

**En Bloc Amendments to
H.R. 1960
National Defense Authorization Act for Fiscal Year 2014
Wednesday, June 5, 2013**

**Intelligence, Emerging Threats and Capabilities
Subcommittee**

En Bloc # 1

Log #	Sponsor	Description
028r1	Andrews	Requires a report on medical research information sharing.
048r1	Lamborn	Directs the Air Force to brief the House Armed Services Committee on high consequence Information Technology contracting mechanisms.
066	Bordallo	Would amend eligibility requirements for the Defense Experimental Program to Stimulate Competitive Research.
077	Franks	Test & Evaluation capabilities for electromagnetic pulse vulnerabilities, change responsibilities from the Director of Operational Test & Evaluation to the Test Resource Management Center.
088r1	Nugent	Sense of Congress the Air Force should develop the near-term cruise missile-delivered high power microwave weapon, while continuing to develop a long-term solution on an alternative delivery vehicle.
112	Castro	Revisions to the Department of Defense's process for retiring legacy systems.
135	Thornberry	Establishes the Cryptographic Modernization Review and Advisory Board in the Department of Defense. The Board shall review compliance, monitor and develop modernization programs, conduct reviews, and make recommendations to the Secretary of Defense.
137	Kilmer	Clarification amendment to extend the Information Technology Exchange Program until 2023, instead of making it permanent.
155r1	Maffei	Calls for a comprehensive evaluation of the reserve components in cyber operations and recommendations for utilizing the reserve component in cyber operations.
157	Castro	Support for development and fielding of non-lethal technologies. Directs the Secretary of Defense to provide a briefing to the armed services committees on any policy, technology and acquisition issues on developing or fielding this equipment.

Log 028r1
Offered by Mr. Andrews

Medical Research Information Sharing

The committee supports the breadth of medical research being conducted within the Department of Defense and the promising results of such research. However, the committee is concerned that compartmentalization of data, whether by military service or injury mechanism, may be unnecessarily limiting the efficacy of limited research dollars. History has shown that many medical breakthroughs, such as penicillin, are often the product of research in fields indirectly related to medicine. The committee believes that the emerging field of big data analytics could provide useful tools to support the development of new capabilities through greater exposure of data and research results. Therefore, the committee directs the Department to provide a briefing no later than 180 days from enactment of the Act on how best to promote information sharing across the medical research community through the use of big data analytics, while preserving anonymity and privacy protection, and allowing patients, subjects, and researchers to opt-in or opt-out of specific research studies. The briefing should also address whether establishing a single DoD-wide clearing house for medical research data would be an effective means for accomplishing this goal.

Log 048r1

Amendment Offered by Mr. Lamborn

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

To be inserted in the appropriate place the report:

Air Force High Consequence Information Technology Services

The Committee is aware that while currently Air Force Space Command can rapidly contract for mission critical high consequence information technology needs, new contracting mechanisms may negatively impact this current capability. The committee therefore directs the Secretary of the Air Force to provide a briefing to the Committee on Armed Services of the House of Representatives by October 1, 2013 on its plan to preserve and sustain the high consequence mission critical information technology services procurement for fiscal year 2014 and beyond. This plan should address how the Air Force, including Air Force Space Command, will provision for rapidly contracting for mission critical, high consequence, network command and control (C2), cyber, nuclear related, and combatant command mission support responsibilities.

AMENDMENT TO H.R. 1960

OFFERED BY MS. BORDALLO OF GUAM AND FOR
Mr. Rogers of Alabama; Ms. Shea-Porter of New Hampshire;

At the appropriate place in title II, insert the following new section:
Mr. Langevin of Rhode Island; and Mr. Brooks of Alabama

1 **SEC. 2** __. **CLARIFICATION OF ELIGIBILITY OF A STATE TO**
 2 **PARTICIPATE IN DEFENSE EXPERIMENTAL**
 3 **PROGRAM TO STIMULATE COMPETITIVE RE-**
 4 **SEARCH.**

5 Subparagraph (A) of section 257(d)(2) of the Na-
 6 tional Defense Authorization Act for Fiscal Year 1995
 7 (Public Law 103-337; 10 U.S.C. 2358 note) is amended
 8 to read as follows:

9 “(A) the State is eligible for the experimental
 10 program to stimulate competitive research under
 11 section 113 of the National Science Foundation Au-
 12 thorization Act of 1988 (42 U.S.C. 1862g); and”.



Amendment Offered by *Mr. Franks*

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

To be inserted in the appropriate place the report:

Test and evaluation capabilities for electromagnetic pulse vulnerabilities

In the second paragraph, strike “Director, Operational Test and Evaluation” and insert “Director, Test Resource Management Center.”

AMENDMENT TO H.R. 1960
OFFERED BY MR. NUGENT OF FLORIDA

At the appropriate place in title II, insert the following:

1 **SEC. 2___.** **SENSE OF CONGRESS ON COUNTER-ELEC-**
2 **TRONICS HIGH POWER MICROWAVE MISSILE**
3 **PROJECT.**

4 It is the sense of the Congress that—

5 (1) following the successful joint technology ca-
6 pability demonstration that the counter-electronics
7 high power microwave missile project (in this section
8 referred to as “CHAMP”) conducted last year, the
9 Air Force should examine the results of the dem-
10 onstration and consider the demonstration as a po-
11 tential solution during any analysis of alternatives
12 conducted in 2014;

13 (2) an analysis of alternatives is an important
14 step in the long term-term development of a high
15 power microwave weapon;

16 (3) additionally, a near-term option may be
17 available to get such capability to commanders of
18 the combatant commands should the capability be
19 required;

Log 088r?

1 (4) the Secretary of the Air Force should pur-
2 sue both near- and long-term high power microwave
3 weapon systems;

4 (5) CHAMP could be developed as a cruise mis-
5 sile delivered weapon with target availability to com-
6 manders of the combatant commands by 2016; and

7 (6) such development should not prohibit or di-
8 vert resources from an analysis of alternatives and
9 long-term development of a high power microwave
10 weapon.



AMENDMENT TO H.R. 1960
OFFERED BY MR. CASTRO OF TEXAS

Strike section 902 and insert the following:

1 **SEC. 902. REVISIONS TO COMPOSITION OF TRANSITION**
2 **PLAN FOR DEFENSE BUSINESS ENTERPRISE**
3 **ARCHITECTURE.**

4 Section 2222(e) of title 10, United States Code, is
5 amended—

6 (1) in paragraph (1), by striking “defense busi-
7 ness enterprise architecture” and inserting “target
8 defense business systems computing environment de-
9 scribed in subsection (d)(3)”;

10 (2) in paragraph (2)—

11 (A) by striking “existing as of September
12 30, 2011 (known as ‘legacy systems’) that will
13 not be part of the defense business enterprise
14 architecture” and inserting “that will be phased
15 out of the defense business systems computing
16 environment within three years after review and
17 certification as ‘legacy systems’ by the invest-
18 ment management process established under
19 subsection (g)”;

1 (B) by striking “that provides for reducing
2 the use of those legacy systems in phases”; and
3 (3) in paragraph (3), by striking “legacy sys-
4 tems (referred to in subparagraph (B)) that will be
5 a part of the target defense business systems com-
6 puting environment described in subsection (d)(3)”
7 and inserting “existing systems that are part of the
8 target defense business systems computing environ-
9 ment”.



AMENDMENT TO H.R. 1960
OFFERED BY M. THORNBERY

Strike section 251 and insert the following:

1 **SEC. 251. ESTABLISHMENT OF CRYPTOGRAPHIC MOD-**
2 **ERNIZATION REVIEW AND ADVISORY BOARD.**

3 (a) IN GENERAL.—Chapter 7 of title 10, United
4 States Code, is amended by adding at the end the fol-
5 lowing new section:

6 **“§ 189. Cryptographic Modernization Review and Ad-**
7 **visory Board**

8 “(a) ESTABLISHMENT.—There shall be in the De-
9 partment of Defense a Cryptographic Modernization Re-
10 view and Advisory Board (in this section referred to as
11 the ‘Board’) to review and assess the cryptographic mod-
12 ernization activities of the Department and provide advice
13 to the Secretary with respect to such activities pursuant
14 to the roles and responsibilities outlined in the Chairman
15 of the Joint Chiefs of Staff Instruction 6510.02D.

16 “(b) MEMBERS.—(1) The Secretary shall determine
17 the number of members of the Board.

18 “(2) The Secretary shall appoint officers in the grade
19 of general or admiral and civilian employees of the Depart-

1 ment of Defense in the Senior Executive Service to serve
2 as members of the Board.

3 “(c) RESPONSIBILITIES.—The Board shall—

4 “(1) review compliance with cease-use dates for
5 specific cryptographic systems based on rigorous
6 analysis of technical and threat factors and issue
7 guidance, as needed, to relevant program executive
8 offices and program managers;

9 “(2) monitor the overall cryptographic mod-
10 ernization efforts of the Department, including while
11 such efforts are being executed;

12 “(3) convene in-depth technical program re-
13 views, as needed, for specific cryptographic mod-
14 ernization developments with respect to validating
15 current and in-draft requirements of systems of the
16 Department of Defense and identifying pro-
17 grammatic risks;

18 “(4) develop a five-year cryptographic mod-
19 ernization plan to—

20 “(A) make recommendations to the Joint
21 Requirements Oversight Council with respect to
22 updating or modifying requirements for cryp-
23 tographic modernization; and

24 “(B) identify previously unidentified re-
25 quirements;

1 “(5) develop a long-term roadmap to—

2 “(A) ensure synchronization with major
3 planning documents;

4 “(B) anticipate risks and issues in 10- and
5 20-year timelines; and

6 “(C) ensure that the expertise and insights
7 of the military departments, Defense Agencies,
8 the combatant commands, industry, academia,
9 and key allies are included in the course of de-
10 veloping and carrying out cryptographic mod-
11 ernization activities;

12 “(6) develop a concept of operations for how
13 cryptographic systems should function in a system-
14 of-systems environment; and

15 “(7) advise the Secretary on the development of
16 a cryptographic asset visibility system.

17 “(d) EXCLUSION OF CERTAIN PROGRAMS.—The
18 Board shall not include programs funded under the Na-
19 tional Intelligence Program (as defined in section 3(6) of
20 the National Security Act of 1947 (50 U.S.C. 3003(6)))
21 in carrying out this section.”.

22 (b) CLERICAL AMENDMENT.—The table of sections
23 at the beginning of such chapter is amended by adding

1 after the item relating to section 188 the following new

2 item:

“189. Cryptographic Modernization Review and Advisory Board.”.



Amendment Offered by Kilmer

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

To be inserted in the appropriate place the report:

*Section 1106—Extension of Program for Exchange of Information-Technology
Personnel*

In the first paragraph, strike “remove the sunset date for this program, and permanently establish the Information Technology Exchange Program (ITEP) for the Department of Defense.” and insert “authorize the Information Technology Exchange Program (ITEP) for the Department of Defense until 2023.”

Log 133 v1

AMENDMENT TO H.R. 1960
OFFERED BY MR. MAFFEI OF NEW YORK

At the end of section 933(b), add the following new paragraph:

1 (7) An evaluation of the potential roles of the
2 reserve components in the concept of operations and
3 concept of employment for cyber operations forces
4 required under paragraph (1).

In section 933, redesignate subsection (d) as subsection (e).

In section 933, insert after subsection (c) the following new subsection:

5 (d) NATIONAL GUARD ASSESSMENT.—Not later than
6 30 days after the date on which the Secretary submits
7 the report required under subsection (c), the Chief of the
8 National Guard Bureau shall submit to the congressional
9 defense committees an assessment of the role of the Na-
10 tional Guard in supporting the cyber operations mission
11 of the Department of Defense as such mission is described
12 in such report.



Amendment Offered by: Castro

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

To be inserted in the appropriate place the report:

The committee reiterates its support for the expeditious development and fielding of non-lethal technologies and capabilities, which can not only limit civilian casualties in irregular warfare and contingency operations but have applicability across the full range of military operations. In particular, active denial technologies offer numerous opportunities for defusing crisis situation in volatile environments. The committee supports the findings of the Accountability Review Board, which concluded that “the lack of non-lethal crowd control options...precluded a more vigorous defense” of the U.S. consulate in Benghazi, Libya and which recommended that the State Department “rapidly and routinely” identify and procure “additional options for non-lethal deterrents in high-risk, high-threats posts.”

However, the committee notes that the lack of a clearly defined policy regarding the deployment of directed energy technologies has been a contributing factor to the decision not to deploy systems such as the Active Denial System. Interim guidance issued by the Under Secretary of Defense for Policy regarding the operational employment of directed energy weapons acknowledges the benefits of directed energy technology and supports its continued development, but stops short of authorizing the use of new directed energy weapons without undergoing a comprehensive review and approval process intended to ensure an acceptable risk of collateral damage and inadvertent casualties to personnel. The committee recognizes the importance of a thorough examination of these issues, however is concerned that the acceptance criteria imposed in this process still appears to be ambiguous and ill-defined, and may therefore may stifle the development of and support for promising technologies. Accordingly, the committee directs the Secretary of Defense to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives within 90 days of the enactment of this Act which identifies the policy, technology, and acquisition issues that have impeded the development, fielding, and employment of active denial systems in operational theaters where U.S. forces are currently engaged; and clarifies the specific policy requirements that must be met before directed energy weapons may be employed in both counter-materiel and counter-personnel applications.