

AMENDMENT TO H.R. 5300
OFFERED BY MR. BERA OF CALIFORNIA

At the appropriate place, insert the following:

1 **SEC. ____.** **SENSE OF CONGRESS AND LIMITATIONS ON**
2 **CHANGES TO THE MUTUAL DEFENSE TREATY**
3 **WITH KOREA.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) with respect to the alliance between the
7 United States and the Republic of Korea—

8 (2) “we go together” or “katchi kapshida” is
9 an enduring motto inspired by the shared sacrifice
10 of the United States and the Republic of Korea dur-
11 ing the Korean War, reinforced by our shared values
12 and reaffirmed each time the Republic of Korea has
13 stood alongside the United States in the four major
14 wars the United States has fought outside Korea
15 since 1945;

16 (3) 75 years since the start of the Korean War,
17 as the People’s Republic of China escalates its ag-
18 gressive behavior in maritime and air domains and
19 the Democratic People’s Republic of Korea continues
20 to enhance and test weapons that threaten regional

1 peace and security, a new strategic environment in
2 the Indo-Pacific region has reinforced the impor-
3 tance of the alliance between the United States and
4 the Republic of Korea;

5 (4) actions and public statements that under-
6 mine the United States relationship with the Repub-
7 lic of Korea harm United States national security
8 and exacerbate risks to members of the Armed
9 Forces and United States allies and partners;

10 (5) United States alliances and troop deploy-
11 ments should be based on shared principles and
12 goals;

13 (6) any major change to the United States'
14 strategic posture, policies, or capabilities will have
15 great effect on the perceptions of allies and their de-
16 terrence and assurance requirements and as a result,
17 any changes should be predicated on meaningful
18 consultations; and

19 (7) the United States Government should en-
20 deavor to avoid actions that could negatively affect
21 the welfare and well-being of nationals of the Repub-
22 lic of Korea who are employees of United States
23 Forces Korea.

24 (b) CERTIFICATION REQUIRED.—The President may
25 not take any action to change United States policy with

1 respect to the Mutual Defense Treaty between the United
2 States and Republic of Korea signed on October 1, 1953,
3 unless, not later than 120 days before taking such an ac-
4 tion, the Secretary of State submits to the appropriate
5 congressional committees—

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

7 and

8 (2) a certification that—

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

11 (B) an alternative diplomatic agreement or
12 measure has been devised to replace any lost
13 capacity or benefits resulting from such a
14 change, including—

15 (i) the benefits to United States na-
16 tional security and regional security de-
17 rived from the presence of the United
18 States Armed Forces in the Republic of
19 Korea;

20 (ii) the nuclear nonproliferation bene-
21 fits derived from extended deterrence en-
22 hanced by the stationing of members of the
23 United States Armed Forces in the Repub-
24 lic of Korea;

1 (iii) the contributions of the Republic
2 of Korea in—

3 (I) countering illegitimate coer-
4 cion and debt diplomacy;

5 (II) promoting human rights;

6 (III) promoting freedom of navi-
7 gation and maritime security;

8 (IV) shipbuilding and mainte-
9 nance and repair of United States
10 ships;

11 (V) developing physical and dig-
12 ital infrastructure in the Indo-Pacific
13 to promote a free and open region;

14 (VI) countering the illegal cyber
15 activities of the Democratic People's
16 Republic of Korea;

17 (VII) improving global health;
18 and

19 (VIII) assisting the victims of
20 conflict and disaster;

21 (iv) the cooperation between the Re-
22 public of Korea and the United States on
23 the United Nations Security Council,
24 where the Republic of Korea is a non-per-
25 manent member until the end of 2025;

1 (v) the cooperation of the Republic of
2 Korea with respect to United States efforts
3 to enforce existing United Nations Security
4 Council sanctions with respect to the
5 Democratic People's Republic of Korea;

6 (vi) the value of trade and foreign di-
7 rect investment between the United States
8 and the Republic of Korea, and joint eco-
9 nomic cooperation in strategic and emerg-
10 ing industries including defense, ship-
11 building, semiconductors, and artificial in-
12 telligence.

13 (c) FORM.—The justification and certification re-
14 quired by subsection (b) shall be submitted in unclassified
15 form and may include a classified annex.

