AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. BROOKS OF ALABAMA

At the end of subtitle E of title XVI, add the following new section:

SEC. 1643. PLAN TO COUNTER CERTAIN GROUND-
LAUNCHED BALLISTIC MISSILES AND CRUISE
MISSILES.

(a) FINDINGS.—Congress finds the following:

(1) On March 5, 2014, the Deputy Assistant Secretary of Defense for Nuclear and Missile Defense Policy testified before the Committee on Armed Services of the Senate that “[w]e are concerned about Russian activity that appears to be inconsistent with the Intermediate Range Nuclear Forces Treaty. We’ve raised the issue with Russia. They provided an answer that was not satisfactory to us, and we will, we told them that the issue is not closed, and we will continue to raise this.” Congress shares this concern regarding Russian behavior that is “inconsistent with” or in violation or circumven-
tion of the INF Treaty.
(2) The Commander of the U.S. European Command, and Supreme Allied Commander Europe, stated on April 2, 2014, that “a weapon capability that violates the INF, that is introduced into the greater European land mass is absolutely a tool that will have to be dealt with. . .I would not judge how the alliance will choose to react, but I would say they will have to consider what to do about it. . .It can’t go unanswered.”.

(3) The Director of the Missile Defense Agency stated on March 25, 2014, that Aegis Ashore missile defense sites, including those to be deployed in the Republic of Poland and the Republic of Romania, could be reconfigured to deal with the threat of intermediate-range ground launched cruise missiles with modest changes to “the software, [and] with a minor hardware addition.”.

(4) The “Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics” provided to the Committee on Armed Services of the House of Representatives in September 2013 by the Chairman of the Joint Chiefs of Staff stated, “[i]n the absence of
the INF Treaty, four types of weapons systems could assist in closing the existing JROC-validated capability gap: (1) Modifications to existing short range or tactical weapon systems to extend range; (2) Forward-based, ground-launched cruise missiles (GLCMs); (3) Forward-based, ground-launched intermediate-range ballistic missiles (IRBMs); and (4) Forward-based, ground-launched intermediate-range missiles with trajectory shaping vehicles (TSVs).

(5) The report further stated that, “[b]ecause of INF restrictions, examination of prohibited concepts has not been performed by industry or the Services. Trade studies regarding capability, affordability, and development timelines would have to be completed prior to providing an accurate estimate of cost, technology risk, and timeline advantages that could be achieved with respect to these concepts. Extensive knowledge could be leveraged from past and current land- and sea-based systems to assist in potential development and deployment of these currently prohibited concepts.”

(6) President Obama stated in Prague in April 2009 that “Rules must be binding. Violations must be punished. Words must mean something.”
(7) The Nuclear Posture Review of 2010 stated, “it is not enough to detect non-compliance; violators must know that they will face consequences when they are caught.”.

(8) The July 2010 Verifiability Assessment released by the Department of State on the New START Treaty, and as quoted in a hearing of the Committee on Armed Services of the Senate, stated: “[t]he costs and risks of Russian cheating or breakout, on the other hand, would likely be very significant” and that the Russian Federation would be unlikely to cheat because of the “financial and international political costs of such an action.”.

(b) PLAN FOR TESTING OF AEGIS ASHORE.—

(1) IN GENERAL.—The Director of the Missile Defense Agency shall develop a plan to test, by not later than December 31, 2015, the capability of the Aegis Ashore system, including pursuant to any appropriate modifications to the hardware or software of such system, to counter intermediate-range ground launched cruise missiles.

(2) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Director shall submit to the congressional defense committees the plan under paragraph (1), including, if
determined appropriate by the Director, whether the
Director determines that such plan should be imple-
mented.

(c) Plan to Develop Certain Ground-
launched Ballistic Missiles and Cruise Mis-
siles.—If, as of the date of the enactment of this Act,
the Russian Federation is not in complete and verifiable
compliance with its obligations under the INF Treaty, the
Secretary of Defense shall—

(1) develop a plan for the research and develop-
ment of intermediate range ballistic and cruise mis-
siles, including through trade studies regarding ca-
pability, affordability, and development timelines, for
which there are validated military requirements; and

(2) by not later than 120 days after the date
of the enactment of this Act, submit to the congres-
sional defense committees the plan developed under
paragraph (1), including, if determined appropriate
by the Secretary, whether the Secretary determines
that such plan should be implemented.

(d) INF Treaty Defined.—The term “INF Tre-
ty” means the Treaty Between the United States of Amer-
ica and the Union of Soviet Socialist Republics on the
Elimination of Their Intermediate-Range and Shorter-
Range Missiles, commonly referred to as the Intermediate-