

AMENDMENT TO THE RULES COMMITTEE PRINT

119–8

OFFERED BY MR. PETERS OF CALIFORNIA

At the appropriate place in subtitle C of title XVI,
insert the following:

1 **SEC. 16__ . LIMITATION ON USE OF FUNDS TO CONDUCT**
2 **FIRST-USE NUCLEAR STRIKES.**

3 (a) **LIMITATION.**—None of the funds authorized to
4 be appropriated by this Act or other made available for
5 fiscal year 2026 for the Department of Defense may be
6 obligated or expended to conduct a first-use nuclear strike
7 unless—

8 (1) the President decides the strike is in the
9 best interests of the United States; and

10 (2) except as provided in subsection (b), not
11 more than seven days before conducting such strike,
12 the Secretary of Defense submits to the Speaker of
13 the House of Representatives, the Minority Leader
14 of the House Representatives, the Majority Leader
15 of the House of Representatives, the Minority Lead-
16 er of the Senate, and the Majority Leader of the
17 Senate a certification that the decision of the Presi-

1 dent under paragraph (1) to conduct the strike is
2 valid and legal.

3 (b) EXCEPTIONS.—Subsection (a)(2) does not apply
4 with respect to a first-use nuclear strike conducted—

5 (1) under a declaration of war enacted by Con-
6 gress;

7 (2) in response to a nuclear attack against the
8 United States or an ally of the United States; or

9 (3) during a launch-on-warning scenario.

10 (c) DEFINITIONS.—For purposes of this section:

11 (1) The term “ally of the United States” means
12 a member of the North Atlantic Treaty Organiza-
13 tion, Japan, the Republic of Korea, and the Com-
14 monwealth of Australia.

15 (2) The term “first-use nuclear strike” means
16 an attack conducted by the United States using nu-
17 clear weapons against a foreign country in any in-
18 stance where the Secretary of Defense and the
19 Chairman of the Joint Chiefs of Staff have not joint-
20 ly confirmed to the President that the foreign coun-
21 try has conducted a nuclear attack against the
22 United States or an ally of the United States.

23 (3) The term “launch-on-warning scenario”
24 means a situation in which the United States early
25 warning systems have detected a launch of a missile

1 whose trajectory would result in an impact on the
2 territory of the United States or an ally of the
3 United States.

4 (4) The term “nuclear attack” means that one
5 or more nuclear detonations have occurred on the
6 territory of the United States or an ally of the
7 United States.

