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 2018 (Public Law 115-91), is amended by striking "December 31, 2018" and inserting "December 31, 2019".

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

(1) in the first sentence, by striking "October 1, 2017, and ending on December 31, 2018" and inserting "October 1, 2018, and ending on December 31, 2019"; and

(2) in the second sentence, by striking "October 1, 2017, and ending on December 31, 2018, may not exceed $900,000,000" and inserting "October 1, 2018, and ending on December 31, 2019, may not exceed $700,000,000".

[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) 2019 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 2019 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: $900 million of this proposal would be funded through O&M, D-W under the FY 2019 Overseas Contingency Operations budget request of which $900 million is for the CSF authority. This is funded within the FY 2019 President's Budget submission.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
CSF	$900				Operation & Maintenance, Defense-Wide	04	DSCA	1002199T
Total	$900							

Changes to Existing Law: This proposal would make the following changes to section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181; 122 Stat. 393):

SEC. 1233. 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 the period beginning on October 1, 2017, and ending on ~~December 31, 2018~~ December 31, 2019, for overseas contingency operations for operation and maintenance, Defense-wide activities, the Secretary of Defense may reimburse—

(1) any key cooperating nation (other than Pakistan) for—

(A) logistical and military support provided by that nation to or in connection with United States military operations in Afghanistan, Iraq, or Syria; and

(B) logistical, military, and other support, including access, provided by that nation to or in connection with United States military operations described in subparagraph (A); and

(2) Pakistan for certain activities meant to enhance the security situation in the Afghanistan-Pakistan border region and for counterterrorism.

(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 operations in Afghanistan, Iraq, or Syria 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 aggregate amount of reimbursements made under subsection (a) and support provided under subsection (b) during the period beginning on ~~October 1, 2017, and ending on December 31, 2018~~ October 1, 2018, and ending on December 31, 2019, may not exceed $900,000,000. Of the aggregate amount specified in the preceding sentence, the total amount of reimbursements made under subsection (a) and support provided under subsection (b) to Pakistan during the period beginning on ~~October 1, 2016, and ending on December 31, 2017, may not exceed $900,000,000~~ October 1, 2018, and ending on December 31, 2019, may not exceed $700,000,000.

(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 2013, 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) REIMBURSEMENT OF PAKISTAN FOR SECURITY ENHANCEMENT ACTIVITIES.—

(1) ACTIVITIES.—Reimbursement authorized by subsection (a)(2) may be provided for activities as follows:

(A) Counterterrorism activities, including the following:

(i) Eliminating infrastructure, training areas, and sanctuaries used by terrorist groups, and preventing the establishment of new or additional infrastructure, training areas, and sanctuaries.

(ii) Direct action against individuals that are involved in or supporting terrorist activities.

(iii) Any other activity recognized by the Secretary of Defense as a counterterrorism activity for purposes of subsection (a)(2).

(B) Border security activities along the Afghanistan-Pakistan border, including the following:

(i) Building and maintaining border outposts.

(ii) Strengthening cooperative efforts between the Pakistan military and the Afghan National Defense and Security Forces, including border security cooperation.

(iii) Maintaining access to and securing key ground lines of communication.

(iv) Providing training and equipment for the Pakistan Frontier Corps Khyber Pakhtunkhwa.

(v) Improving interoperability between the Pakistan military and the Pakistan Frontier Corps Khyber Pakhtunkhwa.

(C) Any activities carried out by the Pakistan military that the Secretary of Defense determines and reports to the appropriate congressional committees have enhanced the security of United States personnel stationed in Afghanistan or enhanced the effectiveness of United States military personnel in conducting counterterrorism operations and training, advising, and assisting the Afghan National Defense and Security Forces.

(2) REPORT.—Not later than December 31, 2019, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds under the authority in subsection (a)(2), including a description of the following:

(A) The purpose for which such funds were expended.

(B) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization supported by such amount.

(C) Any limitation imposed on the expenditure of funds under subsection (a)(2), including on any recipient of funds or any use of funds expended.

(3) INFORMATION ON CLAIMS DISALLOWED OR DEFERRED BY THE UNITED STATES.—

(A) IN GENERAL.—The Secretary of Defense shall submit to the appropriate congressional committees, in the manner specified in subparagraph (B), an itemized description of the costs claimed by the Government of Pakistan for activities specified in paragraph (1) provided by Government of Pakistan to the United States for which the United States will disallow or defer reimbursement to the Government of Pakistan under the authority in subsection (a)(2).

(B) MANNER OF SUBMITTAL.—

(i) IN GENERAL.—To the maximum extent practicable, the Secretary shall submit each itemized description of costs required by

subparagraph (A) not later than 180 days after the date on which a decision to disallow or defer reimbursement for the costs claimed is made.

(ii) FORM.—Each itemized description of costs under clause (i) shall be submitted in an unclassified form, but may include a classified annex.

(f) 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.

(g) 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.

(h) 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.