

INTRODUCTION TO SECURITY COOPERATION

INTRODUCTION

The term security cooperation was first introduced in 1997 by the Defense Reform Initiative (DRI) which proposed that certain Department of Defense (DoD)-funded international programs along with their personnel and associated resources be managed by the then Defense Security Assistance Agency (DSAA) which already had the day-to-day management responsibility of many Department of State (DoS) security assistance programs authorized by the Foreign Assistance Act (FAA) and the Arms Export Control Act (AECA). To better reflect its enlarged mission and diverse functions beyond security assistance to other agencies, the private sector, and foreign governments; DSAA was redesignated, effective 1 October 1998, the Defense Security Cooperation Agency (DSCA).

Management responsibilities for many of the DoD-authorized international programs over the recent years have been transferred to DSCA. But many security cooperation programs continue to be managed by other Office of the Secretary of Defense (OSD) agencies, the combatant commanders (COCOMs), or the military departments (MILDEPs). What further complicates the management of security cooperation is that the in-country point of contact between the United States government (USG) and the host nation generally is either the Defense Intelligence Agency (DIA)-sponsored defense attaché office (DAO) or the DSCA-sponsored security assistance office (SAO). These two spigots for security cooperation with a country require a broad knowledge and skill baseline of the very different international programs that are initiated, funded, and managed from throughout the DoD and its agencies and the MILDEPs.

It was not until 9 June 2004 that a formal, yet still very broad, definition of security cooperation was published in Joint Pub 1-02:

All DoD interactions with foreign defense establishments to build defense relationships that promote specific U.S. security interests, develop allied and friendly military capabilities for self-defense and multinational operations, and provide U.S. forces with peacetime and contingency access to a host nation.

Other DoD policy statements identify DoD-managed or administered security assistance programs as one of the major elements of the broader defined DoD security cooperation program.

The purpose of this first chapter is to provide definitions of the various programs within security assistance and the broader area of security cooperation.

SECURITY ASSISTANCE

DSCA outlines security assistance as twelve major programs in DoD 5105.38-M, *Security Assistance Management Manual* (SAMM), 3 October 2003, Table C1.T1. While seven of these FAA and AECA-authorized programs are administered by DoD, specifically by DSCA, they remain under the general control of the DoS as components of U.S. foreign assistance. These twelve security assistance programs include the following.

Foreign Military Sales

Foreign military sales (FMS) is a non-appropriated program administered by DSCA through which eligible foreign governments purchase defense articles, services, and training from the United States government. The purchasing government pays all costs that may be associated with a sale. In essence, there is a signed government-to-government agreement, normally documented on a letter of offer and acceptance (LOA) between the USG and a foreign government. Each LOA is commonly referred to as a case and is assigned a unique case identifier for accounting purposes. Under FMS, military articles and services, including training, may be provided from DoD stocks (Section 21, AECA) or from new procurement (Section 22, AECA). If the source of supply is new procurement, on the basis of having an LOA which has been accepted by the foreign government, the USG agency or MILDEP assigned cognizance for this case is authorized to enter into a subsequent contractual arrangement with U.S. industry in order to provide the article or service requested.

The DoS congressional budget justification (CBJ) for fiscal year (FY) 2008 estimated that about 80 foreign countries and international organizations would participate in FY 2008 in the FMS program, with total estimated sales of \$17 billion. The estimate for FY 2007 FMS is \$21 billion. The final FMS total for FY 2006 was \$18.2 billion. Additionally, there was \$2.7 billion in FMS agreements during FY 2006 which were funded by DoD security cooperation programs.

Foreign Military Construction Services

Foreign military construction services (FMCS) is a non-appropriated program administered by DSCA and authorized by Section 29, AECA, to include the sale of design and construction services by the USG to eligible purchasers. The construction sales agreement and sales procedures generally parallel those of FMS and are usually implemented by the MILDEP civil engineering agencies.

The CBJ for FY 2008 projection for FMCS during FY 2008 and FY 2007 are included in the above FMS projections. The final FMCS total for FY 2006 was \$170 million.

Foreign Military Financing Program

The foreign military financing program (FMFP) is an appropriated program administered by DSCA that has undergone a variety of substantive and terminological changes over the years. At present, the program consists of congressionally appropriated grants and loans which enable eligible foreign governments to purchase U.S. defense articles, services, and training through either FMS or direct commercial sales (DCS) channels. The foreign military construction service (FMSCR) is authorized under the provisions of Sections 23 and 24, AECA, and originally served to provide credit (loans) as an effective means for easing the transition of foreign governments from grant aid, i.e., Military assistance program (MAP) and international military education and training (IMET) to cash purchases.

Prior to FY 1989, this financing program was variously identified as the foreign military sales credit program or the foreign military sales financing program. In the FY 1989 Foreign Operations Appropriations Act (FOAA), Congress introduced a new title, the FMFP, and the forgiven loan/forgiven credit component of the program was identified as FMFP grants to distinguish them from repayable direct FMFP loans. Also, the terms non repayable loans or non repayable credits are used by various security assistance organizations (including Defense Security Cooperation Agency) in place of the legislatively-based term FMFP grants.

Beginning in FY 1992, the Federal Credit Reform Act of 1992 (P.L. 101-508) changed the method of accounting and budgeting for all government loans, including FMFP loans issued under the AECA. This legislation provides a more accurate portrayal of the true cost of loans by providing new budget authority only for the subsidy element of the loan program and is the basis for the establishment of two new financial accounts:

- The first contains only the FMFP grant portion of the program administrative costs
- The second account provides the budget authority needed to fund the subsidy element of the proposed loan programs

While there are previously authorized FMFP loans still being repaid to the USG, this loan element is seldom used with the FMFP grant element (no repayment) being the norm.

The administration requested \$4,588.6 million in FMFP funding for FY 2006 and \$4,465 million was initially appropriated. The initial FMFP requests for FY 2007 and FY 2008 were \$4,455 million and 4,536 million respectively. \$4,551 million was initially appropriated for FY 2007 FMFP with an additional \$265 million later appropriated as an emergency supplemental. All of these requests and subsequent appropriations are grants.

Leases

Chapter 6, AECA, authorizes the president to lease defense articles to friendly governments or international organizations for up to five years (renewable). This non-appropriated program is administered by DSCA. The law allows the lease of defense articles only for compelling foreign policy or national security reasons, and stipulates that the full cost of the lease, with some exceptions, must be borne by the recipient. Furthermore, leased articles must not be needed, for the time, for U.S. public use, and the U.S. retains the right to terminate the lease at any time. For the recipient country, leases may be cheaper than purchasing the article outright, and they provide a convenient vehicle for obtaining defense articles for temporary use. Leases are executed through a lease agreement, with an associated FMS case to cover repair, training, supply support and/or transportation, if required.

Military Assistance Program

In FY 1990 the MAP was formally merged with the FMFP as Congress adopted an Administration proposal for integrating all MAP grant funding into the appropriations account for the FMFP. This appropriated program was administered by DSCA. No MAP funds have been appropriated for subsequent fiscal years, and there is no interest in seeking any such funds for the future. This legislative change, therefore, had the dual effect of causing existing MAP-funded programs to lose their former identity and become FMFP-funded programs and establishing the FMFP as the major U.S. financing program for the acquisition of U.S. defense articles and services by foreign governments.

MAP continues to be identified as a current security assistance program because the MAP-provided articles remain throughout the world with the continued requirements for end-use monitoring, return to the USG when no longer needed, and any proceeds from a sale to a third country or scrapping being returned to the USG.

International Military Education and Training

The IMET program provides grant financial assistance for training in the U.S. and, in some cases, in overseas facilities to selected foreign military and related civilian personnel. In earlier years, grant aid training of foreign military personnel was funded as part of the MAP appropriation. Starting with

FY 1976, a separate authorization for IMET was established in Section 541, FAA. This appropriated program is administered by DSCA. Although historically a relatively modest program in terms of cost, both the president and Congress attach significant importance to this program. The recipient countries, likewise, are heavily reliant on this grant program and, in many cases; this program serves as the only method to receive training from the U.S. military.

At a time of declining defense and foreign aid budgets, IMET advances U.S. objectives on a global scale at a relatively small cost. In many countries, having a core group of well-trained, professional leaders with first hand knowledge of America will make a difference in winning access and influence for our diplomatic and military representatives. Thus, a relatively small amount of IMET funding will provide a return for U.S. policy goals, over the years, far greater than the original investment.

In 1980, Section 644(m)(5), FAA, was amended to authorize IMET tuition costing in terms of the additional costs that are incurred by the USG in furnishing such assistance. Section 21(a)(1)(C), AECA, was also amended to allow IMET recipients to purchase FMS training on an additional cost basis. The practical effects of these changes were to substantially reduce tuition costs for IMET-funded students, and thereby increase the amount of training an eligible country can obtain with its IMET grant funds and through FMS purchases.

A new IMET initiative was introduced in the FY 1991 FOAA when Congress adopted a Senate-proposed IMET earmark of \$1 million to be used exclusively for expanding courses for foreign officers as well as for civilian managers and administrators of defense establishments. The focus of such training is on developing professional level management skills, with emphasis on military justice systems, codes of conduct, and the protection of human rights. Section 541, FAA, was amended to permit non-Ministry of Defense civilian government personnel to be eligible for this program, if such military education and training would:

- Contribute to responsible defense resource management
- Foster greater respect for and understanding of the principle of civilian control of the military
- Contribute to cooperation between military and law enforcement personnel with respect to counter-narcotics law enforcement efforts
- Improve military justice systems and procedures in accordance with internationally recognized human rights

This expanded IMET (E-IMET) program was further extended in FY 1993 to also include participation by national legislators who are responsible for oversight and management of the military. The E-IMET program authority was again amended in 1996 by P.L.104-164 to also include non-governmental organization personnel.

With annual increases, \$80 million and \$91 million were appropriated for FY 2003 and FY 2004 IMET programs respectively. A similar level of nearly \$90 million was appropriated for FY 2005, FY 2006, and FY 2007 to train in excess of 11,000 IMET students each year from over 100 countries. The IMET request for FY 2008 is for \$89.5 million.

Drawdowns

During a crisis, Section 506, FAA, authorizes the president to provide USG articles, services, and training to friendly countries and international organizations at no cost, to include free transportation.

There is a \$100 million ceiling per fiscal year on articles, services, and training provided for military purposes; and another fiscal year ceiling of \$200 million for articles, services and training required for non-military purposes such as disaster relief, nonproliferation, anti-terrorism, counter-narcotics, refugee assistance, and Vietnam War-era missing in action/prisoners of war (MIA/POW) location and repatriation. When emergency support for peacekeeping operations is required, Section 552(c)(2), FAA, separately authorizes the President to draw down up to \$25 million per fiscal year in USG articles and services from any agency. Special drawdown authorities are periodically legislated to include \$30 million in support for the Yugoslav International Criminal Court. These are non-appropriated authorities and administered by DSCA when defense articles, services, or training from DoD are to be drawn down.

Economic Support Fund

The economic support fund (ESF) is authorized by Chapter 4 of Part II of the FAA. ESF is an appropriated program administered by the U.S. Agency for International Development (USAID). This fund was established to promote economic and political stability in areas where the U.S. has special political and security interests and where the U.S. has determined that economic assistance can be useful in helping to secure peace or to avert major economic or political crises. ESF is a flexible economic instrument which is made available on a grant basis for a variety of economic purposes, including balance of payments support, infrastructure, and other capital and technical assistance development projects. In earlier years, the ESF program included a concessional (i.e., low interest rate) loan element as well as grants. However, in FY 1989 the loan element was dropped, and until FY 2003 all ESF funds have been allocated as grant assistance. In FY 2003, Turkey, Israel, and Egypt were authorized a total of \$19,500 million in ESF loans in addition to grant assistance. While a substantial amount of these ESF grants are used to provide balance of payments type aid, the ESF also provides for programs aimed at primary needs in health, education, agriculture, and family planning. Where long-term political and economic stability is the primary concern, ESF finances projects that meet the basic needs of the poor.

In response to the administration's request for \$3,037 million for FY 2006 ESF, Congress initially appropriated \$2,634 million. The administration has requested an additional \$1,638 million in ESF as an emergency supplemental appropriation for Southwest Asia reconstruction operations in Afghanistan and Iraq. The administration's initial request for FY 2007 ESF was \$3,214 million with \$2,455 million initially appropriated and later supplemented with an additional \$2,624 million. The FY 2008 request for ESF is \$3,320 million. All of these requests and subsequent appropriations are grants.

Peacekeeping Operations

Peacekeeping operations (PKO) is an appropriated program authorized by Chapter 6 of Part II of the FAA. For several years, PKO provided funds for the Multinational Force and Observers (MFO) which implemented the 1979 Egyptian-Israeli peace treaty, and the U.S. contribution to the United Nations Force in Cyprus (UNFICYP). Subsequent funding has been provided to support peacekeeping efforts in the Balkans, East Timor, sub-Saharan Africa, and lately in Afghanistan and the Darfur region of the Sudan.

PKO funds appropriated for FY 2006 totaled \$173 million. The Administration requested \$200 million for FY 2007 and received \$223 million. As an emergency supplemental appropriation, the Administration has requested an additional \$230 million for PKO efforts in the Darfur region in Sudan. The PKO request for FY 2008 is \$221 million. All of these requests and subsequent appropriations are grants to be administered by the DoS.

International Narcotics Control and Law Enforcement

The international narcotics control and law enforcement (INCLE) program is an appropriated grant program administered by the DoS authorized by Section 481, FAA, to suppress the worldwide illicit manufacture and trafficking in narcotic and psychotropic drugs, money laundering, and precursor chemical diversion, and the progressive elimination of the illicit cultivation of the applicable crops. Recently, the elimination of related narco-terrorism has been included. This program can include the purchase of defense articles, services, and training. There are similar authorized and funded programs within DoD and the Departments of Justice and Homeland Security.

The administration requested \$795 million for FY 2007 INCLE programs with \$472 million being initially appropriated with a later supplemental of \$252 million. The request for FY 2008 is \$635 million.

A similar State Department grant program, the Andean Counterdrug Initiative (ACI), was recently established for the Andean Ridge countries using the same FAA authority and objectives to be jointly administered by USAID and the DoS INCLE Bureau. This program is often referred to as Plan Colombia since the program emphasis and funding go primarily to Colombia. The requests and funding for FY 2005, FY 2006, and FY 2007 have been annual \$725 million annually.

Nonproliferation, Anti-Terrorism, Demining, and Related Programs

The nonproliferation, anti-terrorism, demining, and related (NADR) programs is an appropriated grant program administered by DoS authorized by Part II, Chapters 8 and 9 of the FAA; Section 504, the FREEDOM Support Act; and Section 23, AECA, for demining activities, the clearance of unexploded ordnance, the destruction of small arms, border security, and related activities. Related defense articles, services, and training can be provided through this program. U.S. funding support for the International Atomic Energy Agency and the Comprehensive Nuclear Test Ban Treaty Preparatory Commission is provided through this program. The DoD significance of this program is that DoS can purchase demining, unexploded ordnance clearance, and anti-terrorism systems with this funding.

The administration's FY 2007 request for NADR funding was \$449 million with \$405 million being initially appropriated and \$58 million later appropriated as a supplemental. The request for FY 2008 is \$464 million. The final NADR total for FY 2006 was \$406 million.

Direct Commercial Sales

DCS are commercial exports of defense articles, services, and training licensed under the authority of Section 38, AECA made by U.S. defense industry directly to a foreign government. Unlike the procedures employed for FMS, DCS transactions are not administered by DoD and do not involve a government-to-government agreement. Rather, the U.S. governmental control procedure is accomplished through licensing by the Directorate of Defense Trade Controls (PM/DDTC) in the DoS. The day-to-day rules and procedures for these types of sales are contained in the *International Traffic in Arms Regulations* (ITAR) [22 CFR 120-130].

DCS licenses (as opposed to new sales agreements) for delivery in FY 2006 and FY 2007 are estimated to total about \$31,604 million and \$8,875 million respectively. The DCS delivery projection for FY 2008 is \$17,482 million. Of note, not all license approvals will result in signed contracts and actual deliveries. And like FMS, DCS deliveries are likely to take place years after the commercial contract is signed and the export license is obtained by U.S. industry from PM/DDTC.

Other Security Assistance Programs

While these two programs are not identified by DSCA in the SAMM as one of the twelve security assistance programs, they are very much related to the duties of the security assistance community both in the U.S. and recipient foreign governments.

Excess Defense Articles

Excess defense articles (EDA) identified by the MILDEP or DoD agency are authorized for sale using the FMS authority in Section 21, AECA, and FMS processes identified within the SAMM for property belonging to the USG. Prices range from five to fifty percent of original acquisition value, depending on the condition of the article.

Additionally, Section 516, FAA, authorizes the President to transfer EDA on a grant basis to eligible countries for which receipt of such articles was justified, usually in the annual CBJ. While EDA can be transferred at no-cost, the recipient must typically pay for any transportation or repair charges. Under certain circumstances, the transportation charge can be waived, with the cost absorbed by DoD.

Third-Country Transfers

Section 3(d), AECA, authorizes the President to manage and approve the transfer of U.S.-origin defense articles from the original recipient country to a third country. Requests for third-country transfers are normally approved if the USG is willing to conduct a direct transfer to the third country. Third-country transfer authority must be obtained in advance of the proposed transfer and in writing from the DoS. This applies to all U.S.-origin defense articles regardless of the method of original transfer from the USG or U.S. industry.

SECURITY COOPERATION

Though not delineated in any one source, the following is a list, by category, with a brief description along with references of DoD-authorized security cooperation programs. It should be noted that the previously described seven FAA and AECA-authorized security assistance programs administered by DoD in accordance with the SAMM are also to be included in the broad definition of security cooperation.

Other sources for identifying DoD security cooperation programs include the *Theater Security Cooperation (TSC) Activities Handbook* used within the U.S. European theater of operations and the *Army International Activities Plan (AIAP)* published by the U.S. Army.

Another method of identifying the difference between security assistance and security cooperation is the source of authority within the U.S. Code (U.S.C.) for the program. The U.S.C. is the codification of the general and permanent U.S. laws which is divided into 50 titles by subject matter. 22 U.S.C., or Title 22, pertains to U.S. foreign relations matters to include FAA and AECA security assistance. 10 U.S.C., or Title 10, pertains to U.S. armed forces matters to include DoD security cooperation. It should be noted that certain DoD security cooperation program authorities are also with Title 22.

FAA and AECA-Authorized Programs Administered by DoD

This includes the seven security assistance programs previously identified and described in Table C1.T1, SAMM: FMS, foreign military construction services, FMFP, leases, MAP, IMET, and drawdowns.

Combined Operations

Combined operations is an older term normally to describe U.S. operations with other countries. Newer terms include coalition or joint operations or warfare. The original term joint generally meant two or more U.S. services in operations or exercises.

Counter-Drug Support

Section 1004 counter-narcotics support to include providing defense services and training in support of loaned DoD-loaned equipment to U.S. and foreign counter-drug agencies is authorized by the National Defense Authorization Act for Fiscal Year 1991, P.L. 101-510, Section 1004, as amended. Pseudo-FMS case procedures are used by DoD agencies to provide support as required to the office of the assistant secretary of defense for special operations and low intensity conflict-interdependent capabilities ASD(SOLIC-IC). The FMS procedures are at Section C11.3, SAMM.

The provision of counter-drug boats, non-lethal equipment and support of previously provided equipment for specified countries is often referred to as Section 1033 support. Section C11.3, SAMM, pseudo-FMS case procedures are likewise used in support of OASD(SOLIC-IC). The authority for this support is the National Defense Authorization Act for Fiscal Year 1998, P.L.105-85, Section 1033, as amended.

Acquisition and Cross-Servicing Agreements

Acquisition and cross-servicing agreements (ACSA) are initiated and negotiated by a combatant commander to allow U.S. logistics support of a designated military unit of another country. Lethal significant military equipment (SME) or support reasonably available from U.S. commercial sources may not be provided under an ACSA. The Joint Chiefs of Staff, OSD, and the DoS, to include a thirty day advance notification to Congress, must approve the proposal before the agreement is negotiated and concluded by the COCOM. The authority for an ACSA is 10 U.S.C. 2341-2350, with procedures provided in DoDD 2010.9, and Section C11.1, SAMM.

However, the John Warner National Defense Authorization Act, Fiscal Year 2007, P.L.109-364, 17 October 2006, Section 1202, authorizes through FY 2008, the loan of certain categories of SME defense articles for up to one year to countries participating in coalition operations in Iraq or Afghanistan. It must be determined by the secretaries of state and defense that it is in the U.S. national security interest to provide this loan and there are no unfilled U.S. in-theater requirements for the loaned articles.

Warsaw Pact Initiative

In 1994, the North Atlantic Treaty Organization (NATO) initiated the Partnership-for- Peace (PfP) program for countries seeking cooperative military and peacekeeping relations with NATO. In the U.S. support of PfP, DoD and DoS combined to establish the Warsaw Initiative Fund (WIF). DoS uses FMFP in providing support while DoD uses its own Title 10 appropriations, administered by DSCA, to support WIF. The authorities used by DSCA are 10 U.S.C. 168 for the later described military-to-military contact program, 10 U.S.C. 1051 to provide funding assistance in attending bilateral or regional meetings or seminars, and 10 U.S.C. 2010 to fund participation in combined exercises. SAMM, C11.15, provides DSCA policy guidance in executing the DoD portion of WIF. WIF cannot be the primary source of exercise funding, used to fund course attendance, or fund activities normally defined as material assistance.

Global Peace Operations Initiative

The global peace operations initiative (GPOI) is a recent five-year presidential initiative in coordination with the other G-8 countries to increase the capacity of selected countries to deploy in support of international peace operations. The goal is to train 75,000 peace support troops worldwide with emphasis in the Africa region and building an African command headquarters capability. GPOI would support the deployment of peacekeepers by providing equipment, transportation, and sustainment in the field. Remaining a DoS program requiring DoD support, GPOI subsumed the previous security assistance-funded PKO African contingency operations training and assistance (ACOTA) program and FMFP-enhanced international peacekeeping capabilities (EIPC) program. The term ACOTA is still used when referring to the Africa training component of GPOI. The authorities would remain with Chapter 6 of Part II of the FAA and Section 23, AECA.

Train and Equip Afghanistan and Iraq Security Forces

Title IX of the DoD appropriations act for FY 2007, P.L.109-289, initially appropriated \$1,500 million and \$1,700 million respectively for the Afghanistan Security Forces Fund (AFSF) and Iraq Security Forces Fund (ISFF) to provide, inter alia, defense articles and services for the Afghanistan and Iraq security forces. Title I of the emergency supplemental appropriations act for FY 2007, P.L.110-28, 25 May 2007, provides DoD an additional \$5,906 million and \$3,842 million for AFSF and ISFF assistance respectively. The transfers are often implemented using pseudo-FMS case procedures.

Support of Coalition Forces in Combined Operations

P.L.109-148, Section 9009, authorizes the use of FY 2006 DoD funding to support coalition forces supporting military and stability operations in Afghanistan and Iraq. The National Defense Authorization Act for Fiscal Year 2007, P.L.109-364, 17 October 2006, Section 1201, provided for a new 10 U.S.C. 127(c) authorizing up to \$100 million in DoD funding annually for the logistics, supply, and services to allied forces to support their participation in combined operations.

Reimbursement to Countries for U.S. Expenses

The National Defense Authorization Act, Fiscal Year 2006, P.L.109-163, Section 1208, authorizes the use of not more than \$1,500 million in FY 2006 DoD funding to reimburse key cooperating countries for logistical and military support provided by that nation to or in connection with U.S. military operations in Iraq, Afghanistan, and the Global War on Terrorism. P.L.109-234 authorizes the use of not more than \$740 million in DoD funding to similarly reimburse Pakistan, Jordan, and other key cooperating countries for support provided to U.S. military operations. The emergency supplemental appropriations act for FY 2007, P.L.110-28, appropriated \$200 million for similar reimbursement.

Combatant Commander Initiative Fund

Combatant Commander (COCOM) nominated special interest programs and is authorized by 10 U.S.C.166a. P.L.109-148 appropriated \$25 million for the combatant commander initiative fund (CCIF). P.L.109-234 later appropriated an additional \$25 million for CCIF in support of Operation Iraqi Freedom and Operation Enduring Freedom. P.L.109-289 and P.L.110-28, likewise, appropriated similar amounts for FY 2007.

Grant Excess Defense Articles for Afghanistan and Iraq

During FY 2006, P.L.109-163, Section 1209, authorizes the grant transfer of excess defense articles to the military and security forces of Afghanistan and Iraq of a total value not to exceed \$500 million. DoD funds may be used to fund the transfer to include transportation. This authority was not renewed for FY 2007.

Security and Stabilization Assistance

During FY 2006 and FY 2007, up to \$100 million in DoD funding, defense articles, and defense services may be transferred annually to the DoS for reconstruction, security, and stabilization assistance to a foreign country. These transfers shall be subject to the authorities and limitations of the FAA, AECA, and any other law making appropriations. This pilot program is authorized by P.L.109-163, Section 1207.

Building Partner Capacity of Foreign Militaries

During FY 2006 through FY 2008, up to \$300 million in DoD funding may be used annually to equip, supply, and train a foreign military force to conduct counterterrorism operations or participate in or support military and stability operations in which U.S. forces are participating. Any country prohibited by law from receiving such assistance may not receive such assistance. This pilot program was initially authorized by P.L.109-163, Section 1206, and later extended P.L.109-364, Section 1206, include FY 2008 with the annual value increased to \$300 million.

Former Soviet Union Threat Reduction Account

Sometimes referred to as the Nunn-Lugar program with the goals for the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons of mass-destruction in the republics of the former Soviet Union. For FY 2006, both P.L.109-148 and P.L.109-163, Section 1302, respectively appropriates and authorizes the use of \$415 million in DoD funding by the under secretary of defense for acquisition, technology, and logistics [USD(AT&L)] for such a program. P.L.109-234 appropriates an additional \$44 million in FY 2006 DoD funding for this program first authorized by the National Defense Authorization Act for Fiscal Year 1991. P.L.109-289 appropriated \$372 million for FY 2007.

Combined Exercises

Joint Combined Exchange Training

Joint combined exchange training (JCET) includes the deployment by U.S. special operations forces (SOF) with the dual purpose of training themselves and foreign counterparts. 10 U.S.C. 2011 provides the authority for the use of DoD funding for JCET. This funding can be used for the training of the foreign counterpart, expenses for the U.S. deployment, and, for developing countries, the incremental expenses incurred by the country for the training. The JCET program is carefully followed by Congress because of concerns about inadequate civilian oversight and fears that such training might benefit units or individuals who have committed human rights violations.

Exercise Related Construction

The exercise related construction (ERC) program is authorized by 10 U.S.C. 2805 with policy guidance provided within Chairman of the Joint Chiefs of Staff Instruction (CJSCI) 4600.01A to allow

overseas construction by the U.S. military in locations where there is no permanent U.S. presence. The construction is to enhance exercise effectiveness, enhance troop quality of life, and increase operational readiness. The construction is typically used by U.S. forces during an exercise to remain intact for host nation use after departure. Projects may include new construction, conversion of existing facilities (e.g., warehouses into exercise operations centers), and restoration of deteriorating facilities. U.S. and/or host nation engineers units and construction contracts may be used to accomplish projects. When construction is accomplished with partner nation engineers, interoperability benefits are also obtained. The Joint Staff logistics engineering division (J4/ED) manages the program through the engineer divisions of the area COCOMs.

Developing Country Combined Exercise Program

The developing country combined exercise program (DCCEP) is authorized by 10 U.S.C. 2010 to use DoD funds to pay for incremental expenses for a developing country to participate in a combined exercise with U.S. forces. Such expenses normally include rations, fuel, training ammunition, and transportation. The Joint Staff in coordination with the combatant commander manages DCCEP.

Defense Health Program

P.L.109-148 appropriates \$5.3 million in FY 2006 DoD funding for human immunodeficiency virus (HIV) prevention educational activities undertaken in connection with U.S. training, exercises, and humanitarian assistance activities conducted in African countries.

Combined Intelligence Operations

Not unlike any other DoD agency, the U.S. intelligence community also has combined operations, exercise, and exchange relationships with other countries and international organizations as a part of the overall DoD security cooperation strategy. It has been determined that this publication is not the correct forum to describe this cooperation.

International Armaments Cooperation

This security cooperation effort by the DoD acquisition community has many programs authorized by the AECA (Title 22) and DoD Title 10 codes of law, and the annual DoD appropriations act. Many U.S. DoD scientists and engineers are assigned overseas in an SAO as the eyes and ears of U.S. acquisition community looking for good ideas in the foreign defense industrial complex. Chapter 13, "International Armaments Cooperation," provides a more detailed description of many of these problems.

Information Exchange Program

10 U.S.C. 2358 authorizes the DoD acquisition community to enter into international agreements for the reciprocal exchange of research and development (R&D) data with a country with the goal of saving both DoD R&D funding and time in the U.S. research development, test, and evaluation (RDT&E) process. The OSD administrator for this program is under secretary of defense for acquisition, technology, and logistics (USD(AT&L)) with the MILDEP and DoD agency acquisition communities being the implementers.

Exchange of Engineers and Scientists

P.L.104-201 authorizes the DoD acquisition community, among others, to enter into international agreements for the reciprocal exchange of engineers and scientists with the objective of cooperative research and training. It is not to be an information collection program. Likewise, the USD(AT&L) provides oversight to this program with the MILDEP and DoD agency acquisition communities being the implementers.

Foreign Comparative Testing

10 U.S.C. 2360(a) authorizes the DoD acquisition community to enter into international agreements for the test and evaluation of already operational weapons systems in other countries with the objective of determining if the foreign weapon system is a candidate for U.S. acquisition. Again, the USD(AT&L) provides oversight to this program with the MILDEPs and DoD agencies being the implementers.

Cooperative Research, Development, Test, Evaluation and Production

Section 27, AECA, authorizes the DoD acquisition community to enter into international agreements with countries for the mutually beneficial development and possible later production of weapons systems. USD(AT&L) provides the general oversight for this complex program with other countries. The often referred to Nunn Amendment provided the initial authority and funding for this cooperative program with NATO allies. The later Quayle Amendment expanded the Nunn Amendment to also include Australia, Japan, and South Korea and referring to them as major non-NATO allies. P.L.99-661 later further expanded eligibility for this program beyond NATO and major non-NATO allies to include friendly countries.

No-Cost Equipment Loans

Section 65, AECA, authorizes the loan by international agreement of a U.S defense article at no-cost to a country for the expressed purpose of furthering a cooperative RDT&E program. Again, this program is managed within the DoD acquisition community by USD(AT&L).

Arrow Missile

For several years, DoD has been provided annual authority and funding for the early development and now current production of the Israeli Arrow missile defense system to include production both in the U.S. and in Israel. For FY 2006, \$60 million in DoD funding is provided by Section 8088, P.L.109-148, Section 8088, for the continued support of this program. P.L.109-289, Section 8079, expanded this program appropriation to \$138 million for FY 2007.

International Training and Education

Department of Defense Regional Centers for Security Studies

Over the course of time, a variety of Title 10 authorities and DoD appropriations were used to develop the five regional centers for security studies. The centers serve as a mechanism for communicating U.S. foreign and defense policies to international students and a means for countries to provide feedback to the U.S. concerning these policies and communicating country policies to the U.S. The regional centers' activities include education, research, and outreach. They conduct multi-lateral courses in residence, seminars within their region, and conferences that address global

and regional security challenges, such as terrorism and proliferation. Participants are drawn from the civilian and military leadership of allied and partner nations. Security assistance funding is not used to pay for the centers or the students attending them. However, under certain circumstances, DoD funds may be used to fund foreign attendance at the centers. The under secretary of defense for policy (USDP) in coordination with the affected combatant commander provides oversight for the five centers. DoDD 5200.41 provides policy and management guidance. Beginning in FY 2006, DSCA began administering the DoD centers under the direction of the USDP. The five centers include:

- Africa Center for Strategic Studies (ACSS), located at the National Defense University in Fort McNair, Washington, D.C. was established in 1999.
- Asia-Pacific Center for Security Studies (APCSS), located in Honolulu, Hawaii, was established in 1995.
- Center for Hemispheric Defense Studies (CHDS), located at the National Defense University in Fort McNair, Washington, D.C. was established in 1997.
- George C. Marshall European Center for Security Studies (MC), located in Garmisch, Germany, was established in 1993.
- Near-East South Asia Center for Strategic Studies (NESA Center), located at the National Defense University in Fort McNair, Washington, D.C. was established in 2000.

Section 904 of the NDAA for FY 2007 codified the authority for these regional centers with a new 10 U.S.C 184.

Regional Defense Combating Terrorism Fellowship Program

The post-September 11, 2001 regional defense combating terrorism fellowship program (CTFP) was established in 2002 first with DoD funding, later DoD authorizations, and now 10 U.S.C. 2249c. The purpose of the program is to help key partner nations cooperate with the U.S. in the fight against international terrorism by providing related education and training on a grant basis to foreign military and civilian personnel. It is to bolster the capacity of friends and allies to detect, monitor, interdict, and disrupt the activities of terrorist networks ranging from weapons trafficking and terrorist-related financing to actual operational planning by terrorist groups. The assistant secretary of defense for global security affairs [ASD (GSA)] is the OSD manager of CTFP in coordination with the COCOMs. The day-to-day administration of the program is performed by DSCA. \$20 million was appropriated to DoD for CTFP. The management of quotas is very similar to that of IMET. Section 1204, P.L.109-364, amended the annual funding authority to \$25 million.

Senior War College

10 U.S.C. 2111 authorizes DoD and the MILDEPs to provide quotas to international students to attend the various senior officer war colleges.

Military Academies

The MILDEP secretaries each may provide up to sixty quotas at any one time to foreign military students to attend the three military academies. The secretary of defense may waive all or any part of the requirement to reimburse any cost for attendance. The invitations to attend the academies are offered by the MILDEP secretaries usually through the DAO. The authorities for attending the

military academies are 10 U.S.C. 4344(a)(1) for the U.S. Military Academy; 10 U.S.C. 6957(a)(1) for the U.S. Navy Academy; and 10 U.S.C. 9344(a)(1) for the U.S. Air Force Academy. These programs are not considered security assistance.

Military Academy Student Exchanges

By international agreement, the MILDEP secretaries each may authorize up to 24 students annually to participate in the reciprocal exchange of cadets to attend the appropriate military academies. The authorities for this exchange program are 10 U.S.C. 4345 for the U.S. Military Academy; 10 U.S.C. 6957a for the U.S. Navy Academy; and 10 U.S.C. 9345 for the U.S. Air Force Academy.

Professional Military Education Student Exchanges

Section 544(a), FAA, authorizes by international agreement no-cost, reciprocal professional military education (PME) student exchanges. PME usually includes attendance at the MILDEP leadership and management education institutions but not to include the service academies. The U.S. participant in this program will attend the equivalent institution in the foreign country and be administratively managed by either the local DAO or SAO.

Flight Student Exchanges

Section 544(b), FAA, authorizes by international agreement no-cost, reciprocal flight, to include test pilot schools, training student exchanges. This may include military or civilian defense personnel. Again, the U.S. students in a country may be administratively managed by either the DAO or SAO.

Aviation Leadership Program

Section 544(c), FAA, authorizes the cooperative participation of foreign and U.S. military and defense civilian personnel in post-under-graduate flying training and tactical leadership programs at locations in Southwest Asia without charge to participating foreign countries. IMET funds are not to be used in support of this program. U.S. participation is to be funded by the MILDEP. A presidential national interest waiver may be used to allow a country to participate on a no-cost basis with the U.S. MILDEP absorbing the charge.

Latin America Training Waiver

10 U.S.C. 1050 authorizes the waiving of training and education costs for a Latin American student to attend a U.S. military training institution. The applicable MILDEP will absorb the waived costs.

Humanitarian Assistance and Mine Action Programs

These programs were the first DoD-funded programs to be administered by DSCA under the new security cooperation term. It should be noted that the DoS has parallel programs. Much of this assistance is provided in coordination with the U.S. embassy, the combatant commander, DoS, ASD(SOLIC), and U.S. Transportation Command (USTRANSCOM). P.L.109-148 appropriates and P.L.109-163 authorized \$62 million for use during FY 2006 for expenses related to DoD overseas humanitarian, disaster, and civic aid (OHDACA) programs. P.L.109-289 appropriated a similar amount of \$63 million for FY 2007. Requests for OHDACA funds for any of these programs generally begin in country with the SAO and are consolidated and prioritized at the COCOM level before forwarding to

DSCA. P.L.109-148 additionally authorizes the emergency supplemental appropriation of \$40 million in DoD humanitarian assistance for victims of the northern Pakistan earthquake.

Humanitarian and Civic Action during Military Operations

10 U.S.C. 401 authorizes military forces to carry out humanitarian and civic action (HCA) projects and activities in conjunction with military operations. The combatant commander nominates such action for OSD staffing primarily within (ASD/SOLIC) and DSCA for approval and funding. DoDD 2205.2 and SAMM, C12.3.4, provide policy guidance and DoD component responsibilities for the DoD HCA program.

Humanitarian Assistance Transportation

10 U.S.C. 2561 authorizes DoD to fund transportation of humanitarian relief world-wide for non-profit, non-government, and private volunteer organizations. SAMM, C12.3.5, provides guidance for this transportation program.

10 U.S.C. 402 authorizes DoD to provide transportation on a space-available basis of humanitarian relief supplies furnished by a non-government organization. SAMM, C12.3.6, provides guidance for this transportation program. This program is often referred to as the Denton Program.

Foreign Disaster Relief

10 U.S.C. 404 authorizes DoD to assist countries in its response to man made or natural disaster when necessary to prevent the loss of life. This program enables the combatant commanders to respond quickly and effectively to disasters in their area of operations and to manage the humanitarian dimensions of security crises. The COCOM engage in foreign disaster relief and emergency response (FDR/ER) activities only when directed by the president, with the concurrence of the secretary of state, and in emergency situations to save lives. Activities may include services and supplies, logistical support, search and rescue, medical evacuation, and refugee assistance. The FDR/ER program allows for the delivery of humanitarian daily rations (HDR) for use in foreign countries to alleviate hunger after man made or natural disasters. SAMM, C12.3.8 provides guidance for this emergency humanitarian assistance.

Humanitarian Daily Rations

10 U.S.C. 2561 authorizes DoD funding and provision of low cost, nutritional, easily deliverable, daily rations for alleviating hunger in countries after a man made or natural disaster. SAMM, C12.3.7, provides guidance for this emergency assistance program.

Excess Property Humanitarian Assistance

10 U.S.C. 2557 authorizes DoD to provide excess non-lethal supplies to foreign governments and civilian organizations for humanitarian relief purposes when requested by the U.S. embassy. DoD processes, refurbishes, stores, and transport the property to the country for distribution by the U.S. embassy. SAMM, C12.3.1, provides guidance for this humanitarian relief program.

Humanitarian Demining Assistance

10 U.S.C. 407 authorizes DoD in conjunction with military operations to assist countries in the detection of landmines, and to train partner nations in the procedures of landmine clearance, mine risk education, and victims' assistance. The humanitarian demining assistance (HDA) program also

develops indigenous leadership and organizational skills to sustain the effort after the departure of U.S. trainers. Except for the concurrent purpose of supporting U.S. military operations, no DoD personnel may engage in the physical detection, lifting, or destroying of landmines.

10 U.S.C. 407 authorizes the annual use of \$10 million by DoD for humanitarian mine action activities. SAMM, C12.3.3, provides guidance regarding this humanitarian mine action (HMA) program. DSCA manages this program through the U.S. Army's Humanitarian Demining Training Center at Fort Leonard Wood, Missouri.

Commander's Emergency Response Program

Section 9007, P.L.109-148, authorized the use of up to \$500 million in FY 2006 DoD funding for the commander's emergency response program (CERP). The purpose of this program is to enable commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements. This funding is also for a similar program in Afghanistan. Section 9006, P.L.109-289, provides for the same funding level for CERP during FY 2007.

Military-to-Military Contact Programs

These cooperative programs have been around for a long time and continue today as a general program to establishing and strengthening professional (and personal) relationships between two country counterparts. In addition to learning new ideas, personal insights and cultural understandings are gained by all participants which often prove to be deciding factors in successful future diplomatic and military interfaces.

Traditional Combatant Commander Activities

10 U.S.C. 168 authorizes DoD, normally the COCOM, to conduct military-to-military contacts and comparable activities with allied and friendly countries designed to encourage a democratic orientation of defense establishments and military forces. Some functions include traveling contact teams, military liaison teams, exchange of military and civilian personnel, seminars, and conferences within the COCOM area of responsibility. Funding for the traditional COCOMer activities (TCA) program is provided to the COCOM by the MILDEPs that act as executive agents.

Developing Country Attendance at Bilateral Meetings

10 U.S.C. 1051 authorizes the use of DoD funds to support the attendance of representatives from developing countries to attend usually COCOM-sponsored bilateral and multilateral meetings.

State Partnership Program

The National Guard State Partnership Program (SPP) links U.S. states with partner countries for the purpose of supporting the national security objectives and goals of the combatant commander and the partnered country's U.S. ambassador. The National Guard's involvement reflects an evolving international affairs strategy using the unique civil-military nature of the National Guard to interact with both civil and defense personnel of foreign countries. The state partners actively participate in a host of engagement activities ranging from bilateral familiarization and training events, emergency management, environmental remediation exercises, fellowship-style internships, educational exchanges, and civic leader visits. All activities are coordinated through the geographic combatant commander and the U.S. ambassador's country team, and other agencies as appropriate, to ensure that National Guard support is tailored to meet both U.S. and country objectives.

The SPP was established following the National Guard Bureau's (NGB) 1993 proposal to pair state National Guards with the Baltic countries of Estonia, Latvia, and Lithuania. The NGB proposal was prompted by CINCEUR's earlier decision to staff the Military Liaison Teams (MLTs) in the Baltics with reserve component personnel. The SPP thus began as a bilateral military-to-military contact program to engage the countries of Central and Eastern Europe, and is a direct outgrowth of EUCCOM's Joint Contact Team Program (JCTP). It since has grown to include 47 U.S. states, two territories, and the District of Columbia partnered with 63 countries in the EUCCOM, AFRICOM, CENTCOM, PACOM, and SOUTHCOM areas of responsibility.

Figure 1-1 illustrates the partnerships. All state National Guards have an SPP coordinator who manages the program from the state National Guard headquarters. Many partnerships also include a National Guard officer, known as a bilateral affairs officer (BAO), who is assigned to the SAO in country to manage SPP activities and events. Details are available at the web site of the National Guard Bureau, Office of International Affairs (J5-IA), at <http://www.ngb.army.mil/ia/Default.aspx>.

**Figure 1-1
State Partnership Partners**



63 Countries linked to 47 states, 2 territories and Washington, D.C.

Alabama / Romania	Minnesota / Norway
Alaska / Mongolia	Mississippi / Bolivia
Arizona / Kazakhstan	Missouri / Panama
Arkansas / Guatemala	Montana / Kyrgyzstan
California / Ukraine	Nevada / Turkmenistan
California / Nigeria	New Hampshire / El Salvador
Colorado / Jordan*	New Jersey / Albania
Colorado / Slovenia*	New Mexico / Costa Rica
Connecticut / Uruguay	New York / South Africa
Delaware / Trinidad-Tobago	North Carolina / Moldova
District of Columbia / Jamaica	North Dakota / Ghana
Florida / Venezuela*	Ohio / Hungary
Florida / Guyana*	Ohio / Serbia
Florida / Eastern Caribbean Islands	Oklahoma / Azerbaijan
Georgia / Georgia	Pennsylvania / Lithuania
Hawaii / Guam** / Philippines	Puerto Rico / Honduras*
Hawaii / Indonesia	Puerto Rico / Dominican Republic*
Illinois / Poland	Rhode Island / Bahamas
Iowa / Russia	South Dakota / Suriname
Indiana / Slovakia	Tennessee / Bulgaria
Kansas / Armenia	Texas / Nebraska* / Czech Republic
Kentucky / Ecuador	Utah / Morocco
Louisiana / Belize*	Vermont / Macedonia
Maine / Montenegro	Virginia / Tajikistan
Maryland / Estonia	Washington / Thailand
Maryland / Bosnia*	West Virginia / Peru
Massachusetts / Paraguay	Wisconsin / Nicaragua
Michigan / Latvia	Wyoming / Tunisia
Minnesota / Croatia	

* States with two countries

** Countries with two States

Defense Personal Exchange Program

The *National Defense Authorization Act for Fiscal Year 1997*, P.L.104-201, Section 1082, authorizes DoD and the MILDEPs to enter into international agreements for the reciprocal, no-cost exchange of already qualified military or defense civilian personnel with allied or friendly countries. This personnel exchange program (PEP) is widely subscribed to throughout DoD to include the

administrative, intelligence, acquisition, training and education, and operational and reserve unit and staff communities. A sample of these programs includes:

- Foreign counterpart visits for the service chiefs of the Army, Air Force, and Navy
- Personnel exchange programs managed by each of the four military services
- The Army's reciprocal unit exchange program
- The DoD reserve officers foreign exchange program

SUMMARY

Security assistance has been part of our nation's history ever since the Revolutionary War. Since World War II, security assistance has become an institutionalized and continuing program used to advance U.S. interests in a global environment.

The term security assistance itself is subject to differing interpretations. The SAMM lists twelve programs within security assistance of which seven are administered by DSCA. Within the annual CBJ, there are seven major security assistance programs requiring appropriated funds as well as several others which are discussed in some detail. The relatively recent development and use of the term security cooperation which incorporates the DoD-managed security assistance programs has become the standard to describe all DoD international activities.

If the past is any predictor of the future, security assistance is not just a short-range program; rather, it will be in existence for many years to come. In this regard, the words of former Deputy Secretary of Defense, William P. Clements, Jr., are as appropriate today as when they were spoken several years ago.

Many contend that such a program [as security assistance] has outlived its usefulness and is an anachronism in these days of a trend towards detente. To do so is not only to misread the history of the past twenty-five years but to misinterpret the signs of the times. The record is open to all who care to consult it. That record fully substantiates the conclusion that the world situation in which we currently find new hope for the future would not exist if the people of the United States had earlier refused to concern themselves with the common defense of the Free World. Had we not become involved and, for more than two decades, supported and encouraged the efforts of allied and friendly countries to protect themselves against threats to their territorial integrity and internal security, the complexion of the globe might be dangerously different today, and the international climate far more hostile. [*Commander's Digest*, July 12, 1973]

The broad definition of security cooperation to include all DoD international programs and those seven FAA/AECA-authorized programs administered by DSCA has significantly increased the playing field within DoD ranging from the secretary of defense to the COCOM to the in-country DAO/SAO. No one community within DoD is not affected by security cooperation and its use in achieving U.S. foreign policy and national security objectives.

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