

By Mr. KAINES (for himself, Mr. GARDNER, Mr. REED, Mr. GRAHAM, Mr. BLUMENTHAL, Mr. RUBIO, Mr. COONS, Ms. COLLINS, and Mr. DURBIN):

S.J. Res. 4. A 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; to the Committee on Foreign Relations.

Mr. KAINES. Mr. President, I regret it is necessary to re-introduce legislation that prevents a President from withdrawing the United States from NATO. Recent reports confirm that President Trump has repeatedly proposed doing so over the past year. In addition to concern over U.S. national security, this threat to withdraw also raises important constitutional issues. What is the role of Congress in treaties—not just entering into them, but also leaving them? Particularly with a treaty obligation that is as central to U.S. security as NATO—as repeatedly affirmed by Congress—no president should or can be allowed to unilaterally withdraw without the advice and consent of the Senate.

Our allies with whom we have fought alongside since World War II and earlier in some cases, are questioning our allegiance for the first time in the history of the modern international order. President Trump has called our European allies “foes” while aligning himself with a brutal authoritarian, Vladimir Putin, over the professional assessment of the U.S. intelligence community. Last year, at the NATO summit in Brussels, the President insulted our allies and threatened to leave the alliance if defense spending was not ramped up. The President has also questioned the U.S. commitment to NATO’s mutual defense provision and we still do not know what he discussed with President Putin at their meeting in Helsinki. As such, we are forced to ask what options we have to preserve U.S. membership in the primary tool of peace and stability for the last 70 years, NATO.

In response to the only invocation of Article 5 of the NATO Treaty, more than 1,100 servicemembers from our NATO allies have given their lives fighting alongside the United States. This is a sacrifice that should not be cast aside by our President who continues to depict the alliance as a protection racket and “obsolete.” While we must continue to press every country to increase defense spending to meet the agreed-upon goal of 2 percent of GDP by 2024, the President should not disparage our allies and threaten NATO withdrawal. Unfortunately, without action from Congress, he might just do so. For this reason, we must firmly state opposition, use our constitutional powers of advice and consent and of the purse to block any withdrawal and preemptively authorize legal proceedings to challenge any decision to terminate U.S. membership.

The legislation I am introducing today along with Senators GARDNER, REED, GRAHAM, COONS, RUBIO, BLUMENTHAL, and COLLINS, is a bipartisan message to the President and the necessary tool needed to block this President, or any President, from unilaterally terminating the NATO treaty. It is the position of the Senate, supported by this Resolution, and previous resolutions, including the original vote of 82-13 in 1949 to give the Senate’s advice and consent to join NATO, that the United States through its elected officials is unequivocally opposed to the U.S. withdrawing from NATO.

I am proud to have bipartisan support for this bill to ensure that the safety of the American people is prioritized through our continued membership in NATO. Lastly, supporting this bill would fittingly honor the late Senator John McCain, one of the fiercest advocates for NATO, who co-sponsored this bill last year—one of the last bills he co-sponsored. I strongly encourage my colleagues in both the Senate and the House of Representatives to support this legislation.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 20—EXPRESSING THE SENSE OF THE SENATE THAT THE PROTECTING LIFE IN GLOBAL HEALTH ASSISTANCE POLICY SHOULD BE PERMANENTLY ESTABLISHED

Mr. LEE (for himself, Mr. BRAUN, Mr. CRAMER, Mr. CASSIDY, Mr. WICKER, Mr. ROBERTS, Mr. INHOFE, Mr. ROUNDS, Mrs. HYDE-SMITH, Mr. BLUNT, Ms. ERNST, Mr. DAINES, Mr. RUBIO, Mr. HAWLEY, Mr. McCONNELL, Mr. CORNYN, Mr. SASSE, Mr. COTTON, Mr. RISCH, Mr. THUNE, Mr. BARRASSO, Mrs. BLACKBURN, Mr. KENNEDY, Mr. CRAPO, Mr. SCOTT of South Carolina, Mr. MORAN, Mr. LANKFORD, Mrs. FISCHER, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 20

Whereas section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(f)) (commonly referred to as the “Helms amendment”) states that no foreign assistance funds may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions;

Whereas section 518 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109-102; 119 Stat. 2202) (commonly referred to as the “Siljander Amendment”) states that no foreign assistance funds may be used to lobby for or against abortion;

Whereas, in 1984, President Ronald Reagan established the “Mexico City Policy,” which prohibits foreign aid for family planning purposes from being given to foreign nongovernmental organizations that perform abortions or actively promote abortion as a method of family planning, regardless of the source of funding;

Whereas, upon assuming office on January 20, 1989, President George H.W. Bush contin-

ued to enforce the Mexico City Policy as established by President Reagan;

Whereas the Mexico City Policy was reestablished on January 22, 2001, by President George W. Bush;

Whereas, on January 23, 2009, President Barack Obama rescinded the Mexico City Policy;

Whereas, on January 23, 2017, President Donald J. Trump reestablished the Mexico City Policy and directed the Secretary of State to apply the policy to all Federal global health assistance; and

Whereas the Department of State modernized the Mexico City Policy on May 15, 2017, renamed “Protecting Life in Global Health Assistance,” to cover all health assistance provided abroad by a Federal agency, including the United States Agency for International Development, the Department of State, and the Department of Defense: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that Congress should expeditiously consider statutory changes that permanently codify the Protecting Life in Global Health Assistance policy.

##### SENATE RESOLUTION 21—TO CONSTITUTE THE MINORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 21

*Resolved*, That the following shall constitute the minority party’s membership on the following committees for the One Hundred Sixteenth Congress, or until their successors are chosen:

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Mr. Manchin, Mr. Wyden, Ms. Cantwell, Mr. Sanders, Ms. Stabenow, Mr. Heinrich, Ms. Hirono, Mr. King, Ms. Cortez Masto.

##### SENATE RESOLUTION 22—CONDAMNING THE TERRORIST ATTACK IN NAIROBI, KENYA ON JANUARY 15, 2019, AND OFFERING SINCERE CONDOLENCES TO ALL OF THE VICTIMS, THEIR FAMILIES AND FRIENDS, AND THE PEOPLE OF KENYA

Mr. COONS (for himself and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 22

Whereas, on January 15, 2019, attackers launched a 19-hour siege on the 14 Riverside complex and Dusit D2 hotel complex in Nairobi, Kenya, opening fire and detonating suicide bombs;

Whereas at least 21 people were killed, and many others were injured or remain unaccounted for;

Whereas, among those killed was Jason Spindler, a United States citizen;

Whereas the Somalia-based extremist group al-Shabaab claimed responsibility for the attack;

Whereas the United States has a deep and abiding interest in the security and stability of Kenya, a key partner to the United States in the war on terror; and

Whereas respect for human rights, due process, and the rule of law is essential to

the success of any counterterrorism strategy: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns the horrific attack on the 14 Riverside complex and Dusit D2 hotel complex in Nairobi, Kenya;

(2) expresses its deepest condolences to the victims of this attack and their families and friends;

(3) wishes a quick recovery to all who were injured;

(4) expresses solidarity with the people of Kenya;

(5) stands with the Government of Kenya as it works to combat violent extremism;

(6) urges the United States Government to take the necessary actions to help the Government of Kenya investigate the attack and swiftly bring the perpetrators of this attack to justice;

(7) calls upon the United States Government and international partners to continue to support efforts to improve Kenya's crisis response management, and to train and equip Kenyan security forces to respond to violent extremism; and

(8) upholds its commitment to fight and defeat terrorism.

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**SENATE RESOLUTION 23—SUPPORTING THE GOALS AND IDEALS OF COUNTERING INTERNATIONAL PARENTAL CHILD ABDUCTION MONTH AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD RAISE AWARENESS OF THE HARM CAUSED BY INTERNATIONAL PARENTAL CHILD ABDUCTION**

Mr. TILLIS (for himself, Mrs. FEINSTEIN, Mr. McCONNELL, Mrs. MURRAY, Mr. CORNYN, Mr. BOOKER, Mr. CRAPO, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. HARRIS, Ms. KLOBUCHAR, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 23

Whereas thousands of children in the United States have been abducted from the United States by parents, separating those children from their parents who remain in the United States;

Whereas it is illegal under section 1204 of title 18, United States Code, to remove, or attempt to remove, a child from the United States or retain a child (who has been in the United States) outside of the United States with the intent to obstruct the lawful exercise of parental rights;

Whereas more than 9,127 children experienced international parental child abduction between 2008 and 2015;

Whereas, during 2017, one or more cases of international parental child abduction involving children who are citizens of the United States were identified in 105 countries around the world;

Whereas the United States is a party to the Convention on the Civil Aspects of International Child Abduction, done at the Hague, October 25, 1980 (TIAS 11670) (referred to in this preamble as the “Hague Convention on Abduction”), which—

(1) supports the prompt return of wrongly removed or retained children; and

(2) calls for all participating parties to respect parental custody rights;

Whereas the majority of children who were abducted from the United States have yet to be reunited with their custodial parents;

Whereas, during 2017, Argentina, the Bahamas, Brazil, China, the Dominican Republic,

Ecuador, India, Japan, Jordan, Morocco, Peru, and the United Arab Emirates were identified under the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) as engaging in a pattern of noncompliance;

Whereas the Supreme Court of the United States has recognized that family abduction—

(1) is a form of child abuse with potentially “devastating consequences for a child”, which may include negative impacts on the physical and mental well-being of the child; and

(2) can cause a child to “experience a loss of community and stability, leading to loneliness, anger, and fear of abandonment”;

Whereas, according to the 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction by the Department of State, research shows that an abducted child is at risk of significant short- and long-term problems, including “anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior”;

Whereas international parental child abduction has devastating emotional consequences for the child and for the parent from whom the child is separated;

Whereas the United States has a history of promoting child welfare through institutions including—

(1) in the Department of Health and Human Services, the Children’s Bureau of the Administration for Children and Families; and

(2) in the Department of State, the Office of Children’s Issues of the Bureau of Consular Affairs;

Whereas Congress has signaled a commitment to ending international parental child abduction by enacting the International Child Abduction Remedies Act (22 U.S.C. 9001 et seq.), the International Parental Kidnapping Crime Act of 1993 (Public Law 103–173), which enacted section 1204 of title 18, United States Code, and the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.);

Whereas the Senate adopted Senate Resolution 543, 112th Congress, on December 4, 2012, which—

(1) condemns international parental child abduction;

(2) urges countries identified by the Department of State as noncompliant with the Hague Convention on Abduction to fulfill the commitment those countries made to implement such treaty; and

(3) expresses the sense of the Senate that the United States should—

(A) pursue the return, by all appropriate means, of each child abducted by a parent to another country;

(B) if a child is abducted by a parent and not returned to the United States, facilitate access to the abducted child for the parent remaining in the United States; and

(C) “where appropriate, seek the extradition of the parent that abducted the child”;

Whereas the Senate adopted Senate Resolution 431, 115th Congress, on April 19, 2018, which—

(1) raises awareness and promotes education about international parental child abduction;

(2) recognizes the impacts on children who are victims of international parental abductions; and

(3) expresses the sense of the Senate that the United States should—

(A) continue to raise awareness and opposition on international parental child abduction;

(B) facilitate access to the abducted child for the parent remaining in the United States; and

(C) urge countries to comply with the request to bring children home to the United States;

Whereas all 50 States and the District of Columbia have enacted laws criminalizing parental kidnapping;

Whereas, in 2017, the Prevention Branch of the Office of Children’s Issues of the Department of State—

(1) fielded more than 3,500 inquiries from the general public relating to preventing a child from being removed from the United States; and

(2) enrolled more than 4,404 children in the Children’s Passport Issuance Alert Program, which—

(A) is one of the most important tools of the Department of State for preventing international parental child abductions; and

(B) allows the Office of Children’s Issues to contact the enrolling parent or legal guardian to verify whether the parental consent requirement has been met when a passport application has been submitted for an enrolled child;

Whereas, the Department of State cannot track the ultimate destination of a child through the use of the passport of the child issued by the Department of State if the child is transported to a third country after departing from the United States;

Whereas a child who is a citizen of the United States may have another nationality and may travel using a passport issued by another country, which—

(1) increases the difficulty in determining the whereabouts of the child; and

(2) makes efforts to prevent abductions more critical; and

Whereas, in 2017, the Department of Homeland Security, in coordination with the Prevention Branch of the Office of Children’s Issues of the Department of State, enrolled 210 children in a program aimed at preventing international parental child abduction:

Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and observes “Countering International Parental Child Abduction Month” during the period beginning on April 1, 2019, and ending on April 30, 2019, to raise awareness of, and opposition to, international parental child abduction; and

(2) urges the United States to continue playing a leadership role in raising awareness about the devastating impacts of international parental child abduction by educating the public about the negative emotional, psychological, and physical consequences to children and parents victimized by international parental child abduction.

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**SENATE RESOLUTION 24—SUPPORTING A ROBUST AND MODERN ICBM FORCE TO MAXIMIZE THE VALUE OF THE NUCLEAR TRIAD OF THE UNITED STATES**

Mr. HOEVEN (for himself, Mr. BARRASSO, Mr. CRAMER, Mr. DAINES, Mr. ENZI, and Mr. TESTER) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 24

Whereas land-based intercontinental ballistic missiles (in this preamble referred to as “ICBMs”) have been a critical part of the strategic deterrent of the United States for 6 decades in conjunction with air and sea-based strategic delivery systems;