SEC. ___. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by striking ‘‘fiscal year 2017” and inserting ‘‘fiscal year 2018”.

(b) AMOUNT AVAILABLE.—Such section is further amended—

(1) in subsection (c), by striking “fiscal year 2017 may not exceed $70,000,000” and inserting “fiscal year 2018 may not exceed $42,000,000”; and

(2) in subsection (d), by striking “fiscal year 2017” and inserting “fiscal year 2018”.

(c) EXPANSION OF ELIGIBLE RECIPIENTS OF TRAINING ACTIVITIES UNDER ADDITIONAL AUTHORITY FOR ACTIVITIES OF OSC-I.—Subsection (f) of such section is further amended—

(1) in paragraph (1), by striking “Iraqi Ministry of Defense and Counter Terrorism Service” and all that follows through “defense-related institutions” and inserting “military and other security forces of or associated with the Government of Iraq with a national security mission, including Kurdish and tribal security forces, at a base or facility of the Government of Iraq to address professionalization of the security forces and defense institution building to mitigate capability gaps and promote effective, affordable, and sustainable defense institutions”; and

(2) by adding at the end the following new paragraph:

"(3) The authority to provide assistance under this subsection is in addition to any other authority to provide assistance to foreign forces, groups, or individuals.".

[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 continue and extend the authorization of funds for the operations and activities of the Office of Security Cooperation in Iraq (OSCI) and security assistance teams including life support, transportation and personal security, and facilities renovation and construction in fiscal year 2018. This proposal would continue the authorization of funds for OSCI training activities in support of Iraqi Ministry of Defense and Counter Terrorism Service Personnel, and would extend the authority for OSCI training activities to support other military and security forces with a national security mission of or associated with the Government of Iraq, including Kurdish Peshmerga forces, Border Police forces, and tribal security forces. The additional authorities in this proposal are critical to continue momentum for a secure Iraq with multiple nationally coordinated security institutions as well as regional and local security elements. In particular, this proposal includes special authority for OSCI to conduct defense institution building, professionalization of security forces, and institutional level development and training to enable effective, affordable, and sustainable defense institutions, which in turn will improve national and regional stability in Iraq. This authority is not to be duplicative of or replace any other authority to provide assistance to foreign forces, groups, or individuals, including Foreign Military Sales (FMS), Foreign Military Financing (FMF), or other activities authorized by the National defense Authorization Act (NDAA), such as activities authorized under section 1236 of the NDAA for fiscal year 2015, as amended. Rather, this authority is intended to fill gaps that are not covered by these otherwise authorized programs and to address defense institution building and professionalization of the unique structure of Iraq security organizations and forces.

This proposal is an extension and modification of an existing authority and reflects the importance of a responsible transition from an international coalition-assisted effort to counter ISIS to a normalized and nationally integrated Iraqi security force capable of conducting counterterrorism, border security, and critical instructure protection. The temporary authority demonstrates and continues a reliable partnership with unique Iraqi security organizations and forces performing a national security mission. These authorities are intended to phase U.S. security assistance and cooperation responsibly as ISIS is defeated.

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

RESOURCE REQUIREMENTS ($MILLIONS)

	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	Appropriation From	Budget Activity	Dash-1 Line Item
O&M	42					Operation and Maintenance, Air Force OCO	04	42G-OCO
Total	42							

Changes to Existing Law: This proposal would make the following changes to section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note):

SEC. 1215. AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OFTHE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) AUTHORITY.—The Secretary of Defense may support United States Government transition activities in Iraq by providing funds for the following:

(1) Operations and activities of the Office of Security Cooperation in Iraq.

(2) Operations and activities of security assistance teams in Iraq.

(b) TYPES OF SUPPORT.—The operations and activities for which the Secretary may provide funds under the authority in subsection (a) may include life support, transportation and personal security, and construction and renovation of facilities.

(c) LIMITATION ON AMOUNT.—The total amount of funds provided under the authority in subsection (a) in ~~fiscal year 2017 may not exceed $70,000,000~~ fiscal year 2018 may not exceed $42,000,000.

(d) SOURCE OF FUNDS.—Funds for purposes of subsection (a) for ~~fiscal year 2017~~ fiscal year 2018 shall be derived from amounts available for that fiscal year for operation and maintenance for the Air Force.

(e) COVERAGE OF COSTS OF OSCI IN CONNECTION WITH SALES OF DEFENSE ARTICLES OR DEFENSE SERVICES TO IRAQ.—The President shall ensure that any letter of offer for the sale to Iraq of any defense articles or defense services issued after the date of the enactment of this Act includes, consistent with the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), charges sufficient to recover the costs of operations and activities of security assistance teams in Iraq in connection with such sale.

(f) ADDITIONAL AUTHORITY FOR ACTIVITIES OF OSCI.—

(1) IN GENERAL.—During ~~fiscal year 2017~~ fiscal year 2018, the Secretary of Defense, with the concurrence of the Secretary of State, may authorize the Office of Security Cooperation in Iraq to conduct training activities in support of ~~Iraqi Ministry of Defene and Counter Terrorism Service at a base or facility of the Government of Iraq to address capability gaps, integrate processes relating to intelligence, air sovereignty, combined arms, logistics and maintenance, and to manage and integrate defense-related~~

~~institutions~~ military and other security forces of or associated with the Government of Iraq, including Kurdish and tribal security forces or other local security forces with a national security mission, at a base or facility of the Government of Iraq to address professionalization of the security forces and defense institution building to mitigate capability gaps and promote effective, affordable, and sustainable defense institutions.

(2) REQUIRED ELEMENTS OF TRAINING.—The training conducted under paragraph (1) shall include elements that promote the following:

(A) Observance of and respect for human rights and fundamental freedoms.

(B) Military professionalism.

(C) Respect for legitimate civilian authority within Iraq.

(3) The authority to provide assistance under this subsection is in addition to any other authority to provide assistance to foreign forces, groups, or individuals.

(g) REPORTS.—

(1) IN GENERAL.—Not later than September 30, 2015, and every 180 days thereafter until the authority in this section expires, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the appropriate committees of Congress a report on the activities of the Office of Security Cooperation in Iraq.

(2) ELEMENTS.—Each report under this subsection shall include the following:

(A) A current description of capability gaps in the security forces of Iraq, including capability gaps relating to intelligence matters, protection of Iraq airspace, and logistics and maintenance, and a current description of the extent, if any, to which the Government of Iraq has requested assistance in addressing such capability gaps.

(B) A current description of the activities of the Office of Security Cooperation in Iraq and the extent, if any, to which the programs conducted by the Office in conjunction with other United States programs (such as the Foreign Military Financing program, the Foreign Military Sales program, and the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291)) will address the capability gaps described pursuant to subparagraph (A).

(C) A current description of how the activities of the Office of Security Cooperation in Iraq are coordinated with, and complement and enhance, the assistance provided pursuant to section 1236 of the Carl Levin and Howard P. 'Buck' McKeon National Defense Authorization Act for Fiscal Year 2015.

(D) A current description of end use monitoring programs, and any other programs or procedures, used to improve accountability for equipment provided to the Government of Iraq.

(E) A current description of the measures of effectiveness used to evaluate the activities of the Office of the Security Cooperation in Iraq, and an analysis of any determinations to expand, alter, or terminate specific activities of the Office based on such evaluations.

(F) A current evaluation of the effectiveness of the training described in subsection (f)(2) in promoting respect for human rights, military professionalism, and respect for legitimate civilian authority in Iraq.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.