

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0533**

February 9, 2018

The Honorable Ed Royce  
Chairman  
House Committee on Foreign Affairs  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Royce:

Thank you for your leadership of the House Committee on Foreign Affairs. As we work to address the most critical foreign affairs issues before our nation, I write to request that our Committee hold a hearing on the authority to order the use of nuclear weapons. Given the constitutional questions surrounding the Executive's unilateral authority to use nuclear weapons and President Trump's statements about using that authority, it is imperative that our Committee exercise its oversight powers to examine this issue.

As you know, our Founders created a government based on checks and balances and designed a Constitution that gave the power to declare war solely to the people's representatives. A nuclear first strike, which can kill hundreds of millions of people and invite a retaliatory strike that can cripple America, is war. Yet under existing law, the president has unilateral authority to launch a nuclear attack. As President Nixon reportedly told a group of Congressmen during his administration, "I could leave this room and in 25 minutes 70 million people would be dead."

The threat of such unconstrained authority is not theoretical. On January 2, 2018, President Trump tweeted, "North Korean Leader Kim Jong Un just stated that the 'Nuclear Button is on his desk at all times.' Will someone from his depleted and food starved regime please inform him that I too have a Nuclear Button, but it is a much bigger & more powerful one than his, and my Button works!" This statement came only months after he threatened North Korea in August 2017 with "fire and fury like the world has never seen."

The president's remarks over the past year have raised bipartisan concern in Congress and among our community of national security experts. On November 14, 2017, the Senate Foreign Relations Committee held a hearing on "Authority to Order the Use of Nuclear Weapons." That hearing was followed this month by an open letter to Congress from over a dozen former nuclear launch officers who wrote, "There are no reliable safeguards" on the president's unilateral authority and that such authority "should not rest in the hands of any one person." This position has also been echoed by a former Secretary of Defense, William J. Perry, who has stated, "Certainly a decision that momentous for all of civilization should have the kind of checks and balances on Executive powers called for by our Constitution."

In the 115th Congress, Members have introduced a number of proposals to reform the nuclear launch authority, from assigning a certification role to specific cabinet secretaries to requiring Congressional approval for the first use of nuclear weapons. The latter proposal was put forth in bipartisan, bicameral legislation I introduced, H.R. 669, which currently has over 75 cosponsors that include several members of this Committee. With the stakes so high, it is critical that our Committee explore this issue in a public hearing and the legislative reforms that have already been proposed.

I look forward to working with you to address this critical use of force matter that impacts not only U.S. national security but global stability, and I stand ready to assist with our Committee's actions.

Sincerely,



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Ted W. Lieu  
Member of Congress