

118TH CONGRESS  
2D SESSION

# S. 4566

To require the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Army to carry out a pilot program on producing parts through reverse engineering, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 18, 2024

Mr. GRASSLEY (for himself and Ms. WARREN) introduced the following bill;  
which was read twice and referred to the Committee on Armed Services

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## A BILL

To require the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of the Army to carry out a pilot program on producing parts through reverse engineering, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress makes the following findings:

5 (1) Reverse Engineering should be used by the  
6 Department of Defense, the Defense Logistics Agen-  
7 cy, the Department of the Navy, the Department of  
8 the Army, and the Department of the Air Force to

1 ensure that the Department of Defense receives the  
2 best price for spare parts and increases competition  
3 in the marketplace.

4 (2) The findings of the July 2019 report by the  
5 Comptroller General of the United States that was  
6 submitted to the Committee on Armed Services of  
7 the Senate, entitled “Defense Logistics Agency  
8 Small Businesses Participate in Reverse Engineering  
9 of Spare Parts”, demonstrates that reverse engineer-  
10 ing results in lowered prices and cost savings of  
11 spare parts and increased competition in the spare  
12 parts marketplace. The same report found small  
13 businesses did not identify concerns with how the  
14 Defense Logistics Agency handles intellectual prop-  
15 erty and that the Defense Logistics Agency had not  
16 received any complaints about their intellectual prop-  
17 erty being used inappropriately.

18 (3) The Naval Air Systems Command’s Ad-  
19 vanced Laser Data Acquisition Center, the Air  
20 Force’s Tinker Reverse Engineering and Critical  
21 Tooling Lab, and the Army’s Cyber Command’s re-  
22 verse engineering of Internet of Things devices, dem-  
23 onstrates there is precedent for the Department of  
24 the Navy, the Department of the Army, and the De-

1       partment of the Air Force to conduct reverse engi-  
2       neering programs.

3           (4) Intellectual property rights can help spur  
4       innovation and strengthen the economy of the  
5       United States. The Secretary of the Army, the Sec-  
6       retary of the Navy, and the Secretary of the Air  
7       Force should consult with the Defense Logistics  
8       Agency and utilize the best practices to protect intel-  
9       lectual property rights as described in the report de-  
10      scribed in paragraph (2).

11          (5) Reverse Engineering ensures efficiency in  
12      the manufacturing processes of military equipment  
13      ensuring timely delivery and development of military  
14      equipment.

15   **SEC. 2. PILOT PROGRAM ON USE OF REVERSE ENGINEER-**  
16                           **ING FOR PRODUCTION OF PARTS.**

17      (a) PILOT PROGRAM REQUIRED.—Not later than 2  
18   years after the date of the enactment of this Act and not-  
19   withstanding any other provision of law, the Secretary of  
20   the Navy, the Secretary of the Air Force, and the Sec-  
21   retary of the Army shall jointly, in consultation with the  
22   Secretary of Defense and the Director of the Defense Lo-  
23   gistics Agency, complete a pilot program to assess the fea-  
24   sibility and advisability of producing parts through reverse  
25   engineering.

1           (b) IDENTIFICATION OF PARTS.—In carrying out the  
2 pilot program required by subsection (a), the Secretary of  
3 the Navy, the Secretary of the Air Force, and the Sec-  
4 retary of the Army shall each identify parts, especially  
5 those procured on a sole source basis, that can be pro-  
6 duced and competed through reverse engineering.

7           (c) PRODUCTION OF PARTS THROUGH REVERSE EN-  
8 GINEERING.—In carrying out the pilot program, the secre-  
9 taries described in subsection (b) shall each, notwith-  
10 standing any other provision of law, produce not fewer  
11 than 50 parts, identified under such subsection, through  
12 reverse engineering.

13           (d) IDENTIFICATION OF SAVINGS.—In carrying out  
14 the pilot program required by subsection (a), the secre-  
15 taries described in subsection (b) shall each identify sav-  
16 ings that were obtained through the use of reverse engi-  
17 neering for the production of the parts under the pilot pro-  
18 gram.

19           (e) INTERIM REPORT.—

20               (1) IN GENERAL.—Not later than one year  
21 after the date of the enactment of this Act, the sec-  
22 retaries described in subsection (b) shall, in con-  
23 sultation with the Secretary of Defense, submit to  
24 the congressional defense committees an initial re-

1 port on the pilot program carried out under sub-  
2 section (a).

3 (2) CONTENTS.—The report submitted pursu-  
4 ant to paragraph (1) shall include the following:

5 (A) The initial findings of the secretaries  
6 with respect to the matters identified under  
7 subsections (b) and (c).

8 (B) Such recommendations as the secre-  
9 taries may have for Department of Defense  
10 contracting guidance and procedures.

11 (f) FINAL REPORT.—

12 (1) IN GENERAL.—Not later than two years  
13 after the date of the enactment of this Act, the sec-  
14 retaries described in subsection (b) shall, in con-  
15 sultation with the Secretary of Defense, submit to  
16 the congressional defense committees and make  
17 available to the public a final report on the pilot pro-  
18 gram completed under subsection (a).

19 (2) CONTENTS.—The report submitted pursu-  
20 ant to paragraph (1) shall include the following:

21 (A) The findings of the secretaries with re-  
22 spect to the matters identified under sub-  
23 sections (b) and (c).

1           (B) Such recommendations as the secre-  
2           taries may have for Department of Defense  
3           contracting guidance and procedures.

4           (C) A description of the lessons learned by  
5           the secretaries in carrying out the pilot pro-  
6           gram.

7           (g) DEFINITION OF CONGRESSIONAL DEFENSE COM-  
8           MITTEES.—In this section, the term “congressional de-  
9           fense committees” has the meaning given such term in  
10          section 101(a) of title 10, United States Code.

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