H.R. 4435—FY15 NATIONAL DEFENSE AUTHORIZATION BILL

SUBCOMMITTEE ON STRATEGIC FORCES

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

LEGISLATIVE PROVISIONS

SUBTITLE B—PROGRAM REQUIREMENTS, RESTRICTIONS, AND LIMITATIONS

Section 2xx—Limitation on Availability of Funds for Weather Satellite Follow-On System

This section would direct the Secretary of the Air Force to place the last remaining satellite of the Defense Meteorological Satellite Program (DMSP) on the launch manifest for the Evolved Expendable Launch Vehicle program. Additionally, this section would direct the Secretary to establish an additional launch, for acquisition in fiscal year 2015, under the Evolved Expendable Launch Vehicle program using full and open competition among certified providers. The Secretary would have the flexibility to determine the appropriate satellite launch to be competed.

This section would also limit 75 percent of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the weather satellite follow-on system until the the Secretary submits to the congressional defense committees the plan to meet the meteorological and oceanographic collection requirements validated by the Joint Requirements Oversight Council. The plan must include how the Secretary will launch and use existing assets of the DMSP; how the Secretary will use other sources of data, such as civil, commercial, and international partnerships, to meet such requirements; and an explanation of the relevant costs and schedule.

Section 2xx—Limitation on Availability of Funds for Space-Based Infrared Systems Space Data Exploitation

This section would limit obligation or expenditure of funds to not more than 50 percent for the data exploitation under the Space-Based Infrared Systems (SBIRS) space modernization initiative, which funds modernization and evolution of technologies to meet the SBIRS mission, until the Secretary of the Air Force delivers a certification to the congressional defense committees. The Secretary would be required to certify that the limited funds available for this effort will be used in support of data exploitation of the current SBIRS program of record, including the scanning and staring sensor; or that the data from the current SBIRS

program of record, including the scanning and starring sensor, is being fully exploited and no further efforts are warranted.

The committee is concerned that the Air Force is not focusing on developing the capabilities to fully exploit the data from the existing SBIRS program. During the fiscal year 2014 budget request hearing for national security space activities, the Commander of Air Force Space Command was asked about SBIRS exploitation and responded that, "We have not even scratched the surface, I think, of the potential that's there. We have another sensor that we haven't fully exploited yet as part of that satellite. We're doing a good job on the scanning sensor. The staring sensor, which has much better fidelity, we really haven't fully wrung out yet, because we've been so focused on getting the scanning sensor calibrated and certified." The committee supports the Commander of the Air Force Space Command's stated comments, and encourages the Air Force to focus on achieving full performance and exploitation of SBIRS.

TITLE X—GENERAL PROVISIONS

LEGISLATIVE PROVISIONS

SUBTITLE A—FINANCIAL MATTERS

Section 10xx—Authority to Transfer Funds to the National Nuclear Security Administration to Sustain Nuclear Weapons Modernization and Naval Reactors

This section would provide the Secretary of Defense the authority to transfer up to $150.0 million to the nuclear weapons and naval reactor programs of the National Nuclear Security Administration (NNSA) if the amount authorized to be appropriated or otherwise made available for the weapons activities of the NNSA is less than $8.7 billion (the amount specified for fiscal year 2015 in the report required by section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84)).

SUBTITLE G—OTHER MATTERS

Section 10xx—Sense of Congress on the Life and Achievements of Dr. James R. Schlesinger

The section would express the sense of Congress on the life and achievements of Dr. James R. Schlesinger, who served the country as the Director, Central Intelligence, the Secretary of Defense, and the Secretary of Energy.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

LEGISLATIVE PROVISIONS

SUBTITLE C—MATTERS RELATING TO THE RUSSIAN FEDERATION

Section 12xx—Limitation on Use of Funds With Respect to Certification of Certain Flights by the Russian Federation Under the Treaty on Open Skies

This section would impose a limitation on the use of funds to permit the certification of a proposal by the Russian Federation to change any sensor package for a flight by Russia under the Open Skies Treaty unless: (1) the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence jointly certify to the appropriate congressional committees that such proposal will not enhance the capability or potential of the Russian Federation to gather intelligence that poses an unacceptable risk to the national security of the United States or is not designed to be collected under such treaty; and (2) the Secretary of State certifies to the appropriate congressional committees that Russia is no longer illegally occupying Ukrainian territory, the Russian Federation is respecting the sovereignty of all Ukrainian territory, and the Russian Federation is no longer violating the Intermediate-range Nuclear Forces Treaty and is in compliance with the Treaty on Conventional Forces in Europe. The President would be able to waive this section if he submits to the appropriate congressional committees a certification that it is in the national security interest of the United States to do so. The section would also require a 90 day notice-and-wait prior to the approval of a Russian proposal.

The committee is committed to effective and complete compliance with the Treaty on Open Skies, provided such compliance is not allowed to become a threat to the national security of the United States.

The committees notes its request for a briefing on the ongoing implementation of the Treaty on Open Skies, and that this briefing was postponed at the request of the Administration. The Committee looks forward to receiving this briefing and plans to continue close oversight of this issue.

Section 12xx—Limitations on Providing Certain Missile Defense Information to the Russian Federation

This section would extend the sunset date on certain measures relating to the provision or prohibition on the provision of U.S. missile defense information to the Russian Federation. This section would also add a new prohibition on the transfer of velocity at burnout information to Russia.

Section 12xx—Limitation on Availability of Funds to Transfer Missile Defense Information to the Russian Federation

This section would limit the use of funds in a fiscal year to transfer missile defense information to the Russian Federation unless the President has submitted a report to the congressional defense committees by October 31st of such fiscal year

detailing discussions between the United States and Russia during the prior fiscal year.

SUBTITLE D—OTHER MATTERS

Section 12xx—Prohibition on the Integration of Certain Missile Defense Systems

The section would continue the prohibition enacted in section 233 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) regarding the use of Department of Defense funds to integrate the missile defense systems of the People's Republic of China into the missile defense systems of the United States.

Section 12xx—Sense of Congress on Modernization of Defense Capabilities of Poland

The provision would express the sense of Congress that the Polish defense modernization program is an important opportunity to strengthen the U.S.-Poland bilateral relationship.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

LEGISLATIVE PROVISIONS

SUBTITLE A—SPACE ACTIVITIES

Section 16xx—Department of Defense Space Security and Defense Program

This section would state the sense of Congress that critical U.S. space systems face a growing foreign threat, that both the People's Republic of China and the Russian Federation are developing capabilities to disrupt the use of space by the United States during a conflict, and that a fully-developed, multi-faceted approach is needed to deter and defeat any adversary's acts of aggression in outer space.

The committee directs the Secretary of Defense to submit a report to the congressional defense committees not later than 180 days after the date of the enactment of this Act that assesses the ability of the Department of Defense to deter and defeat any adversary's act of aggression in outer space.

In addition, this section would direct the Secretary of Defense, acting through the Office of Net Assessment, to conduct a study and provide a report to the congressional defense committees not later than one year after the date of the enactment of this Act of potential alternate defense and deterrent strategies in response to the existing and projected counterspace capabilities of China and Russia.

Section 16xx—Evolved Expendable Launch Vehicle Notification

This section would state the sense of Congress that the Evolved Expendable Launch Vehicle (EELV) program provides a critical national security launch capability; the Air Force is working to maintain mission assurance and reduce costs of such program; the Air Force should continue the current block buy contract for such program; and, the Air Force should continue to provide opportunities for competition to certified launch providers.

This section would also direct the Secretary of the Air Force to provide certain congressional committees with notification of each change to the EELV acquisition plan and schedule as compared to the plan and schedule included in the budget submitted by the President for fiscal year 2015. The notification would include an identification of the change, a national security rationale for the change, the impact of the change on the evolved expendable launch vehicle block buy contract, the impact of the change on the opportunities for competition for certified evolved expendable launch vehicle launch providers, and the costs of the change. The notification requirement would apply to fiscal years 2015, 2016, and 2017.

Section 16xx—Liquid Rocket Engine Development Program

This section would express the sense of Congress that the Secretary of Defense should develop a next-generation liquid rocket engine that is made in the United States, meets the requirements of the national security space community, is developed by not later than 2019, is developed using full and open competition, and is available for purchase by all space launch providers of the United States.

This section would also direct the Secretary of Defense to develop a next-generation liquid rocket engine that enables the effective, efficient, and expedient transition from the use of non-allied space launch engines to a domestic alternative for the Evolved Expendable Launch Vehicle program. Of the funds authorized to be appropriated by this Act, $220.0 million would be available for the Secretary of Defense to develop a next-generation liquid rocket engine. The Secretary would be required to coordinate with the Administrator of the National Aeronautics and Space Administration, to the extent practicable, to ensure that the rocket engine developed meets objectives that are common to both the national security space community and the civil space program of the United States.

The Secretary, in coordination with the Administrator, would be directed to deliver a report with a plan to carry out the development of the rocket engine, including an analysis of the benefits of using public-private partnerships, the estimated development costs, and identification of the requirements of the program to develop such rocket engine.

SUBTITLE D—NUCLEAR FORCES

Section 16xx—Retention of Missile Silos

This section would express the sense of Congress that recent authorization and appropriations acts enacted by Congress and signed by the President have promulgated a national policy that it is in the national security interests of the United States to retain the maximum number of land-based strategic missile silos and their associated infrastructure to ensure that billions of dollars in prior taxpayer investments for such silos and infrastructure are not lost through precipitous actions which may be budget-driven, cyclical, and not in the long-term strategic interests of the United States.

This section would also require the Secretary of Defense to preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables such silo to remain a fully functioning element of the interconnected and redundant command and control system of the missile field and be made fully operational with a deployed missile.

Section 16xx—Preparation of Annual Budget Request Regarding Nuclear Weapons

This section would amend section 179 of title 10, United States Code, and add a new requirement regarding annual transfers to the Department of Energy of Department of Defense budget authority. Prior to making such transfers, the Secretary of Defense must establish a memorandum of agreement with the Secretary of Energy as to how the funds will be obligated and expended within the Weapons Activities budget of the National Nuclear Security Administration (NNSA). The committee believes that these are Department of Defense funds and it must be assured as to how they will be used by the Department of Energy if the transfers are to continue.

This section would also require the Secretary of Defense to provide an annual certification to the congressional defense committees that includes detailed assessments from the Nuclear Weapons Council, the Vice Chairman of the Joint Chiefs of Staff, and the Commander, U.S. Strategic Command regarding the implementation by the NNSA of any agreements and decisions of the Council.

Section 16xx—Assessment of Nuclear Weapon Secondary Requirement

This section would require the Secretary of Defense, in coordination with the Secretary of Energy and the Commander, U.S. Strategic Command, to assess the annual nuclear weapon secondary production requirement needed to sustain a safe, secure, reliable, and effective nuclear deterrent. The Secretary of Defense would be required to submit a report on this assessment to the congressional defense committees within 180 days after the date of the enactment of this Act. This report would be in unclassified form, with a classified annex if necessary, and would be required to include an explanation of the rationale and assumptions that led to the current 50-to-80 per year secondary production requirement, including the factors considered in determining such requirement, and an analysis of whether there are any changes to the 50-to-80 per year secondary production requirement,

including the reasons for any such changes. The report would also be required to include a description of how the following is affected by or related to the secondary production requirement:

(1) The demands of stockpile modernization, including the schedule for life extension programs;

(2) The requirement for a responsive infrastructure, including the ability to hedge against technical failure and geopolitical risk; and

(3) The number of secondaries held in reserve or the inactive stockpile, and the likelihood such secondaries may be reused.

Finally, the report would be required to include a proposed timeframe for achieving the annual secondary production requirement.

Section 16xx—Independent Review of the Personnel Reliability Program of the Department of Defense and the Human Reliability Program of the Department of Energy

This section would require the Secretary of Defense and the Secretary of Energy to jointly seek to enter into a contract with a federally funded research and development center to conduct an independent review of the Personnel Reliability Program (PRP) of the Department of Defense and the Human Reliability Program (HRP) of the Department of Energy and submit the report of this independent review to the congressional defense committees by October 1, 2015. Such review would be required to examine the costs and benefits of each program; examples of successes and failures for each program; the reporting and administrative requirements of each program; the authorities and responsibilities of commanders and managers in each program; guidance for when certain positions must be included in each program; recommendations for making the programs more effective, more efficient, and, to the extent appropriate, more consistent across the departments; and such other matters as the Secretaries determine appropriate.

Reviewing the results of investigations initiated by the Department of Defense and the Department of Energy in the wake of security and personal integrity failures in their respective nuclear enterprises, the committee believes that the programs administered by each department to ensure the reliability and fitness of personnel for nuclear-related duties must be modernized to be more effective and more efficient. The Personnel Reliability Program (PRP) of the Department of Defense and the Human Reliability Program (HRP) of the Department of Energy are key programs for mitigating threats from insiders and for identifying and mitigating problems with nuclear workers before it affects their duties. Concerns about PRP and HRP have been raised in several studies over the past decade, but until recently little action has been taken. The committee commends the Air Force for its current review of its PRP and encourages its effort to take carefully considered actions to improve the program. The committee believes the entire nuclear enterprise would benefit from a broad-based, independent review of PRP and HRP.

The committee believes sustained attention at the senior-most levels is necessary to overcome the leadership and integrity problems revealed within the Air Force and the Navy nuclear enterprise in the past year. The committee notes that various reviews and investigations are ongoing and will continue close oversight of the recommended reforms and their implementation.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

LEGISLATIVE PROVISIONS

SUBTITLE B—PROGRAM AUTHORIZATIONS, RESTRICTIONS, AND LIMITATIONS

Section 31xx—Limitation on Availability of Funds for Office of the Administrator for Nuclear Security

This section would limit the availability of funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the National Nuclear Security Administration's (NNSA) Office of the Administrator to not more than 75 percent until several statutorily required reports are submitted to certain congressional committees in 2015. These include:

(1) The report on stockpile assessments required under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) The Secretary of Energy's portion of the report required by section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81);

(3) The annual assessment required under section 3122 of Public Law 112-81; and,

(4) The detailed report on the stockpile stewardship, management, and infrastructure plan required by section 4203(b) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)).

The committee notes that in past years, the NNSA has not submitted several key statutorily required reports in a timely fashion, or in certain cases, at all. The committee is pleased that section 3115 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) appears to have provided NNSA the necessary incentive to submit these reports in a timely way in 2014. The committee therefore recommends a similar section for inclusion in this Act to ensure timely submission is continued into 2015. The committee believes these reports are critical to effective congressional oversight of the safety, security, and reliability of the nuclear weapons stockpile, NNSA programs, and the Administration's plans for the stockpile and enterprise.

Section 31xx—Production of Nuclear Warhead for Long-Range Standoff Weapon

This section would require the Secretary of Energy to deliver a first production unit for a nuclear warhead for the long-range standoff weapon not later than September 30, 2025. This section would also require the Secretary of Energy and the Secretary of Defense to jointly develop a plan to carry out this mandate and require the Secretaries to submit this plan to the congressional defense committees within 180 days after the date of enactment of this Act.

Finally, this section would require the Secretary of Energy, should the Secretary determine at any time that a first production unit will not be delivered by September 30, 2025, to notify the congressional defense committees, the Secretary of Defense, and the Commander, U.S. Strategic Command of such determination, including an explanation for why delivery will not occur by such date. If the Secretary of Energy makes such a notification, the Commander, U.S. Strategic Command would be required to submit an assessment to the congressional defense committees regarding the effects of such delay on national security and nuclear deterrence and assurance, as well as any mitigation options available.

The committee believes the proposed 3-year deferral of this cruise missile is contrary to the interests of national security. Therefore, the committee recommends this provision to ensure warhead production for this cruise missile is deferred only one year.

Section 31xx—Design and Use of Prototypes of Nuclear Weapons for Intelligence Purposes

Section 3115 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239) established the requirement to provide for the design and use of prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities.

In the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, the committee noted at the time that this requirement was consistent with the recommendations of the Bipartisan Congressional Commission of the Strategic Posture of the United States. The commission found that: "A particularly sensitive question is whether the laboratories should be permitted to do weapons design work in support of this intelligence mission. At issue is whether the United States should seek to improve its understanding of the feasibility of the weapons design efforts of others by replicating those designs in U.S. laboratories. In the commission's view, this is possible and this work should be permitted. At a time of rising concern about efforts by proliferators to develop and improve their nuclear weapons, and of nuclear terrorism, such work is indeed critical. Such work would not involve the design of new weapons with new military characteristics for deployment by the United States. It can and should be done in accordance with U.S. policies not to produce fissile materials and not to conduct nuclear explosive tests. It would be limited to assessing whether adversarial efforts in development of new nuclear weapons will

result in operational capabilities, and what technical, military, political, and other consequences might follow from the potential new capabilities. Working with partners in the intelligence community, the laboratories should be in a position to advise national leadership on foreign nuclear weapons activities bearing on the interests of the United States and its allies. In short, the commission recommends that the laboratories be allowed to design, simulate, and experimentally assess foreign nuclear weapon designs for the purposes of defensive analysis."

This section would update that requirement consistent with the direction of the Department of Energy, National Nuclear Security Administration that such activity implicates a broader set of Department of Energy equities than those resident in the Administrator of that agency.

Section 31xx—Authorized Personnel Levels of National Nuclear Security Administration

This section would amend section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) to require that, by October 1, 2015, the total number of employees within the Office of the Administrator may not exceed 1,650.

With the fiscal year 2015 budget request, the Administration proposes changing the name of the "Office of the Administrator" account to "Federal Salaries and Expenses". This section would also clarify that, for the purposes of section 3241A, these terms are considered the same. The committee expects the Administrator for Nuclear Security to follow past practice for counting the number of employees for the purposes of section 3241A.

Section 31xx—Cost Containment for Uranium Capabilities Replacement Project

This section would express the sense of Congress that regarding the Uranium Capabilities Replacement Project (UCRP):

(1) A series of statements and policy documents from the Administration have identified the UCRP as a critical nuclear modernization priority;

(2) The failure of the Department of Energy and the National Nuclear Security Administration to successfully and efficiently execute and oversee the UCRP undermines national security and jeopardizes the long-term credibility of the nuclear deterrent;

(3) The April 8, 2014, testimony of the Acting Administrator for Nuclear Security that "close to half" of the $1.2 billion taxpayers have spent on the design of such project has been wasted is a grievous misuse of limited taxpayer funds, and the appropriate officials of the Federal Government and contractors must be held accountable;

(4) The uranium capabilities and modern infrastructure that are to be provided by all three phases of the UCRP are critical to national security and Congress fully supports efforts to deliver all of these capabilities efficiently and expeditiously;

(5) Focused attention and robust leadership from the highest levels of the executive branch and Congress are required to ensure that the UCRP delivers such critical national security capabilities; and

(6) The Secretary and the Administrator must ensure that lines of responsibility, authority, and accountability for the UCRP are clear going forward.

This section would also amend section 3123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), as amended by section 3126 of the National Defense Authorzation Act for Fiscal Year 2014 (Public Law 113–66) to clarify that the Secretary of Energy may adjust the statutory cost cap of $4.2 billion for Phase I of the UCRP if, by March 15, 2015, the Secretary of Energy submits to the congressional defense committees a detailed justification for such adjustment. This justification would be required to include: the amount of the adjustment and the proposed total cost of Phase I; a description of the changes that would be required to the UCRP if Phase I were restricted to a total cost of $4.2 billion; a detailed description of accountability actions taken with respect to contractors and Federal employees; a description of the clear lines of responsibility, authority, and accountability for UCRP going forward; and a detailed description of the structural reforms planned or implemented by the Secretary of Energy to ensure Phase I is executed on time and on schedule.

This section would also require the Secretary of Energy to certify to the congressional defense committees and the Secretary of Defense by March 1 of each year through 2025 that Phase I of the UCRP will meet the cost limitation of $4.2 billion (as adjusted) and that the UCRP will enable uranium operations in building 9212 of the Y-12 National Security Complex to cease by 2025 while uranium operations begin in a new facility constructed under the UCRP by 2025. If the Secretary of Energy does not make such a certification by March 1 in any year, the Chairman of the Nuclear Weapons Council would be required to submit a report to the congressional defense committees that identifies the resources of the Department of Energy that the chairman determines should be redirected to enable the Department of Energy to meet the cost and schedule targets.

Finally, this section would require the Secretary of Energy and the Secretary of the Navy to jointly submit a report to the congressional defense committees by March 1, 2015, on implementation of section 3123(e) of Public Law 112-239, as amended. This report would be required to include a description of the program management, oversight, design, and other responsibilities for UCRP given to the Naval Facilities Engineering Command (NAVFAC) and the funding provided by the Secretary of Energy to NAVFAC to carry out these responsibilities.

Section 31xx—Additional Limitation on Availability of Funds for Office of the Administrator for Nuclear Security

This section would limit the availability of funds, in addition to a limitation included elsewhere in this title, authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the National Nuclear Security

Administration's (NNSA) Office of the Administrator to not more than 90 percent until the date on which the Administrator for Nuclear Security submits to the congressional defense committees a report on the efficiencies proposed by the 2012 Joint Department of Energy/Department of Defense Study on Potential NNSA Management and Work Force Prioritization Efficiencies. The report would be required to include details on how the Administrator will carry out each efficiency measure proposed by the joint study during fiscal year 2015.

This section would also require the Nuclear Weapons Council to submit a report to the congressional defense committees by March 1, 2015, on the efficiencies that the Council recommends the Administrator carry out during fiscal year 2016. The council would also be required to include in the report the council's assessment of the reports submitted by the Administrator and the Comptroller General of the United States pursuant to section 3123 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), as well as the council's assessment of each of the matters contained in subsection 3123(a)(2) of Public Law 112-81.

The committee notes that, in the fiscal year 2014 budget request, NNSA proposed to find $320.0 million in management and workforce prioritization efficiencies and use these savings to fund high priority nuclear modernization programs. These proposed efficiencies were based upon a joint study conducted by, and agreed to by, both the Department of Defense and NNSA. On May 9, 2013, the Acting Administrator for Nuclear Security testified before the Subcommittee on Strategic Forces that, "if we were unable to realize all of the efficiencies that we have assumed in fiscal [year] 2014, 5-year budget, we definitely would have to...go back and rethink how we are going to execute the programs we have." In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee expressed its concern that these efficiencies would not be achieved and major impacts to critical nuclear modernization programs would result.

The most recent information provided to the committee by NNSA indicates that only $80.0 million of these efficiencies will actually be realized in fiscal year 2014, while $240.0 million will not. The committee believes NNSA's inability or unwillingness to aggressively pursue savings through efficiencies it agreed to in 2012 have directly contributed to forcing schedule slips in critical programs due to insufficient funding. Therefore, the committee recommends this section and expects NNSA and the Nuclear Weapons Council to aggressively seek efficiencies in fiscal year 2015 and fiscal year 2016 to ensure high priority defense programs stay on track.

Section 31xx—Recovery of Costs Relating to Non-National Nuclear Security Administration Use of Certain Facilities

This section would amend title 47 of the Atomic Energy Energy Defense Act (50 U.S.C. 2741) to require the Administrator for Nuclear Security to recover the full costs (in accordance with Department of Energy Order 522.1 or any successor

order) of an experiment conducted at the National Ignition Facility (NIF) at Lawrence Livermore National Laboratory or the Z-machine at Sandia National Laboratories for a user or entity that is not an element of the National Nuclear Security Administration (NNSA).

The budget request for fiscal year 2014 for the NNSA eliminated support for experiments by external, non-NNSA users at the NIF and the Z-machine. This decision was recommended by the Department of Defense's Office of Cost Assessment and Program Evaluation (CAPE) to save costs and focus scarce NNSA resources on direct NNSA mission needs. The committee notes that NNSA rescinded this decision in August 2013, before it was ever implemented. The committee believes this reversal was premature and unjustified, and the committee recommends this provision to ensure the steps identified by CAPE to achieve cost savings and program focus are implemented.

Section 31xx—Plutonium Pit Production Capacity

This section would make a series of findings related to the Administration's projections to achieve the required capacity to produce 50 to 80 plutonium pits by certain years. This section would also state the sense of Congress that: (1) the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority; (2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unacceptable risk to the nuclear deterrent and the national security of the United States; and (3) timelines for creating certain capacities for production of plutonium pits and other nuclear weapons components must be driven by the requirement to hedge against technical and geopolitical risk and not solely by the needs of life extension programs.

This section would also add a new section to title 42 of the Atomic Energy Defense Act (50 U.S.C. 2521) to require the Secretary of Energy to ensure that the nuclear security enterprise produces at least 30 war reserve pits during 2023, at least 50 war reserve pits during 2026, and, during a pilot period of at least 90 days during 2027, demonstrate the capability to produce war reserve pits at a rate sufficient to produce 80 pits per year. The Secretary of Energy would be required to certify to the congressional defense committees and the Secretary of Defense by March 1 of each year until 2027 that the programs and budget of the Department of Energy will meet these pit production milestones. If the Secretary of Energy is unable to make such a certification in any year, the Chairman of the Nuclear Weapons Council would be required to submit a plan to the congressional defense committees by May 1 of such year. This plan would be required to include identification of the resources of the Department of Energy that the chairman determines should be redirected to enable the nuclear security enterprise to meet the pit production milestones described by this section.

The committee is concerned that, despite the President's policy to create a responsive nuclear infrastructure to enable nuclear stockpile reductions without

undue risk, the Department of Energy continues to slip schedules and programs needed to achieve this critical national security goal. With the proposed deferral of the first interoperable warhead, the Department has concurrently proposed to defer plans to achieve the Secretary of Defense's revalidated requirement for a plutonium pit production capacity of 50 to 80 pits per year. As a key component of a responsive nuclear infrastructure, continued delay in achieving this pit production capacity is unacceptable. The committee believes that waiting over 15 years to achieve a responsive nuclear infrastructure is too great a risk to national security.

Section 31xx—Definition of Baseline and Threshold for Stockpile Life Extension Project

This section would amend section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) to clarify that the cost and schedule baseline of a nuclear stockpile life extension project established pursuant to such section shall be the cost and schedule contained in the weapon design and cost report required prior to the project entering into the development engineering phase.

This section would also lower the threshold for congressional notification on costs per warhead exceeding the baseline from 200 percent to 150 percent.

SUBTITLE C—PLANS AND REPORTS

Section 31xx—Cost Estimation and Program Evaluation by National Nuclear Security Administration

This section would amend section 3221(h) of the National Nuclear Security Administration Act (50 U.S.C. 2411) to clarify that the term "Administration", with respect to any authority, duty, or responsibility provided by section 3211, does not include the Office of Naval Reactors.

Section 31xx—Analysis and Report on W88 Alt 370 Program High Explosives Options

This section would require the Secretary of the Navy, the Administrator for Nuclear Security, and the Chairman of the Nuclear Weapons Council to submit a joint report to the congressional defense committees within 90 days after the date of the enactment of this Act on the W88 Alt 370 nuclear warhead program. The report would be required to contain analysis of the costs, benefits, risks, and feasibility of both including and not including a refresh of the conventional high explosives of the W88 warhead as part of the W88 Alt 370 program.

The report would be required to include, for each option:

(1) Near-term and lifecycle cost estimates, including costs to both the Navy and the National Nuclear Security Administration;

(2) Potential cost avoidance;

(3) Operational effects to the Navy and to the capacity and throughput of the nuclear security enterprise of the National Nuclear Security Administration;

(4) The expected longevity of the W88 warhead;

(5) Near-term and long-term safety and security risks, as well as potential risk-mitigation measures; and

(6) Any other matters the Secretary, the Administrator, or the Chairman considers appropriate.

The committee expects the Nuclear Weapons Council to arrive at a decision regarding whether or not to include a refresh of the conventional high explosives as part of the W88 Alt 370 program in time to inform the budget request for fiscal year 2016.

SUBTITLE D—OTHER MATTERS

Section 31xx—Pilot Program on Public-Private Partnerships

This section would require the Administrator for Nuclear Security to establish a pilot program under which the Administrator would seek to enter into at least two public-private partnerships to build modern, non-nuclear facilities for the nuclear security enterprise. The Administrator would be required to submit a plan to the congressional defense committees within 270 days after the date of the enactment of this Act describing at least two projects the Administrator would seek to carry out under this pilot program.

Section 31xx—Technical Corrections to National Nuclear Security Administration Act

This section would make technical corrections to section 3220 (50 U.S.C. 2410) and section 3236 (50 U.S.C. 2426) of the National Nuclear Security Administration Act.

Section 31xx—Technical Corrections to Atomic Energy Defense Act

This section would make technical corrections to the Atomic Energy Defense Act (50 U.S.C. 2501).

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS

Section 3201—Authorization

This section would authorize funds for the Defense Nuclear Facilities Safety Board for fiscal year 2015.

Section 32xx—Inspector General of Defense Nuclear Facilities Safety Board

This section would amend section 322 of the Atomic Energy Act of 1954 (42 U.S.C. 2286k(a)) to mandate that the Inspector General of the Nuclear Regulatory Commission shall serve as the Inspector General of the Defense Nuclear Facilities Safety Board, in accordance with the Inspector General Act of 1978 (5 U.S.C. App).

Section 32xx—Number of Employees of Defense Nuclear Facilities Safety Board

This section would amend section 313(b)(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2286b(b)(1)(A)) to limit the number of full-time employees of the Defense Nuclear Facilities Safety Board to 120. This section would specify that this limit would take effect on October 1, 2015.

BILL LANGUAGE

SEC. 2____. [Log 53290] LIMITATION ON AVAILABILITY OF FUNDS FOR WEATHER SATELLITE FOLLOW-ON SYSTEM.

(a) MANIFEST.—The Secretary of the Air Force shall—

(1) place the last remaining satellite of the defense meteorological satellite program on the launch manifest for the evolved expendable launch vehicle program; and

(2) establish an additional launch, for acquisition during fiscal year 2015, under the evolved expendable launch vehicle program using full and open competition among certified providers.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for the weather satellite follow-on system, not more than 25 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the congressional defense committees the plan under subsection (c).

(c) PLAN REQUIRED.—The Secretary of the Air Force shall develop a plan to meet the meteorological and oceanographic collection requirements of the Joint Re-

quirements Oversight Council. The plan shall include the following:

(1) How the Secretary will launch and use existing assets of the defense meteorological satellite program.

(2) How the Secretary will use other sources of data, such as civil, commercial, and international partnerships, to meet such requirements.

(3) An explanation of the relevant costs and schedule.

SEC. 2___. [Log 53760] LIMITATION ON AVAILABILITY OF FUNDS FOR SPACE-BASED INFRARED SYSTEMS SPACE DATA EXPLOITATION.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for research, development, test, and evaluation, Air Force, for data exploitation under the space-based infrared systems, not more than 50 percent may be obligated or expended until the date on which the Secretary of the Air Force submits to the congressional defense committees certification that—

(1) such funds will be used in support of data exploitation of the current space-based infrared systems program of record, including the scanning and staring sensor; or

(2) the data from such program of record, including such scanning and starring sensor, is being fully exploited and no further efforts are warranted.

SEC. 10___. [Log 53235] AUTHORITY TO TRANSFER FUNDS TO THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO SUSTAIN NUCLEAR WEAPONS MODERNIZATION AND NAVAL REACTORS.

(a) TRANSFER AUTHORIZED.—If the amount authorized to be appropriated for the weapons activities of the National Nuclear Security Administration under section 3101 or otherwise made available for fiscal year 2015 is less than $8,700,000,000 (the amount projected to be required for such activities in fiscal year 2015 as specified in the report under section 1251 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2549)), the Secretary of Defense may transfer, from amounts authorized to be appropriated for the Department of Defense for fiscal year 2015 pursuant to this Act, to the Secretary of Energy an amount, not to exceed $150,000,000, to be available only for naval reactors or weapons activities of the National Nuclear Security Administration.

(b) NOTICE TO CONGRESS.—In the event of a transfer under subsection (a), the Secretary of Defense shall promptly notify Congress of the transfer, and shall include

in such notice the Department of Defense account or accounts from which funds are transferred.

(c) TRANSFER MECHANISM.—Any funds transferred under this section shall be transferred in accordance with established procedures for reprogramming under section 1001 or successor provisions of law.

(d) CONSTRUCTION OF AUTHORITY.—The transfer authority provided under subsection (a) is in addition to any other transfer authority provided under this Act.

SEC. 10__. [Log 53887]. SENSE OF CONGRESS ON THE LIFE AND ACHIEVEMENTS OF DR. JAMES R. SCHLESINGER.

(a) FINDINGS.—Congress makes the following findings:

(1) The Honorable Dr. James R. Schlesinger was born in New York, New York, on February 15, 1929, graduated summa cum laude from Harvard College in 1950 where he was elected Phi Beta Kappa and awarded the Frederick Sheldon Travel Fellowship, and subsequently received from Harvard University his master's degree in 1952 and doctoral degree in 1956.

(2) Dr. Schlesinger married Rachel Line Mellinger in 1954 and had eight children with her before she passed away in 1995.

(3) Dr. Schlesinger is survived by his children Cora Schlesinger, Charles Schlesinger, Ann Schlesinger, William Schlesinger, Emily Schlesinger, Thomas Schlesinger, Clara Schlesinger, and James Schlesinger, Jr., and eleven grandchildren.

(4) Dr. Schlesinger was a generous patron of the arts, including helping significantly to establish

the Rachel M. Schlesinger Concert Hall and Arts Center in Arlington, Virginia.

(5) Dr. Schlesinger was a generous sponsor of higher education, serving on the International Council at Harvard University's Belfer Center, endowing the Julius Schlesinger Professorship of Operations Management at New York University's Stern School of Business and the James R. Schlesinger Distinguished Professorship at the Miller Center of Public Affairs at the University of Virginia, and sponsoring an ongoing music scholarship at Harvard College in honor of his beloved wife.

(6) Dr. Schlesinger was a distinguished statesman-scholar of great integrity, intellect, and insight who dedicated his life to protecting the security of the United States and Western civilization and the liberty of all the people of the United States throughout his highly-decorated and distinguished career spanning seven decades—

(A) serving as a professor of economics at the University of Virginia from 1955 until 1963;

(B) authoring numerous important scholarly and policy-related publications, including The Political Economy of National Security: A

Study of the Economic Aspect of the Contemporary Power Struggle (1960), Defense Planning and Budgeting: The Issue of Centralized Control (1968), American Security and Energy Policy (1980), America at Century's End (1989), and most recently, Minimum Deterrence: Examining the Evidence (2013);

(C) serving at the RAND Corporation from 1963 until 1969, including as the director of strategic studies;

(D) beginning service in the Federal Government in 1969, leading on defense matters as the assistant director and acting deputy director of the United States Bureau of the Budget;

(E) serving as a member and chairman of the Atomic Energy Commission from 1971 until 1973, working tirelessly to introduce extensive organization and management changes to strengthen the regulatory performance of the Commission;

(F) serving as Director of Central Intelligence in 1973, focusing on the agency's adherence to its legislative charter; and

(G) becoming the Secretary of Defense in 1973 at age 44, a position Dr. Schlesinger held until 1975, during which time he—

(i) authored the ''Schlesinger Doctrine'' that instituted important reforms to strengthen the flexibility and credibility of the United States nuclear deterrent to prevent war, assure United States allies, and protect the liberties all Americans enjoy; ensuring that the United States maintained ''essential equivalence'' with the Soviet Union's conventional military forces and surging nuclear capabilities;

(ii) lead the successful development of the A-10 close-air support aircraft and the F-16 fighter; leading the Department of Defense with great skill and prescience during the 1973 Yom Kippur War in which he was key to the United States airlift that, according to Israeli Prime Minister Golda Meir, ''meant life for our people'';

(iii) led the Department of Defense during the 1974 Cyprus Crisis, the closing phase of the Indochina conflict, and the

1975 Mayaguez incident in which his actions helped save the lives of captured Americans,

(iv) consulted regularly with and was highly-regarded by the uniformed military; and working tenaciously to strengthen the morale of the military following the United States withdrawal from Vietnam and to stem the defense budget cuts in that challenging period.

(7) In light of his realistic views of the Soviet Union's power and intentions, Dr. Schlesinger was invited to China as a private citizen in 1975 at the personal request of Mao Zedong, Chairman of the Chinese Communist Party, and upon Mao's death, was the only foreigner invited by the Chinese leadership to lay a wreath at Mao's bier.

(8) In 1976, President-elect Jimmy Carter invited Dr. Schlesinger to serve as his special advisor on energy during the difficult period of oil embargoes and fuel shortages to establish a national energy policy and create the charter for the Department of Energy and subsequently to serve President Carter as the first Secretary of Energy, successfully initiating new conservation standards, gradual oil

and natural gas deregulation, and unifying the nation's approach to energy policy with national security considerations.

(9) Following his return to private life in 1979, Dr. Schlesinger continued serving tirelessly to the end of his life in a wide array of public service and civic positions, including as a member of President Ronald Reagan's Commission on Strategic Forces, a member of Virginia Governor Charles Robb's Commission on Virginia's Future, Chairman of the Board of Trustees for the Mitre Corporation, a member of the Defense Policy Board and co-chair of studies for the Defense Science Board, Chairman of the National Space-Based Positioning, Navigation, and Timing Board, a Director of Sandia Corporation, a Trustee of the Atlantic Council, Nixon Center, and Henry M. Jackson Foundation, and an original member of the Secretary of State's International Security Advisory Board.

(10) In the recent past, Dr. Schlesinger was appointed by President George W. Bush to the Homeland Security Advisory Board, invited by Secretary Robert Gates to lead the ''Schlesinger Task Force'' to recommend measures to ensure the highest levels of competence and control of the Nation's nuclear

forces, and invited by Congress to serve as the Vice Chairman of the Congressional Commission on the Strategic Posture of the United States to produce the 2009 study, entitled ''America's Strategic Posture'', which served as the blueprint for the 2010 Nuclear Posture Review of the Department of Defense.

(11) In addition to Dr. Schlesinger's earned doctorate from Harvard University, he was awarded 13 honorary doctorates, and was the recipient of numerous prestigious medals and awards, including inter alia, the National Security Medal presented by President Carter, the Defense Science Board's Eugene G. Fubini Award, the United States Army Association's George Catlett Marshall Medal, the Air Force Association's H. H. Arnold Award, the Navy League's National Meritorious Citation, the Society of Experimental Test Pilots' James H. Doolittle Award, the Military Order of World Wars' Distinguished Service Medal, the Air Force Association's Lifetime Achievement Award, and the Henry M. Jackson Foundation's Henry M. Jackson Award for Distinguished Public Service.

(12) Dr. Schlesinger's monumental contributions to the security and liberty of the nation and

Western civilization, and to the betterment of his local community should serve as an example to all people of the United States.

(b) SENSE OF CONGRESS.—Congress—

(1) has learned with profound sorrow and deep regret the announcement of the death of the Honorable Dr. James R. Schlesinger, former Secretary of Defense, Secretary of Energy, and Director of Central Intelligence;

(2) honors the legacy of Dr. Schlesinger's commitment to the liberty and security of this Nation and the Western community of nations, the betterment of his local community, and his loving family;

(3) extends its deepest condolences and sympathy to the family, friends, and colleagues of Dr. Schlesinger who have lost a beloved father, grandfather, and thoughtful leader;

(4) honors Dr. Schlesinger's wisdom, discernment, scholarship, and dedication to a life of public service that greatly benefitted his community, country, and Western civilization;

(5) recognizes with great appreciation that while serving as public servant under Presidents Nixon, Ford, and Carter, Dr. Schlesinger contributed significantly, thoughtfully, and directly to the

betterment of United States policies and practices in the areas of national defense, energy, and intelligence;

(6) recognizes with great appreciation that after returning to private life, Dr. Schlesinger continued to serve the Nation selflessly until his passing through his numerous bipartisan contributions to the reasoned public discourse of issues and his leadership on numerous high-level studies sponsored by the White House, the Department of Defense, the Department of State, and the United States Congress;

(7) recognizes with great appreciation Dr. Schlesinger's exemplary life guided by his commitment to the continuing security and liberty of the United States, and by his honor, duty, and devotion to country and family, scholarship, and personal moral integrity; and

(8) expresses profound respect and admiration for Dr. Schlesinger and his exemplary legacy of commitment to the people of the United States, members of the Armed Forces, and all those who help safeguard the Nation.

SEC. __ [Log 53752]. LIMITATION ON USE OF FUNDS WITH RESPECT TO CERTIFICATION OF CERTAIN FLIGHTS BY THE RUSSIAN FEDERATION UNDER THE TREATY ON OPEN SKIES.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or any other Act may be used to authorize or permit a certification by the United States of a proposal by the Russian Federation to change any sensor package of an aircraft for a flight by the Russian Federation under the Open Skies Treaty, unless—

(1) the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence jointly certify to the appropriate congressional committees that such proposal will not enhance the capability or potential of the Russian Federation to gather intelligence that poses an unacceptable risk to the national security of the United States or is not designed to be collected under such Treaty; and

(2) the Secretary of State certifies to the appropriate congressional committees that—

(A) the armed forces of the Russian Federation are no longer illegally occupying Ukrainian territory;

(B) the Russian Federation is no longer violating the INF Treaty; and

(C) the Russian Federation is in compliance with the CFE Treaty and has lifted its suspension of Russian observance of its treaty obligations.

(b) WAIVER.—The President may waive the requirement of the Secretary of State to make a certification described in subsection (a)(2) with respect to a proposal by the Russian Federation if the President determines that it is in the national security interests of the United States to do so and submits to the appropriate congressional committees a report that contains the reasons for such determination.

(c) NOTICE AND WAIT REQUIREMENT.—The President may not authorize or permit a certification by the United States for which the certifications required by paragraphs (1) and (2) of subsection (a) are made until the expiration of a 90-day period beginning on the date on which the certification required by such paragraph (1) or the certification required by such paragraph (2) is submitted to the appropriate congressional committees, whichever occurs later.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives.

(2) CFE TREATY.—The term ''CFE Treaty'' means the Treaty on Conventional Armed Forces in Europe, signed at Paris November 19, 1990, and entered into force July 17, 1992.

(3) INF TREATY.—The term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the Intermediate-Range Nuclear Forces (INF) Treaty, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(4) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies,

done at Helsinki March 24, 1992, and entered into force January 1, 2002.

SEC. __ [LOG 53258]. LIMITATIONS ON PROVIDING CERTAIN MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Section 1246(c) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; [127 Stat. __]) is amended—

(1) in paragraph (1), by striking ''2016'' and inserting ''2017''; and

(2) in paragraph (2), by inserting after ''2014'' the following: ''or 2015''.

(b) LIMITATIONS ON PROVIDING OTHER INFORMATION.—No funds authorized to be appropriated or otherwise made available for each of fiscal years 2015 through 2017 for the Department of Defense may be used to provide the Government of the Russian Federation or any Russian person with information relating to the velocity at burnout of United States missile defense interceptors or missile defense targets or related information.

SEC. __. [LOG 53294] LIMITATION ON AVAILABILITY OF FUNDS TO TRANSFER MISSILE DEFENSE INFORMATION TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2015 or any subsequent fiscal year for the Department of Defense may be obligated or expended to transfer missile defense information to the Russian Federation unless, with respect to such fiscal year, the President submits to the congressional defense committees not later than October 31 of such fiscal year a report on discussions between the Russian Federation and the United States on missile defense matters during the immediately preceding fiscal year, including any discussions for cooperation between the two countries on missile defense matters.

(b) FISCAL YEAR 2015 REPORT.—The report submitted pursuant to subsection (a) with respect to fiscal year 2015 shall, in addition to including the information described in subsection (a) with respect to fiscal year 2014, include the information described in subsection (a) with respect to fiscal years 2007 through 2013.

SEC. 2___ [Log 53751]. PROHIBITION ON INTEGRATION OF CERTAIN MISSILE DEFENSE SYSTEMS.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2015 for the Department of Defense or for United States contributions to the North Atlantic Treaty Organization may be obligated or expended to integrate missile defense systems of the People's Republic of China into missile defense systems of the United States.

SEC. __. [LOG 53242] SENSE OF CONGRESS ON MODERNIZATION OF DEFENSE CAPABILITIES OF POLAND.

(a) FINDINGS.—Congress finds the following:

(1) The efforts of Poland to modernize its defense capabilities and restructure its armed forces have the potential not only to enhance the national security of Poland but also to strengthen the North Atlantic Treaty Organization (NATO).

(2) The main priority of Poland with respect to such efforts is to procure anti-aircraft and missile defense systems.

(3) At a time when most NATO allies are cutting defense spending, Poland has maintained a steady defense budget and is making significant investment in procurement of new defense systems.

(4) The United States should recognize the efforts of Poland to modernize its defense capabilities and restructure its armed forces and promote such efforts as a positive example for other NATO allies to follow.

(5) The United States has enjoyed a close cultural, economic, political, and military relationship with Poland for many years and the efforts of Poland to modernize its defense capabilities and re-

structure its armed forces provide opportunities for the two countries to work together even more closely.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the President should seek to work with Poland to ensure that, as part of the efforts of Poland to modernize its defense capabilities and restructure its armed forces—

(A) Poland, to the maximum extent practicable, procures defense systems that are interoperable with NATO defense systems and will help fill critical NATO shortfalls; and

(B) Poland, to the maximum extent practicable and to the extent not inconsistent with the provisions of subparagraph (A), procures United States defense systems that—

(i) will strengthen the bilateral, strategic partnership between the two countries;

(ii) will provide Poland with proven defense systems capabilities; and

(iii) promote deeper and closer bilateral cooperation between the two countries; and

(2) the United States stands ready to assist Poland to achieve its goals to modernize its defense capabilities and restructure its armed forces.

SEC. 16___[Log 53397]. DEPARTMENT OF DEFENSE SPACE SECURITY AND DEFENSE PROGRAM.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that—

(1) critical United States national security space systems are facing a serious growing foreign threat;

(2) the People's Republic of China and the Russian Federation are both developing capabilities to disrupt the use of space by the United States in a conflict, as recently outlined by the Director of National Intelligence in testimony before Congress; and

(3) a fully-developed multi-faceted space security and defense program is needed to deter and defeat any adversaries' acts of space aggression.

(b) REPORT ON ABILITY OF THE UNITED STATES TO DETER AND DEFEAT ADVERSARY SPACE AGGRESSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the ability of the Department of Defense to deter and defeat any act of space aggression by an adversary.

(c) STUDY ON ALTERNATIVE DEFENSE AND DETERRENCE STRATEGIES IN RESPONSE TO FOREIGN COUNTERSPACE CAPABILITIES.—

(1) STUDY REQUIRED.—The Secretary of Defense, acting through the Office of Net Assessment, shall conduct a study of potential alternative defense and deterrent strategies in response to the existing and projected counterspace capabilities of China and Russia. Such study shall include an assessment of the congruence of such strategies with the current United States defense strategy and defense programs of record, and the associated implications of pursuing such strategies.

(2) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the results of the study required under paragraph (1).

SEC. 16___ [Log 53430]. EVOLVED EXPENDABLE LAUNCH VEHICLE NOTIFICATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the evolved expendable launch vehicle program provides a critical national security launch capability;

(2) the Air Force is working to maintain mission assurance and reduce costs of such program;

(3) the Air Force should continue the current block buy contract for such program; and

(4) the Air Force should continue to provide opportunities for competition to certified launch providers.

(b) NOTIFICATION.—The Secretary of the Air Force shall provide to the appropriate congressional committees notice of each change to the evolved expendable launch vehicle acquisition plan and schedule from the plan and schedule included in the budget submitted by the President under section 1105 of title 31, United States Code, for fiscal year 2015. Such notification shall include—

(1) an identification of the change;

(2) a national security rational for the change;

(3) the impact of the change on the evolved expendable launch vehicle block buy contract;

(4) the impact of the change on the opportunities for competition for certified evolved expendable launch vehicle launch providers; and

(5) the costs of the change.

(c) APPLICABILITY.—The requirement under subsection (b) shall apply to fiscal years 2015, 2016, and 2017.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) with respect to a change to the evolved expendable launch vehicle acquisition schedule for an intelligence-related launch, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 2___. [Log 53894] LIQUID ROCKET ENGINE DEVELOPMENT PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should develop a next-generation liquid rocket engine that—

(1) is made in the United States;

(2) meets the requirements of the national security space community;

(3) is developed by not later than 2019;

(4) is developed using full and open competition; and

(5) is available for purchase by all space launch providers of the United States.

(b) DEVELOPMENT.—

(1) IN GENERAL.—The Secretary of Defense shall develop a next-generation liquid rocket engine that enables the effective, efficient, and expedient transition from the use of non-allied space launch engines to a domestic alternative for the evolved expendable launch vehicle program.

(2) AUTHORIZATION OF APPROPRIATIONS.—Of the funds authorized to be appropriated by this Act for fiscal year 2015 for research, development, test, and evaluation, Air Force, as specified in the fund-

ing table in section 4201, $220,000,000 shall be available for the Secretary of Defense to develop a next-generation liquid rocket engine.

(c) COORDINATION.— The Secretary shall coordinate with the Administrator of the National Aeronautics and Space Administration, to the extent practicable, to ensure that the rocket engine developed under subsection (b) meets objectives that are common to both the national security space community and the space program of the United States.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator, shall submit to the appropriate congressional committees a report that includes—

(1) a plan to carry out the development of the rocket engine under subsection (b), including an analysis of the benefits of using public-private partnerships;

(2) the requirements of the program to develop such rocket engine; and

(3) the estimated cost of such rocket engine.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(3) The Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 16____.[Log 53270] RETENTION OF MISSILE SILOS.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that recent authorization and appropriations Acts passed by Congress and signed by the President have promulgated a national policy that it is in the national security interests of the United States to retain the maximum number of land-based strategic missile silos and their associated infrastructure to ensure that billions of dollars in prior taxpayer investments for such silos and infrastructure are not lost through precipitous actions which may be budget-driven, cyclical, and not in the long-term strategic interests of the United States.

(b) REQUIREMENT.—The Secretary of Defense shall preserve each intercontinental ballistic missile silo that contains a deployed missile as of the date of the enactment of this Act in, at minimum, a warm status that enables such silo to—

(1) remain a fully functioning element of the interconnected and redundant command and control system of the missile field; and

(2) be made fully operational with a deployed missile.

SEC. 16___. [Log 53291] PREPARATION OF ANNUAL BUDGET REQUEST REGARDING NUCLEAR WEAPONS.

Section 179(f) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

"(3)(A) With respect to the preparation of a budget for a fiscal year to be submitted by the President to Congress under section 1105(a) of title 31, the Secretary of Defense may not agree to a proposed transfer of estimated nuclear budget request authority unless the Secretary of Defense submits to the congressional defense committees a certification described in subparagraph (B).

"(B) A certification described in this subparagraph is a certification that includes the following:

"(i) Certification that, during the fiscal year prior to the fiscal year covered by the budget for which the certification is submitted, the Secretary of Energy obligated or expended any amounts covered by a proposed transfer of estimated nuclear budget request authority made for such prior fiscal year in a manner consistent with a memorandum of agreement that was developed by the Nuclear Weapons Council and entered into by the Secretary of Defense and the Secretary of Energy.

"(ii) A detailed assessment by the Nuclear Weapons Council regarding how the Administrator for Nuclear Security implemented any agreements and decisions of the Council made during such prior fiscal year.

"(iii) An assessment from each of the Vice Chairman of the Joints Chiefs of Staff and the Commander of the United States Strategic Command regarding any effects to the military during such prior fiscal year that were caused by the delay or failure of the Administrator to implement any agreements or decisions described in clause (ii).

"(4) The Secretary of Defense shall include with the defense budget materials for a fiscal year the memorandum of agreement described in paragraph (3)(B)(i) that covers such fiscal year.

"(5)(A) Not later than 30 days after the President submits to Congress the budget for a fiscal year under section 1105(a) of title 31, the Commander of the United States Strategic Command shall submit to the Chairman of the Joint Chiefs of Staff an assessment of—

"(i) whether such budget allows the Federal Government to meet the nuclear stockpile and stockpile stewardship program requirements during the

fiscal year covered by the budget and the four subsequent fiscal years; and

"(ii) if the Commander determines that such budget does not allow the Federal Government to meet such requirements, a description of the steps being taken to meet such requirements.

"(B) Not later than 30 days after the date on which the Chairman of the Joint Chiefs of Staff receives the assessment of the Commander of the United States Strategic Command under subparagraph (A), the Chairman shall submit to the congressional defense committees—

"(i) such assessment as it was submitted to the Chairman; and

"(ii) any comments of the Chairman.

"(6) In this subsection:

"(A) The term 'budget' has the meaning given that term in section 231(f) of this title.

"(B) The term 'defense budget materials' has the meaning given that term in section 231(f) of this title.

"(C) The term 'proposed transfer of estimated nuclear budget request authority' means, in preparing a budget, a request for the Secretary of Defense to transfer an estimated amount of the proposed budget authority of the Secretary to the Sec-

1 retary of Energy for purposes relating to nuclear
2 weapons.''.

SEC. 16___. [Log 53855] ASSESSMENT OF NUCLEAR WEAPON SECONDARY REQUIREMENT.

(a) ASSESSMENT.—The Secretary of Defense, in coordination with the Secretary of Energy and the Commander of the United States Strategic Command, shall assess the annual secondary production requirement needed to sustain a safe, secure, reliable, and effective nuclear deterrent.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Energy and the Commander of the United States Strategic Command, shall submit to the congressional defense committees a report regarding the assessment conducted under subsection (a).

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An explanation of the rationale and assumptions that led to the current 50 to 80 secondaries per year production requirement, including the factors considered in determining such requirement.

(B) An analysis of whether there are any changes to such 50 to 80 secondaries per year production requirement, including the reasons for any such changes.

(C) A description of how the secondary production requirement is affected by or related to—

(i) the demands of stockpile modernization, including the schedule for life extension programs;

(ii) the requirement for a responsive infrastructure, including the ability to hedge against technical failure and geopolitical risk; and

(iii) the number of secondaries held in reserve or the inactive stockpile, and the likelihood such secondaries may be reused.

(E) The proposed time frame for achieving such 50 to 80 secondaries per year production requirement.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SEC. 16___. [Log 53467] INDEPENDENT REVIEW OF THE PERSONNEL RELIABILITY PROGRAM OF THE DEPARTMENT OF DEFENSE AND THE HUMAN RELIABILITY PROGRAM OF THE DEPARTMENT OF ENERGY.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly seek to enter into a contract with a federally funded research and development center to conduct an independent review of the personnel reliability program of the Department of Defense and the human reliability program of the Department of Energy.

(2) MATTERS INCLUDED.—The review under paragraph (1) shall include the following:

(A) An examination of the costs and benefits of each program described in paragraph (1).

(B) Examples of successes and failures for each such program.

(C) The reporting and administrative requirements of each such program.

(D) The authorities and responsibilities of the commanders and managers of each such program.

(E) Guidance for when certain positions must be included in each such program.

(F) Recommendations with respect to making each such program more effective, more efficient, and, to the extent appropriate, more consistent between the Departments.

(G) Any other matters the Secretaries jointly determine appropriate.

(b) REPORT.—Not later than October 1, 2015, the Secretaries shall jointly submit to the congressional defense committees such review.

SEC. 31___. [Log 53234] LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) LIMITATION.—Of the funds authorized to be appropriated for fiscal year 2015 by section 3101 and available for the Office of the Administrator as specified in the funding table in section 4701, or otherwise made available for that Office for that fiscal year, not more than 75 percent may be obligated or expended until—

(1) the President transmits to Congress the matters required to be transmitted during 2015 under section 4205(f)(2) of the Atomic Energy Defense Act (50 U.S.C. 2525(f)(2));

(2) the President transmits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the matters—

(A) required to be transmitted during 2015 under section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1576); and

(B) with respect to which the Secretary of Energy is responsible;

(3) the Secretary submits to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives the report required to be submitted during 2015 under section 3122(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1710); and

(4) the Administrator for Nuclear Security submits to the congressional defense committees the detailed report on the stockpile stewardship, management, and infrastructure plan required to be submitted during 2015 under section 4203(b)(2) of the Atomic Energy Defense Act (50 U.S.C. 2523(b)(2)).

(b) OFFICE OF THE ADMINISTRATOR DEFINED.—In this section, the term ''Office of the Administrator'', with respect to accounts of the National Nuclear Security Administration, includes any account from which funds are derived for ''Federal Salaries and Expenses''.

SEC. 31___. [Log 53449] PRODUCTION OF NUCLEAR WARHEAD FOR LONG-RANGE STANDOFF WEAPON.

(a) FIRST PRODUCTION UNIT.—The Secretary of Energy shall deliver a first production unit for a nuclear warhead for the long-range standoff weapon by not later than September 30, 2025.

(b) PLAN.—

(1) DEVELOPMENT.—The Secretary of Energy and the Secretary of Defense shall jointly develop a plan to carry out subsection (a).

(2) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretaries shall jointly submit to the congressional defense committees the plan developed under paragraph (1).

(c) NOTIFICATION AND ASSESSMENT.—

(1) NOTIFICATION.—If at any time the Secretary of Energy determines that the Secretary will not deliver a first production unit for a nuclear warhead for the long-range standoff weapon by not later than September 30, 2025, the Secretary shall notify the congressional defense committees, the Secretary of Defense, and the Commander of the United States Strategic Command of such determination,

including an explanation for why the delivery will be delayed.

(2) ASSESSMENT.—If the Secretary of Energy makes a notification under paragraph (1), the Commander of the United States Strategic Command shall submit to the congressional defense committees an assessment of the delay described in the notification, including—

(A) the effects of such delay to national security and nuclear deterrence and assurance; and

(B) any mitigation options available.

SEC. 31___. [Log 53244] DESIGN AND USE OF PROTOTYPES OF NUCLEAR WEAPONS FOR INTELLIGENCE PURPOSES.

(a) IN GENERAL.—Subsection (a) of section 4509 of the Atomic Energy Defense Act (50 U.S.C. 2660) is amended to read as follows:

''(a) PROTOTYPES.—(1) Not later than the date on which the President submits to Congress under section 1105 of title 31, United States Code, the budget for fiscal year 2016, the directors of the national security laboratories shall jointly develop a multiyear plan to design and build prototypes of nuclear weapons to further intelligence estimates with respect to foreign nuclear weapons activities and capabilities.

''(2) Not later than the date on which the President submits to Congress under section 1105 of title 31, United States Code, the budget for an even-numbered fiscal year occurring after fiscal year 2017, the directors shall jointly develop an update to the plan developed under paragraph (1).

''(3)(A) The directors shall jointly submit to the Secretary of Energy the plan and each update developed under paragraphs (1) and (2), respectively.

"(B) Not later than 30 days after the date on which the directors submit the plan and each update under subparagraph (A), the Secretary of Energy shall submit to the congressional defense committees such plan and each such update, without change.

"(4)(A) The Secretary, in coordination with the directors of the nuclear weapons laboratories, shall carry out the plan developed under paragraph (1), including the updates to the plan developed under paragraph (2).

"(B) The Secretary may determine the manner in which the designing and building of prototypes of nuclear weapons is carried out under such plan.

"(C) The Secretary shall promptly submit to the congressional defense committees written notification of any changes the Secretary makes to such plan pursuant to subparagraph (B), including justifications for such changes.".

(b) MATTERS INCLUDED.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

(2) by inserting after subsection (a) the following new subsection:

"(b) MATTERS INCLUDED.—(1) The directors shall ensure that the plan developed and updated under sub-

section (a) provides increased information upon which to base intelligence assessments and emphasizes the competencies of the national security laboratories with respect to designing and building prototypes of nuclear weapons.

''(2) To carry out paragraph (1), the plan developed and updated under subsection (a) shall include the following:

''(A) Design and system engineering activities of full-scale engineering prototypes (using surrogate special nuclear materials), including weaponization features as required.

''(B) Design, system engineering, and experimental testing (using surrogate special nuclear materials) of above-ground experiment test hardware.

''(C) Design and system engineering of scaled or subcomponent experimental test articles (using special nuclear materials) for conducting experiments at the Nevada National Security Site.''.

(c) CONFORMING AMENDMENT.—Subsection (c) of such section, as redesignated by subsection (b), is amended by striking ''subsection (a), the Administrator'' and inserting ''this section, the Secretary''.

SEC. 31___. [Log 53265] AUTHORIZED PERSONNEL LEVELS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) FULL-TIME EQUIVALENT PERSONNEL LEVELS.—Subsection (a) of section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 2441a) is amended—

(1) in paragraph (1)—

(A) by striking ''2014'' and inserting ''2015''; and

(B) by striking ''1,825'' and inserting ''1,650''; and

(2) in paragraph (2)—

(A) by striking ''2015'' and inserting ''2016''; and

(B) by striking ''1,825'' and inserting ''1,650''.

(b) DEFINITION.—Such section is further amended by adding at the end the following new subsection:

''(e) OFFICE OF THE ADMINISTRATOR EMPLOYEES.—In this section, the term 'Office of the Administrator', with respect to the employees of the Administration, includes employees whose funding is derived from an

1 account of the Administration titled 'Federal Salaries and
2 Expenses'.''.

SEC. 31____. [Log 53445] COST CONTAINMENT FOR URANIUM CAPABILITIES REPLACEMENT PROJECT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the April 2010 Nuclear Posture Review, a February 2011 letter from the President to the Senate, and many other policy statements and documents have identified the Uranium Capabilities Replacement Project as a critical nuclear modernization priority;

(2) the failure of the Department of Energy and the National Nuclear Security Administration to successfully and efficiently execute and oversee the Uranium Capabilities Replacement Project undermines national security and jeopardizes the long-term credibility of the nuclear deterrent

(3) the April 8, 2014, testimony of the Acting Administrator for Nuclear Security that ''close to half'' of the $1,200,000,000 taxpayers have spent on the design of such project has been wasted is a grievous misuse of limited taxpayer funds, and the appropriate officials of the Federal Government and contractors must be held accountable;

(4) the uranium capabilities and modern infrastructure that are to be provided by all three phases of the Uranium Capabilities Replacement Project are critical to national security and Congress fully supports efforts to deliver all of these capabilities efficiently and expeditiously;

(5) focused attention and robust leadership from the highest levels of the executive branch and Congress are required to ensure that such project delivers such critical national security capabilities; and

(6) the Secretary of Energy and the Administrator for Nuclear Security must ensure that lines of responsibility, authority, and accountability for such project are clear going forward.

(b) COST AND OVERSIGHT OF PROJECT.—Section 3123 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2178), as amended by section 3126 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1063), is amended—

(1) by amending subsection (d) to read as follows:

''(d) COST OF PHASE I.—

"(1) LIMITATION.—The total cost of Phase I under subsection (a) of the project referred to in such subsection may not exceed $4,200,000,000.

"(2) ADJUSTMENT.—If the Secretary determines the total cost of Phase I will exceed the amount set forth in paragraph (1), the Secretary may adjust such amount if, by not later than March 1, 2015, the Secretary submits to the congressional defense committees a detailed justification for such adjustment, including—

"(A) the amount of the adjustment and the proposed total cost of Phase I;

"(B) a detailed justification for such adjustment, including a description of the changes that would be required to the project referred to in subsection (a) if Phase I were to not exceed the total cost set forth in paragraph (1);

"(C) a detailed description of the actions taken to hold appropriate contractors, employees of contractors, and employees of the Federal Government accountable for the repeated failures within the project;

"(D) a description of the clear lines of responsibility, authority, and accountability for the project as the project continues, including

descriptions of the roles and responsibilities for each key Federal and contractor position; and

"(E) a detailed description of the structural reforms planned or implemented by the Secretary to ensure Phase I is executed on time and on schedule.

"(3) ANNUAL CERTIFICATION.—Not later than March 1 of each year through 2025, the Secretary shall certify in writing to the congressional defense committees and the Secretary of Defense that Phase I under subsection (a) of the project referred to in such subsection will meet—

"(A) the total cost set forth in paragraph (1) (as adjusted pursuant to paragraph (2) if so adjusted); and

"(B) a schedule that enables, by not later than 2025—

"(i) uranium operations in building 9212 to cease; and

"(ii) uranium operations in a new facility constructed under such project to begin.

"(4) REPORT.—If the Secretary of Energy does not make a certification by March 1 of any year in which a certification is required under paragraph

(3), by not later than May 1 of such year, the Chairman of the Nuclear Weapons Council shall submit to the congressional defense committees a report that identifies the resources of the Department of Energy that the Chairman determines should be redirected to enable the Department of Energy to meet the total cost and schedule described in subparagraphs (A) and (B) of such paragraph.";

(2) in subsection (e), by adding at the end the following new paragraph:

"(3) REPORT.—Not later than March 1, 2015, the Secretary of Energy and the Secretary of the Navy shall jointly submit to the congressional defense committees a report detailing the implementation of paragraphs (1) and (2), including—

"(A) a description of the program management, oversight, design, and other responsibilities for the project referred to in subsection (a) that are provided to the Commander of the Naval Facilities Engineering Command pursuant to paragraph (1); and

"(B) a description of the funding used by the Secretary under paragraph (2) to carry out paragraph (1)."; and

(3) by striking subsections (g) and (h).

SEC. 31___. [Log 53454] ADDITIONAL LIMITATION ON AVAILABILITY OF FUNDS FOR OFFICE OF THE ADMINISTRATOR FOR NUCLEAR SECURITY.

(a) LIMITATION.—In addition to the limitation in [section 31____], of the funds authorized to be appropriated for fiscal year 2015 by section 3101 and available for the Office of the Administrator as specified in the funding table in section 4701, or otherwise made available for that Office for that fiscal year, not more than 90 percent may be obligated or expended until the date on which the Administrator for Nuclear Security submits to the congressional defense committees a report on the efficiencies proposed by the study titled "2012 Joint DOE/DoD Study on Potential NNSA Management and Work Force Prioritization Efficiencies" conducted jointly by the Administrator and the Director of Cost Assessment and Program Evaluation. Such report shall include details on how the Administrator will carry out during fiscal year 2015 each efficiency measure proposed by such joint study.

(b) REPORT.—Not later than March 1, 2015, the Nuclear Weapons Council established by section 179 of title 10, United States Code, shall submit to the congressional defense committees a report that includes the following:

(1) The efficiencies that the Council recommends the Administrator to carry out during fiscal year 2016.

(2) An assessment by the Council of—

(A) the report submitted by the Administrator under subsection (a)(1) of section 3123 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1711);

(B) the report submitted by the Comptroller General of the United States under subsection (b) of such section; and

(C) each of the matters described in subparagraphs (A) through (E) of subsection (a)(2) of such section.

(c) OFFICE OF THE ADMINISTRATOR DEFINED.—In this section, the term ''Office of the Administrator'', with respect to accounts of the National Nuclear Security Administration, includes any account from which funds are derived for ''Federal Salaries and Expenses''.

SEC. 31____. [Log 53456] RECOVERY OF COSTS RELATING TO NON-NATIONAL NUCLEAR SECURITY ADMINISTRATION USE OF CERTAIN FACILITIES.

(a) IN GENERAL.—Title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

"SEC. 4733. RECOVERY OF COSTS RELATING TO NON-ADMINISTRATION USE OF CERTAIN FACILITIES.

"(a) IN GENERAL.—With respect to an experiment conducted at a facility described in subsection (b) for a user or entity that is not an element of the Administration, the Administrator shall recover the full costs of the experiment in accordance with Department of Energy Order 522.1 or any successor to such order.

"(b) FACILITY DESCRIBED.—A facility described in this subsection is any of the following:

"(1) The National Ignition Facility at Lawrence Livermore National Laboratory.

"(2) The Z Machine at Sandia National Laboratories.".

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4732 the following new item:

''Sec. 4733. Recovery of costs relating to non-Administration use of certain facilities.''.

SEC. 31___. [Log 53726] PLUTONIUM PIT PRODUCTION CAPACITY.

(a) FINDINGS.—Congress finds the following:

(1) In 2008, the Department of Defense and the Department of Energy, acting through the Nuclear Weapons Council established by section 179 of title 10, United States Code, agreed on a strategy to balance cost, risk, and stockpile needs and established the requirement for the Department of Energy to produce 50 to 80 plutonium pits per year.

(2) In a memorandum of agreement dated May 3, 2010, entered into by the Secretary of Defense and the Secretary of Energy, the Secretaries agreed that the Department of Energy would achieve a minimum pit production capacity of 50 to 80 pits per year by 2022.

(3) The current plans of the Secretary of Energy would achieve a pit production capacity of 50 to 80 pits per year by 2031, resulting in a delay of nearly a decade as compared to the agreement described in paragraph (2).

(4) In a report dated January 14, 2014, that the Secretary of Defense submitted to Congress, the Secretary stated that "the Department of Defense

has revalidated its requirement for 50 – 80 pits per year based on the demands of stockpile modernization, the commitments to a modern physical infrastructure, and the ability to hedge against technical failure or geopolitical risk.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the requirement to create a modern, responsive nuclear infrastructure that includes the capability and capacity to produce, at minimum, 50 to 80 pits per year, is a national security priority;

(2) delaying creation of a modern, responsive nuclear infrastructure until the 2030s is an unacceptable risk to the nuclear deterrent and the national security of the United States; and

(3) timelines for creating certain capacities for production of plutonium pits and other nuclear weapons components must be driven by the requirement to hedge against technical and geopolitical risk and not solely by the needs of life extension programs.

(c) PIT PRODUCTION.—

(1) IN GENERAL.—Title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is

amended by inserting after the item relating to section 4218 the following new section:

"SEC. 4219. PLUTONIUM PIT PRODUCTION CAPACITY.

"(a) REQUIREMENT.—Consistent with the requirements of the Secretary of Defense, the Secretary of Energy shall ensure that the nuclear security enterprise—

"(1) during 2023, produces not less than 30 war reserve plutonium pits;

"(2) during 2026, produces not less than 50 war reserve plutonium pits; and

"(3) during a pilot period of not less than 90 days during 2027, demonstrates the capability to produce war reserve plutonium pits at a rate sufficient to produce 80 pits per year.

"(b) ANNUAL CERTIFICATION.—Not later than March 1, 2015, and each year thereafter through 2027, the Secretary shall certify to the congressional defense committees and the Secretary of Defense that the programs and budget of the Secretary will enable the nuclear security enterprise to meet the requirements under subsection (a).

"(c) PLAN.—If the Secretary does not make a certification by March 1 of any year in which a certification is required under subsection (b), by not later than May 1 of such year, the Chairman of the Nuclear Weapons

1 Council shall submit to the congressional defense commit-
2 tees a plan to enable the nuclear security enterprise to
3 meet the requirements under subsection (b). Such plan
4 shall include identification of the resources of the Depart-
5 ment of Energy that the Chairman determines should be
6 redirected to support the plan to meet such require-
7 ments.''.

8 (2) CLERICAL AMENDMENT.—The table of con-
9 tents for the Atomic Energy Defense Act is amended
10 by inserting after the item relating to section 4218
11 the following new item:

''Sec. 4219. Plutonium pit production capacity.''.

SEC. 31___. [Log 53770] DEFINITION OF BASELINE AND THRESHOLD FOR STOCKPILE LIFE EXTENSION PROJECT.

Section 4713 of the Atomic Energy Defense Act (50 U.S.C. 2753) is amended—

(1) in subsection (a)(1)(A), by adding after the period the following new sentence: ''In addition to the requirement under subparagraph (B), the cost and schedule baseline of a nuclear stockpile life extension project established under this subparagraph shall be the cost and schedule as determined by the weapon design and cost report required prior to the project entering into the development engineering phase.''; and

(2) in subsection (b)(2), by striking ''200'' and inserting ''150''.

SEC. 31___. [Log 53268] COST ESTIMATION AND PROGRAM EVALUATION BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3221(h) of the National Nuclear Security Administration Act (50 U.S.C. 2411) is amended by adding at the end the following new paragraph:

''(3) ADMINISTRATION.—The term 'Administration', with respect to any authority, duty, or responsibility provided by this section, does not include the Office of Naval Reactors.''.

SEC. 31____. [Log 53238] ANALYSIS AND REPORT ON W88 ALT 370 PROGRAM HIGH EXPLOSIVES OPTIONS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy, the Administrator for Nuclear Security, and the Chairman of the Nuclear Weapons Council shall jointly submit to the congressional defense committees a report on the W88 Alt 370 program that contains analyses of the costs, benefits, risks, and feasibility of each of the following options:

(1) Incorporating a refresh of the conventional high explosives of the W88 warhead as part of such program.

(2) Not incorporating such a refresh as part of such program.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, for each option described in paragraphs (1) and (2) of subsection (a), an analysis of the following:

(1) Near-term and lifecycle cost estimates, including costs to both the Navy and the National Nuclear Security Administration.

(2) Potential cost avoidance.

(3) Operational effects to the Navy and to the capacity and throughput of the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501) of the National Nuclear Security Administration.

(4) The expected longevity of the W88 warhead.

(5) Near-term and long-term safety and security risks and potential risk-mitigation measures.

(6) Any other matters the Secretary, the Administrator, or the Chairman considers appropriate.

SEC. 31___. [Log 53471] PILOT PROGRAM ON PUBLIC-PRIVATE PARTNERSHIPS.

(a) PILOT PROGRAM.—The Administrator for Nuclear Security shall establish a pilot program under which the Administrator shall seek to enter into not less than two public-private partnerships to build modern, non-nuclear facilities for the nuclear security enterprise (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(b) PLAN.—Not later than 270 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a plan describing not less than two projects to build modern, non-nuclear facilities for the nuclear security enterprise that the Administrator will seek to carry out under subsection (a).

SEC. 31___ [Log 53447]. TECHNICAL CORRECTIONS TO NATIONAL NUCLEAR SECURITY ADMINISTRATION ACT.

(a) STATUS OF CERTAIN PERSONNEL.—Section 3220(c) of the National Nuclear Security Administration Act (50 U.S.C. 2410(c)) is amended—

(1) by inserting an em dash after ''activities between'';

(2) by realigning paragraphs (1) and (2) so as to be indented two ems from the left margin; and

(3) in paragraph (1), by striking '', and'' and inserting ''; and''.

(b) CONGRESSIONAL OVERSIGHT OF CERTAIN PROGRAMS.—Section 3236(a)(2)(B)(iv) of such Act (50 U.S.C. 2426(a)(2)(B)) is amended—

(1) by inserting an em dash after ''program for'';

(2) by realigning subclauses (I), (II), and (III) so as to be indented four ems from the left margin; and

(3) in subclause (I), by striking ''year,'' and inserting ''year;'' and

(4) in subclause (II), by striking '', and'' and inserting ''; and''.

SEC. 31___ [Log 53446]. TECHNICAL CORRECTIONS TO ATOMIC ENERGY DEFENSE ACT.

(a) DEFINITIONS.—Section 4002(3) of the Atomic Energy Defense Act (50 U.S.C. 2501(3)) is amended by striking ''Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 401 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 435 note),'' and inserting ''Executive Order No. 12333 of December 4, 1981 (50 U.S.C. 3001 note), Executive Order No. 12958 of April 17, 1995 (50 U.S.C. 3161 note), Executive Order No. 13526 of December 29, 2009 (50 U.S.C. 3161 note),''.

(b) MANAGEMENT STRUCTURE.—Section 4102(b)(3) of such Act (50 U.S.C. 2512(b)(3)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''for improving the'';

(2) in subparagraph (A), by inserting ''for improving the'' before ''governance''; and

(3) in subparagraph (B), by inserting ''relating to'' before ''any other''.

(c) STOCKPILE STEWARDSHIP.—Section 4203(d)(4)(A)(i) of such Act (50 U.S.C. 2523(d)(4)(A)(i)) is amended by striking ''50 U.S.C. 404a'' and inserting ''50 U.S.C. 3043''.

(d) REPORTS ON STOCKPILE.—Section 4205(b)(2) of such Act (50 U.S.C. 2525(b)(2)) is amended by striking ''commander'' and inserting ''Commander''.

(e) ADVICE ON RELIABILITY OF STOCKPILE.—Section 4218 of such Act (50 U.S.C. 2538) is amended—

(1) in subsection (d), by striking ''commander'' and inserting ''Commander''; and

(2) in subsection (e)(1), by striking ''representatives'' and inserting ''a representative''.

(f) DISPOSITION OF CERTAIN PLUTONIUM.—Section 4306 of such Act (50 U.S.C. 2566) is amended—

(1) in subsection (b)(6)(C), by striking ''paragraph (A)'' and inserting ''subparagraph (A)'';

(2) in subsection (c)(2), by striking ''2002'' and inserting ''2002,''; and

(3) in subsection (d)(3), by inserting ''of Energy'' after ''Department''.

(g) LIMITATION ON USE OF FUNDS IN RELATION TO F-CANYON FACILITY.—Section 4454 of such Act (50 U.S.C. 2638) is amended in paragraphs (1) and (2) by inserting ''of'' after ''assessment''.

(h) INSPECTIONS OF CERTAIN FACILITIES.—Section 4501(a) of such Act (50 U.S.C. 2651(a)) is amended by striking ''nuclear weapons facility'' and inserting ''na-

tional security laboratory or nuclear weapons production facility''.

(i) NOTICE RELATING TO CERTAIN FAILURES.—Section 4505 of such Act (50 U.S.C. 2656) is amended—

(1) in subsection (b), by striking the subsection heading and inserting the following: ''SIGNIFICANT ATOMIC ENERGY DEFENSE INTELLIGENCE LOSSES''; and

(2) in subsection (e)(2), by striking ''50 U.S.C. 413'' and inserting ''50 U.S.C. 3091''.

(j) REVIEW OF CERTAIN DOCUMENTS BEFORE DECLASSIFICATION AND RELEASE.—Section 4521(b) of such Act (50 U.S.C. 2671(b)) is amended by striking ''Executive Order 12958'' and inserting ''Executive Order No. 13526 (50 U.S.C. 3161 note)''.

(k) PROTECTION AGAINST RELEASE OF RESTRICTED DATA.—Section 4522 of such Act (50 U.S.C. 2672) is amended—

(1) in subsection (a), by striking ''Executive Order No. 12958 (50 U.S.C. 435 note)'' and inserting ''Executive Order No. 13526 (50 U.S.C. 3161 note)'';

(2) in subsection (b)(1), by striking ''Executive Order No. 12958'' and inserting ''Executive Order No. 13526'';

(3) in subsection (f)(2), by striking ''Executive Order No. 12958'' and inserting ''Executive Order No. 13526''.

(l) IDENTIFICATION OF DECLASSIFICATION ACTIVITIES IN BUDGET MATERIALS.—Section 4525(a) of such Act (50 U.S.C. 2675(a)) is amended by striking ''Executive Order No. 12958 (50 U.S.C. 435 note)'' and inserting ''Executive Order No. 13526 (50 U.S.C. 3161 note)''.

(m) WORKFORCE RESTRUCTURING PLAN.—Section 4604(f)(3) of such Act (50 U.S.C. 2704(f)(3)) is amended by striking ''Nevada and'' and inserting ''Nevada, and''.

(n) AVAILABILITY OF FUNDS.—Section 4709(b) of such Act (50 U.S.C. 2749(b)) is amended by striking ''athorization'' and inserting ''authorization''.

(o) TRANSFER OF DEFENSE ENVIRONMENTAL CLEANUP FUNDS.—Section 4710(b)(3)(B) of such Act (50 U.S.C. 2750(b)(3)(B)) is amended by striking ''management'' and inserting ''cleanup''.

(p) RESTRICTION ON USE OF FUNDS TO PAY CERTAIN PENALTIES.—Section 4722 of such Act (50 U.S.C. 2762) is amended—

(1) by inserting an em dash after ''Department of Energy if'';

(2) by realigning paragraphs (1) and (2) so as to be indented two ems from the left margin; and

(3) in paragraph (1), by striking ", or" and inserting "; or".

(q) RESEARCH AND DEVELOPMENT BY CERTAIN FACILITIES.—Section 4832(a) of such Act (50 U.S.C. 2812(a)) is amended by striking "for Nuclear Security".

(r) REPORT ON HANFORD TANK SAFETY.—Section 4441 of such Act (50 U.S.C. 2621) is amended by striking subsection (d).

(s) CRITICAL TECHNOLOGY PARTNERSHIPS.—Section 4813(a) of such Act (50 U.S.C. 2794(a)) is amended by striking "that atomic energy defense activities research on, and development of, any dual-use critical technology" and inserting "that research on and development of dual-use critical technology carried out through atomic energy defense activities".

(t) TABLE OF CONTENTS.—The table of contents for such Act is amended by striking the item relating to section 4710 and inserting the following:

"Sec. 4710. Transfer of defense environmental cleanup funds.".

SEC. 3201. [Log 53700] AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2015, $30,150,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

SEC. 32___. [Log 53233] INSPECTOR GENERAL OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Subsection (a) of section 322 of the Atomic Energy Act of 1954 (42 U.S.C. 2286k(a)) is amended to read as follows:

"(a) IN GENERAL.—The Inspector General of the Nuclear Regulatory Commission shall serve as the Inspector General of the Board, in accordance with the Inspector General Act of 1978 (5 U.S.C. App.).".

SEC. 32___. [Log 53466] NUMBER OF EMPLOYEES OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) IN GENERAL.—Section 313(b)(1)(A) of the Atomic Energy Act of 1954 (42 U.S.C. 2286b(b)(1)(A)) is amended by striking ''150 full-time employees'' and inserting ''120 full-time employees''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2015.

DIRECTIVE REPORT LANGUAGE

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DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE

Items of Special Interest

Nuclear command and control for enduring tanker aircraft

As the Air Force recapitalizes its tanker fleet, the committee believes it is important that nuclear command and control requirements for tankers be revalidated and a long-term plan be developed to fulfill any unmet requirements. Therefore, the committee directs the Chairman of the Joint Chiefs of Staff, in consultation with the Secretary of the Air Force and the Commander, U.S. Strategic Command, to review, and if appropriate update, the requirements contained in

Chairman of the Joint Chiefs of Staff Instruction (CJCSI) 6811.01C related to nuclear command, control, and communications for tanker aircraft. The committee further directs the Chairman to submit a report to the congressional defense committees by April 1, 2015, on the results of this review.

Additionally, in the event that, subsequent to the Chairman's update, there are any unmet requirements contained in the updated 6811.01C for enduring tanker aircraft, the committee directs the Secretary of the Air Force to submit a plan to the congressional defense committees by November 1, 2015, to ensure that enduring tanker aircraft meet all requirements contained in CJCSI 6811.01C, as updated, related to nuclear command, control, and communications. The plan should include a schedule for updating all enduring tanker aircraft to meet any unmet requirements as well as associated costs and program details for such a plan.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

ITEMS OF SPECIAL INTEREST

Additional Reporting on the Transfer of International Traffic in Arms Regulations Controlled Missile Defense Technology to the National Aeronautics and Space Administration

In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee directed the Secretary of Defense, in consultation with the Federal Bureau of Investigation and the National Aeronautics and Space Administration (NASA), to provide a briefing to the congressional defense committees, the Committee on Commerce, Science and Transportation of the Senate, and the Committee on Science, Space and Technology of the House of Representatives, not later than August 1, 2013, that responds to certain questions concerning reports of the illegal transfer of Missile Defense Agency (MDA) developed technology.

The committee is troubled that the stated agencies have thus far been unable to respond to those questions. Therefore, the committee directs the Inspector General of the Department of Defense to investigate whether MDA technology was transferred to NASA other than by the Department's policies and procedures for the protection of classified and International Traffic in Arms (ITAR) controlled technology; whether classified technology was involved; whether it was retransferred beyond the control of the U.S. Government and, if so, whether any damage to the security of the United States resulted by that transfer; and who had access to that technology, including foreign nationals. The Inspector General is further directed to provide a preliminary report to the House Committee on Armed Services and the Committee on Science, Space, and Technology of the House of Representatives not later than November 31, 2014. In the event a final report is not complete by November 31, 2014, the Inspector General should brief the initial findings to the House Committee on Armed Services and the Committee on Science,

Space, and Technology of the House of Representatives. The committee expects NASA to provide unfettered access to MDA technology and related documents, personnel, and any other matters requested by the Inspector General of the Department of Defense. The Inspector General should immediately report to the committees any non-compliance or impairment with this direction.

In the event the Inspector General finds that such transfer(s) did occur, the committee directs the Inspector General to review the Department's compliance with its transfer policy and procedures department-wide and to provide an interim report to the House Committee on Armed Services on its plan to undertake this review not later than November 1, 2015.

Foreign Military Sales of U.S. Air and Missile Defense Systems and Interoperability with Friendly and Allied States

The committee believes that international cooperation in air and missile defense will continue to grow as the threat grows in sophistication and numbers, and as defense budgets for the U.S. and friendly and allied states continue to decline. Further, the committee believes that through interoperability, the United States and its allies can realize the benefits of force multiplication and economies of scale.

Conversely, the committee is concerned that the Department of Defense, the Department of State, and related U.S. Government agencies are not appropriately postured to fully promote the benefits of interoperable air and missile defense capabilities between the United States and friendly and allied countries. The committee is aware that, in many cases, policies related to data sharing and protection of sensitive and classified information are unclear. The committee is aware of examples where undeveloped policies and incomplete processes related to coproduction have stymied foreign military sales of these capabilities. Likewise, the committee has seen examples in which foreign states better position their indigenous capabilities in tenders and competitions, when superior U.S. capabilities have been offered but lack the clear support of the U.S. Government, across the Federal Government.

The committee believes that the multiplicity of agencies involved in these matters (specifically the Department of Defense (including the Defense Security Cooperation Agency; the Defense Technology Security Administration; the Missile Defense Agency; the military services; the Tri-Service Committee; the Under Secretary of Defense for Policy; and others), the Department of State, the Department of Commerce, and others) does not provide the focus and efficiency required to fully take advantage of the opportunities available to the United States by the interest of friendly and allied states in U.S. air and missile defense technology.

Therefore, the committee directs the Under Secretary of Defense for Policy to evaluate and provide a briefing to the House Committee on Armed Services by December 1, 2014, on the current structure for foreign military sales of air and

missile defense technology to friendly and allied states, associated obstacles or barriers, and recommend steps to improve the structure to make it more nimble, responsive, and to better position U.S. military technology in foreign tenders and competitions.

The committee further directs the Chairman of the Joint Chiefs of Staff, in consultation with the geographic combatant commanders and the Commander, U.S. Strategic Command, to conduct an analysis and provide a briefing to the House Committee on Armed Services by January 1, 2015, on the potential, in specific examples and recommendations, for foreign military sales of U.S. air and missile defenses to friendly and allied states to enhance interoperability and data sharing to better share the operational burden of defending against regional missile threats.

Lastly, the committee directs the Director, Defense Security Cooperation Agency to provide a briefing to the House Committee on Armed Services by November 15, 2014, on the intent of the United States, through the Department of Defense, to sell defense articles, equipment, and services related to U.S. air and missile defense technology under consideration and the potential for economies of scale.

Oversight of United States-Russian Federation Missile Defense Cooperation Discussions

In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee directed the Secretary of Defense, Secretary of State, and the Director, Missile Defense Agency to brief certain congressional committees on (1) missile defense discussions between the United States and the Russian Federation; (2) the use of missile defense declassification authority by Director, Missile Defense Agency; and (3) the declassification of certain missile defense information.

The committee directs that this information provided to the congressional committees pursuant to H. Rpt. 113-102 be updated by the Secretary of Defense, in coordination with the Director, Missile Defense Agency and the Secretary of State, and be reported to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives not later than August 1, 2014.

Additionally, at the March 25, 2014, House Committee on Armed Services Subcommittee on Strategic Forces hearing on the President's fiscal year 2015 budget request for missile defense, the Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy stated, "[w]ith regard to talks with Russia on transparency and cooperation, Russia's intervention in Ukraine in violation of international law led to the suspension of our military-to-military dialogues, including [Department of Defense] civilians, and we have subsequently not continued to engage Russia on the topic of missile defense."

The committee directs the Secretary of Defense to notify the House Committee on Armed Services not later than one week after the Department of Defense resumes any missile defense discussion with the Russian Federation.

Report on Countering Violations of the Intermediate-Range Nuclear Forces Treaty

On March 5, 2014, the Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy testified before the Senate Committee on Armed Services that, "[w]e are concerned about Russian activity that appears to be inconsistent with the Intermediate Range Nuclear Forces Treaty. We've raised the issue with Russia. They provided an answer that was not satisfactory to us, and we will, we told them that the issue is not closed, and we will continue to raise this." The committee shares this concern regarding Russian behavior that is "inconsistent with" or in violation or circumvention of the Intermediate-Range Nuclear Forces (INF) Treaty.

Additionally, the Commander, U.S. European Command, and Supreme Allied Commander Europe, stated on April 2, 2014, that, "A weapon capability that violates the INF, that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with…I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it…It can't go unanswered."

The committee directs the Chairman of the Joint Chiefs of Staff, in consultation with the Commander, U.S. European Command, the Commander, U.S. Central Command, and the Commander, U.S. Pacific Command, to provide a report to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives not later than September 1, 2014, detailing the following:

(1) A list of any military capabilities (beyond those indicated by the September 2013 report by the Chairman of the Joint Chiefs of Staff, "Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics") the United States would develop or deploy to satisfy military requirements but for United States compliance with and adherence to the INF Treaty;

(2) The capability of the Aegis Ashore systems scheduled to be deployed to Romania and the Republic of Poland to detect Russian military systems that are inconsistent with or in circumvention of the INF treaty, and the appropriate types of interceptor missiles, including interceptor missiles other than the Standard Missile-3, that would be capable of defending allies and U.S. deployed forces from such Russian military systems that could be deployed at such Aegis Ashore sites, as well as a detailed explanation of any hardware and software changes required to those sites in order to provide a cruise-missile defense capability, and the costs of those changes;

(3) The defensive capability of the Aegis Ashore system, currently situated on the Pacific Missile Range Facility in Hawaii, if redeployed to one of the following locations: Japan, the Baltic Region of Europe, or the South Caucuses of Europe;

(4) Options to increase the long-term, long-duration deployment of U.S. Aegis destroyers and cruisers, configured with the Aegis ballistic missile defense system, in the North Sea, Black Sea, Baltic Sea, White Sea, and other locations that provide an enhanced defense of the United States, deployed forces, and allies within range of the aforementioned Russian military systems, and costs of those options;

(5) Options to provide for the forward-deployment, on a non-temporary basis, for U.S. Terminal High Altitude Area Defense or PATRIOT units at potential locations in Eastern Europe, the South Caucuses of Europe, or in allied states in East Asia, and the costs of those options;

(6) Options to increase the deployment of U.S. Dual Capable Aircraft in states within range of the aforementioned Russian military systems, and the costs of those options;

(7) Potential locations in Eastern Europe or the South Caucuses of Europe, or in allied states in East Asia, for U.S. Weapons Storage and Security System weapons vaults that would reduce response time and increase proximity to potential threats, and the costs of constructing the vaults at those sites; and

(8) The potential sensor coverage of potential threats to allies and U.S. deployed forces if the United States deployed the Ground-based Radar Prototype presently located on Kwajalein Atoll at optimal locations in the Baltic States, the South Caucuses, Eastern Europe, or in allied states in East Asia, as well as the potential sensor coverage of additional forward-deployed Army-Navy/Transportable Radar Surveillance units at those locations, and the costs of deploying such sensors.

Report on Foreign Ballistic Missile Defense Programs

The committee notes the long-term utility of the annual reports on military power of states including the People's Republic of China and the Islamic Republic of Iran. Drawing on these examples, as an initial step, the committee is interested in better understanding the consequences of the increasing reliance on missile defenses by states around the globe.

For example, the committee was informed by the Chairman of the Joint Chiefs of Staff in his response to its direction in the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014 that: "Russia's objective with its ballistic missile defense (BMD) capabilities is to ensure defense of critical political and military targets in the Moscow area from a ballistic missile attack, either by the United States or any other nation with nuclear or conventional ballistic or cruise missile capabilities. China desires a BMD capability to protect its mainland and strategic forces. At present, China's existing long-range surface to air missile inventory offers a limited capability against short-range ballistic missiles. China is proceeding with research and development toward a missile defense umbrella consisting of intercept at exo-atmospheric altitudes

(>80km), as well as intercepts of ballistic missiles and other aerospace vehicles within the upper atmosphere."

The committee is also aware that the Republic of India is undertaking tests of its anti-ballistic missile defense system as part of its efforts to develop and deploy a ballistic missile defense shield. The committee is further aware of extensive U.S. missile defense cooperation involving the State of Israel, the Republic of Korea, Japan, the United Arab Emirates, the Kingdom of Saudi Arabia, the North Atlantic Treaty Organization, the Gulf Cooperation Council, and many others.

Therefore, the committee directs the Director, Defense Intelligence Agency, in cooperation with the Director, Missile and Space Intelligence Center and the Director, National Air and Space Intelligence Center, to provide an unclassified report to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives not later than November 15, 2014, that includes the following:

(1) A detailed description of ballistic missile defense programs of each state that possesses such a program, including role and capability of outer space in their system architecture, either through indigenous development or procurement from another state;

(2) The missile defense employment policy of that country, including any views on the reason such state has its missile defense system and any limitations on its use as a defense system, as well as any technical or doctrinal indications that a state's ballistic missile defense programs are intended to defend that state from U.S. ballistic missiles;

(3) Intent to, and established programs to, modernize such systems and relative budget as compared to national defense budget; and

(4) Indication that a state will abandon its ballistic missile defense program if the U.S. provides that state guarantees of any sort that U.S. ballistic missile defense programs are unrelated to that state's offensive forces.

Report on the Proliferation Activities of Karl Lee and the Support of the Chinese Government

The committee is aware that the United States has repeatedly invoked sanctions on Karl Lee, a national of the People's Republic of China, for his proliferation to the Islamic Republic of Iran of components related to its illegal ballistic missile program in violation of United States statutes (for example, the Iran, North Korea, and Syria Nonproliferation Act) and numerous Executive orders.

The committee is also aware that despite a criminal indictment in the United States for these activities, and numerous and repeated invocations of United States sanctions against him, China has made little apparent effort to respond to Karl Lee's activities. The committee believes it would be a benefit to the bilateral relationship between the two nations if China took efforts to arrest Karl Lee to stop permanently his illegal proliferation.

The committee directs the Director, Defense Intelligence Agency to submit a report to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives, not later than August 31, 2014, providing the following: ongoing proliferation activities involving Karl Lee or his front companies, and relationships between Karl Lee and officials of the Chinese government, including bribes or protection payments to ensure that his activities go unchallenged by the government. The report should be in unclassified form, with a classified annex if necessary.

Report on Updated Independent Cost Estimate of the European Phased Adaptive Approach

The committee is aware that the Department of Defense provided the October 2012 Cost Assessment and Program Evaluation (CAPE) Independent Cost Estimate (ICE) for the European Phased Adaptive Approach (EPAA) on February 25, 2014. The committee is aware of both the total acquisition and lifecycle cost as well as the statement of the Under Secretary of Acquisition, Technology and Logistics that there have been numerous requirement content changes to the EPAA since it was completed, including mission requirements.

Therefore, the committee directs the Director, Cost Assessment and Program Evaluation to update his October 2012 ICE and submit it directly to the congressional defense committees not later than November 15, 2014.

Republic of China Radar Interoperability

The committee is aware that the Republic of China (Taiwan) possesses a large and highly capable Early Warning Radar. The committee believes that, based on its geographical location, this radar could be a benefit to United States and allied missile defense objectives.

Therefore, the committee directs the Director, Missile Defense Agency to provide a report to the congressional defense committees not later than October 1, 2014, detailing his views on any benefits, and associated costs and security requirements, of integrating such radar with other United States missile defense and sensor systems to improve U.S. regional missile defense capabilities. The committee directs this report to be provided in unclassified form, with a classified annex if necessary.

Separately, the Under Secretary of Defense for Policy may provide an additional report detailing his views on the benefits and costs of such cooperation.

Updated Report on Russian Tactical Nuclear Weapons Developments

In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee directed the

Director, Defense Intelligence Agency to "provide unclassified semi-annual reports, with a classified annex if necessary, detailing the status of the development and deployment by the Russian Federation of nuclear weapons and associated delivery systems not subject to strategic arms control treaties. Such reports shall include status of deployment, numbers of deployed systems, expected employment doctrine, and status of training in the employment of such systems by the military forces of the Russian Federation."

The committee has received one such report and found it to be less responsive to its direction than it hoped. Therefore, the committee directs the Director, Defense Intelligence Agency to submit a report to the House Committee on Armed Services not later than October 1, 2014, that includes the following:

(1) The status of the development and deployment by the Russian Federation of nuclear weapons and associated delivery systems not subject to strategic arms control treaties;

(2) The numbers of such deployed and non-deployed systems;

(3) The expected employment doctrine; and

(4) The status of training in the employment of such systems by Russian military forces.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

ITEMS OF SPECIAL INTEREST

Additional Homeland Missile Defense Interceptor Site

The committee notes that section 239 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) provided for certain briefings on the development of an additional homeland defense interceptor site and section 4201 of that Act provided $20.0 million for planning activities related to such site.

The committee is also aware that on February 26, 2014, Commander, U.S. Northern Command (NORTHCOM) testified that:

"[T]he third site, if you built it, would give us better weapons access, it'd give us increased inventory and increased battle space with regards to a threat coming from the direction of the Middle East. So those are just facts. And that's what it would give to the combatant commander—and that's me—the one that's accountable for the defense of the homeland from the ICBM threats ... [Iran has] not stopped aspirational goals towards ICBM technologies. They have successfully put a missile—space vehicle into orbit, and that demonstrates the types of technologies that you need to develop an ICBM ... I think it was very prudent to direct us—or the Missile Defense Agency—to do a site selection."

The committee acknowledges the assessment of the Commander of NORTHCOM and therefore directs the Director, Missile Defense Agency (MDA), in

coordination with the Commander, U.S. Northern Command, to provide the House Committee on Armed Services briefings not less than every 90 days through the end of fiscal year 2015, and starting not later than September 15, 2014, on the following:

(1) Progress updating the cost estimates provided to the committee in March 2012 for the additional homeland missile defense site;

(2) Progress updating the Facility Requirement Documents, such as those developed for the ground-based interceptor site at Ft. Greely, Alaska, and the planned site in the Republic of Poland, also known as the Third Site, and other planning and designing processes related to the construction of an additional homeland missile defense interceptor site; and

(3) Any additional matters they deem useful.

Furthermore, the committee directs the Director, MDA, in coordination with the Commander, U.S. NORTHCOM, not later than September 15, 2014, to provide the congressional defense committees a written and unclassified assessment of which of the potential sites for a homeland missile defense site under consideration offers the best site for the defense of the homeland from intercontinental ballistic missiles from Iran and whether such site is different than the site determined by the Commander in his 2007/2008 homeland missile defense study (the 2007-2008 U.S. NORTHCOM Ground-based Interceptor Study).

Briefing and Report on the Implementation of the Secretary of Defense's Plans for Cruise Missile Defense of the United States

The committee shares the concerns of the Commander, U.S. Northern Command, who testified on February 26, 2014, about the rising threat of cruise missile attack on the United States homeland and commends the Department of Defense for beginning to address this threat in an affordable manner. The Commander testified that:

"[W]e've been directed by the Secretary to ensure that we are also looking at how to provide effective defense against cruise missiles in a way that outpaces any threats, to include Russians ... and that's a three-phased approach that's been approved by the Pentagon. And it starts with getting the national capital region right. And right now, we're going through a test phase where two things have been added or are being added to the national capital region -- the stateside affordable radar, in conjunction with a joint elevated net sensor, the JLENS balloons. And what they're trying to accomplish is integrating that into an overall defensive plan that allows us to see, detect, track, warn and in the future hopefully engage cruise missiles that could pose a threat to the national capital region. Then the issue will be if the cruise missile threat continues to evolve, how do we then take and export that capability where we think we might need it to defend other strategically or critical infrastructure locations in the United States and Canada."

The committee supported the Secretary of Defense's plan in the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66). However, the committee is concerned that the Secretary's plan is in danger of not being executed

in only its second year of implementation. The committee is aware that the Joint Integrated Air and Missile Defense Organization had been responsible for implementation and funding for the initial capability in fiscal year 2014, but that responsibility is shifting to a military service in fiscal year 2015. The committee is aware that at least two of the key programs in the Secretary's plan are not funded by the responsible military service in the first year of its responsibility for doing so.

However, to more fully understand the impacts of the fiscal year 2015 budget request, the committee directs the Chairman of the Joint Chiefs of Staff, in consultation with the Chief of Staff of the Air Force and the Commander, U.S. Northern Command, to provide a briefing to the House Committee on Armed Services not later than June 30, 2014, explaining the impacts on the Secretary's cruise missile defense plan of the potential delays included in the fiscal year 2015 budget request and how the Chairman believes these potential delays can be avoided, including through reprogramming actions if necessary.

The committee directs the Chairman, in consultation with the Commander, U.S. Northern Command, and such other persons or agencies he deems expedient, to submit to the congressional defense committees a report not later than February 1, 2015, that includes the following: an identification of the longer term coordination challenges within the Department of Defense and the federal government concerning other government radar assets that could be useful to this mission and a plan to ensure their availability; an identification of any air space challenges that may be present at a more advantageous geographic location for defense of the national capital region and a plan to address them; views of, and recommendations from, the North American Air Domain Awareness Surveillance (NAADAS) Analysis of Alternatives (AoA); and a recommendation for the designation of a responsible Departmental authority to coordinate planning for the cruise missile defense mission and acquisition of related military capabilities.

Comptroller General Review of Nuclear Weapons Council

The role of the Nuclear Weapons Council (NWC) established by the National Defense Authorization Act for Fiscal Year 1987 (Public Law 99-661) has evolved with time and national needs. Today, the NWC's primary responsibilities focus on coordination and joint decisionmaking between the Department of Defense and the Department of Energy with respect to U.S. nuclear weapon policies, programs, schedules, and budgets.

Over the past several years, the NWC has considered and approved a series of actions, programs, and plans for the future of the U.S. nuclear weapons program that have shortly thereafter been thwarted by Department of Energy resource constraints and differing priorities. This tension has been exacerbated by Department of Energy's increasing reliance on annual budget authority transfers from Department of Defense (totaling over $1.0 billion each year) to accomplish its nuclear modernization mission. Recent defense authorization bills have sought to provide the NWC greater insight into Department of Energy's National Nuclear

Security Administration budget and budgeting process, but coordination and transparency problems remain apparent.

The committee directs the Comptroller General of the United States to submit a report to the congressional defense committees by April 1, 2015, containing an assessment of the Nuclear Weapons Council's role, responsibilities, and effectiveness in coordinating Department of Defense and Department of Energy policies, programs, schedules, and budgets for developing, sustaining, and modernizing nuclear delivery systems, nuclear weapons, and their supporting infrastructure. The Comptroller General should assess: (1) the authorities and responsibilities of the NWC; (2) the decisionmaking processes and procedures of the NWC and its subordinate committees; and (3) the ability of the NWC to implement, oversee, and ensure its decisions are successfully executed. The Comptroller General's report should include recommendations to the Department of Defense and Department of Energy, or matters for congressional consideration, as appropriate, to improve the effectiveness of the NWC.

Conventional Prompt Strike Capability Research, Development, and Acquisition

The committee is aware that in testimony before it on April 2, 2014, the Commander, U.S. Strategic Command stated:

"Conventional Prompt Strike (CPS) capability offers the opportunity to rapidly engage high-value targets without resorting to nuclear options. CPS could provide precision and responsiveness in Anti-Access Area Denial environments while simultaneously minimizing unintended military, political, environmental, economic, or cultural consequences. I support continuing research and development of these important capabilities."

The committee agrees. The committee recognizes the success of the Army's Advanced Hypersonic Weapon (AHW) test conducted on November 17, 2011, though it notes the failures of the Hypersonic Technology Vehicle tests. The committee is also aware of the planned flight test 2 of the AHW technology development system that will demonstrate operationally suitable ranges and performance as well as additional technologies needed to support continued development of this capability.

The committee is aware that following flight test 2, the Department of Defense plans to examine the feasibility of deploying a hypersonic prompt strike weapon on a submarine platform. The committee believes it is prudent to undertake these efforts but is concerned about the budget sufficiency to do so. The committee is also concerned that with the budget request for fiscal year 2015, and the Future Years Defense Program, there is not sufficient funding requested and planned for the transition of this technology to a military service for a full-scale development and acquisition program when the technology has reached appropriate maturity.

The committee notes that the 2010 Nuclear Posture Review stated that the Administration planned to deploy these capabilities, "while not negatively affecting the stability of our nuclear relationships with Russia or China." The committee

agrees with this policy. The committee also notes that it directed the Secretary of Defense to provide a report on any policy considerations concerning any potential ambiguity problems regarding the launch of a conventionally armed missile from submarine platforms and any potential verification measures that may be pursued in the Joint Explanatory Statement (Committee Print No. 2) accompanying the National Defense Authorization Act for Fiscal Year 2014. The committee has not yet received this directed report and is interested in a detailed understanding of how the Department plans to evaluate and resolve these potential problems.

The committee is also concerned that there does not appear to be an Army development program in the Department's plans, notwithstanding the fact that the only success the United States has seen with these technologies is the Army's AHW demonstrator. The committee believes it is prudent to consider whether a third flight test of the AHW could contribute to the Department's understanding of the feasibility of an Army development path.

The committee therefore directs the Under Secretary of Defense for Acquisition, Technology and Logistics, in coordination with the Chairman, Joint Chiefs of Staff, to submit a report to the congressional defense committees not later than February 1, 2015, that includes the following: a detailed plan for the future of CPS, including an estimated timeline for completion of current research and development activities and associated projected cost; a determination about which additional strategic infrastructure technologies and enabling capabilities may be required to support CPS; opportunities for inter-service collaboration in development of common technology; opportunities and efforts to transition technologies developed under this program to current and future weapons systems; a date by which CPS programs will be transitioned to military services for full development and acquisition; an assessment of the utility of a third AHW flight test; and, an updated assessment of threat for which the military requirement for this capability was validated.

Cost Assessment and Program Evaluation Review of Missile Defense Agency Tests and Targets Efficiencies

The committee is aware that the budget request for fiscal year 2015 and the Future Years Defense Program contains significant and meaningful efficiencies in the Missile Defense Agency (MDA) ballistic missile tests and targets program. The committee commends the efforts of the Director, MDA to achieve these hundreds of millions of dollars in savings by the measures proposed and believes these funds can and should be reinvested into important modernization programs for the ballistic missile defense system.

To support the Director, MDA, the committee directs the Director, Cost Assessment and Program Evaluation (CAPE), in coordination with the Director, MDA, to provide a briefing to the House Committee on Armed Services not later than October 31, 2014, detailing the views of the Director, CAPE on the likelihood

that the proposed efficiencies in MDA's test and targets programs can be realized and the Director's views as to whether there are opportunities to achieve further efficiencies in fiscal year 2015 and the Future Years Defense Program.

Directed Energy for Missile Defense

The committee is concerned with the fiscal year 2015 budget request for Missile Defense Agency (MDA) directed energy. The committee is also concerned that MDA has chosen to focus the limited funds included in the budget request for directed energy on two technologies, which may not in fact be the most promising technologies for multiple aspects of the missile defense mission. While the committee supports the MDA's focus on directed energy applications for the missile defense sensing mission, it does not believe it is appropriate to focus only on those applications.

The committee is aware of the progress being made by the U.S. Army and the U.S. Navy with testing, including field testing, of directed energy systems to destroy threats. The committee is also aware of cutting-edge work being done elsewhere in the Department of Defense. The committee notes that MDA pursued development of a megawatt class laser and had a successful test against a ballistic missile threat, though the program experienced technical challenges and delays. MDA has largely abandoned near-term development of its non-sensing directed energy efforts.

Therefore, the committee directs the Under Secretary of Defense for Acquisition, Technology and Logistics, in cooperation with the Assistant Secretary of Defense for Research and Engineering and the Director, Missile Defense Agency, to provide a roadmap to the House Committee on Armed Services not later than January 15, 2015, covering the development and deployment of missile defense technologies dealing with the destruction of threat ballistic missiles.

E4-B and Assessments on Nuclear Command and Control

In a January 2014 report to Congress required by the committee's report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the Air Force described the history and way ahead for sustainment of the E4-B fleet. The report described several abortive attempts to initiate a replacement program for the aging E4-B fleet, as well as the increasingly difficult and costly efforts to sustain and recapitalize E4-B systems. Plans for replacement of the E4-B have been delayed largely because of uncertainty in future concepts of operations (CONOPs) for nuclear command, control, and communications (NC3) National Military Command System (NMCS) airborne fleets. The January 2014 report describes several efforts underway, and scheduled for completion by late-summer 2014, that are examining and defining NC3 requirements, architectures, and CONOPs. The committee believes these efforts must be completed expeditiously

to inform critical decisions regarding the nation's NC3 system, including potential replacement of the E4-B system.

Therefore, the committee directs the Chairman of the Joint Chiefs of Staff to submit to the congressional defense committees by November 15, 2014, the reports resulting from the ongoing capabilities-based assessment of the nuclear command and control system and the mission area analysis of the NC3 NMCS airborne fleet.

Fielding of Global Positioning System Military Code

The committee fully supports investments to the Global Positioning System (GPS) to maintain U.S. military preeminence in positioning, navigation, and timing. In particular, the Department of Defense is working to field the military code (M-code), which is a capability designed to provide improved resistance to existing and emerging threats, to include jamming.

In the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, the committee noted its concern that the current schedule for GPS III spacecraft, Next Generation Operational Control System, and the user equipment is not aligned. The committee believes that this is still a valid concern. The committee also notes the requirements stated in section 913 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) requiring the Department to purchase M-code capable user equipment during the fiscal years after fiscal year 2017.

Therefore, the committee directs the Comptroller General of the United States to provide a report to the congressional defense committees by March 15, 2015, on the progress the Department is making in deploying an M-code capability. This assessment should include current and planned investments; whether key milestones are being met; the projected ability to the meet the requirements in section 913 of Public Law 111-383; and an identification of the challenges that GPS faces and possible recommendations on how to make the program more successful in delivering M-code capabilities.

Global Positioning System Replenishment

The committee is aware of the Air Force's most recent plan to delay the procurement and launch of Global Positioning System (GPS) III constellation satellites. While the committee is aware that the Air Force may have made some technical changes to enable better power management of on-orbit satellites, this does not affect the overall constellation fragility as characterized by factors such as satellite age and technical state of internal redundancy or lack thereof. The committee is concerned with the revised Air Force plan and has not seen any detailed analysis to support the significant changes to the schedule.

Therefore, the committee directs the Secretary of the Air Force to provide a report to the congressional defense committees, by November 1, 2014, on the Global

Positioning System satellite constellation and replenishment plan. The GPS plan should address the following:

(1) Current satellite and launch vehicle acquisition schedule;

(2) Cost advantages and disadvantages of maintaining a satellite and launch vehicle acquisition schedule as planned in the fiscal year 2014 President's budget, as compared to the current schedule;

(3) Age, design life, and technical state of all on-orbit assets;

(4) Calculated functional availability as identified with planned launches;

(5) Risk assessment of not meeting the required functional availability;

(6) Options to lower the risk assessment, to include faster replenishment of satellites;

(7) National security impact if the necessary capability is not provided; and

(8) Risks of further schedule delays to the planned satellite and launch schedule.

High Capacity Satellite Communications

The committee is aware of the growing satellite communications needs of the Department of Defense. According to the fiscal year 2013 report from the Defense Business Board (DBB) titled, "Taking Advantage of Opportunities for Commercial Satellite Communications Services," the DBB states, "as the demand for service increases in the future, the cost of communications satellite services purchased by Defense Information Systems Agency is projected to grow to $3B-$5B over the next 15 years."

The committee believes that the use of modern technologies, such as high capacity communications satellites, may provide cost-effective bandwidth options to meet the Department's growing communications requirements. Therefore, the committee directs the Department of Defense Chief Information Officer to provide a briefing to the House Committee on Armed Services not later than October 15, 2014, on the potential use of modern technologies, such as high capacity communications satellites, to address the Department's requirements, and whether existing satellite communications acquisition processes and authorities are conducive to acquiring such technologies.

Kestrel Eye Joint Capability Technology Demonstration

The committee fully supports the U.S. Army Space and Missile Defense Command program called Kestrel Eye. Kestrel Eye is a Joint Capability Technology Demonstration of a nanosatellite-class imagery satellite that is designed for tactical ground forces. The satellite will provide the warfighter, in the field, a capability to directly task and receive operational data from a space-based collection system. The imagery intelligence will support rapid situational awareness.

The committee is aware that this is a technology demonstration in development and has not launched into orbit yet. The committee encourages the Department of Defense to find a suitable space launch opportunity to enable the

Army to complete a military utility assessment to evaluate the operational value of this capability.

The committee directs the Secretary of the Army, in coordination with the Chairman of the Joint Chiefs of Staff, to provide a briefing to the House Committee on Armed Services, within 180 days of initial operating capability, on the military utility assessment of Kestrel Eye.

Long Range Discriminating Radar for Homeland Missile Defense

Section 235 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66), directed the Director, Missile Defense Agency (MDA) to deploy a long-range discriminating radar (LRDR) against long-range ballistic missile threats from the Democratic People's Republic of Korea and authorized $30.0 million for that purpose.

In the budget request for fiscal year 2015, $79.5 million was also requested for this purpose. As the MDA's fiscal year 2015 budget overview states, "the new LRDR is a mid-course tracking radar that will provide persistent sensor coverage and improve discrimination capabilities against threats to the homeland from the Pacific theater. This new radar also will give the Sea-Based X-Band (SBX) radar more geographic deployment flexibility for contingency and test use."

The committee recalls that section 235 of Public Law 113-66 also requires a plan be developed for such contingency deployment, including on the East Coast of the United States against the potential long-range ballistic missile threat from the Islamic Republic of Iran. The committee looks forward to receiving this report in June 2014.

The committee supports the LRDR approach and intends to provide careful oversight over the technology and site selection processes for what the Future Years Defense Program indicates will be a nearly $1.0 billion program.

The committee is aware that the National Academy of Sciences report, "Making Sense of Ballistic Missile Defense: An Assessment of Concepts and Systems for U.S. Boost-Phase Missile Defense in Comparison to Other Alternatives," recommended one potential sensor architecture. The committee also recalls that in a study conducted by the Director, Missile Defense Agency in response to the committee report (H. Rept. 112-479) accompanying the National Defense Authorization Act for Fiscal Year 2013, it was clear that employing current technology, like the ground-based radar-prototype, could be highly affordable and effective. The committee expects the Director to consider these and other options.

The committee is also concerned that this necessary, $1 billion investment will be borne entirely by the Missile Defense Agency when, it is likely that the missile defense mission will consume very little of the LRDR's actual operational employment. The committee understands that missile defense will, by necessity, be the priority mission; however, it is expected that space situational awareness and other applications will likely be the primary operating mode.

Therefore, the committee directs the Director, Missile Defense Agency, in coordination with the Commander, U.S. Air Force Space Command and any other appropriate United States government agency, to provide a report to the congressional defense committees and the congressional intelligence committees prior to setting the requirements for the LRDR, and not later than January 1, 2015, detailing how those requirements will be optimized to perform missions including missile defense sensor coverage, space situational awareness, and other missions of interest to the United States. The committee believes that there is also the opportunity for cost-sharing of the costs of such radar design and operation and expects the report coordinated by the Director among these agencies will include an assessment of that opportunity. The committee is aware that the U.S. Air Force is making significant investments in space situational awareness and believes there exists the opportunity in this nascent MDA acquisition effort to realize significant efficiencies for the American taxpayer.

The committee further directs the Commander, U.S. Strategic Command, to provide a report to the congressional defense committees not later than January 31, 2015, detailing the requirement for space situational awareness coverage and how the LRDR fits into that coverage requirement and may enable a change in current plans to take advantage of this added capability.

Missile Defense Applications for Electro Magnetic Rail Gun Technology

The committee applauds the work of the Navy and the Strategic Capabilities Office (SCO) to develop an electro-magnetic rail gun that could be capable of use as a more affordable air and missile defense option. The committee is mindful that a significant body of work and technology maturation remains to be completed before a thorough evaluation of this technology's suitability for air and missile defense is possible.

The committee is concerned that the Missile Defense Agency (MDA) has been largely relegated to a minor, supporting role in the evaluation of rail gun technology thus far. The committee is aware that MDA has been granted significant exemptions from Department of Defense acquisition processes precisely to empower the agency to provide for the rapid development and fielding of cutting edge technology to defend the United States, its allies, and deployed forces from threat ballistic missiles. This exemption for MDA was reaffirmed in the Ballistic Missile Defense Review of 2010. The committee notes the value of cutting-edge and nimble development and acquisition to satisfy air and missile defense requirements, as well as the operational requirements of the combatant commanders, and it hopes MDA is still capable of such development and acquisition efforts.

The committee is also aware of the assumption of technical authority over Integrated Air and Missile Defense by MDA; and the committee believes this is a powerful opportunity to synergize efforts across the Department of Defense.

The committee has been briefed by SCO and MDA on the path ahead for evaluating rail gun technology for the air and missile defense mission, and believes

that rigorous testing is vital to that evaluation. The committee is concerned that the current test schedule creates the potential for progress to stall in fiscal year 2016 if SCO funding ends for this test program and MDA has not had sufficient test data to evaluate the technology for development as part of the ballistic missile defense system and inclusion in the budget request for fiscal year 2016.

Therefore, the committee directs the Director, Missile Defense Agency, in coordination with the Director, Strategic Capabilities Office, to provide a report to the congressional defense committees not later than November 15, 2014, that details the following:

(1) An agreed upon series of test events to determine the suitability of this technology for transfer to MDA for further development activity, including test exit criteria that should be met to warrant its transition;

(2) Funding required in fiscal year 2016 and future years to undertake that test activity (beyond those funds already provided by SCO);

(3) Opportunities to use existing MDA test events and assets to evaluate features of a rail gun system; and

(4) Opportunities to leverage other military service development and test activities to ensure the most cost-effective commitment of SCO, MDA, and other Department of Defense resources.

Mobile User Objective System

The committee supports the Department of the Navy's Mobile User Objective System (MUOS) space program. The committee is aware that MUOS will provide a critical communication capability for the warfighter by enabling greater mobility, higher data rates, and improved operational availability. Of the eventual five satellite constellation, there are currently two MUOS satellites on orbit which were launched in November 2012 and July 2013.

The committee is aware that MUOS has two payloads, one to continue the legacy narrowband communications capability and another with a modern adaptation of Wideband Code Division Multiple Access (WCDMA) cellular technology. The committee is concerned that the modern WCMDA payload, which represents the primary purpose of developing a MUOS system, is unavailable for use by the warfighter.

The committee is aware that the current Navy schedule projects the MUOS space and ground system to be operational in the first quarter of fiscal year 2015, but the user terminals will not be available until 21 months later. The committee is disappointed with this lack of synchronization in delivery of capability to the warfighter. Therefore, the committee directs the Secretary of the Navy, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics, to provide a briefing to the House Committee on Armed Services by December 1, 2014, on a plan to accelerate the fielding of the user terminals in support of the MUOS program.

Nuclear Detonation Detection System

The committee is aware of the joint Department of Defense and Department of Energy nuclear detonation (NUDET) detection system. The NUDET detection system is designed to detect, locate, and report on nuclear detonations in the Earth's atmosphere or near space in near real time. The program is designed to support treaty monitoring, integrated tactical warning and attack assessment, and nuclear force management. The committee is aware that the funding for this program is split between the Department of Defense and the Department of Energy, which can cause challenges in program execution and coordination. The committee notes the importance of meeting NUDET detection system requirements as part of its plans for its space architecture, understanding the multitude of requirements that exist on the space architecture and the declining budget.

Therefore, the committee directs the Secretary of Defense, in coordination with the Secretary of Energy and the Secretary of State, to provide a briefing to the House Committee on Armed Services by January 15, 2015, on the NUDET detection system. The briefing should include identification of the requirements, a strategic plan to address those requirements, and the cost and schedule of the associated activities.

Report and Plan for Minuteman III Sustainment

From 2001-09, the Air Force conducted a Propulsion Replacement Program to remanufacture solid rocket motors for the Minuteman III intercontinental ballistic missile system. This high-production rate program extended the life of 601 solid rocket motors an additional 20-25 years. In 2017, ongoing surveillance efforts will enable the Air Force to determine the expected service life of these remanufactured rocket motors; the first of which will likely age out between 2020-25. Concurrently, existing Minuteman III guidance electronics are expected to age out in the mid-2020s.

The committee notes that the Air Force is expected to finish its analysis of alternatives (AOA) for the follow-on to the Minuteman III in July 2014. Regardless of the outcome of this analysis, the Air Force plans to sustain and operate the Minuteman III system to 2030. The committee believes a significant gap and misalignment exists between the Air Force's stated intention to sustain Minuteman III to 2030 and the programs required to do so. Therefore, the committee directs the Secretary of the Air Force to provide a report to the congressional defense committees by February 1, 2015, containing the Air Force's plan and programs to sustain the Minuteman III system to 2030 or beyond. Such report and plan should: (1) be informed by the pending AOA; (2) assess the feasibility, costs, and benefits of initiating a low-rate production program for solid rocket motors, including identification of preparatory actions should current rocket motors begin aging out in 2020; and (3) to the extent practicable, align guidance replacement, propulsion replacement, and other efforts to minimize flight testing expenses.

Report on Reliability, Modernization and Refurbishment of the Ground-based Midcourse Defense Segment

The committee recognizes the shift in the Administration's missile defense policy to a priority on homeland defense as evidenced by the March 2013 Secretary of Defense announcement, made in response to an escalating intercontinental ballistic missile threat, to increase the ground-based interceptor (GBI) fleet by nearly fifty percent by 2017. The committee supports this position; however, there is concern that the Administration has not made a commensurate shift in funding for the Ground-based Midcourse Defense (GMD) system to address long-standing issues that have manifested themselves in flight test failures, degraded reliability, escalating obsolescence, and erosion of margin of capability over the threat. The committee notes that the GMD system is approximately 10 years old and was originally designed for a 20-year service life. The committee supports efforts to close the gap between what it believes is needed as necessary investment in the GMD system and the proposed funding levels contained in the budget request.

Therefore, the committee directs the Director, Missile Defense Agency to provide a report to the congressional defense committees not later than November 1, 2014, that evaluates the necessary resources to maintain the GMD system in future years to achieve no less than standard industry practices for strategically important peer systems (such as Minuteman, Trident D5, Terminal High Altitude Area Defense, and Aegis Standard Missile-3) for fleet upgrades, reliability confidence, obsolescence mitigation, and service-life assurance of capabilities against a threat that is growing in quantities and sophistication. The report should include, but not be limited to:

(1) Action plans, schedule, and by-year budget required to improve overall GBI fleet reliability and incorporate lessons learned from all ground and flight test failures into the existing fleet and in-process assets;

(2) Action plans, schedule, asset line-of-balance allocations, and by-year budget required to conduct a robust systems engineering approach for GBI ground testing to ensure confidence in system reliability, capability, and long-term sustainment. This should include robust GBI integration testing, Stockpile Reliability, Aging and Surveillance, Highly Accelerated Life Testing, and Highly Accelerated Stress Screening;

(3) Action plans, schedule, and by-year budget required to modernize and improve the GMD Ground System to ensure its sustainability for the operational life. Areas addressed should include technology refresh of obsolete components and technologies, modernized electronics architectures to eliminate single point failures and improve reliability, replacement of Ada software with a modern supportable and sustainable language, and fully incorporate the improved capabilities planned in the Enhanced Kill Vehicle Re-design and the Long Range Discrimination Radar;

(4) By-year procurement budget requirements for various lot-buys for the additional 14 GBIs that the Secretary of Defense announced in March 2013, and include the associated long-lead procurement budget requirements and timeline to support, and impacts on the industrial base.

Report on Strategic Submarine Command and Control in the People's Republic of China

In its report on "Military and Security Developments Involving the People's Republic of China 2013," the Department of Defense highlighted the ballistic missile submarine program in the People's Republic of China, stating that China's Navy "places a high priority on the modernization of its submarine force. China continues the production of JIN-class nuclear-powered ballistic missile submarines (SSBN). Three JIN-class SSBNs (Type 094) are currently operational, and up to five may enter service before China proceeds to its next generation SSBN (Type 096) over the next decade." In testimony before the committee on March 5, 2014, the Commander, U.S. Pacific Command stated that, "China's advance in submarine capabilities is significant. They possess a large and increasingly capable submarine force. China continues the production of ballistic missile submarines. The platform will carry a new missile with an estimated range of more than 4,000 nautical miles. This will give the [sic] China its first credible sea-based nuclear deterrent, probably before the end of 2014."

The committee is concerned that China's imminent deployment of an operational sea-based strategic deterrent is a major new step in China's nuclear weapon program. This step further increases the opacity of China's already opaque nuclear forces. Of particular concern, deployment of nuclear-armed SSBNs requires China to develop and implement new command, control, and communications paradigms to ensure positive control of the nuclear warheads by China's senior leaders. To better understand this new Chinese capability and its implications, the committee directs the Secretary of Defense to submit a report to the congressional defense committees by November 1, 2014, on the strategic and regional implications of China's sea-based nuclear deterrent force; China's command, control, and communications system for such force; the implications for the U.S. and its allies of the emergence of a Chinese sea-based nuclear force; the contribution of China's sea-based deterrent to China's overall nuclear doctrine and employment strategy, including survivable second-strike capabilities; and, U.S. and partner nation mitigation or response plans.

Requirement for Plan For Use of Highly Accelerated Life Testing and Highly Accelerated Stress Screening

On March 4, 2014, the committee received a report from the Director, Missile Defense Agency in response to the committee report (H. Rept. 113-102) accompanying the National Defense Authorization Act for Fiscal Year 2014, concerning highly accelerated life testing and highly accelerated stress screening (HALT/HASS) testing of Ballistic Missile Defense Systems and Components. The committee believes this report was a useful review of the potential benefits and limitations of employing this rigorous review system in addition to current Missile Defense Agency (MDA) systems. The committee agrees with the Director's belief that HALT/HASS testing could be useful in certain future MDA efforts.

Therefore, the committee directs the Director, Missile Defense Agency to submit to the Committees on Armed Services of the Senate and the House of Representatives in concurrence with the fiscal year 2016 budget submission a plan to employ HALT/HASS testing, as appropriate, in appropriate future MDA programs. The committee believes these efforts should be supervised in part by MDA and should be competitively awarded through full and open competition.

Responses to Foreign Hypersonic Weapons Threats

The committee is concerned that the People's Republic of China and other competitor nations pose an increasing challenge to the United States' technology edge in such emerging areas as hypersonic weapons. On January 9, China successfully conducted the first flight test of a hypersonic glide vehicle. The Russian Federation is also known to be pursuing research and development of hypersonic capabilities. In testimony before the committee on January 28, 2014, the Under Secretary of Defense for Acquisition, Technology, and Logistics, stated that, "[o]n hypersonics, this is a good example of an area of technology that is going to move forward whether we invest in it or not...China is doing work in this area."

At the same time, the committee is unaware of any significant efforts to prepare defenses against hypersonic weapons. Therefore, the committee directs the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Chairman of the Joint Chiefs of Staff, to submit a report to the congressional defense committees by December 31, 2014, that evaluates emerging hypersonic threats to the United States, its allies, and its deployed forces, and explains how the Department of Defense intends to develop and deploy a defensive capability to counter this emerging threat.

Revision to the Integrated Master Test Plan

The committee believes that the reliability and warfighter confidence in the Ballistic Missile Defense Midcourse Defense Segment, also called the Ground-based Midcourse Defense (GMD) segment, could be enhanced through more frequent flight and intercept testing.

According to the "Plan to Increase the Rate of Ground-Based Midcourse Defense Flight Tests" submitted to the congressional defense committees in October 2013 in accordance with the requirements of section 231 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), an increase in test cadence to three test events every 2 years will "require an increase in test resources and personnel." The committee believes such resources could increase warfighter confidence and the reliability of the nation's operationally deployed homeland missile defense capability if this test cadence is feasible and efficient.

Therefore, the committee directs the Director, Missile Defense Agency (MDA), in coordination with the Director, Operational Test and Evaluation, to provide a report to the congressional defense committees following the FTG-06b intercept test, if successful, on the benefits and risks of revising the Integrated

Master Test Plan presently in force and future submissions of the plan, to achieve GMD tests at a frequency of not less than every nine months. The committee also directs the Director, Missile Defense Agency to include in the budget request for fiscal year 2016 an illustration of the funding required, if appropriate, to meet this enhanced GMD test cadence.

Standard Missile 3 Block IB

The committee is concerned by the reduction in funding for the Standard Missile 3 (SM-3) program in fiscal year 2015 and across the Future Years Defense Program (FYDP). After demonstrating success in five of five intercepts in 2013 and with a Full Rate Production decision planned for fall 2014, the Department now has reduced programmed quantities each year to fewer than were funded in fiscal year 2014 in Low Rate Initial Production. The committee believes such a reduction injects inefficiency into the production line and that inefficiency may unnecessarily increase the per unit cost of these interceptors.

At the same time, the committee is not aware of any diminishment in requirements by the combatant commanders for these interceptors. The committee supports the funding requested in the budget submission for Advanced Procurement to support long-lead time requirements for these missiles. The committee also supports the likely request in the fiscal year 2016 budget request for multi-year procurement authority for these missile interceptors. The committee believes that a successful negotiation between the Missile Defense Agency and its contractors could drive down the per unit cost of these interceptors and increase the available quantities to the warfighter.

The committee directs the Director, Missile Defense Agency to provide a briefing to the House Committee on Armed Services not later than October 1, 2014, on the sufficiency of current and programmed inventory of SM-3 missiles to meet combatant commander requirements, the number of Requests for Forces received from combatant commanders in 2012-13 for SM-3 interceptors, and the shortfall in interceptors in each year of the FYDP.

University Affiliated Research Centers for the Missile Defense Agency

The committee believes the missile defense mission is crucial to the protection of the homeland as well as allies and deployed forces, especially as the enemy threat increases in size and complexity. Yet, both internal and external evaluations and assessments have indicated that the Missile Defense Agency (MDA) needs to make significant technical advancements to create Ballistic Missile Defense System performance that is more reliable and affordable.

The committee is aware that many agencies, including defense agencies, have found that University Affiliated Research Centers (UARC) have been useful for their core research and development capabilities.

Therefore, the committee directs the Director, Missile Defense Agency to provide a briefing to the Senate Committee on Armed Services and the House

Committee on Armed Services not later than December 1, 2014, on whether expanding use of UARCs is appropriate and useful to the Missile Defense Agency, and if so, in what specific mission or technological areas, the prospective costs of such cooperation (including the safeguarding of unclassified technical information and classified information), and a plan for relevant universities to undertake a pilot UARC partnership, including identification of requirements for qualification to participate, and the completion by MDA of a public survey of university capabilities before entering into any UARC agreement.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

ITEMS OF SPECIAL INTEREST

NATIONAL NUCLEAR SECURITY ADMINISTRATION

Weapons Activities

Implementation of Center for Security Technology, Analysis, Response, and Testing

Section 3116 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66) required the Administrator for Nuclear Security to establish a Center for Security Technology, Analysis, Response, and Testing (CSTART). In the wake of the security breach at the Y-12 National Security Complex in July 2012, the CSTART was established to provide the Administrator, the Chief of Defense Nuclear Security, and the management and operating contractors of the nuclear security enterprise a wide-range of objective expertise on security technologies, systems, analysis, testing, and response forces.

To better understand the Administrator's plan for the CSTART, the committee directs the Administrator to provide a briefing to the House Committee on Armed Services by September 30, 2014, on the Administrator's implementation plan for the CSTART. Such plan should be developed in consultation with the Department of Energy's Departmental Security Committee and should discuss the roles, missions, functions, responsibilities, and personnel assigned to the CSTART, as well as actions to be taken to implement the CSTART and timelines for such actions.