
Fiscal Year 2009 Security Cooperation Legislation

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[Please note that this summary is not legal advice. The reader should confer with one's assigned general counsel for any related legal analysis or advice.]

Introduction

Each year, the *DISAM Journal* publishes a summary of the legislation that impacts U.S. security assistance and other related international programs. This report is intended to alert all security assistance and security cooperation community members to the collective changes or continued requirements in legislation that will influence program planning and implementation for the coming year. As has been done in the past, the report is in outline form, with key topics highlighted to facilitate locating specific statutory references.

Because of delays in the fiscal year (FY) 2009 legislative process, this article will only contain discussion of the laws that pertain to FY 2009 security cooperation programs. Security assistance legislation was not available until 11 March 2009 with the enactment of the *Omnibus Appropriations Act, 2009*, P.L.111-08. Because of the changes in the Administration and Congress and its senior leadership and the accompanying delay in the legislative process, a summary for FY 2009 security assistance allocations was not available until 7 May 2009 when general program funding requests for FY 2010 were published. This general summary with highlights by Department of State can be viewed at <http://www.state.gov/documents/organization/122513.pdf>. A more detailed country and program funding discussion for FY 2010 was finally made available on 28 May 2009 with the publication of the *Congressional Budget Justification (CBJ) for Foreign Operations, FY 2010*. This 1,000 pages plus FY 2010 CBJ which also includes the initial estimated funding allocation for FY 2009 and the pending supplemental funding request for FY 2009 can be viewed at: <http://www.state.gov/f/releases/iab/fy2010cbj/pdf/index.htm>. In the past, this document has been made available online to start the appropriations process in early February.

The FY 2009 appropriations season included two large appropriations acts and continuing resolutions (CRs) with the first one, the *Consolidated Security, Disaster, and Continuing Appropriations Act, 2009*, P.L. 110-329, 30 September 2008, providing FY 2009 appropriations for the Department of Defense and Homeland Security plus Defense Construction and Veterans Affairs. This law also provided the CR authority for the remaining nine FY 2009 appropriations lasting until midnight, 6 March 2009. A shorter five day CR was provided by P.L.111-6, 6 March 2009, until final enactment of the nine appropriations on 11 March 2009 within the *Omnibus Appropriations Act, 2009*, P.L.111-8, to include the *Division H, Department of State, Foreign Operations, and Related Programs Appropriations Act (S/FOAA), 2009*. The security cooperation essential defense authorization act was enactment on 14 October 2008 as the *Duncan Hunter National Defense Authorization Act (NDAA) for Fiscal Year 2009*, P.L.110-417.

The remainder of this article (29 pages) can be accessed at:
<http://www.disam.dsca.mil/pubs/LA.asp>.

About the Author

Ken Martin has been at DISAM for over twenty years as an associate professor for the management of security assistance. In addition to teaching, his duties include being the legislation and policy functional manager and the editor for the annually republished DISAM “green textbook”, *The Management of Security Assistance*. He is a retired U.S. Navy surface warfare officer. His education includes an undergraduate degree in the field of economics from the Illinois Institute of Technology in Chicago and a master’s degree in administration from Central Michigan University.