

**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 # 2

Log #	Sponsor	Description
159r1	Tsongas	Would allow certain Department of Defense labs to accumulate funds under the authority of section 219 in order to support infrastructure projects.
160r1	Tsongas	Would require the Secretary of Defense to examine the feasibility of establishing a federally funded, self-sustaining investment entity to support military medical innovation and report on a pilot program implementation plan.
199r1	Kilmer	The Secretary of Defense shall provide a plan for the inventory of all software licenses of the Department of Defense, for which a military service spends greater than \$5.0 million annually on any individual title, including a comparison of licenses purchased with licenses installed and of those uninstalled and then reinstalled.
211	Langevin	Directs the Under Secretary of Defense for Acquisition, Technology & Logistics to provide a briefing to the Committee on Armed Services of the Senate and House of Representatives which describes the actions being taken to address the recommendations made within the U.S. Government Accountability Office report on Defense Forensics.
258	Thornberry	Changes the directive reporting requirement for the Comptroller General Review of Planning and Preparedness for Threats Posed by Non-Traditional Chemical Agents.

AMENDMENT TO H.R. 1960

**OFFERED BY MS. TSONGAS OF MASSACHUSETTS
W/Mr. Langevin of Rhode Island**

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

1 **SEC. 2 ___. EXTENSION AND EXPANSION OF MECHANISMS**
2 **TO PROVIDE FUNDS FOR DEFENSE LABORA-**
3 **TORIES FOR RESEARCH AND DEVELOPMENT**
4 **OF TECHNOLOGIES FOR MILITARY MISSIONS.**

5 (a) CLARIFICATION OF AVAILABILITY OF FUNDS.—
6 Section 219 of the Duncan Hunter National Defense Au-
7 thorization Act for Fiscal Year 2009 (10 U.S.C. 2358
8 note) is amended—

9 (1) by redesignating subsections (b) and (c) as
10 subsections (c) and (d), respectively; and

11 (2) by inserting after subsection (a) the fol-
12 lowing new subsection (b):

13 “(b) AVAILABILITY OF FUNDS FOR INFRASTRUC-
14 TURE REVITALIZATION PROJECTS.—

15 “(1) IN GENERAL.—Subject to the provisions of
16 this subsection, funds available under a mechanism
17 under subsection (a) for specific laboratory infra-
18 structure revitalization projects shall be available for
19 such projects until expended.

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1 “(2) PRIOR NOTICE OF COSTS OF PROJECTS.—
2 Funds shall be available in accordance with para-
3 graph (1) for a project referred to in that paragraph
4 only if the congressional defense committees are no-
5 tified of the total cost of the project before the com-
6 mencement of the project.

7 “(3) ACCUMULATION OF FUNDS FOR
8 PROJECTS.—Funds may accumulate under a mecha-
9 nism under subsection (a) for a project referred to
10 in paragraph (1) for not more than five years.

11 “(4) LIMITATION ON TOTAL COST OF
12 PROJECT.—Funds shall be available in accordance
13 with paragraph (1) for a project referred to in that
14 paragraph only if the cost of the project does not ex-
15 ceed \$4,000,000.”.

16 (b) EXTENSION.—Subsection (d) of such section, as
17 redesignated by subsection (a)(1) of this section, is
18 amended by striking “September 30, 2016” and inserting
19 “September 30, 2020”.

20 (c) APPLICATION.—Subsection (b) of section 219 of
21 the Duncan Hunter National Defense Authorization Act
22 for Fiscal Year 2009 (10 U.S.C. 2358 note), as added by
23 subsection (a)(2), shall apply with respect to funds made

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- 1 available under such section 219 after the date of the en-
- 2 actment of this Act.



Amendment Offered by Ms. Tsongas of Massachusetts

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

To be inserted in the appropriate place the report:

Improving Military Medical Innovation

The committee commends the Department of Defense for its innovative medical research and development program, which supports a combination of private sector, academic and in-house initiatives. The committee believes that this foundation could be further improved by examining means to augment this base program with a self-sustaining, equity sharing mechanism to enable continued health care advancements despite decreasing federal budgets. Therefore, the committee directs the Secretary of Defense to provide a briefing to the Committee on Armed Services of the House of Representatives within 180 days after the enactment of this Act on the feasibility of establishing a federally supported, self-sustaining investment entity to support military medical innovation.

AMENDMENT TO H.R. 1960
OFFERED BY MR. KILMER OF WASHINGTON

At the appropriate place in title IX, insert the following new section:

1 **SEC. 9 ____. ADDITIONAL REQUIREMENTS RELATING TO THE**
2 **SOFTWARE LICENSES OF THE DEPARTMENT**
3 **OF DEFENSE.**

4 (a) **UPDATED PLAN.—**

5 (1) **UPDATE.—**The Chief Information Officer of
6 the Department of the Defense shall, in consultation
7 with the chief information officers of the military de-
8 partments and the Defense Agencies, update the
9 plan for the inventory of selected software licenses of
10 the Department of Defense required under section
11 937 of the National Defense Authorization Act for
12 2013 (Public Law 112–239; 10 U.S.C. 2223 note)
13 to include a plan for the inventory of all software li-
14 censes of the Department of Defense for which a
15 military department spends more than \$5,000,000
16 annually on any individual title, including a compari-
17 son of licenses purchased with licenses installed and
18 of those uninstalled and then reinstalled.

1 (2) ELEMENTS.—The update required under
2 paragraph (1) shall—

3 (A) be done in a comprehensive and
4 auditable format that is verified by an inde-
5 pendent third party;

6 (B) include details on the process and
7 business systems necessary to regularly perform
8 reviews, a procedure for validating and report-
9 ing deregistering and registering new software,
10 and a mechanism and plan to relay that infor-
11 mation to the enterprise provider; and

12 (C) a proposed timeline for implementation
13 of the updated plan in accordance with para-
14 graph (3).

15 (3) IMPLEMENTATION.—Not later than Sep-
16 tember 30, 2013, the Chief Information Officer of
17 the Department of Defense shall implement the up-
18 dated plan required under paragraph (1).

19 (b) PERFORMANCE PLAN.—If the Chief Information
20 Officer of the Department of Defense determines through
21 the update required by subsection (a) that the number of
22 software licenses of the Department for an individual title
23 for which a military department spends greater than
24 \$5,000,000 annually exceeds the needs of the Department
25 for such software licenses, or the inventory discloses that

1 there is a discrepancy between the number of software li-
2 censes purchased and those in actual use, the Secretary
3 of Defense shall implement a plan to bring the number
4 of such software licenses into balance with the needs of
5 the Department and the terms of any relevant contract.



Amendment Offered by Mr. Langevin of Rhode Island (On behalf of himself and Mr. Kilmer)

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

To be inserted in the appropriate place the report:

Defense Forensic Enterprise

The committee is aware that the Department of Defense has used expeditionary forensics successfully to identify, target and disrupt terrorists and enemy combatants in the Republic of Iraq and the Islamic Republic of Afghanistan. The committee is also aware that Department has taken multiple steps towards establishing an enduring capability in this impactful area. The Department issued directive 5205.15E in 2011 to establish a policy regarding the Defense Forensic Enterprise (DFE), which assigned to the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) a number of responsibilities including the development of a strategic plan to guide the activities of the DFE. However, given the important impact of the use of expeditionary forensics for U.S. counter-terrorism activities, the committee is concerned that two years after the issuance of directive 5205.15E, the required strategic plan is not yet finalized. The committee notes that the U.S. Government Accountability Office (GAO) recently completed a study on defense forensics, in which it made several recommendations to facilitate the establishment of the DFE. Therefore, the committee directs the USD(AT&L) to set a date by August 30, 2013 to finalize and publish the strategic plan for the Defense Forensic Enterprise. Furthermore, the committee directs the USD(AT&L) to provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2014 which describes the actions being taken to address the recommendations made within the GAO report on Defense Forensics.

Amendment Offered by Rep Thornberry

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

To be inserted in the appropriate place the report:

*Comptroller General Review of Planning and Preparedness for Threats
Posted by Non-Traditional Chemical Agents*

In the first paragraph, strike all after the title and replace with:

“The committee notes a growing awareness of the threat posed by novel chemical weapon agents or toxicants known as Non-Traditional Agents (NTAs). The 2010 Quadrennial Defense Review (QDR) states that the globalization of the world’s chemical industry, coupled with scientific breakthroughs, increases the possibility of NTAs being used against U.S. and allied forces. Furthermore, the QDR states that the Department of Defense (DOD) has increased its resources for research and development of technologies to meet and defeat these emerging threats. NTAs are allegedly binary nerve agents significantly more lethal than third-generation chemical weapons, such as VX nerve gas.

The current international agreements regarding chemical warfare do not adequately control for the relatively simple formulas for NTAs that have been published. Consequently, the risk of illicit NTA production by various state and non-state actors is heightened compared to traditional chemical agents. NTAs could pose a significant threat to DOD personnel as they may be capable of defeating protective equipment, such as Mission Oriented Protective Posture masks and suits as well as evading chemical weapon detection tools. In the past, the Government Accountability Office has reported that most U.S. Army units tasked with providing chemical and biological defense support are not adequately staffed, equipped, or trained to perform their missions against traditional chemical agents. The Department's preparedness for NTAs may be even more important given the unique nature of this emerging threat.

To assist the committee in conducting its oversight of the Department of Defense's increased resources for research and development of technologies to meet and defeat emerging threats posed by NTAs, novel chemical weapon agents, or similar toxicants, the committee directs the Comptroller General of the United States to conduct a review of the Department of Defense's planning and preparedness for threats posed by non-traditional chemical agents, and to submit a report to the congressional defense committees by

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March 31, 2014, with the findings and any recommendations. The report should include, but not be limited to:

(1) The extent to which the Department of Defense has conducted an analysis of the threat NTAs pose to DOD personnel, including the risk posed by bioregulators capable of inducing profound physiologic effects, and developed countermeasures, defenses, and mitigation strategies to address the threat posed by NTAs;

(2) The extent to which DOD's chemical and biological defense units that are tasked with chemical and biological defense support to combat units and commands are adequately staffed, equipped, and trained to deal with NTAs;

(3) The extent to which DOD's chemical and biological defense units that are tasked with a homeland defense mission, especially National Guard and Reserve units, are adequately staffed, equipped, and trained to deal with NTAs;

(4) How much the Department is planning to spend in fiscal year 2014 on research and development of technologies to address the threat of NTAs, and how much of an increase in resources this represent over fiscal year 2013 levels;

(5) The nature and extent of potential counter-NTA research and development program overlap and duplication between, for example, defense agencies, the military services, and national laboratories/federally funded research and development centers; and

(6) Which counter-NTA programs or efforts could benefit from consolidations, improved coordination, or other actions to achieve financial or other benefits, such as increased efficiencies.”