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 determined 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 Representatives 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 “Asia-Pacific Region Priority Act”.

6 (b) Table of Contents.—The table of contents for 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. 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. 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. 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.

SEC. 2. SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

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

(2) In October 2011, Secretary of State Hillary Clinton laid out an enduring vision for continued United States involvement in the Asia-Pacific region throughout the coming century through strengthened security alliances, deeper relations with emerging powers, broader engagement with regional multi-
lateral institutions, greater trade and investment, a
broad-based security posture, and the pursuit of de-
mocracy and protection of human rights.

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

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

(5) In June 2012, Secretary of Defense Leon
Panetta reaffirmed at the Shangri-La Dialogue that
the United States remains committed to the prin-
ciples of open and free commerce, a just inter-
national order that emphasizes rights and responsibilities of all nations and a fidelity to the rule of law, open access by all to the shared domains of sea, air, space, and cyberspace, and the resolution of disputes without coercion or the use of force.

(6) The United States relationships with its treaty allies in the Asia-Pacific region, including Japan, the Republic of Korea, Australia, the Philippines, and Thailand, are at the heart of United States policy and engagement in the region, and these countries share a common approach to supporting peace and stability, freedom of navigation, and other internationally lawful uses of sea and air-space in the region.

(7) The United States continues to work with these and other regional countries on a range of transnational security and humanitarian issues, including countering the proliferation of weapons of mass destruction, encouraging the peaceful resolution of territorial disputes, responding to and mitigating humanitarian disasters, halting the illicit trafficking of people, drugs, and weapons, coordinating to monitor and combat the risk of pandemic disease, and fighting the disruptive activities of state
and non-state actors for the betterment of regional stability and prosperity.

(8) The United States military continues to work closely with the armed forces of these and other regional countries to maintain vigilance against threats to the global commons and international order, deter against acts of aggression, and field capabilities to mitigate risks to allied and partner states in the Asia-Pacific region.

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

(10) As provided in written testimony to the Committee on Armed Services of the House of Representatives in March 2014, Admiral Samuel Locklear, Commander of U.S. Pacific Command, noted that, “North Korea remains our most dangerous and enduring challenge... North Korea’s pursuit of nuclear weapons and ballistic missiles, in contravention of its international obligations, con-
stitutes a significant threat to peace and security on the Korean Peninsula and in Northeast Asia.”.

(11) As provided in written testimony to the Committee on Armed Services of the House of Representatives in November 2013, Dr. Larry Wortzel, Commissioner, United States–China Economic and Security Review Commission, noted that, “China’s military, the People’s Liberation Army (PLA), is undergoing an extensive modernization program that presents significant challenges to U.S. security interests in Asia.”.

(12) As Under Secretary of Defense for Acquisition, Technology and Logistics, Mr. Frank Kendall, testified before the Committee on Armed Services of the House of Representatives on January 28, 2014, “Anti-access aerial denial capabilities that concern us cover a range of conventional capabilities. In the case of China in particular, for example, they include space control investments, offense cyber capabilities, conventional ballistic and cruise missiles with precision-seekers designed both fixed land installations and surface ships, including aircraft carriers; air-to-air capabilities, including fifth-generation fighters, long-range missiles with advance technologies seekers, and electronic warfare systems.”.
b) SENSE OF CONGRESS.—It is the sense of Congress that—

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

(2) security and stability, largely provided by United States forces and their forward presence, underwrite United States national interests in the Asia-Pacific region;

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

(4) efforts by the Department of Defense to realign forces, commit additional assets, and increase investments to the Asia-Pacific region are welcome signs of the United States continued commitment to the region;

(5) to counter anti-access and area-denial capabilities, deter regional aggression, assure allies and partners, sustain military balance in the Asia-Pacific region, and enable more effective operations in contested and denied environments, the Department of Defense will need to—
(A) develop new concepts and initiatives, such as Air-Sea Battle (ASB) and the Strategic Capabilities Office (SCO);

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

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

(6) the development of regional institutions and bodies, including the Association of Southeast Asian Nations (ASEAN) Regional Forum, the ASEAN Defense Minister’s Meeting, the East Asia Summit, and the expanded ASEAN Maritime Forum, should be supported to build practical cooperation in the Asia-Pacific region and reinforce the role of international law.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

In this Act, the term “congressional defense committees” has the meaning given that term in section 101(a)(16) of title 10, United States Code.
TITLE I—MATTERS RELATING TO THE DEPARTMENT OF DEFENSE

SEC. 101. REPORT ON DEPARTMENT OF DEFENSE MUNITIONS STRATEGY FOR UNITED STATES PACIFIC COMMAND.

(a) Report Required.—Not later than April 1, 2015, the Secretary of Defense shall submit to the congressional defense committees a report on the munitions strategy for the United States Pacific Command, including an identification of munitions requirements, an assessment of munitions gaps and shortfalls, and necessary munitions investments. Such strategy shall cover the 10-year period beginning with 2015.

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

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

(2) An assessment of munitions gaps and shortfalls, including a census of current munitions capabilities and programs, not including ammunition.

(3) A description of current and planned munitions programs, including with respect to procurement, research, development, test and evaluation, and deployment activities.
(4) Schedules, estimated costs, and budget plans for current and planned munitions programs.

(5) Identification of opportunities and limitations within the associated industrial base.

(6) Identification and evaluation of technology needs and applicable emerging technologies, including with respect to directed energy, rail gun, and cyber technologies.

(7) An assessment of how current and planned munitions programs, and promising technologies, may affect existing operational concepts and capabilities of the military departments or lead to new operational concepts and capabilities.

(8) An assessment of programs and capabilities by other countries to counter the munitions programs and capabilities of the Armed Forces of the United States, not including with respect to ammunition, and how such assessment affects the munitions strategy of each military department.

(9) Any other matters the Secretary determines appropriate.

(c) FORM.—The report under subsection (a) may be submitted in classified or unclassified form.
SEC. 102. ESTABLISHMENT OF DEPARTMENT OF DEFENSE UNMANNED SYSTEMS OFFICE.

(a) POLICY.—It is the policy of the United States to maintain an independent organization within the Department of Defense to develop and coordinate the unmanned air, land, and sea capabilities of the United States to ensure unity of effort and the prudent allocation of resources in accordance with military needs.

(b) ESTABLISHMENT.—

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

“§ 145. Director of Defense Unmanned Systems

“(a) APPOINTMENT.—(1) There is a Director of Defense Unmanned Systems in the Office of the Secretary of Defense, who shall be appointed by the Secretary of Defense and who shall report directly to the Deputy Secretary of Defense.

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

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

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

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“(2) the principal Department of Defense liaison to other Federal agencies, the defense industry, and centers of research on such matters.

“(c) MATTERS DESCRIBED.—The Director shall advise the Secretary and Deputy Secretary on, at a minimum, following:

“(1) Policy and oversight of all matters related to unmanned systems within the Department of Defense, including the Office of the Secretary of Defense, the military departments, the Joint Staff, the combatant commands, and the Defense Agencies.

“(2) Coordination of acquisition and research, development, technology, and engineering efforts relating to the development, experimentation, and fielding of unmanned systems to ensure unity of effort and interagency awareness of emerging capabilities.

“(3) Recommendations regarding budget matters pertaining to unmanned systems programs and resources across the military departments.

“(4) Recommendations, in collaboration with the Joint Staff and other strategic planning offices, to integrate unmanned systems with existing operational concepts and determining new concepts en-
abled by advances in unmanned capabilities, includ-
ing—

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

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

“(C) support for deterrence posture and capabilities;

“(D) cost imposition strategies;

“(E) force protection; and

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

“(d) UNMANNED SYSTEMS DEFINED.—In this sec-
tion, the term ‘unmanned systems’ means platforms with-
out human occupants that are directed by some combination of human input or autonomous function and that are used in furtherance of military objectives.”.

(2) Clerical Amendment.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

“145. Director of Defense Unmanned Systems.”.

SEC. 103. INDEPENDENT ASSESSMENT ON COUNTERING ANTI-ACCESS AND AREA-DENIAL CAPABILITIES IN THE ASIA-PACIFIC REGION.

(a) Assessment Required.—

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

(2) Matters to be Included.—The assessment required under paragraph (1) shall include—

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

(B) assessment of gaps and shortfalls in the ability of the United States to address anti-access and area-denial capabilities identified
under subparagraph (A) and plans of the Department of Defense to address such gaps and shortfalls;

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

(D) any other matters the independent entity determines to be appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2015, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment and strategies required under subsection (a) and any other matters the Secretary determines to be appropriate.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

(c) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall provide the independent entity described in subsection (a) with timely access to appropriate information, data, and analysis so that the entity may conduct a thorough and independent assessment as required under subsection (a).
SEC. 104. ASSESSMENT OF THE MARITIME BALANCE OF FORCES IN THE ASIA-PACIFIC REGION.

(a) Assessment Required.—

(1) In general.—The Director of the Office of Net Assessment of the Department of Defense shall conduct an assessment of the maritime balance of forces in the Asia-Pacific region for the 10-year period beginning on the date of the initiation of the assessment, with a focus on the Chinese People’s Liberation Army and State Oceanic Administration.

(2) Matters to be included.—The assessment required under paragraph (1) shall include the following:

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

(i) a thorough assessment of the military capabilities, readiness, and strategies of each assessed state; and

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

(B) The implications of pursuing such strategies for the United States defense pos-
ture, to include capabilities, force posture, and the role of allies and partners.

(b) REPORT REQUIRED.—

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

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex if necessary.

SEC. 105. MISSILE DEFENSE COOPERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Admiral Samuel Locklear, Commander of the United States Pacific Command, testified before the Committee on Armed Services of the House of Representatives on March 5, 2014, that in the spring of 2013, North Korea “conducted another underground nuclear test, threatened the use of a nuclear weapon against the United States, and concurrently conducted a mobile missile deployment of an Intermediate Range Ballistic Missile, reportedly capable of ranging our western most U.S. territory in the Pacific.”;
(2) General Curtis Scaparrotti, Commander of the United States Forces Korea, testified before such committee on April 2, 2014, that “CFC [Combined Forces Command] is placing special emphasis on missile defense, not only in terms of systems and capabilities, but also with regard to implementing an Alliance counter-missile strategy required for our combined defense.”; and

(3) increased emphasis and cooperation on missile defense among the United States, Japan, and the Republic of Korea, enhances the security of allies of the United States in Northeast Asia, increases the defense of forward-based forces of the United States, and enhances the protection of the United States.

(b) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment to identify opportunities for increasing missile defense cooperation among the United States, Japan, and the Republic of Korea, and to evaluate options for short-range missile, rocket, and artillery defense capabilities.

(c) ELEMENTS.—The assessment under subsection (b) shall include the following:
(1) Candidate areas for increasing missile defense cooperation, including greater information sharing, systems integration, and joint operations.

(2) Potential challenges and limitations to enabling such cooperation and plans for mitigating such challenges and limitations.

(3) An assessment of the utility of short-range missile defense and counter-rocket, artillery, and mortar system capabilities, including with respect to—

(A) the requirements for such capabilities to meet operational and contingency plan requirements in Northeast Asia;

(B) cost, schedule, and availability;

(C) technology maturity and risk; and

(D) consideration of alternatives.

(d) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the assessment under subsection (b).

SEC. 106. DEPARTMENT OF DEFENSE SPACE SECURITY AND DEFENSE PROGRAM.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that—
(1) critical United States national security space systems are facing a serious growing foreign threat;

(2) the People’s Republic of China and the Russian Federation are both developing capabilities to disrupt the use of space by the United States in a conflict, as recently outlined by the Director of National Intelligence in testimony before Congress; and

(3) a fully developed multi-faceted space security and defense program is needed to deter and defeat any adversaries’ acts of space aggression.

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

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the ability of the Department of Defense to deter and defeat any act of space aggression by an adversary.

(c) STUDY ON ALTERNATIVE DEFENSE AND DETERRENCE STRATEGIES IN RESPONSE TO FOREIGN COUNTERSPACE CAPABILITIES.—

(1) STUDY REQUIRED.—The Secretary of Defense, acting through the Office of Net Assessment, shall conduct a study of potential alternative defense
and deterrent strategies in response to the existing
and projected counterspace capabilities of China and
Russia. Such study shall include an assessment of
the congruence of such strategies with the current
United States defense strategy and defense pro-
grams of record, and the associated implications of
pursuing such strategies.

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

SEC. 107. SPACE SITUATIONAL AWARENESS.

(a) FINDINGS.—Congress finds the following:

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

(2) At the same hearing, Lieutenant General
John Raymond, Commander, Joint Functional Com-
ponent Command for Space, further testified that,
“Space Situational Awareness (SSA) is fundamental
to effective operation and defense of our capabilities.
SSA allows us to maintain the current and pre-
dictive knowledge of the space domain and the operational environment upon which space operations depend. We rely on SSA to provide timely and accurate warning to alert national and military leaders and our partners of impending threats and hostile actions.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense $10,000,000 for fiscal year 2015 for research, development, test, and evaluation, Air Force, for enhancing the space situational awareness capabilities of the Air Force. Such authorization is in addition to any other authorization of appropriations for the Secretary for such fiscal year.

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

(a) FINDINGS.—Congress makes the following findings:

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

(2) The training opportunities provided by military training ranges are critical to maintaining the technical and operational superiority of the Armed Forces.
(3) The 2014 Quadrennial Defense Review states that the operational readiness of the Armed Forces hinges on unimpeded access to land, air, and sea training and test space.

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

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

(6) The Department of Defense continues a number of efforts aimed at preserving military training ranges, while also minimizing the environmental effects of training activities.

(7) The Department of Defense has a variety of authorities that may be used to mitigate encroachment on military testing and training missions.

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

(1) ensure that members of the Armed Forces continue to have reliable access to military training ranges;
(2) optimize the use of multilateral, joint training facilities overseas in order to increase readiness and interoperability with allies and partners of the United States;

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

(4) provide stable budget authority for long-term investment in range and test center infrastructure, prioritizing those within the United States Pacific Command area of responsibility; and

(5) take appropriate action to identify and mitigate encroachment or other challenges that have the potential to impact access or operations on military training ranges.

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

(a) FINDINGS.—Congress makes the following findings:

(1) The Pohakuloa Training Area in Hawaii is a premier military training area in the Pacific region, providing units from all United States military services, as well as militaries of allies and partners
with realistic joint and combined arms training opportunities not found elsewhere in the world.

(2) The 2014 Quadrennial Defense Review states that United States forces in the Asia-Pacific region “will resume regular bilateral and multilateral training exercises, pursue increased training opportunities to improve capabilities and capacity of partner nations, as well as support humanitarian, disaster relief, counterterrorism, and other operations that contribute to the stability of the region.”.

(3) There are significant challenges in transporting equipment and personnel to the Pohakuloa Training Area from the Island of Oahu, where all United States Pacific Command service components are permanently based.

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

(1) maximize the use of the Pohakuloa Training Area in Hawaii by all Armed Forces components, and increase its use for bilateral and multilateral exercises with regional allies and partners;

(2) utilize a full range of assets to improve access to the Training Center, including both air- and
sea-based assets such as inactive Joint High Speed Vessels;

(3) invest in capabilities and modest improvements to lower the cost of access to the Training Center, such as construction of a C–17 capable runway; and

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

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

(a) EASEMENT ACQUISITION AUTHORITY.—Subject to subsection (d), the Secretary of the Navy may use the authority provided by section 2684a of title 10, United States Code, to acquire from willing sellers easements and other interests in real property in the vicinity of the Pacific Missile Range Facility, Barking Sands, Kauai, Hawaii, for the purpose of—

(1) limiting encroachments on military training, testing, and operations at that installation; or
(2) facilitating such training, testing, and operations.

(b) ELIGIBLE ENTITIES.—Notwithstanding subsection (c) of section 2684a of title 10, United States Code, the Secretary may enter into an agreement authorized by such section with any private entity for the acquisition of an easement or other interest in real property in the vicinity of the Pacific Missile Range Facility, Barking Sands.

(c) CONSIDERATION.—As consideration for the acquisition of an easement or other interest in real property under this section, the Secretary of the Navy may not pay an amount in excess of the fair market value of the interest to be acquired.

(d) CONDITIONS ON USE OF AUTHORITY.—

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

(2) NO ACQUISITION OF COMPLETE TITLE.—Nothing in this section shall be construed to permit the Secretary of the Navy to use this section as authority to acquire all right, title, and interest in and to real property in the vicinity of the Pacific Missile Range Facility, Barking Sands.
(e) VICINITY DEFINED.—In this section, the term “vicinity” means the area within 30 miles of the boundaries of the Pacific Missile Range Facility, Barking Sands.

TITLE II—MATTERS RELATING TO FOREIGN NATIONS

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

(a) FINDINGS.—Congress finds the following:

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

(2) There has been an unprecedented increase in aggressive actions by the Government of the People’s Republic of China in the East China Sea, to include—

(A) dangerous activities by Chinese maritime agencies in areas near the Senkaku islands, including the intrusion of between 6 and 25 Chinese ships into Japanese administered territory in the East China Sea each month since September 2012, between 26 and 124 ships into the “contiguous zone” in the same time period, and 9 ships into Japanese adminis-
tered territory and 33 ships into the contiguous zone in February 2014; and

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

(3) In recent years, there have also been numerous dangerous and destabilizing incidents in the South China Sea, specifically in waters near the coasts of the Philippines, the People’s Republic of China, Malaysia, and Vietnam, where the use of coercion, intimidation, and military force by claimants seeking to change the status quo have raised tensions in the region. Such unilateral actions include—

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

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

(C) announcing administrative and military districts in contested areas in the South China Sea; and
(D) imposing new fishing regulations covering disputed areas.

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

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

(6) The Association of Southeast Asian Nations (ASEAN) has promoted multilateral talks on disputed areas without settling the issue of sovereignty, and in 2002 joined with the People’s Republic of China in signing a Declaration on the Conduct of Parties in the South China Sea that committed all parties to those territorial disputes to “reaffirm
their respect for and commitment to the freedom of navigation in and over flight above the South China Sea as provided for by the universally recognized principles of international law” and to “resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force”.

(7) The United States Government has a clear interest in the peaceful diplomatic resolution of disputed maritime claims in accordance with international law and is firmly opposed to coercion, intimidation, threats, or the use of force.

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

(1) reaffirms its unwavering commitment and support for allies and partners in the Asia-Pacific region, and for the longstanding United States policy that Article V of the United States-Japan Mutual Defense Treaty applies to the Japanese-administered Senkaku Islands;

(2) opposes claims that impinge on the rights, freedoms, and lawful use of the sea that belong to all nations and urges all parties to refrain from engaging in destabilizing activities, including illegal occupation or efforts to unlawfully assert administration over disputed claims;
(3) supports the development of regional institutions and bodies, including the Association of Southeast Asian Nations (ASEAN) Regional Forum, the ASEAN Defense Minister’s Meeting Plus, the East Asia Summit, and the expanded ASEAN Maritime Forum, to increase regional cooperation and ensure that disputes are managed without intimidation, coercion, or force; and

(4) continues United States military operations in, and transit through, international waters and airspace in the Asia-Pacific region, in accordance with established principles and practices of international law.

SEC. 202. SENSE OF CONGRESS REAFFIRMING SECURITY COMMITMENT TO JAPAN.

It is the sense of Congress that—

(1) the United States highly values its alliance with the Government of Japan as a cornerstone of peace and security in the region, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights in order to promote peace, security, stability, and economic prosperity in the Asia-Pacific region;
(2) the United States welcomes Japan’s determination to contribute more proactively to regional and global peace and security;

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

(4) the United States and Japan should continue to improve joint interoperability and collaborate on developing future capabilities with which to maintain regional stability in an increasingly uncertain security environment;

(5) the United States and Japan should continue efforts to strengthen regional multilateral institutions that promote economic and security cooperation based on internationally accepted rules and norms;

(6) the United States acknowledges that the Senkaku Islands are under the administration of Japan and opposes any unilateral actions that would seek to undermine such administration, affirms that
unilateral actions of a third party will not affect the United States acknowledgment of the administration of Japan over the Senkaku Islands, and remains committed under the Treaty of Mutual Cooperation and Security to respond to any armed attack in the territories under the administration of Japan; and

(7) the United States reaffirms its commitment to the Government of Japan under Article V of the Treaty of Mutual Cooperation and Security that “[e]ach Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes”.

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

(a) Sense of Congress.—It is the sense of Congress that—

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

(2) the alliance has been strengthened in joint missions to fight the global war on terror and has
been further bolstered through a continuous trend of meaningful sales of United States military hardware to Korea;

(3) the relationship between the two countries was further solidified in 2011 through the United States–Korea Free Trade Agreement which has led to growth in trade of goods and services; and

(4) additional opportunities should be identified to ensure that this relationship continues to grow in the long term and more closely reflects United States relationships with other free trade agreement partner countries.

(b) REPORT REQUIRED.—Not later than October 1, 2014, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives, a report on opportunities to further strengthen the relationship between the United States and the Republic of Korea with an emphasis on matters relating to security and trade.

SEC. 204. MARITIME CAPABILITIES OF TAIWAN AND ITS CONTRIBUTION TO REGIONAL PEACE AND STABILITY.

(a) REPORT REQUIRED.—Not later than April 1, 2016, the Secretary of Defense shall, in consultation with
the Chairman of the Joint Chiefs of Staff, submit to the
congressional defense committees, the Committee on For-
eign Relations of the Senate, and the Committee on For-
eign Affairs of the House of Representatives a report on—

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

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

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

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

(A) the undersea and surface warfare ca-

pabilities of the People’s Liberation Army Navy
in the littoral areas in and around the Taiwan
Strait;

(B) the amphibious and heavy sealift capa-

bilities of the People’s Liberation Army Navy;

(C) the capabilities of the People’s Libera-
tion Army Air Force to establish air dominance
over Taiwan; and
(D) the capabilities of the People’s Liberation Army Second Artillery Corps to suppress or destroy the forces of Taiwan necessary to defend the security of Taiwan.

(2) A description and assessment of the posture and readiness of elements of the armed forces of Taiwan expected or available to maintain the maritime or territorial security of Taiwan, including an assessment of—

(A) the undersea and surface warfare capabilities of the navy of Taiwan;

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

(C) other anti-access or area-denial capabilities, such as mines, that contribute to the deterrence of Taiwan against actions taken to determine the future of Taiwan by other than peaceful means.

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

(d) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States, in accordance with the Taiwan Relations Act (Public Law 96–8), should continue to make available to Taiwan such defense
articles and services as may be necessary to enable
Taiwan to maintain a sufficient self-defense capa-
bility;

(2) the growth and modernization of the Peo-

gle’s Liberation Army, including its focus on “pre-

paring for potential conflict in the Taiwan Strait
[which] appears to remain the principal focus and
primary driver of China’s military investment”, as
noted in the 2013 Office of the Secretary of Defense
Annual Report to Congress: Military and Security
Developments Involving the People’s Republic of
China, requires greater attention to the needed de-
fense capabilities of Taiwan; and

(3) the United States should consider opportu-
nities to help enhance the maritime capabilities and
naval skills of the Taiwanese navy that can con-
tribute to Taiwan’s self-defense and to regional
peace and stability, in areas such as humanitarian
assistance and disaster relief operations, including
extending an invitation to Taiwan to participate in
the 2014 Rim of the Pacific international maritime
exercise.
SEC. 205. MODIFICATIONS TO ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE’S REPUBLIC OF CHINA.

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

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

(2) by inserting after paragraph (9) the following:

“(10) The developments in maritime law enforcement capabilities and organization of the People’s Republic of China, focusing on activities in contested maritime areas in the South China Sea and East China Sea. Such analyses shall include an assessment of the nature of China’s maritime law enforcement activities directed against United States allies and partners. Such maritime activities shall include activities originating or suspect of originating from China and shall include government and non-government activities that are believed to be sanctioned or supported by the Chinese government.”.
(b) EFFECTIVE DATE.—The amendments made by this section take effect on the date of the enactment of this Act and apply with respect to reports required to be submitted under subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000, as so amended, on or after that date.