

Legislation Text

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Urging Congress to pass H.R. 669 and S. 200, the Restricting First Use of Nuclear Weapons Act of 2017, which would prohibit the President of the United States from launching a “nuclear first strike” without a congressional declaration of war.

WHEREAS, Under current law, the President of the United States has the unilateral authority to launch a nuclear attack without any restrictions on when this power can be exercised and without any indication that a nuclear strike has been launched against the US or an ally; and

WHEREAS, There is currently no congressional or judicial check on the President’s ability to use nuclear weapons, either as a first strike or in response to an adversary’s attack; and

WHEREAS, A nuclear attack on another country would signal a major act of war. Article I, Section 8, Clause 11 of the United States Constitution grants Congress the sole power to declare war; and

WHEREAS, Former Secretary of Defense William Perry has urged that “a decision that momentous for all of civilization should have the kinds of checks and balances on executive powers called for by our Constitution”; and

WHEREAS, Nuclear arsenals are uniquely powerful weapons that have the capability to kill millions of people, destroy large territories, and leave long-lasting and wide-reaching environmental and health consequences; and

WHEREAS, The Restricting First Use of Nuclear Weapons Act of 2017, introduced in the US Senate by Ed Markey and in the US House of Representatives by Ted Lieu, prohibits the President of the United States from launching a “nuclear first strike” without an express declaration of war by Congress; and

WHEREAS, This legislation has been proposed at a critical moment in our nation’s history, as we are faced with escalating global tension and utter uncertainty about how the Executive Branch will respond. The possibility of potential misuse of a nuclear first strike in the current global climate is of grave concern; and

WHEREAS, The underlying problem of a sole individual possessing the authority to launch nuclear weapons is independent of the person who occupies the seat of the Presidency. No single individual should have the sole discretion to start a nuclear war without extensive debate, necessary consultation, and a consideration of all possible implications; and

WHEREAS, Restricting the first use of nuclear weapons is a sound policy that drastically decreases the risk of unintended nuclear escalation and will realign the United States’ nuclear weapons launch policy with the Constitution to ensure a system of checks and balances envisioned by the framers of the US Constitution; now, therefore, be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Urges Congress to pass H.R.669 and S.200, the Restricting First Use of Nuclear Weapons Act of 2017, which would prohibit the President of the

United States from launching a “nuclear first strike” without a congressional declaration of war.