

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.**

**S. J. Res. 4**

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

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. KAINE

Viz:

1 Strike all after the resolving clause and insert the fol-  
2 lowing:

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  
8 Atlantic Treaty, done at Washington, DC, April 4, 1949,  
9 except by and with the advice and consent of the Senate,

1 provided that two thirds of the Senators present concur,  
2 or pursuant to an Act of Congress.

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

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

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

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

22 **SEC. 4. AUTHORIZATION OF LEGAL COUNSEL TO REP-**  
23 **RESENT CONGRESS.**

24 Both the Senate Legal Counsel and the General  
25 Counsel to the House of Representatives are authorized

1 to independently or collectively represent Congress in initi-  
2 ating or intervening in any judicial proceedings in any  
3 Federal court of competent jurisdiction on behalf of Con-  
4 gress in order to oppose any effort to suspend, terminate,  
5 denounce, or withdraw the United States from the North  
6 Atlantic Treaty in a manner inconsistent with this joint  
7 resolution.

8 **SEC. 5. REPORTING REQUIREMENT.**

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

17 **SEC. 6. DEFINITIONS.**

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