

**En Bloc Amendments to  
H.R. 4310  
National Defense Authorization Act for Fiscal Year 2013  
Wednesday, May 9, 2012**

**Emerging Threats and Capabilities Subcommittee**

**En Bloc # 1**

<b>Log #</b>	<b>Sponsor</b>	<b>Description</b>
037	Rep. Owens	Report on Weapons of Mass Destruction Civil Support Teams.
042r1	Rep. Franks	Amend Section 252 to include systems to mitigate EMP.
106	Rep. Ruppertsberger	Diluted nerve agent research.
132	Rep. Langevin	Report on efforts to field new directed energy weapons.
143	Rep. Hochul	Roadmap for Active Denial Technology.
167r1	Rep. Davis	Report on task force at U.S. Northern Command.

## Amendment Offered by Rep. Bill Owens

### H.R. 4310—National Defense Authorization Act for Fiscal Year 2013

#### Weapons of Mass Destruction – Civil Support Team Reductions

The committee believes that continued weapons of mass destruction (WMD) threats demonstrate the enduring need for a robust domestic consequence management (CM) enterprise that is integrated across State and Federal units. The committee notes that the 2010 Quadrennial Defense Review (QDR) directed the Department of Defense (DOD) to “improve the responsiveness and flexibility of consequence management response forces.” In response to QDR concerns, the committee believes that the Department and National Guard Bureau (NGB) produced a new domestic CM response organizational concept better aligned with the National Strategy for Homeland Security and the National Response Framework.

With the domestic CM response enterprise, the committee notes that the current 57 state-based WMD Civil Support Teams (CSTs) constitute the initial rapid response force to support local first responders; and that CSTs provide unique capabilities and expertise such as WMD detection and identification and rapid assessments of hazardous material, often not available to local responders. The committee further notes that the Secretary of Defense certified the 48th (Florida) and 24th (New York) WMD CSTs in 2011 and 2010, respectively. The President’s fiscal year 2013 request, however, eliminated funding for the 48th and 24th CSTs. The committee is concerned that disestablishing these two CSTs may hinder response times to WMD events and increase the challenge of integrating operations with other State and Federal WMD response teams. The committee notes that neither the Department nor NGB coordinated with, or solicited input from, affected State and local authorities before making this decision. Furthermore, the committee is concerned that these disestablishments will occur right after funding was expended to train, equip, and prepare CSTs for certification.

Therefore, the committee directs the Secretary of Defense to deliver a report to House Committee on Armed Services no later than 90 days after the enactment of this Act. The report should discuss the justification for eliminating funding to the 48th and 24th CSTs. Furthermore, the report should cover the following matters:

- (1) The impact on operational capability, resourcing, response, potential gaps in integration with remaining CSTs and other State and Federal WMD CM response teams;
- (2) The expected budgetary savings over the Future Years Defense Program (FYDP) generated by disestablishing the 48th and 24th CST;
- (3) The costs of preparing the 48th and 24th CST for certification;
- (4) Resulting changes to the latest domestic WMD CM response construct;

- (5) Plans for future reduction in any CSTs over the FYDP; and
- (6) A strategy for engaging with State and local authorities if the Department plans to eliminate additional CSTs.

Log 04251

**AMENDMENT TO H.R. 4310**  
**OFFERED BY MR. FRANKS OF ARIZONA**

In section 252(a), insert “systems to mitigate man-made and naturally occurring electromagnetic pulse or high-powered microwaves,” after “power and energy innovations”.



**Amendment Offered by Ruppertsberger****H.R. 4310 —National Defense Authorization Act for Fiscal Year 2013**

To be inserted in the appropriate place the report:

**Diluted Nerve Agent Laboratory Decertification**

The committee commends the US Army Medical Research Institute for Chemical Defense (USAMRICD) for its critical research in the area of medical chemical countermeasures research and development. However, the committee is aware that USAMRICD is decertifying all laboratories in the handling and administration of dilute agent with the exception of the Battelle Memorial Institute's Biomedical Research Center and the USAMRICD Collaborative Research Facility at Aberdeen Proving Ground. Decertified laboratories will be required to transfer their research to these approved facilities in order to continue working with diluted agents.

While the committee is aware of the budget and safety concerns that influenced this decision, the committee remains concerned about the potential negative consequences that will result from the transfer of research to these two facilities. The committee is particularly concerned about the effects that this move will have on research that advances of treatments for nerve agent-induced neurotoxicity.

Therefore, the committee directs the Secretary of Defense to brief the Committee on Armed Services no later than 90 days after enactment on the potential impact on diluted agent research due to this change, and the plans to mitigate that impact.

**AMENDMENT TO H.R. 4310****OFFERED BY MR. LANGEVIN OF RHODE ISLAND**

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

1 **SEC. 2** \_\_\_\_ . **REPORT ON EFFORTS TO FIELD NEW DIRECTED**  
2 **ENERGY WEAPONS.**

3 (a) **REPORT.**—Not later than 180 days after the date  
4 of the enactment of this Act, the Secretary of Defense  
5 shall submit to the congressional defense committees a re-  
6 port summarizing efforts within the Department of De-  
7 fense to transition mature and maturing directed energy  
8 technologies to new operational weapon systems during  
9 the five- to- ten-year period beginning on the date of the  
10 report.

11 (b) **MATTERS INCLUDED.**—The report under sub-  
12 section (a) shall include the following:

13 (1) Thorough assessments of—

14 (A) the maturity of high-energy laser,  
15 high-power microwave, and millimeter wave  
16 non-lethal technologies, both domestically and  
17 foreign;

18 (B) missions for which directed energy  
19 weapons could be used to substantially enhance

1 the current and planned military capabilities of  
2 the United States;

3 (C) the potential for new directed energy  
4 systems to reduce requirements for expendable  
5 air and missile defense weapons;

6 (D) the status of and prognosis for foreign  
7 directed energy programs;

8 (E) the potential vulnerabilities of military  
9 systems of the United States to foreign directed  
10 energy weapons and efforts by the Secretary to  
11 mitigate such vulnerabilities; and

12 (F) a summary of actions the Secretary is  
13 taking to ensure that the military will be the  
14 global leader in directed energy capabilities.

15 (2) In light of the suitability of surface ships to  
16 support a solid-state laser weapon based on mature  
17 and maturing technologies, whether—

18 (A) the Department of the Navy should be  
19 designated as lead service for fielding a 100 to  
20 200 kilowatt-class laser to defend surface ships  
21 against unmanned aircraft, cruise missile, and  
22 fast attack craft threats; and

23 (B) the Secretary of the Navy should ini-  
24 tiate a program of record to begin fielding a  
25 ship-based solid-state laser weapon system.

1 (3) In light of the potential effectiveness of  
2 high-power microwave weapons against sensors, bat-  
3 tle management, and integrated air defense net-  
4 works, whether—

5 (A) the Department of the Navy and the  
6 Department of the Air Force should be des-  
7 ignated as lead services for integrating high-  
8 power microwave weapons on small air vehicles,  
9 including cruise missiles and unmanned air-  
10 craft; and

11 (B) the Secretary of the Air Force should  
12 initiate a program of record to field a cruise  
13 missile- or unmanned air vehicle-based high-  
14 power microwave weapon.

15 (4) In light of the potential of mature chemical  
16 laser technologies to counter air and ballistic missile  
17 threats from relocatable fixed sites, whether the Sec-  
18 retary of the Army should initiate a program of  
19 record to develop and field a multi-megawatt class  
20 chemical laser weapon system to defend forward air-  
21 fields, ports, and other theater bases critical to fu-  
22 ture operations.

23 (5) Whether the investments by the Secretary  
24 of Defense in high-energy laser weapons research,  
25 development, test, and evaluation are appropriately

1 prioritized across each military department and de-  
2 fense-wide accounts to support the weaponization of  
3 mature and maturing directed energy technologies  
4 during the five- to- ten-year period beginning on the  
5 date of the report, including whether sufficient funds  
6 are allocated within budget area 4 and higher ac-  
7 counts to prepare for near term weaponization op-  
8 portunities.

9 (c) FORM.—The report under subsection (a) shall be  
10 unclassified, but may include a classified annex.



## **Amendment Offered by Congresswoman Hochul**

**H.R. 4310—National Defense Authorization Act for Fiscal Year 2013**

To be inserted in the appropriate place the report:

### **Active Denial Technology and Roadmap**

The committee is aware that more than \$120 million has been invested over more than a decade in the development of non-lethal, directed energy active denial technology, yet the Department of Defense has not established a program of record, or fielded systems to our service members, despite a number of Urgent Operational Needs requests from field commanders. The committee strongly supports this non-lethal capability and has authorized continued funding for next generation solid state active denial technology to support the Army's Ground Combat Vehicle non-lethal requirements.

In 2006, the Department issued the only policy statement to date on active denial technology, noting "support for the development" of the technology, which "offers the possibility for wide-ranging application in multiple scenarios where we lack suitable means of anti-personnel action." The committee is concerned that a lack of further policy guidance for the continued development, deployment and export of active denial technology is inhibiting the utilization of this capability, even as other nations such as Russia has recently announced an intention to also begin development of this technology. The committee is equally concerned by recent inconsistent export licensing decisions related to the marketing and sale of this capability to international partners.

Therefore, the committee directs the Secretary of Defense to provide a policy update and roadmap for active denial technology, including the Active Denial System, to the defense committees by July 16, 2012. The policy shall clarify the Department's position on the further development, deployment and export of the capability and the roadmap shall provide a detailed consideration of future funding, development and deployment plans; potential opportunities for leveraging U.S. investment by fielding the capability domestically and internationally; the Department's position, including specific criteria used to evaluate marketing and sales licenses (in coordination with the Department of State), for coalition partners to procure U.S. active denial technology.

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Amendment Offered by S. Davis

H.R. 4310—National Defense Authorization Act for Fiscal Year 2013

To be inserted in the appropriate place the report:

*Report on Joint Task Force for U.S. Northern Command*

*The committee is aware that the mission of U.S. Northern Command (USNORTHCOM) is to provide command and control of Department of Defense homeland defense efforts and to coordinate defense support of civil authorities. The committee is also aware that USNORTHCOM plans, organizes and executes homeland defense and civil support missions, but has few permanently assigned forces. The committee understands that USNORTHCOM is assigned forces whenever necessary to execute missions, as ordered by the President of the United States or the Secretary of Defense.*

*The committee is also aware that USNORTHCOM has several standing joint task forces assigned to deal with and concentrate on specific responsibilities, including Joint Task Force Alaska, Joint Task Force Civil Support, Joint Task Force North.*

*The committee recognizes that improvised explosive devices (IEDs) have become the weapon of choice for insurgents and terrorists across the globe and that such devices could pose a considerable threat if employed systematically across the homeland. The committee also recognizes that the Department of Defense has developed a uniquely trained and highly qualified Joint Service Explosive Ordnance Disposal (EOD) community capable of rendering safe and mitigating IED threats, as well as considerable Counter-IED (C-IED) technologies and capabilities. To deal with potential emerging homeland defense and defense support to civil authorities in the areas of EOD and C-IED the committee recognizes the potential need for a standing joint task force to augment and provide specialized capabilities for civil authorities when properly requested and authorized.*

*Therefore, the committee directs the Secretary of Defense to provide a report to the congressional defense committees no later than November 12, 2012 that contains a detailed programmatic assessment of all current and future NORTHCOM EOD and C-IED capabilities and operational requirements to include any potential capability gaps as well as the strategies and plans to address these capability gaps. The committee expects the report to also include the advisability and feasibility of creating a Joint Task Force for EOD and C-IED within NORTHCOM and how this task force could help mitigate any potential capability gaps and shortfalls that may be identified by this assessment to include force structure requirements.*