En Bloc Amendments to H.R. 1960
National Defense Authorization Act for Fiscal Year 2014

Wednesday, June 5, 2013

STRATEGIC FORCES
En Bloc # 1

Log #	Sponsor	Description
201	Rogers	Modifying section 1604 by adding additional designation authority
202	Rogers	Modifying directive report language to add another committee to the report recipients
204	Rogers	Provides an updating/perfecting change to section 231(b) on missile defense limitations
096	Heck	Co-production line on Iron Dome
008r1	Larsen	Report on the risk of schedule delays for LEP program
053r3	Sanchez	Report requirement regarding MEADS
131r1	Brooks	Report requirement regarding the PATRIOT system
082r1	Barber	Report by Department of Navy on high atltitude balloon technologies
144r1	Lamborn	Prohibiting elimination of the US nuclear triad in FY14
193r3	Shuster	Certification by the Secretary of the Army on GEM-T recertification
203r1	Rogers	Revising a reporting requirement related to NASA and Missile Defense Agency technology
213r1	Langevin	Directing a report by the Secretary of Defense on surplus ICBM motors

Log 201

AMENDMENT TO H.R. 1960

OFFERED BY MR. ROGERS OF ALABAMA

In section 2279 of title 10, United States Code, as proposed to be added by section 1604(a) of the bill, redesignate subsections (c) and (d) as subsections (d) and (e), respectively.

In section 2279 of title 10, United States Code, as proposed to be added by section 1604(a) of the bill, insert after subsection (b) the following new subsection:

"(c) DELEGATION OF WAIVER AUTHORITY.—The Secretary of Defense may only delegate the authority under subsection (b) to waive subsection (a) to the Deputy Secretary of Defense, the Under Secretary of Defense for Policy, or the Under Secretary of Defense for Acquisition, Technology, and Logistics and such authority may not be further delegated.

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Log 202

Amendment Offered by Mr. Rogers

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

In the section of the committee report titled "Plan and roadmap to address security problems":

After "congressional defense committees" insert "and the Committee on Energy and Commerce of the House of Representatives".

Log 204

AMENDMENT TO H.R. 1960

OFFERED BY MR. ROGERS OF ALABAMA

In section 231(b)—

(1) in paragraph (1), strike "foreign"; and

(2) in paragraph (2), strike "and the allies agree".

Log 096

AMENDMENT TO H.R. 1960

OFFERED BY Mr. Heck

At the appropriate place in subtitle C of title II, insert the following:

SEC. 2___. AVAILABILITY OF FUNDS FOR IRON DOME SHORT-RANGE ROCKET DEFENSE PROGRAM.

Of the funds authorized to be appropriated for fiscal year 2014 by section 201 for research, development, test, and evaluation, Defense-wide, and available for the Missile Defense Agency, $15,000,000 may be obligated or expended for enhancing the capability for producing the Iron Dome short-range rocket defense program in the United States, including for infrastructure, tooling, transferring data, special test equipment, and related components.

Log 008 R1

Amendment Offered by Mr. Larsen of Washington

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Risks within long-term schedule for life extension programs

The committee notes the National Nuclear Security Administration's (NNSA) ambitious schedule for performance of nuclear weapons Life Extension Programs (LEP), including plans to conduct development or production of up to five LEPs concurrently during fiscal year 2023 and plans to conduct at least three LEPs concurrently during the late-2020s. Such LEPs would be conducted while NNSA continues efforts to meet military requirements for limited lifetime component exchanges and while also managing several very large defense nuclear facility construction projects.

The committee also notes the track record of significant technical challenges, cost increases, and schedule delays that have plagued NNSA's major programs. In 2012, NNSA's estimated cost of the B61 LEP increased to $7.9 billion. In a September 2012 report, the Department of Energy Inspector General found that the W76 LEP had "experienced significant delays in startup and in achieving production goals" and "NNSA may be unable to complete the W76 LEP within established scope, cost and schedule parameters, unless it adopts a more effective approach to reducing unit costs."

The committee is therefore concerned about the potential risks within the long-term schedule for LEPs. In particular, the committee is concerned regarding how potential delays or cost increases within the B61 LEP may affect other LEPs planned for the 2020s and 2030s.

The committee directs the Chairman of the Nuclear Weapons Council and the Administrator for Nuclear Security to provide a joint briefing to the congressional defense committees no later than January 15, 2014, on the risks within the long-term schedule for LEPs, including the impacts to the long-term plan of potential unforeseen technical challenges, schedule delays, and cost increases in near-term LEPs.

Log 053 r3

113th CONGRESS, 1st Session

AMENDMENT TO H.R. 1960

OFFERED BY MS. LORETTA SANCHEZ OF CALIFORNIA

(ON BEHALF OF HERSELF, MR. TURNER, MS. TSONGAS, MR. SHUSTER, MR. ANDREWS)

Directive report language

In the appropriate section of the report, titled "Technology Harvesting of the Medium Extended Air Defense System," change the evaluation time from 90 days to 180 days and add at end of the last paragraph: "This report should also include: 1) a review of current Army and joint requirements to which MEADS technology might be applied, 2) the Army's timeline for completion of Analyses of Alternatives to these technologies, 3) an overview of Army's planned competitive milestones in the acquisition strategy."

log 131r1

Amendment Offered by Congress Brooks

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

PATRIOT MODERNIZATION COSTS

The Committee notes that the Army's Air and Missile Defense Strategy signed in September 2012 by the Secretary of the Army and Chief of Staff acknowledge that current Air and Missile Defense forces must be transformed due proliferated ballistic missiles growing in sophistication, and growing threats from cruise missiles and unmanned aerial systems. Furthermore the strategy reaffirms the need for 360-degree surveillance and fire control, a smaller and more expeditionary force, and integration of networked sensors and weapons. The strategy also stresses the need for modern, modular open architectures and admits that the Army's ability to defeat missile threats is complicated by the decision not to procure the Medium Extended Area Defense System (MEADS).

The committee is concerned that the alternatively proposed Patriot 30-yr Strategic Modernization Strategy is a significant expense, does not sufficiently address acknowledged air and missile Defense capability gaps, and includes no discernible intent to harvest the flight tested, modern, technically mature 360-degree sensors, and 360-degree lightweight launchers and battle manager software developed under MEADS, for which the US taxpayer has expended in excess of $2.4 billion. The draft Patriot modernization strategy proposes spending in excess of $1,000,000,000 over the next 5 years mostly on sole-source contracts, while deferring development and fielding of expeditionary 360-degree capability until 2029-2034.

Due to declining defense budgets and consistent with the Department's better buying power initiatives, the committee therefore believes it is premature to commit to the Patriot modernization strategy without a comprehensive and independent Lifecycle Cost Analysis of the Patriot 30-year Modernization Strategy.

The Committee directs the Congressional Budget Office to provide a report to the congressional defense committees not later than November 30, 2013 on an analysis of the estimated development and procurement costs associated with the Patriot modernization including integration activities to enable network operations and testing. Such analysis shall also include estimates of:

log 131r1

- Unit Level personnel: The direct costs of all operator, maintenance, and other support personnel at operating units (or at maintenance and support units that are organizationally related and adjacent to the operating units)
- Unit Operations: The unit-level consumption costs of operating materials such as fuel, electricity, expendable stores, training munitions, and other operating materials. Also to be included are costs of any unit-funded support activities, training devices, or simulator operations that uniquely support an operational unit, temporary additional duty/temporary duty associated with the unit's normal concept of operations, and other unit-funded services.
- Maintenance: The costs of labor (outside of the scope of unit-level) and materials at all levels of maintenance in support of the primary system, simulators, training devices, and associated support equipment (this includes intermediate maintenance, depot support, and contractor support). Additionally, the cost of contractor labor, materials, and overhead incurred in providing all or part of the logistics support to a weapon system.
- Sustaining support: Costs for support services provided by centrally managed support activities external to the units that own the operating systems and that can be identified to a specific system (excludes costs that must be arbitrarily allocated)
- Continuing System Improvements: The costs of hardware and software updates that occur after deployment of a system that improve the system's safety, reliability, maintainability, or performance characteristics to enable the system to meet its basic operational requirements throughout its life. (Costs for system improvement identified as part of the acquisition strategy or a pre-planned product improvement program and included in the acquisition cost estimate are not included. Also, any improvements of sufficient dollar value that would qualify as distinct major defense acquisition programs are not included.)
- Indirect Support: Installation and personnel support costs that cannot be directly related to the units and personnel that operate and support the system being analyzed

Log 082r1

Amendment Offered by Rep. Barber

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Augmentation of Ultra High Frequency Communications Satellite Systems Using Near Space Technologies

The committee is concerned that the Navy's constellation of ultra-high frequency (UHF) communication satellites and associated user terminals may not meet the tactical communications needs of the Department in the near future. This concern is based on the committee's belief that the current constellation of UHF satellites, the Ultra-High Frequency Follow-On (UFO) program, is aging, fragile, and may be increasingly subject to sudden failures.

The committee notes that the Mobile User Objective System (MUOS) satellite system, which is intended to provide increased capability in this area, has been delayed. However, the committee is aware of alternative technologies that could potentially be used by the Navy, in concert with the MUOS program, to close potential gaps in tactical UHF communications.

Specifically, the committee notes the potential capabilities of high-altitude, near space systems, such as balloons, to bolster and complement existing UHF networks. Therefore, the committee directs the Secretary of the Navy provide a briefing to the committee, no later than October 1, 2013, on a review of existing high-altitude, near space, technologies that could provide additional UHF capacity, and outline the approximate cost, schedule, and feasibility of acquiring this additional capacity.

Log 1447

AMENDMENT TO H.R. 1960

OFFERED BY MR. LAMBORN OF COLORADO

At the appropriate place in subtitle F of title X, insert the following:

SEC. 10___. PROHIBITION ON ELIMINATION OF THE NUCLEAR TRIAD.

(a) PROHIBITION ON TRIAD REDUCTIONS.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2014 for the Department of Defense may be obligated or expended to reduce, convert, or decommission any strategic delivery system if such reduction, conversion, or decommissioning would eliminate a leg of the nuclear triad.

(b) NUCLEAR TRIAD DEFINED.—The term "nuclear triad" means the nuclear deterrent capabilities of the United States composed of the following:

(1) Land-based intercontinental ballistic missiles.

(2) Submarine-launched ballistic missiles and associated ballistic missile submarines.

(3) Nuclear-certified strategic bombers.

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Log 19313

Amendment Offered by Rep. Bill Shuster

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Criteria on the Recertification and Quantity of GEM-Ts

The committee is aware that the Patriot Guidance Enhanced Missile-Tactical (GEM-T) missile provides an affordable, but critical, capability within the Patriot missile family that includes a complementary interceptor to the Patriot Advanced Capability-3 (PAC-3) and PAC-3 Missile Segment Enhancement (MSE). At approximately $0.5 million per missile, the GEM-T provides a lower cost option to PAC-3 when used against the same threat and can make possible saving the PAC-3 inventory for other threats.

The committee encourages the Army to undertake a GEM-T recertification program when the GEM-T missile certification requires renewal in fiscal year 2015. The committee is aware GEM-T recertification could provide an additional 20 years of service life for the GEM-T missiles the Army believes it requires for its future interceptor inventory. The committee believes such recertification could also promote interoperatibility with allies in Asia and the Arabian Gulf and it could enable an interceptor mix and inventory that more comprehensively addresses known threats in both quantity and characteristic.

The Committee is concerned that the missile inventory, both currently maintained and planned, does not take into account the full range of threats facing forward deployed forces. Nor does it reflect the fiscal constraints the Army is likely to face in both procurement and research & development in the future. Therefore, the Committee directs the Secretary of the Army to provide a report to the congressional defense committees not later than October 15, 2013 on current and planned missile inventories, namely GEM-T. This report should review the proposed inventory criteria and quantity of GEM-T recertification. Additionally, it should include a cost-benefit analysis, including an assessment of whether or not recertification meets an Army requirement in a cost-effective manner, to address the full range of threats, including short range ballistic missiles, as well as sustainment and procurement costs of the recertified missiles. This report should be submitted in unclassified form with a classified annex as necessary.

Log 203.1

Amendment Offered by *Mr. Rogers*

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place in the report:

Transfer of International Traffic in Arms Regulations Controlled Missile Defense Technology to the National Aeronautics and Space Administration (NASA)

Strike all and replace with:

The committee received allegations that certain Missile Defense Agency technology was involved in the transfer of International Traffic in Arms (ITAR) controlled missile defense technology to unauthorized foreign nationals. The committee further understands that the Federal Bureau of Investigation (FBI), upon investigation of this alleged transfer, referred the case to the U.S. Department of Justice for prosecution.

Therefore, the committee directs the Secretary of Defense, in consultation with the FBI and NASA, to provide a briefing to the defense authorization committees and the Science, Space and Technology Committee of the House and the Commerce, Science and Transportation Committee of the Senate not later than August 1, 2013 on the following:

(1) What U.S. missile defense technology or information, classified or export-controlled, NASA had access to prior to June 1, 2013, and what was the purpose of NASA's access to such technology or information? What protective measures were imposed to insure proper handling of this information and technology by NASA?
(2) The status of any FBI investigation into whether U.S. missile defense technology to which NASA had access was allowed to be transferred to persons without lawful authority to access said technology.
(3) If an FBI investigation has determined that missile defense technology was in fact transferred, provide a damage assessment of the consequence of the loss of this technology and how a state, such as the People's Republic of China, could exploit such technology to improve its offensive or defensive military capabilities or to counter U.S. offensive or defensive military capabilities.

Log 213r1

Amendment Offered by Mr. Langevin of Rhode Island

H.R. 1960—National Defense Authorization Act for Fiscal Year 2014

To be inserted in the appropriate place the report:

Brief to Congress on ICBM motor stockpile

The committee understands the need for cost savings, but is concerned about the impact that budget cuts, industry consolidation, and lack of sufficient and stable demand have had on the industrial base for strategic solid rocket motors. The committee believes that a healthy solid rocket motor industrial base is critical. However, the committee is also aware of commercial launch systems that use surplus solid-fuel intercontinental ballistic missile (ICBM) motors, in accordance with existing laws and restrictions. Therefore, the Committee directs the Secretary of Defense to provide, within 180 days of the enactment of this Act, a briefing to the congressional defense committees on the status of the surplus ICBM motor stockpile. The briefing should include, at a minimum, the current inventory of surplus ICBM motors; a cost-benefit analysis of using surplus ICBM motors for space launch versus acquisition of new motors, including potential taxpayer savings and the associated costs such as surplus motor maintenance, modification for space launch, and possible destruction; and the potential effects on the solid rocket motor industrial base as well as on civil, government, and military launch vehicle markets of adjustments to the existing laws and restrictions.