

113TH CONGRESS
2D SESSION

H. R. 4495

To strengthen the United States commitment to the security and stability
of the Asia-Pacific region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2014

Mr. FORBES (for himself and Ms. HANABUSA) introduced the following bill;
which was referred to the Committee on Armed Services, and in addition
to the Committee on Foreign Affairs, for a period to be subsequently de-
termined by the Speaker, in each case for consideration of such provisions
as fall within the jurisdiction of the committee concerned

A BILL

To strengthen the United States commitment to the security
and stability of the Asia-Pacific region, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Asia-Pacific Region Priority Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Sense of Congress.

Sec. 3. Congressional defense committees.

TITLE I—MATTERS RELATING TO THE DEPARTMENT OF
DEFENSE

- Sec. 101. Report on Department of Defense munitions strategy for United States Pacific Command.
- Sec. 102. Establishment of Department of Defense unmanned systems office.
- Sec. 103. Independent assessment on countering anti-access and area-denial capabilities in the Asia-Pacific region.
- Sec. 104. Assessment of the maritime balance of forces in the Asia-Pacific region.
- Sec. 105. Missile defense cooperation.
- Sec. 106. Department of Defense Space Security and Defense Program.
- Sec. 107. Space situational awareness.
- Sec. 108. Sense of Congress on access to training ranges within United States Pacific Command area of responsibility.
- Sec. 109. Sense of Congress on Pohakuloa Training Area in Hawaii.
- Sec. 110. Special easement acquisition authority, Pacific Missile Range Facility, Barking Sands, Kauai, Hawaii.

TITLE II—MATTERS RELATING TO FOREIGN NATIONS

- Sec. 201. Statement of policy on maritime disputes in the Asia-Pacific region.
- Sec. 202. Sense of Congress reaffirming security commitment to Japan.
- Sec. 203. Report on opportunities to strengthen relationship between the United States and the Republic of Korea.
- Sec. 204. Maritime capabilities of Taiwan and its contribution to regional peace and stability.
- Sec. 205. Modifications to annual report on military and security developments involving the People's Republic of China.

1 SEC. 2. SENSE OF CONGRESS.

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

3 (1) The United States has a national interest in
4 maintaining the stability and security of the global
5 commons in the Asia-Pacific region.

6 (2) In October 2011, Secretary of State Hillary
7 Clinton laid out an enduring vision for continued
8 United States involvement in the Asia-Pacific region
9 throughout the coming century through strength-
10 ened security alliances, deeper relations with emerg-
11 ing powers, broader engagement with regional multi-

1 lateral institutions, greater trade and investment, a
2 broad-based security posture, and the pursuit of de-
3 mocracy and protection of human rights.

4 (3) In November 2011, President Barack
5 Obama stated before the Australian Parliament that
6 the United States will stand for security as the founda-
7 tion of peace and prosperity, the rights and re-
8 sponsibilities of all nations and people, international
9 law enforcing agreements and norms, freedom of
10 commerce and navigation, integration of emerging
11 powers into a regional security architecture, and the
12 peaceful resolution of disputes.

13 (4) In January 2012, the Defense Strategic
14 Guidance, released by the Department of Defense,
15 emphasized the importance of the Asia-Pacific re-
16 gion, citing “U.S. economic and security interests
17 are inextricably linked to developments in the arc ex-
18 tending from the Western Pacific and East Asia into
19 the Indian Ocean region and South Asia,” and ac-
20 cordingly, “we will of necessity rebalance toward the
21 Asia-Pacific region”.

22 (5) In June 2012, Secretary of Defense Leon
23 Panetta reaffirmed at the Shangri-La Dialogue that
24 the United States remains committed to the prin-
25 ciples of open and free commerce, a just inter-

1 national order that emphasizes rights and respon-
2 sibilities of all nations and a fidelity to the rule of
3 law, open access by all to the shared domains of sea,
4 air, space, and cyberspace, and the resolution of dis-
5 putes without coercion or the use of force.

6 (6) The United States relationships with its
7 treaty allies in the Asia-Pacific region, including
8 Japan, the Republic of Korea, Australia, the Phil-
9ippines, and Thailand, are at the heart of United
10 States policy and engagement in the region, and
11 these countries share a common approach to sup-
12 porting peace and stability, freedom of navigation,
13 and other internationally lawful uses of sea and air-
14 space in the region.

15 (7) The United States continues to work with
16 these and other regional countries on a range of
17 transnational security and humanitarian issues, in-
18 cluding countering the proliferation of weapons of
19 mass destruction, encouraging the peaceful resolu-
20 tion of territorial disputes, responding to and miti-
21 gating humanitarian disasters, halting the illicit
22 trafficking of people, drugs, and weapons, coordi-
23 nating to monitor and combat the risk of pandemic
24 disease, and fighting the disruptive activities of state

1 and non-state actors for the betterment of regional
2 stability and prosperity.

3 (8) The United States military continues to
4 work closely with the armed forces of these and
5 other regional countries to maintain vigilance
6 against threats to the global commons and inter-
7 national order, deter against acts of aggression, and
8 field capabilities to mitigate risks to allied and part-
9 ner states in the Asia-Pacific region.

10 (9) Security shifts in the Asia-Pacific region
11 over the past decade have prompted a reassessment
12 of the forces and capabilities necessary to provide
13 domain awareness, credible deterrence, and effective
14 defense in future decades to uphold the United
15 States security commitments to the region and to
16 maintain regional stability.

17 (10) As provided in written testimony to the
18 Committee on Armed Services of the House of Rep-
19 resentatives in March 2014, Admiral Samuel
20 Locklear, Commander of U.S. Pacific Command,
21 noted that, “North Korea remains our most dan-
22 gerous and enduring challenge . . . North Korea’s
23 pursuit of nuclear weapons and ballistic missiles, in
24 contravention of its international obligations, con-

1 stitutes a significant threat to peace and security on
2 the Korean Peninsula and in Northeast Asia.”.

3 (11) As provided in written testimony to the
4 Committee on Armed Services of the House of Rep-
5 resentatives in November 2013, Dr. Larry Wortzel,
6 Commissioner, United States–China Economic and
7 Security Review Commission, noted that, “China’s
8 military, the People’s Liberation Army (PLA), is un-
9 dergoing an extensive modernization program that
10 presents significant challenges to U.S. security inter-
11 ests in Asia.”.

12 (12) As Under Secretary of Defense for Acqui-
13 sition, Technology and Logistics, Mr. Frank Ken-
14 dall, testified before the Committee on Armed Serv-
15 ices of the House of Representatives on January 28,
16 2014, “Anti-access aerial denial capabilities that
17 concern us cover a range of conventional capabilities.
18 In the case of China in particular, for example, they
19 include space control investments, offense cyber ca-
20 pabilities, conventional ballistic and cruise missiles
21 with precision-seekers designed both fixed land in-
22 stallations and surface ships, including aircraft car-
23 riers; air-to-air capabilities, including fifth-genera-
24 tion fighters, long-range missiles with advance tech-
25 nologies seekers, and electronic warfare systems.”.

1 (b) SENSE OF CONGRESS.—It is the sense of Con-
2 gress that—

3 (1) the security, stability, and prosperity of the
4 Asia-Pacific region is vital to United States national
5 interests;

6 (2) security and stability, largely provided by
7 United States forces and their forward presence, un-
8 derwrite United States national interests in the
9 Asia-Pacific region;

10 (3) the United States remains unwavering in its
11 commitment and support for allies and partners in
12 the Asia-Pacific region;

13 (4) efforts by the Department of Defense to re-
14 align forces, commit additional assets, and increase
15 investments to the Asia-Pacific region are welcome
16 signs of the United States continued commitment to
17 the region;

18 (5) to counter anti-access and area-denial capa-
19 bilities, deter regional aggression, assure allies and
20 partners, sustain military balance in the Asia-Pacific
21 region, and enable more effective operations in con-
22 tested and denied environments, the Department of
23 Defense will need to—

1 (A) develop new concepts and initiatives,
2 such as Air-Sea Battle (ASB) and the Strategic
3 Capabilities Office (SCO);

4 (B) invest in a new generation of military
5 capabilities, in areas such as undersea warfare,
6 power-projection, munitions, amphibious capa-
7 bilities, resilient space architectures, and missile
8 defenses; and

9 (C) nurture technologies, in areas such as
10 electromagnetics, directed energy, hypersonics,
11 and electronic warfare; and

12 (6) the development of regional institutions and
13 bodies, including the Association of Southeast Asian
14 Nations (ASEAN) Regional Forum, the ASEAN De-
15 fense Minister’s Meeting, the East Asia Summit,
16 and the expanded ASEAN Maritime Forum, should
17 be supported to build practical cooperation in the
18 Asia-Pacific region and reinforce the role of inter-
19 national law.

20 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

21 In this Act, the term “congressional defense commit-
22 tees” has the meaning given that term in section
23 101(a)(16) of title 10, United States Code.

1 **TITLE I—MATTERS RELATING**
2 **TO THE DEPARTMENT OF DE-**
3 **FENSE**

4 **SEC. 101. REPORT ON DEPARTMENT OF DEFENSE MUNI-**
5 **TIONS STRATEGY FOR UNITED STATES PA-**
6 **CIFIC COMMAND.**

7 (a) REPORT REQUIRED.—Not later than April 1,
8 2015, the Secretary of Defense shall submit to the con-
9 gressional defense committees a report on the munitions
10 strategy for the United States Pacific Command, includ-
11 ing an identification of munitions requirements, an assess-
12 ment of munitions gaps and shortfalls, and necessary mu-
13 nitions investments. Such strategy shall cover the 10-year
14 period beginning with 2015.

15 (b) ELEMENTS.—The report on munitions strategy
16 required by subsection (a) shall include the following:

17 (1) An identification of current and projected
18 munitions requirements, by class or type.

19 (2) An assessment of munitions gaps and short-
20 falls, including a census of current munitions capa-
21 bilities and programs, not including ammunition.

22 (3) A description of current and planned muni-
23 tions programs, including with respect to procure-
24 ment, research, development, test and evaluation,
25 and deployment activities.

1 (4) Schedules, estimated costs, and budget
2 plans for current and planned munitions programs.

3 (5) Identification of opportunities and limita-
4 tions within the associated industrial base.

5 (6) Identification and evaluation of technology
6 needs and applicable emerging technologies, includ-
7 ing with respect to directed energy, rail gun, and
8 cyber technologies.

9 (7) An assessment of how current and planned
10 munitions programs, and promising technologies,
11 may affect existing operational concepts and capa-
12 bilities of the military departments or lead to new
13 operational concepts and capabilities.

14 (8) An assessment of programs and capabilities
15 by other countries to counter the munitions pro-
16 grams and capabilities of the Armed Forces of the
17 United States, not including with respect to ammu-
18 nition, and how such assessment affects the muni-
19 tions strategy of each military department.

20 (9) Any other matters the Secretary determines
21 appropriate.

22 (c) FORM.—The report under subsection (a) may be
23 submitted in classified or unclassified form.

1 **SEC. 102. ESTABLISHMENT OF DEPARTMENT OF DEFENSE**
2 **UNMANNED SYSTEMS OFFICE.**

3 (a) **POLICY.**—It is the policy of the United States to
4 maintain an independent organization within the Depart-
5 ment of Defense to develop and coordinate the unmanned
6 air, land, and sea capabilities of the United States to en-
7 sure unity of effort and the prudent allocation of resources
8 in accordance with military needs.

9 (b) **ESTABLISHMENT.**—

10 (1) **IN GENERAL.**—Chapter 4 of title 10, United
11 States Code, is amended by adding at the end the
12 following next section:

13 **“§ 145. Director of Defense Unmanned Systems**

14 “(a) **APPOINTMENT.**—(1) There is a Director of De-
15 fense Unmanned Systems in the Office of the Secretary
16 of Defense, who shall be appointed by the Secretary of
17 Defense and who shall report directly to the Deputy Sec-
18 retary of Defense.

19 “(2) The Director shall be a member of the Senior
20 Executive Service or a general officer or flag officer.

21 “(b) **RESPONSIBILITIES.**—The Director of Defense
22 Unmanned Systems shall serve as—

23 “(1) the principal advisor to both the Secretary
24 of Defense and Deputy Secretary of Defense on
25 matters relating to unmanned systems described in
26 subsection (c); and

1 “(2) the principal Department of Defense liai-
2 son to other Federal agencies, the defense industry,
3 and centers of research on such matters.

4 “(c) MATTERS DESCRIBED.—The Director shall ad-
5 vise the Secretary and Deputy Secretary on, at a min-
6 imum, following:

7 “(1) Policy and oversight of all matters related
8 to unmanned systems within the Department of De-
9 fense, including the Office of the Secretary of De-
10 fense, the military departments, the Joint Staff, the
11 combatant commands, and the Defense Agencies.

12 “(2) Coordination of acquisition and research,
13 development, technology, and engineering efforts re-
14 lating to the development, experimentation, and
15 fielding of unmanned systems to ensure unity of ef-
16 fort and interagency awareness of emerging capabili-
17 ties.

18 “(3) Recommendations regarding budget mat-
19 ters pertaining to unmanned systems programs and
20 resources across the military departments.

21 “(4) Recommendations, in collaboration with
22 the Joint Staff and other strategic planning offices,
23 to integrate unmanned systems with existing oper-
24 ational concepts and determining new concepts en-

1 abled by advances in unmanned capabilities, includ-
2 ing—

3 “(A) advanced intelligence, surveillance,
4 and reconnaissance opportunities;

5 “(B) new or greater roles in power projec-
6 tion responsibilities;

7 “(C) support for deterrence posture and
8 capabilities;

9 “(D) cost imposition strategies;

10 “(E) force protection; and

11 “(F) compliance with the requirements set
12 forth in 142 of the National Defense Authoriza-
13 tion Act for Fiscal Year 2006 (Public Law
14 109–163; 119 Stat. 3164), as amended by sec-
15 tion 141 of the John Warner National Defense
16 Authorization Act for Fiscal Year 2007 (Public
17 Law 109–364; 120 Stat. 2116), including the
18 unmanned systems roadmap, which includes a
19 technology appendix clarifying key areas for
20 Department of Defense research, development,
21 testing, and evaluation and areas to encourage
22 independent research and development invest-
23 ment by private companies.

24 “(d) UNMANNED SYSTEMS DEFINED.—In this sec-
25 tion, the term ‘unmanned systems’ means platforms with-

1 out human occupants that are directed by some combina-
2 tion of human input or autonomous function and that are
3 used in furtherance of military objectives.”.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of chapter 4 of such title is
6 amended by adding at the end the following new
7 item:

“145. Director of Defense Unmanned Systems.”.

8 **SEC. 103. INDEPENDENT ASSESSMENT ON COUNTERING**
9 **ANTI-ACCESS AND AREA-DENIAL CAPABILI-**
10 **TIES IN THE ASIA-PACIFIC REGION.**

11 (a) ASSESSMENT REQUIRED.—

12 (1) IN GENERAL.—The Secretary of Defense
13 shall enter into an agreement with an independent
14 entity to conduct an assessment of anti-access and
15 area-denial capabilities that pose a threat to the
16 United States and its allies and partners in the
17 Asia-Pacific region and strategies to mitigate such
18 threats.

19 (2) MATTERS TO BE INCLUDED.—The assess-
20 ment required under paragraph (1) shall include—

21 (A) identification of anti-access and area-
22 denial capabilities;

23 (B) assessment of gaps and shortfalls in
24 the ability of the United States to address anti-
25 access and area-denial capabilities identified

1 under subparagraph (A) and plans of the De-
2 partment of Defense to address such gaps and
3 shortfalls;

4 (C) assessment of Department of Defense
5 strategies to effectively deter aggression in the
6 Asia-Pacific region; and

7 (D) any other matters the independent en-
8 tity determines to be appropriate.

9 (b) REPORT REQUIRED.—

10 (1) IN GENERAL.—Not later than March 1,
11 2015, the Secretary of Defense shall submit to the
12 congressional defense committees a report that in-
13 cludes the assessment and strategies required under
14 subsection (a) and any other matters the Secretary
15 determines to be appropriate.

16 (2) FORM.—The report required under para-
17 graph (1) shall be submitted in unclassified form,
18 but may contain a classified annex if necessary.

19 (c) DEPARTMENT OF DEFENSE SUPPORT.—The Sec-
20 retary of Defense shall provide the independent entity de-
21 scribed in subsection (a) with timely access to appropriate
22 information, data, and analysis so that the entity may con-
23 duct a thorough and independent assessment as required
24 under subsection (a).

1 **SEC. 104. ASSESSMENT OF THE MARITIME BALANCE OF**
2 **FORCES IN THE ASIA-PACIFIC REGION.**

3 (a) ASSESSMENT REQUIRED.—

4 (1) IN GENERAL.—The Director of the Office of
5 Net Assessment of the Department of Defense shall
6 conduct an assessment of the maritime balance of
7 forces in the Asia-Pacific region for the 10-year pe-
8 riod beginning on the date of the initiation of the as-
9 sessment, with a focus on the Chinese People’s Lib-
10 eration Army and State Oceanic Administration.

11 (2) MATTERS TO BE INCLUDED.—The assess-
12 ment required under paragraph (1) shall include the
13 following:

14 (A) An identification and projection of
15 maritime balance of forces in the Asia-Pacific
16 region based on—

17 (i) a thorough assessment of the mili-
18 tary capabilities, readiness, and strategies
19 of each assessed state; and

20 (ii) current and planned United States
21 security initiatives and acquisition efforts,
22 in comparison with the efforts of regional
23 states.

24 (B) The implications of pursuing such
25 strategies for the United States defense pos-

1 ture, to include capabilities, force posture, and
2 the role of allies and partners.

3 (b) REPORT REQUIRED.—

4 (1) IN GENERAL.—Not later than March 1,
5 2015, the Director of the Office of Net Assessment
6 shall submit to the congressional defense committees
7 a report that includes the assessment required under
8 subsection (a).

9 (2) FORM.—The report required under para-
10 graph (1) shall be submitted in unclassified form,
11 but may contain a classified annex if necessary.

12 **SEC. 105. MISSILE DEFENSE COOPERATION.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) Admiral Samuel Locklear, Commander of
16 the United States Pacific Command, testified before
17 the Committee on Armed Services of the House of
18 Representatives on March 5, 2014, that in the
19 spring of 2013, North Korea “conducted another
20 underground nuclear test, threatened the use of a
21 nuclear weapon against the United States, and con-
22 currently conducted a mobile missile deployment of
23 an Intermediate Range Ballistic Missile, reportedly
24 capable of ranging our western most U.S. territory
25 in the Pacific.”;

1 (2) General Curtis Scaparrotti, Commander of
2 the United States Forces Korea, testified before
3 such committee on April 2, 2014, that “CFC [Com-
4 bined Forces Command] is placing special emphasis
5 on missile defense, not only in terms of systems and
6 capabilities, but also with regard to implementing an
7 Alliance counter-missile strategy required for our
8 combined defense.”; and

9 (3) increased emphasis and cooperation on mis-
10 sile defense among the United States, Japan, and
11 the Republic of Korea, enhances the security of al-
12 lies of the United States in Northeast Asia, in-
13 creases the defense of forward-based forces of the
14 United States, and enhances the protection of the
15 United States.

16 (b) ASSESSMENT REQUIRED.—The Secretary of De-
17 fense shall conduct an assessment to identify opportunities
18 for increasing missile defense cooperation among the
19 United States, Japan, and the Republic of Korea, and to
20 evaluate options for short-range missile, rocket, and artil-
21 lery defense capabilities.

22 (c) ELEMENTS.—The assessment under subsection
23 (b) shall include the following:

1 (1) critical United States national security
2 space systems are facing a serious growing foreign
3 threat;

4 (2) the People's Republic of China and the Rus-
5 sian Federation are both developing capabilities to
6 disrupt the use of space by the United States in a
7 conflict, as recently outlined by the Director of Na-
8 tional Intelligence in testimony before Congress; and

9 (3) a fully developed multi-faceted space secu-
10 rity and defense program is needed to deter and de-
11 feat any adversaries' acts of space aggression.

12 (b) REPORT ON ABILITY OF THE UNITED STATES TO
13 DETER AND DEFEAT ADVERSARY SPACE AGGRESSION.—

14 Not later than 180 days after the date of the enactment
15 of this Act, the Secretary of Defense shall submit to the
16 congressional defense committees a report containing an
17 assessment of the ability of the Department of Defense
18 to deter and defeat any act of space aggression by an ad-
19 versary.

20 (c) STUDY ON ALTERNATIVE DEFENSE AND DETER-
21 RENCE STRATEGIES IN RESPONSE TO FOREIGN
22 COUNTERSPACE CAPABILITIES.—

23 (1) STUDY REQUIRED.—The Secretary of De-
24 fense, acting through the Office of Net Assessment,
25 shall conduct a study of potential alternative defense

1 and deterrent strategies in response to the existing
2 and projected counterspace capabilities of China and
3 Russia. Such study shall include an assessment of
4 the congruence of such strategies with the current
5 United States defense strategy and defense pro-
6 grams of record, and the associated implications of
7 pursuing such strategies.

8 (2) REPORT.—Not later than one year after the
9 date of the enactment of this Act, the Secretary of
10 Defense shall submit to the congressional defense
11 committees the results of the study required under
12 paragraph (1).

13 **SEC. 107. SPACE SITUATIONAL AWARENESS.**

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

15 (1) As General William Shelton testified before
16 the Committee on Armed Services of the House of
17 Representatives on April 3, 2014, “[Space Situa-
18 tional Awareness] underpins everything we do in
19 space”.

20 (2) At the same hearing, Lieutenant General
21 John Raymond, Commander, Joint Functional Com-
22 ponent Command for Space, further testified that,
23 “Space Situational Awareness (SSA) is fundamental
24 to effective operation and defense of our capabilities.
25 SSA allows us to maintain the current and pre-

1 dictive knowledge of the space domain and the oper-
2 ational environment upon which space operations de-
3 pend. We rely on SSA to provide timely and accu-
4 rate warning to alert national and military leaders
5 and our partners of impending threats and hostile
6 actions.”.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to the Secretary of Defense
9 \$10,000,000 for fiscal year 2015 for research, develop-
10 ment, test, and evaluation, Air Force, for enhancing the
11 space situational awareness capabilities of the Air Force.
12 Such authorization is in addition to any other authoriza-
13 tion of appropriations for the Secretary for such fiscal
14 year.

15 **SEC. 108. SENSE OF CONGRESS ON ACCESS TO TRAINING**
16 **RANGES WITHIN UNITED STATES PACIFIC**
17 **COMMAND AREA OF RESPONSIBILITY.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) Reliable access to military training ranges is
21 an essential component of military readiness.

22 (2) The training opportunities provided by mili-
23 tary training ranges are critical to maintaining the
24 technical and operational superiority of the Armed
25 Forces.

1 (3) The 2014 Quadrennial Defense Review
2 states that the operational readiness of the Armed
3 Forces hinges on unimpeded access to land, air, and
4 sea training and test space.

5 (4) A number of critical military training
6 ranges are located within the United States Pacific
7 Command area of responsibility.

8 (5) Due to the “tyranny of distance” in the
9 Asia-Pacific region, there are significant challenges
10 in transporting equipment and personnel to the var-
11 ious military training ranges within the United
12 States Pacific Command area of responsibility.

13 (6) The Department of Defense continues a
14 number of efforts aimed at preserving military train-
15 ing ranges, while also minimizing the environmental
16 effects of training activities.

17 (7) The Department of Defense has a variety of
18 authorities that may be used to mitigate encroach-
19 ment on military testing and training missions.

20 (b) SENSE OF CONGRESS.—In light of the findings
21 specified in subsection (a), it is the sense of Congress that
22 the Secretary of Defense should—

23 (1) ensure that members of the Armed Forces
24 continue to have reliable access to military training
25 ranges;

1 (2) optimize the use of multilateral, joint train-
2 ing facilities overseas in order to increase readiness
3 and interoperability with allies and partners of the
4 United States;

5 (3) utilize a full range of assets, including both
6 air- and sea-based assets, to improve accessibility to
7 military training areas within the United States Pa-
8 cific Command area of responsibility;

9 (4) provide stable budget authority for long-
10 term investment in range and test center infrastruc-
11 ture, prioritizing those within the United States Pa-
12 cific Command area of responsibility; and

13 (5) take appropriate action to identify and miti-
14 gate encroachment or other challenges that have the
15 potential to impact access or operations on military
16 training ranges.

17 **SEC. 109. SENSE OF CONGRESS ON POHAKULOA TRAINING**
18 **AREA IN HAWAII.**

19 (a) FINDINGS.—Congress makes the following find-
20 ings:

21 (1) The Pohakuloa Training Area in Hawaii is
22 a premier military training area in the Pacific re-
23 gion, providing units from all United States military
24 services, as well as militaries of allies and partners

1 with realistic joint and combined arms training op-
2 portunities not found elsewhere in the world.

3 (2) The 2014 Quadrennial Defense Review
4 states that United States forces in the Asia-Pacific
5 region “will resume regular bilateral and multilateral
6 training exercises, pursue increased training oppor-
7 tunities to improve capabilities and capacity of part-
8 ner nations, as well as support humanitarian, dis-
9 aster relief, counterterrorism, and other operations
10 that contribute to the stability of the region.”.

11 (3) There are significant challenges in trans-
12 porting equipment and personnel to the Pohakuloa
13 Training Area from the Island of Oahu, where all
14 United States Pacific Command service components
15 are permanently based.

16 (b) SENSE OF CONGRESS.—In light of the findings
17 specified in subsection (a), it is the sense of Congress that
18 the Secretary of Defense should—

19 (1) maximize the use of the Pohakuloa Training
20 Area in Hawaii by all Armed Forces components,
21 and increase its use for bilateral and multilateral ex-
22 ercises with regional allies and partners;

23 (2) utilize a full range of assets to improve ac-
24 cess to the Training Center, including both air- and

1 sea-based assets such as inactive Joint High Speed
2 Vessels;

3 (3) invest in capabilities and modest improve-
4 ments to lower the cost of access to the Training
5 Center, such as construction of a C-17 capable run-
6 way; and

7 (4) take appropriate action to leverage existing
8 authorities and programs, as well as work with the
9 State of Hawaii and municipalities to leverage their
10 authorities, to address any challenges that have the
11 potential to impede future access to or operations on
12 military training ranges.

13 **SEC. 110. SPECIAL EASEMENT ACQUISITION AUTHORITY,**
14 **PACIFIC MISSILE RANGE FACILITY, BARKING**
15 **SANDS, KAUAI, HAWAII.**

16 (a) EASEMENT ACQUISITION AUTHORITY.—Subject
17 to subsection (d), the Secretary of the Navy may use the
18 authority provided by section 2684a of title 10, United
19 States Code, to acquire from willing sellers easements and
20 other interests in real property in the vicinity of the Pa-
21 cific Missile Range Facility, Barking Sands, Kauai, Ha-
22 waii, for the purpose of—

23 (1) limiting encroachments on military training,
24 testing, and operations at that installation; or

1 (2) facilitating such training, testing, and oper-
2 ations.

3 (b) ELIGIBLE ENTITIES.—Notwithstanding sub-
4 section (c) of section 2684a of title 10, United States
5 Code, the Secretary may enter into an agreement author-
6 ized by such section with any private entity for the acquisi-
7 tion of an easement or other interest in real property in
8 the vicinity of the Pacific Missile Range Facility, Barking
9 Sands.

10 (c) CONSIDERATION.—As consideration for the acqui-
11 sition of an easement or other interest in real property
12 under this section, the Secretary of the Navy may not pay
13 an amount in excess of the fair market value of the inter-
14 est to be acquired.

15 (d) CONDITIONS ON USE OF AUTHORITY.—

16 (1) NO USE OF CONDEMNATION.—An easement
17 or other interest in real property may be acquired
18 under this section only from a willing seller.

19 (2) NO ACQUISITION OF COMPLETE TITLE.—
20 Nothing in this section shall be construed to permit
21 the Secretary of the Navy to use this section as au-
22 thority to acquire all right, title, and interest in and
23 to real property in the vicinity of the Pacific Missile
24 Range Facility, Barking Sands.

1 (e) VICINITY DEFINED.—In this section, the term
2 “vicinity” means the area within 30 miles of the bound-
3 aries of the Pacific Missile Range Facility, Barking Sands.

4 **TITLE II—MATTERS RELATING**
5 **TO FOREIGN NATIONS**

6 **SEC. 201. STATEMENT OF POLICY ON MARITIME DISPUTES**
7 **IN THE ASIA-PACIFIC REGION.**

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

9 (1) The United States has a national interest in
10 maintaining freedom of navigation, freedom of the
11 seas, respect for international law, and unimpeded
12 lawful commerce, including in the East China and
13 South China Seas.

14 (2) There has been an unprecedented increase
15 in aggressive actions by the Government of the Peo-
16 ple’s Republic of China in the East China Sea, to in-
17 clude—

18 (A) dangerous activities by Chinese mari-
19 time agencies in areas near the Senkaku is-
20 lands, including the intrusion of between 6 and
21 25 Chinese ships into Japanese administered
22 territory in the East China Sea each month
23 since September 2012, between 26 and 124
24 ships into the “contiguous zone” in the same
25 time period, and 9 ships into Japanese adminis-

1 tered territory and 33 ships into the contiguous
2 zone in February 2014; and

3 (B) a unilateral declaration on November
4 23, 2013, without prior consultations with the
5 United States, Japan, the Republic of Korea, or
6 other nations of the Asia-Pacific region, of an
7 Air Defense Identification Zone (ADIZ) in the
8 East China Sea.

9 (3) In recent years, there have also been nu-
10 merous dangerous and destabilizing incidents in the
11 South China Sea, specifically in waters near the
12 coasts of the Philippines, the People’s Republic of
13 China, Malaysia, and Vietnam, where the use of co-
14 ercion, intimidation, and military force by claimants
15 seeking to change the status quo have raised ten-
16 sions in the region. Such unilateral actions include—

17 (A) continued restrictions on access to
18 Scarborough Reef and pressure on long-stand-
19 ing Philippine presence at the Second Thomas
20 Shoal by the People’s Republic of China;

21 (B) establishing hydrocarbon blocks up for
22 bid in areas that are under dispute;

23 (C) announcing administrative and mili-
24 tary districts in contested areas in the South
25 China Sea; and

1 (D) imposing new fishing regulations cov-
2 ering disputed areas.

3 (4) On December 5, 2013, the USS Cowpens
4 was lawfully operating in international waters in the
5 South China Sea when a People’s Liberation Army
6 Navy vessel crossed its bow at a distance of less
7 than 500 yards and stopped in the water, forcing
8 the USS Cowpens to take evasive action to avoid a
9 collision. Such action appears contrary to the inter-
10 national legal obligations of the People’s Republic of
11 China under International Regulations for Pre-
12 venting Collisions at Sea (COLREGs).

13 (5) The increasing frequency and assertiveness
14 of patrols and competing regulations over disputed
15 territory and maritime areas and airspace in the
16 South China Sea and the East China Sea are raising
17 tensions and increasing the risk of miscalculation
18 and confrontation.

19 (6) The Association of Southeast Asian Nations
20 (ASEAN) has promoted multilateral talks on dis-
21 puted areas without settling the issue of sovereignty,
22 and in 2002 joined with the People’s Republic of
23 China in signing a Declaration on the Conduct of
24 Parties in the South China Sea that committed all
25 parties to those territorial disputes to “reaffirm

1 their respect for and commitment to the freedom of
2 navigation in and over flight above the South China
3 Sea as provided for by the universally recognized
4 principles of international law” and to “resolve their
5 territorial and jurisdictional disputes by peaceful
6 means, without resorting to the threat or use of
7 force”.

8 (7) The United States Government has a clear
9 interest in the peaceful diplomatic resolution of dis-
10 puted maritime claims in accordance with inter-
11 national law and is firmly opposed to coercion, in-
12 timidation, threats, or the use of force.

13 (b) STATEMENT OF POLICY.—The United States—

14 (1) reaffirms its unwavering commitment and
15 support for allies and partners in the Asia-Pacific
16 region, and for the longstanding United States pol-
17 icy that Article V of the United States-Japan Mu-
18 tual Defense Treaty applies to the Japanese-admin-
19 istered Senkaku Islands;

20 (2) opposes claims that impinge on the rights,
21 freedoms, and lawful use of the sea that belong to
22 all nations and urges all parties to refrain from en-
23 gaging in destabilizing activities, including illegal oc-
24 cupation or efforts to unlawfully assert administra-
25 tion over disputed claims;

1 (2) the United States welcomes Japan’s deter-
2 mination to contribute more proactively to regional
3 and global peace and security;

4 (3) the United States supports recent increases
5 in Japanese defense funding, adoption of a National
6 Security Strategy, formation of security institutions
7 such as the Japanese National Security Council, re-
8 examination of the legal basis for its security includ-
9 ing the matter of exercising its right of collective
10 self-defense and other moves that will enable Japan
11 to bear even greater alliance responsibilities;

12 (4) the United States and Japan should con-
13 tinue to improve joint interoperability and collabo-
14 rate on developing future capabilities with which to
15 maintain regional stability in an increasingly uncer-
16 tain security environment;

17 (5) the United States and Japan should con-
18 tinue efforts to strengthen regional multilateral in-
19 stitutions that promote economic and security co-
20 operation based on internationally accepted rules
21 and norms;

22 (6) the United States acknowledges that the
23 Senkaku Islands are under the administration of
24 Japan and opposes any unilateral actions that would
25 seek to undermine such administration, affirms that

1 unilateral actions of a third party will not affect the
2 United States acknowledgment of the administration
3 of Japan over the Senkaku Islands, and remains
4 committed under the Treaty of Mutual Cooperation
5 and Security to respond to any armed attack in the
6 territories under the administration of Japan; and

7 (7) the United States reaffirms its commitment
8 to the Government of Japan under Article V of the
9 Treaty of Mutual Cooperation and Security that
10 “[e]ach Party recognizes that an armed attack
11 against either Party in the territories under the ad-
12 ministration of Japan would be dangerous to its own
13 peace and safety and declares that it would act to
14 meet the common danger in accordance with its con-
15 stitutional provisions and processes”.

16 **SEC. 203. REPORT ON OPPORTUNITIES TO STRENGTHEN**
17 **RELATIONSHIP BETWEEN THE UNITED**
18 **STATES AND THE REPUBLIC OF KOREA.**

19 (a) SENSE OF CONGRESS.—It is the sense of Con-
20 gress that—

21 (1) the United States and the Republic of
22 Korea have forged a strong security alliance over the
23 last 60 years;

24 (2) the alliance has been strengthened in joint
25 missions to fight the global war on terror and has

1 the Chairman of the Joint Chiefs of Staff, submit to the
2 congressional defense committees, the Committee on For-
3 eign Relations of the Senate, and the Committee on For-
4 eign Affairs of the House of Representatives a report on—

5 (1) the maritime balance of forces between the
6 People’s Republic of China and Taiwan; and

7 (2) the posture and readiness of the navy of
8 Taiwan to respond to an attack or other contingency
9 against the territory of Taiwan.

10 (b) ELEMENTS.—The report under subsection (a)
11 shall include the following:

12 (1) A description and assessment of the posture
13 and readiness of elements of the Chinese People’s
14 Liberation Army expected or available to threaten
15 the maritime or territorial security of Taiwan, in-
16 cluding an assessment of—

17 (A) the undersea and surface warfare ca-
18 pabilities of the People’s Liberation Army Navy
19 in the littoral areas in and around the Taiwan
20 Strait;

21 (B) the amphibious and heavy sealift capa-
22 bilities of the People’s Liberation Army Navy;

23 (C) the capabilities of the People’s Libera-
24 tion Army Air Force to establish air dominance
25 over Taiwan; and

1 (D) the capabilities of the People’s Libera-
2 tion Army Second Artillery Corps to suppress
3 or destroy the forces of Taiwan necessary to de-
4 fend the security of Taiwan.

5 (2) A description and assessment of the posture
6 and readiness of elements of the armed forces of
7 Taiwan expected or available to maintain the mari-
8 time or territorial security of Taiwan, including an
9 assessment of—

10 (A) the undersea and surface warfare ca-
11 pabilities of the navy of Taiwan;

12 (B) the land-based anti-ship cruise missile
13 capabilities of Taiwan; and

14 (C) other anti-access or area-denial capa-
15 bilities, such as mines, that contribute to the
16 deterrence of Taiwan against actions taken to
17 determine the future of Taiwan by other than
18 peaceful means.

19 (c) FORM.—The report required by subsection (a)
20 may be submitted in classified or unclassified form.

21 (d) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that—

23 (1) the United States, in accordance with the
24 Taiwan Relations Act (Public Law 96–8), should
25 continue to make available to Taiwan such defense

1 articles and services as may be necessary to enable
2 Taiwan to maintain a sufficient self-defense capa-
3 bility;

4 (2) the growth and modernization of the Peo-
5 ple’s Liberation Army, including its focus on “pre-
6 paring for potential conflict in the Taiwan Strait
7 [which] appears to remain the principal focus and
8 primary driver of China’s military investment”, as
9 noted in the 2013 Office of the Secretary of Defense
10 Annual Report to Congress: Military and Security
11 Developments Involving the People’s Republic of
12 China, requires greater attention to the needed de-
13 fense capabilities of Taiwan; and

14 (3) the United States should consider opportu-
15 nities to help enhance the maritime capabilities and
16 nautical skills of the Taiwanese navy that can con-
17 tribute to Taiwan’s self-defense and to regional
18 peace and stability, in areas such as humanitarian
19 assistance and disaster relief operations, including
20 extending an invitation to Taiwan to participate in
21 the 2014 Rim of the Pacific international maritime
22 exercise.

1 **SEC. 205. MODIFICATIONS TO ANNUAL REPORT ON MILI-**
2 **TARY AND SECURITY DEVELOPMENTS IN-**
3 **VOLVING THE PEOPLE'S REPUBLIC OF**
4 **CHINA.**

5 (a) MATTERS TO BE INCLUDED.—Subsection (b) of
6 section 1202 of the National Defense Authorization Act
7 for Fiscal Year 2000 (Public Law 106–65; 113 Stat. 781;
8 10 U.S.C. 113 note) is amended—

9 (1) by redesignating paragraphs (10) through
10 (20) as paragraphs (11) through (21), respectively;
11 and

12 (2) by inserting after paragraph (9) the fol-
13 lowing:

14 “(10) The developments in maritime law en-
15 forcement capabilities and organization of the Peo-
16 ple’s Republic of China, focusing on activities in con-
17 tested maritime areas in the South China Sea and
18 East China Sea. Such analyses shall include an as-
19 sessment of the nature of China’s maritime law en-
20 forcement activities directed against United States
21 allies and partners. Such maritime activities shall in-
22 clude activities originating or suspect of originating
23 from China and shall include government and non-
24 government activities that are believed to be sanc-
25 tioned or supported by the Chinese government.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section take effect on the date of the enactment of
3 this Act and apply with respect to reports required to be
4 submitted under subsection (a) of section 1202 of the Na-
5 tional Defense Authorization Act for Fiscal Year 2000,
6 as so amended, on or after that date.

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