

Missile Defense Agency Congressional Reporting Requirements		
Reporting Requirement Reference	Reporting Requirement Language	Budget Documentation
Sec 1690 of the FY18 National Defense Authorization Act (H.R. 2810), pp. 2638-2639	<p>SEC. 1690. SENSE OF CONGRESS AND REPORT ON GROUND-BASED MIDCOURSE DEFENSE TESTING.</p> <p>(a) SENSE OF CONGRESS.—It is the sense of Congress that—</p> <p>(1) at a minimum, the Missile Defense Agency should continue to flight test the ground-based midcourse defense element at least once each fiscal year;</p> <p>(2) the Department of Defense should allocate increased funding to homeland missile defense testing to ensure that the defenses of the United States continue to evolve faster than the threats against which they are postured to defend, while pursuing a sound acquisition practice;</p> <p>(3) in order to rapidly innovate, develop, and field new technologies, the Director of the Missile Defense Agency should continue to focus testing campaigns on delivering increased capabilities to the Armed Forces as quickly as possible; and</p> <p>(4) the Director should seek to establish a more prudent balance between risk mitigation and the more rapid testing pace needed to quickly develop and deliver new capabilities to the Armed Forces.</p> <p>(b) REPORT.—</p> <p>(1) IN GENERAL.—If consistent with the direction or recommendations of the Ballistic Missile Defense Review that commenced in 2017, not later than 90 days after the date on which the Review is published, the Director of the Missile Defense Agency shall submit to the congressional defense committees a revised missile defense testing campaign plan that accelerates the development and deployment of new missile defense technologies.</p> <p>(2) CONTENTS.—The report under paragraph (1) shall include the following:</p> <p>(A) A detailed analysis of the acceleration of each of following programs:</p> <p>(i) Redesigned kill vehicle.</p> <p>(ii) Multi-object kill vehicle.</p> <p>(iii) Configuration-3 Booster.</p> <p>(iv) Such additional technologies as the Director considers appropriate.</p> <p>(B) A new deployment timeline for each of the programs listed in subparagraph (A) or a detailed description of why the current timeline for deployment technologies under those programs is most suitable.</p> <p>(C) An identification of any funding or policy restrictions that would slow down the deployment of the technologies under the programs listed in subparagraph (A).</p>	Submitted with the FY2019 Budget Release

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	<p>(D) A risk assessment of the potential cost-overruns and deployment delays that may be encountered in the expedited development process of the capabilities under paragraph (1).</p> <p>(c) REPORT ON FUNDING PROFILE.—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2019.</p>	
Sec. 1696 of the FY17 National Defense Authorization Act (S 2943), pp. 2638-2639	<p>SEC. 1696. REPORTS ON UNFUNDED PRIORITIES OF THE MISSILE DEFENSE AGENCY</p> <p>(a) REPORTS.—Not later than 10 days after the date on which the budget of the President for each of fiscal years 2018 and 2019 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director of the Missile Defense Agency shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, and to the congressional defense committees,</p> <p>a report on the unfunded priorities of the Missile Defense Agency.</p> <p>(b) ELEMENTS.—</p> <p>(1) IN GENERAL.—Each report under subsection (a) shall c specify, for each unfunded priority covered by such report, the following:</p> <p>(A) A summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part).</p> <p>(B) The additional amount of funds recommended in connection with the objectives under subparagraph (A).</p> <p>(C) Account information with respect to such priority, including the following (as applicable):</p> <p>(i) Line Item Number (LIN) for applicable procurement accounts.</p> <p>(ii) Program Element (PE) number for applicable research, development, test, and evaluation accounts.</p> <p>(iii) Sub-activity group (SAG) for applicable operation and maintenance accounts.</p> <p>(2) PRIORITIZATION OF PRIORITIES.—Each report under subsection (a) shall present the unfunded priorities covered by such report in order of urgency of priority.</p> <p>(c) UNFUNDED PRIORITY DEFINED.—In this section, the term “unfunded priority”, in the case of a fiscal year, means a program, activity, or mission requirement of the Missile Defense Agency that—</p> <p>(1) is not funded in the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31, United States Code;</p> <p>(2) is necessary to fulfill a requirement associated with an operational or contingency plan of a combatant command or other validated requirement; and</p> <p>(3) would have been recommended for funding through the budget referred to in paragraph (1) by</p>	Submitted no later than 10 days after PB18 and PB19 submissions

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	<p>the Director of the Missile Defense Agency in connection with the budget if—</p> <p>(A) additional resources had been available for the budget to fund the program, activity, or mission requirement; or</p> <p>(B) the program, activity, or mission requirement has emerged since the budget was formulated.</p>	
Sec. 1684 of the FY16 National Defense Authorization Act (HR 1735), pp. 1056-1059	<p>SEC. 1684. ADDITIONAL MISSILE DEFENSE SENSOR COVERAGE FOR PROTECTION OF UNITED STATES HOMELAND</p> <p>(a) It is the sense of Congress that additional missile defense sensor discrimination capabilities are needed to enhance the protection of the United States homeland against potential long-range ballistic missiles from Iran that, according to the Department of Defense, could soon be obtained by Iran as a result of its active space launch program.</p> <p>(b) STUDIES AND EVALUATIONS ON HOMEPORT OF SEA-BASED X-BAND RADAR.— Not later than 60 days after the date of the enactment of this Act, the Director of the Missile Defense Agency shall commence any siting studies, environmental impact assessments or statements required pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) that have not otherwise been prepared, homeport agreements for sea-based X-band radar support, evaluations of any needed pier modifications, and evaluations of any communications capabilities or other requirements to carry out the reassignment of the homeport of the sea-based X-band radar to a homeport on the East Coast of the United States.</p> <p>(c) POTENTIAL FUTURE MISSILE DEFENSE SENSOR SITES.—</p> <p>(1) EVALUATION.—Not later than March 31, 2016, the Director shall commence a study to evaluate at least three possible additional locations (in or outside the United States), selected by the Director, that would be best suited for future deployment of an advanced missile defense sensor site optimized against threats from Iran.</p> <p>(2) ENVIRONMENTAL IMPACT STATEMENTS.— Except as provided by paragraph (3), the evaluation under paragraph (1) shall include an environmental impact statement or other analysis in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for each location included in the evaluation.</p> <p>(3) EXCEPTION.—If an environmental impact statement or other analysis described in paragraph (2) has already been prepared, or is not required by law, for a location included in the evaluation under paragraph (1), the Director shall not be required to carry out paragraph (2) with respect to such location.</p> <p>(d) DEPLOYMENT OF ADDITIONAL COVERAGE.— (1) DEPLOYMENT.—Not later than</p>	Submitted in the FY2017 Budget Justification Materials in PE 0603890C (BMD Enabling Programs) and PE 0603884C (BMD Sensors)

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	<p>December 31, 2020, the Director, in cooperation with the relevant combatant command, shall deploy a long-range discrimination radar or other appropriate sensor capability in a location optimized to support the defense of the homeland of the United States from emerging long-range ballistic missile threats from Iran.</p> <p>(2) SEA-BASED X-BAND RADAR.—If the Director carries out paragraph (1) by reassigning the homeport of the sea-based X-band radar, the Director and the Secretary of the Navy may not carry out such reassignment until the date on which the Director certifies to the congressional defense committees that Hawaii will have adequate missile defense coverage prior to such reassignment.</p> <p>(e) SUBMISSION OF INFORMATION.—</p> <p>(1) REPORT.—Not later than December 31, 2018, the Director shall submit to the congressional defense committees a report containing the following:</p> <p>(A) The findings of the study conducted under paragraph (1) of subsection (c), including any environmental impact statements or analyses required by paragraph (2) of such subsection.</p> <p>(B) Notification of the manner in which Hawaii is being provided ballistic missile defense coverage.</p> <p>(2) PLAN.—In the budget justification materials submitted to Congress in support of the budget for each of fiscal years 2017 through 2020 submitted by the President to Congress under section 1105 of title 31, United States Code, the Director shall include—</p> <p>(A) the plan of the Director to carry out subsection (d); and</p> <p>(B) an update on the progress of the Director in implementing subsections (b) and (c).</p>	
<p>Sec 231 of the FY14 National Defense Authorization Act (HR 3304, TITLE II – Subtitle C), pp. 18</p>	<p>SEC 231. IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON BALLISTIC MISSILE DEFENSE SYSTEM</p> <p>(a) Improvement to Operations and Sustainment Cost Estimates- In preparing the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code, the Director of the Missile Defense Agency shall improve the quality of cost estimates relating to operations and sustainment that are included in such reports under subsection (b)(3)(A) of such section, including with respect to the confidence levels of such cost estimates.</p> <p>(b) Operations and Sustainment Responsibility- Section 225 of title 10, United States Code, is amended by adding at the end the following new subsection:</p> <p>(e) Operations and Sustainment Cost Estimates- The Director shall ensure that each life-cycle cost estimate included in an acquisition baseline pursuant to subsection (b)(3)(A) includes--</p> <p>(1) all of the operations and sustainment costs for which the Director is responsible; and</p> <p>(2) a description of the operations and sustainment functions and costs for which a military department is responsible.'.</p>	<p>MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.</p>

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	<p>(c) Report-</p> <p>(1) IN GENERAL- Not later than one year after the date of the enactment of this Act, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report outlining the plans of the Director to improve the quality of cost estimates pursuant to subsection (a).</p> <p>(2) ELEMENTS- The report under paragraph (1) shall include--</p> <p>(A) a description of the actions planned to improve the quality of cost estimates included in the acquisition accountability reports on the ballistic missile defense system required by section 225 of title 10, United States Code;</p> <p>(B) the schedule for such planned actions, including the planned schedule for meeting the requirements of subsection (e) of such section 225, as added by subsection (b);</p> <p>(C) a description of any steps taken during the previous year to improve the quality of such cost estimates;</p> <p>(D) an assessment of how the planned improvements compare to the best practices and cost-estimation guidelines recommended by the Comptroller General of the United States for cost estimates of the ballistic missile defense system;</p> <p>(E) any other matters the Director considers appropriate; and</p> <p>(F) the views of the Comptroller General of the United States with respect to the contents of the report.</p> <p>(3) FORM- The report under paragraph (1) shall be submitted in unclassified form.</p>	
<p>Sec 234 of H.R. 1960 H. Rpt 113-02, FY14 House Armed Services Committee Report, pp. 67-68</p>	<p>REPORT ON IMPROVEMENTS TO ACQUISITION ACCOUNTABILITY REPORTS ON BALLISTIC MISSILE DEFENSE SYSTEM</p> <p>This section would amend section 225 of title 10, United States Code, to include a requirement that the Director, Missile Defense Agency include in the annual Ballistic Missile Defense System Accountability Report certain operation and support costs, and statements as to the quality estimate level of each cost estimate as well as the steps the Director will take to ensure these estimates reach the “high-quality estimate” level established by the Comptroller General of the United States.</p> <p>(a) In General.—Section 225 of title 10, United States Code, is amended—</p> <p>(1) in subsection (b)(3)(A), by inserting “comprehensive” before “life-cycle”; and</p> <p>(2) by adding at the end the following:</p> <p>(e) Quality of Cost Estimates.—(1) The Director shall ensure that each cost estimate included in an acquisition baseline pursuant to subsection (b)(3) includes all operation and support costs, regardless of funding source, for which the Director is responsible.</p> <p>(2) In each such baseline submitted to the congressional defense committees, the Director shall</p>	<p>MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.</p>

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	state whether the underlying cost estimates in such baseline meet the criteria of the Comptroller General of the United States to be considered a high-quality estimate. If the Director states that such estimates do not meet such criteria, the Director shall include in such baseline the actions, including a schedule, that the Director plans to carry out for the estimates to meet such criteria.”	
Sec 231 of the FY12 National Defense Authorization Act (S 1867, TITLE II – Subtitle C), pp. 53-54	<p>SEC. 231. ACQUISITION ACCOUNTABILITY REPORTS ON THE BALLISTIC MISSILE DEFENSE SYSTEM</p> <p>(a) BASELINE REQUIRED.—</p> <p>(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by inserting after section 224 the following new section: 225. Acquisition accountability reports on the ballistic missile defense system</p> <p>(a) BASELINES REQUIRED.—(1) In accordance with paragraph (2), the Director of the Missile Defense Agency shall establish and maintain an acquisition baseline for—</p> <p>(A) each program element of the ballistic missile defense system, as specified in section 223 of this title; and</p> <p>(B) each designated major subprogram of such program elements.</p> <p>(2) The Director shall establish an acquisition baseline required by paragraph (1) before the date on which the program element or major subprogram enters—</p> <p>(A) engineering and manufacturing development; and</p> <p>(B) production and deployment.</p> <p>(3) Except as provided by subsection (d), the Director may not adjust or revise an acquisition baseline established under this section.</p> <p>(b) ELEMENTS OF BASELINES.—Each acquisition baseline required by subsection (a) for a program element or major subprogram shall include the following:</p> <p>(1) A comprehensive schedule, including—</p> <p>(A) research and development milestones;</p> <p>(B) acquisition milestones, including design reviews and key decision points;</p> <p>(C) key test events, including ground and flight tests and ballistic missile defense system tests;</p> <p>(D) delivery and fielding schedules;</p> <p>(E) quantities of assets planned for acquisition and delivery in total and by fiscal year; and</p> <p>(F) Planned contract award dates.</p> <p>(2) A detailed technical description of—</p> <p>(A) the capability to be developed, including hardware and software;</p> <p>(B) system requirements, including performance requirements;</p> <p>(C) how the proposed capability satisfies a capability identified by the commanders of the</p>	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.

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| | <p>combatant commands on a prioritized capabilities list;</p> <p>(D) key knowledge points that must be achieved to permit continuation of the program and to inform production and deployment decisions; and</p> <p>(E) how the Director plans to improve the capability over time.</p> <p>(3) A cost estimate, including—</p> <p>(A) a life-cycle cost estimate that separately identifies the costs regarding research and development, procurement, military construction, operations and sustainment, and disposal;</p> <p>(B) program acquisition unit costs for the program element;</p> <p>(C) average procurement unit costs and program acquisition costs for the program element; and</p> <p>(D) an identification of when the document regarding the program joint cost analysis requirements description is scheduled to be approved.</p> <p>(4) A test baseline summarizing the comprehensive test program for the program element or major subprogram outlined in the integrated master test plan.</p> <p>(c) ANNUAL REPORTS ON ACQUISITION BASELINES.—</p> <p>(1) Not later than February 15 of each year, the Director shall submit to the congressional defense committees a report on the acquisition baselines required by subsection (a).</p> <p>(2)(A) The first report under paragraph (1) shall set forth each acquisition baseline required by subsection (a) for a program element or major subprogram.</p> <p>(3) Each subsequent report under paragraph (1) shall include—</p> <p style="padding-left: 20px;">(i) any new acquisition baselines required by subsection (a) for a program element or major subprogram; and</p> <p style="padding-left: 20px;">(ii) with respect to an acquisition baseline that was previously included in a report under paragraph (1), an identification of any changes or variances made to the elements described in subsection (b) for such acquisition baseline, as compared to—</p> <p style="padding-left: 20px;">(I) the initial acquisition baseline for such program element or major subprogram; and</p> <p style="padding-left: 20px;">(II) the acquisition baseline for such program element or major subprogram that was submitted in the report during the previous year.</p> <p>(3) Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.</p> <p>(d) EXCEPTION TO LIMITATION ON REVISION.—The Director may adjust or revise an acquisition baseline established under this section if the Director submits to the congressional defense committees notification of—</p> <p style="padding-left: 20px;">(1) a justification for such adjustment or revision;</p> <p style="padding-left: 20px;">(2) the specific adjustments or revisions made to the acquisition baseline, including to the elements described in subsection (b); and</p> | |
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	<p>(3) the effective date of the adjusted or revised acquisition baseline.”.</p> <p>(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: section 225. Acquisition accountability reports on the ballistic missile defense system.”.</p> <p>(b) CONFORMING AMENDMENTS.—</p> <p>(1) FISCAL YEAR 2011 NDAA.—Section 225 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4170; 10 U.S.C. 223 note) is repealed.</p> <p>(2) FISCAL YEAR 2008 NDAA.—Section 223 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 39; 10 U.S.C. 223 note) is amended by striking subsection (g).</p> <p>(3) FISCAL YEAR 2003 NDAA.—Section 221 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 116 Stat. 2484; 10 U.S.C. 2431 note) is repealed.</p>	
<p>FY12 National Defense Authorization Act, Report Language – House Report 112-239 (Subtitle C Missile Defense Matters), pp. 43-44</p>	<p>SEC. 232. COMPTROLLER GENERAL REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS</p> <p>(a) Comptroller General Assessment—</p> <p>(1) IN GENERAL- The Comptroller General of the United States shall review the annual reports submitted under section 225(c) of title 10, United States Code, as added by section 231 of this Act, that cover any of fiscal years 2012 through 2015 and assess the extent to which the Missile Defense Agency has achieved its acquisition goals and objectives.</p> <p>(2) REPORTS- Not later than March 15, 2013, and each year thereafter through 2016, the Comptroller General shall submit to the congressional defense committees a report on the assessment under paragraph (1) with respect to the acquisition baselines for the preceding fiscal year. Each report shall include any findings and recommendations on missile defense acquisition programs and accountability therefore that the Comptroller General considers appropriate.</p> <p>(b) Annual Reports on Missile Defense Executive Board Activities- In each of the first three reports submitted under section 225(c) of title 10, United States Code, as added by section 231 of this Act, the Director shall include a description of the activities of the Missile Defense Executive Board during the fiscal year preceding the date of the report, including the following:</p> <p>(1) A list of each meeting of the Board during such year.</p> <p>(2) The agenda and issues considered at each such meeting.</p> <p>(3) A description of any decisions or recommendations made by the Board at each such meeting.</p> <p>(c) Repeal of Superseded Reporting Authority- Section 232 of the National Defense Authorization</p>	<p>MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.</p>

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	Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1037; 10 U.S.C. 2431 note) is amended by striking subsection (g).	
Sec. 1688 of the FY16 National Defense Authorization Act (HR 1735), pp. 1065	<p>SEC. 1688. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS</p> <p>Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339) is amended—</p> <p>(1) in paragraph (1), by striking “through 2015” and inserting “through 2020”; and</p> <p>(2) in paragraph (2), in the first sentence, by striking “through 2016” and inserting “through 2021”.</p>	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.
<p><i>Sec 223(a). Ballistic Missile Defense Programs: Procurement;</i></p> <p>National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588, H. Rpt. 108-354), pp. 30-31</p>	<p>BUDGET JUSTIFICATION MATERIALS</p> <p>In the budget justification materials submitted to Congress in support of the Department of Defense budget for any fiscal year (as submitted with the budget of the President under section 1105(a) of title 31), the Secretary of Defense shall specify, for each ballistic missile defense system element for which the Missile Defense Agency is engaged in planning for production and initial fielding, the following information: (1) The production rate capabilities of the production facilities planned to be used for production of that element. (2) The potential date of availability of that element for initial fielding. (3) The estimated date on which the administration of the acquisition of that element is to be transferred from the Director of the Missile Defense Agency to the Secretary of a military department.</p>	<p>MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR partially satisfies the requirement through its schedule baseline.</p> <p>Exhibit P-21 – Budget Production Schedule</p> <p>Procurement -MDA 0208866C, Terminal Defense, 0208866C, Aegis BMD, 0208866C, Aegis Ashore Phase III 0208866C, BMDS AN/TPY-2 Radars 0208866C, Iron Dome 0208866C, BMD Midcourse</p>

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		0208866C , THAAD Procurement 0208866C , Short-Range Ballistic Missile Defense
<i>Sec 223(b). Ballistic Missile Defense Programs: Procurement; National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588, H. Rpt. 108-354, pp. 30-31)</i>	FUTURE-YEARS DEFENSE PROGRAM The Secretary of Defense shall include in the future-years defense program submitted to Congress each year under section 221 of this title an estimate of the amount necessary for procurement for each ballistic missile defense system element, together with a discussion of the underlying factors and reasoning justifying the estimate.	Procurement -MDA 0208866C , Terminal Defense, 0208866C , Aegis BMD, 0208866C , Aegis Ashore Phase III 0208866C , BMDS AN/TPY-2 Radars 0208866C , Iron Dome