



U.S. Chamber of Commerce

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October 6, 2026

The Honorable Roger Wicker
Chairman
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Mike Rogers
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Wicker, Ranking Member Reed, Chairman Rogers, and Ranking Member Smith:

As the House and Senate work to reconcile among each chamber's respective version of the Fiscal Year 2027 National Defense Authorization Act (NDAA), the U.S. Chamber of Commerce (the Chamber) stands ready to work with Congress to advance policies that ensure our servicemembers have the capabilities and certainty they need while enabling American businesses of all sizes to work with the Department of War (the Department).

We encourage the House and Senate to come together on a final bill to send to the President's desk to ensure the United States continues to meet its defense procurement, research, and readiness priorities.

Among the many provisions we support, we highlight the following:

Acquisition Reform: The Chamber has long supported multi-year procurement contracts and efforts to involve businesses of all sizes in the acquisition process, and we appreciate the unprecedented support for these measures by Congress in the FY27 NDAA.

Protecting Intellectual Property (IP): The Chamber supports Section 862 of H.R. 8800, which would establish a third-party mediation body and Intellectual Property Ombudsman. This balanced approach would bring government and industry together to ensure legitimate readiness concerns can be addressed quickly without forcing

manufacturers to surrender the IP rights that enable continued investment and innovation. The Chamber also supports continued implementation of Section 805 of the FY 2026 NDAA, which directs the Pentagon to identify data-rights deficiencies and work with industry to close specific gaps.

Cybersecurity: The Chamber supports Section 1706 of H.R. 8800, the Widespread Information Management for the Welfare of Infrastructure and Government (WIMWIG) Act. This would extend the Cybersecurity Information Sharing Act of 2015 (CISA 15) through 2035, a critical statute that is currently set to expire in December 2026. Without CISA 15, our cyber defenders could go dark, leaving critical infrastructure exposed to bad actors, including foreign adversaries and ransomware syndicates. Real-time information sharing shifts the operational cost to our adversaries. When defenders share threat data, attackers must work harder, spend more, and look elsewhere. Ensuring WIMWIG is included in the final defense bill is critical to our national security.

Orbital Data Centers – Operational Pilot Program: The Chamber supports Section 1728 of H.R. 8800 and commends Congress for recognizing the growing role commercial orbital data centers and space-based cloud computing can play in national security missions. As adversaries rapidly develop and field in-space computing capabilities, the United States must move with urgency to match and surpass them. By running the pilot through the Defense Innovation Unit under the Hybrid Space Architecture initiative, Section 1728 employs a proven vehicle for rapidly integrating commercial technology into the Department. Its encouragement of competition among nontraditional defense contractors and commercial space providers will broaden the supplier base, spur private investment, and strengthen the domestic industrial base for orbital infrastructure.

Export-Import Bank Reauthorization: The Chamber supports the Senate's inclusion of a short-term extension of the Export-Import (EXIM) Bank during committee markup of S. 4784. EXIM remains a critical tool for supporting U.S. exporters and competing globally. We urge Congress to build on that step by advancing a long-term reauthorization that provides lasting certainty, prevents future Board quorum lapses, and ensures the bank's structure can meet the realities of strategic competition.

Combating Organized Retail Crime: Organized retail crime and cargo theft continue to threaten our businesses and communities. The Combating Organized Retail Crime Act (CORCA) would support increased collaboration between jurisdictions to curb

retail crime and cargo theft while strengthening the partnership between law enforcement and businesses to dismantle the criminal syndicate networks responsible for these offenses. The Chamber supports the bipartisan Senate NDAA manager's amendment language that builds on the House CORCA bill that was passed 348-60.

We believe the NDAA would be improved if amended in several key areas:

Stock Buybacks and Dividend Restrictions: While Congress and multiple administrations have worked hard to court non-traditional and commercial companies to invest and participate in the Defense Industrial Based (DIB), Section 815 of S. 4784 would send a chilling signal by broadly restricting stock buybacks and dividends for any company with a procurement contract at the Department of War. Buyback restrictions signal that entering the DIB comes with punitive strings attached, discouraging the private sector engagement policymakers seek. Further, since buybacks occur with surplus capital after research and development and investment commitments are already met, this provision could force companies to leave the DIB entirely to meet their fiduciary obligations. We urge Congress to exclude this provision from the final bill.

Government Purpose Rights: The Department already possesses unlimited rights (government purpose rights, or GPR) in technical data developed with federal funds. In instances where the Department has not obtained the rights it needs at the time of contract award, existing law and regulations allow it to negotiate for and purchase additional data rights, including restricted technical data developed at private expense. However, Section 804 of S. 4784 and Section 861 of H.R. 8800 would fundamentally alter the existing IP rights framework by establishing a default presumption of GPR for all deliverables, shifting the burden to contractors to establish entitlement to more restrictive rights through clear and convincing evidence. That means if a contractor wants to protect their IP, they will have to prove no government funding was used to the contracting office before a contract is awarded. This would ultimately discourage the type of private sector engagement needed in the defense industrial base and be particularly harmful to second and third-tier suppliers. We urge Congress to exclude these provisions from the final bill.

Critical Materials – Tiered Sourcing Restrictions and Requirements: The Chamber supports reducing dependence on certain economies for critical materials but urges Congress to refine Section 1803 of H.R. 8800. While its tiered sourcing framework is well-intentioned, it risks duplicating existing domestic content requirements under

the Buy American Act and Specialty Metals restrictions already in current defense acquisition law. Additionally, overly prescriptive tiering mandates could disrupt established supplier relationships, reduce competition, and drive-up costs—creating readiness gaps that undermine the industrial base resilience this provision seeks to achieve. Congress must amend Section 1803 to align sourcing requirements with market realities without imposing mandates that strain procurement timelines and contractor capacity.

The Chamber urges the reconciliation and passage of a final FY27 NDAA that strengthens provisions related to acquisition reform, intellectual property, cybersecurity information sharing, commercial space capabilities, U.S. export tools, and organized retail crime, while excluding provisions that would discourage private sector participation in the defense industrial base, weaken intellectual property protections, or impose unworkable sourcing mandates.

A robust defense industrial base depends on policies that foster innovation, competition, and collaboration between the private sector and the Pentagon, ultimately ensuring America's servicemembers have the capabilities, resources, and certainty needed to meet evolving national security threats.

We appreciate the leadership of the House and Senate Armed Services Committees and their continued bipartisan commitment to advancing this vital legislation. We look forward to working with Congress to ensure the final bill reinforces America's military readiness, economic strength, and long-term security.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a stylized flourish at the end.

Neil L. Bradley
Executive Vice President, Chief Policy Officer,
and Head of Strategic Advocacy
U.S. Chamber of Commerce

CC: House Speaker Mike Johnson, House Minority Leader Hakeem Jeffries, Senate Majority Leader John Thune, Senate Minority Leader Chuck Schumer, Members of the House and Senate Committees on Armed Services