

116TH CONGRESS }  
*2d Session* }

HOUSE OF REPRESENTATIVES

{ REPORT  
{ 116-617

WILLIAM M. (MAC) THORNBERRY  
NATIONAL DEFENSE AUTHORIZATION ACT  
FOR FISCAL YEAR 2021

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CONFERENCE REPORT

TO ACCOMPANY

H.R. 6395



DECEMBER 3, 2020.—Ordered to be printed

Congress a report on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017, including—

(1) implementation of defense lines of effort outlined in the June 2020 Department of Defense “Women, Peace, and Security Strategic Framework and Implementation Plan” and described in paragraphs (1) through (5) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1), as appropriate; and

(2) an enumeration of the funds used in such implementation and an identification of funding shortfalls, if any, that may inhibit implementation.

(f) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

### **Subtitle B—Matters Relating to Afghanistan and Pakistan**

#### **SEC. 1211. 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) is amended by striking “beginning on October 1, 2019, and ending on December 31, 2020” and inserting “beginning on October 1, 2020, and ending on December 31, 2021”.

(b) **MODIFICATION TO LIMITATION.**—Subsection (d)(1) of such section is amended—

(1) by striking “beginning on October 1, 2019, and ending on December 31, 2020” and inserting “beginning on October 1, 2020, and ending on December 31, 2021”; and

(2) by striking “\$450,000,000” and inserting “\$180,000,000”.

#### **SEC. 1212. EXTENSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.**

(a) **IN GENERAL.**—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking “2020” and inserting “2021”;

(2) in the matter preceding clause (i), by striking “22,500” and inserting “22,620”;

(3) in clause (i), by striking “December 31, 2021” and inserting “December 31, 2022”; and

(4) in clause (ii), the striking “December 31, 2021” inserting “December 31, 2022”.

(b) **REPORT EXTENSION.**—Section 602(b)(13) of such Act (8 U.S.C. 1101 note) is amended by striking “January 31, 2021” and inserting “January 31, 2023”.

#### **SEC. 1213. EXTENSION AND MODIFICATION OF SUPPORT FOR RECONCILIATION ACTIVITIES LED BY THE GOVERNMENT OF AFGHANISTAN.**

(a) **MODIFICATION OF AUTHORITY TO PROVIDE COVERED SUPPORT.**—Subsection (a) of section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 132 Stat. 1633) is amended—

tary exchange program offered to foreign participants, with the goal of doubling such participation over the 10-year period beginning on the date of the enactment of this Act.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

*Mitigation and prevention of atrocities in high-risk countries (sec. 1210D)*

The House bill contained a provision (sec. 1299E) that would require the Secretary of State to submit to the appropriate congressional committees a report on its efforts to prevent atrocities in covered foreign countries.

The Senate amendment contained no similar provision.

The Senate recedes with a clarifying amendment.

*Implementation of the Women, Peace, and Security Act of 2017 (sec. 1210E)*

The House bill contained a provision (sec. 1759) that would express the sense of Congress regarding Department of Defense annual funding for implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68). The section would further specify the activities the Department of Defense would be required to undertake to implement the Women, Peace, and Security Act and would require a one-time briefing on security cooperation capacity building and an annual report on such activities through January 1, 2025.

The Senate amendment contained a similar provision (sec. 1207).

The House recedes with an amendment that would amplify the requirements associated with implementation of the Women, Peace, and Security Act program by the Department of Defense and the Department of State.

Subtitle B—Matters Relating to Afghanistan and Pakistan

*Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations (sec. 1211)*

The House bill contained a provision (sec. 1211) that would extend through December 31, 2021, the authority to make Coalition Support Fund payments under section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) as most recently amended by section 1217 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

The Senate amendment contained a similar provision (sec. 1211).

The House recedes.

*Extension of the Afghan Special Immigrant Visa Program (sec. 1212)*

The House bill contained a provision (sec. 1212) that would extend the Afghan Allies Protection Act of 2009 (Public Law 111–8) as well as extend an expiring report.

The Senate amendment contained a similar provision (sec. 1214).

The Senate recesses with an amendment to increase the number of special immigrant visas.

The conferees note that the special immigrant visa program for Afghan allies is critical to the mission in Afghanistan and the long-term interests of the United States. Maintaining a robust special immigrant visa program for Afghan allies is necessary to support United States Government personnel in Afghanistan. Afghan allies routinely risk their lives to assist United States military and diplomatic personnel. Honoring the commitments made to Afghan allies with respect to the special immigrant visa program is essential to ensuring the continued service and safety of such allies, and the willingness of other like-minded individuals to provide similar services in any future contingency.

The conferees further note that the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) states that all Government-controlled processing of applications for special immigrant visas under that Act should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa. Any backlog in processing special immigrant visa applications should be addressed as quickly as possible so as to honor the United States commitment to Afghan allies as soon as possible. The failure to process such applications in an expeditious manner puts lives at risk and jeopardizes a critical element of support to United States operations in Afghanistan. To prevent harm to the operations of the United States Government in Afghanistan, the conferees urge the Administration to make additional visas available to principal aliens who are eligible for special immigrant status under that Act.

*Extension and modification of support for reconciliation activities led by the Government of Afghanistan (sec. 1213)*

The Senate amendment contained a provision (sec. 1213) that would extend the authorization for the Department of Defense to provide support for Government of Afghanistan-led reconciliation activities. The provision would modify the existing authority in section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) to require that covered support can only be provided for reconciliation activities that occur in Afghanistan, include the participation of the Government of Afghanistan, and do not restrict the participation of women. The provision would also prohibit Taliban members' receipt of reimbursement for travel or lodging expenses and stipends or per diem payments. Finally, the provision would prohibit the Department from providing covered support until it provides the implementation framework required by section 1218 of the National Defense Authorization Act of Fiscal Year 2020, due to the Congress on March 19, 2020.

The House bill contained no similar provision.

The House recesses.