

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
<b>4764</b>	3	Wittman, Robert	CHM	Synthetic Diamond and Ultra-Wide Bandgap (UWB) Materials. Directs USD (R&E) to submit a report to the congressional defense committees by January 1, 2026, on current and planned efforts to operationalize synthetic diamond and UWB enabled technologies.	EB 4
<b>4774</b>	0	Graves, Sam	CHM	PROCESS FOR COMPLAINTS AND INVESTIGATIONS OF TRANSPORTATION SERVICE PROVIDERS AND TRANSPORTATION OFFICERS.	EB 4
<b>4797</b>	2	Bergman, Jack	CHM	Amends the Military Selective Service Act to automatically register eligible males ages 18–26, removing the need for individual action. Includes data sharing, public notice, and clarifies agency roles. Takes effect one year after enactment.	EB 4
<b>4801</b>	2	Fallon, Pat	CHM	Federal Hiring Modernization Act of 2025	EB 4
<b>4802</b>	3	Fallon, Pat	CHM	Personnel Actions Against DOD SES Career Appointees	EB 4
<b>4804</b>	1	Fallon, Pat	CHM	Adds additional cybersecurity requirements for procuring cloud, data infrastructure, and foundation models.	EB 4
<b>4811</b>	2	Kelly, Trent	CHM	This amendment directs the Secretaries of the Air Force and the Army to submit a joint report to the House Armed Services Committee within 180 days of enactment. The report must detail the cost, timeline, and operational impact of replacing outdated Time Division Multiplexing (TD	EB 4
<b>4826</b>	2	Wittman, Robert	CHM	Establishes a minimum six-year assignment period for acquisition program executive officers (PEOs).	EB 4
<b>4865</b>	2	Harrigan, Pat	CHM	Prohibits the Department of Defense (DOD) from issuing any COVID-19 vaccine mandate as a replacement for the rescinded vaccine mandate of August 24, 2021, unless the mandate is expressly authorized by Congress.	EB 4
<b>4905</b>	1	McGuire, John J.	CHM	Would direct the Undersecretary of Defense (R&E) in coordination with others to provide a report on plans to accelerate cost-effective hypersonic propulsion systems, including via additive manufacturing, and plans for developing hypersonic aerial target systems.	EB 4
<b>4984</b>	1	Jackson, Ronny	CHM	Prohibits defense funds for universities that have not acted to mitigate or prevent antisemitic demonstrations.	EB 4
<b>5073</b>	0	Mace, Nancy	CHM	Direct SecDef to provide briefing on costs incurred conducting DEI programs and gender-transition medical services	EB 4
<b>5146</b>	3	Goodlander, Maggie	CHM	Authorize Congressional notification requirements for small business concerns for any significant contract termination.	EB 4

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
5186	1	Courtney, Joe	CHM	Amends Section 1841 to include further amendments to 10 USC 388 (Procurement Technical Assistance Cooperative Agreement Program) regarding definitions, pilot programs, and funding. The revision corrects a single word typo and is updated to the word "Tribe" in the amendment text.	EB 4
5300	2	Garamendi, John	CHM	To direct the Secretary of Defense to establish a standardized framework for Cyber Assignment Incentive Pay across the Armed Forces	EB 4
5213	2	Scott, Austin	CHM	This amendment would prohibit any A-10 aircraft retirements during FY26 and would require the Secretary of the Air Force to provide a report on the Secretary's new divestment plan to retire all A-10 aircraft prior to FY29.	EB 4
5310	1	Garamendi, John	CHM	Amends Section 4374 of Title 10 USC to streamline breach reporting timelines, and include operating and support costs as part of cost growth estimates.	EB 4
5328	1	Crow, Jason	CHM	DRL to urge the Space Force to develop an acquisition strategy that utilizes a competitive acquisition strategy for space-based data transport architecture.	EB 4
5329	1	Jacobs, Sara	CHM	Withholds 10 % of the Office of the Under Secretary of Defense for Policy for travel expenses until SecDef certifies to the defense committees that EXORDs required by FY25 NDAA §1067 have been delivered and that a standing mechanism guarantees on-time future submission.	EB 4
5342	0	Van Orden, Derrick	CHM	Prohibits using Department of Defense funds to promote or endorse Critical Race Theory in military academies, service member training, or professional military education. It includes a safeguard to protect academic freedom for instructors and defines CRT.	EB 4
5361	1	Keating, William R.	CHM	Requires a quarterly report by the Secretary of Defense on the termination of critical technology research awards.	EB 4
5363	2	Moulton, Seth	CHM	PROHIBITION ON AVAILABILITY OF FUNDS FOR PRIVATIZED OR SUBSCRIPTION-BASED MISSILE DEFENSE INTERCEPT CAPABILITIES	EB 4
5462	1	Moulton, Seth	CHM	Directs DoD to develop a strategy to strengthen multilateral deterrence in the Indo-Pacific.	EB 4
5463	1	Garamendi, John	CHM	Report on the inventory of existing reserve plutonium pits, as well as the cost and feasibility for reuse, refurbishing, or recycling	EB 4
5464	2	Moulton, Seth	CHM	Adjusts deadline for report and consolidated budget exhibits for activities related to next generation missile defense architecture	EB 4
5472	1	Wittman, Robert	CHM	Amends 10 USC 4872 to expand the list of covered material under (f)(1) to include minerals, materials, substrates, metals, or alloys of interest to national security as determined by the Secretary of Defense.	EB 4

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
5483	1	Garamendi, John	CHM	Report on escalation dynamics involving artificial intelligence in nuclear operations	EB 4
5521	1	Graves, Sam	CHM	Enhances cybersecurity cooperation between the U.S. and Panama to protect the Panama Canal from cyber threats by integrating cybersecurity into joint training, sharing information, and improving defenses against ransomware and other attacks.	EB 4
5554	1	Bacon, Don	CHM	Directs the Secretary of Defense to prepare and implement a plan to establish the Civil Reserve Manufacturing Network.	EB 4
5560	0	Mills, Cory	CHM	Prohibits funds to be used for DEI Purposes	EB 4
5607	0	Crank, Jeff	CHM	Directs the DOD to require a hardware bill of materials from all contractors for a procurement related to fifth-generation wireless technology for private networks on military installations.	EB 4
5624	1	Fallon, Pat	CHM	Additional Elements for Department of Defense Audit	EB 4
5656	1	Kelly, Trent	CHM	Directing DLA to report on the current status of DLA's logistics and asset management data infrastructure along with commercially available improvements that are in the commercial market space.	EB 4
5663	2	Graves, Sam	CHM	This amendment would require the Secretary of the Air Force to provide a recapitalization plan for the A-10s currently in the Air Force Reserve.	EB 4
5673	1	Jacobs, Sara	CHM	Directs DoD to submit a report explaining how the CDAO's July 14, 2025, \$200 million frontier-AI IDIQ was awarded, outlining the contracting strategy, evaluation factors, and scoring metrics used, detailing any bid protests and their resolution, and providing lessons learned.	EB 4
5669	1	Deluzio, Christopher R.	CHM	TINA Impact on Competition DRL	EB 4
5640	0	Bacon, Don	CHM	Directs major acquisition programs to develop and implement a plan to transition to digital manufacturing for certain critical items	EB 4
5617	2	Fallon, Pat	CHM	Expansion of Military Star Program	EB 4
5161	1	Moylan, Jim	CHM	Guam Missile Defense DRL	EB 4

## **Amendment to H.R. 3838 National Defense Authorization Act for Fiscal Year 2026**

### **Offered by: Mr. Wittman**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Synthetic Diamond and Ultra-Wide Bandgap (UWB) Materials**

The committee is aware of the unique material properties of synthetic diamond and other ultra-wide bandgap (UWB) materials and believes that such properties could enable new generations of electronics, sensors, thermal management solutions, and other critical technologies. The committee notes that advancements in such technology areas could allow for generational capability improvements in national security-relevant areas such as electronic warfare, advanced communications, radar, and high-performance computing. The committee commends the work underway through the Defense Advanced Research Projects Agency Ultra-Wide Band Gap Semiconductors program and other Department of Defense initiatives to develop and optimize such materials, and believes that the Department should make a sustained effort to prioritize investment into UWB material development, manufacturing readiness, and transition efforts.

The committee therefore directs the Under Secretary of Defense for Research and Engineering to provide a report to the congressional defense committees by January 1, 2026, outlining current and planned efforts to further develop and operationalize UWB materials in relevant Department of Defense programs and any near-term opportunities to accelerate risk reduction, manufacturing development, or transition activities. The report should also identify planned and potential transition opportunities for UWB materials into Department of Defense platforms and programs.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GRAVES OF MISSOURI**

At the appropriate place in title X, insert the following:

1 **SEC. 10 \_\_\_\_ . PROCESS FOR COMPLAINTS AND INVESTIGA-**  
2 **TIONS OF TRANSPORTATION SERVICE PRO-**  
3 **VIDERS AND TRANSPORTATION OFFICERS.**

4 (a) COMPLAINTS AND INVESTIGATIONS.—

5 (1) PROCESS FOR SUBMITTING COMPLAINTS.—

6 The Commander of the Military Surface Deployment  
7 and Distribution Command shall develop a process  
8 through which a transportation service provider may  
9 submit a complaint to the Commander regarding  
10 possible violations of the Military Freight Traffic  
11 Unified Rules Publication or the Defense Transpor-  
12 tation Regulations by Department of Defense trans-  
13 portation officers and transportation service pro-  
14 viders regarding any military shipments that are re-  
15 quired to be processed by the Global Freight Man-  
16 agement System.

17 (2) ELEMENTS.—The complaint process re-  
18 quired under paragraph (1) shall include each of the  
19 following:

1 (A) An identification of the information  
2 the complainant should provide as part of a  
3 complaint to assist the Commander in reviewing  
4 and investigating the complaint, including ref-  
5 erences to the rules that were allegedly violated.

6 (B) A timeline for the adjudication of the  
7 complaint and rendering of an initial finding by  
8 an individual designated by the Commander.

9 (C) A process for any party to appeal the  
10 initial finding if the party believes the initial  
11 finding is incorrect, a timeline for the review of  
12 the appeal, and a timeline for the Commander  
13 to render a final decision.

14 (D) Such other elements as the Com-  
15 mander determines appropriate.

16 (3) CONSEQUENCES FOR VIOLATIONS.—If, pur-  
17 suant to a complaint submitted through the com-  
18 plaint process under this section, a transportation  
19 officer or transportation service provider is found to  
20 have violated the Military Freight Traffic Unified  
21 Rules Publication or the Defense Transportation  
22 Regulations, the Commander shall impose a penalty  
23 in accordance with the Military Freight Traffic Uni-  
24 fied Rules Publication and the Defense Transpor-  
25 tation Regulations and, if applicable, work with the

1 transportation officer or transportation service pro-  
2 vider to take corrective action.

3 (4) TRANSPORTATION OFFICER ACTIONS.—

4 (A) NOTIFICATION PROCESS.— The Com-  
5 mander shall establish a timely process through  
6 which a transportation service provider may no-  
7 tify the Military Surface Deployment and Dis-  
8 tribution Command of any action a transpor-  
9 tation officer imposes against a transportation  
10 service provider, such as a letter of non-use, if  
11 the transportation service provider believes that  
12 such action was improper, excessive, or not in  
13 accordance with the Military Freight Traffic  
14 Unified Rules Publication or Defense Transpor-  
15 tation Regulations.

16 (B) AUTHORITY TO OVERRIDE.— The  
17 Commander may override any action taken by  
18 a transportation officer against a transportation  
19 service provider if the Commander believes such  
20 action was improper, excessive, or not in ac-  
21 cordance with the Military Freight Traffic Uni-  
22 fied Rules Publication or Defense Transpor-  
23 tation Regulations. The authority under this  
24 subparagraph includes revoking a letter of non-  
25 use, reducing the duration of a letter of non-

1 use, and removing any service failure from the  
2 record of the transportation service provider.

3 (b) GLOBAL FREIGHT MANAGEMENT TRAINING.—

4 The Commander of the Military Surface Deployment and  
5 Distribution Command shall provide recurring training to  
6 all transportation officers and transportation service pro-  
7 viders that use the Global Freight Management System  
8 to process and award Department of Defense shipments.  
9 Such training shall include—

10 (1) detailed instruction on the Military Freight  
11 Traffic Unified Rules Publication and Defense  
12 Transportation Regulations;

13 (2) best practices for processing and awarding  
14 shipments in the Global Freight Management sys-  
15 tem;

16 (3) the importance of awarding shipments  
17 transparently and in accordance with Department of  
18 Defense policies; and

19 (4) such other information as the Commander  
20 determines appropriate.

21 (c) FREIGHT CARRIER REGISTRATION PROGRAM.—

22 (1) UPDATE.—The Commander of the Military  
23 Surface Deployment and Distribution Command  
24 shall update the freight carrier registration program  
25 to ensure that users of the program, including De-



1       partment of Defense personnel and transportation  
2       service providers, are able to easily determine if a  
3       standard carrier alpha code belongs to a motor car-  
4       rier or broker.

5           (2) ANNUAL AUDIT REQUIREMENT.—Not less  
6       frequently than annually, the Commander shall con-  
7       duct an audit of the freight carrier registration pro-  
8       gram to ensure that all approved transportation  
9       service providers have active and appropriate oper-  
10      ating authority from the Department of Transpor-  
11      tation.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. BERGMAN OF MICHIGAN**

At the appropriate place in title V, insert the following new section:

**1 SEC. 5 \_\_\_\_ . SELECTIVE SERVICE SYSTEM: AUTOMATIC REG-**  
**2 ISTRATION.**

**3 (a) AUTOMATIC REGISTRATION.**—The Military Selec-  
**4 tive Service Act (50 U.S.C. 3801 et seq.) is amended by**  
**5 striking section 3 (50 U.S.C. 3802) and inserting the fol-**  
**6 lowing new section 3:**

**7 “SEC. 3. (a)(1) Except as otherwise provided in this**  
**8 title, every male citizen of the United States, and every**  
**9 other male person residing in the United States, between**  
**10 the ages of eighteen and twenty-six, shall be automatically**  
**11 registered under this Act by the Director of the Selective**  
**12 Service System.**

**13 “(2) This section shall not apply to any alien lawfully**  
**14 admitted to the United States as a nonimmigrant under**  
**15 section 101(a)(15) of the Immigration and Nationality Act**  
**16 (8 U.S.C. 1101) for so long as such alien continues to**  
**17 maintain a lawful nonimmigrant status in the United**  
**18 States.**

1 “(b) Regulations prescribed pursuant to this section

2 (a) may require—

3 “(1) a person subject to registration under this  
4 section to provide, to the Director, information (in-  
5 cluding date of birth, address, social security ac-  
6 count number, phone number, and email address)  
7 regarding such person;

8 “(2) a Federal entity to provide, to the Direc-  
9 tor, information described in paragraph (1) that the  
10 Director determines necessary to identify or register  
11 a person subject to registration under this section;  
12 and

13 “(3) the Director to provide, to a person reg-  
14 istered under this section, written notification that—

15 “(A) such person has been so registered;  
16 and

17 “(B) if such person is not required to be  
18 so registered, the procedure by which such per-  
19 son may correct such registration.”.

20 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

21 The Military Selective Service Act is further amended—

22 (1) in section 4 (50 U.S.C. 3803)—

23 (A) in subsection (a)—

1 (i) by striking “required to register”  
2 each place it appears and inserting “reg-  
3 istered”;

4 (ii) by striking “at the time fixed for  
5 his registration,”; and

6 (iii) by striking “who is required to  
7 register” and inserting “registered”;

8 (B) in subsection (k)(2), in the matter fol-  
9 lowing subparagraph(B), by striking “liable for  
10 registration” and inserting “registered”;

11 (2) in section 6(a) (50 U.S.C. 3806(a))—

12 (A) in paragraph (1)—

13 (i) by striking “required to be”;

14 (ii) by striking “subject to registra-  
15 tion” and inserting “registered”; and

16 (iii) by striking “liable for registration  
17 and training” and inserting “registered  
18 and liable for training”;

19 (B) in paragraph (2), by striking “required  
20 to be” each place it appears;

21 (3) in section 10(b)(3) (50 U.S.C. 3809(b)(3))  
22 by striking “registration,”;

23 (4) in section 12 (50 U.S.C. 3811)—

24 (A) in subsection (d)—

1 (i) by striking “, neglecting, or refus-  
2 ing to perform the duty of registering im-  
3 posed by” and inserting “registration  
4 under”; and

5 (ii) by striking “, or within five years  
6 next after the last day before such person  
7 does perform his duty to register, which-  
8 ever shall first occur”;

9 (B) in subsection (e)—

10 (i) by striking “the Secretary of  
11 Health and Human Services” and insert-  
12 ing “Federal agencies”;

13 (ii) by striking “by a proclamation of  
14 the President” and inserting “to be reg-  
15 istered”;

16 (iii) by striking “to present themselves  
17 for and submit to registration under such  
18 section”; and

19 (iv) by striking “by the Secretary”;  
20 and

21 (C) by striking subsection (g) (50 U.S.C.  
22 3811(g)); and

23 (5) in section 15(a) (50 U.S.C. 3813(a)), by  
24 striking “upon publication by the President of a

1 proclamation or other public notice fixing a time for  
2 any registration under section 3”.

3 (c) EFFECTIVE DATE.—The amendments made by  
4 this section shall take effect one year after the date of  
5 the enactment of this Act.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. FALLON OF TEXAS**

At the appropriate place in title XI, insert the following:

1           **Subtitle II—Defense Hiring**  
2           **Modernization Act of 2025**

3   **SEC. 1121. SHORT TITLE.**

4           This subtitle may be cited as the “Defense Hiring  
5 Modernization Act of 2025”.

6   **SEC. 1122. AMENDMENTS TO TITLE 5, UNITED STATES**  
7           **CODE.**

8           (a) MODERNIZING COMPETITIVE HIRING AUTHORI-  
9 TIES FOR DEPARTMENT OF DEFENSE.—Section 3301 of  
10 title 5, United States Code, is amended—

11               (1) by striking “The President” and inserting  
12           “(a) IN GENERAL.—The President”; and

13               (2) by adding at the end the following new sub-  
14 section:

15           “(b) DOD PROCEDURES.—The President may au-  
16 thorize the Department of Defense to determine the quali-  
17 fication, examination, and assessment procedures for posi-  
18 tions in the competitive service based primarily on job-re-  
19 lated competencies and skills, including the use of struc-

1 tured interviews, technical evaluations, or skills-based as-  
2 sessments, and alternative assessments.”.

3 (b) MODERNIZING PUBLIC NOTICE REQUIRE-  
4 MENTS.—Section 3327 of title 5, United States Code, is  
5 amended by adding at the end the following:

6 “(c) The Office of Personnel Management may au-  
7 thorize the Department of Defense to use flexible outreach  
8 methods, including curated prospect sourcing, provided  
9 that all hiring opportunities remain publicly accessible and  
10 merit-based.”.

11 (c) ELIMINATION OF TIME-IN-GRADE RESTRIC-  
12 TIONS.—Section 3361 of title 5, United States Code, is  
13 amended—

14 (1) by striking “An individual” and inserting

15 “(a) IN GENERAL.—An individual”; and

16 (2) by adding at the end the following:

17 “(b) DOD PROMOTIONS.—Promotions in the com-  
18 petitive service within the Department of Defense may be  
19 made based on demonstrated skills and qualifications  
20 without regard to minimum time-in-grade requirements,  
21 subject to agency policies and applicable merit system  
22 principles.”.

23 (d) SHARED TALENT POOLS AND STRUCTURED AS-  
24 SESSMENTS.—Subchapter I of chapter 33 of title 5,  
25 United States Code, is amended by adding at the end the



1 following (and conforming the table of sections at the be-  
2 ginning of such subchapter accordingly):

3 **“§ 3330g. DOD use of shared talent pools and struc-**  
4 **tured assessments**

5 “(a) SHARED TALENT POOLS.—The Department of  
6 Defense may share certificates of eligibles and curated  
7 prospect pools within the Department. Certificates issued  
8 under this authority shall remain valid for not less than  
9 one year from the date of issuance, subject to agency-spe-  
10 cific qualification checks.

11 “(b) STRUCTURED ASSESSMENTS.—The Department  
12 of Defense shall use validated structured interviews, tech-  
13 nical evaluations, or other skills-based assessments as part  
14 of the hiring process for competitive service positions at  
15 the Department, in accordance with regulations prescribed  
16 by the Office of Personnel Management.”.

17 (e) REPORT.—Not later than 1 year after the date  
18 of the enactment of this Act, the Secretary of Defense  
19 shall submit a report to the congressional defense commit-  
20 tees on the impact of this subtitle and the amendments  
21 made by this subtitle on hiring at the Department of De-  
22 fense. Such report shall include an analysis on the impact  
23 on the length of the hiring process, the quality of appli-  
24 cants, the useability of the system for applicants and the  
25 Department, the total number of individuals appointed

- 1 through alternative job postings, the total number of indi-
- 2 viduals appointed from a shared applicant pool, and any
- 3 identified challenges to hiring.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. FALLON OF TEXAS**

At the appropriate place in title XI, insert the following:

1 **SEC. 11\_\_\_\_. PERSONNEL ACTIONS AGAINST DOD SES CA-**  
2 **REER APPOINTEES.**

3 (a) **AUTHORITY.—**

4 (1) **IN GENERAL.**—The head of any element of  
5 the Department of Defense may, as provided in this  
6 section, reprimand or suspend, involuntarily reas-  
7 sign, demote, or remove a career appointee at the  
8 element if the head determines that the documented  
9 misconduct or performance of the career appointee  
10 warrants such action.

11 (2) **REMOVAL FROM CIVIL SERVICE.**—If a head  
12 removes an individual under paragraph (1), the head  
13 may remove the individual from the civil service.

14 (b) **RIGHTS AND PROCEDURES.—**

15 (1) **IN GENERAL.**—An individual who is the  
16 subject of an action under subsection (a)—

17 (A) is entitled to advance notice of the ac-  
18 tion and a file containing all evidence in sup-  
19 port of the proposed action;

1 (B) may be represented by an attorney or  
2 other representative of the covered individual's  
3 choice; and

4 (C) may grieve the action in accordance  
5 with an independent grievance process that the  
6 Secretaries of the military departments shall es-  
7 tablish for purposes of this subsection.

8 (2) TIME PERIODS.—

9 (A) AGGREGATE PERIOD.—The aggregate  
10 period for notice, response, and decision on an  
11 action under subsection (a) may not exceed 15  
12 business days.

13 (B) RESPONSE PERIOD.—The period for  
14 the response of a covered individual to a notice  
15 under paragraph (1)(A) of an action under sub-  
16 section (a) shall be 7 business days.

17 (C) DECISION PERIOD.—A decision under  
18 this paragraph on an action under subsection  
19 (a) shall be issued not later than 15 business  
20 days after notice of the action is provided to the  
21 individual under paragraph (1)(A). The decision  
22 shall be in writing, and shall include the specific  
23 reasons therefor.

24 (D) GRIEVANCE PROCESS PERIOD.—The  
25 Secretaries shall ensure that the grievance proc-

1           ess established under paragraph (1)(C) takes  
2           fewer than 21 days.

3           (E) WAIVER.—The applicable Secretary  
4           may waive the requirements of subparagraphs  
5           (A) through (D) if the Secretary for good cause  
6           determines such waiver is in the interests of  
7           due process.

8           (3) FINALITY OF DECISIONS.—A decision under  
9           paragraph (2) that is not grieved, and a grievance  
10          decision under such subparagraph, shall be final and  
11          conclusive, except as provided in paragraph (4).

12          (4) MSPB APPEAL.—An individual may appeal  
13          a final decision under paragraph (3) to the Merit  
14          Systems Protection Board. The Board shall, within  
15          120 days of the filing of the appeal, decide the ap-  
16          pealable action in accordance with the Board's ap-  
17          pellate procedures under section 7701 of title 5,  
18          United States Code, and this section.

19          (5) RELATION TO OTHER PROVISIONS OF  
20          LAW.—Section 3592(b)(1) of title 5, United States  
21          Code, and the procedures under section 7543(b) of  
22          such title shall apply to an action under paragraph  
23          (1) unless otherwise provided by this section.

24          (c) SUNSET.—This section and the authority under  
25          this section shall terminate on September 30, 2030.

1 (d) DEFINITIONS.—In this section—

2 (1) the term “career appointee” has the mean-  
3 ing given that term in section 3132(a) of title 5,  
4 United States Code.

5 (2) the term “civil service” has the meaning  
6 given that term in section 2101 of such title 5; and

7 (3) the term “misconduct” includes neglect of  
8 duty, malfeasance, or failure to accept a directed re-  
9 assignment or to accompany a position in a transfer  
10 of function.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. FALLON OF TEXAS**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8 \_\_\_\_ . PROTECTING AI AND CLOUD COMPETITION IN**  
2 **DEFENSE CONTRACTS.**

3 (a) CLOUD, DATA INFRASTRUCTURE, AND FOUNDA-  
4 TION MODEL PROCUREMENT REQUIREMENTS.—The Sec-  
5 retary of Defense shall, when entering into a contract for  
6 cloud computing, data infrastructure, and artificial intel-  
7 ligence capabilities—

8 (1) promote security, resiliency, and competi-  
9 tion in the procurement of such capabilities by re-  
10 quiring a the use of competitive procedures under  
11 section 3012 of title 10, United States Code;

12 (2) ensure that the Government retains exclu-  
13 sive access to and use of all Government-furnished  
14 data;

15 (3) ensure that such competitive procedures—  
16 (A) prioritize appropriate Government  
17 roles in intellectual property, data rights, secu-  
18 rity, interoperability, and auditability;

1 (B) incorporate modular open systems ap-  
2 proaches (as defined in section 4401 of title 10,  
3 United States Code (as amended by section  
4 1833 *【log 82219】* of this Act) and technical  
5 boundaries;

6 (C) use best practices in streamlined pro-  
7 curement as set forth in the Federal Acquisition  
8 Streamlining Act of 1994 (Public Law 103–  
9 355) and section 808 of the National Defense  
10 Authorization Act for Fiscal Year 2021 (Public  
11 Law 116– 283; 10 U.S.C. 4001 note);

12 (D) encourages participation by small busi-  
13 ness concerns (as defined under section 3 of the  
14 Small Business Act (15 U.S.C. 632)) and non-  
15 traditional defense contractors (as defined in  
16 section 3014 of title 10, United States Code);

17 (E) uses all appropriate acquisition au-  
18 thorities, including authorities under sections  
19 4021 and 4022 of title 10, United States Code,  
20 and commercial solutions opening contracts en-  
21 tered into pursuant to section 3458 of title 10,  
22 United States Code.

23 (b) DATA TRAINING AND USE PROTECTION.—The  
24 Secretary of Defense, acting through the Director of the  
25 Chief Digital and Artificial Intelligence Office of the De-



1 partment of Defense, shall revise the Department of De-  
2 fense Supplement to the Federal Acquisition Regulation  
3 to ensure that—

4 (1) Government-furnished data provided for the  
5 development or operation of AI capabilities may not  
6 be used by a covered provider to train or improve  
7 commercial products without express written author-  
8 ization from the Secretary of Defense;

9 (2) such Government-furnished data, when  
10 stored on covered provider systems, is protected and  
11 treated in accordance with covered data principles,  
12 or, to the maximum extent practicable, under com-  
13 mercial AI terms protective of Government interests;

14 (3) a service acquisition executive (as defined in  
15 section 101 of title 10, United States Code) may  
16 waive the requirements of this subsection only if—

17 (A) such waiver is determined to be nec-  
18 essary for national security; and

19 (B) the Director is notified of the specific  
20 waiver, the covered provider and a description  
21 and the value of the contract to which the waiv-  
22 er applies, the data subject to the waiver, and  
23 the justification for such waiver.

24 (c) REPORT.—

1           (1) IN GENERAL.—Not later than January 15,  
2           2027, and annually thereafter for four years, the  
3           Chairman of the Joint Chiefs of Staff, in coordina-  
4           tion with the Under Secretary of Defense for Acqui-  
5           sition and Sustainment, shall submit to the congres-  
6           sional defense committees a report on—

7                   (A) competition and innovation among pro-  
8                   viders of AI technologies or cloud computing ca-  
9                   pabilities for the Department of Defense;

10                   (B) barriers to the award of a contract  
11                   with the Department of Defense faced by pro-  
12                   viders of commercial AI technologies and  
13                   emerging technology companies; and

14                   (C) legislative and administrative rec-  
15                   ommendations to enhance innovation, competi-  
16                   tion, and secure data practices in Department  
17                   of Defense AI and cloud acquisitions.

18           (2) PUBLICATION.—The Secretary of Defense  
19           shall ensure that the report is made available to the  
20           public by—

21                   (A) posting a publicly releasable version of  
22                   the report on a website of the Department of  
23                   Defense; and

1 (B) upon request, transmitting the report  
2 by other means, as long as such transmission is  
3 at no cost to the Department.

4 (d) DEFINITIONS.—In this section:

5 (1) The terms “artificial intelligence” and “AI”  
6 have the meaning given the term “artificial intel-  
7 ligence” in section 5002 of the National Artificial  
8 Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

9 (2) The term “cloud computing” has the mean-  
10 ing given the term in Special Publication 800–145  
11 of the National Institute of Standards and Tech-  
12 nology, or any successor document.

13 (3) The term “cloud provider” means an entity  
14 engaged in the provision, sale, or licensing of cloud  
15 computing.

16 (4) The term “covered data principles”  
17 means—

18 (A) “DoD data decrees” as described in  
19 the memorandum of the Department of Defense  
20 titled “Creating Data Advantage” issued May  
21 5, 2021; and

22 (B) Creating Data Advantage (Open  
23 DAGIR) principles, as defined by the Director  
24 of the Chief Digital and Artificial Intelligence  
25 Office

1           (5) The term “covered provider” means any  
2           cloud provider, data infrastructure provider, or arti-  
3           ficial provider that has entered into one or more  
4           contracts with an aggregate total value of greater  
5           than or equal to \$50,000,000 during the period of  
6           five fiscal years preceding the fiscal year in which a  
7           contract described in subsection (a) is entered into.

8           (6) The term “data infrastructure” means the  
9           underlying computer, network, and software systems  
10          that enable the collection, storage, processing, and  
11          analysis of data, including the ability to record,  
12          transmit, transform, categorize, integrate, and other-  
13          wise process data generated by digital data systems.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. KELLY OF MISSISSIPPI**

At the appropriate place in title XV, insert the following:

**1 SEC. 15 \_\_\_\_ . REPORT ON REPLACEMENT OF TIME DIVISION**  
**2 MULTIPLEXING LINES AT ARMORIES OF THE**  
**3 AIR NATIONAL GUARD AND THE ARMY NA-**  
**4 TIONAL GUARD.**

**5 (a) IN GENERAL.**—Not later than 180 days after the  
**6** date of the enactment of this Act, the Secretary of the  
**7** Air Force and the Secretary of the Army shall jointly sub-  
**8** mit to the Committee on Armed Services of the House  
**9** of Representatives a report detailing the costs and  
**10** timelines for replacing Time Division Multiplexing lines  
**11** with modern communication technologies in armories of  
**12** the Air National Guard and the Army National Guard.

**13 (b) CONTENTS.**—The report required under sub-  
**14** section (a) shall include—

**15 (1)** an identification of the Time Division Multi-  
**16** plexing lines technologies to be replaced and the re-  
**17** placement modern communication technologies, in-  
**18** cluding the current deployment of such technologies  
**19** across the Department of Defense;

- 1           (2) an explanation of the costs associated with  
2       replacing Time Division Multiplexing lines tech-  
3       nologies identified under paragraph (1), including  
4       any changes to sustainment costs, and the sources  
5       of funding to pay for such costs;
- 6           (3) an assessment of the operational effects as-  
7       sociated with the replacement described in sub-  
8       section (a); and
- 9           (4) the current timelines and resources allo-  
10      cated for such replacement.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. WITTMAN OF VIRGINIA**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8\_\_\_\_. MODIFICATION TO ASSIGNMENT PERIOD FOR**  
2 **CRITICAL ACQUISITION POSITIONS.**

3 Section 1734 of title 10, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) in the subsection heading, by striking  
7 “THREE-YEAR”;

8 (B) in paragraph (1)—

9 (i) by striking “paragraph (3)” and  
10 inserting “paragraph (4)”; and

11 (ii) by inserting “(or with respect to a  
12 program executive officer, six-year period)”  
13 after “three-year period”;

14 (C) in paragraph (2), by striking “A per-  
15 son” inserting “Except as provided in para-  
16 graph (3), a person”;

17 (D) by redesignating paragraph (3) as  
18 paragraph (4); and

1 (E) by inserting after paragraph (2) the  
2 following new paragraph:

3 “(3) An individual may not be assigned as a program  
4 executive officer (as described in section 1732 of this title)  
5 unless the individual executes a written agreement to re-  
6 main on active duty (in the case of a member of the armed  
7 forces) or to remain in Federal service (in the case of an  
8 employee) in that position for a period of at least six years.  
9 The service obligation contained in such a written agree-  
10 ment shall remain in effect unless and until waived by the  
11 Secretary concerned under subsection (b).”;

12 (2) in subsection (b), by adding at the end the  
13 following new paragraph:

14 “(4) The Secretary of Defense shall require that—

15 “(A) a program executive officer be assigned in  
16 that position for a period of at least six years; and

17 “(B) the Under Secretary of Defense for Per-  
18 sonnel and Readiness and the Under Secretary of  
19 Defense for Acquisition and Sustainment jointly en-  
20 sure that the requirement in subparagraph (A) does  
21 not negatively affect the consideration of an indi-  
22 vidual for promotion or otherwise impede the ad-  
23 vancement of an individual to a position of higher  
24 responsibility.”;



1           (3) in subsection (d), by striking “subsection  
2           (a)(2) or (b)(2)” and inserting “in subsection (a)(2),  
3           (b)(2), or (b)(3)”; and  
4           (4) in subsection (e), by inserting “(except for  
5           an individual assigned as a program executive offi-  
6           cer)” after “serving in critical acquisition positions”.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. HARRIGAN OF NORTH**  
**CAROLINA**

At the appropriate place in title V, insert the following new section:

1 **SEC. 5\_\_\_\_. PROHIBITION OF NEW COVID-19 VACCINE MAN-**  
2 **DATE FOR MEMBERS OF THE ARMED**  
3 **FORCES.**

4 The Secretary of Defense may not issue any COVID-  
5 19 vaccine mandate as a replacement for the mandate re-  
6 scinded under section 525 of the James M. Inhofe Na-  
7 tional Defense Authorization Act for Fiscal Year 2023  
8 (Public Law 117-263).



## **Amendment to H.R. 3838**

**Offered by: Mr. McGuire**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

### **Hypersonic Munitions and Aerial Target Systems**

The committee is concerned by the speed at which adversaries are demonstrating advanced hypersonic weapons and maneuverable high-speed munitions systems. The committee believes that high-speed, affordable propulsion solutions could result in operationalizing hypersonics to more quickly meet combatant commander requirements.

In parallel, the committee believes focus on high fidelity hypersonic and supersonic aerial target systems would support the testing, validation, and fielding of interceptor systems, radar architectures, and integrated missile defense networks. As such, the committee encourages the Department of Defense to prioritize investment in next-generation aerial targets that can accurately emulate adversary hypersonic and cruise missile systems. Moreover, the committee encourages the Department to increase support, where appropriate, for the maturation and production scaling of propulsion technologies that can enable affordable, tactically relevant hypersonic flight at mass.

Therefore, the committee directs the Undersecretary of Defense for Research and Engineering, in coordination with the Director of the Missile Defense Agency and the Assistant Secretary of the Army for Acquisition, Logistics, and Technology, Assistant Secretary of the Navy for Research, Development and Acquisition, and the Assistant Secretary of the Air Force for Acquisition, Technology and Logistics, to provide a report to the House Committee on Armed Services not later than January 1, 2026, on scalable hypersonic munitions and aerial target systems. The report shall include a description of the following:

- (1) current and planned efforts to accelerate scalable, cost-effective propulsion solutions for future offensive and defensive hypersonic applications; and
- (2) a cost-benefit analysis of using hypersonic propulsion systems that are produced primarily through additive manufacturing compared to traditional manufacturing at scale.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. JACKSON OF TEXAS**

At the appropriate place in title X, insert the following new section:

**1 SEC. 10 \_\_\_\_ . PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
**2 INSTITUTIONS OF HIGHER EDUCATION THAT**  
**3 ALLOW ANTISEMITIC DEMONSTRATIONS.**

**4 (a) IN GENERAL.**—None of the funds authorized to  
**5 be appropriated or otherwise made available for fiscal year**  
**6 2026 for the Department of Defense may be provided to**  
**7 an institution of higher education if—**

**8 (1) an antisemitic demonstration has occurred**  
**9 on the campus of the institution; and**

**10 (2) the administration of the institution has**  
**11 failed to take action to mitigate and prevent further**  
**12 antisemitic demonstrations.**

**13 (b) DEFINITIONS.**—In this section:

**14 (1) The term “antisemitic demonstration”**  
**15 means any public display of antisemitism.**

**16 (2) The term “antisemitism” means a certain**  
**17 perception of Jews, which may be expressed as ha-**  
**18 tred toward Jews, including rhetorical and physical**  
**19 manifestations directed toward individuals or their**

2

1 property, community institutions, or religious facili-  
2 ties.



## **Amendment to H.R. 3838**

**Offered by: Ms. Mace of South Carolina**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

### **Expenditures Related to DEI Programs and Gender Transition Procedures**

The committee is committed to ensuring that the Department of Defense is focused on warfighting readiness, lethality, and the core mission of national defense. The committee is concerned about the potential diversion of funding toward programs and policies not directly tied to military effectiveness, including those related to diversity, equity, and inclusion (DEI), gender transition procedures, and related administrative and training activities initiated in previous years. The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services no later than February 1, 2026, on the costs incurred as the result of these policies. The briefing should include a detailed accounting of Department expenditures from fiscal years 2021 through 2025 on DEI-related offices, staffing, training and materials; medical procedures and treatments related to gender transition; and other related policies or programs.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. GOODLANDER OF NEW**  
**HAMPSHIRE**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8\_\_\_\_. CONGRESSIONAL NOTIFICATION REQUIRE-**  
2 **MENTS FOR SMALL BUSINESS CONCERNS**  
3 **FOR ANY SIGNIFICANT CONTRACT TERMIN-**  
4 **NATION.**

5       Not later than 90 days after the date of the enact-  
6 ment of this Act, the Secretary of Defense shall revise sec-  
7 tion 249.7001 of the Department of Defense Supplement  
8 to the Federal Acquisition Regulation (or any successor  
9 regulation) to extend the congressional notification re-  
10 quirements for any significant contract termination to in-  
11 clude contracts awarded to a small business concern (as  
12 defined under section 3 of the Small Business Act (15  
13 U.S.C. 632)).



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. COURTNEY OF CONNECTICUT**

Section 1841 [log 82315] is amended—

- (1) by striking “and” at the end of paragraph (1);
- (2) by redesignating paragraph (1) as paragraph (2); and
- (3) by redesignating paragraph (2) as paragraph (5).

Section 1841 [log 82315] is further amended by inserting before paragraph (1) the following new paragraph:

- 1 (1) by amending section 4951(2)(B) to read as
- 2 follows:
- 3 “(B) a tribe, reservation, economic enter-
- 4 prise, or organization, as such terms are de-
- 5 fined, respectively, in section 3 of the Indian
- 6 Financing Act of 1974 (Public Law 93–262; 25
- 7 U.S.C. 1452).”.

Section 1841 [log 82315] is further amended by inserting after paragraph (2), as so redesignated, the following new paragraphs—



1 (4) in section 4954, by adding at the end the  
2 following new subsection:

3 “(g) PILOT PROGRAM.—The Under Secretary of De-  
4 fense for Acquisition and Sustainment may carry out a  
5 pilot program to award funding for national program staff  
6 to an eligible entity that has entered into a cooperative  
7 agreement under this section. Funding received under  
8 such pilot program shall not be subject to the require-  
9 ments of subsection (b) or (e). National program staff  
10 funded under such pilot program shall provide subject  
11 matter expertise for technical assistance, including for ac-  
12 tivities authorized under section 4958.”; and

13 (5) in section 4955—

14 (A) in paragraph (4) by striking  
15 “\$1,000,000” and inserting “\$1,500,000”; and

16 (B) by adding at the end the following new  
17 subsection:

18 “(e) FUNDING FROM OTHER FEDERAL AGENCIES.—  
19 The Secretary shall accept and use funds from other Fed-  
20 eral agencies and departments for execution and adminis-  
21 tration of the program authorized by this chapter.”.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GARAMENDI OF CALIFORNIA**

At the appropriate place in title VI, insert the following new section:

1 **SEC. 6 \_\_\_\_ . STANDARDIZATION OF CYBER ASSIGNMENT IN-**  
2 **CENTIVE PAY FOR MEMBERS OF THE ARMED**  
3 **FORCES.**

4 (a) IN GENERAL.—Subchapter III of chapter 5 of  
5 title 37, United States Code, is amended by adding at the  
6 end the following new section:

7 **“§ 375. Standardization of cyber assignment incentive**  
8 **pay**

9 “(a) POLICY.—The Secretary of Defense shall estab-  
10 lish and implement a standardized policy for cyber assign-  
11 ment incentive pay applicable to all members of the Army,  
12 Navy, Air Force, Marine Corps, and Space Force per-  
13 forming qualifying cyber operations roles.

14 “(b) ELEMENTS.—The policy under subsection (a)  
15 shall—

16 “(1) define uniform eligibility criteria based on  
17 work-role certification, mission assignment, and  
18 readiness requirements;

1 “(2) establish a tiered pay structure based on  
2 proficiency levels and operational demands;

3 “(3) ensure parity in pay rates and qualifica-  
4 tion standards throughout the armed forces specified  
5 in subsection (a);

6 “(4) provide guidance for continuation of cyber  
7 assignment incentive pay during moves relating to  
8 changes of permanent station, subject to continued  
9 eligibility; and

10 “(5) include procedures for periodic review and  
11 adjustment of cyber assignment incentive pay rates  
12 to reflect evolving mission needs and market com-  
13 petitiveness.

14 “(c) CYBER ASSIGNMENT INCENTIVE PAY DE-  
15 FINED.—In this section, the term ‘cyber assignment incen-  
16 tive pay’ means special pay authorized under this chapter  
17 for members of the armed forces assigned to designated  
18 cyber operations roles.”.

19 (b) BRIEFING.—Not later than 270 days after the  
20 date of enactment of this Act, the Secretary of Defense  
21 shall brief the congressional defense committees on the im-  
22 plementation of section 375 of title 37, United States  
23 Code, as added by subsection (a) of this section, including

3

- 1 any anticipated impacts on recruitment, retention, and
- 2 readiness of cyber personnel.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. AUSTIN SCOTT OF GEORGIA**

At the appropriate place in title I, insert the following new section:

**1 SEC. 1\_\_\_\_. MODIFICATION TO MINIMUM INVENTORY RE-**  
**2 QUIREMENT FOR A-10 AIRCRAFT.**

**3** (a) IN GENERAL.—Section 134(d) of the National  
**4** Defense Authorization Act for Fiscal Year 2017 (Public  
**5** Law 114–328; 130 Stat. 2038) is amended by striking  
**6** “96 A–10 aircraft designated as primary mission aircraft  
**7** inventory until a period of 90 days has elapsed following  
**8** the date on which the Secretary submits to the congressional defense committees the report under subsection  
**9** (e)(2)” and inserting “96 A–10 aircraft designated as primary mission aircraft inventory until October 1, 2026”.

**12** (b) PROHIBITION ON RETIREMENT.—

**13** (1) IN GENERAL.—During the period beginning  
**14** on October 1, 2025 and ending on September 30,  
**15** 2026, the Secretary of the Air Force may not—

**16** (A) retire an A–10 aircraft;

**17** (B) reduce funding for unit personnel or  
**18** weapon system sustainment activities for A–10

1 aircraft in a manner that presumes future con-  
2 gressional authority to divest such aircraft;

3 (C) keep an A-10 aircraft in a status con-  
4 sidered excess to the requirements of the pos-  
5 sessing command and awaiting disposition in-  
6 structions (commonly referred to as “XJ” sta-  
7 tus); or

8 (D) decrease the total aircraft inventory of  
9 A-10 aircraft below 162 aircraft.

10 (2) EXCEPTION.—The prohibition under para-  
11 graph (1) shall not apply to individual A-10 aircraft  
12 that the Secretary of the Air Force determines, on  
13 a case-by-case basis, to be no longer mission capable  
14 and uneconomical to repair because of aircraft acci-  
15 dents, mishaps, or excessive material degradation  
16 and non-airworthiness status of certain aircraft.

17 (c) BRIEFING REQUIRED.—Not later than March 31,  
18 2026, the Secretary of the Air Force shall provide to the  
19 Committees on Armed Services of the Senate and the  
20 House of Representatives a briefing on the status of A-  
21 10 aircraft inventory and the proposed plan for divesting  
22 all A-10 aircraft prior to fiscal year 2029. The briefing  
23 shall cover, at a minimum, the following:

24 (1) The number of A-10 Total Aircraft Inven-  
25 tory aircraft disaggregated by Combat Coded Air-

1       craft, Primary Mission Aircraft Inventory, Backup  
2       Aircraft Assigned, Attrition Reserve, tail number,  
3       and location.

4           (2) The planned divestment date of each such  
5       aircraft.

6           (3) The detailed plan for how and when the  
7       Secretary proposes to proceed with divestment of  
8       aircraft for each A-10 unit prior to fiscal year 2029.

9           (4) The aircraft transition plan for replacing  
10      A-10 aircraft with new or existing replacement air-  
11      craft in each unit that is divesting of the A-10 air-  
12      craft, which shall include an explanation of—

13           (A) how the Secretary plans to minimize  
14      adverse personnel impacts within such units, in-  
15      cluding adverse impacts with respect to reten-  
16      tion, currency, proficiency, qualifications, cer-  
17      tifications, and training; and

18           (B) how the Secretary plans to minimize  
19      or eliminate any scheduling gap that may occur  
20      with respect to a unit divesting from the A-10  
21      aircraft and transitioning to a new or existing  
22      replacement aircraft.

23           (5) The information and content format that  
24      was provided in the briefing to the Committees on  
25      Armed Services of the Senate and the House of Rep-

1        representatives by the Headquarters Air Force, Deputy  
2        Chief of Staff for Plans and Programs (HAF/A8),  
3        on February 13, 2023, titled “A–10 Divestment  
4        Placemats”.

5            (6) Any other information the Secretary deter-  
6        mines releveant.





**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GARAMENDI OF CALIFORNIA**

At the appropriate place in title VIII, insert the following:

1 **SEC. \_\_\_\_.** **MAJOR SYSTEM COST GROWTH OVERSIGHT.**

2 (a) **SHORTEN NUNN-McCURDY BREACH REPORT**  
3 **TIMELINE.**—Section 4374 of title 10, United States Code,  
4 is amended—

5 (1) in subsection (a), by striking “When a unit  
6 cost report” and inserting “Not later than 30 days  
7 after a unit cost report”;

8 (2) in subsection (b), by striking “When a unit  
9 cost report” and inserting “Not later than 30 days  
10 after a unit cost report”; and

11 (3) in subsection (c), by amending paragraph  
12 (2) to read as follows:

13 “(2) **TIME FOR SUBMISSION OF NOTIFICATION**  
14 **TO CONGRESS.**—In the case of a determination  
15 based on a quarterly report submitted in accordance  
16 with section 4372 of this title or a report submitted  
17 in accordance with section 4373 of this title, the  
18 Secretary shall submit the notification to Congress

1       within 30 days after the date on which the deter-  
2       mination was made.”.

3       (b) END ITEM MAJOR SUBPROGRAM DESIGNA-  
4       TION.—Section 4203(a)(1) of title 10, United States  
5       Code, is amended by adding at the end the following new  
6       subparagraph:

7               “(C) If the Secretary of Defense deter-  
8       mines that a major defense acquisition program  
9       requires the delivery of two or more end items  
10       that are each estimated to require an eventual  
11       total expenditure for research, development,  
12       test, evaluation, operation, and support of more  
13       than \$500,000,000, the Secretary shall des-  
14       ignate each such end item as a major subpro-  
15       gram for the purposes of acquisition reporting  
16       under this subpart.”.

17       (c) OPERATIONS AND SUPPORT COST INCLUSION.—  
18       Section 4214(a)(2) of title 10, United States Code, is  
19       amended by inserting “for the life cycle of such major de-  
20       fense acquisition program or designated major subpro-  
21       gram” before the period at the end.

22       (d) CRITICAL COST GROWTH TERMINATION.—Sec-  
23       tion 4376 of title 10, United States Code, is amended—

24               (1) in subsection (b), by adding at the end the  
25       following new paragraphs:

1 “(4) DELEGATION.—The Secretary may not  
2 delegate the submission of a written certification  
3 under paragraph (1).”; and

4 (2) in subsection (c)—

5 (A) in paragraph (2), by striking “and” at  
6 the end;

7 (B) in paragraph (3), by striking the pe-  
8 riod at the end and inserting “; and”; and

9 (C) by adding at the end the following new  
10 paragraph:

11 “(4) consideration of termination plans that  
12 maximize value, including—

13 “(A) immediate termination of the pro-  
14 gram with no further action;

15 “(B) termination of the program after  
16 completion of the end items in production and  
17 for which funds have been obligated or ex-  
18 pended under the program as of the date that  
19 is the last day of the applicable 60-day period  
20 described in subsection (b)(1) for the program;

21 “(C) termination of the program after  
22 completion of the end items described in sub-  
23 paragraph (B) for which the resale value ex-  
24 ceeds the cost of completing such end items;  
25 and

1           “(D) any other course of action to maxi-  
2           mize the value to the Government of the funds  
3           that have been obligated or expended under the  
4           program as of the date that is the last day of  
5           the applicable 60-day period described in sub-  
6           section (b)(1) for the program.”.



## **Amendment to H.R. 3838**

### **Offered by: Mr. Crow**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Acquisition of Space Data Transport Capabilities**

The committee notes that in the Fiscal Year 2026 budget request, the U.S. Space Force has chosen not to fund future efforts for a space-based data transport architecture. As the Space Force continues to evaluate future architectures, the committee believes that the Service should develop an acquisition strategy that utilizes a competitive acquisition strategy that prioritizes meeting Service requirements to transmit data in near-real time to warfighter platforms in support of operational missions.

Therefore, the committee directs the Secretary of the Air Force to provide a briefing no later than March 1, 2026 to the House Committee on Armed Services brief on the acquisition strategy for the space data transport architecture, to include cost, schedule, and performance of the future space data transport architecture and how they plan to utilize competition.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. JACOBS OF CALIFORNIA**

At the appropriate place in title X, insert the following:

1 **SEC. 10 \_\_\_\_ . LIMITATION ON USE OF FUNDS PENDING CER-**  
2 **TIFICATION OF COMPLIANCE WITH CERTAIN**  
3 **CONGRESSIONAL NOTICE REQUIREMENTS.**

4 (a) LIMITATION.—Of the amounts authorized to be  
5 appropriated by this Act or otherwise made available for  
6 fiscal year 2026 for Operation and Maintenance, Defense-  
7 wide, and available for the Office of the Under Secretary  
8 of Defense for Policy for travel, not more than 90 percent  
9 may be obligated or expended until the Secretary of De-  
10 fense certifies to the congressional defense committees  
11 that the Department of Defense is compliant with the re-  
12 quirements of section 1067 of the National Defense Au-  
13 thorization Act for Fiscal Year 2025 (Public Law 118–  
14 159; 10 U.S.C. 113 note).

15 (b) ELEMENTS OF CERTIFICATION.—A certification  
16 under subsection (a) shall include each of the following:

17 (1) a written statement that a copy of each exe-  
18 cute order required to be submitted to the congres-  
19 sional defense committees under such section has

1        been transmitted to the congressional defense com-  
2        mittees; and

3            (2) a description of the mechanism established  
4        to facilitate the provision to the congressional de-  
5        fense committees of all future briefings required  
6        under such section, and the compliance with the dis-  
7        closure and notice requirements under such section,  
8        within the time frames required by such section.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. VAN ORDEN OF WISCONSIN**

At the appropriate place in title V, insert the following new section:

**1 SEC. 5 \_\_\_\_ . PROHIBITION ON USE OF FEDERAL FUNDS TO**  
**2 ENDORSE CRITICAL RACE THEORY.**

**3 (a) PROHIBITION.**—No funds authorized to be appro-  
**4 priated by this Act may be used to endorse critical race**  
**5 theory—**

**6 (1) at an academic institution operated by the**  
**7 Department of Defense;**

**8 (2) in training provided to a member of the**  
**9 Armed Forces; or**

**10 (3) in professional military education.**

**11 (b) PROTECTION OF ACADEMIC FREEDOM.**—Nothing  
**12 in this section shall be construed to supersede the institu-**  
**13 tional autonomy or academic freedom of instructors in-**  
**14 volved in the selection of textbooks, supplemental mate-**  
**15 rials, or other classroom materials, or in the preparation**  
**16 or presentation of classroom instruction or lectures.**

**17 (c) CRITICAL RACE THEORY DEFINED.**—In this sec-  
**18 tion, the term “critical race theory” means the theory that**  
**19 individuals, by virtue of race, ethnicity, color, or national**



2

- 1 origin, bear collective guilt and are inherently responsible
- 2 for actions committed in the past by other individuals of
- 3 such race, ethnicity, color, or national origin.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. KEATING OF MASSACHUSETTS**

At the appropriate place in title II, insert the following new section:

**1 SEC. 3\_\_\_\_. QUARTERLY REPORTS ON TERMINATION OF**  
**2 CRITICAL TECHNOLOGY RESEARCH AWARDS.**

**3 (a) REPORTS REQUIRED.**—Not later than 90 days  
**4** after the date of the enactment of this Act, and on a quar-  
**5** terly basis thereafter, the Secretary of Defense shall sub-  
**6** mit to the congressional defense committees a report that  
**7** includes the following:

**8 (1)** With respect to the quarter preceding the  
**9** date of the report, identification of each covered  
**10** award that was terminated by the Department of de-  
**11** fense on the basis that the award no longer effec-  
**12** tuates the programs goals or agency priorities as  
**13** provided under the Department of Defense Research  
**14** and Development General Terms and Conditions  
**15** (dated March 2025), or any related or successor  
**16** guidance.

**17 (2)** For each covered award identified under  
**18** paragraph (1)—

1 (A) an explanation of whether or not that  
2 award was meeting relevant objectives and re-  
3 quirements; and

4 (B) a justification for the termination of  
5 the award.

6 (b) DEFINITIONS.—In this section:

7 (1) The term “covered award” means an award  
8 made by the Department of Defense relating to the  
9 research or development of any of the 14 critical  
10 technology areas.

11 (2) The term “14 critical technology areas”  
12 means the critical technology areas described in the  
13 memorandum of the Under Secretary of Defense for  
14 Research and Engineering issued on February 1,  
15 2022, titled “USD(R&E) Technology Vision for an  
16 Era of Competition”, or any successor guidance.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. MOULTON OF MASSACHUSETTS**

At the appropriate place in subtitle D of title XVI,  
insert the following new section:

1 **SEC. 16 \_\_\_\_ . PROHIBITION PRIVATIZED OR SUBSCRIPTION-**  
2 **BASED MISSILE DEFENSE INTERCEPT CAPA-**  
3 **BILITIES.**

4 Subchapter II of chapter 551 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 5516. Prohibition on privatized or subscription-**  
8 **based missile defense intercept capabili-**  
9 **ties**

10 “(a) PROHIBITION.—The Secretary of Defense may  
11 only develop, deploy, test, or operate a missile defense sys-  
12 tem with kinetic missile defense capabilities if—

13 “(1) the missile defense system is owned and  
14 operated by the armed forces; and

15 “(2) such capabilities do not use a subscription-  
16 based service, a pay-for-service model, or a recur-  
17 ring-fee model to engage or intercept a target.

18 “(b) INHERENTLY GOVERNMENTAL FUNCTION.—  
19 The decision to engage in kinetic missile defense activities,

1 including targeting, launch authorization, and engagement  
2 of airborne or spaceborne threats, is an inherently govern-  
3 mental function that only officers or employees of the Fed-  
4 eral Government or members of the Army, Navy, Air  
5 Force, Marine Corps, or Space Force may perform.

6 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-  
7 tion shall be construed to prohibit the Secretary of De-  
8 fense from—

9 “(1) entering into contracts with private enti-  
10 ties for the research, development, manufacture,  
11 maintenance, or testing of missile defense systems;

12 “(2) entering into or carrying out co-production  
13 or co-development arrangements, or other coopera-  
14 tive agreements, with allies and partners of the  
15 United States with respect to missile defense capa-  
16 bilities; or

17 “(3) procuring commercial services for remote  
18 sensing, telemetry, threat tracking, data analysis,  
19 data transport, or early warning, if such services do  
20 not directly involve the execution or command of ki-  
21 netic missile defense activities.

22 “(d) DEFINITIONS.—For the purposes of this section:

23 “(1) The term ‘kinetic missile defense activities’  
24 means any action intended to physically intercept,  
25 neutralize, or destroy a missile, projectile, aircraft,

1       or other airborne threat, including those using ki-  
2       netic interceptors or directed energy.

3           “(2) The term ‘kinetic missile defense capabili-  
4       ties’ means any system or platform that is designed  
5       to be able to carry out kinetic missile defense activi-  
6       ties.

7           “(3) The term ‘subscription-based service’  
8       means any arrangement in which a private entity  
9       provides ongoing or recurring operational access to  
10      missile defense capabilities in exchange for periodic  
11      payment.”.



**AMENDMENT TO H.R. 3838**

**OFFERED BY MR. MOULTON OF MASSACHUSETTS**

At the appropriate place in subtitle B of title XIII,  
insert the following:

1 SEC. \_\_\_\_ STRATEGY TO STRENGTHEN MULTILATERAL DE-  
2 TERRENCE IN THE INDO-PACIFIC.

(a) IN GENERAL.—The Secretary of Defense shall implement a strategy to strengthen multilateral deterrence against regional aggression in the Indo-Pacific region by expanding multilateral coordination with United States allies and partners in the region, with particular emphasis on Japan, the Philippines, and Australia, including through enhancing multilateral access and basing agreements, command and control structures, intelligence-sharing, and exercises and operations.

(b) STRATEGY REQUIREMENTS.—The strategy required by subsection (a) shall describe current activities and identify future actions to be taken over the next 5 years by the Department of Defense to—

(1) leverage reciprocal access agreements between the United States and its Indo-Pacific allies and partners, particularly Japan, the Philippines, and Australia, to expand regional access for these

1 and other allied and partner militaries, including for  
2 purposes of enhancing interoperability at locations  
3 across the Indo-Pacific region, prepositioning muni-  
4 tions stockpiles, and jointly supporting and  
5 leveraging shared facilities, operational access, and  
6 infrastructure;

7 (2) improve command and control structures  
8 enabling enhanced multilateral coordination with  
9 Indo-Pacific allies and partners, including through  
10 the Combined Coordination Center in the Phil-  
11 ippines, the joint force headquarters of the United  
12 States in Japan, and a potential combined coordina-  
13 tion structure in Australia;

14 (3) expand intelligence-sharing and maritime  
15 domain awareness among the United States and  
16 Indo-Pacific allies and partners, including through  
17 the Bilateral Intelligence Analysis Cell in Japan and  
18 the Combined Coordination Center in the Phil-  
19 ippines; and

20 (4) expand the scope and scale of multilateral  
21 military exercises and operations in the region, par-  
22 ticularly among the United States, Japan, Australia,  
23 and the Philippines, including more frequent com-  
24 bined maritime operations through the Taiwan  
25 Strait and in the South China Sea.



1 (c) SUBMISSION; INTERIM REPORT.—

2 (1) SUBMISSION OF STRATEGY.—Not later than  
3 180 days after the date of the enactment of this Act,  
4 the Secretary of Defense shall submit to the con-  
5 gressional defense committees the strategy required  
6 by subsection (a), including an identification of any  
7 changes to funding or policy required to strengthen  
8 multilateral deterrence among the United States and  
9 allies and partners in the Indo-Pacific against re-  
10 gional aggression.

11 (2) INTERIM REPORT ON IMPLEMENTATION.—  
12 Not later than March 15, 2027, the Secretary of De-  
13 fense shall submit to the congressional defense com-  
14 mittees a report on the progress of the implementa-  
15 tion of the strategy required by subsection (a), in-  
16 cluding any resource or authority gaps identified in  
17 the Department’s ability to execute the strategy.



## **Amendment to H.R. 3838**

### **Offered by: Mr. John Garamendi of California**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Report on Quantity, Condition, and Reuse Options for Reserve Plutonium Pits**

The committee is aware that the National Nuclear Security Administration (NNSA) maintains a significant inventory of legacy plutonium pits, which may have potential for reuse or refurbishment in support of national defense needs. The committee believes that a thorough assessment of these pits would help inform committee decision-making.

Therefore, the committee directs the Secretary of Defense, in coordination with the Administrator for Nuclear Security, to provide a report to the House Committee on Armed Services by February 1, 2026, on the quantity, condition, and suitability for reuse of all reserve plutonium pits . The report should include:

- (1) an inventory and assessment of all reserve plutonium pits, disaggregated by type, age, physical condition, and any known degradation or safety concerns;
- (2) an analysis of the technical feasibility, risks, and timelines for recycling or refurbishing legacy pits for use in modern warhead designs;
- (3) a discussion of costs for and potential challenges associated with the reuse, recycling, or refurbishment of existing pits; and
- (4) an assessment of the potential impacts on nuclear stockpile reliability, safety, and certification associated with pit reuse.

The report shall be unclassified and may include a classified annex if necessary.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. MOULTON OF MASSACHUSETTS**

In section 1642(a)(1) **[[log 82182]]**, strike “one year” and insert “180 days”.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. WITTMAN OF VIRGINIA**

At the appropriate place in title VIII, insert the following:

**1 SEC. 8\_\_\_\_. ADDITIONAL MATERIALS PROHIBITED FROM**  
**2 NON-ALLIED FOREIGN NATIONS.**

**3 (a) IN GENERAL.**—Section 4872(f)(1) of title 10,  
**4 United States Code, is amended—**

**5 (1) by redesignating subsection (f) as sub-**  
**6 section (g);**

**7 (2) by inserting after subsection (e) the fol-**  
**8 lowing new subsection:**

**9 “(f) COVER MATERIAL DESIGNATION.—**

**10 “(1) IN GENERAL.**—The Secretary of Defense  
**11 shall submit to the congressional defense committees**  
**12 a notice of a designation under subsection (f)(1)(F)**  
**13 not later than 30 days prior to the date on which**  
**14 such designation is published in the Federal Reg-**  
**15 ister.**

**16 “(2) EFFECTIVE DATE.**—The designation of a  
**17 mineral, material, substrate, metal, or alloy as a cov-**  
**18 ered material under subsection (f)(1)(F)—**

1 “(A) shall take effect on the date that is  
2 one year after the date on which the Secretary  
3 of Defense publishes a notice of such designa-  
4 tion in the Federal Register and submits to the  
5 congressional defense committees the notice re-  
6 quired under paragraph (1) with respect to  
7 such notice; and

8 “(B) shall apply only with respect to con-  
9 tracts or other agreements entered into after  
10 the date on which such designation takes effect  
11 under subparagraph (A).”; and  
12 (3) in subsection (g), as so redesignated—

13 (A) in subparagraph (D), by striking  
14 “and” at the end;

15 (B) in subparagraph (E), by striking the  
16 period at the end and inserting “; and”; and

17 (C) by adding at the end the following new  
18 subparagraph:

19 “(F) any other mineral, material, sub-  
20 strate, metal, or alloy designated by the Sec-  
21 retary of Defense pursuant to a determination  
22 by the Secretary of Defense that such designa-  
23 tion is in the interest of national security.”.



## **Amendment to H.R. 3838**

### **Offered by: Mr. John Garamendi of California**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Report on Escalation Dynamics Involving Artificial Intelligence in Nuclear Operations**

The committee is aware of the Department of Defense's growing interest in the adoption of artificial intelligence (AI) and machine learning (ML) technologies . While such technologies may enhance functional capabilities, the committee recognizes potential risks must also be examined, particularly when it comes to the integration of AI and ML technologies into strategic missions, such as nuclear operations.

Therefore, the committee directs the Secretary of Defense to provide a report to the House Committee on Armed Services not later than December 31, 2025 on the Department's approach to integration of artificial intelligence and machine learning systems into nuclear command and control operations. The report shall include:

- (1) a description of efforts across nuclear command, control and communications programs to integrate AI and ML, including the ingestion and fusing of sensing data;
- (2) an assessment of the potential impacts of artificial intelligence-enabled systems on decision timelines, situational awareness, and crisis stability, including potential de-escalation pathways during a crisis; and
- (3) identification of potential mitigation measures, safeguards, and operational control protocols to reduce escalation risks associated with artificial intelligence integration.

The report shall be unclassified and may include a classified annex if necessary.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GRAVES OF MISSOURI**

At the appropriate place in subtitle A of title XII,  
insert the following:

**1 SEC. 12\_\_\_\_. CYBERSECURITY INTEGRATION.**

2       (a) IN GENERAL.—The Secretary of Defense, in co-  
3 ordination with the Secretary of State, shall cooperate  
4 with the Government of Panama to seek to integrate cy-  
5 bersecurity into current and future joint training exer-  
6 cises.

7       (b) PURPOSE.—The cybersecurity integration in sub-  
8 section (a) should—

9           (1) incorporate elements of the Cyber Coopera-  
10       tion Arrangement;

11           (2) provide technical assistance and training,  
12       and enhance joint cooperation to improve mitigation,  
13       deterrence, and detection of cyberattacks and cyber  
14       vulnerabilities on critical infrastructure in and  
15       around the Panama Canal; and

16           (3) incorporate cybersecurity activities into cur-  
17       rent and potential joint exercises conducted between  
18       the United States Government and the Government

1 of Panama to improve the security of the Panama  
2 Canal.

3 (c) ACTIVITIES.—Activities to further the purpose de-  
4 scribed in subsection (b) may include—

5 (1) information sharing with the Panama Canal  
6 Authority and the Government of Panama regarding  
7 cybersecurity threats and incidents;

8 (2) technical assistance to the Panama Canal  
9 Authority and the Government of Panama on detec-  
10 tion and mitigation of cyberattacks in order to im-  
11 prove response activities, including advising national  
12 computer security incident response teams;

13 (3) conducting joint cybersecurity training exer-  
14 cises and other information sharing activities relat-  
15 ing to cybersecurity with the Government of Pan-  
16 ama, including by—

17 (A) supporting participation by the Gov-  
18 ernment of Panama in existing cybersecurity  
19 training facilitated or managed by the Depart-  
20 ment of Defense and approved by the Secretary  
21 of Defense;

22 (B) incorporating cyber elements into ex-  
23 isting joint training exercises, such as  
24 PANAMAX; and



1 (C) conducting an annual table-top cyber-  
2 security exercise; and

3 (4) conducting activities as the Secretary con-  
4 siders appropriate, consistent with the purposes de-  
5 scribed in subsection (b) for the cybersecurity inte-  
6 gration described in subsection (a).

7 (d) REPORT AND BRIEFING.—Not later than one  
8 year after the date of the enactment of this Act, and annu-  
9 ally thereafter, the Secretary of Defense, in coordination  
10 with the Secretary of State, shall submit to the appro-  
11 priate congressional committees a report and briefing  
12 on—

13 (1) implementation of this section and any chal-  
14 lenges related to implementation; and

15 (2) any cyber threats, such as ransomware at-  
16 tacks, on critical infrastructure in and around the  
17 Panama Canal, along with actions taken to address  
18 and mitigate these threats.

19 (e) PROTECTION OF SENSITIVE INFORMATION.—Any  
20 activity carried out under this section shall be conducted  
21 in a manner that appropriately protects sensitive informa-  
22 tion and the national security interests of the United  
23 States.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. BACON OF NEBRASKA**

At the appropriate place in title VIII, inserting the following:

1 **SEC. 8 \_\_\_\_ . CIVIL RESERVE MANUFACTURING NETWORK.**

2 (a) WORKING GROUP.—

3 (1) IN GENERAL.—Not later than 90 days after  
4 the date of the enactment of this Act, the Secretary  
5 of Defense shall establish in the Defense Industrial  
6 Resilience Consortium established under section  
7 1842 **【Log 82242】** a working group to support the  
8 establishment of the Civil Reserve Manufacturing  
9 Network to preserve the military advantage and bol-  
10 ster the defense of the United States and broaden  
11 the domestic industrial base.

12 (2) RESPONSIBILITIES.—The working group es-  
13 tablished under paragraph (1) shall—

14 (A) identify issues with respect to the  
15 CRMN;

16 (B) develop recommendations for establish-  
17 ment and operation of the CRMN, including  
18 recommendations for—

- 1 (i) resolving the issues identified  
2 under subparagraph (A); and  
3 (ii) incentives to encourage participa-  
4 tion in the CRMN;  
5 (C) submit to the Secretary the issues  
6 identified under subparagraph (A) and the rec-  
7 ommendations developed under subparagraph  
8 (B).

9 (3) COLLABORATION.—In carrying out the re-  
10 sponsibilities of the working group established under  
11 paragraph (1), the working group shall collaborate  
12 with relevant entities, including government, indus-  
13 try, and academia.

14 (b) INITIAL PLAN.—

15 (1) IN GENERAL.—Not later than 120 days  
16 after the date of enactment of this Act, the Sec-  
17 retary shall submit to the congressional defense com-  
18 mittees a plan for the establishment of the CRMN  
19 program that includes—

20 (A) a plan to develop a CRMN comprised  
21 of commercial advanced or adaptive manufac-  
22 turing capabilities or facilities that can rapidly  
23 transition from the production of commercial  
24 products for commercial customers to the pro-

1           duction of products required by the Department  
2           of Defense; and

3           (B) an identification of any statutory or  
4           regulatory constraints on the establishment or  
5           effectiveness of the CRMN and recommenda-  
6           tions to streamline the establishment of the  
7           CRMN, including any changes to existing au-  
8           thorities related to the use of public-private  
9           partnerships.

10          (2) CONSIDERATIONS.—In developing the plan  
11          required under paragraph (1), the Secretary shall, to  
12          the extent practicable, incorporate the recommenda-  
13          tions of the working group established under sub-  
14          section (a) submitted to the Secretary under para-  
15          graph (2) of such subsection.

16          (c) INTERIM REPORT.—Not later than 270 days after  
17          the date of enactment of this Act, the Secretary of Defense  
18          shall submit to the congressional defense committees a re-  
19          port on progress of the CRMN, including—

20               (1) an assessment of the benefits a factory-as-  
21               a-service model with respect to accelerating the  
22               timelines for the establishment of the CRMN, reduc-  
23               ing the costs to the Government of operating the  
24               CRMN, minimizing obsolescence of commercial ad-  
25               vanced or adaptive manufacturing capabilities or fa-

1 cilities that are part of the CRMN, and enabling the  
2 rapid scaling of the CRMN;

3 (2) an analysis of improvements in efficiency  
4 and cost reduction the Department of Defense may  
5 achieve without sacrificing performance, reliability,  
6 qualify, or safety from the use of advanced or adapt-  
7 ive manufacturing and application value engineering  
8 techniques under part 48 of the Federal Acquisition  
9 Regulation;

10 (3) an assessment of potential to improve sup-  
11 ply chain resiliency through the acquisition by the  
12 Government of advanced or adaptive manufacturing  
13 hardware structures for use by system integrators;

14 (4) an identification of any statutory or regu-  
15 latory constraints and recommendations to stream-  
16 line the establishment of the CRMN, including any  
17 amendments to exiting authorities for public-private  
18 partnerships;

19 (5) an explanation of the progress on devel-  
20 oping an incentive structure that would enable the  
21 success of the CRMN by sufficiently addressing the  
22 risk to commercial customers of CRMN participants  
23 of loss of production if such participants are re-  
24 quired to shift production to meet the needs of the  
25 Department;

1           (6) a list of existing programs of the Depart-  
2           ment that are delayed or have cost overruns result-  
3           ing from a lack of components due to shortages of  
4           required casting and forging capabilities of manufac-  
5           turers, including—

6                   (A) the name of the program or contract;

7                   (B) the components that are delayed or  
8           contributing to such cost overruns; and

9                   (C) whether such components could be pro-  
10          duced through alternative means, including ad-  
11          vanced or adaptive manufacturing; and

12          (7) a strategy to transition existing production  
13          approaches for the programs identified under para-  
14          graph (6) to advanced or adaptive manufacturing.

15          (d) CIVIL RESERVE MANUFACTURING NETWORK  
16          PROGRAM.—

17               (1) IN GENERAL.—After the submission of the  
18          plan required under subsection (b)(1), the Secretary  
19          shall establish the CRMN program under which—

20                   (A) the Secretary shall establish the  
21          CRMN; and

22                   (B) advanced or adaptive manufacturers  
23          participate in the CRMN.

24               (2) PARTICIPANT REQUIREMENTS.—Each par-  
25          ticipant shall enter into an agreement with the Sec-

1       retary under which such participant shall, upon such  
2       terms and conditions as agreed to by the Secretary  
3       and the participant, rapidly transition the produc-  
4       tion facilities of such participant to begin production  
5       of products for the Department of Defense.

6           (3) SOLICITATION OF PROGRAM PARTICI-  
7       PANTS.—Not later than one year after the date of  
8       enactment of this Act, the Secretary shall seek to  
9       enter into agreements with one or more advanced or  
10      adaptive manufacturers to participate in the CRMN  
11      under the program.

12           (4) PARTICIPATION BENEFITS.—

13           (A) EXPEDITED QUALIFICATION.—The  
14       Secretary shall establish expedited procedures  
15       for qualifying participants to be eligible to sup-  
16       ply products or services to the Department of  
17       Defense.

18           (B) FUNDING.—Subject to the availability  
19       of appropriations, the Secretary shall award  
20       funding to participants for—

21           (i) expedited qualification and testing  
22       of products manufactured by the partici-  
23       pant for use by the Department of De-  
24       fense; and

1 (ii) non-recurring engineering costs  
2 associated with the conversion of specifica-  
3 tions of a traditionally manufactured prod-  
4 uct into an appropriate format for ad-  
5 vanced or adaptive manufacturing.

6 (e) BRIEFINGS.—Not later than March 1, 2027, and  
7 annually thereafter for five years, the Secretary of Defense  
8 shall provide to the congressional defense committees a  
9 briefing on the progress of the establishment of the CRMN  
10 under the program.

11 (f) DEFINITIONS.—In this section:

12 (1) The term “advanced or adaptive manufac-  
13 turer” means a manufacturer that uses advanced or  
14 adaptive manufacturing.

15 (2) The term “advanced or adaptive manufac-  
16 turing” means manufacturing through the use of  
17 interconnected, advanced technologies throughout  
18 the design and manufacturing process that enables  
19 modular, adaptable, and efficient manufacturing, in-  
20 cluding software-controlled subtractive manufac-  
21 turing, additive manufacturing, and powder bed fu-  
22 sion manufacturing.

23 (3) The term “advanced or adaptive manufac-  
24 turing hardware structure” means hardware used in  
25 advanced or adaptive manufacturing for the posi-



1        tioning, mounting, or bracing of a product in the  
2        manufacturing process.

3            (4) The term “CRMN” means a network of  
4        manufacturers that have entered into an agreement  
5        with the Secretary under which the manufacturer  
6        agrees to rapidly transition the manufacturing facili-  
7        ties of such manufacturers that produce commercial  
8        products for purchasers other than the Department  
9        of Defense to the production of products for the De-  
10       department of Defense.

11           (5) The term “factory-as-a-service” means a  
12        business model and technological framework that  
13        provides access to scalable and flexible manufac-  
14        turing resources as service, enables rapid reconfig-  
15        uration of production lines, and real-time collabora-  
16        tion across geographically dispersed facilities.

17           (6) The term “participant” means an advanced  
18        or adaptive manufacturer that is participating in the  
19        CRMN under the program.

20           (7) The term “program” means the program  
21        established under subsection (d)(1).

22           (8) The term “Secretary” means the Secretary  
23        of Defense.

24        (g) CONFIRMING AMENDMENT.—Section 3243 of  
25       title 10, United States Code, is amended—

1 (1) by redesignating subsections (e), (f), and  
2 (g) as subsections (f), (g), and (h), respectively; and

3 (2) by inserting after subsection (d) the fol-  
4 lowing new subsection:

5 “(e) ADVANCED OR ADAPTIVE MANUFACTURING  
6 QUALIFICATIONS.—The head of the agency shall establish  
7 a process to streamline qualification of sources who use  
8 advanced manufacturing techniques, including those using  
9 a digital adaptive production system. Once a source is  
10 qualified, the head of the agency shall not require addi-  
11 tional qualification for sources or products produced un-  
12 less material changes have been made to the manufac-  
13 turing process.”.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. MILLS OF FLORIDA**

At the appropriate place in title V, insert the following new section:

1 **SEC. 5 \_\_\_\_.** **PROHIBITION ON USE OF FEDERAL FUNDS FOR**  
2 **DIVERSITY, EQUITY, AND INCLUSION.**

3       None of the funds authorized to be appropriated by  
4 this Act may be used for matters or programs relating  
5 to diversity, equity, and inclusion.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. CRANK OF COLORADO**

At the appropriate place in title VIII, insert the following:

1 **SEC. 8 \_\_\_\_ . ENHANCED SECURITY STRATEGY FOR PRIVATE**  
2 **FIFTH GENERATION INFORMATION AND COM-**  
3 **MUNICATIONS CAPABILITIES.**

4 (a) IN GENERAL.—Not later than 90 days after the  
5 date of the enactment of this Act, the Secretary of Defense  
6 shall require a contractor for a procurement related to  
7 fifth-generation wireless technology for private networks  
8 on military installations to provide the information de-  
9 scribed in subsection (b) to promote enhanced wireless  
10 network security requirements, including supply chain risk  
11 management.

12 (b) INFORMATION DESCRIBED.—The information de-  
13 scribed in this subsection is as follows:

14 (1) A hardware bill of materials for a procure-  
15 ment described in subsection (a).

16 (2) A description of the implementation and  
17 operational use of zero trust principles and capabili-  
18 ties for such procurement.

1       (c) PRIORITIZATION.—With respect to a procurement  
2 described in subsection (a), the Secretary shall prioritize  
3 the use of private networks that employ Open-RAN ap-  
4 proaches, including cloud-native capabilities.

5       (d) DEFINITIONS.—In this section:

6           (1) The term “military installation” has the  
7 meaning given in section 2801 of title 10, United  
8 States Code.

9           (2) The term “Open-RAN” means section 9202  
10 of title XCH of the National Defense Authorization  
11 Act for Fiscal Year 2021.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. FALLON OF TEXAS**

At the appropriate place in title X, insert the following:

**1 SEC. 10 \_\_\_\_ . ADDITIONAL ELEMENTS FOR DEPARTMENT OF**  
**2 DEFENSE FINANCIAL IMPROVEMENT AND**  
**3 AUDIT REMEDIATION PLAN AND REPORT.**

**4 (a) ADDITIONAL ELEMENTS FOR PLAN.**—Subsection  
**5 (a)(2)(A) of section 240b of title 10, United States Code,**  
**6 is amended—**

**7 (1) in clause (iv), by striking “and” at the end;**  
**8 and**

**9 (2) by adding at the end the following new**  
**10 clauses:**

**11 “(vi) meeting resource requirements,**  
**12 including personnel, training, and informa-**  
**13 tion technology infrastructure; and**

**14 “(vii) identifying long-range goals and**  
**15 measurable objectives, including audit cycle**  
**16 timelines, control testing frequency, and**  
**17 independent third-party validation bench-**  
**18 marks.”.**

1 (b) ADDITIONAL ELEMENTS FOR REPORT.—Sub-  
2 section (b)(1)(B) of such section is amended by adding  
3 at the end the following new clauses:

4 “(ix) A description of progress made  
5 with respect to audit-related system mod-  
6 ernization efforts, including rationalization  
7 of business systems.

8 “(x) The number and scope of auto-  
9 mated processes implemented, including  
10 reconciliation, inventory validation, and in-  
11 ternal controls.”.



## **Amendment to H.R. 3838**

**Offered by: Mr. Trent Kelly**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

### **Defense Logistics Agency Data Infrastructure**

The committee recognizes the critical role that logistics, asset management, and tracking play in the readiness of our military, and the efficiency of modern unified architectures operating from a common data lake with reusable applications for a variety of stakeholders, as demonstrated by their commercial success at similar scales.

The committee directs the Director of the Defense Logistics Agency to provide a briefing to the House Committee on Armed Services not later than May 30, 2026, on:

- (1) the current state of Department of Defense logistics and asset management data infrastructure; and
- (2) any commercially available improvements for asset management and tracking, procurement, personnel coordination, field service, and automation that could operate at the scales needed for the Department of Defense.



## **Amendment to H.R. 3838**

### **Offered by: Mr. Graves**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Recapitalization Plan for the A-10s in the Air Force Reserve**

The committee recognizes the expertise and operational value of fighter pilots in the Air Force Reserve Component. These highly trained aviators are essential to our national security, the successful execution of future fighter missions, and the development of the next generation of pilots. The committee is deeply concerned that delays or failures in assigning follow-on missions and new aircraft following divestment could result in the irreversible loss of this critical talent. Without a clearly defined path forward, the Air Force faces a severe and avoidable retention crisis that could directly undermine its combat readiness and long-term force structure.

Therefore, the committee directs The Secretary of the Air Force, in coordination with the Chief of Staff of the Air Force and Chief of the Air Force Reserve, to submit a report to the House Committee on Armed Services not later than January 1, 2026 on the plan or options for the recapitalization of the A-10 Air Force Reserve units . The report should include at a minimum:

- (1) options for replacing the A-10 mission in the Air Force Reserve with a new fighter mission;
- (2) an assessment of whether those options could utilize existing infrastructure or require the construction of new facilities;
- (3) an evaluation of whether those options would retain the current expertise within the fighter wings or result in a loss of experience and capability within the Air Force Reserve;
- (4) the expected transition timeline and its anticipated impact to strategic surge capability; and,
- (5) any other information the Secretary deems necessary to fully inform the reporting requirement.

## **Amendment to H.R. 3838**

### **Offered by: Ms. Jacobs**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Department of Defense Frontier-AI Contract Awards**

The committee notes that on July 14, 2025, the Department of Defense, acting through the Chief Digital and Artificial Intelligence Office (CDAO), issued an indefinite-delivery/indefinite-quantity (IDIQ) contract with a ceiling value of \$200 million to multiple U.S. frontier artificial intelligence vendors. The award supports the development of agentic AI workflows for national-security mission areas.

The committee directs the Secretary of Defense, in coordination with the Under Secretary of Defense for Acquisition and Sustainment, to provide a briefing to the House Armed Services Committee not later than January 1, 2026, that details this procurement action, to include:

1. acquisition strategy and contracting instruments or agreements used, statutory or regulatory authorities invoked, and any deviations or exceptions applied;
2. source-selection methodology, to include evaluation approach (e.g., best-value trade-off or lowest-price technically acceptable), along with all evaluation factors, sub-factors, weighting, and rating scales;
3. metrics and scoring rubrics, to include quantitative and qualitative measures used to assess technical merit, cost/price, security posture, and responsible-AI considerations, including any minimum acceptability thresholds;
4. bid-protest history, to include a description of any protests filed with the Government Accountability Office or the Court of Federal Claims, the grounds for each protest, their resolution, and any resulting corrective actions; and
5. lessons learned and best practices, to include insights gained from the acquisition that could inform future competitive procurements of advanced artificial-intelligence capabilities.

## **Amendment to H.R. 3838**

### **Offered by: Mr. Deluzio**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Analyzing the Impact of the Truth in Negotiations Act on Competition**

The committee notes the importance of growth and competition in the defense industrial base and encourages involvement and competition to the maximum extent possible. The committee also notes the importance of the Truth in Negotiations Act (TINA) in assisting the Department of Defense negotiate fair and reasonably priced contracts in sole-source, non-commercial environments. To better understand the impact of the TINA thresholds on competition, proposal lead times, and price in the defense industrial base, the committee directs the Secretary of Defense to submit a report to the congressional defense committees, due not later than June 1, 2026. The report shall include:

- (1) An assessment of the competitive environment for non-commercial contracts and subcontracts before and after the last major TINA threshold change in 2018. This assessment should include year-on-year historical data showing competition rates for the six years prior to the TINA threshold change and after the threshold change.
- (2) An evaluation of the impact of the TINA threshold on the administrative burden for contractors. This should include an analysis of proposal lead time and bid and proposal prep costs for the six years prior to and after the TINA threshold change.
- (3) An evaluation of the impact of the TINA threshold on prices paid for same or similar products comparing price when TINA applied to the contract or subcontract and the impacts to price after TINA was no longer applicable. This analysis should include any instance where TINA is no longer applied and describe any out-year impacts.
- (4) A plan for data collection to continually assess the effectiveness of TINA and to quantify of the impacts of any changes in the TINA threshold over time.
- (5) An analysis of the Department of Defense's ability to track and address defective pricing across the defense industrial base, and any additional resources required to adequately track, and address said defective pricing.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. BACON OF NEBRASKA**

At the appropriate place in title XVIII, insert the following new section:

1 **SEC. 18 \_\_\_\_.** **TRANSITION TO ADVANCED MANUFACTURING**  
2 **FOR CERTAIN CRITICAL ITEMS.**

3 (a) **PLAN REQUIRED.**—Not later than 120 days after  
4 the date of the enactment of this Act, the Program Execu-  
5 tive Officer for each major weapon system shall, in coordi-  
6 nation with each covered contractor and such contractor’s  
7 first-tier subcontractors—

8 (1) conduct an assessment of critical items that  
9 could be produced via advanced manufacturing proc-  
10 esses within the period of 24 months following the  
11 date of the enactment of this Act for the purposes  
12 of—

13 (A) reducing fabrication time and costs;  
14 and

15 (B) increasing the ability to scale produc-  
16 tion rapidly;

17 (2) identify any development, engineering or  
18 testing (whether conducted by the original equip-  
19 ment manufacturer, contractor, or Federal Govern-

1       ment) required to transition production of critical  
2       items to advanced manufacturing;

3           (3) estimate any non-recurring costs to com-  
4       plete such transition and recommend whether such  
5       costs are properly borne by the contractor involved  
6       or the Federal Government; and

7           (4) submit a plan to the Under Secretary of  
8       Defense for Acquisition and Sustainment to transi-  
9       tion production of such critical items to advanced  
10      manufacturing to the maximum extent practicable.

11      (b) USE OF EXISTING AUTHORITIES.—The Under  
12      Secretary of Defense for Acquisition and Sustainment  
13      shall use every available authority to waive or accelerate  
14      the development, engineering, or testing requirements  
15      identified in subsection (a)(2).

16      (c) REPORT.—Not later than 180 days after the date  
17      of the enactment of this Act, the Under Secretary of De-  
18      fense for Acquisition and Sustainment shall submit the  
19      plans required by subsection (a) to—

20           (1) the Defense Industrial Resilience Consor-  
21      tium established under [section 1842 of this Act  
22      (Log 82244)]; and

23           (2) the congressional defense committees.

24      (d) IMPLEMENTATION.—Following receipt of the  
25      plans under subsection (c)(1), the Defense Industrial Re-

1 silience Consortium shall commence implementation and  
2 competitive solicitation of advanced manufacturing solu-  
3 tions of the critical items identified under subsection  
4 (a)(1), with the goal of maximizing the transition of such  
5 items to production via advanced manufacturing by not  
6 later than 24 months after the date of enactment of this  
7 Act.

8 (e) DEFINITIONS.—In this section:

9 (1) The term “covered contractor” means a  
10 contractor manufacturing or integrating hardware  
11 for a major weapon system.

12 (2) The term “critical items” means compo-  
13 nents, subassemblies, and assemblies that are among  
14 the top 10 drivers of current or future degraded  
15 mission capability for a major weapon system, as de-  
16 termined by the Under Secretary of Defense for Ac-  
17 quisition and Sustainment.

18 (3) The term “advanced manufacturing” shall  
19 have the meaning given that term by the Under Sec-  
20 retary of Defense for Acquisition and Sustainment  
21 for purposes of this section. Such definition shall, at  
22 a minium—

23 (A) encompass manufacturing technologies  
24 that integrate interconnected digital tech-  
25 nologies such as robotics, artificial intelligence,

1           and the Internet of Things, across the entire  
2           value stream to create highly efficient, flexible,  
3           and data-driven production systems, leading to  
4           improved quality, lower costs, and faster inno-  
5           vation; and

6                   (B) include software-controlled subtractive  
7           manufacturing, additive manufacturing, powder  
8           bed fusion manufacturing, and other similar  
9           manufacturing technologies.



## **Amendment to H.R. 3838**

### **Offered by: Mr. Fallon**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

#### **Military Star Card Program**

The committee understands that the Department of Defense is supportive in expanding the military star card program. The Committee encourages the Department to approve the expansion of military star credit program's acceptance at retailers regardless of geographic locations, which will require coordination and planning.

Therefore, the committee directs the Secretary of Defense to provide a report on the House Committee on Armed Services, not later than March 31, 2026, on the feasibility and advisability of expanding the military star card program. The report should include the following:

- (1) any costs associated with expanding the program;
- (2) an analysis of benefits to service members and the Department that would result from expansion;
- (3) the feasibility of phasing the expansion of networks; and
- (4) any additional authorities required for expansion of the military star card.



**Amendment to H.R. 3838**

**Offered by: Mr. MOYLAN**

In the appropriate place in the report to accompany H.R. 3838, insert the following new Directive Report Language:

**Guam Defense System**

The committee is aware of recommendations of the Government Accountability Office report “DOD Faces Support Challenges for Defense of Guam.” Accordingly, the committee directs the Secretary of Defense to provide a briefing to the House Armed Services Committee not later than March 1, 2026, on the Guam Defense System (GDS) that includes:

- (1) a strategy for the transfer of responsibilities for operating and sustaining GDS elements to each lead organization;
- (2) a plan to with respect to the Army's representation and organization as a supported command within Joint Region Marianas; and
- (3) a description of the personnel requirements needed to operate and sustain GDS.