

Statement on Signing the National Defense Authorization Act for Fiscal Year 2026
December 18, 2025

Today, I have signed into law S. 1071, the "National Defense Authorization Act for Fiscal Year 2026" (the "Act"). The Act authorizes fiscal year appropriations for the Department of War (DoW), the Department of Energy national security programs, the Department of State, the Department of Homeland Security, the Intelligence Community, and other executive departments and agencies. The Act will enable the DoW to carry out my Peace Through Strength agenda, protect the homeland from domestic and foreign threats, and strengthen the defense industrial base, while eliminating funding for wasteful and radical programs that undermine the warfighting ethos of our Nation's men and women in uniform. Importantly, the Act codifies aspects of over a dozen Executive Orders and actions taken by my Administration, including those focused on warfighter lethality, advancing homeland missile defense by fully supporting the Golden Dome for America plan, restoring America's airspace sovereignty, and providing Federal recognition of the Lumbee Tribe of North Carolina.

Over the next 3 years, the United States will host numerous major events that necessitate new authorities to combat emerging security threats. The Act includes the critical SAFER SKIES Act, which provides State and local law enforcement with the authority to protect against unmanned aircraft when they present a threat to the public and creates a new felony offense for a second violation of national defense airspace. In addition, the Act provides key resources to ensure the continued security of the southern border from illegal immigration and transnational criminal organizations.

Although I am pleased to support the critical objectives of the Act, I note that certain provisions of the Act raise concerns.

Certain provisions of the Act, including sections 343, 1032–1035, 1048(d)(4)(B), 1266, 5143, and 8304(a), purport to dictate the position of the United States in external military and foreign affairs. My Administration will treat these provisions consistent with the President's constitutional authority as Commander in Chief of the Armed Forces and the President's constitutional authority to conduct the foreign affairs of the United States, which includes the authority to recognize foreign sovereigns.

Several provisions of the Act, including sections 364(a), 383(d), 737, 851, 1070, 1235, 1245, 1253, 1546, 1622, 1806(c), 3111, 6102(b)(3), 6303, 6502(b), 6521, 6524, 6712, 7213, 8102(b), 8315(1)(A)(iii), 8341(a), 8361(b)(3)(A), 8363(h), and 8521, purport to require the President to submit information to the Congress—such as deliberative process and national security information—protected by long-recognized legal privileges. My Administration will treat these provisions consistent with the President's constitutional authority to withhold information, the disclosure of which could impair foreign relations, national security, the deliberative processes of the executive branch, and the performance of the President's constitutional duties.

Additionally, section 1622 of the Act purports to require my Administration to provide the Congress with sensitive national security information on programs, operations, actions, and activities that become compromised or fail, and section 6504 of the Act purports to require the granting of security clearances to certain persons. My Administration will implement these provisions only to the extent that they are consistent with the President's constitutional authority to control the dissemination of sensitive national security information.

Several provisions of the Act, including sections 915(a) and 1046(a), purport to restrict the President's authority to control the personnel and materiel the President believes to be necessary or advisable for the successful conduct of military missions. While I share the objectives of the Congress with respect to maintaining the strength and security of the United States, my Administration will implement these provisions consistent with the President's authority as Commander in Chief.

Other provisions of the Act, including sections 1249, 1268, 1507, 1546, and 1655, purport to require that the Congress receive a certification, notification, or report before the President directs certain military or diplomatic actions, including the withdrawal of troops below a minimum number in particular theaters. I reiterate the longstanding understanding of the executive branch that such provisions encompass only actions for which such advance certification, notification, or report is feasible and consistent with the President's constitutional authorities as Commander in Chief and his authority to conduct the foreign affairs of the United States.

Section 1635 of the Act purports to restrict funding until my Administration completes actions to realign certain organizational units related to nuclear weapons platforms, delivery systems, and communication systems, and provides notice to the Congress. Section 1638 of the Act similarly purports to restrict funding for the Office of the Secretary of the Air Force until my Administration notifies the Congress that certain authorities have been delegated within the national defense apparatus. My Administration will treat these provisions consistent with the President's exclusive constitutional authorities as Commander in Chief and will interpret them in a manner so as not to impair the President's ability to manage the executive branch.

A number of other provisions of the Act, including sections 552, 565(b), 589D(c)(2), 652, 912(g)(3), 1253(f), 1692(c)(2), 1828(c)(4), 1833(e), 2803, 2887(e), 2888(f), 3111, 3123, 7262, 7277, 7511(a), 8202(a)(2), and 8521, purport to require the President or executive branch officials under the President's supervision to recommend certain legislative measures to the Congress. My Administration will treat these provisions consistent with Article II, Section 3 of the Constitution, which grants the President the discretion to recommend to the Congress "such Measures as he shall judge necessary and expedient," if any.

Section 3111 of title XXXI of Division C of the Act purports to require the submission of budget requests to the Congress in particular forms or to advance particular objectives. As the Constitution grants the President the discretion to recommend "such Measures as he shall judge necessary and expedient," if any, my Administration will interpret this provision in a manner so as to not impair the President's ability to manage the executive branch.

DONALD J. TRUMP

The White House,
December 18, 2025.

NOTE: S. 1071, approved December 18, was assigned Public Law No. 119–60. An original was not available for verification of the content of this statement.

Categories: Bill Signings and Vetoes : National Defense Authorization Act for Fiscal Year 2026, signing statement.

Subjects: Constitutional roles and separation of powers; National Defense Authorization Act for Fiscal Year 2026; Secretary of the Air Force; State and local law enforcement, Federal support; U.S. military readiness, improvement efforts.

DCPD Number: DCPD202501207.