

To the office of U.S. Representative Ronny Jackson

Re: HR 10126 (119th Congress), DEMAND Act of 2026 • Latest action (2026-08-20): Referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, 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.

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Office of record (Congress.gov): 125 Cannon House Office Building, Washington, DC • (202) 225-3706

Foreign Military Sales Industrial Base Planning Act of 2025

The measure, as described from the official record: Ensure that the Department of Defense incorporates projected foreign military sales demand into its industrial base planning, so that production capacity and supply chains are adequate to meet both domestic and allied needs.

THE PROPOSAL

Section 1. Short Title. This Act may be cited as the 'Foreign Military Sales Industrial Base Planning Act of 2025'.

Section 2. Requirement. Not later than 180 days after the date of enactment, the Secretary of Defense shall issue a directive requiring that all industrial base planning activities conducted by the Department of Defense, including but not limited to the National Defense Industrial Strategy and the Industrial Base Analysis and Sustainment program, incorporate a reasonable projection of future foreign military sales demand. The projection shall be based on historical data, current agreements, and anticipated requests from allied nations, and shall be updated at least annually.

Section 3. Reporting. The Secretary shall submit to the Committees on Armed Services and Foreign Affairs of the House of Representatives and the Senate an annual report detailing how foreign military sales projections have been integrated into industrial base planning, including any adjustments to production targets, supply chain investments, or stockpile levels.

Section 4. Oversight. The Inspector General of the Department of Defense shall review compliance with this Act and report any deficiencies to Congress within two years of enactment.

Section 5. Funding. This Act shall be carried out using funds otherwise appropriated to the Department of Defense. No additional authorization of appropriations is required.

Section 6. Sunset. This Act shall expire five years after the date of enactment, unless reauthorized by Congress.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source Existing Department of Defense appropriations

Funding Amount	No additional funds authorized; implementation within current budget
Sunset Years	5 years
Oversight Body	Inspector General of the Department of Defense
Enforcement Mechanism	Annual reporting requirement to Congress; IG review with deficiency report; sunset ensures congressional reauthorization
Effective Date	180 days after enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 11 (declare war and grant letters of marque and reprisal)
- 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 the government and regulation of the land and naval forces)
- Article I, Section 8, Clause 18 (Necessary and Proper Clause)

Concerns with the measure as written:

- No significant constitutional concerns; the bill directs an executive department to consider a factor in planning, which is within Congress's power under Article I, Section 8, Clauses 11-14 (war powers and military) and the Necessary and Proper Clause.
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WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Democratic priorities: Promotes efficient use of defense resources, strengthens supply chain resilience, and ensures taxpayer dollars are not wasted on underutilized capacity. Republican priorities: Supports allied military readiness, bolsters the defense industrial base, and maintains U.S. leadership in foreign military sales without creating new bureaucracy.

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