Security Cooperation Programs

Through Fiscal Year 2014

Revision 14.8

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Most current version of SC Programs Handbook is on DISAM Homepage

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Title 22 S.A. Programs Administered by Department of State

Description: Economic & military assistance to partner nations implemented and managed by Department of State (DoS) or U.S. Agency for International Development (USAID)

Key Considerations:

- Implemented and managed by DoS or USAID
- Supports USG foreign policy and national security objectives
- Deliverables: Non-defense or defense articles, services, and training
- Terms of Transfer: Sale or grant

List of Programs:

- Direct Commercial Sales (DCS)
- Economic Support Fund (ESF)
- Nonproliferation, Anti-terrorism, Demining and Related (NADR) Programs
- International Narcotics Control and Law Enforcement (INCLE)
- Peacekeeping Operations (PKO)
- Global Peace Operations Initiative (GPOI)
- Pakistan Counterinsurgency Capabilities Fund (PCCF)
- Third Party Transfer Authority
- Drawdown Authorities
- Special Authorities

Direct Commercial Sales (DCS)

Description: The sale of defense articles and services by U.S. defense industry to other countries

Purpose:

1. Regulate the export or import of defense articles and services and its technical data
    - **a.** Defines a defense article or service subject to regulation [provided in the U.S. Munitions List [22 C.F.R. 121.1]
    - **b.** Register every person or corporation (other than USG employees conducting official business) engaged in the business of manufacturing, exporting, or importing any defense article or service [22 C.F.R. 122]

Authorization: Section 38, AECA [22 U.S.C. 2778]

Appropriation: Normally purchasing country cash, but with limited exceptions, certain countries may use FMFP funding

Guidance: International Traffic in Arms Regulations (ITAR) [22 C.F.R. 120 – 130]

Countries Eligible: Any country not prohibited by 22 C.F.R. 126.1

Value of Program:

1. $33B in defense articles licensed during FY2012.
2. $128B in defense services licensed during FY2012.
    - a. Not all licensed transfers take place
    - b. Licenses are generally effective for a four year period

Restrictions:

1. Applicant must register with State Department.
2. Any defense article, service, or technology in the USML requires an export license.

Key Players:

1. DoS Bureau of Political Military Affairs (PM), Directorate of Defense Trade Control (DDTC)
2. DoD Defense Technology Security Administration (DTSA)
3. U.S. defense industry

Execution:

1. U.S. defense industry, with a signed contract, applies to PM/DDTC for the export license
2. DTSA provides any requested DoD recommendations to PM/DDTC regarding technology transfer for any license to be issued

3. State notifies Congress IAW Sec. 36(c) or 36(d), AECA, as required prior to issuing any license
4. After any congressional notification, PM/DDTC issue export license to U.S. industry
5. PM/DDTC manages end-use monitoring program (Blue Lantern) for DCS IAW Sec. 38(g)(7), AECA, normally with the country team political-military attache

Example: Lockheed-Martin sale of F-16s to UAE, Boeing sale of C-17s to UK, or sale of F-15s to Singapore. These turned out to be "hybrid" sales meaning the major end-items were purchased commercially via DCS directly from U.S. industry while the high technology components, weapons, electronics, training, and initial support repair parts were purchased via FMS from DoD.

Economic Support Fund (ESF)

Description: Economic funding support for countries or international organizations for non-military purposes.

Purpose:

1. Under special economic, political, or security conditions, the national interests of the U.S. may require economic support for countries or international or regional organizations.
2. Promote economic or political stability

Authorization: Sections 531-534, FAA [22 U.S.C. 2346]

Appropriation:

1. FY2013 -- $6,12M, S/FOAA, Div. I, P.L.112-74, 23 Dec 2011
2. FY2014 -- $4,639M, S/FOAA, Div. K, P.L.113-76, 17 Jan 2014

Guidance:

1. FY2014 funding remains available through FY2015.

Countries Eligible: As determined and justified by SecState in cooperation with the Administrator, U.S. Agency for International Development (USAID)

Value of Program:

FY2014 – $4,639M in grant aid.

Restrictions: No military or paramilitary assistance by this program

Key Players:

1. SecState
2. Administrator, USAID
3. Country team USAID attache

Execution: By the Admin, USAID and any assigned in-country USAID organization or representative

Example: During FY2010 -- $160M for Haiti, $383M for Iraq, $153M for Liberia, $2,037M for Afghanistan, $1,033M for Pakistan

Nonproliferation, Anti-terrorism, Demining and Related (NADR) Programs

Description: Economic assistance to countries to enhance counterterrorism, nonproliferation, and export control capabilities

Purpose:

1. Provide equipment and training for counterterrorism
2. Strengthen bilateral ties of the U.S. with friendly governments with concrete assistance
3. Increase respect for human rights by sharing with civil authorities modern, humane, and effective antiterrorism techniques
4. Provide equipment and training for enhanced nonproliferation and export control capabilities
5. Accomplish activities and objectives set forth in Sections 503 and 504 of the FREEDOM Support Act [22 U.S.C. 5853 and 5854] for countries other than the independent states of the FSU
6. Promote multilateral activities to include international organizations relating to nonproliferation

Authorization: Sections 571-575, FAA [22 U.S.C. 2349aa and 22 U.S.C. 2349bb]

Appropriation:

1. FY2014 -- $700M, S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014.

Guidance:

1. Nonproliferation and Disarmament funding is to remain available until expended while all other funding is to remain available through FY2015.
2. May also be used for demining, clearance of unexploded ordnance, and the destruction of small arms
3. May be used for a voluntary contribution to the International Atomic Energy Agency (IAEA) and to the Comprehensive Nuclear Test Ban Treaty Preparatory Committee

Countries Eligible: As determined by the President

Value of Program:

1. $700M in grant aid.

Restrictions: Any anti-terrorism assistance is to be coordinated with the DoS/Democracy, Human Rights, and Labor

Key Players:

1. SecState
2. DoS/Nonproliferation
3. DoD/DSCA, if defense article or services are determined necessary via pseudo LOA

Execution: Normally directly by DoS and the country team, possibly to include the SCO

Example: On 3 Dec 12, DoS announced a $3.43M NADR assistance initiative to support the Caribbean Community (CARICOM) and Dominican Republic in partnership with the U.S. BATF to provide two regional advisors for forensic training, provide legal, regulatory, and parliamentary assistance, and develop an exchange program of enforcement officials to work alongside ATF counterparts in the U.S.

The following are examples of FY2013 NADR funded programs:

$176M supporting 11,273 participants from over 50 countries in 516 courses, workshops, and technical consultations.

$39.9M funded expanding POE capabilities in 21 countries. Chad, Burkina Faso, and the Maldives have become newest participating countries.

$10M was used to secure or destroy MANPADS. Since 2003, over 33,500 MANPADS in 38 countries have been destroyed.

$63.5M was transferred to the Cooperative Threat Reduction (CTR) Program

International Narcotics Control and Law Enforcement (INCLE)

Description: Economic support and assistance to countries and international organizations for counternarcotics purposes

Purpose:

1. Suppress the illicit manufacture and trafficking of narcotic and psychotropic drugs, money laundering, precursor chemical diversion, and the progressive elimination of the cultivation of any crops from which such drugs are derived
2. Furnish assistance to any country or international organization for the control of narcotic and psychotropic drugs and other controlled substances, or for other anticrime purposes
3. Coordinate all USG assistance to support international efforts to combat illicit narcotics production or trafficking

Authorization: Sections 481-490, FAA [22 U.S.C. 2291]

Appropriation:

1. $1,350M – S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014.

Guidance:

1. FY2014 funding remains available through FY2015
2. No USG officer or employee may directly affect an arrest in any country as part of any foreign policy action with respect to narcotics control efforts; however the U.S. COM may approve any USG officer or employee to be present during any such arrest or to assist foreign officers who are effecting any such arrest
3. No USG officer or employee may interrogate or be present during the interrogation of any U.S. person arrested in a country with respect to narcotics control efforts without the written consent of such person.
4. Any INCLE assistance may include, inter alia, AECA authorized sales or financing

Countries Eligible: Any country or international organization the President determines

Value of Program:

FY2014 -- $1,350M in grant aid

Restrictions:

Key Players:

1. SecState
2. DoS/International Narcotics Control/Law Enforcement (INCLE)
3. Country team/Narcotics Affairs Section (NAS)
4. DoD/DSCA, if defense article or services are determined necessary via pseudo LOA

Execution: Normally planned and executed by State/INCLE and the in-country NAS and possibly the SCO

Example: During FY2010 -- $52M for Iraq, $100M for West Bank/Gaza, $20M for Afghanistan, $130M for Pakistan, $243M for Colombia, $264M for Mexico, $60M for inter-regional aviation support. During FY13, 21 Haitian National Police C/N Unit officers received training at the Miami-Dade Public Safety Training Institute using INCLE in collaboration with DEA and the Miami-Dade Police Dept IAW a cooperative MOU signed on 19 Nov 2012. During FY2014, INCLE and U.S. Park Police conducted K-9 C/N training with Georgia law enforcement personnel.

The Bureau of International Narcotics and Law Enforcement Affairs (INL) funds various bilateral drug and crime control programs worldwide with greatest counternarcotics efforts in Latin America. The various countries eligible for INCLE assistance can be viewed at http://www.state.gov/j/inl/narc/c2118.htm

Peacekeeping Operations (PKO)

Description: Funding assistance for peacekeeping operations

Purpose: Provide funding for articles, services, and training for countries and organizations conducting international peacekeeping

Authorization: Sections 551-553, FAA [22 U.S.C. 2348]

Appropriation:

1. FY2014 -- $535M, S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014.

Guidance:

1. FY2014 earmarks include $36M for the Multinational Force and Observers (MFO) mission in the Sinai, and $161M for international PKO activities in Somalia.
2. The overseas contingency operations funding for international PKO operations in Somalia may be up to $194M to remain available through FY2015

Countries Eligible: Those countries or international organizations the President determines eligible for peacekeeping operations and other programs carried out to further U.S. national security interests

Value of Program:

1. $490.197M – FY2013 (actual)
2. $435.600M – FY2014 (estimated)
3. $336.150M – FY2015 (proposed)

Restrictions:

1. No S/FOAA funding should be used to support any military training or operations that include children soldiers.

Key Players:

1. SecState
2. DoS/PM
3. CCMD and SCO if defense articles and services are to be provided to partner nation
4. DSCA, if defense articles and services are provided via pseudo LOA IAW SAMM, C15.1.4.7

Execution: Normally planned and executed by DoS/PM

Example: During FY2014 -- $212.35M for Somalia PKO [African Union Mission], $36M for MFO, $33M for Sudan PKO

Global Peace Operations Initiative (GPOI)

Description: G-8 countries (other donors have later joined) initiative beginning in 2005 to train and equip 75,000 international PKO troops within five years (achieved)

Purpose:

1. Have a qualified, ready-to-go, mil-civ PKO force from non-G-8 countries
2. Having exceeded the initial force goal, Phase II (FYs2010-14) emphasis is now sustainment and continued training to include self-sustainment and indigenous training. The goal is 318K troops from 61 countries
3. Establish and support the Center of Excellence for Stability Police Units (COESPU) in Vicenza IT

Authorization: A component of FAA-authorized PKO

Appropriation: Allocated from appropriated PKO account.

Guidance:

1. All GPOI program activities and funding must be approved by the GPOI Coordinating Committee (GCC) co-chaired by DoS/PM and DoD/USDP.
2. Any PKO funding of GPOI is to be notified to Congress prior to obligation.

Countries Eligible: Mostly from AFRICOM, but all CCMDs are participating

Value of Program:

About $100M annually

Restrictions: No support for training or operations that include child soldiers

Key Players: Same as for PKO

Execution: Same as for PKO, IAW SAMM, C15.1.4.8, if via pseudo LOA

Example: As of 30 May 14, GPOI has facilitated the training of 260K personnel, with the deployment of 180K troops from 38 countries to 25 operations. Deployment of troops have included 2,029 to Haiti, 24,675 to Somalia, 46,217 to South Sudan, 11,479 to Dafur, etc.

Pakistan Counterinsurgency Capability Fund (PCCF)

Description: Economic assistance to build and maintain the counterinsurgency capability of Pakistan security forces

Purpose: Providing assistance for Pakistan to build and maintain the counterinsurgency capability for Pakistani security forces to include the Frontier Corps

Authorization: Authorized provisions include:

1. FAA, Part I, Chapter 8, INCLE [22 U.S.C. 2291]
2. FAA, Part II, Chapter 2, Military Assistance [22 U.S.C. 2311]
3. FAA, Part II, Chapter 5, IMET [22 U.S.C. 2347]
4. FAA, Part II, Chapter 6, PKO [22 U.S.C. 2348]
5. FAA, Part II, Chapter 8, Anti-Terrorism [22 U.S.C. 2349aa]
6. Section 23, AECA, FMFP [22 U.S.C. 2763]

Appropriation:

1. FY2012 – $850,000,000 for overseas contingency operations, S/FOAA, Title VIII, Div. I, P.L.112-74, 23 Dec 2011.
2. Section 1704(b), Title VII, S/FOAA CR for FY2013, P.L.113-6, 26 Mar 2013, zero-ed out the PCCF account.
3. No new funding for FY2104.

Guidance: Assistance to include:

1. Program management
2. Training in civil-military humanitarian assistance
3. Human rights training
4. Provision of equipment, supplies, services, and training, or
5. Facility and infrastructure repair, renovation, and construction

Countries Eligible: Pakistan

Value of Program:

1. FY2012 -- $850,000,000 to remain available through FY2013
2. FY2013 and FY2014 – zero.
3. $50,000,000 of FY12 funding was authorized for transfer to the FY12 "1207" Global Security Contingency Fund (GSCF)

Restrictions:

1. Sec. 620M, FAA, "Leahy vetting" required
2. Available to SecState with the concurrence of SecDef
3. With a 15-day advance congressional notice in writing, such funds may be transferred to DoD or other USG agencies to support counterinsurgency operations. Upon determination by SecState, with the concurrence of SecDef, any such funds may be transferred back to the PCCF

4. Quarterly report by SecState to Congress regarding the use of PCCF funding on a project-by-project basis

Key Players:

1. SecState and SecDef
2. Applicable DoS regional bureau
3. USDP/ASD-SOLIC/DSCA (if pseudo LOA process is used), IAW SAMM, C15.1.4.6
4. Applicable in-country team members to include SCO (if pseudo LOA process is used)
5. USCENTCOM

Execution: Possible to use pseudo-LOA process if PCCF is transferred to DoD PCF for implementation

Example: Pseudo LOA process likely for PCCF funds transferred to DoD PCF fund for provision of defense article and services to Pakistan security forces. $472M in agreements during FY2010.

Proposed transfer of funds to aid in the development of SOF capabilities in Libya.

Third Party Transfer Authority

Description: Partner nation transfer of U.S-origin USML article and services from the ministry of defense to other government agencies or other countries

Purpose: Continued U.S. management of previously transferred U.S.-origin defense articles and services

Authorization: Section 3(a)(2), AECA [22 U.S.C. 2753]

Appropriation: None, only an authority

Guidance: No defense article or service shall be sold or leased to any country or international organization until the country or organization has agreed not to transfer the U.S.-origin defense article or service to a third agency, country or organization unless first approved by the President (delegated to PM/DDTC for DCS transfers and PM/RSAT for government to government transfers).

Countries Eligible: Generally, must be already eligible to receive U.S.-origin items

Value of Program: N/A

Restrictions:

1. Any third party transfer request will be forwarded for action by PM/DDTC or PM/RSAT for a coordinated DoS response
2. Any request and approval must be done in writing.
3. No transfer request shall be approved unless the USG would be willing to transfer the item or service to the third party
4. No third party transfer request is to be approved until a "505 agreement" [ref: Section 505(a), FAA] with the third party government is in place
5. Congress is to be notified for approval before DoS authorizes the third party transfer
    a. For NATO plus five countries, 15-day advance notification of any transfer exceeding $100M or for MDE exceeding $25M, priced at original acquisition value.
    b. For all other countries, 30-day advance notification of any transfer exceeding $50M or for MDE exceeding $14M, priced at original acquisition value.

Key Players:

1. Country team to normally to include SCO
2. DoS/PM/DDTC or RSAT
3. DoD/DTSA if DoD recommendations for technology transfer are determined necessary
4. Applicable CCMDs of both the transferring and recipient countries

Execution:

1. Partner nation normally initiates request via the SCO
2. Recipient nation SCO for country team recommendation and execution of any necessary diplomatic 505-agreement
3. PM/DDTC or PM/RSAT coordinates USG response within DoS and DoD/DTSA if applicable

Example: Transfer by sale of older U.S.-origin defense articles and support by a country preparing to obtain newer U.S.-origin defense articles to a third country

Drawdown Authorities

Description: Transfer of defense articles and services as immediate assistance for a country or international organization

Purpose:

1. To meet an unforeseen emergency which requires immediate military assistance
2. The emergency requirement cannot be met under the authority of the AECA or any other law

Authorization:

1. Section 506(a)(1), FAA [22 U.S.C. 2318(a)(1)] for up to $100M for military assistance from DoD stocks, DoD services, and military training and education in a fiscal year,
2. Section 506(a)(2), FAA [22 U.S.C. 2318(a)(2)] for up to $200M from any USG inventory and military training and training (not more than $75M from DoD) in a fiscal year for:
    a. INCLE (not more than $75M annually from DoD),
    b. International disaster assistance,
    c. Anti-terrorism assistance,
    d. Nonproliferation,
    e. Migration and refugee assistance, or
    f. Support cooperative efforts to locate and repatriate USG military or USG employed civilians who remain unaccounted for during the Vietnam War in Vietnam, Cambodia, or Laos (not more than $15M annually).
3. Section 506(c)(2), FAA [22 U.S.C. 2348a] for up $25M for unforeseen emergency PKO from any USG agency in a fiscal year.
4. Section 7047, S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014, for up to $30M of commodities and services during FY2014 for the U.N. War Crimes Tribunal established with regard to the former Yugoslavia by the U.N. Security Council.

Appropriation: None, only an authority

Guidance:

1. Drawdowns are normally only directed by a presidential determination to SecState and the providing agency.
2. All drawdowns are to be notified to Congress. Sec. 506(a)(2), FAA, drawdowns for INCLE and anti-terrorism purposes require a 15-day advance notification.
3. The value of the drawdown normally includes any initial logistics and training support and transportation costs to be funded by the implementing agency.

Countries Eligible: As determined by the President

Value of Program: Variable

Restrictions: This authority is last resort for emergency assistance. Providing USG agencies are normally not reimbursed.

Key Players: President, SecState, SecDef, USDP, DSCA, applicable implementing agency, applicable CCMDs, and country teams to include the SCO if defense articles and services are to be provided.

Execution: The country team and CCMD express urgency to both DoS and DoD

Example: All USG and partner nation funding authorities have been exhausted and urgent assistance is required immediately for a military threat or natural disaster. A recent example includes the presidential determination of 11 Feb 13 to drawdown $50M in military assistance services [IAW Sec. 506(1)(a)] for Chad and France to counter terrorists and violent extremists within Mali. A more recent example includes the PD of 10 Dec 2013 to drawdown $60M in DoD stocks and services in support of operations in Central African Republic.

Special Authorities

Description: Providing assistance without regard to traditional procedural provisions of law

Purpose: Immediate military assistance with certain waiver authorities provided within the law, when determined by the President to be in the U.S. national interest

Authorization:

1. With a presidential U.S. national security interest determination, the normal 15- and 30-day advance congressional notifications may be waived for AECA-required DCS, FMS, third party, and leasing transfers
2. Section 614, FAA [22 U.S.C. 2364], authorizes the President to furnish assistance without regard to the FAA, AECA, and any related act authorizing or appropriating funds for use under the FAA when determined and notified in writing to Congress it is important to U.S. national security interests.
    a. Section 614(a)(4)(A)(i), FAA -- Not more than $750M in AECA-authorized sales may be authorized IAW this authority in any fiscal year
    b. Section 614(a)(4)(A)(ii), FAA -- Not more than $250M in funds made available for use IAW the FAA or AECA may be made available IAW this authority in any fiscal year
        i. Section 614(a)(4)(C), FAA -- Not more than $50M of this $250M authority may be allocated to any one country is a fiscal year unless the country is a victim of active aggression.
    c. Section 614(a)(4)(C), FAA -- Not more than $500M of the aggregate $750M and $250M authorities may be allocated to any one country in a fiscal year
    d. Section 614(a)(4)(A)(iii) -- Not more than $100M of foreign currencies accruing under the FAA or any other law may be made available IAW this authority in any fiscal year
    e. Section 614(c), FAA – authorizes the President to use amounts not to exceed $50M of the funds made available IAW FAA pursuant to his certification that it is inadvisable to specify the nature of the use of such funds
        i. However, the President shall fully inform the chairman and ranking minority member of both the HFAC and SFRC of each use of such authority

Appropriation: Except for the transfer of already appropriated but not obligated funds, none.

Guidance: Requires significant justification by SecState and SecDef to the President

Countries Eligible: As determined by the President

Value of Program:

Restrictions: A diplomatic 505 agreement is needed

Key Players: The affected country, U.S. Ambassador, applicable CCMDs, SecDef, SecState, regional and functional bureaus and agencies, OMB, NSC, and the President

Execution:

1. Country team (SCO) forwards request with country team endorsement
2. CCMD provides an additional endorsement
3. USDP(DSCA) coordinates within OSD and provides recommendation to DoS
4. DoS obtains presidential determination as required and forwards to DoD for implementation
5. DSCA any required congressional notification and forwards to the Implementing Agency for implementation

Example: A friendly country is under attack or the threat of an immediate attack from another country but is unable to counter either because of capability or financial restrictions. With an emergency determination, the President may direct the emergency provision of defense articles or services to the country or redirect unobligated assistance funding to fund immediate U.S. military assistance to the friendly country. Note: this authority is last resort and rarely used.

Title 22 S.A. Programs Administered by DoD as S.C.

Description:

- Economic & military assistance to partner nations under State Department authority but implemented by DoD

Key Considerations:

- Approved by the Department of State
- Implemented by the Department of Defense
- Supports USG foreign policy and national security objectives
- Deliverables: Defense articles, services, and training
- Terms of Transfer: Sale, grant, loan, or lease

List of Programs:

- Foreign Military Sales (FMS)
- Foreign Military Financing Program (FMFP)
- International Military Education and Training (IMET)
- Expanded IMET Program
- Leasing
- Excess Defense Articles (EDA)

Foreign Military Sales (FMS)

Description: Government-to-government sale of defense articles and services using the letter of offer and acceptance (LOA) agreement process

Purpose: Under the general supervision of DoS and subject to foreign disclosure decisions, DoD is authorized to sell defense articles and services normally to ministries of defense of other countries

Authorization:

1. Section 21, AECA [22 U.S.C. 2761], authorizes the President to sell defense articles and services from DoD and USCG inventory to any eligible country or international organization, to also include excess defense articles (EDA).
2. Section 22, AECA [22 U.S.C. 2762], authorizes the President, without requirement to for charge to any appropriation or contract authorization otherwise provided, enter into contracts for the procurement of defense articles and services for sale for U.S. dollars to any foreign country or international organization with reimbursement to the USG.
3. Section 29, AECA [22 U.S.C. 2769], authorizes the President to sell design and construction services to any eligible country or international organization if such country or organization agrees to pay in U.S. dollars not less than the full cost to the USG of furnishing such services. The services may be provided by the USG or contract.
4. SAMM, Chapter 15, provides procedures within DoD to manage the purchase of defense articles and services for selected countries or international organizations using DoD or other agency funds with the use of established "Pseudo-LOA" procedures.

Appropriation: None, only an authority using country cash, FMFP or DoD SC program funding

Guidance:

1. FMS sales are DoD's response to a country's letter-of-request (LOR), all subject to the technology transfer decision process, approval by DoS, and advance notification by DSCA to Congress for approval
    a. Proposed FMS LOAs are generated by the DoD implementing agency (IA) which will either provide from inventory or enter into contract once approved by the USG and the purchasing country.
    b. FMS LOAs have standard terms and conditions for the sale.
    c. Purchasing country approval will also include any required funding determined necessary for implementation.
2. Pseudo LOA sales are DoD's response to a USG memorandum-of-request (MOR) to be funded by the requesting agency, also subject to technology transfer decisions, concurrence of DoS, and advance notification by USDP and USDC to Congress.
    a. The proposed pseudo LOA is generated by the DoD implementing agency which will provide from inventory or enter into contract once approved by the USG requesting agency.

b. The pseudo LOA is accepted and funded by the requesting USG agency. Delivery is to the requesting USG agency for subsequent transfer to the benefiting country.
c. Benefiting country must have a current "505 agreement" in place with the USG.

Countries Eligible: Those determined eligible IAW Sec. 3, AECA –

1. Presidential determination (PD) that sales to a country or international organization will strengthen U.S. security and promote world peace,
2. Recipient agrees not to retransfer without presidential consent (delegated to SecState),
3. Recipient agrees to limit use of articles/services to the purpose for which they are furnished,
4. Recipient agrees to maintain substantially the same degree of security for the article or service as that provided by the USG, and
5. Recipient is otherwise eligible.

Value of Program:

1. FY2010 -- $31.6B in total sales (includes both FMS and pseudo-LOA) to include $25.2B in FMS sales
2. FY2011 -- $32.9B in total sales (both FMS and pseudo-LOA) to include $28.3B in FMS sales.
3. FY2012 -- $68.4B in total sales (both FMS and pseudo-LOA) to include $63.3B in FMS sales.
4. FY2013 – $27.9B in total sales (both FMS and pseudo-LOA) to include $23.9B in FMS sales falling short of the forecast for a total of $32.7B.

Restrictions:

1. Not otherwise ineligible by USG export law for such transfers
2. FMS transfer of ships require specific legislation for each case [10 U.S.C. 7307]

Key Players: Recipient or benefiting country, country team (to include SCO), CCMD, implementing USG agency, DoD/DSCA/DTSA, DoS/PM/RSAT,

Execution:

1. Submission of LOR by partner country for FMS LOA, or MOR by USG agency for pseudo-LOA
2. Technology transfer decision coordinated by DTSA
3. DoS/PM/RSAT coordination
4. Notification to Congress as required
5. LOA/pseudo-LOA acceptance with funding
6. DoD issuance from inventory or letting of contract with U.S. industry
7. Transportation to and acceptance by purchasing country
8. DSCA manages end-use monitoring program (Golden Sentry) for FMS IAW Sec. 40A, AECA, with implementing agencies, CCMDs, and SCOs.

Example: Pseudo LOA **(**DoD-funded) H-17 helos with support for Afghanistan and Pakistan, FMS (country cash) funded F-15s with support for Saudi Arabia, FMS (country cash) funded logistics and training support for Singapore DCS-purchased F-15s , FMS FMFP-funded purchase of F-35s for Israel.

Foreign Military Financing Program (FMFP)

Description: Financing of the purchase of defense articles and services

Purpose: SecState will request annual foreign assistance appropriations to fund country purchases of U.S. defense articles and services normally via the FMS process

Authorization: Section 23, AECA [22 U.S.C. 2763]

Appropriation:

1. FY2014 -- $5,919M, S/FOAA, FY2014, Div. K., P.L.113-76. 17 Jan 2014.

Guidance:

1. FY2014 OCO FMFP remains available through FY2015.
2. FY2014 FMFP earmarked as follows:
    a. $3,100M for Israel of which $815.3M is available for procurement in Israel
        i. Generally represents about 20 percent of the Israeli defense budget
    b. $1,300M for Egypt after specified significant SecState certifications and reports to Congress regarding Egypt's meeting requirements for a constitutional referendum and subsequent parliamentary and presidential elections.
        i. Prior year FMFP is only to be made available to continue existing contracts
        ii. FY2014 FMFP may be made available for C/T, border security and nonproliferation within Egypt and for development activities in the Sinai.
    c. $300M for Jordan, plus $340M in OCO FMFP
    d. $885M authorized during FY2014 for the DSCA-managed FMS admin fund

Countries Eligible:

As originally justified in the SecState applicable fiscal year Congressional Budget Justification (CBJ) and later, after appropriation, allocated by DoS/DFA to DoD/DSCA for implementation and administration.

1. Since FY2010, FMFP, in consultation with Congress, may be used by SecState for support of foreign <u>security forces</u>. Pseudo LOA-like procedures are used for this very limited authority. State/PM issued Grant Military Assistance Guide (GMAG) [classified CUI-FOUO] was promulgated via SECSTATE msg 102112Z Apr 14 to the country team P-M and SDO/DATT officers in April 2014. This expedited procedure process is referred to as State Department Directed-FMFP procurement (SDD-FMF) and initiated by State Dept using MOR and MOA procedures with DoD/DSCA.

Value of Program:

FY2014 -- $5,919M in grant aid

Restrictions:

1. Unless justified by SecState, in coordination with SecDef, no FY2014 FMFP funding is to support or continue any program initially funded under the DoD "1206" Building Capacity of Foreign Military Forces.
    a. However, DoS requested $3M in FMFP for FY14 ($5M for FY15) for establishing the European Expeditionary Capability Fund (ECF). The purpose is to support capability sustainment for European countries similar to the expeditionary capabilities gained from previous coalition operations Aghanistan. Procedures are still in development.
2. DoD/DSCA authorized to approve funding of DCS with FMFP for the following countries: Israel, Egypt, Jordan, Morocco, Tunisia, Turkey, Portugal, Pakistan, Yemen, and Greece [SAMM, C9.7.3]. FMFP is normally used to fund FMS cases and, by policy, its use for DCS is very much an exception.
3. By policy, FMFP should not be used for the purchase of consumable non-lethal articles or services unless a part of a system sale or for subsequent sustainment support.

Key Players: Country team/SCO, CCMD, DoD/USDP/DSCA, DoS/PM, DoS/DFA, OMB,

Execution:

1. Though FMFP is the AECA-legislated term, the community often uses the terms FMF, FMF credit, FMS credit.
2. Country team/SCO provides recommended funding levels through both the diplomatic and military chains-of-command nearly two years in advance
3. DoS/PM provided CUI-FOUO FMFP procedures within the Grant Military Assistance Guide (GMAG) of April 2014 to all country team pol-mil officers and SDO/DATTs
4. Coordinated by DSCA within DoD/USDP for recommendation to DoS
5. DoS/DFA coordinates within DoS for justifications and entry into the upcoming budget year congressional budget justification (CBJ)
6. After numerous congressional hearings for final appropriation, funding allocated by DFA to DoD/DSCA for implementation and administration generally via the FMS process

Example: F-16 follow-on support for Poland or modification and inspection of H-1 helos and engines originally provided as grant EDA to Hungary. Israeli and Egyptian purchase of U.S.-origin defense articles and services.

International Military Education and Training (IMET)

Description: Provide grant military education and training to military and related civilian personnel of foreign countries

Purpose: Grant funding for the education and training of foreign country personnel in activities designed to –

a. Encourage effective and mutually beneficial relations and increased understanding between the U.S. and foreign countries in the furtherance of the goals of international peace and security,
b. Improve the ability of participating foreign countries to utilize their resources, including defense articles and services obtained by them from the U.S., with maximum effectiveness, thereby contributing to greater self-reliance by such countries, and
c. Increase the awareness of nationals of foreign countries participating in such activities of basic issues involving internationally recognized human rights.

Authorization: Sections 541 – 543, FAA [22 U.S.C. 2347]

Appropriation:

1. FY2014 -- $105.573M, S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014.

Guidance:

1. IMET funding must be obligated during the same fiscal year as the appropriation; however, $4M of FY2014 IMET may remain available through FY2015.
2. IMET is generally meant for professional military and education (PME) and only by exception for technical training.
3. IMET is generally meant for tuition expenses but by exception can be used for travel and per diem expenses for developing countries.
4. Other than English language laboratories, IMET funding is not to be used for purchase of articles.
5. The FMS process is NOT used for the implementation of IMET.

Countries Eligible: As justified and determined by SecState

Value of Program:

1. FY2010 -- $108M to include funding for 7.080 students from 142 countries
2. FY2011 -- $105.8M to include funding for 6,018 students from 138 countries
3. FY2012 -- $105.8M to include funding for 5,864 students from 139 countries
4. FY2013 -- $100.4M to include funding for N/A students from 142 countries.

Restrictions: Not otherwise ineligible by USG export law for such transfers

Key Players: Country team/SCO, CCMD, DoD/USDP/DSCA, DoS/PM, DoS/DFA, OMB

Execution:

1. Country team/SCO provides recommended funding levels through both the diplomatic and military chains-of-command nearly two years in advance
2. Coordinated by DSCA within DoD/USDP for recommendation to DoS
3. DoS/DFA coordinates within DoS for justifications and entry into the upcoming budget year congressional budget justification (CBJ)
4. After numerous congressional hearings for final appropriation, funding allocated by DFA to DoD/DSCA for implementation and administration with the implementing agency training community and the SCOs.

Example: Initial FY2011 allocations -- $977k for Kenya, $1,800k for Indonesia, $4,000k for Turkey, $3,700k for Jordan, $2,500k for Lebanon, $1,695k for Colombia, and $4,100k for Pakistan

Expanded IMET Program

Description: As a component within the overall IMET program, provides grant military education and training to military and related civilian personnel of foreign countries

Purpose: Grant funding for the education and training of foreign country personnel in DSCA-approved courses of instruction designed to –

a. Contribute to responsible defense resource management,
b. Foster greater respect for and understanding of the principle of civilian control of the military,
c. Contribute to cooperation between the military and law enforcement personnel with respect to counternarcotics law enforcement efforts, or
d. Improve military justice systems and procedures in accordance with internationally recognized human rights.

Authorization: Sections 541 – 543, FAA [22 U.S.C. 2347]

Appropriation: From the annual IMET appropriations

Guidance:

1. For military and related civilian personnel with eligible civilians to also include personnel from ministries other than the ministry of defense, to also include legislators and individuals not members of the foreign government (NGOs)
2. Courses are nominated by the DoD training community to DSCA for the use of E-IMET

Countries Eligible: Same as IMET

Value of Program: From IMET allocations

Restrictions: Not otherwise ineligible by USG export law for such transfers

Key Players: Same as IMET

Execution: Same as IMET

Example: Same as IMET with emphasis on developing countries and those with requiring assistance in strengthening of human rights and/or defense resource management expertise to receive training from the Defense Institute of International Legal Studies (DIILS) or the Defense Resource Management Institute (DRMI)

Leases of Equipment

Description: Lease of DoD defense articles to eligible countries or international organizations

Purpose: Presidential determination there are compelling U.S. foreign policy and national security reasons for providing such articles on a lease basis rather than a sales basis

Authorization: Sections 61- 65, AECA [22 U.S.C. 2796]

Appropriation: None, normally country cash

Guidance:

1. The articles are not needed for the time needed for public use
2. The effect of the lease on the national technology and industrial base is considered, particularly to the extent to which the lease might reduce the opportunity to sell new equipment to the country to receive the lease
3. Conducted using a lease agreement with a payment schedule using country cash in U.S. dollars
4. The cost of the lease will include any depreciation experienced by the USG during the lease; however, may be waived if:
    a. Leases for the purpose of cooperative research and development,
    b. Leases for military exercises,
    c. Leases for communication or electronics interface projects, or
    d. Leases of articles which has passed 3/4 of its normal service life.
5. The leasing country will reimburse any costs for restoration or replacement if the article is damaged, lost, or destroyed
6. Any required modification, repair, transportation, training, or support costs will be purchased using an accompanying FMS case.
7. The lease agreement is to be of a fixed duration not to exceed five years, but it is renewable.
8. Any new or renewed lease exceeding one year is to be notified to Congress for approval. Congress may disapprove a lease based on dollar value thresholds exceeding $50M ($14M MDE). NATO plus five countries thresholds are $100M ($25M MDE)
9. SecState must approve any leases by DoD.

Countries Eligible:

Those determined eligible IAW Sec. 3, AECA –

1. Presidential determination (PD) that sales to a country or international organization will strengthen U.S. security and promote world peace,
2. Recipient agrees not to retransfer with presidential consent (delegated to SecState),
3. Recipient agrees to limit use of articles/services to the purpose for which they are furnished,
4. Recipient agrees to maintain substantially the same degree of security for the article or service as that provided by the USG, and

5. Recipient is otherwise eligible.

Value of Program:

Lease agreements during FY2008 were valued at $9M.

Restrictions:

1. The lease of ships require specific legislation for each case [10 U.S.C. 7307]
2. FMFP may not be used for leasing [SAMM, C11.6]
3. The title of the leased item does not transfer to the leasing country, with the article to be returned to the USG at the end of the lease period

Key Players: Leasing country, country team (SCO), CCMD, Implementing Agency, DoD/USDP/DSCA, DoS/PM/RSAT, and Congress

Execution:

1. Country submits request for lease to DoD (DSCA) with SCO endorsement
2. Implementing Agency determines feasibility and generates the proposed agreement
3. DSCA coordinates within USDP and with DoS/PM/RSAT
4. DSCA notifies Congress as applicable
5. Country accepts terms of lease agreement with lease payments
6. Country team (SCO) end-use monitors during the duration of the lease
7. Country returns the article upon completion of the lease period (or renew the lease)

Example:

1. Country has a temporary need for an article and opts to lease rather than purchase
2. Country opts to lease articles for CONUS training purposes.
3. Iraq is reported to lease six Apaches for training purposes in preparation for receipt of purchased 24 Apaches. The estimated value of the supporting FMS case for logistics and maintenance support, training ammo and personnel training is $1.37B.

Excess Defense Articles (EDA)

Description: Transfer of defense articles determined no longer needed by the USG either on a grant basis or by FMS sale

Purpose: Providing no longer needed USG defense articles to countries justified to receive such assistance

Authorization:

1. Section 21, AECA [22 U.S.C. 2761] by FMS
2. Section 516, FAA (22 U.S.C. 2321j] by grant transfer

Appropriation: None, only an authority.

Guidance:

1. Secretaries of military departments declare items excess to their mildeps causing them to be available for transfer to other USG agencies, local governments, or foreign governments eligible to receive them either by FMS or grant transfer
    a. Major end items are normally retained by the mildep for final deposition
    b. Minor end items and parts are normally retained by DLA for final disposition
2. SecState/PM/RSAT coordinates and provides DoS approval to DoD/DSCA for any required congressional notification prior to transfer
3. In each case, the recipient must be determined eligible to receive the applicable technology
4. Once approved for transfer, a joint visual inspection (JVI) of the EDA is strongly encouraged [SAMM, C11.5.5] prior to transfer

Countries Eligible:

1. Countries determined eligible for FMS are normally eligible for FMS EDA
2. Countries eligible for grant EDA are identified and notified to Congress via a joint DSCA/State FOUO letter to Congress each fiscal year.
3. Prior to grant transfer, the recipient country must enter into a Sec. 505, FAA, agreement (a DoS diplomatic process) which includes the following stipulations:
    a. Limits use to government officers, employees, and agents
    b. Does not permit unauthorized transfers
    c. Does not permit use for purposes other than those for which furnished
    d. Maintains required security
    e. Will permit observation and furnish information
    f. Returns equipment to the U.S. when no longer needed.
4. A 505 agreement is normally in place for all grant transfers including those using the pseudo LOA process

Value of Program:

1. FY2012 -- $284M (current value) offered by FMS, $79M delivered
2. FY2012 -- $11M (current value) offered by grant, $13.3M delivered.

Restrictions:

1. If by FMS, generally priced based on usability ranging from 5 to 50 percent of its origin acquisition value
2. If by grant, the concept is "as is-where is."
    a. Articles are drawn from existing DoD stocks
    b. No DoD procurement funds are to be expended for the transfer
    c. The transfer will not have adverse impact on U.S. military readiness
    d. Must be determined that the grant transfer is preferable over a sale based on any accrued U.S. foreign policy benefits to be gained
    e. Must be determined to have no adverse effect on opportunities for any sale by U.S. industry
3. Excess construction, emergency, or firefighting equipment or vehicles are not eligible for the EDA sales or grant transfer programs
4. Total current value of grant EDA transfers in one fiscal year is not to exceed $425M.
5. Grant transfer of ships require specific legislation for each case [10 U.S.C. 7307]

Key Players: Military department, DLA, country team (SCO), CCMD, DSCA, State/PM/RSAT, Commerce Dept

Execution:

1. Country identifies a requirement for possible EDA to the SCO
2. SCO forwards the request with any endorsement
    a. The SCO must ensure the country understands EDA generally means there is no promise of future support of any sort, and any modification or transportation expense is to be reimbursed to the USG
3. CCMD endorsement can assist to allocate in the case of competing requirements
4. Mildeps determine if EDA exists
5. DSCA coordinates with DoS and Commerce to determine eligibility and allocation among the requirements
6. Congressional notification completed by DSCA for grant EDA transfer of significant military equipment or any transfer exceeding $7M
    a. FMS EDA notifications are IAW Section 36(b), AECA, with the FMS LOA process used for the transfer by sale
7. USDP/DSCA approves the transfer for implementation by the applicable mildep or DoD agency

Example:

1. Countries purchase weapons systems (or parts) no longer needed by the USG but is to remain in the purchasing country inventory. $10.8M in EDA were overall authorized during FY2012.
2. Developing countries use the grant EDA program for both end items and parts for economic reasons
3. Israel is reported to receive about 2,400 vehicles and an unspecified number of MLRS systems via grant EDA
4. Jordan accepted 35 MRAPs in Nov 2013 [excess from U.S. SWA draw-down].

Title 10 Train and Equip

Description:

- DoD authority and funding for the transfer of defense articles and services to eligible or designated countries

Key Considerations:

- DoD authorized to fund
- Implementation can be managed as BPC using the "pseudo LOA" process
- Countries must be otherwise eligible by export law for such assistance
- Coordinated with DoS
- Notified to Congress prior to obligation or transfer
- Building Partner Capacity (BPC) programs generally encompass S.C. and S.A. activities that are funded with USG (DoD or DoS) appropriations and administered as cases within the FMS infrastructure (pseudo LOAs) to include the following (SAMM, 15.1.4):
    - Afghanistan Security Forces Fund (ASFF)
    - Iraq Security Forces Fund (ISFF), no longer funded after FY2012
    - "1206" Building Capacity of Foreign Military Forces
    - "1203" Building Capacity of Certain Counterterrorism Forces in Yemen and East Africa
    - Pakistan Counterinsurgency Fund (PCF)
    - Coalition Readiness Support Program (CRSP)
    - "1004" DoD Assistance for U.S. and Foreign C/N Law Enforcement Agencies
    - "1033" DoD Assistance for C/N Activities by Certain Countries
    - Title 22 U.S.C. programs normally funded and managed DoS but, by Sec. 632, FAA, [22 U.S. Code 2392] MOU agreement and transfer of funds, can be implemented by DSCA using pseudo LOAs:
        - Pakistan Counterinsurgency Capability Fund (PCCF) no longer funded
        - Peacekeeping Operations (PKO)
        - Global Peacekeeping Operations Initiative (GPOI)
        - Global Security Contingency Fund (GSCF)
        - Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NADR)

- International Narcotics Control and Law Enforcement (INCLE)

List of Train and Equip Programs:

- Afghanistan Security Forces Fund (ASFF)
- Iraq Security Forces Fund (ISFF) – now expired and no longer funded
- "1206" Building Capacity of Foreign Military Forces
- "1208" Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army
- "1207" Global Security Contingency Fund (GSCF)
- "1203" Building Capacity of Certain Counterterrorism Forces in Yemen and East Africa
- Pakistan Counterinsurgency Fund (PCF)
- "1208" Support of Special Operations to Combat Terrorism
- Non-Conventional Assisted Recovery Capabilities (NCARC) Assistance
- Acquisition and Cross-Servicing Agreement (ACSA)
- "1202" Significant Military Equipment (SME) Loans to Certain Forces
- DoD Participation in European Program on Multilateral Exchange of Air Transportation and Air Refueling Services (ATARES Program)
- No-Cost Transfer of Defense Articles to Military and Security Forces of Afghanistan
- Logistic Support for Allied Forces in Combined Operations
- "1233" Coalition Support Fund (CSF)
- Coalition Readiness Support Fund (CRSP)
- Assistance for Jordan for Border Security Operations
- "1234" Logistics Support for Coalition Forces Supporting Certain U.S. Military Operations
- Assist in Accounting for Missing USG Personnel
- "1004" DoD Assistance for U.S. and Foreign C/N Law Enforcement Agencies
- "1033" DoD Assistance for C/N Activities by Certain Countries
- "1021" Unified Counter-Drug and Counterterrorism Campaign in Colombia
- "1022" Joint Task Forces to provide Support to Law Enforcement Agencies conducting Counter-Terrorism Activities

Afghanistan Security Forces Fund (ASFF)

Description: DoD authority for the funding of assistance to the security forces of Afghanistan

Purpose: Such assistance may include the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction and funding

Authorization: Section 1513, National Defense Authorization Act (NDAA), Fiscal Year 2008, as amended, P.L.110-181, 28 January 2008

Appropriation:

1. FY2011 -- $11,619,283,000 available through FY2012, Title IX, OCO, DoD Appropriations Act, 2011, Div. A, P.L.112-10, 15 April 2011
2. FY2012 -- $11,200,000,000 available through FY2013, Title IX, OCO, DoD Appropriations Act, 2012, Div. A, P.L.112-74, 23 December 2012
3. FY2013 -- $5,124,167,000 available through FY2014, Title IX, OCO, Div. C, P.L.113-6, 26 March 2013
4. FY2014 -- $4,726,720,000 available through FY2015, Title IX, OCO, Div. C, P.L.113-76, 17 January 2014

Guidance:

1. The assistance is to be provided by DoD with SecState concurrence
2. This funding is in addition to authorities to provide assistance to other countries
3. Any contribution of funding from non-USG sources may be credited to the ASFF and used for such purposes. Congress is to be notified of any details of the receipt of such funds and its eventual use.
4. Congress is to be notified in writing fifteen days prior to obligation of any ASFF

Countries Eligible: Afghanistan security forces

Value of Program: About 50 percent annual ASFF funding is expended using the pseudo LOA process to obtain defense articles and services. Remaining funds used to support Afghanistan government budget.

Restrictions:

1. DSCA and the SC community will normally use pseudo LOA procedures for the management of any defense articles and services provided using ASFF [SAMM, C15]
2. Golden Sentry End Use Monitoring procedures will be used to ensure delivery, receipt, and registration of DoD-provided defense articles [DoDI 4140.66, 15 October 2009

Key Players: Commander, Combined Security Transition Command, Afghanistan, USCENTCOM, USDC, USDP, ASD(SO-LIC), DSCA, DoS/PM/RSAT, Implementing Agencies

Execution:

1. As the DoD requesting authority, CSTC submits proposals/requirements for defense articles and services to OSD for begin the congressional notification preparation process
2. USDC and USDP/ASD(SO-LIC) coordinates with DSCA and DoS prior to the required 15-day notification
3. After the 15-day period, USDC releases ASFF funding to generally DSCA or CSTC management for eventual obligation
4. A diplomatic 505 agreement must be in-place.
5. The requirements for pseudo LOA are administered by DSCA for execution by the applicable implementing authorities, normally the MilDeps

Example: Use for all DoD-funded and furnished defense articles and services within Afghanistan. ASFF is also used by CSTC separately (non-LOA) to fund the support of Afghanistan security forces and other Afghanistan activities.

Iraq Security Forces Fund (ISFF)

Description: Expired DoD authority for the funding of assistance to the security forces of Iraq

Purpose: Such assistance may include the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation

Authorization: Section 1512, National Defense Authorization Act (NDAA), Fiscal Year 2008, as amended, P.L. 110-181, 28 January 2008

Appropriation:

1. FY2011 -- $1,500,000,000 available through FY2012, Title IX, Overseas Contingency Operations, DoD Appropriations Act, 2011, Div. A. P.L.112-10, 15 April 2011
2. FY2012 – no additional appropriations as Iraq begins to use own country cash and FMFP using the FMS process
3. NOTE: This program has expired but deliveries remain in progress.

Guidance:

1. The assistance is to be provided with SecState concurrence
2. This funding is in addition to authorities to provide assistance to other countries
3. Any contribution of funding from non-USG sources may be credited to the ISFF and used for such purposes. Congress is to be notified of any details of the receipt of such funds and its eventual use.
4. Congress is to be notified in writing fifteen days prior to obligation of any ISFF

Countries Eligible: Iraq security forces

Value of Program: As noted in above appropriations entry

Restrictions:

1. DSCA and the SC community will normally use pseudo LOA procedures for the management of any defense articles and services provided using ISFF [SAMM, C15]
2. Golden Sentry End Use Monitoring procedures will be used to ensure delivery, receipt, and registration of DoD-provided defense articles [DoDI 4140.66, 15 October 2009

Key Players: Commander, U.S. Forces - Iraq, country team (OSC-I), USCENTCOM, USDC, ASD/SO-LIC, DSCA, DoS/PM/RSAT, Implementing Agencies

Execution:

1. As the DoD requesting authority, OSC-I submits proposals/requirements for defense articles and services to OSD for begin the congressional notification preparation process
2. USDC and USDP/ASD(SO-LIC) coordinates with DSCA and DoS prior to the required 15-day notification

3. After the 15-day period, USDC releases ASFF funding to generally DSCA or OSC-I management for eventual obligation
4. A diplomatic 505 agreement must be in-place.
5. The requirements for pseudo LOA are administered by DSCA for execution by the applicable implementing authorities, normally the MilDeps
6. However, as Iraq "graduates" to self-funding, traditional FMS procedures with country cash are being used
7. Iraq also receives annual FMFP funding assistance beginning in FY2012 for likely use within the FMS process

Example: M-1A1 MBT initial logistics and training support, support for various utility aircraft, variety of munitions for previously provided weapon systems. Obligation authority for this program expired on 30 Sep 2012.

"1206" Building Capacity of Foreign Military Forces

Description: DoD authority for the funding of a program to build the capacity of foreign military forces

Purpose:

1. Provide equipment, supplies, training, and small scale military construction to build the capacity of a country's national military forces to:
    a. Conduct counterterrorism operations
    b. Participate in, support, or prepare for military and stability operations in which U.S. armed forces are a participant
2. Provide equipment, supplies, and training to build the capacity of a country's maritime security forces to conduct counterterrorism operations
3. Effective FY2014, provide equipment, supplies, and training to build the capacity of a country's security forces to conduct counterterrorism operations

Authorization: Section 1206, NDAA, FY 2006, as amended, P.L.109-163, 6 January 2006

Appropriation: Currently to $350M annually using DoD operations and maintenance funding

Guidance:

1. DoDI 5111.19 of 26 July 2011
2. ASD/SOLIC guidance of 20 March 2014 to the CCMDs for the FY2015 program
3. SAMM, C15

Countries Eligible: Any country determined eligible by U.S. export law for such assistance. During FY2013, 21 different countries received "1206" assistance on a bi-lateral basis.

Value of Program:

FY2006 -- $100.0M
FY2007 -- 273.6M
FY2008 -- 272.4M
FY2009 -- 339.9M
FY2010 -- 340.6M
FY2011 -- 247.5M
FY2012 -- 218.6M
FY2013 -- 255.8M

Restrictions:

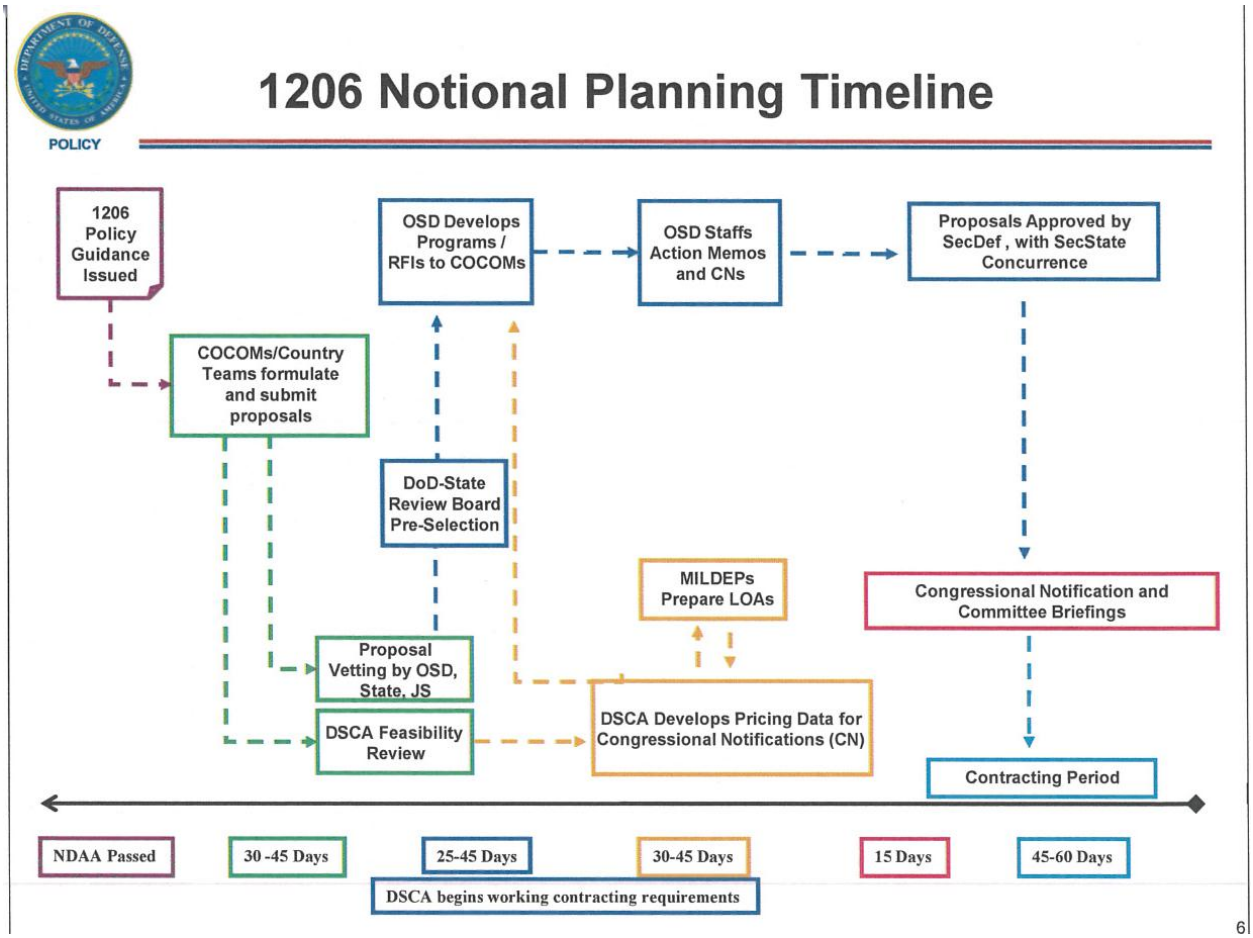
1. Authority expires at the end of FY2017
2. Not more than $25M may be obligated for small scale construction with not more than $750,000 may be obligated per program
3. Initial support, no sustainment
4. No FMFP to be used for sustainment until justified by both SecDef and SecState
5. Not for countries not otherwise eligible by law for military exports
6. Advance coordination with SecState is required

7. Annual funding for countries to participate, support, or prepare for military or stability operations with U.S. forces is limited to $100M
8. A diplomatic 505 agreement must be in-place.
9. Must be obligated by end of current fiscal year with 15-day advance notification to Congress

Key Players: Country team (SCO), CCMDs, USDP (DSCA and ASD/SOLIC), USDC, Implementing Agencies

Execution: Once approved, managed by DSCA for implementation by Implementing Agencies using the pseudo LOA process.

Example: During FY2013, DoD provided equipment and training enhancement to Bulgaria, Croatia, Czech Republic, Estonia, Georgia, Hungary, Latvia, Lithuania, Poland, and Romania for coalition support operations in Afghanistan. Also used for initial purchase and installation of anti-terrorism (to include piracy) coastal/border surveillance systems throughout the world. Recently reported that 83 percent of the FY2014 authority was notified to Congress for implementation.



"1208" Support of Foreign Forces Participating in Operations to Disarm the Lord's Resistance Army

Description: DoD authority for the funding of assistance to forces participating in operations to mitigate and eliminate the threat posed by the Lord's Resistance Army (LRA)

Purpose: Fund the provision of logistics support, supplies and services to foreign forces participating in such operations against the LRA

Authorization: Section 1208, National Defense Authorization Act (NDAA), FY 2014, P.L113-66, 26 Dec 2013

Appropriation: Not more than $50M of DoD O&M annually

Guidance:

1. Any provided assistance must not otherwise be prohibited by law
2. Replaces very similar Section 1206, NDAA, FY2012, P.L.112-81, 31 Dec 2011, for the same purpose.

Countries Eligible:

1. National military forces of Uganda and
2. The national military forces of any other countries as determined by SecDef, with the concurrence of SecState, to be participating in such operations against the LRA
   a. Any such determination must be notified to Congress

Value of Program: Up to $50M annually

Restrictions:

1. Logistics support, supplies, and services to be provided are defined within 10 U.S.C. 2350(1)
   a. Generally includes non-lethal articles and services, but specifically not to include SME as defined by Sec. 38, AECA
   b. SecState concurrence is required
2. No U.S. military, civilian, or contracted personnel are to engage in any related combat operations other than in self-defense or in the rescue of a U.S. citizen
3. Congress is to be notified 15 days prior to obligation of any funds for such support
4. This "1206" LRA authority expires at the end of FY2017

Key Players: USAFRICOM, USSOCOM, DoD, USDP, DoS, ASD/SOLIC, DSCA, Implementing Agency

Execution: Requirements determined by USSOCOM, in coordination with USAFRICOM, to be approved by DoD and DoS with notification to Congress

Example: Non-lethal support, normally logistics, but no SME

"1207" Global Security Contingency Fund (GSCF)

Description: Establishment of a fund for DoD and DoS to provide assistance for the capabilities enhancement of a country's military or other security forces

Purpose:

1. To enhance the capabilities of a country's national military forces, and other national security forces that conduct border and maritime security, internal defense, and counterterrorism operations, as well as the government agencies responsible for such forces to:
    a. Conduct border and maritime security, internal defense, and counterterrorism, and
    b. Participate in or support military, stability, or peace support operations consistent with U.S. foreign policy and national security interests
2. For the justice sector (including law enforcement and prisons) rule of law programs, and stabilization efforts in a country in which SecDef and SecState determine that conflict or instability in a country or region challenges the existing capability of civilian providers to deliver such assistance.

Authorization: Section 1207, National Defense Authorization Act (NDAA), FY 2012, P.L.112-81, 31 December 2011

Appropriation:

1. FY2012 -- $200M from DoD O&M [Section 8089, DoD Appropriations Act, 2012, Div. A., P.L.112-74, 23 December 2011]. $50M from FY2012 PCCF [Section 8004, State and Foreign Operations Appropriations Act (S/FOAA), 2012, Div. I, P.L.112-74, 23 December 2011].
2. FY2013 -- $200M from DoD O&M [Section 8068, DoD Appropriations Act, 2013, Div. C, P.L.113-6, 26 March 2013].
3. FY2014 -- $200M from DoD O&M [Section 8068, DoD Appropriations Act, 2014, Div. C, P.L.113-76, 17 Jan 2014. $25M from FY2014 OCO accounts for INCLE, PKO, and FMFP [Section 8003(d), S/FOAA, FY2014, Div. K, P.L.113-76, 17 Jan 2014].

Guidance:

1. Any provided assistance may include equipment, supplies, and training
2. This GSCF authority is in addition to any other authorized assistance programs
3. SecState and SecDef shall jointly formulate assistance programs to be carried out within the authority of GSCF
4. Other agencies may detail personnel to DoS to carry out the GSCF program
5. Funding contributions for any such activity shall be split with 20 percent from DoS and 80 percent from DoD.
6. SecState may accept funding, property, and services for the GSCF

7. Congress is to be notified in detail 30 days prior to initiating any GSCF assistance activity
8. SecState, with the concurrence of SecDef, shall notify Congress 15 days after the date on which all necessary guidance has been issued and the processes for implementation are established and fully operational

Countries Eligible: As designated by SecState with the concurrence of SecDef

Value of Program: $250M annually through FY2015

Restrictions: Not for governments that provide support to terrorist organizations or determined to be in gross violation of human rights

Key Players: Country teams, combatant commands, SecDef, SecState, DoS regional bureaus, DoS/PM, USDP/ASD(SO-LIC), Implementing agencies

Execution:

1. Is to initially be limited to a small number of countries as jointly determined by SecState and SecDef. DoS is responsible for the supervision and general direction with COMs guiding implementation of all approved programs applicable to the partner nation.
2. GSCF is to be used for emergent challenges that cannot be addressed adequately in the current budget cycle with traditional security assistance with contingencies being the top priority and not to be used to plus-up existing SA programs.
3. The written guidance provided thus far is SecState msg 301345Z May 2012 to all diplomatic and consular posts to be passed also to the SDO/DATTs and SCOs.

Example: CRS Rpt of 22 Jan 13 indicates initial planned use of GSCF is to include the following:

1. $2M in DoD CCIF and $8.02M in PCCF as a C/T and border security eqmt and training package for Nigeria.
2. $8M in DoD CCIF and $8.02M in PCCF as a law enforcement and border security package for the Philippines maritime and law enforcement forces.
3. $2.8M in SOCOM major force program (MFA) funds and $.7M in PCCF to promote civilian-military interoperability in Bangladesh C/T planning and operations between MoD (SOF) and MoHA.
4. $4M in PCCF to improve border security in Libya plus $6.2M in SOCOM MFA funds and $1.55M in PCCF to build two Libyan SOF C/T companies.
5. $2.8M in SOCOM MFA funds and $.71M in PCCF to develop deployable SOF task group elements w/i Hungary, Romania, and Slovakia in support of U.S. and coalition operations.
6. To date, SecState has only expressed support for Libya border security with Tunisia, Algeria, Niger, Chad, and Egypt. Plus support for Nigeria border security with Niger, Chad, and Cameroon. Plus support for the Philippines. As of 15 Aug 2012, this is the go-ahead for interagency planning.

"1203" Authority to Build the Capacity of Certain Counterterrorism Forces in Yemen and East Africa

Description: Authorized assistance by DoD during FY2013 and 2014 until GSCF becomes operational

Purpose: Provide equipment, supplies, training, and assistance for minor military construction as follows:

1. Not more than $75M in assistance to enhance the capacity of:
    a. National military forces, security forces serving a similar defense function, and border security forces of Djibouti, Ethiopia, and Kenya to conduct counterterrorism operations, and
    b. National military forces participating in the African Union Mission (AUM) in Somalia to conduct counterterrorism operations, -- all against al-Qaeda, its affiliates, and al-Shabaab.
2. Not more than $75M in assistance to enhance the ability of the Yemen Ministry of Interior counterterrorism forces to conduct counterterrorism operations against al-Qaeda and its affiliates in the Arabian Peninsula

Authorization: Section 1203, NDAA, FY 2013, P.L.112-239, 2 Jan 2013

Appropriation:

FY2013-2014 -- $150M annually from DoD O&M

Guidance:

1. SecState concurrence is required
2. This transitional authority is for the period until the "1207" GSCF becomes operational
3. Congressional notification is required 30 days prior to obligating any funds under this authority
4. This authority essentially replaces the temporary and now expired [and sturck] FY2012 "1207(n)" GSCF transitional program of NDAA, FY2012, P.L.112-81, 31 Dec 2011

Countries Eligible: Yemen, Djibouti, Kenya, and Ethiopia, and countries participating within the AUM in Somalia

Value of Program: Not more than $150M annually during FY2013 and 2014

Restrictions:

1. Any assistance provided to Yemen under this authority requires an advance 30-day congressional notification in which both SecState and SecDef certify in writing that use of this authority is important to U.S. national security interests
2. No assistance is to be provided which is otherwise prohibited by law
3. Minor construction may not exceed $10M annually each for Yemen and the East Africa country group

4. No type of assistance is to be provided to a country that is otherwise prohibited by law
5. This transitional authority is for FY2013 and FY2014 only or when SecState determines all necessary guidance the "1207" GSCF has been issued and processes for implementation are established and fully operational, whatever is earlier.
6. Minor construction authority is subject to provisions of 10 USC 2805(c) which restricts any one project to not more than $750,000, or $1M for a project intended to solely correct a deficiency that threatens life, health, or safety.

Key Players: Country Team (SCO), USCENTCOM, USAFRICOM, USSOCOM, DoS and DoD, USDP/ASD-SOLIC/DSCA, Implementing Agencies

Execution: IAW DSCA Policy 12-41 (SAMM E-Change 205) of 27 Sep 2012, already established 1206 procedures are to be used by the CCMDs and IAs in the development and execution of 1203 projects.

Example:

1. Congress was notified on 15 Jun 12 to provide $75M in assistance to Yemen MOI to include NVDs, HMMWVs, Mortar systems and small arms, ammo, body armor, minor construction in Aden and al-Anad, and various training in equipment operations and C/T.
2. Congress was initially notified during FY12 to provide $41.4M in assistance to include vehicles, comm eqmt, batteries and chargers, medical supplies and training to Burundi; minor construction to Djibouti; UAS, training, and minor construction to Kenya; vehicles, small arms, maritime mobility eqmt, comm eqmt, minor construction, medical supplies, and operations training to Uganda. All four countries are also to receive human rights training from DIILS.

Pakistan Counterinsurgency Fund (PCF)

Description: Provide DoD funding assistance to Pakistan security forces to build the counterinsurgency capability of Pakistan's military and Frontier Forces.

Purpose: To include program management and the provision of equipment, supplies, services, training, and funds; and to facility and infrastructure repair, renovation, and construction.

Authorization: Section 1224, NDAA, FY2010, as amended, P.L.111-84, 28 October 2009

Appropriation:

1. $400,000,000, avail thru FY2010, Supplemental Appropriations Act, 2009, Title III, P.L.111-32, 24 June 2009
2. $800,000,000, avail thru FY2013, DoD Appropriations Act, 2011, Div. A, Title IX, P.L.112-10, 15 April 2011

Guidance:

1. This is in addition to any other assistance to foreign nations.
2. For SecDef, in concurrence with SecState, for such assistance.
3. SecDef may transfer such funding to DoD operation and maintenance; procurement; research, development, test and evaluation; defense working capital accounts, and to the DoS PCCF account to accomplish the same stated purposes of the fund.
4. DoS PCCF funds may also be transferred into the DoD PCF account for implementation
5. Any transfer of funding requires a 15-day advance notification.
6. Obtain diplomatic 505 agreement

Countries Eligible: Pakistan

Value of Program: $473 million in pseudo LOA agreements during FY2010, generally of DoS PCCF in funding origin

Restrictions:

1. During FY2013, not more than 40 percent of PCF may be obligated or expended until a detailed report is submitted to Congress regarding Pakistani commitments for effective use of the assistance and metrics to be used to track progress in meeting U.S. strategic objectives, to include attacking IED networks and cooperating with U.S. counterterrorism efforts

Key Players: In-country CENTCOM commanders, country team (including the SCO), USCENTCOM, ASD/SOLIC, DSCA (if pseudo LOAs are used), SecState

Execution:

1. U.S. country team and military commanders determine requirements
2. Endorsement by USCENTCOM
3. Technology transfer decisions if required

4. Implementing agency proposed pseudo LOA
5. SecState concurrence
6. Congressional notification, if required

Example: DoD training, support equipment, and supplies to establish an air assault capability within Pakistan

"1208" Support of Special Operations to Combat Terrorism

Description: DoD funding to support foreign forces, irregular forces, groups or individuals in support of U.S. special forces

Purpose: Enable foreign forces engaged or facilitating ongoing operations by U.S. special forces

Authorization: Section 1208, NDAA, FY2005, as amended, P.L.108-375, 28 October 2004

Appropriation: None. Currently up to $50,000,000 in annual DoD O&M funding for special operations

Guidance:

1. Authority to implement is not to be delegated below the Secretary of Defense
2. Requires the concurrence of the applicable U.S. Chief of Mission

Countries Eligible: As requested by USSOCOM and approved by SecDef

Value of Program: Not more than $50,000,000 in support annually through now FY2015

Restrictions:

Key Players: Theater SOCOM CDR, USSOCOM, CCMDs, COM, ASD (SO-LIC)

Execution: This program is not implemented using the pseudo LOA process

Example: Transportation, training, and/or equipping of foreign forces in support of U.S. special operations. Recently reported as a "classified spending account" in use within Libya to assist Libyan forces to operate along with U.S. forces conducting C/T.

Non-Conventional Assisted Recovery Capabilities (NCARC) Assistance

Description: Provide the CCMD a capability to recover DoD or USCG military and civilian personnel who become separated or isolated from their units and are unable to rejoin them during military operations

Purpose: May include the provision of limited amounts of equipment, supplies, training, transportation, or other logistical support or funding to foreign forces, groups, or individuals in order to facilitate the recovery of such U.S. personnel

Authorization: Section 943, NDAA, FY2009, as amended, P.L.110-417, 14 October 2008

Appropriation: None

Guidance:

1. Authorizes the use of up to $20,000,000 annually in DoD O&M
2. 10 U.S.C. 167, 10 U.S.C. 1501, DoDD 3002.01, and DoDI 2310.6 apply
3. SecDef is to establish such procedures and notify Congress within 72 hours of using such authority
4. Initial determination is by the CCMD with the concurrence of the relevant COM

Countries Eligible: As recommended by the CCMD and approved by SecDef

Value of Program: Up to $20,000,000 annually through FY2015

Restrictions:

1. Not implemented using pseudo LOA procedures
2. Specifically not for "1206" purposes
3. Not to provide assistance that is otherwise prohibited by any other provision of law, including the control of exports of defense articles and services

Key Players: CCMD, USSOCOM, COM, SecDef, USDP (CoS), ASD/SO-LIC, DAS (POW/MPA), Joint Staff/J-7, Joint Personnel Recovery Agency (JPRA)

Execution:

Example: NORTHCOM provided fuel, equipment, and logistics services to the Mexican Armed Forces for support in a search and rescue (SAR) operation involving missing USCG personnel in the Gulf of Mexico

Acquisition and Cross-Servicing Agreement (ACSA)

Description: Provision of minor U.S. logistics support to foreign military forces generally on a reciprocal basis

Purpose: By international agreement, authorizes the mutual support of each other's military units when U.S. commercial sources are not reasonably available

Authorization: 10 U.S.C. 2341-2350

Appropriation: DoD O & M, to conducted a reimbursable basis with cash, assistance-in-kind, or supplies and services of equal value

Guidance: DoDD 2010.9, CJCSI 2120.01, and International Cooperation in AT&L handbook, Section 5.3.2

Countries Eligible: Originally authorized with NATO countries, later extended to other allied/friendly countries, to include now to over 100 different countries

Value of Program:

Restrictions:

1. The pseudo LOA process is not used for implementation
2. Advance notification and approvals are required before CCMDs enter into ACSA agreements
3. Significant military equipment (SME) is not to be transferred via ACSAs

Key Players: CCMD, Joint Staff, SecDef (USDP), SecState

Execution:

1. CCMD proposes the agreement
2. SecDef, Joint Staff, SecState concurs
3. Congress is notified prior to agreement negotiation and conclusion

Example: Routine fuel, minor repair parts and services, bed-down, and port services for visiting forces during exercises or operations. Further defined within 10 USC 2350.

"1202" Significant Military Equipment (SME) Loans to Certain Forces

Description: Provision of SME to coalition forces in Afghanistan or during peacekeeping operations using ACSA procedures

Purpose: Temporary authority to loan certain SME for up to one year to coalition forces

Authorization: Section 1202, NDAA, FY2007, as amended, P.L.109-364, 17 October 2006

Appropriation: None. No-cost loan.

Guidance:

1. Limited to the following categories of SME in the USML:
    a. Cat I – Small arms (.50 caliber or less)
    b. Cat II – Guns greater than .50 caliber
    c. Cat III – Ammunition for Cat I and II weapons
    d. Cat VII – military vehicles (less tanks)
    e. Cat XI – military electronics other than fire control
    f. Cat XIII – EW hardware associated with detection of military articles
2. No-cost loan of equipment for up to one year
3. Authority through 31 Dec 2014
4. This program is not implemented using pseudo LOA procedures

Countries Eligible: Coalition partners in Afghanistan or in peacekeeping operations

Value of Program: N/A, no-cost loan

Restrictions:

1. Must be determined by SecDef and SecState that it is in the U.S. national security interest, and
2. There are no unfilled U.S. in-theater requirements for the articles to be loaned
3. No loans of classified or sensitive technology items

Key Players: CCMD, Joint Staff, SecDef (USDP), SecState, Director of Int"l Cooperation (IC)

Execution:

1. Supporting and supported commanders determine the SME need for coalition forces
2. Country team (and SCO) of partner nation might be a part of determining this need
3. Joint Staff, SecDef (USDP), and SecState concurs and approves the loan
4. DepSecDef Memo of 25 Nov 11 delegated management to IC in AT&L in coordination with CCMDs, DTSA, and Mildeps

Example: MRAPs and other vehicles plus various small arms and communication articles to Afghan coalition partners

DoD Participation in European Program on Multilateral Exchange of Air Transportation and Air Refueling Services (ATARES Program)

Description: Authorizes DoD participation the Movement Coordination Centre Europe Air Transport, Air-to-Air Refueling and other Exchanges of Services (ATARES) program

Purpose: Provide mutual airlift and inflight refueling services

Authorization: Section 1276, NDAA, FY2013, P.L.112-239, 2 Jan 2013

Appropriation: DoD O&M

Guidance:

1. Authority is to expire five years after the date SecDef enters into the written agreement with the Movement Coordination Centre Europe, with the concurrence of SecState.
2. Participation is limited to the reciprocal exchange or transfer of air transportation, air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of equal value.
3. Any accrued credits and liabilities resulting from an unequal exchange or transfer shall be liquidated not less than once every five years.
4. SecDef may assign U.S. military or DoD civilian personnel for duty at the Movement Coordination Centre Europe from among members and personnel within billets authorized for USEUCOM.
5. Additional information can be viewed at https://www.mcce-mil.com/Pages/MCCE-Background.aspx.

Countries Eligible: Participant countries within the ATARES program

Value of Program:

Restrictions:

1. U.S. balance of executed flight hours whether as credits or debits may not exceed 500 hours
2. U.S. balance of executed flight hours for air refueling may not exceed 200 hours.
3. An annual fiscal year report on U.S. participation in ATARES is to be submitted by the SecDef to Congress

Key Players:

Execution: Yet to be promulgated. Will require an international agreement and likely to be managed by EUCOM/J4. Initially to include in-theater C-130s.

Example:

No-Cost Transfer of Defense Articles to Military and Security Forces of Afghanistan

Description: No-cost transfer of in-theater defense articles to Afghanistan

Purpose: Provide up to $250 million (replacement value) each fiscal year through 31 Dec 2014 in U.S. defense articles in Afghanistan as of 2 January 2013 to Afghanistan, and provide defense services in connection with the transfer of such articles.

Authorization: Section 1222, NDAA, FY2013, P.L.112-239, 2 Jan 2013
Appropriation: N/A, no-cost
Guidance:

1. The original authorization of Section 1234, NDAA, FY2010, P.L.111-84, 28 Oct 2009, for no-cost transfers to Iraq or Afghanistan now expired on 31 December 2012
2. Requires the concurrence of SecState and a 15-day prior notification to Congress
3. A quarterly report is to be provided to Congress once the transfers begin
4. This authority is in addition to the grant EDA transfer authority IAW Section 516, FAA, during FY 2013 and 2014.
5. Military and security forces are defined to include national armies, national air forces, national navies, national guard forces, police forces, and border security forces, but not to include nongovernmental or irregular forces such as private militias.
6. ASD/Logistics & Materiel Readiness Memo of 5 Aug 2013, provides the latest consolidated guidance regarding in-country Afghanistan MilDep retrograde, SC FMS/Grant EDA, excess property, and final disposal guidance.

Countries Eligible: Afghanistan
Value of Program: $250,000,000 (replacement value) each fiscal year
Restrictions:

1. Articles are no longer needed by U.S. forces in Afghanistan
2. Articles were used in support of operations in Afghanistan
3. Articles were in Afghanistan as of 2 Jan 2013
4. No transfers are to take place until 15 days after a report to Congress regarding the articles and those articles to be drawn down from Afghanistan
5. EDA LORs are to be submitted NLT 1 Oct 2013.
6. EDA and excess property are to be transferred "as is-where is."

Key Players: In-theater USCENTCOM CDRs, country teams (including SCOs), USCENTCOM, SecDef (USDP/DSCA), MilDeps, DLA, SecState

Execution:

1. In-theater U.S. forces Cdrs, COMs, and SCOs determine needs
2. USCENTCOM endorses requirements
3. SecDef (USDP), in concurrence with SecState, approves transfers
4. In-place diplomatic 505 agreement required prior to transfer

Example: No longer needed support equipment transferred to Afghanistan forces

Logistic Support for Allied Forces in Combined Operations

Description: DoD funding of logistics, supplies, and services to allied forces during combined operations (sometimes referred to as "global lift and sustain")

Purpose: Authorizes DoD to fund logistics support to coalition partners in support of their participation in combined operations

Authorization: 10 U.S.C. 127(d)

Appropriation: Up to $100,000,000 annually in DoD O &M

Guidance:

1. Requires concurrence of SecState
2. Transfers are to be IAW the AECA and other export control laws
3. The combined operations may include active hostilities or as a part of a contingency operation or noncombatant operation, to include provision of humanitarian or foreign disaster assistance, a country stabilization operations or peacekeeping.

Countries Eligible: As determined by SecDef with the concurrence of SecState

Value of Program: $100,000,000 annually

Restrictions:

1. Must be determined that the supported forces are essential to the success of the combined operation
2. Must also be determined that such forces could not participate without such U.S. support
3. Annual report from SecDef, in coordination with SecState, regarding the use of this authority for the previous fiscal year

Key Players: Supported and supporting CCMDs with applicable country teams (including SCOs), in-theater U.S. Cdrs, SecDef (USDP), SecState

Execution:

1. Requirement determined in-theater by U.S. Cdr in conjunction with the country team
2. Supported CCMD endorsement
3. Supporting CCMD nomination in coordination with supplying country team (SCO)
4. Joint Staff and SecDef approval
5. SecState concurrence
6. Notification to Congress as may be required by export laws

Example: U.S. in-theater logistics support to coalition partner forces deployed in support of the combined operation; i.e., DoD logistics support to NATO forces during operations in Libya

"1233" Coalition Support Fund (CSF)

Description: DoD reimbursement of certain countries supporting U.S. military and stability operations in Afghanistan and post-operation Iraq border security

Purpose: Use of DoD funds to reimburse key countries in Southwest Asia

Authorization: Section 1233, NDAA, FY 2008, as amended, P.L.110-181, 28 January 2008

Appropriation:

1. $1,500,000,000, to remain avail through FY2014 – Title IX, DoD Appropriations Act, 2012, Div. A, P.L.112-74, 23 December 2011
2. Per Section 1227, NDAA, FY2013, P.L.112-239, 2 Jan 2013, FY2013 funding for reimbursements and support to Pakistan may not exceed $1,200,000,000
    a. Per Section 1213(d)(2), NDAA, FY2014, P.L.113-66, 26 Dec 13, no further funding for this program is to be appropriated during FY2014 or any prior fiscal year.
3. Per Section 1207, NDAA, FY2014, P.L.113-66, 26 Dec 2013, up to $150M may be used as assistance to Jordan to increase and sustain increased security along its border with Syria.

Guidance:

1. Payments are to be made in such amounts as SecDef, with the concurrence of Sec State, and in consultation with the Director, OMB
2. Congress is to be notified 15 days prior to reimbursement
3. These funds may also be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting U.S. military operations in Afghanistan. The provision of equipment, supplies, and training under this authority is referred to and managed by DSCA as the Coalition Readiness Support Program (CRSP) and implemented using the pseudo LOA process
4. The CRSP process requires a 15-day advance congressional notification.

Countries Eligible: As determined by SecDef, in concurrence with SecState.

Value of Program: FY2014 -- $1,500,000,000 in DoD O&M

Restrictions: No funding is to be provided to Pakistan until SecDef certifies to Congress that Pakistan is providing security along the GLOCs through Pakistan for the transshipment of U.S. equipment and supplies, taking steps against terrorism in Pakistan, disrupting cross-border terrorist operations into Afghanistan, and countering the IED threat to include precursor material

Key Players: In-theater CENTCOM Cdrs with country team (including SCOs), USCENTCOM, SecDef (USDP and USDC), SecState, OMB

Execution:

1. In-theater CENTCOM Cdr initiate reimbursement recommendation
2. Country team (SCOs) provide any required detail of equipment and training if the CSRP is to be used
3. USCENTCOM endorsement
4. OSD (USDP and USDC) provide recommendation to SecDef
5. SecState provides concurrence
6. OMB is consulted
7. Congress is notified prior to any reimbursement or obligation
8. DSCA coordinates with applicable implementing agencies for CRSP pseudo FMS reimbursement.

Example: U.S. reimbursement of certain countries supporting U.S. forces in SWA; i.e., reimbursement to Azerbaijan for fuel used by U.S. forces in support of operations in Afghanistan. On 18 Dec 12, it was announced that DoD notified Congress on 7 Dec 12 of a $680M reimbursement to Pakistan for the cost of stationing troops during Jun-Nov 11 along the Afghan border.

Coalition Readiness Support Fund (CRSF)

Description: DoD reimbursement of certain countries supporting U.S. military and stability operation in Afghanistan and post-operation Iraq border security with U.S.-funded equipment, supplies, and training

Purpose: Use of DoD funds to reimburse key countries in Southwest Asia with equipment, supplies, and training

Authorization: Section 1233, NDAA, FY 2008, as amended, P.L.110-181, 28 January 2008

Appropriation:

1. $1,500,000,000, to remain avail through FY2013 – Title IX, DoD Appropriations Act, 2012, Div. A, P.L.112-74, 23 December 2011

Guidance:

1. These funds may also be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting U.S. military operations in Afghanistan. The provision of equipment, supplies, and training under this authority is referred to and managed by DSCA as the Coalition Readiness Support Program (CRSP) and implemented using the pseudo FMS process
2. The CRSP process requires a 15-day advance congressional notification.
3. CRSP is a component of the "1233" Coalition Support Fund (CSF) for the management of defense articles and services transfers.

Countries Eligible: As determined by SecDef, in concurrence with SecState.
Value of Program: FY2012 -- $106,081,000 in pseudo LOAs
Restrictions:
Key Players: In-theater CENTCOM Cdrs with country team (including SCOs), USCENTCOM, SecDef (USDP and USDC), SecState, OMB

Execution:

1. In-theater CENTCOM Cdr initiate reimbursement recommendation
2. Country team (SCOs) provide any required detail of equipment and training if the CSRP is to be used
3. USCENTCOM endorsement
4. OSD (USDP and USDC) provide recommendation to SecDef
5. SecState provides concurrence
6. OMB is consulted
7. Congress is notified prior to any reimbursement or obligation
8. DSCA coordinates with applicable implementing agencies for CRSP pseudo FMS reimbursement.

Example: Transfer of equipment, supplies or training as reimbursement to countries supporting U.S. forces in SWA. $238,000,000 in CRSP pseudo LOAs during FY2010

Assistance to the Government of Jordan for Border Security Operations

Description: Assistance to Jordan on a reimbursement basis for the purpose of supporting and maintaining efforts of the armed forces of Jordan to increase security and sustain increased efforts security along its border with Syria

Purpose: Use of DoD funds to reimburse Jordan for increased border security

Authorization: Section 1207, NDAA, FY 2014, P.L.113-66, 26 December 2013

Appropriation: Use of "1233" Coalition Support Fund (CSF) authority

Guidance:

1. This is another component of the CRF authority specifically for Jordan
2. Concurrence of Sec State is required.

Countries Eligible: Jordan

Value of Program: Not to exceed $150,000,000 in DoD O&M

Restrictions:

1. No assistance is to be provided after 31 December 2015.
2. SecDef is not to enter into any contractual obligation in providing this assistance.
3. A 15-day advance notification to Congress is required prior to providing the assistance.

Key Players: Jordan country team (including SCO), USCENTCOM, SecDef (USDP and USDC), SecState, OMB

Execution:

1. Country team (SCOs) provide any required detail of equipment and sustainment to be provided and reimbursed
2. USCENTCOM endorsement
3. OSD (USDP and USDC) provide recommendation to SecDef
4. SecState provides concurrence
5. OMB is consulted
6. Congress is notified prior to any reimbursement or obligation
7. DSCA coordinates with applicable implementing agencies if the pseudo LOA process is to be used.

Example: Yet to be provided

"1234" Logistics Support for Coalition Forces Supporting Certain U.S. Military Operations

Description: DoD funding to support coalition forces supporting U.S. military and stabilization operations in Afghanistan

Purpose: Use DoD funds to provide supplies, services, transportation (including airlift and sealift), and other logistical support to coalition partners

Authorization: Section 1234, NDAA, FY2008, as amended, P.L.110-181, 28 January 2008

Appropriation: None; however, Section 1211, NDAA, FY2012, P.L.112-81, 31 December 2011, amends Section 1234, P.L.110-181, 28 January 2008, authorizing the use of up to $450,000,000 in FY 2012 DoD O & M funding for this program. Section 1216, NDAA, FY2013, P.L.112-239, 2 Jan 13, extends the authority through FY2013 and removes Iraqi operations as being eligible. Section 1217, NDAA, FY2014, P.L.113-66, 26 Dec 2013, extends the authority through 31 Dec 2014.

Guidance:

1. SecDef must determine that such support is needed for the coalition forces that are essential to the success of a U.S. military or stabilization operation and the forces would not be able to participate in such operation without the support.
2. Such support must be IAW AECA and other export control laws.
3. SecDef is to provide a quarterly report to Congress describing such support just provided.

Countries Eligible: As determined by SecDef.

Value of Program: $450,000,000 in DoD O&M during FY2014

Restrictions: Support is to be provided IAW with the AECA and other export laws

Key Players: In-theater CENTCOM Cdrs, USCENTCOM, supporting CCMDs, applicable country teams (including the SCOs), SecDef (USDP)

Execution:

1. In-theater Cdrs determine requirements
2. Providing partner country teams (including SCOs) determine requirements
3. USCENTCOM, in coordination with supporting CCMDs, endorse requirements
4. SecDef (USDP and USDC) approve the provision of logistics
5. Pseudo LOA is not used to provide this assistance

Example: Any required U.S. airlift of partner nation military forces to Southwest Asia along with in-theater logistics support during the deployment; i.e., airlift of Finish forces between Afghanistan and Finland

Assist in Accounting for Missing USG Personnel

Description: Train and equip foreign personnel to assist in accounting for missing U.S. government personnel

Purpose: Provide equipment, supplies, services and training to any foreign nation assisting DoD with recovery of and accounting for missing U.S. government personnel

Authorization: 10 U.S.C. 408

Appropriation: None: however, up to $1,000,000 in DoD funding may be used annually

Guidance:

1. SecState must approve the provision of this assistance
2. SecDef must submit an annual report to Congress each fiscal year regarding the provision of such assistance.

Countries Eligible: As determined by SecDef with approval of SecState.

Value of Program: Not to exceed $1,000,000 annually

Restrictions: This assistance is in addition to any other authority to provide assistance.

Key Players: Country team (including the SCO), CCMD, JPAC (Hawaii), SecDef (USDP), SecState

Execution:

1. Applicable country team (SCO) determines requjirements
2. CCMD endorses the requirements
3. SecDef (USDP) forwards the requirement to SecState for approval
4. SecState approves the assistance
5. Pseudo LOA process is not used to provide this assistance

Example: In early April 2012, the U.S. Joint POW/MIA Accounting Command (JPAC) detachment in Hanoi reported the recovery one possible U.S. serviceman killed during the Vietnam War. Also stated that since 1975, 684 sets of remains have been repatriated from Vietnam with another 1,678 servicemen still unaccounted for throughout SEA, to include 1,287 in Vietnam. Generally aimed at Vietnam era but also can be used for Korean War and WWII era MIA. Recent estimates state more than 83,000 Americans remain missing from WWII, Korea, and Vietnam.

"1004" DoD Assistance for U.S. and Foreign C/N Law Enforcement Agencies

Description: Provide defense articles and services to U.S. and foreign counternarcotics (C/N) law enforcement agencies

Purpose: Provide DoD-funded assistance to law enforcement agencies as directed by ASD (SO-LIC) occasionally using the pseudo FMS process

Authorization:

1. Section 1004, NDAA, FY1991, as amended, P.L.101-510, 5 November 1990
2. Section 901, Office of National Drug Control Policy Reauthorization Act of 2006, as amended, P.L.109-469, 29 December 2006

Appropriation:

1. $1,158,893,000, Title VI, Drug Interdiction and Counter-Drug Activities, Defense, DoD Appropriations Act, FY2013, Div. C., P.L.113-6, 26 March 2013
2. $469,025,000, Title IX, Overseas Contingency Operations, Drug Interdiction and Counter-Drug Activities, Defense, DoD Appropriations Act, FY2013, Div. C, P.L.113-6, 26 March 2013

Guidance: SAMM, C15

1. Types of assistance include:
    a. Maintenance, repair, and upgrade of loaned DoD equipment
    b. Maintenance, repair, and upgrade of other equipment
    c. Transportation of personnel, including personnel of foreign countries, supplies, and equipment
    d. Establishment (included unspecified minor military construction projects) and operation of bases of operations or training facilities
    e. Counter-drug related training of law enforcement personnel of federal, state and local governments, Indian tribes, and of foreign countries, including associated support expenses for trainees and the provision of material necessary to carry out such training
    f. Detection, monitoring, and communication
    g. Construction of roads, fences, and installation of lighting
    h. Establishment of command, control , and computer networks
    i. Provision of linguists and intelligence analysis services
    j. Aerial and ground reconnaissance.
2. SecDef is authorized to prescribe regulations to the Chief, NGB, to establish , operate or provide financial assistance to the States to establish and operate not more than five National Guard counterdrug schools and to expend not more than $30,000,000 in each fiscal year in DoD "1004" O&M to support these schools. The authorized schools include:
    a. The Multi-Jurisdictional Counterdrug Task Force Training (MCTFT), St. Petersburg, FL
    b. The Midwest Counterdrug Training Center (MCTC), Johnston, IA

c. The Regional Counterdrug Training Academy (RCTA), Meridian MS
d. The Northeast Regional Counterdrug Training Center (NCTC), Fort Indiantown Gap, PA
e. The Western Regional Counterdrug Training Center, Camp Murray, WA

3. ASD (SO-LIC) may obtain this assistance directly from the mildeps and other agencies, or from the existing FMS infrastructure with DSCA using SAMM, C15, pseudo LOA procedures to obtain defense articles, services, and training.

Countries Eligible: Law enforcement agencies as determined by SecDef (USDP/ASD(SO-LIC)

Value of Program: FY2008 -- $3.7M via pseudo LOAs

Restrictions:

1. Currently authorized through FY2014
2. Support provided to non-DoD agencies on a reimbursable basis IAW CJCSI 3710.01**,** DoD Counterdrug Support, 26 Jan 2007

Key Players: Country team (SCO and NAS), CCMD, SecDef, ASD/SO-LIC, DSCA, implementing agencies

Execution:

1. Country team submits requirements to ASD/SO-LIC
2. ASD/SO-LIC either obtains the articles/services directly from the applicable mildep/agency or submits a written request to DSCA with a funding MIPR
3. The applicable implementing agency provides a SAMM, C15, pseudo LOA procedures for DSCA countersignature
4. ASD/SO-LIC conducts any required congressional notification

Example: Minor support of U.S.-origin equipment and training to foreign C/N law enforcement agencies. Support could be provided to U.S. local law enforcement agencies.

"1033" DoD Assistance for C/N Activities by Certain Countries

Description: Provide defense articles and services to selected countries for counternarcotics (C/N) purposes

Purpose: Provide DoD-funded assistance to certain countries as directed by ASD (SO-LIC) generally using the pseudo FMS process

Authorization: Section 1033, NDAA, FY1998, as amended, P.L.105-85, 18 November 1997

Appropriation: Same as Section 1004 counter-narcotics assistance

Guidance: SAMM, C15

1. Types of assistance include:
    a. Riverine patrol boats
    b. Non-lethal protective and utility personnel equipment
    c. Non-lethal specialized equipment such as night vision systems, navigation, communications, photo, and radar equipment
    d. Non-lethal components, accessories, parts, hardware, and software for aircraft or patrol boats, and related repair equipment
    e. Maintenance and repair equipment that is used for counter-drug activities
2. ASD (SO-LIC) may obtain this assistance directly from the mildeps and other agencies, or from the existing FMS infrastructure with DSCA using SAMM, C15, pseudo LOA procedures

Countries Eligible:

Afghanistan	Ghana	Mexico
Armenia	Guatemala	Nicaragua
Azerbaijan	Guinea	Niger
Belize	Guinea-Bissau	Nigeria
Benin	Honduras	Panama
Bolivia	Ivory Coast	Pakistan
Cape Verde	Jamaica	Peru
Chad	Kazakhstan	Senegal
Colombia	Kyrgyzstan	Sierra Leone
Dominican Republic	Liberia	Tajikistan
Ecuador	Libya	Togo
El Salvador	Mali	Turkmenistan
The Gambia	Mauritania	Uzbekistan

Value of Program: FY2008 -- $5.7M via pseudo LOAs

Restrictions: Currently authorized $100 million annually through FY2016

Key Players: Same as for Section 1004 assistance program

Execution: Same as for Section 1004 assistance program

Example: Non-lethal equipment and services support to combat drug production and drug transiting and those countries with significant drug money laundering activities.

"1021" Unified Counter-Drug and Counterterrorism Campaign in Colombia

Description: DoD funding of assistance to the government of Colombia to support a unified campaign by Colombia against narcotics trafficking and against activities by organizations designated as terrorist organizations

Purpose: As stated above

Authorization: Section 1021, NDAA, FY2005, as amended, P.L.108-375, 28 October 2004

Appropriation: None specifically except for the use of DoD counterterrorism and counternarcotics appropriations

Guidance:

1. The Leahy human rights vetting process prior to U.S. support of security forces is to be applied.
2. This assistance includes authority to take actions to protect human health and welfare in emergency circumstances including the undertaking of rescue operations.
3. No combat activities is allowed by U.S. mil/civpers or U.S. contractors except for self-defense or during rescue operations
4. The number of U.S. personnel in support of Plan Colombia is limited to 600 milpers and 600 U.S. citizen contractors.
5. This authority is in addition to any other assistance authority for Colombia

Countries Eligible: Colombia

Value of Program:

Restrictions: This authority is currently valid through FY2014

Key Players: Country team (including SCO and NAS), USSOUTHCOM, SecDef, USDP (ASD/SO-LIC)

Execution:

1. Country team and deployed military Cdr submits requirements
2. CCMD endorses
3. SecDef (USDP//ASD/SO-LIC) approves request

Example: U.S. support of Colombian forces combating both drug producing and terrorist organizations. Limits U.S. direct participation.

"1022" Joint Task Forces to provide Support to Law Enforcement Agencies Conducting Counter-Terrorism Activities

Description: A joint DoD task force that provides support to counter-drug law enforcement agencies may also provide support to counterterrorism law enforcement agencies

Purpose: As stated

Authorization: Section 1022, NDAA, FY2004, as amended, P.L.108-136, 24 November 2003

Appropriation: Only an authority

Guidance: This authority is subject to all applicable laws and regulations

Countries Eligible: As determined by SecDef

Value of Program: Only an authority

Restrictions: This authority is currently valid through FY2015

Key Players: Law enforcement agencies (not specifically defined by law), SecDef (USDP//ASD/SO-LIC)

Execution:

1. Request by law enforcement organization generally to ASD/SO-LIC for SecDef (USDP) approval. Could include requests from U.S. federal or local agencies.
2. The applicable implementing agency is tasked to provide the support.
3. Pseudo LOA procedures are generally not used.

Example: DoD provision of military equipment, services or training to law enforcement agencies.

International Armaments Cooperation

Description: U.S. bilateral and multilateral agreements with allied and friendly countries to share in the development, funding, and production of mutually required weapons systems or components

Key Considerations:

- Cost and technical data sharing for development of shared weapons systems or components
- Implemented with an international agreement
- Managed by the DoD and MilDep acquisition communities
- In most cases, a delegation of disclosure authority must be identified or obtained
- U.S. personnel assigned to cooperative countries
- The principal practical reference guidance is International Armaments Cooperation Handbook, 7th Edition, May 2012, provided by the Office of International Cooperation, within the organization of the Under Secretary of Defense for Acquisition, Logistics, and Technology [USD (AT&L)]

List of Programs:

- Information Exchange Program (IEP)
- Engineers and Scientists Exchange Program (ESEP)
- Foreign Comparative Testing (FCT)
- Cooperative Research, Development, and Production
- No-cost Equipment Loans for RDT&E
- Cooperative Threat Reduction (CTR) Program
- Israeli Cooperative Programs
- International Air and Trade Shows

Information Exchange Program

Description: Exchange of technical data with other countries to further research, development, test, and evaluation (RDT&E) of a U.S. weapons system

Purpose: U.S. cost avoidance and shorten the time in the development of a U.S. weapon system

Authorization: 10 U.S.C. 2358

Appropriation: None.

Guidance:

1. Major references include:
    a. IAC Handbook, Chapter 13.
    b. DoDI 2015.4, Defense Research, Development, Test and Evaluation Information Exchange Program (IEP)
    c. DoDD 5230.11, Disclosure of Classified Military Information to Foreign Governments and International Organizations
    d. DoDD 5230.20, Visits and Assignments of Foreign Nationals
    e. DoDD 5530.3, International Agreements
2. Master Data Exchange Agreements (MDEA) are negotiated establishing general procedures and country responsibilities for the exchange of RDT&E information or technical data
3. Information Exchange Program (IEP) annexes are negotiated for specific exchanges to be conducted
4. Delegation of Disclosure Authority Letters (DDL) are issued by the designated disclosure authority for each IEP providing classification levels, categories, scope, and limitations of information to be exchanged

Countries Eligible: As determined by SecDef [USD(AT&L) and USDP (DTSA)]

Value of Program: Only an authority

Restrictions:

1. Not a program for funding, manufacturing, operational, or intelligence data, equipment transfers, personnel exchanges, or training
2. Generally only for exchange of data for an actual U.S. requirement

Key Players: Country team (SCO), CCMD, SecDef [USD(AT&L) and USDP (DTSA)], mildep (RD&A)

Execution:

1. Country team identifies and communicates the potential for an exchange
2. CCMD endorses
3. USD(AT&L) and applicable mildep (RD&A) investigates and determines to begin the international agreement process

4. USD(P)/DTSA determines the releaseability of U.S. data to be exchanged and develops any required DDL
5. SecState is advised of the agreement and notifies Congress, if required.

Example: Most elementary of the IAC programs which could lead to more advanced programs such as personnel exchanges, U.S. purchase of a country's weapons system or component, or the mutual development of a future advanced weapons system.

Engineers and Scientists Exchange Program (ESEP)

Description: Mutual exchange of military or civilian engineers and scientists generally in a permanent change of station status to become producing members of the host nation military RDT&E community.

Purpose:

1. Career enhancement program within the parent RDT&E organization
2. Improve the understanding of the other nation's technical capabilities
3. Contribute as a member of the host nation RDT&E community

Authorization: Section 1082, NDAA, FY1997, P.L.104-201, 23 September 1996

Appropriation: None, only an authority. U.S. personnel are funded by mildep RDT&E funds and the foreign personnel are funded by their own country

Guidance:

1. Major references include:
    a. IAC Handbook, Chapter 14.
    b. DoDD 5230.11, Disclosure of Classified Military Information to Foreign Governments and International Organizations
    c. DoDD 5230.20, Visits and Assignments of Foreign Nationals
    d. DoDD 5530.3, International Agreements
2. Delegation of Disclosure Authority Letters (DDL) are issued by the designated disclosure authority for each ESEP providing classification levels, categories, scope, and limitations of information to be exchanged

Countries Eligible: As determined by SecDef [USD(AT&L) and USDP (DTSA)]

Value of Program: Only an authority

Restrictions:

1. ESEPs are not an representative or liaison officer of the providing country
2. ESEPs are essentially members of the host organization but do not hold an official capacity
3. The ESEP program is not met to be a training program or a program to obtain technical data
4. ESEP exchanges need not be of the same science or engineering field or one-for-one

Key Players: Country team (SCO), CCMD, SecDef [USD(AT&L) and USDP (DTSA)], mildep (RD&A)

Execution:

1. Country team identifies and communicates the potential for an exchange
2. CCMD endorses
3. USD(AT&L) and applicable mildep (RD&A) investigates and determines to begin the international agreement process

4. USD(P)/DTSA determines the releaseability of U.S. data to be shared during the assignment and develops any required DDL
5. SecState is advised of the agreement and notifies Congress, if required.

Example: Most exchanges are with industrialized, allied countries (but not limited to) such as Australia, France, Germany, and the U.K.

Foreign Comparative Testing (FCT)

Description: Test and evaluation of foreign weapons systems or components to determine if the item could satisfy a U.S. military requirement or correct operational deficiencies.

Purpose:

1. Cost avoidance and time savings in the fielding of a U.S. weapons system or its improvement
2. Identifying and testing foreign weapons systems for possible acquisition in satisfying a current U.S. military requirement
3. Standardization and interoperability with allied and friendly countries

Authorization: 10 U.S.C. 2350(a)

Appropriation: Use of existing DoD DT&E funding for seed monies in the initial support of testing foreign weapons systems by mildep/OSD program managers

Guidance:

1. Major references include:
    a. IAC Handbook, Chapter 6.
    b. DoDD 5230.20, Visits and Assignments of Foreign Nationals
    c. DoDD 5530.3, International Agreements
    d. DoD 5000.3-M-2, Foreign Comparative Testing Program Procedures Manual

Countries Eligible: Any allied and friendly country as determined by SecDef [USD(AT&L)]

Value of Program:

Restrictions: Congress is to be notified of the intent to obtain funds for selected programs

Key Players: Country team (SCO), CCMD, SecDef [USD(AT&L)], mildep (RD&A)

Execution:

1. Country team identifies and communicates the potential for testing
2. CCMD endorses
3. Applicable mildep (RD&A)/USSOCOM investigates viability and submits request to USD(AT&L) for approval and seed money funding.
4. Applicable mildep (RD&A)/USSOCOM negotiates an agreement for FCT with the designated country
5. Congress is notified of intent to obligate U.S. funding.

Example:

Excerpted from the IAC Handbook

Sponsor	Total Projects Funded (1980-2008)	Total Meeting Sponsor's Requirements	Projects Resulting in Procurement
Army	177	84	60
Navy/Marine Corps	244	107	78
Air Force	114	53	35
USSOCOM (95-08)	50	28	24
Total	585	272	197

Table 10-1 FCT Program – Historical Results

Cooperative Research, Development, and Production

Description: Bilateral or multilateral agreement to cost-share in the development and production of a weapons system required by all participants

Purpose:

1. Cost-sharing in the fielding of a U.S. weapons system
2. Collaborative RDTE and production of a new weapons system
3. Standardization and interoperability with allied and friendly countries

Authorization:

1. Section 27, AECA [22 U.S.C. 2767] – agreement for the cost-sharing of RDTE & joint production
2. Section 65, AECA [22 U.S.C. 2796(d)] – no-cost loans of equipment for RDT&E
3. 10 U.S.C. 2350a – agreement to conduct cooperative R&D
4. 10 U.S.C. 2350l – agreement for reciprocal use of test facilities
5. 10 U.S.C. 2358 – general R&D authority and to use foreign sources as appropriate
6. Major ref: IAC Handbook, Chapter 8

Appropriation: DoD RDTE & production funding along with other countries' furnished funding

Guidance: 30-day advance congressional required prior to concluding the international agreement

Countries Eligible: SecDef (USD (AT&L) determined allied and friendly countries

Value of Program:

Restrictions:

Key Players: Country team (SCO), CCMD, USD(AT&L), USDP (DTSA), applicable mildep (RD&A), SecState

Execution:

1. Country team (SCO) identifies and communicates the potential for an agreement
2. CCMD endorses
3. USD(AT&L) and applicable mildep (RD&A) investigates and determines to begin the international agreement process
4. USD(P)/DTSA determines the releaseability of U.S. data to be shared and develops any required DDL
5. SecState is advised of the agreement and notifies Congress, if required.

Example: F-35 Joint Strike Fighter with U.K., Italy, Netherlands, Turkey, Canada, Denmark, Australia, Norway, Singapore, and Israel

No-cost Equipment Loans for RDT&E

Description: No-cost loan of defense articles

Purpose: Conduct a cooperative research, development, test, and evaluation program

Authorization: Section 65, AECA [22 U.S.C. 2796d)

Appropriation: None, only a no-cost authority

Guidance:

1. If determined as a requirement, the loaned equipment may be expended without reimbursement
2. Any test results are to be provided back to the U.S.

Countries Eligible: NATO countries and major-non NATO countries

Value of Program: None, only an authority

Restrictions:

Key Players: Country team (SCO), CCMD, USD(AT&L), USDP (DTSA), applicable mildep (RD&A), SecState

Execution:

1. Country team (SCO) identifies and communicates the potential for an agreement
2. CCMD endorses
3. USD(AT&L) and applicable mildep (RD&A) investigates and determines to begin the international agreement process
4. USDP/DTSA determines the releaseability of U.S. equipment to be shared and develops any required DDL
5. SecState is advised of the agreement and notifies Congress, if required.

Example:

Cooperative Threat Reduction (CTR) Program

Description: Eliminate or provide improved storage security to former Soviet Union (FSU) weapons of mass destruction (WMD)

Purpose:

1. Eliminate strategic offensive weapons to include nuclear, chemical, and biological weapons
2. Provide for secure transportation and storage for WMD
3. Prevent proliferation
4. Dismantle and dispose of nuclear submarines in the Russian Far East and North

Authorization:

1. Originally authorized by the NDAA, FY1991, P.L.101-510, 5 November 1990, as the "Nunn-Lugar Program" but never codified.
2. Currently authorized by Title XIII, NDAA, FY2014, P.L.113-66, 26 December 2013

Appropriation:

1. FY2013 -- $518,945,000, avail through FY2014, DoD Appropriations Act, FY2013, Div. C, P.L.113-6, 26 March 2013
2. FY2014 -- $500,455,000, avail through FY2016, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014

Guidance:

1. 15-day advance notification prior to obligation of any funds for programs other than those authorized by Section 1302(a), NDAA, FY2014, P.L.113-66, 26 December 2013.
2. The program with Russia may be in jeopardy with the Russian takeover of the Ukrainian Crimea region in 2014.
3. Russia recently closed or prohibited any activities by the DTRA (and ODC) offices in Russia.

Countries Eligible: Within the former republics of the Soviet Union but over the years only within Russia as WMD are transported into Russia or destroyed. WMD control assistance recently extended to Pakistan

Value of Program:

FY11 - $522,512,000
FY12 - $508,219,000
FY13 - $518,945,000
FY14 - $500,455,000

Key Players: **C**ountry team (SDO/DATT) Russia, USEUCOM, USD(AT&L), DTRA

Execution:

1. Country team provides annual funding requirements, via USD(AT&L)

2. USD(AT&L) validates for the budget submission
3. DTRA provides both OSD and in-country weapons expertise for execution

Example: Several countries were, as former republics of the USSR, in possession of nuclear weapons and material. These weapons were either transported to Russia for secure storage or destruction. A report on the movement of 78 KG of highly enriched uranium from the Czech Rep to Russia was published on 5 Apr 13. Nuclear weapons material has even been transported to the U.S. for destruction. Overall, 7,600 nuclear warhead were deactivated, with the destruction or elimination of 900 ICBMs, 500 silos, 680, SLBMs, and 900 nuclear ASMs. A new bi-lateral agreement for CTR was signed on 14 Jun 2013. Recently (2 Feb 14) reported the use of $45M in CTR funding to contract the rebuilding and safeguarding of the Libya chemical weapon destruction site.

Israeli Cooperative Programs

Description: DoD support of Israeli anti-missile defense capabilities

Purpose: Fund the development and acquisition of Israeli anti-missile programs

Authorization: Sec. 234, NDAA, FY14, P.L.113-66, 26 Dec 13, authorizes $15M of FY14 DoD RDT&E for the Missile Defense Agency to be provided for non-recurring costs in connection with establishment for co-production in the U.S. of parts and components for the Israeli Iron Dome short-range rocket defense program.

Appropriation:

1. FY2013 -- $480,000,000 of DoD Procurement and RDT&E by Section 8070, DoD Appropriations Act, Div. C, P.L.113-6, 26 March 2013
2. FY2014 -- $504,091,000 of DoD Procurement and RDT&E by Section 8070, DoD Appropriations Act, Div. C, P.L.113-76, 17 January 2014
3. FY2014 supplemental – additional $225,000,000 of DoD procurement by Emergency Supplemental Appropriations Resolution, 2014, P.L.113-145, 5 August 2014, available through FY2015 for additional Iron Dome missiles.

Guidance: FY2014 earmarks include the following:

1. $235,309,000 for the Iron Dome defense system to include $15M for co-production of parts and components in the U.S.
2. $149,712,000 for the short range ballistic missile defense (SRBMD)
    a. $15,000,000 of this amount shall be for production activities in Israel and the U.S.
3. $74,707,000 for the upper-tier component to the Israeli missile defense architecture
4. $44,363,000 for the Arrow system improvement program

Countries Eligible: Israel

Value of Program:

FY09 - $177,237,000
FY10 - $202,434,000
FY11 - $415,115,000
FY12 - $235,525,000
FY13 - $480,000,000
FY14 - $504,091,000 plus $225,000,000 supplemental

Restrictions: Reported within the open press and the Congressional Research Service (CRS) that the USG has no rights to the Israeli-developed technology within these programs. Additionally, there are yet no co-production arrangements between the US. and Israel within these programs. However, it was recently reported that Israel agreed to expend more than half of the Iron Dome production funding for FY2015 within the U.S.

Key Players: SecDef [USD(AT&L) and Dir. MDA], USDC

Execution: Recent press reports in Apr 2014 state Iron Dome has engaged over 700 incoming rockets since its IOC of Apr 2011 with a success rate of over 80 percent. While firing two missiles per target, Israel is now considering just one missile per target. Latest success rate for Summer of 2014 is at 90 percent.

Example: Current Iron Dome batteries and Tamir interceptors used recently by Israel against Hezbollah and Hamas Katyusha short range rockets were developed by this program

International Air and Trade Shows

Description: DoD support or participation in foreign air and trade shows

Purpose:

1. Mildep or CCMD support of international air and trade shows
2. Providing leases of military equipment to contractors for sales demonstrations to foreign governments
3. Military equipment demonstrations by a mildep to a foreign government

Authorization: Section 1082, NDAA, FY1993, P.L.102-484, 23 October 1992

Appropriation: None

Guidance: DoDI 7230.08, Lease and Demonstrations of DoD Equipment

1. DoD may provide equipment and personnel support to U.S. industry for air and trade shows provided the requested company agrees to reimburse:
    a. All incremental accompanying personnel costs to include per diem and local transportation,
    b. All incremental costs for moving the equipment to and from its normally assigned location, and
    c. Any other costs that the USG would not have incurred had the support had not been provided.
2. SecDef must determine it is in the U.S. national security interest to do so and Congress is notified of the event, arms control implications, and estimated costs to be incurred.

Countries Eligible: As determined eligible by the SecDef, but delegated to USDP (and not lower)

Value of Program:

Restrictions:

1. Leases to contractors for sales demonstrations to foreign governments: on a reimbursable basis, mildeps may lease equipment to defense contractors for demonstrations when the foreign country is determined by foreign disclosure procedures to be allowed access.
2. Similarly, when determined foreign disclosure eligible, a mildep may demonstrate DoD equipment using USG personnel.
3. If determined to be in the U.S. national security interest and on an incremental reimbursement basis, SecDef, delegated to USDP, may lease equipment to contractors for display or demonstration at international trade shows
4. When determined to be in the U.S. national security interests, DoD equipment and personnel may directly participate in international trade shows and trade exhibitions.
5. Direct USG participation in an event must be supported by the relevant Mildep, GCC and U.S. Embassy before participation is considered.

6. USG employees as trade show observers are not included in this program.
7. DSCA will support USDP in determining support for trade shows. DSCA annually publishes a listing to the mildeps of trade shows to be supported during the next fiscal year. The latest USDP approval letter for FY14 and 1st Qtr FY15 shows was published 3 Nov 2013.

Key Players: Country Team (SCO), Mildeps, CCMDs, Joint Staff, DSCA

Execution:

1. Heads of DoD components submit written proposals to DSCA for shows to support the next fiscal year with CCMD proposals submitted through the Joint Staff.
2. Mildeps approve all leases to contractors and demonstrations plus ensure foreign disclosure procedures are processed.
3. Mildeps and CCMDs are to provide a listing of equipment and personnel support provided to DSCA within 90 days after the show or exhibition

Example: Paris, Farnborough, Dubai, Singapore, etc. air and trade shows. On 17 Jun 2013, State Dept. announced the attendance of Deputy Assistant SecState along with other USG reps attended the 2013 Paris Air Show in support of over 250 U.S. defense industry companies for equipment demonstrations and displays to potential purchasers. The U.K. Farnborough show in 2014 had a similar announcement.

Director, DSCA, at the lower left side attending the U.K. Farnborough, 2014 opening ceremony.

Humanitarian Assistance Programs

Description:

- DoD support of the provision of U.S. humanitarian assistance to countries

Key Considerations:

- Conducted at the request of the affected country via the U.S. embassy to DoS
- DoD supports USAID
- DSCA administers DoD authorized programs
- Implemented by the CCMD

List of Programs:

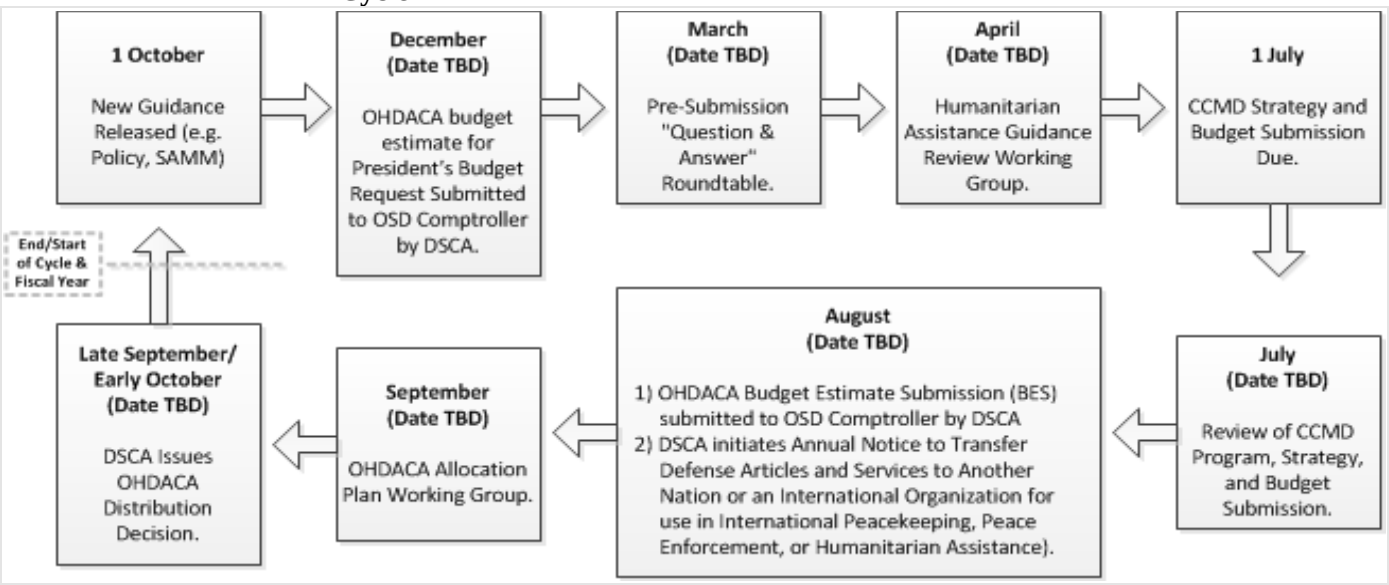
- Humanitarian and Civic Action during Military Operations
- Funded Transport of Non-Government Organization (NGO) Relief
- Space-A Transport of NGO Relief
- Foreign Disaster Relief (FDR)
- Humanitarian Daily Rations (HDR)
- Excess Property as Humanitarian Relief
- Humanitarian Demining Assistance (HDA)
- CFE in Disaster Management & Humanitarian Assistance (CFE-DMDA)
- Commander's Emergency Response Program (CERP)
- "1216" Reintegration Activities in Afghanistan
- "1217" Afghanistan Infrastructure Fund (AIF)
- "1204" Enhancement of Responses by Foreign Countries to Incidents involving Weapons of Mass Destruction

Funding: Funding can be provided by Department of State to be managed by USAID, special Sec. 506, FAA, drawdown authorities, non-governmental organizations, and, of course, DoD.

1. FY2014 DoD Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) funding – $109,500,000 from Title II, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014.

    a. The Overseas Humanitarian Assistance Shared Information System (OHASIS) is to be used as the system of record for OHDACA and other O&M-funded humanitarian activities to be funded by DoD.

Figure SAMM, C12.F1. Annual OHDACA Planning and Execution Cycle



2. FY2014 S/FOAA NADR funding for regional stability and humanitarian assistance -- $630,000,000 from Title IV, S/FOAA, FY2014, Div. K, P.L.113-76, 17 January 2014. Title VIII (OCO) provides an additional $70,000,000.

3. FY2014 S/FOAA, International Disaster Assistance – $876,828,000 from Title III, S/FOAA, FY2014, Div. K, P.L.113-76, 17 January 2014**.** Title VIII (OCO) provides for an additional $924,172,000.

4. FY2014 S/FOAA, Complex Crises Fund -- $20,000,000 from Title III, S/FOAA, FY2014, Div. K, P.L.113-76, 17 January 2014. Title VIII (OCO) provides for an additional $20,000,000.

5. FY2014 S/FOAA, Migration and Refugee Assistance – $1,774,645,000 from Title III, S/FOAA, FY2014, Div. K, P./L.113-76, 17 January 2014. Title VIII (OCO) provides for an additional $1,284,355,000.

6. FY2014 S/FOAA, Emergency Refugee and Migration Assistance Fund -- $50,000,000 from Title III, S/FOAA, FY2014, Div. K. P.L.113-76, 17 January 2014.

Humanitarian and Civic Action (HCA) during Military Operations

Description: Providing humanitarian assistance in conjunction with military operations

Purpose: Promote, as determined by SecDef or SecMilDeps:

a. U.S. security and foreign policy interests
b. Security interests of the participant country
c. Specific operational readiness skills of U.S. armed forces participants

Authorization: 10 U.S.C. 401

Appropriation: MilDep O & M

Guidance:

1. DoDI 2205.02, HCA Activities, and SAMM, C12.3.4-5
2. Receive CCMD recommendations and approval by ASD/SO-LIC
3. Require SecState approval on other than minimal cost HCA
4. Be incorporated into the CCMD security cooperation plan
5. May involve cooperation with host nation military or paramilitary elements and third party organizations such as NGO, private, or voluntary groups to establish trust and enhance relations

Countries Eligible: As determined by SecDef and SecState with the concurrence of the country team.

Value of Program:

Restrictions:

1. Not be provided directly or indirectly to any individual, group, or organization engaged in military or paramilitary activity
2. Expenses incurred as a direct result of providing HCA to a country shall be paid for using such funds specifically appropriated for such purposes
    a. Authorized expenses include the direct costs of consumables reasonably necessary to provide the HCA
    b. Expenses not authorized to be paid from HCA funds include costs associated with the military operation
    c. Other unauthorized expenses include salaries of host nation participants and per diem of U.S. forces conducting the HCA

Key Players: Country team, CCMDs, Joint Staff, ASD(SO-LIC), SecMilDeps, SecState, USAID, DSCA (HA/MA)

Execution:

1. Country team (to include COM approval) requests HCA activities

2. The Overseas Humanitarian Assistance Shared Information System (OHASIS) is to be used as the system of record for OHDACA and other DoD O & M-funded humanitarian activities. Located at https://www.ohasis.org/ohasis/login.aspx with limited access.
3. CCMD collates AOR requests and forwards to the Joint Staff
4. DSCA supports ASD/SO-LIC in the approval and management process for HCA
5. ASD/SO-LIC coordinates HCA plans with SecState and USAID
6. ASD/SO-LIC provides approval for proposal plans
7. DSCA and MilDeps coordinate the funding of HCA events
8. A mid-year (30 Apr) and end –of-the-year (1 Dec) HCA reports with a narrative assessment of overall effectiveness and long-term impact are to be provided to USDP
9. A one year advance HCA plan for next fiscal year is to be provided to USDP NLT 1 Jun.

Example:

1. Medical, surgical, dental, and veterinary care provided by Army units during Exercise Western Accord in Senegal in rural or underserved areas of a country to include education, training, and technical assistance related to the care provided.

2. Construction of rudimentary surface transportation systems

3. Well-drilling and construction of basic sanitary facilities

4. Rudimentary construction and repair of public facilities

5. Recently reported that 489 HA projects were approved for execution during CY2013at an estimated $106.1M . In response to P.I. super Typhoon Haiyan (Yolanda), $45M in OHDADA was provided to USPACOM resulting in delivery of over 2,000 tons of relief supplies and the movement of about 20,000 survivors

Funded Transport of NGO Relief

Description: DoD funding of transport of humanitarian relief cargo for non-profit, NGO and private volunteer

Purpose: Provide for contracted carriers for humanitarian cargo worldwide

Authorization: 10 U.S.C. 2561

Appropriation: OHDACA
Guidance:

1. SAMM, C12.7
2. Cargo must be humanitarian in nature and not include hazardous, political, or religious material
3. Minimum cargo is required to fill a 20-foot container at about 35,000 pounds and 1,200 cubic feet
4. Funded transportation is from place of origin to the recipient country
5. The donor requests transportation using the Overseas Humanitarian Assistance Shared Information System (OHASIS) at http://hatransportation.ohasis.org.
6. DSCA will coordinate with DoS for review of the request

Countries Eligible: As determined by SecDef and SecState

Value of Program:

Restrictions:

1. Cargo cannot be sent to military or paramilitary organization unless the organization provides a specific service to the civilian population
2. Normally delivered "door" to "port of entry." Door-to-door is by exception normally reserved for urgent, critical medical support.

Key Players: Donor, DoD (DSCA), DoS, contracted carrier

Execution:

1. Donor submits detailed request using the OHASIS to DSCA
2. After review, DSCA submits request to DoS for coordination
3. DSCA provides approval to the donor
4. DSCA contracts and funds the transportation
5. DSCA (HA/MA) provides assistance to the donor, contracted carrier, and DoS throughout the transportation process.

Example: Medical equipment and supplies, foodstuffs, and other quality of life items from a donor for transport to a developing African country undergoing extreme drought and/or poverty. FY2012 OHDACA funded $4.8M in 10 USC 2561 authorized HA transportation support to include response to earthquake in Turkey, flooding in Thailand, and winter emergency in Montenegro.

Space-A Transport of NGO Relief

Description: DoD provides space available USG transportation of NGO furnished humanitarian assistance cargo [also referred to as the Denton Program]

Purpose: Provide transportation of humanitarian cargo at no-cost to the donor or the recipient country

Authorization: 10 U.S.C. 402

Appropriation: None

Guidance:

1. SAMM, C12.7
2. Generally the same guidance as the previous Funded Transportation Program.
3. Cargo minimum is 2,000 pounds with a maximum of 75,000 pounds
4. The delivery is generally from a CONUS aerial port to a recipient country aerial port

Countries Eligible: As determined by SecDef (DSCA) and SecState/USAID

Value of Program:

Restrictions:

Key Players: Donor, USAID, Dos, DSCA, Joint Staff/J4, USTRANSCOM, country team (USAID rep)

Execution:

1. Donor submits request for DoD space-A transportation using OHASIS
2. USAID processes the request to include contacting the country team, obtains SecState approval, and forwards to DSCA for action.
3. DSCA processes the request and forwards to the Joint Staff/J4 for transportation
4. Joint Staff tasks USTRANSCOM to identify space and coordinate the movement of cargo to port of embark
5. Country team USAID meets the flight and transfers the cargo to the in-country recipient

Example: An NGO collects medical supplies and equipment for a developing country but cannot obtain transportation and opts for the USG Denton transportation program. Recent announcement of Denton authority used for a USAF reserve C-17 flight departing WPAFB on 14 Jun 13 with “Kids Against Hunger” NGO meals (540,000 rations) for Haiti.

Foreign Disaster Relief (FDR)

Description: DoD supports DoS/USAID in providing disaster relief assistance to a country experiencing a manmade or natural disaster with the threat to human lives

Purpose: Assists USAID in providing material and transportation support

Authorization: 10 U.S.C. 404

Appropriation: OHDACA and the various DoS disaster assistance programs

Guidance:

1. DoDD 5100.46, 6 Jul 12, and SAMM, C12.9
2. Assistance is only provided when requested by both the country and the country team
3. DoS and USAID determines if DoD is to be requested
4. DoD FDR may be funded using ODHACA or USAID may fund DoD transportation support
5. Does not apply to consequence management for chemical, biological, radiological, nuclear, or high-yield explosive incidents (see DoDI 2000.21)

Countries Eligible: As determined by the President to SecState/USAID, and supported by DoD (CCMDs)

Value of Program:

Restrictions:

1. Congress is to be notified NLT 48 hours after commencement of FDR activities
2. IAW 10 U.S.C. 2561, Congress is to be notified NLT 15 days after commencing transportation of FDR to sanctioned countries.

Key Players: Country, country team (COM), DoS, USAID, OSD [ASD/SO-LIC) and DSCA (HA/MA), Joint Staff/J4, MilDeps, USTRANSCOM, CCMDs

Execution:

1. Country requests U.S. FDR generally to the COM
2. Country team (COM) declares a disaster and submits FDR requirements to DoS/USAID
3. USAID begins assistance and determines if DoD assistance is required
4. ASD(SO-LIC), under the direction of SecDef and USDP, approves and coordinates any request from USAID and forwards to DSCA
5. DSCA identifies sources or supply assistance and forwards transportation requirements to the Joint Staff/J4. Funding requirements are to be identified and reported to USD (SO-LIC) and USDC/CFO.
6. The Joint Staff tasks USTRANSCOM for transportation support
7. Any resource support from the MilDeps and CCMDs are determined by the Joint Staff

Example: Significant DoD support of USAID FDR to Haiti after its massive 2010 earthquake to include transportation, communications, services, supplies, and funding. Using OHDACA funding, DoD assistance to the Philippines resulting from the Dec 2012 Typhoon Pablo has included redirection of the Balikatan 2013 combined exercise planning personnel to FDR. Two C-130s were provided from Okinawa to transport personnel and supplies within P.I. U.S. JSOTF-P likewise is providing assistance to PI. USAID FDR has included $15M in funding assistance over the past five years to include TS Ondoy in 2009, Typhoon Juan in 2010, TS Sendong in 2011, and currently Typhoon Pablo in 2012. During 2012, USAID has provided over $4.1M to PI for disaster risk reduction activities.

Humanitarian Daily Rations (HDR)

Description: Provide immediate food rations to a country experiencing manmade and natural disaster

Purpose: Acquire and store inexpensive culturally acceptable food rations for immediate delivery after a disaster is declared and full-up FDR is still in development

Authorization: 10 U.S.C. 2561

Appropriation: OHDACA

Guidance:

1. SAMM, C12.9.3.2.2
2. An individual HDR has 2,200 calories, weigh 30 ounces, meatless and fortified with vitamins
3. Developed to maintain the health of moderately malnourished recipients until conventional FDR can start or resume.
4. Guidance process is generally the same as for FDR

Countries Eligible: As determined by SecDef and SecState

Value of Program:

Restrictions:

Key Players: Country, country team, DoS, USAID, SecDef (ASD/SO-LIC) and DSCA (HA/MA), Joint Staff/J4, USTRANSCOM

Execution:

1. Country requests U./S. country team for assistance
2. Country team declares a disaster and forwards request to DoS/USAID for assistance
3. USAID validates the request for immediate HDRs
4. ASD/SO-LIC approves the request and directs DSCA to fulfill
5. DSCA forwards a request for transportation of the HDRs to the country
6. Joint Staff/J4 directs USTRANSCOM, funded by DSCA OHDACA, to provide airlift of the FDRs

Example: Developing country experiences a disaster and requires immediate food aid (HDRs) for isolated populations to be delivered before the traditional FDR process can act. During 2012, about 200,000 rations of Halel MREs were provided to the Free Syrian Army for refugee assistance. On 30 Apr 2013, a C-17 delivered Halel MREs to the Free Syrian Army along with combat medical packs.

Excess Property as Humanitarian Relief

Description: Provide excess non-lethal supplies as humanitarian assistance requested by the country team

Purpose: DoD provides refurbished excess non-lethal equipments and supplies for humanitarian purposes

Authorization: 10 U.S.C. 2557

Appropriation: OHDACA

Guidance:

1. SAMM, C12.6
2. ASD/SO-LIC chairs the Humanitarian Assistance Policy Committee (HAPC) to determine priorities
3. The HAPC membership includes CCMDs, DoS, DLA, DSCA, Joint Staff/J4, and any regional ASDs
4. The Humanitarian Assistance Program – Excess Property (HAP-EP) has three staging locations to collect, refurbish, store, and arrange for transportation when directed – all with the use of OHDACA funding:
    a. Marines Corps Logistics Base, Albany GA in support of OSD, USSOUTCOM, USCENTCOM, and USNORTHCOM
    b. USAREUR in support of USEUCOM
    c. USARPAC in support of USPACOM.

Countries Eligible: As determined by SecDef and SecState

Value of Program:

Restrictions:

1. Any provided property must primarily benefit recipient country civilians
2. The property is donated without warranties or guarantees and no donated follow-on support
3. The property cannot be sold by the recipient government
4. The property can be donated to the military only if used for civilian purposes

Key Players: Country team, CCMD, DSCA, ASD/SO-LIC, HAPC

Execution:

1. Country team submits request to the CCMD via OHASIS for validation and collation
2. CCMD forwards request to DSCA for staffing within the HAPC for allocations
3. DSCA forwards the approval to the CCMD for implementation along with any OHDACA funding for transportation

Example: Excess DoD furniture or technical equipment for recipient country use in schools, orphanages, clinics, etc. Excess construction equipment, generators, shelters, and emergency vehicles for developing countries. FY2012 OHDACA funded $2.9M in 10 USC 2557 authorized HA support to include six 40-foot sea vans of school and medical supplies and equipment to Mali, twelve 40-foot sea vans of school furniture to Georgia, five 40-foot sea vans of household goods to Kenya, and eleven 40-foot sea vans of medical supplies to Jamaica.

Humanitarian Demining Assistance (HDA)

Description: Provide demining equipment and training to developing countries

Purpose: DoD provides demining and ordnance disposal equipment, supplies and training to developing countries with live ordnance still present

Authorization: 10 U.S.C. 407

Appropriation: $10 million of annual OHDACA funding is earmarked for HDA

Guidance:

1. SAMM, C12.8 and CJCSI 3207.01B
2. Such assistance requests are provided to the National Security Council for determining whether assistance is to be provided and if DoS or DoD is to provide the assistance
3. NSC convened the Policy Coordinating Committee Sub-Group on Humanitarian Mine Action (PCCSG/HDA) to determine the providing of demining assistance

Countries Eligible: As determined by the National Security Council

Value of Program:

Restrictions:

1. U.S. armed forces are not to engage in the detection, lifting or disposal of landmines or any other ordnance
2. Congress is provided a report NLT 1 March annually to describe HDA activities conducted the previous fiscal year

Key Players: Country, country team, DoS, NSC, ASD/SO-LIC, DSCA (HA/MA), CCMD

Execution:

1. Country submits request to the country team
2. The country team forwards for request to DoS
3. The PCCSG/HDA is convened to determine assistance to be provided
4. Either DoS funds and provides the demining assistance or the task is assigned to DoD
5. CCMD develops a course of action for the mine/ordnance removal support
6. The Joint Staff, USSOCCOM, CCMD, and the country coordinate the plan for demining/ordnance equipment and training support
7. OSD approves the CCMD plan and directs execution of the assistance plan.
8. DSCA supports ASD/SO-LIC any budgeting proposal for demining-related assistance

Example: This is excerpted from the most recently received report by DSCA to Congress.

A. During FY 2011, 10 U.S.C. 407 authorized DoD to provide supplies, equipment, and services (SE&S) to participating Host Nations in a worldwide amount not to exceed $10 million. SE&S support during FY 2011 totaled $1,039,000.

HOST NATION (HN)	TOTAL COST ($000)	SE&S COST ($000)	TYPE HMA ACTIVITY[1]
Albania	124	68	1,4
Burundi	155	25	2
Chad	190	36	2
Democratic Republic of the Congo (DRC)	305	67	2, 3
Ecuador	191	182	3
Estonia	427	399	2,3
Kenya	175	21	2
Mozambique	326	40	1,2,3
Namibia	165	40	2
Peru	24	24	1,3
Romania	149	111	1,3
Tanzania	185	26	3,4
Country Totals	2,416	1,039	
Humanitarian Demining Training Center (HDTC)	191		
Grand Total	2,607	1,039	

B. There were no countries in FY 2011 where HMA assistance was not provided because of an insufficient number of Department of Defense personnel.

Note 1: HMA is comprised of five complementary activities or 'pillars': 1) infrastructure development for HN mine action agencies, 2) ERW and landmine education and risk reduction, 3) demining (survey/marking/mapping, clearance, and quality assurance/control), 4) training in 'victims' assistance (i.e., first responder, surgical and nursing care, etc.) and, 5) program and assessment visits to monitor and improve the effectiveness of all aspects of the first 4 pillars.

A recent figure for CY2013 was 33 demining projects approved at an estimated $5.13M

Center for Excellence in Disaster Management & Humanitarian Assistance (CFE-DMHA)

Description: Provide and facilitate education, training, and research in civil-military operations, particularly operations that require international disaster management and humanitarian assistance and operations that require coordination between DoD and other agencies

Purpose:

1. Host and participate in courses and seminars conducted both in-country or in-residence focusing on the delivery of knowledge and sharing of information between humanitarian assistance and disaster relief (HADR) practitioners.
2. Exercise leadership in conducting applied research that enhances the effectiveness of military HADR operations and informs key decision makers.
3. Provide support to military exercise planner staffs.
4. Provide subject matter expertise (SME) in HADR operations and exercises.
5. Provide expertise during HADR response operations. The COE is not an operational first responder organization.
6. Has developed and published on-line country disaster response handbooks for Bangladesh, Vietnam, Nepal, Indonesia, and Thailand.

Authorization: 10 U.S. Code 182

Appropriation:

1. Primary source is DoD O&M
2. Additional funds are provided by participating countries, USG agencies, international organizations, and NGOs
3. Section 8093, DoD Appropriations Act, 2003, P.L.107-248, 23 Oct 2002, authorizes the use of CFE funds to pay the expenses of providing or facilitating COE training and education for appropriate military and civilian personnel of foreign countries.

Guidance:

1. Initially authorized in 1997 as a Center for Excellence (CFE).
2. Directly reports to USPACOM and is located at Camp Smith, Hawaii.
3. Generally in support of HADR activities in the PACOM AOR but is expanding to global activity support.

Countries Eligible: As determined by SecDef (ASD/SO-LIC) and USPACOM

Value of Program:

Restrictions: While HADR subject matter experts in support of operational commanders or organizations, not a "first responder"

Execution: View web site at http://www.coe-dmha.org or e-mail frontoffice@coe-dmha.org, or phone 1-808-433-7035 for additional organization information to include references, best practices repository, or events such as on-going or future HADR courses, workshops, and conferences.

Example: CFE-DMHA recently co-hosted with the Indonesian National Armed Forces (TNI) a senior multilateral capstone pandemic influenza conference in Jakarta. Also recently conducted humanitarian assistance response training (HART) to USG military and civilian, NGO, and partner nation personnel on board USNS Mercy (T-AH-19) while enroute to its medical and humanitarian civic action mission in Southeast Asia.

Commander's Emergency Response Program (CERP)

Description: U.S. military commanders in Afghanistan carry out small scale urgent relief humanitarian relief requirements or reconstruction

Purpose:

1. Provide immediate humanitarian relief resulting from terrorism in Afghanistan
2. Provide an immediate and direct benefit to the people of Afghanistan

Authorization: Section 1201, NDAA, FY2012, as amended, P.L.112-81, 31 December 2011

Appropriation:

1. FY2012 -- $400,000,000 of Army appropriated O & M, Section 9005, DoD Appropriations Act, P.L. 112-74, 23 December 2011; however, later NDAA, FY2012, authorizes the use of DoD O & M (vice Army).
2. FY2013 – Section 1221, NDAA, FY2013, P.L.112-239, 2 Jan 2013, reauthorizes CERP but only $200M of Army O&M was appropriated during FY2013.
3. FY2014 – Section 1211, NDAA, FY2014, P.L.113-66, 26 December 2013, reauthorizes CERP at $60M but only $30M of Army O&M was appropriated by P.L.113-76 during FY2014.

Guidance:

1. NLT 30 days after enact of NDAA, FY2012, SecDef is to provide Congress a copy of the guidance issued to commanders in Afghanistan regarding the use of CERP funds.
2. Any modification to this guidance is to be provided to Congress NLT 15 days after issuance.

Countries Eligible: Afghanistan

Value of Program:

Restrictions:

1. NLT 15 days before obligating funds, Congress is to be notified of any CERP project exceeding $5,000,000 in total anticipated cost
2. No CERP project is to exceed $20,000,000 in value.

Key Players: SecDef, USCENTCOM, in-theater commanding general, local commanding officers

Execution: See guidance and restrictions.

Example: A local village experiences significant property and life or limb damage from either terrorists or accidental U.S. friendly fire.

"1216" Reintegration Activities in Afghanistan

Description: Reintegration of former insurgents into Afghanistan society

Purpose: Return former terrorists into productive Afghan citizens

Authorization: Section 1216, NDAA, FY2011, as amended, P.L.112-383, 7 January 2011

Appropriation:

1. $35,000,000 of DoD O&M during FY2013
2. $25,000,000 of DoD O&M during FY2014

Guidance:

1. NLT 30 days after enact of NDAA, FY2011, SecDef was to provide Congress a copy of the guidance issued regarding the allocation of such funds to include a mechanism for the coordination of this program with the GOA and other U.S. departments and agencies, and also a mechanism to track rates of recidivism of participants.
2. Any modification to this guidance is to be provided to Congress NLT 15 days after issuance.
3. Program progress reports are to be provided to Congress every 180 days

Countries Eligible: Afghanistan

Value of Program: $25M

Restrictions:

1. FY2013 funds must be obligated no later than 31 Dec 2013
2. FY2014 funds must be obligated no later than 31 December 2014.

Key Players: SecDef, USCENTCOM, in-theater commanding general

Execution:

Example: Turning a captured or surrendered insurgent into a positive and productive Afghan citizen. USG and Japan has jointly sponsored, managed, and funded a series of reintegration projects in Afghanistan.

"1217" Afghanistan Infrastructure Fund (AIF)

Description: Development of infrastructure projects in Afghanistan

Purpose: SecDef work jointly with SecState to restore or improve the civil infrastructure in Afghanistan.

Authorization: Section 1217, NDAA, FY2011, as amended, P.L.111-383, 7 January 2011

Appropriation:

1. $400,000,000 -- Section 1217, NDAA, FY 2011, as amended, P.L.111-383, 7 January, extends the use of FY2011 AIF funding through FY2012, and any appropriated FY2012 funds available through FY2013.
2. Section 1219(1)(B), NDAA, FY2013, P.L.112-239, 2 Jan 2013, authorizes up to $350M in FY2013 DoD O&M available through FY2014 for AIF.
3. Title IX, DoD Appropriations Act, FY2012, P.L.112-74, 23 December 2011, provides an additional $400,000,000 for FY2012 AIF funding (available through FY2013).
4. Title IX, DoD Appropriations Act, FY2013, P.L.113-6, 26 March 2013, provides $325,000,000 for FY2013 AIF (avail through FY2014).
5. Title IX, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014, provides $199,000,000 for FY2014 AIF (avail through FY2015).

Guidance:

1. DoD and State jointly develop projects to improve Afghanistan infrastructure
2. DoD will only implement the project if DoS jointly determines that DoD should implement the project
3. DoD funds the project
4. This authority is in addition to any other like projects
5. DoD and DoS may accept gifts such as funding, services, grant, or otherwise for the AIF program.

Countries Eligible: Afghanistan

Value of Program:

1. $325M for FY2013
2. $199M for FY2014

Restrictions:

1. SecDef shall notify Congress NLT 30 days prior to obligating or expending funds or transferring funds to DoS for any such project
2. Any unexpended funds transferred to DoS for a AIF project shall return to DoD

Key Players: SecDef, SecState, USCENTCOM, in-theater DoD commanders, and in-theater USAID reps

Execution:

Example: Types of AIF projects may include:

1. Water, power, and transportation projects
2. Other projects in support of the counterinsurgency strategy in Afghanistan

"1204" Authority to Conduct Activities to Enhance the Capability of Foreign Countries to Respond to Incidents involving Weapons of Mass Destruction

Description: Enhancement of first responders in countries bordering Syria in respond to potential WMD incidents

Purpose: SecDef, with the concurrence of SecState, may provide assistance to the military and civilian first responder organizations of countries that share a border with Syria to enhance the capability of such countries to respond effectively to potential incidents involving WMD in Syria and the surrounding region.

Authorization: Section 104, NDAA, FY2014, P.L.113-66, 26 December 2013

Appropriation: Any DoD O&M funding annually appropriated for the Defense Threat Reduction Agency (DTRA)

Guidance:

1. If such assistance is to exceed $4M in a fiscal year, Congress is to be notified.
2. Any funding made available for assistance beginning in one fiscal year may extend into the next fiscal year
3. No assistance may be provided after FY2017.

Countries Eligible: Any country determined by SecDef with the concurrence of SecState with advance congressional notification.

Value of Program: As determined and notified

Restrictions:

Key Players: SecDef, SecState, DTRA, Country team (SCO), CCMDs, any in-theater DoD commanders

Execution: To be determined.

Example:

Training and Education

Description: Other training and education provided by DoD to other countries

Key Considerations:

- DoD-authorized, sometimes DoD or MilDep-funded
- Normally administered by DSCA
- Students screened and nominated to SCO or DAO
- DoD authorized, with concurrence of DoS, to provide computer-based training to country-approved students

List of Programs:

- Regional Defense Combating Terrorism Fellowship Program (CTFP)
- Regional Centers for Security Studies (RCSS)
- Attendance at Military Academies
- Military Academy Exchange Program
- Attendance at the USCG Academy
- Electronic Distribution of Training Material
- Aviation Leadership Program (ALP)
- LATAM Cooperation
- African Cooperation
- Distinguished Visitor Orientation Tours (DVOT)
- Reciprocal, No-charge Professional Military Education (PME) Student Exchanges
- Reciprocal, No-charge Flight Training School
- Participation of Foreign and U.S. Military and Civilian Defense Personnel at No-charge in Post-Under-Graduate Flying and Tactical Leadership Training and Integrated Air and Missile Defense Training at Locations in Southwest Asia
- Reciprocal, No-charge Unit Exchanges

Regional Defense Combating Terrorism Fellowship Program (CTFP)

Description: DoD funding of international student attendance in counterterrorism courses

Purpose: Provide funding assistance for international attendance at:

1. Military or civilian educational institutions
2. Regional centers
3. Conferences
4. Seminars

Authorization: 10 U.S. Code 2249c

Appropriation: None. Use of DoD O&M

Guidance: IAW DoDI 2000.28, 14 Nov 2013:

1. Funding is allocated by ASD(SO-LIC)
2. Program is administered by DSCA using TMS
3. Students are nominated by the country team (SCO) with CCMD endorsement to be approved at the annual CCMD -sponsored SCETWG

Countries Eligible: As approved by ASD(SO-LIC)

Value of Program: $35,000,000 annually

Restrictions:

1. Overall funding remains available to expire at the end of the fiscal year
2. Managed using established IMET procedures
3. Funding may be used for a class beginning in one fiscal year but extending into the next fiscal year
4. No funding of equipment for foreign governments, construction purposes, lethal training, joint combat exercises, social events, or participation of USG personnel unless they are course or training event administrators or instructors.

Key Players: Country team (SCO), CCMD, ASD(SO-LIC), DSCA, MilDeps

Execution:

1. Country team nominates student(s) to attend specific course
2. GCC endorses nomination
3. ASD(SO-LIC) allocates funding by country
4. Quotas are filled at the annual SCETWG
5. MilDeps provide the training
6. DSCA manages the program throughout the year using TMS

Example: A country experiencing terrorism receives training in a DoD counterterrorism institution or attends a DoD-sponsored counterterrorism conference.

Regional Centers for Security Studies (RCSS)

Description: DoD regional security studies centers for U.S. and international forums

Purpose:

1. International venues for bilateral and multilateral research, communications and exchange of ideas
2. A center has been established for each overseas CCMD AOR**,** to include:
    a. George C. Marshall European Center for Security Studies in Germany
    b. Asia-Pacific Center for Security Studies in Hawaii
    c. William J. Perry Center for Hemispheric Defense Studies in Wash, D.C.
    d. Africa Center for Strategic Studies in Wash, D.C.
    e. Near East South Asia Center for Strategic Studies in Wash, D.C.

Authorization: 10 U.S.C. 184

Appropriation: Annual DoD O&M provided for each center

Guidance:

1. Tuition is on a reimbursable basis
2. Each center has an international faculty and staff
3. Tuition may be waived by SecDef for developing country participants when determined to be in U.S. national security interests
4. Up to $1,000,000 during FY2014 may be waived for NGO attendance [Sec. 1094(b), NDAA, FY2014, P.L.113-66, 26 December 2013]

Countries Eligible: As determined by SecDef

Value of Program:

Restrictions:

Key Players: Country team (SCO), CCMD, regional ASDs, DSCA

Execution:

1. Country team (SCO), CCMD, or regional ASD provides nomination to attend a course or conference
2. The applicable center accepts the nomination
3. DSCA manages the funding process throughout the fiscal year

Example: In coordination with ASD(ISP) and USEUCOM, the director of the Marshall Center announces an upcoming seminar on strategic airlift capabilities. The applicable country teams (SCO) nominate individuals from his country to attend. The director accepts the nomination.

Attendance at Military Academies

Description: International students to attend a U.S. military academy

Purpose: Provide invitations to countries to enroll qualified prospective officer candidates to attend a U.S. military academy to receive an undergraduate college education

Authorization:

1. 10 U.S.C. 4344(a)(1) for the U.S. Military Academy
2. 10 U.S.C. 6957(a)(1) for the U.S. Naval Academy
3. 10 U.S.C. 9344(a)(1) for the U.S. Air Force Academy

Appropriation: None.

Guidance:

1. DoDD 1322.22, Services Academies
2. Each MilDep may provide up to sixty quota at any one time may attend an academy
3. Unless otherwise approved, not more than three students from one country may be enrolled at a single academy
4. During June prior to the upcoming school year, USDP will publish the eligible countries to the MilDeps and applicable USDAOs
5. After the USDP determination and announcement, the Superintendents will extend application invitations in August prior to the school year to the USDAOs with admission instructions

Countries Eligible: As determined by USDP

Value of Program:

Restrictions:

1. Tuition is generally reimbursable; however, USDP may waive part or all with costs to be absorbed by the MilDeps.
2. Security assistance training or funding procedures are not used.

Key Players: USDP, MilDeps, country team (DAO), military academies

Execution:

1. USDP announces eligible countries
2. Academy superintendents provides invitations for admission
3. USDAOs provides the invitations with admission instructions to the country

Example: 58 students from 32 countries, many already commissioned in their navies, are enrolled at the USNA during 2012-13. The USNA has graduated more than 400 students from 70 countries since 1863. Currently in 2013, four each from Georgia and Tunisia and three each enrolled from Lebanon, Singapore, RoK, and Taiwan.

Military Academy Exchange Program

Description: International reciprocal exchange of military academy students

Purpose: Provides the opportunity for international military cadets to attend U.S. academies on a short-term basis to receive exposure to U.S. undergraduate education in a military environment, establish long-term relationships, and a positive view of the U.S. The same opportunities are provided to the U.S. academy student to experience an education in an international environment.

Authorization:

1. 10 U.S.C. 4345 for the U.S. Military Academy
2. 10 U.S.C. 6957a for the U.S. Naval Academy
3. 10 U.S.C. 9345 for the U.S. Air Force Academy

Appropriation: None. MilDep O & M

Guidance:

1. To be conducted on a reciprocal one-for-one basis
2. International travel costs are to be funded by the participating country(s)
3. Other costs are funded by the MilDep to the extent comparable to the support normally provided to the U.S. cadet
4. Conducted by international agreement
5. The MilDep may each authorize up to one hundred students annually for the reciprocal exchanges for each academy.

Countries Eligible: As determined by SecDef and the SecMilDeps

Value of Program:

Restrictions:

1. Security assistance training and funding procedures are not used.
2. This exchange program is not to exceed $1,000,000 annually in costs for each academy.
3. Sequestration is negatively affecting this program with either cuts or cancellations.

Key Players: MilDeps, academy superintendents, country team (SCO)

Execution: Generally conducted on a mil-to-mil basis at the MilDep level among the limited number of international military academies

Example: USNA goal is to send more than 700 U.S. middies abroad to include semester studies abroad, exchange cruises, overseas immersion programs, and to travel on faculty-led trips.

Attendance at the USCG Academy

Description: International students to attend the U.S. Coast Guard Academy

Purpose: Provide invitations to countries to enroll qualified prospective officer candidates to attend the USCG academy to receive an undergraduate college education

Authorization: 14 U.S.C. 195

Appropriation: None

Guidance:

1. Not more than 36 international students may enroll at the USCG Academy
2. USCGA web site at http://.cga.edu/admissions under International Cadets provides information, standards, processes, and timelines for selection

Countries Eligible: As determined by the Secretary of Homeland Security

Value of Program:

Restrictions:

1. Normally conducted on a reimbursable basis, unless waived with the use of limited USCG funding
2. Security assistance training and funding procedures are not used.

Key Players: Secretary of Homeland Security, superintendent of the USCGA, country team (USDAO)

Execution:

1. Secretary of Homeland Security announces eligible countries
2. Academy superintendent provides invitation for admission
3. USDAO provides the invitation with admission instructions to the country

Example: A young, educated English-speaking officer candidate shows promise to be successful as an undergraduate student and is navy/coast guard career material. The country's navy is generally equivalent in size and mission as the USCG. Attendance at the USCG academy appears to be the answer for his further education and establishing a long-term positive relationship with the U.S. To date in 2013, 117 international cadets from 37 countries have graduated from the Academy with 19 currently enrolled.

Electronic Distribution of Training Material

Description: International students enroll in DoD distance learning courses

Purpose: To allow international students to enroll in DoD distance learning courses, to include computer-based training, advance distributed training, and computer-assisted training. The overall goal is to develop and enhance allied and friendly military and civilian capabilities for multinational operations and exercises.

Authorization: 10 U.S.C. 2249d

Appropriation: None

Guidance: Participation by international students must be approved by the student's government.

Countries Eligible: As determined by SecDef with the concurrence of SecState

Value of Program:

Restrictions: As in the case of traditional classroom training, technology transfer and releasability authorities must be considered.

Key Players: Country team (SCO), MilDep, U.S. training organization

Execution:

1. Country team (SCO) forwards country request to enroll in a distance learning course
2. Applicable mildep approves the request
3. Applicable training organization enrolls the student.

Example: A country's security cooperation management organization urgently needs security cooperation training and cannot obtain an immediate CONUS classroom quota. The country requests that the student be allowed to enroll in a basic DISAM distance learning course. An example DL lesson would be the writing of LORs with enrollment and access using the DISAM web site.

Aviation Leadership Program (ALP)

Description: Obtain undergraduate pilot training with any associated training

Purpose: Provide grant pilot training, any associated training to include language training to friendly, less-developed countries

Authorization: 10 U.S.C. 9381 - 9383

Appropriation: None. USAF O&M funded.

Guidance:

1. DoDI 2010.12
2. Managed and priced as if an IMET program, but is not a security assistance funded program
3. Limited in the number of participants.
4. Is SAF-funded to include tuition and a living allowance

Countries Eligible: As determined by SecDef with concurrence of SecState

Value of Program:

Restrictions: As in the case of traditional S.A. training, technology transfer and releasability authorities must be considered.

Key Players: Country team (SCO), CCMD, DSCA, SAF

Execution:

1. Country team (SCO) forwards ALP request to CCMD for endorsement and forwarding to SAF
2. Managed within the S.A. training environment using TMS procedures

Example: A lesser-developed country air force has a young bright career potential officer who is an ideal candidate for flight school. However, the country cannot afford the tuition and per diem required for the necessary English language and flight school training. The country desperately needs qualified pilots to support coalition operations with the U.S.

LATAM Cooperation: Payment of Personnel Expenses

Description: Provide funding assistance to Latin America students during U.S. training

Purpose: Allow the use of DoD funding for the tuition and per diem expenses during U.S. training or education

Authorization: 10 U.S.C. 1050

Appropriation: None. DoD or MilDep O&M

Guidance:

1. Waiving of training and per diem costs for Latin American students, with the applicable MilDep absorbing the costs
2. Waiver is generally determined (or requested for later approval) at the USSOUTHCOM SCETWG
3. Normally, the training is provided using the TMS process

Countries Eligible: As determined by SecDef (DSCA) and the applicable MilDep

Value of Program:

Restrictions:

Key Players: Country team (SCO), USSOUTHCOM, DSCA, applicable MilDep

Execution:

1. Request is forwarded by the SCO to USSOUTHCOM for endorsement
2. DSCA and, more importantly, the applicable MilDep agrees to fund the student

Example: A lesser-developed Latin America country has a star candidate for critical U.S. training. However, the country cannot afford the tuition and per diem expenses for the student to receive advanced U.S. training. The country has been very supportive of peacekeeping and humanitarian assistance in Haiti and the provision of access to exercising U.S. forces.

African Cooperation

Description: DoD funding assistance for USAFRICOM security cooperation

Purpose: Authorizes the use of DoD and MilDep funds in support of security cooperation programs in Africa

Authorization: 10 U.S.C. 1050a

Appropriation: DoD and MilDep O&M

Guidance:

Countries Eligible: As determined eligible by SecDef as recommended by USAFRICOM

Value of Program:

Restrictions:

Key Players: Country team (SCO), USAFRICOM, MilDeps

Execution:

1. SCO identifies funding deficiencies precluding partner nation participation in security cooperation and passes to USAFRICOM
2. USAFRICOM validates as necessary and requests funding from the applicable MilDep(s)
3. Funding is provided and forwarded to the SCO for use by the partner nation

Example: Authorized expenses may be paid to African officers and students to include:

1. Travel
2. Subsistence
3. Special compensation
4. Any other expenses determined necessary for cooperation in Africa

Distinguished Visitor Orientation Tours (DVOT)

Description: Reimbursement of U.S. military officer expenses assigned as tour directors during orientation visits by international personnel

Purpose: Provides authority to use Title 22 security assistance funding to reimburse actual expenses of U.S. military officers assigned as tour directors

Authorization: Section 636(g)(2), FAA [22 U.S.C. 2396(g)(2)]

Appropriation: S/FOAA funding for Part II programs authorized by the FAA [22 U.S.C. 2151, et. seq., and by the AECA [22 U.S.C. 2751, et. seq.]

Guidance:

1. SAMM, C10.8.5.1
2. Generally authorizing the use of IMET and FMFP funding to reimburse military officers assigned as tour directors in connection with orientation visits of foreign military and related civilian personnel.
3. DVOTs are for those senior officers below the position of Chief of Staff of a service and are not to exceed 14 calendar days in length and consist of not more than five visitors.
4. Orientation tours are for those senior officers in the position of Chief of Staff of a service or higher and are to be funded by the sponsoring DoD organization. OTs should not exceed seven members in size.
5. Visits by international military cadets to U.S. service academies are not authorized for IMET funding.

Countries Eligible: Those countries allocated IMET and FMFP funding

Value of Program:

Restrictions:

Key Players: SCO, CCMD, DSCA

Execution:

1. Country is authorized to receive a VIP tour generally in the U.S.
2. The SCO is required to provide an escort officer
3. A request is submitted via the CCMD to the applicable MilDep to use IMET or FMFP funding allocated to the country
4. DSCA approves the use of this funding to cover the expenses of U.S. tour director

Example: It is determined important by the SCO, CCMD, and MilDep that the developing partner nation conducts a whirl wind tour of U.S. installations with the group consisting of senior military officers and civilian personnel. The purpose of the tour is to establish relationships and also see and learn from viewing U.S. training facilities. None of the personnel have been to the U.S. before thus requiring a U.S. escort/tour director to ensure transportation, living services, and

access. The use of a SCO member already fluent in the country's language appears to be the best choice for the tour director duty. The SCO is not routinely funded to conduct this type of service.

Reciprocal, No-charge PME Student Exchanges

Description: One-for-one no-cost exchange of military personnel to attend professional military education (PME) institutions in the U.S.

Purpose: Provides the opportunity for both U.S. and international military personnel to experience education and other international exposure at each other's PME institutions at no-cost.

Authorization: Section 544(a), FAA [22 U.S.C. 2347c(a)]

Appropriation: None.

Guidance:

1. SAMM, C10.7.8.1
2. Does not include attendance at the military academies
3. Conducted with an international agreement at specific PME institutions
4. Agreements are generally negotiated at both the DoD and MilDep levels
5. Each country is to absorb any living expenses for their student(s)
6. The exchange is reciprocal to be completed in the same fiscal year

Countries Eligible: As determined by SecDef

Value of Program:

Restrictions: International agreements for the exchange are to be in-place prior to the exchange

Key Players: Country team (SCO), CCMD, MilDep, DSCA

Execution:

1. DSCA and MilDeps specify what institutions are considered PME
2. Country team (SCO) forwards request for a reciprocal, no-cost exchange at a PME institution to the CCMD for endorsement
3. DSCA and applicable MilDep (or DoD agency) determine if necessary international agreements for the exchange are in-place. If not, then agreement negotiations must take place and be approved.
4. Once the agreements are approved, then the exchange offer may be accepted for implementation.

Example: USAF currently (FY13) has ten year PME student exchange agreements with Australia, Belgium, RoK, Norway, and Spain with an unfilled agreement with Argentina.

Reciprocal, No-charge Flight Training School

Description: One-for-one no-cost exchange of military personnel to receive flight training in the U.S.

Purpose: Provides the opportunity for both U.S. and international military and defense civilian personnel to experience training and other international exposure within each other's flight training programs (to include test pilot training) at no-cost.

Authorization: Section 544(b), FAA [22 U.S.C. 2347c(b)]

Appropriation: None

Guidance:

1. SAMM, C10.7.8.3
2. Conducted with an international agreement
3. Agreements are generally negotiated at both the DoD and MilDep levels
4. Each country is to absorb any living expenses for their student(s)
5. The exchange is reciprocal to be completed in the same fiscal year

Countries Eligible: As determined by SecDef

Value of Program:

Restrictions:

1. International agreements for the exchange are to be in-place prior to the exchange
2. Technology transfer issues must be considered and resolved

Key Players: Country team (SCO), CCMD, MilDep, DSCA

Execution:

1. Country team (SCO) forwards request for a reciprocal, no-cost exchange at a U.S. flight school to the CCMD for endorsement
2. DSCA and applicable MilDep determine if necessary international agreements for the exchange are in-place. If not, then agreement negotiations must take place and be approved.
3. Once the agreements are approved, then the exchange offer may be accepted for implementation.

Example: The partner country has a well-functioning modern flight school program and, for interoperability purposes, wants to attend the comparable U.S. flight school but at no-cost. The applicable U.S. MilDep and related flight community have indicated an interest and support for the exchange. The CCMD is willing to strongly endorse the exchange.

Participation of Foreign and U.S. Military and Civilian Defense Personnel at No-charge in Post-Under-Graduate Flying and Tactical Leadership Training and Integrated Air and Missile Defense Training at Locations in Southwest Asia

Description: Participate in cooperative post-graduate flight training and tactical leadership programs and integrated air and missile defense training at locations in Southwest Asia without charge to the participating countries

Purpose: Provide no-cost advanced flight training and tactical leadership programs and integrated air and missile defense training to Southwest Asia countries.

Authorization: Section 544(c), FAA [22 U.S.C. 2347c(c)]

Appropriation: None

Guidance:

1. No IMET funding is to be used for this program.
2. The cooperative program is to be conducted by international agreement for equitable contribution of support and services from each participant country which can be waived for U.S. national security interests.
3. Any costs incurred by the U.S. shall be charged to the current applicable appropriations accounts or funds of the participating USG agencies.
4. U.S. participants may include military and civilian defense personnel.
5. Such training must satisfy common requirements with the U.S. for post-graduate flying and tactical leadership training.
6. "And integrated air and missile defense training" was added to this cooperative SWA training program by Section 1233, NDAA, FY2014, P.L.113-66, 26 December 2013.

Countries Eligible: As determined by the President

Value of Program:

Restrictions:

Key Players: Country team (SCO), CCMD, MILDEP(s), DSCA, and other participating USG agencies and cooperative partner nations

Execution: Similar to previous reciprocal, no-charge flight training school but to also include agreements with other USG agency and partner nation participants.

Example: Certain NATO countries and USG agencies collaborate with DoD in providing flight training to selected SWA country potential air force pilots. This authority is not widely used.

Reciprocal, No-charge Unit Exchanges

Description: One-for-one unit exchanges for training

Purpose: Provides for the opportunity for both U.S. and international military units to experience training opportunities at each other's facilities and country environment at no-cost

Authorization: Section 30A, AECA [22 U.S.C. 2770a]

Appropriation: None.

Guidance:

1. SAMM, C10.7.8.2
2. Conducted with an international agreement between the applicable MilDeps
3. The training is completed on a reciprocal no-cost basis with each mildep providing comparable training, transportation, logistics, and other related support to each unit.
4. The mutual training exchange must take place within one year.
5. Should the partner country fail to provide comparable training to the U.S. unit, then the U.S. must be reimbursed for the provided training and support provided by the U.S.

Countries Eligible: As determined by SecDef

Value of Program:

Restrictions: However, each country is responsible for their own student TLA.

Key Players: Country team (SCO), CCMD, MilDep, DSCA

Execution:

1. Country team (SCO) forwards the unit exchange training request directly to the applicable MilDep
2. The MilDep negotiates and enters into a training exchange agreement
3. A congressional report is required annually NLT 1 February to include the unit exchange training conducted the previous fiscal year to include the cost of the training and other expenses experienced by the USG and the participant country.

Example: The SCO notes that the partner nation has a very professional unit with certain skills that might be of value to a comparable U.S. unit. Or the partner unit is lacking in certain skills that could be improved upon with U.S. training. Example skills could include cold weather training, mountain training, jungle training, or desert training.

Combined Exercises

Description: U.S. defense forces conduct an exercise with one or more countries

Key Considerations:

- Implemented by GCC with U.S. embassy approval
- Conducted for the benefit of U.S. forces; however…
  - Promotes goodwill and interoperability
- Normally funded by each country, but…
  - DoD, in consultation with DoS, authorized to fund certain expenses

List of Programs:

- Joint Staff -Sponsored Exercise Program
- Exercise-Related Construction (ERC)
- Joint Combined Exchange Training (JCET)
- Developing Country Combined Exercise Program (DCCEP)
- Defense Health Program

Joint Staff -Sponsored Exercise Program

Description: Conduct periodic or one-time combined command post or field exercises with one or more countries.

Purpose: Evaluate U.S. (and participant) readiness and interoperability and promote influence with countries

Authorization: 10 U.S.C. 153

Appropriation: DoD O&M

Guidance:

1. Under the overall direction of the Joint Staff to be conducted by the CCMDs and their assigned forces
2. Section 8057, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014 (as in prior years), requires "Leahy human rights vetting" before U.S. exercises take place with a country's security force unit(s).
3. U.S. general purpose forces (GPF) may train with both military and other security forces of a country if determined by SecDef to be in the U.S. national security interests. [Section 1203, NDAA, FY2014, P.L.113-66, 26 December 2013]
    a. Concurrence of the SecState is also required along with a 15-day advance notification to Congress.
    b. A mildep or CCMD may pay or authorize payment for incremental expenses of a participant country not to exceed $10,000,000 each fiscal year.
    c. Incremental expenses are defined to mean "reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the training."
    d. Incremental costs are further defined to "not include pay, allowances, and other normal costs of such country's military or security force personnel."
    e. Security forces are defined to include national security forces that conduct border and maritime security but no to include civilian police.
    f. This authority expires on 30 September 2017.

Countries Eligible: As determined by SecDef with recommendations from the Joint Staff and CCMDs.

Value of Program:

Restrictions:

1. Significant advance planning by the country team in support of the partner nation, GCC, and components command participants is required.

Key Players: Country, country team (SCO), CCMD, CCMD components, Joint Staff

Execution:

1. Country requests to exercise with U.S. forces

2. SCO determines host nation capabilities, obtains COM endorsement, and forwards to the CCMD
3. CCMD endorses and forwards to the Joint Staff
4. Joint Staff concurs
5. CCMD component participants being planning process with country participants
6. Leahy vetting process takes place just before execution.

Example:

1. USEUCOM Exercise Baltic Operations to include both NATO and non-NATO participants
2. USPACOM Exercises Foal Eagle with South Korea and Cobra Gold with Thailand
3. USCENTCOM Exercise Bright Star with Egypt was cancelled because of coup issues
4. USAFRICOM Exercise African Lion with Morocco
5. USPACOM RIMPAC exercises with a myriad of countries in the AOR to include for the first time the PRC in the near future

Forty-two ships and submarines representing 15 partner nations maneuver at a close formation during the Rim of the Pacific, or RIMPAC, exercise Friday, July 25, 2014. The exercise, which originated in 1971 and has been held every two years since 1974, is the world's largest international maritime exercise, according to the U.S. Navy's Pacific Fleet. This year, 55 vessels, 200 aircraft and 25,000 personnel participated.

Exercise-Related Construction (ERC)

Description: Limited overseas construction by U.S. forces in support of a combined exercise

Purpose: Deploy U.S. construction forces to conduct minor construction overseas in support of exercising U.S. combat forces

Authorization: 10 U.S.C. 2805

Appropriation: DoD O&M

Guidance:

1. CJCSI 4600.02A, ERC Program Management, 18 Mar 11
2. CJCSM 3500.03C, App C to Encl M, Exercise Related Construction, 15 Jan 11
3. Construction is to enhance the overall effectiveness of the exercise, enhance troop quality of life, and evaluate and increase operational readiness
4. The construction is used by U.S. forces but typically remains intact for host nation use after U.S. departure
5. U.S. and/or partner nation(s) engineer units and construction contracts may be used
6. Interoperability benefits from exercising with partner engineer units during the construction
7. The Joint Staff/J4/ED manages the ERC program through the CCMD engineer divisions
8. Section 8058, DoD Appropriations Act, FY2012, Div. A, P.L.112-74, 23 December 2011 (as in prior years) requires "Leahy human rights vetting" before U.S. exercises take place with a country's security force unit(s).

Countries Eligible: As determined by SecDef with recommendations from the Joint Staff and CCMDs.

Value of Program:

Restrictions: Any construction must be related to the overall exercise

Key Players: Country team (SCO), CCMD, Joint Staff, CCMD construction/engineer components

Execution:

1. SCO forwards any country requests for alongside or integrated exercises with U.S. construction units
2. SCO determines if there is to be any utility of any construction remaining after the exercise
3. CCMD forwards any endorsed construction elements to JCS/J4 within a combined exercise

Example:

During the combined Beyond the Horizon – El Salvador 2013, the state of Maine Army National Guard, along with participation from other states and the country of Colombia, constructed three new schools and bathrooms in Sonsonate, El Salvador.

Joint Combined Exchange Training (JCET)

Description: Deployment of U.S. special operations forces (SOF) for the dual purposes of self-exercising and training partner nation counterparts

Purpose: Provide deployment opportunities for U.S. SOF to enhance:

1. Combat skills
2. Instructor skills
3. Language proficiency
4. Cultural immersion

Authorization: 10 U.S.C. 2011

Appropriation: DoD and USSOCOM O&M

Guidance:

1. Though the purpose of the JCET is to train U.S. SOF, incidental no-cost training of partner forces will accrue
2. Section 8057, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014 (as in prior years) requires "Leahy human rights vetting" before U.S. exercises take place with a country's security force unit(s).

Countries Eligible: As determined by SecDef with recommendations from Joint Staff and USSOCOM

Value of Program:

Restrictions: Significant oversight of JCETs is required by OSD and Congress

Key Players: Country, country team (SCO), CCMD, CCMD SOF component, USSOCOM, Joint Staff

Execution: Same as for Combined Exercises except the SOF unit is under USSOCOM operational control with advisory control to the CCMD

Example: SOF units routinely deploy to developing countries for language skill training and cultural immersion not normally available. SOF secondary role in training would prove invaluable to a developing country special operations organization and skills.

Developing Country Combined Exercise Program (DCCEP)

Description: DoD funding of developing country participation in a combined exercise with U.S. forces

Purpose: Authorized use of DoD funding to support a developing country participation in a combined exercise

Authorization: 10 U.S.C. 2010(d)

Appropriation: DoD O&M

Guidance:

1. Joint Staff managed in coordination with the applicable GCC(s)
2. CJCSM 3500.03C, Joint Training Manual; for the Armed Forces of the United States, Appendix D, Enclosure M, 15 Jan 2011
3. Expenses to be funded generally includes transportation, rations, fuel, and training ammunition
4. Can fund exercise participation that begins in one fiscal year and carries over into the next fiscal year

Countries Eligible: Determined that the country's participation is necessary to achieve the fundamental objective(s) of the exercise

Value of Program:

Restrictions:

1. Payment of salaries or allowances is not authorized

Key Players: Country team (SCO), CCMD, Joint Staff

Execution:

1. SCO determines partner nation participation (or full participation) in a combined exercise is not possible unless U.S. funding assistance is provided
2. GCC determines participation is necessary to achieve the objective of the exercise
3. Recommended to the Joint Staff that DoD funding be made available for supporting the partner country exercise participation

Example: The partner country is invited by the GCC to participate in a scheduled combined exercise with other countries and the SCO determines the country is unable to transport their forces to the exercise site nor has the fuel for their vehicles. The SCO communicates this shortfall to the CCMD for U.S. logistics assistance.

Defense Health Program

Description: DoD provides HIV prevention education to African countries

Purpose: DoD funds and provides HIV prevention education activities during U.S. training, exercise, and humanitarian activities primarily in the African AOR

Authorization: None

Appropriation: Title VI, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014, earmarks $8,000,000 of annual DoD health program funding for this program.

Guidance:

Countries Eligible: As determined by SecDef (Joint Staff and applicable CCMD)

Value of Program:

Restrictions: This funding is to be made available notwithstanding any other provisions of law

Key Players: Country team (SCO), USAFRICOM, USSOCOM, deployed force commanders

Execution:

1. SCO identifies the opportunity for U.S. forces deployed for either for operations, exercises, humanitarian assistance, or training to provide authoritative HIV prevention education to local forces and community members.
2. The supported and supporting CCMDs concur with the recommendation and forward the request to the Joint Staff for funding approval.

Example: Partner country forces experiencing readiness problems because of HIV/AIDS epidemic, to include military personnel and families. Education from deployed U.S. counterparts especially with medical and language training is seen as a way to assist the country forces (and community). This epidemic is becoming a significant readiness factor especially when the country wants to support regional peacekeeping efforts.

Contacts Programs

Description: General program to establish and strengthen professional (and personal) relationships among allied and friendly countries designed to encourage a democratic orientation of defense establishments and military forces of other countries

Key Considerations:

- In general, authorized by 10 USC 168, Military-to-Military Contacts and Comparable Activities, for SecDef to provide funds to a CCMD, an officer designated by the chairman of the Joint Staff with respect to areas not within the CCMD, or the head of any DoD component to conduct mil-to-mil contact activities.
- Authorized activities and expenses to be funded include:
    1. Traveling contact teams,
    2. Military liaison teams,
    3. Exchanges of civilian or military personnel between DoD and ministries of defense.
    4. Exchanges of military personnel between units of the armed forces and units of foreign armed forces,
    5. Seminars and conferences held primarily in a theater of operations,
    6. Distribution of publications primarily in a theater of operations,
    7. Personnel expenses of DoD personnel as they relate to above activities (3) through (6),
    8. Reimbursement of pay and allowances paid to reserve personnel,
    9. Assignment of personnel for above activities (3) and (4) on a non-reciprocal basis.
- Any such activity must be approved by SecState.
    1. Participating countries must be eligible for IMET assistance.
    2. Not to fund the transfer of defense articles, services or training

- Military-to-military contacts are defined to mean "contacts between members of the armed forces and members of foreign armed forces through activities" previously described.
- 10 U.S.C. 168, itself, is used as a general authorization for mil-to-mil activities without specific funding. The following authorities, categorized as "Contact Programs," provide additional authorities to Section 168 and have been funded with DoD (or MilDep) O&M.

List of Programs:

- Combatant Commander Initiative Fund (CCIF)
- Payment of Expenses to attend Bilateral or Regional Conferences
- Defense Personnel Exchange Program
- National Guard State Partnership Exchange Program
- Non-Reciprocal Exchange of Defense Person
- Payment of Foreign Nation Liaison Officer Expenses
- U.S. Participation in Headquarters Eurocorps
- Assignment of DoD Civpers as Advisors to MoDs
- Asia Pacific Regional Initiative (APRI)
- Center for Complex Operations
- Multilateral Military Centers of Excellence
- USG Warsaw Initiative Fund (WIF)
- State Partnership Program (SPP)

Combatant Commander Initiative Fund (CCIF)

Description: DoD funding of CCMD SC program proposals to SecDef

Purpose: Provide DoD funding to approved generally emergent CCMD program proposals

Authorization: 10 U.S.C. 166a

Appropriation: FY2014 -- $25,000,000 in DoD O&M appropriated by Title II, DoD Appropriations Act, FY2014, Div. C, P.L.113-76, 17 January 2014.

Guidance:

1. The annual codified authority to be funded is $25,000,000 but recent appropriations have been at higher levels
2. Approved by SecDef to be managed by the Joint Staff IAW CJCSI 7401.01F, CCIF, 30 Nov 12 (No-Rel)

Countries Eligible: Those nominated by CCMD to be approved by the SecDef

Value of Program:

1. FY2013 -- $30,000,000
2. FY2014 -- $25,000,000

Restrictions: As this is for worldwide use, the funding of significant programs is somewhat limited

Key Players: Country team (SCO), CCMD, Joint Staff

Execution:

1. The SCO identifies a last minute funding deficiency for the partner country to participate in an exercise (or operations) planning conference to be conducted at the CCMD headquarters
2. The CCMD determines the partner nation presence at the conference is essential and nominates the use of CCIF funding.
3. The Joint Staff concurs and provides the funding to the CCMD for country use by the SCO

Example: Types of activities authorized for the use of CCIF includes:

1. Training of partner nation military personnel – with the expiration of ISFF funding on 1 Oct 12, $1.7M of CCIF authority was used by USCENTCOM to continue U.S. training of Iraqi security forces for first 90 days in FY2013.
2. Contingencies
3. Combined exercises
4. Selected operations
5. Force protection
6. Force training

Payment of Expenses to attend Bilateral or Regional Conferences

Description: DoD funding of developing country attendance at GCC conferences

Purpose: Authorize the use of DoD funding for country(s) participation at bilateral or multilateral regional CCMD conferences

Authorization: 10 U.S.C. 1051

Appropriation: DoD O&M

Guidance:

1. CJCSM 3500.03C, Joint Training Manual for the Armed Forces of the United States, Appendix D, Enclosure M, 15 Jan 2011
2. Generally for use to attend CCMD -sponsored conferences or meetings
3. May be used for country participation at Partnership for Peace conferences

Countries Eligible: As recommended to SecDef by the CCMD to be in the U.S. national interest to fund

Value of Program:

Restrictions:

1. 10 USC 1050 (LATAM SC) or 10 USC 1050a (AFRICOM SC) authorities will not be used to pay 10 USC 1051 authorized personnel expenses or to be used to provide defense articles and services.
2. Countries must not be subject to USG sanctions or other policy restrictions.
3. Developing countries are defined within Paragraph 3 of DepSecDef Memo of 25 March 2013.

Key Players: Country team (SCO), CCMD, SecDef/USDP/DSCA, OGC at each level is to review the request

Execution:

1. The SCO notifies the partner nation of an invitation to attend a CCMD -sponsored regional conference at the CCMD and the country informs the SCO that the country cannot afford to attend
2. The SCO recommends to the CCMD that DoD funds the partner nation participation at the regional conference
3. The CCMD recommends to USDP (DSCA) that it is in the U.S. national interest for the partner nation to be DoD-funded for their attendance
4. DSCA authorizes the use of DoD O&M funding for such purposes
5. The CCMD provides the funding to the SCO for use by the partner nation

Example: DoD funds the travel and personal expenses for a developing nation's participation at a CCMD conference, workshop, symposia, meetings and other information exchanges

Defense Personnel Exchange Program

Description: DoD organizations exchange military or civilian personnel with other countries

Purpose: Required overall authority for the exchange of DoD personnel with allied and friendly countries and international organizations.

Authorization: Section 1082, NDAA, FY1997, P.L.104-201, 23 September 1997 (with no stated expiration)

Appropriation: DoD, defense agency, or MilDep funding

Guidance:

1. DoDD 5530.3, International Agreements
2. Each major DoD organization generally has a similar supporting agreement directive
3. Implemented using a negotiated and concluded international agreement
4. The exchanges are to be reciprocal one-for-one with the exchange officer performing, as the law allows, as a member of the host organization
5. Each participating country is to pay any associated costs for the exchange
    a. The DoD organization performing the exchange normally funds the U.S. person(s) provided to the partner nation
    b. An exception are costs of temporary duty or training directed by the host nation

Countries Eligible: Any allied or friendly country or international organization as determined by SecDef

Value of Program:

Restrictions: U.S.-only technology transfer and delegation of disclosure authority letters (DDLs) must be generated and approved for each international agreement

Key Players: Country team (SDO/DATT), any major DoD organization, DTSA, SecDef

Execution:

1. The SDO/DATT or DoD organization identifies an opportunity for the exchange of military officers or DoD civilian personnel with the partner nation in a specific professional discipline
2. The partner nation shows specific interest in the exchange
3. The SDO/DATT forwards the proposed exchange to the CCMD and prospective DoD organization
4. The DoD organization to conduct and host the prospective exchange generates an proposed international agreement to be further negotiated and concluded
5. DTSA reviews the proposed agreement for technology transfer authority considerations and coordinates any further required decision making for disclosure authorities

6. SecDef approves the exchange and forwards to SecState for concurrence and any required notification to Congress
7. The DoD organization conducting the exchange implements in coordination with the partner nation, country team, and applicable GCC.

Example: The following types of exchanges are possible:

1. Professional Exchanges (PEP)
2. Reserve Officers Foreign Exchanges
    a. DoDD 1215.15 authorizes such exchanges generally during a 2 to 4 week training period would enhance mobilization duties.
3. Administrative Professional Exchanges (APEP)
4. Intelligence Professional Exchanges
5. Engineer and Scientist Exchanges (ESEP)
6. Foreign liaison officers (FLO)
    a. The affected personnel officially represent their own nations are not specifically members of the host nation organizations

National Guard State Partnership Exchange Program (SPP)

Description: U.S. State National Guard personnel exchanges

Purpose: Authorize National Guard personnel exchanges with military forces, security forces or other government organizations of a country whose primary functions include disaster response or emergency response

Authorization: Section 1205, NDAA, FY2014, P.L.113-66, 26 December 2013

Appropriation: DoD O&M funds, to include funds appropriated to the Air and Army National Guards

Guidance:

1. DoDD 5530.3, International Agreements
2. U.S. may fund incremental expenses of the participant country but not to exceed $10,000,000 in any one fiscal year.
    a. Incremental expenses are defined to include "reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the participant country as a direct result of the exchange.
    b. Incremental expenses is specifically not to include "any form of lethal assistance (other than training ammo), pay, allowances, and other normal costs of the country personnel."
3. SecDef is to establish regulations for this new authority.
4. Nothing in this authority shall be construed to supersede any other Title 10 U.S. Code authority.
5. This authority expires on 30 September 2016.

Countries Eligible: Any allied or friendly country and country organizations as determined by SecDef, with the concurrence of SecState

Value of Program:

Restrictions: The U.S. Guard member(s) participating within this program must be on active duty.

Key Players: Country team (SDO/DATT), CCMD, SecDef, SecState, National Guard Bureau, and the affected State Guard organization

Execution: Procedures must yet be promulgated.

Example:

Non-Reciprocal Exchange of Defense Personnel

Description: DoD or MoD organizations assign military or civilian personnel with the other country(s)

Purpose: Required overall authority for the assignment of DoD or MoD personnel with allied and friendly countries and international organizations with no reciprocity

Authorization: Section 1207, NDAA, FY2010, as amended, P.L.111-84, 28 October 2009

Appropriation: Same as for reciprocal exchanges

Guidance: Same as for reciprocal exchanges

Countries Eligible: Same as for reciprocal exchanges

Value of Program:

Restrictions: This is a temporary authority to expire at the end of FY2016

Key Players: Same as for reciprocal exchanges

Execution: Same as for reciprocal exchanges

Example: USCENTCOM staff has non-reciprocal exchange officers assigned to the Staff performing, as authorized by law, as U.S. military members. Recent announcement of an Australian army general officer (MG Richard Burr) to serve on the U.S. Army, Pacific staff as the deputy for operations . Another recent announcement included the integration of U.S. advisors into the Peruvian Defense Ministry for C/N and C/T planning. Another recent report was Danish BG Frank Lissner being the USCENTCOM coalition chairman of 52 officers from 52 different countries located at MacDill AFB, FL.

Payment of Foreign Nation Liaison Officer Expenses

Description: Authorizes provision of administrative services and payment other personal expenses to a liaison officer of another nation

Purpose: U.S. support of foreign liaison officers involved in a military operation with the U.S. while the officer is temporarily assigned to a CCMD, CCMD component, or subordinate operational command in connection with the planning or conducting a military operation, or the mission of joint war fighting experimentation and joint forces training.

Authorization: 10 U.S.C. 1051a

Appropriation: DoD O&M

Guidance:

1. SecDef may pay the following expenses for a liaison officer of a developing country in the connection of his assignment to the Hqtrs of a CCMD if the assignment is requested by the CCMR.
    a. Travel and subsistence
    b. Personal expenses in carrying out his assignment
    c. Medical care at a civilian medical facility if determined adequate care is not available at a local military facility, determined in the best interests of the U.S., and the care is not otherwise available pursuant to any treaty or other agreements.
2. May also pay mission-related travel expenses.
3. May provide administrative services and support to the liaison officer determined as appropriate to include base or installation support services, office space, utilities, copying services, fire and police protection, and computer support.

Countries Eligible: As requested by the CCMD to SecDef (OSD)

Value of Program:

Restrictions: For liaison officers only from developing countries.

Key Players: Applicable country(s), CCMD, SecDef (OSD), local base commander

Execution: CCMD determines and recommends to the SecDef that the temporary assignment of a foreign liaison officer is to the best interests of the U.S./

Example: Vast majority of liaison officers are from the USCENTCOM AOR countries with assignment to CENTCOM or component staffs.

U.S. Participation in Headquarters Eurocorps

Description: Authorizes U.S. military participation as staff members of Headquarters Eurocorps

Purpose: U.S. staff support of NATO activities of the NATO Rapid Deployable Corps Eurocorps

Authorization: Section 1275, NDAA, FY2013, P.L.112-239, 2 Jan 2013

Appropriation: DoD O&M to pay U.S. share of headquarters operating expenses and cost of U.S. military personnel participation

Guidance:

1. An international agreement is to be entered into by SecDef, with the concurrence of SecState, and Hqtrs Eurocorps.
2. Hqtrs Eurocorps refers to the multinational military headquarters established 1 Oct 1993 which is one of the High Readiness Forces (Land) associated with the Allied Rapid Reaction Corps of NATO.

Countries Eligible: NATO Staff

Value of Program: Unknown at this time

Restrictions:

1. Initially, only two U.S. military personnel may serve as hqtrs Eurocorps staff members until SecDef provides a report to Congress regarding U.S. personnel participation, benefits of more participation, plans for such participation, and associated costs.
2. Not more than ten U.S. military members may participate until SecDef notifies Congress otherwise.
3. No U.S. funds is authorized to fund the pay or salaries of other military members who participate as hqtrs staff members

Execution: Not yet promulgated

Example:

Assignment of DoD Civpers as Advisors (MODA) to MoDs

Description: DoD civilian employee advisors for MoDs or country security agencies

Purpose: Temporary authority to assign DoD civilians to countries as advisors to the MoD or security agencies serving in a similar defense function

Authorization: Section 1081, NDAA, FY2012, P.L.112-81, as amended, 31 December 2011

Appropriation: DoD O&M

Guidance:

1. Legislated functions of such advisors include the following:
    a. Provide institutional , ministerial-level advice, and other training to personnel of the ministry to which assigned to support of stabilization or post-conflict activities, or
    b. Assist such ministry in building core institutional capacity, competences, and capabilities to manage defense-related processes.
2. DepSecDef Memo of 7 Aug 2013 emphasizes the value of the program and strongly encourages all DoD components to support the MODA program

Countries Eligible: As determined by SecDef with the concurrence of SecState

Value of Program: About $11-20M annually during FYs 13 thru 17.

Restrictions:

1. Authority expires at the end of FY2017
2. However, the assignment of such advisors may continue after FY2017 but only with the use of funds available for FYs2012-2014

Key Players: Partner nation MoD, SecDef, GCCs, and SecState. ASD(SOLIC) provides program policy oversight within USDP with day-to-day funding , management, training, and other support to be provided by DSCA. The MODA program office is at DSCA-MODA@DSCA.mil. Per DSCA program recruiting memo of 19 Aug 2013, perspective MODAs will undergo pre-deployment training and report to the SDO/DATT during the assignment.

Execution: Under construction

Example: Likely to include countries experiencing difficulty in building a capacity for combating insurgents, terrorists, or in coalition operations. Could also include restabilization and post-conflict activities advice and training. Has been in place in Afghanistan using ASFF authorities since FY2010, currently totaling 90 advisors during FY2013. Up to fifteen new MODA partners have been nominated by OSD, State, or CCMDs to include Montenegro, Kosovo, Yemen, and others. The Montenegro (logistics) and Kosovo (Security Sector Reform) U.S. MODAs are on-station.

Asia Pacific Regional Initiative (APRI)

Description: Funding for USPACOM security cooperation activities

Purpose: Enable the execution of USPACOM AOR S.C. activities already authorized by 10 U.S.C.

Authorization: Specific funding to USPACOM for already authorized assistance programs

Appropriation: FY2014 - $15,000,000 earmarked Navy O&M, Section 8084, DoD Appropriations Act, FY2014, Div. C, P.L.113-66, 17 January 2013.

Guidance:

1. USPACOM annually promulgates instructions within the AOR for program nomination, selection, and implementation.
2. These funds may be used notwithstanding any other funding authority for humanitarian assistance, security assistance, or combined exercise expenses

Countries Eligible: As determined by USPACOM. For FY2012, 26 of the 36 PACOM AOR countries were determined eligible for the APRI program.

Value of Program: Similar funding levels has been provided in the past fiscal years to USPACOM for the same purpose

Restrictions:

1. Countries are not to receive assistance under this program if otherwise prohibited by law.
2. APRI is not to fund direct training events or to be used for the purchase of equipment for donation to a country.

Key Players: Country team (SCO), USPACOM, PACOM service components

Execution:

1. PACOM annually provides guidance for program nominations
2. SCO (or service component) nominates assistance programs to USPACOM
3. USPACOM approves selected programs and directs implementation
4. PACOM service components execute in coordination with the SCO

Example:

1. Humanitarian assistance
2. Payment of incremental and personnel cost of training and exercising with foreign security forces

Center for Complex Operations

Description: Establishment of the Center for Complex Operations

Purpose:

1. Effective coordination in the preparation of DoD and other USG personnel for complex operations
2. Foster unity of effort among USG organizations, foreign government personnel, international NGOs, and U.S. NGOs during complex operations
3. Conduct research, collect, analyze, and distribute lessons learned and compile best practices
4. Identify gaps in the education and training of USG personnel and facilitate efforts to fill any such gaps

Authorization: 10 U.S.C. 409

Appropriation: DoD O&M

Guidance:

1. Complex operations includes stability operations, security operations, transition and reconstruction operations, counterinsurgency operations, and irregular warfare
2. The Center has been established and is located at the National Defense University on Fort Leslie McNair in Wash, D.C. since early 2009.

Countries Eligible: As determined by SecState

Value of Program:

Restrictions: Prior concurrence from SecState is required before including other countries or international NGOs as participants

Key Players: SecState, USAID, SecDef, USDP, ASD/SO-LIC

Execution: Under construction

Example:

Multilateral Military Centers of Excellence

Description: Participation in multilateral military centers of excellence (COEs)

Purpose: Authorizes DoD to partially fund and participate in any multilateral military center of excellence

Authorization: 10 U.S.C. 2350m

Appropriation: DoD O&M IAW DoDD 5100.3, Support of the Headquarters of Combatant and subordinate Joint Command.

Guidance:

1. Participation is by a negotiated international agreement
2. The purpose of any such center is to include:
    a. Enhancing other countries' military and civilian personnel to engage in joint exercises or coalition of international military operations
    b. Improve interoperability between U.S. forces and other countries' forces
3. DoD O & M funds may be used to pay the U.S share of operating any such centers and to pay expenses to attend any such center
4. DepSecDef memo of 28 Jan 2009 delegates the legislated SecDef authority to USDP.

Countries Eligible: As determined by SecDef with the concurrence of SecState.

Value of Program: Only an authority to use designated funding within the GCC approved resource levels

Restrictions: The DoD participation international agreement is to be coordinated with SecState

Key Players: SecDef, SecState, applicable CCMD, and partner nation counterparts

Execution: Under construction

Example: A second DepSecDef memo of 28 Jan 2009 to EUCOM and the now de-activated JFCOM initially designated the following COEs (with locations) as authorized for DoD personnel participation and expenditure of U.S. funds to pay as the U.S. share of expenses:

1. Joint Air Power Competence Center (Germany)
2. Defense Against Terrorism (Turkey)
3. Combined Joint Operations from the Sea (U.S.)
4. The NATO School (Germany)

USG Warsaw Initiative Fund (WIF)

Description: DoD authorization and funding program to support the NATO Partnership for Peace (PfP) program established in 1994

Purpose: Per SAMM, C11.10.1, WIF primary objectives are to:

1. Improve NATP/PfP partner interoperability,
2. Advance PfP partner defense institution building/defense reform, and
3. Support PfP partner integration with NATO

Authorization: Per SAMM, C11.10.2:

1. 10 U.S.C. 168, Military-to-Military Contacts
2. 10 U.S.C. 1051, Payment of Expenses to attend Bilateral or Regional Conferences
3. 10 U.S.C. 2010, Developing Country Combined Exercise Program

Appropriation:

1. Annual DoD appropriations act for DoD (DSCA) O&M

Guidance:

1. ASD/SO-LIC is the DoD primary for U.S. WIF and PfP policy with administration and management support provided by DSCA
2. SAMM, C11.10, Warsaw Initiative Fund (WIF)
    a. SAMM, C11.T21, provides WIF organization responsibilities
    b. SAMM, C11.T22, provides WIF program planning timeframe and implementation process
3. Per SAMM, 11.10.4, WIF funds may be used in conjunction with other types of funding, to include:
    a. 10 U.S.C. 166a, Combatant Commander Initiative Funds (CCIF)
    b. DoDI 7250.13, 30 Jun 09, Use of Appropriated Funds for Official Representation Purposes
    c. CJCSI 7201.01B, 20 Dec 2010, CCMD Official Representation Funds (ORF)
    d. 10 U.S.C. 127, Emergency Extraordinary Expenses (EEE)
    e. 22 U.S.C. 2763, Foreign Military Financing Program (FMFP)
    f. 22 U.S.C. 2347, International Military Education and Training (IMET)
    g. 22 U.S.C. 2694, Limitation on Purchase of Gifts for Foreign Individuals
    h. And NATO funds

Countries Eligible: PfP developing countries as determined by USD(P) recently to include: Armenia, Azerbaijan, Belarus, Bosnia-Herzegovina, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Moldova, Montenegro, Russia, Serbia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Value of Program: FY2010 WIF funding was $35,000,000

Restrictions:

1. WIF cannot be the primary source of exercise funding or used to support U.S. participation except for planning conferences.

2. WIF cannot be used to pay for courses, classroom study, defense articles and other military assistance, excessive PfP partner participation, PfP partner transfer of military officers to NATO for TDY, or PfP partner costs to hold events not approved by USDP.

Key Players: Country team (SCO), USEUCOM, USCENTCOM, SecDef (USDP & ASD/SO-LIC), DSCA, SecState

Execution: See SAMM, C11.T22, guidelines.

Example:

State Partnership Program (SPP)

Description: U.S. State National Guard in support of CCMR and COM SC objectives

Purpose: Use of the unique civil-military nature of the National Guard to interact with both civil and defense personnel in partner countries

Authorization: Section 1210, NDAA, FY2010, P.L.111-84, 28 October 2009 [Repealed by Section 1205, NDAA, FY2014, P.L.113-66, 26 December 2013].
Section 1085, NDAA, FY2012, P.L.112-81, 31 December 2011, authorizes up to $3M to pay for travel and per diem of non-DoD U.S. personnel to conduct SPP.

Appropriation: DoD O&M

Guidance:

1. DoDI 5111.20, 14 Dec 2012, identifies authorities and funding that may be used for SPP activities when jointly approved by the applicable CCMD and COM. DoS/PM will coordinate any DoS concurrence as the authority might require.
2. These authorities include the following:
    a. Section 1082, NDAA, FY1997, P.L.104-201, 23 September 1996, Reciprocal Personnel Exchanges
    b. Section 1207, NDAA, FY2010, P.L.111-84, 28 October 2009, Non-Reciprocal Personnel Exchanges
    c. Section 1205, NDAA, FY2014, P.L.113-66, 26 December 2013, Exchanges of NG personnel with disaster and emergency responders of a country
    d. Section 1206, NDAA, FY2006, as amended, P.L.109-163, 6 January 2006, Building Partner Capacity of Foreign Militaries
    e. 10 U.S.C. 166a, Combatant Commander Initiative Fund (CCIF)
    f. 10 U.S.C. 184, Regional Centers for Security Studies (RCSS)
    g. 10 U.S.C. 2249c, Regional Defense Combating Terrorism Fellowship Program (CTFP)
    h. 10 U.S.C. 401, Humanitarian and Civic Action (HCA) during Military Operations
    i. 10 U.S.C. 402, Space Available Transport of NGO Humanitarian Relief
    j. 10 U.S.C. 404, DoD Support of DoS/USAID Foreign Disaster Relief
    k. 10 U.S.C. 1050, LATAM Cooperation
    l. 10 U.S.C. 1050a, African Cooperation
    m. 10 U.S.C. 2557, Provision of Excess Property as Humanitarian Relief
    n. 10 U.S.C. 2561, Funded Transport of NGO Humanitarian Relief
    o. 10 U.S.C. 153, Combined Exercises
    p. 31 U.S.C. 1535, Reimbursable Military-Civilian Interagency Activities
    q. Section 632, FAA [22 U.S.C. 2392], Allocation and Reimbursement among Agencies

3. Many country teams and CCMDs will have an active duty National Guard officer assigned to the SDO/DATT as the Bilateral Affairs Officer (BAO) to perform both DoD security cooperation and liaison duties with partner state guard organizations

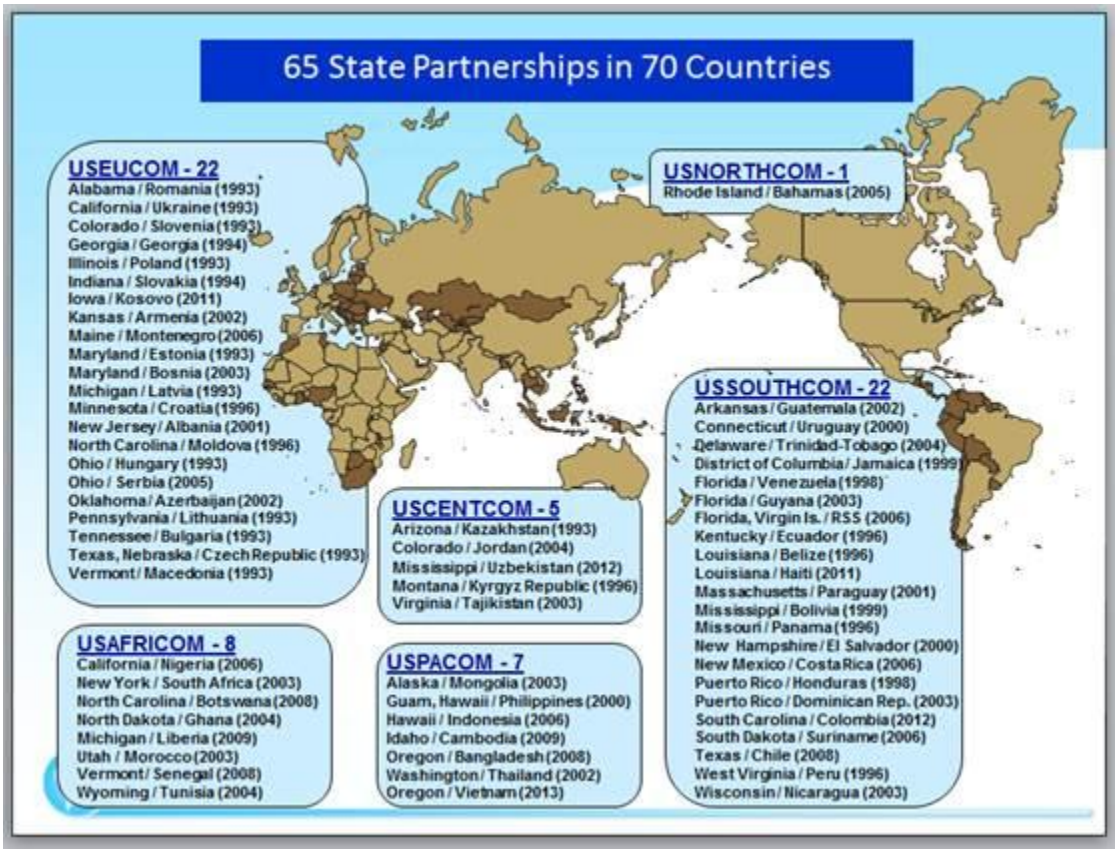
Countries Eligible: Note table on the next page matching U.S. states and territories with countries.

Value of Program:

Restrictions: The National Guard member must be on active duty to use any of the funds authorized by the above stated programs

Key Players: COM, Country team (BAO if assigned), CCMD, SecDef, National Guard Bureau, applicable state National Guard

Execution: See procedures previously stated for each program authority. The applicable national unit serves as an additional DoD resource for SC programs.

Examples: U.S. Army, Africa recently reported over 100 SPP events conducted annually in Africa with 8 U.S. states engaged in long-term training missions within the AOR.

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