

SUMMARY OF TECHNICAL CORRECTIONS & AMENDMENTS OFFERED TO THE DEFENSE APPROPRIATIONS BILL

1. Bill language for Senator Coats regarding Defense Finance and Accounting Service functions.
2. Report language for Senator Mikulski regarding Patuxent Naval Air Station.
3. Report language for Senator Reed regarding cyber education.
4. Report language for Senator Landrieu regarding the Minority Leaders Program.
5. Report language for Senator Merkley regarding Medical Defense Against Infectious Disease.
6. Report language for Senator Feinstein regarding Antimicrobial Stewardship Programs.
7. Bill language for Senator Begich regarding Section 811 of the NDAA for Fiscal Year 2010.
8. Report language for Senator Blunt regarding Manufacturing and Innovation Centers.
9. Report language for Senator Hoeven regarding B-52 Upgrades.
10. Bill language for Senator Tester in Title IX regarding the prohibition on transfer of additional C-130s to Afghanistan.
11. Bill language for Senators Pryor, Boozman, and Moran regarding Federal Excess Personal Property.
12. Report language for Senators Shaheen, Leahy, Merkley, Mikulski, and Murray regarding National Guard and Reserve Reintegration Programs.
13. Bill and report language for Senators Landrieu and Feinstein regarding Youth Challenge.
14. Report language for Senators Pryor, Begich, Boozman, Coons, Murkowski, and Tester on C-130H Upgrades for the Air National Guard.
15. Report language for Senator Collins regarding the DDG-1000 program.
16. Report language for Senator Hoeven regarding the UAS common development program.
17. Report language for Senator Leahy regarding the Junior Reserve Officer Training Corps.
18. Report language for Senators Pryor and Boozman regarding the National Commission on the Future of the Army.
19. Bill language for Senators Pryor and Boozman regarding the Senior Reserve Officers' Training Corps.
20. Report language for Senator Landrieu regarding Satellite Communications Interference.
21. Report language for Senator Coons regarding the roles of federal research organizations in cyber security.
22. Report language for Senator Landrieu regarding Weapon Storage Area Recapitalization.
23. Bill and report language for Senator Reed regarding the Virginia class submarine.
24. Bill language for Senator Murkowski regarding DLA seafood procurement.

1. For Senator Coats:

Bill language:

At the appropriate place, insert the following: "SEC. _____. No plan may be implemented by the Secretary of Defense, the Secretary of a military department, the Director of the Defense Finance and Accounting Service, or any other person to transfer financial management, bill paying, or accounting services functions from the Defense Finance and Accounting Service to another entity until the Secretary of Defense provides the congressional defense committees a written report on the plan and the Secretary certifies to such committees that the plan would reduce costs, increase efficiencies, and maintain the timeline for auditability of financial statements."

2. For Senator Mikulski:

Report Language:

On page 66 of the report, after the section on "Shipboard Lighting Systems," the report language is amended by inserting "*Patuxent Naval Air Station*.—The Committee is aware that the Department of the Navy commissioned the Massachusetts Institute of Technology's Lincoln Laboratory to conduct a study to determine the effects and a potential mitigation plan between the operation of the proposed wind energy project and the Patuxent Naval Air Station. The study is not yet completed. Therefore, the Committee directs the Navy to refrain from executing any agreement with respect to the operation of the proposed wind energy project until the study is provided to the congressional defense committees."

3. For Senator Reed:

Report Language:

On page 13 of the report, under the heading "Defense Cyber Training and Education," the report language is amended by inserting "covering the full continuum of professional development from initial entry training to senior service war colleges" at the conclusion.

4. For Senator Landrieu:

Report Language:

On page 244 of the report, after the section on "Air Force T-1A Aircraft," the report language is amended by inserting "*Minority Leaders Program*.—The Committee encourages the Air Force Research Laboratory to invest in research activities that can be conducted by the Air Force Minority Leaders Program to meet critical defense capabilities, science and technology, future workforce, and technical program objectives for the Air Force. Additionally, the Committee urges the Air Force Research Laboratory to expand the research areas in which the Air Force Minority Leaders Program can participate."

5. For Senator Merkley:

Report Language:

On page 278 of the report, under the heading "Medical Defense Against Infectious Disease," the report language is amended by inserting ", novel approaches to vaccine development" after "surveillance."

6. For Senator Feinstein:

Report Language:

On page 278 of the report, after the section on "Access to Military Treatment Facilities," the report language is amended by inserting "*Antimicrobial Stewardship Programs.*—The Committee encourages the Department to implement antimicrobial stewardship programs at all its medical facilities and develop consistent ways to collect and analyze data on antibiotic usage, healthcare outcomes (such as *Clostridium difficile* infections), and antimicrobial resistance trends in order to evaluate how well these programs are improving patient care and reducing inappropriate antibiotic use. The Committee also encourages the Department to provide antibiotic usage and antimicrobial resistance data to the Centers for Disease Control and Prevention's National Healthcare Safety Network."

7. For Senator Begich:

Bill Language:

On page 120 of the bill, the bill language is amended by striking the language included in Sec. 8119 and replacing it with the following: "Sec. 8119. Within 90 days of enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees to assess whether the justification and approval requirements under section 811 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2405) have, inconsistent with the intent of Congress--

- (1) negatively impacted the ability of covered entities to be awarded sole-source contracts with the Department of Defense greater than \$20 million;
- (2) discouraged agencies from awarding contracts greater than \$20 million to covered entities;
- (3) been misconstrued and/or inconsistently implemented.

Provided, the Comptroller General shall: (1) Analyze and report to the congressional defense committees on the sufficiency of the Department's report in addressing the requirements; (2) Review the extent to which section 811 has negatively impacted the ability of covered entities to be awarded sole-source contracts with the Department, discouraged agencies from awarding contracts, or been misconstrued and/or inconsistently implemented."

8. For Senator Blunt:

Report Language:

On page 254 of the report, the report language is amended by striking the language included under the heading "Manufacturing and Innovation Centers" and replacing it with the following: "The Committee notes the budget request supports five manufacturing innovation institutes. The Committee encourages the Department of Defense to use these institutes to provide advanced manufacturing capabilities in critical technology sectors, strengthen the defense industrial base, and promote the training of a technical manufacturing and engineering workforce. The Committee directs the Department to ensure that the private sector's cost share at least equally matches the funding from federal sources, and recommends that the Department limit direct core support for these institutes to five fiscal years. Prior to establishing a new institute, the Committee directs the Department to submit to the congressional defense committees a business case analysis of costs, requirements, and justifications for the selection of the award and include metrics-based performance measures to monitor performance and success of the institute. The institute performers can compete for other manufacturing technology and research funding available from the federal government at all times. Finally, the Department should encourage institutes to work with private sector partners on pre-competitive research activities, common technical standards, and joint technology and manufacturing roadmaps."

9. For Senator Hoeven:

Report Language:

On page 174 of the report, the report language is amended by striking the language included under the heading "B-52 Upgrades" and replacing it with the following: "The Committee commends the Department's efforts to upgrade the B-52 aircraft. While supportive of the aircraft and its valuable legacy within the Air Force, the Committee is monitoring the costs associated with follow-on modifications to the aircraft. As such, the Committee requests that the Secretary of the Air Force provide regular updates on progress of the internal weapons bay upgrade and the combat network communications technology enhancement and how these modernization efforts will allow the B-52 to conduct additional missions and participate in future operations."

10. For Senator Tester:

Bill Language:

At the appropriate place in Title IX, insert the following: "SEC. _____. None of the funds in this act may be made available for the transfer of additional C-130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a review to the Congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The review should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the AAF's current medium airlift capacity."

11. For Senators Pryor, Boozman, and Moran:

Bill Language:

At the appropriate place, insert the following: "SEC. _____. None of the funds made available under this Act shall be used to suspend, terminate, or otherwise alter the Federal Excess Personal Property program or the Firefighter Property program."

12. For Senators Shaheen, Leahy, Merkley, Mikulski, and Murray:

Report Language:

On page 306 of the report, after the funding table for "Operation and Maintenance, Defense-Wide," the report language is amended by inserting "*National Guard and Reserve Reintegration Programs.*—The Committee believes that National Guard and Reserve reintegration programs, like the Yellow Ribbon Reintegration Program (YRRP) and the Beyond Yellow Ribbon program, continue to provide value to service members and their families. Since 2008, more than 1,300,000 National Guard members and Reservists and their families have benefited from the Yellow Ribbon Reintegration Program. Information and counseling provided during YRRP events help mitigate the unique challenges associated with repeated transitions between military and civilian life, particularly for service members returning to rural areas far removed from traditional military support networks. In addition, state programs supported through the Beyond Yellow Ribbon program provide community-based outreach services that coordinate state and local resources into a single, comprehensive network of support throughout the deployment cycle.

Given the proven track record of these programs in addressing many of the reintegration challenges facing Guard and Reservists, particularly the vital mission of suicide prevention, the Committee believes the YRRP and Beyond Yellow Ribbon program have enduring value and encourages the Department to ensure their continued viability by transitioning each to its base budget request."

13. For Senators Landrieu and Feinstein:

Bill Language:

On page 8 of the bill, under the heading, "Operation and Maintenance, Defense-Wide", increase the amount by \$21,000,000. And on page 18 of the bill, under the heading "Department of Defense Acquisition Workforce Development Fund", reduce the amount by \$21,000,000.

Report Language:

On page 78 of the report, under the heading "Operation and Maintenance, Defense-Wide", in line titled "Civil Military Programs", for the entry for "Program Increase: Youth Challenge", substitute the following:

| <u>Line</u> | <u>Item</u> | <u>Change from budget estimate</u> |
|-------------------------|-----------------------------------|------------------------------------|
| Civil Military Programs | Program Increase: Youth Challenge | +31,000 |

14. For Senators Pryor, Begich, Boozman, Coons, Murkowski, and Tester:

Report Language:

On page 243 of the report, after the section on "Advanced Extremely High Frequency Terminal," the report language is amended by inserting "*C-130H Upgrades for the Air National Guard*."--The Committee received a letter from the State Adjutants General of the National Guard outlining their support for continued modernization of the Air National Guard's C-130H fleet. In this letter, the Adjutants General expressed their concern that the C-130H fleet would not be modified with Automatic Dependent Surveillance-Broadcast (ADS-B) Out capability prior to 2020. The letter highlights that the current \$2,300,000,000 C-130 Avionics Modernization Program (AMP) does not include this critical ADS-B Out capability. Because the AMP does not include the ADS-B Out modification, the Committee is encouraged by the State Adjutants General request to pursue an alternative C-130 Communication, Navigation, Surveillance/Air Traffic Management (CNS/ATM) solution for the Air National Guard to meet the 2020 mandate. Therefore, the Committee would be willing to consider a reprogramming request submitted to the congressional defense committees transferring fiscal year 2015 funds to the C-130 Airlift Squadrons budget line item in the Research, Development, Test and Evaluation, Air Force appropriation to begin a program in fiscal year 2015."

15. For Senator Collins:

Report Language:

On page 149 of the report, the report language is amended by striking the language included under the heading "DDG 1000 Destroyer" and replacing it with the following: "The fiscal year 2015 budget request includes \$419,532,000 for the DDG-1000 program, an increase of \$187,838,000 over amounts appropriated in fiscal year 2014. The Committee notes that the fiscal year 2015 request is \$98,200,000 above the projected amount required for fiscal year 2015 during last year's budget submission and that in total, the Navy has added \$451,900,000 from fiscal years 2015 to 2017 to the DDG 1000 program in the fiscal year 2015 budget submission. The Committee understands that these increases are attributed to the fact that the Navy had not previously funded the program to the cost estimate provided by the Director, Cost Assessment and Program Evaluation (CAPE). The Committee further understands that the Navy does not plan to budget to the CAPE estimate in fiscal year 2016.

The Committee notes that the DDG 1000 program breached Nunn-McCurdy cost caps in 2010 and was re-certified by the Under Secretary of Defense for Acquisition, Technology, and Logistics on June 1, 2010. The recertification found that the primary root cause for the Nunn-McCurdy breach was the reduction in quantity from ten ships to three ships. The Committee further notes that subsequent to the Nunn-McCurdy recertification, Congress has fully funded annual budget requests, supported multiple above threshold reprogrammings, provided Special Transfer Authority, supported changes to the acquisition strategy, and supported a litigation settlement that provided \$198,000,000 to the DDG 1000 program.

In the fiscal year 2015 budget submission, the Navy's estimated procurement cost for the three DDG 1000 ships of the class is \$12,069,400,000, an increase of 34.4 percent since fiscal year 2009, when the third ship of the class was procured. Given the steadily rising costs of the DDG 1000 program since authorization and appropriation of the third and final ship of the class, the Committee believes the Navy and the congressional defense committees would be well-served with an updated Independent Cost Estimate.

Therefore, the Committee directs the Director, CAPE, to provide with the fiscal year 2016 budget submission an updated Independent Cost Estimate for the DDG 1000 program."

16. For Senator Hoeven:

Report Language:

On page 256 of the report, after the section on "Gas Reactors," the report language is amended by inserting "*UAS common development program.*—The Committee notes that the Federal Aviation Administration (FAA) recently designated six unmanned aerial system (UAS) national test sites and plans to announce a UAS Center of Excellence soon that together will develop policies and standards to govern the integration of UAS into the national airspace system (NAS). The Committee provides an additional \$4,561,000 for the UAS Common Development and encourages the Department of Defense to coordinate with the FAA and National Aeronautics and Space Administration (NASA) in the development and demonstration of common UAS standards, architecture, and technologies. The intent of the effort is to ensure a consistent, nationwide approach to airspace integration across both civil and public sectors and in a way that protects privacy and the safety of other aircraft and people on the ground."

17. For Senator Leahy:

Report Language:

On page 55 of the report, after the section on "Fly America Act," the report language is amended by inserting "*Junior Reserve Officer Training Corps.*—The Committee is concerned about the shrinking number of American youth eligible for military service. For nearly 100 years, the Junior Reserve Officer Training Corps (JROTC) has promoted citizenship and community service amongst America's youth and has been an important means through which youth can learn about military service in the United States. But evidence suggests that some high school JROTC programs face closure due to funding tied to program enrollment levels, adversely impacting certain, particularly rural, populations. Therefore, the Committee directs the Secretary of Defense, in consultation with the services, to submit a report to the congressional defense committees no later than 180 days after the enactment of this act on recent trends in JROTC participation at both the individual and school level, as well as any plans to ensure adequate representation of all regions in the United States to ensure the capabilities of the Armed Forces to recruit from a diverse background to sustain the all-volunteer force."

18. For Senators Pryor and Boozman:

Report Language:

On page 60 of the report, after the section on "Army Emergency Management Training Center," the report language is amended by inserting "*National Commission on the Future of the Army.*—Several provisions were included in S. 2410, the National Defense Authorization Act for Fiscal Year 2015, as reported, regarding a National Commission on the Future of the Army. The Commission is to undertake a comprehensive study of the structure of the Army to determine the proper force mixture of the active component and reserve component, and how the structure should be modified to best fulfill current and anticipated mission requirements for the Army in a manner consistent with available resources and

estimated future resources. The Committee affirms its support for the National Commission on the Future of the Army.”

19. For Senators Pryor and Boozman:

Bill Language:

At the appropriate place, insert the following: “SEC. _____. (a) None of the funds appropriated or otherwise made available by this Act may be used to disestablish, or prepare to disestablish, a Senior Reserve Officers’ Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006.

(b) The Secretary of Defense may not, during fiscal year 2015—

(1) downgrade any Senior Reserve Officers’ Training Corps program from a host to extension center; or

(2) place on probation any Senior Reserve Officers’ Training Corps program.”

20. For Senator Landrieu:

Report Language:

On page 229 of the report, after the section on “MQ-4 Triton Unmanned Aerial Vehicle,” the report language is amended by inserting “*Satellite Communications Interference*.—The Committee is aware that the Department of the Navy is investigating methodologies to decrease interference in satellite communication between the Mobile User Objective System (MUOS) satellite transmission and the terminals. The Committee is concerned about problems associated with interference in ground terminals for wideband satellite communications systems and encourages further development of technologies that can effectively address this interference. Therefore, the Committee fully funds the budget request for the satellite communication development program and encourages the Navy to work with small businesses to provide an affordable solution.”

21. For Senator Coons:

Report Language:

On page 12 of the report, under the heading “Cyber Security: Roles of Federal Research Organizations,” the report language is amended by inserting “Finally, the Committee recognizes the contributions of the Department in working with the Council of Governors on forming a Joint Action Plan for State-Federal Unity of Effort on Cybersecurity and encourages the Department to continue its collaborative efforts.” at the conclusion.

22. For Senator Landrieu:

Report Language:

On page 188 of the report, under the heading "Weapon Storage Area Recapitalization," the report language is amended by inserting "and the plan" between "chosen" and "to".

23. For Senator Reed:

Bill Language:

On page 24 of the bill, under the heading "Shipbuilding and Conversion, Navy, 2015/2019: Virginia Class Submarine", increase the amount provided by \$20,000,000 and increase the total amount for "Shipbuilding and Conversion, Navy 2015/2019" by \$20,000,000.

And at the appropriate place in the bill, under the heading "Sec. 8039", insert the following:
"Shipbuilding and Conversion, Navy, 2014/2018": Virginia Class Submarine, \$20,000,000;"

Report Language:

On page 148 of the report, under the heading "Shipbuilding and Conversion, Navy", in the appropriate place, strike the entry for:

| <u>Line</u> | <u>Item</u> | <u>Change from budget estimate</u> |
|-------------|--|------------------------------------|
| 2 | Restoring acquisition accountability: Excess ECO | -20,000 |

And on page 287 of the report, under "2014 Appropriations", in the appropriate place, insert:

"Shipbuilding and Conversion, Navy:
Virginia Class Submarine: Economic Change Orders \$20,000,000"

24. For Senator Murkowski:

Bill Language:

At the appropriate place, insert the following: "Sec. _____. None of the funds in this Act may be used to require that seafood procured for the Department of Defense from sustainably managed fisheries in the United States, as determined by the National Marine Fisheries Service, be required to additionally meet sustainability certification criteria prescribed by third party non-governmental organizations."

For each of these changes, make the conforming technical corrections in the tables in the report and other number totals throughout the report and bill.