

AMENDMENT TO RULES COMMITTEE PRINT 119-

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OFFERED BY MRS. HOUCHIN OF INDIANA

Add at the end of subtitle B of title XVIII, the following new section:

1 **SEC. 18___. COMBAT TRACKED VEHICLE DRIVETRAIN REC-**
2 **IPROCITY AND SUPPLY CHAIN SECURITY.**

3 (a) **LIMITATION.**—On or after the date of the enact-
4 ment of this section, the Secretary of Defense may not
5 procure, directly or through a prime contractor, original
6 equipment manufacturer, lead systems integrator, or sub-
7 contractor at any tier, a drivetrain system for use in an
8 advanced combat tracked vehicle of the Department of the
9 Army currently in development if such system is—

10 (1) manufactured in a foreign country; or

11 (2) manufactured in the United States by a
12 manufacturer that is directly or indirectly owned or
13 controlled by a parent entity headquartered in a for-
14 eign country, unless United States firms that manu-
15 facture such drivetrain systems are permitted to
16 compete on substantially equal terms for the sale of
17 such systems in—

18 (A) that foreign country; or

1 (B) the foreign country in which the par-
2 ent entity is headquartered.

3 (b) WAIVER AUTHORITY.—The Secretary may waive
4 the limitation in subsection (a) if the Secretary—

5 (1) determines that procurement of a drivetrain
6 system under such subsection is in the national secu-
7 rity interests of the United States;

8 (2) determines that the benefits outweigh any
9 risks to long-term sustainment or supply-chain con-
10 tinuity that may result from such procurement; and

11 (3) submits a written justification for issuing
12 such waiver to the congressional defense committees
13 not later than 120 days before the date on which the
14 Secretary procures a drivetrain system that, but for
15 the waiver, would otherwise be prohibited under sub-
16 section (a).

17 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to prohibit the Department of De-
19 fense from awarding or maintaining a contract with an
20 original equipment manufacturer, prime contractor, or
21 lead systems integrator for an advanced combat tracked
22 vehicle. Nothing in this subsection shall be construed to
23 authorize the procurement of a drivetrain system that does
24 not comply with subsection (a) and is not covered by a
25 waiver under subsection (b).

1 (d) COMPLIANCE FLEXIBILITY.—In implementing
2 the requirements of this section with respect to an ad-
3 vanced combat tracked vehicle, the Secretary of Defense
4 may use such program management and acquisition tools
5 as the Secretary determines are appropriate, including
6 supplier substitution, second sourcing, directed sourcing,
7 licensing arrangements, teaming arrangements, domestic
8 production arrangements, and technical-data or
9 sustainment-access arrangements, to enable the continued
10 use of an original equipment manufacturer, prime con-
11 tractor, or lead systems integrator with respect to such
12 vehicle while ensuring that the drivetrain system procured
13 for use in such vehicle complies with subsection (a) or is
14 covered by a waiver issued under subsection (b).

15 (e) APPLICABILITY.—The prohibition in subsection
16 (a) shall apply with respect to contracts or other agree-
17 ments to procure a drivetrain system entered into on or
18 after the date of the enactment of this section.

19 (f) DEFINITIONS.—In this section:

20 (1) The term “advanced combat tracked vehi-
21 cle” means a combat tracked vehicle of the Depart-
22 ment of the Army that has entered, but not yet com-
23 pleted, the engineering and manufacturing develop-
24 ment phase of the defense acquisition process.

1 (2) The term “drivetrain system” means a
2 transmission, cross-drive assembly, final drive,
3 drivetrain module, hybrid-electric drive module, or
4 other mechanical or electro-mechanical system that
5 transfers power from a propulsion source to the
6 tracks of a combat tracked vehicle, but does not in-
7 clude engines.

8 (3) The term “headquartered”, with respect to
9 an entity, means—

10 (A) such entity is organized under the laws
11 of a country; or

12 (B) the principal place of business of such
13 entity is located in a country.

14 (4) The term “lead systems integrator” has the
15 meaning given in section 802 of the National De-
16 fense Authorization Act for Fiscal Year 2008 (10
17 U.S.C. 4292 note).

18 (5) The term “long-term sustainment or sup-
19 ply-chain continuity risk” includes resilience against
20 foreseeable geopolitical or trade-policy volatility over
21 the expected service life of the drivetrain system.

22 (6) The term “United States firm” has the
23 meaning given in section 4852(d)(1) of title 10,
24 United States Code.

