

**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:

1 **SEC. 1643. PLAN TO COUNTER CERTAIN GROUND-**
2 **LAUNCHED BALLISTIC MISSILES AND CRUISE**
3 **MISSILES.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) On March 5, 2014, the Deputy Assistant
6 Secretary of Defense for Nuclear and Missile De-
7 fense Policy testified before the Committee on
8 Armed Services of the Senate that “[w]e are con-
9 cerned about Russian activity that appears to be in-
10 consistent with the Intermediate Range Nuclear
11 Forces Treaty. We’ve raised the issue with Russia.
12 They provided an answer that was not satisfactory
13 to us, and we will, we told them that the issue is not
14 closed, and we will continue to raise this.” Congress
15 shares this concern regarding Russian behavior that
16 is “inconsistent with” or in violation or circumven-
17 tion of the INF Treaty.

1 (2) The Commander of the U.S. European
2 Command, and Supreme Allied Commander Europe,
3 stated on April 2, 2014, that “a weapon capability
4 that violates the INF, that is introduced into the
5 greater European land mass is absolutely a tool that
6 will have to be dealt with. . .I would not judge how
7 the alliance will choose to react, but I would say
8 they will have to consider what to do about it. . .It
9 can’t go unanswered.”.

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

18 (4) The “Report on Conventional Prompt Glob-
19 al Strike Options if Exempt from the Restrictions of
20 the Intermediate-Range Nuclear Forces Treaty Be-
21 tween the United States of America and the Union
22 of Soviet Socialist Republics” provided to the Com-
23 mittee on Armed Services of the House of Rep-
24 resentatives in September 2013 by the Chairman of
25 the Joint Chiefs of Staff stated, “[i]n the absence of

1 the INF Treaty, four types of weapons systems
2 could assist in closing the existing JROC-validated
3 capability gap: (1) Modifications to existing short
4 range or tactical weapon systems to extend range;
5 (2) Forward-based, ground-launched cruise missiles
6 (GLCMs); (3) Forward-based, ground-launched in-
7 termediate-range ballistic missiles (IRBMs); and (4)
8 Forward-based, ground-launched intermediate-range
9 missiles with trajectory shaping vehicles (TSVs).”.

10 (5) The report further stated that, “[b]ecause
11 of INF restrictions, examination of prohibited con-
12 cepts has not been performed by industry or the
13 Services. Trade studies regarding capability, afford-
14 ability, and development timelines would have to be
15 completed prior to providing an accurate estimate of
16 cost, technology risk, and timeline advantages that
17 could be achieved with respect to these concepts. Ex-
18 tensive knowledge could be leveraged from past and
19 current land- and sea-based systems to assist in po-
20 tential development and deployment of these cur-
21 rently prohibited concepts.”.

22 (6) President Obama stated in Prague in April
23 2009 that “Rules must be binding. Violations must
24 be punished. Words must mean something.”.

1 (7) The Nuclear Posture Review of 2010 stat-
2 ed, “it is not enough to detect non-compliance; viola-
3 tors must know that they will face consequences
4 when they are caught.”.

5 (8) The July 2010 Verifiability Assessment re-
6 leased by the Department of State on the New
7 START Treaty, and as quoted in a hearing of the
8 Committee on Armed Services of the Senate, stated:
9 “[t]he costs and risks of Russian cheating or break-
10 out, on the other hand, would likely be very signifi-
11 cant” and that the Russian Federation would be un-
12 likely to cheat because of the “financial and inter-
13 national political costs of such an action.”.

14 (b) PLAN FOR TESTING OF AEGIS ASHORE.—

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

22 (2) SUBMISSION.—Not later than 120 days
23 after the date of the enactment of this Act, the Di-
24 rector shall submit to the congressional defense com-
25 mittees the plan under paragraph (1), including, if

1 determined appropriate by the Director, whether the
2 Director determines that such plan should be imple-
3 mented.

4 (c) PLAN TO DEVELOP CERTAIN GROUND-
5 LAUNCHED BALLISTIC MISSILES AND CRUISE MIS-
6 SILES.—If, as of the date of the enactment of this Act,
7 the Russian Federation is not in complete and verifiable
8 compliance with its obligations under the INF Treaty, the
9 Secretary of Defense shall—

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

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

21 (d) INF TREATY DEFINED.—The term “INF Trea-
22 ty” means the Treaty Between the United States of Amer-
23 ica and the Union of Soviet Socialist Republics on the
24 Elimination of Their Intermediate-Range and Shorter-
25 Range Missiles, commonly referred to as the Intermediate-

1 Range Nuclear Forces (INF) Treaty, signed at Wash-
2 ington December 8, 1987, and entered into force June 1,
3 1988.

