

119TH CONGRESS  
1ST SESSION

# H. R. 5951

To require the approval of Congress before explosive nuclear testing may be resumed.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 2025

Mr. HORSFORD (for himself and Ms. LEE of Nevada) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Rules, 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 require the approval of Congress before explosive nuclear testing may be resumed.

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 “No Nuclear Testing  
5 Without Approval Act”.

6 **SEC. 2. REQUIREMENT FOR APPROVAL OF CONGRESS FOR**  
7 **CONDUCT OF EXPLOSIVE NUCLEAR TESTING.**

8 Section 4210(a) of the Atomic Energy Defense Act  
9 (50 U.S.C. 2530(a)) is amended to read as follows:

1 “(a) EXPLOSIVE NUCLEAR TESTING.—

2 “(1) IN GENERAL.—No explosive nuclear test-  
3 ing may be conducted by the United States after the  
4 date of the enactment of the No Nuclear Testing  
5 Without Approval Act unless—

6 “(A)(i) a foreign state conducts an explo-  
7 sive nuclear test after that date; or

8 “(ii) there is a technical need for such test-  
9 ing;

10 “(B) not less than 180 days before the  
11 date proposed to conduct such testing, the  
12 President submits to Congress a notification de-  
13 scribed in paragraph (2) with respect to such  
14 testing; and

15 “(C) a joint resolution approving the test-  
16 ing with respect to which the notification is  
17 submitted under subparagraph (B) is enacted  
18 into law—

19 “(i) in the case of testing proposed to  
20 be conducted after a foreign state conducts  
21 an explosive nuclear test—

22 “(I) without use of expedited pro-  
23 cedures under paragraph (3); but

24 “(II) requiring, for passage in  
25 the Senate, the affirmative vote of

1 two-thirds of Senators, duly chosen  
2 and sworn; or

3 “(ii) in the case of testing proposed to  
4 be conducted because there is a technical  
5 need for such testing, pursuant to para-  
6 graph (3).

7 “(2) NOTIFICATION DESCRIBED.—

8 “(A) IN GENERAL.—A notification de-  
9 scribed in this paragraph with respect to a pro-  
10 posal to conduct explosive nuclear testing shall  
11 include—

12 “(i) a description of the testing pro-  
13 posed to be conducted;

14 “(ii) a statement of the reasons for  
15 conducting the testing, including—

16 “(I) whether or not there is a  
17 technical need for conducting the test-  
18 ing;

19 “(II) if there is a technical need  
20 for conducting the testing—

21 “(aa) a description of the  
22 technical need;

23 “(bb) an assessment of al-  
24 ternative options for addressing  
25 the need;

1                   “(cc) an explanation of why  
2                   those options were not selected;  
3                   and

4                   “(dd) a description of en-  
5                   gagement with the Governor of  
6                   the State in which explosive nu-  
7                   clear testing would occur; and

8                   “(III) if the reason for con-  
9                   ducting the testing is in response to a  
10                  geopolitical event under the responsi-  
11                  bility of the President acting as the  
12                  Commander in Chief of the Armed  
13                  Forces, a detailed explanation of why  
14                  the testing would be in the supreme  
15                  national interest of the United States;

16                  “(iii) an estimate of the timelines and  
17                  costs of conducting the testing; and

18                  “(iv) any other information the Presi-  
19                  dent considers relevant.

20                  “(B) FORM.—A notification described in  
21                  subparagraph (A) shall be submitted in unclas-  
22                  sified form but may include a classified annex.

23                  “(3) JOINT RESOLUTION OF APPROVAL FOR EX-  
24                  PLOSIVE NUCLEAR TESTING FOR WHICH THERE IS A  
25                  TECHNICAL NEED.—

1           “(A) JOINT RESOLUTION OF APPROVAL  
2           DEFINED.—In this paragraph, the term ‘joint  
3           resolution of approval’ means a joint resolution  
4           of either House of Congress the sole matter  
5           after the resolving clause of which is the fol-  
6           lowing: ‘Congress approves of the proposal of  
7           the President to conduct explosive nuclear test-  
8           ing for which there is a technical need, notice  
9           of which was submitted to Congress under sec-  
10          tion 4210(a) of the Atomic Energy Defense Act  
11          (50 U.S.C. 2530(a)) on \_\_\_\_\_.’, with the  
12          blank space being filled with the appropriate  
13          date.

14          “(B) INTRODUCTION; REFERRAL.—A joint  
15          resolution of approval—

16                 “(i) may be introduced in either  
17                 House by any member; and

18                 “(ii) shall be referred—

19                         “(I) in the Senate, to the Com-  
20                         mittee on Armed Services of the Sen-  
21                         ate; and

22                         “(II) in the House of Represent-  
23                         atives, to the Committee on Armed  
24                         Services of the House of Representa-  
25                         tives.

1                   “(C) CONSIDERATION IN HOUSE OF REP-  
2                   REPRESENTATIVES.—

3                   “(i) REPORTING AND DISCHARGE.—

4                   The Committee on Armed Services of the  
5                   House of Representatives shall report a  
6                   joint resolution of approval to the House  
7                   not later than 60 calendar days after the  
8                   date of receipt of the notification sub-  
9                   mitted under paragraph (1)(B). If the  
10                  committee fails to report the joint resolu-  
11                  tion within that period, the committee shall  
12                  be discharged from further consideration  
13                  of the joint resolution and the joint resolu-  
14                  tion shall be referred to the appropriate  
15                  calendar.

16                  “(ii) PROCEEDING TO CONSIDER-  
17                  ATION.—After the Committee on Armed  
18                  Services of the House of Representatives  
19                  reports the joint resolution of approval to  
20                  the House or has been discharged from its  
21                  consideration, it shall be in order, not later  
22                  than the 120th day after Congress receives  
23                  the notification submitted under paragraph  
24                  (1)(B), to move to proceed to consider the  
25                  joint resolution in the House. All points of

1 order against the motion are waived. Such  
2 a motion shall not be in order after the  
3 House has disposed of a motion to proceed  
4 on the joint resolution. The previous ques-  
5 tion shall be considered as ordered on the  
6 motion to its adoption without intervening  
7 motion. The motion shall not be debatable.  
8 A motion to reconsider the vote by which  
9 the motion is disposed of shall not be in  
10 order.

11 “(iii) CONSIDERATION.—The joint  
12 resolution of approval shall be considered  
13 as read. All points of order against the  
14 joint resolution and against its consider-  
15 ation are waived. The previous question  
16 shall be considered as ordered on the joint  
17 resolution to its passage without inter-  
18 vening motion except 24 hours of debate  
19 equally divided and controlled by the pro-  
20 ponent and an opponent. A motion to re-  
21 consider the vote on passage of the joint  
22 resolution shall not be in order.

23 “(D) CONSIDERATION IN SENATE.—

24 “(i) REPORTING AND DISCHARGE.—  
25 The Committee on Armed Services of the

1 Senate shall report a joint resolution of ap-  
2 proval to the Senate not later than 60 cal-  
3 endar days after the date of receipt of the  
4 notification submitted under paragraph  
5 (1)(B). If the committee fails to report the  
6 joint resolution within that period, the  
7 committee shall be discharged from further  
8 consideration of the joint resolution and  
9 the joint resolution shall be placed on the  
10 Calendar of Business.

11 “(ii) FLOOR CONSIDERATION.—

12 “(I) IN GENERAL.—Notwith-  
13 standing Rule XXII of the Standing  
14 Rules of the Senate, it is in order at  
15 any time after the Committee on  
16 Armed Services reports a joint resolu-  
17 tion of approval or is discharged from  
18 consideration of a joint resolution of  
19 approval to move to proceed to the  
20 consideration of the joint resolution,  
21 and all points of order against the  
22 motion to proceed to the joint resolu-  
23 tion (and against consideration of the  
24 joint resolution) are waived. The mo-  
25 tion to proceed is not debatable. The

1 motion is not subject to a motion to  
2 postpone. A motion to reconsider the  
3 vote by which the motion is agreed to  
4 or disagreed to shall not be in order.  
5 If a motion to proceed to the consider-  
6 ation of the resolution is agreed to,  
7 the joint resolution shall remain the  
8 unfinished business until disposed of.

9 “(II) CONSIDERATION.—Consid-  
10 eration of a joint resolution of ap-  
11 proval, and on all debatable motions  
12 in connection therewith, shall be lim-  
13 ited to not more than 10 hours, which  
14 shall be divided equally between the  
15 majority and minority leaders or their  
16 designees. A motion further to limit  
17 debate is in order and not debatable.  
18 An amendment to, a motion to post-  
19 pone, or a motion to proceed to the  
20 consideration of other business, or a  
21 motion to recommit the joint resolu-  
22 tion is not in order.

23 “(III) VOTE ON PASSAGE.—The  
24 vote on passage shall occur imme-  
25 diately following the conclusion of the

1 debate on a joint resolution of ap-  
2 proval, and a single quorum call at  
3 the conclusion of the debate if re-  
4 quested in accordance with the rules  
5 of the Senate. Passage of the joint  
6 resolution shall require the affirmative  
7 vote of two-thirds of Senators, duly  
8 chosen and sworn.

9 “(IV) RULINGS OF THE CHAIR  
10 ON PROCEDURE.—Appeals from the  
11 decisions of the Chair relating to the  
12 application of the rules of the Senate,  
13 as the case may be, to the procedure  
14 relating to a joint resolution of ap-  
15 proval shall be decided without de-  
16 bate.

17 “(E) RULES RELATING TO SENATE AND  
18 HOUSE OF REPRESENTATIVES.—

19 “(i) COORDINATION WITH ACTION BY  
20 OTHER HOUSE.—If, before the passage by  
21 one House of a joint resolution of that  
22 House, that House receives from the other  
23 House a joint resolution of approval that is  
24 identical to the joint resolution of the

1 House receiving the resolution, then the  
2 following procedures shall apply:

3 “(I) The joint resolution of the  
4 other House shall not be referred to a  
5 committee.

6 “(II) With respect to a joint res-  
7 olution of the House receiving the res-  
8 olution—

9 “(aa) the procedure in that  
10 House shall be the same as if no  
11 joint resolution had been received  
12 from the other House; but

13 “(bb) the vote on passage  
14 shall—

15 “(AA) require the af-  
16 firmative vote of two-thirds  
17 of Senators, duly chosen and  
18 sworn, for passage; and

19 “(BB) be on the joint  
20 resolution of the other  
21 House.

22 “(ii) TREATMENT OF JOINT RESOLU-  
23 TION OF OTHER HOUSE.—If one House  
24 fails to introduce or consider a joint resolu-  
25 tion under this section, the joint resolution

1 of the other House shall be entitled to ex-  
2 pedited floor procedures under this para-  
3 graph.

4 “(iii) TREATMENT OF COMPANION  
5 MEASURES.—If, following passage of the  
6 joint resolution in the Senate, the Senate  
7 then receives an identical resolution from  
8 the House of Representatives, the resolu-  
9 tion of the House shall not be debatable.

10 “(iv) CONSIDERATION OF VETO MES-  
11 SAGES.—If the President vetoes a joint  
12 resolution of approval, debate on a veto  
13 message in the Senate shall be 1 hour  
14 equally divided between the majority and  
15 minority leaders or their designees.

16 “(F) RULES OF HOUSE OF REPRESENTA-  
17 TIVES AND SENATE.—This paragraph enacted  
18 by the Senate and the House of Representa-  
19 tives—

20 “(i) as an exercise of the rulemaking  
21 power of the Senate and House, respec-  
22 tively, and as such it is deemed a part of  
23 the rules of each House, respectively, but  
24 applicable only with respect to the proce-  
25 dure to be followed in that House in the

1 case of a joint resolution of approval, and  
2 it supersedes other rules only to the extent  
3 that it is inconsistent with such rules; and

4 “(ii) with full recognition of the con-  
5 stitutional right of either House to change  
6 the rules (so far as relating to the proce-  
7 dure of that House) at any time, in the  
8 same manner, and to the same extent as in  
9 the case of any other rule of that House.

10 “(5) DEFINITIONS.—In this subsection:

11 “(A) EXPLOSIVE NUCLEAR TESTING.—The  
12 term ‘explosive nuclear testing’—

13 “(i) means testing involving the explo-  
14 sive compression or assembly of fissile ma-  
15 terial to exceed critical mass with the at-  
16 tendant release of any nuclear energy from  
17 fission processes; and

18 “(ii) does not include subcritical ex-  
19 periments carried out as part of the stock-  
20 pile stewardship program under section  
21 4201, laser fusion experiments, or other in-  
22 ertial confinement fusion experiments how-  
23 ever driven.

24 “(B) TECHNICAL NEED.—The term ‘tech-  
25 nical need’, with respect to explosive nuclear

1 testing, means that all officials specified in sec-  
2 tion 4205(b) determine that an explosive nu-  
3 clear test is necessary to resolve an issue with  
4 respect to the safety, reliability, performance, or  
5 military effectiveness of a nuclear weapon  
6 type.”.

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