
19          regional contingencies; and

20           (5) to strengthen cooperation between the  
21          United States and the Philippines on counterter-  
22          rorism-related efforts.

23          (c) ANNUAL SPENDING PLAN.—Not later than  
24          March 1, 2025, and annually thereafter for a period of  
25          5 years, the Secretary of State, in coordination with the

1 Secretary of Defense, shall submit to the appropriate con-  
2 gressional committees a plan describing how amounts au-  
3 thorized to be appropriated pursuant to subsection (e), if  
4 made available, would be used to achieve the purpose de-  
5 scribed in subsection (b).

6 (d) ANNUAL REPORT ON ENHANCING THE UNITED  
7 STATES-PHILIPPINES DEFENSE RELATIONSHIP.—

8 (1) REPORT.—Not later than 270 days after  
9 the date of the enactment of this Act, and annually  
10 thereafter for a period of 7 years, the Secretary of  
11 State, in consultation with the Secretary of Defense,  
12 and in consultation with such other heads of Federal  
13 departments and agencies as the Secretary of State  
14 considers appropriate, shall submit to the appro-  
15 priate congressional committees a report that de-  
16 scribes steps taken to enhance the United States-  
17 Philippines defense relationship.

18 (2) MATTERS TO BE INCLUDED.—Each report  
19 required under paragraph (1) shall include the fol-  
20 lowing:

21 (A) A description of the capabilities needed  
22 to modernize the defense capabilities of the  
23 Philippines, including with respect to—

- 24 (i) coastal defense;  
25 (ii) long-range fires;

- 1 (iii) integrated air defenses;  
2 (iv) maritime security;  
3 (v) manned and unmanned aerial sys-  
4 tems;  
5 (vi) mechanized ground mobility vehi-  
6 cles;  
7 (vii) intelligence, surveillance, and re-  
8 connaissance;  
9 (viii) defensive cybersecurity; and  
10 (ix) any other defense capabilities that  
11 the Secretary of State determines, includ-  
12 ing jointly with the Philippines, are crucial  
13 to the defense of the Philippines.

14 (B) A description of additional statutory  
15 authorities and funding levels required to pro-  
16 vide support for and cooperation with the Phil-  
17 ippines on the capabilities described in subpara-  
18 graph (A).

19 (3) FORM.—Each report required under para-  
20 graph (1) shall be submitted in unclassified form,  
21 but may contain a classified annex.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—In addi-  
23 tion to amounts otherwise authorized to be appropriated  
24 for Foreign Military Financing, there is authorized to be  
25 appropriated to the Department of State for Foreign Mili-

1 tary Financing grant assistance for the Philippines  
2 \$500,000,000 for each of fiscal years 2024 through 2029.

3 (f) USE OF FUNDS.—Of the amounts authorized to  
4 be appropriated pursuant to subsection (e), the Secretary  
5 of State shall obligate and expend not less than \$500,000  
6 each fiscal year for one or more blanket order agreements  
7 for Foreign Military Financing training programs related  
8 to the defense needs of the Philippines.

9 (g) SUNSET PROVISION.—Assistance may not be pro-  
10 vided under this section after September 30, 2030.

11 (h) DEFINITIONS.—In this section:

12 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
13 TEES.—The term “appropriate congressional com-  
14 mittees” means—

15 (A) the Committee on Foreign Relations,  
16 the Committee on Armed Services, and the  
17 Committee on Appropriations of the Senate;  
18 and

19 (B) the Committee on Foreign Affairs, the  
20 Committee on Armed Services, and the Com-  
21 mittee on Appropriations of the House of Rep-  
22 resentatives.

23 (2) BLANKET ORDER AGREEMENT.—The term  
24 “blanket order agreement” means an agreement be-  
25 tween a foreign customer and the United State Gov-

1           ernment for a specific category of items or services  
2           (including training) that—

3                       (A) does not include a definitive list of  
4                       items or quantities; and

5                       (B) specifies a dollar ceiling against which  
6                       orders may be placed.

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