

amendment. This amendment is unnecessary, and it ignores the ultimate supremacy of the Constitution over foreign treaties. Not only that, but this amendment even goes so far as to ignore the substance of the North Atlantic Treaty itself. Article 11 of the treaty explains that “its provisions [shall be] carried out by the Parties in accordance with their respective constitutional processes”—affirming the ultimate supremacy of the U.S. Constitution in governing the actions of the United States. Given these facts, it is clear that Senator PAUL’s amendment, which would send the United States and the entire NATO community down a dangerous and unprecedented path, is predicated on faulty reasoning.

What is more, Senator PAUL’s amendment regarding article 5 and the Constitution threatens to weaken the NATO Alliance itself. The article 5 provision outlining the collective defense obligations of NATO members constitutes one of the central principles of the North Atlantic Treaty. The core premise of article 5 is very simple: An attack against one NATO country should be treated as an attack against all NATO countries. The strength of the NATO alliance depends upon the shared understanding of and respect for this special obligation by each and every member state. But Senator PAUL’s amendment suggests that each member state would be able to offer their own, differing interpretation of article 5, opening the door to confusion, ambiguity, and potential disorder among NATO members. Since the start of the NATO alliance, the Senate has voted eight times to admit a total of 18 new members, and on no such prior occasion was an understanding or reservation like this added. To do so now would only raise doubts about the nature of our article 5 commitment to Sweden and Finland.

For these reasons, I strongly urge the Senate to reject Senator PAUL’s amendment.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I just spoke an hour ago on the floor, and I am a very strong proponent of Sweden and Finland joining NATO. I am also a very strong supporter of NATO, and I want the alliance to endure for decades to come. But alliances can’t endure if shared commitments and burdens are not met.

This is particularly true for democratic alliances, where there must be a sense among the free citizens of such countries that all are pulling their weight for the collective defense and shared goals they all agree to.

So the amendment I just called up an hour ago, No. 5192, is meant to make this clear. It simply states that the U.S. Senate expects all NATO members to spend a minimum of 2 percent of GDP on defense spending as agreed at the NATO summit in Wales in 2014. This will make NATO stronger, as will

the accession of Finland and Sweden as new members.

And I ask for a voice vote on this amendment.

VOTE ON AMENDMENT NO. 5192

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the Sullivan amendment.

The amendment (No. 5192) was agreed to.

VOTE ON AMENDMENT NO. 5191

The PRESIDING OFFICER. The question is on agreeing to the Paul amendment.

Mr. RISCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.
The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted “no.”

The result was announced—yeas 10, nays 87, as follows:

(Rollcall Vote No. 281 Ex.)

YEAS—10

Braun	Johnson	Marshall
Cruz	Lankford	Paul
Daines	Lee	
Hawley	Lummis	

NAYS—87

Baldwin	Grassley	Romney
Barrasso	Hagerty	Rosen
Bennet	Hassan	Rounds
Blackburn	Heinrich	Rubio
Blumenthal	Hickenlooper	Sanders
Blunt	Hirono	Sasse
Booker	Hoeben	Schatz
Boozman	Hyde-Smith	Schumer
Brown	Inhofe	Scott (FL)
Burr	Kaine	Scott (SC)
Cantwell	Kelly	Shaheen
Capito	Kennedy	Shelby
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lujan	Stabenow
Cassidy	Manchin	Sullivan
Collins	Markey	Tester
Coons	McConnell	Thune
Cortez Masto	Menendez	Tillis
Cotton	Moran	Toomey
Cramer	Murkowski	Tuberville
Crapo	Murphy	Van Hollen
Duckworth	Murray	Warner
Durbin	Ossoff	Warnock
Ernst	Padilla	Warren
Feinstein	Peters	Whitehouse
Fischer	Portman	Wicker
Gillibrand	Reed	Wyden
Graham	Risch	Young

NOT VOTING—3

Cornyn	Leahy	Merkley
--------	-------	---------

The amendment (No. 5191) was rejected.

The PRESIDING OFFICER (Ms. SMITH). Under the previous order, any committee conditions, declarations, or reservations, as applicable, are agreed to.

VOTE ON RESOLUTION OF RATIFICATION (NO. 117-3)

The question occurs on the adoption of resolution of ratification, as amended.

The majority leader.

Mr. SCHUMER. Madam President, since its creation over 70 years ago, no alliance in human history has done more to advance the cause of freedom and democracy than NATO.

Today, at a moment when democracy in Europe is under attack, as belligerent autocrats, like Putin, clamor for European dominance, the U.S. Senate is voting in overwhelming bipartisan fashion to approve Finland’s and Sweden’s accession to the NATO alliance. This is important substantively and as a signal to Russia that they cannot intimidate America or Europe.

(Applause.)

Thank you, Roger.

Putin has tried to use his war in Ukraine to divide the West. Instead, today’s vote shows our alliance is stronger than ever.

I applaud the leaders of Sweden and Finland, who made a bold choice to depart from their long-held position with respect to NATO. I am confident they will be excellent partners in this alliance.

I thank Leader MCCONNELL. Back in May, we met with the Finnish President and the Swedish Prime Minister and promised to approve their accession as quickly as possible. Today, we are keeping that promise.

I also want to thank my colleagues on both sides of the aisle for springing into action on this matter, especially Senator MENENDEZ, the chair of the Senate Foreign Relations Committee, who did such a good job with his ranking member, Senator RISCH, as well as Senators SHAHEEN and TILLIS, who have been our leaders in reaching out to NATO, for their leadership roles. Senators MENENDEZ and RISCH ensured their committee acted quickly.

On a broader note, in the past few months, we have seen an amazing string of bipartisan achievements in this Chamber—achievements rarely seen in such fast succession. We passed the first gun safety bill in 30 years, approved the largest investment in U.S. science and technology in generations, gave veterans the largest expansion of benefits in decades, and today, we are strengthening the NATO alliance. All of this, every bit of this, was done on a bipartisan basis. I have always said this Senate Democratic majority would be willing to work with the other side whenever possible, and these past months have been some of those moments.

Finally, to the Swedish and Finnish diplomats who have worked for months to reach this moment, rest assured, you have many friends in this Chamber. We promise to get this done, and we will always, always stand by your side as allies defending each other.

I thank my colleagues for their work.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Texas (Mr. CORNYN).

Further, if present and voting, the Senator from Texas (Mr. CORNYN) would have voted "yea."

The yeas and nays resulted—yeas 95, nays 1, as follows:

[Rollcall Vote No. 282 Ex.]

YEAS—95

Baldwin	Grassley	Reed
Barrasso	Hagerty	Risch
Bennet	Hassan	Romney
Blackburn	Heinrich	Rosen
Blumenthal	Hickenlooper	Rounds
Blunt	Hirono	Rubio
Booker	Hoeben	Sanders
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Schatz
Brown	Johnson	Schumer
Burr	Kaine	Scott (FL)
Cantwell	Kelly	Scott (SC)
Capito	Kennedy	Shaheen
Cardin	King	Shelby
Carper	Klobuchar	Sinema
Casey	Lankford	Smith
Cassidy	Lee	Stabenow
Collins	Lujan	Sullivan
Coons	Lummis	Tester
Cortez Masto	Manchin	Thune
Cotton	Markey	Tillis
Cramer	Marshall	Toomey
Crapo	McConnell	Tuberville
Cruz	Menendez	Van Hollen
Daines	Moran	Warner
Duckworth	Murkowski	Warnock
Durbin	Murphy	Warren
Ernst	Murray	Whitehouse
Feinstein	Ossoff	Wicker
Fischer	Padilla	Wyden
Gillibrand	Peters	Young
Graham	Portman	

NAYS—1

Hawley

PRESENT—1

Paul

NOT VOTING—3

Cornyn Leahy Merkley

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 95, the nays are 1, and one Senator responded present.

Two-thirds of the Senators present, a quorum being present, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification agreed to is as follows:

Resolved, (two-thirds of the Senators present concurring therein).

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden, which were signed on July 5, 2022, by the United States of America and other parties to the North Atlantic Treaty of 1949 (Treaty Doc. 117-3), subject to the declarations of section 2 and the condition of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) Reaffirmation That United States Membership in NATO Remains a Vital National Security Interest of the United States.—The Senate declares that—

(A) for more than 70 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) Strategic Rationale for NATO Enlargement.—The Senate declares that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Finland or Sweden, or the destabilization of either arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Finland and Sweden, having established democratic governments and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, are in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Finland and Sweden will strengthen NATO, enhance stability in Europe, and advance the interests of the United States and its NATO allies.

(3) Support for NATO's Open Door Policy.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) Future Consideration of Candidates for Membership in NATO.—

(A) Senate Finding.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Finland and Sweden), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) Requirement for Consensus and Ratification.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article

II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) Influence of Non-NATO Members on NATO Decisions.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) Support for 2014 Wales Summit Defense Spending Benchmark.—The Senate declares that all NATO members should spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024, as outlined in the 2014 Wales Summit Declaration.

SEC. 3. CONDITION.

The advice and consent of the Senate under section 1 is subject to the following conditions

(1) Presidential Certification.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Finland and Sweden in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Finland and Sweden in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

SEC. 4. DEFINITIONS.

In this resolution:

(1) NATO Members.—The term "NATO members" means all countries that are parties to the North Atlantic Treaty.

(2) Non-NATO Members.—The term "non-NATO members" means all countries that are not parties to the North Atlantic Treaty.

(3) North Atlantic Area.—The term "North Atlantic Area" means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(4) North Atlantic Treaty.—The term "North Atlantic Treaty" means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(5) United States Instrument of Ratification.—The term "United States instrument of ratification" means the instrument of ratification of the United States of the Protocols to the North Atlantic Treaty of 1949 on the Accession of the Republic of Finland and the Kingdom of Sweden.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MORNING BUSINESS

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.