

118TH CONGRESS
2D SESSION

S. RES. 816

Recognizing the 73rd anniversary of the signing of the Mutual Defense Treaty between the United States and the Philippines and the strong bilateral security alliance between our two nations in the wake of persistent and escalating aggression by the People's Republic of China in the South China Sea.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2024

Mr. RICKETTS (for himself, Mr. COONS, Mr. SCOTT of Florida, Mr. Kaine, Mr. CRUZ, Mrs. SHAHEEN, Mr. WICKER, Mr. SCHATZ, and Mr. ROMNEY) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Recognizing the 73rd anniversary of the signing of the Mutual Defense Treaty between the United States and the Philippines and the strong bilateral security alliance between our two nations in the wake of persistent and escalating aggression by the People's Republic of China in the South China Sea.

Whereas the United States and the Philippines have maintained diplomatic relations for 78 years, founded on the basis of deeply interconnected strategic and economic interests and close bonds between our two populations;

Whereas the United States-Philippines partnership was forged in blood, as more than 20,000 Americans and

hundreds of thousands of Filipinos were killed during the Philippines campaigns during World War II;

Whereas, following the Japanese invasion and occupation of the Philippines from 1941 to 1945, the former United States commonwealth secured its official independence on July 4, 1946;

Whereas, in March 1947, the United States and the Philippines signed a Military Bases Agreement;

Whereas, on August 30, 1951, the United States and the Philippines signed a Mutual Defense Treaty;

Whereas the Mutual Defense Treaty makes clear the United States-Philippine collective intent to resolve international disputes peacefully, undertake separate and joint development of the capacity to resist attack, and consult with one another when the territorial integrity, political independence, or security of the United States or the Philippines is under threat of external armed attack in the Pacific;

Whereas the Mutual Defense Treaty is the foundation of our security alliance and all other enabling defense agreements between the United States and the Philippines, including the Enhanced Defense Cooperation Agreement;

Whereas the Enhanced Defense Cooperation Agreement allows for a strengthened United States military presence in the Philippines to increase bilateral cooperation and interoperability and to provide training to the Armed Forces of the Philippines, with increased rotation of United States military personnel and assistance devoted to strengthening the territorial defense and humanitarian and maritime operations of the Philippines;

Whereas, in February 2023, the United States and the Philippines committed to designating four additional locations under the Enhanced Defense Cooperation Agreement, increasing the total from five to nine;

Whereas those locations have strategic value for the United States and the Philippines, increase confidence in the alliance, and provide real opportunities for operational cooperation to advance shared security priorities;

Whereas the Mutual Defense Treaty serves as a deterrent against the increasing territorial aggression by the People's Republic of China in the South China Sea;

Whereas, in 2009, the People's Republic of China began unlawfully extending its territorial and sovereignty claims in the South China Sea under its "nine-dash line" construct, violating the territorial rights and internationally recognized exclusive economic zones of the Philippines, Brunei, Malaysia, and Vietnam;

Whereas, since 2014, the People's Republic of China has substantially expanded its ability to monitor and project power throughout the South China Sea via the construction of militarized artificial islands;

Whereas, on September 25, 2015, at the White House, President of the People's Republic of China Xi Jinping stated that "China does not intend to pursue militarization" of the Spratly Islands and China's outposts would not "target or impact any country";

Whereas, on July 12, 2016, the arbitral tribunal constituted under Annex VII to the United Nations Convention on the Law of the Sea unanimously decided to invalidate the People's Republic of China's claim to nearly 90 percent of the South China Sea, including areas determined by

the tribunal to be part of the Philippines' exclusive economic zone and continental shelf;

Whereas, despite the decision being final and legally binding, the People's Republic of China, which refused to participate in the arbitration, has continued to reject and further violate the decision;

Whereas the People's Republic of China has employed a variety of assertive and aggressive tactics against the Philippines, including through its coast guard, research vessels, and commercial maritime vessels, to coerce and enforce its arbitrary and unlawful territorial claims in the South China Sea, such as by ramming, shadowing, blocking, encircling, firing water cannons at, and using military-grade lasers against Philippine civilian ships and military vessels;

Whereas the People's Republic of China has repeatedly denied the Philippines from lawfully delivering humanitarian supplies to members of the Armed Forces of the Philippines stationed at the BRP Sierra Madre at Second Thomas Shoal;

Whereas, on June 17, 2024, coast guard sailors from the People's Republic of China brandished knives and other weapons in a clash with Philippine naval vessels attempting to resupply marines on Second Thomas Shoal, resulting in a severe injury to a member of the Armed Forces of the Philippines;

Whereas, on August 8, 2024, the People's Republic of China dangerously and provocatively dropped flares in the path of a Philippine Air Force aircraft conducting a routine patrol over the Scarborough Shoal;

Whereas, on August 19, 2024, People’s Republic of China Coast Guard vessels performed aggressive maneuvers in the South China Sea, recklessly colliding with and damaging two Philippine Coast Guard vessels near the Sabina Shoal;

Whereas, on August 27, 2024, the Commander of the United States Indo-Pacific Command, Admiral Samuel Paparo, said the United States military is open to consultations with the Philippines about escorting Philippine ships delivering food and other supplies to the Armed Forces of the Philippines in the South China Sea;

Whereas, on August 31, 2024, a People’s Republic of China Coast Guard ship rammed a Philippine Coast Guard ship, the BRP Teresa Magbanua, three times without any provocation, causing damage to the Philippine ship near the Sabina Shoal; and

Whereas August 30, 2024, marked the 73rd anniversary of the signing of the Mutual Defense Treaty between the United States and the Philippines: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) celebrates the 73rd anniversary of the sign-
3 ing of the Mutual Defense Treaty between the
4 United States and the Philippines and the long-
5 standing alliance between our two nations;

6 (2) appreciates the trust of the Philippine peo-
7 ple in the bilateral alliance and their support for in-
8 creased defense cooperation and United States mili-
9 tary presence in the Philippines;

1 (3) acknowledges the determination of the Phil-
2 ippine people and the Armed Forces of the Phil-
3 ippines to resist coercion by the People’s Republic of
4 China;

5 (4) condemns the People’s Republic of China’s
6 persistent and unprovoked aggression in the South
7 China Sea to enforce its unlawful territorial and sov-
8 ereignty claims;

9 (5) reaffirms that Article IV of the Mutual De-
10 fense Treaty extends to armed attacks on the Armed
11 Forces, public vessels, or aircraft of the Philippines,
12 including the Philippine Coast Guard, anywhere in
13 the South China Sea;

14 (6) considers aggression by the People’s Repub-
15 lic of China in the Philippines’ internationally recog-
16 nized exclusive economic zone to be a direct assault
17 on its sovereignty and territorial integrity;

18 (7) urges the President to take appropriate and
19 necessary actions in response to escalatory behavior
20 of the People’s Republic of China in order to restore
21 deterrence and help the Philippines defend itself;

22 (8) supports the unwavering commitment of the
23 United States to deepening security cooperation with
24 the Philippines, including advancing Philippine de-
25 fense modernization and enhancing interoperability

1 through military exercises, training, joint patrols,
2 and increased information sharing;

3 (9) supports other nations growing their polit-
4 ical and security partnerships with the Philippines;

5 (10) commits to advance cooperation among the
6 United States, the Philippines, Japan, South Korea,
7 and Australia; and

8 (11) reaffirms the commitment of the United
9 States to the right to freedom of navigation and
10 overflight, respecting maritime rights under inter-
11 national law, and ensuring a free and open Indo-Pa-
12 cific.

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