



September 29, 2025

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 over the coming weeks to reconcile differences among each chamber's respective version of the Fiscal Year 2026 National Defense Authorization Act (NDAA), the U.S. Chamber of Commerce stands ready to work with you to advance policies that ensure our servicemembers have the capabilities and certainty they need by making it easier for American businesses of all sizes to work with the Department of War (the Department).

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

**Acquisition Reform:** We applaud both the House and Senate for taking crucial steps to address the burdensome, outdated acquisition process within the Department. The Chamber has long supported multi-year procurement contracts and efforts to involve businesses of all sizes in the acquisition process.

Additionally, the Chamber supports section 1832 of the FY26 House NDAA to create a "data-as-a-service solutions for weapons system contracts." This

approach would give the Department flexibility in identifying the intellectual property (IP) required to sustain a program over its lifecycle, while also adjusting to the ever-evolving threat landscape.

We also support efforts to reform the foreign military sales process. As the Chamber testified before the Senate Armed Services Committee on May 15, 2025, “the foreign military sales process is cumbersome and after nearly three decades of attempts, no meaningful reforms have been made. Together, industry and government can change that.”<sup>1</sup>

Accordingly, we are encouraged by section 908 of the FY26 Senate NDAA that provides a new Assistant Secretary of Defense for International Cooperation within the Under Secretary of Defense for Acquisition and Sustainment to focus on the execution of contracts and section 1259 of the Senate text that establishes a foreign military sales continuous process improvement board that would include industry experts not employed by the Department or registered as federal lobbyists.

**AUKUS:** The U.S. Chamber is proud to be one of four U.S. industry associations serving on a working group related to the trilateral security pact between Australia, the United Kingdom, and the United States (AUKUS). We are encouraged to see both the House and Senate texts recognize the vital importance of this partnership in deterring threats in the Indo-Pacific region, as industry needs consistent and strong demand signals from all three AUKUS member governments to make meaningful investments and ensure the pact’s success.

**Space:** To maintain America’s leadership in space, the Chamber continues to encourage commercial innovation, private-public partnerships, and a supportive regulatory environment. Specifically, section 1822 of the FY26 House NDAA would enable the commercial best practice of permitting advance payments and allow Federal agencies to access cutting-edge technologies more quickly. This section will let Federal agencies lock in favorable pricing and leverage services over time and as-needed, rather than being constrained by

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<sup>1</sup> <https://www.armed-services.senate.gov/hearings/to-receive-testimony-on-the-department-of-defense-responsibilities-related-to-foreign-military-sales-system-and-international-armaments-cooperation>

fiscal year–end deadlines. We commend the House for section 1604 that directs the Secretary of the Air Force to establish the tactical surveillance, reconnaissance and tracking (TacSRT) program as a program of record, and the Senate for its language in section 1505 that requires competition from multiple vendors to maximize resilience and interoperability with Department of War systems in the acquisition of space-based data. The Chamber also supports provisions in section 1605 of the House text and section 1502 of the Senate text to study national needs for future space launch capacity.

**PFAS:** We applaud the House for including language to delay the deadline for phasing out Aqueous Film-Forming Foam (AFFF) used by the military.

Additionally, we support several provisions in the Senate text including:

- Section 315 granting authority to the Department to destroy or dispose of perfluoroalkyl or polyfluoroalkyl substances;
- Section 316 to modify restrictions on procurement or purchasing of personal protective equipment for firefighters;
- Section 318 to repeal the restrictions of DoD’s procurement of certain products containing PFAS, including nonstick cookware, furniture, and carpets; and section 319 to repeal the temporary moratorium on incineration by the Department of PFAS and AFFF.

The Chamber believes the NDAA would be improved if amended in several key areas:

**Protecting Intellectual Property:** The U.S. Chamber shares the goal of ensuring our warfighters have the tools necessary to fight and win on the battlefield, which includes the ability to maintain and repair weapons systems. However, as the conference considers section 863 in the FY26 House NDAA and section 836 in the FY26 Senate NDAA, we encourage you to carefully consider the implications and unintended consequences of the IP mandates included in these provisions. We are concerned that the inclusion of these mandates would unnecessarily harm our traditional defense companies, deter non-traditional and commercial firms from entering and sustaining the defense industrial base, chill investment, and stifle the defense tech innovation that the Department seeks. If adopted as drafted, this language would make the broader private sector less inclined to serve the defense market, reducing competition and risking slower sustainment and repair.

Instead, we urge the conference to adopt the “data-as-a-service” approach included in the House text. Additionally, we believe the Department already has existing authorities<sup>2</sup> with regards to data rights and IP that can help achieve the same goals.

**Non-Traditional Defense Contractors:** We welcome efforts to broaden industrial participation in the defense industrial base. However, we caution the conference against putting into law any language that favors any sector or business type. A level playing field, open to small businesses, mid-tiers, commercial innovators, and traditional defense suppliers alike, is essential to ensure that the industrial base can operate on a wartime footing. An open, competitive market that welcomes every capable supplier is essential to mobilize at speed and deliver for the warfighter.

**Cybersecurity:** The Cybersecurity Information Sharing Act of 2015 (CISA 2015) expires on September 30, 2025 and requires reauthorization. Without renewal, the U.S. will face a more complex and dangerous security landscape. Important provisions of CISA 2015 include:

- (a) a framework that enables private entities to share cyber threat information with industry and government partners within a secure policy and legal framework, which allows defenders to improve their security measures and complicates attackers' operations;
- (b) protections for businesses related to public disclosure, regulatory issues, and antitrust matters, which encourage the timely exchange of information between public and private entities without fear of legal repercussions; and
- (c) strong measures to safeguard privacy and civil liberties, ensuring that the sharing of information does not infringe on the rights of individuals.

The Chamber advocates for a multi-year reauthorization of this essential law. Both the private sector and the government need certainty, including the ability to allocate resources for long-term cybersecurity planning and implementation. House and Senate leaders and the Trump administration have expressed strong support for reauthorizing CISA 2015.

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<sup>2</sup> <https://www.ndia.org/-/media/sites/ndia/policy/ip-and-data-rights/ip-and-data-rights-white-paper.pdf?download=1?download=1>

The **State and Local Cybersecurity Grant Program (SLCGP)** also expires September 30, 2025. Inaction on its reauthorization will disrupt, stall, and unwind meaningful progress made by state and local cybersecurity entities and professionals that are protecting our nation's most critical assets. Nation-state actors are persistently targeting U.S. critical infrastructure and systems at the state, local, tribal, and territorial (SLTT) government levels, seeking to conduct espionage, disrupt essential services, and erode public trust. State and local governments overseeing the function of essential services and infrastructure, such as energy, water, transportation, and healthcare, among others, are in dire need of federal support. Without continued funding, state and local governments will be left without the support necessary to engage in meaningful efforts to improve cyber resilience in support of the American citizens who rely on these services. The Chamber supports full reauthorization of the SLCGP.

**Protecting Americans from Russian Litigation:** U.S. businesses are being unfairly targeted in foreign jurisdictions, particularly Russian courts, for their good faith compliance with U.S. sanctions and export controls. U.S. law currently provides no protection for enforcement of foreign judgments that are issued due to such compliance, which often spurs from companies exiting the Russian market (or related contractual activities). The Chamber urges inclusion of Senate Amendment 3903 in the FY26 NDAA to protect U.S. businesses by closing the loophole in U.S. federal law that allows enforcement of these foreign judgments and functions as a Russian countersanction.

**Housing:** America's housing market continues to suffer from a severe shortage of over 4.7 million homes<sup>3</sup>, which has created cascading economic and social challenges impacting both the civilian and military workforce. To help address the housing crisis, we encourage the conference to include Senate Amendment 3777, the Renewing Opportunity in the American Dream (ROAD) to Housing Act, in the FY26 NDAA.

**Second Chance Act:** As we work to address America's workforce needs, the Chamber continues to support reauthorization of the Second Chance Act and encourages the conference to include Senate Amendment 3435 in the FY26 NDAA. This will help increase career training and employment opportunities for

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<sup>3</sup> <https://www.uschamber.com/economy/the-state-of-housing-in-america>

formerly incarcerated individuals-giving these individuals second chances while reducing recidivism, driving economic growth, and bolstering the workforce.

The Chamber thanks you for your work on the FY26 National Defense Authorization Act. We believe passage of this bipartisan legislation is critical to both keeping our nation safe and meeting America's national security commitments.

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