The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extra-nous material on the matter under consideration.

The SPEAKER pro tempore. The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCKEON) and the gentleman from Washington (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and insert extraneous material to the matter under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MCKEON. Mr. Speaker, I yield myself as much time as I may consume.

I rise today in support of the fiscal year 2014 National Defense Authorization Act. The NDAA is the key mechanism by which the Congress fulfills its primary constitutional responsibility to provide for the common defense, and this year will mark the 52nd consecutive year that we have completed our work.

The NDAA passed the Armed Services Committee with a vote of 59-2. It passed the full House by a margin of 315-108. Likewise, the Senate voted its version of the bill out of committee by a vote of 23-3.

This year we had unique challenges in bringing back a bipartisan, bicameral deal to the House for final consideration. Yet despite those obstacles, we were able to negotiate a bipartisan bill with our Senate colleagues.

I am especially grateful to Ranking Member ADAM SMITH as well as Chair- man LEVIN and Ranking Member INHOFE of the Senate Armed Services Committee. They all rolled up their sleeves, and we got the bill done in the allotted time. Believe me, that was no small hill to climb.

On a related note, I would be remiss if I failed to note that we will be voting on another hard-fought measure that is critical to defense. We have in sight a budget agreement for the next 2 years that provides a measure of predictability to our military. As we make the first steps to get this deal enacted, I wanted to assure Members that the NDAA’s authorization levels remain in compliance with the Budget Control Act and the House, the Senate, and the Republican Study Committee-approved budgets for 2014.

What makes this bill such an important piece of legislation are the vital authorities contained therein, which is why Chairman Dempsey, Chairman of the Joint Chiefs of Staff; General Amos, Commandant of the Marine Corps; The Washington Post; the National Guard Bureau; and others all weighed in this week urging us to complete consideration of the bill.

This legislation pays our troops and their families. It keeps our Navy fleet sailing and military aircraft flying. It maintains a strong nuclear deterrent. This year’s NDAA also provides badly needed reforms to help alleviate the crisis of sexual assault in the military.

I want to thank Congressmen MIKE TURNER and NIKI TSONGAS of our committee for leading a bipartisan group of members who worked tirelessly on those reforms; also JOE WILSON, chairman of the subcommittee, and SUSAN DAVIS, his ranking member, for the efforts they made on this issue. They were long overdue.

The NDAA covers many more critical issues, but I will close in the interest of time. Before I do, I would like to thank all our members of the Armed Services Committee for their efforts. I am grateful not only for the hardworking chairs and ranking members of the HASC, but also to all Members of this body for recognizing the importance of this vital piece of legislation, along with all members of our staff on both sides of the aisle.

I reserve the balance of my time.

JOINT EXPLANATORY STATEMENT TO ACCOMPANY THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

The following consists of the explanatory material to the National Defense Authorization Act for Fiscal Year 2014.

Section 4 of the Act specifies that this explanatory statement shall have the same effect with respect to the implementation of this legislation as if it were a joint explanatory statement of a committee of conference.

In this joint explanatory statement, the provisions of H.R. 1960, the House-passed version of the National Defense Authorization Act for Fiscal Year 2014, are generally referred to as “the House bill.” The provisions of S. 1197, the Senate Committee on Armed Services committee-reported version of the National Defense Authorization Act for Fiscal Year 2014, are generally referred to as “the Senate committee-reported bill.”

Consistent with the intent of clause 9 of rule XXI of the Rules of the House of Representatives and Rule XI of the Standing Rules of the Senate, neither the bill nor the accompanying joint explanatory statement contains any congressional earmarks, congressionally directed spending items, limited tax benefits, or limited tariff benefits, as defined in such rules.

Summary of discretionary authorizations and budget implication

The administration’s budget request for national defense discretionary programs within the jurisdiction of the Committees on Armed Services of the Senate and the House of Representatives for fiscal year 2014 was $625.2 billion. Of this amount, $526.6 billion was requested for base Department of Defense (DOD) programs, $80.7 billion was requested for overseas contingency operations (OCO), and $17.9 billion was requested for national security programs in the Department of Energy (DOE) and the Defense Nuclear Facilities Safety Board (DNFSB).

The bill authorizes $651.1 billion in fiscal year 2014, including $538.8 billion for base DOD programs, $80.7 billion for OCO, and $17.8 billion for national security programs in the DOE and the DNFSB.

The two tables preceding the detailed program adjustments in Division D of this Joint Explanatory Statement summarize the direct discretionary authorizations in the agreement and the equivalent budget author- ity levels for fiscal year 2014 defense programs. The first table summarizes the agreement on authorizations within the jurisdiction of the Armed Services Committees. The second table details the budget authority im- plication of the discretionary authorizations in the agreement when accounting for national defense items that are not in the jurisdiction of the Armed Services Committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

SUBTITLE A—AUTHORIZATION OF APPROPRIATIONS

Authorization of appropriations (sec. 101)

The House bill contained a provision (sec. 101) authorizing appropriations for fiscal...
The House bill contained a provision (sec. 111) that would limit the availability of funds for the ship-to-shore converter vehicle program to not more than 75 percent until the Secretary of the Navy submits a report on the cost of delivering the ship-to-shore converter vehicle program.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

**Study on multiyear, multivehicle procurement authority for tactical vehicles (sec. 112)**

The House bill contained a provision (sec. 142) that would authorize the Secretary of Defense to establish a five-year pilot program for the multiyear multivehicle procurement of tactical wheeled vehicles.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

**Validation of availability of funds for Stryker vehicle program (sec. 111)**

The House bill contained a provision (sec. 111) that would limit the availability of funds for the Stryker vehicle program to not more than 75 percent until the Secretary of the Army submits a report on the cost of delivering the Stryker vehicle program.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

**Limitation on availability of funds for Littoral Combat Ship (sec. 121)**

The House bill contained a provision (sec. 121) that would limit the availability of funds for the Littoral Combat Ship program to not more than 75 percent until the Secretary of the Navy submits a report on the cost of delivering the Littoral Combat Ship program.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

**Repeal of requirements relating to procurement contracts (sec. 123)**

The House bill contained a provision (sec. 121) that would repeal section 122 of the John Warner National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) and require the Secretary of the Navy to procure C–130J aircraft.

The Senate committee-reported bill contained a provision (sec. 121) that would authorize the Secretary of the Navy to procure C–130J aircraft.

The agreement includes this provision.

**Multiyear procurement authority for E–2D aircraft program (sec. 123)**

The House bill contained a provision (sec. 121) that would authorize the Secretary of the Navy to procure E–2D aircraft and E–2D mission equipment under one or more multiyear procurement contracts.

The Senate committee-reported bill contained a provision (sec. 121) that would authorize the Secretary of the Navy to procure E–2D aircraft and E–2D mission equipment under one or more multiyear procurement contracts.

The agreement includes this provision.

**Limitation on availability of funds for PPE (sec. 132)**

The Senate committee-reported bill contained no similar provision.

The agreement includes the Senate provision.

**Repeal of requirement for maintenance of certain retired KC–135 aircraft (sec. 131)**

The Senate committee-reported bill contained a provision (sec. 133) that would repeal section 133(b) of the John Warner National Defense Authorization Act for Fiscal Year 2011 (Public Law 112–81) and require the Secretary of the Air Force to maintain at least 74 of the KC–135E aircraft.

The agreement includes the Senate provision with a technical/clarifying amendment.

**Prohibition of C–27J procurement (sec. 134)**

The Senate committee-reported bill contained a provision (sec. 134) that would prohibit the Secretary of the Air Force from procuring C–27J aircraft.

The agreement includes the Senate provision with an amendment that would require the Secretary of the Air Force to maintain at least 74 of the KC–135E aircraft.

**Limitation on availability of funds for modernizing C–130 avionics (sec. 132)**

The Senate committee-reported bill contained a provision (sec. 132) that would limit the availability of funds for modernizing C–130 avionics to not more than 75 percent until the Secretary of the Air Force submits a report on the cost of modernizing C–130 avionics.

The agreement includes the Senate provision.

**Protection of procurement of unnecessary C–27J aircraft by the Air Force (sec. 134)**

The Senate committee-reported bill contained a provision (sec. 134) that would prohibit the Secretary of the Air Force from procuring C–27J aircraft.

The agreement includes the Senate provision with an amendment that would prohibit the Secretary of the Air Force from procuring C–27J aircraft.

**Personal protection equipment procurement (sec. 141)**

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.
available individual PPE, such as body armor and helmets, the Department of Defense should not lose momentum in its search for better protection at lower weight and cost. In Afghanistan and Iraq, soldiers, marines, airmen, and sailors. One of the most important lessons of the wars in Iraq and Afghanistan is that research, development, and acquisition of appropriate body armor and protective equipment for our troops must anticipate, not react to, likely threats. In this regard, budget visibility must be sufficient to allow for comprehensive oversight of the Department’s RDA efforts as reflected in the annual budget request accompanied by spending estimates projected over the subsequent 5 years. Subject-specific and holistic visualization of the information provided in the budget exhibits that would be required by this provision. Congress may consider other budgetary methods for ensuring the Department’s investments over time sustain the importance of and momentum for achieving technological improvements in PPE into the future.

We also note that the Department categorizes PPE, including body armor, as an “expendable” item consistent with current acquisition and financial management policy definitions. Nonetheless, given the military’s experiences during operations in Iraq and Afghanistan, demonstrating the RDA process for body armor, and the fact that body armor is now an essential part of individual combat equipment, one could question whether the categorization of PPE, and body armor in particular, should change from “expendable” to another category that could improve resource stability and provide for better management throughout the RDA process. Accordingly, the Secretary of Defense is encouraged to reassess the Department’s categorization of PPE and body armor as “expendable.”

Repeat of certain F–35 reporting requirements (sec. 142)

The House bill contained a provision (sec. 145) that would amend section 212 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) to eliminate the requirement to provide an annual update to the F–35 system maturity matrix.

The Senate committee-reported bill contained no similar provision.

The agreement includes this provision.

Limitation of funds for a 6-month period (sec. 143)

The House bill contained a provision (sec. 146) that would limit the use of funds to retire Global Hawk Block 30 unmanned aircraft systems and would require the Secretary of the Air Force to take all actions necessary to maintain the operational capability of the RQ-4 Block 30 Global Hawk through December 31, 2016.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would: (1) Prohibit funding for the FY2014 Global Hawk Block 30 unmanned aircraft system; (2) At the same time that the Secretary issues a draft request for proposals for a contract on the EELV with respect to how the Secretary will conduct competition in accordance with the EELV acquisition strategy; (3) Sustain a requirement of the contractor to ensure that the Air Force acquires sufficient numbers of EP–3 Aries II aircraft to meet those requirements until the Navy achieves IOC of a system with capabilities greater than or equal to the SPA.

The House bill contained no similar provision.

The agreement does not include this provision.

Section 112 of Public Law 111–383 is intended to prevent a capacity decline in capabilities as the Navy developed replacements for the EP–3 and the SPA intelligence, surveillance, and reconnaissance (ISR) systems. The Navy budget request, which is counter to congressional intent, creates a plan for transitioning from the EP–3/SPA systems to the TRITON Multi-INT and P–8 Quick Reaction capability (QRC) that would result in a capacity decline beginning in fiscal year 2015.

The Navy also informed Congress that the JROC supports the Navy’s transition plan, but in fact the JROC Memorandum (JROCM) on this issue expresses concern about the Navy’s plan and requests that the Navy work on the RDA process to make sure that the JROCM best practices are followed. In addition, the JROCM instructs the Navy to develop requirements for the Multi-INT TRITON prior to the program’s next acquisition milestone review. A congressional review of the TRITON Capabilities Development Document confirms that a robust
SIGINT capability is documented only as a “potential future capability,” and not a validated requirement as implied by Navy officials to Congress. The Navy also proposes to prematurely remove highly-skilled personnel from the EP-3/SPA programs, resulting in a reduction of the number of available aircraft to support GFMAP and wartime requirements. Congress is concerned that harvesting these personnel to support an early version of TRITON that provides only optical and radar sensing, but little SIGINT capability, does not maximize utilization of highly-skilled personnel with perishable skills. Furthermore, the lack of a validated requirement for a robust SIGINT capability raises concerns that the capacity and capability decline will out to be a permanent SIGINT capability loss. We have serious concerns about the Navy’s non-compliant EP-3/SPA to P-8 QRC/TRITON Multi-INT transition plan. Therefore, we direct that:

1. (The JROC review and report to Congress the combatant commander requirements for the simultaneous ISR collection capability resulting from EP-3/SPA assets under current Operational Plans and for the GFMAP.
2. The Joint Staff and the Under Secretary of Defense for Intelligence, Surveillance, and Reconnaissance (USD (I/S&R)) identify and report to Congress alternative EP-3/SPA to P-8 QRC/TRITON Multi-INT transition options that do not result in a capacity and capability gap, including such options as using Navy reserve personnel to stand up the baseline TRITON system.
3. The JROC collaborate with the Navy to develop and develop a formal requirement for TRITON Multi-INT.
4. The USD (I/S&R) develop, and report to Congress, a mitigation plan to address the ELINT and SIGINT issues identified in the Senate report accompanying S. 1197 (S. Rept. 113–44) of the National Defense Authorization Act for Fiscal Year 2014; and,
5. The JROC and USD (I/S&R) to determine, and report to Congress, the force structure quantity and type of federated ISR systems and sensors required to wholly replace the EP-3/SPA force structure of aircraft to meet or exceed the current capacity and diversity of ISR collection capability inherently resident on the EP-3/SPA aircraft.

Multiyear procurement authority for Ground-Based Interceptors

The House bill contained a provision (sec. 1H) that would provide multi-year procurement authority and advance procurement authority to the Director of the Missile Defense Agency for the procurement of 14 Ground-Based Interceptors. The Senate committee-reported bill contained no similar provision. The agreement does not include this provision.

Sense of Senate on the United States helicopter industrial base

The Senate committee-reported bill contained a provision (sec. 129) that would express the sense of Senate on the health of the helicopter industrial base. The House bill contained no similar provision. The agreement does not include this provision.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Authorization of appropriations (sec. 201)

The House bill contained a provision (sec. 201) for appropriations for the fiscal year 2014 for the use of the Department of Defense for research, development, test, and evaluation as specified in the funding table in section 4201. The Senate committee-reported bill contained an identical provision (sec. 201).

The agreement contains this provision.

Subtitle B—Program Requirements, Restrictions, and Limitations

Modification of requirements on biennial strategic plan for the Defense Advanced Research Projects Agency

The Senate committee-reported bill contained a provision (sec. 212) that would modify the biennial strategic plan requirement for the Defense Advanced Research Projects Agency (DARPA) to make more explicit the linkages between the strategic objectives of the agency with the missions of the armed services. The Senate report would reassign responsibility for submission of the plan from the Secretary of Defense to the Director of DARPA, in coordination with the Under Secretary of Defense for Acquisition, Technology, and Logistics.

The House bill contained no similar provision. The agreement includes this provision. We recognize the value that DARPA brings to the Department of Defense, especially in terms of high technologies that can be potentially game changing. We believe that such research has the highest probability of successful transition when it is linked early with the operational community. For example, DARPA’s Phoenix program has the potential to change radically how the United States approaches space systems development and servicing. As the only program looking at satellite servicing and advanced robotics for geosynchronous earth orbit systems, this program has significant national security, civil, and as well as commercial potential. However, we note that the development of such capabilities may raise complex policy issues, as well as pose as a disruptive technology to established approaches and operations. We encourage DARPA to not only continue its technical leadership in this field, but to also work with other entities in the Department of Defense—such as the Air Force, the National Reconnaissance Office, and the Under Secretaries of Defense for Policy and Intelligence—to operationalize these concepts for the capability.

Limitation on availability of funds for ground combat vehicle engineering and manufacturing phases

The House bill contained a provision (sec. 211) that would prohibit the Army from obligating post-Milestone B funds for the Ground Combat Vehicle (GCV) program until the Secretary of the Army submits a report to the congressional defense committees.

The Senate committee-reported bill contained no similar provision. The agreement includes this provision with technical and clarifying amendments. Additionally, the Comptroller General of the United States is directed to submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the study of the Army’s Ground Combat Vehicle industrial base submitted to Congress pursuant to the Conference Report to accompany H.R. 4310 (112th Congress), the National Defense Authorization Act for Fiscal Year 2013 (House Report 112–705). The report required shall include an assessment of the reasonableness of the study’s methods including, but not limited to, validity, reliability, and quality and reliability of the data used to conduct the study, and include findings and recommendations, if any, on the combat vehicle engineering and manufacturing phases, that the Comptroller General should not replicate the Army study.

Limitation and reporting requirements for unmanned-aircraft-launched surveillance and strike system program

The House bill contained a provision (sec. 212) that would prohibit the Under Secretary of Defense for Acquisition, Technology, and Logistics from approving a Milestone A technology development contract award for the Unmanned Carrier-Launched Airborne Surveillance and Strike (UCLASS) program until 30 days after the Under Secretary certifies to the congressional defense committees that the software and system engineering designs for the command and control, connectivity and networking segment and the aircraft carrier segment of the UCLASS system can achieve, at a low level of integration risk, a 50 percent confidence level with the air vehicle segment planned for selection at Milestone A contract award.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with an amendment that would modify the language to require that: (1) The Navy to limit the number of air vehicle segments acquired prior to receiving Milestone B approval for UCLASS; (2) The Navy provide periodic reports on cost, schedule and requirements change for the UCLASS; and (3) The Comptroller General conduct annual reviews of the UCLASS program.

Limitation on availability of funds for Air Force logistics transformation

The House bill contained a provision (sec. 213) that would prohibit the logistics transformation and expenditure of Air Force procurement and research, development, test, and evaluation funds for logistics transformation technology programs 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees a report on the modernization and update of Air Force logistics transformation technology systems following the cancellation of the expeditionary combat support system.

The Senate committee-reported bill contained no similar provision. The agreement includes the House provision with a technical amendment.

Limitation on availability of funds for defensive and offensive space systems operations of the Air Force

The House bill contained a provision (sec. 214) that would limit the funds the Air Force may obligate or expend for defensive or offensive space systems operations in the Air Force budget for more than 90 percent until a period of 30 days after the date on which the Secretary of the Air Force submits a report to the congressional defense committees detailing the Air Force’s plan for sustainment of the Application Software Assurance Center of Excellence (ASACOE) across the Future Years Defense Program.

The Senate committee-reported bill contained no similar provision but included elsewhere in the committee-reported bill $80 million in PL 33140P for sustainment of the ASACOE. The agreement includes this provision.

Limitation on availability of funds for precision extended range munition program

The House bill contained a provision (sec. 216) that would limit funds for the precision extended range munition program until the Under Secretary of Defense for Acquisition, Technology, and Logistics provides the congressional defense committees with certain written certifications and a sufficient business case analysis.

The Senate committee-reported bill contained no similar provision.

The agreement includes the House provision with a clarifying amendment.