SEC. ___. EXTENSION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Section 1251(h) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92)), as amended by section 1205 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), is further amended by striking "December 31, 2020" each place it appears and inserting "December 31, 2023".

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal would extend the authority under section 1251 of the National Defense Authorization Act for Fiscal Year (FY) 2016 from December 31, 2020, to December 31, 2023. Without this amendment, the Secretary of Defense would lose this authority to provide training to our most vulnerable European allies and partners.

Budget Implications: The resources impacted are reflected in the table below and are included within the Fiscal Year (FY) 2021 President's Budget request. Substantively, the proposal would simply extend section 1251. The limitations in section 1251 with regard to expenditures for incremental expenses and the sources of funds would remain unchanged. Accordingly, this proposal would not increase U.S. Government expenditures.

RESOURCE REQUIREMENTS ($MILLIONS)								
Program	**FY 2021**	**FY 2022**	**FY 2023**	**FY 2024**	**FY 2025**	**Appropriation**	**Budget Activity**	**BLI/SAG**
Warsaw Initiative Fund	7	7	7	0	0	Operation and Maintenance, Defense-Wide	01	0100
Building Partner Capacity	1	1	1	0	0	Operation and Maintenance, Army	01	2020
NATO Response Force	8	8	8	0	0	Operation and Maintenance, Army	01	2020
Traditional Commander Activities	3	3	3	0	0	Operation and Maintenance, Army	01	2020

Partnership Development Program	6	6	6	0	0	Operation and Maintenance, Army	01	2020
Additional Activities/European Deterrence Initiative	0	0	0	0	0	Operation and Maintenance, Army, OCO	01	2020
Total	25	25	25	0	0			

Changes to Existing Law: This proposal would make the following changes to section 1251 of the National Defense Authorization Act for Fiscal Year 2016:

SEC. 1251. TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(a) Authority.-The Secretary of Defense may provide the training specified in subsection (b), and pay the incremental expenses incurred by a country as the direct result of participation in such training, for the national security forces provided for under subsection (c).

(b) Types of Training.-The training provided to the national security forces of a country under subsection (a) shall be limited to training that is-

(1) provided in the course of the conduct of a multilateral exercise in which the United States Armed Forces are a participant;

(2) comparable to or complimentary of the types of training the United States Armed Forces receive in the course of such multilateral exercise; and

(3) for any purpose as follows:

(A) To enhance and increase the interoperability of the security forces to be trained to increase their ability to participate in coalition efforts led by the United States or the North Atlantic Treaty Organization (NATO).

(B) To increase the capacity of such security forces to respond to external threats.

(C) To increase the capacity of such security forces to respond to hybrid warfare.

(D) To increase the capacity of such security forces to respond to calls for collective action within the North Atlantic Treaty Organization.

(c) Eligible Countries.-

(1) In general.-Training may be provided under subsection (a) to the national security forces of the countries determined by the Secretary of Defense, with the concurrence of the Secretary of State, to be appropriate recipients of such training from among the countries as follows:

(A) Countries that are a signatory to the Partnership for Peace Framework Documents, but not a member of the North Atlantic Treaty Organization.

(B) Countries that became a member of the North Atlantic Treaty Organization after January 1, 1999.

(2) Eligible countries.-Before providing training under subsection (a), the Secretary of Defense shall, in coordination with the Secretary of State, submit to the Committees on Armed Services of the Senate and the House of Representatives a list of the countries

determined pursuant to paragraph (1) to be eligible for the provision of training under subsection (a).

(d) Funding of Incremental Expenses.-

(1) Annual funding.-Of the amounts specified in paragraph (2) for a fiscal year, up to a total of $28,000,000 may be used to pay incremental expenses under subsection (a) in that fiscal year.

(2) Amounts.-The amounts specified in this paragraph are as follows:

(A) Amounts authorized to be appropriated for a fiscal year for operation and maintenance, Army, and available for the Combatant Commands Direct Support Program for that fiscal year.

(B) Amounts authorized to be appropriated for a fiscal year for operation and maintenance, Defense-wide, and available for the Wales Initiative Fund for that fiscal year.

(C) Amounts authorized to be appropriated for a fiscal year for overseas contingency operations for operation and maintenance, Army, and available for additional activities for the European Deterrence Initiative for that fiscal year.

(3) Availability of funds for activities across fiscal years.-Amounts available in a fiscal year pursuant to this subsection may be used for incremental expenses of training that begins in that fiscal year and ends in the next fiscal year.

(4) Regulations.—

(A) In general.—The Secretary of Defense shall prescribe regulations for payment of incremental expenses under subsection (a). Not later than 120 days after the date of the enactment of this paragraph, the Secretary shall submit the regulations to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(B) Procedures to be included.—The regulations required under subparagraph (A) shall include procedures—

(i) to require reimbursement of incremental expenses from non-developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a); and

(ii) to provide for a waiver of the requirement of reimbursement of incremental expenses under clause (i), on a case-by case basis, if the Secretary of Defense determines special circumstances exist to provide for the waiver.

(C) Quarterly report.—The Secretary of Defense shall submit to the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, on a quarterly basis, a report that includes a description of each waiver of the requirement of reimbursement of incremental expenses under subparagraph (B)(i) that was in effect at any time during the preceding calendar quarter.

(D) Non-developing country defined.—In this paragraph, the term ‘non-developing country’ means a country that is not a developing country, as such term is defined in section 301(4) of title 10, United States Code.

(e) Briefing to Congress on Use of Authority.-Not later than 90 days after the end of each fiscal year in which the authority in subsection (a) is used, the Secretary shall brief the Committees on

Armed Services of the Senate and the House of Representatives on the use of the authority during such fiscal year, including each country with which training under the authority was conducted and the types of training provided.

(f) Construction of Authority.-The authority provided in subsection (a) –

(1) is in addition to any other authority provided by law authorizing the provision of training for the national military forces of a foreign country, including Chapter 16 of title 10, United States Code; and

(2) shall not be construed to include authority for the training of irregular forces, groups, or individuals.

(g) Incremental Expenses Defined.-In this section, the term 'incremental expenses' has the meaning given such term in section 301(5) of title 10, United States Code.

(h) Termination of Authority.-The authority under this section shall terminate on ~~December 31, 2020~~ December 31, 2023. Any activity under this section initiated before that date may be completed, but only using funds available for the period beginning on October 1, 2015, and ending on ~~December 31, 2020~~ December 31, 2023.