

Secure and Accountable Military AI Act of 2026

SECTION-BY-SECTION ANALYSIS

SEC 1. SHORT TITLE

SEC 2. DEFINITIONS

Establishes statutory definitions for Autonomous Weapon Systems (AWS), Frontier AI Models, Covered Incidents, and High-Consequence AI Applications. It explicitly distinguishes between semi-autonomous and fully autonomous systems based on definitions in DoD Directive 3000.09.

SEC 3. HIGH-CONSEQUENCE MILITARY AI OVERSIGHT

Mandates the Secretary designate specific AI uses (nuclear, lethal targeting, domestic surveillance, cyber) as 'high-consequence.' These systems require written approval from an Under Secretary of Defense or the Vice Chairman of the Joint Chiefs. As part of the approval process, they also require (among other things) realistic operational testing, a legal and policy review, clear procedures for trained operators, logging and auditability, post-deployment continuous monitoring. Requires 15-day prior notification to Congressional defense committees before operational deployment. In extraordinary circumstances, the Secretary may provide the Congressional notification up to 48 hours after initial deployment.

SEC 4. HUMAN ACCOUNTABILITY FOR HIGH-CONSEQUENCE MILITARY AI

Establishes DOD policy that AI supports but does not substitute for human judgment in decisions involving force, detention, domestic surveillance, or other high-consequence AI applications. Mandates a clearly identified accountable human decision-maker or accountable chain of decision-makers for all high-consequence systems to ensure responsibility for AI systems.

SEC 5. REPORTING OF SECURITY INCIDENTS AND CONCERNING MODEL BEHAVIORS BY CERTAIN FRONTIER AI CONTRACTORS

Requires frontier AI contractors to report 'covered incidents'—including theft of model weights or data poisoning—within 72 hours for security breaches and 7 days for concerning model behavior. The DoD must notify Congress within 7 days of receiving such reports.

SEC 6. LIMITATIONS ON CERTAIN USES OF AI BY THE DEPARTMENT

Sets limitations by prohibiting AI for nuclear weapon use and target selection, domestic surveillance of U.S. persons, and the general deployment of autonomous weapon systems. Narrow exceptions are provided for cybersecurity, force protection, local defense (e.g., missile interception), and non-lethal force.

SEC 7. IMPLEMENTATION

Directs the Secretary to update the Defense Federal Acquisition Regulation Supplement (DFARS) within 180 days and requires a Congressional briefing on implementation within 240 days.

SEC 8. AUTHORIZATION FOR SPECIALIZED AUTONOMOUS WEAPON SYSTEMS

Creates a pathway for the Secretary to petition Congress to field specific autonomous systems that fall outside of Section 6's exceptions. Such systems can only be fielded if Congress enacts a Joint Resolution of Approval under expedited procedures and the authorization would last for 3 years.