

119TH CONGRESS
1ST SESSION

S. 2209

To require contractors to provide reasonable access to repair materials, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 8, 2025

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

A BILL

To require contractors to provide reasonable access to repair
materials, 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. SHORT TITLE.**

4 This Act may be cited as the “Warrior Right to Re-
5 pair Act of 2025”.

1 **SEC. 2. REQUIREMENT FOR CONTRACTORS TO PROVIDE**
2 **REASONABLE ACCESS TO REPAIR MATE-**
3 **RIALS.**

4 (a) IN GENERAL.—Chapter 363 of title 10, United
5 States Code, is amended by adding at the end the fol-
6 lowing new section:

7 **“§ 4663. Requirement for contractors to provide rea-**
8 **sonable access to repair materials**

9 “(a) REQUIREMENT.—The head of an agency may
10 not enter into a contract for the procurement of goods
11 unless the contractor agrees in writing to provide the De-
12 partment of Defense fair and reasonable access to all the
13 repair materials, including parts, tools, and information,
14 used by the manufacturer or provider or their authorized
15 repair providers to diagnose, maintain, or repair the
16 goods.

17 “(b) WAIVER AUTHORITY FOR EXISTING PRO-
18 GRAMS.— The head of an agency may waive the require-
19 ment under subsection (a) for a contract that is related
20 to a program that began before the date of the enactment
21 of this section upon submitting to the congressional de-
22 fense committees a justification for the waiver based on
23 an independent technical risk assessment identifying likely
24 impacts to the program’s costs, schedule, or technical per-
25 formance, including consideration and reporting of quan-

1 tifiable, cost, schedule, and technical performance implica-
 2 tions.

3 “(c) DEFINITIONS.—In this section:

4 “(1) FAIR AND REASONABLE ACCESS.—The
 5 term ‘fair and reasonable access’ means—

6 “(A) terms and conditions that allow the
 7 Department of Defense to provide the repair
 8 materials to an authorized contractor for the
 9 purpose of diagnosing, maintaining, or repair-
 10 ing the good;

11 “(B) provision at prices, terms, and condi-
 12 tions that are equivalent to the most favorable
 13 prices, terms, and conditions under which the
 14 manufacturer or an authorized reseller or dis-
 15 tributor offers the part, tool, or information to
 16 an authorized repair provider, accounting for
 17 any discount, rebate, convenient and timely
 18 means of delivery, means of enabling fully re-
 19 stored and updated functionality, rights of use,
 20 or other incentive or preference the manufac-
 21 turer or an authorized reseller or distributor of-
 22 fers to an authorized repair provider; and

23 “(C) if a manufacturer does not offer, di-
 24 rectly or through an authorized reseller or dis-
 25 tributor, the part, tool, or information to any

1 authorized repair provider, then provision of
2 such part, tool, or information at prices, terms,
3 and conditions that are otherwise determined by
4 the United States Government to be fair and
5 reasonable in accordance with this title.

6 “(2) PART.—The term ‘part’ means any re-
7 placement part, either new or used, made available
8 by or to an original equipment manufacturer (OEM)
9 for purposes of effecting the services of maintenance
10 or repair of digital electronic equipment manufac-
11 tured by or on behalf of, sold, or otherwise supplied
12 by the OEM.

13 “(3) TOOL.—The term ‘tool’ means any soft-
14 ware program, hardware implement, or other appa-
15 ratus used for diagnosis, maintenance, or repair of
16 digital electronic equipment, including software or
17 other mechanisms that provision, program, or pair a
18 part, calibrate functionality, or perform any other
19 function required to bring the equipment back to
20 fully functional condition.”.

21 (b) REPORT.—Not later than 1 year after the date
22 of the enactment of this Act, the Comptroller General of
23 the United States shall submit to the congressional de-
24 fense committees a report on the implementation of sec-
25 tion 4663 of title 10, United States Code, as added by

1 this section, including a description of compliance by the
2 Department of Defense with the requirements of such sec-
3 tion.

4 **SEC. 3. REQUIREMENT FOR CONTRACT MODIFICATIONS**
5 **RELATED TO REPAIR CAPABILITIES.**

6 (a) IN GENERAL.—The Secretary of Defense shall
7 conduct a review to identify contract modifications nec-
8 essary to remove intellectual property constraints that
9 limit the ability of the Department of Defense to conduct
10 maintenance and access the repair materials, including
11 parts, tools, and information, used by the manufacturer
12 or provider or their authorized repair providers to diag-
13 nose, maintain, or repair goods covered by a contract.

14 (b) DEFINITIONS.—In this section:

15 (1) PART.—The term “part” means any re-
16 placement part, either new or used, made available
17 by or to an original equipment manufacturer (OEM)
18 for purposes of effecting the services of maintenance
19 or repair of digital electronic equipment manufac-
20 tured by or on behalf of, sold, or otherwise supplied
21 by the OEM.

22 (2) TOOL.—The term “tool” means any soft-
23 ware program, hardware implement, or other appa-
24 ratus used for diagnosis, maintenance, or repair of
25 digital electronic equipment, including software or

- 1 other mechanisms that provision, program, or pair a
- 2 part, calibrate functionality, or perform any other
- 3 function required to bring the equipment back to
- 4 fully functional condition.

