

AMENDMENT TO RULES COMM. PRINT 119-33
OFFERED BY MR. BERA OF CALIFORNIA

At the end of subtitle B of title XVII, insert the following:

1 **SEC. 17__ . LIMITATIONS ON CHANGES TO THE MUTUAL**
2 **DEFENSE TREATY WITH KOREA.**

3 (a) CERTIFICATION REQUIRED.—The President may
4 not take any action to change United States policy with
5 respect to the Mutual Defense Treaty between the United
6 States and Republic of Korea signed on October 1, 1953,
7 unless, not later than 120 days before taking such an ac-
8 tion, the Secretary of State submits to the appropriate
9 congressional committees—

10 (1) a detailed justification for such a change;

11 and

12 (2) a certification that—

13 (A) such a change is in the national inter-
14 est of the United States; and

15 (B) an alternative diplomatic agreement or
16 measure has been devised to replace any lost
17 capacity or benefits resulting from such a
18 change, including—

1 (i) the benefits to United States na-
2 tional security and regional security de-
3 rived from the presence of the United
4 States Armed Forces in the Republic of
5 Korea;

6 (ii) the nuclear nonproliferation bene-
7 fits derived from extended deterrence en-
8 hanced by the stationing of members of the
9 United States Armed Forces in the Repub-
10 lic of Korea;

11 (iii) the contributions of the Republic
12 of Korea in—

13 (I) countering illegitimate coer-
14 cion and debt diplomacy;

15 (II) promoting human rights;

16 (III) promoting freedom of navi-
17 gation and maritime security;

18 (IV) shipbuilding and mainte-
19 nance and repair of United States
20 ships;

21 (V) developing physical and dig-
22 ital infrastructure in the Indo-Pacific
23 to promote a free and open region;

1 (VI) countering the illegal cyber
2 activities of the Democratic People's
3 Republic of Korea;

4 (VII) improving global health;
5 and

6 (VIII) assisting the victims of
7 conflict and disaster;

8 (iv) the cooperation between the Re-
9 public of Korea and the United States on
10 the United Nations Security Council,
11 where the Republic of Korea is a non-per-
12 manent member until the end of 2025;

13 (v) the cooperation of the Republic of
14 Korea with respect to United States efforts
15 to enforce existing United Nations Security
16 Council sanctions with respect to the
17 Democratic People's Republic of Korea;

18 (vi) the value of trade and foreign di-
19 rect investment between the United States
20 and the Republic of Korea, and joint eco-
21 nomic cooperation in strategic and emerg-
22 ing industries including defense, ship-
23 building, semiconductors, and artificial in-
24 telligence.

1 (b) FORM.—The justification and certification re-
2 quired by subsection (b) shall be submitted in unclassified
3 form and may include a classified annex.

4 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—
5 In this section, the term “appropriate congressional com-
6 mittees” means the Committee on Armed Services and the
7 Committee on Foreign Affairs of the House of Representa-
8 tives and the Committee on Armed Services and the Com-
9 mittee on Foreign Relations of the Senate.

