

En Bloc Amendments to H.R. 4435
National Defense Authorization Act for Fiscal Year 2015
 Wednesday, May 7, 2014

Seapower and Projection Forces Subcommittee		
En Bloc 1		
Log #	Sponsor	Description
029	Smith	DRL regarding the Navy's decision to no longer utilize the National Defense Sealift Fund
030r1	Speier	Limits funds for missions modules until the Navy submits Milestone B goals for cost, schedule and performance and DOT&E certifies additional modules are necessary to support operational testing.
031	Speier	Makes funding for additional LCS ships contingent upon DOT&E certification of operational effectiveness and operational suitability for the seaframes and mission modules and an assessment of the survivability of the LCS.
047r1	Bridenstine	Limits funding for Office of the Secretary of the Air Force until the Secretary obligates authorized and appropriated prior years funding for the C-130 Avionics Modernization Program.
110r1	Lamborn	Prevents the AF from using appropriated funds to remove C-130 aircraft from a unit tasked with the modular airborne fire fighting system (MAFFS) mission until the SecAF certifies that the moves will not negatively impact the MAFFS mission.
119	Fleming	Requires the Secretary of Transportation, in coordination with the Secretary of the Navy, to provide a report to the appropriate House and Senate committees on the Maritime Administration's ship disposal program.
159r1	Courtney	Add 2017 to the years covered in the National Sea-based deterrence fund.
249r1	Langevin	Alters the Moored Training Ship funding fence from 50% to 20% of program funding.
253	Courtney	Makes the limitation on authority to enter into a contract for the sustainment, maintenance, repair, or overhaul of the F117 engine waivable by the Secretary of the Air Force for reasons of National Security.

Amendment Offered by Mr. Smith

H.R. 4435—National Defense Authorization Act for Fiscal Year 2015

In the appropriate place in the report, insert the following:

National Defense Sealift Fund

The committee notes that the Navy is proposing to disestablish the National Defense Sealift Fund (NDSF) and, as part of this, is proposing to shift funding for new-construction ships from the NDSF to the Shipbuilding and Conversion, Navy (SCN) account. NDSF was created by section 1077 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) in part to fund new ship construction related to Department of Defense sealift ships and was later amended to permit the funding of new construction Navy auxiliary ships. NDSF is not a procurement account, but a revolving fund, and appropriations made available to the fund are not executed in the same way as dollars made available to SCN. In addition, new-construction ships funded through the NDSF, unlike SCN-funded ships, must have certain major components manufactured in the United States. The committee is concerned that transferring appropriations from NDSF to SCN for certain ships could result in potential cost increases as well as a reduction in major shipboard components that are manufactured in the United States.

Therefore, the committee directs the Secretary of the Navy to review the proposal to disestablish the NDSF and the budget recommendation to appropriate new-construction Navy auxiliary ships through the SCN account. The Secretary is directed to prepare a report to the congressional defense committees by March 1, 2015, detailing how the Navy would proceed if the NDSF were disestablished, how the Navy would ensure that there would be no cost increases, and how the Navy would plan to maximize the use of major shipboard components manufactured in the United States in the construction of DOD sealift and Navy auxiliary ships.

AMENDMENT TO H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA

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

1 **SEC. 1___. LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **MISSION MODULES FOR LITTORAL COMBAT**
3 **SHIP.**

4 None of the funds authorized to be appropriated by
5 this Act or otherwise made available for fiscal year 2015
6 for the procurement of additional mission modules for the
7 Littoral Combat Ship program may be obligated or ex-
8 pended until the Secretary of the Navy submits to the con-
9 gressional defense committees each of the following:

10 (1) The Milestone B program goals for cost,
11 schedule, and performance for each increment.

12 (2) Certification by the Director of Operational
13 Test and Evaluation with respect to the total num-
14 ber for each module type that is required to perform
15 all necessary operational testing.



AMENDMENT TO H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA

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

1 **SEC. 1___ . EXTENSION OF LIMITATION ON AVAILABILITY**
2 **OF FUNDS FOR LITTORAL COMBAT SHIP.**

3 Section 124(a) of the National Defense Authorization
4 Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.
5 693) is amended by striking “this Act or otherwise made
6 available for fiscal year 2014” and inserting “this Act, the
7 National Defense Authorization Act for Fiscal Year 2015,
8 or otherwise made available for fiscal years 2014 or
9 2015”.



Log 047 r.1

AMENDMENT TO H.R. 4435

OFFERED BY MR. BRIDENSTINE OF OKLAHOMA

In section 131 (relating to C-130 aircraft)—

(1) insert “(a) PROHIBITION.—” before “None of the funds”; and

(2) add at the end the following new subsection:

1 (b) LIMITATION.—Of the funds authorized to be ap-
2 propriated by this Act or otherwise made available for fis-
3 cal year 2015 for operation and maintenance for the Of-
4 fice of the Secretary of the Air Force, not more than 75
5 percent may be obligated or expended until a period of
6 15 days has elapsed following the date on which the Sec-
7 retary of the Air Force certifies to the congressional de-
8 fense committees that the Secretary has obligated the
9 funds authorized to be appropriated or otherwise made
10 available for fiscal years prior to fiscal year 2015 for the
11 avionics modernization program of record for C-130 air-
12 craft.



log 110 r1

AMENDMENT TO H.R. 4435

OFFERED BY MR. LAMBORN OF COLORADO

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

1 **SEC. 10____. LIMITATION ON REMOVAL OF C-130 AIRCRAFT.**

2 The Secretary of the Air Force may not remove C-
3 130 aircraft from a unit of the regular or reserve compo-
4 nents of the Air Force that is tasked with the modular
5 airborne fire fighting system mission, or from a unit that
6 is formally associated with a unit that is tasked with such
7 mission, until the date on which the Secretary of the Air
8 Force certifies to the congressional defense committees
9 that such mission will not be negatively affected by the
10 removal of such aircraft.



Amendment Offered by Fleming

H.R. 4435—National Defense Authorization Act for Fiscal Year 2015

In the appropriate place in the report, insert the following:

Obsolete Vessel “Best Value” Contracts

The committee notes that the Maritime Administration (MARAD) disposes of obsolete vessels pursuant to “best value” contracts. On February 12, 2014, the Government Accountability Office released a report assessing MARAD's ship disposal program which indicated, “(a)lmost all of the contractors were unsure as to how MARAD determines best value under sales contracts. Most of the contractors told us that they did not always understand why they lost a ship recycling contract. Three contractors noted it was particularly confusing when they offered the best price with what they believed to be a reasonable schedule compared to other contractors, yet still lost the contract. A couple admitted that there were instances where they did not understand why they won a contract.” The committee believes that MARAD should provide better definition as to the selection procedures associated with “best value” contracts.

The committee is also concerned about the lack of transparency associated with the amounts of appropriated funds expended and sales accrued and disbursed through the ship disposal program.

Therefore, in coordination with the Secretary of the Navy, the committee directs the Secretary of Transportation to provide the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committees on Armed Services of the Senate and the House of Representatives by March 1, 2015 a report on the ship disposal program that:

- 1) Provides a 5 year program projection for vessel scrapping under the ship disposal program, and an estimate of the vessels remaining at the end of that 5 year period;
- 2) Compares the MARAD ship disposal program with other federal ship disposal programs;
- 3) Explains the criteria MARAD uses in determining “best value” when evaluating ship disposal procurement proposals, and the relative ranking of the importance of each of those criteria;
- 4) Provides a detailed explanation of amounts appropriated and expended in carrying out in the ship disposal program, and of amount received and disbursed from the sales of vessels disposed of through that program over the previous 5 fiscal years.

AMENDMENT TO H.R. 4435

OFFERED BY MR. COURTNEY OF CONNECTICUT

In the proposed section 2218a of title 10, United States Code, as proposed to be inserted by section 10____ of the bill (relating to the national sea-based deterrence fund), in subsection (d), strike “fiscal year 2017” and insert “fiscal year 2016”.



AMENDMENT TO H.R. 4435
OFFERED BY MR. LANGEVIN OF RHODE ISLAND

In section 124 (relating to moored training ship program), strike "50 percent" and insert "80 percent".



AMENDMENT TO H.R. 4435**OFFERED BY MR. COURTNEY OF CONNECTICUT**

In section 341, add at the end the following new sentence: “The Secretary may waive the limitation in the preceding sentence to enter into a contract if the Secretary determines that such waiver is in the interests of national security.”

