

117TH CONGRESS
1ST SESSION

S. J. RES. 17

Requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 15, 2021

Mr. KAINE (for himself, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. MORAN, Mrs. SHAHEEN, and Mr. WARNER) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SECTION 1. OPPOSITION OF CONGRESS TO SUSPENSION,**
4 **TERMINATION, DENUNCIATION, OR WITH-**
5 **DRAWAL FROM NORTH ATLANTIC TREATY.**

6 The President shall not suspend, terminate, de-
7 nounce, or withdraw the United States from the North

1 Atlantic Treaty, done at Washington, DC, April 4, 1949,
2 except by and with the advice and consent of the Senate,
3 provided that two-thirds of the Senators present concur,
4 or pursuant to an Act of Congress.

5 **SEC. 2. LIMITATION ON THE USE OF FUNDS.**

6 No funds authorized or appropriated by any Act may
7 be used to support, directly or indirectly, any efforts on
8 the part of any United States Government official to take
9 steps to suspend, terminate, denounce, or withdraw the
10 United States from the North Atlantic Treaty, done at
11 Washington, DC, April 4, 1949, until such time as both
12 the Senate and the House of Representatives pass, by an
13 affirmative vote of two-thirds of Members, a joint resolu-
14 tion approving the withdrawal of the United States from
15 the treaty or pursuant to an Act of Congress.

16 **SEC. 3. NOTIFICATION OF TREATY ACTION.**

17 The President shall notify the Committee on Foreign
18 Relations of the Senate and the Committee on Foreign
19 Affairs of the House of Representatives in writing of any
20 effort to suspend, terminate, denounce, or withdraw the
21 United States from the North Atlantic Treaty, as soon
22 as possible but in no event later than 48 hours after any
23 such action is taken.

1 **SEC. 4. AUTHORIZATION OF LEGAL COUNSEL TO REP-**
2 **RESENT CONGRESS.**

3 Both the Senate Legal Counsel and the General
4 Counsel to the House of Representatives are authorized
5 to independently or collectively represent Congress in initi-
6 ating or intervening in any judicial proceedings in any
7 Federal court of competent jurisdiction on behalf of Con-
8 gress in order to oppose any effort to suspend, terminate,
9 denounce, or withdraw the United States from the North
10 Atlantic Treaty in a manner inconsistent with this joint
11 resolution.

12 **SEC. 5. REPORTING REQUIREMENT.**

13 Any legal counsel operating pursuant to section 4
14 shall report as soon as practicable to the Committee on
15 Foreign Relations of the Senate and the Committee on
16 Foreign Affairs of the House of Representatives with re-
17 spect to any judicial proceedings which the Senate Legal
18 Counsel or the General Counsel to the House of Rep-
19 resentatives, as the case may be, initiates or in which it
20 intervenes pursuant to section 4.

21 **SEC. 6. DEFINITIONS.**

22 In this resolution, the terms “withdrawal”, “denun-
23 ciation”, “suspension”, and “termination” have the mean-
24 ing given the terms in the Vienna Convention on the Law
25 of Treaties, concluded at Vienna May 23, 1969.