

Missile Defense Agency Congressional Reporting Requirements		
Reporting Requirement Reference	Reporting Requirement Language	Budget Documentation
Sec 231 of the FY14 National Defense Authorization Act (HR 3304, TITLE II – Subtitle C) pp. 18	<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>(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</p>	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.

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	<p>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 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.”.</p> <p>(b) Report.—Not later than February 15, 2014, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report of the plans and schedule of the Director with respect to when the Director will meet the quality and criteria of cost estimates required by section 225(e) of title 10, United States Code, as added by subsection (a)(2).</p>	<p>MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.</p>
<p>Section titled "Report on Fragility in the Missile Defense Industrial Base" of the FY13 National Defense Authorization Act (HR 4310, TITLE II – Research,</p>	<p>Report on Fragility in the Missile Defense Industrial Base</p> <p>The committee is concerned about the impact of budget cuts on the missile defense industrial base, as it is concerned about the overall defense industrial base. In testimony before the Subcommittee on Strategic Forces on the fiscal year 2013 budget request for missile defense, the Director, Missile Defense Agency (MDA) stated: “If we have sequestration and the dramatic reduction in our programs, it will be most—hardest-felt in the supplier base. And it’s not only the availability of the</p>	<p>MDA to provide report prior to the 2015 budget request.</p>

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Development, Test, And Evaluation) pp. 100-101	<p>supplies, as we were discussing before, it's the manufacturing processes. And, a lot of these components that we use, and we use over 2,000, for example, on a ground-based interceptor, those components themselves are built in a certain way that give it its reliability. And, the loss of the workforce in many of these cases I would say would be close to non-recoverable. Or, if it is recoverable, it's going to be a very painful process.”</p> <p>The committee is also aware that there are certain components with only one or two suppliers remaining in that area of design and production. This is especially true for the producers of the Standard Missile 3 interceptor's Divert and Attitude Control System which guides the kill vehicle during the final phase of its intercept operations. The committee is deeply concerned about the absence of competition in the design and production of key missile defense technologies.</p> <p>The committee therefore directs the Director, Missile Defense Agency to provide a report to the House Committee on Armed Services within 180 days that details the key components in major MDA missile defense systems and the extent to which there is a risk of relying on only a single supplier for those components. The report should include any specific efforts MDA has undertaken in the past 2 years to ensure competition in the industry supplier base for those components and any efforts the MDA plans to inform a strategy to deal with the risks of reliance on a single supplier for critical missile defense technologies in the years ahead. In addition, the committee urges the Missile Defense Agency to provide as part of the fiscal year 2014 budget request a plan on how it intends to implement the strategy.</p>	
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>	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.

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- (A) engineering and manufacturing development; and
- (B) production and deployment.
- (3) Except as provided by subsection (d), the Director may not adjust or revise an acquisition baseline established under this section.
- (b) ELEMENTS OF BASELINES.—Each acquisition baseline required by subsection (a) for a program element or major subprogram shall include the following:
 - (1) A comprehensive schedule, including—
 - (A) research and development milestones;
 - (B) acquisition milestones, including design reviews and key decision points;
 - (C) key test events, including ground and flight tests and ballistic missile defense system tests;
 - (D) delivery and fielding schedules;
 - (E) quantities of assets planned for acquisition and delivery in total and by fiscal year; and
 - (F) Planned contract award dates.
 - (2) A detailed technical description of—
 - (A) the capability to be developed, including hardware and software;
 - (B) system requirements, including performance requirements;
 - (C) how the proposed capability satisfies a capability identified by the commanders of the combatant commands on a prioritized capabilities list;
 - (D) key knowledge points that must be achieved to permit continuation of the program and to inform production and deployment decisions; and
 - (E) how the Director plans to improve the capability over time.
 - (3) A cost estimate, including—
 - (A) a life-cycle cost estimate that separately identifies the costs regarding research and development, procurement, military construction, operations and sustainment, and disposal;
 - (B) program acquisition unit costs for the program element;
 - (C) average procurement unit costs and program acquisition costs for the program element; and
 - (D) an identification of when the document regarding the program joint cost analysis requirements description is scheduled to be approved.
 - (4) A test baseline summarizing the comprehensive test program for the program element or major subprogram outlined in the integrated master test plan.
- (c) ANNUAL REPORTS ON ACQUISITION BASELINES.—
 - (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).
 - (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.
 - (3) Each subsequent report under paragraph (1) shall include—

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	<p>(i) any new acquisition baselines required by subsection (a) for a program element or major subprogram; and</p> <p>(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>(I) the initial acquisition baseline for such program element or major subprogram; and</p> <p>(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>(1) a justification for such adjustment or revision;</p> <p>(2) the specific adjustments or revisions made to the acquisition baseline, including to the elements described in subsection (b); and</p> <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>	
FY12 Department of Defense Appropriations Act, Report Language – Senate Report 112-77, Missile Defense Agency (MDA) p. 236	<p><i>Budget Justification Materials</i> - The fiscal year 2012 budget request includes \$8,558,556,000 for the Missile Defense Agency’s programs under the jurisdiction of the Defense Appropriations Subcommittee. The Committee has stated in the past its concerns with the poor quality and lack of detail of the corresponding budget justification materials and is pleased to note a signification improvement in the budget justification materials compared to prior years. However, the Committee believes that further improvement is warranted and looks forward to working with the Missile Defense Agency to continue improving its budget justification materials. In particular, the</p>	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.

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	<p>Committee is disturbed by the lack of programmatic detail contained in the budget justification materials, particularly as it relates to prior year accomplishments and scheduled events in the budget year. In addition, the Committee has noticed discrepancies between the budget request as detailed in the budget justification materials and funding requests identified in the corresponding Ballistic Missile Defense System Accountability Report (BAR); as well as a lack of coordination between budget assembly and the Integrated Master Test Plan (IMTP). While the Committee understands that evolving requirements can affect a budget request, the 'Committee believes that MDA and its suppliers would benefit from more coordinated strategic planning. For instance, updating the IMTP out of cycle from the budget submission creates a disconnect between resources requested and those required to conduct scheduled test events. Therefore, the Committee directs the MDA to synchronize its budget submission, BAR and IMTP beginning with the fiscal year 2013 budget submission.</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).	
H. Rpt. 110-279, the House Appropriations Committee Report to accompany the FY 2008 Department of Defense Appropriations Act (H.R. 3222), p. 382	The Committee directs MDA to develop a system-wide plan to report according to the spirit of existing acquisition laws to improve accountability and transparency of its program. MDA is directed to report all elements that are effectively in System Development and Demonstration or production corresponding baselines, the results of independent cost estimates performed by the Cost Analysis Improvement Group, unit costs, and unit cost growth. This direction should not be construed as requiring full compliance with DoD Regulation 5000.2. In addition, while developing and fielding the BMDS outside DoD's normal acquisition cycle, MDA should address operational testing by including operational test objectives in developmental tests. The Committee directs that this plan be delivered to the congressional defense committees with the submission of the fiscal year 2009 budget and updated semiannually.	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR fully satisfies the requirement.
<i>Sec 223(a). Ballistic Missile Defense Programs: Procurement; National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588, H. Rpt. 108-354, pp. 30-31)</i>	BUDGET JUSTIFICATION MATERIALS-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.	MDA to provide BMDS Accountability Report (BAR) to Congressional Defense Committees. The BAR partially satisfies the requirement through its schedule baseline. Exhibit P-21 – Budget Production Schedule Procurement -MDA 0208866C , Terminal Defense, 0208866C , Aegis BMD, 0208866C , BMD Sensors 0208866C , Aegis Ashore Phase III
<i>Sec 223(b). Ballistic Missile Defense</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	Procurement -MDA 0208866C , Terminal Defense,

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<i>Programs: Procurement;</i> National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588, H. Rpt. 108-354, pp. 30-31)	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.	0208866C , Aegis BMD, 0208866C , BMD Sensors 0208866C , Aegis Ashore Phase III