

NATIONAL DEFENSE
AUTHORIZATION ACT

**FACT SHEET:
Highlights of the Committee on Armed Services Bill,
H.R. 1735 National Defense Authorization Act For Fiscal Year 2016**

The National Defense Authorization Act (NDAA) for fiscal year 2016 is the primary way Congress meets its most important constitutional obligation to “provide for the common defense.” It advances the vital funding and authorities America’s military requires. In an era of unprecedented threats, uncertainty, and technological change, the Committee’s legislation ensures America’s Armed Forces are *agile, efficient, ready, and lethal.*

The House Armed Services Committee met on Wednesday, April 29th and passed H.R. 1735 out of the Committee, favorably to the full House of Representatives 60-2.

Resources

America’s prosperity is a strategic asset and one of our most important tools on the world stage. The Committee knows that as Congress provides our troops with the resources they need, we must also be sensitive to the limitations that deficits and debt have on our ability to meet global challenges.

To that end, the Committee’s proposal is consistent with the House Budget Resolution and the President’s Budget Request. The proposal cuts waste, reallocates resources to more urgent priorities, and makes long-needed reforms to ensure that America gets the most defense for its dollar.

The proposal authorizes **\$515 billion** in spending for national defense and an additional **\$89.2 billion** for Overseas Contingency Operations for a total of **\$604.2 billion**. Excluding an additional \$7.7 billion for activities outside the committee’s jurisdiction, the total funding for national defense is equivalent to the **President’s total request for \$611.9 billion** in defense discretionary spending. As part of the Overseas Contingency Operations account, the proposal funds **\$38.3 billion** in operation and maintenance activities in support of base budget requirements for national defense.

TABLE 1: FY16 NDAA FUNDING LEVELS

Purpose	Amount (\$ billions)
DOD Discretionary Base Budget	495.9
DOE Discretionary Base Budget	19.0
FY 16 Base Budget NDAA Topline*	515.0
Overseas Contingency Operations**	89.2
FY 16 Discretionary NDAA Topline	604.2
Defense Mandatory Spending***	7.6
FY16 NDAA Topline	611.8

*Does not include \$7.7 billion of authorizations not within HASC jurisdiction

** Includes \$38.3 billion in O&M funding requested for base requirements

*** Includes statutory requirements for Concurrent Receipt; does not include \$0.6 billion of obligations outside HASC jurisdiction.

Overseas Contingency Operations: The proposal fully funds the President's request of \$50.9 billion for Overseas Contingency Operations (OCO). In order to comply with the Budget Control Act, as well as sustain our national defense capabilities, the proposal includes an additional \$38.3 billion for base requirements. These are specifically authorized, just as they were in the base budget. Examples of base requirements funded by OCO in this proposal include **Airlift Operations, Combat Support Forces, Combat Communications, Training Support, Combatant Commanders Core Operations, Army Prepositioned Stocks, and Equipment Maintenance.**

Agile

Acquisition Reform: A dysfunctional acquisition system, top-heavy headquarters staffs, and imbalances in civilian and military workforces have combined to rob our Armed Forces of their agility to quickly adjust to emerging threats and maintain our technological edge in the face of rapid change just when they need it most. Today, we see countries like Russia and China taking advantage of rapidly-changing technology gaps to reduce our military advantage, whether by deploying carrier-killing missiles, building radars that can detect stealth aircraft, or developing space weapons that threaten our satellites. Our defense must adopt new technologies and new ways of thinking to bring capabilities to bear more quickly than our adversaries. If we lose our technological edge, our warfighters will lose on the battlefield.

The Committee's proposal builds on robust oversight and consultation with all stakeholders to implement urgently needed **acquisition reforms**. It reflects an initial step in a long-term effort to inject greater flexibility and accountability into the acquisition system. These reforms were previewed earlier this year as H.R. 1597, the Agile Acquisition to Retain Technological Edge Act, sponsored by Chairman Thornberry and Ranking Member Adam Smith (D-WA). This proposal:

- **Reforms the Acquisition System** and streamlines the process, advancing critical decisions to the initial stages of the acquisition process, reducing the number of legal certifications while maintaining needed accountability, and empowering program managers and other DoD decision makers to make judgments in the best interests of our troops and the taxpayer. Reforms to DoD's acquisition strategy development include the consolidation of at least six separate reporting requirements into a single, living document.
- **Empowers the Workforce** by removing obstacles that make it difficult for top military talent to serve in acquisition roles; makes the Defense Acquisition Workforce Development Fund permanent; requires training on the commercial market, including on commercial market research; and expands ethics training for the acquisition workforce.
- **Simplifies the Chain of Command** for acquisition decisions, reforming a process currently mired in layers of bureaucracy.

For more on the HASC reform project, see: <http://www.armedservices.house.gov/index.cfm/defense-reform>

Compensation and Benefits Reform: An agile military depends on **recruiting and retaining the best**. More and more that means competing with the private sector, to bring in or to hold onto top talent. To compete effectively, the Department of Defense must offer benefits on par with or better than the private marketplace. The Committee is grateful to the Military Compensation and Retirement Modernization Commission for its work in recommending needed reforms.

The Committee commends the work of Rep. Joe Heck (R-NV) and the Military Personnel Subcommittee in implementing many of these reforms. As the Committee begins to **reform the compensation and benefits system**, it is also mindful of the potential for unintended consequences, and the need to give the Department time to finish its own assessment of these important recommendations.

The Committee welcomes changes that provide additional options to individuals who serve the nation for a period of less than twenty years, while delaying implementation until 2017 to allow DoD and relevant stakeholders time to weigh in. For the first time, this plan would allow the 83% of servicemembers not eligible for military retirement to participate in a retirement plan within the confines of the system. This system will allow new service members to **contribute to a portable Thrift Savings Plan** with matching contributions from DoD. The reform also preserves a structure that encourages service beyond twelve and then twenty years of service by maintaining the retirement annuity. Those currently serving have the option of remaining grandfathered into the old system or choosing the new TSP option. The Committee appreciates other reforms made by the Military Personnel subcommittee consistent with at least 11 other recommendations made by the Commission.

Shaping the Workforce: An agile military also efficiently **manages the workforce** and keeps the **size of headquarters** in balance with the force in the field. The Committee is supportive of efforts by the Department to reduce headquarters' budgets and personnel by 20%, if those reductions are taken in a strategic manner, preserving critical competencies, such as depots and acquisition workforce. However, it is not clear if these efforts are resulting in efficiencies, since the Department lacks a baseline from which to measure reductions against, as noted by the Government Accountability Office. Therefore, the proposal will **mandate the implementation of DoD's planned 20% reduction in certain management headquarters budgets and personnel, and require a baseline** from which to hold the Department accountable.

The Committee shares the concerns expressed by the Secretary of Defense and other current and former senior defense officials that they need additional tools and flexibility to shape the workforce and to retain the best and brightest, particularly under the current budgetary environment. Therefore, this proposal would direct the Secretary to brief the committee on **any legislative authority or regulatory policies in place that limit the Secretary's ability to appropriately balance the military, civilian, and contractor personnel** within the Department.

While the Committee recognizes that the Department's missions and requirements have not decreased, and that we will need to preserve the necessary end strength and skill sets to meet the growing threat environment, he also recognizes that DoD must do a better job balancing its "tooth-to-tail."

Efficient

Wasteful, Inefficient, or Poorly Budgeted Programs: While the Committee's proposal meets the President's request for military funding, it also **cuts excessive or wasteful expenditures** and dedicates those resources to more urgent needs. Of particular note is the **Foreign Currency Fluctuation, Defense (FCF,D) Account**. While this fund serves an important function, it has been over-resourced for some time. In the FY15 NDAA, the Committee asked DoD to consider the current balance when determining future currency levels. The fund has been at its statutory limit of \$970 million since 2012. The current budget request failed to change how foreign currency rates are calculated. When the Department proposes to cut the Base Housing Allowance by \$400 million, it makes no sense to Overcharge Operation & Maintenance and Military Personnel accounts by over \$1.4 billion for foreign currency rates.

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Another example is the Department's budget request for fuel; when they are relying on rates calculated in 2009 and adjusted for inflation rather than estimated market prices for the upcoming fiscal year. The Committee's proposal re-directs these and other funds to higher priority programs.

TABLE 2: Examples Of Reallocated Resources

Savings Achieved	Resources Added
Unobligated Balances - \$-2.6B	Additional 12 F/A 18-F Super Hornet Aircraft – Navy Unfunded Requirement - \$1.15 billion
Excessive estimates for fuel - \$-1.6B	Additional 6 F-35B JSF Aircraft – Marine Corps Unfunded Requirement - \$1.0 billion
Foreign Currency adjustments - \$-1.4B	Restore Sustainment shortfalls - \$431.4M
Long-Range Strike Bomber - \$-460M	Basic Housing Allowance - \$400.0M
Various program reductions - \$-249.4M	Increased Operations Tempo to Meet Readiness Objectives - \$385.1M
KC-46A - \$-224.0M	A-10 - \$682.7M
Various program delays, early-to-need requests - \$-146.2M	Maintaining Commissary Hours of Operation - \$322.0M
Anticipated contract savings - \$-100.8M	EELV - Rocket Propulsion System Development - \$184.4M
Joint Urgent Operational Needs Fund - \$-99.7M	Javelin - \$168.5M
EELV - Launch Vehicle Development - \$-84.4M	Additional 8 rotorcraft for Army National Guard - \$128.0M
A-10 to F-15E Training Transition - \$-79.6M	Additional DDG Modification-Unfunded Requirement - \$120.0M
Cost growth for support equipment - \$-47.9M	Apache Survivability Enhancements - Army Unfunded Requirement - \$110.0M
Unjustified Growth in Defense –wide RDT&E programs - \$-35.0M	H-60 A-L Conversion Acceleration - \$86.7M
Defense Enterprise Accounting and Management System - \$-20.7M	Financial Literacy Training - \$85.0M
MC-130 Terrain Following/Terrain Avoidance Radar Program - \$-20.2M	C-130J - \$73.0M
Unjustified increase and analysis of alternatives - \$-20M	Army Flying Hour Program Restoration Unfunded Requirement - \$55.0M
EMD contract delays - \$-20M	Plan Central America - \$50.0M
Civilian Institutions Graduate Education Program - \$-16.5M	Stryker Lethality Upgrades - \$79.5M
Unjustified Growth Marine Corps Heritage Center - \$-15.8M	Israeli Cooperative Missile Defense - \$329.8M
OUSD AT&L Congressional Mandate (BRAC Support) - \$-10.5M	LX(R) Acceleration - \$279.0M
	EC-130H Force Structure Restoration - \$48.3M
	Restoration of Army National Guard Flying Hours Unfunded Requirement - \$43.9M
	Additional MQ-4C Triton Unmanned Aerial System – Navy Unfunded Requirement - \$83.0M

The Committee is mindful of DoD concerns that excess basing capacity is a financial drag on the Department. It is also cognizant of the fact that the most recent capacity survey is more than a decade old, and does not reflect the impacts or cost of the most recent BRAC round, nor the probable future force posture. Consistent with the Readiness Subcommittee proposal, The Committee's proposal directs a new

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capacity study that reflects the current threat profile and makes conservative assumptions about future end strength. It is concerned that once an asset is lost through the BRAC process, it can never be regained, or is prohibitively expensive to replace. For that reason, it is deeply skeptical that BRAC is in the country's national security interest.

Reducing Required Reports: Finally, the Committee is aware that Congress can often be the source of inefficiency in the Department of Defense. The proposal weeds out the reporting requirements that provide little or no value to either DoD or Congress. To free up vital manpower, his proposal takes a number of actions that, over the next six years **eliminate over 460 congressionally-mandated reports.**

Ready

A ready force is backed by well-maintained equipment, rigorous training, adequate facilities and infrastructure, and competent civilian partners. Likewise, appropriate policies, and well-funded and thought-out strategies also ensure that our Armed Forces are ready to meet current and future threats. The Committee's proposal assures a properly trained and equipped force, as well as one backed by a sensible strategic approach.

Military Personnel: Caring for our **troops and their families** is the cornerstone of readiness. The Committee's proposal builds on the bipartisan work of the Military Personnel Subcommittee in providing our troops the benefits they need, deserve, and have earned. **The Commission made 15 recommendations and the Committee proposes to act on 11 of them in this NDAA.**

One concern raised by the Commission, and shared by the Committee, is the lengthy backlog of families waiting to take advantage of **military childcare**. It is not evident from extensive committee oversight that the backlog is related to funding or military construction. The Committee's proposal directs the Department of Defense to **cut the backlog in half** by the end of FY17 and provide a mid-point progress report to Congress. The Committee also asks the Government Accountability Office (GAO) to examine the adequacy of **nutrition subsistence programs** for military families.

The Committee continues to focus on supporting members who transition from military service by establishing a **Job Training and Post-Service Placement Executive Committee** within the current Department of Defense-Department of Veterans Affairs Joint Executive Committee. The Committee's proposal directs a **joint uniform formulary between the Department of Defense and the Department of Veterans Affairs** for medications to treat psychiatric conditions, sleep disorders, and pain management to ensure transition veterans continue to receive the best care when they leave military service.

Extended deployments are a strain on military families that can be mitigated by visits to deployed family members. The Commission noted that current **Space A regulations** only allow for spouses and children to visit troops on deployments longer than 120 days. The Committee's proposal would shorten that time to 30 days.

The Committee's proposal continues the vigorous oversight and **protection of our troops from sexual assault**. The Committee welcomes the bipartisan leadership of Members of the Committee - in addition to the Military Personnel Subcommittee - in recommending improvements to the Special Victims program, including expansion of **sexual assault prevention training to ROTC and Junior ROTC programs**, access to Special Victims Counsel for civilians who are victims of sexual assault, and a

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requirement for DoD to **enhance sexual assault prevention for male victims** in the Armed Forces. DoD is also required to **develop a strategy to deal with retaliation against those who intervene on behalf of victims.**

Readiness: Among provisions aimed at dealing with shortfalls and unfunded requirements cited by the Department, the Committee's proposal provides an **increase in the military construction program** above FY15 enacted levels. The Committee's proposal fully funds the Operation and Maintenance accounts for an 11th carrier and 10th air wing, aircraft carrier maintenance reset, ship operations, and collective training exercises resulting in 19 Combat Training Center rotations for Brigade Combat Teams. The Committee's proposal also fully funds Initial Entry Rotary Wing training, and restores funding to meet 100% of the flying hour program requirement. The Committee's proposal authorizes additional Marine Corps resources to meet unfunded aviation readiness requirements and ensure adequate numbers of mission-capable aircraft, as well as additional Air Force training resources for high-demand areas such as unmanned systems pilots and joint terminal controllers.

Cyber: This domain of modern warfare continues to grow in scope and sophistication. The country has witnessed recent, bold cyber attacks against Google, large financial institutions, congressional computer systems, and the Pentagon. Congress has a responsibility to address this evolving threat, and this includes taking action to update and improve the national security authorities, organizations, and policies necessary to do so.

The Committee's proposal provides for stronger cyber operations capabilities and looks to safeguard our technological superiority. The proposal **fully resources and authorizes U.S. Cyber Command programs and activities**, as well as all **Military Service cyber programs and Cyber science and technology initiatives** to enhance a Cyber mission force that defends our national security objectives.

The Committee recognizes the importance of working with our defense industrial base partners, and the proposal includes **incentives to improve sharing of information** on threats and defensive measures with the Department of Defense.

To help address the evolving threat, the Committee commends the work of the Emerging Threats and Capability Subcommittee in directing the Secretary of Defense to **identify and assess cyber vulnerabilities on legacy weapons systems and mission systems** and to **identify solutions and funding to remedy** these vulnerabilities to provide for a stronger cyber defense. It also requests a review of **Department of Defense cyber support to civil authorities to ensure proper coordination** between U.S. military and civilian cyber organizations, as well as proper military support to civil authorities during a domestic cyber incident.

Intelligence: Maintaining robust military intelligence is essential to our national security. To that end the Committee's proposal takes steps to ensure **military intelligence analysis remains a priority at the national level** and that the Department is thinking hard about how it collects and analyzes intelligence to support the needs of the Combatant Commanders and warfighters. Additionally under his acquisition reform initiative he is taking a close look at the **intelligence being provided to inform our acquisition decisions** and also making sure the department is planning adequately for the demands new weapon systems will place on military intelligence. The Committee's proposal directs the DoD to examine the science and technical intelligence and foreign material exploitation work being done by various military intelligence organizations, identify redundancies, and make changes where necessary.

In an era of unprecedented threats, the Committee's proposal also ensures that our forces are supported by a sound strategy that meets and mitigates those challenges, from a resurgent Russia, Iran and Islamic State of Iraq and the Levant's (ISIL) malevolent influence in the Middle East, re-engaging Guantanamo Bay (GTMO) detainees, narco-terrorists in Central America, and hopeful prospects in Afghanistan.

Afghanistan: The Committee's proposal extends vital authorities for our forces in **Afghanistan**, including an extension of the **Commander's Emergency Response Program (CERP)**, authorizing the acquisition of goods on the routes of supply and continuing support for the Afghanistan National Security Forces (ANSF) so that they can preserve the hard fought gains in Afghanistan and sustain its stability and security. The proposal also expresses the Committee's view that the United States continues to have vital national security interests in ensuring that Afghanistan remains stable and sovereign, that the President should withdraw U.S. troops only at a pace in which the ANSF can sustain itself and secure Afghanistan, and that the United States should monetarily support the ANSF and the Afghan Local Police through 2018. The Committee's proposal extends the **Oversight of Sensitive Military Operations (OSMOA)** reporting requirements on "lethal and capture" operations in Afghanistan.

Iran: The Committee's proposal extends the Iran military power report for 10 years, the length of any potential Iran nuclear agreement. It also reflects the Chairman's view, shared by many Members of the committee, that Iran's illicit pursuit of a nuclear weapons capability and its malign military activities constitute a grave threat to regional stability and U.S. national security interests, and his concern that Iran may well increase its malign activities, including its support to terrorism, regardless of any comprehensive nuclear agreement with Iran. The Committee's proposal also requires the Secretary of Defense, in coordination with the President, to submit a strategy to counter unconventional warfare threats being posed by Iran.

ISIL: The Committee's proposal reinforces the mission against the **Islamic State of Iraq and the Levant (ISIL)** and Operation INHERENT RESOLVE (OIR). Its proposal reauthorizes the Office of Security Cooperation in Iraq. The Committee also supports authorizing the President's request of \$715 million for **security assistance to Iraqi forces combatting ISIL**. However, the Committee requires that 25% of the funds be provided directly to the Kurdish Peshmerga and Sunni forces. The remaining 75% would be withheld until the Secretaries of State and Defense assess that the Government of Iraq is meeting certain conditions for political inclusiveness. Should they not be able to make that assessment, 60% of the remaining funds would be released directly to the Kurds and Sunnis. In regards to this provision, Chairman Thornberry said, "In order to provide assistance to the various groups in Iraq, we had to phrase language in a certain way to comply with the U.S. Foreign Assistance Act. The Committee does not mean to make internal decisions for Iraqis and their sovereignty. That of course is up to them."

The proposal authorizes \$600 million to continue **training and equipping the vetted moderate Syrian opposition forces**, while expressing concern about defending those forces once they return to the fight in Syria. The Committee's proposal also authorizes funds to enhance **Jordanian border security and enhance Jordan's military capabilities**, and further increases oversight of overall command and control of OIR.

Finally, the Committee shares concerns expressed by Representatives John Kline (R-MN), Martha McSally (R-AZ), and other Members on **force protection and search and rescue assets** associated with the

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counter-ISIL mission. The proposal requires DoD to report on the categories of U.S. forces subject to the President's troop cap for OIR.

The Committee's proposal recognizes that ISIL and al Qaeda have taken to the Internet to spread their message and attract supporters to their cause. Encouraged by the Subcommittee on Emerging Threats and Capabilities, the Committee welcomes the proposal to give the Secretary of Defense the authority to establish a pilot program to counter these adversarial propaganda efforts, as well as additional funding for U.S. Special Operations Command inform and influence activities. The Committee's proposal also increases the "1208 program" to \$100 million to assist the global fight against terrorists such as al Qaeda and ISIL.

The FY15 NDAA authorized the **Counter Terrorism Partnership Fund (CTPF)** to provide assistance to foreign security forces. This year, the President requested \$2.1 billion for CTPF. The Committee notes that the Department has not provided a required plan for how it intends to spend FY15 CTPF funds, much less any details on how it would spend FY16 requested funds, nor have any FY15 CTPF funds been executed. Therefore, the Committee **does not support authorizing CTPF for FY16**. Rather, its proposal realigns such funds to areas with clearly defined requirements, including: **support for the border security and capability enhancements for Jordan, military construction, and specific counter-ISIL programs.**

Russia: Russia has employed conventional and unconventional warfare methods to counter U.S. and western interests. Similar to CTPF, at the President's request Congress authorized the **European Reassurance Initiative** in the FY15 NDAA. Rather than authorize a general fund, the Committee allocates resources to specific requirements including increased funding for **U.S. intelligence and warning capabilities, technologies supporting U.S. information operations and strategic communications activities, the Javelin missile system, and Stryker combat vehicle upgrades.**

The Committee has also focused on Russia's use of unconventional warfare tactics and how the Department should counter them. Therefore, the Committee's proposal requires the Secretary of Defense in coordination with the President to submit a strategy to counter unconventional warfare threats being posed by an expansive and aggressive Russia and provides additional authorities and funding to counter Russian propaganda efforts. Its proposal also directs the DoD Office of Net Assessment to undertake a study exploring various strategies for deterring unconventional warfare tactics similar to those being used by Russia in Ukraine.

To further address Russian aggression, the Committee commends the work of the Strategic Forces Subcommittee in modifying the Aegis Ashore Sites in Romania and Poland to provide them with Anti-Air Warfare capability, so they are able to provide defense against Russian aircraft and cruise missile attacks. Russia has repeatedly threatened to attack these sites and the U.S. personnel who man them, and the Committee believes we have a moral obligation to defend our personnel against any threat. The subcommittee proposal would also direct the research and development of responses to Russia's violation of the Intermediate-range Nuclear Forces (INF) treaty.

Ukraine: The Committee's proposal incorporates bipartisan legislation Chairman Thornberry sponsored together with Ranking Member Adam Smith (D-WA), H.R. 955, to provide assistance and sustainment to the military and national security forces of Ukraine, which specifically includes the provision of lethal assistance of a defensive nature to Ukraine. The Committee remains concerned that the President has not done enough to provide military training and assistance to Ukraine to allow it to better defend itself

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and increase the costs to Russia for engaging in such aggressive behavior against Ukraine. The Committee's proposal authorizes \$200 million for that purpose.

Nuclear weapons: The Committee's proposal includes \$150 million to start tackling the **\$3.6 billion backlog of old, crumbling infrastructure within the National Nuclear Security Administration (NNSA)**. The Committee welcomes proposals from the Strategic Forces Subcommittee to implement a GAO recommendation and direct the transfer of NNSA's old, nonoperational facilities to the Department of Energy's Office of Environmental Management where they can be prioritized and demolished. The Committee's proposal also establishes a program to **ensure NNSA is agile and responsive to change** by fully and continuously exercising the capabilities and skills needed to study, design, and produce nuclear weapons. The Committee also supports the work of the Subcommittee on Strategic Forces to provide a forcing function to the Department of Energy and NNSA to ensure implementation of recommendations for improving the longstanding governance and management problems at these agencies.

Defense Security Cooperation: The Department has placed greater emphasis on security cooperation, to include building partner capacity. The Committee remains concerned about the lack of strategy guiding these efforts and how effective these are. Therefore, its proposal **requires the Secretary of Defense, in coordination with the Secretary of State, to develop a strategic framework for DoD security cooperation** to guide prioritization of resources and activities, which should lay the groundwork for the committee's planned deep-dive review of defense security cooperation authorities, programs, and resources.

GTMO: The status of detainees held at Guantanamo Bay (GTMO) is of great concern to the Committee. The Committee's proposal reauthorizes the bipartisan **prohibitions against transferring detainees to the United States and against building detention facilities in the United States**. Since January of 2014, the Administration has transferred 33 detainees to third countries. The Committee has grave concerns about the circumstances of these transfers and the continued reengagement of former detainees. Further, there is little public disclosure about the facts surrounding detainee reengagement. This amplifies many Members' concern that the President unlawfully transferred five senior Taliban terrorists from GTMO in violation of provisions in the FY14 NDAA requiring a 30-day advance congressional notification. Detainee transfers should occur only when U.S. security can be assured, and not to meet an arbitrary campaign promise. To that end, the Committee's proposal **rescinds the President's authority to unilaterally transfer detainees** and reverts to the stronger transfer policy established in the FY13 NDAA. Transfers may take place only when the Secretary of Defense can certify that the foreign country to which the detainee is being transferred will maintain control over the detainee and ensure the detainee cannot threaten the United States or reengage in terrorist activity. The Committee's proposal also **prohibits the transfer of detainees to combat zones**, intended to address instances such as a recent transfer of detainees to Afghanistan, where U.S. Servicemembers are still engaged in combat. Consistent with the past policy, the Committee's proposal provides a national security waiver.

The Committee remains frustrated with the Administration's lack of cooperation on the Committee's investigation of the Taliban Five detainee transfer. Congressional oversight has been hampered by **unwarranted redactions of unclassified material**, as well as the withholding of **Department of Justice legal advice** to DOD regarding the legality of the transfer. Secretary Hagel committed to provide such documentation in a public hearing on June 11, 2014. Until such time as the redactions are lifted and the DOJ materials are provided, the Committee proposes to **withhold 25% of the funding for the Office of the Secretary of Defense**.

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As reports of detainee re-engagements persist, the Committee also directs the Department of Defense to **report to Congress when former detainees attempt to communicate with terrorists.**

Plan Central America: Threatening levels of violence, instability, illicit trafficking, and transnational organized crime challenge the sovereignty of Central American nations and the security of the United States. Building on the President's budget request of \$1 billion to the Department of State to address this crisis, the Committee proposes to allocate **\$50 million for DoD-unique capabilities** in areas such as aerial and maritime capabilities, building partnership capacity, and the detection and monitoring of illicit trafficking to complement Department of State efforts.

Asia-Pacific: The Committee remains concerned about America's strategy in the Asia-Pacific region. Working with Representatives Bordallo (D-GU), Gabbard (D-HI), and Takai (D-HI), its proposal would require the President to **develop a strategy** for promoting America's interests in the region. Further, ahead of civilian nuclear negotiations in the region, the Committee's proposal requires an assessment from the Director of National Intelligence and the Chief of Naval Operations on the risk of civilian nuclear energy information being diverted to foreign nuclear naval propulsion programs, as well as development of a strategy for mitigating that risk. Lastly, in recognition of the tremendous sacrifice, bravery, and loss of U.S. and Allied Forces during the Second World War in the Pacific, the proposal would include a **sense of Congress on the 70th Anniversary of the end of the Second World War in the Pacific**, and note the close alliance relationship that the United States and Japan have forged since the war.

LETHAL

America's military must have the platforms and programs required to be a reliably lethal force. To that end, the Committee's proposal includes investments to ensure lethality.

Special Operations Forces: The Committee's proposal fully resources and enables Special Operations Forces and U.S. Special Operations Command activities and programs for today and tomorrow, including investments in operations, readiness, procurement and science and technology initiatives across the force. Consistent with the ETC proposal, it extends critical authorities used by our Special Operations Forces across the globe, and provides additional authorities and funding to counter adversarial propaganda efforts, such as those being posed by Russia, Al Qaida, and the Islamic State of Iraq and the Levant.

A-10: Rigorous oversight, endorsements from Soldiers and Marines about the protection only the A-10 can provide, and repeated deployments in support of OIR have persuaded many Members from both parties that the budget-driven decision to retire the A-10 is misguided. **The Committee's proposal restores funding for the A-10 and prohibits its retirement.** Unlike past efforts to restore the platform, the Committee **identifies specific funding** to restore personnel, and preserve, modify, and upgrade the A-10 fleet.

Strike Fighters: As the demand increases it is vital that Congress address the shortfall in strike aircraft for the Navy and Marine Corps – including the replacement of Harrier aircraft lost in Afghanistan. To that end the Committee's proposal authorizes **12 additional F-18s for the Navy and 6 additional F-35Bs for the Marine Corps.** The Committee also supports the budget request for 57 total F-35 aircraft, but recommends targeted adjustments based on contract savings and program oversight concerns.

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Cruisers: The cruiser fleet is a vital part of America's naval power. The Committee's proposal builds on the work of the Seapower and Projection Forces Subcommittee in reducing the layup time for refit, in order to maximize the number of cruisers in the fleet.

UH-60 Blackhawks: The availability of equipment needed to sustain and modernize the National Guard and Reserve Components as an operational reserve and for their domestic support missions remains a concern. To that end, the Committee's proposals builds on the work of the Tactical Air and Land Forces Subcommittee and directs several oversight bill provisions to help **accelerate rotorcraft modernization for the Army National Guard**, and recommends additional funding for UH-60M Blackhawks for the Army National Guard; the UH-60M is the most modernized Blackhawk, and would help fill an urgent need in Army Guard units for this utility helicopter for both operational and domestic support missions.

AH-64 Apache Survivability Equipment Modernization: The Committee's proposal supports the work of the Tactical Air and Land Forces Subcommittee and recommends additional funding to address an Army unfunded requirement to procure and develop improved countermeasures to better protect deployed Apache helicopters against the latest threats.

Strategic Deterrence Fund: A reliable nuclear triad is vital to America's deterrent capacity and the Ohio Class replacement program is a key part of the triad. However, this important program threatens to crowd out all other Navy ship building resources. The Committee's proposal expands the National Sea-Based Deterrence Fund by allocating \$1.39 billion to the Fund to appropriately resource SSBN-(X).

Long-Range Strike Bomber: The new bomber program is a key element in DoD's planned investment in long-range strike. The proposal authorizes the full amount for the program that the Air Force can execute in FY16, given contract award delays. Additionally, the Committee instructs GAO to complete an assessment of technology challenges and cost implications associated with LRSB.

Air Force Tankers: The proposal expresses strong support for KC-46A Tanker as a critical enabler of power projection. The proposal funds the program at the level the Air Force can execute in FY16.

EC-130H Compass Call: The Air Force proposed to retire half of these critical aircraft. Consistent with the Chief of Staff of the Air Force Unfunded Requirements List, the Committee believes that the electronic warfare capabilities provided by this aircraft are essential to the Air Force to operate and win in a contested battlespace. The proposal restores existing capabilities.

Tomahawk Block IV: The Committee believes that the Tomahawk missile has been extremely effective power projection capability. The proposal reverses an administration's proposal to terminate Tomahawk production and supports the minimum sustaining production rate of 198 missiles.

RD-180: Assured access to space is a national security priority. The Committee shares the concern of many members that reliance on Russian-designed rocket engines is no longer acceptable. The Committee's proposal, reinforces and clarifies policies carried in the FY15 NDAA, that prohibits modification of the EELV block buy, to ensure additional launches can't be brought into the block-buy without competition. The Committee also directs the Air Force to terminate its EELV Launch Capability infrastructure program by a date certain, to promote true competition in space launch. The proposal also authorizes \$185M for the development of a new, U.S. rocket propulsion system, to direct the Air Force to move faster than it is planning to end reliance on Russian rocket engines.

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Missile Defense: The Strategic Forces proposal from Chairman Rogers (R-AL) accelerates development of a next-generation missile defense interceptor; modifies the Aegis Ashore Sites in Romania and Poland to provide them with Anti-Air Warfare capability, for self-defense; and, directs the relocation of the Sea-based X-band radar to add to the missile defense of the United States from an Iranian intercontinental ballistic missile, including siting a new homeport on the East Coast.

The Committee's proposal also authorizes \$30 million for planning and design for an **East Coast missile defense site** to add to the defense of the United States. Both President Bush and President Obama agreed on the need for an additional homeland missile defense site postured specifically to defend the United States against Iranian long-range ballistic missiles. President Obama's two concessions of our missile defenses to Russia have created a hole in our homeland missile defense coverage. Iran's test this past February of a Safir space launch vehicle reminds us that Iran continues to develop an ICBM capability while negotiating with the Obama Administration.

National Guard and Reserve Component Equipment Account: In the Committee's continuing attempt to fund National Guard and Reserve Component required capabilities at the appropriate level, the Committee's proposal has recommended that additional funds be authorized as part of a National Guard and Reserve equipment account to address significant equipment shortages in modernized equipment for the Guard and Reserves.