

119TH CONGRESS
1ST SESSION

S. _____

To require the Secretary of Defense to establish and carry out a program to enable the rapid development, testing, and scalable manufacture of small unmanned aircraft systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself, Mr. BOOZMAN, Mr. COTTON, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Defense to establish and carry out a program to enable the rapid development, testing, and scalable manufacture of small unmanned aircraft systems, 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 “SkyFoundry Act of
5 2025”.

6 **SEC. 2. SKYFOUNDRY PROGRAM.**

7 (a) ESTABLISHMENT.—

1 (1) PROGRAM REQUIRED.—The Secretary of
2 Defense shall establish and carry out a program to
3 enable the rapid development, testing, and scalable
4 manufacture of small unmanned aircraft systems,
5 with potential expansion to associated energetics and
6 other autonomous systems as determined by the Sec-
7 retary.

8 (2) DESIGNATION.—The program established
9 pursuant to paragraph (1) shall be known as the
10 “SkyFoundry Program” (in this section the “Pro-
11 gram”).

12 (3) ADMINISTRATION.—The Secretary shall—

13 (A) administer the Program through the
14 Secretary of the Army; and

15 (B) establish the Program as part of the
16 Defense Industrial Resilience Consortium.

17 (b) ALTERNATIVE ACQUISITION MECHANISM.—In
18 carrying out the Program, the Secretary shall leverage al-
19 ternative acquisition mechanisms to accelerate develop-
20 ment and production. Such mechanisms shall include the
21 use of other transaction authority under section 4022 of
22 title 10, United States Code, and the use of the middle
23 tier of acquisition pathway for rapid prototyping and rapid
24 fielding as authorized by section 3602 of such title.

1 (c) COMPONENTS.—The Program shall have two
2 components as follows:

3 (1) INNOVATION FACILITY.—A Government-
4 owned innovation facility for the development of
5 small unmanned aircraft systems that is operated by
6 the United States Army Materiel Command in co-
7 ordination with United States Futures Command
8 and serves as the research, development, and testing
9 hub, integrating lessons learned from global conflicts
10 to rapidly evolve United States small unmanned air-
11 craft systems designs.

12 (2) PRODUCTION FACILITY.—The Commander
13 of United States Army Materiel Command shall
14 identify a Government-owned production facility
15 with the competencies for producing various forms
16 of small unmanned aircraft systems. The facility
17 shall be operated by United States Army Materiel
18 Command and have the capability to produce
19 1,000,000 small unmanned aircraft systems annually
20 once fully established.

21 (d) GOVERNMENT OWNED GOVERNMENT OPERATED
22 CONTRACTOR AUGMENTED MODEL.—The Secretary
23 may—

24 (1) enter into multiyear contracts or agree-
25 ments for contractor augmented support to the Pro-

1 gram, including integrating specialized contractor
2 personnel within Program facilities as part of hybrid
3 teams alongside military and civilian personnel; and

4 (2) enter into public-private partnership agree-
5 ments with private industry, academic institutions,
6 and nonprofit entities in support of the Program.

7 (e) FACILITIES AND INFRASTRUCTURE.—

8 (1) IN GENERAL.—In carrying out the Pro-
9 gram, the Secretary shall prioritize utilizing or modi-
10 fying existing Army Depot facilities and select at
11 least two separate sites for the Program, one to
12 house the innovation facility required by subsection
13 (b)(1) and one to house the production facility re-
14 quired by subsection (b)(2).

15 (2) AUTHORITY TO RENOVATE, EXPAND, AND
16 CONSTRUCT.—The Secretary may renovate, expand,
17 or construct facilities for the Program using avail-
18 able funds, notwithstanding chapter 169 of title 10,
19 United States Code.

20 (3) SELECTION OF SITES.—When selecting sites
21 for the Program, the Secretary shall consider that
22 the production facility required by subsection (b)(2)
23 shall be housed at an existing Army Depot that
24 meets the following requirements:

1 (A) The Army Depot shall be comprised of
2 15,000 acres of land.

3 (B) The Army Depot shall have approxi-
4 mately 10,000 buildable acres of land.

5 (C) The Army Depot shall have approxi-
6 mately 8,000,000 square feet of facilities.

7 (D) The Army Depot shall be located with-
8 in 50 miles of four States.

9 (f) INTELLECTUAL PROPERTY RIGHTS.—The Sec-
10 retary shall ensure that the United States retains appro-
11 priate intellectual property and technical data rights for
12 any systems or technologies developed under the Program.
13 At a minimum, the Secretary shall secure Government
14 purpose rights in intellectual property developed jointly
15 with contractors, to enable the Government's continued
16 production, sustainment, modification, and competitive
17 procurement of such systems.

18 (g) DEFENSE PRODUCTION ACT DESIGNATION.—
19 The President (or the Secretary of Defense under dele-
20 gated authority) shall utilize authorities under title III of
21 the Defense Production Act of 1950 (50 U.S.C. 4531 et
22 seq.) to prioritize and support domestic industrial base ca-
23 pacity for small unmanned aircraft systems and associated
24 energetics and autonomous systems. Such items shall be
25 deemed essential for the national defense industrial base,

1 and Title III efforts may include investments in produc-
2 tion scale-up, establishment of strategic materials stock-
3 piles, and surge manufacturing capacity for these systems
4 and components.

5 (h) EXPEDITED APPROVALS AND WAIVERS.—The
6 Secretary, or the Secretary of the Army under explicit del-
7 egated authority, may expedite, and as appropriate to
8 waive or modify Department of Defense regulatory re-
9 quirements and internal procedures that would otherwise
10 impede the rapid development, acquisition, or production
11 activities of the Program.