

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
4973	3	Luttrell, Morgan	CHM	To support increased investment in Hyper-Enabled Awareness Kit (HEAK) and other communications architecture.	EB 5
5011	0	Jackson, Ronny	CHM	Authorizes FLRAA acceleration.	EB 5
4978	1	Luttrell, Morgan	CHM	Brief to have the Army clarify their acquisition plan for the Next Generation Counter-UAS program to ensure the most capable c-UAS program is fielded.	EB 5
5060	2	Gooden, Lance	CHM	Streamlining DOD Indemnification to Enable Procurement of Commercial Advanced Nuclear Technologies	EB 5
4971	1	Luttrell, Morgan	CHM	Briefing commercially available technology for chemical and biological detection at U.S. Military Installations	EB 5
5667	3	Whitesides, George	CHM	Funding Increase, DARPA ALIAS/MATRIX	EB 5
4976	2	Luttrell, Morgan	CHM	Briefing on how U.S. Special Operations Command can enhance its ability to plan, execute, and assess Military Information Support Operations (MISO) campaigns ensuring the United States remains competitive.	EB 5
5665	2	Vindman, Eugene Simon	CHM	Directs DoD to report on the threat posed by violent antisemitism within transnational extremist ideologies. The report will analyze related violence, propaganda, and risks to U.S. personnel, citizens, and interests	EB 5
5668	0	Whitesides, George	CHM	Five year reauthorization of the FireGuard program as a program of record.	EB 5
5074	1	Luttrell, Morgan	CHM	Report on feasibility of a DoD department-wide enterprise license approach in order to enhance interoperability regarding Identity, Credential, and Access Management (ICAM).	EB 5
5675	0	Crow, Jason	CHM	This amendment would provide for a mandatory contingency payment for care provided by qualifying Children's Hospitals to active duty servicemembers and their dependents.	EB 5
5072	1	Luttrell, Morgan	CHM	Report on how DoD can identify opportunities to increase participation by non-traditional suppliers to secure the U.S. supply chain for Artificial Intelligence.	EB 5
5480	1	Wittman, Robert	CHM	Creates a pilot program within the Department of the Navy to explore agreements and public private partnerships that co-locate small modular reactors with data centers in support Navy and Marine Corps installation energy needs.	EB 5

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
5482	1	Elfreth, Sarah	CHM	Land Conveyance: Former Curtis Bay, Maryland	EB 5
5649	0	Luttrell, Morgan	CHM	Amends DRL on "Investments in Rare Earth Magnet Manufacturing Capability" to include information on component materials like metallized rare earth minerals and high-purity iron.	EB 5
5216	0	Goodlander, Maggie	CHM	Prohibit the use of funds from carrying out a hiring freeze, reduction in force, or delay without cause at a public shipyard.	EB 5
5523	0	Houlahan, Chrissy	CHM	Prohibits authorization for funds used to terminate employees of Military Child Development Programs or the DoD Education Activity unless the employee was documented as not performing or engaging in misconduct.	EB 5
5211	1	Golden, Jared F.	CHM	To require the Secretary of Defense to issue regulations requiring that optional combat boots worn by members of the armed forces wear be made in America, and for other purposes.	EB 5
5263	3	Harrigan, Pat	CHM	Requires the Department of Defense to provide a briefing on its strategy to eliminate/phase out Chinese pharmaceutical precursors.	EB 5
5652	0	Luttrell, Morgan	CHM	Encourages the Secretary of Defense to establish a pilot program to boost domestic content in rare earth manufacturing capability.	EB 5
5224	1	Vindman, Eugene Simon	CHM	Directs the Navy and SOCOM to brief Congress on efforts to acquire high-speed, long-range, survivable small naval craft. Seeks to address capability gaps in crew protection, sea state endurance, and performance in contested maritime environments.	EB 5
5333	2	Stefanik, Elise	CHM	Extension of Limitation on Availability of Funds for Fundamental Research Collaboration with Certain Academic Institutions	EB 5
5489	2	Stefanik, Elise	CHM	Post-Employment Restrictions for Participants in Certain Defense Research	EB 5
4975	0	Luttrell, Morgan	CHM	Reaffirms support for Maintenance, Repair and Overhaul (MRO) related predictive analytics simulations to improve depot efficiency and aircraft readiness.	EB 5
5633	1	Finstad, Brad	CHM	Requires Service Acquisition Executives to conduct an inventory of the required technical data to support weapon system sustain, and to identify and address any insufficiency in the possession of, or access to, needed data.	EB 5
5316	2	Davis, Donald G.	CHM	Requires the Secretary of Defense to brief the House Committee on Armed Services as to a ten-year anthrax stockpile assessment.	EB 5

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
5067	0	Luttrell, Morgan	CHM	Amend "Enterprise-Wide Artificial Intelligence Language" to add another piece for the report.	EB 5
4942	1	Mills, Cory	CHM	Prohibits DoD from acquiring any computers, printers, or interoperable videoconferencing devices from a country of concern. This includes direct, indirect, or third-party acquisition.	EB 5
5592	1	Wittman, Robert	CHM	Provision expands individual participation in the defense industrial base. Membership in certain consortiums within the Department of Defense qualifies entities for facility clearances; increases the number of individuals companies may sponsor to perform classified work.	EB 5
5075	1	Luttrell, Morgan	CHM	Briefing by USSOCOM on the use of AI-enhanced cybersecurity tools at the Secret Internet Protocol Router Network (SPIRNet) level.	EB 5
5651	3	Bacon, Don	CHM	Directs and evaluation and implementation plan for a Joint Task Force Cyber for the Indo-Pacific region	EB 5
4878	1	Goodlander, Maggie	CHM	Direct the Assistant Secretary of the Navy for Research, Development and Acquisition to provide a briefing on mechanisms available to support second and third-tier industrial base suppliers.	EB 5
4814	0	Luttrell, Morgan	CHM	Language would request a brief on Army's plan for the consolidation of Army Training and Doctrine Command and Army Futures Command.	EB 5
4769	0	Luttrell, Morgan	CHM	Would confer the "national" title to the memorial, memorial garden, and K9 memorial at the National Navy UDT-Seal Museum.	EB 5
5630	1	Van Orden, Derrick	CHM	EXPANDING RANGE ACCESS FOR NON-TRADITIONAL DEFENSE COMPANIES	EB 5
5519	1	Luttrell, Morgan	CHM	Amending DRL: National Geospatial-Intelligence Agency Capabilities to Support the Americas	EB 5
5679	0	Rogers, Mike	CHM	Modernization of Army Arsenal	EB 5
5609	2	Luttrell, Morgan	CHM	Briefing on integrating OT/IT into the Risk Management Framework, cybersecurity risk assessment of IT and OT systems, implementation strategy to establish a unified acquisition and accreditation approach for IT and OT.	EB 5
5677	0	Golden, Jared F.	CHM	Authority to use incremental funding to enter into a contract for the construction of a Guided Missile Destroyer (DDG).	EB 5

LOG ID	REV	MEMBER	MARKUP LOC	DESCRIPTION	MARKUP ACT
5276	1	Luttrell, Morgan	CHM	Report on feasibility to install modular composite utility poles at installations that have experienced failures and electrical outages from external factors.	EB 5
5038	2	Gimenez, Carlos A.	CHM	Modifications to Prohibition on DoD procurement from entities identified as Chinese Military Companies operating in the US.	EB 5
4768	1	Luttrell, Morgan	CHM	Prohibit funds to be used for the deactivation of the Expeditionary Combat Aviation Brigades until SECARMY submits a plan to the congressional defense committees to maintain each of the operational capabilities the ECABs provide or to recapitalize the aircraft.	EB 5
4979	2	Luttrell, Morgan	CHM	Progress report on the Psychedelic Treatment Pilot Program authorized in the FY2024 NDAA (PL 118-31)	EB 5
5543	0	Mace, Nancy	CHM	Requires revisions to acquisition regulations related to information systems vulnerabilities for certain federal contractors.	EB 5
5650	1	Luttrell, Morgan	CHM	Amends DRL on "Integration of Rare Earth-Free Permanent Magnets into the Defense Industrial Base to include additional briefing requirements.	EB 5
5322	1	Goodlander, Maggie	CHM	Require contractors to provide reasonable access to repair materials.	EB 5

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

### **Offered by Mr. Luttrell of Texas**

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

#### **Hyper-Enabled Awareness Kit and Assured Command and Control in Contested Environments**

The committee supports increased investment in the Department of Defense's efforts to develop the Hyper-Enabled Awareness Kit (HEAK) and other communications architectures to provide assured and persistent command and control in a contested environment. Warfighters often carry multiple radios to communicate events to higher echelons, supporting units, and laterally to other units in the area of operation. The committee recognizes the Department's need for an event-based, secure communications platform that connects the tactical edge to the enterprise. Communications capabilities should prioritize interoperability, integration, communication speed, and security for all military operations with a particular focus on Denied, Disrupted, Intermittent, and Limited (DDIL) environments. The new communications technology should also enable human machine teaming by moving away from teleoperation and to command via commander's intent. The committee directs the Secretary of Defense to provide a briefing the House Committee on Armed Services not later than January 1, 2026 on the development of the Hyper-Enabled Awareness (HEAK) capability.

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

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

**1 SEC. 1\_\_\_\_. AUTHORIZATION TO INITIATE EARLY PRODUC-**  
**2 TION OF FUTURE LONG-RANGE ASSAULT AIR-**  
**3 CRAFT.**

**4 (a) AUTHORIZATION.**—The Secretary of the Army  
**5 may enter into contracts, in advance of full-rate produc-**  
**6 tion, for the procurement of future long-range assault air-**  
**7 craft as part of an accelerated low-rate early production**  
**8 effort.**

**9 (b) OBJECTIVES.**—In carrying out the early produc-  
**10 tion effort described in subsection (a), the Secretary of**  
**11 the Army shall pursue the following objectives:**

**12 (1) To expedite delivery of future long-range as-**  
**13 sault aircraft operational capability to the**  
**14 warfighter.**

**15 (2) To maintain momentum and learning con-**  
**16 tinuity between test article completion and full pro-**  
**17 duction ramp-up.**

**18 (3) To stabilize and retain the specialized work-**  
**19 force and industrial base supporting future long-**

1 range assault aircraft, including critical suppliers  
2 and production facilities in Texas, Kansas, and other  
3 States.

4 (4) To mitigate cost escalation risks and im-  
5 prove program affordability across the life cycle.

6 (c) CONSIDERATIONS.—In executing the authority  
7 provided by subsection (a), the Secretary shall—

8 (1) prioritize program continuity, cost-effi-  
9 ciency, and workforce retention across the supply  
10 chain for tiltrotor aircraft;

11 (2) ensure that aircraft procured as part of the  
12 early production effort described in subsection (a)  
13 incorporate lessons learned from test article evalua-  
14 tions; and

15 (3) maintain flexibility in design to accommo-  
16 date future upgrades through the modular open sys-  
17 tems architecture and digital backbone.

18 (d) BRIEFING TO CONGRESS.—Not later than 180  
19 days after the date of the enactment of this Act, the Sec-  
20 retary of the Army shall provide to the congressional de-  
21 fense committees a briefing detailing—

22 (1) the implementation plan and timeline for  
23 the procurement and early production effort de-  
24 scribed in subsection (a);

- 1           (2) the status of industrial base readiness and
- 2           supply chain coordination; and
- 3           (3) estimated long-term cost savings and oper-
- 4           ational benefits derived from such early production
- 5           effort.





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

### **Offered by Mr. Luttrell of Texas**

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

#### Next Generation Counter-UAS Missile (NGCM) Acquisition Strategy

The committee supports efforts to field additional layers of air-defense capability against the fast-evolving Unmanned Aircraft System (UAS) threat and notes that the Army has identified the Next Generation Counter-UAS Missile (NGCM) as the mechanism to acquire capabilities complementary to the current Low Slow Small c- UAS Integrated Defeat System (LIDS) program of record. Fielding such a capability is a priority, but the material solution should reflect the requirements set forth for the program.

The committee is aware of an emerging mismatch between requirements and the acquisition plan for NGCM, including a fundamental question about the class of threat the system is intended to counter. The Army currently has a layered air-defense capability to address higher-end threats, including fixed-wing aircraft and cruise missiles, with the Patriot and Integrated Fire Protection Capability systems. The Air and Missile Defense Cross Functional Team (AMD-CFT) outlined requirements for NGCM in 2024, with a priority emphasis on defeating Group 3 UAS at longer range than the current LIDS program. In addition, the AMD-CFT identified the importance of compatibility with the current LIDS system, including launcher fit, mobile-system integration, and maintaining two-man lift without material handling equipment.

The committee commends the Army for responding to the dynamic threat environment but urges caution on conducting arbitrary test events that may have little bearing on demonstrating design maturity or meeting stated warfighter requirements. Therefore, the committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than December 1, 2025, on the acquisition plan for NGCM. The briefing shall include details on capabilities and limitations of the system against current and emerging threats based on J-2 threat assessments, the role of NGCM within the integrated air and missile defense architecture, and alignment with AMD-CFT requirements.

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

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

1   **SEC. 16 \_\_\_\_ . IMPROVEMENTS TO CERTAIN DEPARTMENT OF**  
2                   **DEFENSE INDEMNIFICATION PROCEDURES**  
3                   **TO ENABLE PROCUREMENT OF COMMERCIAL**  
4                   **ADVANCED NUCLEAR TECHNOLOGIES.**

5           (a) REVIEW.—The review of a request submitted to  
6 a Department of Defense contracting officer by a con-  
7 tractor pursuant to Public Law 85–804 (50 U.S.C. 1431  
8 et. seq) for indemnification against nuclear and unusually  
9 hazardous risks, including those involving the procurement  
10 of commercial nuclear technology, shall include, to the  
11 maximum extent practicable, input from the Defense Con-  
12 tract Management Agency, including reviews of insurance  
13 markets and coverage availability from the Contractor In-  
14 surance/Pension Review group.

15          (b) DEADLINE.—The Secretary of Defense shall en-  
16 sure that the review of any indemnification request de-  
17 scribed in subsection (a) shall be completed with a final  
18 decision on approval or denial, including an executed  
19 memorandum of decision, within the 90-day period begin-

2

1 ning on the date on which the contractor submits the in-  
2 demnification request.



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

### **Offered by Mr. Luttrell of Texas**

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

#### Biothreat Detection Systems for U.S. Military Installations

The Committee supports improving the Department's capacity to rapidly detect biological and chemical aerosol agents on military bases and installations given potential increasing threats of use of these agents on U.S., partners or allies during a conflict. Optimizing this capability with advanced technology can more rapidly and efficiently detect potential chemical and biological attacks that would otherwise impact U.S. military bases and operations and expose our warfighters to significant risk.

Therefore, the committee directs the Secretary of Defense to provide a briefing to the House Armed Services Committee not later than December 1, 2025 on the requirements for procuring and deploying advanced sensors that rapidly detect potential threats. The briefing should include the following information:

- (1) Whether there exists a requirement for rapid concurrent biological and chemical threat detection capabilities;
- (2) Whether the Department's existing technologies include concurrent detection capabilities for both chemical and biological agents;
- (3) Whether commercially-available technologies that concurrently and rapidly detect both biological and chemical agents could be utilized to protect military bases;
- (4) The benefits of a sensor and autonomous detection that can rapidly detect a comprehensive range of both biological and chemical agents;
- (5) A recommendation if fielding a comprehensive biochemical threat detection capability is required; and
- (6) If required, the number of sensors required to deploy, costs of procuring, deploying and maintaining the sensors, and length of time to procure and deploy the appropriate number of sensors.

**AMENDMENT TO H.R. 3838**

**OFFERED BY MR. WHITESIDES**

**(funding table amendment)**

In section 4201 of division D, relating to Research, Development, Test, and Evaluation, Defense-Wide, increase the amount for Advanced Complex Systems, Line 056, by \$5,000,000 for DARPA-ALIAS/MATRIX.

In section 4301 of division D, relating to Operations and Maintenance, Navy, reduce the amount for Enterprise Information, Line 260, by \$5,000,000.

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

### **Offered by Mr. Luttrell of Texas**

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

#### **U.S. Special Operations Command (USSOCOM)-Military Information Support Operations (MISO)**

The committee remains concerned about the persistent challenges in Military Information Support Operations (MISO), which have been exacerbated in the absence of standardized technology integration and capabilities USSOCOM is providing as the executive agent for MISO supporting Geographic Combatant Commands (GCCs) MISO requirements as required in Joint Publication 3-13.2, Military Information Support Operations. The committee believes that utilizing cutting edge capabilities to plan, execute and evaluate the effectiveness of MISO can enable and increase the Department of Defense's ability to effectively compete in the information environment. Without a unified approach to acquiring MISO tools, the Department's MISO efforts will continue to lag behind adversarial information operations.

Therefore, the committee directs the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, in coordination with the Commander, U.S. Special Operations Command to provide a briefing to the Committee on Armed Services not later than December 1, 2025 on efforts the Department can undertake to standardize MISO capabilities across USSOCOM and the GCCs. The briefing shall examine capability shortfalls across the MISO enterprise and evaluate operational improvements and potential cost savings through standardization of capabilities across the Department. The briefing shall also include an evaluation of the effectiveness of current services contracts currently supporting USSOCOM's provision of MISO capabilities to the GCCs, and the feasibility of realigning funding from services contracts to acquiring new software centric technology to improve the Command's ability to compete in the modern information environment.

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

### **Offered by: Mr. Vindman**

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

#### **Violent Antisemitism and Transnational Extremist Threats**

The committee is aware of the growing role that antisemitism plays within transnational violent extremist ideologies, including racially and ethnically motivated violent extremism. These ideologies often propagate antisemitic rhetoric and motivate violence globally. The committee believes that assessing the threat posed by violent antisemitism is essential to understanding the global extremist landscape and its implications for the United States.

Therefore, the committee directs the Secretary of Defense to submit a report to the House Armed Services Committee no later than March 20, 2026, on the threat posed by violent antisemitism as a component of transnational extremist movements.

The report should include the following:

(1) an overview of transnational violent extremist ideologies that include antisemitic components, including racially and ethnically motivated violent extremism;

(2) a review of violence committed on behalf of or motivated by such ideologies, including identification of violent acts committed with explicit antisemitic sentiment and an overview of propaganda facilitating the spread of such ideologies, with an in-depth assessment of the antisemitic components of such propaganda;

(3) an assessment of the threat that such antisemitic violence poses to the United States homeland, citizens of the United States residing abroad, and personnel of the United States Government, including members of the Armed Forces, and how such threats affect the interests and global standing of the United States.

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

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

1 **SEC. 5 \_\_\_\_ . FIREGUARD PROGRAM: PROGRAM OF RECORD;**

2 **AUTHORIZATION.**

3 Section 510 of title 32, United States Code, is  
4 amended—

5 (1) in subsection (a)—

6 (A) by inserting “(1)” before “The Sec-  
7 retary”;

8 (B) by inserting “of record” after “carry  
9 out a program”; and

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

12 “(2) The FireGuard Program is authorized through  
13 December 31, 2031.”.

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

16 “(c) ANNUAL BRIEFING.—Not later than one year  
17 after the date of the enactment of the National Defense  
18 Authorization Act for Fiscal Year 2026, the Secretary  
19 shall submit to the Committees on Armed Services of the



1 Senate and House of Representatives the first of five an-  
2 nual briefings regarding the FireGuard Program. Such a  
3 briefing shall include, with regards to the year preceding  
4 the date of the briefing, the following elements:

5 “(1) The States (as such term is defined in sec-  
6 tion 901 of this title), counties, municipalities, and  
7 Tribal governments that received information under  
8 the FireGuard Program.

9 “(2) A comparative analysis of a map of—

10 “(A) each wildfire, initially provided to an  
11 entity described in paragraph (1) through the  
12 FireGuard Program; and

13 “(B) the perimeter of such wildfire after  
14 containment.

15 “(3) An analysis of the time between the detec-  
16 tion of a fire via raw satellite data and alerts being  
17 sent to local responders.

18 “(4) A review of efforts undertaken to integrate  
19 emerging satellite and aerial surveillance tech-  
20 nologies from qualified private, nonprofit, and public  
21 sector sources.”.



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Feasibility of a Department-Wide Enterprise License**

The committee acknowledges the Department of Defense's work in advancing and consolidating Identity, Credential, and Access Management (ICAM). The committee notes that Identity Governance and Administration, also referred to within the Department as Automated Account Provisioning, is a component of the Department's ICAM framework. The committee directs the Department of Defense Chief Information Officer to provide a briefing to the House Committee on Armed Services no later than February 1, 2026 that shall include the following:

(1) The feasibility of a department-wide enterprise license approach to enhance interoperability, functionality, cybersecurity, and overall cost-efficiency; and

(2) The feasibility of replatforming identity governance and automated account provisioning from legacy on-premises to a hybrid cloud solution through a department-wide approach and the options of doing so.

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

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

**1 SEC. 7\_\_\_\_. PAYMENT ADJUSTMENTS FOR OUTPATIENT**  
**2 SERVICES FOR CERTAIN CHILDREN'S HOS-**  
**3 PITALS.**

**4 (a) REQUIREMENT.**—Section 1079(i) of title 10,  
**5 United States Code, is amended—**

**6 (1) by redesignating paragraph (4) as para-**  
**7 graph (5); and**

**8 (2) by inserting after paragraph (3) the fol-**  
**9 lowing new paragraph (4):**

**10 “(4)(A) In addition to amounts paid under paragraph**  
**11 (2), the Secretary shall pay an annual payment adjust-**  
**12 ment to a children’s hospital for outpatient services if the**  
**13 Secretary determines that, with respect to the year cov-**  
**14 ered by the payment adjustment, the hospital meets one**  
**15 or more of the following criteria:**

**16 “(i) 10 percent or more of the revenue of the**  
**17 hospital comes from services provided to covered in-**  
**18 dividuals under the TRICARE program.**

1           “(ii) The hospital received not fewer than  
2       10,000 visits by covered individuals that were paid  
3       under paragraph (2).

4           “(iii) The hospital has been determined by the  
5       Secretary to be essential for operations of the  
6       TRICARE program.

7       “(B) The amount of the annual payment adjustment  
8       paid to a children’s hospital under subparagraph (A) shall  
9       be the amount that is 30 percent of payments made under  
10      the Outpatient Prospective Payment System (or successor  
11      system) to the children’s hospital under paragraph (2)  
12      during the year covered by the annual payment adjust-  
13      ment for outpatient services provided to covered individ-  
14      uals.

15       “(C) In this paragraph:

16           “(i) The term ‘children’s hospital’ means a pro-  
17      vider of services provided under a plan covered by  
18      this section that is a children’s hospital.

19           “(ii) The term ‘covered individual’ means a  
20      member of the armed forces serving on active duty  
21      or a dependent of such a member.”.

22       (b) **METHODOLOGY AND REGULATIONS.**—The Sec-  
23      retary of Defense shall—

24           (1) develop a payment methodology to deter-  
25      mine the amounts required to be paid under para-

1 graph (4) of section 1079(i) of title 10, United  
2 States Code, as added by subsection (a); and  
3 (2) prescribe joint regulations to carry out such  
4 payments that are separate from the regulations  
5 concerning outpatient prospective payments pursu-  
6 ant to paragraph (2) of such section.



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

### **Offered by Mr. Luttrell of Texas**

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

#### Securing the United States Supply Chain for Artificial Intelligence

The committee encourages the Department to expand its engagement with a broader range of domestic microelectronics suppliers powering AI, including small and medium-sized enterprises, non-traditional defense contractors, and firms developing emerging technologies through a secure and trusted manufacturing process. The committee encourages the department to prioritize suppliers that produce or sell critical elements of the AI supply chain that are fabricated, assembled, and tested in facilities located within the United States where such supplier or next-tier subcontractor exercises operational control over that process.

Accordingly, the committee directs the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Under Secretary of Defense for Research and Engineering, to provide a report to the House Committee on Armed Services by January 1, 2026, on the Department's efforts to:

- (1) Assess and mitigate supplier concentration risk among trusted manufacturers in the microelectronics sector for AI;
- (2) Identify opportunities to increase participation by non-traditional and emerging suppliers;
- (3) Prioritize engagement with suppliers that have demonstrated previous investments in manufacturing microelectronics that underpin AI in North America;
- (4) Explore opportunities to improve the performance and power efficiency of microelectronics, specifically with regard to inference; and
- (5) Leverage programs such as the Defense Production Act Title III and Trusted and Assured Microelectronics to support diversification and increase the number of contractors producing or selling critical elements of the AI supply chain that will be fabricated, assembled, and tested in facilities located within the United States on an increasing per-year basis over the next five years.

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

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

1   **SEC. 3 \_\_\_\_ . PILOT PROGRAM ON NAVY INSTALLATION NU-**  
2                   **CLEAR ENERGY.**

3           (a) PILOT PROGRAM REQUIRED.—Beginning not  
4 later than 180 days after the date of the enactment of  
5 this Act, the Assistant Secretary of the Navy for Energy,  
6 Installations, and Environment shall carry out a ten-year  
7 pilot program at one or more naval installations for the  
8 purpose of determining how small modular reactors or mo-  
9 bile reactors could be used—

10               (1) to meet the coastal installation energy needs  
11 of the Navy during the ten-year period beginning on  
12 the date of the enactment of this Act; and

13               (2) to inform the development of concepts for  
14 the use of nuclear power facilities to support in-  
15 creased energy security for Navy and Marine Corps  
16 installations.

17           (b) INSTALLATION PRIORITIZATION.—In selecting  
18 naval installations for the pilot program required by sub-  
19 section (a), the Assistant Secretary of the Navy for En-

1 ergy, Installations, and Environment shall prioritize an in-  
2 stallation that—

3 (1) has in entered into, as of the date of the en-  
4 actment of this Act, a memorandum of agreement  
5 with a private power provider to explore the use of  
6 a small modular reactor or mobile reactor for instal-  
7 lation energy requirements; and

8 (2) contributes support to naval operational  
9 forces in the mid-Atlantic region.

10 (c) PUBLIC-PRIVATE PARTNERSHIPS.—

11 (1) AVAILABLE INFRASTRUCTURE.—The Assist-  
12 ant Secretary of the Navy for Energy, Installations,  
13 and Environment may carry out the pilot program  
14 required by subsection (a) by assessing and making  
15 recommendations regarding how to make available  
16 the facilities of a Navy or Marine Corps program se-  
17 lected for participation in the pilot program.

18 (2) DATA CENTERS.—As part of the pilot pro-  
19 gram, the Assistant Secretary shall evaluate and  
20 make recommendations regarding how to make  
21 available Navy or Marine Corps facilities to co-locate  
22 data centers with the assessed, representative small  
23 modular reactors or mobile reactors.

24 (3) CONTRACTS.—The pilot program does not  
25 require the Secretary of the Navy to enter into any



1 new contract, such as an energy savings perform-  
2 ance contract.

3 (d) REPORTING REQUIREMENTS.—

4 (1) ANNUAL REPORT.—In each report sub-  
5 mitted under section 2925 of title 10, United States  
6 Code, during the period beginning on the date that  
7 is one year after the date of enactment of this Act  
8 and ending on September 30, 2032, the Secretary of  
9 the Navy shall include, for the year covered by the  
10 report, each of the following:

11 (A) A five-year funding plan for all Navy  
12 nuclear shore and installation power programs  
13 for the Navy, including nuclear efforts provided  
14 for in the context of the Navy Shore Energy  
15 Program and any identified funding shortfalls.

16 (B) An identification of authorities re-  
17 quired and remaining barriers to the provision  
18 of nuclear power from a military installation to  
19 civilian energy grids.

20 (C) A review of lessons learned from re-  
21 lated efforts conducted by the other military de-  
22 partments, the Defense Innovation Unit, and  
23 any other entities the Secretary considers rel-  
24 evant.

1 (D) An analysis of efforts taken by the  
2 Navy to use nuclear power on Navy installa-  
3 tions to support data center power demands.

4 (E) Any other details the Secretary of the  
5 Navy considers relevant.

6 (2) FINAL REPORT.—Upon conclusion of the  
7 pilot program, the Secretary of the Navy shall sub-  
8 mit to the congressional defense committees a report  
9 that includes, or include in the report required under  
10 section 2925 of title 10, United States Code, for the  
11 fiscal year during which the pilot program concludes,  
12 the following:

13 (A) An identification of the funding that  
14 would be required to convert the pilot program  
15 to a program of record.

16 (B) An identification of all available fund-  
17 ing provided in the budget of the Navy for the  
18 fiscal year during which the report is submitted  
19 for nuclear power at Navy and Marine Corps  
20 installations .

21 (e) EARLY TERMINATION.—The Secretary of the  
22 Navy may terminate the pilot program before the expira-  
23 tion of the five-year period referred to in subsection (a)

5

- 1 if the Secretary provides notice of such early termination
- 2 to the congressional defense committees.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. ELFRETH OF MARYLAND**

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

1 **SEC. 28\_\_\_\_. LAND CONVEYANCE, FORMER CURTIS BAY**  
2 **DEPOT, MARYLAND.**

3 (a) CONVEYANCE AUTHORIZED.—

4 (1) IN GENERAL.—The Administrator of Gen-  
5 eral Services, in consultation with the Director of  
6 the Defense Logistics Agency may convey to the  
7 Maryland Economic Development Corporation (in  
8 this section, referred to as “MEDCO”), all right,  
9 title, and interest of the United States in and to a  
10 parcel of real property, including improvements  
11 thereon, consisting of approximately 435.00 acres at  
12 710 Ordnance Road, the former Curtis Bay Depot  
13 for the purpose of economic development.

14 (2) CONSULTATION WITH COAST GUARD.—In  
15 carrying out the conveyance under this subsection,  
16 the Administrator shall consult with the Secretary of  
17 Homeland Security with respect to matters con-  
18 cerning the equities of the Coast Guard in areas in  
19 proximity to such parcel of real property.

1 (b) CONSIDERATION REQUIRED.—As consideration  
2 for the conveyance under subsection (a), MEDCO shall  
3 provide an amount that is equivalent to the fair market  
4 value to the Federal Buildings Fund for the right, title,  
5 and interest conveyed under such subsection, based on an  
6 appraisal approved by the Administrator. The consider-  
7 ation under this subsection may be provided by cash pay-  
8 ment, in-kind regulatory closure, or a combination thereof,  
9 at such time as the Administrator may require.

10 (c) PAYMENT OF COSTS OF CONVEYANCE.—

11 (1) PAYMENT REQUIRED.—The Administrator  
12 may require MEDCO to cover all costs (except costs  
13 for environmental remediation of the property) to be  
14 incurred by the Administrator, or to reimburse the  
15 Administrator for costs incurred by the Adminis-  
16 trator, to carry out the conveyance under this sec-  
17 tion, including survey costs, costs for environmental  
18 documentation, and any other administrative costs  
19 related to the conveyance. If amounts are collected  
20 from MEDCO in advance of the Administrator in-  
21 curring the actual costs, and the amount collected  
22 exceeds the costs actually incurred by the Adminis-  
23 trator to carry out the conveyance, the Adminis-  
24 trator shall refund the excess amount to MEDCO.

1           (2) TREATMENT OF AMOUNTS RECEIVED.—

2       Amounts received under paragraph (1) as reim-  
3       bursement for costs incurred by the Administrator  
4       to carry out the conveyance under subsection (a)  
5       shall remain available until expended.

6       (d) DESCRIPTION OF PROPERTY.—The exact acreage  
7       and legal description of the property to be conveyed under  
8       subsection (a) shall be determined by a survey satisfactory  
9       to the Administrator.

10       (e) ADDITIONAL TERMS AND CONDITIONS.—The  
11       conveyance under this section shall be subject to the fol-  
12       lowing:

13           (1) The Administrator may require such addi-  
14       tional terms and conditions in connection with the  
15       conveyance under subsection (a) as the Adminis-  
16       trator considers appropriate to protect the interests  
17       of the United States.

18           (2) MEDCO shall execute a purchase and sale  
19       agreement within one year of enactment of this leg-  
20       islation.

21           (3) The conveyance will be on an “as-is, where-  
22       is” basis via quitclaim deed subject to an access  
23       easement to the U. S. Army Reserve Facility along  
24       the shoreline of Curtis Bay.

1           (4) The conveyance will be in compliance with  
2           the Comprehensive Environmental Response, Com-  
3           pensation and Liability Act (CERCLA) of 1980 (42  
4           U.S.C. 9620(h)).

5           (5) To the maximum extent possible, the Fed-  
6           eral Government shall incorporate land use controls  
7           to satisfy CERCLA requirements for the purpose of  
8           expediting disposition and subsequent redevelop-  
9           ment.



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

### **Offered by Mr. Luttrell of Texas**

In the portion of the report to accompany H.R. 3838 titled “Investments in Rare Earth Magnet Manufacturing Capability”, insert after “investing in domestic magnet manufacturing capabilities.”, the following new text: “The committee recognizes this effort should include investment in a domestic supply chain of essential component, materials, like metallized rare earth minerals and high-purity iron, which is a critical feedstock comprising 70 percent of neodymium iron boron magnets, since over 90% of the world’s high-purity iron is controlled by the PRC.”

In the portion of the report to accompany H.R. 3838 titled “Investments in Rare Earth Magnet Manufacturing Capability”, insert after “iron boron magnet production in the United States,”, the following new text: “including the availability of domestic sourced essential component materials like metallized rare earth minerals and high-purity iron,”



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

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

1 **SEC. 10\_\_\_\_. PROHIBITION ON THE USE OF FUNDS FROM**  
2 **CARRYING OUT A HIRING FREEZE, REDUC-**  
3 **TION IN FORCE, OR HIRING DELAY WITHOUT**  
4 **CAUSE AT A PUBLIC SHIPYARD.**

5 None of the funds authorized to be appropriated by  
6 this Act or otherwise made available for fiscal year 2026  
7 for the Department of Defense may be used to—

8 (1) carry out a hiring freeze at a public ship-  
9 yard;

10 (2) carry out a reduction in force at a public  
11 shipyard; or

12 (3) delay without cause the filling of a vacant  
13 Federal civilian employee position at a public ship-  
14 yard.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. HOULAHAN OF PENNSYLVANIA**

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

**1 SEC. 5 \_\_\_\_ . PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
**2 TERMINATION OF DODEA AND CHILDCARE**  
**3 WORKERS.**

4 None of the funds authorized to be appropriated by  
5 this Act or otherwise made available for fiscal year 2026  
6 for the Department of Defense may be obligated or ex-  
7 pended to terminate employees of Military Child Develop-  
8 ment Programs or employees of the Department of De-  
9 fense Education Activity, regardless of whether such posi-  
10 tions are funded by appropriated or nonappropriated  
11 funds, unless the employee was documented as not per-  
12 forming or engaging in misconduct.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GOLDEN OF MAINE**

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

1 **SEC. 3 \_\_\_\_ . REGULATIONS APPLICABLE TO WEARING OP-**  
2 **TIONAL COMBAT BOOTS.**

3 (a) IN GENERAL.—Not later than two years after the  
4 date of the enactment of this section, the Secretary of De-  
5 fense shall issue regulations to prohibit any member of  
6 the Armed Forces from wearing optional combat boots as  
7 part of a required uniform unless the optional combat  
8 boots are entirely manufactured in the United States and  
9 entirely made of—

10 (1) materials grown, reprocessed, reused, or  
11 produced in the United States; and

12 (2) components that are manufactured entirely  
13 in the United States and entirely made of materials  
14 described in paragraph (1).

15 (b) WAIVER.—The requirements of subsection (a)  
16 may be waived if a member of the Armed Forces provides  
17 a medical justification authorized by the commanding offi-  
18 cer of such member to wear optional combat boots as part  
19 of a required uniform.

1       (c) EXCEPTION.—The requirements of subsection (a)  
2 shall not apply to a member of the Armed Forces within  
3 a combat arms military occupational specialty who is in  
4 a deployed status.

5       (d) DEFINITIONS.—In this section:

- 6           (1) The term “optional combat boots”, with re-  
7 spect to a member of the Armed Forces, means com-  
8 bat boots not furnished to such member of the  
9 Armed Forces by the Secretary of Defense.
- 10          (2) The term “required uniform” means a uni-  
11 form a member of the Armed Forces is required to  
12 wear as a member of the Armed Forces.



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

### **Offered by: Mr. Harrigan**

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

#### **Briefing on Pharmaceutical Raw Materials Manufactured in Adversarial Nations**

The committee is concerned that supply chains for critical raw materials needed to manufacture therapeutics to treat chronic diseases and viral pandemics largely originate in adversary nations, like China. This is a vulnerability that can be exploited and weaponized by our enemies when we are at our greatest vulnerability. Failure to address this situation is a national security threat that can only be remedied through a strong domestic supply chain for production of therapeutic chemistries and biologics.

The committee therefore directs the Under Secretary of Defense for Acquisition and Sustainment to brief the committee no later than March 1, 2026, on how the Department can reduce its import dependence on China for pseudouridine, pseudouridine monophosphate, and N1 methyl pseudouridine monophosphate. Such a briefing shall include:

- (1) Identification of the current requirements of the Department of Defense for the above listed pharmaceutical raw materials;
- (2) Projected requirements of the Department for these raw materials through the year 2040;
- (3) Identification of the sources of the listed raw materials used to meet current and projected requirements of the Department, including such sources produced in adversarial nations; and
- (4) Recommendation of actions needed to ensure that domestic sources are able to replace imports for these pharmaceutical raw materials from countries of concern without interruptions in supply to the Department within the next four years.

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

### **Offered by Mr. Luttrell of Texas**

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

#### **Pilot Program to Boost Domestic Content in Rare Earth Manufacturing Capability**

The committee recognizes the importance U.S. sources of component materials, like metallized rare earth elements and the production of high-purity iron, are being used in the production of rare earth magnets to reduce dependence on China (PRC). Therefore, the committee encourages the Secretary of Defense to establish a pilot program to accelerate the research, development, testing, procurement, and initial sustainment of innovative technologies to secure the United States' access to these materials. The committee directs the Secretary of Defense to submit to the House Armed Services Committee a briefing not later than March 1, 2026 on the progress of the pilot program.

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

### **Offered by: Mr. Vindman**

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

#### **Assessment of High-Speed, Survivable Naval Craft**

The committee remains concerned about persistent capability gaps in small surface craft because of performance, survivability, range, and crew protection in contested maritime environments or special operations missions. The Department of Defense currently lacks small surface craft capable of sustained operations in high sea states; platforms with integrated shock mitigation systems to reduce risk of head, back, and spinal injuries; and craft with operational ranges exceeding 600 nautical miles or capable of speeds greater than 59 knots under blue water conditions.

The committee believes there is an opportunity to address these gaps through the rapid acquisition, testing, and deployment of Commercial Off-the-Shelf (COTS) craft that are either manned, unmanned, or optionally manned. These platforms may be capable of meeting advanced performance and survivability thresholds. The committee is particularly interested in understanding whether the Department of the Navy possesses or plans to acquire crafts with such capabilities for both manned and unmanned naval operations.

Therefore, the committee directs the Secretary of the Navy, in coordination with the Commander of U.S. Special Operations Command, to provide a briefing to the House Committee on Armed Services no later than December 1, 2025 on the Department's current and planned efforts to field high performance small craft and unmanned surface vessels capable of operating in high-threat maritime environments. The briefing should include the following:

- (1) an assessment of current manned, unmanned, or optionally manned small surface craft, or any under development, that are capable of sustained operations in sea states of 8, have operational ranges of at least 600 nautical miles without refueling; can achieve top speeds exceeding 59 knots in open ocean conditions; and have integrated shock absorption systems to reduce injury risk to personnel;

- (2) a summary of ongoing or planned procurement, testing, or experimentation of high-speed, long-range COTS surface craft;

- (3) an assessment of the potential to retrofit existing unmanned or optionally manned platforms to meet these requirements;

- (4) identification of current capability gaps across Navy and SOCOM inventories and the operational risks posed by those gaps; and
- (5) recommendations to field high-performance small naval platforms suitable for contested maritime environments.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. STEFANIK OF NEW YORK**

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

1 **SEC. 2\_\_\_\_. EXTENSION OF LIMITATION ON AVAILABILITY**  
2 **OF FUNDS FOR FUNDAMENTAL RESEARCH**  
3 **COLLABORATION WITH CERTAIN ACADEMIC**  
4 **INSTITUTIONS.**

5 Section 238(a) of the National Defense Authorization  
6 Act for Fiscal Year 2025 (Public Law 118–159; 138 Stat.  
7 1842) is amended by inserting “or fiscal year 2026” after  
8 “fiscal year 2025”.



**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. STEFANIK OF NEW YORK**

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

**1 SEC. 2\_\_\_\_. POST-EMPLOYMENT RESTRICTIONS FOR PAR-**  
**2 TICIPANTS IN CERTAIN DEFENSE RESEARCH.**

**3 (a) PRINCIPAL INVESTIGATORS IN COVERED DE-**  
**4 FENSE RESEARCH PROJECTS.**—Except as provided under  
**5 subsection (c), as a condition of becoming or remaining**  
**6 a principal investigator of a covered defense research**  
**7 project, a person shall agree that during the 3-year period**  
**8 beginning on the last day the person is a principal investi-**  
**9 gator of such research, such person may not seek or accept**  
**10 employment, or conduct any activity, for which a foreign**  
**11 entity of concern provides financial compensation or in-**  
**12 kind benefits.**

**13 (b) EMPLOYEES OF DEPARTMENT OF DEFENSE LAB-**  
**14 ORATORIES.**—Except as provided under subsection (c), as  
**15 a condition of becoming or remaining an employee at a**  
**16 laboratory of the Department of Defense, a person shall**  
**17 agree that during the 3-year period beginning on the last**  
**18 day the person is an employee at such laboratory, such**  
**19 person may not seek or accept employment, or conduct**

1 any activity, for which a foreign entity of concern provides  
2 financial compensation or in-kind benefits.

3 (c) WAIVER AUTHORITY.—The Secretary of Defense  
4 may waive the restrictions under subsections (a) and (b)  
5 with respect to a United States person if, not later than  
6 30 days before issuing the waiver, the Secretary submits  
7 to the congressional defense committees a notice of the  
8 waiver that includes—

9 (1) an unclassified justification for the waiver;  
10 and

11 (2) a description of any Department of Defense  
12 funds provided to the person for which the waiver is  
13 issued or to the research in which the person partici-  
14 pated.

15 (d) CERTIFICATION.—Not later than 270 days after  
16 the date of the enactment of this Act, the Secretary of  
17 Defense shall establish a process, under the initiative es-  
18 tablished in section 1286 of the John S. McCain National  
19 Defense Authorization Act for Fiscal Year 2019 (Public  
20 Law 115–232; 10 U.S.C. 4001 note), to ensure that, when  
21 a person who previously made an agreement in subsection  
22 (a) or (b) applies for funding to conduct a covered defense  
23 research project in the future—

1 (1) the employer of such person can certify that  
2 the person complied with the requirements in sub-  
3 sections (a) and (b); and

4 (2) that a person whose employer cannot make  
5 the certification in paragraph (1) is ineligible to par-  
6 ticipate in the covered defense research project.

7 (e) DETERMINATION OF CRITICAL AND EMERGING  
8 TECHNOLOGY.—Not later than 270 days after the date  
9 of the enactment of this Act, and annually thereafter, the  
10 Secretary of Defense shall—

11 (1) determine which technologies are critical or  
12 emerging from among the technologies for which the  
13 Department funds research; and

14 (2) shall make the results of such determination  
15 publicly available.

16 (f) APPLICABILITY.—This section shall apply with re-  
17 spect to research that begins on or after the date that  
18 is one year after the date of the enactment of this Act.

19 (g) DEFINITIONS.—In this section:

20 (1) The term “foreign entity of concern” has  
21 the meaning given that term in section 10612(a) of  
22 the Research and Development, Competition, and  
23 Innovation Act (42 U.S.C. 19221(a)) and includes a  
24 foreign entity that is identified on the list published  
25 under section 1286(c)(9)(A) of the John S. McCain

1 National Defense Authorization Act for Fiscal Year  
2 2019 (Public Law 115–232; 10 U.S.C. 4001 note).

3 (2) The term “covered defense research  
4 project” means a research project that—

5 (A) is operated by an institution of higher  
6 education or a subsidiary of an institution of  
7 higher education;

8 (B) is funded, in whole or in part, by the  
9 Department of Defense; and

10 (C) involves a critical or emerging tech-  
11 nology.

12 (3) The term “critical or emerging technology”  
13 means a technology that the Secretary determines to  
14 be critical or emerging in accordance with subsection  
15 (e).

16 (4) The term “institution of higher education”  
17 has the meaning given that term in section 102 of  
18 the Higher Education Act of 1965 (20 U.S.C.  
19 1002).



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Maintenance, Repair and Overhaul Analytics**

The Navy's aging, diverse fleet of aircraft is a challenge for Navy Fleet Readiness Centers (FRCs). Unlike aircraft manufacturing, repair and overhaul involve significant uncertainty in the scope of work and the sequence of work. Uncertainty in repair cycles challenges FRC administration. This increases turnaround time and repair costs across all fleets of aircraft and reduces aircraft availability (readiness) in the fleet. The committee supports Naval Air Systems Command's use of maintenance, repair and overhaul (MRO) related predictive analytics simulations to achieve improvements in depot efficiency and aircraft readiness. Therefore, the committee directs the Secretary of the Navy to provide a briefing to the House Committee on Armed Services not later than March 1, 2026, on progress and plans to expand existing predictive analytics capabilities across the FRC Enterprise.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. FINSTAD OF MINNESOTA**

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

1 **SEC. 8 \_\_\_\_ . INVENTORY OF TECHNICAL DATA RIGHTS FOR**  
2 **WEAPON SYSTEM SUSTAINMENT.**

3 (a) INVENTORY REQUIRED.—Not later than 90 days  
4 after the date of the enactment of this Act, each service  
5 acquisition executive shall initiate a process to establish  
6 an inventory of the required covered data related to pro-  
7 cured covered systems. Such inventory shall be made avail-  
8 able for use by employees of the Department of Defense  
9 or depot maintenance support contractors.

10 (b) REVIEW OF REQUIREMENTS.—In conducting the  
11 inventory required by subsection (a), each service acqui-  
12 sition executive shall review requirements for covered data  
13 identified during the design, development, and procure-  
14 ment of a covered system including, as applicable—

15 (1) the planning for sustainment and the devel-  
16 opment of a life cycle cost estimate for the covered  
17 system required by paragraphs (4) and (6) of section  
18 4251(b) of title 10, United States Code;

1           (2) the life-cycle sustainment planning required  
2       by paragraph (10) of section 4252(b) of title 10,  
3       United States Code;

4           (3) the estimate of requirements for core logis-  
5       tics capabilities required by paragraph (11) of such  
6       section 4252(b);

7           (4) the actions planned to acquire technical  
8       data required by paragraph (13) of such section  
9       4252(b);

10          (5) the assessment of the long-term technical  
11       data needs required by subsection (a)(1)(A) of sec-  
12       tion 3774 of title 10, United States Code;

13          (6) the acquisition strategy to provide for tech-  
14       nical data rights required by subsection (a)(1)(B) of  
15       such section 3774;

16          (7) the assessment and strategy related to in-  
17       clusion of a priced contract option required by sub-  
18       section (b)(2) of such section 3774;

19          (8) the assessment and strategy related to the  
20       potential for changes in the sustainment plan over  
21       the life cycle of the covered system required by sub-  
22       section (b)(3) of such section 3774;

23          (9) the product support strategy developed by  
24       the product support manager under section  
25       4324(b)(1)(A) of title 10, United States Code, as in



1 effect on the day before the date of the enactment  
2 of this Act;

3 (10) requirements related to rights in technical  
4 data as described in section 3772 of title 10, United  
5 States Code.

6 (11) requirements related to acquisition or li-  
7 censing of intellectual property required by section  
8 3791 of title 10, United States Code, as it pertains  
9 to the covered system;

10 (12) the intellectual property management plan  
11 for product support required by section  
12 4324(b)(1)(G) of title 10, United States Code, as in  
13 effect on the day before the date of the enactment  
14 of this Act; and

15 (13) the identification of major maintenance  
16 and overhaul requirements that will be required dur-  
17 ing the life cycle of the covered system required by  
18 section 4324(b)(1)(J) of title 10, United States  
19 Code, as in effect on the day before the date of the  
20 enactment of this Act.

21 (c) IDENTIFICATION AND ASSESSMENT.—After com-  
22 pleting the inventory required by subsection (a), the serv-  
23 ice acquisition executive shall publish an assessment of  
24 covered data related to procured covered systems. In con-

ducting this assessment, the service acquisition executive shall, for each requirement identified in subsection (b)—

(1) confirm that the service acquisition executive has, or has access to, the covered data described in the requirement;

(2) describe the physical or electronic storage location of the covered data that is in the possession of the service acquisition executive concerned, or the method of access to the covered data, as applicable; and

(3) describe the category of rights, including customized commercial licenses or specially negotiated licenses, associated with the covered data.

(d) IDENTIFICATION OF INSUFFICIENCY.—Based on the review of requirements in subsection (b) and the assessment required by subsection (c), the service acquisition executive shall specifically identify any insufficiency in the possession of, or access to, covered data that negatively affects the ability of a Secretary of a military department to effectively operate the procured covered system and maintain it in a cost-effective manner.

(e) COST ESTIMATE.—For each procured covered system, the service acquisition executive shall—

(1) work with any contractor for such procured covered system to—

1 (A) determine the best approach to remedy  
2 an insufficiency identified pursuant to sub-  
3 section (d) in the most cost-effective manner  
4 practicable; and

5 (B) develop a cost estimate associated such  
6 remedy; and

7 (2) provide to the Secretary of Defense and  
8 chiefs of the Armed Forces the cost estimate de-  
9 scribed in paragraph (1)(B) and a recommended  
10 plan of action, including the funding required to pro-  
11 vide such remedy.

12 (f) QUARTERLY UPDATES TO CONGRESS.—Not later  
13 than April 1, 2026, and every 90 days thereafter until the  
14 inventory required by subsection (a) is complete, each  
15 service acquisition executive shall provide to the congres-  
16 sional defense committees a briefing on—

17 (1) progress made toward completing the inven-  
18 tory;

19 (2) a summary of findings from the inventory;

20 (3) efforts to remedy an insufficiency in covered  
21 data, including a summary of actions to fund such  
22 remedy;

23 (4) a description of the method used in negoti-  
24 ating with any relevant contractor to access covered  
25 data, including use of customized commercial li-

1       censes or specially negotiated licenses, associated  
2       with the covered data; and

3           (5) any lessons learned to plan for and acquire  
4       covered data related to procured covered systems.

5       (g) ADVICE AND ASSISTANCE.—The cadre of intellec-  
6       tual property experts established under section 1707 of  
7       title 10, United States Code, shall provide advice, assist-  
8       ance, and resources to a service acquisition executive in  
9       conducting an inventory required by this section.

10      (i) DEFINITIONS.—In this Act:

11           (1) The term “service acquisition executive”  
12       has the meaning given in section 101 of title 10,  
13       United States Code.

14           (2) The term “covered system” means—

15               (A) a major defense acquisition program  
16       as defined in section 4201 of title 10, United  
17       States Code; or

18               (B) an acquisition program or project that  
19       is carried out using the rapid prototyping or  
20       rapid fielding acquisition pathway under section  
21       3602 of such title that is estimated by the Sec-  
22       retary of Defense to require an eventual total  
23       expenditure described in section 4201(a)(2) of  
24       such title.

1           (3) The term “covered data” means technical  
2           data and computer software.

3           (4) The term “depot maintenance support con-  
4           tractor” means a contractor performing a contract  
5           under the direction and control of the Secretary of  
6           Defense in support of depot-level maintenance and  
7           repair (as defined in section 2460 of title 10, United  
8           States Code).

9           (5) The term “procured covered system” means  
10          a covered system for which the Secretary of Defense  
11          has taken delivery of, has access to, or has nego-  
12          tiated terms to enable guaranteed access or delivery  
13          at a future date, for use by employees of the Depart-  
14          ment of Defense or depot maintenance support con-  
15          tractors.



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

### **Offered by: Mr. Davis of North Carolina**

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

#### **Protecting Military Personnel from Biological Weapons**

The committee recognizes the existing and emerging biological threats posed by malign state and non-state actors to servicemembers stationed abroad and at home. To deter the weaponization of biological agents, including Anthrax, which remains the leading biological threat to the United States, the committee is aware of the need for a stable, secure, and sustainable stockpile of medical countermeasures for use in countering the effects of Anthrax including both an antitoxin and a prophylactic. Given the history of Anthrax attacks on the highest levels of government, including on the United States Congress following the September 11, 2001 terrorist attacks, investing in antidotes and other therapies to counteract the effects of Anthrax and other biological agents is all the more important.

Therefore, the committee directs the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs to provide a briefing to the House Committee on Armed Services not later than February 1, 2026, on the following:

- (1) a proposal for a modernized ten-year strategy to ensure adequate stockpiling of anthrax countermeasures, including replenishment of current stocks consistent with required levels;
- (2) the opportunities for leveraging public-private partnerships with manufacturers to ensure sustainment of the industrial base;
- (3) how countermeasures stockpiled for servicemembers can be applied to the civilian population through interagency efforts; and
- (4) what additional actions are required by the Department of Defense to provide for a stable, secure, and sustainable Strategic National Stockpile of Anthrax countermeasures in the ten-year window covered by the strategy.

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

### **Offered by Mr. Luttrell of Texas**

In the portion of the report to accompany H.R. 3838 titled “Enterprise-wide Artificial Intelligence Infrastructure”, insert at the end of the current text, the following new text:

“(5) Cost Budgeting for Artificial Intelligence Data (Section 1533 of the National Defense Authorization Act for Fiscal Year 2025)

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

1       At the appropriate place in title VIII, insert the fol-  
2       lowing:

3       **SEC. 8\_\_\_\_. PROHIBITION ON COMPUTERS OR PRINTERS AC-**  
4                   **QUISITIONS INVOLVING ENTITIES OWNED OR**  
5                   **CONTROLLED BY CHINA.**

6       (a) IN GENERAL.—The Secretary of Defense may not  
7       acquire any computer or printer if the manufacturer, bid-  
8       der, or offeror is a covered Chinese entity.

9       (b) APPLICABILITY.—This section shall apply with  
10      respect to contracts or other agreements entered into, re-  
11      newed, or extended after the date of the enactment of this  
12      Act.

13      (c) DEFINITIONS.—In this section:

14              (1) The term “computer”—

15                      (A) means an electronic, magnetic, optical,  
16                      electrochemical, or other high speed data proc-  
17                      essing device performing logical, arithmetic, or  
18                      storage functions, and includes any data stor-  
19                      age facility or communications facility directly  
20                      related to or operating in conjunction with such  
21                      device; and



1 (B) does not include an automated type-  
2 writer or typesetter, a portable handheld calcu-  
3 lator, or other similar device.

4 (2) The term “covered Chinese entity” means  
5 an entity that the Secretary of Defense, in consulta-  
6 tion with the Director of the National Intelligence or  
7 the Director of the Federal Bureau of Investigation,  
8 determines to be an entity owned, controlled, di-  
9 rected, or subcontracted by, affiliated with, or other-  
10 wise connected to, the Government of the People’s  
11 Republic of China.

12 (3) The term “manufacturer” means—

13 (A) the entity that transforms raw mate-  
14 rials, miscellaneous parts, or components into  
15 the end item;

16 (B) an entity that subcontracts with the  
17 entity described in subparagraph (A) for pur-  
18 poses of assisting the entity described in such  
19 subparagraph in transforming raw materials,  
20 miscellaneous parts, or components into the end  
21 item;

22 (C) an entity that otherwise directs the en-  
23 tity described in subparagraph (A) to transform  
24 raw materials, miscellaneous parts, or compo-  
25 nents into the end item; or

1 (D) any parent company, subsidiary, or af-  
2 filiate of the entity described in subparagraph  
3 (A).

4 (4) The term “printer”—

5 (A) means desktop printers, multifunction  
6 printer copiers, and printer and fax combina-  
7 tions taken out of service that may or may not  
8 be designed to reside on a work surface;

9 (B) includes devices that use various print  
10 technologies, including laser and LED (electro-  
11 graphic), ink jet, dot matrix, thermal, and dig-  
12 ital sublimation;

13 (C) includes multi-function or “all-in-one”  
14 devices that perform different tasks, including  
15 copying, scanning, faxing, and printing;

16 (D) includes floor-standing printers, print-  
17 ers with an optional floor stand, or household  
18 printers; and

19 (E) does not include point-of-sale receipt  
20 printers, calculators with printing capabilities,  
21 label makers, or non-standalone printers that  
22 are embedded into products that are not de-  
23 scribed in subparagraphs (A) through (D).



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

At the appropriate place in title XVI, insert the following new sections:

**1 SEC. 16\_\_\_\_. FACILITY CLEARANCE ACCELERATION FOR**  
**2 MEMBERS OF DEFENSE INDUSTRIAL CON-**  
**3 SORTIUMS.**

**4 (a) ACCELERATION OF FACILITY CLEARANCE.—**The  
**5 Secretary of Defense shall ensure that each entity that**  
**6 is a member of the consortium established by section 1842**  
**7 of this Act or a member of the Defense Industrial Base**  
**8 Consortium with which the Department of Defense has en-**  
**9 tered an other transaction authority agreement —**

**10 (1) is sponsored for a facility clearance;**  
**11 (2) is provided access to classified work areas**  
**12 and networks where the member can perform classi-**  
**13 fied work; and**  
**14 (3) not less than quarterly, is invited in person**  
**15 to meetings with relevant Department of Defense**  
**16 personnel to discuss classified information.**

**17 (b) PLAN.—**Not later than 90 days after the date of  
**18 the enactment of this Act, the Secretary of Defense shall**  
**19 submit a report to the congressional defense committees**

1 detailing a plan to increase the number of facility clear-  
2 ances provided to members described in subsection (a).

3 Such plan shall include—

4 (1) an assessment of any existing related efforts  
5 to increase facility clearance access and how such ef-  
6 forts might be accelerated and elevated in priority;

7 (2) target metrics for increased facility clear-  
8 ances in association with membership in a consor-  
9 tium described in subsection (a);

10 (3) an identification of any additional funding  
11 or authorities required to support increased facility  
12 clearance processing; and

13 (4) any other matters the Secretary of Defense  
14 considers relevant.

15 **SEC. 16\_\_\_\_. REQUIREMENT TO AUTHORIZE ADDITIONAL**  
16 **SECURITY CLEARANCES FOR CERTAIN CON-**  
17 **TRACTORS.**

18 (a) DESIGNATION OF ADDITIONAL PERSONNEL.—  
19 Any entity that enters into a covered contract or agree-  
20 ment with a component of the Department of Defense may  
21 designate additional covered persons who may submit an  
22 application for a security clearance in accordance with this  
23 section.

24 (b) INVESTIGATION AND ADJUDICATION.—The ap-  
25 propriate authorized investigative agency and authorized

1 adjudicative agency shall, upon receiving an application by  
2 an additional covered person designated under paragraph  
3 (1)—

4 (1) conduct an investigation of the background  
5 of an additional covered person for purposes of de-  
6 termining the eligibility of such additional covered  
7 person for access to classified information; and

8 (2) make a determination as to whether such  
9 additional covered person is eligible for access to  
10 classified information.

11 (c) FINAL DETERMINATION.—If an entity that enters  
12 into a covered contract or agreement determines an initial  
13 covered person is unable to perform the work intended to  
14 be performed by that person under such covered contract  
15 or agreement person, an additional covered person may  
16 perform such work in lieu of the initial covered person if—

17 (1) the person received a favorable determina-  
18 tion under subsection (b) with respect to eligibility  
19 for access to classified information;

20 (2) the person has a demonstrated need-to-  
21 know under Executive Order 12968, provided that  
22 demonstrating such need-to-know shall not require  
23 an investigation or adjudication with respect to eligi-  
24 bility for access to classified information in addition

1 to the investigation and adjudication required under  
2 subsection (b); and

3 (3) the person signs appropriate agreements  
4 with respect to non-disclosure of classified informa-  
5 tion.

6 (d) LIMITATION ON NUMBER OF PERSONNEL.—

7 (1) MAXIMUM PER CONTRACT.—The number of  
8 additional covered persons designated by an entity  
9 under subsection (a) for each covered contract or  
10 agreement may not exceed the greater of—

11 (A)(i) during the 5-year period that begins  
12 on the date of the enactment of this Act, 5 per-  
13 cent of the number of security clearances re-  
14 quired to be held by covered persons to perform  
15 work under the covered contract or agreement;  
16 and

17 (ii) after the 5-year period that begins on  
18 the date of the enactment of this Act, 10 per-  
19 cent of the number of security clearances re-  
20 quired to be held by covered persons to perform  
21 work under the covered contract or agreement;  
22 and

23 (B) 1 person.

24 (2) MAXIMUM PER ENTITY.—The number of  
25 additional covered persons designated by an entity

1 under subsection (a) may not exceed the greater  
2 of—

3 (A) 10 percent of the total number of secu-  
4 rity clearances required to be held by covered  
5 persons to perform work under all covered con-  
6 tracts or agreements of the entity; and

7 (B) 1 person.

8 (e) COSTS.—

9 (1) AUTHORITY TO CHARGE AND COLLECT.—

10 The Secretary of Defense may charge fees or collect  
11 amounts to cover the costs associated with inves-  
12 tigating, adjudicating, and maintaining a security  
13 clearance for which an application is submitted  
14 under subsection (a).

15 (2) RETENTION OF AMOUNTS.—Notwith-  
16 standing section 3302(b) of title 31, United States  
17 Code—

18 (A) the Secretary of Defense may retain  
19 amounts received under paragraph (1); and

20 (B) any amount so retained shall be depos-  
21 ited into an account to be determined by the  
22 Secretary of Defense and shall be made avail-  
23 able without further appropriation until ex-  
24 pended for the purpose of investigating, adjudi-  
25 cating, or maintaining security clearances.

1           (3) PROHIBITION ON BEARING COSTS.—The  
2       Secretary of Defense may not bear any cost associ-  
3       ated with investigating, adjudicating, or maintaining  
4       a security clearance the application for which is sub-  
5       mitted pursuant to subsection (a).

6           (4) UNALLOWABLE COST.—Any fees charged or  
7       amounts collected under this subsection to cover the  
8       costs associated with investigating, adjudicating, and  
9       maintaining a security clearance for which an appli-  
10      cation is submitted under subsection (a) may not be  
11      considered an allowable cost under a covered con-  
12      tract or agreement.

13          (f) APPLICABILITY.—This section shall apply with re-  
14      spect to contracts and other agreements entered into on  
15      or after the date of the enactment of this Act.

16          (g) RULE OF CONSTRUCTION.—Nothing in this sec-  
17      tion shall be construed to require the Secretary of Defense  
18      to grant any person access to classified information unless  
19      a favorable determination of eligibility to access such clas-  
20      sified information is made with respect to such person.

21          (h) RELATIONSHIP TO OTHER LAWS.—This section  
22      shall apply subject to Executive Order 12968, Executive  
23      Order 10865, and any successor executive orders, but not-  
24      withstanding any other provision of law.

25          (i) DEFINITIONS.—In this section:



1           (1) ADDITIONAL COVERED PERSON.—The term  
2           “additional covered person” means a covered person  
3           designated by a private-sector entity as an alter-  
4           native covered person who is intended to be available  
5           to conduct work under a covered contract or agree-  
6           ment that requires a security clearance if an initial  
7           covered person becomes unavailable to complete such  
8           work.

9           (2) AUTHORIZED ADJUDICATIVE AGENCY; AU-  
10          THORIZED INVESTIGATIVE AGENCY.—The terms  
11          “authorized adjudicative agency” and “authorized  
12          investigative agency” have the meaning given the  
13          terms in section 3001(a) of the Intelligence Reform  
14          and Terrorism Prevention Act of 2004 (50 U.S.C.  
15          3341(a)).

16          (3) COVERED CONTRACT OR AGREEMENT.—The  
17          term “covered contract or agreement” means a con-  
18          tract or other agreement between a private-sector  
19          entity and a component of the Department of De-  
20          fense the performance of which requires a specified  
21          number of covered persons to hold a security clear-  
22          ance.

23          (4) COVERED PERSON.—The term “covered  
24          person” means a contractor to or employee of a pri-  
25          vate-sector entity.

1           (5) INITIAL COVERED PERSON.—The term “ini-  
2           tial covered person” means a covered person des-  
3           ignated by a private-sector entity as responsible for  
4           conducting work under a covered contract or agree-  
5           ment that requires a security clearance.



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Artificial Intelligence for Cybersecurity and Anomaly Detection at U.S. Special Operations Command**

The committee applauds U.S. Special Operations Command (USSOCOM) for its innovative use of artificial intelligence (AI) to enhance cybersecurity through behavioral analytics and anomaly detection on the unclassified Non-Secure Internet Protocol Router Network (NIPRNet). The committee recognizes the increasing sophistication of cyber threats to U.S. military infrastructure and commends USSOCOM for employing advanced technologies to proactively identify and mitigate malicious activity at machine speed.

The committee encourages USSOCOM to continue to opportunities to expand the use of AI-enabled cybersecurity tools, including anomaly detection and autonomous threat response capabilities, to the Secret Internet Protocol Router Network (SIPRNet), consistent with applicable security and operational requirements. Accordingly, the committee directs the Commander of U.S. Special Operations Command to provide a briefing to the House Committee on Armed Services not later than January 1, 2026 that shall include the following:

- (1) A summary of current efforts and operational outcomes related to AI-enabled cybersecurity and anomaly detection on NIPRNet; and
- (2) An assessment of potential use cases, risks, and limitations associated with expanding such capabilities to SIPRNet.

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

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

1 **SEC. 15\_\_\_\_. EVALUATION OF JOINT TASK FORCE-CYBER**  
2 **FOR THE INDO-PACIFIC AREA OF RESPONSIBILITY.**  
3 **BILITY.**

4 (a) EVALUATION.—Not later than July 1, 2026, the  
5 Secretary of Defense, acting through the Assistant Sec-  
6 retary of Defense for Cyber Policy, in collaboration with  
7 the Vice Chairman of the Joint Chiefs of Staff, the Com-  
8 mander of United States Cyber Command, and the Com-  
9 mander of United States Indo-Pacific Command, shall  
10 conduct a comprehensive evaluation and provide rec-  
11 ommendations on establishing a Joint Task Force-Cyber  
12 for the Indo-Pacific Command area of responsibility.

13 (b) EVALUATION REQUIREMENTS.—The evaluation  
14 required under subsection (a) shall include the following:

15 (1) An assessment of cyber force employment  
16 requirements and capabilities for the Indo-Pacific  
17 Command area of responsibility.

1           (2) An assessment of the operational require-  
2           ments for Joint Task Force-Cyber elements in each  
3           geographic combatant command area of operations.

4           (3) An analysis of the optimal command and  
5           control structures for the elements of Joint Task  
6           Force-Cyber, including—

7                   (A) the designation of Joint Task Force  
8                   Establishing Authority described in Joint Publi-  
9                   cation 3-33 of the Joint Task Force Head-  
10                  quarters (January 31, 2018);

11                  (B) the alignment of operational control  
12                  and tactical control authorities over subordinate  
13                  forces assigned to Joint Task Force-Cyber; and

14                  (C) concurrent Joint Task Force Estab-  
15                  lishing Authority management structures be-  
16                  tween United States Cyber Command and the  
17                  United States Indo-Pacific Command.

18           (4) An assessment of force structure require-  
19           ments, including—

20                   (A) the subordinate forces to be assigned  
21                   to each planned element of Joint Task Force-  
22                   Cyber, including—

23                           (i) Joint Forces Headquarters Cyber  
24                           of the Navy;

25                           (ii) Joint Task Force Ares;

1 (iii) Task Force Two of the Cyber Na-  
2 tional Mission Force; and

3 (iv) Forward Information Warfare  
4 Command Pacific of the Navy;

5 (B) the personnel and resources required  
6 to carry out the mission of Joint Task Force-  
7 Cyber; and

8 (C) sources of personnel required to meet  
9 such personnel requirements.

10 (5) An evaluation of the integration and  
11 sustainment of cyber capabilities and effects.

12 (6) An identification of supporting infrastruc-  
13 ture requirements for the Indo-Pacific Command to  
14 conduct cyber activities in support of the military  
15 objects of the Indo-Pacific Command.

16 (7) A description of potential missions and lines  
17 of effort for elements of Joint Task Force-Cyber.

18 (8) Such other matters as the Assistant Sec-  
19 retary of Defense for Cyber Policy and the Vice  
20 Chairman of the Joint Chiefs of Staff determine ap-  
21 propriate.

22 (c) IMPLEMENTATION PLAN FOR JOINT TASK  
23 FORCE-CYBER.—The evaluation required under sub-  
24 section (a) shall include a comprehensive implementation  
25 plan for establishing Joint Task Force-Cyber for the

1 United States Indo-Pacific Command area of responsi-  
2 bility that is based, as determined appropriate, on the  
3 findings of such evaluation.

4 (d) REPORT.—Not later than July 1, 2026, the As-  
5 sistant Secretary of Defense for Cyber Policy, the Vice  
6 Chairman of the Joint Chiefs of Staff, and the Com-  
7 mander of United States Cyber Command shall jointly  
8 submit to the Secretary of Defense and the congressional  
9 defense committees a report containing—

10 (1) the results of the evaluation required under  
11 subsection (a);

12 (2) the implementation plan required under  
13 subsection (c);

14 (3) the views from each of the geographic com-  
15 batant commands regarding the findings of such  
16 evaluation and such implementation plan; and

17 (4) recommendations for legislative or adminis-  
18 trative actions required to implement such imple-  
19 mentation plan.



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

### **Offered by: Ms. Goodlander**

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

#### **Maritime Industrial Base Supplier Working Capital Fund**

The committee continues to evaluate and consider opportunities to improve capacity and capability within the Maritime Industrial Base (MIB). Second and third tier submarine industrial base suppliers are challenged by several factors including workforce availability, workforce experience, material costs, and production schedule inconsistencies. Congress provided Supplier Development Funding (SDF) to help address these challenges. That program has demonstrated positive results by increasing production capacity and providing investment for machinery and equipment.

However, the committee is concerned that second and third tier suppliers remain challenged by current economic conditions. Options that address short-term capital requirements can positively impact production of vital components needed to meet the required cadence for Virginia Class and Columbia Class Submarine production. The Committee believes that the Department of the Navy and the Maritime Industrial Base Office can utilize additional funding mechanisms to better support second and third-tier industrial base suppliers.

To better understand mechanisms available to support second and third-tier industrial base suppliers, the committee directs the Assistant Secretary of the Navy for Research, Development and Acquisition to provide a briefing to the House Committee on Armed Services no later than January 31, 2026. The briefing should include the following:

- (1) A strategy for targeting the working capital needs of second and third-tier suppliers for the submarine industrial base;
- (2) A description of current project funding mechanisms as well as any efforts to address short-term capital requirements of second and third tier suppliers;
- (3) Information on engagement with the Office of Strategic Capital and coordination with the Industrial Base Analysis and Sustainment program within the Office of the Assistant Secretary of Defense for Industrial Base Policy.



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

### **Offered by: Mr. Luttrell of Texas**

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

#### **Army Modernization Enterprise Efforts**

The committee is aware of the Department of the Army's decision to consolidate Training and Doctrine Command and Army Futures Command into a single Transformation and Training Command and looks forward to a detailed plan on the consolidation of force generation, force design, and force development under one headquarters.

The committee directs the Secretary of the Army to provide a briefing to the House Committee on Armed Services not later than December 1, 2025, on the Army's plan to merge the two major commands. The briefing shall include, but is not limited to:

- (1) the roles, responsibilities, and authorities to be assigned to the Commander of the Transformation and Training Command;
- (2) a description of the relationship between such authorities and the authorities of the established Army acquisition enterprise;
- (3) resources to be realigned from the Army Training and Doctrine Command and Army Futures Command, to include any costs associated with the consolidation; and
- (4) a description of proposed force structure changes.

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

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

1   **SEC. 3\_\_\_\_. RECOGNITION OF CERTAIN ASPECTS OF THE**  
2                   **NATIONAL NAVY UDT-SEAL MUSEUM IN FORT**  
3                   **PIERCE, FLORIDA, AS A NATIONAL MEMO-**  
4                   **RIAL, NATIONAL MEMORIAL GARDEN, AND**  
5                   **NATIONAL K9 MEMORIAL.**

6       The Secretary of the Navy shall recognize the Na-  
7   tional Navy SEAL Museum Memorial, the Memorial Gar-  
8   den and Living Beach, and the Naval Special Warfare K9  
9   Memorial of the National Navy UDT-SEAL Museum, lo-  
10   cated at 3300 North Highway A1A, North Hutchinson Is-  
11   land, in Fort Pierce, Florida, as a national memorial, na-  
12   tional memorial garden, and national K9 memorial, re-  
13   spectively, of the Navy SEALs.



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

### **Offered by: MR. VAN ORDEN OF WISCONSIN**

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

#### **EXPANDING RANGE ACCESS FOR NON-TRADITIONAL DEFENSE COMPANIES**

The committee remains concerned about the availability of Department of Defense test ranges for nontraditional defense companies and dual-use technology companies. The committee has long cited test range availability as a potential delay to transitioning emerging technologies from research and development to fielded warfighting capabilities. In the committee report accompanying the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (H. Rept. 118-529), the committee required the Comptroller General to review the extent to which the Department has data and information available to understand challenges, if any, related to test range availability and how, if at all, the Department uses available data to drive decision making and ensure timely testing. In addition, the joint explanatory material accompanying the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (Committee Print No. 2) required a report from the Defense Innovation Unit assessing the Unit's test and evaluation strategy for dual use commercial technologies and identification of best practices for testing and evaluating commercial and non-traditional technologies.

The committee notes these reviews are ongoing and encourages the Department of Defense to continue taking steps to expand test and evaluation range access to companies that may not be current prime contractors or subcontractors on Department of Defense programs of record. The committee believes that expanding access to Department test infrastructure will help transition technologies across the valley of death while ensuring sufficient testing and evaluation of the most cutting-edge warfighting capabilities.

The committee directs the Secretary of Defense to provide a briefing to the House Committee on Armed Services not later than December 15, 2025, that provides additional information regarding range access for non-traditional defense companies. The briefing should include:

1. The current proportion of range usage allocated to non-traditional defense contractors and new entrants relative to traditional defense contractors;
2. An overview of barriers to access, implementation or performance challenges, or other issues that arise more frequently or to a greater degree of severity for testing activities associated with non-traditional contractors; and
3. Recommendations to improve range access, support, and efficiency for non-traditional defense contractors, including any recommendations related to entities sponsoring or facilitating such range access.

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

### **Offered by Mr. Luttrell of Texas**

In the portion of the report to accompany H.R. 3838 titled “National Geospatial-Intelligence Agency Capabilities to Support the Americas”, insert after “a number of airborne tools”, the following new text: “and geospatial commercial analytics capabilities”.

In the portion of the report to accompany H.R. 3838 titled “National Geospatial-Intelligence Agency Capabilities to Support the Americas”, strike “counterdrug and disaster management missions.”, and insert the following new text: “counterdrug, disaster management, and maritime domain awareness missions.”.

In the portion of the report to accompany H.R. 3838 titled “National Geospatial-Intelligence Agency Capabilities to Support the Americas”, insert after “supporting these requirements.”, the following new text: “This briefing shall be unclassified but may include a classified briefing.”.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. ROGERS OF ALABAMA**

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

**1 SEC. 3 \_\_\_\_ . MODERNIZATION OF ARMY ARSENALS.**

2 (a) IN GENERAL.—In order to accelerate the mod-  
3 ernization of the organic industrial base of the Army and  
4 to expand capacity across the munitions industrial base  
5 to meet the munitions requirements of the Army, the Sec-  
6 retary of the Army shall—

7 (1) assess existing Army facilities, as well as ex-  
8 isting environmental permits, security arrangements,  
9 and personnel, to identify facilities that could be  
10 used or modified for the production of munitions;  
11 and

12 (2) in identifying facilities under paragraph (1),  
13 ensure that such facilities have enough property that  
14 is available and suitable for future industrial or  
15 technical development.

16 (b) SENSE OF CONGRESS.—It is the Sense of Con-  
17 gress that the Secretary should expedite the use or modi-

2

- 1 fication of Army facilities to the fullest extent possible in
- 2 order to increase the rate of production of munitions.



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Integration of Operational Technology into the Department of Defense Authorization & Accreditation Process**

The committee recognizes the Department of Defense increasingly relies on the integration of information technology (IT) and operational technology (OT) systems to enhance mission effectiveness. The committee recognizes that the convergence of IT and OT has led to significant operational benefits but has also introduced complex cybersecurity challenges.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chief Information Officer for the Department of Defense to provide a briefing to the House Committee on Armed Services not later than February 1, 2026. The briefing shall include:

- (1) Feasibility to integrate OT components and converged IT/OT infrastructure into the Risk Management Framework assessments;
- (2) A cybersecurity risk-assessment which evaluates both IT and OT systems, as well as the integration points between them; and
- (3) An implementation strategy, including resource requirements to establish a unified, risk-based acquisition and accreditation approach for IT and OT systems across the Department

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. GOLDEN OF MAINE**

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

1 **SEC. 1 \_\_\_\_ . AUTHORITY TO USE INCREMENTAL FUNDING TO**  
2 **ENTER INTO A CONTRACT FOR THE CON-**  
3 **STRUCTION OF A GUIDED MISSILE DE-**  
4 **STROYER (DDG).**

5 (a) IN GENERAL.—Amounts authorized to be appro-  
6 priated by this Act or otherwise made available for the  
7 Navy for Shipbuilding and Conversion for fiscal year 2026  
8 may be used by the Secretary of the Navy to enter into  
9 an incrementally funded contract for the construction of  
10 one Guided Missile Destroyer (DDG).

11 (b) AVAILABILITY OF FUNDS.—A contract entered  
12 into under subsection (a) shall provide that any obligation  
13 of the United States to make a payment under the con-  
14 tract is subject to the availability of appropriations for  
15 that purpose, and that total liability to the Government  
16 for the termination of the contract shall be limited to the  
17 total amount of funding obligated at time of termination.



In section 4101 of division D, relating to Shipbuilding and Conversion, Navy, increase the amount for DDG-51, Line 13, by \$500,000,000 for one additional Guided Missile Destroyers (DDG) ships.

In section 4101 of division D, relating to Shipbuilding and Conversion, Navy, decrease the amount for Completion of PY Shipbuilding Programs, Line 49 by \$250,000,000.

In section 4101 of division D, relating to Shipbuilding and Conversion, Navy, decrease the amount for Outfitting, Line 41, by \$250,000,000.



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Enhance Electrical Grid Resilience on Installations**

The committee directs the Assistant Secretary of Defense for Energy, Installations, and Environment (ASD(EI&E)) to provide a briefing to the House Committee on Armed Services not later than February 1, 2026, on the feasibility of the installation of modular composite utility poles at U.S. military installations. The briefing shall identify U.S. military installations which have experienced existing utility pole failures and electrical outages due to excessive ice loading, high wind conditions, wildfires, environmental moisture such as from swamps and wetlands, and wildlife interference and corruption.

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

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

**1 SEC. 8\_\_\_\_. MODIFICATIONS TO CERTAIN PROCUREMENTS**  
**2 FROM CERTAIN CHINESE ENTITIES.**

**3 (a) MODIFICATION OF PROHIBITION ON DEPART-**  
**4 MENT OF DEFENSE PROCUREMENT RELATED TO ENTI-**  
**5 TIES IDENTIFIED AS CHINESE MILITARY COMPANIES OP-**  
**6 ERATING IN THE UNITED STATES.—**

**7 (1) PROHIBITION ON USE OF LOAN OR GRANT**  
**8 FUNDS.—**

**9 (A) IN GENERAL.—**Subsection (a)(1) of  
**10 section 805 of the National Defense Authoriza-**  
**11 tion Act for Fiscal Year 2024 (Public Law**  
**12 118–31; 10 U.S.C. 4651 note prec.) is amend-**  
**13 ed—**

**14 (i) in subparagraph (A), by striking “;**  
**15 or” and inserting a semicolon;**

**16 (ii) in subparagraph (B), by striking**  
**17 the period at the end and inserting “; or”;**  
**18 and**

1 (iii) by adding at the end the fol-  
2 lowing new subparagraph:

3 “(C) obligate or expend loan or grant  
4 funds to procure or obtain goods and services  
5 produced or developed by an entity described in  
6 paragraph (2).”.

7 (B) APPLICABILITY.—The requirements of  
8 subparagraph (C) of section 805(a)(1) of the  
9 National Defense Authorization Act for Fiscal  
10 Year 2024 (Public Law 118–31; 10 U.S.C.  
11 4651 note prec.), as added by this paragraph,  
12 shall apply with respect to loan or grant funds  
13 obligated or expended on or after the date of  
14 the enactment of this Act.

15 (2) EXPANSION OF ENTITIES COVERED.—Sub-  
16 section (a)(2) of such section is amended—

17 (A) in subparagraph (A), by striking “;  
18 or” and inserting a semicolon;

19 (B) in subparagraph (B), by striking the  
20 period at the end and inserting “; or”; and

21 (C) by adding at the end the following new  
22 subparagraph:

23 “(C) any entity for which the Secretary  
24 has submitted a certification to the congres-

1           sional defense committees for inclusion in this  
2           paragraph for national security reasons.”.

3           (3) WAIVER REPORTING.—Subsection (c) of  
4           such section is amended by adding at the end the  
5           following new paragraph:

6           “(4) REPORTING.—The Secretary of Defense  
7           shall submit to the congressional defense committees  
8           an annual report on waivers granted under this sub-  
9           section, including the justifications for such waiv-  
10          ers.”.

11          (4) RULEMAKING.—Not later than one year  
12          after the date of the enactment of this Act, the Sec-  
13          retary of Defense shall amend the Department of  
14          Defense Supplement to the Federal Acquisition Reg-  
15          ulation to implement the prohibitions in section 805  
16          of the National Defense Authorization Act for Fiscal  
17          Year 2024 (Public Law 118–31; 10 U.S.C. 4651  
18          note prec.), as amended by this subsection.

19          (b) DESIGNATION OF CERTAIN BIOTECHNOLOGY EN-  
20          TITIES AS CHINESE MILITARY COMPANIES.—

21          (1) IN GENERAL.—Not later than 180 days  
22          after the date of enactment of this Act, the Sec-  
23          retary of Defense shall update the list maintained by  
24          the Department of Defense in accordance with sec-  
25          tion 1260H(b) of the National Defense Authoriza-

1       tion Act for Fiscal Year 2021 (Public Law 116–283;  
2       10 U.S.C. 113 note) to include biotechnology entities  
3       (including any subsidiary, parent, affiliate, or suc-  
4       cessor of such an entity) engaged in DNA and RNA  
5       assembly, synthesis, and manufacturing.

6           (2) DEFINITIONS.—In this subsection:

7               (A) The term “DNA and RNA assembly,  
8               synthesis, and manufacturing” means the  
9               chemical or biological production of RNA and  
10              DNA molecules through enzymatic methods or  
11              chemical synthesis and involving the construc-  
12              tion of longer sequences or entire genomes from  
13              smaller DNA or RNA fragments, commonly  
14              used in medical research, synthetic biology,  
15              gene therapy, and vaccine development.

16              (B) The term “biotechnology entity” has  
17              the meaning given in section 1312(b) of the  
18              National Defense Authorization Act for Fiscal  
19              Year 2024 (Public Law 118–31).

20       (c) MODIFICATION OF PROHIBITION ON AVAIL-  
21       ABILITY OF FUNDS FOR PROCUREMENT OF CERTAIN  
22       BATTERIES.—Subsection (b) of section 154 of the Na-  
23       tional Defense Authorization Act for Fiscal Year 2024  
24       (Public Law 118–31; 10 U.S.C. note preceding section  
25       44651) is amended—

1           (1) by redesignating paragraphs (2) through  
2           (7) as paragraphs (3) through (8), respectively;  
3           (2) by inserting after paragraph (1) the fol-  
4           lowing:  
5           “(2) Amperex Technology Limited (also known  
6           as ‘ATL’).”; and  
7           (3) by amending paragraph (8) as redesignated  
8           by striking “paragraphs (1) through (6)” and insert-  
9           ing “paragraphs (1) through (7)”.



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

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

**1 SEC. 10 \_\_\_\_ . LIMITATION ON USE OF FUNDS FOR DEACTIVA-**  
**2 TION OF EXPEDITIONARY COMBAT AVIATION**  
**3 BRIGADES.**

4 None of the funds authorized to be appropriated by  
5 this Act or otherwise made available for fiscal year 2026  
6 for the Army may be obligated or expended to retire, de-  
7 activate, schedule to deactivate, or proceed with any action  
8 that would reduce the capabilities, resources, aircraft, or  
9 personnel available, as of the date of the enactment of this  
10 Act, for the Expeditionary Combat Aviation Brigades be-  
11 fore the earlier of the following dates:

12 (1) The date that is 90 days after the date on  
13 which the Secretary of the Army submits to the con-  
14 gressional defense committees a plan to offset any  
15 loss of mission associated with air mobil-  
16 ity, aeromedical evacuation, reconnaissance, and  
17 logistical support provided, as of the date of the en-  
18 actment of this Act, by the Expeditionary Combat  
19 Aviation Brigades that includes reassignment op-



1        tions for potentially displaced soldiers at such bri-  
2        gades.

3            (2) The date that is 30 days after the date on  
4        which the Secretary of the Army submits to the con-  
5        gressional defense committees a plan for the recap-  
6        talization of the aircraft used by the Expeditionary  
7        Combat Aviation Brigades that is specific with re-  
8        spect to each unit and geographical location of such  
9        brigades.



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

### **Offered by Mr. Luttrell of Texas**

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

#### **Progress Report on the Psychedelic Treatment Pilot Program**

The National Defense Authorization Act for Fiscal Year 2024 (Public Law 118-31) directed the Department of Defense to conduct a pilot program using MDMA to assist members of the armed forces and veterans still suffering from PTSD. The committee applauds the Department in funding two medical studies towards this effort at Walter Reed National Medical Center and University of Texas Health Science Center at San Antonio. While the committee understands that these MDMA-assisted therapies are still on going, increased oversight, awareness, and communication with the Department is needed to deliver the most innovative available means necessary to assist those suffering from PTSD.

Therefore, the committee directs the Secretary of Defense to submit to the Senate Committee on Armed Services and the House Committee on Armed Services a report no later than February 1, 2026, covering the progress, findings, shortfalls, and recommendations to continue and, if necessary, improve the current programs using MDMA to treat patients suffering from Post Traumatic Stress Disorder.

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MS. MACE OF SOUTH CAROLINA**

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

1 **SEC. 15 \_\_\_\_ . FEDERAL CONTRACTOR VULNERABILITY DIS-**  
2 **CLOSURE POLICY.**

3 (a) RECOMMENDATIONS.—

4 (1) IN GENERAL.—Not later than 180 days  
5 after the date of the enactment of this Act, the Di-  
6 rector of the Office of Management and Budget, in  
7 consultation with the Director of the Cybersecurity  
8 and Infrastructure Security Agency, the National  
9 Cyber Director, the Director of the National Insti-  
10 tute of Standards and Technology, and any other  
11 appropriate head of an Executive department,  
12 shall—

13 (A) review the Federal Acquisition Regula-  
14 tion contract requirements and language for  
15 contractor vulnerability disclosure programs;  
16 and

17 (B) recommend updates to such require-  
18 ments and language to the Federal Acquisition  
19 Regulation Council.

1           (2) CONTENTS.—The recommendations re-  
2       quired by paragraph (1) shall include updates to  
3       such requirements designed to ensure that covered  
4       contractors implement a vulnerability disclosure pol-  
5       icy consistent with NIST guidelines for contractors  
6       as required under section 5 of the IoT Cybersecurity  
7       Improvement Act of 2020 (15 U.S.C. 278g–3c; Pub-  
8       lic Law 116–207).

9       (b) PROCUREMENT REQUIREMENTS.—Not later than  
10   180 days after the date on which the recommended con-  
11   tract language developed pursuant to subsection (a) is re-  
12   ceived, the Federal Acquisition Regulation Council shall  
13   review the recommended contract language and update the  
14   FAR as necessary to incorporate requirements for covered  
15   contractors to receive information about a potential secu-  
16   rity vulnerability relating to an information system owned  
17   or controlled by a contractor, in performance of the con-  
18   tract.

19       (c) ELEMENTS.—The update to the FAR pursuant  
20   to subsection (b) shall—

21           (1) to the maximum extent practicable, align  
22       with the security vulnerability disclosure process and  
23       coordinated disclosure requirements relating to Fed-  
24       eral information systems under sections 5 and 6 of  
25       the IoT Cybersecurity Improvement Act of 2020

1 (Public Law 116–207; 15 U.S.C. 278g–3c and  
2 278g–3d); and

3 (2) to the maximum extent practicable, be  
4 aligned with industry best practices and Standards  
5 29147 and 30111 of the International Standards  
6 Organization (or any successor standard) or any  
7 other appropriate, relevant, and widely used stand-  
8 ard.

9 (d) WAIVER.—The head of an agency may waive the  
10 security vulnerability disclosure policy requirement under  
11 subsection (b) if—

12 (1) the agency Chief Information Officer deter-  
13 mines that the waiver is necessary in the interest of  
14 national security or research purposes; and

15 (2) if, not later than 30 days after granting a  
16 waiver, such head submits a notification and jus-  
17 tification (including information about the duration  
18 of the waiver) to the Committee on Oversight and  
19 Government Reform of the House of Representatives  
20 and the Committee on Homeland Security and Gov-  
21 ernmental Affairs of the Senate.

22 (e) DEPARTMENT OF DEFENSE SUPPLEMENT TO  
23 THE FEDERAL ACQUISITION REGULATION.—

24 (1) REVIEW.—Not later than 180 days after  
25 the date of the enactment of this Act, the Secretary

1 of Defense shall review the Department of Defense  
2 Supplement to the Federal Acquisition Regulation  
3 contract requirements and language for contractor  
4 vulnerability disclosure programs and develop up-  
5 dates to such requirements designed to ensure that  
6 covered contractors implement a vulnerability disclo-  
7 sure policy consistent with NIST guidelines for con-  
8 tractors as required under section 5 of the IoT Cy-  
9 bersecurity Improvement Act of 2020 (15 U.S.C.  
10 278g–3c; Public Law 116–207).

11 (2) REVISIONS.—Not later than 180 days after  
12 the date on which the review required under sub-  
13 section (a) is completed, the Secretary shall revise  
14 the DFARS as necessary to incorporate require-  
15 ments for covered contractors to receive information  
16 about a potential security vulnerability relating to an  
17 information system owned or controlled by a con-  
18 tractor, in performance of the contract.

19 (3) ELEMENTS.—The Secretary shall ensure  
20 that the revision to the DFARS described in this  
21 subsection is carried out in accordance with the re-  
22 quirements of paragraphs (1) and (2) of subsection  
23 (c).

24 (4) WAIVER.—The Chief Information Officer of  
25 the Department of Defense, in consultation with the

1 National Manager for National Security Systems,  
2 may waive the security vulnerability disclosure policy  
3 requirements under paragraph (2) if the Chief Infor-  
4 mation Officer—

5 (A) determines that the waiver is necessary  
6 in the interest of national security or research  
7 purposes; and

8 (B) not later than 30 days after granting  
9 a waiver, submits a notification and justifica-  
10 tion (including information about the duration  
11 of the waiver) to the Committees on Armed  
12 Services of the House of Representatives and  
13 the Senate.

14 (f) DEFINITIONS.—In this section:

15 (1) The term “agency” has the meaning given  
16 the term in section 3502 of title 44, United States  
17 Code.

18 (2) The term “covered contractor” means a  
19 contractor (as defined in section 7101 of title 41,  
20 United States Code)—

21 (A) whose contract is in an amount the  
22 same as or greater than the simplified acquisi-  
23 tion threshold; or

24 (B) that uses, operates, manages, or main-  
25 tains a Federal information system (as defined

1 by section 11331 of title 40, United States  
2 Code) on behalf of an agency.

3 (3) The term “DFARS” means the Department  
4 of Defense Supplement to the Federal Acquisition  
5 Regulation.

6 (4) The term “Executive department” has the  
7 meaning given that term in section 101 of title 5,  
8 United States Code.

9 (5) The term “FAR” means the Federal Acquisition  
10 Regulation.

11 (6) The term “NIST” means the National Institute of  
12 Standards and Technology.

13 (7) The term “OMB” means the Office of Management  
14 and Budget.

15 (8) The term “security vulnerability” has the  
16 meaning given that term in section 2200 of the  
17 Homeland Security Act of 2002 (6 U.S.C. 650).

18 (9) The term “simplified acquisition threshold”  
19 has the meaning given that term in section 134 of  
20 title 41, United States Code.





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

### **Offered by Mr. Luttrell of Texas**

In the portion of the report to accompany H.R. 3838 titled “Integration of Rare Earth-Free Permanent Magnets into the Defense Industrial Base”, strike the following text: “(3) recommendations for additional investment in rare-earth-free permanent magnet technology” and insert the following new text: “(3) recommendations for additional investment in rare-earth-free permanent magnet technology including the domestic sourcing of essential component materials like high-purity iron.”.

**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 \_\_\_\_ . REQUIREMENT FOR CONTRACTORS TO PROVIDE**  
2 **REASONABLE ACCESS TO REPAIR MATE-**  
3 **RIALS.**

4 (a) IN GENERAL.—Chapter 363 of title 10, United  
5 States Code, is amended by adding at the end the fol-  
6 lowing new section:

7 **“§ 4664. Requirement for contractors to provide rea-**  
8 **sonable access to repair materials**

9 “(a) REQUIREMENT.—An agency may not enter into  
10 a contract for the procurement of reparable goods or re-  
11 pair services in support of major weapon systems unless  
12 the contractor agrees in writing to provide the Department  
13 of Defense fair and reasonable access to all the repair ma-  
14 terials, including parts, tools, and information, used by the  
15 manufacturer or provider or their authorized repair pro-  
16 viders to diagnose, analyze, maintain, or repair the good  
17 or service.

1       “(b) WAIVER.—The Secretary of Defense, or the  
2 head of the procuring agency in the case of a delegated  
3 authority, may waive the requirements of this section with  
4 respect to a particular contract or class of contracts upon  
5 a written determination that application of those require-  
6 ments would have a negative impact on cost, schedule, or  
7 technical performance.

8       “(c) PROTECTION FOR INTELLECTUAL PROPERTY,  
9 PROPRIETARY, AND TRADE SECRET INFORMATION.—  
10 Nothing in this section shall be construed to permit the  
11 unauthorized disclosure or release of intellectual property,  
12 commercially confidential information, or trade secrets.  
13 The Secretary of Defense shall take all necessary steps  
14 to protect such information from disclosure to the extent  
15 otherwise protected by law.

16       “(d) FAIR AND REASONABLE ACCESS DEFINED.—In  
17 this section, the term ‘fair and reasonable access’ means,  
18 as applicable—

19               “(1) prices, terms, and conditions that allow the  
20 Department of Defense the rights to provide the re-  
21 pair materials to an authorized contractor consistent  
22 with section 3771 of title 10, United States Code,  
23 and the Government’s product support strategy;

24               “(2) provision at prices, terms, and conditions  
25 that are equivalent to the most favorable prices,

1 terms, and conditions under which the manufacturer  
2 or an authorized reseller or distributor offers the re-  
3 pair material to an authorized repair provider, ac-  
4 counting for any discount, rebate, convenient and  
5 timely means of delivery, means of enabling fully re-  
6 stored and updated functionality, rights of use, or  
7 other incentive or preference the manufacturer or an  
8 authorized reseller or distributor offers to an author-  
9 ized repair provider;

10 “(3) if a manufacturer does not offer, directly  
11 or through an authorized reseller or distributor, the  
12 repair material to any authorized repair provider,  
13 then provision of such repair material at prices,  
14 terms, and conditions that are otherwise determined  
15 by the United States Government to be fair and rea-  
16 sonable in accordance with this title and subject to  
17 the dispute resolution process outlined in chapter 71  
18 of title 41, United States Code; and

19 “(4) if the United States Government did not  
20 previously fund the development of the intellectual  
21 property of the manufacturer or an authorized re-  
22 seller or distributor, the Government would pay a  
23 fair and reasonable licensing fee to obtain access.”.

24 (b) REPORT.—Not later than one year after the date  
25 of the enactment of this Act, the Comptroller General of

1 the United States shall submit to the congressional de-  
2 fense committees a report on the implementation of this  
3 section.

4 (c) LIMITATIONS.—Nothing in this section shall be  
5 construed as altering the requirements in section 2464  
6 and 2466 of title 10, United States Code.

