

- Sec. 1643. Congressional Budget Office review of cost estimates for nuclear weapons.
- Sec. 1644. Retention of missile silos.
- Sec. 1645. Procurement authority for certain parts of intercontinental ballistic missile fuzes.
- Sec. 1646. Assessment of nuclear weapon secondary requirement.
- Sec. 1647. Certification on nuclear force structure.
- Sec. 1648. Advance notice and reports on B61 life extension program.
- Sec. 1649. Notification and report concerning removal or consolidation of dual-capable aircraft from Europe.
- Sec. 1650. Reports on installation of nuclear command, control, and communications systems at headquarters of United States Strategic Command.
- Sec. 1651. Report on plans for response of Department of Defense to INF Treaty violation.
- Sec. 1652. Statement of policy on the nuclear triad.
- Sec. 1653. Sense of Congress on deterrence and defense posture of the North Atlantic Treaty Organization.

Subtitle E—Missile Defense Programs

- Sec. 1661. Availability of funds for Iron Dome short-range rocket defense system.
- Sec. 1662. Testing and assessment of missile defense systems prior to production and deployment.
- Sec. 1663. Acquisition plan for re-designed exo-atmospheric kill vehicle.
- Sec. 1664. Study on testing program of ground-based midcourse missile defense system.
- Sec. 1665. Sense of Congress and report on homeland ballistic missile defense.
- Sec. 1666. Sense of Congress and report on regional ballistic missile defense.

TITLE XVII—NATIONAL COMMISSION ON THE FUTURE OF THE ARMY

Subtitle A—Establishment and Duties of Commission

- Sec. 1701. Short title.
- Sec. 1702. National Commission on the Future of the Army.
- Sec. 1703. Duties of the Commission.
- Sec. 1704. Powers of the Commission.
- Sec. 1705. Commission personnel matters.
- Sec. 1706. Termination of the Commission.
- Sec. 1707. Funding.

Subtitle B—Related Limitations

- Sec. 1711. Prohibition on use of fiscal year 2015 funds to reduce strengths of Army personnel.
- Sec. 1712. Limitations on the transfer, including preparations for the transfer, of AH-64 Apache helicopters assigned to the Army National Guard.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

- Sec. 2001. Short title.
- Sec. 2002. Expiration of authorizations and amounts required to be specified by law.

1 (1) An identification of specific issues, short-
2 falls, and gaps related to the authorities providing
3 for the protection of military installations by the
4 agencies concerned and risks associated with such
5 gaps.

6 (2) A description of specific and detailed exam-
7 ples of incidents that have actually occurred that il-
8 lustrate the concerns referred to in paragraph (1).

9 (3) Any recommendations for proposed legisla-
10 tion that would—

11 (A) improve the ability of the Department
12 of Defense to fulfill its requirement to provide
13 for the protection of military installations; and

14 (B) address the concerns referred to in
15 paragraph (1).

16 **SEC. 1057. COMPTROLLER GENERAL BRIEFING AND RE-**
17 **PORT ON ARMY AND ARMY NATIONAL GUARD**
18 **FORCE STRUCTURE CHANGES.**

19 (a) BRIEFING AND REPORT.—

20 (1) BRIEFING.—Not later than March 1, 2015,
21 the Comptroller General of the United States shall
22 submit to the congressional defense committees a
23 written briefing on the assessment of the Comp-
24 troller General of the Aviation Restructuring Initia-
25 tive of the Army and of any proposals submitted by

1 the Chief of the National Guard Bureau or the Cost
2 Assessment and Program Evaluation Office of the
3 Department of Defense that could serve as alter-
4 natives to the Army's proposal for adjusting the
5 structure and mix of its combat aviation forces
6 among regular Army, Army Reserve, and Army Na-
7 tional Guard units.

8 (2) REPORT.—Not later than 60 days after the
9 submittal of the briefing under paragraph (1), the
10 Comptroller General shall submit to the congres-
11 sional defense committees a final report on the as-
12 sessment referred to in that paragraph.

13 (b) ELEMENTS.—The briefing and report of the
14 Comptroller General required by subsection (a) shall in-
15 clude, at a minimum, each of the following:

16 (1) A comparison of the assumptions on strat-
17 egy, current demands, historical readiness rates, an-
18 ticipated combat requirements, and the constraints
19 and limitations associated with mobilization, utiliza-
20 tion, and rotation policies underlying the Aviation
21 Restructuring Initiative and any alternatives pro-
22 posed by the Chief of the National Guard Bureau
23 and the Department of Defense Cost Assessment
24 and Program Evaluation Office.

1 (2) An assessment of the models used to esti-
2 mate future costs and cost savings associated with
3 each proposal for allocating Army aviation platforms
4 among the regular Army, Army Reserve, and Army
5 National Guard units.

6 (3) A comparison of the military and civilian
7 personnel requirements for supporting combat avia-
8 tion brigades under each proposal, including a de-
9 scription of the anticipated requirements and fund-
10 ing allocated for active Guard Reserve and full-time
11 military technicians supporting the Army National
12 Guard AH-64 “Apache” units.

13 (c) SENSE OF CONGRESS REGARDING ADDITIONAL
14 FUNDING FOR THE ARMY.—Congress is concerned with
15 the planned reductions and realignments the Army has
16 proposed for the regular Army, the Army National Guard,
17 and the Army Reserves in order to comply with the fund-
18 ing constraints under the Budget Control Act of 2011
19 (Public Law 112–25). Concerns are particularly associ-
20 ated with proposed reductions in end strength for all com-
21 ponents that will result in additional reductions in the
22 number of regular Army and National Guard brigade com-
23 bat teams as well as reductions and realignments of com-
24 bat aircraft within and between the regular Army and the
25 Army National Guard. Sufficient funding should be pro-

1 and a detailed description of the assessed ballistic
2 missile threat facing each geographic combatant
3 command through 2024.

4 (8) A detailed explanation of the contributions
5 made by the regional missile defense capabilities of
6 the United States to the defense of the United
7 States.

8 (9) Such other matters as the Director con-
9 siders appropriate.

10 (d) FORM.—The report required by subsection (b)
11 shall be submitted in unclassified form, but may include
12 a classified annex.

13 **TITLE XVII—NATIONAL COMMIS-**
14 **SION ON THE FUTURE OF THE**
15 **ARMY**

Subtitle A—Establishment and Duties of Commission

- Sec. 1701. Short title.
- Sec. 1702. National Commission on the Future of the Army.
- Sec. 1703. Duties of the Commission.
- Sec. 1704. Powers of the Commission.
- Sec. 1705. Commission personnel matters.
- Sec. 1706. Termination of the Commission.
- Sec. 1707. Funding.

Subtitle B—Related Limitations

- Sec. 1711. Prohibition on use of fiscal year 2015 funds to reduce strengths of Army personnel.
- Sec. 1712. Limitations on the transfer, including preparations for the transfer, of AH-64 Apache helicopters assigned to the Army National Guard.

1 **Subtitle A—Establishment and**
2 **Duties of Commission**

3 **SEC. 1701. SHORT TITLE.**

4 This subtitle may be cited as the “National Commis-
5 sion on the Future of the Army Act of 2014”.

6 **SEC. 1702. NATIONAL COMMISSION ON THE FUTURE OF**
7 **THE ARMY.**

8 (a) **ESTABLISHMENT.**—There is established the Na-
9 tional Commission on the Future of the Army (in this sub-
10 title referred to as the “Commission”).

11 (b) **MEMBERSHIP.**—

12 (1) **COMPOSITION.**—The Commission shall be
13 composed of eight members, of whom—

14 (A) four shall be appointed by the Presi-
15 dent;

16 (B) one shall be appointed by the Chair-
17 man of the Committee on Armed Services of
18 the Senate;

19 (C) one shall be appointed by the Ranking
20 Member of the Committee on Armed Services of
21 the Senate;

22 (D) one shall be appointed by the Chair-
23 man of the Committee on Armed Services of
24 the House of Representatives; and

1 (E) one shall be appointed by the Ranking
2 Member of the Committee on Armed Services of
3 the House of Representatives.

4 (2) APPOINTMENT DATE.—The appointments of
5 the members of the Commission shall be made not
6 later than 90 days after the date of the enactment
7 of this Act.

8 (3) EFFECT OF LACK OF APPOINTMENT BY AP-
9 POINTMENT DATE.—If one or more appointments
10 under subparagraph (A) of paragraph (1) is not
11 made by the appointment date specified in para-
12 graph (2), the authority to make such appointment
13 or appointments shall expire, and the number of
14 members of the Commission shall be reduced by the
15 number equal to the number of appointments so not
16 made. If an appointment under subparagraph (B),
17 (C), (D), or (E) of paragraph (1) is not made by the
18 appointment date specified in paragraph (2), the au-
19 thority to make an appointment under such subpara-
20 graph shall expire, and the number of members of
21 the Commission shall be reduced by the number
22 equal to the number otherwise appointable under
23 such subparagraph.

24 (4) EXPERTISE.—In making appointments
25 under this subsection, consideration should be given

1 to individuals with expertise in national and inter-
2 national security policy and strategy, military forces
3 capability, force structure design, organization, and
4 employment, and reserve forces policy.

5 (c) PERIOD OF APPOINTMENT; VACANCIES.—Mem-
6 bers shall be appointed for the life of the Commission. Any
7 vacancy in the Commission shall not affect its powers, but
8 shall be filled in the same manner as the original appoint-
9 ment.

10 (d) CHAIR AND VICE CHAIR.—The Commission shall
11 select a Chair and Vice Chair from among its members.

12 (e) INITIAL MEETING.—Not later than 30 days after
13 the date on which all members of the Commission have
14 been appointed, the Commission shall hold its initial meet-
15 ing.

16 (f) MEETINGS.—The Commission shall meet at the
17 call of the Chair.

18 (g) QUORUM.—A majority of the members of the
19 Commission shall constitute a quorum, but a lesser num-
20 ber of members may hold hearings.

21 **SEC. 1703. DUTIES OF THE COMMISSION.**

22 (a) STUDY ON STRUCTURE OF THE ARMY.—

23 (1) IN GENERAL.—The Commission shall un-
24 dertake a comprehensive study of the structure of

1 the Army, and policy assumptions related to the size
2 and force mixture of the Army, in order—

3 (A) to make an assessment of the size and
4 force mixture of the active component of the
5 Army and the reserve components of the Army;
6 and

7 (B) to make recommendations on the
8 modifications, if any, of the structure of the
9 Army related to current and anticipated mission
10 requirements for the Army at acceptable levels
11 of national risk and in a manner consistent
12 with available resources and anticipated future
13 resources.

14 (2) CONSIDERATIONS.—In undertaking the
15 study required by subsection (a), the Commission
16 shall give particular consideration to the following:

17 (A) An evaluation and identification of a
18 structure for the Army that—

19 (i) has the depth and scalability to
20 meet current and anticipated requirements
21 of the combatant commands;

22 (ii) achieves cost-efficiency between
23 the regular and reserve components of the
24 Army, manages military risk, takes advantage
25 of the strengths and capabilities of

1 each, and considers fully burdened lifecycle
2 costs;

3 (iii) ensures that the regular and re-
4 serve components of the Army have the ca-
5 pacity needed to support current and an-
6 ticipated homeland defense and disaster
7 assistance missions in the United States;

8 (iv) provides for sufficient numbers of
9 regular members of the Army to provide a
10 base of trained personnel from which the
11 personnel of the reserve components of the
12 Army could be recruited;

13 (v) maintains a peacetime rotation
14 force to avoid exceeding operational tempo
15 goals of 1:2 for active members of the
16 Army and 1:5 for members of the reserve
17 components of the Army; and

18 (vi) manages strategic and operational
19 risk by making tradeoffs among readiness,
20 efficiency, effectiveness, capability, and af-
21 fordability.

22 (B) An evaluation and identification of
23 force generation policies for the Army with re-
24 spect to size and force mixture in order to fulfill
25 current and anticipated mission requirements

1 for the Army in a manner consistent with avail-
2 able resources and anticipated future resources,
3 including policies in connection with—

4 (i) readiness;

5 (ii) training;

6 (iii) equipment;

7 (iv) personnel; and

8 (v) maintenance of the reserve compo-
9 nents as an operational reserve in order to
10 maintain as much as possible the level of
11 expertise and experience developed since
12 September 11, 2001.

13 (C) An identification and evaluation of the
14 distribution of responsibility and authority for
15 the allocation of Army National Guard per-
16 sonnel and force structure to the States and
17 territories.

18 (D) An identification and evaluation of the
19 strategic basis or rationale, analytical methods,
20 and decision-making processes for the allocation
21 of Army National Guard personnel and force
22 structure to the States and territories.

23 (b) STUDY ON TRANSFER OF CERTAIN AIRCRAFT.—

24 (1) IN GENERAL.—The Commission shall also
25 conduct a study of a transfer of Army National

1 Guard AH-64 Apache aircraft from the Army Na-
2 tional Guard to the regular Army.

3 (2) CONSIDERATIONS.—In conducting the study
4 required by paragraph (1), the Commission shall
5 consider the factors specified in subsection (a)(2).

6 (c) REPORT.—Not later than February 1, 2016, the
7 Commission shall submit to the President and the con-
8 gressional defense committees a report setting forth a de-
9 tailed statement of the findings and conclusions of the
10 Commission as a result of the studies required by sub-
11 sections (a) and (b), together with its recommendations
12 for such legislative and administrative actions as the Com-
13 mission considers appropriate in light of the results of the
14 studies.

15 **SEC. 1704. POWERS OF THE COMMISSION.**

16 (a) HEARINGS.—The Commission may hold such
17 hearings, sit and act at such times and places, take such
18 testimony, and receive such evidence as the Commission
19 considers advisable to carry out its duties under this sub-
20 title.

21 (b) INFORMATION FROM FEDERAL AGENCIES.—The
22 Commission may secure directly from any Federal depart-
23 ment or agency such information as the Commission con-
24 siders necessary to carry out its duties under this subtitle.
25 Upon request of the Chair of the Commission, the head

1 of such department or agency shall furnish such informa-
2 tion to the Commission.

3 (c) **POSTAL SERVICES.**—The Commission may use
4 the United States mails in the same manner and under
5 the same conditions as other departments and agencies of
6 the Federal Government.

7 **SEC. 1705. COMMISSION PERSONNEL MATTERS.**

8 (a) **COMPENSATION OF MEMBERS.**—Each member of
9 the Commission who is not an officer or employee of the
10 Federal Government may be compensated at a rate not
11 to exceed the daily equivalent of the annual rate of
12 \$155,400 for each day (including travel time) during
13 which such member is engaged in the performance of the
14 duties of the Commission. All members of the Commission
15 who are officers or employees of the United States shall
16 serve without compensation in addition to that received
17 for their services as officers or employees of the United
18 States.

19 (b) **TRAVEL EXPENSES.**—The members of the Com-
20 mission shall be allowed travel expenses, including per
21 diem in lieu of subsistence, at rates authorized for employ-
22 ees of agencies under subchapter I of chapter 57 of title
23 5, United States Code, while away from their homes or
24 regular places of business in the performance of services
25 for the Commission.

1 (c) STAFF.—

2 (1) IN GENERAL.—The Chair of the Commis-
3 sion may, without regard to the civil service laws
4 and regulations, appoint and terminate an executive
5 director and such other additional personnel as may
6 be necessary to enable the Commission to perform
7 its duties. The employment of an executive director
8 shall be subject to confirmation by the Commission.

9 (2) COMPENSATION.—The Chair of the Com-
10 mission may fix the compensation of the executive
11 director and other personnel without regard to chap-
12 ter 51 and subchapter III of chapter 53 of title 5,
13 United States Code, relating to classification of posi-
14 tions and General Schedule pay rates, except that
15 the rate of pay for the executive director and other
16 personnel may not exceed the rate payable for level
17 V of the Executive Schedule under section 5316 of
18 such title.

19 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
20 Federal Government employee may be detailed to the
21 Commission without reimbursement, and such detail shall
22 be without interruption or loss of civil service status or
23 privilege.

24 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
25 TENT SERVICES.—The Chair of the Commission may pro-

1 cure temporary and intermittent services under section
2 3109(b) of title 5, United States Code, at rates for individ-
3 uals which do not exceed the daily equivalent of the annual
4 rate of basic pay prescribed for level V of the Executive
5 Schedule under section 5316 of such title.

6 **SEC. 1706. TERMINATION OF THE COMMISSION.**

7 The Commission shall terminate 90 days after the
8 date on which the Commission submits its report under
9 this subtitle.

10 **SEC. 1707. FUNDING.**

11 Amounts authorized to be appropriated for fiscal year
12 2015 by section 301 and available for operation and main-
13 tenance for the Army as specified in the funding table in
14 section 4301 may be available for the activities of the
15 Commission under this subtitle.

16 **Subtitle B—Related Limitations**

17 **SEC. 1711. PROHIBITION ON USE OF FISCAL YEAR 2015**

18 **FUNDS TO REDUCE STRENGTHS OF ARMY**
19 **PERSONNEL.**

20 None of the funds authorized to be appropriated or
21 otherwise made available for fiscal year 2015 for the Army
22 may be used to reduce Army personnel below the end
23 strength authorizations for personnel of the Army speci-
24 fied in section 401(1) for active duty personnel and section

1 411 for Selected Reserve personnel of the reserve compo-
2 nents of the Army.

3 **SEC. 1712. LIMITATIONS ON THE TRANSFER, INCLUDING**
4 **PREPARATIONS FOR THE TRANSFER, OF AH-**
5 **64 APACHE HELICOPTERS ASSIGNED TO THE**
6 **ARMY NATIONAL GUARD.**

7 (a) PROHIBITION ON TRANSFERS DURING FISCAL
8 YEAR 2015.—During fiscal year 2015, the Secretary of
9 Defense and the Secretary of the Army may not transfer
10 any AH-64 Apache helicopters from the Army National
11 Guard to the regular Army.

12 (b) ADDITIONAL LIMITATION ON AIRCRAFT OR PER-
13 SONNEL TRANSFERS AND RELATED ACTIVITIES.—In ad-
14 dition to the prohibition on transfers imposed by sub-
15 section (a), but subject to the exceptions provided in sub-
16 section (e), the Secretary of Defense and the Secretary
17 of the Army may not, before March 31, 2016—

18 (1) divest, retire, or transfer, or prepare to di-
19 vest, retire, or transfer, any AH-64 Apache heli-
20 copters from the Army National Guard to the reg-
21 ular Army; or

22 (2) reduce personnel related to any AH-64
23 Apache helicopters of the Army National Guard
24 below the levels of such personnel as of September
25 30, 2014.

1 (c) CONTINUED READINESS OF AIRCRAFT AND PER-
2 SONNEL.—The Secretary of the Army shall ensure the
3 continuing readiness of AH–64 Apache helicopters during
4 fiscal year 2015 as necessary to meet the requirements
5 of combatant commanders.

6 (d) EFFECT ON PERSONNEL ACTIONS AND TRAIN-
7 ING.—Notwithstanding the prohibition imposed by sub-
8 section (a), the limitation imposed by subsection (b), and
9 the duty imposed by subsection (c), the Secretary of the
10 Army may—

11 (1) carry out any personnel action, as deter-
12 mined to be appropriate by the Secretary, necessary
13 to support Army aviation readiness and operations;

14 (2) conduct qualification and reclassification
15 training for pilots, crew, and military occupational
16 specialties related to Army Aviation; and

17 (3) continue flight training and advanced quali-
18 fication courses for selected National Guard per-
19 sonnel related to AH-64 Apache helicopters in ac-
20 cordance with Army readiness requirements.

21 (e) EXCEPTIONS.—Subject to the Secretary of De-
22 fense certification required by subsection (f), the Secretary
23 of the Army may—

24 (1) during the period beginning on the date of
25 the enactment of this Act and ending on March 31,

1 2016, make preparations for the transfer of not
2 more than 48 AH-64 Apache helicopters from the
3 Army National Guard to the regular Army; and

4 (2) during the period beginning on October 1,
5 2015, and ending on March 31, 2016, transfer not
6 more than 48 AH-64 Apache helicopters from the
7 Army National Guard to the regular Army.

8 (f) CERTIFICATION REQUIRED.—The certification re-
9 ferred to in subsection (e) is a certification by the Sec-
10 retary of Defense in writing to the congressional defense
11 committees that the commencement of preparations to
12 transfer AH-64 Apache helicopters pursuant to the excep-
13 tion provided by subsection (e)(1) or a transfer of AH-
14 64 Apache helicopters pursuant to the exception provided
15 by subsection (e)(2) would not create unacceptable risk—

16 (1) to the strategic depth or regeneration ca-
17 pacities of the Army; and

18 (2) to the Army National Guard in its role as
19 the combat reserve of the Army.

20 **DIVISION B—MILITARY CON-**
21 **STRUCTION AUTHORIZA-**
22 **TIONS**

23 **SEC. 2001. SHORT TITLE.**

24 This division may be cited as the “Military Construc-
25 tion Authorization Act for Fiscal Year 2015”.