

Servicemember Right-to-Repair Act of 2024

Senator Elizabeth Warren and Representative Marie Gluesenkamp Perez

The Department of Defense (DoD) has long relied on contractors to provide the U.S. military with a wide range of goods. These goods are often acquired through a contract that can set out terms for everything from how much a weapon will cost to what design requirements are needed for a fighter jet. Many of these contracts also contain provisions that restrict DoD's ability to conduct repairs, including provisions that limit the sharing of intellectual property and technical data with DoD, which leaves servicemembers unable to repair their own equipment.

Extensive reporting shows the concerning implications of these restrictions for servicemember skills, sustainment costs, and military readiness. The Navy was forced to fly contractors to [ships](#) at sea to perform simple fixes, Marines in Japan had to send [engines](#) back to the U.S. for repairs instead of fixing them on-site, and Marines in a [training](#) exercise were forced to choose between voiding their equipment warranty by fixing it or marking the equipment inoperable. Restricting servicemembers from repairing their own equipment often leads to higher sustainment [costs](#) across programs, and increases the risk of DoD being overcharged. The sustainment costs for one such program represent 75+% of the program's estimated acquisition and sustainment budget, sending trillions of dollars in repair costs to the contractor who created and sold the system.

The *Servicemember Right-to-Repair Act* provides DoD with the tools to access the materials needed to maintain the military's own equipment and directs DoD to use those tools to reduce sustainment costs, improve military readiness, and build servicemember skills needed in future possible austere environments. Specifically, the *Servicemember Right-to-Repair Act*:

- **Requires that each major weapons program's acquisition strategy includes 3 cost-saving proposals** to cut sustainment costs without reducing performance requirements.
- **Mandates a report on cost-saving strategies** to enhance transparency.
- **Requires DoD sustainment reviews to assess the cost-effectiveness of access to intellectual property**, ensuring it is a priority throughout a program's lifecycle.
- **Ensures contractors provide DoD with "fair and reasonable" access to repair materials**, including parts, tools, and information, so servicemembers are able to repair their own equipment when needed.
- **Defines "fair and reasonable"** as providing similar prices, terms, and conditions as those made available to the contractor's authorized repair providers to ensure an even playing field.
- **Gives DoD additional flexibility to access and use repair data**, and ensures access to repair data is a key consideration in regulations governing the rights of the United States in items developed with government funding.
- **Requires DoD to track and publicly report instances when the military is forced to have a contractor repair equipment** because right-to-repair restrictions prevent servicemembers from maintaining or repairing their own DoD equipment.
- **Promotes accountability** through reports from the Government Accountability Office.