

119TH CONGRESS
1ST SESSION

S. 3158

To amend section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify that the identification of Chinese military companies is not covered by the Administrative Procedure Act.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 7, 2025

Mr. SCOTT of Florida introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify that the identification of Chinese military companies is not covered by the Administrative Procedure Act.

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 “National Defense Sup-
5 ply Chain Integrity Act of 2025”.

1 **SEC. 2. TREATMENT OF IDENTIFICATION OF CHINESE MILI-**
 2 **TARY COMPANIES FOR PURPOSES OF ADMIN-**
 3 **ISTRATIVE PROCEDURE ACT.**

4 Section 1260H of the William M. (Mac) Thornberry
 5 National Defense Authorization Act for Fiscal Year 2021
 6 (Public Law 116–283; 10 U.S.C. 113 note) is amended—

7 (1) by redesignating subsection (g) as sub-
 8 section (h); and

9 (2) by inserting after subsection (f) the fol-
 10 lowing new subsection (g):

11 “(g) ADMINISTRATIVE PROCEDURE.—A determina-
 12 tion made by the Secretary of Defense under subsection
 13 (a) shall be considered a military or foreign affairs func-
 14 tion for purposes of section 554 of title 5, United States
 15 Code, and shall not be subject to sections 551, 553
 16 through 559, and 701 through 706 of that title (commonly
 17 referred to as the ‘Administrative Procedure Act’).”.

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