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Key Environmental and Energy Takeaways from the Senate's $914 Billion National Defense Authorization Act



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Introduction

On October 9, 2025, the U.S. Senate passed the National Defense Authorization Act (NDAA) for fiscal year (FY) 2026 (Senate NDAA). The NDAA is annual legislation that authorizes policies and authorities for Department of Defense (DOD) programs and activities, military construction, and national security programs of the Department of Energy (DOE). While the NDAA focuses mostly on defense-related activities, this can include policy impacting the National Environmental Policy Act (NEPA), per- and polyfluoroalkyl substances (PFAS), critical mineral supply chains, and nuclear energy. The House passed its version last month. The conference process between the Senate and House armed services committees will now kick off.

Below are some of the notable provisions in the roughly $914 billion defense legislation impacting environmental and natural resource policies, most of which are not included in the House version.

NEPA

Section 311 of the Senate NDAA requires the DOD to overhaul its existing guidance for implementing NEPA. Within 120 days of the bill's enactment, the Secretary of Defense must rescind all current NEPA-related directives and issue a new, unified directive applicable across all military departments and DOD agencies.

This new directive must ensure full compliance with NEPA, including updated procedural requirements established in the Fiscal Responsibility Act of 2023. Additionally, within 90 days, the Secretary must appoint a responsible official to oversee the implementation of the directive and ensure environmental reviews are conducted promptly, avoiding unnecessary regulatory delays. This section clarifies that it does not change or override any part of NEPA itself. However, it is important to note that the Trump Administration is in the process of its NEPA overhaul, managed through the Council on Environmental Quality (CEQ), so provisions in the final NDAA could instruct or be guided by the CEQ effort.

PFAS

The PFAS-related sections of the Senate NDAA outline several significant policy changes and new requirements for how the DOD addresses contamination from PFAS.

PFAS Disposal and Procurement Restrictions

Section 315 grants the DOD authority to destroy or dispose of PFAS using “innovative technologies” that are also “cost effective” and approved by relevant federal or state agencies. The DOD must also update its existing PFAS disposal guidance to align with this approach.

In Section 316, the law updates a previous restriction on buying firefighter protective gear containing intentionally added PFAS, now allowing such purchases if the equipment meets the safety specifications of Standard 1970 from the National Fire Protection Association, rather than banning PFAS-containing gear outright. Section 318 repeals prior prohibitions on DOD procurement of certain PFAS-containing products (cookware, cooking utensils, furniture, carpets, and rugs containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA)).

Community Support

Section 317 (which is included in the House version as Section 314) mandates that the DOD continues providing bottled water to communities with private wells contaminated by PFAS due to military activities—so long as contamination exceeds the Environmental Protection Agency's (EPA) limits and bottled water was already being supplied prior to the bill's passage. This requirement ends only if households are connected to municipal water systems or the contamination has been remediated to meet federal and state standards.

Cleanup Measures and Reporting Requirements

Section 319 repeals the moratorium on incinerating PFAS and aqueous film-forming foam (AFFF), potentially allowing the resumption of incineration under approved methods. While Section 320 expands the DOD's responsibilities to address both actual and potential PFAS contamination. It requires preliminary site assessments at all "covered facilities"—especially those with fire training pits. These assessments must consider interim responses to reduce public exposure, including bottled water, public water connections, and filtration systems. The DOD must expedite these measures, particularly in areas relying on a single drinking water source, and share assessments with the EPA, states, tribal governments, and the public for a minimum 60-day review period. Follow-up reports to Congress are required to track progress and justifications for any inaction.

Long-Term Transparency

Section 333 (which is included in the House version as Section 320) introduces a new annual reporting requirement to Congress detailing funding, site-by-site status updates, and progress on PFAS interim remedial actions across military installations. The reports must break down

project phases, delays, and barriers, and provide site-specific timelines and remediation strategies. Additionally, within 180 days, the DOD must submit a PFAS remediation acceleration strategy with prioritization criteria, cleanup timelines, lab testing capabilities, and department performance benchmarks. To ensure public transparency, a regularly updated online dashboard must be launched within a year, providing real-time data on site cleanups, budgets, and community contacts.

Nuclear Energy

These provisions reflect a broad federal effort to modernize nuclear waste management, safeguard the uranium supply chain, enhance nuclear safety, and explore innovative nuclear technologies like microreactors.

Uranium Supply Chain Modernization

Section 3111 (Subsection 5633) mandates that the National Nuclear Security Administration (NNSA) accelerates the modernization of depleted uranium manufacturing processes by 2030, including establishing repeatable production methods and exploring off-site manufacturing options. The NNSA must report annually to Congress on the cost and progress of the program. Section 3111 (5642) requires DOE to submit biennial long-term plans through 2031 for meeting national security requirements for unencumbered uranium. These plans must include inventories, projected needs through 2070, enrichment options, industrial capabilities, potential shortfalls, and how policy changes or domestic enrichment investments could reduce reliance on adversary nations.

Section 3111 (Subsection 5643) complements this by requiring a separate report—due 120 days after enactment—on creating domestic uranium enrichment capability sufficient to meet all DOD needs through 2060. The plan must outline material requirements, milestones, funding needs, and how the U.S.-Australia-UK (AUKUS) nuclear submarine partnership affects enriched uranium demands. Annual compliance certifications will be required until the final milestone is achieved.

Microreactor Deployment

Section 922 requires the DOD to launch a pilot program for deploying microreactors at U.S. military bases. This initiative is designed to improve energy resilience and reduce dependence on vulnerable civilian power grids, signaling growing interest in small-scale, deployable nuclear power for national security infrastructure.

Critical Minerals

A new section from S.Amdt.3712 adds a critical minerals and rare earth elements mapping initiative to the Senate NDAA, reinforcing U.S. strategic resource independence and supply chain security. It authorizes the Department of the Interior, through the U.S. Geological Survey, to partner with foreign governments to cooperatively map and assess global mineral resources while prioritizing U.S. and allied access to those resources.

What's Next

The conference committee is traditionally used to resolve differences between the Senate and House on the NDAA. Conferees are House and Senate members, drawn mainly from the two armed services committees, who are expected to resolve disagreements between the House and Senate positions and provide an agreement in the form of a conference report.

Once agreed to by the conference committee, the conference report is subject to debate during floor consideration but cannot be amended. If organizations want to affect change to the final NDAA legislation, then now is the time to reach out to Congress.

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