

**Congress of the United States**  
**Washington, DC 20515**

October 8, 2019

The Honorable Mike Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

The Honorable Mark T. Esper  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

Dear Secretary Pompeo and Secretary Esper:

We understand the Administration is considering withdrawing from the Open Skies Treaty and urge you not to do so. Withdrawing from the Treaty would be contrary to U.S. national security, and is apparently moving forward without any notice or consultation with Congress.

We understand agencies have been directed not even to discuss this matter with Congress.

Pulling out of the Open Skies Treaty, an important multilateral arms control agreement, would be yet another gift from the Trump Administration to Putin. The Open Skies Treaty is a critical element of U.S. and European security, and a decision to withdraw would be another blow to regional stability as well as Ukrainian security.

The Treaty has been an essential tool for United States efforts to constrain Russian aggression in Ukraine. In December of 2018, the United States conducted an extraordinary flight under Open Skies that the Department of Defense stated was “intended to reaffirm U.S. commitment to Ukraine and other partner nations.” Further, when the Ukraine crisis first emerged, the United States used images collected by U.S. surveillance missions under the Open Skies Treaty to publically demonstrate that Russian forces had invaded Ukrainian territory. Withdrawing from the Open Skies Treaty would be perceived as casting further doubt on the status of the United States commitment to Ukraine’s security and would advance the Russian narrative that the United States is an unreliable partner in the region.


Former Defense Secretary Mattis has said to Congress that the Treaty “contributes to greater transparency and stability in the Euro-Atlantic region, which benefits both the United States and our allies and partners.”

The Administration has provided no justification for a withdrawal from the Open Skies Treaty. Not only is there no case for withdrawal on the grounds of national security, there has been no consultation with the Congress or with our allies about this consequential decision. Any action by this Administration to withdraw from critical international treaties without the approval of the Senate is deeply concerning. If the President withdraws from this landmark Treaty, it will fundamentally demean and devalue the United States commitment to treaties and other international obligations.

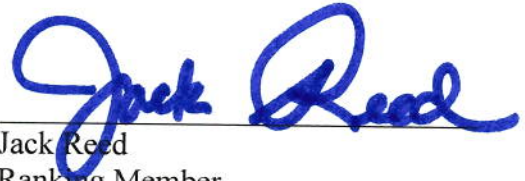
Beginning with Senate approval of the Treaty almost three decades ago, Congress has affirmed that the Open Skies Treaty is an important element of U.S. national security on multiple occasions. In 2016, the Senate passed S. Res. 544, confirming the Open Skies Treaty as a key element of the Euro-Atlantic security architecture and critical to promoting transparency in arms control efforts. In the 2019 National Defense Authorization Act (NDAA), Congress approved funding for new surveillance aircraft expressly requested by the Defense Department to support surveillance activities under the Open Skies Treaty. The House-passed 2020 NDAA also mandated restrictions and consultations with allies prior to withdrawing from this Treaty. That the Administration may now be choosing to withdraw from the Treaty would signal a troubling reversal and a lack of coherent strategic thinking.

We request that you not move forward with any action to withdraw or impair the United States as a party to the Treaty absent, at minimum, meaningful consultation with Congress. We look forward to your prompt response.

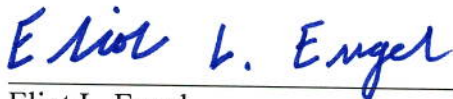
Sincerely,



Robert Menendez  
Ranking Member  
Senate Foreign Relations Committee



Jack Reed  
Ranking Member  
Senate Armed Services Committee



Eliot L. Engel  
Chairman  
House Foreign Affairs Committee



Adam Smith  
Chairman  
House Armed Services Committee