

115TH CONGRESS
1ST SESSION

H. R. 2621

To strengthen security in the Indo-Asia-Pacific region, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2017

Mr. THORNBERRY introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Foreign Affairs, and the Budget, 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 security in the Indo-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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Strengthening Security in the Indo-Asia-Pacific Act”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and sense of Congress.
- Sec. 3. Congressional defense committees defined.

TITLE I—UNITED STATES POLICY AND STRATEGY FOR THE
INDO-ASIA-PACIFIC REGION

- Sec. 101. Report on strategy to prioritize United States defense interests in the Indo-Asia-Pacific region.
- Sec. 102. Assessment of United States force posture and basing needs in the Indo-Asia-Pacific region.

TITLE II—MATTERS RELATING TO THE DEPARTMENT OF
DEFENSE

- Sec. 201. Authorization of funds for critical munitions.
- Sec. 202. Procurement of ballistic missile interceptors and missile defense exercises.
- Sec. 203. Plan to maintain a forward-stationed combat aviation brigade in South Korea.
- Sec. 204. Extended deterrence commitment to the Asia-Pacific region.
- Sec. 205. Assessment of ability of the Air Force to employ bombers and associated weapons while forward deployed.
- Sec. 206. Plan to enhance imagery sharing with allies in the Asia-Pacific region.
- Sec. 207. Plan to increase cyber and information operations, deterrence, and defense.
- Sec. 208. Establishment of joint training exercises and improving response capabilities for contingency scenarios.

TITLE III—MATTERS RELATING TO FOREIGN NATIONS

- Sec. 301. Assessment of freedom of navigation operations in the South China Sea.
- Sec. 302. Sense of Congress reaffirming security commitments to the Governments of Japan and South Korea and trilateral cooperation between the United States, Japan, and South Korea.
- Sec. 303. Sense of Congress on the Association of Southeast Asian Nations.
- Sec. 304. Sense of Congress on strengthening the defense of Taiwan.
- Sec. 305. Sense of Congress on reaffirming the importance of the United States-Australia defense alliance.

1 SEC. 2. FINDINGS AND SENSE OF CONGRESS.

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

- 3 (1)** The United States has a national interest in
- 4** maintaining the security and stability of the Indo-
- 5** Asia-Pacific region.
- 6 (2)** The substantial forward presence of United
- 7** States Armed Forces is instrumental to maintaining
- 8** security and stability in the Indo-Asia-Pacific region
- 9** and to deterring acts of aggression in the region.

1 (3) In April 2017, Admiral Harry Harris, Jr.,
2 Commander of the United States Pacific Command,
3 testified that “of the five global challenges that cur-
4 rently drive U.S. defense planning and budgeting—
5 ISIS (Islamic State of Iraq and Syria), North
6 Korea, China, Russia, and Iran—four are in the
7 Indo-Asia-Pacific”. He further testified:

8 (A) “North Korea continues to disregard
9 United Nations sanctions by developing, and
10 threatening to use intercontinental ballistic mis-
11 siles and nuclear weapons that will threaten the
12 U.S. Homeland.”.

13 (B) “China is rapidly building a modern,
14 capable military that appears to far exceed its
15 stated defensive purpose or potential regional
16 needs. China’s military is modernization is fo-
17 cused on defeating the United States in Asia by
18 countering U.S. asymmetric advantages.”.

19 (C) “Russia is modernizing its military
20 and once again exercising its conventional
21 forces and nuclear strike capabilities in the Pa-
22 cific, which also threaten the Homeland.”.

23 (D) “Transnational terrorists, inspired by
24 and in some cases led by ISIS, have set their
25 sights on the Indo-Asia-Pacific by supporting

1 and encouraging attacks in Indonesia, Ban-
2 gladesh, Philippines, and Malaysia while re-
3 cruiting and fund-raising there and elsewhere.”.

4 (4) Frank Kendall, former Under Secretary of
5 Defense for Acquisition, Technology and Logistics,
6 testified in January 2015, that “U.S. superiority in
7 some key warfare domains is at risk including
8 United States surface fleet and forward bases in the
9 Pacific and the United States ability to maintain air
10 dominance.”.

11 (5) Continued United States engagement in the
12 Indo-Asia-Pacific region is fundamental to maintain-
13 ing security and stability in the region, and the
14 United States should expand and optimize coopera-
15 tive relationships with and among allies and partners
16 in the region, including Japan, South Korea, Aus-
17 tralia, the Philippines, Thailand, Singapore, Taiwan,
18 New Zealand, India, Vietnam, Mongolia, Malaysia,
19 Indonesia, and Burma.

20 (6) The United States Armed Forces continue
21 to work closely with the militaries of these and other
22 regional countries to promote peace, uphold the
23 rules-based order, and deter acts of aggression.

24 (7) Secretary of Defense James Mattis, in his
25 confirmation hearing in January 2017, stated that

1 the “Pacific theater remains a priority”. In Feb-
2 ruary 2017, Secretary of Defense Mattis stated that
3 “in cooperation with our allies and partners, the
4 United States seeks to ensure a peaceful, secure,
5 and free Asia-Pacific region”, and reaffirmed the
6 importance of the bilateral relationships of the
7 United States with Japan and South Korea during
8 his visit to Tokyo and Seoul.

9 (8) In March 2017, Secretary of State Rex
10 Tillerson emphasized the importance of strength-
11 ening the relationships of the United States with
12 Japan and South Korea, addressing North Korea’s
13 nuclear and ballistic missile programs through tri-
14 lateral cooperation, building a shared commitment to
15 the rule of law and international norms, and pro-
16 moting stability and prosperity throughout the re-
17 gion.

18 (9) In June 2016, then-Secretary of Defense
19 Ash Carter said at the Shangri-La Dialogue that the
20 “United States will stand with regional partners to
21 uphold core principles, like freedom of navigation
22 and overflight, and the peaceful resolution of dis-
23 putes through legal means and in accordance with
24 international law . . . and that the United States

1 remains committed to working with China to ensure
2 a principled future.”.

3 (10) Admiral Harris testified in April 2017,
4 “[The United States Pacific Command] requires a
5 force posture that credibly communicates United
6 States resolve, strengthens alliances and partner-
7 ships, prevents conflicts, and in the event of crisis,
8 responds rapidly across the full range of military op-
9 erations, and [the United States Pacific Command’s]
10 force posture is supported by the deployment of ro-
11 tational forces and the fielding of new capabilities
12 and concepts that address operational shortfalls and
13 critical gaps.”. Admiral Harris also noted that
14 “threats in the [Indo-Asia-Pacific region] require
15 United States military forces in the region maintain
16 a high level of readiness to respond rapidly to a cri-
17 sis . . . and the ability of the United States to surge
18 and globally maneuver ready forces is an asymmetric
19 advantage that must be maintained.”.

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

22 (1) the security, stability, and prosperity of the
23 Indo-Asia-Pacific region is vital to the national in-
24 terests of the United States;

1 (2) the United States should maintain a mili-
2 tary capability in the region that is able to project
3 power, deter acts of aggression, and respond, if nec-
4 essary, to regional threats;

5 (3) continuing efforts by the Department of De-
6 fense to realign forces, commit additional assets, and
7 increase investments to the Indo-Asia-Pacific region
8 are necessary to maintain a robust United States
9 commitment to the region;

10 (4) the Department of Defense should—

11 (A) assess its current force posture in the
12 Indo-Asia-Pacific region to ensure that the
13 United States maintains an appropriate forward
14 presence in the region;

15 (B) invest in critical munitions, undersea
16 warfare capabilities, amphibious capabilities, re-
17 silient space architectures, missile defense, of-
18 fensive and defensive cyber capabilities, and
19 other capabilities conducive to operating effec-
20 tively in contested environments; and

21 (C) enhance regional force readiness
22 through joint training and exercises, consid-
23 ering contingencies ranging from grey zone to
24 high-end near-peer conflict; and

1 (5) the United States should continue to engage
2 in the Indo-Asia-Pacific region by strengthening alli-
3 ances and partnerships, supporting regional institu-
4 tions and bodies such as the Association of South-
5 east Asian Nations (ASEAN), building cooperative
6 security arrangements, addressing shared challenges,
7 and reinforcing the role of international law.

8 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

9 In this Act, the term “congressional defense commit-
10 tees” has the meaning given such term in section
11 101(a)(16) of title 10, United States Code.

12 **TITLE I—UNITED STATES POL-**
13 **ICY AND STRATEGY FOR THE**
14 **INDO-ASIA-PACIFIC REGION**

15 **SEC. 101. REPORT ON STRATEGY TO PRIORITIZE UNITED**
16 **STATES DEFENSE INTERESTS IN THE INDO-**
17 **ASIA-PACIFIC REGION.**

18 (a) **REQUIRED REPORT.**—Not later than February 1,
19 2018, the Secretary of Defense shall submit to the con-
20 gressional defense committees a report on United States
21 defense priorities that addresses the following:

22 (1) The security challenges, including threats,
23 emanating from the Indo-Asia-Pacific region.

24 (2) The primary objectives and priorities in the
25 Indo-Asia-Pacific region, including—

1 (A) the military missions necessary to ad-
2 dress threats on the Korean Peninsula;

3 (B) the role of the Department of Defense
4 in the Indo-Asia-Pacific region regarding secu-
5 rity challenges posed by China; and

6 (C) the primary objectives and priorities
7 for combating terrorism in the Indo-Asia-Pa-
8 cific region.

9 (3) Department of Defense plans, force posture,
10 capabilities, and resources to address any gaps.

11 (4) The roles of allies, partners, and other
12 countries in achieving United States defense objec-
13 tives and priorities.

14 (5) Actions the Department of Defense could
15 take, in cooperation with other Federal departments
16 or agencies, to advance United States national secu-
17 rity interests in the Indo-Asia-Pacific region.

18 (6) Any other matters the Secretary of Defense
19 determines to be appropriate.

20 (b) FORM.—The report required by subsection (a)
21 shall be submitted in unclassified form, but may contain
22 a classified annex.

23 (c) ANNUAL BUDGET.—The President, acting
24 through the Director of the Office of Management and
25 Budget, shall ensure that the annual budget submitted to

1 Congress under section 1105 of title 31, United States
 2 Code, clearly highlights programs and projects that are
 3 being funded in the annual budget of the United States
 4 Government that relate to the strategy referred to in sub-
 5 section (a).

6 (d) SENSE OF CONGRESS.—It is the sense of Con-
 7 gress that the strategy referred to in subsection (a) should
 8 be informed by the overall strategy to promote United
 9 States interests in the Indo-Asia-Pacific region as required
 10 by section 1261 of the National Defense Authorization Act
 11 for Fiscal Year 2016 (Public Law 114–92; 129 Stat.
 12 1072).

13 (e) REPEAL.—Section 1251 of the Carl Levin and
 14 Howard P. “Buck” McKeon National Defense Authoriza-
 15 tion Act for Fiscal Year 2015 (Public Law 113–291; 128
 16 Stat. 3570) is hereby repealed.

17 **SEC. 102. ASSESSMENT OF UNITED STATES FORCE POS-**
 18 **TURE AND BASING NEEDS IN THE INDO-ASIA-**
 19 **PACIFIC REGION.**

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

21 (1) An enduring United States presence and en-
 22 gagement across the Indo-Asia-Pacific region pro-
 23 vides the critical access and infrastructure necessary
 24 to accomplish United States defense priorities, ex-
 25 pands the global reach of the United States across

1 the Pacific, and facilitates a rapid United States re-
2 sponse to complex crises and contingencies.

3 (2) Forward-stationed active duty members of
4 the Armed Forces, forward-deployed rotational
5 units, and reserve forces assigned to the United
6 States Pacific Command remains essential for
7 United States planning, logistics, and operations, as
8 well as fulfilling commitments with United States
9 treaty allies.

10 (3) Admiral Harry Harris, Jr., Commander of
11 the United States Pacific Command, testified in
12 February 2016 that “the tyranny of distance and
13 short indications and warning timelines place a pre-
14 mium on robust, modern, and agile forward-sta-
15 tioned forces at high levels of readiness”.

16 (b) ASSESSMENT REQUIRED.—

17 (1) IN GENERAL.—The Secretary of Defense
18 shall conduct an assessment of United States force
19 posture and basing needs in the Indo-Asia-Pacific
20 region.

21 (2) ELEMENTS.—The assessment required
22 under paragraph (1) shall include the following:

23 (A) A review of military requirements
24 based on operation and contingency plans, sce-
25 narios, capabilities of potential adversaries, and

1 any assessed gaps or shortfalls of the Armed
2 Forces.

3 (B) A review of current United States mili-
4 tary force posture and deployment plans of the
5 United States Pacific Command.

6 (C) An analysis of potential future realign-
7 ments of United States forces in the region, in-
8 cluding options for strengthening United States
9 presence, access, readiness, training, exercises,
10 logistics, and pre-positioning.

11 (D) A discussion of political, diplomatic,
12 economic, and military factors that may influ-
13 ence the United States posture.

14 (E) Any recommended changes to the
15 United States posture in the region.

16 (F) Any other matters the Secretary of
17 Defense determines to be appropriate.

18 (c) REPORT.—

19 (1) IN GENERAL.—Not later than March 1,
20 2018, the Secretary of Defense shall submit to the
21 congressional defense committees a report that in-
22 cludes the assessment required under subsection (b).

23 (2) FORM.—The report required under para-
24 graph (1) shall be submitted in unclassified form,
25 but may contain a classified annex.

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

4 **SEC. 201. AUTHORIZATION OF FUNDS FOR CRITICAL MUNI-**
5 **TIONS.**

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

7 (1) Admiral Harry Harris, Jr., Commander of
8 the United States Pacific Command, testified in
9 February 2016 “critical munitions shortfalls are a
10 top priority and concern . . . munitions are a major
11 component of combat pre-positioning, but fiscal
12 pressure places this at risk”.

13 (2) Admiral Harris stated that “Weapons im-
14 provement priorities include long-range and stand-
15 off strike weapons, longer-range anti-ship weapons,
16 advanced air-to-air munitions, theater ballistic/cruise
17 missile defense, torpedoes, naval mines, and a clus-
18 ter munitions replacement.”.

19 (3) Admiral Harris further indicated that “if
20 additional resources were to become available, I
21 would prioritize investment in the following areas
22 . . . procure additional critical munitions (AIX-9X,
23 AIM-120D, SM-6, MK-48)”.

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

1 (1) the Department of Defense should address
2 shortfalls in critical munitions inventories and make
3 improvements in critical munitions capabilities;

4 (2) insufficient critical munition investments
5 will limit the ability of the Armed Forces to perform
6 required missions; and

7 (3) improvements to critical munition capabili-
8 ties should include pre-positioning arrangements, in-
9 frastructure for munition storage and security, and
10 logistical requirements for critical munitions.

11 (c) AVAILABILITY OF FUNDS.—

12 (1) AUTHORIZATION.—There is authorized to
13 be appropriated to the Department of Defense for
14 fiscal year 2018 \$1,000,000,000 to address short-
15 falls in critical munition inventories and to improve
16 critical munition capabilities.

17 (2) CAPABILITY AND CAPACITY AREAS.—Para-
18 graph (1) shall apply with respect to the following:

19 (A) AIM–120.

20 (B) AIM–9X.

21 (C) Precision-Guided Anti-Ship Missiles.

22 (D) Standard missile-2.

23 (E) Standard missile-6.

24 (F) Evolved sea sparrow missiles.

25 (G) Laser direct attack munition.

- 1 (H) Miniature air launched decoy jammers.
- 2 (I) Fuzes for hard target penetrators.
- 3 (J) Massive ordnance penetrators.
- 4 (K) Army tactical missile system.
- 5 (L) Guided multiple launch rocket system.
- 6 (M) Tomahawk land attack missiles.
- 7 (N) Joint standoff weapon.
- 8 (O) Joint air-to-surface standoff missile
- 9 extended range.
- 10 (P) Sonobuoys.
- 11 (Q) MK48 heavy weight torpedos.
- 12 (R) MK48 torpedo modifications.
- 13 (S) MK54 light weight torpedos.
- 14 (T) Any other weapon system determined
- 15 appropriate by the Secretary of Defense.

16 (d) NOTIFICATION.—Not later than 30 days before
17 taking any action to obligate funds authorized by sub-
18 section (c)(1), the Secretary of Defense shall notify the
19 congressional defense committees of any proposed obliga-
20 tion and provide a detailed justification for such proposed
21 obligations.

22 **SEC. 202. PROCUREMENT OF BALLISTIC MISSILE INTER-**
23 **CEPTORS AND MISSILE DEFENSE EXERCISES.**

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

1 (1) In April 2017, Admiral Harry Harris, Jr.,
2 Commander of the United States Pacific Command,
3 testified that “Pacific Commands Integrated Air and
4 Missile Defense priority is to establish a persistent,
5 credible, and sustainable ballistic missile defense
6 presence by forward deploying the latest advance-
7 ments in missile defense technologies to the Indo-
8 Asia-Pacific. Accordingly, TPY-2 radars in Japan,
9 the THAAD system on Guam, and the Sea-Based
10 X-band radar based in Hawaii defend the U.S.
11 homeland and our allies.”.

12 (2) In February 2016, General Curtis
13 Scaparrotti, former Commander of the United
14 States Forces, Korea, testified that “North Korea’s
15 missile program continues to develop, so it is critical
16 for the Alliance to continue to build a layered and
17 interoperable BMD capability . . . and consider a
18 high-altitude missile defense capability.”.

19 (b) PROCUREMENT.—There is authorized to be ap-
20 propriated to the Department of Defense for fiscal year
21 2018 \$1,000,000,000 to procure terminal high altitude
22 area defense interceptors or lower-tier air and missile de-
23 fense interceptors, including standard missile-3, Patriot
24 Advanced Capability (PAC-3) missile segment enhance-
25 ment, and Patriot guidance enhanced missile TBM.

1 (c) EXERCISES.—There is authorized to be appro-
2 priated to the Department of Defense for fiscal year 2018
3 \$15,000,000 for exercises to be conducted by the Chair-
4 man of the Joint Chiefs of Staff, the Commander of the
5 United States Pacific Command, and the Commander of
6 the United States Northern Command for joint and other
7 exercises with the armed forces of the Governments of
8 Japan, South Korea, Australia, and the United States for
9 the defense against and defeat of ballistic missile forces
10 of North Korea.

11 (d) NOTIFICATION.—Not later than 30 days before
12 taking any action to obligate funds authorized by sub-
13 section (b) or (c), the Secretary of Defense shall notify
14 the congressional defense committees of any proposed obli-
15 gation and provide a detailed justification for such pro-
16 posed obligations.

17 **SEC. 203. PLAN TO MAINTAIN A FORWARD-STATIONED COM-**
18 **BAT AVIATION BRIGADE IN SOUTH KOREA.**

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

20 (1) The National Commission on the Future of
21 the Army established by the National Commission
22 on the Future of the Army Act of 2014 (title XVII
23 of Public Law 113–291) found that the Army is in-
24 curring unacceptable risk in capabilities that would
25 be required early for major contingencies, and that

1 retaining an eleventh combat aviation brigade in the
2 regular Army would help meet these demands.

3 (2) The Commission also found that with an
4 eleventh combat aviation brigade, the Army would be
5 better postured to retain a forward stationed avia-
6 tion brigade in South Korea, a major advantage over
7 rotating forces as currently planned, and shortfalls
8 in capabilities would decline significantly.

9 (3) The Army of the United States currently
10 plans to begin rotational sourcing in 2019 to meet
11 the Combat Aviation Brigade requirement in South
12 Korea.

13 (4) The Commission expressed concern that
14 this rotational approach may present unacceptable
15 risk, given terrain and aviation mission complexities
16 in South Korea.

17 (5) The Commission found that “forward sta-
18 tioning of the combat aviation brigade in South
19 Korea would provide air crews greater familiarity
20 with the demanding environment and enable greater
21 interoperability with U.S. allies and partners for
22 ‘fight-tonight’ readiness”.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the Secretary of Defense, in consultation with
25 the Secretary of the Army and the Chief of Staff of the

1 Army, should retain an eleventh combat aviation brigade
2 of the regular Army in South Korea.

3 (c) PLAN.—Not later than 90 days after the date of
4 the enactment of this Act, the Secretary of Defense, in
5 consultation with the Secretary of the Army and the Chief
6 of Staff of the Army, shall submit to the congressional
7 defense committees a plan that includes an assessment of
8 the actions necessary, and additional resources required,
9 to retain an eleventh combat aviation brigade in South
10 Korea.

11 (d) FORM.—The plan required under subsection (c)
12 shall be submitted in unclassified form, but may contain
13 a classified annex.

14 **SEC. 204. EXTENDED DETERRENCE COMMITMENT TO THE**
15 **ASIA-PACIFIC REGION.**

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

17 (1) The 2010 Nuclear Posture Review re-
18 affirmed the commitment of the United States to ex-
19 tended deterrence and continued protection of the
20 treaty allies of the United States under the United
21 States nuclear umbrella.

22 (2) The United States-Republic of Korea Deter-
23 rence Strategy Committee and the United States-
24 Japan Extended Deterrence Dialogue provide valu-
25 able communication channels for ensuring the com-

1 mitment of the United States to the policy of ex-
2 tended nuclear deterrence and allow for bilateral dis-
3 cussions on how the range of United States capabili-
4 ties—including the United States nuclear um-
5 brella—can be leveraged to credibly deter, and if
6 necessary, defeat, North Korean nuclear weapons,
7 weapons of mass destruction, and missile threats
8 and aggression.

9 (3) Statements by officials of the United States
10 have consistently emphasized the United States com-
11 mitment to providing extended deterrence and de-
12 fense across the full spectrum of military capabili-
13 ties, including nuclear capabilities.

14 (4) On September 9, 2016, President Obama
15 responded to a North Korean nuclear test by issuing
16 the following statement, “I restated to President
17 Park and Prime Minister Abe the unshakable U.S.
18 commitment to take necessary steps to defend our
19 allies in the region, including through our deploy-
20 ment of a Terminal High Altitude Area Defense
21 (THAAD) battery to the ROK, and the commitment
22 to extended deterrence, guaranteed by the full spec-
23 trum of U.S. defense capabilities.”.

24 (5) On October 14, 2016, Chairman of the
25 Joint Chiefs of Staff, General Joseph Dunford, “re-

1 affirmed the ironclad commitment of the U.S. to de-
2 fend both the ROK and Japan and provide extended
3 deterrence guaranteed by the full spectrum of U.S.
4 military capabilities, including conventional, nuclear,
5 and missile defense capabilities”.

6 (6) On October 19, 2016, Secretary of Defense
7 Ashton Carter, stated, “the U.S. commitment to the
8 defense of South Korea is unwavering. This includes
9 our commitment to provide extended deterrence,
10 guaranteed by the full spectrum of U.S. defense ca-
11 pabilities. Make no mistake: Any attack on America
12 or our allies will not only be defeated, but any use
13 of nuclear weapons will be met with an over-
14 whelming and effective response.”.

15 (7) On October 19, 2016, Secretary of State
16 John Kerry, during a joint press conference with the
17 South Korean Foreign Minister, confirmed the
18 United States would “defend South Korea through
19 a robust, combined defense posture and through ex-
20 tended deterrence including the U.S. nuclear um-
21 brella conventional strike and missile defense capa-
22 bilities.”.

23 (8) On February 3, 2017, Secretary of Defense
24 James Mattis, during a visit to South Korea, stated,
25 “America’s commitments to defending our allies and

1 to upholding our extended deterrence guarantees re-
2 main ironclad: Any attack on the United States, or
3 our allies, will be defeated, and any use of nuclear
4 weapons would be met with a response that would
5 be effective and overwhelming.”.

6 (9) In conjunction with the sea- and land-based
7 legs of the triad, nuclear-capable B-2, B-21, and
8 B-52 bombers and dual-capable aircraft, including
9 F-35 Block 4 aircraft, are vital to ensuring the
10 credibility and flexibility of United States extended
11 deterrence to Japan and South Korea.

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

14 (1) the defense of South Korea and Japan must
15 remain a top priority for the administration;

16 (2) the United States maintains an unwavering
17 and steadfast commitment to the policy of extended
18 deterrence, especially with respect to South Korea
19 and Japan;

20 (3) bilateral extended deterrence dialogues and
21 discussions with South Korea and Japan are of
22 great value to the United States and its partners
23 and must remain a central component of these rela-
24 tionships;

1 (4) the United States must maintain a robust
2 nuclear triad, including nuclear-capable bombers,
3 consisting of the current and planned Air Force fleet
4 of nuclear-capable B-2, B-21, and B-52 bombers
5 and dual-capable aircraft including F-35 Block 4
6 aircraft, to ensure that the full spectrum of military
7 options associated with the extended deterrence com-
8 mitments of the United States remains credible and
9 executable;

10 (5) the fielding of long-range stand-off weapons
11 in order to replace the current fleet of air-launched
12 cruise missiles before such cruise missiles are retired
13 at the end of the service life of the missiles is abso-
14 lutely vital to ensuring the United States remains
15 capable of meeting extended deterrence commit-
16 ments in the Asia-Pacific region in the years to
17 come; and

18 (6) the timely development, production, and de-
19 ployment of the B-21 bomber and F-35 Block 4
20 dual-capable aircraft are fundamental to ensure that
21 the United States remains able to meet extended de-
22 terrence requirements in the Asia-Pacific region far
23 into the future.

1 **SEC. 205. ASSESSMENT OF ABILITY OF THE AIR FORCE TO**
2 **EMPLOY BOMBERS AND ASSOCIATED WEAP-**
3 **ONS WHILE FORWARD DEPLOYED.**

4 (a) **ASSESSMENT REQUIRED.**—The Secretary of De-
5 fense shall conduct an assessment of the ability of the Air
6 Force to employ the full range of bombers of the Air Force
7 and the associated weapons of such bombers while forward
8 deployed in support of operational plans, contingency
9 plans, and warfighting scenarios throughout the Indo-
10 Asia-Pacific area of operations.

11 (b) **ELEMENTS.**—The assessment under subsection
12 (a) shall include the following:

13 (1) An assessment of the capabilities and limi-
14 tations of infrastructure and weapons loading equip-
15 ment required to support weapons ground transpor-
16 tation and activities for B–1 and B–52 bombers of
17 the Air Force, when forward deployed to airfields
18 controlled by the United States allies of the United
19 States in the Indo-Asia-Pacific region.

20 (2) An identification and assessment of any
21 such assessed limitation that would materially affect
22 operational and contingency plans and warfighting
23 scenarios in the Indo-Asia-Pacific region.

24 (3) Recommendations to mitigate any such in-
25 frastructure and weapon loading equipment support
26 limitations needed to ensure full employment of

1 bombers and associated weapons in support of oper-
2 ational plans, contingency plans, and warfighting
3 scenarios in the Indo-Asia-Pacific region.

4 (c) REPORT REQUIRED.—Not later than 180 days
5 after the date of the enactment of this Act, the Secretary
6 of Defense shall submit to the congressional defense com-
7 mittees a report that contains a report that includes the
8 assessment required under subsection (a).

9 (d) FORM.—The report required under subsection (c)
10 shall be submitted in unclassified form, but may contain
11 a classified annex.

12 **SEC. 206. PLAN TO ENHANCE IMAGERY SHARING WITH AL-**
13 **LIES IN THE ASIA-PACIFIC REGION.**

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

16 (1) the Department of Defense should enhance
17 critical intelligence, surveillance, and reconnaissance
18 capabilities because such capabilities are a top readi-
19 ness challenge and resourcing priority; and

20 (2) persistent intelligence, surveillance, and re-
21 connaissance capabilities with enhanced detection
22 and indications and warning are necessary to main-
23 tain situational awareness and provide adequate de-
24 cisions space for the United States Pacific Command
25 and United States Forces Korea.

1 (b) PLAN.—

2 (1) IN GENERAL.—The Secretary of Defense, in
3 consultation with the Director of National Intel-
4 ligence, shall develop and implement a plan for en-
5 hancing the sharing of commercial imagery and na-
6 tional technical means with the Governments of
7 South Korea and Japan, consistent with the national
8 security of the United States and with the protection
9 of sources and methods. The Secretary shall imple-
10 ment such plan with the goal of enhancing detection,
11 indications, and warning, in order to improve joint
12 non-proliferation, counterproliferation, and ballistic
13 missile detection and defense capabilities.

14 (2) BRIEFING.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary
16 of Defense, in coordination with the Director of Na-
17 tional Intelligence, shall provide to the appropriate
18 congressional committees a briefing on the plan
19 under paragraph (1).

20 (3) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—In this subsection, the term “appropriate
22 congressional committees” means—

23 (A) the Committee on Armed Services of
24 the Senate and the Committee on Armed Serv-
25 ices of the House of Representatives; and

1 (B) the Select Committee on Intelligence
2 of the Senate and the Permanent Select Com-
3 mittee on Intelligence of the House of Rep-
4 resentatives.

5 **SEC. 207. PLAN TO INCREASE CYBER AND INFORMATION**
6 **OPERATIONS, DETERRENCE, AND DEFENSE.**

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

8 (1) Cyber threats originating from the Indo-
9 Asia-Pacific region targeting the United States and
10 the allies of the United States have increased, in-
11 cluding the use of cyber intrusions, the exfiltration
12 of data in the national interest of the United States,
13 and espionage.

14 (2) In February 2016, Admiral Harry Harris,
15 Jr., Commander of the United States Pacific Com-
16 mand, in his testimony noted “increased cyber ca-
17 pacity and nefarious activity, especially by China,
18 North Korea, and Russia underscore the growing re-
19 quirement to evolve command, control, and oper-
20 ational authorities”.

21 (3) Admiral Harris stated “that in order to
22 fully leverage the cyber domain, PACOM requires an
23 enduring theater cyber capability able to provide
24 cyber planning, integration, synchronization, and di-
25 rection of cyber forces.”.

1 (b) PLAN.—The Secretary of Defense shall develop
2 a plan to—

3 (1) incorporate cyber planning within joint
4 planning exercises pertaining to the Indo-Asia-Pa-
5 cific region;

6 (2) enhance joint, regional, and combined infor-
7 mation operations and strategic communication
8 strategies to counter Chinese, North Korean, and
9 Russian information warfare, malign influence, and
10 propaganda activities; and

11 (3) identify potential areas of cybersecurity col-
12 laboration and partnership capabilities with Asian
13 allies and partners of the United States.

14 (c) BRIEFING.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of Defense
16 shall provide to the congressional defense committees a
17 briefing on the plan required under subsection (b).

18 **SEC. 208. ESTABLISHMENT OF JOINT TRAINING EXERCISES**
19 **AND IMPROVING RESPONSE CAPABILITIES**
20 **FOR CONTINGENCY SCENARIOS.**

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

23 (1) the Chairman of the Joint Chiefs of Staff
24 should conduct enhanced joint force training and ex-

1 ercises that specifically address full-spectrum threats
2 across combatant commands; and

3 (2) the Chairman of the Joint Chiefs of Staff
4 should also consider training and exercises that en-
5 hance the effectiveness of the joint force, and
6 partnered forces, to deter and respond to operational
7 activities conducted below the threshold of conven-
8 tional war.

9 (b) AVAILABILITY OF FUNDS.—There is authorized
10 to be appropriated to the Department of Defense for fiscal
11 year 2018 \$100,000,000 for the enhancement of joint
12 training and exercises through the Combatant Com-
13 manders Exercise Engagement and Training Trans-
14 formation Program.

15 **TITLE III—MATTERS RELATING** 16 **TO FOREIGN NATIONS**

17 **SEC. 301. ASSESSMENT OF FREEDOM OF NAVIGATION OP-** 18 **ERATIONS IN THE SOUTH CHINA SEA.**

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

20 (1) The United States has a national interest in
21 maintaining freedom of navigation, freedom of the
22 seas, respect for international law, and unimpeded
23 lawful commerce, in the South China Sea.

24 (2) On February 4, 2017, Secretary of Defense
25 James Mattis stated, “Freedom of navigation is ab-

1 solute, and whether it be commercial shipping of our
2 U.S. Navy, we will practice in international waters
3 and transit international waters as appropriate.”.

4 (3) In February 24, 2016, Admiral Harry Har-
5 ris, Jr., Commander of the United States Pacific
6 Command, stated that “Chinese coercion, artificial
7 island construction, and militarization in the South
8 China Sea threaten the most fundamental aspect of
9 global prosperity—freedom of navigation.”.

10 (4) In July 2016, the Permanent Court of Arbi-
11 tration of the Hague ruled that China’s claims to
12 “historic rights” across a vast expanse of the South
13 China Sea were not valid under the United Nations
14 Convention on the Law of the Sea.

15 (5) The Permanent Court also said that none
16 of the land formations in the Spratly Islands in the
17 South China Sea—regardless of the party in con-
18 trol—are large enough to warrant an extension of
19 the exclusive maritime zones beyond the existing
20 boundary of 12 miles from disputed features in the
21 South China Sea.

22 (6) The United States Navy has routinely con-
23 ducted freedom of navigation operations within 12
24 miles of disputed features in the South China Sea.

1 (7) On February 24, 2016, Admiral Harris
2 stated that “these operations [freedom of navigation
3 operations] are an important military tool to dem-
4 onstrate America’s commitment to the rule of law,
5 including the fundamental concept of freedom of
6 navigation”.

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

9 (1) the United States should condemn any as-
10 sertion that limits the right to freedom of navigation
11 and overflight; and

12 (2) the United States should keep to a regular
13 and routine schedule for Freedom of Navigation Op-
14 erations in the sea and air.

15 (c) ASSESSMENT REQUIRED.—

16 (1) IN GENERAL.—The Secretary of Defense, in
17 consultation with the Secretary of State, shall con-
18 duct an assessment of United States policy on con-
19 ducting Freedom of Navigation Operation patrols in
20 the South China Sea.

21 (2) ELEMENTS.—The assessment required
22 under paragraph (1) shall include the following:

23 (A) A review of United States policy re-
24 garding freedom of navigation in the global
25 commons, including in the South China Sea.

1 (B) A plan for conducting freedom of navi-
2 gation operations in the South China Sea with
3 regularity and frequency.

4 (d) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than September
6 30, 2017, the Secretary of Defense shall submit to
7 the congressional defense committees, the Committee
8 on Foreign Affairs of the House of Representatives,
9 and the Committee on Foreign Relations of the Sen-
10 ate a report that includes the assessment required
11 under subsection (c).

12 (2) FORM.—The report required under para-
13 graph (1) shall be submitted in unclassified form
14 and may include a classified annex.

15 **SEC. 302. SENSE OF CONGRESS REAFFIRMING SECURITY**
16 **COMMITMENTS TO THE GOVERNMENTS OF**
17 **JAPAN AND SOUTH KOREA AND TRILATERAL**
18 **COOPERATION BETWEEN THE UNITED**
19 **STATES, JAPAN, AND SOUTH KOREA.**

20 It is the sense of Congress that—

21 (1) the United States values its alliances with
22 the Governments of Japan and South Korea, based
23 on shared values of democracy, the rule of law, free
24 and open markets, and respect for human rights;

1 (2) the United States reaffirms its commitment
2 to these alliances with Japan and South Korea,
3 which are critical for the preservation of peace and
4 stability in the Asia-Pacific region and throughout
5 the world;

6 (3) the United States reaffirms its commitment
7 to Article V of the Treaty of Mutual Cooperation
8 and Security between the United States of America
9 and Japan, which applies to the Japanese-adminis-
10 tered Senkaku Islands;

11 (4) the United States supports continued imple-
12 mentation and expansion of defense cooperation with
13 Japan in accordance with the 2015 U.S.-Japan De-
14 fense Guidelines and additional measures to
15 strengthen this defense cooperation, including by ex-
16 panding foreign military sales, establishing new co-
17 operative technology development programs, increas-
18 ing military exercises, or other actions as appro-
19 priate;

20 (5) the United States and South Korea share
21 deep concerns that the nuclear and ballistic missile
22 programs of North Korea and its repeated provo-
23 cations pose great threats to peace and stability on
24 the Korean Peninsula, and the United States recog-
25 nizes that South Korea has made important commit-

1 ments to the bilateral security alliance, including by
2 hosting a Terminal High Altitude Area Defense
3 (THAAD) system;

4 (6) the United States and South Korea should
5 continue further defense cooperation, by enhancing
6 mutual security based on the Mutual Defense Treaty
7 Between the United States and the Republic of
8 Korea and investing in capabilities critical to the
9 combined defense;

10 (7) the United States welcomes greater security
11 cooperation with, and among, Japan and South
12 Korea to promote mutual interests and to address
13 shared concerns, including the bilateral military in-
14 telligence-sharing pact between Japan and South
15 Korea, signed on November 23, 2016, and the tri-
16 lateral intelligence sharing agreement between the
17 United States, Japan, and South Korea, signed on
18 December 29, 2015; and

19 (8) recognizing that North Korea poses a threat
20 to the United States, Japan, and South Korea, and
21 that the security of the three countries is inter-
22 twined, the United States welcomes and encourages
23 deeper trilateral defense cooperation, including
24 through expanded exercises, training, and informa-
25 tion sharing that strengthens integration.

1 **SEC. 303. SENSE OF CONGRESS ON THE ASSOCIATION OF**
2 **SOUTHEAST ASIAN NATIONS.**

3 (a) FINDING.—Congress finds that 2017 is the 50th
4 anniversary of the formation of the Association of South-
5 east Asian Nations (ASEAN), which includes Indonesia,
6 Malaysia, the Philippines, Singapore, Thailand, Brunei,
7 Vietnam, Laos, Burma, and Cambodia.

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

10 (1) the United States supports the development
11 of regional institutions and bodies, including the
12 ASEAN Regional Forum, the ASEAN Defense Min-
13 isters Meeting Plus, the East Asia Summit, and the
14 expanded ASEAN Maritime Forum, to increase re-
15 gional cooperation and ensure that disputes are
16 managed without intimidation, coercion, or force;

17 (2) the United States recognizes ASEAN ef-
18 forts to promote peace, stability, and prosperity in
19 the region, including the steps taken to highlight the
20 importance of peaceful dispute resolution and the
21 need for adherence to international rules and stand-
22 ards.

23 (3) United States defense engagement with
24 ASEAN and the ASEAN Defense Ministers Meeting
25 Plus should continue to be forums to discuss shared
26 challenges in the maritime domain and the need for

1 greater information sharing among ASEAN nations;
2 and

3 (4) the United States welcomes continued work
4 with ASEAN and other regional partners to estab-
5 lish more reliable and routine crisis communication
6 mechanisms.

7 **SEC. 304. SENSE OF CONGRESS ON STRENGTHENING THE**
8 **DEFENSE OF TAIWAN.**

9 It is the sense of Congress that—

10 (1) the Taiwan Relations Act (Public Law 96–
11 8; 22 U.S.C. 3301 et seq.) codified the basis for
12 commercial, cultural, and other relations between
13 the United States and Taiwan, and the Six Assur-
14 ances are an important aspect in guiding bilateral
15 relations;

16 (2) section 3(a) of that Act states that “the
17 United States will make available to Taiwan such
18 defense articles and defense services in such quan-
19 tity as may be necessary to enable Taiwan to main-
20 tain a sufficient self-defense capability”;

21 (3) the United States, in accordance with such
22 section, should make available and provide timely re-
23 view of requests for defense articles and defense
24 services that may be necessary for Taiwan to main-
25 tain a sufficient self-defense capability;

1 (4) Taiwan should significantly increase its de-
2 fense budget to maintain a sufficient self-defense ca-
3 pability;

4 (5) the United States should support expanded
5 exchanges focused on practical training for Taiwan
6 personnel by and with United States military units,
7 including exchanges between services, to empower
8 senior military officers to identify and develop asym-
9 metric and innovative capabilities that strengthen
10 Taiwan's ability to deter aggression;

11 (6) the United States should seek opportunities
12 for expanded training and exercises with Taiwan;

13 (7) the United States should encourage Tai-
14 wan's continued investments in asymmetric self-de-
15 fense capabilities that are mobile, survivable against
16 threatening forces, and able to take full advantage
17 of Taiwan's geography; and

18 (8) the United States should continue to—

19 (A) support humanitarian assistance and
20 disaster relief exercises that increase Taiwan's
21 resiliency and ability to respond to and recover
22 from natural disasters; and

23 (B) recognize Taiwan's already valuable
24 military contributions to such efforts.

1 **SEC. 305. SENSE OF CONGRESS ON REAFFIRMING THE IM-**
2 **PORTANCE OF THE UNITED STATES-AUS-**
3 **TRALIA DEFENSE ALLIANCE.**

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

5 (1) The United States and Australia maintain
6 a critical strategic relationship underpinned by
7 shared democratic values, common interests, and
8 strong defense ties.

9 (2) In 2017, the United States and Australia
10 will mark the 75th anniversary of the Battles of the
11 Coral Sea, Midway, and Guadalcanal, and Australia
12 has been a loyal ally through modern engagements,
13 particularly with respect to international efforts in
14 Afghanistan and against the Islamic State of Iraq
15 and the Levant (ISIL).

16 (3) The United States and Australia have been
17 bound by the Security Treaty Between Australia,
18 New Zealand and the United States of America,
19 signed at San Francisco on September 1, 1951,
20 which codified military obligations for each party
21 outside as well as within the Pacific region for the
22 preservation of peace and stability.

23 (4) The Force Posture Agreement between the
24 Government of Australia and the Government of the
25 United States of America, signed at Sydney on Au-
26 gust 12, 2014, strengthened the relationship be-

1 tween the two countries, a relationship that is an an-
2 chor for peace and security both in the Asia-Pacific
3 region and worldwide.

4 (5) Vice President Michael Pence stated on
5 April 22, 2017, that “the historic Alliance between
6 the United States and Australia is inviolate, it is im-
7 mutable, and it is a beacon that shines throughout
8 the Asia Pacific and inspires the wider world”. The
9 Vice President stated that “the United States will
10 continue to work closely with Australia” to secure
11 peace in the Asia-Pacific region.

12 (6) Former Secretary of Defense Ashton Carter
13 stated in 2016 that the United States-Australia alli-
14 ance continues to be essential in terms of “accel-
15 erating the defeat of ISIL together in Iraq and
16 Syria”.

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

19 (1) the United States values its alliance with
20 the Government of Australia, and the shared values
21 and interests between both countries are essential to
22 promoting peace, security, stability, and economic
23 prosperity in the Indo-Asia-Pacific region;

24 (2) the annual rotations of United States Ma-
25 rine Corps forces to Darwin, Australia, and en-

1 hanced rotations of United States Air Force aircraft
2 to Australia pave the way for even closer defense
3 and security cooperation;

4 (3) the Treaty Between the Government of the
5 United States of America and the Government of
6 Australia Concerning Defense Trade Cooperation,
7 done at Sydney, September 5, 2007, should continue
8 to facilitate industry collaboration and innovation to
9 meet shared security challenges and reinforce mili-
10 tary ties;

11 (4) as described by Australian Prime Minister
12 Malcolm Turnbull, North Korea is “a threat to the
13 peace of the region” and the United States and Aus-
14 tralia should continue to cooperate to defend against
15 the threat of North Korea’s nuclear and missile ca-
16 pabilities; and

17 (5) the United States and Australia also should
18 continue to address the threat of terrorism and
19 strengthen information sharing.

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