

## To the office of U.S. Representative Michael Lawler

Re: HR 9318 (119th Congress), National Security Commission Quantum Computing Act of 2026 • Latest action (2026-06-15): Referred to the Committee on Armed Services, and in addition to the Committees on Education and Workforce, Foreign Affairs, Science, Space, and Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

VFA SI Solution #128 • published 2026-06-18 • <https://www.valuesforamerica.com/solutions/128>

Office of record (Congress.gov): 324 Cannon House Office Building, Washington, DC • (202) 225-6506

# Quantum Security Advisory Commission Act of 2025

**The measure, as described from the official record:** To establish a federal commission to study and advise on quantum computing developments relevant to national security, ensuring the United States maintains technological leadership and addresses potential threats.

---

## THE PROPOSAL

Section 1. Short Title. This Act may be cited as the 'Quantum Security Advisory Commission Act of 2025'.

Section 2. Establishment. There is established within the Executive Office of the President the National Security Quantum Advisory Commission (the 'Commission'). The Commission shall consist of 15 members appointed by the President, by and with the advice and consent of the Senate, including representatives from the Department of Defense, the Department of Energy, the National Institute of Standards and Technology, the National Science Foundation, and private industry experts in quantum computing and cybersecurity. No member may have a financial interest in any quantum computing company that would be directly affected by the Commission's recommendations.

Section 3. Duties. The Commission shall study the national security implications of quantum computing, including encryption vulnerabilities, supply chain risks, and potential military applications. It shall submit a report to Congress within 18 months of its first meeting, containing findings and legislative recommendations. The Commission may not issue regulations or compel private entities to disclose proprietary information; it may only request voluntary cooperation.

Section 4. Funding. The Commission shall be funded from amounts already appropriated to the Executive Office of the President, not to exceed \$5 million per fiscal year. No additional appropriations are authorized.

Section 5. Sunset. The Commission shall dissolve 90 days after submitting its final report, and in any event no later than three years after the date of enactment of this Act.

Section 6. Oversight. The Government Accountability Office shall audit the Commission's expenditures and activities annually and report any violations of this Act to Congress.

Section 7. Enforcement. Any member of the Commission who knowingly violates the conflict-of-interest provisions in Section 2 shall be removed and may be subject to civil penalties of up to \$50,000. The Attorney General may bring an action in federal court to enforce this section.

---

#### **OPERATIVE PROVISIONS (VFA PROPOSAL)**

|                              |                                                                                                             |
|------------------------------|-------------------------------------------------------------------------------------------------------------|
| <b>Funding Source</b>        | Existing appropriations to the Executive Office of the President                                            |
| <b>Funding Amount</b>        | \$5 million per fiscal year, capped                                                                         |
| <b>Sunset Years</b>          | 3 years                                                                                                     |
| <b>Oversight Body</b>        | Government Accountability Office (GAO)                                                                      |
| <b>Enforcement Mechanism</b> | Civil penalties for conflict-of-interest violations; removal by President; GAO audit and report to Congress |
| <b>Effective Date</b>        | Upon enactment                                                                                              |

---

#### **CONSTITUTIONAL BASIS**

- Article I, Section 8, Clause 1 (general welfare and common defense)
- Article I, Section 8, Clause 3 (interstate commerce affecting national security)
- Article I, Section 8, Clause 12 (armies and national defense)
- Article I, Section 8, Clause 18 (necessary and proper to carry out enumerated powers)
- Tenth Amendment (reserving to states powers not delegated; the Commission does not preempt state research)
- Fifth Amendment Due Process (narrow data collection to avoid taking of private property)

#### **Concerns with the measure as written:**

- Potential delegation of legislative power without clear standards if the commission is given broad rulemaking authority.
  - Risk of preempting state research and development activities without explicit constitutional basis under the Tenth Amendment.
  - Possible infringement on private sector intellectual property rights if data collection is not narrowly tailored (Fifth Amendment Due Process).
- 

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

Honors Democratic priorities: federal investment in emerging technology for national security, protection of encryption and critical infrastructure, and inclusion of academic and industry experts. Honors Republican priorities: limited government through a temporary commission with a clear sunset, no new permanent bureaucracy, strict funding cap from existing appropriations, and prohibition on regulatory overreach. Both parties benefit from a focused, accountable advisory body that avoids mission creep.

Values for America is a nonpartisan, constitution-first SI think tank. This brief is informational. It is a policy proposal, not law, and it does not support or oppose any candidate or party. Full analysis and sources:

<https://www.valuesforamerica.com/solutions/128> · Methodology: <https://www.valuesforamerica.com/methodology>