SEC. ___. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat. 3451), as most recently amended by section 1225 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328), is further amended by striking "December 31, 2018" and inserting "December 31, 2020".

(b) CLARIFICATION OF GROUPS AND ASSISTANCE.—Such subsection is further amended in the matter preceding paragraph (1) by striking "construction of training and associated facilities" and inserting "construction and repair".

(c) REPORTS.—Subsection (d) of such section is amended—

(1) in the heading, by striking "QUARTERLY PROGRESS" and inserting "SEMIANNUAL"; and

(2) in the matter preceding paragraph (1)—

(A) by striking "Not later than" and all that follows through "90 days thereafter," and inserting "Not later than May 15 and October 15 of each year in which assistance is provided under this section,"; and

(B) by striking "quarterly".

(d) REMOVAL OF REPROGRAMMING REQUIREMENT.—Such section is further amended by striking subsection (f).

(e) NOTICE PRIOR TO CERTAIN CONSTRUCTION PROJECTS.—Such section is further amended by inserting after subsection (e) the following new subsection:

"(f) NOTICE PRIOR TO CERTAIN CONSTRUCTION PROJECTS.—Not later than 15 days before the initiation of a construction or repair project under this section with a total cost of $15,000,000 or more, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a description of such project.".

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

Section-by-Section Analysis

This proposal would modify the Authority to Provide Assistance to the Vetted Syrian Opposition (VSO) under section 1209 of the National Defense Authorization Act for Fiscal Year 2015 by adding construction for infrastructure repair and renovation, maintaining combat roads and trails, emplacing barriers and obstacles, and the development of fighting and protective positions. Fighting and protective positions are integral to force protection, which includes the support of camouflage, concealment, and deception. Survivability support is designed to reduce vulnerability to enemy fires as a means to enhance force protection. Without this authority, commanders lack the ability to meet force protection requirements.

Our ability to provide counter-ISIS VSO forces with the NSW and ammunition they require quickly provides materialproof of our commitment. In a region where the United States and our coalition partners are competing for access and influence with other nations such as Iran and Russia, swift action on these requirements provides a positive recognition of our commitment to resolve the situation in Syria in terms favorable to our national interests.

Budget Implications: The resources reflected in the table below are funded with in the FY 2018 President's Overseas Contingency Operations (OCO) Budget.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2018	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
	$500					CTEF			
Total	$500					CTEF			

Changes to Existing Law: This proposal would make the following change to section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291):

SEC. 1209. AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION

(a) IN GENERAL.—The Secretary of Defense is authorized, in coordination with the Secretary of State, to provide assistance, including training, equipment, supplies, stipends,

~~construction of training and associated facilities~~ construction and repair, and sustainment to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals through ~~December 31, 2018~~ December 31, 2020, for the following purposes:

(1) Defending the Syrian people from attacks by the Islamic State of Iraq and Syria (ISIS), and securing territory controlled by the Syrian opposition.

(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.

(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Not later than 15 days prior to the provision of assistance authorized under subsection (a) to appropriately vetted recipients for the first time—

(1) the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of—

(A) the plan for providing such assistance;

(B) the requirements and process used to determine appropriately vetted recipients; and

(C) the mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees and leadership of the House of Representatives and Senate on unauthorized end-use of provided training and equipment and other violations of relevant law by appropriately vetted recipients; and

(2) the President shall submit to the appropriate congressional committees and leadership of the House of Representatives and Senate a report, in unclassified form with a classified annex as appropriate, that contains a description of how such assistance fits within a larger regional strategy.

(c) PLAN ELEMENTS.—The plan required in subsection (b)(1) shall include, at a minimum, a description of—

(1) the goals and objectives of assistance authorized under subsection (a);

(2) the concept of operations, timelines, and types of training, equipment, stipends, sustainment, construction, and supplies to be provided;

(3) the roles and contributions of partner nations;

(4) the number and role of United States Armed Forces personnel involved;

(5) any additional military support and sustainment activities; and

(6) any other relevant details.

(d) ~~QUARTERLY PROGRESS~~SEMIANNUAL REPORT.~~—Not later than 90 days after the Secretary of Defense submits the report required in subsection (b)(1), and every 90 days thereafter,~~ Not later than May 15 and October 15 of each year in which assistance is provided under this section, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees and leadership of the House of

Representatives and the Senate a progress report. Such progress report shall, based on the most recent ~~quarterly~~ information, include—

(1) any updates to or changes in the plan, strategy, vetting requirements and process, and end-use monitoring mechanisms and procedures, as required in subsection (b)(1);

(2) a description of how the threat of attacks against United States or coalition personnel is being mitigated, statistics on any such attacks, including green-on-blue attacks, and how such attacks are being mitigated;

(3) a description of the appropriately vetted recipients receiving assistance authorized under subsection (a);

(4) the recruitment, throughput, and retention rates of appropriately vetted recipients and equipment;

(5) any misuse or loss of provided training and equipment and how such misuse or loss is being mitigated;

(6) a description of the command and control of appropriately vetted recipients;

(7) an assessment of the operational effectiveness of the appropriately vetted recipients in meeting the purposes specified in subsection (a);

(8) a description of sustainment support provided to appropriately vetted recipients pursuant to subsection (a);

(9) a list of construction projects carried out under authority in subsection (a);

(10) a statement of the amount of funds expended during the period for which the report is submitted, and in aggregate since September 19, 2014, to provide assistance by authorized category pursuant to subsection (a) and section 149 of the Continuing Appropriations Resolution, 2015 (Public Law 113–164);

(11) an assessment of the effectiveness of the assistance authorized under subsection (a) as measured against subsections (b) and (c);

(12) a description of support, if any, provided to appropriately vetted recipients pursuant to subsection (a) while those forces are located in Syria, including—

(A) logistics support;

(B) defense supporting fire;

(C) intelligence; and

(D) medical support; and

(13) a description of the number of appropriately vetted recipients located in Syria, the approximate locations in which they are operating, and the number of known casualties among such recipients.

(e) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

(1) The term "appropriately vetted" means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum—

(A) assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and Syria (ISIS), Jabhat al Nusrah, Ahrar al Sham, other al-Qaeda related groups, and Hezbollah; and

(B) a commitment from such elements, groups, and individuals to promoting the respect for human rights and the rule of law.

(2) The term "appropriate congressional committees" means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

~~(f) REPROGRAMMING REQUIREMENT.—~~

~~(1) IN GENERAL.—The Secretary of Defense may submit a reprogramming or transfer request of funds made available for Overseas Contingency Operations beginning on October 1, 2014, and ending on December 31, 2018, to the congressional defense committees to carry out activities authorized under this section.~~

~~(2) INFORMATION ACCOMPANYING REPROGRAMMING REQUESTS.—Each request under paragraph (1) shall include the following:~~

~~(A) The amount, type, and purpose of assistance to be funded pursuant to such request.—~~

~~(B) The budget, implementation timeline with milestones, and anticipated delivery schedule for such assistance.~~

(f) NOTICE PRIOR TO CERTAIN CONSTRUCTION PROJECTS.—Not later than 15 days before the initiation of a construction or repair project under this section with a total cost of $15,000,000 or more, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a description of such project.

(g) AUTHORITY TO ACCEPT CONTRIBUTIONS.—The Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments to provide assistance as authorized by this section. Any funds so accepted by the Secretary shall be credited to appropriations for the appropriate operation and maintenance accounts, except that any funds so accepted by the Secretary shall not be available for obligation until a reprogramming request is submitted to the congressional defense committees.

(h) CONSTRUCTION OF AUTHORIZATION.—Nothing in this section shall be construed to constitute a specific statutory authorization for the introduction of United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.

(i) WAR POWERS RESOLUTION MATTERS.—Nothing in this section supersedes or alters the continuing obligations of the President to report to Congress pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543) regarding the use of United States Armed Forces abroad.

(j) WAIVER AUTHORITY.—For purposes of the provision of assistance pursuant to subsection (a), the President may waive any provision of law if the President determines that

such provision of law would (but for the waiver) impede national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of such assistance. Such waiver shall not take effect until 30 days after the date on which the President notifies the appropriate congressional committees of such determination and the provision of law to be waived.

(k) ASSISTANCE TO THIRD COUNTRIES IN PROVISION OF ASSISTANCE.—The Secretary may provide assistance to third countries for purposes of the provision of assistance authorized under this section.