

116TH CONGRESS  
2D SESSION

# H. R. 7246

To reiterate the support of the Congress of the United States for the relationship between the United States and the Federal Republic of Germany, to prevent the weakening of the deterrence capacity of the United States in Europe, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2020

Mr. ENGEL introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To reiterate the support of the Congress of the United States for the relationship between the United States and the Federal Republic of Germany, to prevent the weakening of the deterrence capacity of the United States in Europe, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Maintaining United  
5 States National Security Interests in Europe Act”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The 2017 National Security Strategy states,  
4 “the United States will deepen collaboration with  
5 our European allies and partners to confront forces  
6 threatening to undermine our common values, secu-  
7 rity interests, and shared vision. The United States  
8 and Europe will work together to counter Russian  
9 subversion and aggression, and the threats posed by  
10 North Korea and Iran. We will continue to advance  
11 our shared principles and interests in international  
12 forums.”.

13 (2) After the end of World War II, the presence  
14 of foreign military forces in Germany was governed  
15 by a law signed in April 1949 that allowed France,  
16 the United Kingdom, and the United States to re-  
17 tain forces in Germany.

18 (3) The initial law was succeeded by the Con-  
19 vention on the Presence of Foreign Forces in the  
20 Federal Republic of Germany, signed at Paris on  
21 October 23, 1954, allowing eight North Atlantic  
22 Treaty Organization (NATO) members, specifically  
23 Belgium, Canada, Denmark, France, Luxembourg,  
24 the Netherlands, the United Kingdom, and the  
25 United States, to maintain a long-term presence of  
26 military forces in Germany.

1           (4) Germany has made significant contributions  
2 to the NATO alliance and, by hosting the largest  
3 United States Armed Forces presence in Europe,  
4 Germany has borne a significant burden in the inter-  
5 est of collective security.

6           (5) As of June 2020, the United States pres-  
7 ence in various locations in Germany, including in  
8 Stuttgart at the United States European Command  
9 and the United States Africa Command, consists  
10 of—

11                   (A) approximately—

12                           (i) 35,000 members of the Armed  
13 Forces;

14                           (ii) 10,000 Department of Defense ci-  
15 vilian employees; and

16                           (iii) 2,000 defense contractors;

17                   (B) personnel of the Department of State  
18 and other United States Government agencies;  
19 and

20                   (C) the dependents of individuals described  
21 in subparagraphs (A) and (B).

22           (6) The United States presence in Europe, in-  
23 cluding in Germany—

1 (A) protects and defends the United States  
2 and United States allies and partners by deter-  
3 ring conflict with Russia and other adversaries;

4 (B) strengthens and supports the NATO  
5 alliance and critical partnerships in Europe;  
6 and

7 (C) serves as an essential support platform  
8 for carrying out vital national security engage-  
9 ments in Afghanistan, the Middle East, Africa,  
10 and Europe.

11 (7) The deep bilateral ties between the United  
12 States and Germany have led to decades of economic  
13 prosperity for both countries and their allies and  
14 have strengthened human rights and democracy  
15 around the world.

16 (b) SENSE OF CONGRESS.—It is the sense of Con-  
17 gress that—

18 (1) the United States should continue to main-  
19 tain and strengthen the bilateral relationship with  
20 Germany and other European allies;

21 (2) the United States should maintain a robust  
22 military presence in Germany so as to deter further  
23 aggression from Russia or aggression from other ad-  
24 versaries against the United States and its allies and  
25 partners; and

1           (3) the United States should remain committed  
2           to strong collaboration with European allies as out-  
3           lined in the 2017 National Security Strategy.

4 **SEC. 3. PROHIBITION ON USE OF FUNDS TO WITHDRAW**  
5 **THE ARMED FORCES FROM EUROPE.**

6           (a) IN GENERAL.—Except as provided in subsection  
7 (b), notwithstanding any other provision of law, no Fed-  
8 eral funds are authorized to be appropriated or otherwise  
9 made available to take any action—

10           (1) to withdraw or otherwise reduce the overall  
11 presence, including rotational presence, of members  
12 of the Armed Forces or civilian employees of the De-  
13 partment of Defense in Europe;

14           (2) to close or otherwise change the status of  
15 any base or other facility of the Armed Forces lo-  
16 cated in Europe; or

17           (3) to withdraw or otherwise reduce the overall  
18 presence of Armed Forces assets in Europe.

19           (b) EXCEPTIONS.—The prohibition under subsection  
20 (a) shall not apply if—

21           (1) a host government transmits to the United  
22 States Government a written request for such a  
23 withdrawal or other reduction; or

24           (2)(A) the President declares the intent to take  
25 an action described in subsection (a);

1 (B) not later than 180 days before the in-  
2 tended date of such action, the President sub-  
3 mits to the appropriate committees of Congress  
4 notice of such intent that includes—

5 (i) a justification for the action;

6 (ii) as applicable—

7 (I) the number of members of the  
8 Armed Forces or civilian employees of  
9 the Department of Defense to be  
10 withdrawn or reduced;

11 (II) a description of any Armed  
12 Forces assets to be withdrawn or re-  
13 duced; and

14 (III) a description of any base or  
15 facility of the United States Armed  
16 Forces in Europe to be subject to clo-  
17 sure or change of status;

18 (iii) an explanation of the national se-  
19 curity benefit of the action to the United  
20 States and the North Atlantic Treaty Or-  
21 ganization; and

22 (iv) a plan to offset the reduction in  
23 United States and North Atlantic Treaty  
24 Organization conventional deterrence

1                   against Russian aggression caused by the  
2                   action; and

3                   (C) the action is expressly authorized by a  
4                   joint resolution or bill enacted after the date of  
5                   the declaration described in subparagraph (A).

6           (c) PUBLIC TESTIMONY.—Not later than 14 days  
7 after the submission of the notice described in subsection  
8 (b)(2)(B), the Secretary of State and the Secretary of De-  
9 fense shall testify before the appropriate committees of  
10 Congress in public session on such action.

11 **SEC. 4. REPORT TO CONGRESS ON DECISION TO WITH-**  
12 **DRAW THE ARMED FORCES FROM GERMANY.**

13           (a) IN GENERAL.—Not later than 60 days after the  
14 date of the enactment of this Act, the President, in con-  
15 sultation with the Secretary of State, the Secretary of De-  
16 fense, and the Chairman of the Joint Chiefs of Staff, shall  
17 submit to the appropriate committees of Congress a report  
18 that details the decision-making process used to arrive at  
19 the decision to withdraw members of the Armed Forces  
20 from Germany that was announced on June 15, 2020.

21           (b) ELEMENTS.—The report required by subsection  
22 (a) shall include the following:

23                   (1) An assessment of whether any withdrawal  
24                   or reduction in United States Armed Forces per-

1       sonnel in Germany was ordered by a Presidential di-  
2       rective.

3               (2) A description of the interagency process un-  
4       dertaken to inform the decision outlined in any such  
5       Presidential directive or other document calling for  
6       such a withdrawal or reduction.

7               (3) A description of the communications with  
8       the North Atlantic Treaty Organization, the Govern-  
9       ment of Germany, or other member countries of the  
10      North Atlantic Treaty Organization about the poten-  
11      tial decision to change the United States force pos-  
12      ture in Germany.

13              (4) An analysis of the United States national  
14      security implications of the proposed withdrawal or  
15      reduction of the Armed Forces presence in Germany.

16 **SEC. 5. APPROPRIATE COMMITTEES OF CONGRESS DE-**  
17 **FINED.**

18       In this Act, the term “appropriate committees of  
19 Congress” means—

20              (1) the Committee on Foreign Affairs, the  
21      Committee on Armed Services, the Permanent Select  
22      Committee on Intelligence, and the Committee on  
23      Appropriations of the House of Representatives; and

24              (2) the Committee on Foreign Relations, the  
25      Committee on Armed Services, the Select Committee



1 on Intelligence, and the Committee on Appropria-  
2 tions of the Senate.

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