

To the office of U.S. Senator Tim Sheehy

Re: S 4161 (119th Congress), Maverick Act • Latest action (2026-05-04): Held at the desk.
VFA SI Solution #10 • published 2026-05-13 • <https://www.valuesforamerica.com/solutions/10>
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Maverick Defense Enhancement Act of 2025

The measure, as described from the official record: The Maverick Act authorizes enhancements to U.S. armed forces capabilities, including new units or programs for rapid response and innovation in national security, to provide for the common defense.

THE PROPOSAL

Congress authorizes the Department of Defense to establish the Maverick Rapid Response Program, a temporary unit of up to 1,000 personnel drawn from existing special operations forces, focused on countering emerging threats like cyber intrusions and hypersonic weapons through rapid deployment and testing of new technologies. The program applies only to active-duty personnel and contractors already under DOD authority, with all activities limited to U.S. territory or international waters where U.S. forces are constitutionally deployed.

The Secretary of Defense must submit quarterly reports to Congress detailing operations, costs, and outcomes. No new bases or permanent infrastructure may be built; all assets revert to standard forces upon sunset.

Independent audits ensure no mission creep into domestic law enforcement, prohibited by the Posse Comitatus Act. Personnel protections include full due process rights under the Fifth Amendment for any disciplinary actions.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	Reallocated from existing Department of Defense base budget (no new appropriations)
Funding Amount	\$500 million cap over 5 years
Sunset Years	5 years
Oversight Body	Joint congressional Armed Services Committees and Government Accountability Office (GAO) annual audits
Enforcement Mechanism	DOD Inspector General investigates violations; Congress can terminate early via joint resolution
Effective Date	October 1, 2025

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 12 (raise and support Armies)
- Article I, Section 8, Clause 13 (provide and maintain a Navy)

- Article I, Section 8, Clause 14 (make Rules for government and Regulation of land and naval Forces)
- Article I, Section 8, Clause 1 (provide for common Defence)
- Fifth Amendment (due process protections)

Concerns with the measure as written:

- Lacks explicit funding caps, sunset provisions, and independent oversight, risking indefinite spending and executive overreach under Article I, Section 8, Clauses 12-14.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Honors Democratic priorities of investing in modern national security against cyber and hypersonic threats; honors Republican priorities of fiscal restraint via reallocation and hard caps, strong congressional oversight, and sunset to prevent permanent bureaucracy.

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