

114TH CONGRESS
2D SESSION

H. R. 6535

To require the President to obtain written approval from the Secretary of Defense and the Secretary of State prior to the use of nuclear weapons by the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 27, 2016

Mr. GRAYSON 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

A BILL

To require the President to obtain written approval from the Secretary of Defense and the Secretary of State prior to the use of nuclear weapons by the United States, 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 “Nuclear Sanity Act”.

5 **SEC. 2. NUCLEAR WEAPON USE APPROVAL PROCESS.**

6 (a) IN GENERAL.—Except in a case of a physical at-
7 tack on the territory of the United States by the military

1 force of a foreign government, or in a case in which it
2 is impossible for the President to establish communica-
3 tions with the Secretary of Defense and the Secretary of
4 State for a 24-hour period, the President shall obtain the
5 approval of the Secretary of Defense and the Secretary
6 of State prior to the use of nuclear weapons by the United
7 States.

8 (b) FORM OF APPROVAL.—The approval under this
9 section shall be in writing unless the approving official
10 deems approval in writing impracticable, in which case it
11 may be oral. Written approval under this section may be
12 transmitted to the President by electronic means.

13 (c) VIOLATIONS.—

14 (1) The United States military shall disregard
15 all orders from the President in violation of this sec-
16 tion.

17 (2) Any violation or attempted violation of this
18 section shall be deemed a “high crime or mis-
19 demeanor” under the United States Constitution.

20 (d) DEFINITION.—In this section, the term “territory
21 of the United States” means the States, the District of
22 Columbia, Puerto Rico, and the territories of the United
23 States, whether or not incorporated or organized.

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