SEC. ___. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1043), is amended by striking "fiscal year 2016" and inserting "fiscal year 2017".

(b) APPLICABILITY TO MILITARY OPERATIONS IN AFGHANISTAN GENERALLY.—Such section is further amended—

(1) in subsection (a)(1), by striking "in Iraq or in Operation Enduring Freedom in Afghanistan" and inserting "in Afghanistan and to counter the Islamic State in Iraq and the Levant"; and

(2) in subsection (b), by striking "in Iraq or in Operations Enduring Freedom in Afghanistan" and inserting "in Afghanistan and to counter the Islamic State in Iraq and the Levant".

(c) LIMITATION ON AMOUNTS AVAILABLE.—Subsection (d)(1) of such section is amended—

(1) in the second sentence, by striking "during fiscal year 2016 may not exceed $1,160,000,000" and inserting "during fiscal year 2017 may not exceed $1,100,000,000"; and

(2) in the third sentence, by striking "fiscal year 2016 may not exceed $900,000,000" and inserting "fiscal year 2017 may not exceed $800,000,000".

(d) TREATMENT OF 2016 UNOBLIGATED BALANCES – —Of the $100,000,000 made available pursuant to section 1212(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1044), amounts that are unobligated as of September 30, 2016, shall continue to be available in fiscal year 2017 for such purposes, in addition to the total amount of reimbursements and support authorized for Pakistan during fiscal year 2017 pursuant to section 1233(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (as so amended).

[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 extend through fiscal year (FY) 2017 current authority for the use of Operation and Maintenance, Defense-wide (O&M D-W) appropriations under the Coalition Support Fund (CSF) authority. The existing requirements and limitations with respect to such authority, including the exemption from the congressional notification requirement of CSF reimbursements for access based on an international agreement, are continued unchanged. This would allow the Department of Defense (DoD) to make routine payments quickly following each quarter once the access provided under the agreement is validated. Congress would maintain visibility over these payments through the CSF quarterly reports.

This proposal would also extend through FY 2017 current authority for use of O&M D-W appropriations under the CSF authority for stability activities in Pakistan's Federally Administered Tribal Areas (FATA). This would allow DoD to focus reimbursements to the Government of Pakistan for stability operations that prevent the reemergence of safe havens within its borders, thereby reducing the operational space of militant groups that target U.S., coalition, and Afghan forces.

Budget Implications: $1.1 billion of this proposal would be funded through O&M, D-W under the FY 2017 Overseas Contingency Operations budget request of which $1.1 billion is for the CSF authority. The remaining portion, specifically funds to reimburse Pakistan for stability operations, would be funded by extending the availability of FY 2016 appropriations.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
CSF	$1,100	NA	NA	NA	Operation & Maintenance, Defense-Wide	04	DSCA	1002199T
Total	$1,100	NA	NA	NA				

Changes to Existing Law: This proposal would make the following changes to (1) section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393), as most recently amended by section 1212 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1043), and (2) section 1212(f) of National Defense Authorization Act for Fiscal Year 2016:

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008 (PUBLIC LAW 110-181), AS AMENDED

SEC. 1233. EXTENSION OF AUTHORITY AND MODIFICATION OF REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) AUTHORITY.—From funds made available for the Department of Defense for fiscal year ~~2016~~ 2017 for overseas contingency operations; for operation and maintenance, Defense-wide activities, the Secretary of Defense may reimburse any key cooperating nation for the following:

(1) Logistical and military support provided by that nation to or in connection with United States military and stability operations ~~in Iraq or in Operation Enduring Freedom in Afghanistan~~ in Afghanistan and to counter the Islamic State in Iraq and the Levant.

(2) Logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in paragraph (1).

(b) OTHER SUPPORT.—Using funds described in subsection (a)(2), the Secretary of Defense may also assist any key cooperating nation supporting United States military and stability operations ~~in Iraq or Operation Enduring Freedom in Afghanistan~~ in Afghanistan and to counter the Islamic State in Iraq and the Levant through the following:

(1) The provision of specialized training to personnel of that nation in connection with such operations, including training of such personnel before deployment in connection with such operations.

(2) The procurement and provision of supplies to that nation in connection with such operations.

(3) The procurement of specialized equipment and the loaning of such specialized equipment to that nation on a non-reimbursable basis in connection with such operations.

(c) AMOUNTS OF REIMBURSEMENT.—

(1) IN GENERAL.—Reimbursement authorized by subsection (a) may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided.

(2) SUPPORT.—Support authorized by subsection (b) may be provided in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of the Office of Management and Budget, considers appropriate.

(d) LIMITATIONS.—

(1) LIMITATION ON AMOUNT.—The total amount of reimbursements made under the authority in subsection (a) during fiscal year 2008 may not exceed $1,200,000,000. The aggregate amount of reimbursements made under subsection (a) and support provided under subsection (b) during fiscal year ~~2016~~ 2017 may not exceed ~~$1,160,000,000~~ $1,100,000,000. Of the aggregate amount speficied in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during ~~fiscal year 2016 may not exceed $900,000,000~~ fiscal year 2017 may not exceed $800,000,000.

(2) PROHIBITION ON CONTRACTUAL OBLIGATIONS TO MAKE PAYMENTS.—The Secretary of Defense may not enter into any contractual obligation to make a reimbursement under the authority in subsection (a).

(3) PROHIBITION ON REIMBURSEMENT OF PAKISTAN FOR SUPPORT DURING PERIODS CLOSED TO TRANSSHIPMENT.—Effective as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2015 [Dec. 29, 2014], funds (including funds from a prior fiscal year that remain available for obligation) may not be used for reimbursements under the authority in subsection (a) for Pakistan for claims of support provided during any period when the ground lines of supply through Pakistan to Afghanistan were closed to the transshipment of equipment and supplies in support of United States military operations in Afghanistan.

(e) NOTICE TO CONGRESS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense shall notify the appropriate congressional committees not later than 15 days before making any reimbursement under the authority in subsection (a) or providing any support under the authority in subsection (b). In the case of any reimbursement to Pakistan under the authority of this section, such notice shall be made in accordance with the notice requirements under section 1232(b).

(2) EXCEPTION.—The requirement to provide notice under paragraph (1) shall not apply with respect to a reimbursement for access based on an international agreement.

(f) QUARTERLY REPORTS.—The Secretary of Defense shall submit to the appropriate congressional committees on a quarterly basis a report on any reimbursements made under the authority in subsection (a), and any support provided under the authority in subsection (b), during such quarter.

(g) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate.