

**HEARING TO MARK UP THE EMERGING
THREATS AND CAPABILITIES PROGRAMS
CONTAINED IN THE NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL YEAR
2015.**

TUESDAY, MAY 20, 2014

U.S. SENATE,
SUBCOMMITTEE ON EMERGING
THREATS AND CAPABILITIES,
COMMITTEE ON ARMED SERVICES,
Washington, DC.

The subcommittee met, pursuant to notice, at 5:04 p.m., in Room SD-G50, Dirksen Senate Office Building, Senator Kay R. Hagan (chairman of the subcommittee) presiding.

Committee members present: Senators Hagan, Reed, Shaheen, and Fischer.

Committee staff members present: Peter K. Levine, staff director; and Leah C. Brewer, nominations and hearings clerk.

Majority staff members present: Richard W. Fieldhouse, professional staff member; Gerald J. Leeling, general counsel; William G.P. Monahan, counsel; Michael J. Noblet, professional staff member; and Arun A. Seraphin, professional staff member.

Minority staff members present: Daniel C. Adams, minority associate counsel; William S. Castle, minority general counsel; Thomas W. Goffus, professional staff member; Ambrose R. Hock, professional staff member; and Natalie M. Nicolas, minority research assistant.

Staff assistant present: Alexandra M. Hathaway.

Committee members' assistants present: Carolyn A. Chuhta, assistant to Senator Reed; Cathy Haverstock, assistant to Senator Nelson; Christopher R. Howard, assistant to Senator Udall; Christopher M. Cannon, assistant to Senator Hagan; Moran Banai, assistant to Senator Gillibrand; Karen E. Courington, assistant to Senator Kaine; Peter W. Schirtzinger, assistant to Senator Fischer; Craig R. Abele, assistant to Senator Graham; and Victoria Coates, assistant to Senator Cruz.

**OPENING STATEMENT OF SENATOR KAY R. HAGAN,
CHAIRMAN**

Senator HAGAN. The Subcommittee of the Emerging Threats and Capabilities will come to order.

Today, we meet to mark up an original bill, the National Defense Authorization Act for the Fiscal Year 2015. And I am pleased that

the mark-up of the Emerging Threats and Capabilities Subcommittee is going to be held in open session, and I am confident that we can conduct our business in public without any disclosure of classified information or any adverse impact on the process.

In this regard, I ask that any Senator wishing to offer an amendment or raise an issue of a classified nature defer that to the full committee's consideration. And please note also that while this subcommittee is in open session, the entire contents of the mark-up book are subject to amendment throughout its consideration by the Armed Services Committee and are, therefore, embargoed until passage by the full committee and reported to the Senate.

Traditionally, the subcommittee has used the chairman's mark as a mark-up vehicle. Without objection, we will use the chairman's mark as the mark-up vehicle, subject to amendment.

And in the mark-up notebooks, the table of contents lists the areas of the subcommittee's jurisdiction on which this mark-up package would act. And there is a specific tab for each of the main areas in the notebook.

Tab A contains Chairman Levin's mark-up guidelines. The mark-up summary at Tab B of your notebook highlights the proposed significant actions in the subcommittee mark, including both funding and legislative provisions.

Tabs C through F contain funding tables showing all the funding within the jurisdiction of the subcommittee, including all proposed changes relative to the budget request. Tabs G through L contain the bill and report language for each of the main issue areas for the subcommittee, and I am going to highlight a few initiatives in the chairman's mark.

In the area of special operations, the subcommittee recommends funding at the requested level of \$7.7 billion, including full funding for the U.S. Special Operations Command (SOCOM), Preservation of the Force and Families Initiative. And I strongly support this initiative and its goal of helping our special operators and their families deal with the stress of high operational tempo and repeated deployments.

While the mark does reduce funding for a few lower- priority and unjustified programs, the savings are redirected to support unfunded requirements to improve the readiness of our special operation forces and for improvements to SOCOM's fleet of the MQ-9 unarmed aerial vehicles.

The mark would also extend the key section 1208 authority for support of special operations to combat terrorism and increase the annual spending cap by \$10 million.

The mark would authorize or extend a number of important assistance and training programs, including the Global Security Contingency Fund, that could be used to respond to the crisis in Ukraine. It would also codify the key section 1206 train and equip authority to build the capacity of foreign security forces to conduct counterterrorism and participate in or support coalition operations and would increase the annual spending cap to \$500 million.

It also includes language on DOD efforts to help eliminate the threat from the Lord's Resistance Army and on Nigeria's efforts to combat the threat from Boko Haram, including the horrific kidnapping of hundreds of schoolgirls.

In the area of counternarcotics, the mark would renew four important counternarcotics authorities and provide more than \$700 million for DOD support to U.S. law enforcement, the National Guard, and to foreign nations conducting counternarcotics operations.

It would also authorize an increase of \$20 million for intelligence, surveillance, and reconnaissance support to U.S. Southern Command, a priority identified by the commander.

In the area of research and development, the mark contains a provision to develop innovative science, technology, engineering, and mathematics (STEM) educational programs for our military children for whom DOD has a special responsibility.

We often say that we recruit the soldier, but we retain the family. I think this provision is a useful step in helping to address quality of life issues for our military children and dependents who live under the stress of repeated moves across the country and deployments of their parents in defense of our Nation.

I think one great way to enhance the STEM educational opportunities for these military children is to leverage the excellent lab enterprise of the Defense Department and to ensure that STEM programs have rigorous outcomes-based metrics for success.

The mark would also support research at historically black colleges and universities to help diversify our defense science and technology workforce, and it would require a set of studies on Department of Defense efforts to preserve our military technology superiority over the next 10 years.

I am pleased we were able to increase funding for research in critical defense areas at our Nation's universities. In the past, these university programs have led to breakthrough military capabilities like radar, stealth, global positioning system, and trained generations of scientists and engineers now working on national security technologies and systems to improve the readiness capability of our future force. At a time when we are worried about losing our military technological superiority, I think it is important that we sow these seeds for the future.

Finally, the proposed mark would fully fund the Cooperative Threat Reduction Program of the Department of Defense and would increase funds for several important nonproliferation programs at the Department of Energy by \$140 million. The mark also authorizes an increase of \$145 million for continued construction of the Mixed Oxide Fuel Program facility at the Savannah River nuclear site to maintain last year's funding level.

I want to recognize Senator Fischer and her subcommittee staff for their superb teamwork this year in the subcommittee and in preparing for this mark-up. Our staffs have worked very well together throughout this process. And as is our longstanding bipartisan tradition, we greatly appreciate that.

I also want to note the fine work of our ETC Subcommittee staff assistant Alex Hathaway, who has assisted with all our hearings and assembled these mark-up notebooks and the package of cleared amendments that are before you.

Senator Fischer, I want to recognize you to make your opening remarks and anything you want to discuss prior before we open the floor to discussion and amendments.

STATEMENT OF SENATOR DEB FISCHER

Senator FISCHER. Thank you, Madam Chairman.

I have enjoyed serving as ranking member and working with you on this subcommittee. I would also like to acknowledge the hard work of the staff and their contributions to the final product that is before us today.

Among the mark's many provisions, I am most proud of the steps the subcommittee has taken to address unfunded needs of our warfighters. I remain deeply concerned about our military's growing readiness crisis and impact of cuts to defense spending.

The readiness and capabilities of our men and women in uniform must inform every budget decision that this committee makes. The current limits on defense spending have forced the department to make tough choices and distinguish between programs that enjoy broad support and programs that are essential to the defense of this Nation.

We have made some of these tradeoffs in this subcommittee by moving funding to meet gaps in combat readiness requirements that our combatant commanders have clearly identified. For example, we addressed two of Admiral McRaven's top unfunded readiness requirements for Special Operations Command by increasing funding for flying hours and for predeployment training of high-demand special operations units.

Additionally, we increased funding for the ISR support to Southern Command that General Kelly identified in testimony to the committee. These decisions required transferring money from other programs, but tough fiscal times require those tough decisions.

My priority, and I am convinced it needs to be this committee's priority, is to make sure that our warfighters have what they need to protect this Nation. We face many budget challenges, but I am pleased that the chair and I are able to present a mark that addresses some of the most pressing issues facing our military.

I thank you again, Madam Chairman, for your work and for the work of the staff.

Senator HAGAN. Ranking Member Fischer, thank you so much for our continued work together in this subcommittee.

The floor is now open for discussion, questions, or amendments. Before we begin the amendment process, I want to remind everyone that any amendment to add funding needs to include an offset to pay for it.

And I understand we have a package of nine cleared amendments that have been reviewed by the majority and the minority staff and jointly recommended for adoption. The package of amendments is on the table in front of you and is ready for our considerations, and I would ask that the package of cleared amendments be considered at this time.

The cover sheet of the package lists each amendment by sponsor as well as its topic and a brief summary of each amendment, and each amendment is included in the package.

Each of these amendments have been reviewed, as I said, carefully by both the majority and minority staff, as well as Senator Fischer and myself. And we jointly recommend that all of these amendments be adopted en bloc.

If there are no questions or debate on these amendments, I would ask unanimous consent that the package of cleared amendments be adopted en bloc. And without objection—well, is there any objection? [No response.]

Without objection, the package of amendments is adopted and will be added to the subcommittee mark.

And are there any other amendments that any of you wish to discuss or have considered today? I do believe that we will have some amendments that will be considered at the full committee mark-up, and any member will obviously have the opportunity to offer such amendments for consideration, as long as their amendments were filed on time.

Any amendments? [No response.]

If there are no further amendments to be considered, we will conclude this mark-up.

Without objection, the recommendations of the subcommittee will be reported to the full committee, and the staff will be authorized to draft bill and report language implementing agreements reached today and to make necessary technical and conforming changes.

This is a pleasure to work at this subcommittee, and unless there is any other business to come before this subcommittee, this mark-up is adjourned.

[Whereupon, at 5:16 p.m., the subcommittee adjourned.]