THE DISAM JOURNAL OF INTERNATIONAL SECURITY ASSISTANCE MANAGEMENT

The formal announcement of recruiting for the Global Master of Arts Program II (GMAP II) for the school year of March 2006-March 2007 is included in this Journal. We encourage supervisors and eligible employees to consider this educational opportunity from two standpoints:

- *Supervisors need to be looking for and encouraging their qualified personnel to take advantage of this educational the program; and*
- *Employees need to be prepared for a year-long commitment involved in completing an educational opportunity that will enhance their career.*

The Defense Security Cooperation Agency and the Fletcher School of Law and Diplomacy of Tufts University have developed a superb course of study providing the type of education needed in our workforce today and in the future!

We have included numerous articles for the security assistance community in this issue of The DISAM Journal. Most noteworthy is our feature article detailing the National Geospatial Intelligence Agency and its security cooperation role of sharing, internationally, imagery and mapping information and associated systems.

This Journal also covers a variety of international topics ranging from the Asian continent, human rights around the world, counterterrorism and international narcotics and international law enforcement that impact the security assistance community. It all serves to remind us how critical the synergy of all our international security assistance programs really is. Of particular note, Ambassador Huhtala's, the Deputy Assistant Secretary of State for East Asia and Pacific Affairs, comments on the near-term future relations between the U.S. and Asia in the wake of the tsunami disaster last December 2004. Our annual security assistance Legislation article outlines the funding allocation of various grant programs including the Foreign Military Financing, International Military Education and Training Program, and Peacekeeping Operations for fiscal year 2005.

The Education and Training section of this Journal starts off with two articles from Defense Logistics Information Service informing us about the North Atlantic Treaty Organization Codification System updates and a second article announcing the 10th International Symposium on Codification Symposium. Additionally, there are articles from several of DISAM's faculty discussing the availability of security assistance publications that influence our programs and processes.

We solicit your comments, ideas, and submission of articles for upcoming Journals. If you have questions concerning how to submit an article please contact us for details or visit our website http://www.disam.dsca.mil!

RONALD H. REYNOLDS
Commandant

The Global Master of Arts Program II
Tufts University Begins Third Year

We are kicking off the third year of recruiting for the Global Master of Arts Program II (GMAP II), a graduate studies program partnership between the Defense Security Cooperation Agency and the Fletcher School of Law and Diplomacy at Tufts University. Our first class graduated on March 26, 2005. An article about the graduation is located in the 2004 summer issue of The DISAM Journal, Volume 26, No.4, pages 85-87.

The following is the message released to announce the recruiting for the 2006 classes.

FROM: SECDEF WASHINGTON DC//USDP-DSCA//

SUBJECT: GLOBAL MASTER OF ARTS PROGRAM II (GMAP II), TUFTS UNIVERSITY, CLASS 2006

1. APPLICATIONS ARE NOW BEING ACCEPTED FOR THE FISCAL YEAR 2006 INTERNATIONAL AFFAIRS GRADUATE STUDIES PROGRAM WITH TUFTS UNIVERSITY'S FLETCHER SCHOOL OF LAW AND DIPLOMACY. THE APPLICATION DEADLINE IS 1 SEPTEMBER 2005. THE PURPOSE OF THIS PROGRAM IS TO IMPROVE THE QUALITY AND PROFESSIONALISM OF THE INTERNATIONAL AFFAIRS WORKFORCE, GROW THE LEADERSHIP OF TOMORROW, AND BUILD PERSONAL RELATIONSHIPS AMONG MID-LEVEL MANAGEMENT THROUGHOUT DSCA, THE MILITARY DEPARTMENTS (MILDEPS), OTHER FEDERAL AGENCIES, INTERNATIONAL FOREIGN MILITARY SALES (FMS) CUSTOMERS, AND DEFENSE INDUSTRY ORGANIZATIONS. THE PROGRAM IS SPECIFICALLY INTENDED FOR CIVILIAN AND MILITARY PERSONNEL SERVING IN THE SECURITY COOPERATION FIELD AND WILL LEAD TO A GLOBAL MASTER OF ARTS DEGREE. THIS, THE THIRD GMAP II CLASS, WILL BEGIN IN MARCH 2006.

2. PROGRAM DESCRIPTION:

IN MARCH, 2003, DSCA ENTERED INTO A MEMORANDUM OF UNDERSTANDING WITH THE FLETCHER SCHOOL, TUFTS UNIVERSITY TO PROVIDE UP TO 22 HIGHLY-QUALIFIED DOD STUDENTS PER YEAR. THE FLETCHER SCHOOL WILL ENROLL ADDITIONAL STUDENTS FROM FEDERAL AGENCIES, U.S. DEFENSE INDUSTRY, AND OTHER COUNTRIES.

THE DEFENSE INSTITUTE OF SECURITY ASSISTANCE MANAGEMENT (DISAM), WRIGHT-PATTERSON AIR FORCE BASE, DAYTON, OHIO, IS THE EXECUTIVE AGENT FOR MANAGEMENT AND DOD LIAISON FOR THIS GRADUATE STUDIES PROGRAM. DISAM ALSO SERVES AS THE PROGRAM POC FOR ALL NON-MILDEP DOD AGENCIES, I.E., DFAS, DIILS, AND COMBATANT COMMANDS.

GMAP II IS A 12-MONTH, DISTANCE-LEARNING GRADUATE DEGREE PROGRAM. PCS TRAVEL WILL NOT BE REQUIRED. STUDENTS WILL WORK FROM HOME STATIONS/COUNTRIES. TWO MANDATORY TWO-WEEK SESSIONS IN RESIDENCE WILL BE CONDUCTED AT THE FLETCHER SCHOOL OUTSIDE BOSTON, MA. ONE OTHER TWO-WEEK RESIDENCY WILL BE CONDUCTED AT ANOTHER CONUS LOCATION (LIKELY WASHINGTON DC).

3. RESOURCES:

TUITION FOR PERSONNEL IN FMS ADMINISTRATIVE FUNDED BILLETS WILL BE CENTRALLY FUNDED BY DSCA AND INCLUDES THE COST OF MEALS AND HOUSING FOR THE THREE (3) RESIDENCIES. TRANSPORTATION TO AND FROM DUTY LOCATION AND ASSOCIATED MISCELLANEOUS EXPENSES FOR EACH OF THE THREE RESIDENT SESSIONS IS ADDITIONAL. THOSE ADDITIONAL EXPENSES ARE THE RESPONSIBILITY OF THE INDIVIDUAL STUDENT'S OWNING AGENCY. QUESTIONS ON FUNDING SHOULD BE ADDRESSED TO DISAM.

CONTACT INFORMATION IS LISTED BELOW IN PARAGRAPH 6.

MILITARY AND CIVILIAN PERSONNEL NOT IN FMS FUNDED BILLETS ARE ENCOURAGED TO APPLY, BUT MUST BE FUNDED THROUGH THEIR AGENCY'S APPROPRIATE TRAINING FUNDS OR AN ALTERNATIVE FUNDING SOURCE.

PERSONNEL FROM OTHER FEDERAL AGENCIES, DEFENSE INDUSTRY, AND INTERNATIONAL APPLICANTS SHOULD APPLY DIRECTLY TO THE FLETCHER SCHOOL AND UTILIZE THEIR OWN FUNDING SOURCES.

A TRAINING MASL (D400000) MAY BE USED BY FMS COUNTRIES AS A MEANS OF PAYMENT (USING FMS OR FMF CASE FUNDS ONLY/IMET FUNDS CANNOT BE USED). FURTHER INSTRUCTIONS FOR THIS MAY BE FOUND IN THE MASL DESCRIPTION OR MAY BE ADDRESSED TO DISAM. THE ESTIMATED COST FOR EACH STUDENT IS APPROXIMATELY $55,000.

4. QUALIFICATIONS FOR DOD PARTICIPANTS:

A MINIMUM OF 8 YEARS OF PROFESSIONAL EXPERIENCE (NOT NECESSARILY ALL IN INTERNATIONAL AFFAIRS)

- CURRENT MID-CAREER PROFESSIONAL IN A POSITION WITH INTERNATIONAL AFFAIRS RESPONSIBILITIES
- BACHELORS DEGREE (OR EQUIVALENT) REQUIRED. THE FLETCHER SCHOOL HAS ADVISED THAT SUCCESSFUL APPLICANTS HAVE AN UNDERGRADUATE GPA OF 3.0 OR BETTER. HOWEVER GRADUATE COURSES, STRONG PROFESSIONAL EXPERIENCE, AND A STRONG BASE IN A FOREIGN LANGUAGE ALSO PLAYS A PART IN THE ACCEPTANCE PROCESS. ALL INTERESTED PERSONNEL ARE ENCOURAGED TO APPLY.

THE FLETCHER SCHOOL'S FOREIGN LANGUAGE QUALIFICATIONS ARE AS FOLLOWS: A LIMITED WORKING PROFICIENCY IN SPEAKING AND GENERAL PROFESSIONAL PROFICIENCY IN READING. LIMITED WORKING PROFICIENCY IN SPEAKING IS DEFINED AS "ABLE TO SATISFY." ROUTINE DEMANDS AND LIMITED WORK REQUIREMENTS. CAN HANDLE ROUTINE WORK-RELATED INTERACTIONS THAT ARE LIMITED IN SCOPE." GENERAL PROFESSIONAL PROFICIENCY IN READING IS DEFINED AS "ABLE TO READ WITHIN A NORMAL RANGE OF SPEED AND WITH ALMOST COMPLETE COMPREHENSION ON A VARIETY OF AUTHENTIC PROSE MATERIAL ON UNFAMILIAR SUBJECTS." QUESTIONS SHOULD BE DIRECTED TO THE POINTS OF CONTACT IN PARAGRAPH 6, OR TO THE FLETCHER SCHOOL AT TUFTS UNIVERSITY, GABRIELA.ARTAVIA@TUFTS.EDU.

DEMONSTRATED LEADERSHIP POTENTIAL AND THE DESIRE TO SUCCEED IN THE INTERNATIONAL ARENA.

5. GMAP II DEGREE REQUIREMENTS FOR GRADUATION:

- COMPLETING EIGHT COURSES WILL BE REQUIRED OVER THREE TRIMESTERS
- COMPLETING THREE TWO-WEEK RESIDENCY SESSIONS;
- COMPLETING MASTERS THESIS WITH ORAL PRESENTATION (25-35 PAGES); AND
- PASS A FOREIGN LANGUAGE PROFICIENCY EXAM ADMINISTERED BY TUFTS.

6. APPLICATION PROCESS:

DOD PERSONNEL SERVING IN POSITIONS SET FORTH IN PARA 1 ABOVE WHO ARE INTERESTED IN APPLYING FOR THE PROGRAM SHOULD VISIT THE TUFTS UNIVERSITY WEBSITE HTTP://FLETCHER.TUFTS.EDU/GMAP AND THE DISAM WEBSITE HTTP://WWW.DISAM.DSCA.MIL/GMAPII/GMAPII.HTM FOR APPLICATION INFORMATION AND DOWNLOADING. BOTH WEBSITES MUST BE VIEWED TO SEE ALL TUFTS AND DOD GMAP II APPLICATION REQUIREMENTS.

ONCE THE APPLICATION IS COMPLETE, FORWARD THE ORIGINAL APPLICATION PACKAGE THROUGH THE APPLICANT'S LOCAL CHAIN OF COMMAND FOR THE REQUIRED ENDORSEMENT (SPONSORSHIP LETTER) AND SEND TO THE RESPECTIVE MILDEP OR AGENCY POINT OF CONTACT LOCATED AT THE FOLLOWING OFFICES. EACH MILDEP CAN PROVIDE MORE SPECIFIC GUIDANCE. AGAIN, THE APPLICATION DEADLINE FOR THE PACKAGE TO REACH THE APPROPRIATE MILDEP IS **1 SEPTEMBER 2005.**

US ARMY PERSONNEL (MILITARY AND CIVILIAN):

SANDY LONG, DASA DE&C; SANDRA.LONG@HQDA.ARMY.MIL
PHONE: (703) 588-8080
DSN: 425-5080

FAX: (703) 588-8755
MAILING ADDRESS: DEPUTY ASSISTANT SECRETARY FOR DEFENSE EXPORTS
ATTN: SAAL-NP SUITE 8200, 1777 NORTH
KENT STREET, ARLINGTON, VA 22209

US NAVY/USMC PERSONNEL (MILITARY AND CIVILIAN):
YVONNE JACOBSEN, NAVY IPO; YVONNE.JACOBSEN@NAVY.MIL.
PHONE: (202) 764-2740
DSN 764-2740
MAILING ADDRESS: 3801 NEBRASKA AVE. NW
WASHINGTON, D.C. 20393-5445

USAF PERSONNEL (MILITARY AND CIVILIAN):
ANGELA KRAVETZ, SAF/IA; ANGELA.KRAVETZ@PENTAGON.AF.MIL
PHONE: (703) 588-8994
DSN 425-8984
MAILING ADDRESS: SAF/IAPX
1500 WILSON BLVD, SUITE 900
ARLINGTON, VA 22209

OTHER DOD AGENCIES/ORGANIZATIONS (MILITARY AND CIVILIAN):
MR. GREG SUTTON, DISAM/DR; GREGORY.SUTTON@DISAM.DSCA.MIL
PHONE: (937) 255-8206
DSN 785-8206
MAILING ADDRESS: 2475 K STREET
WRIGHT-PATTERSON AFB, OH 45433-7641

7. SELECTION PROCESS:

MILDEP-SPONSORED CANDIDATES FOR GMAP II WILL BE SELECTED BY A COMMITTEE CONSISTING OF REPRESENTATIVES OF THE RESPONSIBLE MILITARY DEPARTMENT. ALL OTHER DOD-SPONSORED CANDIDATES FOR GMAP II WILL BE SELECTED BY A COMMITTEE ESTABLISHED BY DSCA/DISAM. WHEN THESE SELECTIONS ARE COMPLETE, CANDIDATES' PACKAGES WILL BE FORWARDED TO THE FLETCHER SCHOOL FOR FINAL ACADEMIC REVIEW AND ACCEPTANCE DECISION.

8. ADDITIONAL INFORMATION ABOUT THIS PROGRAM CAN BE FOUND AT: HTTP://WWW.DISAM.DSCA.MIL/GMAPII/GMAPII.HTM.

9. SPECIFIC QUESTIONS REGARDING THIS PROGRAM SHOULD BE DIRECTED TO THE APPROPRIATE FOCAL POINT IN PARA. 6.

RELEASING OFFICIAL:
//SIGNED//
GENERAL KOHLER
Director, DSCA

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Spring Volume 27 No. 3

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FEATURE ARTICLE

Geospatial Intelligence: An Emerging Discipline in National Intelligence with an Important Security Assistance Role

By
John M. Doty
National Geospatial Intelligence Agency

This article describes the emerging discipline of geospatial intelligence and its proponent, the National Geospatial-Intelligence Agency (NGA). In addition to its function as the newest member of the U.S. Intelligence Community, NGA has a specific role in security assistance as the implementing agency for international sharing of imagery and mapping information and associated systems. This article also addresses the range of NGA security assistance activities, with focus on the systems and services delivered to partner nations through foreign military sales and related programs.

Flanked by his immediate staff, the commander enters the darkened room, his eyes drawn immediately to the large lit screens on the front wall. The areas on the screens represent his realm, the entirety of the space in which he would meet the enemy. Symbols on the screens represent the allied and enemy forces, known obstacles and elements of the battlespace, as well as factors in the anticipated struggle. An unidentified voice welcomes him to the command center and begins the briefing on current status, immediate operational plans, and emerging contingencies. In response to the commander's questions, the screens glow with the emphasis of certain factors or change to new scenes to best depict the realities of the struggle.

This scenario, its description intentionally general and hyperbolic, is played out in many different settings ranging from military command posts to civil operations centers to police and emergency headquarters. In short, the wonders of electronics and availability of data in many different forms and from many sources, make it possible to support decisions and actions in three-dimensional space in a fraction of the time that was required for papier mâché tables in World War II bunkers, map boards in Vietnam war rooms, or grease-pencil graphics on police-department bulletin boards. The scenarios are not always in military or para-military settings. Security at the Olympic and other sporting events now include attention to three-D models of their protection space and environs.

NGA, best known for its advisory support to national decision-makers and provision of geo-intelligence (GEOINT) data, products, and services to the nation's warfighters, plays a key role in the technical advancement and modernization of partner countries in this fast-moving field. Because the field and associated system capabilities are expanding so fast, the challenges in assuring interoperability of data and systems are constant. The challenges for partners eager to engage with the U.S. are immense. A major focus of NGA's security assistance engagement is former Warsaw Pact nations seeking ascension into the North Atlantic Treaty Organization (NATO).

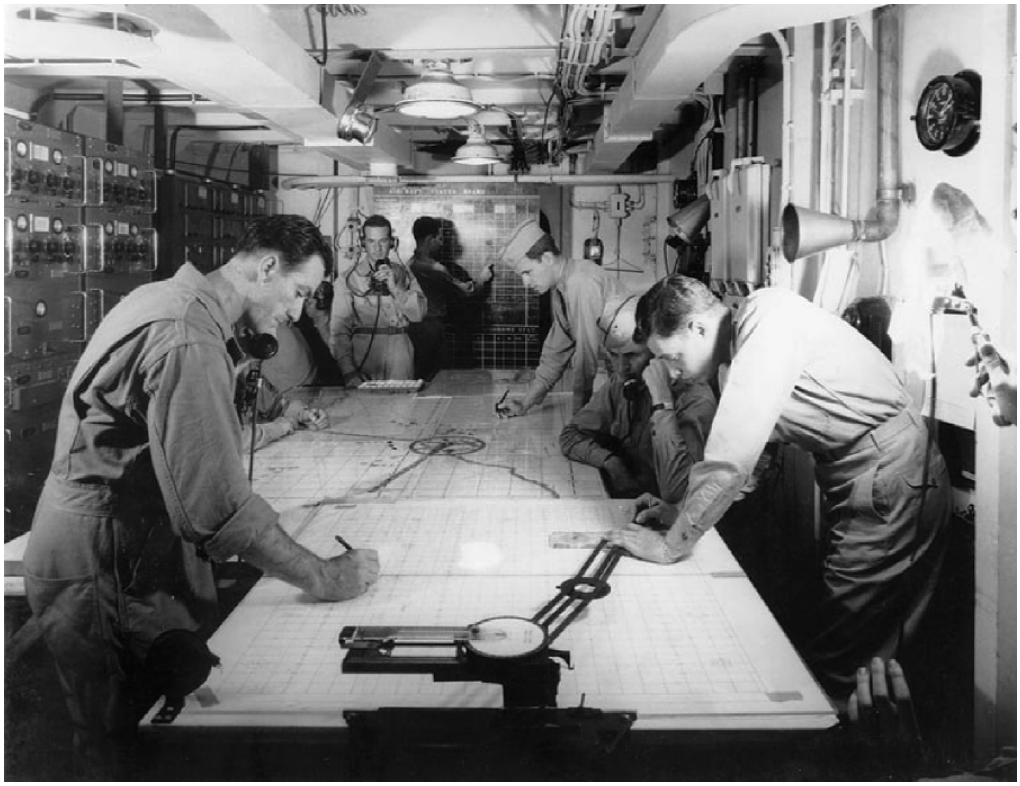
(Official USN Photo)

U.S.S. MISSOURI's (BB-63) Main Battery Plot Room; off Korean coast, September 1950.

Much is made in today's culture of the immense volumes of information available on which to base decisions. The concept of an information explosion is hardly exaggerated. The rate of growth in information is indicated by, among other things, our vocabulary. A new term "exabyte" refers to the magnitude of one billion gigabytes; a concept that we would have had difficulty imagining just a few years ago. Digital imagery represents a cutting edge in this field. Some of the major advances in volume storage were driven by the large amount (at least by our standards years ago) of computer memory required by high-resolution images. At the same time, other fields of intelligence (specifically signals and electronic intelligence) require massive processing power to ensure their success. In fact, there has always been an element of information sorting in any given visualization of a complex problem in three-dimensional space, the distilling of

information down to a manageable size. Even before the map tables of World War II, mapmakers worked hard to develop ways to reduce the amount of knowledge about the Earth's surface to what could be displayed usably on a piece of paper. The concept of contour lines was a quantum leap beyond perspective pictures of mountains laid onto a two-dimensional page. Today, unconstrained by the limits of paper, computer and video technology can allow the combining of literal images, actual pictures rather than line drawings, with other types of data, to give decision makers an easier grasp of conditions on the ground; situational awareness, if you will.

(Official USN Photo)



U.S.S. ANCON's (AGC-4) Operations Center Plot; invasion of Sicily, July 1943.

In all cases, a huge overhead is paid in analysis of available sources and reduction of data down to the elements needed by the intended user. In short, it is possible to create a perfect map of Baghdad that shows not only every house, every street, every alley, as well as telephone and power lines, sewer lines, and tactical intelligence information of many varieties and sources. The cost to create that map would be immense and the resources dedicated to its production would necessarily mean fewer maps produced of other areas. Therefore, the intended use is an extremely important factor in design and creation of a given data set. Similarly, a digital image of Baghdad at the resolution to which we are accustomed in normal photography would be so massive that most computers would choke on it. There is a trade-off centering on the concept of intended use and therefore what really must be displayed on a given image or graphic.

Intended use provides the defining characteristics of the end product, such as an aeronautical chart intended for use by fast-flying jets with little detail about ground features would be inappropriate for use by personnel traveling on the ground. The lines of so many features on that "perfect map" would become so crowded on the paper or computer screen that it would be unusable for other intended end uses. Historically, the solution to this crowding problem has been low tech; mylar overlays, allowing the combining of different themes of information. Overlays present various obstacles; not least of which are visibility and accuracy. The computer database

(Official USN Photo)

U.S.S. COWPENS (CG-63) Maintaining the plot with a digital dead reckoning tracer in the Combat Information Center.

concept of data layering allows an analyst to select the themes of information to be viewed, to change scales of all the themes at the same time, and to move flexibly and accurately between views.

Soon after his arrival as Director of the National Imagery and Mapping Agency, Lieutenant General James R. Clapper, USAF (Retired) promoted the term "geo-spatial intelligence". His concept of a unifying discipline and doctrine evolved quickly into a new agency name: National Geospatial-Intelligence Agency (NGA). More than the three-letter acronym indicating sisterhood with other major intelligence agencies, the new name represents the maturation of a new discipline and the doctrine for its use.

An Air Force Captain demonstrates the new NGA Portal for the NGA Director. The first major deliverable of NGA's transformation, the Portal gives users new capabilities to discover and share data.

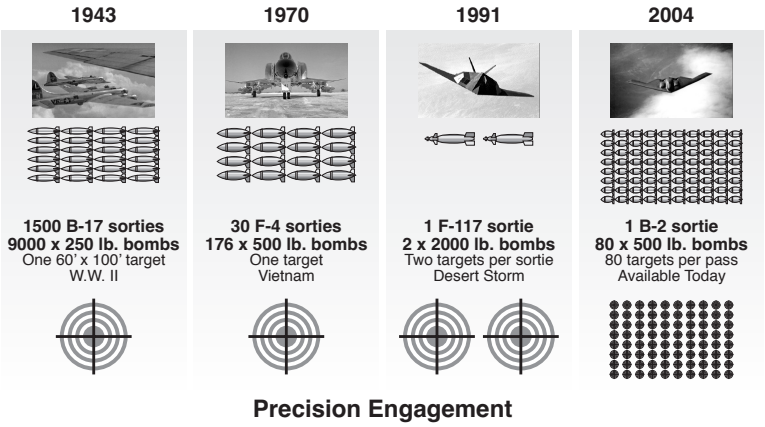
The emerging discipline of geospatial intelligence can best be understood in the context of visualization. The operative question:

> . . . what is the best way for the user/customer to perceive and grasp the particular information he or she needs to make a given decision or take a given action?

GEOINT is, then, the distillation of diverse information into a form sufficiently relevant, succinct, and accurate to meet the user's need in a timely fashion.[1] Typically, GEOINT consists of information from many and various sources including the knowledge and experience of the analyst, inputs from various intelligence disciplines, tip-offs from signals intelligence (SIGINT) or human intelligence (HUMINT) for example, and historical and situational context often in the form of specialized databases. While pictures and maps are the visualizations that humans can most easily grasp when thinking about information in three-dimensional space, databases represent a very significant element of GEOINT. Feature characteristics beyond those immediately available to the naked eye may be critical to a GEOINT user making sources other than normal imagery increasingly important.

There is a fundamental shift underway in the doctrine of war-fighting and decision-making in general. As information becomes more routinely available to all around the world, the art of war about being able to perceive-decide-and-act in a shorter window of time than can the adversary. A major focus of GEOINT is, therefore, providing the three-dimensional context in which the war-fighter decision-maker can comprehend divergent pieces of information, reach a decision, and initiate an action. A classic example of this application is traditional artillery doctrine and the effect of the fire finder concept. During Operation Desert Storm, data that we would now call GEOINT, enabled allied artillery to compute precise locations of Iraqi artillery shortly after the munitions left their firing tubes and to prepare a counter-battery firing solution and return fire before the enemy could cease fire and move to a different location. In some locations, the enemy artillery was literally destroyed by a shell coming right back "down the tube" and exploding at the heart of the weapon. The repeated success of the fire finder itself suppressed Iraqi artillery fire by ensuring that any weapon that was fired would receive immediate, highly accurate return-fire. By the end of Operation Iraqi Freedom, traditional artillery was less a factor than it otherwise might have been with the knowledge that it would be both ineffective and short-lived.

A similar example is that of battle damage assessments (BDAs) following bombing missions. The ability to see a given target soon after it is attacked allows the decision maker to plan and initiate returns, if necessary, or dedicate resources to other targets if the first mission was successful. The ability to collect and analyze imagery soon after a mission combines with accurate targeting information to make air weaponry highly effective. At the same time, target locations can be derived with accuracy allowing possible error measured in fractions of meters rather than in kilometers and, with the creation of highly precise weaponry, allows for more efficient use of aircraft sorties. Note the graphic compares accuracy and efficiency of delivery of this generation with previous war scenarios. Air forces of today, with the data available from NGA and its partners, can deliver much more firepower far more precisely to many more targets than ever before.



Core doctrine of modern warfare, as taught in U.S. service academies, includes two key

1 The textbook definition (as pronounced in GEOINT Basic Doctrine) is "the exploitation and analysis of imagery and geospatial information to describe, assess, and visually depict physical features and geographically referenced activities on the Earth."

concepts; situational awareness and preparation of the battle space. The history of modern warfare is rife with a commanders' desire for better information about the enemies they face, for example:

- The enemy numbers;
- Deployment;
- Resource mix; and
- Logistical support.

Many are the caveats that decisions were ". . . right, based on the information we had at hand." Similarly, with the ability to envision the battle space and intended actions in it, commanders can prepare the battle space by attacking and weakening or destroying key elements in an opponent's force structure.

At the tactical level, scene visualization emerged, first, in the development of flight simulation. Digitized terrain and feature data was created to support flight simulators in military training schools, allowing young pilots to fly their first missions in well-controlled simulations rather than expensive planes. As the price for computers decreased and processing power increased, simulators found their way into tactical settings. In early air campaigns in Bosnia, pilots could literally fly an intended mission several times in very realistic, desk-top simulation before ever taking a plane into hostile air space. Because current imagery and other intelligence advancements allowed precise prediction of the limits of anti-aircraft defenses, those pilots could plan routes and maneuvers for most efficient delivery of weapons to targets while minimizing the risk to themselves and their aircraft.

Similarly, the U.S. Army doctrine long called for the ability to simulate ground movement and tactical maneuvers before actual engagement with the enemy but the immense amount of data required to sufficiently model the ground at the required level of detail left that doctrine largely on the theoretical shelf. With the recent completion of processing of the Shuttle Radar Topography Mission (SRTM), terrain data and the large amounts of commercial imagery now available to the Army, the theoretical capability to simulate ground warfare on a large scale is a practical reality. An Army system called Urban Tactical Planner, featured in a November 2004 *New York Times* article, allows:

> commanders (to) simulate flying overhead to practice air or ground approach routes . . . zooming down they also saw buildings, streets and spots where soldiers could assemble with some protection from sniper fire.[2]

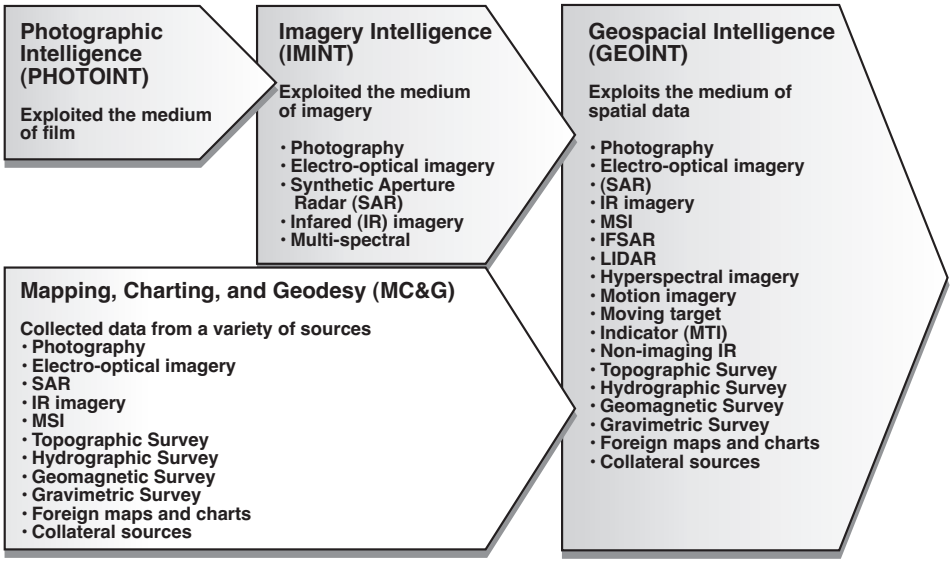
The system is one of many with which military personnel can gather together diverse data into a common viewpoint and then use it to advantage. The concept of GEOINT is, the logical extension of a long history in which imagery and mapping disciplines and their fast-moving, technical advances converged.

The Foundation and Evolution of Geospatial Intelligence

In today's world, it is important, to understand the concept of GEOINT in uses other than warfare. There has always been an element of GEOINT in civil applications most notably the World Geodetic System 1984 (WGS84), the mathematical model of the earth on which the Global Positioning System or GPS is based which finds its roots in the geodesy and geophysics data collections held by the NGA. Similarly, safety of military aviation in the U.S. and around the world is largely attributable to the distribution of aeronautical information by NGA. NGA commissions updates of aeronautical information using radio beacons, advisories, etc., on a

2 "3-D Maps From Commercial Satellites Guide G.I.'s in Iraq's Deadliest Urban Mazes," Eric Lipton, *New York Times*, 26 November 2004, p., A12.

rigorous schedule, typically twenty-eight days, and delivers that data to its military and foreign partners electronically. NGA data now enables 3-D visualization of the ocean bottom, especially valuable in harbors and approaches combined with environmental sensors, 4-D, 5-D, even 7-D visualization of conditions as a ship transits its route. Electronic transmission of corrective patches allows updates to on-board, digital charts while at sea.



The Foundation and Evolution of Geospacial Intelligence.

Additional Applications of Geospatial Data and Advances Abound

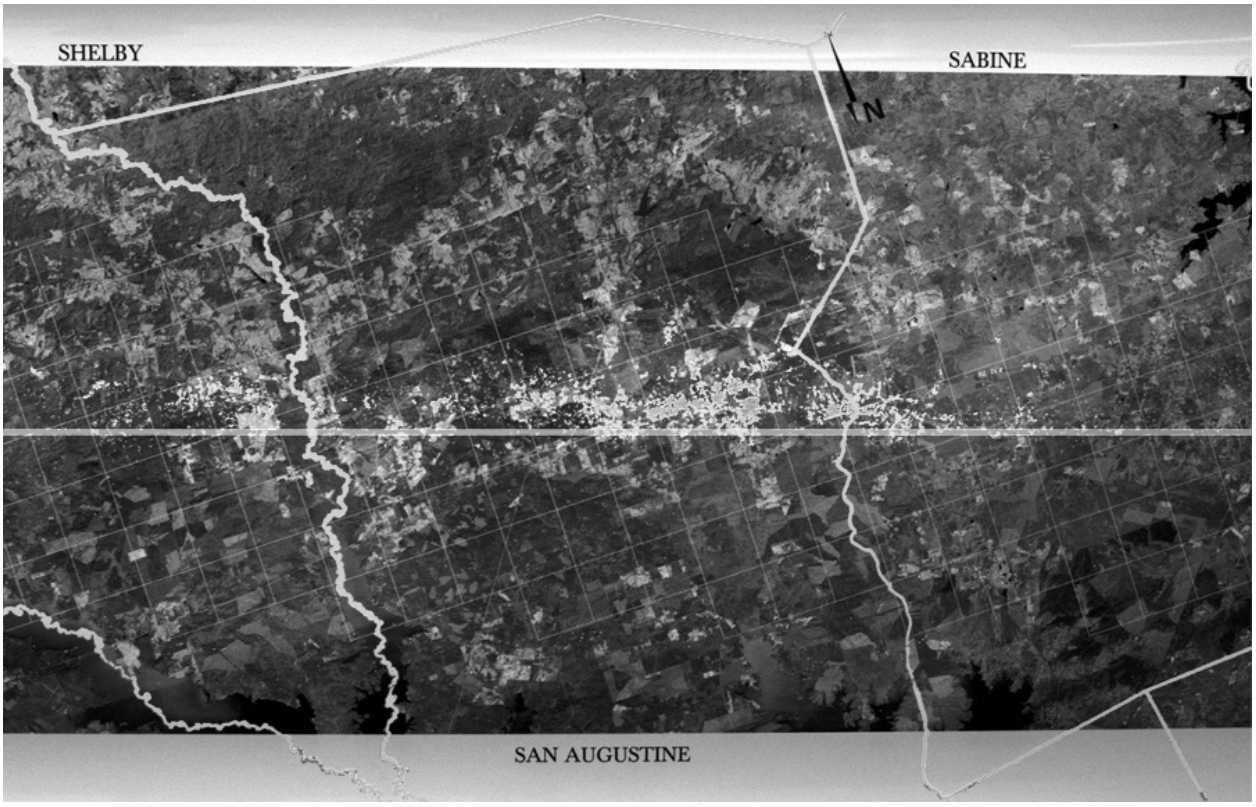
The military concept of preparation of the battlespace now has a corresponding concept in the homeland security lexicon; preparation of the environment. The concept is clear planners, analysts, and decision makers concerned about securing the homeland must bring together immense amounts of information about potential targets, possible methods of attack, and the surrounds in three-dimensional space. Preparation of the environment, therefore, is a core tenet; protecting vital assets, anticipating possible effects, and equipping people to respond.

NGA contributions to the field of homeland security and disaster response include application of GEOINT capabilities to civil problems. For example, in the immediate aftermath of the Space Shuttle Columbia disaster, NGA analysts, working with NASA personnel, precisely mapped the likely trajectory of shuttle debris so that search efforts could be focused, and then refined the model with data of actually recoveries. Data collection and analysis by NGA personnel assisted disaster response in the days following Hurricane Isabel in September 2003 with imagery, line drawings, and damage assessments.

The newest GEOINT advances are in the field of event security, where NGA plays a significant role in security and response planning for major national events. Most recent examples include the national political conventions, presidential inauguration, and the Super Bowl. In those cases, NGA brings to the table the same capabilities for scene visualization, situation analysis, intelligence data fusion, and contingency planning that it provides military customers. The same technology that enables flight simulation is modified to allow walk through or drive through without the complications of stopping traffic, etc. Analysts bring together information from divergent sources in the same way that they would in GEOINT support to military customers. One notable example of which was the discovery in utility-company records of a tunnel running directly under the site of the World Trade Center Memorial dedication. On the

basis of that discovery, New York City police were able to secure the tunnel and eliminate a potential risk of attack.

NASA AIRBORNE IMAGE



Columbia's debris field plotted over track of the space shuttle's descent.

In deployments to support security planners at the national political conventions, NGA added new imagery sources to the mix; commercially available terrain data from radar source, avoiding the limitations of cloud cover, at a very high resolution. Such high resolution base data became the standard for other major, non-intelligence activities.

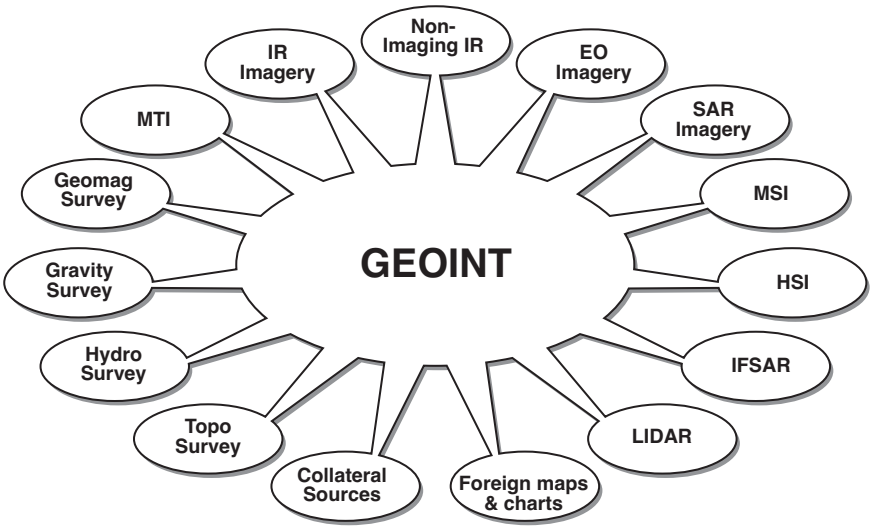
One major evolution in GEOINT doctrine is presence with customers. Increasingly, NGA analysts and staff officers are embedded with their customers so that responsiveness to their needs is more often measured in minutes than in hours or days. While the concept of a central analytical facility will never go away, NGA leaders continually seek more ways to:

- Co-locate diverse analytic elements, seeking maximum synergies among diverse fields; and
- Support customers in their actual location.

Initially, assignments were to the major commands, providing staff presence and reach back into the central analytical facilities more than establishing analytical expertise at the locations. NGA sends imagery and geospatial analysts to provide direct support in command centers and operational units. Analysts accompany operational units into war zones like the Persian Gulf with a high point of 120 plus personnel in-theater during Operation Iraqi Freedom. Today, a cadre of specially trained and equipped personnel is available to deploy on a short notice to any location around the world in support of military or intelligence partners.

In the early years of cooperation among mapping and imagery communities, there was a high level view that we were, increasingly, in the information business. That abstract concept of

information foremost was belied by both communities' heavy focus on products, the standard outputs of routine analysis and production processes. The convergence of those communities and the emergence of the new intelligence discipline parallels advancements in technology that make the information business, as opposed to product orientation, a reality. Today, the focus of geospatial intelligence is in acquiring, merging, and exploiting data from many sources to create usable intelligence, read information, and supply it to the right customers and partners at the time it is needed.



Other Contributors and Shareholders in the Process

The most obvious and well-publicized source of data from outside the intelligence community (IC) is commercial imagery. The IC and military have made it clear that acquisition and exploitation of commercial imagery with its improving resolution, now less than a meter, and increasing volume, hundreds of square kilometers of potential coverage per day, is critical to their success. NGA is the largest single customer of commercial imagery worldwide; buying imagery data for its own analytical and production purposes, and to support the defined needs of its military and intelligence customers. At the same time, an increasing number of private, public, and foreign suppliers of geospatial intelligence are found in the commercial marketplace each with its own standards of quality viewed in terms of currency, positional accuracy, and fidelity. Acknowledging that it is fully in the information business, NGA cannot ignore these sources and, in fact, exploits them to the maximum extent possible.

At the center of this exploitation is positional accuracy. The same physical principles and technology that allow delivery of a missile to a precise position on the other side of the Earth can allow alignment of inaccurate source material with highly accurate geodetic control data. The result is a much more accurate source data set and resulting higher value to analysts and customers. It is for this and related reasons that NGA remains the world's largest employer of geodesists and geodetic scientists.[3]

NGA is also a major employer of college graduates in technical fields, and NGA is highly rated by its employees for the training and employee development opportunities offered. Along with the substantial presence of NGA-funded students in allied graduate school courses around the country, the National Geospatial-Intelligence College, located at Fort Belvoir, Virginia, offers a wide range of technical and professional development courses. Typical offerings range from basic courses to more advanced courses such as:

- Geodetic Survey;
- Geographic Information Systems;
- Operations of Various GEOINT Production Systems;

3 Geodesy (and geophysics) deal with information or earth data pertaining to gravity, point positioning, earth models (datums), etc.

- Advanced Courses in the Same Areas;
- Classroom Training to Hands-on System Operations; and
- New-employee Orientation to Tradecraft Seminars.

The college trains not only NGA employees but also students from the military services, intelligence community, as well as personnel from foreign partner organizations. Historically, training of foreign counterparts in various technical skill areas has resulted in direct return to the U.S. in terms of co-production.

Co-production remains a major source of the GEOINT products and data provided to U.S. customers. NGA and its various predecessor organizations have never been able to produce all of the relevant data, products, and services required by its various customers. This shortfall is a function of the exponential growth of customer requirements and capabilities over time. There has never been enough images, maps, pixels or digits to fully meet all of the needs of the NGA customer community. With this perpetual shortfall and the inevitable shortage of resources to "catch-up" with the requirements, foreign partners continue to be a major source of data. Complicating this dependency has been the phenomenal advancement of technology in which the U.S. has historically led the world. This means that NGA's predecessors have always tended to run ahead of the partners around the world and been faced with the constant need to bridge that gap between partner capabilities and the relative state of the art.

U.S. policy and military doctrine have come to focus on coalition rather than unilateral operations. It is in the U.S. national interest to exercise with potential coalition partners and ensure that their forces can appropriately engage and coordinate with U.S. forces. Ultimately, U.S. forces are better off if their potential partners are accustomed to the uses of geospatial intelligence in military operations not just during exercises with U.S. forces, but to some realistic extent, day-to-day operations. Few of our foreign partners have the critical mass of science and technology to develop technological solutions independently.

Foreign Military Sales and the National Geospatial-Intelligence Agency

The use of foreign military sales (FMS) processes to equip coalition partners with military equipment is long standing; its uses range from:

- Aircraft to Watercraft;
- Bullets to Bullet-proof Vests; and
- Cannons to Torpedoes.

The former Defense Mapping Agency, an NGA-predecessor used FMS methodology to deliver a wide range of mapping products to our allies. Today, FMS remains one way for allies to acquire maps or associated products and data as needed to fully utilize weaponry or equipment which is acquired through FMS channels. FMS is used to equip foreign partners with GEOINT capabilities similar to those in NGA. This is particularly significant for emerging democracies in the former Soviet bloc who seek ascension into NATO. The checklist for inclusion in NATO includes certain basic capabilities to produce maps, paper and digital, of their own nation and those maps must meet NATO standards.

A significant portion of the NGA systems acquisition activity under FMS has been in this area; the development of the required capability to contribute as a full member of the NATO alliance. For example, foreign military financing (FMF) establishes credits for the prospective NATO member who then determines priorities and engages the relevant U.S. government organization for support in the acquisition. NGA is the designated implementing agency for FMS acquisition of systems related to mapping, imagery, and allied disciplines, whether funded via FMF or national sources. The National Geospatial Acquisition Directorate (NGA/A) enables, acquires, and provides systems, supplies, services, and business solutions that advance NGA's

national leadership role in geospatial intelligence. That role broadly encompasses engineering, infrastructure development, and procurement functions along with the integration of systems. Within NGA/A is the National Geospatial Acquisition Systems Office (NGA/AS) which is specifically charged with development and delivery of systems both for NGA elements and on behalf of customers and partners in the broader GEOINT community. The International Programs Division manages acquisition of systems on behalf of foreign partners including all system and related procurements under FMS.

Under the Warsaw Initiative, signed in the mid-1990's to advance the Partnership for Peace (PfP), a significant amount of money administered by the Defense Security Cooperation Agency (DSCA) supports the development of defense capabilities in the former Soviet bloc countries. To advance the knowledge of PfP members, NGA and DSCA annually hosts a PfP geospatial-intelligence symposium featuring presenters from NGA, PfP and NATO participants, and associated U.S. industry. The symposium, traditionally chaired by the Director of NGA, seeks:

- To develop the member nations' capabilities in geospatial intelligence; and
- To make them contributing members of the GEOINT community.

General Clapper's involvement is not just symbolic as the functional manager for the National System for Geospatial-Intelligence (NSG); he is also the manager of the international system for GEOINT. He oversees all development of NGA, customer, and participating partner capabilities in the field; ensuring the compatibility of systems and interoperability of data within that broader system. The symposium serves as a development forum in which partners can learn about emerging developments in the field, vendors can demonstrate their capabilities before many potential customers, and the collective efforts of the parties can be coordinated.

Presentations at the 2004 PfP GEOINT Conference included the following:

- NGA Federated Operations
- Multinational Geospatial Coproduction Program
- NGA Status Update
- Geographic Support with NATO Standard Maps; the Main Goal of the Military Topographic Directorate
- Geographic Information System and Interactive Map System "JS Latvija"
- Topographic support of the Slovak Armed Forces and NATO Preparations
- Wireless GEOINT
- Hydrometeorology Service to the Military in Latvia: Present and Future
- Concept of the Military GIS development in the Republic of Moldova
- Air Defense Airport Meteorlogical Equipment

The NGA conference, scheduled for May 2005, in Chisinau, Moldova, centers on the theme "GIS Support to Multinational Peacekeeping Efforts" and will, as in previous years, feature a wide range of presenters and topics.

PfP and FMF represent direct assistance to partner nations not just in delivery of U.S. technology, but also in establishment of standards for systems in the host country. Many organizations around the world have experienced the frustration of incompatible systems and data structures that prevent critical systems from talking to one another and resulting waste of tech-money. A major focus of the NSG's international system for GEOINT' is establishment of well-defined standards for the systems, components, software, and data incorporated into NGA and allied systems. Not only do participating partners benefit from the initial guarantee of system and

data compatibility; they also gain the regimen of a standards-based system and a basis on which to assess the compatibility of future potential components. For NGA's less-technically-advanced partners, the entry into a standards-based regimen for systems is a quantum leap in effectiveness of their current and future system-dollars.

The keyword in discussions of standards and standards-based systems is interoperability. Interoperability is the *sine qua non* [the Latin translation without which not] of joint and coalition operations. The ability to cooperate in military operations and to collaborate in intelligence analysis depends entirely on the capability to communicate, speak, listen, and understand among systems. The premium that U.S. commanders now place on the ability to perceive-decide-and-act demands that cooperation with foreign partners must not degrade that ability; delays because a foreign partner's system could not transfer critical data to the command center for consideration in a decision are intolerable. The technical importance of joint exercises is, therefore, in assuring that connected systems can communicate and that data passed between systems will have the same meaning in each.

The variations in the capabilities and hardware/software of former Warsaw Pact and Soviet Republic members require that their needs must be assessed uniquely to determine appropriate, next-step developments. There are additional differences in the national cultures that affect the way they will respond to technology. Several East European countries, PfP, and NATO members use mobile phone technology much more than the U.S. public. The several reasons for this includes the lack of a well-established land-line infrastructure. This explains the lesser impact of the internet in those countries. For example, in the former Czechoslovakia and the Baltic States the populace is much more oriented toward exploitation of technology. The military is much more comfortable with technological advances in the GEOINT realm than are those in other former Soviet or Soviet-bloc members. On the other hand, a country that is "behind" may sometimes leap-frog a full generation of technology, implementing an advanced solution without having the expense of upgrades for older equipment. The FMS needs of individual PfP or other FMS-client countries are, therefore, unique and must be assessed individually.

Among the most popular technologies in NGA's FMS-partner countries are the following:

- Modern Printing Capabilities;
- Geographic Information System Technology;
- Global Positioning System Technology;
- Photogrammetric Equipment; and
- Software.

As modern as the U.S. military is today, NGA continues to print more paper products every year to meet the increasing needs of its customers. It is, therefore, unrealistic to imagine that foreign partners will get out of the printing business. The telling point is in the requirements of the foreign partners' customers and the efficiencies necessary to keep up with those requirements. Under FMS arrangements, NGA has installed off-set printing presses accompanied by computer-to-plate technology that was, only a few years ago, a theoretical capability. Personal computers increasingly are the technology of choice for capabilities that, in earlier years, required specialized, highly powerful workstations. In almost every major equipment transaction, climate-control technology becomes part of the package to ensure the longest possible life for a given system. Training packages are another common and important feature; ensuring that the foreign partner can get the most out of the given system. Hardware and software maintenance, and upgrade packages are a ubiquitous feature.

In heavily resource-constrained environments, foreign buyers and managers of systems feel an immense temptation to get by with minimal software maintenance and the fewest possible

upgrades. For NGA as functional manager of a national system with major international connections, the concept of getting by with software maintenance is an anathema. The ability to smoothly exchange data among partners is critical to the co-active disciplines:

- Coalition;
- Cooperation; and
- Collaboration.

If a critical foreign partner is out-of-sync with their data-exchange partners, it is possible, even likely, that difficulties will arise in the exchange of data between them. With even the most stringent standards for software development and data formats, any decision to delay or minimize software maintenance and upgrades carries significant risk. One of the largest costs in the life cycle of a given system is software maintenance.

Along with the very specific GEOINT related technologies delivered commonly by NGA, many foreign partners have identified unique needs and requested specific assistance. Deliveries of weather sensors, cloud ceilometers and such are not uncommon; the ease of working with NGA within its FMS framework being a determining factor. Because few foreign partners have either the experience working with technology vendors or the technical and acquisition expertise amassed in one place as does NGA, it is logical for foreign partners to seek such arrangements under which they can depend on the NGA international acquisition group to deliver the required items such as data, products, equipment, software, or systems, on time, on budget, and to the required specification.

This ease of working with the FMS framework has the additional value of streamlining the acquisition process, one that can otherwise be difficult in some countries and ensure the highest standards for openness or transparency of the process. The obvious focus on American commercial vendors, Buy America First, if you will has tangible value for the participating foreign partner where the exceptional quality of American technology is acquired, often with pricing that only a large-scale buyer may enjoy.

Conclusion

The nation's newest intelligence agency, the National Geospatial-Intelligence Agency (NGA), is the champion of an emerging intelligence discipline, a field that embraces and enjoins the two key tradecrafts of imagery and geospatial analysis along with their support and production elements. Geospatial intelligence is the exploitation and analysis of imagery and geospatial information to describe, assess, and visually depict physical features and geographically-referenced activities on the earth that have national security implications. It brings together those two tradecrafts and their associated support activities to enable military operations, inform policy and decision makers, respond to homeland security and national (and international) disaster imperatives, as well as collaboration with other intelligence disciplines.

Central to this emerging intelligence discipline is scene visualization; the use of imagery and graphic data plus other information keyed to a single frame of reference. With this expanding capability decision makers, commanders, planners, or implementers can readily visualize events in three-dimensional space and act, as needed. This combining of data from many different sources opens the door to collaboration among analysts, operators, and many others in ways that we are still coming to understand.

Because the needs and requirements of GEOINT customers have always exceeded and for the foreseeable future will outstrip the capabilities to develop and provide data, NGA must continue to make best use of commercial, civil, and foreign partnerships to meet those needs. Central to the foreign partnerships is maintaining at least similar technological capabilities so that data, information, and analytical expertise can be readily exchanged. Through security assistance

activities, primarily FMS and associated vehicles, NGA engages with foreign partners, seeking mutual benefit, and cooperative effort. By its outreach to the former Soviet and Soviet bloc entities and other emerging democracies around the world, NGA plays a role in the larger national effort to engage and support them in their democratic efforts. The upcoming Partnership for Peace Geospatial Conference at Chisinau, Moldova, in May 2005 is the next formal effort to that end. At the same time, NGA continues to reach out to PfP and other partners with a capability to deliver equipment, data, software, and systems as requested with continued focus on cost, schedule, and performance in delivery to those partners.

About the Author

John M. Doty advises the National Geospatial Intelligence Agency chief of international acquisition on matters related to technology transfer, security accreditation, data release, and acquisition policy. In that role, he facilitates exchange of information among the many NGA functions that relate to international partners around the world. He began his professional career with the Defense Mapping Agency Aerospace Center in St. Louis, Missouri as a photogrammetrist and has an education background that includes botany, physical sciences, mathematics and statistics. His career includes two significant international assignments, one in the United Kingdom during a time of exceptional technical advances among mapping organizations of the United States and the United Kingdom. The second was in Thailand during a transformation of that country's national mapping. Additional assignments included management of the first multinational database of digital terrain and cultural feature data; control of all map product and data releases to public, non-defense, and foreign entities; and standup of the first production organizations implementing an all-digital production system.

LEGISLATION AND POLICY

Eliminating Terrorist Sanctuaries: The Role of Security Assistance

By
William P. Pope
Department of State Acting Coordinator for Counterterrorism

[The following are excerpts of the testimony presented to the House International Relations Committee, Washington, D.C., March 10, 2005.]

To prevent attacks on American soil, we must pursue partnership and cooperation abroad. Counterterrorism assistance efforts are the first line of defense for the protection of our homeland as well as U.S. personnel and facilities overseas. These programs are not foreign aid in the traditional humanitarian sense. They are an essential element of the vital U.S. interest in safeguarding Americans at home and abroad.

The President's *National Strategy for Combating Terrorism* describes four main objectives:

- Defeat terrorist organizations of global reach by attacking their sanctuaries, leadership, finances, and command, control and communications;
- Deny further sponsorship, support, and sanctuary to terrorists by cooperating with other states to take action against these international threats;
- Diminish the underlying conditions that terrorists seek to exploit by enlisting the international community to focus its efforts and resources on the areas most at risk; and
- Defend the United States, its citizens, and interests at home and abroad.

Partnership with foreign governments is important for each of these objectives. I will focus primarily on the second the denial of support and sanctuary to terrorists through cooperation with other states.

Just as our views of the nature of warfare have changed to confront the threat posed by al Qa´eda and its affiliates, so must our views of counterterrorism assistance evolve. A terrorist does not view an Aegis equipped missile destroyer like the U.S.S. Cole only as a deterrent. He also sees it as a target that he might hope to sink with a few hundred pounds of explosives and a small boat. Conventional weapons continue to hold an important place in our national arsenal, just as providing modern weapons systems to allies through foreign military financing and other forms of traditional security assistance continues to be in our national interest. But the rise of asymmetric warfare, to borrow a term used by military strategists in discussing terrorist operations, has required a fundamental adjustment in our nation's security assistance strategy.

Our government must be prepared to help partner nations protect themselves, and by extension the United States, from terrorism with a wide spectrum of assistance and delivery platforms. Elements of this spectrum may include the most basic cop-to-cop training in community policing on the streets of foreign capitals, tactical training of police special weapons and tactics teams (SWAT) and explosive ordnance disposal experts, investigative training in arcane areas such as the encrypted cyber communications and reverse money laundering schemes known to be used by terrorist organizations, the fostering of interagency cooperation through effective joint terrorism task forces, institutional reform of ponderous and sometimes corrupt

security institutions, assistance in intelligence collection and analysis, and military training and assistance at the tactical, operational, and strategic levels.

Each partner nation does not need every item in our inventory of deliverables. We have to discern, through expert assessment and analysis, what a nation's most pressing requirements are, and then we must convince its policy makers how we can best help. We must provide that assistance and training in a manner that complements the partner's existing security infrastructure and can be sustained. It is worth noting that there will inevitably be countries with legitimate needs that we choose not to assist because, in our estimation, the potential threat emanating from or through that country to U.S. personnel or interests is low. As mentioned earlier, these programs are not need-based foreign aid in the traditional sense. They are an investment based on U.S. security interests and objectives. The challenge, of course, is to make sure that our assessment of risk is accurate and that we do not overlook tomorrow's threat by focusing exclusively on today's.

As Members of Congress, you are accustomed to reviewing budgets and allocating resources. Please allow me to say a few words about something that is not easily reflected in budget figures. In counterterrorism assistance, how we do things is as important as how much we have to spend. From long experience, we know that impersonal training or equipment packages cannot be simply dropped into the hands of our partners and reasonably be expected to get results. Measurable, lasting improvement in a partner nation's capability to confront terrorist activity in or emanating from its territory usually demands customized programs, hands-on training, locally appropriate equipment, and ongoing mentoring. It requires frequent, face-to-face contact between U.S. government personnel and the host nation's security establishment. It requires talented, experienced trainers, who regard their students as colleagues and treat them with respect. It requires the engagement of ambassadors and the most senior members of our foreign policy establishment to encourage an institutional environment in which tactical and operational training can take root and bear fruit. And it requires that our diverse federal agencies, both military and civilian, work together to ensure that distinct initiatives are complementary and collaborative.

There is an additional benefit to the kind of hands-on training I have described that bears mention. Our nation's commitment to sound human rights practices and conducting investigations under the rule of law is strong. Consistent exposure to former federal investigators and prosecutors from the United States helps bring the principles we teach in these areas in each of our courses into sharp relief. In the appendix to this testimony you may note one statistic of which we are most proud. Colombian anti-kidnapping units trained under the Department of State's Antiterrorism Assistance (ATA) program have rescued over forty-eight hostages from kidnappers and arrested 206. These units are vetted for human rights issues and provided human rights training. Although Colombia continues to suffer one of the highest kidnapping rates in the world, this type of assistance will make sustained progress in changing this trend.

The foregoing discussion of how counterterrorism assistance should be provided applies globally, given our interest in Africa as the former chairman of the Africa subcommittee, allow me to focus on that region. I believe you were present in July 2004 when the Africa Policy Advisory Panel of the Center for International and Strategic Studies issued a report regarding counterterrorism in Africa. The authors were unambiguous:

> The threat of terror to U.S. interests in Africa is concrete, rising and discernible. The probability of another attack on Americans on African soil is high.

Two programs underway on the African continent offer useful illustrations of the requirements I have described and the challenges we face.

Kenya

In June 2003, the President announced the commitment of $100 million for an East Africa Counterterrorism Initiative (EACTI) to provide counterterrorism equipment, training, and assistance to six countries in the region:

- Djibouti;
- Eritrea;
- Ethiopia;
- Tanzania;
- Uganda; and
- Kenya.

As part of this effort, EACTI provided $10 million for an intensive in-country antiterrorism training program for Kenya. This program is overseen by my office and implemented by Diplomatic Security's Office of Antiterrorism Assistance.

The Kenya program was developed from the ground up. DS/ATA experts traveled to Kenya, consulted extensively with members of the Embassy Country Team, and employed experts from other U.S. government agencies, to ensure that Kenya's most pressing needs were addressed. Rather than simply use a training and equipment package for the Kenyans that we have used successfully in other countries, ATA customized its plan to focus from the outset on what it perceived as the weakest link in Kenya's capacity to combat terrorist organizations:

- Interagency collaboration; and
- Command and control.

In close coordination with Kenya's Commissioner of National Police, Director of Public Prosecutions, and others senior Kenyan officials, ATA devised a nine-week training course that has been delivered to a hand-picked group of investigators, prosecutors, immigration officials, and counterterrorism analysts. The participants graduate tomorrow, as a matter of fact, and they will go on to comprise the core staff of a Joint Terrorism Task Force (JTTF). Through nine weeks of training, institutional rivalries and suspicions have been broken down among the participants, and they are ready to bring their skills to bear in a concerted fashion. ATA has assisted in identifying and making ready a base from which the JTTF will operate. Each member brings to the task force the experience and resources of his or her agency, but they will now be working together across agency lines toward common counterterrorism objectives.

An experienced former U.S. investigator will be resident with the JTTF to provide ongoing assistance and advice. A British counterterrorism expert and the U.S. embassy resident legal advisor, an experienced U.S. prosecutor, will also be on hand for the long term to assist and advise. Further specialized training and equipment will be forthcoming, but it will be crafted in consultation with the Kenyan task force for their use in making arrests and prosecutions. We are moving away from a "Here you go — good luck" approach to counterterrorism assistance to more of a "We are all in this together — what shall we do next" approach. The difference may appear subtle from here in Washington, but it has enormous implications for partner nation ownership, sustainability, and success on the ground.

Another element of the Kenya program is worth noting. The Commissioner of National Police is eager to improve the Kenya National Police's maritime interdiction capability, particularly in the waters along the northern coast, where traditional cargo dhows transit the Somali border on a daily basis. We know that some of these vessels carry contraband and persons of interest from a counterterrorism perspective, but there is currently a very limited capability to interdict and inspect them. A U.S. Navy group has been working with the Kenyan Navy in this area for some months. In planning the maritime element of its program, ATA has drawn extensively on the Navy group's expertise. They have provided ATA with valuable information

about navigational issues, fueling stations, launch ramps, and so forth. Some of their experts assisted ATA in the evaluation of a locally available and serviceable boat/engine package that is well suited to those waters and the interdiction mission.

The Kenyan Navy, which is conducting maritime interdiction training with the assistance of U.S. Navy personnel for its own sailors, has agreed to enroll maritime police officers into the next two eight-week courses it delivers. Police and Navy personnel will deploy together in joint coastal operations. Since police have much wider arrest authority than navy personnel under Kenyan law, this will be mutually beneficial to both Kenyan services. In addition, they will provide information to the Nairobi-based Joint Terrorism Task Force for analysis. The JTTF will in turn provide leads, derived from investigative intelligence, to the maritime unit.

The Kenya program represents several elements of the criteria that I mentioned earlier, working together to combine resources and expertise that ensures the most effective assistance possible, for example:

- Customized approach based on the strengths and weaknesses of the partner nation;
- Resident instructors, advisors, and mentors who gain the trust and respect of their Kenyan colleagues; and
- Various U.S. government elements;
  - Department of State;
  - Department of Defense; and
  - Department of Justice.

Sahel and North Africa

The Sahel region is an area of potential vulnerability due to its vast, low density geography, nomadic populations, and porous borders. International and indigenous terrorist groups have been able to travel across the region, smuggle contraband, including weapons, and recruit new members from indigenous populations. Islamist terrorist groups pose a terrorist threat to a region that is home to more than 100 million Muslims.

The most active group in the Sahel is the al Qa´eda affiliated Algerian Salafist Group for Call and Combat (GSPC). In 2003, a faction of this group led by Abderezzak al-Para held thirty-two European hostages in southern Algeria and northern Mali.

We seek to facilitate cooperation among governments in the regions of Algeria, Morocco, Tunisia, Mauritania, Mali, Niger, Chad, Senegal, and Nigeria, and strengthen their capacity to combat terrorist organizations.

The Pan Sahel Initiative (PSI) is a good example of collaborative, interagency program efforts that I have described as essential for success. The Pan Sahel Initiative is an $8.4 million program to provide CT training that focused on the nations of Mauritania, Mali, Niger, and Chad. In 2003 and 2004, our Department of Defense colleagues in the European Command (EUCOM) provided trainers from the U.S. Special Forces to train with the security forces of these governments. Countries in the region are active and willing partners in counterterrorism efforts. In 2004, forces from Niger and Chad engaged GSPC elements in their respective countries. In the case of Chad, its military forces killed or captured forty-three operatives in a clash in northern Chad in March 2004, driving GSPC second-in-command Amari Saifi (a.k.a. Abderrezak al-Para) into the hands of a Chadian rebel group, which eventually led to al-Para being turned over to Algerian custody in October.

To complement EUCOM's efforts with military units in the Sahel countries, we directed the Antiterrorism Assistance program to work with the civilian law enforcement agencies of Chad, Mali, Mauritania and Niger, as well. ATA has delivered approximately $6.6 million in training and assistance to these countries in fiscal years 2004 and 2005.

The Administration is considering a follow-on effort that would continue the success of PSI, building upon that program, to improve the military and political capability of regional governments to meet the threats they face in the Sahel. The working title for this effort is the Trans Sahara Counterterrorism Initiative (TSCTI). The TSCTI would seek to further strengthen regional CT capabilities, enhance and institutionalize cooperation among the region's security forces, promote democratic governance and human rights, and ultimately benefit our worldwide CT goals and bilateral relationships. The TSCTI concept would look beyond simply the provision of training and equipment for counterterrorism units, but also would consider development assistance, expanded public diplomacy campaigns and other elements as part of an overall CT strategy. TSCTI is under review within the Administration, and we are working to integrate the concept into agency budget and program planning processes. We look forward to working with you further on our efforts to improve security in the Sahel.

The foregoing descriptions of counterterrorism assistance efforts in Africa by no means reflect the extent of our CT operations. I offer them, first, because I am aware of the Chairman's extensive interest in the region, and, second, because I believe that we are now in the stage of our nation's overall counterterrorism strategy that we must look beyond the immediate priority regions of the Middle East, South Asia, and East Asia. Nonetheless, our efforts in Iraq, Pakistan, Indonesia, Afghanistan, the Philippines, Colombia and elsewhere are extensive and ongoing. I have provided an appendix to my written testimony that describes in some detail the priorities and progress of ATA's counterterrorism assistance efforts in these countries and elsewhere.

Terrorist Interdiction Program and Counterterrorism Finance

The mission to eliminate terrorist presence or sanctuaries globally extends beyond helping partner nations to investigate and interdict terrorists. We also must constrict their mobility and access to financial support. Through the Terrorist Interdiction Program, we provide select nations with the computer systems, training and support to establish effective watch listing capabilities, and thereby help identify suspect persons attempting to pass through air, land or sea ports of entry. Since 2001, twenty nations have been provided this capability, and they have been successful in interdicting insurgents in Iraq, hundreds of individuals traveling on stolen passports in Pakistan, as well as wanted criminals, narcotics smugglers, and human traffickers world-wide. The Terrorist Interdiction Program has, in several countries, become the cornerstone of counterterrorism cooperation with the United States.

Combating terrorist financing remains a critical component of the global war on terrorism, as terrorist groups need funds to recruit, train, equip, and operate. Depriving them of funding provides us a better opportunity to identify, disrupt, prosecute, and defeat terrorists. One way the U.S. government combats terrorist financing is through foreign assistance capacity building programs administered by the Department of State.

The interagency Terrorist Finance Working Group (TFWG), chaired by the Department of State, coordinates, develops, and delivers training and technical assistance to priority countries to bolster their anti-money laundering and counterterrorist financing regimes. U.S. assistance programs address the following:

- Legal drafting;
- Financial investigations;
- Bank regulatory supervision;
- Financial intelligence units, and
- Judicial and prosecutorial aspects of combating terrorist financing.

In addition, these programs have begun to address the threat of terrorist financing through non-bank conduits, such as alternative remittance systems, cash couriers, and the abuse of charities. To date, seventeen priority countries deemed most vulnerable to terrorist financing

have been formally assessed, and training and technical assistance have been provided to countries, bilaterally and regionally, in the Middle East, South Asia, Southeast Asia, and Latin America. In addition, U.S. anti-money laundering programs underway in regions traditionally plagued by narco-trafficking and organized crime networks have complemented counterterrorism finance efforts by reinforcing host government institutions' ability to follow the money trail.

Counterterrorism finance training programs have already paid dividends in the case of Indonesia. With U.S. assistance, Indonesia adopted amendments to its anti-money laundering law to meet international standards to avoid FATF sanctions, established a fully operational financial intelligence unit, and successfully prosecuted the main perpetrators of the October 2002 Bali bombing attacks. Just last month, Indonesia was removed from the Financial Action Task Force on Money Laundering's noncooperative countries and territories (NCCT) blacklist.

Multilateral Engagement

In addition to working bilaterally, the United States has aggressively mobilized the United Nations (U.N.) and other international organizations to fulfill their counterterrorism obligations under *U.N. Security Council Resolution 1373*. In UNSCR 1373, States agreed among other things to "deny safe haven to those who finance, plan, support, or commit terrorist acts, or provide safe havens." We have used our permanent seat on the U.N. Counterterrorism Committee (CTC) to ensure that the U.N. is closely monitoring member states' implementation of their obligations.

We also work with other donor nations in the Counterterrorism Action Group (CTAG), a G8-initiated forum for CT donors, to coordinate and increase CT assistance to high-risk countries. International donor assistance provided to these countries includes basic law-and-order capacity building, legislative assistance, and border security assistance.

Conclusion

First, we are running in a marathon. The starter gun went off in 1993 with the first attack on the World Trade Center. Osama Bin Laden declared war on the United States and all Americans in 1996. Two U.S. embassies in Africa were attacked in 1998. The U.S.S. Cole was attacked in 2000. But it was not until the morning of September 11, 2001, that the majority of our citizens truly realized that, like it or not, we were at war. The rapid overthrow of the Taliban in Afghanistan was gratifying, but Osama Bin Laden remains at large, and, more important, his extremist vision continues to stir followers and sympathizers around the world to violence against us. The U.S. cannot go it alone, and the role of security assistance in all its many forms is absolutely crucial to this struggle and to the security of our homeland. There is no question that Americans are safer if we can assist our international partners to stop terrorists overseas, before they are able to bring violence to our home shores. That assistance must be robust and sustained for its effects to be realized.

Second, we must be practical and methodical in our efforts. We are a large government with many different agencies that have important roles to play. There must be solid coordination of our engagement and assistance efforts abroad. In Washington, the Secretary of State, with assistance from my office, must continue to coordinate overseas counterterrorism assistance. In our missions overseas, the more nuanced work of ensuring collaboration among various members of the country teams is and must remain the responsibility of the Chief of Mission. That is not to say that there will not be and should not be some overlap of responsibilities among agencies.

Finally, we must maintain a diverse and balanced portfolio of targeted countries in our assistance strategy. Al Qa´eda's strength is its proven ability to adapt and improvise. We must not focus exclusively on today's threat areas, only to find that the quarry has moved on to less hostile environs that we have heretofore ignored.

The Antiterrorism Assistance Program

The Department's Antiterrorism Assistance program (ATA) is an essential mechanism for providing partner countries' civilian law enforcement and security agencies with the training, equipment, and technology needed to improve their counterterrorism capabilities.

The Secretary of State's Office of the Coordinator for Counterterrorism (S/CT) formulates counterterrorism strategies, provides policy guidance to the ATA program, and identifies partner country training priorities. The Bureau of Diplomatic Security, Office of Antiterrorism (DS/ATA) implements and manages program operations and coordinates closely with other federal, state, and local agencies that assist in providing expertise, assessments, training, and facilities. This synergy is essential to the success of the program. The ATA programs objectives are:

- To advance U.S. foreign policy goals by strengthening bilateral relationships. ATA training plays a vital role in the U.S. government's effort to build and sustain the global coalition of partner nations to fight terrorist organizations.
- ATA programs enhance and sustain our partner nations' capacities to take strong, effective, and decisive measures to destroy terrorist capabilities. They serve as a force multiplier to bolster our own efforts to defend American citizens, U.S. business and civic interests, and U.S. government interests abroad. This is a key part of our nation's first line of defense in protecting the American homeland.
- ATA programs also enhance the operational and tactical capabilities of our partner nations to confront and defeat the threat of terrorism.
- By expanding the number of investigative course offerings and increasing the number of resident investigative advisors, ATA is greatly improving its ability to help partner nations detect, investigate, and arrest terrorists before they can strike.

ATA has grown each year since its inception in 1983 and this year's budget exceeds $110 million. In 2004, ATA sponsored 209 courses and trained approximately 4,900 students from sixty-seven countries. Over the years, ATA has trained more than 48,000 students from 141 countries. The type of training varies with the needs of each partner nation, and courses are tailored to local conditions. Training includes, but is not limited to:

- Crisis management and response;
- Cyber-terrorism;
- Dignitary protection;
- Bomb detection;
- Airport security;
- Border control;
- Kidnap intervention and hostage negotiation and rescue;
- Response to incidents involving weapons of mass destruction;
- Countering terrorist finance; and
- Interdiction of terrorist organizations.

All courses emphasize law enforcement under the rule of law and sound human rights practices. All students are vetted for human rights abuses and criminal records before being accepted for training.

As terrorist networks adjust their tactics and strategies, ATA continues to adapt and refine its counterterrorism training initiatives to meet evolving threats. ATA has expanded its training platforms in order to maximize training benefits and minimize costs. While effectively conducting needs assessments and program reviews, developing curriculum, and managing training, ATA continues to coordinate and rely on the expertise of both federal and state law enforcement agencies. This synergy, along with our role to coordinate all U.S. government

provided civilian counterterrorism training with embassies and Chiefs of Mission, is essential to the success of our counterterrorism efforts and to the success of the ATA program.

To determine which partner countries will receive ATA training, S/CT reviews and prioritizes the threat posed by international terrorists and coordinates with ATA to develop comprehensive, in-country training programs in the most vulnerable countries. ATA's major program priorities are as follows:

- In Afghanistan, ATA helped to select then trained and equipped special agents for the Afghan Presidential Protection Service. Instruction provides students with the full range of protective detail responsibilities. ATA also established a mentor program where ATA mentors travel with the Presidential protective detail and provide guidance to the Afghan agents as they grow into the challenging assignment of protecting the President of Afghanistan. ATA will expand the program this year to provide enhanced, specialized counterterrorism training.
- Since 1987, ATA helped the Government of Pakistan establish and train a Special Investigation Group for counterterrorism. Special Investigation Group members played a key role in identifying the perpetrators responsible for unsuccessful assassination attempts on the President and Prime Minister last year. Future ATA training and assistance in Pakistan will principally focus on infrastructure protection and investigative courses focused on Interdicting, and Investigating Acts of Terrorism.
- In Indonesia, ATA helped establish and train a special police unit called Counterterrorism Task Force 88. Task Force 88 members are responsible for arresting more than 120 suspects of terrorist activities in Indonesia. ATA will provide training that continues to increase the Government of Indonesia's crisis response capabilities with the objective of institutionalizing training within the appropriate law enforcement agencies.
- As a key ally in the Global War on Terror, the Philippines faces threat from several indigenous and regional terrorist groups that have also targeted and killed Americans. ATA plans to launch an intensive program to assist the Philippine police with a sustainable CT capacity, including but not limited to pro-active police intelligence, SWAT, incident investigation, and maritime CT training. This training will establish the essential infrastructure and will begin to fulfill commitments that President Bush has identified as counterterrorism priorities during his October 2004 visit to Manila. This program, which will focus on developing the police capacity to prevent, tactically confront, and investigate for prosecution terrorist activity, complements ongoing DoD efforts to train the Philippine military forces.
- The Kenya In-Country program is designed to build and sustain Kenya's capacity to counter terrorism. ATA has helped the Government of Kenya form and train an interagency Joint Terrorism Task Force to coordinate nationwide counterterrorism efforts. Kenya has made considerable progress in the past year by drafting a National Counterterrorism Strategy, convening a National Security Advisory Committee (NSAC), creating a National Counterterrorism Center (NCTC), and establishing an Antiterrorism Police Unit. The JTTF will provide enhanced communication, command, and control among Kenya's security agencies. ATA will also assist the Kenyan National Police with the establishment of an effective maritime interdiction program to prevent the traffic in arms, terrorist suspects, and other contraband along the east African coast.
- In Colombia, ATA's Anti-kidnapping Initiative has provided training and equipment to Colombia's special anti-kidnapping units. It has also helped create a national anti-kidnapping data automation system that allows a number of agencies and tactical units to share and utilize information crucial to preventing kidnappings, rescuing hostages, and arresting kidnappers. Anti-kidnapping efforts are part of the U.S. counterterrorism strategy because the

vast majority of kidnappings are carried out by two terrorist organizations, the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN).

- Tens of thousands of foreign law enforcement professionals have graduated from ATA training over years, and they represent a valuable force multiplier in America's long-term strategy to combat terrorism. ATA seeks to cultivate the goodwill generated by training with partner nations through the development of an alumni network. The network program will facilitate the organization of in-country or regional conferences on counter-terrorism, provide Diplomatic Security Regional Security Officers with the names of ATA graduates and their specialties for use in areas such as VIP protection, and improve the sustainment of ATA training by facilitating contacts among graduates in a country or region.

Examples of the Antiterrorism Assistance Program's Impact

In many countries, ATA-trained officials have played key roles in local, regional, and global counterterrorism efforts. ATA alumni have served as the lead investigators of a number of recent terrorist attacks and have utilized their training to arrest many of the perpetrators. The following are just a few examples of the overall impact of the program:

- In November, Indonesian Counterterrorism Task Force 88 officers arrested the terrorist who had commanded a lethal attack on the Australian Embassy in Jakarta. When the arrest was made, the terrorist had explosives in his possession and was planning additional attacks. Task Force 88 also apprehended three terrorists as they attempted to bomb a major shopping center. Additionally, they arrested eleven other bombing suspects, including members of the Jemaah Islamiya terrorist organization.

- In Colombia, ATA-trained GAULA anti-kidnapping units have rescued forty-eight kidnapped hostages, including two American citizens. In conducting these operations, the GAULA units arrested 206 hostage takers, killed four hostage takers, and recovered $7 million in ransom money.

- In the Philippines, ATA-trained officers led the investigations of three terrorist bombing incidents. ATA-trained officers were instrumental in securing the release of an American citizen kidnapped by a crime syndicate in Manila.

In Pakistan, the ATA-trained Special Investigation Group (SIG) arrested several terrorists who had attempted twice to assassinate President Musharraf and had detonated two car bombs near the U.S. Consulate in Karachi. The SIG also arrested twelve terrorists involved in the attempted assassination of Prime Minister-designate Shaukat Aziz.

- In Uzbekistan, ATA-trained police responded to the scenes of a series of terrorist bombings last year, professionally collected and analyzed evidence, arrested several dozen suspects, and secured three tons of explosives. When the U.S. Embassy was attacked in July 2004, ATA-trained police employed many of these skills again. They cooperated fully and professionally with the Federal Bureau of Investigation and other U.S. government agencies investigating the attack a level of cooperation that was directly fostered by investigative skills and collaborative relationships gained through ATA training.

- Through a $12-million program spanning thirty months, ATA served as the primary antiterrorism trainer for the Government of Greece in preparation for the 2004 Athens Olympics.

Country Reports on Human Rights Practices - 2004

By
The Bureau of Democracy, Human Rights, and Labor
February 28, 2005

Introduction

On September 17, 2002, President Bush presented a new *National Security Strategy for the United States* based on the principle that promoting political and economic freedom and respect for human dignity will build a safer and better world. To guide and focus the national effort that had grown out of the war on terrorism, the strategy outlined a series of fundamental tasks which, among others, required our Government to champion aspirations for human rights and build democracy. In his second inaugural address on January 20, 2005, President Bush elaborated on that principle:

> The survival of liberty in our land depends on the success of liberty in other lands.
> The best hope for peace in our world is the expansion of freedom in all the world.

The United States and its international partners worked with many countries during 2004 to expand freedom by helping to protect the political rights of their citizens and to advance the rule of law in their societies. In a few cases, where concerns centered on the rights of the people to choose their own governments, dramatic developments focused global attention on their struggles and landmark achievements.

In the past three years since the removal of the Taliban regime, the people of Afghanistan have worked to accomplish the following:

- Diminish terrorism and improve security;
- Bridge traditional ethnic, religious, and tribal divides;
- Craft a new constitution faithful to their values and way of life;
- Extend fundamental rights to women and minorities; and
- Open their society to unprecedented political competition and freedom of expression.

The international community responded to this undertaking by accomplishing the following:

- Helping to register voters across a geographically scattered, largely illiterate population;
- Educating cadres of Afghan election workers and political participants in the conduct of elections and campaigns; and
- Joining with Afghan forces to provide security during pre-election preparations and during the actual voting.

In the presidential election, which took place in October 18, 2004 candidates vied for the votes of the 10 million registered Afghans, more than 40 percent of whom were women. Despite threats and attacks before the vote and serious technical challenges, more than 8 million Afghans including more than 3.2 million women cast ballots to chose their leader in a truly democratic election for the first time, with a majority selecting President Hamid Karzai.

In Ukraine, the presidential election campaign was marred by government pressure on opposition candidates and by widespread violations and fraud during the voting. The Kuchma government engaged in fraud and manipulation during the presidential election in both the first and second round of voting on October 31, 2004 and November 21, 2004. The government censored media outlets and journalists to influence news coverage, which sparked the so-called journalist rebellion among reporters who refused to follow government directives. Eventually, popular demonstrations against the official results of the flawed November 21, 2004 vote

gradually swelled into an "Orange Revolution," the campaign color associated with opposition leader Viktor Yushchenko, who was widely believed to have won the election.

Respect for human rights in Ukraine took a decided turn for the better when, on December 3, 2004 the country's Supreme Court invalidated the runoff election as fraudulent, vindicating the observations of many domestic and international monitors about numerous violations of electoral procedures, harassment of opposition candidates, heavily biased coverage in government controlled media, and widespread voting and counting fraud. In the court-mandated repeat election on December 26, 2004, the people of Ukraine selected their new President. International observers of that vote, won by Yushchenko, noted the improvements in media coverage, increase in transparency of the voting process, decrease in government pressure to support a particular candidate, and fewer disruptions at the polls. The new President expressed a strong commitment to democracy, the rule of law, and observance of human rights.

In Iraq, people faced a series of difficult tasks as they prepared to choose their own leader through democratic elections, while the severity and ubiquity of terrorist attacks expanded the dimensions of the challenges. First, the Iraqi Governing Council achieved consensus on a framework for the transition of sovereignty back to Iraqi authorities under the aegis of the rule of law and clearly defined procedures by which Iraq's citizens would be able to choose their own authorities and construct their own constitutional order. In March, the approval of the Transitional Administrative Law (TAL) achieved these objectives and paved the way for the second step, the transition of sovereignty from the Coalition Provisional Authority to the Iraqi Interim Government (IIG) on June 28, 2005.

Working with the assistance of the United Nations (U.N.) and other international advisors, the IIG established the Independent Electoral Commission of Iraq, an independent election authority that established procedures for registration of and voting by Iraqis and expatriates in fourteen other countries. On August 15 and 18 2005, the National Conference convened and elected a 100-member Interim National Council. Elections for the Transitional National Assembly, the country's legislative authority and the first step in the formation of an Iraqi Transitional Government, were scheduled to take place on January 30, 2005. According to the TAL, the transitional government will draft a permanent constitution that is to be ratified by August 2005, and new elections are to be held for a permanent government under that Constitution by December 2005.

We believe events like these elections will increase the prospects for peace, provide a solid grounding for self-government in these countries and help create momentum for the improvement of human rights practices for all people participating in them. Yet progress along this path will not be easy or rapid, at least at first, as the 196 detailed reports in this volume amply demonstrate. In a number of cases, these reports will show that human rights practices may actually have eroded despite the successful completion of internationally accepted elections, as has occurred in some respects with the judiciary and the media since the voting that took place last year in Venezuela.

It was in part the recognition of the complexity and difficulty of the task of promoting human rights that led Congress in 1977 to institutionalize the Department of State's process of compiling these annual *Country Reports on Human Rights Practices*. By providing this compendium of witness to the global human rights experience, we hope that the record of this work in progress will help illuminate both future tasks and the potential for greater cooperation in advancing the aspirations of the Universal Declaration of Human Rights.

The Year in Review: Democracy, Human Rights and Labor

Behind the detail of 196 country reports contained in the pages that follow, the developments and experiences in certain countries stand out due not only to the intensity of the human rights problems but also to our involvement with the victims and their governments during 2004.

The Government of Sudan's human rights record remained extremely poor as it continued to restrict freedom of speech, press, assembly, association, religion and movement. It arrested and harassed those who exercised these rights. At year's end, there were more than 1.5 million Internally Displaced Person (IDPs) in the Sudanese province of Darfur, and another 200,000 civilians had fled into Chad, where the U.N. High Commissioner for Refugees (UNHCR) coordinated a massive refugee relief effort. Approximately 70,000 people reportedly died as a result of the violence and forced displacement.

Despite the Government's repeated commitments to refrain from further violence in Darfur, the atrocities continued. Government and government-supported militias known as the Jinjaweed routinely attacked civilian villages. Typically, the Jinjaweed, often in concert with regular government forces, conducted attacks under cover of military aerial support. In September 2004, after carefully reviewing a detailed study conducted by independent experts covering the experience of more than 1,100 refugees, the former Secretary of State Colin Powell concluded that genocide had been committed against the people of Darfur, stated the following:

> Genocide has been committed in Darfur and that the Government of Sudan and Jinjaweed bear responsibility and that genocide may still be occurring.

Government forces in that region routinely killed, injured, displaced civilians, and destroyed clinics and dwellings intentionally during offensive operations. There were confirmed reports that government-supported militia also intentionally attacked civilians, looted their possessions, and destroyed their villages. At the same time, year-end developments in negotiations related to the North-South conflict provided hope for peace and improvement of human rights practices in other areas of Sudan. By year's end, the Department of State saw significant movement on the preliminary accords between the Government of Sudan and the Sudan People's Liberation Movement Army after twenty-one years of low intensity conflict.

In response to the Democratic People's Republic of Korea's (DPRK), North Korea continued brutal and repressive treatment of its people, the United States Congress enacted the *North Korea Human Rights Act of 2004*. The Act seeks to address the serious human rights situation in North Korea and to promote durable solutions for North Korean refugees, transparency in provision of humanitarian assistance, a free flow of information, and a peaceful reunification on the Korean peninsula.

In Belarus, police abuse and occasional torture of prisoners and detainees continued. The security forces arbitrarily arrested and detained citizens for political reasons; in addition, individuals were sued and sentenced to jail terms for such political crimes as "defamation" of state officials, often interpreted to include criticism of their policies. The Government of Belarus persisted in discounting credible reports regarding the role of government officials in the long-term disappearances of a journalist and well-known opposition political figures and failed to conduct full, transparent investigations into these disappearances. Instead, the Government of Belarus appointed Viktor Sheiman, linked to disappearances by credible evidence in a Council of Europe report, as Head of the Presidential Administration, thus perpetuating a climate of abuse with impunity.

In Burma, the Junta ruled by decree and was not bound by any constitutional provisions providing any fundamental rights. Security forces carried out extrajudicial killings. In addition, disappearances continued, and security forces raped, tortured, beat, and otherwise abused prisoners and detainees. Arbitrary arrests and incommunicado detention were frequent. Security

forces also regularly infringed on citizens' privacy, forcibly relocated populations, and conscripted child soldiers.

The Government of Iran was responsible for numerous killings during the year, including executions following trials that lacked due process. There were numerous reports that security forces tortured prisoners and detainees. Additionally, there were arbitrary arrests, extended incommunicado detention, poor and overcrowded prisons, lack of access to counsel, punishment by the lash, and violation of personal privacy.

China's cooperation and progress on human rights during 2004 was disappointing. China failed to fulfill many of the commitments it made at the 2002 U.S. and China Human Rights Dialogue. However, at the end of the year, working level discussions on human rights, which had been suspended when the U.S. supported a resolution on China's human rights practices at the United Nations Commission on Human Rights (UNCHR), were resumed. During 2004, the government of China continued to arrest and detain activists, such as individuals discussing freely on the internet, defense lawyers advocating on behalf of dissidents and the dispossessed, activists arguing for human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDs) issues, journalists reporting on severe acute respiratory syndrome (SARS), intellectuals expressing political views, persons attending house churches, and workers protesting for their rights. Abuses continued in Chinese prisons. The government continued its crackdown against the Falun Gong spiritual movement, and tens of thousands of practitioners remained incarcerated in prisons, extrajudicial reeducation-through-labor camps, and psychiatric facilities. The National People's Congress amended the Constitution to include protection of human rights, yet it is unclear to what extent the government plans to implement this amendment.

In Saudi Arabia, there were positive developments in a few areas, including a government-sponsored conference on women's rights and obligations and the formation of the first formal human rights organization permitted in the Kingdom. In October 2004, the government issued an executive by-law entitling some long-term residents to apply for citizenship, and by year's end, voter and candidate registration, albeit only for men, was well advanced for municipal elections scheduled for February 2005.

The record of human rights abuses and violations for Saudi Arabia, however, still far exceeds the advances. There were credible reports of torture and abuse of prisoners by security forces, arbitrary arrests, and incommunicado detentions. The religious police continued to intimidate, abuse, and detain citizens and foreigners. Most trials were closed, and defendants usually appeared before judges without legal counsel. Security forces arrested and detained reformers. The government continued to restrict freedoms of speech and press, assembly, association and movement, and there were reports that the government infringed on individuals' privacy rights. Violence and discrimination against women, violence against children, discrimination against ethnic and religious minorities, and strict limitations on worker rights continued.

In contrast to developments in a number of countries that increased direct citizen control over government authorities, in Russia changes in parliamentary election laws and a shift to the appointment, instead of election, of regional governors further strengthened the power of the executive branch. Greater restrictions on the media, a compliant Duma (Parliament), shortcomings in recent national elections, law enforcement corruption, and political pressure on the judiciary also raised concerns about the erosion of government accountability. Racially motivated violence and discrimination increased, despite considerable legislative prohibitions. Authorities failed to investigate actions against minorities while subjecting them to more frequent document checks, targeting them for deportation from urban centers, and fining them in excess of permissible penalties or detaining them more frequently. Government institutions intended to protect human rights were relatively weak.

The Government of Zimbabwe has conducted a concerted campaign of violence, repression, and intimidation. This campaign has been marked by disregard for human rights, the rule of law, and the welfare of Zimbabwe's citizens. Torture by various methods is used against political opponents and human rights advocates. War veterans, youth brigades, and police officers act with sustained brutality against political enemies. The Mugabe regime has also targeted other institutions of government, including the judiciary and police. Judges have been harassed into submission or resignation, replaced by Mugabe's cronies. The news media have been restricted and suppressed, with offending journalists arrested and beaten. Land seizures continue to be used as a tool for political and social oppression, and opponents of these destructive policies are subject to violent reprisals.

Respect for human rights remained poor in Venezuela during 2004, despite the government victory in an August referendum to recall President Chavez. Opponents charged that the process was fraudulent, but Organization of American States (OAS) and Carter Center observers found that the official results "reflected the will of the electorate." Throughout the year, the government increased its control over the judicial system and its interference in the administration of justice. non-governmental organizations were subject to threats and intimidation by government supporters. In December 2004, the legislature passed laws that erode freedom of the media, freedom of speech, and which in effect make criticism of the government a criminal offense. The U.S. government sanctioned the Venezuelan government for continuing to fall short in efforts to combat trafficking in persons.

Fidel Castro added another year to his record as the longest serving dictator in the world. The government retained its stance of rejection of all democratic processes and continued its harassment and intimidation of pro-democracy activists, dissidents, journalists and other professionals and workers seeking to undertake economic activities not controlled by the state. The majority of the seventy-five dissidents sentenced to long jail terms in 2003 remained incarcerated despite international protests, and the authorities arrested twenty-two additional human rights activists and sentenced them for acts such as "contempt for authority." Addressing abuses in Cuba continued to be a priority for the United States as a member of the U.N. Charter (UNCHR).

During its 2004 session, the UNCHR formally adopted a U.S.-sponsored resolution on Cuba, as well as resolutions on Turkmenistan, North Korea and Belarus for the second year in a row. A resolution on Burma was approved by consensus. With such member countries as Zimbabwe, Cuba, Sudan, and China, which fail to protect their own citizens' rights, the 2004 session of the UNCHR fell short in several respects. The Commission failed to adopt resolutions on the human rights situations in China, Zimbabwe and Chechnya. The United States continued to emphasize the need to improve the functioning of the Commission, especially by supporting the inclusion of more countries with positive human rights records.

The United States believes that democratically elected governments are more likely to respect their citizens' human rights. For this reason, the United States collaborated with other participating countries of the Community of Democracies (CD), a network of democratic countries working together to promote, solidify, and advance democracy throughout the world. In 2004, the U.S. joined other CD countries to help launch the formation of a democracy caucus, a group of like-minded countries that coordinates more closely in the UNCHR and other U.N. settings to advance goals consistent with democratic values. At the UNCHR, the United States, jointly with Peru, Romania and East Timor, introduced and succeeded in having adopted a resolution to enhance the U.N.'s role in promoting democracy. Among the resolution's recommendations is a call for the establishment of a mechanism a "Focal Point" within the Office

of the High Commissioner for Human Rights, dedicated to helping new and emerging democracies access U.N. resources available to support them.

In addition to its support for the creation of the U.N. democracy caucus, the CD sought to support the development of democratic institutions and values through projects linking democratic countries. It sent a multinational delegation of democracy practitioners to East Timor to share best practices with Timorese officials. Likewise, a group of Iraqi, election-related officials traveled from Iraq to Lithuania to observe and learn about election processes. Unifying democratic voices against violations of basic human rights; the same rights that have been codified in the Universal Declaration of Human Rights and that that were reaffirmed in the CD's Warsaw Declaration and Seoul Plan of Action; is an essential way to maintain pressure on governments that deny and violate the rights of their own citizens.

Institutional Changes

In Qatar, the process of constitutional change continued with the Emir's approval of the draft of a new constitution that voters overwhelmingly had approved in 2003. Although the Emir's family will maintain hereditary rule, the new constitution, expected to be enacted in June 2005, contains a number of human rights provisions.

In Pakistan, President Musharraf continued as Chief of the Army Staff, despite his promise to step down by year's end.

In Africa, the Central African Republic (CAR) enacted a new constitution and took a number of other steps to further an announced transition to democracy under President Bozize, who seized power in a March 2003 coup. In Guinea-Bissau, following a military coup in September 2003, the military installed a civilian government. In both cases, the stabilization of post-coup situations has been accompanied by a decline in the number of reported violations of human rights.

Turkey's desire to meet the E.U.'s Copenhagen Criteria to begin the accession process moved the government to pass an important package of reforms, which included the following:

- More liberal penal code;
- A set of constitutional amendments to combat honor killings and torture;
- Expand the freedom of religion, expression, and association; and
- Reduce the role of the military in government.

However, implementation of these reforms lagged. Security forces continued to commit numerous abuses, including torture, beatings, and arbitrary arrest and detention, although observers noted a decrease in such practices and the European Committee for the Prevention of Torture reported that local authorities were making efforts to comply with the government's "zero tolerance" policy on torture. Honor killings continued. The government relaxed some restrictions on the use of Kurdish and other languages, but restrictions on free speech and the press remained.

The year witnessed increasing efforts by some governments to fight corruption. Costa Rica was the most ambitious in actually investigating former high-level officials, as it launched separate investigations for misuse of funds, kickbacks, and illegal contracts by three former presidents. In Africa, anti-corruption campaigns focused on pecuniary as well as human rights abuses by officials. Gambian President Jammeh's campaign centered on curbing official corruption to restore international credibility, and the work of the Commission of Inquiry led to the dismissal of a number of top officials and some prosecutions for economic crimes. Kenya created an anti-corruption czar, and the government opened a number of investigations into allegations of extrajudicial killings. In Zambia, a Police Complaints Authority instituted in 2003 to combat police misconduct continued investigations into complaints.

Political Rights

Regrettably, with the exception of Georgia and Ukraine, political developments in Eurasia remain a serious concern. Progress continues to be measured largely in terms of civil society development. More and more non-government organizations, opposition parties, and citizens are willing to organize and advocate for government accountability. In Turkmenistan and Uzbekistan, opposition parties are unable to register. At the same time, governments of the regions are drawing the wrong lessons from Ukraine and Georgia and attempt to stifle civil society by harassing democracy non-government organizations through bureaucratic obstacles and specious legal means.

In Georgia, the progress that international observers noted in last January's presidential election set the stage for "the most democratic elections in Georgia's history" in parliamentary voting in March. Other governments in the region have made some limited progress in improving electoral processes by drafting new election codes. New election laws introduced in Kazakhstan, Kyrgyzstan and Tajikistan are an improvement in some areas, but in all three countries, the laws continue to fall short of international standards. Likewise, elections in 2004 in Kazakhstan and Kyrgyzstan marked limited improvements over previous ones, but domestic and international observers raised questions about voting irregularities, abuse or harassment of opposition candidates, or limitations on equal access to the media.

In Belarus, the government continued to deny citizens the right to change their government through a democratic political process. A seriously flawed referendum on October 17, 2004 removed constitutional term limits on the presidency. In advance of the referendum and the equally flawed parliamentary elections held simultaneously, the government suspended independent newspapers and disqualified many parliamentary candidates. The government used excessive force and in some cases beat and arrested political leaders who peacefully protested electoral fraud and the journalists covering the protests. During the year, the government also shut down a number of major registered non-government organizations that focused on political rights, and state security authorities increasingly harassed those that remained.

In October 2004, Bosnia and Herzegovina held its first self-administered municipal elections since the signing of the Dayton Peace Accords. The elections were judged to meet international democratic standards.

A notably high voter turnout in a series of three elections in Indonesia paved the way for the transition in political power there from a defeated incumbent to an elected opposition leader. The process also marked the defeat of military and police candidates who stood for seats in Parliament.

In noteworthy elections in Africa, the incumbent political parties of Ghana and Mozambique gained re-election in processes that were judged generally free and fair. Sierra Leone held its first local government elections in thirty-two years, although there were irregularities in some areas.

In Burundi, concern focused on the delay in holding elections and the progress of the country's transition to democracy. The Transitional government failed to hold the local and national elections that are stipulated by the Arusha Peace and Reconciliation Agreement, and at the end of the year it also delayed indefinitely a referendum on a draft constitution. The Maoist insurgency and the deadlock among Nepal's political parties also prevented the holding of elections there during the year and helped deepen the country's political crisis.

In Rwanda, greatly circumscribed political rights were further limited when leading human rights organizations were either shut down or effectively dismantled. The action was justified as part of a campaign against "divisionism," according to a government report that accused human rights groups, journalists, teachers, and churches of promoting an "ideology of genocide."

The Iranian government's respect for the freedom and political participation of its citizens continued to deteriorate. Elections that were widely perceived as neither free nor fair were held for the 290-seat Majlis (Parliament) in February, 2004. The conservative, cleric-dominated Guardian Council excluded virtually all reformist candidates, including 85 incumbent members of parliament. Reasons cited included not showing "demonstrated obedience" to the current system of government. As a result of the seriously-flawed elections, reformers were reduced to a small minority of the parliament. Meanwhile, the conservative backlash against reformist trends and parties continues.

Internal and Other Conflicts

The Truth and Reconciliation Commission of Sierra Leone completed public hearings in which approximately 10,000 citizens participated to air grievances as victims or provide confessions from the civil war. The Commission suggested legal, political and administrative reforms to the government. The government also released numerous children who had fought as child soldiers. By year's end, the U.N. Mission to Sierra Leone (UNAMSIL) had handed over responsibility countrywide to the Sierra Leone Armed Forces and the Sierra Leone Police, as UNAMSIL began preparations to withdraw by June 2005 as stipulated by its Security Council mandate.

After being elected in a runoff at the end of 2003, Guatemalan President Oscar Berger "re-launched" the 1996 Peace Accords as a national agenda and symbolically apologized to citizens on behalf of the State for human rights violations committed during that country's protracted civil war. The government also reduced the size of the military, eliminated some major commands and units and reduced the military budget. In August, the military made public a new doctrine, which includes provisions on the importance of protecting human rights.

As a result of negotiations throughout the year, the government of Colombia demobilized approximately 3,000 fighters from the paramilitary United Self-Defense Forces of Colombia (AUC) in November and December. In addition, hundreds of municipal officials returned to their towns after the government established a permanent police presence in every urban center in the country. As a result, rates for homicides, kidnappings, and other violent crimes decreased.

In Haiti, domestic conflict continued throughout the year. The political impasse, combined with increasing violence between pro- and anti-Aristide factions, culminated on February 29, 2004, when President Aristide submitted his resignation and left the country. Despite the presence of U.N. peacekeeping forces, the constitutionally-established interim government remained weak. In September, pro-Aristide partisans in Port-au-Prince launched a campaign of destabilization and violence known as "Operation Baghdad." This campaign included kidnapping, decapitation and burning of police officers and civilians, indiscriminate shootings, and the destruction and incineration of public and private property. The violence prevented the normal functioning of schools, public markets, the seaport, and the justice system in Port-au-Prince for several weeks.

A series of conflicts continued to trouble South Asia. In Jammu and Kashmir and the northeastern states of India, violence continued, and security forces committed abuses with impunity, killing civilians and not just armed combatants. In Sri Lanka, both the government and the terrorist organization, Liberation Tigers of Tamil Elam, violated the ceasefire. In Nepal, the disappearance of persons in custody remained a very serious problem, and government security forces continued to have broad authority to arrest and detain individuals suspected of sympathizing with the Maoist insurgents. Security forces also used arbitrary and unlawful lethal force. As the Maoist insurgency continued, rebel militants tortured civilians, while government agents forcibly conscripted children as soldiers and conducted bombings that killed civilians.

The Great Lakes region of central Africa, which encompasses the Democratic Republic of the Congo (DRC), Rwanda, Burundi and Uganda, has been plagued by civil war, large-scale interethnic violence, and massive human rights abuses associated with them for well over a decade due to the continuing presence of armed groups and militia that move between the countries. These groups compete with one another for strategic and natural resources and inhabit an environment of shifting alliances. Among the most worrisome groups in the eastern Congo are those who took sanctuary in the region after the 1994 Rwandan genocide. This same group continues to oppose the government of Rwanda and launch cross-border campaigns, as well as attack civilians in the DRC and commit numerous other abuses. There are also armed groups in the region who oppose the governments and peace process in Uganda and Burundi.

While prospects for peace in the Great Lakes region are promising, human rights abuses are almost routine. Children are the primary victims and are forcefully recruited, abducted, and turned into soldiers, although some of the governments have made progress in demobilizing child soldiers in their ranks. Some militia groups are predominantly comprised of children. Women and girls are particularly vulnerable, as rape increasingly is used as a weapon of war. The region is a home to approximately five million of the world's twenty-five million internally displaced persons and hosts a number of refugees. The United States is actively pursuing talks between the DRC, Uganda and Rwanda. We continue to monitor the situation in all the countries in the region by focusing attention on the threat posed by armed groups.

In Côte d´Ivoire, an attack on the rebel positions and an air strike on French peacekeeping troops in November broke the tenuous eighteen-month ceasefire between the government and rebels. Despite the embargo and threat of sanctions, the government has threatened to pursue a military solution to the conflict. President Bush determined that Côte d´Ivoire, once one of the United States' largest trading partners in the region through the *Africa Growth and Opportunity Act* (AGOA), was ineligible for AGOA this year due to concerns about the security situation and the general decline in the rule of law that make it a hostile place for foreign investment.

In Russia, the September attack on a school in Beslan in North Osettia and the ongoing disappearances of civilians detained by security forces underscored the extent to which both sides in the expanding conflict in the North Caucasus continue to demonstrate little respect for basic human rights. There were credible reports of serious violations, including politically motivated disappearances and unlawful killings, by both the government and Chechen rebels. Individuals seeking accountability for these abuses also continued to be targeted, and Chechen rebels continued to attack Russian civilians, including a bombing of a Moscow subway.

Integrity of the Person

After years of controversy, the Chilean Supreme Court upheld an appeals court decision to lift the judicial immunity of former President Augusto Pinochet. On December 13, 2004, a prosecuting judge indicted Pinochet for crimes committed as part of "Operation Condor" during the 1970s.

In Central African Republic as the process of transition to civilian rule continued, the government disbanded the Security Investigation Division, a military intelligence unit that was accused of committing numerous human rights abuses, including torture, rape and extortion, during 2003. In December 2003, President Bozize reconvened the permanent military tribunal after an eight-year suspension. The tribunal considered cases on a variety of alleged human rights abuses including extrajudicial killings, rape and armed robbery.

North Korea remains one of the world's most repressive and brutal regimes. An estimated 150,000-200,000 persons are believed to be political prisoners in detention camps in remote areas, and defectors report that many prisoners have died from torture, starvation, disease,

exposure, or a combination of causes. The regime also subjects citizens to rigid controls over many aspects of their lives.

In Egypt, the *1981 Emergency Law*, extended in February 2003 for an additional three years, restricted many basic rights. The security forces continued to mistreat and torture prisoners, which resulted in at least ten reported deaths in custody at police stations or prisons during the year. Arbitrary arrest and detention and prolonged pretrial detention remained serious problems. Dismal prison conditions persisted.

Widespread use of torture by the government of Syria resulted in at least eight deaths during the year. Arbitrary arrest and detention, prolonged pre-trial detention without trial, fundamentally unfair trials in the security courts, and deteriorating prison conditions all persisted. Throughout the year, the security services conducted mass arrests of Kurds in Hassakeh province, Aleppo, Damascus, and other areas. On March 12, security forces in Qamishli, in the northeastern Hassakeh province, opened fire on a crowd at a soccer match after clashes between Arab and Kurdish fans erupted. In the days of rioting that followed, dozens were killed, as many as 2,000 Kurds were detained, and nearly 300 Kurds remained in custody and were awaiting trial before the State Security Court and Military Court at year's end. The government also continued to withhold information on the welfare and whereabouts of persons who have been held incommunicado for years.

In Uzbekistan, torture was routine in prisons, pretrial facilities, and local police and security service precincts, and members of the security forces responsible for documented abuses were rarely punished. However, the government took some notable steps to address torture and establish police accountability. It created preliminary procedures within some divisions of the Ministry of Internal Affairs for investigating and disciplining officers for human rights abuses and allowed non-government organizations access to its prisons and to train prison guards in human rights practices. The government also cooperated with international forensic experts to take part in investigations of deaths in custody in which torture had been alleged.

Freedom of the Press

A conservative backlash to democratic demands in Iran extended into a number of areas beyond explicit questions of political rights. For example, the investigation into the 2003 death of a Canadian/Iranian photographer who suffered a brain hemorrhage after sustaining injuries while in an Iranian prison stagnated during 2004. The government also gradually suppressed all independent domestic media outlets and arrested or intimidated their journalists into silence. In 2004 the last forum for free debate, web´logs, came under pressure when the government began arresting their creators and forcing them to sign false confessions.

The increase in government pressure and control of media in Russia continued to weaken freedom of expression and independence of the media there, as a trend of increasing control and harassment of the press was noted in a number of Eurasian countries, especially Belarus and some countries in Central Asia. The Russian approach centered on use of controlling ownership of broadcast media to limit access to information on sensitive issues, such as Chechnya. Government pressure also increased self-censorship of journalists.

In Togo, after the government undertook formal political consultations with the E.U., it adopted a new press code with mixed results. It eliminated prison sentences for most journalistic offenses, but maintained them for inciting certain actions, such as ethnic hatred or violation of the law, as well as for publishing under a false name. The law also sets standards of professionalism for journalists and requires independent newspapers to ensure that at least one third of their staff meet the Government's standards.

While Algeria experienced its first contested democratic election in 2004, leading to the reelection of President Bouteflika, the government acted to increase restrictions on the media.

The use of defamation laws and government harassment of the press significantly increased, leading to the imprisonment of several journalists for terms from two to twenty-four months, closure or suspension of two newspapers, and more self-censorship by the press.

Venezuela's international organizations and domestic journalists charged the government with encouraging a climate of hostility toward the media. Administrative acts, combined with a new law passed in December, created a climate of hostility toward the independent media with increasing threats of prosecution.

Freedom of Religion

These issues are discussed in depth in the *Annual Report on International Religious Freedom*, released in September 2004, while these Country Reports further highlight and update important developments. The *International Religious Freedom Act* requires that those countries that engage in particularly severe violations of religious freedom be designated as Countries of Particular Concern (CPC). In September 2004, the Secretary of State re-designated Burma, China, Iran, North Korea, and Sudan as CPCs, and designated for the first time Eritrea, Saudi Arabia, and Vietnam.

With the cessation of government-sponsored violations of religious freedom under Saddam Hussein, the Secretary acted to remove Iraq's CPC designation in June 2004. Since the liberation of Iraq by coalition forces, there have been no governmental impediments to religious freedom, and the Iraqi Transitional Administrative Law provides for "freedom of thought, conscience, and religious belief and practice."

The government of Saudi Arabia's actions in the area of religious freedom were disappointing. Throughout 2004, senior U.S. officials engaged Saudi authorities in an intense discussion of religious practices, and in September, the Secretary of State designated Saudi Arabia as a "Country of Particular Concern" under the *International Religious Freedom Act* for particularly severe violations of religious freedom. The government rigidly mandates religious conformity. Non-Wahabi Sunni Muslims, as well as Shia and Sufi Muslims, face discrimination and sometimes severe restrictions on the practice of their faith. A number of leaders from these traditions have been arrested and imprisoned. The government prohibits public non-Muslim religious activities. Non-Muslim worshippers risk arrest, imprisonment, torture, or deportation for engaging in religious activities that attract official attention. There were frequent instances in which mosque preachers, whose salaries are paid by the government, used violent language against non-Sunni Muslims and other religions in their sermons.

Vietnam continued to restrict freedom of religion and the operation of religious organizations other than those approved by the State. The government failed to issue a nationwide decree banning forced renunciations of faith, did not end the physical abuse of religious believers, continued to hold a significant number of religious prisoners, and although it permitted the re-opening of some churches closed in the Central Highlands in 2001, it refused to allow the re-opening and registration of hundreds of others. However, following CPC designation, some improvements in religious freedom were evident. Some religious leaders expressed cautious optimism about a new Ordinance on Religion that the government released in November, and in December, the Evangelical Church of Vietnam North (ECVN) held its first National Congress in twenty years and named a new, independent leadership board.

Among the gains in freedom of religion covered by the Country Reports, the Jehovah's Witnesses in Armenia succeeded in October to register with the government after they had experienced a string of rejected applications. In Bosnia and Herzegovina, a new state-level law on religious freedom passed both houses of the legislature. The law provides comprehensive rights to religious communities and confers a legal status upon them they had not held previously. And in Georgia, there were fewer reports of violence against minority religious groups this year.

Treatment of Minorities, Women and Children

On December 30, the Department of State completed its *Report on Global Anti-Semitism*, July 1, 2003-December 15, 2004. Drawing extensively on material from our embassies, non-government organizations and accounts submitted for these Country Reports, this separate compendium was prepared in accordance with a separate legislative provision.

The Czech and Slovak Republics, discrimination against Roma persisted, although both governments made efforts to improve the situation through such measures as revising legal norms and recruiting Roma to serve as community liaisons with the police forces or as health assistants.

In Croatia, the restitution of property to mostly Serb refugees has improved significantly, although local obstruction to the return of minority groups remained a problem. In Kosovo, acts of violence against the minority Kosovo Serb population and other non-Serb minorities took place during a series of riots over two days in March, demonstrating the continued tenuousness of minority rights there.

Thailand, the government's human rights record was marred by abuses committed by security forces against Muslim dissidents in the southern part of the country. On April 28, elements of the police and military killed more than 100 persons while repelling attacks by Muslim separatists in Yala, Pattani, and Narathiwat provinces. On October 25, seventy-eight Muslim detainees being transported to an army camp died from asphyxiation after police and military forces stacked them into overcrowded truck beds.

Afghanistan and Iraq, women made unprecedented strides in exercising political rights by voting, holding public office and standing for election as candidates. In education and other areas as well, women made increasing strides in achieving basic rights. In Pakistan, special women's police stations with all female staff have been established in response to complaints of custodial abuse of women. Additionally, while honor killings continued in Pakistan, new legislation stiffened penalties for honor killings and criminal proceedings for the blasphemy laws and Hudood ordinances were changed to reduce abuses.

In a number of countries, one of the most significant problems related to the abuse of women and children is the failure of the state to combat vigorously against conditions that engender the trafficking of women and children.

In Burma, women and girls from villages were trafficked for prostitution at truck stops, fishing villages, border towns, and mining and military camps. Burmese men, women and children are also trafficked to other countries. Government economic mismanagement and forced labor policies worsen the situation.

In the United Arab Emirates (U.A.E.), women and girls are used as prostitutes and domestic servants, and young boys are exploited as camel jockeys. A recent documentary on camel jockeys notes the very young age at which abuse often begins, the harsh conditions that may lead to serious injuries or death, and the malnutrition, and physical and sexual abuse by employers. The government has pledged and taken some measures of limited effectiveness against these practices.

State promotion of tourism drives the predatory interests that promote sex tourism and sexual exploitation of underage girls for prostitution in Cuba.

The booming oil sector in Equatorial Guinea contributes to making the country both a transit point and destination for trafficking of women for prostitution.

The estimates of the number of Indians trafficked into forced labor and the sex trade runs into the millions, in addition to thousands of Nepalis and Bangladeshis trafficked to India for sexual servitude. Trafficking in persons in India is a significant problem, and some government officials participated in and facilitated the practice. While India continues to lack a national law

enforcement response to its trafficking in persons problem, some progress has been noted in individual states and the central government recently expressed a commitment to establishing and implementing a national anti-trafficking policy.

Violence and discrimination towards vulnerable groups continued to be a problem in Tanzania. In August, the semi-autonomous island of Zanzibar outlawed homosexuality and set severe penalties in its autonomous island territory. On mainland Tanzania, four million women and girls have undergone female genital mutilation (FGM), and despite a law partially outlawing the practice, police rarely enforced the law and the average age of the practice appeared to have decreased in an effort to avoid detection.

Worker Rights

In Iraq, the exercise of labor rights remained limited, largely due to violence, unemployment, and maladapted labor organizational structures and laws, although, with international assistance, some progress was underway at year's end. According to the Brussels-based International Confederation of Free Trade Unions (ICFTU), workers reported organizing unions in workplaces where they were forbidden under the laws of the former regime and revitalized union structures previously dominated by the Ba'ath party. The International Labor Organization (ILO) provided technical assistance to Iraq throughout the year to help bring its labor laws into line with international labor standards, rebuild the capacity of the Ministry of Labor and Social Affairs, establish emergency employment services, and put in place training and skills development programs.

In April, a Commission of Inquiry appointed under Article 26 of the ILO Constitution visited Belarus to investigate a complaint that the government was systematically violating its obligations under the ILO's fundamental conventions on freedom of association and protection of the right to organize and bargain collectively, both of which it has ratified. The Commission's report, issued in October, concluded that the country's trade union movement was subject to significant government interference. The Commission recommended that the government take all necessary steps to register independent unions, amend laws and decrees restricting freedom of association, protect independent trade unionists from anti-union discrimination, and disseminate the Commission's conclusions and recommendations. It stated that most of these recommendations should be implemented by June 2005 at the latest.

Under the leadership of President Bush the United States has stepped forward with its democratic allies to reaffirm our commitment to human rights and democracy. We rest upon the principle that nations governed by free people will be the cornerstone for the development of a world that is more peaceful for all. The execution of our democratic duty depends on the determination and passion of its promoters. Let the following Country Reports serve as an indicator of the progress made and as a guide for the challenges ahead.

United States and Asia Relations: The Next Four Years

By
Ambassador Marie T. Huhtala
Department of State Deputy Assistant Secretary for
East Asia and Pacific Affairs

[The following are excerpts from the remarks presented to the Asia Society and Texas Annual Ambassadors' Forum, Houston, Texas, February 11, 2005.]

If there is one constant in our dynamic part of the world, it is rapid change. We can expect this trend to continue and possibly accelerate over the next four years. Without question, the most cataclysmic of recent events was the horrific tsunami that roared ashore in South and Southeast Asia, as well as in East Africa, on December 26, 2004. The death toll from this tragedy may yet approach 300,000 overall. Millions of survivors have lost not only family and friends, but their livelihoods and homes as well. The physical destruction wrought by this event was among the worst we have seen in our lifetimes. I was astounded by the extent of the damage I saw when I traveled to Aceh and Sri Lanka in mid-January. Damage estimates are in the billions of dollars. It will take years to rebuild. Faced with this tragedy, the international community has risen to the challenge, and the United States led the way. In the immediate aftermath of the disaster, the U.S. pulled together a core group of donor countries with Japan, Australia, India, and the United Nations who immediately began to move and mobilize military forces, aid workers, and financial assets to help. On December 31, President Bush committed $350 million toward earthquake and tsunami relief efforts. The Administration announced we will seek a supplemental appropriation of $950 million for tsunami relief and reconstruction, $600 million of which is new money. The President eloquently set the tone for the U.S. response and for our commitment to relief and rebuilding when he said:

> As the people of this devastated region struggle to recover, we offer our love and compassion, and our assurance that America will be there to help.

Besides the U.S. government assistance, American charitable organizations have raised at least $800 million from individuals, private foundations and our private sector for tsunami relief efforts. Underscoring the strong multi-dimensional American response to the tragedy, President Bush has asked former Presidents George H.W. Bush and Bill Clinton to lead an effort with the U.S. private sector to raise additional relief funds. These two Presidents have traveled to the region to see the damage and reconstruction efforts first-hand.

The Department of State has played a lead role throughout this crisis, working closely and seamlessly with our military and the United States Agency for International Development (USAID) in affected regions. An unprecedented disaster required an unprecedented response. Over 15,000 U.S. military personnel have been involved in providing relief support in affected areas. The U.S. military has delivered some 10 million tons of relief supplies, including water, food, medicine and other items, to the people of Indonesia, Sri Lanka, Thailand, and other affected nations. Our military's role is now winding down as relief efforts have now shifted to a focus on longer term rehabilitation and reconstruction, but the United States is still doing much through our Embassies, USAID, and through U.S. non-government organizations and the private sector. Our determination to stay the course to help those in need is firm. As President Bush said:

> . . . the Government of the United States is committed to helping the people who suffer. We are committed today and we will be committed tomorrow.

After taking the initial lead in coordinating the first stages of the international response, the U.S. and other key nations have passed these coordinating functions to the United Nations. The U.S. is working closely with the international community and those affected not only to rebuild

what was lost, but just as importantly, to build the foundation for a better future. To help achieve these goals, we will work together in the coming years to address key developmental challenges, such as poverty alleviation, environmental stewardship, good governance, sustained economic growth, and reduction of civil strife (where we have seen encouraging moves towards peace between the parties in conflict in Indonesia and Sri Lanka). Finally, the Administration supports creating a global tsunami warning system to ensure that a disaster like this does not wreak the same human toll in the future.

The U.S. commitment to a long-term engagement in the relief and reconstruction process in Southeast Asia has been well received in the region, which sees it as emblematic of a positive dimension of U.S. foreign policy. Our selfless response to the tsunami crisis has cast the U.S. in a new light in important nations such as Indonesia and Malaysia. Without question, America's generous response to this disaster has thus had an important unintended consequence in the region.

Looking more broadly at the East Asia and Pacific area, America's traditional foreign policy priorities of security, stability, democratization, free markets, and human rights serve as anchors for our engagement with the region. A central focus as we look at the region is our desire to maintain a candid, constructive and cooperative relationship with China. All of us were reminded again of China's growth and potential when it recently supplanted the U.S. as Japan's main trading partner, at least temporarily. The U.S. continues to work hard to improve and enhance our relationship with the People's Republic of China (P.R.C.) in ways that allow us to address common challenges, while communicating candidly about areas of disagreement.

One such challenge is our mutual dedication to a Korean peninsula that is free from the threat of nuclear weapons. The long-standing tension on the Korean peninsula continues to pose a potential threat to regional stability. In the multilateral framework of the Six-Party Talks that bring both Koreas, Japan, Russia, China, and the U.S. to the negotiating table, the P.R.C. has played a valuable role. We continue to encourage China to take an even more active stance in persuading North Korean that its security and prosperity are best assured by casting its nuclear ambitions aside and ending its nuclear weapons programs.

The North Koreans have remained unwilling to deliver on the commitment they made June 2004 to return to the Six-Party Talks. Our position is that we are prepared to return to the negotiating table at any time without preconditions. The U.S. remains committed to the Six-Party diplomatic process as the best way forward for North Korea to address the concerns of the international community about its nuclear program and to end its international isolation. Pyongyang's continued intransigence can only increase that isolation.

On the economic front, China is undertaking important measures to liberalize capital flows, to restructure its banks, and to develop a currency derivative market. While China clearly needs to do more, these are all steps in the right direction.

Another challenge we face in dealing with the P.R.C. is the continuing tension across the Taiwan Strait. We continue to stress to both sides the importance of dialogue so they can reach a peaceful resolution of their differences. We also continue to discourage unilateral moves by either side that threaten the status quo. We have been encouraged by positive moves by both parties, such as the recent start of direct cross-strait flights during the Lunar New Year holiday period. We will also continue to make our positions clearly known to the Chinese on the issues of Hong Kong, human rights, religious practice, and the encouraging of a dialogue with the Dalai Lama.

Strengthening our alliances with our five treaty allies in the regions of Japan, Australia, South Korea, the Philippines, and Thailand remains a central foreign policy priority for the U.S. It is

no exaggeration to say that U.S. relations with Japan are the best they have ever been. Japan has become an even more vital and active partner with the U.S., both in the region and worldwide.

Japan has been a major player in rebuilding Afghanistan and Iraq, and we increasingly coordinate assistance efforts between us; the two largest providers of governmental foreign assistance programs worldwide. Japanese Self-Defense Forces are deployed in Iraq providing humanitarian and reconstruction assistance, Japan's first such overseas deployment in the post-World War II era, and were involved in Asian tsunami relief, as well. We cooperate with Japan in the Six-Party Talks about North Korea, in which Japan has a major stake. Beyond these issues, the Japanese people are increasingly supportive of their country's need to play an enhanced role in regional and global affairs.

Finally, we are working on challenging trade issues with our Japanese partners in a spirit of cooperation, and we are working hard to resolve the issue of Japan's ban on U.S. beef imports brought on by fears of BSE-mad cow disease.

Already vigorous relations with Australia have advanced to a new level, having been enhanced by stronger defense, non-proliferation and counterterrorism ties, as well as by broadened intelligence cooperation. Australia has dispatched troops to both Afghanistan and Iraq. The recent historic *Free Trade Agreement* (FTA) has diminished barriers to trade.

We are strengthening our strategic alliance with South Korea, working to anchor bilateral relations more deeply and on a more equal basis. Perhaps no other country in the region has made such tremendous strides in the last few years in strengthening democratic government and advancing economic development. As a new generation of leaders emerges which has no direct experience of the Korean War and which is often suspicious of U.S. motives, we are reaching out to younger Koreans, establishing new friendships and invigorating our public diplomacy. We appreciate South Korea's sizeable contribution to the Coalition effort in Iraq and its central role working with us in the Six-Party on North Korea. By stressing the many shared interests we have to the younger generation of South Korean leaders and opinion-makers, we can strengthen the foundations of our future relations with this strategic partner

The Philippines was one of the first Coalition partners to send forces to Iraq, and in 2003 the U.S. named that country a major non-North Atlantic Treaty Organization (NATO) Ally. While we were disappointed at the sudden withdrawal of their troops from Iraq following the kidnapping of a Filipino citizen last year, our alliance remains strong and we continue to cooperate well on a broad array of issues.

Our alliance relationship with Thailand has steadily strengthened over the years. We are grateful that Thailand allowed the U.S., the United Nations (U.N.) and the international community to use Utapao Naval Air Base as a regional hub for humanitarian assistance to areas affected by the tsunami. Whether in Afghanistan, Iraq or in the War on Terror, Thailand has been a staunch partner and ally. Recognizing the strength of the alliance, President Bush designated Thailand as a Major Non-NATO Ally in 2003. Thai leadership at the 2003 Asia Pacific Economic Cooperation (APEC) Forum was instrumental in ensuring that key security issues were addressed in conjunction with trade and economic concerns. Increased cooperation continues between the U.S and many of the countries in the region, as we are limited to working with our formal allies.

On counterterrorism, governments throughout the region have worked to freeze terrorist assets, and Malaysia has established a regional counter-terrorism training center for which the U.S. has provided several courses. After Indonesia suffered a devastating bomb attack in Bali in October 2002, in which almost 200 people died, that government has taken major steps to combat terrorism, arresting terrorist operatives, putting them on trial, and convicting them.

The United States and others, notably Australia, have provided assistance to Indonesia in its campaign against terror. Our cooperation has added to the vitality of our relationship with this

burgeoning democracy and contributed in no small measure to the safety and security of the entire region. As we look to the future, we should remind ourselves that the coming months will offer America an unprecedented opportunity to forge an even closer partnership with the world's largest Muslim-majority nation and one of the world's most dynamic and growing democracies. Our success in forging such a relationship will send a profound message to the region and the world.

The economic dimension of our engagement in the region is an important element of our overall foreign policy approach. Our trade with the region totals over $600 billion a year, exceeding our trade with the European Union (E.U.) and its volume is increasing at a rapid rate. The region is home to almost 30 percent of the world's population; it accounts for over a quarter of global production and nearly a quarter of world trade. All these figures are growing rapidly. The region imports 40 percent of U.S. agricultural exports and supports, directly and indirectly, millions of American jobs.

For all these reasons, our economic policy has four major goals:

- Opening markets for U.S. goods and services;
- Improving the region's overall business climate;
- Maintaining a stable economic environment favoring free trade; and
- Sustainable growth, and encouraging regional cooperation.

To open markets for our goods and services, we have worked to put the Doha Round of the World Trade Organization (WTO) negotiations back on track. Trade barriers have been reduced through new FTA with Singapore and Australia; we have also opened FTA talks with Thailand. In addition, the U.S. has *Trade and Investment Framework Agreements* with a number of Southeast Asian partners.

China has been a major Administration focus in this area. Although China has made some strides in opening its markets since its WTO accession, we continue to have serious concerns, especially regarding intelligence production requirements (IPR) enforcement, standards, transparency and services. Encouraged by pledges by the Chinese leadership to honor their market-access commitments, we will remain deeply engaged with the Chinese until they implement all their WTO commitments.

To make the business environment in the region more favorable for the business community, we have made progress developing transportation links, opening up Asian civil aviation and telecommunications industries, combating corruption, and in engaging countries in dialogue on business climate reform. Working through the International Civil Aviation Organization and the International Maritime Organization, we have helped make air and maritime services more secure for both passengers and cargo. The U.S. Container Security Initiative now includes many ports in Asia. Although we have achieved some good results improving intellectual property rights protection, we will need to continue combating the piracy and counterfeiting still found in far too many parts of the region.

To ensure a stable macroeconomic climate, we have successfully encouraged our Asian partners to adopt more prudent and sustainable fiscal policies, monetary policies focused on price stability, and to increase openness to international trade and capital flows. The results have been lowered interest rates, no major foreign exchange or balance of payments crises, and among those economies with flexible exchange rates, and decreased volatility. We are encouraged by the strong signs of economic recovery in Japan, and note that China is maintaining a robust economic growth rate. The financial crisis of 1997-1998 seems long ago.

We strongly support regional organizations that seek to address the economic, political, and security challenges facing the region. Working with the Association of Southeast Asian Nations,

or Association of Southeast Asian Nations (ASEAN), the Administration has provided active leadership in its ASEAN Regional Forum, and has supported confidence-building measures and cooperative work in such vital areas as enhancing the security of Southeast Asia's strategic waterways, non-proliferation, and counterterrorism. The United States participates actively in APEC. APEC provides a unique opportunity for leaders from around the region to meet annually, and President Bush participated at the last gathering in Chile in November 2004. We note that there has been a growing trend by our Asian partners to establish more regional organizations among themselves. We welcome them as they offer additional fora to engage on a multilateral level to address issues we are unable to resolve through bilateral approaches. That said, we will never say no to a seat at the table, or at least in the room!

The Administration has strongly supported and been encouraged by the strengthening of democracy in the region, particularly in Indonesia, South Korea, Taiwan, Malaysia, and Hong Kong. In Indonesia's most recent elections, 117 million people voted, one million more than voted in the U.S. November 2004 elections, even though we have a larger population than Indonesia. In the February 6, 2004 parliamentary elections in Thailand, over 70 percent of eligible voters went to the polls. Throughout this period of democratic awakening, the United States has stood by the emerging democracies in the region, providing assistance and support for the strengthening of democratic institutions.

We continue to closely monitor developments in Burma and remain deeply concerned about the safety and welfare of Aung San Suu Kyi and other political prisoners. We will continue to press Burma's leaders to engage in dialogue with the democratic opposition and ethnic minorities, to release all political prisoners immediately and unconditionally, and to take steps to allow the free expression of the fundamental human rights of the people of Burma.

The United States will continue to lead the way in alleviating human misery by fighting global scourges such as human trafficking, the spread of human immunodeficiency virus and acquired immunodeficiency syndrome (HIV/AIDS) and other infectious diseases, narcotics trafficking, and international crime, and by promoting human rights. Far more attention and resources are being devoted to these issues than in the past. President Bush has committed an unprecedented $15 billion over five years to combat HIV/AIDS. Under the President's leadership, Vietnam was added as the 15th country to receive funds under his Emergency Plan for AIDS relief. The President has also created the Millennium Challenge Account (MCA) to demonstrate American leadership in international development. The MCA is a bold initiative that will provide the greatest level of foreign development assistance since the Marshall Plan. Through the MCA, the U.S. provides development assistance to nations with proven track records of good governance, investing in their people, encouraging economic freedom, and combating corruption. Congress approved $1 billion in start-up funding last year, and we hope to increase this to $5 billion annually by next year. Of the sixteen poor countries selected initially to participate in the program, two are in our region, Mongolia and Vanuatu. In addition, the Philippines and East Timor have been designated MCD threshold countries.

I hope I have given you a brief but reasonable overview of some of the future trends, together with our foreign policy priorities, in the region. Although most of the region is at peace, and democracy and economic development are advancing, many problems and challenges remain. Besides those I have already mentioned, there are two additional security issues I should note. One is maritime security. Half of the world's oil flows to markets in the region and beyond through the Strait of Malacca. We are working closely with nations that border the Strait and which have sovereign responsibility for its security to enhance their capabilities and increase their cooperation in order to prevent a range of transnational maritime crime, including smuggling, trafficking and potential acts of terrorism.

We remain concerned about proliferation of weapons of mass destruction by state to state transfer, but we also realize the danger of WMD falling into the hands of terrorist organizations. For this reason we have initiated the Proliferation Security Initiative to stop the transit in these deadly weapons. Our allies Australia and Japan are core participants in this Initiative, along with Singapore.

America's engagement with the nations of East Asia and the Pacific region is robust, and can only grow more so. Our foreign policy record and priorities demonstrate an intensifying American involvement. We will play a key and sustained role in tsunami reconstruction. The United States is an Asia-Pacific country, not only by geography, but also by our openness to free trade, our support for democratic government, our interest in global security and stability, and the close ties of millions of Americans of Asian origin. We are, and will remain, an essential and engaged power in the region.

United States Interests and Strategic Goals in East Asia and the Pacific

By

Evans J. R. Revere

Department of State Acting Assistant Secretary for East Asian and Pacific Affairs

[The following are excerpts of the testimony before the Senate Foreign Relations Committee Washington, D.C., March 2, 2005.]

Overview: United States Interests

The region is experiencing a period of growth marked by several trends favorable to our interests. Democracy is on the rise, more and more people are benefiting from economic prosperity, and the region is generally at peace. Governments throughout the region are beginning to work multilaterally to address transnational problems, as well. We attribute these and other favorable trends in part to the leadership and the assistance the U.S. has provided over the years.

It is doubtful that East Asia and the Pacific would be enjoying this upturn were it not for the fact that it is experiencing a period of regional stability upon which to build political, social, and economic ties. For this reason, the Bureau of East Asian and Pacific Affairs (EAP) has placed maintenance of regional stability at the top of its list of strategic goals for fiscal year (FY) 2006, complemented by our commitment to enhancing regional prosperity and liberty. Different resources are required to achieve these objectives in different parts of the region. In Southeast Asia, combating terrorism remains an essential requirement in maintaining regional stability. Our efforts returned some encouraging results in 2004 that we will want to build on. In Northeast Asia, we will continue to focus on the transformation of the Korean Peninsula and on the positive integration of China into global and regional regimes and institutions. Region-wide, we will promote sustained economic growth and development, bolster our relationships with key partners in the region and especially with our five major allies, and build an open and inclusive regional institutional architecture. Bilateral and multilateral cooperation to counter the proliferation of weapons of mass destruction, foster democracy and human rights, and attack international crime and trafficking in drugs and persons are strategic objectives on their own, but clearly our success in pursuing these objectives will affect our overall success in maintaining regional stability. An additional goal in FY 2006 addresses social and environment issues, particularly health concerns such as human immunodeficiency virus and acquired immunodeficiency syndrome (HIV/AIDS). Strong public diplomacy can leverage all of these efforts.

Regional Stability

In an unstable region, U.S. goals become more difficult to achieve. Success in countering terrorism, enhancing economic prosperity, eliminating weapons of mass destruction, promoting democracy, and addressing transnational issues strengthens regional stability. The fight against terrorism is essential for the stability of Southeast Asia, and we require adequate funds to wage this war. We also recognize the need to address corruption, good governance and transparency in Southeast Asia, and in FY 2006 we intend to add more assistance focus on these issues in key Southeast Asian countries. In Northeast Asia, we will continue to focus on the transformation of the Korean Peninsula and on the integration of China. We will continue to do all we can to keep peace and ensure stability in the Taiwan Strait. While foreign assistance funds factor less in our Northeast Asia objectives, it is essential that we have adequate diplomatic presence, public diplomacy funding, and other resources to permit us to pursue active, successful diplomatic strategies.

We have alliances with five key regional states:

- Australia;
- Japan;
- South Korea;
- Thailand; and
- The Philippines.

These alliances leverages our ability to maintain regional stability, stay forward-deployed, and plan and execute force deployment adjustments. We will continue to strengthen these alliances. In the Philippines, we want to sustain and enhance the ongoing process of building the operational capabilities of the Armed Forces of the Philippines (AFP). With a five-year plan for support and repair of operational platforms coming to an end, we will shift our attention to professionalizing and modernizing AFP through the Philippine Defense Reform (PDR) plan. We believe the results of the PDR will be enhanced now that the Philippine government is controlling its own funding to the plan.

Following the devastating Indian Ocean tsunami, the Thai government generously allowed U.S. military forces to use Utapao Air Base as a regional hub for our humanitarian relief efforts. This successful operation was a direct result of decades of joint exercises, training, and cooperation between Thailand and the United States and underscores the importance of foreign military financing (FMF) and international military education and training (IMET) assistance to our friends and allies throughout the region.

Counter-terrorism

Terrorism in the Asia Pacific region remains a serious threat to U.S. national security interests, including the welfare and security of our citizens in the region and the security of our regional friends and allies. It threatens the positive regional trends toward stability, democratization, and prosperity. We strongly support funding to train and equip counterterrorism units in Indonesia and the Philippines, to provide counter-terrorism (CT) training for Malaysia, the Philippines, Singapore and Thailand, and to support regional CT training, including at the new Southeast Asia Regional Center for Counter-terrorism in Malaysia. Additionally, East Asia and Pacific (EAP) has requested modest amounts for CT assistance to Cambodia and the Pacific islands. To deter the movement of terrorists and their goods, EAP supports new border control installations in Thailand and Indonesia, sustained border control progress in the Philippines and Cambodia, and improved export and transshipment control systems in Indonesia, Thailand, Singapore, Taiwan, Malaysia, and Vietnam.

In FY 2004 the bulk of our CT effort was still directed at terrorism tier one countries. But in fiscal year 2006, we can anticipate funding needs for CT operations elsewhere in the region. One of these is maritime security in Southeast Asia, particularly in the Strait of Malacca, through which 30 percent of total shipping and 50 percent of oil and gas shipments pass. We have exercised strong leadership in shaping conceptual, legal, and diplomatic improvements. We will seek to build greater regional capabilities and new forms of cooperation to address the vulnerability of maritime shipping in Southeast Asia, where an attack on the Malacca Strait or other key sea lanes could have an enormous impact on the regional, and indeed, the global economy.

In FY 2006, the EAP will expand CT related programs on economic growth and development, democratization, and such transnational issues as money laundering, counter-narcotics, passport fraud, and maritime crime. We will remain committed to addressing the financial, economic, and political conditions in the region that either foster terrorism or allow its practitioners to establish themselves within vulnerable populations. Several of our Indonesia and Philippine

programs, especially those in Mindanao, have been highly successful and could serve as models for similar programs in the region.

Economic Prosperity

We will seek to maintain the region's dynamic growth rates through expanded trade and investment, significant financial and corporate restructuring, and improved economic and political governance, including an end to endemic corruption. We aim to accomplish these goals through bilateral assistance, free trade agreements (FTAs), and multilateral trade and investment liberalization and facilitation programs in Asia Pacific Economic Cooperation (APEC) and ASEAN.

The Millennium Challenge Account (MCA) funding, which channels assistance to nations that govern justly, invest in their people, and encourage economic freedom can be used in several countries in the region to achieve these goals. Mongolia and Vanuatu are eligible for FY 2004 and FY 2005 MCA funding. By FY 2006, we are hopeful several additional countries in the region will be eligible for MCA funding.

On trade and investment, we are working with countries in the region to advance the World Trade Organization (WTO) Doha Development Agenda. We are pressing China, Taiwan, and Cambodia to fully implement their WTO obligations, and support Vietnam's accession to the WTO. We are working to increase regulatory and administrative transparency in the region, especially China, Indonesia, Korea, and Japan as it undertakes major privatization and pension reform programs. We will continue our work to reduce or eliminate tariff and non-tariff barriers throughout the region, such as high agriculture tariffs in Korea and Japan, semiconductor taxes and discriminatory product standards in China, and price and tariff barriers on rice in Taiwan. We continue negotiations on a Free Trade Agreement with Thailand. We will support economic reform in areas like intellectual property rights ranked by U.S. business as one of the greatest impediments to doing business in the region, biotechnology, and competition policy bilaterally and through organizations such as APEC. To accomplish these objectives, we are working to increase opportunities for economic dialogue with the countries of the region both bilaterally and multilaterally.

Weapons of Mass Destruction

We remain deeply concerned about the proliferation of nuclear, chemical, and biological weapons and their delivery systems. We have held discussions with China to persuade it to adhere fully to bilateral and multilateral nonproliferation agreements and to cooperate fully in pre-licensing and post-shipment verification checks related to U.S. dual-use exports. We also have sought China's cooperation in encouraging other countries to adhere to arms control and nonproliferation arrangements, and China has responded positively, in particular by playing a valuable role in hosting the six-party talks to address the North Korean nuclear issue. In those talks, we will continue to insist on the complete, verifiable, and irreversible dismantlement of North Korea's nuclear program. In FY 2006 we will continue our effort to prevent, contain, and reverse the possibility that any WMD might become available to rogue nations or non-state terrorist organizations, building on the success of the Proliferation Security Initiative (PSI).

Democracy and Human Rights

Promoting democracy and human rights remain high priorities on the President's agenda, and are mutually reinforcing alongside our other goals of political stability and economic prosperity. The relative stability of the East Asia and Pacific region has provided for important advances in democracy in places as diverse as Taiwan, South Korea, the Philippines, Mongolia, and Thailand. Indonesia is continuing its transformation into a democratic state but will continue to need assistance from us and other donors, including better educational opportunities, a government with greater respect for human rights, and good governance. A prosperous, democratic Indonesia

will in turn be a stronger partner for the United States, as we advance our regional strategic, economic, and counter-terrorist goals.

We will continue to work for more democratic governments and open societies, through individual country programs and regionally through the ASEAN Fund and other EAP regional funds. In Burma, the further consolidation of power by hardliners last October dealt a setback to international efforts to affect genuine national reconciliation and the establishment of democracy. We will support programs to promote democracy and provide humanitarian assistance to Burmese migrants in the Thai-Burma border region. In Cambodia, our efforts will focus on political party development and human rights monitoring. Programs that enhance transparency and good governance while combating corruption are key objectives.

The issue of human rights is an integral part of the U.S. approach to North Korea. U.S. officials work to raise awareness of the severity of North Korea's human rights abuses and humanitarian issues with the international community. In addition, when possible, U.S. officials raise these concerns directly with the North Korean regime. We are working to implement the *North Korean Human Rights Act of 2004*, which was enacted by Congress in response to serious concerns over North Korea's human rights record and the ongoing humanitarian crisis faced by the North Korean people. We will also continue to press other nations such as China and Vietnam for improvements in human rights and rule of law.

International Crime and Transnational Issues

Transnational issues, including terrorism, narcotics, human trafficking, piracy, transnational crime, and infectious diseases are a serious threat to regional stability. In FY 2006, EAP will address some of these issues through our ASEAN Fund, Developing Asian Institutions Fund, and Regional Fund requests. We support funding of humanitarian demising in Cambodia, Vietnam, and Laos. We also support funding for trade-related environmental capacity building, wetlands restoration, trans-boundary water management, and access to clean water.

Social and Environmental Issues

As noted above, the East Asia and Pacific region faces growing environmental and health challenges. The rapid growth of major cities has brought on problems in air and water quality, deforestation, and waste management. These are frequently cross-border problems, making a common regional strategy important. Our FY 2006 foreign assistance programs will support continued development of a regional approach toward sustainable management of both cities and natural resources and address the growing danger that unsustainable practices will exhaust forests, fisheries, and coral reefs. Requested funding will also support work under the President's Initiative against Illegal Logging, which specifically cites problems in Southeast Asia.

In the Pacific Island countries, fisheries, climate change, and oceanic research are all high priority U.S. interests. The impact of health issues on the stability and prosperity of East Asia is becoming increasingly clear. Of the 42 million people living with HIV/AIDS worldwide, an estimated 7.4 million are in Asia and the Pacific more than in any region outside of sub-Saharan Africa. One example of our efforts to help stem the growing AIDS epidemic in Asia was the President's designation of Vietnam as the 15th focus country in his emergency plan for AIDS relief.

Public Diplomacy and Public Affairs

The Global War on Terrorism has demonstrated the importance of foreign publics' perceptions of our foreign assistance programs generally and more specifically, U.S. efforts to counter terrorism. Public diplomacy is a critical factor in influencing these perceptions, both in the long and short terms. Fully 85-90 percent of the world's Muslims live outside the Middle East; most of these people are heirs to cultural traditions and values that in vital ways are distinct

from cultures found in the Arab world. In fact, Indonesia is the country with the largest Muslim population in the world. The recent tsunami tragedy has shown the good will that can be generated when foreign public's understand the good work Americans do for fellow human beings, regardless of race, religion, or ethnicity. American Corner public diplomacy outreach platforms in Korea, as well as a creative online presence, have helped stem chronic anti-American sentiment there. Over fifty similar platforms throughout the region can provide long-term traction in helping both Muslims and non-Muslims to view our policies with objectivity.

Regionalizing Assistance Programs

The Asia-Pacific region is experiencing a dramatic increase in multilateral cooperation and institution-building to address economic, security and transnational issues. This trend presents the United States with new opportunities to foster cooperation to address the major challenges that face the region. It also challenges the United States to stay firmly entrenched in the region's developing architecture despite the recent growth of Asia-only groups. EAP has already taken important steps to enhance its engagement with ASEAN through the Secretary's ASEAN Cooperation Plan (ACP). In addition to promoting cooperation on issues as diverse as HIV/AIDS and competition policy, ACP projects have generated extensive goodwill in Southeast Asia and helped to counter regional misperceptions that counterterrorism is the sole U.S. policy imperative in the region. ACP projects support American interests, as well as ASEAN's, in areas like improved governance, protection of intellectual property rights, and transparent regional integration.

We have a strategic interest in strengthening Asia Pacific regional institutions where the United States is an active participant. It is difficult, however, to support this strategic interest from a strictly bilateral funding portfolio. In an effort to address this problem, we are seeking to begin funding programs associated with EAP regional organizations such as APEC and ARF from a single new ESF budget line item, the Developing Asian Institutions Fund. The United States has successfully worked through APEC and ARF to advance U.S. strategic goals for trade and investment liberalization and facilitation, regional security, and counter-terrorism. The recent strengthening and expanding mandates of these organizations make them increasingly effective venues for achieving progress on U.S. priorities.

Tsunami Recovery

We experienced a dramatic refocusing of American attention on the region as a result of the tsunami disaster of December 26, 2005. The outpouring of goods, services, and funding our government and our private citizens provided to those in need was huge. We can look back on this as one of the proudest moments of our history. It reinforced a message to the peoples of Asia of American willingness to help those in need, generously and unhesitatingly. A transition is now taking place, as the affected countries move out of the emergency relief phase and enter the much longer and more difficult reconstruction phase. The U.S. will work closely with the countries concerned and the international community to coordinate the long-term assistance that will be needed. As our friends in Asia will see, we plan to see this effort through to its completion. We cannot yet predict the exact impact our humanitarian response will have on our relations with the affected countries and their neighbors, but our response was massive, and the impact will likely be great. This one event will likely alter the views of millions of people in the region about U.S. intentions, our capabilities, and indeed the very nature of our culture.

Of course none of the U.S. official response would have been possible without the visible support given to our relief efforts by Congress. We look forward to working with you to ensure that further funds appropriated by the Congress in support of the President's request for supplemental assistance for our tsunami efforts continue to be spent in ways that reflect credit on our government and our citizens.

Conclusion

Promoting regional stability and all of the elements that contribute to it requires a steady, consistent focus on achieving each of our FY 2006 objectives and the funding that allows us to maintain that focus. In every case, whether countering the terrorist threat in the region, promoting prosperity, combating the proliferation of WMDs, supporting democracy, or addressing transnational crime, the effective use of resources is the key to success. The EAP looks forward to working with Congress to ensure adequate funding and effective utilization of these funds to promote a more stable, prosperous, and democratic Asia-Pacific region.

United States Interests and Goals in Nepal

By
Donald A. Camp
Department of State Principal Deputy Assistant Secretary

[The following are excerpts of the statement presented to the U.S. House of Representatives Committee on International Relations, Washington, D.C., March 2, 2005.]

The United States has a strong interest in helping the people of that country overcome the serious political problems they face, and the developmental problems from which much of their current political crisis derives. Our ultimate goal for Nepal can be put quite simply:

> We want Nepal to be a peaceful, prosperous and democratic country where civil liberties and human rights are protected.

However, Nepal confronts the real possibility that a brutal Maoist insurgency might seize power. Unity among Nepal's legitimate political forces is key to preventing that possibility. For this reason we are deeply troubled by King Gyanendra's February 1, 2005 dismissal of the government, declaration of a state of emergency, suspension of fundamental rights, and detention of politicians, journalists and human rights activists. This serious setback for Nepalese democracy risks eroding even further the Nepalese government's ability to resist the insurgency. It must be reversed. King Gyanendra needs to move quickly to reinstate and protect civil and human rights, release those detained under the state of emergency and begin a dialogue with the political parties intended to restore multi-party democratic institutions under a constitutional monarchy.

In recent years, the Maoist presence has spread dramatically throughout Nepal. The Maoists have made clear their intention to impose a one-party "people's republic," collectivize agriculture, "reeducate" class enemies, and export their revolution to neighboring states. The humanitarian ramifications of such a regime would be immense, reminiscent of the nightmare brought upon Cambodia by Pol Pot. Such a regime would almost certainly threaten stability in the region. Much if not all the progress that the United States and others have helped Nepal accomplish in terms of both development and democratization would be negated.

The longstanding political impasse between the king and the political parties, and infighting between and within the parties themselves, has seriously hampered resistance to the Maoists, in spite of the army's growing capability to militarily confront the insurgents. This squabbling and inability to come to an agreement on how to move forward with democratic governance has understandably frustrated the Nepalese caught between government inaction on their grievances and human rights abuses by the security forces on one hand and Maoist violence and brutality on the other.

The United States shares with other friends of Nepal particularly India and the United Kingdom the firm belief that the Maoist insurgency must be resisted and addressed. The Maoists have risen to prominence through a combination of propaganda, terror, and the real despair that so many Nepalese feel over the paralysis and failure of their political institutions. However, Nepalese increasingly reject the Maoists' goal of a one-party republic and no longer tolerate their methods of torture, extortion, and harsh retributions. The Maoists must be convinced that they have to rejoin the political mainstream instead of trying to sweep it away. At the same time, the Nepalese people must be convinced that their government can offer them a better future. The key to accomplishing this is for the legitimate political parties and Nepal's king to unite in a multi-party, democratic framework in order to confront the Maoists and address the country's serious developmental problems. Over the past several years we have pressed political party leaders and the king to follow this course. We will continue to stress this message to the King as we also urge

him to lift the state of emergency and provide clear road maps of how he intends to restore democratic institutions and address the Maoist insurgency. Likewise, we will encourage the political leaders as they are released to ensure their parties rejoin the political process in a constructive manner in order to chart the way ahead.

King Gyanendra has said that his recent actions were intended to strengthen Nepal's multi-party democracy and to bring the Maoist insurgency to an end. The King needs to quickly demonstrate through actions that he is serious in this desire. Initial reaction from many Nepalese to his February 1, 2005 actions was positive, reflecting their widespread frustration and despair over the years of political impasse as the Maoists gained strength. The Nepalese people now expect progress, and they expect it soon. The government needs to release the detainees and lift the suspension of fundamental rights. The King and the political party leaders must sit down and work together to resolve this crisis. To apply Benjamin Franklin's wisdom to their situation, they must hang together, or assuredly, they shall hang separately. We stand ready to help them find ways to cooperate to overcome the challenges to the future of their country.

Given this stark situation, U.S. resources and programs are more important than ever in helping Nepal defeat the insurgency and build a peaceful and prosperous future. We are encouraged that over the past year the international community has become increasingly united in trying to persuade the Maoists to negotiate a just peace. Even if peace were to return, however, the country would need to address daunting problems before it could develop into a prosperous, stable democracy, poverty, illiteracy, infant and maternal mortality, trafficking in persons, corruption, torture, and disappearances. Key to progress in all these area is economic development throughout the country.

The United States has worked hard with Nepal's leaders to encourage them to adopt a common stance vis-á-vis the insurgents, and prior to February 1, 2005 we saw some limited success in this regard. The King's actions at the beginning of this month have only reinforced our conviction that ending the insurgency requires unity between the King and the politicians. As we seek to deal with the repercussions of February 1, we intend to continue to support, as appropriate, the Government of Nepal's ability to effectively conduct peace talks and prepare for peace. Nepal's security forces continue to have a critical role in denying the Maoists a military victory. Donor assistance has been an important factor in their ability to mount more effective security operations, creating an environment for increased delivery of much-needed services for Nepalese civilians, taking back areas hitherto controlled by the Maoists.

This brings me to the dilemma that we now face in making decisions about security assistance for Nepal, Mr. Chairman. The U.S. security assistance for Nepal this fiscal year is about $2 million. Strong arguments have been made to use such assistance as a lever with Nepal's government to encourage a rollback of the recent political restrictions. At the same time, nobody wants to see Maoist gains at the expense of a less effective Nepali military. In considering this issue we are very aware of the trade-off between the military risk resulting from cutting aid with the political risk should there be no resolution of the current crisis between the King and the parties. Following on the King's actions, India and the United Kingdom announced they were suspending assistance to Nepal's armed forces. We have the same step under consideration. We have made it clear to the government that in the current political situation our security assistance is at risk. In our security assistance so far, we have supported Nepal's military through professional training, modern rifles and non-lethal equipment. A central part of our program has been to reinforce the critical need for the security forces, some of whom have engaged in serious human rights abuses, to improve their record in this respect.

We are concerned about abuses and atrocities by Maoists and human rights abuses by government security forces including extra-judicial killings and disappearances. An important

focus of our training of, and engagement with, the government and its security services will remain the critical need for increased respect for human rights. We continue to vet units receiving U.S. assistance to ensure that none is implicated in human rights violations. An amendment to the FY 2005 Senate Appropriations bill stipulated that foreign military financing could be made available to Nepal if the Secretary of State determined that Nepal was taking a number of steps to improve the human rights practices of the security forces. We have made it clear to the Government of Nepal that we expect to see appropriate, timely and transparent investigations of any credible allegations of abuse and that failure to do so could jeopardize our ability to continue assistance. We will continue to convey our strong concern about human rights violations by the security forces to the highest levels of the Nepal government and urge swift investigation and punishment.

We have allocated resources to the National Human Rights Commission to assist with recording and storing human rights investigations. As appropriate, we plan to provide additional assistance to the Commission to expand its monitoring and reporting capabilities. It is also critical for us and for the international community to highlight and criticize atrocities and abuses committed systematically, and as a matter of strategy by the Maoists. We will also continue to stress the protection of the rights of marginalized and victimized groups, e.g., trafficked persons, forced and child laborers, including child soldiers. We are seeking a durable solution for the more than 100,000 refugees of Bhutanese origin in Nepal and continue to work closely with United Nations High Commissioner for Refugees (UNHCR) and non-government organizations to assure the welfare of the many resident and transiting Tibetans in Nepal. The recent government order to close of the Tibetan Refugee Welfare Office and the Dalai Lama's office are also concerns. While we have not seen any change in the flow of Tibetan refugees through Nepal or in the treatment of Tibetan refugees resident in Nepal, we are working with the government to register the office as a fully functioning non-government organizations.

The overwhelming preponderance of the assistance the United States is providing to Nepal — twenty times the amount of our security aid is devoted to the social, political, and economic development the country so desperately needs. One of our key priorities in Nepal is to strengthen democratic institutions and processes, thereby increasing the ability of all Nepalese to have their voice heard. This in turn will undermine the Maoist insurgency whose early progress reflected to some degree the legitimate grievances of Nepal's marginalized citizens. Our work will continue to focus on the restoration of democratic institutions and seek to increase citizen participation and representational diversity in key institutions and processes. We will provide assistance with respect to the planning and conduct of parliamentary elections, if and when they are held. We will also focus on strengthening key rule of law and anti-corruption institutions. Nepal has some of the world's lowest social indicators, and more than half our development assistance has been earmarked for health and family planning. This key assistance to the marginalized part of this country's population is bearing fruit; the vast majority of Nepal's under-five children receive critical Vitamin-A supplements, thereby significantly increasing their ability to fight off otherwise deadly diseases such as pneumonia. The fertility rate is going down and we continue to work to help prevent and contain HIV/AIDS. Through the coordinated efforts by USAID and the Kathmandu-based Regional Environmental Office, we seek to improve access by the poor to non-contaminated drinking water.

I want to assure the Committee that the Administration is deeply engaged in helping to resolve the current crisis in Nepal. President Bush's declaration of the United States' support for freedom around the world very much extends to Nepal. This Administration firmly believes in the expansion of liberty and freedom as the foundation for lasting stability. In the coming weeks and months, we will be following through on this commitment, using our diplomatic leverage and

assistance resources, working closely with Nepal's friends and, most importantly, encouraging the Nepalese themselves to come together to meet these very serious challenges.

Momentum for Progress in South Asia

By
Donald A. Camp
Department of State Principal Deputy Assistant Secretary for Asian Affairs

[The following are excerpts of the statement presented to the U.S. Senate Committee on Foreign Relations Washington, D.C., March 2, 2005.]

Our relations with India and Pakistan continue to improve, and significant progress is being made in rebuilding Afghanistan and lowering tensions between India and Pakistan. Although Sri Lanka was devastated by the Indian Ocean tsunami, there is hope that cooperation on relief between the government and the Liberation Tigers of Tamil Eelam may increase trust between the two sides. Not all the news is good, unfortunately we are deeply troubled by developments in Nepal, where the King dismissed the government and imposed a state of emergency while the Maoist threat continues to grow. Although the ceasefire continues to hold in Sri Lanka, negotiations remain stalled. Problems with corruption, lawlessness, governance and political violence plague Bangladesh.

We will have during the next few years a crucial opportunity to assist South Asia toward a future that is stable and free from the following:

- Terrorism, conflict and proliferation;
- Prosperous and economically integrated;
- Governed through accountable democratic institutions; and
- A responsible voice for moderation in the Muslim world.

Our fiscal year 2006 Foreign Assistance requested for South Asia will be used to support our policy in the region and to maintain momentum in our programs for progress and to meet these challenges.

Afghanistan

In January of last year, Afghans adopted a moderate, democratic constitution, and in October successfully conducted their first multiparty presidential election. With the rebuilding of major roads, schools, health facilities, and other infrastructure, the country is being physically knit back together, which in turn will assist economic and political integration. The International Monetary Fund (IMF) estimates that Afghanistan's economy has grown by 50 percent in three years. The North Atlantic Treaty Organization (NATO) agreed to lead the International Security Assistance Force, as a new U.S., trained Afghan army and police are gathering strength, with civil and military Provincial Reconstruction Teams are extending security and development in the provinces.

U.S. assistance is helping the Afghan people win the peace in their country. By doing so, we prevent Afghanistan from ever again becoming a haven for terrorists. Much remains to be done and we are committed to helping the Afghans finish the task. We are requesting $956.4 million in FY 2006 Foreign Operations assistance for Afghanistan to sustain accelerated programs to stabilize the country Afghanistan is $1.1 billion including Department of Defense and DEA counternarcotics programs, Department of State and United States Agency for International Development (USAID) operations, to follow $1.986 billion in foreign operations funding in the FY 2005 supplemental request. Between FY 2001 and FY 2005 Congress has appropriated over $6.2 billion for Afghanistan as an investment in a more democratic and prosperous future and a more secure future for Americans.

Holding legitimate parliamentary elections in 2005 is one of the primary political tasks for President Karzai's administration. We will support this process and at the same time help the

government build and strengthen democratic political institutions able to peacefully channel the intense competition for power and resources among Afghanistan's rival groups. U.S. and other donors' assistance to the 2005 election process will include civic education and training for newly elected officials. A portion of the FY 2006 Economic Support Funds (ESF) will assist local elections, develop effective public education, and strengthen the women's ministry and centers throughout the country, as well as the judicial infrastructure, the Human Rights Commission, civil society groups, and the independent media.

The ESF-funded budget assistance will support government operations as revenue generation is strengthened. ESF-funded civil-military Provincial Reconstruction Teams established by the United States and our allies in Afghanistan have increased stability and development in Afghanistan's provinces, helping link central and local governments with communities. The number of PRTs has expanded to nineteen today, with two more to be established in coming months. Expanding security and the government's control of the territory is an ongoing challenge to Afghanistan's progress. As the DoD continues training of the Afghan National Army, our FY 2006 ESF assistance will also sustain accelerated programs for:

- Disarmament;
- Demobilization;
- Economic reintegration of militia; and
- Support a multifaceted counternarcotics strategy.

FY 2006 International Narcotics Control and Law Enforcement (INCLE) funds will continue to fund training for border police, national police and a highway patrol, as well as institutional reform at the Ministry of the Interior.

Agriculture and the rural economy provide a way of life for about 70 percent of the Afghan population. In FY 2006, Transition Initiatives (TI) funding will be used to help farmers re-establish production, become more profitable and efficient, improve food security, provide employment for more Afghans, and rehabilitate water systems. Credit programs for operating and investment capital will support production and processing activities. TI funds, along with ESF, will also be aimed at increasing access to primary education through community-based school construction, textbook production, classroom-based teacher training, and primary school equivalency and accelerated learning.

Afghanistan's counter-narcotics program will also be supported by FY 2006 INCLE funds, which will continue to fund crop eradication, public diplomacy and demand reduction programs. ESF funds will also continue to play an important role in supporting government efforts to end poppy cultivation and narcotics trafficking through alternative development programs. Economic reconstruction and development and rebuilding of infrastructure continue to be key factors in ensuring stability and a democracy dividend for the Afghan people. Requested FY 2006 ESF continue assistance for restructuring the banking system, strengthening fiscal management capacity and revenue generation, and spurring private enterprise and trade initiatives. We must sustain programs for employment, agriculture (the livelihood of most Afghans), health, and education. Completion of the Kabul-Kandahar-Herat ring road will extend central government authority, increase trade, and continue to knit the country back together. We have vaccinated millions of children, and constructed or rehabilitated scores of schools, clinics and hospitals.

A significant reconstruction dividend is the steady decline in humanitarian needs. The three million refugees who have returned and the millions saved from famine and cold are now contributing to the Afghan economic boom. But humanitarian problems have not disappeared, and we cannot turn our backs on the remaining Afghans who are destitute. We will continue to

support remaining Afghan refugees in Pakistan and Iran, internally displaced persons, and returnees. U.S. and donor demising assistance will enable continued safe returns and facilitate economic reconstruction.

India

United States relations with India, the pre-eminent power in the region, continue to improve and expand. As India increasingly fills a global leadership role, we must build strong bilateral partnership. Our partnership is growing across multiple fronts, including our security and economic ties and we are working together to solve regional problems. India, along with the United States, was a charter member of the group of countries formed to coordinate tsunami relief, and we are consulting closely with the Indians on how to help the Nepalese resolve their political crisis.

Through our Next Steps in Strategic Partnership, we are working to expand cooperation on civilian nuclear, civilian space and high technology trade development as well as an expanded dialogue on missile defense and enhanced nonproliferation export regimes in India. DoD's bilateral Defense Planning Group, joint exercises, and military exchanges have greatly increased military to military cooperation. A High Technology Cooperation Group is advancing trade and investment in this vital area where our two countries have complementary strengths.

U.S. assistance programs are helping India to complete financial, trade energy, water, and agriculture reforms to improve economic stability and reduce poverty. Our programs also promote better access to education, justice, and services by women and vulnerable groups. Our health programs support the prevention of human immunodeficiency virus and acquired syndrome immunodeficiency (HIV/AIDS), tuberculosis, other diseases, and increased child survival issues also addressed though a bilateral Global Issues Forum whose concerns range from trafficking in persons and human rights abuses to environment, science and health.

Pakistan

In the *Intelligence Reform and Terrorism Prevention Act*, Congress adopted the September 11, 2001 commission's recommendation that the U.S. make a long-term commitment to the future of Pakistan. We see this commitment which requires that we support Pakistan's own efforts to combat extremism and transform itself into a moderate, prosperous, democratic state as a pillar of our strategy to win the war on terrorism. We seek a Pakistan that is secure and at peace with all its neighbors, a voice for tolerance and moderation in the Islamic world, a country that lives up to its great economic potential and can serve as an inspiring model for the broader Middle East and South Asia region.

U.S. relations with Pakistan have grown steadily closer and more productive. As a key ally against terrorism, throughout 2004 Pakistan mounted successful operations against terrorists and their supporters near the border with Afghanistan and as well as in the country's urban areas. Hundreds of terrorist operatives have been captured in Pakistan since September 11, 2001. In recent months, terrorists linked to Daniel Pearl's murder, the 1998 Embassy Dar Es Salaam bombing, the 2002 Consulate Karachi attack, the 2004 Afghanistan election worker kidnappings, and assassination attempts against President Musharraf and Pakistani Prime Minister Aziz have been arrested by Pakistani law enforcement or killed in police shoot-outs. Last year the A.Q. Khan proliferation network was unmasked and we continue to work closely with Pakistan to ensure that this global security threat can never be reconstituted.

Our $698.3 million FY 2006 request for Pakistan contains $300 million in foreign military financing (FMF) funds and $300 million in ESF for the second of the five-year, $3 billion Presidential commitment. This reflects the critical importance of both aspects of the war on terror. As we facilitate the capture of al Qa´eda and Taliban remnants and strengthen our military ties through the FMF program, we will help tackle the conditions that terrorists seek to exploit

providing up to $200 million in ESF for macroeconomic stabilization and growth, plus at least $100 million in ESF to support social sector programs.

A return to full democracy in Pakistan is central to long-term stability and a primary objective of our Pakistan policy. U.S. democracy programs and exchanges are assisting the development of accountable, responsive democratic institutions and practices, including effective legislatures and local councils that respond to citizens and that play a positive role in governance. Our programs will also support much needed political party reform, the development of an independent media that provides balanced information, and effective civil society that advocates for the rights of those most vulnerable, such as women and religious minorities. All of these programs will be crucial to helping Pakistanis prepare themselves to participate in successful 2007 national elections that are free and fair.

Pakistan's economy has moved from crisis to stabilization and now to significant growth. The government's ongoing pursuit of structural reform, prudent economic policy initiatives, and effective macroeconomic management has impressed the IMF and donor community. We are assisting this positive momentum with ESF, but also continue to support the grassroots economic development and health programs that are just as important, and much more visible to ordinary Pakistanis, through USAID's programs.

Pakistan recognizes the critical need for, and is pursuing, education reform, including for madrassahs. Pakistan's need for improvements in education is profound. Beyond the very real problem created by the intolerance and extremism inculcated in some madrassahs, the education system in general has been failing the youth of Pakistan. For political, economic and social reforms to succeed, young Pakistanis must have the preparation needed to gain employment and compete in the global marketplace. Funds requested for education will be used to support and help the government shape these reforms, including through incentives for schools to join the government's reform programs, teacher training, and increased access for girls.

Fiscal year 2006 INL funds will be used to further strengthen Pakistan's border security, and law enforcement and intelligence capabilities and coordination, including on counternarcotics. Funds will also help extend law enforcement access and enhance monitoring in the Federally Administered Tribal Areas along the Afghan border through construction of roads and infrastructure. Road construction will also, in tandem with USAID projects, facilitate access to education and economic development to help integrate these areas with the rest of the country.

India-Pakistan Relations

Reducing the threat of conflict between India and Pakistan is of critical importance to both countries as well as to the United States and the international community. We have long encouraged Indo-Pak engagement while working to reduce the tensions between these two countries. The rapprochement and Composite Dialogue that began nearly two years ago between India and Pakistan has seen a number of successes. Most recently, during Indian Foreign Minister Natwar Singh's February 15-17, 2004 visit to Islamabad, both sides made real compromises in agreeing to begin bus service across the Line of Control in Kashmir. This is one of the most significant developments since the composite dialogue began in January 2004. It shows that the parties are committed to increasing their engagement, and we will encourage further progress.

Bangladesh

Bangladesh, despite its stormy birth and initial dismal prospects, has built a functioning, albeit challenged, democracy that has achieved important economic growth. Credit for Bangladesh's accomplishments past and present does not rest with a single leader, party or organization. And, neither does responsibility for the current problems rest with a single Bangladeshi administration, institution or leader.

Nevertheless, Bangladesh's significant problems with corruption, increase in violent political attacks, poor governance, and the opposition's "hartals" (general strikes), threaten democratic stability and impede economic growth. U.S. development and democracy programs in Bangladesh seek to address the challenges that foster extremism. Poverty, lack of education, and endemic corruption combined with porous borders and lack of public faith in elected government have increased the appeal of radicalism.

U.S. democracy programs seek to increase the accountability and transparency of democratic institutions, which can help defuse bitter rivalries, and support civil society advocacy groups such as Transparency International Bangladesh. To promote sustainable development, our programs will continue to improve basic education, foster scientific cooperation, assist economic growth and trade,combat trafficking in persons and increase health services for women and children.

Nepal and Bhutan

The United States has a strong interest in helping the Nepalese overcome the serious political problems they face, and the developmental problems from which much of their current political crisis derives. We want Nepal to be a peaceful, prosperous and democratic country, but it confronts the possibility that a brutal Maoist insurgency might seize power; not through military force but through a collapse of will to resist it. For this reason we were particularly concerned about King Gyanendra's February 1, 2004 dismissal of the government, declaration of a state of emergency and detention of politicians and dissidents. This serious setback for Nepalese democracy risks eroding the government's ability to resist the insurgency even further. The King has said that his recent actions are intended to strengthen Nepal's multi-party democracy and to bring the Maoist insurgency to an end. He needs to move quickly to reinstate and protect civil and human rights, release those detained under the state of emergency and begin a dialogue with the political parties intended to restore multi-party democratic institutions under a constitutional monarchy.

Following on the King's actions, India and the United Kingdom announced they are suspending assistance to Nepal's armed forces. We have the same step under consideration, but have not yet made a decision. However, we have made it clear to the government that in the current political situation our security assistance is at risk. In our security assistance so far, we have supported Nepal's military through professional training, modern rifles and non-lethal equipment. A central part of our program has been ensuring that the security forces improve their record with respect to human rights.

The over whelming preponderance of the assistance the United States is providing to Nepal is devoted to the political and economic development the country so desperately needs. Nepal has some of the world's lowest social indicators, and more than half of our development assistance has been earmarked for health and family planning. We will also continue to focus on the restoration of democratic institutions and seek to increase citizen participation and representational diversity, provide assistance for elections, if and when they are held and strengthen key rule of law and anti-corruption institutions.

We continue to work with the governments of Bhutan and Nepal to resolve the situation of the 100,000 refugees of Bhutanese origin in Nepal and are working closely with United Nations High Commissioner for Refugees (UNHCR) and non-government organizations to assure the welfare of the many resident and transiting Tibetans in Nepal.

Sri Lanka and Maldives

The focus of almost everyone in Sri Lanka over the past several weeks has been on recovery from the effects of the tsunami. The United States has been in the forefront of the effort to assist Sri Lanka recovery efforts and will remain engaged as we transition into meeting the country's enormous reconstruction needs. Other important long-term concerns remain, however. First

among them is resolving the conflict between the government and the Liberation Tigers of Tamil Eelam. Despite the largely successful ceasefire begun in 2003, peace negotiations between the two sides have not been restarted. The necessity for cooperation between the two sides on tsunami relief may help establish a higher level of trust helpful to the peace process.

The United States continues to support Norway's facilitation of a peace settlement and remains prepared, along with other donors, to help Sri Lanka address urgent post-conflict reconstruction needs. The goal of peaceful reconciliation will also need to help guide our post-tsunami reconstruction assistance. As we and other donors encourage a resumption of talks, we continue to provide a package of assistance programs aimed at providing a boost to reconstruction and reconciliation in war-torn areas.

Our nationwide development and health programs support the government's economic growth and anti-poverty efforts, while our democracy programs promote human rights and political reintegration and reconciliation. Increased FY 2006 FMF funding will be used to help Sri Lanka's navy meet threats posed by national and regional terrorist groups, and will help to reform and upgrade its military.

Another country devastated by the tsunami was Maldives. As with Sri Lanka and other countries, the United States made a major contribution to relief in Maldives and is committed to help with reconstruction. The recent visit of former Presidents Bush and Clinton to Maldives and Sri Lanka underlines the seriousness of our commitment.

Public Diplomacy and Regional Programs

Public Diplomacy programs remain a key part of the war on terrorism in South Asia. Throughout the region the Bureaus of South Asian Affairs, Economic and Cultural Affairs and the Office of International Information Programs are implementing both traditional and innovative outreach programs, targeting younger, non-elite audiences. Through these people-to-people programs we will continue to promote shared values on education and democratic reforms, regional conflict resolution, and strong civil societies. Our American Centers remain key to these efforts. Our English teaching programs will advance academic potential and engagement with the United States and its values.

These programs are complemented by our regional Economic Support Fund initiative for education, democracy and development in South Asia (EDSA). We are requesting $2.5 million in FY 2006 ESF for this initiative, which seeks more effective ways to address extremism through small, innovative pilot and multi-country projects in education, democracy and income generation. These projects are coordinated with and will inform our larger bilateral development programs.

Many of the issues of concern to us in South Asia, particularly those that affect ordinary South Asians on a personal level, need to be addressed in a regional context. Our diplomatic efforts and programs aimed at combating trafficking in persons have been refocused and intensified to raise the performance of South Asian governments in accord with criteria in the *Trafficking Victims Protection Act*. We are combating HIV/AIDS throughout the region, with the principal focus on India, where the problem is by far the worst. Corruption lies at the nexus of the governance and economic failures in South Asia. Our development, democracy programs and law enforcement programs combat corruption by promoting transparency, accountability and efficiency,including through strengthened private sector, civil society and independent media involvement. Finally, we remain ever mindful of the plight of women throughout the region, and our programs across the board have integrated components to improve literacy, education, health, and economic and legal rights for women and girls.

Conclusion

Achieving U.S. goals in South Asia remains crucial to our own national security and to a stable future for the region. While there has been much progress over the past few years, continued success depends on adequate resources to manage our policy and support our foreign assistance programs.

2005 International Narcotics Control Strategy Report

By
Robert B. Charles
Department of State Assistant Secretary for International Narcotics and Law Enforcement Affairs

[The following excerpts are from the remarks at presented to a special briefing in Washington, D.C., March 4, 2005. The 2005 *International Narcotics Control Strategy Report* (INCSR) can be found on the web at: http://www.state.gov/g/inl/ris/nrcrpt/2005/.]

International Narcotics and Law Objectives and Programs

As everyone here likely knows, the objectives of our counter-narcotics efforts worldwide center on:

- Reducing the cultivation, production, and transshipment of dangerous, illegal drugs to the United States;
- Working with our allies to reduce the influence of drugs in their own countries;
- Innovating to trace, track and help prevent drug-related money laundering and terrorist financing; and
- Assisting other nations in reducing demand for drugs, while also training, supporting and reinforcing institutions that make up what we describe as "the criminal justice sector."

International Narcotics and Law (INL) and the Department of State (DoS) work toward these objectives by calibrating the type, level and nature of program support to match national and regional needs. By way of example, in Colombia and the Andean Region, we offer a comprehensive program package of assistance including:

- Methodical eradication of illegal drug crops;
- Robust alternative income streams for growers getting out of the drug trade, tied to markets for sustaining trade in legitimate crops;
- Training and material support for stronger law enforcement and criminal justice institutions, from professionalizing police, prosecutors and judges to building courthouses and police stations;
- Interdiction support to fashion a deterrent for those who process and ship drugs to the United States, and
- Education, ranging from human rights training to drafting precursor chemical, money laundering and border security legislation, from drug prevention to effective drug treatment.

The *2005 International Narcotics Control Strategy Report* (INCSR) offers some remarkable metrics of success. The INCSR is reported to Congress annually, at this time of year, to describe the counternarcotics-related performance and cooperation of countries receiving DoS counter-narcotics and law enforcement resources during the past two fiscal years. This is the 19th edition, and like its predecessors it represents the most comprehensive analysis of counter-narcotics and law enforcement issues found anywhere in the federal government. These assessments play a role in later international drug certification decisions. The report itself is unique, and even garnered praise from the September 11, 2001 Commission. Hundreds of individuals work on this report, and I would like to especially commend INL's Ken Thompson, Ed Rindler, and John Lyle for their efforts. We are also grateful for the invaluable input and painstaking contributions of the Drug Enforcement Agency (DEA), the Departments of Justice and Homeland Security, U.S. Coast Guard, Bureau of Immigration and Custom Enforcement (ICE), Treasury, Financial Crimes Enforcement Network (FinCEN), Office of National Drug

Control, and Money Laundering Policy (ONDCP), DoS posts around the world and our allies around the world who are part of this shared battle.

Themes and Achievements

Substantively, several obvious themes emerge from this year's 1,074 page document. First, drug trafficking matters more than ever. The violence, instability, worldwide corruption and terrorist funding that surround, and are affiliated with, narcotics trafficking make this a first-order issue for our nation, our allies in this hemisphere, nations emerging from recent conflict, and at the end of the day any nation concerned about rule of law, democracy and legitimate economic progress. No nation or region is untouched.

As a result of the DoS strong policy and operational commitment to battling drug trafficking and helping professionalize police contingents, and building sustainable criminal justice institutions around the world buttressed by unwavering Congressional support for the same basic objectives we have registered real and measurable gains over the past two years. The international commitment to these issues is growing. Overlapping circles of international cooperation and success against drug growers, drug producers, and traffickers in this hemisphere and elsewhere, as well as against organized money laundering, and the criminal and terrorist organizations that rely on drug money combine to suggest a growing international consensus determined to elevate, tackle and eliminate these related threats to stability and democracy. Together, the gains and challenges this past year have been considerable, and we hope are captured by the facts and analysis in the 2005 INCSR.

Drug Cultivation Issues

Colombia looms large on that horizon, in both coca and heroin. While the 2004 cultivation numbers for Colombia are not yet available, there were record reductions in the cultivation of Colombian and overall Andean coca and heroin multi-year, double-digit reductions in Colombia during 2002 and 2003, something never before seen in that region. In those two years, the total reduction was in excess of 30 percent in Colombia alone and over 20 percent for the entire Andean region.

In 2004, Colombia's spray and manual eradication efforts have been no less robust, with more than 135,000 hectares of coca and 3,000 hectares of heroin poppy eradicated, and intense pressure placed on a smaller geographic area. While gains are likely to be sequentially smaller over time, the effort put into eradication has grown, not retreated, in 2004. Nor has there been evidence of the historic "balloon effect," as there was in the 1990's when other nations appeared to back-fill or compensate for effective eradication in one nation. Instead, there has been a steadiness of purpose and consistent progress across the board.

In Bolivia, in 2004, President Mesa reaffirmed his commitment to counter-narcotics, exceeding his original eradication goal of 8000 hectares. In Peru, more than 10,500 hectares were eradicated in 2004 and a public relations and education campaign appeared to reduce the influence of so-called "cocaleros." Notably, the Government of Peru must be on constant guard against the future possibility that steady eradication could be outstripped by accelerated planting, or by the under counting of young plants against the more obvious older plants. In short, good news leaves no room for resting. The future depends on how aggressive Peru is today.

These reductions in the Andean Region's drug crop run parallel to reductions in heroin production and trafficking from Thailand, Laos and across the Far East. Thailand's success was recognized last summer when President Bush removed it from the major producers' list. Thailand is now a net importer, not exporter, of heroin. Laos also aims to be a poppy-free nation by the end of this year, and is making progress although still on the majors list, which currently is comprised of twenty-two countries.

Burma remains the second largest producer of heroin next to Afghanistan, poppy cultivation is down in Burma again. There has been a steep decline in heroin production in Pakistan, which with U.S. support, has gone from a major producer to a marginal producer of opium and opiates. While Afghanistan remains a necessary challenge, new and comprehensive international counter-drug assistance has crystallized in support of that nation's newly elected President, himself resolute in battling back the growth of heroin poppy. The problem is considerable, but commitments to address it have grown and are clearly now focused on the counter-drug component of sustainable, long-term stability.

Interdiction

On the interdiction front, 2004 saw another unprecedented up-tick in the seizure of drugs headed for the United States from South and Central America. In 2004, with U.S. support, the Colombian National Police and public forces destroyed a record 200 major drug production laboratories, and seized 178 metric tons of cocaine HCL and cocaine base. Interestingly, in context, that number is 23 tons more than was seized in 2003 and 98 tons more than in 2001, all against that other backdrop a 33 percent reduction in overall coca cultivation.

In Bolivia, 2004 represented a second strong year of interdiction effort,including a record 2,254 cocaine base labs destroyed and a near tripling of seizures compared to 2003. Likewise, in Peru, in 2004, authorities seized almost thirteen metric tons of cocaine and destroyed more than 800 smaller labs. In Mexico, there has been a palpable increase in cooperation, with nationwide efforts to ramp up eradication of poppies and marijuana, apprehension and prosecution of three key members of the Arellano Felix Organization, an institutionalization of professional law enforcement at the federal level under Federal Agency of Investigation (AFI), and new efforts at data-sharing for border security. There are challenges, again, but the trend line is a good one and President Fox has been a leader with whom we have achieved previously unthinkable results. The challenges of border security, corruption, prosecution, conviction and sentencing under existing anti-drug laws, and expanded extradition remain, but the promise of future breakthroughs is worth the effort that will be required. In addition, it is noteworthy that there was no change in the nine countries that are listed as major precursor chemical source countries.

Broader Law Enforcement Initiatives and Extradition - Western Hemisphere

Broader law enforcement and extradition fronts, 2004 saw a record number of drug trafficker extraditions from both Colombia and Mexico to the United States for federal prosecution. Mexico extradited thirty-four major drug figures, up from thirty-one in 2003 and twenty-five in 2002. Colombia has extradited more than 180 drug traffickers to the U.S. over the past two years, including Gilberto Rodriguez Orejuela, head of the Cali Cartel. President Uribe has been an untiring leader in the battle to rid his nation of these violent traffickers, chasing down individual terrorists and working to break-up, destabilize and disband Colombia's leading narco-terrorist organizations, namely, the FARC, AUC and ELN. His efforts support the conclusion that the United States Congress' Grand Gamble in the late 1990s to support Plan Colombia together with President Bush's resolute commitment to support progress in that nation is generating a real paradigm shift.

While some nations in the hemisphere are less committed, Colombia's effort to banish narco-terrorism has, for example, reduced terrorist incidents by 42 percent in 2004 the second year of double digit decline in a nation formerly ravaged by narco-terrorism; dropped kidnappings by more than 35 percent, homicides by 15 percent, and other major crimes substantially. That trend line also is a good one, and our support has been and needs to remain strongly behind President Uribe and the Colombian people. They share and we share with them the political will to banish civil war and terrorism from Colombia's soil.

In that vein, with U.S. assistance, we also saw completion of the Colombian "police reinsertion program," stabilizing for the first time all 1,098 municipalities in Colombia. Colombia which is one of the primary engines for positive change in our hemisphere has recently proved another liberty-loving principle true. To paraphrase John Locke;

> . . . where there is a social compact, that is democracy, property will be protected; and where there is stability of that kind, people will be willing to mix their labor with the land.

It should be no surprise then, that Colombia's economic growth rate, after former dark days, was 3.8 percent in 2003, 4.3 percent in 2004, and it has now been declared by the World Bank one of the top ten locations for investment in 2005. John Locke was right.

Broader Law Enforcement in the Far East

Interdiction and law enforcement in the Far East have also registered gains, together with major outstanding challenges. While reliable statistics can be difficult to find, institutional capacity in most countries is growing. In countries across Central Asia, places like Tajikistan, Uzbekistan and the Kyrgyz Republic, major drug control agencies and often-under-resourced efforts are producing increased seizures (Tajikistan, for example, is the third largest interdictor of heroin in the world). However, there are also growing concerns in these areas about drug-funded corruption, drug-funded terrorism, and drug consumption.

Further East, we have worked closely with Thailand, Indonesia, Malaysia and the Philippines to support law enforcement and counter-drug capacity, as well as demand reduction efforts. In Thailand, by way of example, seizure quantities and overall seizures have risen for heroin and methamphetamine over the past two years, together with drug trafficking arrests and break-ups of major drug trafficking rings.

Afghanistan remains a special case, garnering considerable attention in 2004. Nearly 90 percent of the heroin on the world market now comes from Afghanistan, and this reality has led to a redoubled effort by the Afghan government leadership and our international allies there to address this resurgent problem head-on. In 2003, there were 61,000 hectares of heroin poppy. In 2004, that number leapt to 206,000, representing a 239 percent increase. In response, we are working closely with our allies, foremost with the United Kingdom, which has the international lead on counternarcotics in Afghanistan, and with the Afghan government to accelerate reconstruction and comprehensively reverse the tide of cultivation, processing and trade.

A Five Pillar Plan was developed during the latter half of 2004. The Plan, which puts a dramatic new emphasis on efforts to combat Afghan heroin, includes a substantial increase in nationwide alternative development, public diplomacy and education, ground eradication in multi-laterally targeted areas, as well as interdiction of heroin labs and storage facilities, and extensive training and criminal justice sector support.

At present, the Administration has a $780 million FY 2005 Supplemental Appropriation request before Congress to help finance implementation of this plan. On balance, Afghanistan's fledgling democracy has shown a strong public commitment to tackling what is plainly one of its major threats. In Asia, Europe and North America there is a new emphasis also on tackling the spread of amphetamine type substances, including Ecstasy. Canada and the Netherlands have shown new resolve to tackle the Ecstasy, and pseudoephedrine problems, and these efforts will need to continue, as will added attention to precursor chemical movement and cooperation with Mexico on synthetics.

Burma also presents a special case worth pause. While poppy cultivation has fallen by 88 percent in eight years, Burma is still number two in the world for heroin poppies and heroin, and has emerged as the likely number one producer in the Far East for amphetamine-type substances,

producing several hundred million "meth" tablets this year for markets in Thailand, China and India. While Burma reports an increase in seizures, this should be viewed in context with the overwhelming export of this dangerous drug.

Money Laundering Efforts and Advances

In the worldwide battle against money laundering and terrorist financing, 2004 has been a banner year.

- The number of countries with anti-terrorism financing laws has jumped from 87 to 113 over the past year.
- Only three countries remain on the Financial Action Task Force (FATF) non-cooperative list of jurisdictions down from an original twenty-three countries five years ago.
- Three countries Guatemala, Egypt and Ukraine were removed in 2004, and three more Indonesia, the Philippines, and the Cook Islands were removed earlier this year indicating strong cooperation from those countries in tracing and tracking money laundering. This progress also reflects a growing international commitment and political will to support the intensive legal changes and the training required to track funds.
- Money laundering in the traditional financial sector is down, although the use of so-called alternative remittances is up. This has made a focus on drug funding, as well as trade transparency and on alternatives like Hawalla increasingly important.
- There has been a general tightening of coordination and cooperation between nations vulnerable to money laundering and the financial institutions that call these locations home.

In short, we have made and continue to make real progress against drug-related money laundering. And that progress is one of the central elements of volume two of the INCSR. Looking back over recent developments in this hemisphere and across the global drug and money-laundering world, we are plainly on very positive trend lines. Sustaining those trend lines will require a continued international commitment and emphasis on these priority areas. We continue to see accelerating favorable metrics on many fronts, but tipping points as I indicated last year require sustained, paradigm-shifting effort, and we are not home yet. Considerable challenges remain in both this hemisphere and further East, and they will require strong commitments from us and our allies ahead. I would like to express my heartfelt appreciation to all of our allies, partners and friends around the world who share our dedication to a world free of the scourges of drug trafficking, drug addiction and dependence.

Fiscal Year 2005 Security Assistance Legislation

By
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Introduction

Each year, the *Defense Institute of Security Assistance Management* (DISAM) *Journal* publishes a summary and analysis of the legislation that impacts U.S. security assistance. In this issue, we present the twenty-first in a series of annual studies of the major pieces of legislation with references to security assistance and related programs. This report is intended to alert all security assistance community members to the collective changes 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. This report will also include tables showing the levels of funding for the affected countries and programs. This is possible because of the timely receipt of the security assistance funding portions of the Department of State (DoS) report for the allocation of foreign operations funding submitted to Congress on February 8, 2005 in accordance with Section 653(a), *Foreign Assistance Act* (FAA). This report is to be provided to Congress no later than thirty days after enactment of the annual foreign operations appropriation act which was enacted on December 8, 2004 as public law (P.L.) 108-447. The one month delay for the fiscal year (FY) 2005 allocations report could be attributed to several factors including the November 2004 presidential and congressional elections and the resulting in the turnover of key leadership within both the Administration and Congress, Congress not being in session to receive the report, the transition from the 108th to the 109th Congress, and the ever-evolving U.S. foreign policy environment throughout the world especially in the Middle East and South Asia.

The FY 2005 appropriations season included three continuing resolutions (CRs) with the last one, P.L. 108-434, expiring at midnight, December 8, 2004; four annual appropriations; and one consolidated appropriation enacted on December 8. The four annual appropriations included P.L. 108-287 for Department of Defense (DoD), P.L. 108-324 for military construction, P.L. 180-334 for Homeland Security, and P.L. 108-335 for the District of Columbia. The remaining nine of the thirteen required appropriations were placed into one enormous appropriation, *Consolidated Appropriations Act*, 2005, P.L. 108-447, December 8, 2004. The *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005*, was placed within P.L. 108-447 as Division D. Refer to Table 1 for the initial security assistance appropriations for funding the FY 2005 programs listed below:

- Economic Support Fund (ESF);
- International Military Education and Training (IMET);
- Foreign Military Financing Program (FMFP); and
- Peacekeeping Operations (PKO) provided within Division D.

Because of budgetary considerations, FY 2005 is the third year in a row that a last minute across-the-board rescission (or reduction) was applied. Exempting the earlier enacted appropriations for DoD, military construction, and Homeland Security plus any enacted supplemental appropriation for FY 2005; Section 122, Division J, P.L. 108-447, rescinded 0.80 percent of already enacted FY 2005 appropriations to be applied proportionately to each discretionary account and each item of budget authority described in such subsection; and within each such account and item, to each program, project, and activity. This affected the FY 2005 security assistance programs with an overall reduction of $60,426,000 see Table 2.

Table 1
Fiscal Year 2005 Security Assistance Funding
($ in millions)

Program	Budget Request	House H.R. 4812 Proposal	Senate S. Rpt. 2812 Proposal	Initial P.L. 108-447 Appropriation
FMFP	$4,957.500	$4,777.500	$4,777.500	$4,783.500
IMET	89.730	89.730	89.730	89.730
ESF	2,520.000	2,468.500	2,470.000	2,501.000
PKO	104.000	104.000	104.000	179.000
Total	$7,671.230	$7,439.730	$7,441.230	$7,553.230

Note: Does not include the directed 0.80 percent rescission of $60,426,000.

While the foreign operations appropriations for FY 2005 were passed and enacted during the first quarter of the fiscal year, the funding for the fourth year in a row was not generally available by allocation until the second quarter of the affected fiscal year. FY 2005 also marks the fourth year in a row that an emergency supplemental appropriation was enacted. Titles IX and X of *Department of Defense Appropriations Act*, 2005, P.L. 108-287, August 5, 2004, provided about $25,000,000,000 in emergency funding mostly for continuing DoD military operations and security cooperation programs in Southwest Asia and limited DoS assistance authorities both in the Middle East and the Darfur region of Sudan. The Administration and the 109th Congress are presently working on a second emergency supplemental for FY 2005 in excess of $80,000,000,000 contained within H.R. 1268.

Table 2
Fiscal Year 2005 Security Assistance Appropriations and Rescissions (P.L. 108-447)

Program	Initial Appropriation	Rescission	Final Appropriation
FMFP	$4,783,500,000	$38,268,000	$4,745,232,000
IMET	89,730,000	718,000	89,012,000
ESF	2,501,000,000	20,008,000	2,480,992,000
PKO	179,000,000	1,432,000	177,568,000
Total	**$7,553,230,000**	**$60,426,000**	**$7,492,804,000**

The FY 2005 security assistance program, for the second year in a row, experienced a gap in funding authorization legislation. Division B of S. 2144, *Foreign Assistance Authorization Act*, FY 2005, was reported out of the 108th Congress Senate Foreign Relations Committee (SFRC), but no further action was taken. There was no similar action in the House. The 109th Congress SRFC has already reported out S. 600, *Foreign Affairs Authorization Act*, Fiscal Years 2006 and 2007, with S. Rpt. 109-035, March 10, 2005, with Division B including security assistance authorizations. FY 2005 program and funding authorization language was provided within P.L. 108-447 appropriation act. The following six pieces of legislation are to be further analyzed in this article as they relate to the U.S. security assistance, security cooperation, and other international programs.

- *Foreign Operations, Export Financing, and Related Programs Appropriations Act*, 2004, Division D, P.L. 108-447, December 8, 2004.
- *Department of Defense Appropriations Act*, 2005, P.L. 108-287, August 5, 2004.

- *Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005*, P.L. 108-375, October 28, 2004.
- *Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act*, 2005, Division B, P.L. 108-447, December 8, 2004.
- *Intelligence Reform and Terrorism Prevention Act* (IRTPA) of 2004, P.L. 108-458, December 17, 2004.
- *Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act*, 2005, P.L. 108-324, October 13, 2004.

Reference Sources

The following abbreviated titles will assist in identifying principal sources of information used in this article. The laws and associated congressional reports can be viewed at the Library of Congress "Thomas" web page located at http://thomas.loc.gov.

- *Foreign Assistance Act of 1961* (FAA), as amended, Public Law (P.L.) 87-195, September 4, 1961.
- P.L. 87-510: *Migration and Refugee Act of 1962*, P.L. 87-510, June 28, 1962.
- *Arms Export Control Act* (AECA), as amended, P.L. 94-329, 30 June 1976.
- P.L. 91-672, *Foreign Military Sales Act Amendments*, 1971, P.L. 91-672, January 12, 1971.
- P.L. 96-8: *Taiwan Relations Act*, P.L. 96-8, April 10, 1979.
- P.L. 96-533: *International Security and Development Cooperation Act of 1980*, P.L. 96-533, December 16, 1980.
- P.L. 96-533: *Peace Corps Act*, Title VI, P.L. 96-533, December 16, 1980.
- P.L. 99-177: *Balanced Budget and Emergency Deficit Control Act*, P.L. 99-177, December 12, 1985.
- P.L. 99-239: *Compact of Free Association*, P.L. 99-239, January 14, 1986.
- P.L. 99-415: *Anglo-Irish Agreement Support Act of 1986*, P.L. 99-415, September 19, 1986.
- P.L. 101-179: *Support for East European Democracy (SEED) Act of 1989*, P.L. 101-179, September 28, 1989.
- P.L. 101-508: *Omnibus Budget Reconciliation Act of 1990*, P.L. 101-508, November 5, 1990.
- P.L. 101-513: *Iraq Sanction Act of 1990*, P.L. 101-513, November 5, 1990.
- P.L. 102-511: *Freedom for Russia and Emerging Eurasian Democracies and Open Markets* (FREEDOM) *Support Act* (FSA) *of 1992*, P.L. 102-511, October 14, 1992.
- P.L. 103-87: *Foreign Operations, Export Financing, and Related Programs Appropriations Ac*t, 1994, P.L. 103-87, September 30, 1993.
- P.L. 104-106: *National Defense Authorization Act*, *Fiscal Year 1996*, P.L. 104-106, February 10, 1996.
- P.L. 104-164: To amend the *Foreign Assistance Act of 1961* and the *Arms Export Control Act*, to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes, P.L.104-164, July 21, 1996.
- P.L. 105-85: *National Defense Authorization Act Fiscal Year 1998*, P.L. 105-85, November 18, 1997.

- P.L. 105-261: *Strom Thurmond National Defense Authorization Act, Fiscal Year 1999*, P.L. 105-261, October 17, 1998.
- P.L. 107-38: *2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States*, P.L. 107-38, September 18, 2001.
- P.L. 107-57: An Act to Authorize the President to Exercise Waivers for Foreign Assistance Restrictions with Respect to Pakistan through September 30, 2003, and for Other Purposes, P.L. 107-57, October 27, 2001.
- P.L. 107-115: *Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act*, Fiscal Year 2002, P.L. 107-115, January 10, 2002.
- P.L. 107-117: *Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002*, P.L. 107-117, January 10, 2002.
- P.L. 107-187: *Gerald B.H. Solomon Consolidation Act of 2002*, P.L. 107-187, June 10, 2002.
- P.L. 107-206: *2002 Supplemental Appropriations Act for Further Recovery from and Response to Terrorist Attacks on the United States*, P.L. 107-206, August 2, 2002.
- P.L. 107-206: *American Service-Members' Protection Act of 2002* (ASPA), Title II, P.L. 107-206, August 2, 2002.
- P.L. 107-228: *Foreign Relations Authorization Act, Fiscal Year 2003*, P.L. 107-228, September 30, 2002.
- P.L. 107-228: *Department of State Authorization Act, Fiscal Year 2003*, Division A, P.L. 107-228, September 30, 2002.
- P.L. 107-228: *Security Assistance Act of 2002*, Division B, P.L. 107-228, September 30, 2002.
- P.L. 107-240: *Continuing Appropriations for the Fiscal Year 2004*, and for Other Purposes, P.L. 107-240, October 11, 2002.
- P.L. 107-245: *Sudan Peace Act*, P.L. 107-245, October 21, 2002.
- P.L. 107-248: *Department of Defense Appropriations Act*, 2003, P.L. 107-248, October 23, 2002.
- P.L. 107-306: *Intelligence Authorization Act for Fiscal Year 2003*, P.L. 107-306, November 27, 2002.
- P.L. 107-314: *Bob Stump National Defense Authorization Act for Fiscal Year 2003*, P.L. 107-314, December 2, 2002.
- P.L. 107-327: *Afghanistan Freedom Support Act of 2002*, P.L. 107-327, December 4, 2002.
- PP..L. 108-7: Consolidated Appropriations Resolution, 2003, P.L. 108-7, February 20, 2003.
- P.L. 108-7: *Foreign Operations, Export Financing, and Related Programs Appropriations Act*, 2003, Division E, P.L. 108-7, February 20, 2003.
- P.L. 108-11: *Emergency Wartime Supplemental Appropriations Act, 2003*, P.L. 108-11, April 16, 2003.
- P.L. 108-84: *Continuing Appropriations for the Fiscal Year 2004*, and for Other Purposes, P.L. 108-84, September 30, 2003.
- P.L. 108-87: *Department of Defense Appropriations Act*, 2004, P.L. 108-87, September 30, 2003.

- P.L. 108-106: *Emergency Supplemental Appropriations Act for Defense and the Reconstruction of Iraq and Afghanistan*, 2004, P.L. 108-106, November 6, 2003.
- P.L. 108-132: *Military Construction Appropriations Act 2004*, P.L. 108-132, November 22, 2003.
- P.L. 108-136: *National Defense Authorization Act, Fiscal Year 2004*, P.L. 108-136, November 24, 2003.
- P.L. 108-199: *Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2004*, Division B, P.L. 108-199, January 23, 2004.
- P.L. 108-199: *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2004*, Division D, P.L. 108-199, January 23, 2004.
- P.L. 108-287: *Department of Defense Appropriations Act, 2005*, P.L. 108-287, August 5, 2004.
- P.L. 108-309: Making Continuing Appropriations for the Fiscal Year 2005, and for Other Purposes, P.L. 108-309, September 30, 2004.
- P.L. 108-324: *Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act*, 2005, P.L. 108-324, October 13, 2004.
- P.L. 108-334: *Department of Homeland Security Appropriations Act, 2005*, P.L. 108-334, October 18, 2004.
- P.L. 108-335: *District of Columbia Appropriations Act, 2005*, P.L. 108-335, October 18, 2004.
- P.L. 108-375: *Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005*, P.L. 108-375, October 28, 2004.
- P.L. 108-447: *Consolidated Appropriations Act, 2005*, P.L. 108-447, December 8, 2004.
- P.L. 108-447: *Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005*, Division B, P.L. 108-447, December 8, 2004.
- P.L. 108-447: *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005*, Division D, P.L. 108-447, December 8, 2004.
- P.L. 108-458: *Intelligence Reform and Terrorism Prevention Act of 2004* (IRTPA), P.L. 108-458, December 17, 2004.
- P.L. 108-458: *9/11 Commission Implementation Act of 2004*, Title VII, P.L. 108-458, December 17, 2004.
- P.L. 108-458: *Afghanistan Freedom Support Act Amendments of 2004*, Section 7104, P.L. 108-458, December 17, 2004.

Legislation for Fiscal Year 2005

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005, Division D, P.L. 108-447, 8 December 2004

- Enacted as Division D of the *Consolidated Appropriations Act, 2005*, P.L. 108-477, December 8, 2004. Originally reported out the House and Senate Appropriations Committees as H.R. 4818, H.R. 108-599, July 9, 2004, and S. 2812, S. Rpt. 108-346, September 15, 2004), respectively. The House and Senate passed their bills on July 15, 2004 and September 23, 2004, respectively. No conference for these foreign operations bills was specifically convened until the consolidation action of the nine remaining outstanding appropriations bills for FY 2005 was completed and reported out as a considerably broadened H.R. 4818 (H.R. 108-792, November 20, 2004). Both Houses approved the consolidated bill also on November 20, 2004 before the

Thanksgiving recess. Table Two displays the funding initially appropriated within Division D for the four traditional security assistance programs, FMFP, IMET, ESF and PKO, amounting to a total of $7,553,230,000.

- However, Division J, Section 122, of the same P.L. 108-447 directed an across-the-board rescission of 0.80 percent to discretionary accounts provided in FY 2005 regular appropriations acts. Excluded from this directed rescission were any FY 2005 supplemental appropriations act and three of the four previously enacted FY 2005 appropriations were the following:

•• *Department of Defense Appropriations Act, 2005*, P.L. 108-287, August 5, 2004;

•• *Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005*, P.L. 108-324, October 13, 2004;

•• *Department of Homeland Security Appropriations Act, 2005*, P.L. 108-334, October 18, 2004.

•• The fourth earlier enacted appropriation not exempted from the rescission action is the *District of Columbia Appropriations Act, 2005*, P.L. 108-335, October 18, 2004;

•• Similar to prior fiscal years, the rescission is to be applied proportionately to each discretionary account and each item of budget authority described in such subsection and within each account and item, to each program, project, and activity. The FY 2005 rescission of 0.80 percent can be compared to the FY 2004 rescission of 0.59 percent and the FY 2003 rescission of 0.65 percent; and

•• Table Two displays the total rescission of $60,426,000 for the four FY 2005-appropriated security assistance programs reducing the total appropriation to $7,492,804,000.

Title III, Military Assistance, Foreign Military Financing Program

- Initially appropriated $4,783,500,000 as FMFP grant assistance to carry out the provisions of Section 23, AECA. The 0.80 percent rescission amounted to $38,268,000 reducing the entire program to $4,745,232,000 available for country or program allocation.

•• The Administration's FY 2005 FMFP request was $4,957,500,000 with both House and Senate proposals being $4,777,500,000.

•• Both versions additionally authorized up to $150,000,000 for Pakistan being transferred from prior years' unobligated and unearmarked FMFP and ESF appropriations. This transfer authority was enacted with Pakistan receiving an initial FMFP allocation of $148,800,000.

- The two legislated earmarks for FMFP funding included:

•• Not less than $2,220,000,000 for Israel to be disbursed within thirty (30) days of the enactment of this Act.

••• After rescission, Israel was allocated $2,202,240,000.

••• This is the seventh year of a ten-year plan in which Israel's FMFP assistance is to increase by $60,000,000 annually to coincide with an annual decrease $120,000,000 in ESF assistance towards achieving Israel's goal of receiving no ESF from the U.S. beginning in FY 2009.

•• As in prior years, to the extent Israel requests that funds be used for such purposes, funds made available to Israel shall, as agreed upon by Israel and the U.S., be available for advanced weapons systems, of which not less than $580,000,000 shall be available for procurement in Israel of defense articles and services, to include research and development. This is $12,000,000 greater than authorized for FY 2004.

•• Not less than $1,300,000,000 for **Egypt.**

••• After the rescission, Egypt was allocated $1,289,600,000.

••• As was with past authorities, any FMFP funds outlayed for Egypt during the year shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within thirty (30) days of the enactment of this Act.

•• Before the rescission and not including the Pakistan carry forward authority, the two earmarks totaled $3,520,000,000 or just in excess of 73 percent of the initial appropriation leaving $1,263,500,000 for other FY 2005 FMFP programs. For comparison, the FY 2004 earmark percentage of initial appropriations was nearly 81 percent with $834,000,000 being available for other programs.

• While no other earmarking language was used in the Act or its conference report, H. Rpt. 108-792, the conference report did indicate how the funds are to be allocated with any reprogramming of FMFP, et al., to be done in accordance with Section 634A, FAA. This includes a fifteen day notification to the two congressional appropriations committees (HAC and SAC) and the Senate Foreign Relations (SFRC) and House International Relations Committees (HIRC) in advance of obligation whenever the reprogramming exceeds $1,000,000 and the total amount to be obligated by the country exceeds by more than $5,000,000 the amount initially notified to Congress for allocation in accordance with Section 653(a), FAA.

• $206,000,000 should be made available for **Jordan**. After the rescission, Jordan was allocated $204,352,000.

• Not more than $2,000,000 may be made available for **Uganda** but only for non-lethal military equipment and if the Secretary of State determines an reports that the government of Uganda has made significant progress in:

•• The protection of human rights, especially preventing acts of torture;

•• The protection of civilians in northern and eastern Uganda; and

•• The professionalization of the Ugandan armed forces.

• No FY 2005 FMFP funding for **Sudan and Guatemala**. Last year's prohibition also included Liberia, which was initially allocated $2,976,000 for FY 2005.

• No FMFP funding may be made available for **Haiti** except pursuant to regular notification procedures to the two appropriations committees. After the rescission, Haiti was initially allocated $298,000.

• FMFP may be used for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through non-governmental and international organizations.

• As in prior years, only those countries for which was justified for FMFP in FY 1989 congressional presentation for security assistance may use FY 2005 FMFP funds for procurement of defense articles and services or design and construction services that are not sold by the U.S. government under the AECA.

•• This includes the countries of **Israel, Egypt, Jordan, Morocco, Tunisia, Turkey, Portugal, Pakistan, Yemen, and Greece** being able to use FMFP using the Direct Commercial Sales (DCS) process. Of these countries, Portugal and Greece were not initially allocated any FY 2005 FMFP funding. Refer to DoD 5105.38-M, *Security Assistance Management Manual* (SAMM), Sections C9.7.4 and C9.7.4.1 for further information.

• Not more than $40,000,000 may be obligated for necessary expense, including the purchase of passenger vehicles for replacement only for use outside the U.S., for general costs of administering military assistance and sales. After rescission, $39,680,000 was initially allocated, the FY 2004 initial authorization for these purposes was $40,500,000.

• Not more than $367,000,000 of the non-appropriated **FMS administrative fund** may be obligated for expenses incurred by DoD during FY 2005 pursuant to Section 43(b), AECA. This ceiling may be exceeded only through regular notification procedures of the two appropriations committees. The authorized ceiling for FY 2004 was $361,000,000.

• Table 3 provides the FY 2005 FMFP allocations which were notified to Congress on February 8, 2005 in accordance with Section 653(a), FAA. This report is normally required not later than thirty (30) days after the enactment of the appropriations act. For comparison, the final allocations for FY 2004 and the Administration's FY 2005 requests are also included.

•• It must be noted that the FY 2004 funding column includes **Afghanistan** emergency supplemental funding of $287,000,000 originally appropriated by P.L.108-106 , November 6, 2003, and the Afghanistan Emergency Response Fund (ERF) of $77,000,000 originally appropriated by P.L.107-38, September 18, 2001.

• Additionally, the FY 2004 funding column does not reflect the authorized but not used and now expired $550,000,000 FMFP direct loan to the **Czech Republic** for the purpose of purchasing aircraft from the U.S. or the support of purchased U.S.-origin aircraft. This was authorized by H.J. Res. 69, P.L. 108-84, September 30, 2003.

Table 3
Foreign Military Financing Program
Fiscal Year 2005 Funding Allocations
($ in millions)

Country/Program by Geographical Region	FY 2004 Actual FMFP Allocation	FY 2005 Budget Justification Request	FY 2005 Initial FMFP Allocation
Near East			
Bahrain	$24.682	$20.000	$18.848
Egypt	1,292.330	1,300.000	1,289.600
Israel	2,147.256	2,220.000	2,202.240
Jordan	204.785	206.000	204.352
Morocco	9.940	20.000	15.128
Oman	24.850	25.000	19.840
Tunisia	9.827	10.000	9.920
Yemen	14.910	15.000	9.920
Sub Total	**$3,728.580**	**$3,816.000**	**$3,769.848**
Europe and Eurasia			
Albania	$5.000	$3.000	$2.976
Armenia	2.485	2.000	7.936
Azerbaijan	2.485	8.000	7.936
Bosnia and Herzegovina	18.400	2.500	2.480
Bulgaria	8.450	7.000	6.944
Czech Republic	7.869	6.000	5.952
Estonia	5.979	5.000	4.960
Georgia	12.000	12.000	11.904
Hungary	6.938	6.000	5.952
Kazakhstan	2.980	6.000	4.960
Kyrgyz Republic	4.075	3.000	1.984
Latvia	6.496	5.000	4.960
Lithuania	6.389	5.500	5.456
Macedonia	7.950	6.500	5.208
Moldova	0.990	0.800	0.446

Poland	32.500	66.000	65.472
Romania	8.950	11.000	10.912
Slovakia	6.603	6.000	4.960
Slovenia	1.974	2.000	1.488
Tajikistan	1.995	0.700	0.496
Turkey	35.000	34.000	33.728
Turkmenistan	0.500	0.700	0.694
Ukraine	5.000	6.500	2.976
Uzbekistan	0.000	12.000	10.912
Sub Total	**$191.008**	**$217.200**	**$211.692**
Western Hemisphere			
Argentina	$0.000	$1.000	$0.992
Bahamas	0.099	0.100	0.099
Belize	0.191	0.200	0.198
Bolivia	3.976	3.000	1.984
Chile	0.347	0.500	0.496
Colombia	98.450	108.000	99.200
Dominican Republic	2.000	1.500	0.992
Ecuador	0.000	2.000	0.992
El Salvador	5.000	2.750	1.488
Guyana	0.095	0.100	0.099
Haiti	0.295	0.300	0.298
Honduras	2.375	1.500	0.992
Jamaica	0.597	0.600	0.595
Nicaragua	0.938	0.500	0.496
Panama	2.000	1.500	0.992
Peru	0.000	1.000	0.992
Suriname	0.114	0.100	0.099
Uruguay	0.000	0.500	0.397
Eastern Caribbean	3.137	1.350	0.993
Sub Total	**$119.614**	**$126.500**	**$112.394**
Africa			
African Coastal and Border Security	$0.000	$4.000	$3.968
Botswana	0.500	0.500	0.496
Djibouti	6.378	4.000	3.968
Eritrea	0.000	0.500	0.496
Ethiopia	2.480	2.000	1.984
Ghana	0.737	0.500	0.496
Kenya	6.635	7.000	6.944
Liberia	0.000	0.000	2.976
Nigeria	0.000	1.000	0.496
Senegal	0.737	0.500	0.496
Uganda	1.990	0.000	1.984
Military Health Affairs	1.490	2.000	1.984
Sub Total	**$20.947**	**$22.000**	**$26.288**
East Asia and Pacific			
Cambodia	$0.000	$0.000	$0.992
East Timor	2.420	1.000	0.992
Fiji	0.000	0.000	0.248
Indonesia	0.000	0.000	0.992
Mongolia	0.995	0.500	0.992

Philippines	19.880	30.000	29.760
Thailand	0.881	0.500	1.488
Tonga	0.500	0.000	0.248
Sub Total	**$24.676**	**$32.000**	**$35.712**
South Asia			
Afghanistan	$49.705	$400.000	$396.800
Supplemental*	287.000	.000	.000
ERF**	77.000	.000	.000
Bangladesh	0.000	0.000	0.248
Nepal	3.975	1.000	1.488
Pakistan	74.560	300.000	148.800
Sri Lanka	2.495	0.500	0.496
Sub Total	**$494.735**	**$701.500**	**$547.832**
Global			
EIPC***	$1.990	$1.800	$1.786
FMFP Administrative Costs	40.260	40.500	39.680
Sub Total	$42.250	$42.300	$41.466
Total Allocation	$4,621.810	$4,957.500	$4,745.232
Rescission	$25.335	.000	$38.268
Total Appropriation	**$4,647.145**	**$4,957.500**	**$4,783.500**

Notes:
* Enhanced International Peacekeeping Capabilities (EPIC).
** Afghanistan emergency supplemental funding was appropriated by P.L.108-106, November 6, 2003.
*** Afghanistan Emergency Response Fund (ERF) was originally appropriated by P.L.107-38, September 18, 2001.

Title III, Military Assistance, International Military Education and Training

- Initially appropriated $89,730,000 as IMET grant assistance to carry out the provisions of Section 541, FAA, of which $3,000,000 may remain available until expended. The mandated rescission of 0.80 percent amounted to $718,000 reducing the total grant program for the year to $89,012,000.

- The original Administration IMET request was $89,730,000 and agreed upon by both the House and the Senate.

- As in the past years, civilian personnel for whom IMET funding may be provided may include civilians who are not members of a government who participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights.

- The IMET funding for **Guatemala** may only be available for Expanded IMET (E-IMET). IMET funds for **Haiti, the Democratic Republic of the Congo, and Nigeria** may only be provided through the regular notification procedures of the congressional appropriations committees. Haiti and the Democratic Republic of the Congo were not in this notification category last year. This year, Algeria and Cambodia are no longer in the notification category.

- The House initially proposed that **Greece** receive $2,000,000 in IMET funding and the Senate did not address the matter. The conference report requested the Secretary of State to consider providing up to this amount for Greece. The Administration's original request was $600,000 for Greece with an initial allocation of $1,000,000.

- The conference report also supported additional IMET funding for **Egypt** to increase cooperation in the war on international terrorism. The Administration's original request and initial allocation for Egypt was $1,200,000.

• The House committee report encouraged additional IMET support to U.S. allies in the war on international terrorism, to include the **Philippines, Georgia, and Mongolia**. The Senate committee report and the conference report were silent on the matter. The Administration requested and allocated $3,000,000 to the Philippines; requested and allocated $1,200,000 to Georgia; and requested and allocated $850,000 to Mongolia.

• Table 4 provides the FY 2005 IMET allocations which were notified to Congress on 8 February 2005. The table also includes the final funding levels allocated during FY 2004 and the funding requested by the Administration for FY 2005.

Table 4
International Military Education and Training (IMET)
FY 2005 Funding Allocations
($ in thousands)

Country/Program by Geographical Region	FY 2004 Actual IMET Allocation	FY 2005 Budget Justification Request	FY 2005 Initial IMET Allocation
Near East			
Algeria	$722	$850	$850
Bahrain	568	650	650
Egypt	1,369	1,200	1,200
Jordan	3,225	3,000	3,000
Lebanon	700	700	700
Morocco	1,997	1,875	1,875
Oman	825	1,100	1,100
Saudi Arabia	24	25	25
Tunisia	1,899	1,875	1,875
Yemen	886	1,100	1,100
Sub Total	**$12,215**	**$12,375**	**$12,375**
Europe and Eurasia			
Albania	$1,198	$900	$900
Armenia	869	750	750
Azerbaijan	1,084	750	750
Bosnia and Herzegovina	991	900	900
Bulgaria	1,463	1,395	1,395
Croatia	0	50	50
Czech Republic	2,276	1,900	1,900
Estonia	1,408	1,200	1,200
Georgia	1,228	1,200	1,200
Greece	568	600	1,000
Hungary	2,044	1,900	1,900
Kazakhstan	1,233	1,000	1,000
Kyrgyz Republic	1,047	1,100	1,100
Latvia	1,337	1,200	1,200
Lithuania	1,343	1,200	1,200
Macedonia	858	650	650
Malta	0	125	0
Moldova	1,225	900	900
Poland	2,283	2,000	2,000
Portugal	752	850	850
Romania	1,529	1,500	1,500

Russia	778	800	800
Serbia and Montenegro	0	250	50
Slovakia	1,075	950	950
Slovenia	950	950	950
Tajikistan	351	350	350
Turkey	5,000	4,000	4,000
Turkmenistan	40	450	450
Ukraine	1,834	1,700	1,700
Uzbekistan	484	1,200	800
Sub Total	**$35,548**	**$32,720**	**$32,395**
Western Hemisphere			
Argentina	$1,087	$1,100	$825
Bahamas	165	240	240
Belize	277	100	200
Bolivia	589	800	800
Brazil	00	50	00
Chile	600	600	600
Colombia	1,676	1,700	1,700
Costa Rica	0	50	0
Dominican Republic	973	1,100	1,100
Ecuador	0	300	300
Eastern Caribbean	719	800	800
El Salvador	,480	1,600	1,600
Guatemala	504	300	350
Guyana	359	300	300
Haiti	235	150	150
Honduras	1,309	1,100	1,100
Jamaica	700	700	700
Mexico	1,275	1,250	1,250
Nicaragua	779	600	600
Panama	558	600	600
Paraguay	00	250	250
Peru	00	300	300
Suriname	151	150	150
Trinidad and Tobago	0	50	0
Uruguay	0	150	150
Venezuela	0	50	0
Sub Total	**$13,436**	**$14,390**	**$14,065**
Africa			
African Union	0	0	50
Angola	300	300	300
Benin	00	250	250
Botswana	922	700	700
Burkina Faso	115	50	100
Burundi	0	50	50
Cameroon	361	225	225
Cape Verde	200	120	120
Central African Republic	00	110	50
Chad	574	225	245
Comoros	121	50	80
Cotë d´Ivoire	0	50	0
Democratic Rep. of the Congo	332	50	157

Djibouti	406	325	325
ECOWAS*	0	100	100
Equatorial Guinea	0	50	0
Eritrea	42	450	450
Ethiopia	542	600	600
Gabon	283	210	210
Gambia	183	75	75
Ghana	921	575	595
Guinea	482	350	350
Guinea-Bissau	0	100	100
Kenya	638	650	650
Lesotho	0	50	50
Madagascar	333	200	200
Malawi	415	360	360
Mali	0	175	175
Mauritania	234	130	130
Mauritius	144	125	125
Mozambique	243	215	215
Namibia	0	100	100
Niger	0	100	100
Nigeria	0	800	800
Republic of the Congo	27	110	110
Rwanda	298	225	225
São Tomé and Príncipe	188	200	200
Senegal	1,188	1,100	1,100
Seychelles	98	100	100
Sierra Leone	416	300	300
South Africa	0	50	50
Swaziland	131	100	100
Tanzania	0	100	0
Togo	204	120	120
Uganda	371	225	240
Zambia	461	225	225
Sub Total	**$11,173**	**$10,775**	**$10,807**
East Asia and Pacific			
Cambodia	0	50	0
East Timor	159	300	300
Fiji	229	250	250
Indonesia	599	600	600
Laos	0	100	50
Malaysia	939	1,100	1,100
Mongolia	872	850	850
Papua New Guinea	292	300	300
Philippines	2,700	3,000	3,000
Samoa	0	50	50
Solomon Islands	45	150	150
Thailand	2,572	2,500	2,500
Tonga	136	135	135
Vanuatu	100	110	110
Vietnam	0	50	50
Sub Total	**$8,643**	**$9,545**	**$9,445**

South Asia			
Afghanistan	$674	$800	$800
Bangladesh	862	900	900
India	1,366	1,400	1,400
Maldives	181	175	175
Nepal	546	650	650
Pakistan	1,384	2,000	2,000
Sri Lanka	553	500	500
Sub Total	$5,566	$6,425	$6,425
Global			
E-IMET**	$3,360	$3,000	$3,000
IMET general costs***	650	500	500
No-Year/Carry forward	718	0	0
Sub Total	**$4,578**	**$3,500**	**$3,500**
Total Allocation	**$91,159**	**$89,730**	**$89,012**
Rescission	$541	00	$718
Total Appropriation	**$91,700**	**$89,730**	**$89,730**

Notes:

* ECOWAS is Economic Community of West African States.

** E-IMET**

*** P.L.108-199, 23 January 2004, provided authority for $3 million of FY 2004 IMET funding to remain available (or carried forward) until expended. This same authority is provided for the FY 2005 IMET program.

Title II, Other Bilateral Economic Assistance, Economic Support Fund

• Initially appropriated $2,482,500,000 as an ESF grant assistance, to remain available until September 30, 2006, to carry out provisions of Chapter 4, Part II, of the FAA. A second ESF appropriation of $18,500,000 in grant funding is also provided for the International Fund for Ireland to be made available in accordance with the *Anglo-Irish Agreement Support Act of 1986*, P.L. 99-415, September 19, 1986. The overall ESF total of $2,501,000,000 is reduced by $20,008,000 as mandated by the 0.80 percent rescission to a final total of $2,480,992,000 available for allocation.

•• The ten legislated earmarks, which include the terms "shall," "should," or "may" in determining appropriated funding usage, for FY 2005 ESF appropriations include:

•• Not less than $360,000,000 for Israel to be disbursed within thirty days of the enactment of this Act.

••• After the rescission, Israel received an initial allocation of $357,120,000.

••• As previously noted in the FMFP funding for Israel discussion, this is the seventh year of a ten-year plan to phase out the Israeli ESF program before FY 2009 by decreasing the program by $120,000,000 annually and increasing the Israeli FMFP funding by $60,000,000 annually.

•• Not less than $535,000,000 for **Egypt** of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic reforms which are additional to those which were undertaken in previous fiscal years, and of which $200,000,000 should be provided as Commodity Import Program assistance.

••• The language for the Commodity Import Program for FY 2005 was modified from prior years in that not less than $200,000,000 shall be provided was not used.

••• The conference report does not include the Senate proposed language that assistance be provided for Egypt with the understanding that the government of Egypt will undertake significant political reforms in addition to those undertaken in previous years.

••• The conference agreement, however, includes the Senate proposal that democracy and governance activities shall not be subject to the prior approval of the government of Egypt. The conference managers intended for this language to include non-governmental organizations and other segments of civil society that may not be registered with, or officially recognized by, the government of Egypt. However, the managers understand that government of Egypt should be kept informed of funding provided pursuant to these activities.

••• After the rescission, Egypt received an initial allocation of $530,720,000.

•• Not less than $250,000,000 should be available for Jordan. The Senate proposal used the term shall.

••• After the rescission, Jordan received an initial allocation of $248,000,000.

••• The conference agreement did not include the Senate proposal for providing assistance to the Rosary Sisters Hospital in Jordan. The managers expressed understanding the concerns of the government of Jordan regarding the impact of this proposed activity would have on the assistance program for Jordan and recommend that United States Agency for International Development (USAID) and the DoS review a proposal from the Hospital for possible funding from other sources within this Act.

•• $13,500,000 should be available for **Cyprus** to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus.

••• After the rescission, the Cyprus program was initially allocated $13,392,000.

•• $35,000,000 should be available for **Lebanon** of which not less than $4,000,000 shall be for scholarships and direct support of American educational institutions in Lebanon.

••• After rescission, the Lebanon program was initially allocated $34,720,000.

•• Not more than $200,000,000 of ESF appropriations may be used for the costs of modifying direct loans and guarantees for **Pakistan**.

••• The Administration requested $300,000,000 for Pakistan and, after rescission, $297,600,000 was allocated.

••• The funding made available for the costs of modifying direct loans guarantees shall not be considered assistance for the purposes of provisions of law limiting assistance to Pakistan.

•• Not less than $22,000,000 shall be made available to the **Democratic Republic of Timor-Leste** of which up to $1,000,000 may be available for administrative expenses of the USAID.

••• The Administration requested $13,500,000 for Timor-Leste and, after the rescission $21,824,000 was allocated.

•• Of any ESF funding made available for Indonesia, $3,000,000 should be made available to promote freedom of the media in Indonesia.

••• The Administration requested $70,000,000 for **Indonesia** and, after the rescission $64,480,000 was allocated.

••• The conference agreement did not include the Senate proposal that $2,000,000 shall be available for economic development programs conducted by Indonesian universities; however, the managers expected funding should be provided for this purpose.

••• The managers expect USAID to provide sufficient funding for democracy building in Indonesia and request USAID to consult with the appropriations committees on this matter.

••• The managers also expect currently unobligated funds for police training in Indonesia to be fully used for FY 2005 ESF resources are used for this purpose.

•• $5,000,000 shall be made available to continue to support the provision of wheelchairs for needy persons in developing countries. The Senate originally proposed $10,000,000.

••• The Administration did not request funding for wheelchairs and, after the rescission, $4,960,000 was allocated.

•• $18,500,000 shall be made available as the U.S. contribution to the International Fund for **Ireland** in accordance with P.L. 99-415.

••• The Administration requested $8,500,000 in FY 2005 ESF funding for this international fund, and after rescission, $18,352,000 was initially allocated. Additionally, the Administration requested $3,500,000 in ESF for the Irish Visa Program and, after rescission, $3,472,000 was allocated.

•• $1,442,000,000 of FY 2005 funding appropriated for ESF was earmarked. This amounted to about 58 percent of the $2,501,000,000 appropriated for the program.

••• An unspecified amount of ESF funding may be used to provide assistance to the **National Democratic Alliance of Sudan** to strengthen its ability to protect civilians from attacks, slave raids, and aerial bombardments by the Sudanese government forces and its militia allies. This funding shall be subject to the regular notification procedures of the congressional appropriations committees.

••• This assistance is specifically defined to include non-lethal, non-food aid such as blankets, medicine, fuel, mobile clinics, water drilling equipment, communications equipment to notify civilians of aerial bombardment, on-military vehicles, tents, and shoes.

••• The Administration requested $20,000,000 for Sudan and, after the rescission $19,840,000 was allocated.

• Any ESF funding made available for a Middle East Financing Facility, Middle East Enterprise, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the congressional appropriations committees.

• With respect to FY 2005 ESF funding and prior fiscal years' ESF, the responsibility for policy decisions and justifications for the use of such funds, including whether there will be a program for a country that uses those funds and the amount of each such program, shall be the responsibility of the Secretary of State and the Deputy Secretary of State. This responsibility shall not be delegated.

• The conference agreement did not include the House proposal of $50,000,000 in ESF for **Haiti**. However, the agreement did provide for $85,000,000 in total FY 2005 assistance for Haiti as specified in later Section 549 of this Act, which provides that $40,000,000 in ESF should be made available for Haiti for judicial reform programs, police training, and activities in support of national elections.

•• The Administration did not request any FY 2005 ESF assistance for Haiti; however, after the rescission $39,680,000 was initially allocated.

• The conference agreement did not include the Senate proposed language that would have authorized up to $4,500,000 for **scholarship programs** for students from countries with significant Muslim populations at accredited American institutions of higher learning. The managers expressed that sufficient authority already exists to fund such scholarships. The managers direct the DoS to review such a proposal. Based on this review, as a part of the FY

2006 budget request, recommend how such a program (to also include elementary and secondary school students) could be effectively funded and managed by the U.S. government.

- The conference agreement did not include $2,500,000 for technical assistance to implement the **Kimberly Process Certification Scheme**. However, the agreement indicates that $1,750,000 should be made available for this purpose.

•• In response to U.N. Security Council resolutions regarding the control of conflict diamonds mined and sold to finance government overthrows, terrorism, and any related human rights violations on the world market place, the 107th Congress originally introduced H.R. 2722, *Clean Diamond Trade Act*, to financially support countries in stopping the trade in conflict diamonds. H.R. 2722 was never passed. It was not until FY 2003 that ESF assistance of $2,000,000 was appropriated by Division E, P.L. 108-7, for the expressed support of the Kimberly Process. The FY 2004 ESF appropriation, Division D, P.L. 108-199, for this program was $1,500,000.

•• The Administration did not request FY 2005 ESF for this program; however, after rescission, $1,736,000 was initially allocated.

- The conference agreement did not include the Senate proposal of providing ESF for environment initiatives in the East Asia and Pacific; however, the agreement did indicate that $1,750,000 should be made available for these initiatives.

•• The Administration did not request FY 2005 ESF funding for the initiatives; however, after the rescission, $1,736,000 was allocated.

- The conference agreement did not include the Senate proposed language for specified ESF funding levels for **Kenya** and **Liberia**; however, the report did provide for ESF to the two countries.

•• The Administration requested $8,000,000 and $25,000,000 for Kenya and Liberia respectively. After rescission, the countries were initially allocated $8,928,000 and $24,800,000 respectively.

- The conference agreement did not include a Senate provision that not less than $500,000 should be available for the Commission to **Investigate Illegal Groups and Clandestine Security Apparatus in Guatemala (CICIACS)**. However, the managers intend that once the commission is established, not less than $500,000 should be made available as support. There was no initial allocation of ESF funding for this purpose.

- The conference agreement did not include the Senate proposed language to provide funding for the **Foundation for Security and Sustainability**, with the managers indicating that $3,000,000 should be provided.

•• The Administration did not request FY 2005 funding for this program however, after rescission, $2,976,000 was initially allocated.

- Table 5 provides the FY 2005 ESF allocations which were notified to Congress on February 8, 2005. For comparison, the final allocations for FY 2004 and the Administration's FY 2005 requests are also included.

•• It must be noted that the FY 2004 funding column includes **Afghanistan** Emergency Response Fund (ERF) of $153,000,000 originally appropriated by P.L. 107-38, September 18, 2001. Likewise, FY 2004 funding includes $100,000,000, $672,000,000, and $200,000,000 as emergency supplemental funding for **Jordan, Afghanistan,** and **Pakistan**, respectively, as appropriated by P.L. 108-106, November 6, 2003.

Table 5
Economic Support Fund
FY 2005 Funding Allocations
($ in thousands)

Country/Program by Geographical Region	FY 2004 ESF Allocation	FY 2005 Budget Request	FY 2005 ESF Allocation
Near East			
Egypt	$571,608	$535,000	$530,720
Israel	477,168	360,000	357,120
Jordan	248,525	250,000	248,000
Supplemental	100,000	0	0
Lebanon	34,794	32,000	34,720
Morocco	00	20,000	19,840
Yemen	11,432	20,000	14,880
Middle East Multilaterals	00	2,000	1,984
Middle East Partnership Initiative	89,469	150,000	74,400
Middle East Regional Cooperation	5,467	5,000	4,960
NED Muslim Democracy	3,479	0	3,968
West Bank/Gaza	74,558	75,000	74,400
Sub Total	**$1,616,500**	**$1,449,000**	**$1,364,992**
Europe and Eurasia			
Cyprus	$38,420	$13,500	$13,392
Turkey	10,000	50,000	0
International Fund for Ireland	18,391	8,500	18,352
Irish Visa Program	3,479	3,500	3,472
Sub Total	**$70,290**	**$75,500**	**$35,216**
Western Hemisphere			
Bolivia	$8,000	$8,000	$7,936
Brazil	750	0	0
Cuba	21,369	9,000	8,928
Dominican Republic	3,682	3,000	2,976
Ecuador	10,473	13,000	12,896
Guatemala	4,971	4,000	5,952
Haiti	54,982	00	39,680
Mexico	11,432	11,500	13,392
Nicaragua	00	2,500	3,472
Panama	1,000	3,000	2,976
Paraguay	2,982	3,000	2,976
Peru	7,453	8,000	7,936
Venezuela	1,497	500	496
Administration of Justice	4,424	0	0
Hemispheric Cooperation	6,941	0	0
Peru-Ecuador Peace	3,976	4,000	2,976
Regional Anticorruption Initiatives	00	3,000	2,976
Summit of the Americas Support	00	2,000	1,488
Third Border Initiative	4,976	9,000	8,928
Trade Capacity Building	0	8,500	19,840
Sub Total	**$148,908**	**$92,000**	**$145,824**
Africa			
Angola	$3,479	$3,000	$2,976
Burundi	3,479	3,250	3,224

Democratic Republic of Congo	4,971	5,000	4,960
Djibouti	0	2,000	1,984
Ethiopia	3,971	5,000	4,960
Kenya	7,953	8,000	8,928
Liberia	00	25,000	24,800
Nigeria	4,971	5,000	4,960
Sierra Leone	4,971	5,000	5,952
South Africa	1,988	1,000	992
Sudan	10,941	20,000	19,840
Zimbabwe	2,982	2,000	1,984
Africa Regional Fund	11,929	11,000	8,928
Kimberley Process	1,491	0	1,736
NED Democracy Programs	2,982	0	3,472
Regional Organizations	2,982	1,000	992
Safe Skies	4,971	5,000	3,472
Sub Total	**$74,061**	**$101,250**	**$104,160**
East Asia and Pacific			
Burma	$12,923	$7,000	$7,936
Cambodia	16,900	17,000	16,864
East Timor	22,367	13,500	21,824
Indonesia	49,705	70,000	64,480
Mongolia	9,941	10,000	9,920
Philippines	17,645	35,000	34,720
Thailand	0	0	992
ASEAN*	994	2,500	744
Environmental Programs	1,740	00	1,736
National Endowment for Democracy	2,982	00	3,968
Regional Security Fund	00	250	248
Regional Women's Issues	1,988	1,000	992
South Pacific Fisheries	17,894	18,000	17,856
Tibet	3,976	0	4,216
Sub Total	**$159,055**	**$174,250**	**$186,496**
South Asia			
Afghanistan	$74,558	$225,000	$223,200
ERF**	153,000	0	0
Supplemental***	672,000	0	0
Bangladesh	4,971	5,000	4,960
India	14,912	15,000	14,880
Nepal	4,971	5,000	4,960
Pakistan	00	300,000	297,600
Supplemental	200,000	0	0
Sri Lanka	11,929	12,000	9,920
South Asia Regional Fund	1,988	2,000	992
Sub Total	**$1,138,329**	**$564,000**	**$556,512**
Global			
Disability Programs	0	0	$2,480
Human Rights and Democracy Fund	34,296	27,000	36,704
Muslim Outreach	0	20,000	0
Oceans, Environment, and Science Initiative	3,976	3,000	2,480
Other Programs	12,426	0	0
Partnership to Eliminate Sweatshops	1,988	2,000	1,984

Reconciliation Programs	7,953	0	11,904
Security and Sustainability Programs	2,982	0	2,976
Trafficking in Persons	12,427	12,000	24,304
Wheelchairs	4,971	0	4,960
Sub Total	$81,019	$64,000	$87,792
Total Allocation	**$3,288,162**	**$2,520,000**	**$2,480,992**
Rescission	$12,691	0	$20,008
Total Appropriation	**$3,300,853**	**$2,520,000**	**$2,501,000**

Notes:

* ASEAN is Association of Southeast Asian Nations with ten member countries to include Brunei, Burma, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, and Vietnam. The U.S. is one of many countries designated as dialogue partners.

** Afghanistan Emergency Response Fund (ERF) was originally appropriated by P.L.107-38, 18 September 2001.

*** Afghanistan, Jordan, and Pakistan emergency supplemental funding was appropriated by P.L.108-106, 6 November 2003.

Title III, Military Assistance, Peacekeeping Operations

• Initially appropriated $104,000,000 as PKO grant assistance for necessary expenses to carry out the provisions of Section 551 of the FAA, to be obligated or expended except as provided through regular notification procedures of the congressional appropriations committees. Later Section 569(g) of this Act appropriated an additional $75,000,000 as PKO specifically to support peace and humanitarian intervention operations for Sudan. Total initial FY 2005 PKO appropriations amounts to $179,000,000. However, the mandated 0.80 percent rescission amounted to $1,432,000 reducing the program total for initial allocation to $177,568,000.

• Overall, the Administration's original request for FY 2005 PKO funding of $104,000,000 was mutually agreed upon by both the House and the Senate.

• The conference agreement did not include the Senate provision authorizing the transfer of DoD funding to the DoS for military or security assistance to enhance the capability of countries to participate in international peacekeeping or peace enforcement operations.

• Table 6 provides the FY 2005 PKO funding allocations which were notified to Congress on February 8, 2005. For comparison, the final allocations for FY 2004 and the Administration's FY 2005 requests are also included.

•• It must be noted that $50,000,000 in emergency supplemental FY 2004 PKO was also provided by P.L. 108-106, November 6, 2003. This was allocated among the countries of Sudan, Mongolia, Philippines, Thailand, Ukraine, Yemen, and Afghanistan.

Table 6
Peacekeeping Operations (PKO)
FY 2005 Funding Allocations
($ in thousands)

Country/Program by Geographical Region	FY 2004 PKO Allocation	FY 2005 Budget Request	FY 2005 PKO Allocation
Africa			
Africa Regional	$9,761	$45,000	$43,912
ACOTA*	15,410	15,000	14,880
Sudan	0	0	74,400
Supplemental	5,000	0	0
Sub Total	**$30,171**	**$60,000**	**$133,192**

East Asia and Pacific			
East Timor	$1,050	0	0
Mongolia Supplemental	1.000	0	0
Philippines Supplemental	15,000	0	0
Thailand Supplemental	500	0	0
Sub Total	**$17,550**	**$0**	**$0**
Europe and Eurasia			
OSCE Bosnia***	$11,500	$00	$0
OSCE Croatia	1,800	0	0
OSCE Kosovo	7,000	0	0
OSCE Regional	8,014	2,500	2,400
Georgia	3,000	0	0
Ukraine Supplemental	3,500	0	0
Sub Total	**$34,814**	**$2,500**	**$2,400**
Near East			
Multinational Force and Observers Sisali	$16,213	$16,500	$16,456
Yemen Supplemental	5,000	0	0
Sub Total	**$21,213**	**$16,500**	**$16,456**
South Asia			
Afghanistan	$00	$24,000	$23,800
Supplemental	20,000	0	0
Sri Lanka	0	1,000	720
Sub Total	**$20,000**	**$25,000**	**$24,520**
Western Hemisphere			
Haiti	$210	0	0
Nicaragua	500	0	0
Sub Total	$710	0	0
Total Allocation	**$124,458**	**$104,000**	**$177,568**
Rescission	$442	0	$1,432
Total Appropriation	**$124,900**	**$104,000**	**$179,000**

Notes:

* ACOTA is African Contingency Operations Training and Assistance.

** OSCE is Organization for Security and Cooperation in Europe.

*** Emergency supplemental funding for peacekeeping operations was appropriated by P.L.108-106, 6 November 2003.

Other Division D, P.L. 108-447, Assistance Programs for Fiscal Year 2005

The following includes FY 2005 appropriations for assistance programs funded by Division D, P.L. 108-447. Unless noted otherwise, the funding for each program does not include the directed 0.80 percent rescission. When possible, specific country and program allocation tables are included.

Title II, Bilateral Assistance, Development Assistance

- $1,460,000,000 for development assistance to remain available until September 30, 2006.

International Disaster and Famine Assistance

- $335,500,000 for international disaster relief, rehabilitation, and reconstruction assistance to remain available until expended. An additional $34,500,000 to remain available until expended for necessary expenses for assistance for famine prevention and relief, including the mitigation of the effects of famine.

- Later Section 569(g) of this Act appropriates an additional amount of $18,000,000 for humanitarian assistance and related activities in the **Sudan**.

Transition Initiatives

- $49,000,000 to remain available until expended to support transition to democracy and to long-term development of countries in crisis, pursuant to Section 491, FAA.
- With a presidential U.S. national determination that additional funding is needed for transition assistance pursuant to Section 491 of the FAA, up to $15,000,000 of funding appropriated by this Act for Part I of the FAA, programs may be used for the purpose of transition assistance.

Capital Investment Fund

- $59,000,000 to remain available until expended for USAID overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments pursuant to Section 667 of the FAA.

Assistance for Eastern Europe and the Baltic States

- $396,600,000 to remain available until 30 September 2006 to carry out the provisions of the FAA and the SEED Act of 1989, P.L. 101-179, 28 September 1989. Applying the mandated 0.80 percent rescission reduces the amount by $3,173,000 bringing the total available for allocation to $393,427,000.
  - $2,000,000 of these funds should be used to enhance safety at nuclear power plants in **Bulgaria**.
  - These funds shall be considered economic assistance for purposes of making available the administrative authorities contained in the FAA for the use of economic assistance.
- Table 7 provides the initial FY 2005 allocations in support of the SEED Act assistance. For comparison, the FY 2004 final allocations and the Administration's FY 2005 request for SEED Act assistance funding are also provided.

Assistance for the Independent States of the Former Soviet Union

- $560,000,000 will remain available until September 30, 2006 to carry out the provisions of the *Freedom for Russia and Emerging Eurasian Democracies and Open Markets (FREEDOM) Support Act (FSA) of 1992*, P.L. 102-511, 24 October 1992. Applying the mandated 0.80 percent rescission reduces the amount by $4,480,000 bringing the total available for allocation to $555,520,000.
  - Funds made available for the southern **Caucasus** region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabakh.
  - $3,859,000 should be made available only to meet the health and other assistance needs of victims of trafficking in persons.
  - $17,500,000 shall only be made available solely for assistance in the **Russian Far East**.
  - The funds under this heading in this Act and prior acts that are made available pursuant to Section, P.L. 102-511, shall be subject to a six percent ceiling on administrative expenses.
  - Of the funds made available under this heading to the Ukraine, not less than $5,000,000 should be made available for nuclear reactor safety initiatives and not less than $1,500,000 shall be made available for coal mine safety programs.

Table 7
Assistance for Eastern Europe and the Baltic States
FY 2005 Funding Allocations
($ in millions)

Country/Program	FY 2004 Actual Allocation	FY 2005 Budget Justification Request	FY 2005 Initial Allocation
Albania	$28.235	$28.000	$28.000
Bosnia and Herzegovina	44.735	41.000	41.000
Bulgaria	27.835	27.000	27.000
Croatia	24.853	20.000	20.000
Kosovo	78.534	72.000	75.000
Macedonia	38.770	34.000	34.000
Romania	27.835	27.000	27.000
Serbia and Montenegro*	133.803	102.000	93.600
Regional SEED**	37.775	59.000	47.827
Total Allocation	**$442.375**	**$410.000**	**$393.427**
Rescission	$2.625	0	$3.173
Total Appropriations	**$445.000**	**$410.000**	**396.600**

Notes:

* For FY 2005, Serbia is allocated $73,600,000 and Montenegro is allocated $20,000,000.

** SEED is Support for East European Democracy Act of 1989, P.L.101-179, 28 September 1989.

•• Of the funds made available under this heading, not less than $55,000,000 should be made available, in addition to other funds, for assistance for child survival, environmental and reproductive health, and to combat human immunodeficiency virus and acquired immunodeficiency syndrome (HIV/AIDS), tuberculosis and other infectious diseases, and for related activities.

•• Of the funds made available under this heading that are allocated to the government of the Russian Federation, sixty percent shall be withheld from obligation until the President determines and certifies in writing to the congressional committees for appropriations that the government of the **Russian Federation** has proven the following:

••• Terminat implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

••• Providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

•• Withholding of funding assistance shall not apply to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; or activities authorized under Title V of the FSA regarding Nonproliferation and Disarmament.

• Table 8 provides for the FY 2005 initial allocation of funding assistance authorized by the FSA. FY 2004 final allocations and the Administration's FY 2005 request for funding are also provided for comparison.

Table 8
Assistance for the Independent States of the Former Soviet Union
Fiscal Year 2005 Funding Allocations
($ in millions)

Country/Program	FY 2004 Actual Allocation	FY 2005 Budget Justification Request	FY 2005 Initial Allocation
Armenia	$74.558	$62.000	$74.400
Azerbaijan	38.782	38.000	37.355
Belarus	8.055	6.500	6.500
Georgia	71.701	90.000	86.000
Kazakhstan	33.342	28.000	26.690
Kyrgyz Republic	36.238	33.000	31.000
Moldova	22.543	17.500	17.350
Russia	96.350	79.500	85.000
Tajikistan	24.451	25.000	27.000
Turkmenistan	5.700	6.000	6.505
Ukraine	94.283	79.500	79.000
Uzbekistan	35.888	36.000	33.500
Regional FSA*	42.646	49.000	45.220
Total Allocation	**$584.537**	**$550.000**	**$555,520**
Rescission	$2.463	0	$4.480
Total Appropriations	**$587.000**	**$550.000**	**$560.000**

Note:

*FSA is the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992, P.L.102-511, 24 October 1992.

Title II, Independent Agencies, Inter-America Foundation

- $18,000,000 will remain available until September 30, 2006 to carry out functions of the Foundation in accordance with the provisions of Section 401 of the FAA.

African Development Foundation

- $19,000,000 to remain available until September 30, 2006 for the Foundation to carry out Title V, *International Security and Development Cooperation Act of 1980*, P.L. 96-533, December 16, 1980.

Peace Corps

- $320,000,000 to remain available until September 30, 2006 to carry out the provisions of the *Peace Corps Act*, Title VI, P.L. 96-533, December 16, 1980.

Millennium Challenge Corporation

- $1,500,000,000 to remain available until expended for necessary expenses for the Corporation of which up to $50,000,000 may be available for administrative expenses.

•• It should be noted that this year's appropriation more than doubles that of FY 2004 which was initially $650,000,000.

Title II, Department of State, Global Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome Initiative

- $1,385,000,000 to remain available until expended for the prevention, treatment, and control of, and research on, HIV/AIDS.
  - Not more than $8,818,000 may be made available for administrative expenses of the Office of the Coordinator of U.S. Activities to Combat HIV/AIDS Globally.
  - Not less than $27,000,000 should be made available for a U.S. contribution to United Nations Acquired Immunodeficiency Syndrome (UNAIDS).
  - It should be noted that this year's appropriation nearly triples that of FY 2004 which was initially $491,000,000.

International Narcotics Control and Law Enforcement

- $328,820,000 to remain available until September 30, 2007 for necessary expenses to carry out Section 481. FAA, International Narcotics Control and Law Enforcement (INC/LE). Applying the mandated 0.80 percent rescission reduces the amount by $2,631,000 bringing the total available for initial allocation to $326,189,000.
  - Not less than $11,900,000 should be made available for training programs and activities of the International Law Enforcement Academies.
  - Not less than $4,000,000 should be made available for assistance to the Philippines for police training and other related activities.
  - $10,000,000 shall be made available for demand reduction programs.
  - $40,000,000 should be made available for assistance to **Mexico**.
  - $10,500,000 should be made available for countries and programs in **Africa**.
  - $3,000,000 shall be made available for assistance to the government of **Malta** for the purchase of helicopters to enhance its ability to control its borders and deter terrorists.
  - Not more than $30,300,000 may be made available to administrative expenses.
- During FY 2005, the Department of State may use the authority of Section 608, FAA, without regard to its restrictions, to receive excess property from an agency of the U.S. government for the purpose of providing it to a foreign country under Part I, Chapter 8 of the FAA, subject to the regular notification procedures of the congressional appropriations committees.
- Table 9 provides the initial allocation for FY 2005. For comparison, FY 2004 final allocations and the Administration's request for FY 2005 are also provided.
  - It should be noted that **Afghanistan** received two additional funding allocations during FY 2004. The first was $50,000,000 originally appropriated by P.L. 107-38, September 18, 2001. The second was $170,000,000 appropriated by P.L. 108-106, November 6, 2003.

Table 9
International Narcotics Control and Law Enforcement
FY 2005 Funding Allocations
($ in millions)

Country/Program	FY 2004 Actual Allocation	FY 2005 Budget Justification Request	FY 2005 Initial Allocation
Near East			
Morocco	$.000	$6.000	$2.992
Sub Total	**$.000**	**$6.000**	**$2.992**

Europe and Eurasia			
Malta	$.000	$000	$2.976
Sub Total	**$.000**	**$.000**	**$2.976**
Western Hemisphere			
Bahamas	$1.000	$1.000	$.992
Guatemala	3.000	2.820	2.820
Jamaica	1.500	1.500	1.488
Mexico	37.000	40.000	39.680
Latin America Regional	4.850	3.250	3.224
Sub Total	**$47.350**	**$48.570**	**$45.384**
Africa			
Liberia	$.000	$5.000	$5.000
Nigeria	2.250	2.250	2.232
South Africa	1.770	1.770	1.756
Africa Regional	2.830	1.480	1.512
Sub Total	**$6.850**	**$10.500**	**$10.500**
East Asia and the Pacific			
Indonesia	$0.000	$10.000	$.000
Laos	$2.000	2.000	$1.984
Philippines	2.000	2.000	3.968
Thailand	2.000	2.000	1.608
Sub Total	**$6.000**	**$16.000**	**$7.560**
South Asia			
Afghanistan	$.000	$90.000	$89.280
ERF*	.000	.000	50.000
Supplemental**	170.000	.000	.000
Pakistan	31.500	40.000	32.150
Sub Total	**$251.500**	**$130.000**	**$121.430**
Global			
Anticorruption/Rule of Law	$0.000	$9.000	$6.746
Asia Regional	1.000	1.000	0.496
Civilian Police Program	2.700	2.700	2.678
Demand Reduction	5.000	4.200	9.920
International Anticrime Programs	11.324	10.000	8.333
International Narcotics Control and Law Enforcement	14.500	14.500	12.734
International Organizations	12.200	12.000	5.000
Interregional Aviation Support	70.000	70.000	66.620
Program Development and Support	13.850	13.850	13.850
Systems Support and Upgrades	5.000	4.500	0.694
Trafficking in Persons	12.000	5.000	4.960
U.N. Crime Center	1.000	1.000	0.496
Sub Total	**$148.574**	**$147.750**	**$135.347**
Total Allocation	$460.274	$358.820	$326.189
Rescission	$1.426	.000	$2.631
Total Appropriations	**$461.700**	**$358.820**	**$328.820**

Notes:

* Afghanistan Emergency Response Fund (ERF) was originally appropriated by P.L.107-38, September 18, 2001.

** Afghanistan emergency supplemental funding was appropriated by P.L.108-106, November 6, 2003.

Andean Counterdrug Initiative

- $731,000,000 to remain available until 30 September 2007 for necessary expenses to carry out Section 481, FAA, to support counterdrug activities in the Andean region of South

America. Applying the mandated 0.80 percent rescission reduces the amount by $5,848,000 bringing the total available for allocation to $725,152,000.

•• Not less than $264,600,000 shall be made available for alternative development/institution building of which $237,000,000 shall be apportioned directly to USAID including $125,700,000 for assistance for **Colombia**.

••• For the funds apportioned to USAID, the responsibility for policy decisions for the use of such funds, including what activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Administrator of USAID in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs.

•• Not less than $6,000,000 should be made available for judicial reform programs in Colombia.

•• Not less than $6,000,000 shall be made available to USAID for organizations and programs to protect human rights.

•• Funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the congressional appropriations committees.

•• $2,000,000 should be made available through non-governmental organizations for programs to protect biodiversity and indigenous reserves in Colombia.

•• Not more than $16,285,000 may be available for administrative expenses of the Department of State and not more than $7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of USAID.

- No **U.S. armed forces personnel** or U.S. civilian contractor employed by the U.S. will participate in any combat operation in connection with assistance made available by this Act for Colombia.
- Table 10 provides the FY 2005 initial allocations for the Andean Counterdrug Initiative appropriation. For comparison, FY 2004 final allocations and the Administration's request FY 2005 are also provided.

Migration and Refugee Assistance

- $770,000,000 to remain available until expended for expenses, not otherwise provided for and as authorized by law, for the Secretary of State to provide to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the U.N. High Commissioner for Refugees, and other related activities to meet refugee and migration needs the following:

•• Not more than $22,000,000 may be available for administrative expenses;

•• Not less than $50,000,000 shall be made available for the former Soviet Union and Eastern Europe and other refugees resettling in **Israel**.

- These funds may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines with a report to the appropriate congressional committees that the Magen David Adom Society of Israel is not being denied participation in the activities of the International Red Cross and Red Crescent Movement.

U.S. Emergency Refugee and Migration Assistant Fund

- $30,000,000 to remain available until expended to carry out the provisions of Section 2(c) of the *Migration and Refugee Act of 1962*, P.L. 87-510, 28 June 1962.

Table 10
Andean Counterdrug Initiative
FY 2005 Funding Allocations
($ in millions)

Country/Program	FY 2004 Actual Allocation	FY 2005 Budget Justification Request	FY 2005 Initial Allocation
Bolivia - Total	$91.000	$91.000	$90.272
Alternative Development and Institution Building	41.752	42.000	41.664
Interdiction	49.248	49.000	48.608
Brazil - Total	**10.200**	**9.000**	**8.928**
Colombia - Total	**473.900**	**463.000**	**462.767**
Alternative Development and Institution Building	149.279	150.000	124.694
Interdiction	324.621	313.000	310.694
Rule of Law	0.000	0.000	27.379
Ecuador - Total	**35.000**	**26.000**	**25.792**
Alternative Development and Institution Building	14.912	15.000	14.880
Interdiction	20.088	11.000	10.912
Guatemala - Total	**.000**	**.000**	**.992**
Nicaragua - Total	**.000**	**.000**	**.992**
Panama - Total	**6.487**	**6.000**	**5.952**
Peru - Total	**116.000**	**112.000**	**115.370**
Alternative Development and Institution Building	49.705	50.000	53.866
Interdiction	66.295	62.000	61.504
Venezuela - Total	**5.000**	**3.000**	**2.976**
Air Bridge Denial Total	**.000**	**21.000**	**11.111**
Total Allocation	**$737.587**	**$731.000**	**$725.152**
Rescission	.000	.000	5.848
Total Appropriations	**$737.587**	**$731.000**	**$731.000**

Notes:

- Afghanistan emergency supplemental funding was appropriated by P.L.108-106, November 6, 2003.
- Afghanistan Emergency Response Fund (ERF) was originally appropriated by P.L.107-38, September 18, 2001.

Nonproliferation, Anti-Terrorism, Demining and Related Programs

- $402,000,000 for necessary expenses for the Nonproliferation, Anti-Terrorism, Demining, and Related (NADR) programs in carrying out provisions of Part II,
  - Chapters 8 and 9 of the FAA;
  - Section 504 of the FSA; and
  - Section 23 of the AECA;
  - The FAA for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provisions of law, including activities implemented through non-governmental and international organizations, and Section 301 of the FAA for a voluntary contribution to the International Atomic Energy Agency (IAEA);

•• A U.S. contribution to the Comprehensive Nuclear Test Ban Treaty (CTBT) Preparatory Commission.

• After the mandated 0.80 percent rescission, this amount was reduced by $3,216,000 to a total of $398,784,000 for FY 2005 initial allocation.

•• Not less than $32,000,000 to remain available until expended for the Nonproliferation and Disarmament to promote bilateral and multilateral activities related to nonproliferation and disarmament.

•• Of the funds made available for demining and related activities, not to exceed $690,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program.

•• On 29 March 2005, a Department of State press release announced that the Bureau of Political-Military Affairs, Office of Weapons Removal and Abatement (PM/WRA) was issuing a new request for applications for grants to advance humanitarian mine action with total grant funding of $2,000,000 being available for projects ranging from $20,000 to $500,000. The projects can include, in addition to demining and mine risk education, the abatement of small arms, light weapons and man-portable air defense (MANPAD) systems. All applications must be received by midnight (local), 2 May 2005.

• This funding may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the U.S. national security interest to do so.

• Funding may be made available to the IAEA only if the Secretary of State determines and reports to Congress that Israel is not being denied its right to participate in the activities of the IAEA.

• The funding available during FY 2005 for a contribution to the CTBT Preparatory Commission and that are not necessary to make the U.S. contribution to the Commission in the amount assessed for FY 2005 shall be made available for a voluntary contribution to the IAEA and to remain available until September 30, 2006.

• Funds appropriated under this heading that are available for Anti-Terrorism Assistance and Export Control and Border Security shall remain available until September 30, 2006.

• Table 11 provides the initial NADR allocations for FY 2005 as indicated in the 8 February 2005 report to Congress. For comparison, the FY 2004 final allocations and the Administration's request for FY 2005 are also provided.

•• It must be noted that the FY 2004 Anti-Terrorism programs also include two additional allocations of $10,000,000 from the Emergency Response Fund (ERF) appropriated by P.L.107-38, September 18, 2001 and $35,000,000 from the emergency supplemental appropriation by P.L. P.L.108-106, November 6, 2003.

Title V, General Provisions

Limitation on Representational Allowances (Section 505)

• Of the FMFP funding appropriated for general costs of administering military assistance and sales by this Act, not more than $4,000 shall be available for entertainment allowances and not more than $130,000 shall be available for representational allowances.

•• The FY 2004 ceilings were $2,000 and $120,000, respectively.

• Of the IMET funding made available by this Act, not more than $50,000 shall be available for entertainment allowances.

•• The FY 2004 ceiling was $55,000.

Prohibition on Taxation of U.S. Assistance (Section 506)

- None of the funds appropriated by this Act may be made available to provide assistance to a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that U.S. assistance shall be exempt from taxation, or reimbursed, by the foreign government. The Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform to this requirement.

Table 11
Nonproliferation, Anti-Terrorism, Demining, and Related Programs
FY 2005 Funding Allocations
($ in millions)

Program	FY 2004 Actual Allocation	FY 2005 Budget Justification Request	FY 2005 Initial Allocation
Non-Proliferation Programs			
Nonproliferation and Disarmament Fund	$29.823	$34.500	$31.744
Export Control and Related Border Security Assistance	35.788	38.000	37.696
Science Centers and Biological Redirection	50.202	.000	.000
Non-proliferation of Weapons of Mass Destruction Expertise	.000	50.500	50.096
IAEA Voluntary Contribution*	52.687	53.000	52.576
CTBT International Monitoring System**	18.888	19.000	18.848
Sub Total	**187.388**	**195.000**	**190.960**
Anti-Terrorism Programs			
Anti-terrorism Assistance	96.428	128.300	117.800
Emergency Response Fund***	10.000	.000	.000
Supplemental****	35.000	.000	.000
Terrorist Interdiction Program	4.971	5.000	4.960
Counterterrorism Engagement with Allies	.000	.500	1.984
Counterterrorism Financing	.000	7.500	7.192
Sub Total	**146.399**	**141.300**	**131.936**
Regional Stability and Humanitarian Assistance			
Humanitarian Demining Program	48.705	59.900	59.024
International Trust Fund	9.941	10.000	9.920
Small Arms and Light Weapons Destruction	3.982	9.000	6.944
Sub Total	**62.628**	**78.900**	**75.888**
Total Allocation	396.415	415.200	398.784
Rescission	2.085	.000	3.216
Total Appropriations	**$398.500**	**$415.200**	**$402.000**

Notes:

* IAEA is the International Atomic Energy Agency.

** Comprehensive Nuclear Test Ban Treaty.

*** Emergency Response Fund (ERF) was originally appropriated by P.L.107-38, 18 September 2001.

**** Emergency supplemental funding was appropriated by P.L.108-106, 6 November 2003.

- An amount equivalent to 200 percent of the total taxes assessed during FY 2005 by a foreign government or entity against commodities financed under U.S. assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors, and subcontractors, as of the date of enactment of this Act, shall be withheld from obligation from funds appropriated for assistance for FY 2006 and allocated for the central government of that country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the congressional committees on appropriations that such taxes have not been reimbursed to the U.S. government.

  - Foreign taxes of a de minimus nature [so insignificant or minimal that a court may overlook it in deciding an issue or case] are not subject to these reimbursement provisions.

  - Funds withheld from obligation for each country or entity shall be reprogrammed for assistance to countries which do not assess taxes on U.S. assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

  - The provisions of this Section shall not apply to any country or entity the Secretary of State determines does not assess taxes on U.S. assistance or has an effective arrangement that is providing substantial reimbursement of such taxes, or U.S foreign policy interests outweigh the policy of this Section.

- The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of U.S. assistance.

  - Defense Security Cooperation Agency Policy Memo 04-32, 21 August 2004, Subject: Prohibition on Taxation of U.S. Assistance, was published as a *Security Assistance Management Manual* (SAMM) E-Change 19 to the DoD 5105.38-M, *Security Assistance Management Manual* providing a mandatory prohibition note for foreign military sales (FMS) case letter of offer and acceptance (LOA), amendments and modifications financed with any type of U.S. assistance funding. This same memo also provided a sample contract clause to be used for direct commercial sales (DCS) contracts that are financed with U.S. assistance.

- The terms taxes and taxation refer to value added taxes and customs duties imposed on commodities financed with U.S. assistance for programs for which funds are appropriated by this Act.

Prohibition against Direct Funding for Certain Countries (Section 507)

- None of the funds appropriated or otherwise made available by this Act shall be obligated or expended to finance directly any assistance or reparations to **Cuba, Libya, North Korea, Iran,** or **Syria**. This shall include direct loans, credits, insurance, and guarantees of the Export-Import Bank or its agents.

  - Section 507, Division D, P.L. 108-199 did not include Iraq on this prohibition list for FY 2004. *Presidential Determination 2004-52 (PD)*, 24 September 2004, provided the certification necessary for not designating Iraq as a state sponsor of terrorism.

Military Coups (Section 508)

- None of the funds appropriated or otherwise made available by this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by decree or military coup.

  - Pursuant to Section 1(b) of the *Pakistan Waiver Act*, P.L. 107-57, 27 October 2001, as amended by Section 534(n) of this Act, Presidential Determination (PD) 2005-21, 15 February 2005 waives this prohibition for furnishing assistance to **Pakistan** during FY 2005.

- Assistance may be resumed to such government if the President determines and certifies to the congressional committees on appropriations that subsequent to the termination of assistance a democratically elected government has taken office.
- The provisions of this Section shall not apply to assistance to promote democratic elections or public participation in democratic processes.
- Any funding made available pursuant to the provisos of this Section shall be subject to the regular notification procedures of the congressional committees on appropriations.

Commercial Leasing of Defense Articles (Section 510)

- The last several years, notwithstanding any other provision of law, and subject to the regular notification procedures of the congressional committees on appropriations, FMFP may be used to provide financing to Israel, Egypt, North Atlantic Treaty Organization (NATO), and major non-NATO allies for the procurement by leasing, including leasing with an option to purchase, of defense articles from U.S. commercial suppliers. This is not to include MDE, other than helicopters and other types of aircraft having possible civilian application, if the President determines that there is compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale.

Availability of Funds (Section 511)

- No funding appropriated in this Act shall remain available for obligation after this fiscal year unless expressly so provided in this Act.
- Funds appropriated for the purposes, inter alia shall remain available for an additional four years from the date of which the availability of such funds would otherwise have expired.
  - International Narcotics Control;
  - Support for the Economic and Democratic Development of the Independent states of the former Soviet Union;
  - Support for the Economic and Political Independence of the Countries of the South Caucasus and Central Asia;
  - Economic Support Fund;
  - Foreign Military Financing Program; and
  - Assistance for Eastern Europe and the Baltic States;
- Notwithstanding any other provision of this Act, any funds made available for the purposes of ESF which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

Limitation on Assistance to Countries in Default (Section 512)

- No part of any appropriation in this Act shall be used to furnish assistance to a government which is in default during a period in excess of one calendar year in payment to the U.S. of principal or interest on any loan made to that pursuant to a program for which funds are appropriated under this Act unless the President determines the following consultations with the congressional appropriations committees, that assistance to such country is in the national interest of the U.S.
  - Pursuant to Section 1(b) of the *Pakistan Waiver Act*, P.L. 107-57, 27 October 2001, as amended by Section 534(n) of this Act, Presidential Determination (PD) 2005-21, February 15, 2005, waives this prohibition for furnishing assistance to **Pakistan** during FY 2005.
  - Additionally, on December 18, 2004, the Secretary of State determined and waived Dominican Republic from this twelve-month arrearage and the Section 620(q) of the FAA, [six-month arrearage] which was published in the *Federal Register* on February 24, 2005 as Public Notice 5001.

•• Also referred to as the **Brooke-Alexander Amendment**.

Notification Requirements (Section 515)

• For the purposes of providing the Executive Branch with the necessary administrative flexibility, none of the funds made available under this Act for, inter alia, International Narcotics Control and Law Enforcement, Andean Counterdrug Initiative, Assistance for Eastern Europe and the Baltic States, Assistance for the Independent States of the former Soviet Union, Economic Support Fund, Peacekeeping Operations, Nonproliferation, Anti-terrorism, Demining and Related Programs, Foreign Military Financing Program, and International Military Education and Training shall be available for obligation for activities, programs, projects, type of material assistance, countries, or other operations not justified or in excess of the amount justified to the congressional appropriations committees for obligation under any of these specific headings unless the same committees are previously notified fifteen days in advance.

• The President shall not enter into any commitment of FMFP funds for the provision of MDE, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress, or twenty percent in excess of the quantities justified to Congress unless the congressional committees on appropriations are notified fifteen days in advance of such commitment.

• These advance notification periods can be waived in the case substantial risk to human health or welfare. In this situation, the congressional notification shall be provided as early as practicable but in no event later than three days after taking the emergency action.

Special Notification Requirements (Section 520)

• None of the funds appropriated by this Act shall be obligated or expended for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia, except as provided through the regular notifications procedures of the congressional committees on appropriations.

• This same provision in the FY 2004 legislation also applied to the same countries except that the Democratic Republic of the Congo is no longer on this restriction.

Afghanistan (Section 523)

• Of the funds appropriated by this Act, $908,000,000 should be made available for humanitarian and reconstruction assistance for **Afghanistan**.

•• Not less than $2,000,000 of the funds available pursuant to this Section should be made available for reforestation activities. This funding should be matched to the maximum extent possible with contributions from American and Afghan businesses.

•• Not less than $2,000,000 of the funds available pursuant to this Section should be made available for the Afghan Independent Human Rights Commission and other Afghan human rights organizations.

•• To the maximum extent practicable, members of the Afghan National Army should be vetted for involvement in terrorism, human rights violations, and drug trafficking.

•• Not less than $50,000,000 of the funds available pursuant to this Act and other acts making appropriations for foreign operations, export financing, and related programs for FY 2005, should be made available to support programs to address the needs of Afghan women and girls of which not less than $7,500,000 shall be available for small grants to support training and equipment to improve the capacity of women-led Afghan non-governmental organizations and to support the activities of such organizations.

Notification of Excess Defense Equipment (Section 524)

- Prior to providing EDA in accordance with Section 516(a) of the FAA, the DoD shall notify the congressional committees on appropriations to the same extent and under the same conditions as are other committees pursuant to Section 516(f), FAA.
- Before issuing a LOA to sell EDA under the AECA the DoD shall notify the congressional committees on appropriations in accordance with the regular notification procedures of such committees if the defense articles are SME or valued at $7,000,000 or more, or if the notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such EDA. The notification is to include the original acquisition cost of such defense articles.

Democracy Programs Section 526 (a)

- Not less than $19,000,000 of FY 2004 ESF funding shall be made available for assistance for activities to support democracy, human rights, and the rule of law in the People's Republic of China and Hong Kong.
- FY 2005 ESF funding should be made available for assistance for **Taiwan** for the purposes of furthering political and legal reforms.
- Such funds shall only be made available to the extent they are matched from sources other than the U.S. government.
- Any funds made available pursuant to this subsection shall be subject to regular notification procedures of the congressional committees on appropriations.

Section 526(b)

- Not less than $15,000,000 of FY 2005 ESF funding shall be made available for programs and activities to foster democracy, human rights, civic education, women's development, press freedoms, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to U.S. efforts to respond to, deter, or prevent acts of international terrorism.
- Funds made available by the authority of this subsection should support new initiatives or bolster and activities in those countries.
- Not less than $3,000,000 should be made available for programs and activities that provide professional training for journalists.
- Notwithstanding any other provision of law, funds appropriated pursuant to this subsection may be available for democracy, human rights, and rule of law programs for Syria.
- In addition to the funds available under this Section, not less than $4,500,000 in FY 2005 ESF funding shall be made available for programs and activities of the National Endowment Democracy (NED) to foster democracy, human rights, civic education, women's development, press freedom, and the rule of law in countries of the **sub-Saharan Africa**.
- Notwithstanding any other provision of law, not to exceed $3,000,000 of such funds may be used to making grants to educational, humanitarian and non-governmental organizations and individuals inside Iran to support the advancement of democracy and human rights in **Iran**.
- Likewise, any funds made available pursuant to this subsection shall be subject to the regular notification procedures of the congressional committees on appropriations.

Section 526(c)

- Not less than $15,000,000 of the funding in subsection 526(a) and not less than $11,000,000 of the funding in subsection 526(b) shall be made available for the Human Rights and Democracy Fund of the State Department's Bureau of Democracy, Human Rights and Labor to support the activities in subsections 526(a) and (b).

- Up to $1,200,000 may be used for the Reagan/Rascell Democracy Fellows program.
- The total amount of funds made available by this Act under Economic Support Fund for activities of the Bureau of Democracy, Human Rights and Labor, Department of State, including funds available in this Section shall not be less than $37,000,000.

Section 526(d)

- Not less than $4,000,000 of the funding in subsection 526(a) and not less than $4,000,000 of the funding in subsection 526(b) shall be made available for the National Endowment for Democracy to support the activities in subsections 526(b).
- The Secretary of State shall provide a report to the congressional committees on appropriations within 120 days of the enactment of this Act on the status of the allocation, obligation, and expenditures of such funds.

Prohibition on Bilateral Assistance to Terrorist Countries (Section 527)

- Funds appropriated for bilateral assistance under any heading in this Act and funds appropriated under any such heading in laws previously enacted shall not be made available to any country which the President determines grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism or otherwise supports international terrorism.
- This prohibition may be waived by the President if he determines that national security or humanitarian reasons justify such a waiver. The waiver shall be published in the *Federal Register*. At least fifteen days before the waiver takes effect, the President shall notify the congressional committees on appropriations of the waiver to include the justification.

Burma (Section 531)

- The Secretary of the Treasury shall instruct the U.S. executive director to each appropriate international financial institution I which the U.S. participates, to oppose and vote against the extension by such institution of any loan or financial or technical assistance or any other utilization of funds of the respective bank to and for **Burma**.
- Not less than $8,000,000 in ESF funding shall be made available to support democracy activities in Burma, along the Burma-Thailand border, for activities of Burmese student groups and other organizations located outside Burma, and for the purpose of supporting the provision of humanitarian assistance to displaced Burmese along Burma's border.
- $4,000,000 shall be allocated to USAID for humanitarian assistance for displaced Burmese and host communities in Thailand. This is to be in addition to any assistance provided under the heading Migration and Refugee Assistance under this Act.
- The President shall include amounts expended by the Global Fund to Fight AIDS, Tuberculosis and Malaria to the State Peace and Development Council in Burma, directly or through groups or organizations affiliated with the Global Fund, in making determinations regarding the amount to be withheld by the U.S. from its contribution to the Global Fund.

Special Authorities (Section 534)

- Per Section 534(a), funds appropriated by this Act for **Afghanistan** may be made available notwithstanding Section 512 of this Act (the Brooke-Alexander Amendment) and Section 660, FAA (the prohibition of police training).
- Funds appropriated by Titles I and II of this Act that are made available for **Lebanon, Montenegro, and Pakistan** for victims of war, displaced children, and displaced **Burmese**, and to assist victims of trafficking in persons and, subject to the regular notifications procedures of the congressional appropriations committees, to combat such trafficking, may be available notwithstanding any other provision of law.

- Subject to Sections 116 and 502B, FAA, (consistent and gross human rights violations prohibitions) and Section 620A, FAA, (prohibition of assistance to governments supporting international terrorism); funds appropriated by this Act to carry out Sections 103 through 106 and Part II, Chapter 4, FAA, may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conversation activities and energy programs aimed at reducing greenhouse gas emissions.
- During FY 2005, the President may use up to $45,000,000 (vice $25,000,000) made available to carry out any provision the FAA; other than funds appropriated for Part I, Chapter 1 of the FAA; in order to provide for any unanticipated contingencies assistance authorized by Part I of the FAA.
- In providing assistance with funds appropriated by this Act under Section 660(b)(6), FAA, (reconstituting a civilian police authority), support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other subnational entity emerging instability, as well as a nation emerging from instability.
- Per Section 534(n), Section 1(b) [Military Coup Prohibition Waiver], Section 3(2) [Brooke-Alexander Amendment Waiver], and Section 6 [MTCR and *Export Administration Act* waivers, and waiver of advance notification periods for drawdown and grant EDA], P.L. 107-57, October 27, 2001, are amended to continue authorized assistance to **Pakistan** during FY 2005.
- Presidential Determination (PD) 2005-21, February 15, 2005, provides for these waivers for FY 2005.
- Section 117, Making Continuing Appropriations for the FY 2005, and for Other Purposes, P.L. 108-309, September 30, 2004, authorized this same waiver authority but only through November 20, 2004. No executive action was taken on this temporary authority.
- Section 7103(c), *9/11 Commission Implementation Act of 2004*, Title VII, P.L. 108-458, December 17, 2004, likewise authorizes this same waiver but to also include FY 2006. No executive action has been taken this specific authority.
- Per Section 534(p), Title I, Chapter 5, *Emergency Wartime Supplemental Appropriations Act, 2003*, P.L. 108-11, 16 April 2003, under the heading Loan Guarantees for Israel, which authorized ESF loan guarantees not to exceed $9,000,000,000 for **Israel**, is amended by extending the period for the loan guarantee to be made available until September 30, 2007 (vice 2005) and amending that if less than the full amount of guarantees authorized to be made available is issued prior to September 30, 2007 [vice 2005], the authority to issue the balance of such guarantees shall extend to the subsequent fiscal year.

Ceilings and Earmarks (Section 538)

- Ceilings and earmarks contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent act unless such act specifically so directs. Earmarks or minimum funding requirements contained in any other act shall not be applicable to funds appropriated by this Act.

Non-governmental Organization - Documentation (Section 541)

- No funds appropriated or made available by this Act shall be available to a non-governmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the U.S. AID.

Prohibition on Assistance to Foreign Governments that Export Lethal Military Equipment to Countries Supporting International Terrorism (Section 542)

- None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government

of which the Secretary of State has determined is a terrorist government for the purposes of Section 6(j), *Export Administration Act*. This prohibition shall terminate twelve months after that government ceases to provide such military equipment. This Section applies with respect to lethal equipment provided under a contract entered into after 1 October 1997.

- The prohibition may be waived if the President determines that such assistance is important to the U.S. national interest. When exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance detailing the assistance to be provided, including the estimated dollar amount of the assistance, and an explanation of how the assistance furthers U.S. national interests.

Withholding of Assistance for Parking Fines and Real Property Taxes Owed by Foreign Countries (Section 543)

- Of the funds appropriated by this Act and made available for assistance for a country, an amount of 110 percent of the total amount of unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties and unpaid property taxes are fully paid.
- The withheld funds may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the appropriate congressional committees.
- The Secretary of State may waive the withholding requirements for parking fines no sooner than sixty days from the date of the enactment of this Act if determined to be in the national interests of the U.S. The Secretary may waive the withholding requirements for unpaid property taxes if determined to be in the national interest of the U.S.
  - Not later than six months of these waivers, the Secretary, after consultations with the Mayor of New York City, shall submit a report to the congressional appropriations committees describing a strategy, including a timetable and steps currently taken to collect the parking fines and penalties and unpaid property taxes and interest owed by the affected country.
- Parking fines and penalties are defined to those owed to the District of Columbia or New York, New York and incurred during April 1, 1997 through September 30, 2004.
- Unpaid property taxes are defined to those plus interest determined owed by a country on real property in the District of Columbia and the City of New York in a court order or judgment entered against the country by a court of the U.S., any State, or subdivision thereof.
- This so-called Meter Maid Diplomacy was originally included as Section 574, P.L. 103-87, September 30, 1993 with a similarly worded version within each subsequent appropriation act. Both Senator Jesse Helms and Representative David Obey were initially identified as the primary sponsors of this legislation. It originally only applied to parking fines in the District of Columbia and later was expanded to include New York. The withholding of country funds did not become significant until FY 2004. The authority to withhold owed property taxes was not included until FY 2005.

War Crimes Tribunals Drawdown (Section 545)

- As in prior years, authorizes the drawdown of commodities and services of up to $30,000,000 for the U.N. War Crimes Tribunal with regard to the former Yugoslavia or such other tribunals or commissions as the U.N. Security Council may establish or authorize to deal with such violations.

- Any funds made available for such tribunals other than **Yugoslavia**, **Rwanda** or the **Special Court for Sierra Leone** shall be made available subject to the regular notification procedures of the congressional appropriations committees.

Landmines (Section 546)

- As in prior years, authorizes **demining equipment** made available to USAID and the DoS and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes to be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

Prohibition of Payment of Certain Expenses (Section 548)

- As in prior years, none of the funding appropriated or otherwise made available by this Act under the headings, inter alia, IMET or FMFP **Informational Program** (IP) activities or under ESF may be obligated or expended to pay for:
  - Alcoholic beverages or
  - Entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

Haiti (Section 549)

- Not less than the following funds appropriated for FY 2005 shall be made available for Haiti:
  - $20,000,000 from Child Survival and Health Programs Fund.
  - $25,000,000 from 'Development Assistance" of which funds should be made available for poverty reduction, agriculture, environment, and basic education programs.
  - $40,000,000 from Economic Support Fund of which funds should be made available for judicial reform programs, police training, and activities in support for national elections.
- The Government of Haiti shall be eligible to purchase defense articles and services under the AECA for the Coast Guard.

Limitation on Assistance to Security Forces (Section 551)

- As in previous years, none of the funding made available by this Act may be provided to any **security forces unit** of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the congressional committees on appropriations that the country is taking effective measures to bring the responsible members of that unit to justice.
  - Nothing in this Section shall be construed to withhold funds made available by this Act from any security forces unit of that country not credibly alleged to be involved in gross violations of human rights.
  - In the event funds are withheld from any unit pursuant to this Section, the Secretary shall promptly inform the affected government of that country of the basis for this action and shall, to the maximum extent practicable, assist the government in taking effective measures to bring the responsible members of that unit to justice.
- Similar prohibition language is also included in Section 8076, *Defense Department Appropriations Act, 2005*, P.L. 108-287, August 5, 2004.
- This Section is often referred to as the **Leahy Amendment**.

Foreign Military Training Report (Section 552)

- This annual report from the Secretary of State and Secretary of Defense shall be submitted in accordance with Section 656, FAA, which requires that report not later than January 31 each

year. Unless a country (or countries) is requested for inclusion by one of the appropriations committees in writing at least ninety days in advance, the report is not required to include training for NATO countries, Japan, Australia, or New Zealand.

Authorization Requirement (Section 553)

- Except for funds appropriated under the headings of Trade and Development Agency, Millennium Challenge Corporation, Overseas Private Investment Corporation, and Global HIV/AIDS Initiative; funds appropriated by this Act may be obligated and expended notwithstanding Section 10, P.L. 91-672, January 12, 1971, and Section 15, *State Department Basic Authorities Act of 1956*.

Cambodia (Section 554)

- None of the funds appropriated by this Act may be made available for assistance for the central government of Cambodia.
  - However, up to $4,000,000 of FY 2005 ESF may be made available for activities to support democracy, including assistance for democratic political parties.
- FY 2005 IMET funding made be made available only if at least fifteen days prior to the obligation, the Secretary of State provides to the congressional committees for appropriations a list of those individuals who have been credibly alleged to have ordered or carried out extra-judicial and political killings that occurred during the March 1997 grenade attack against the Khmer Nation Party.

Palestinian Statehood (Section 555)

- None of the funds appropriated by this Act may be provided to support a **Palestinian state** unless the Secretary of State determines and certifies to the appropriated congressional committees that:
  - A new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections.
  - The elected governing entity has demonstrated a firm commitment to peaceful co-existence with Israel.
  - Appropriate measures to counter terrorism and terrorism financing in the West Bank and Gaza, including the dismantling of terrorist infrastructure.
  - Establish a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations.
  - The Palestinian Authority or governing body of a new Palestinian state is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships.
- This can be waived by the President if determined to be vital to the national security interests of the U.S.

Colombia (Section 556)

- Notwithstanding any other provision of law, funds appropriated by this Act that are available for assistance for the **Colombian Armed Forces**, may be made available as follows:
  - Up to 75 percent of such funds may be obligated prior to a determination and certification (detailed below) by the Secretary of State.
  - Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

••• The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

••• The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank who, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed found to have committed such violations of human rights or to have aided and abetted paramilitary organizations.

••• The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases to include providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information.

••• The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information.

••• The Colombian Armed Forces have made substantial progress in severing links; to include denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation; at the command, battalion, and brigade levels, with paramilitary organizations especially in regions where these organizations have a significant presence.

••• The Colombian Armed Forces are dismantling paramilitary leadership and financial networks by arresting commanders and financial backers especially in regions where these networks have a significant presence.

- The balance of the funding may be obligated after July 1, 2005 if the Secretary of State certifies and reports to the appropriate congressional committees after such date that the Colombian Armed Forces are continuing to meet the conditions contained in the above earlier report. This second report is to also include that the Colombian Armed Forces are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerilla organizations.
- Not later than sixty days after the enactment of this Act and every ninety days thereafter until September 30, 2006, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions outlined in the reports.
- Aided or abetted is defined to mean providing any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.
- Paramilitary groups is defined to mean illegal self-defense groups and illegal security cooperative.
- This year's report and certification requirements are similar to the FY 2004 requirement.

Illegal Armed Groups (Section 557)

- The Secretary of State shall not issue a visa to any alien who the Secretary determines, bases on credible evidence who has:

•• Willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups.

•• Committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

• The Secretary of State can waive this prohibition if determined and certified to the appropriate congressional committees, on a case-by-case basis, that the issuing of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

West Bank and Gaza Program (Section 559)

• For the FY 2005, thirty days before the obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate congressional committees that procedures have been established to ensure the U.S. Comptroller General will have access to the appropriate U.S. financial information in order to review the uses of U.S. assistance for the Program funded under ESF.

• Prior to the obligation of ESF funds, the Secretary of State shall take all appropriate steps to ensure that such assistance is not provided to or through any individual, private or government entity, or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity. The Secretary shall as appropriate establish vetting procedures specifying the steps to be taken in carrying out this subsection and shall terminate assistance to any individual, entity, or educational institution which has been determined to be involved in or advocating terrorist activity.

• Specifically, none of the funds appropriated by this Act for assistance under the West Bank and Gaza Program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed acts of terrorism.

War Criminals (Section 561)

• None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the U.S. executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance to the same aforementioned uncooperative country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the **International Criminal Tribunal for the former Yugoslavia** all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

• This Section shall not apply to humanitarian assistance or assistance for democratization.

• This Section shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are cooperating with the Tribunal including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, and are acting consistently with the Dayton Accords signed at Dayton 10 to 16 November 1995.

• The Secretary of State may waive the application of this restriction with respect to projects within a country, entity, or municipality upon written determination to the congressional committees on appropriations that such assistance directly supports the implementation of the Dayton Accord.

- Country for this Section means **Bosnia, Herzegovina, Croatia, and Serbia**. Entity refers to the **Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.** Municipality means a city, town or other subdivision within the above defined country or entity.

Funding for Serbia (Section 563)

- Funds in this Act made be made available for assistance for Serbia after May 31, 2005, if the President has made the determination and certification to the congressional committees on appropriations that the government of **Serbia and Montenegro** is:
  - Cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension including making all practicable efforts to apprehend and transfer Ratko Mladic;
  - Taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and
  - Taking steps to implement policies which reflect a respect for minority rights and the rule of law.
- After May 31, 2005, the Secretary of the Treasury should instruct the U.S. executive directors to the international financial institutions to support loans and assistance to the government of Serbia and Montenegro subject to the conditions in the above presidential determination and certification.
- The Section does not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy in municipalities.

Community-Based Police Assistance (Section 564)

- FY 2005 ESF funding may be used to enhance the effective and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

Reconciliation Programs (Section 568)

- Not less than $12,000,000 of the FY 2005 ESF funding shall be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

Sudan (Section 569)

- Not less than $311,000,000 of the funds appropriated by Title of this Act should be made available for assistance for Sudan.
- None of these funds may be made available for the government of Sudan.
- None of these funds may be made available for the cost of modifying loans and loan guarantees held by the government of Sudan including the cost of selling, reducing, or canceling amounts owed to the U.S. and modifying concessional loans, guarantees, and credit agreements.
- These prohibitions shall not apply if the Secretary of State determines and certifies to the congressional appropriations committees that the government of Sudan:
  - Has taken significant steps to disarm and disband government-supported militia groups in the Darfur region.

•• Ensures all government-supported militia groups, are honoring their commitments made in the cease-fire agreement of April 8, 2004.

•• Is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and U.N. humanitarian teams, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the U.S.

- Likewise, these prohibitions shall not apply to humanitarian assistance and assistance for Darfur and for areas outside the control of the government of Sudan.
- Not more than $45,000,000 of the funds appropriated by this Act under the headings of International Disaster and Famine Relief and Transition Initiatives may be made available for assistance for Sudan outside of the Darfur region unless written notice is provided to the congressional committees for appropriations five days prior to obligation.
- Section 569(g) appropriates an additional $75,000,000 for **PKO** to support peace and humanitarian intervention operations for Sudan and appropriates an additional $18,000,000 for International Disaster and Famine Assistance for humanitarian assistance and related activities in Sudan. The appropriation in this subsection is designated as an emergency requirement for budgetary purposes.
- On December 8, 2004, the President designated this amount of $94,000,000 as emergency requirements in accordance with Section 251 of the *Balanced Budget and Emergency Deficit Control Act*, P.L. 99-177, December 12, 1985. This act is also referred to as *Gramm-Rudman-Hollings Act* as amended by the *Omnibus Budget Reconciliation Act of 1990*, P.L. 101-508, November 5, 1990.

Excess Defense Articles for Central and South European Countries and Certain Other Countries (Section 571)

- Notwithstanding Section 516(e), FAA, DoD funds may be expended during FY 2005 for crating, packing, handling, and **transportation of grant EDA** to Albania, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.
- This authority was not included in FY 2004 legislation. Until then versions of the DoD-funded transportation authority had been annually available since 1996 when Section 105, P.L. 104-164, July 21, 1996, initially authorized the use of DoD funding for the transportation of grant EDA for the PfP and SEED Act countries.

Indonesia (Section 572)

- FY 2005 FMFP assistance may be made available for assistance for **Indonesia**. Additionally, export licenses may be issued for the export of lethal defense articles for the Indonesian Armed Forces, only if the Secretary of State certifies to the appropriate congressional committees that:

•• The Armed Forces are taking steps to counter international terrorism, consistent with democratic principles and the rule of law, and in cooperation with countries in the region.

•• The Indonesian government is prosecuting and punishing, in a manner proportional to the crime, those members of the Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violation of human rights, or to have aided or abetted militia groups.

•• Through the direction of the President of Indonesia, the Armed Forces are cooperating with civilian prosecutors and judicial authorities and with international efforts to resolve cases of gross violations of human rights in East Timor and elsewhere.

•• Through the direction of the President of Indonesia, the Armed Forces are implementing reforms to increase the transparency and accountability of their operations and financial management, including making publicly available audits of receipts and expenditures.

• FY 2005 IMET funding assistance may be made available to Indonesia if the Secretary of State determines and reports to the appropriate congressional committees that the Indonesian Government and the Armed Forces are cooperating with the FBI's investigation of the murders of two American citizens and one Indonesian citizen on August 31, 2002 in Timika, Indonesia.

•• A Department of State press conference on 26 February 2005 announced the Secretary of State has determined that Indonesia has satisfied these conditions and the full IMET program has been restarted.

•• This restriction shall not apply to E-IMET which may include English language training.

Limitation on Economic Support Fund Assistance for Certain Foreign Governments that are Parties to the International Criminal Court (Section 574)

• Section 2007, *American Service-Members' Protection Act of 2002* (ASPA), Title II, P.L. 107-206, August 2, 2002, prohibits grant EDA, IMET, drawdowns, and FMFP assistance to countries that are party to the International Criminal Court Rome Statute unless the President determines for U.S. national interests purposes to waive this prohibition, the country signs an Article 98 agreement waiving applicability to U.S. personnel, or the country is member of NATO, a major non-NATO ally, or Taiwan.

• FY 2005 ESF assistance is likewise prohibited to those countries which are party to the Rome Statute and not exempted or waived.

• The Presidential Determination (PD) 2005-20, 11 February 2005, provided the necessary waiver for Jordan for a period of six months to receive FY 2005 assistance.

Prohibition against Direct Funding for Saudi Arabia (Section 575)

• None of the funds appropriated or otherwise made available by this Act shall be obligated or expended to finance any assistance to **Saudi Arabia**.

•• The President may waive this prohibition if certified to the congressional appropriations committees fifteen days prior to obligation that Saudi Arabia is cooperating with efforts to combat international terrorism and that the proposed assistance will help facilitate that effort.

Uzbekistan (Section 577)

• FY 2005 funding may be available for the central government of Uzbekistan only if the Secretary of State determines and reports to the congressional appropriations committees that the government is making substantial and continuing progress in meeting its commitments under the *Declaration on the Strategic Partnership and Cooperation Framework Between the Republic of Uzbekistan and the United States of America*, including respect for human rights, establishing a genuine multi-party system, and ensuring free and fair elections, freedom of expression, and the independence of the media.

Central Asia (Section 578)

• Funds appropriated by this Act may be made available for assistance for the government of Kazakhstan only if the Secretary of State determines and reports to the congressional committees on appropriations that the government of Kazakhstan has made significant improvements in the protection of human rights during the preceding six months.

•• This requirement may be waived by the Secretary if he determines and reports to the congressional committees on appropriations that such a waiver is in the U.S. national security interests.

• Not later than October 1, 2005, the Secretary of State shall submit a report to the congressional committees on appropriations and foreign relations describing the following:

•• The defense articles, defense services, and financial assistance provided by the U.S. to the countries of Central Asia during the six-month period ending thirty days prior to submission of each such report.

•• The use during such time of defense articles, defense services, and financial assistance provided by the U.S. by units of the armed forces, border guards, or any other security forces of such countries.

•• For the purposes of this report, countries of Central Asia include **Uzbekistan**, Kazakhstan, Kyrgyz Republic, Tajikistan, and Turkmenistan.

Disability Programs (Section 579)

• Not less than $2,500,000 of FY 2005 ESF appropriations shall be made available for programs and activities to address the needs and protect the rights of people with disabilities in developing countries to be administered by USAID.

Zimbabwe (Section 580)

• The Secretary of the Treasury shall instruct the U.S. executive director to each international financial institution to vote against any extension by the respective institution of any loans, to the government of **Zimbabwe**, except to meet basic human needs or to promote democracy, unless the Secretary of State determines and certifies to the congressional committees on appropriations that the rule of law has been restored in Zimbabwe, including respect for ownership and title to property, freedom of speech, and association.

Tibet (Section 581)

• The Secretary of the Treasury should instruct the U.S. executive director to each international financial institution to use the voice and vote of the U.S. to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into **Tibet** or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

• Not less than $4,000,000 of FY 2005 ESF funding shall be made available to non-governmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China and not less than $250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

Nigeria (Section 582)

• The President shall submit a report to the congressional appropriations committees describing the involvement of the Nigerian Armed Forces in the incident in Benue State, the measures that are being taken to bring such individuals to justice, and whether any Nigerian Armed Forces units involved with the incident are receiving U.S. assistance.

Central America (Section 584)

• Not to exceed $3,227,000 in prior year Military Assistance Program funds that are available for **Guatemala** may be made available for non-lethal defense items for Guatemala if

the Secretary of State certifies to the congressional appropriations and foreign relations committees that:

•• The role of the Guatemalan military has been limited, in doctrine and in practice, to substantially those activities in defense of Guatemala's sovereignty and territorial integrity that are permitted by the 1996 Peace Accords, and the government of Guatemala is taking steps to pass a new governing law of the Army (Ley Constitutiva del Ejercito).

•• The Guatemalan military is cooperating with civilian judicial authorities, including providing full cooperation on access to witnesses, documents, and classified intelligence files, investigations and prosecutions of military personnel who have been implicated in human rights violations and other criminal activity.

•• The government of Guatemala is working with the U.N. to resolve legal impediments to the establishment of the Commission for the Investigation of Illegal Groups and Clandestine Security Organizations (CICIAS), so that CICIAS can effectively accomplish its mission of investigating and bringing to justice illegal groups and members of clandestine security organizations.

•• The government of Guatemala is continuing its efforts to make the military budget process transparent and accessible to civilian authorities and to the public, for both present and past expenditures.

•• The government of Guatemala is working to facilitate the prompt establishment of an office in Guatemala of the U.N. High Commissioner for Human Rights with unimpeded authority to investigate and report on human rights in Guatemala.

•• Finally, the government of Guatemala is taking steps to increase its efforts to combat narcotics trafficking and organized crime.

•• This certification was completed on January 25, 2005 and published in the *Federal Register* on February 1, 2005 as Public Notice 4983.

War Crimes in Africa (Section 585)

• Funds appropriated by this Act including funds for debt restructuring may be available for assistance to the central government of a country in which individuals indicted by the International Criminal Tribunal for **Rwanda** (ICTR) and the Special Court for **Sierra Leone** (SCSL) are credibly alleged to be living, if the Secretary of State determines and reports to the congressional appropriations committees that such government is cooperating with the ICTR and SCSL including the surrender and transfer of indictees in a timely manner.

•• This subsection shall not apply to assistance provided under Section 551, FAA, for PKO, or to project assistance under Title II of this Act.

•• With a presidential U.S. national security interest determination on a country-by-country basis, this prohibition may be waived and reported to the congressional appropriations committees.

Security in Asia (Section 590)

• Notwithstanding Section 572 of this Act, FY 2005 FMFP funding may be made available for assistance for the **Indonesian Navy** if the Secretary of State reports to the congressional appropriations committees that the Indonesian Navy is not violating human rights and is cooperating with civilian judicial authorities on cases involving human rights violations. Any of this assistance to be provided to the Indonesian Navy may only be available for purposes of enhancing maritime security.

- Notwithstanding Section 554 of this Act, FY 2005 FMFP funding may be made available for assistance for **Cambodia** subject to the regular notification procedures of the congressional appropriations committees.
- FY 2005 FMFP funding may be made available for assistance for **Nepal** if the Secretary of State reports to the congressional appropriations committees that the government of Nepal:
  - Has determined the number of and is making substantial progress in complying with habeas corpus orders issued by the Supreme Court of Nepal, including all outstanding orders.
  - Is cooperating with the National Human Rights Commission of Nepal to identify and resolve all security related cases involving individuals in government custody.
  - Is granting the National Human Rights Commission of Nepal unimpeded access to all places of Detention.
  - Is taking effective steps to end torture by security forces and to prosecute members of such forces who are responsible for gross violations of human rights.
  - The Secretary may waive the compliance stipulations within the report if determined and reported that it would be in the U.S. national security interests.

Compliance with the Algiers Agreements (Section 592)

- None of the funds appropriated by this Act may be made available for assistance to the central governments of **Ethiopia or Eritrea** unless the Secretary of State certifies and reports to the congressional appropriations committees that the government is taking steps to comply with the terms of the Algiers Agreements.
  - The Secretary may waive the compliance stipulation of this Section if determined to be in the U.S. national security interest.
  - This determination for a waiver was provided by the Secretary on 24 January 2005 and published in the *Federal Register* on 2 February 2005 as Public Notice 4986.
  - The funding prohibition of this Section shall not apply to democracy, rule of law, peacekeeping programs and activities, child survival and health, basic education, and agriculture programs.

Joint Explanatory Statement (Section 595)

- Funds provided in this Act shall be available for programs and countries in the amounts contained in the respective tables included in the joint explanatory statement (H. Rpt. 108-792, 20 November 2004) of the conference managers for this Act. This applies to the following accounts:
  - Economic Support Fund;
  - Assistance for Eastern Europe and the Baltic States;
  - Assistance for Independent States of the Former Soviet Union;
  - Andean Counterdrug Initiative;
  - Nonproliferation, Anti-Terrorism, Demining, and Related Programs;
  - Foreign Military Financing Program; and
  - International Organizations and Programs.
- Any proposed increases or decreases to theses amounts in the conference report shall be subject to the regular notification procedures of the congressional appropriations committees and Section 634A, FAA.

***Department of Defense Appropriations Act, 2005*, P.L. 108-287, August 5, 2004**

- Reported out of the House Appropriations Committee (HAC) as H.R. 4613 on June 16, 2004 with H. Rpt. 108-610, and passed by the House on June 22, 2004. S. 2559 reported out of the Senate Appropriations committee on June 22, 2004 with S. Rpt. 108-284, and passed by the Senate on June 24, 2004. The conference was held reporting out H.R. 4613 on July 20, 2004 with H. Rpt. 108-622. Both Houses passed H.R. 4613 on July 22, 2004 in time for the August recess and the national political conventions with enactment on August 5, 2004 as P.L. 108-287.
- The *FY 2005 DoD Appropriations Act* contained the normal annual appropriations for the DoD plus two additional sections, Title IX, Additional War-Related Appropriations, for military operations in Afghanistan and Iraq, and Title X, Other Matters, for the Departments of Commerce, Justice, State, Interior, Agriculture, and Labor.
  - •• Also on August 5, 2004, the President designated the amount of $25,856,000,000 appropriated within Titles IX and X of this Act as emergency requirements in accordance with Section 251, *Balanced Budget and Emergency Deficit Control Act*, P.L. 99-177, December 12, 1985, [also referred to as *Gramm-Rudman-Hollings Act*] as amended by the *Omnibus Budget Reconciliation Act of 1990*, P.L. 101-508, November 5, 1990.
- This DoD appropriation is not subject to the later-legislated 0.80 percent rescission.

Title II, Operation and Maintenance Defense-Wide

- Not more than $25,000,000 for the **Combatant Commander Initiative Fund** authorized by 10 U.S.C. 166a.
- $2,550,000 shall be available only for a Washington-based internship and immersion program to allow U.S. Asian-American Pacific Islander undergraduate college and university students from economically disadvantaged backgrounds to participate in academic and educational programs in the DoD and related federal defense agencies.

Overseas Humanitarian, Disaster, and Civic Aid

- $59,000,000 to remain available until September 30 for expenses relating to DoD Overseas Humanitarian, Disaster, and Civic Aid programs.

Former Soviet Union Threat Reduction Account

- $409,200,000 to remain available until September 30, 2007 for the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons. This is also for establishing programs to prevent the proliferation of weapons, weapons components, and weapons-related technology and expertise. This is also for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts. Of this amount, $15,000,000 shall be available only to support the dismantling and disposal of nuclear submarines and submarine reactor components and for transport and storage of nuclear warheads in the **Russian Far East**.

Title VI, Other Department of Defense Health Programs

- Not less than $7,500,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in **African nations**.
- Amends Title VI, Defense Health Program, of the *DoD Appropriations Act, 2004*, P.L. 108-87, September 30, 2003, to read not less than $4,250,000 shall be available for HIV prevention educational activities undertaken in connection with U.S. military training, exercises, and humanitarian assistance activities conducted primarily in African nations."

Title VIII, General Provisions

- Section 8002, as in prior years, states that during FY 2005, provisions of prohibiting the payment of compensation to, or employment of, any person not a citizen of the U.S. shall not apply to personnel of the DoD.

  •• Salary increases granted to direct or indirect hire foreign national DoD employees funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for DoD civilians whose pay is computed under the provisions of 5 U.S.C. 5332, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher. This does not apply to DoD foreign national employees of the DoD in the **Republic of Turkey**. This also does not apply to DoD foreign service national employees serving at U.S. diplomatic missions whose pay is set by the DoS under the *Foreign Service Act of 1980*.

- Section 8009 authorizes the use of operation and maintenance funds to be obligated for humanitarian and civic assistance costs pursuant to 10 U.S.C. 401 and these obligations are to be reported to Congress as of 30 September of each year.

  •• These funds shall be available for providing humanitarian and similar assistance by using **Civic Action Teams in the Trust Territories of the Pacific Islands** (TTPI) and freely associated states of **Micronesia** pursuant to the Compact of Free Association as authorized by P.L. 99-239.

  •• Upon determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted by the Army medical facilities located in Hawaii, the Secretary may authorize the provision of medical services at such facilities and transportation to the facilities on a non-reimbursable basis for civilian patients from American Samoa, Commonwealth of the Northern Mariana Islands, Marshall Islands, Federated States of Micronesia, Palau, and Guam.

- Section 8026 authorizes DoD during FY 2005 to incur obligations not to exceed $350,000,000 for purposes specified in 10 U.S.C. 2350j(c), in anticipation of receipt of contributions only from Kuwait to be credited to the appropriations or fund which incurred such obligations.

- Section 8051 states that none of the funds appropriated or otherwise made available by this Act, may be obligated or expended for assistance to the **Democratic People's Republic of North Korea** unless specifically appropriated for that purpose.

- Section 8064 states that none of the funds available for DoD during FY 2005 may be obligated or expended to transfer defense articles or services (other than intelligence services) to another nation or international organization for specified below activities unless the congressional defense committees, the Senate Foreign Relations Committee, and the House International Relations Committee are notified fifteen days in advance of the transfer.

  •• The specified activities include any international peacekeeping, peace-enforcement or humanitarian assistance operation.

  •• This notification shall include a description of the transfer, value of the transfer, a statement whether the inventory requirements of all elements of the Armed Forces for the type of transfer have been met, and whether the items to be transferred will have to be replaced. If replacement is required, how does the President propose to provide the funds for such a replacement?

- Section 8066 authorizes the Secretary of Defense to issue loan guarantees of up to $15,000,000,000 in support of U.S. defense exports not otherwise provided for. The exposure fees charged and collected for guarantee shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the U.S. Section 1321, *Defense Authorization Act*, *Fiscal*

Year 1996, P.L. 104-106, February 10, 1996, first authorized this program as the **Defense Export Loan Guarantee Program (DELG)**.

• Funds appropriated for DoD and for intelligence activities in this Act are available for **transfer to the DoS** as a remittance for a fee charged by the DoS for FY 2005 for the maintenance, upgrade, or construction of U.S. diplomatic facilities only to the extent that the amount of the fee so charged (when added to other amounts of such fees previously charged for that fiscal year) exceeds the total amount of the unreimbursed costs incurred by the departments and agencies funded by this Act during that fiscal year in providing goods and services to the DoS.

• Section 8074, as in prior years, states that **none of the funds made available in this Act may be used to approve or license the sales of the F-22** advanced tactical fighter to any foreign government.

• Section 8075 allows the Secretary of Defense, on a case-by-case basis, to waive with respect to a foreign country each limitation on the procurement of **defense items from foreign sources** provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate **cooperative programs** entered into between the DoD and the foreign country, or would invalidate **reciprocal trade agreements** for the procurement of defense items entered into under 10 U.S.C. 2531, and the country does not discriminate against the same or similar defense items produced in the U.S. for that country.

• This applies to contracts and subcontracts entered into on or after the date of enactment of this Act, and

• For options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under this Section.

• Section 8077 states that **none** of the funds made available by this Act may be used to support any training program involving a unit of the **security forces of a foreign country** if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

• The Secretary of Defense, in consultation with Secretary of State, shall ensure that prior to a decision to conduct any training program involving a security force unit, full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

•• The Secretary of Defense, after consultation with the Secretary of State, may waive this prohibition if he determines that such a waiver is required by extraordinary circumstances. Not more than fifteen days after exercising such a waiver, the Secretary shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the U.S. and foreign security forces involved in the program, and the information relating to the human rights violations that necessitates the waiver.

• Section 8095 directs that $155,290,000 of the funds appropriated under FY 2005 Research, Development, Test, and Evaluation, Defense-Wide shall be made available for the Arrow missile defense program. $68,000,000 shall be available for producing Arrow missile components in the U.S. and Arrow missiles and components in Israel to meet Israel's defense requirements, consistent with each country's laws, regulations, and procedures.

• Section 8119 authorizes the use of $20,000,000 appropriated under the heading Operations and Maintenance, Defense-Wide for the **Regional Defense Counter-Terrorism Fellowship Program**, to fund the education and training of foreign military officers, ministry of

defense civilians, and other foreign security officials, to include U.S. military officers and civilian officials whose participation directly contributes to the education and training of these foreign students.

Title IX, Additional War-Related Appropriations
Department of Defense - Military Operation and Maintenance Iraqi Freedom Fund

- $3,800,000,000 to remain available until September 30, 2006 only to support operations in Iraq or Afghanistan and for classified activities.

Other Department of Defense Programs
General Provisions, Title IX

- Section 9006 authorizes the Secretary of Defense to use not more than $500,000,000, with the concurrence of the Secretary State, **to train, equip, and provide related assistance only to the New Iraqi Army and the Afghan National Army** to enhance their capability to combat terrorism and to support U.S. military operations in Iraq and Afghanistan.
  - This assistance may include the providing of equipment, supplies, services, training, and funding.
  - This authority is in addition to any other authority to provide assistance to foreign nations.
  - Section 309, P.L. 108-324, October 13, 2004, later amends New Iraqi Army to read Iraqi Armed Forces so to include the Iraqi National Guard.
- Section 9007 authorizes the use of funding not to exceed $300,000,000 for the **Commander's Emergency Response Program** for the purpose of enabling military commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi people, and to fund a similar program to assist the people of Afghanistan.
  - Section 308, P.L. 108-324, October 13, 2004, later amends the ceiling to $500,000,000.
- Section 9008 amends Section 202(b), P.L. 107-327, authorizing the drawdown ceiling of $550,000,000 (vice $450,000,000) in **defense articles, services and training to foreign nations for operations within Afghanistan**.
  - The latest drawdown for Afghanistan was for $88,500,000 in defense articles, services, and training authorized by Presidential Determination (PD) 2005-19, 27 January 2005.
- Section 9009 authorizes the use of DoD FY 2005 funding, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability **operations in Iraq and Afghanistan**.

Title X, Other Matters
Chapter 1, Department of State Administration of Foreign Affairs Diplomatic and Consular Programs

$665,300,000 to remain available until expended for costs associated with U.S. Mission operations, technological support, logistical support, and necessary security costs in Iraq.

Embassy Security, Construction, and Maintenance

- $20,000,000 to remain available until expended for interim facilities for the U.S. Mission in Iraq.

General Provisions

- Section 11002 appropriates $50,000,000 to remain available until September 30, 2005 for grants of $25,000,000 each to the cities of **Boston and New York** to reimburse the state and local law enforcement entities for security and related costs, including overtime, associated with the 2004 Presidential Candidate Nominating Conventions.

Chapter 2, Bilateral Economic Assistance Funds Appropriated to the President

U.S. AID, International Disaster and Famine Assistance

- $70,000,000 to remain available until expended to be available in response to humanitarian crisis in the **Darfur region of Sudan and in Chad**.

Department of State, Migration and Refugee Assistance

- $25,000,000 to remain available until expended to be available in respond to the humanitarian crisis in the **Darfur region of Sudan and in Chad**.

General Provisions

- Section 12001 authorizes the President to transfer to Israel, in exchange for concessions to be negotiated by the Secretary of Defense, with concurrence of the Secretary of State, any or all of the following items:
  - Armor, artillery, automatic weapons ammunition, missiles, and other munitions that are obsolete or surplus, in the inventory of DoD, intended as reserve stocks in Israel, and are located in a stockpile in Israel.
  - The value of concessions shall be at least equal to the fair market value of the items transferred. Concessions may include cash compensation, services, waiver of charges otherwise payable by the U.S., and other items of value.
  - This transfer authority will expire two years after enactment of this Act.
- Section 12002(1) amends Section 514(b)(2)(A), FAA, authorizing up to $100,000,000 of defense articles to be stockpiled in foreign countries for each FY 2004 and FY 2005.
- Section 12002(2) amends Section 514(b)(B), FAA, authorizing up to $100,000,000 of defense articles to be stockpiled in **Israel** for a fiscal year removing the requirement for specific fiscal year authorities.

***Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005,* P.L. 108-375, 28 October 2004**

- Reported out of the Senate Armed Services Committee (SASC) as S. 2400 on May 11, 2004 with S. Rpt. 108-260 and passed by the Senate on June 23, 2004. A separate bill was reported out of the House Armed Services Committee (HASC) as H.R. 4200 on May 20, 2004 with H. Rpt. 108-491 and passed by the House on the same date. A conference was held with H. Rpt. 108-767 being reported out on October 8, 2004. Both houses passed the legislation on October 9, 2004 and it was enacted on October 28, 2004 as P.L. 108-375.

Division A - Department of Defense Authorizations
Title I - Procurement
Subtitle A - Authorization of Appropriations Operation and Maintenance Funding (Section 301)

- Authorizes the appropriation of $59,000,000 for **Overseas Humanitarian, Disaster, and Civic Aid programs.**
- Authorizes the appropriation of $409,200,000 for **Cooperative Threat Reduction programs**.

Other Department of Defense Programs (Section 303)

- Section 303(c) authorizes the appropriation of $852,947,000 for Drug Interdiction and Counter-Drug Activities, Defense-Wide.

Subtitle F - Other Matters

Reimbursement for Certain Protective, Safety, or Health Equipment Purchase by or for Members of the Armed Forces Deployed in Contingency Operations (Section 351)

- The Secretary of Defense shall **reimburse a member of the armed forces** for the cost (including any shipping costs), to exceed $1,100, of any protective, safety, or health equipment purchased by the member or by another person on behalf of the member for personal use in connection with Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom, provided:
  - It is certified that the equipment was critical to the protection, safety, or health of the member.
  - The member was not issued the equipment before engaging in operations in the areas of the forenamed Operations.
  - The equipment was purchased by the member during the period September 11, 2001 to July 31, 2004.

Title V - Military Personnel Policy

Subtitle A - Officer Personnel Policy Limitation on Number of Officers Frocked to Major General or Rear Admiral (Section 503)

- Amends 10 U.S.C. 777(d) restricting the number of brigadier generals and rear admirals (lower half) to be **frocked to major general or rear admiral** to not exceed thirty. There was no restriction before on the frocking to the two-star rank.

Authority to Redesignate the Naval Reserve as the Navy Reserve (Section 517)

- The Secretary of the Navy with the approval of the President may redesignate the Naval Reserve as the **Navy Reserve**.

Subtitle B - Bonuses and Special and Incentive Pays Revision of Authority to Provide Foreign Language Proficiency Pay (Section 620)

- Amends 37 U.S.C. 316 to authorize the monthly **foreign language proficiency** payment not to exceed $1,000. An annual payment not to exceed $6,000 may be paid to a qualified reserve component member.

Permanent Increase in Authorized Amounts for Imminent Danger Special Pay and Family Separation Allowance (Section 623)

- Amends 37 U.S.C. 310(e) increasing **imminent danger pay** from $150 to now $225.
- Likewise amends 37 U.S.C. 427(e) increasing **family separation allowance** from $100 to now $250.

Death Benefits Enhancement (Section 643)

- Provides for the President to submit to Congress a report along with a request for appropriations and any required changes in legislation regarding any death **benefits enhancements** for members of the armed services to include the death gratuity, the Servicemen's Group Life Insurance (SLGI), and additional death benefits for in the line of duty deaths especially while exposed to hostile action.

Title VIII - Acquisition Policy, Acquisition Management, and Related Matters
Subtitle C - United States Defense Industrial Base Provisions Defense Trade Reciprocity (Section 831)

- The Secretary of Defense shall develop a comprehensive defense acquisition trade policy that provides the necessary guidance and incentives for the elimination of any adverse effects of **offset agreements** in defense trade.
- Likewise, the Secretary shall review and make necessary modifications to existing acquisition policies and strategies, and review and seek to make necessary modifications to existing memoranda of understanding, cooperative project agreements, or related agreements with foreign defense trade partners, to reflect this goal.
- Foreign defense trade partner is defined to mean a foreign country with respect to which there is a 10 U.S.C. 2531(a) memorandum of understanding or related agreement, or a Section 27, AECA, cooperative project agreement.
- Offset agreement is given the meaning as provided by Section 36(e), AECA.
  - Defense articles and defense services have the meaning as provided by Section 47(7), AECA.

Title X - General Provisions
Subtitle B - Naval Vessels and Shipyards Transfer of Naval Vessels to Certain Foreign Countries (Section 1013)

- Under the authority of Section 516, FAA, by grant transfer, the following ships are authorized for transfer.
  - U.S.S. O'Bannon (DD-987) to the government of **Chile**.
  - U.S.S. George Philip (FFG-12) and U.S.S. Sides (FFG-14) to the government of Portugal.
  - These grant transfers shall not be counted to the aggregate value ceiling for a fiscal year under Section 516(g), FAA.
- Under the authority of Section 21, AECA, by FMS sale, the following ships are authorized for transfer.
  - U.S.S. Fletcher (DD-992) to the government of Chile; and
  - U.S.S. Anchorage (LSD-36) to the **Taipei Economic and Cultural Representative Office (TECRO) of the United States.**
- Any expenses incurred by the U.S. in connection with the transfers are to be charged to the recipient.
- To maximum extent possible, any repair or refurbishment of the ships shall be completed at a shipyard located in the U.S., including a U.S. Navy shipyard.
- This authority for the ship transfers shall expire two years from enactment of this Act.

Subtitle C - Counterdrug Matters Use of Funds for Unified Counterdrug and Counterterrorism Campaign in Colombia (Section 1021)

- In FY 2005 and FY 2006, funds made available to DoD to provide assistance to the government of **Colombia** may be used to support a unified campaign by Colombia against narcotics trafficking and against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC). This authority includes actions to protect human health and welfare in emergency circumstances including the undertaking of rescue operations.

•• The use of this funding shall be subject to Sections 556, 567, and 568, P.L. 107-115, 10 January 2002. Section 556 is the FY 2002 Leahy Amendment for vetting individuals and units before receiving U.S. assistance. Section 567 is the FY 2002 requirement for the Secretary of State to determine and certify to Congress several cooperative actions being complied with by the government and military of Colombia. Section 568 is the FY 2002 requirement prohibiting the issuance of visas to supporters of Colombian illegal armed groups unless the Secretary determines and certifies that the visa is necessary for the peace process or for humanitarian reasons.

•• Likewise, the use of this funding shall be subject to Section 8076, P.L. 108-287, 5 August 2004. This is the FY 2005 requirement for Leahy Amendment-like vetting before the Secretary of Defense uses DoD funds to support any training activity with a security force unit.

- U.S. military personnel assigned for temporary or permanent duty in Colombia in connection with support of Plan Colombia may not exceed 800.
- Likewise, the number of U.S. citizens retained as contractors in support of Plan Colombia may not exceed 600.
- Except for the purpose of acting in self-defense or of rescuing U.S. military, U.S. civilian employee, or civilian under contract to the U.S.; no U.S. military, U.S. civilian employee, or U.S. civilian contractor employed by the U.S. may participate in any combat operation in connection with assistance using funding authority by this Section.

Sense of Congress and Report Regarding Counterdrug Efforts in Afghanistan (Section 1022)

- The Secretaries of Defense and State shall jointly prepare a report that describes the progress made towards substantially reducing poppy cultivation and heroin production capabilities in **Afghanistan** and the extent to which profits from illegal drug activity in Afghanistan are used to financially support terrorist organizations and groups seeking to undermine the government of Afghanistan.

Title XII - Matters Relating to Other Nations
Subtitle A - Matters Relating to Iraq, Afghanistan, and Global War on Terrorism
Commanders' Emergency Response Program (Section 1201)

- Authorizes the FY 2005 appropriation not to exceed $300,000,000 for this fund.

Assistance to Iraq and Afghanistan Military and Security Forces (Section 1202)

- Authorizes for FY 2005 the use of DoD operation and maintenance funding no to exceed $500,000,000 for equipment, supplies, services, and training assistance to **Iraq and Afghanistan military and security forces**.
- The Secretary of Defense shall submit a notification to the congressional defense committees fifteen days before providing such assistance.

Support of Military Operations to combat Terrorism (Section 1208)

- The Secretary of Defense may expend up to $25,000,000 in DoD operation and maintenance funding during any fiscal year to **provide support to foreign forces, irregular forces, groups, or individuals** engaging in supporting or facilitating ongoing military operations by U.S. special operations forces to combat terrorism.

•• The Secretary shall notify the congressional defense committees expeditiously, and in any event in not less than 48 hours, of the use of this authority.

•• This authority may not be delegated.

•• This authority is in effect during FY 2005 through FY 2007.

Subtitle C - Other Matters

Authority for Humanitarian Assistance for the Detection and Clearance of Landmines Extended to Include Other Explosive Remnants of War (Section 1221)

- Amends 10 U.S.C. 401(e)(1) to include other explosive remnants of war.

Availability of Warsaw Initiative Funds for new NATO Members (Section 1224)

- Authorizes the use of $4,000,000 FY 2005 Operation and Maintenance, Defense-Wide Activities by DSCA for the **Warsaw Initiative Funds** for participation by the seven new NATO members in the exercises and programs of the PfP program of NATO.

Bilateral Exchanges and Trade in Defense Articles and Defense Services between the United States and the United Kingdom and Australia (Section 1225)

- The Secretary of State shall ensure that any license application submitted for the export of defense articles or services to **Australia or the United Kingdom** is expeditiously processed by the Department, in consultation with the Department of Defense, without referral to any other federal department or agency, except where the item is classified or exceptional circumstances apply. The President shall ensure that regulations are prescribed to implement this Section.

Study on Missile Defense Cooperation (Section 1226)

- The Secretary of Defense, in consultation with the Secretary of State, shall carry out a study to determine the advisability of authorizing or requiring the Secretary of State to establish procedures for considering technical assistance agreements and related amendments and munitions licenses applications for the **export of defense items related to missile defense** not later than thirty days after receipt of such applications, except where the Secretary of State determines more time is needed for review for foreign policy or national security reasons, to include concerns about the proliferation of ballistic missile technology.

  - Likewise, the Secretary of Defense shall include in the study establishing procedures to increase the efficiency and transparency of the Defense Department review of such applications.

  - This study shall include the feasibility of providing major project authorizations for programs related to missile defense similar to the comprehensive export authorization specified in 22 C.F.R. 126.14, the *International Traffic in Arms Regulation* (ITAR).

  - This study shall be submitted not later 180 days after enactment of this Act to the congressional committees for armed services and foreign relations.

Title XIII - Cooperative Threat Reduction with States of the Former Soviet Union Funding Allocations (Section 1302)

- Authorizes the FY 2005 appropriation of $409,200,000 which is the amount appropriated by P.L. 108-287, August 5, 2004. Table 12 provides the authorized **Cooperative Threat Reduction** (CTR) programs for FY 2005 along with the authorities for FY 2004.

Title XV - Authorization for increased Costs due to Operation Iraqi Freedom and Operation Enduring Freedom Iraqi Freedom Fund (Section 1507)

- Authorizes the appropriation of $3,892,000,000.

Transfer Authority (Section 1511)

- If determined necessary in the U.S. national interest, the Secretary of Defense may transfer amounts authorized under this Title for FY 2005 between any such authorizations. The funding transferred shall be merged with and be available for the same purposes as the authorization to which transferred. The total amount authorized for such transfers may not exceed $1,500,000,000. The Secretary must consult with the chairmen and ranking members of

the congressional defense before the transfer and also notify the committees in writing of the proposed transfer not less than five days before the transfer is made.

Table 12
Cooperative Threat Reduction (CTR) Program Authorizations
FY 2005 Funding
($ in millions)

Program	FY 2004 P.L.108-136 Authority	FY 2005 P.L.108-375 Authority
Strategic Offensive Arms Elimination in Russia	$57.600	$58.522
Strategic Nuclear Arms Elimination in Ukraine	3.900	0.000
Nuclear Weapons Transportation Security in Russia	23.200	26.300
Nuclear Weapons Storage Security in Russia	48.000	48.672
Activities Designated as other Assessments/Administrative Support	13.100	14.317
Defense and Military Contacts	11.100	8.000
Chemical Weapons Destruction in Russia	200.300	158.400
Biological Weapons Proliferation Prevention in the former Soviet Union	54.200	54.959
Weapons of Mass Destruction Proliferation in the States of the former Soviet Union	39.400	40.030
Total CTR Program Authorization	**$450.800**	**$409.200**

Note: Department of Defense Appropriations Act, 2005, Title II, P.L.108-287, 5 August 2004, earlier appropriated the later authorized $409.200 million for CTR Program; however, $15 million was earmarked to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East.

***Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005*, Division B, P.L. 108-447, 8 December 2004**

- Enacted as Division B of the *Consolidated Appropriations Act, 2005*, P.L. 108-477, December 8, 2004. Originally reported out the House Appropriations Committee (HAC) as H.R. 4754 on 23 June 2004 with H. Rpt 108-576. The House passed the bill on 8 July 2004. The Senate version was S2809 reported out of committee on September 15, 2004 with S. Rpt. 108-344. The Senate never voted on their version; therefore, no conference was convened to iron out differences.
- The original H.R. 4754 was placed by the conference into the consolidated appropriations act as Division B of the enlarged H.R. 4818 for final action by both houses.
- This appropriation was included in the mandated 0.80 percent rescission.
- The Department of State portion of the bill is Title IV, with the other named departments and agencies of government having their own titles.

Title IV - Department of State and Related Agency Department of State Administration of Foreign Affairs

Diplomatic and Consular Affairs

- $3,570,000,000 for necessary expenses of the Department and the Foreign Service not otherwise provided for, to include, inter alia:
  - Not more than 71 permanent positions for the Bureau of Legislative Affairs.
  - Not more than $4,000,000 may be transferred to the Emergencies in the diplomatic and Consular Service account.

•• $319,994,000 shall be available only for public diplomacy international information programs.

•• $3,000,000 shall be available only for the operations of the Office on Right-sizing the U.S. Government Overseas Presence.

•• No funds shall be used for processing licenses for the export of U.S. origin satellites to include commercial satellites and components to the Peoples' Republic of China unless the congressional appropriations committees are notified fifteen days in advance of such proposed action.

•• $185,128,000 is for Near East Affairs.

•• $80,234,000 is for South Asian Affairs.

•• $251,706,000 is for African Affairs.

•• $2,000,000 shall be used for a grant to conduct an international conference on the human rights situation in North Korea.

•• $200,000 is for a grant to the Center for the Study of the Presidency.

•• $1,900,000 is for a grant to Shared Hope International to combat international sex tourism.

•• $658,702,000 to remain available until expended for the cost of worldwide security upgrades.

•• $5,000,000 is for the Center for Antiterrorism and Security Training.

•• Beginning with FY 2005 and thereafter the Secretary of State is authorized to charge surcharges related to consular services in support of enhanced border security that are in addition to the passport and immigration visa fees in effect on 1 January 2004.

•• These surcharges shall be $12 for passport fees and $45 on immigrant visa fees.

Capital Investment Fund

- $52,149,000 to remain available until expended.

Protection of Foreign Missions and Officials

- $9,894,000 to remain available until 30 September 2006.

Embassy Security, Construction, and Maintenance

- $611,680,000 to remain available until expended of which not to exceed $25,000 may be used for domestic and overseas representation as authorized.
- $912,320,000 to remain available until expended for the costs of worldwide security upgrades, acquisition, and construction as authorized.
- Funds appropriated to this account in Title X, P.L. 108-287, 5 August 2004, which was $20,000,000; may also be used for non-interim facilities for the U.S. mission in Iraq including associated planning, site preparation, and pre-construction activities.

Emergencies in the Diplomatic and Consular Service

- $1,000,000 to remain available until expended.

Payment to the American Institute in Taiwan

- $19,482,000 to carry out the *Taiwan Relations Act*, P.L. 96-8, 10 April 1979.

Contributions to International Organizations

- $1,182,000,000 to remain available until expended of which:

•• Up to $6,000,000 may be used for the cost of a direct loan to the U.N. for the cost of renovating its headquarters in New York. These funds are available to subsidize total loan principal of up to $1,200,000,000.

• The Secretary of State shall notify the congressional appropriations committees at least fifteen days in advance of any U.N. action to increase funding in any program without identifying an offsetting decrease somewhere else in the budget to cause the U.N. exceed the adopted biennium 2004-2005 budget of $3,160,860,000.

Contributions for International Peacekeeping Activities

• $490,000,000 for international peacekeeping activities.

• None of these funds shall be obligated for any new or expanded U.N. peacekeeping mission until the appropriate congressional committees are notified at least fifteen days in advance of the U.N. voting on such action. The notification is to include the estimated cost, length of mission, the vital national interest to be served, and the exit strategy.

• None of this funding shall be used to pay the U.S. share of the cost of court monitoring that is a part of the U.N. peacekeeping mission.

Other Payments to the Asia Foundation

• $13,000,000 to remain available until expended.

Center for Middle Eastern-Western Dialogue

• $6,750,000 to remain available until expended. An additional $250,000 for the Steering Committee.

National Endowment for Democracy

• $60,000,000 to remain available until expended.

General Provisions - Department of State and Related Agency

• Section 404. The Senior Policy Operating Group on Trafficking in Persons established by Section 406, Division B, P.L. 108-7, February 20, 2003, shall coordinate all policies regarding international trafficking in persons.

• Section 409. The Secretary of State shall require each chief of mission to review, not less than once every five years, every staff element under the chief's authority, including staff from other departments or agencies of the U.S. and recommend approval or disapproval of each staff element. The review process was established by the President for determining appropriate staffing at diplomatic missions and overseas constituent posts by the *National Security Decision Directive* (NSDD) 38 of June 2, 1982.

***Intelligence Reform and Terrorism Prevention Act (IRTPA) of 2004,* P.L. 108-458, 17 December 2004**

• To investigate and report to the Congress and the President the causes for, and recommendations for the prevention of future similar attacks, the September 9, 2001 terrorist attacks in New York, Washington D.C., and in Pennsylvania; Title VI, P.L. 107-306, November 27, 2002, established, tasked, and funded the National Commission on Terrorist Attacks Upon the United States, later referred to as the 9/11 Commission. Initially funded at $3,000,000 from P.L. 107-248, October 23, 2002, this ten-member commission, subsequently chaired by former Governor Thomas H. Kean, was tasked to provide not later than eighteen months after enactment of P.L. 107-306 a report to the Congress and the President.

•• In July 2004, the Commission released the widely distributed report launching a series of congressional hearings with the goal of improving the U.S. intelligence community.

•• On August 27, 2004, the President, using constitutional and legislated authorities provided to his office, issued two executive orders entitled *Strengthened Management of the Intelligence Community* amending previous E.O. 12333 of December 4, 1981, and established the *National Counterterrorism Center*.

• S2845 to reform the U.S. intelligence community and for other purposes was introduced in the Senate to be later passed by the Senate on October 6, 2004. The bill with amendments was later passed by the House on October 16, 2004. There were no accompanying committee reports filed. A conference was convened and reported out December 7, 2004 with H. Rpt. 108-796. The House and the Senate passed the conference bill December 7 and 8 2004 respectively. S2845 was enacted December 17, 2004 as P.L. 108-458. In addition to reorganizing the intelligence community, the law contained several items affecting the U.S. and international security assistance and security cooperation communities.

Title III - Security Clearances (Section 3001)

• The President shall, within ninety days after enactment of this Act, select a single department, agency or element of the executive branch to be responsible, inter alia, for directing the day-to-day oversight of **investigations and adjudications for personnel security clearances** throughout the U.S. government, ensuring reciprocal recognition of access to classified information, and the review and coordination of the development of tools and techniques for enhancing the conduct of investigations and granting of clearances.

• Not later than 180 days after enactment of this Act, a single agency of the executive branch shall be selected to conduct security clearance investigations of employees and contractor personnel of the U.S. government who require access to classified information and to provide and maintain all security clearances of all such employees and contractor personnel.

• All security clearance background investigations and determinations completed by an authorized investigative agency or authorized adjudicative agency shall be accepted by all agencies and be transferable.

• Not later than twelve months after enactment of this Act, the Office of Personnel Management (OPM) shall establish, operate, and maintain an integrated, secure, database into which appropriate data relevant to the granting, denial, or revocation of a security clearance or access pertaining to military, civilian, or government contractor personnel shall be entered from all authorized investigative and adjudicative agencies.

• Section 3001(i) authorizes the FY 2005, and subsequent fiscal years thereafter, appropriation of funding necessary for the implementation, maintenance, and operation of the directed **OPM integrated database**.

Title IV - Transportation Security - Subtitle B - Aviation Security International Agreements to Allow Maximum Deployment of Federal Air Marshals (Section 4017)

• The President is encouraged to pursue aggressively international agreements with foreign governments to allow the maximum deployment of Federal air marshals on international flights.

Foreign Air Marshal Training (Section 4018)

• The Assistant Secretary for Immigration and Customs Enforcement of the Department of Homeland Security, after consultation with the Secretary of State, may direct the Federal Air Marshal Service to provide appropriate **air marshal training to law enforcement personnel of foreign countries**.

•• This training may only be provide after comparing the identifying information and records of the foreign personnel against all appropriate records in the consolidated and integrated terrorist watchlists maintained by the Federal government.

•• Reasonable fees and charges to pay expenses for this training shall be established. Funds collected for this training shall be credited to the Treasury account from which the expenses were incurred and shall be available to the Assistant Secretary for purposes for which amounts in such account are available.

Improved Pilot Licenses (Section 4022)

• Not later than one year after enactment of this Act, the FAA shall begin to issue **improved pilot licenses** consistent with the requirements of 49 USC and 14 CFR. These improved licenses shall:

•• Be resistant to tampering, alterations, and counterfeiting;

•• Include a photograph of the individual issued the license; and

•• Be capable accommodating a digital photograph, a biometric identifier, or any other unique identifier.

• Methods shall be developed to determine or reveal whether any component or security feature of an issued license has been tampered, altered, or counterfeited.

Prohibited Items List (Section 4025)

• Not less than sixty days after enactment of this Act, the Transportation Security Administration (TSA) shall complete a review of the list of items prohibited from being carried on board a passenger aircraft and shall release a revised list that includes butane lighters and any other modification considered appropriate.

• This review was completed by February 28, 2005 and a press release and an announcement in the *Federal Register* were provided on March 1, 2005 to amend 49 CFR 1540. The banning of all lighters to include **butane lighters and Zippo lighters** within the airport sterile area, on any passenger's being, in any carry-on luggage, and in checked luggage began on April 14, 2005. Passengers are limited to four books of strike-on-cover matches. It was also announced that the banning of these allowed matches is being further studied for also being banned on aircraft.

Man-Portable Air Defense Systems (Section 4026)

• The President is encouraged to seek to enter into agreements with foreign governments that, at a minimum, would:

•• Prohibit the entry into force of a **man-portable air defense system (MANPADS) manufacturing license agreement** and MANPADS co-production agreement, other than the entry into force of a manufacturing license or co-production agreement with a country that is party to such an agreement;

•• Prohibit, except pursuant to transfers between governments, the export of a MANPADS, including any component, part, accessory, or attachment thereof, without an individual validated license; and

•• Prohibit the reexport or retransfer of a MANPADS, including any component, part, accessory, or attachment thereof, to a third person organization, or government unless the written consent of the government that approved the original export or transfer is first obtained.

• The President should continue to pursue further strong international diplomatic and cooperative efforts, including bilateral and multilateral treaties, in the appropriate forum to assure the destruction of excess, obsolete, and illicit stocks of MANPADS worldwide.

• Not less than 180 days after enactment of this Act, the President shall provide to the appropriate congressional committees a report of the status of diplomatic efforts to comply with the recommendations of the Government Accountability Office Report (GAO-04-519), entitled *Nonproliferation: Further Improvements Needed in U.S. Efforts to counter Threats from Man-*

Portable Air Defense Systems. After the submission of this report, the Secretary of State shall annually brief the appropriate congressional committees on the status of the diplomatic and compliance efforts set forth.

- As soon as practicable, but not later than the date of completion of Phase II of Department of Homeland Security's **counter-MANPADS development and demonstration program**, the FAA shall establish a process for conducting airworthiness and safety certification of missile defense systems for commercial aircraft certified as effective and functional by the Department of Homeland Security. This process shall require a certification by the FAA that such systems can be safely integrated into aircraft systems and ensure airworthiness and aircraft system integrity.
- The President is encouraged to pursue strong programs to reduce the number of MANPADS worldwide so that fewer MANPADS will be available for trade, proliferation, and sale. Funding is to be authorized for appropriation as may be necessary to carry out this program.

Title V - Border Protection, Immigration and Visa Matters Subtitle B - Border and Immigration Enforcement

Increase in Full-Time Border Patrol Agents (Section 5202)

- In each of FY 2006 through FY 2010, the Secretary of Homeland Security shall, subject to the appropriation of funding, increase by not less 2,000, the number of full-time **active duty border agents** above the previous fiscal year.
- In each of FY 2006 through FY 2010, in addition to the agents assigned along the northern border of the U.S. during the previous fiscal year, the Secretary shall assign a number of agents equal to not less than twenty percent of the net increase in agents during each fiscal year.

Increase in Full-Time Immigration and Customs Enforcement Investigators (Section 5203)

- n each of FY 2006 through FY 2010, the Secretary of Homeland Security shall, subject to available appropriations for such purposes, increase by not less than 800 the number of positions for full-time active duty immigration investigators above the number of such positions for which funds were made available during the preceding fiscal year.

Subtitle C - Visa Requirements

Deportation of Aliens who have received Military-Type Training from Terrorist Organizations (Section 5402)

- Amends Section 237(a)(4), *Immigration and Nationality Act* [also 8 USC 1227(a)(4)] so that any alien who has **received military-type training** from or on behalf of any organization that, at the time the training was received, was a terrorist organization is deportable.
- Military-type training is further defined to include training in means or methods than can cause death or serious bodily injury, destroy or damage property, or disrupt services to critical infrastructure, or training on the use, storage, production, or assembly of any explosive, firearm, or other weapon, including any weapon of mass destruction.

Title VII - Implementation of 9/11 Commission Recommendations

- This Title includes Sections 7001 through 7804 and is entitled *9/11 Commission Implementation Act of 2004*, Title VII, P.L. 108-458, December 17, 2004.

United States Commitment to the future of Pakistan (Section 7103)

- Section 7103(c) amends P.L. 107-57, 27 October 2001, providing the President the authority to waive certain AECA, FAA, and annual foreign operations appropriations act prohibitions through FY 2006 regarding assistance for **Pakistan**. See the earlier discussion for Section 534(n), Division D, P.L. 108-447, December 8, 2004, for additional details on this waiver authority.

Assistance for Afghanistan (Section 7104)

- This Section is also entitled the *Afghanistan Freedom Support Act Amendments of 2004*, Section 7104, P.L. 108-458, December 17, 2004. This Act amends certain provisions of the *Afghanistan Freedom Support Act of 2002*, P.L. 107-327, December 4, 2002.
- Section 104(c), P.L. 107-327, is amended requiring the presidentially-appointed coordinator, within the Department of State, for U.S. assistance to **Afghanistan** to provide annual assistance plans to Congress and work with the international community for assistance to Afghanistan.
- A new Section 207 is added to P.L. 107-327, providing the sense of Congress for more activity to reduce the poppy cultivation, heroin production, and the use of monies by terrorist groups from illegal drug activity in Afghanistan. The Secretaries of State and Defense are to submit an annual joint report to Congress regarding the progress in combating these activities.
- Section 7104(l) repeals Section 620D, FAA, prohibiting FAA-authorized funding assistance to Afghanistan.
- Section 7104(m) amends Section 108(a), P.L. 107-327, to authorize such funds as may be necessary for each FY 2005 and FY 2006.

The Relationship between the United States and Saudi Arabia (Section 7105)

- Provides the sense of Congress that, while recognizing the increased counterterrorism cooperation between the U.S. and Saudi Arabia, there should be a more robust dialogue between the people and the government of the U.S. and the people and the government of **Saudi Arabia** in order to improve the relationship between the U.S. and Saudi Arabia."

***Case-Zablocki Act* Requirements (Section 7121)**

- Amends 1 USC 112a requiring the Secretary of State to make available to the public through the Department of State internet website each **treaty or international agreement** proposed to be published in the compilation entitled United States Treaties and Other International Agreements not later than 180 days after the date on which the treaty or agreement enters into force.
- The Secretary of State shall annually submit to Congress an index of all international agreements, listed by country, date, title, and with a summary, that has been signed, proclaimed, or with reference to which any other final formality has been executed, or that has been extended or otherwise modified, during the preceding calendar year and has not been published or is not to be published in the directed new internet compilation. This report may be classified.

International Standards for Transliteration of Names into the Roman Alphabet for International Travel Documents and Named-Based Watchlist Systems (Section 7205)

- Provides the sense of Congress, recognizing the lack of a single convention for **translating Arabic names** enabled some of the 9/11 hijackers to defeat name-based terrorist watchlist systems and making potential efforts difficult to locate them, that the President should seek an international agreement to modernize and improve standards for the transliteration of names into the Roman alphabet for international travel documents and named-based watchlist systems.

Travel Documents (Section 7209)

- The Secretary of Homeland Security in consultation with the Secretary of State shall develop and implement a plan not later than January 1, 2008 to require a passport or other document deemed sufficient to denote identity and citizenship for all travel into the U.S. by U.S. citizens and by categories of individuals for whom documentation requirements have been previously waived under 8 USC 1182(d)(4)(B).

- On 5 April 2005, the Departments of State and Homeland Security jointly announced the phased plan entitled the **Western Hemisphere Travel Initiative** (WHTI) for U.S. citizens and others who travel outside the U.S. and for later reentry into the U.S. While yet to be totally addressed for procedural use within the *Federal Register* for proposed rulemaking, the ultimate goal appears to be requiring a passport with imbedded electronic biometric data of all U.S. citizens traveling outside the U.S.

Minimum Standards for Birth Certificates (Section 7211)

- In the interest of combating terrorism, not later than one year of enactment of this Act, the Secretary of Health and Human Services shall publish regulations **establishing minimum standards for birth certificates** to be used by the States beginning two years later. This two year requirement can be extended by the Secretary for two more years if determined the State has made reasonable efforts to comply but was unable to do so.
- Additionally, the Secretary shall award grants to States to assist in computerizing birth and death records, develop a capability to match the records within and among the States, and noting the fact of death on birth certificates of deceased persons.

Driver's Licenses and Personal Identification Cards (Section 7212)

- Also in the combating of terrorism, not later than eighteen months after enactment of this Act, the Secretary of Transportation shall by regulation establish minimum issuance, verification, and data standards for **driver's licenses or personal identification cards issued by the States**. No Federal agency may accept, for any official purpose, a license or identification card newly issued by a State more than two years (extendable by two years) after the promulgation of the standardization regulations unless the license or identification card complies with the minimum standards.
- The Secretary shall proportionally award grants to States to assist in meeting the minimum standards.

Social Security Cards and Numbers (Section 7213)

- Not later than one year after enactment of this Act, the Commissioner of Social Security shall restrict the issuance of multiple replacement cards to any individual to three per year and ten for the life of the individual. The Commissioner is to also authorized to make reasonable exceptions an a case-by-case basis.
- The Commissioner is also to establish and implement minimum standards for verification of documents to establish eligibility for an original or a replacement **social security card**.

Prohibition of the Display of Social Security Account Numbers on Driver's Licenses or Motor Vehicle Registrations (Section 7214)

- For licenses, identification cards, or registrations issued one year after enactment of this Act, no **social security account number** may be displayed, to also include within a magnetic strip, bar code, or other means of communications which conveys this number.

***Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, 2005*, P.L. 108-324, October 13, 2004**

- H.R. 4837 was reported out of the House Appropriations Committee on 9 July 2004 with H. Rpt. 108-607 and passed by the House on July 22, 2004. The Senate version was S2674 reported out of committee on July 15, 2004 with S. Rpt. 108-309 and passed by the Senate on September 20, 2004. A conference was held and reported out on October 9, 2004 with H. Rpt 108-773. The House and Senate each passed H.R. 4837 on 9 and 11 October 2004 respectively. The bill was immediately enacted on 13 October 2004 as P.L. 108-324. While the primary

purpose of P.L. 108-324 was to fund FY 2005 DoD construction, it contained a very limited number of items that affected the U.S. security assistance and security cooperation communities.

- Section 122, Division J, P.L. 108-447, December 8, 2004, exempted P.L. 108-324 from the mandated 0.80 percent across-the-board rescission.

- Division A is *Military Construction Appropriations Act, 2005*, providing funds and other legislation for DoD construction for FY 2005. Division B is the *Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005*, providing additional appropriations for the U.S. government assistance for recovery from the numerous destructive storms striking the Southeastern U.S. and the Caribbean during 2004. Division C is the *Alaska Natural Gas Pipeline Act*, containing no items related to security assistance or security cooperation.

Division A - *Military Construction Appropriations Act, 2005*

North Atlantic Treaty Organization - Security Investment Program

- Appropriates $165,800,000 to remain available until expended as the U.S. share of the cost of the **NATO Security Investment Program** for the acquisition and construction of military facilities and installation and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by 10 U.S.C. 2806. Of the same funds appropriated by P.L. 108-132, November 22, 2003, for FY 2004; $5,000,000 is rescinded.

General Provisions

- Section 109 provides that no funds available to DoD for military construction or family housing during FY 2005 may be used to pay real property taxes in any foreign nation.

- Section 111 provides that none of the funds made available by this Act may be obligated for architect and engineer contracts estimated to exceed $500,000 for projects to be **accomplished in Japan, any NATO member country, or countries bordering the Arabian Sea**, unless the contracts are awarded to U.S. firms or U.S. firms in joint venture with host nations firms.

- Section 112 provides that none of the funds made available by this Act for military construction in the U.S. territories and possessions in the Pacific and on Kwajalein Atoll or in countries bordering the Arabian Sea, may be used to award any contract estimated to exceed $1,000,000 to a foreign contractor.

  - This does not apply to contract awards for which the lowest responsive and responsible bid of a U.S. contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than twenty percent.

  - This shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

- Section 118 provides for the Secretary of Defense to provide an annual report by February 15 to the congressional appropriations committees containing details of the specific actions proposed to be taken by DoD during the current fiscal year to encourage other member nations of NATO, Japan, Korea, and U.S. allies bordering the Arabian Sea to assume a greater share of the common defense burden of such nations and the U.S.

- Section 121 provides that none of the funds provided by this Act may be obligated for **PfP** programs in the New Independent Sates (NIS) of the former Soviet Union.

Division B - *Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005*, Chapter 3, Department of Defense

General Provisions - Chapter 3

- Section 308 amends Section 9007, P.L. 108-287, August 5, 2004, authorizing the use of funding not to exceed $500,000,000 (vice $300,000,000) for the FY 2005 **Commander's Emergency Response Program**.
- Section 309 amends Section 9006, P.L. 108-287, August 5, 2004, authorizing the use of funding not to exceed $500,000,000 to train, equip, and provide related assistance only to the **New Iraqi Armed Forces** (vice New Iraqi Army) and the **Afghan National Army**. This is to allow assistance to also include the Iraqi National Guard.

General Provisions - Chapter 5, Bilateral Economic Assistance Funds Appropriated to the President United States Agency for International Development

- Appropriates an additional $100,000,000 to remain available until 30 September 2005 for International Disaster and Famine Assistance to be available for respond to disasters caused by hurricanes and tropical storms in the **Caribbean region**.

Conclusion

This year's article includes the description and analysis of six pieces of legislation that impacted U.S. international programs to include the *Intelligence Reform and Terrorism Prevention Act of 2004*, P.L. 108-458, December 17, 2004. The timely receipt of the Section 653(a), FAA, allocation report to Congress has allowed for the first time additional funding allocation tables for other DoS foreign assistance programs funded by the *Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005*, Division D, P.L. 108-447, December 8, 2004. These other funded programs are related to the overall U.S. security assistance and security cooperation effort and often implemented using security assistance procedures. Being no different from recent years, FY 2005 security assistance legislation process has experienced last minute continuing resolutions, consolidated appropriations, across-the-board rescissions, no authorization legislation, and most funding not being available until the second quarter of the fiscal year. Additionally, at the request of the Administration, there is a significant emergency supplemental appropriation currently being legislated by Congress as H.R. 1268 for enactment which as proposed will affect FY 2005 security assistance and security cooperation. This supplemental request of February 14, 2005 can be viewed at http://www.whitehouse.gov/omb/budget/amendments/supplemental_2_14_05.pdf.

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005, Division D, P.L. 108-447, December 8, 2004, initially appropriated $7,553,230,000 for FY 2005 security assistance programs; however, Division J of the same P.L. 108-447, mandated an across-the-board rescission of 0.80 percent which amounted to $60,426,000 causing the final appropriation for ESF, IMET, FMFP, and PKO available for initial allocation to be $7,492,804,000. Other than an additional $75,000,000 for peacekeeping operations in the Darfur region of Sudan, there were no significant differences among FY 2004 final funding, the Administration's request for funding, the Senate and House proposals, and the initial FY 2005 funding for each of the four programs.

The FY 2006 security assistance funding request includes $3,036,375,000 for ESF, $86,744,000 for IMET, $4,588,600,000 for FMFP, and $195,800,000 for PKO. Program and country-specific information for the FY 2006 request can be viewed at http://www.state.gov/m/rm/rls/cbj/2006/.

This year's legislation reinforces that security assistance programs continue to be a principal U.S. tool for building and reinforcing alliances and coalitions throughout the world. U.S. support

of coalition operations in the Middle East and Southwest Asia continues to include the significant security assistance element of security cooperation to achieve U.S. foreign policy objectives and the success of U.S. ongoing and future military operations.

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This article has been placed on the DISAM web page for future reference. It is located at http://www.disam.dsca.mil/pubs/USG/USGPubs.htm along with other security assistance-related material to include the legislation articles from prior fiscal years.

About the Author

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EDUCATION AND TRAINING

Developing a Common Logistics Language for the Global Marketplace

By
Tim Hoyle
Defense Logistics Information Service

The Defense Logistics Information Service (DLIS) located in Battle Creek, Michigan, has participated in the development of the global marketplace to supply the needs of that village. The challenge, of course, is to ensure that those attempting to trade with each other can fully understand what is being offered and accepted.

A major step closer to such communication came with the acceptance of smart codification by the North Atlantic Treaty Organization's (NATOs) Allied Committee 135. The committee has worked for many years to develop and refine a common language of logistics known as the NATO Codification System (NCS) and the committee's latest decision will share its techniques with global business.

"Helping to provide a smarter, more efficient way to identify items is part of the Defense Logistics Information Service's commitment to provide state-of-the-art logistics information support to the Department of Defense and also to the international community that we collaborate and work closely with on cataloging matters," said Richard Maison, DLIS's executive director and chair of Allied Committee 135. This NATO committee recently held its semi-annual meeting in Brasov, Romania, and took a significant step forward in making cataloging more efficient and effective, funding a key demonstration project referred to as smart codification.

By accepting standard elements of NCS into its commercial cataloging information, the Electronic Commerce Code Management Association has helped to create a new benchmark, ISO standard 22745. They have also refined the ECCMA Open Technical Dictionary (eOTD). The majority of the information in the dictionary is from the NCS and is available for general use without charge or restrictions on use.

What makes the resulting codification process so smart is the ability to use the eOTD to support a future functional capability that allows systems to seamlessly combine computer-aided design and product data management into a Standard for the Exchange of Product Model Data file that contains characteristic data encoded according to a standard catalog. The new STEP files will help suppliers characterize products accurately, consistently and efficiently at the source as an integral part of the design process, thus helping acquisition organizations more easily identify suitable products to meet their requirements. The smart codification prototype is scheduled for unveiling at the 10th International Symposium on Codification, to be conducted October 10-13, 2005 in Edinburgh, Scotland.

Besides preventing someone from obtaining the wrong item, the ability to use smart codification to catalog items at the source is expected to offer the following additional benefits through accurate, consistent and efficient characterization:

- Reduced codification costs;
- Reduced time to codify a product;

- Improved quality of the NCS catalogue entries;
- Increased inventory rationalization;
- Enhanced interoperability between the armed forces of different NATO countries;
- Improved availability of assets; and
- An open and competitive industrial supply base.

The initial capability will include the following:

- Enable the NCS participating nations to begin to reduce the costs of codification;
- Exploit and enhance the existing Smart Codification developments for the NCS; and
- Confirm that the eOTD tagged elements can be converted to NATO tagged elements.

As the U.S. National Codification Bureau, DLIS provides cataloging services on all matters related to international codification, serves as the U.S. representative to NATO codification panels and task groups, and provides codification and liaison services to U. S. activities for items produced by NATO member nations and to NATO countries and other allied nations on items produced in the United States. Through its annual NCH College, DLIS personnel share their codification expertise to assist allied nations in their establishment of NATO compliant cataloging systems.

A field activity of the Defense Logistics Agency, DLIS creates, obtains, manages and integrates data from a variety of sources. It shares this data through user-friendly products, systems and services that support logistics operations throughout the Defense Department, other federal agencies and elements of the private sector. DLIS' expertise in cataloging and information management makes it an important contributor to electronic commerce between the U.S. government and its many suppliers. For additional information on DLIS, visit www.dla.mil/dlis or call (877) 352-2255.

DLA provides supply support, and technical and logistics services to the U.S. military services and several federal civilian agencies. Headquartered at Fort Belvoir, Virginia, the agency is the one source for nearly every consumable item, whether for combat readiness, emergency preparedness or day-to-day operations. More information about DLA is available at www.dla.mil.

Online Registration Available for the North Atlantic Treaty Organization Symposium about Codification

By
Tim Hoyle
Defense Logistics Information Service

Organizers of the North Atlantic Treaty Organization Symposium have established an on-line registration system to help interested parties sign up for the 10th International Symposium on Codification, October 10-13, 2005 in Edinburgh, Scotland. Members of the Defense Logistics Information Service will join international logisticians, businesses leaders, trade associations and other interested individuals gathering from around the world for the symposium. The meetings are conducted every few years to review the current state of the North Atlantic Treaty Organization (NATO) Codification System (NCS) and discuss future development.

"Logistics continues to change and is becoming more complex. Accordingly, the logisticians' need for standard, accurate information at their fingertips is growing," said Executive Director Richard Maison, Defense Logistics Information Service (DLIS) executive director, who also serves as the chairman of the NATO Group of National Directors of Codification (Allied Committee 135).

The committee sponsors the meetings to continue the advancement of the NCS, based on the U.S. cataloging system, as the world's standard language of government supply chain logistics. Originally adopted for NATO, the system is now used by more than fifty nations. It is also becoming a standard for e-commerce.

According to Maison, supporters of the NCS are reaching out to industry to build a common language between government and business. Countries are improving their information products and focusing on accuracy and relevancy, and National Codification Bureaus in participating countries seek to build synergy in the logistics chain from the factory to foxhole.

"This is a very exciting time for those involved with codification. The developments we are pursuing and the projects we are now actively supporting can revolutionize the way cataloging is performed in the next five years," Richard Maison said.

The committee continued this effort during its semi-annual meeting in Brasov, Romania, in November when a significant step was taken towards developing a Smart Codification (Cataloging) program, to harness modern technology for exchange of product data via the Electronic Commerce Code Management Association's Open Technical Dictionary (eOTD).

This will support a future capability that allows systems to seamlessly combine computer-aided design and product data management into a Standard for the Exchange of Product Model Data (STEP) file that captures characteristic data encoded according to a standard catalog. The new STEP files will help suppliers characterize products accurately, consistently and efficiently at the source as an integral part of the design process, thus helping acquisition organizations more easily identify suitable products to meet their requirements. The "smart codification" prototype is scheduled to be among the presentations and workshops at the symposium.

The symposium agenda includes speakers from around the world discussing a range of supply chain and codification issues as well as a number of social events planned for both before and during the main conference. Anyone interested in supply chain management, codification (cataloging), logistics and engineering support, international standards for data management and related topics, whether within a military, government, industrial or commercial enterprise or

organization should attend. All spoken and written material will be presented in English and French.

Those who would like to register on-line for the symposium can log on to https://registration.meetingmakers.co.uk/dev-cgi/nato_2005/register?short_conference_name=nato_2005 or use the on-line tool at www.codification2005.org to learn about exhibition or sponsorship opportunities for the symposium.

A field activity of the Defense Logistics Agency, DLIS mission is to provide interoperable, integrated, quality logistics data and information technology solutions that are applicable across the Department of Defense, other federal agencies and international partners in order to optimize the effectiveness and efficiency of the supply chain. DLIS is a recognized leader in employing best practices to develop and deliver such tailored solutions for customer's evolving needs. For more information on DLIS and codification, visit www.dla.mil/dlis or call (877) 352-2255.

Publications and Foreign Military Sales

By
Robert H. Van Horn, Jr.
Defense Institute of Security Assistance Management Instructor

All of us are accustomed to reading and following instructions that accompany products we buy. These can be the simple apply, rinse, and repeat found on a bottle of shampoo, a brief pamphlet that explains how to use our new kitchen appliance; an owner's manual that tells how to operate and maintain a new car; or an electronic book hundreds of pages long that explains how to use our latest computer program suite. Additionally, many of us also purchase other after-market publications that explain how to get more performance from our appliances, tools, computers, and cars. For those of us overwhelmed by the perplexing and daunting amount of information we are required to absorb, there are even help-books written for "dummies" and "guides for complete idiots."[1]

If we require such a large amount of information to use and maintain relatively simple personal items, imagine the quantity of information required for something as complex and expensive as a military weapon system. As you might expect, virtually everything used by our military forces comes with volumes of instructions on how to operate, maintain, store, employ, and dispose of it. This wealth of information is contained in military publications.

We normally think of military publications as just booklets and manuals, but they include much more than that. According to one Department of Defense (DoD) source, the term "publications" includes a wide variety of documents, such as:

> . . .technical orders, technical manuals, supply catalogs, training publications, administrative publications, engineering drawings, and associated documents (sic), Integrated Logistics Support publications and associated documents, equipment component lists, special file extracts, decals, forms, and audio visual products.[2]
>
> [**Note:** even this extensive list is incomplete, e.g., it does not mention doctrinal manuals.]

Publications are a key component of the total package that supports the sale of a weapon system through the foreign military sales (FMS) process. Some publications explain how to operate and maintain the equipment properly. For example, the U.S. Air Force (USAF) stresses that its technical orders are "the official means for providing technical information, instructions, and safety procedures for the operation, installation, maintenance, and modification of military systems and commodities."[3] Other publications may describe training techniques, recommend methods of employment, or provide a doctrinal framework for using the weapon system on the battlefield.

The more complex a weapon system, the more crucial it is to have a full complement of up-to-date publications. Otherwise, there is an increased risk of operating, employing, and maintaining the equipment improperly, thus both degrading the system's effectiveness and shortening its lifespan. This not only reflects poor stewardship of a nation's tax dollars, it can also mean that the military unit to which the weapon system is assigned is unable to perform its mission in support of national defense.

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1 See for example Dan Gookin, PCs for Dummies, 9th ed., Sep 2003, and Joe Kraynak, *The Complete Idiot's Guide to PCs*, 8th ed., Sep 2001 (17 Jan 2005, http://www.amazon.com).

2 Department of Defense 7000.14-R, Vol. 15: *Financial Management Regulation*, *Security Assistance Policy and Procedures*, 9 August 2004, para. 071601 (18 January 2005, http://www.dod.mil/comptroller/fmr/15/15_07.pdf).

3 Technical Order 00-5-19: *Security Assistance Technical Order Program*, 15 December 2003, para 1.5 (30 November 2004, http://www-ext.tinker. Air Force.mil/tild/to/00519.pdf).

As important as they are, we should note early on that not all U.S. military publications are available to FMS customers. For example, the U.S. normally will not provide a country with a technical manual or similar publication unless that country has, or is scheduled to get, the equipment to which the publication applies. Additionally, a publication must be approved for release by proper authority before it can be provided to an FMS customer. It is not surprising that classified publications undergo especially rigorous review. If nonreleasable information must be removed from a publication before it may be sent to the customer, then the customer must pay for any costs incurred for this "sanitization" process.[4]

Publications Concurrent with Systems Sales

The first issue of publications for a weapon system normally will occur concurrently when the FMS customer procures the system. The U.S. implementing agency[5] (IA) which prepares a Letter of Offer an Acceptance (LOA) for the sale of a weapon system which normally will include a publications line to fund a full set of current publications for all equipment listed on the LOA. This line may simply call out a dollar value, with the specific publications to be determined after the LOA is signed. Alternatively, the LOA may specify each publication included on this line. For example, the U.S. Army policy is to publish an annex to the LOA listing each publication to be provided.[6] If necessary, the LOA can even fund a U.S. team to set up a library in the customer's country.

The publications line should include not only publications for the major end item, but also for all support and ancillary equipment, e.g., prime movers and trailers, generators, radios and other communications equipment, testing and diagnostic equipment, and tool kits. The LOA may also include any relevant publications controlled by DoD components other than the IA, although updates to these publications must be obtained through a separate case with the controlling DoD agency (more on this below). If a piece of equipment is non-standard, the LOA should also include publications to be supplied by the contractor. Note that the publications line should not only address technical and maintenance manuals, it should also include doctrinal, management, training, and other types of publications that pertain to equipment on the LOA as well.

Obtaining official government publications can be problematic if a country chooses to procure equipment via Direct Commercial Sales (DCS) rather than via FMS. In this situation, the country should establish an FMS case to obtain these publications or order them through an existing publications case.

Updating Publications via Foreign Military Sales

U.S. military publications change frequently to reflect improvements, corrective actions, new procedures and policies, and myriad other influences. In this environment of almost constant change, keeping a publications library up to date is a major challenge. The initial issue of publications on an LOA for a system sale usually does not provide for automatic distribution of future changes or revisions.[7]

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4 DoD 7000.14-R, Vol. 15, para. 071602.C.

5 The implementing agency is the military department or other DoD organization assigned the responsibility to prepare, implement, and manage an FMS case. Although several different DoD agencies can act as IAs, the Army, Air Force, and Navy are the IAs for the vast majority of FMS cases.

6 Army Regulation 12-8: [Security Assistance] *Operations and Procedures* (AR 12-8), 21 December 1990, para. 12-6 (18 January 2005, http://www.apd.army.mil/pdffiles/r12_8.pdf); Department of the Army Pamphlet 25-33: *User's Guide for Army Publications and Forms* (DA PAM 25-33), 15 September 1996, para 8-3(1) (18 January 2005, http://www.apd.army.mil/pdffiles/p25_33.pdf).

7 LOAs for systems managed by the Navy Air Systems Command (NAVAIR) may be an exception to this rule. NAVAIR LOAs sometimes include automatic distribution services for publication changes and revisions for up to three years. To continue this service after that time, customers must request a Blanket Order publications case and request automatic distribution services as described later in this article. Navy Supply Publication 526: *Foreign Military Sales Customer Supply System Guide* (NAVSUP P526), 4th rev ed., change 3, 10 October 2003, para. 020412 (18 January 2005, http://www.navicp.navy.mil/of/5264th.pdf).

As with the rest of the FMS system, the U.S. military for the most part has not established separate procedures just to support FMS customers, that is, in most cases FMS customers must obtain publications support through the same procedures as U.S. military organizations. These procedures are spelled out in a companion article in this journal, Forrest E. Smith, "Article Title Here When Written", and so will not be laid out again here. Instead, this article will only highlight the points where the FMS process interfaces with the military publications system. Readers interested in more detail on how to fill out order forms, etc., may also refer to Chapter 8 of Department of the Army Pamphlet 25-33; Air Force Technical Order 00-5-19 and Section 8H of Air Force Manual *23-110*, Vol. IX; and paras. 020406 through 020413 of Navy Supply Publication 526.

Defined Order Cases

One method of obtaining additional publications or updating publications is through a defined order (DO) FMS case, which specifically lists each publication needed. Under a DO case, the customer receives only those publications called out on the LOA. If the customer decides to buy publications other than those listed or wants to change the quantity requested after the case is implemented, the LOA must be amended or a new case written. Furthermore, buying publications on a DO case does not provide for automatic distribution of future changes or revisions. Obviously, a DO case lacks flexibility, but this method is appropriate in some instances, such as when publications are needed only on a one-time basis. Customers can also use DO cases to obtain copies of publications pending implementation of a subscription for automatic distribution or as initial support for a commercial purchase. Additionally, the U.S. government will sell some types of publications only on DO cases, e.g., technical data packages (TDPs).[8] Note that DO cases for TDPs may include lines for "revisioning services" so that customers may keep TDPs up to date.[9]

Blanket Order Cases

The preferred method for follow-on publications support through FMS is a blanket order (BO) case, which does not list specific titles or quantities but rather establishes a dollar ceiling against which customers may place orders. A BO case normally is open as long as it has money. The most important difference with regard to publications between BO cases and DO or system cases is that BO cases allow for automatic distribution of future changes and revisions. There are two ways to obtain publications with a BO case:

- The resupply system; and
- The automatic distribution (AD) system, also called the initial distribution (ID) system.

The resupply system is a "pull" system, that is, the customer must order what he needs each time he needs it. Some categories of publications, such as those that are restricted or classified, are available only through the resupply system. For unclassified and unrestricted publications, customers should use resupply to replace lost, worn out, or damaged publications; to obtain publications needed on a one-time basis; to get additional copies of a publication; or to update publications on-hand pending implementation of an AD subscription.

Normally, customers ordering a publication will receive its most current version, including all changes and supplements. If a customer wants only a specific change, he must so specify when

8 DoD 5105.38-M: *Security Assistance Management Manual* (SAMM), paras. C5.4.3.1.1 and C5.4.3.2.2, October 2004, (18 January 2005, http://www.dsca.mil/SAMM/Chapter%205%20FMS%20Case%20Development%20change%2019_23.pdf).

9 The *Security Assistance Management Manual* (SAMM), para. C3.1.1.6. SAMM, para C3.1, discusses policies and procedures for sales of TDPs.

ordering. However, in some instances, this may not be an option. For example, changes to USAF technical orders (TOs) are normally only available for separate issue for 180 days after the publication date of the TO index announcing the change. Thereafter, the change is incorporated into the basic TO, so anyone needing it after that time must order, and pay for, the entire TO.[10] Note also that there may be little or no residual stockage of a publication after its initial distribution, and may not be available through resupply. Moreover, using the resupply system does not establish an account for automatic distribution of future changes and revisions unless the customer requests AD concurrent with the resupply requisition.

Unlike the "pull" resupply system, AD is a push system that sends unrestricted and unclassified publications, changes, and revisions to customers when they are published, in accordance with predetermined requirements. Under AD, once the customer has established his requirements, he does not need to order updates to listed publications. Changes and revisions are sent automatically as long as there is money on the applicable FMS case. AD is the best way to keep publications up-to-date.

Recall that AD is only for new releases. AD assumes that the publications on the customer's requirements list are current and will send publications, changes, and revisions issued from that point on. AD does not provide publications or changes in effect prior to the time the customer's subscription goes into effect. With this in mind, it is important to note that it can take up to three months from application to implementation for an AD subscription. Anyone wanting publications issued prior to the effective date of an AD account must order them using the resupply system, while concurrently asking that future changes be provided through AD. In other words, customers should use the resupply system to get up-to-date, and then use AD to stay up-to-date.

Customers must do at least two things if AD is to meet their needs:

- First, they must ensure that there is a BO case in place to fund procurement of publications and that there is no break in the availability of funds, either by adding money to an existing case or by implementing a new BO case before the current one expires. A break in funding will result in a lapse in publications support.
- Second, customers should review their AD account requirements at least semi-annually. At a minimum, during these reviews customers should:
  - Ensure that all required publications are listed;
  - Delete any publications that are no longer needed;
  - Verify that the required quantity listed for each publication is correct; and
  - Confirm that administrative data, such as delivery addresses and point of contact information, are correct. Note that it can take up to three months for AD updates to go into effect.

It is important to remember that BO publications cases are implementing agency (IA) specific. That is, if a customer needs publications from more than one IA, then he usually must establish a separate BO case with each. For instance, customers normally cannot order Air Force publications off of a Navy-managed case. Instead, they must establish one case with the Navy for Navy publications and another with the Air Force for Air Force publications. Customers may also have to establish separate AD accounts with different agencies within a single service.

Defense Logistics Information Service Publications

Many publications used by FMS customers are not tied to a specific weapon system. Among the most prominent are those managed by the Defense Logistics Information Service (DLIS), a field activity of the Defense Logistics Agency (DLA). The mission of DLIS is to support DoD, other federal agencies, and foreign customers by collecting, processing, storing, and

10 TO 00-5-19, para 9.9.3.

disseminating logistics data in the Federal Logistics Information System (FLIS). DLIS has developed several specialized logistics management products, most of which are available via FMS.[11]

DLIS products provide a wide array of logistics data for items in the U.S. supply system. The cornerstone publication from DLIS is *FED LOG*. It contains a wealth of logistics data cross-referenced by national stock number (NSN), part number, and a variety of other data. *FED LOG* is available in CD-ROM or DVD format and is updated monthly. It can be used to support a number of logistical efforts including:

- Engineering;
- Technical research;
- Provisioning;
- Procurement;
- Contracting;
- Supply;
- Cataloging;
- Maintenance;
- Storage;
- Distribution;
- Quality assurance;
- Transportation; and
- Disposal.[12]

Note the *FED LOG* is restricted For Official Use Only (FOUO) and is available only to NATO and NATO sponsored countries. In addition to a direct application to NATO for sponsorship, programs through which non-NATO countries can be granted access to *FED LOG* include the Pacific Area Cataloging System (PACS) sponsored by the U.S. Pacific Command, and the NATO AC/135 BASELOG, which was developed for countries in the Partnership for Peace.[13] Countries interested in obtaining NATO sponsorship and getting access to *FED LOG* should contact DLIS or their U.S. Security Assistance Organization (SAO) in country. Table 1 contains a sampling of some other DLIS products available through FMS.

Customers may procure DLIS products through FMS cases written by a U.S. military department or through cases written and managed directly by DLIS. Additionally, customers unfamiliar with how to use DLIS products can receive training at a DLIS/DLA facility, through DLIS mobile training teams, or via web-based and computer-based training modules. Formal DLIS courses include the one-week Logistics Information Fundamentals Course (LIFC) (MASL B151921) and the eight-week Logistics Information Management Course for International Logisticians (MASL B151924), also known as the National Codification Bureau (NCB) College.[14]

In-country Publications Management

Getting publications in country is only part of the battle to keep publications libraries current. Publications management requires constant attention. For any FMS publications program to work, the FMS customer must meet several responsibilities. In addition to establishing and

11 Brenda Eddy and Steven Arnett (Defense Logistics Information Service), "The NATO Codification System: A Bridge to Global Logistics Knowledge," *The DISAM Journal*, Fall 1998 (revised January 2001), p. 12 (6 January 2005, www.dlis.dla.mil/PDFs/nato.pdf).

12 NAVSUP P526, para. 110602.

13 Eddy and Arnett, pp 8-11.

14 Eddy and Arnett, pp. 11-12, and DLIS, "DLIS Training" (6 January 2005, http://www.dlis.dla.mil/training/default.asp).

maintaining FMS case funding and AD accounts as described above, customers must also establish viable systems in country to track and follow up requisitions, to record receipt and subsequent internal distribution of publications, and to conduct periodic inventories. This means that the customer must have people trained in publications management. U.S. teams can conduct this type of training in country through an FMS case if needed. Moreover, customers must ensure that delivery addresses in the Military Assistance Program Address Directory (MAPAD) are current and correct. Customers should also coordinate with their freight forwarders to ensure expeditious delivery of publications. Customers must safeguard official publications obtained from the U.S. commensurate with U.S. procedures. If the freight forwarder is not cleared to receive restricted or classified material, then the customer must provide an alternate delivery point for these publications, such as the office of the military attaché in the customer's embassy in the U.S. The customer must arrange to have publications translated if necessary. This can be done by U.S. firms through an FMS case or commercial agreement, though most often customers choose to do translations in country using internal government assets or local translation firms.

Table 1
Defense Logistics Information Service Publications

[Below is a sampling of DLIS products. They all come in CD-ROM format. For a complete list of DLIS products, see http://www.dlis.dla.mil/prod.asp. Also see NAVSUP P526, Sec. 1106.]

1. Management Data (MD) is a consolidated cumulative listing of National Stock Numbers that can be used to procure, requisition, store and issue items. Interchangeability and Substitutability (I&S) is a reference tool used to determine which NSNs may be exchanged for others listed in the FLIS database. Both documents are included on one CD-ROM, which is published quarterly.

2. Master Cross Reference Data (MCRD) contains all active and inactive NSNs cross-referenced with part numbers and Commercial and Government Entity (CAGE) data. It also provides replacement NSNs for canceled NSNs. MCRD is published quarterly.

3. H-series cataloging handbooks include Federal Supply Classification, DoD Ammunition Codes, CAGE Codes, Corporate Complex, and Federal Item Name Directory. All H-series catalogs are on one CD, which is published monthly.

4. The Defense Reutilization and Marketing Service (DRMS) Demilitarization Reference (DEMIL) can be used to determine if special restrictions apply for the demilitarization of military material scheduled for disposal. It is published bimonthly.

5. Medical Catalog (MEDCAT) provides detailed descriptive data and pricing information on approximately 60,000 medical and medical related items. It is published monthly.

Publications and the Internet

Computers and the internet have revolutionized the way the U.S. military manages publications. For example, the majority of common publications are now available in electronic format. Many are available only in electronic format and some are available only on the world wide web. If a publication is available online, then FMS customers usually must acquire it online rather than requisition a paper copy.[15]

This move to digitized publications has many benefits. Printing, mailing, and storage costs are dramatically reduced. Publications that are required but not immediately available can be accessed immediately, rather than waiting days or weeks for mail delivery. Revisions and changes are posted virtually instantaneously. The web has made a wealth of information available at the touch of a keyboard. Every publication used in researching this article was accessed through the

15 See for instance Air Force Manual 23-110: *U.S. Air Force Supply Manual* (AFMAN 23-110), Vol. IX, I January 2005, para 8.108.1.2.1 (18 January, http://www.e-publishing. Air Force.mil/pubfiles/ Air Force/23/afman23-110/afman23-110.pdf).

web. Particularly appealing for FMS customers is the fact that they can usually access publications through the web free of charge, though some DoD agencies do charge a subscription fee.[16]

Because the U.S. military has striven so hard to make information widely available on the web, international users can also access information not directly related to weapon systems they have procured or training they have received. For example, with a few clicks of a mouse, websurfers can find professional military reading lists provided by National Defense University (NDU), review the curriculum and syllabus for the Air Force's Air and Space Basic Course, learn what it takes to be a Recruit Division Commander for the Navy, or see current U.S. military pay rates.[17] Information for, from, and about the Department of Defense is abundant on the web, on an almost limitless array of topics.

Of course, the transition to digital publications comes with its own set of problems. Everyone who has used a computer has experienced the frustrations of a computer crash or lock-up. Paper manuals do not crash. Websites tend to vary widely in quality, content, and ease of use. Some sites have numerous links to other sites for example, the list of links at the Headquarters Central Command (HQ CENTCOM) website while others have but a few. Some sites are open, while others require a password for entry. Some sites offer access from any computer while others are accessible only from computers using the .mil or .gov internet domains.[18] Even if a site is purported to offer open access, it may not be accessible to users outside of the U.S. because of firewalls installed to fend off hackers from overseas. Websites undergo constant maintenance and upgrades, so what is available and accessible today may not be tomorrow. Electronic publications and the internet have significantly improved the way the U.S. military does business by making much more information available to many more people much faster.

Because of the constant upgrades and other changes websites undergo, any list of web addresses is bound to be perishable. Therefore, the list found in Table 2 is intended to be but a small sampling of the hundreds of websites that pertain to military publications and related matters, to give readers an idea of the kinds of resources that are available.[19] If it proves difficult to access a publication from one site, it is often possible to access it through another. For example, I initially had trouble accessing NAVSUP P526 through the Navy Logistics Library website, but had no problem at all linking to it from the website for the Navy Inventory Control Point Deputy Commander for International Programs (NAVICP-OF).

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16 Subscription fees may become more common in the future as DoD agencies explore options for sharing costs associated with the World Wide Web, such as website hosting and maintenance fees, domain registration fees, search engine registration fees, and website building and data conversion costs. See Lester B. Person and Terrance L. Thomas, *Foreign Military Sales Pricing Principles for Electronic Technical Manuals* (MBA Professional Report) (Monterey, California: Navy Postgraduate School, June 2004), especially pp. 23-24 (18 January, http://library.nps.navy.mil/Archimages/6356.pdf); and Joseph Hill (Naval Air Technical Data and Engineering Service Command (NATEC)), "Technical Data Support for Foreign Military Sales Naval Air Systems Command Customers," *The DISAM Journal*, Summer 2000, p. 18 (18 January 2005, http://www.disam.dsca.mil/pubs/INDEXES/journals/Journal_Index/v.22_4/Hill.qxd-.pdf).

17 http://www.ndu.edu/info/ReadingList.cfm, http://asbc.maxwell.Air_Force.mil/curriculum.htm, http://www.nsgreatlakes.navy.mil/rtcrdc.html, and http://www.dfas.mil/money/milpay/pay, respectively (29 December 2004).

18 http://www.centcom.mil (29 December 2004).

19 For an excellent comprehensive, if somewhat dated, list of useful websites, see Major Joanne B. Hawkins and Charles E. Collins, Jr., "Useful World Wide Web Sites," *The DISAM Journal*, Spring 1998, pp. 103-111. (Cited in *The DISAM Journal* index on the DISAM website, 18 January 2005, http://www.disam.dsca.mil/pubs/INDEXES/f-h.htm#H.)

Table 2
Useful Websites for Publications

There is an abundance of information on the World Wide Web. The websites listed below are but a small sampling of what is available. Most sites have several links to other sites. However, since the web is constantly changing, some of the information in this table may be out of date by the time this article goes to press. Not all sites are accessible from all computers.

DoD and Military Department Sites (general)

- DoD, http://www.defenselink.mil
- Army, http://www.army.mil
- Air Force, http://www. Air Force.mil
- Navy, http://www.navy.mil
- Marines, http://www.usmc.mil
- Coast Guard, http://www.uscg.mil/U.S.CG.shtm

Selected DoD and Military Department Publication Sites

- Defense Logistics Agency Publishing System, http://www.dla.mil/dlaps
- Defense Logistics Information Service, http://www.dlis.dla.mil
- Defense Technical Information Center, http://www.dtic.mil
- Army Publishing Directorate, http://www.usapa.army.mil
- Army Materiel Command Logistics Support Activity, https://www.logsa.army.mil
- Army Digital Training Library, http://www.adtdl.army.mil
- Army Training Support Center, http://www.atsc.army.mil
- Army Medical Department, http://www.armymedicine.army.mil
- Air Force e-Publishing, http://www.e-publishing. Air Force.mil
- Air Force Technical Order Catalog, https://www.toindex-s.wpafb. Air Force.mil
- Air Force Materiel Command Publications, https://www.afmc-mil.wpafb. Air Force.mil/pdl
- Navy Logistics Library, http://www.nll.navsup.navy.mil
- Navy Electronic Directives System, http://neds.daps.dla.mil
- Marine Corps Publications, http://www.usmc.mil/marinelink/ind.nsf/publications
- Coast Guard Directive System, http://www.uscg.mil/ccs/cit/cim/directives/welcome.htm

Selected Agencies Related to Security Assistance

- Defense Security Cooperation Agency, www.dsca.mil
- Defense Institute of Security Assistance Management, www.disam.dsca.mil
- Defense Logistics Agency, http://www.dla.mil
- Army Security Assistance Command, http://www.usasac.army.mil
- Air Force Security Assistance Center, https://afsac.wpafb. Air Force.mil
- Navy International Programs Office, https://www.nipo.navy.mil
- Navy Inventory Control Point Deputy Commander for International Programs (NAVICP-OF), http://www.navicp.navy.mil/of

Selected Combatant Commands

- Central Command, http://www.centcom.mil
- European Command, http://www.eucom.mil
- Joint Forces Command, http://www.jfcom.mil
- Northern Command, http://www.northcom.mil
- Pacific Command, http://www.pacom.mil/
- Southern Command, http://www.southcom.mil

Service Public Relations Magazines (especially good for annual almanacs)

- Soldiers, http://www.army.mil/soldiers
- All Hands, http://www.news.navy.mil/allhands
- Airman, http://www.Air Force.mil/news/airman
- Marines, http://www.marines.mil/magazine

Selected Professional Journals

- Joint Force Quarterly (published by the Institute for National Strategic Studies, National Defense University), http://www.dtic.mil/doctrine/jel/jfq_pubs
- The DISAM Journal, http://www.disam.dsca.mil/pubs/yearjournal.htm.

Table 2 (Continued)
Useful Websites for Publications

- Parameters (journal of U.S. Army War College), http://carlisle-www.army.mil/usawc/Parameters
- Military Review (journal of U.S. Army Command and General Staff College), http://www.leavenworth.army.mil/milrev/
- Air and Space Power Journal (formerly Air University Review), http://www.airpower.maxwell.AirForce.mil/airchronicles/apje.html
- Naval War College Review, http://www.nwc.navy.mil/press/Review/aboutNWCR.htm

Selected Commercial Publications

- R.U.S.I Journal (published by the Royal United Service Institute for Defence and Security Studies (UK)), http://www.rusi.org/publications/journal
- Proceedings (published by the U.S. Naval Institute), http://www.usni.org/Proceedings/proceedings.html
- Jane's products and publications, http://www.janes.com
- Gateway to Army Times, Air Force Times, Navy Times, and Marine Times, http://www.militarycity.com.

Publications Not Available Through Foreign Military Sales

Not every publication available to an FMS customer can be purchased through FMS. For example, many publications, including some military manuals, are available through the U.S. Government Printing Office and the National Technical Information Service.[20] Customers wishing to procure publications from these agencies must buy from them directly. Similarly, commercial publications, though often filled with useful information, may not be purchased via FMS. This includes not only books, encyclopedias, and catalogs, but also newspapers, scholarly journals, and magazines, whether as a one-time purchase or by subscription. Additionally, FMS may not be used to purchase professional journals, even though they may be published by U.S. military organizations. Instead, customers must buy these publications directly from the publishing organization. Many commercial and military publications are also available on the web. A small sampling of these websites is included in Table 2.

Interim Technical Orders - Safety of Flight Messages

The U.S. military normally does not use the publications system to distribute interim technical orders, safety of flight messages, and other time-sensitive changes. Instead, these documents are usually sent to the SAO or other U.S. representative in country in electronic message format for further distribution. This is an automatic "push" process. If an FMS country is on record as possessing a particular weapon system, then the SAO in that country should be on the automatic distribution list for any of these types of messages that apply to that system. FMS customers cannot order back copies of these messages but rather must get them from the SAO. If the SAO does not have them on file, the SAO must contact the responsible U.S. military department for assistance.

Federal and Military Specifications and Standards

U.S. federal and military specifications and standards are not available through the FMS system.[21] Instead, customers must purchase these documents directly from the Department of

20 http://bookstore.gpo.gov and http://www.ntis.gov, respectively.

21 Specifications are written descriptions, drawings, photographs, or other documents that lay out technical requirements for equipment, items, and services. Detailed specifications ensure that goods and services being procured will meet the requirements for which they are intended. Standards are guidelines that designate levels of economy and quality in the production of materiel and equipment. They are used in conjunction with specifications. Standards may require common or "standardized" materials to be used in production, specify testing and other quality assurance procedures, or provide engineering information and technical characteristics. See NAVSUP P526, Sec 1105.

Defense Single Stock Point (DODSSP). Customers can also sign up for automatic distribution of changes and revisions to specifications and standards through a subscription service.

The Department of Defense Index of Specifications and Standards (DODISS) is an invaluable reference tool for anyone interested in identifying specific standardization documents available for purchase. It provides a comprehensive index of federal and military specifications and standards, guide specifications, military handbooks and bulletins, and other related standardization documents used by the DoD. Customers can purchase single issues of the DODISS or subscribe to receive future editions automatically. DODSSP issues complete revisions of the DODISS every other month, both online and on CD-ROM, and issues updates online every two weeks. Customers desiring paper copies of the DODISS, whether single issues or by subscription, can order them through the U.S. Government Printing Office (U.S.GPO).[22]

Expedient Methods of Obtaining Publications

There are some expedient methods FMS customers can use to supplement or augment publication libraries. It is important to note that none of them is a viable alternative to procuring publications through the FMS process outlined above, and of course none of them provides for automatic issue of updates and revisions.

One supplemental source of publications often overlooked by FMS customers is retainable instructional material (RIM) sent to every international student who attends a U.S. military school. RIM consists of manuals and other references the student used during his training. The schoolhouse sends the RIM to the SAO in country for delivery to the student when he returns home. Schoolhouses will ship up to 200 pounds of materials as RIM for courses that the U.S. military departments consider profession military education (PME) e.g., command and staff colleges and senior service colleges, and up to fifty pounds for all other courses.[23] RIM and the costs of shipping it to the SAO are included in the tuition for international students for all formal courses, so even though the SAO delivers the RIM to the student, it has been paid for by his sponsoring service. One can make the argument that since the sponsoring service paid for the RIM when it paid the tuition, the RIM actually belongs to the service, not to the student, and that the service may therefore appropriate the RIM for its publications library.

Occasionally, U.S. government representatives, such as Program Managers (PM), Program Executive Officers (PEO), or SAOs also may be able to provide copies of publications on a one-time basis, but this method of obtaining publications must be used sparingly and with caution. U.S. representatives must ensure that they transfer nothing that has not been approved for release to the recipient country. A PM should think twice before hand-carrying an extra copy of a manual from his office to give to his customer counterpart at a program management review (PMR). Similarly, the SAO should not give the customer publications obtained through the SAO's publications account. Transferring restricted publications or publications not otherwise approved for release to the customer can have serious repercussions. For example, release of *FED LOG* to unauthorized recipients can result in a heavy fine and imprisonment.[24] Therefore, when a customer asks the SAO, PEO, or PM for help with publications, the best response is usually to show the customer how to obtain his publications via FMS.

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22 Department of Defense Single Stock Point, "DODSSP Products," (6 January 2005, http://dodssp.daps.dla.mil/products.htm). The U.S.GPO Online Bookstore is at http://bookstore.gpo.gov. Subscribe for paper copies of the DODISS at http://bookstore.gpo.gov/subscriptions.

23 The Defense Language Institute English Language Center (DLIELC) will also send up to 100 pounds of material as RIM for students who attend its English language instructor course. Army Regulation 12-15/Secretary of the Navy Instruction 4950.4A/Air Force Instruction 16-105 (AR 12-15/SECNAVINST 4950.4A/AFI 16-105): Joint Security Assistance Training (JSAT), 5 June 2000, pp. 72-74, 18 January 2005, http://www.apd.army.mil/pdffiles/r12_15.pdf.

24 TO 00-5-19, para. 9-10; DLIS, "FED LOG Information Center Subscription" 18 January 2005, http://www.dlis.dla.mil/Fedlog/Subscription.

About the Author

Bob Van Horn has been an instructor at the Defense Institute of Security Assistance Management since August 2004. He served in the U.S. Army from 1973-1994 as an Armor Officer and a Foreign Area Officer (China). While in the Army, his security assistance tours included Chief, Army programs, Office of the Defense Representative, U.S. Embassy, Islamabad. Pakistan, and Chief, Performance Evaluation Group, Logistics and Security Assistance Directorate (J44), Headquarters, U.S. Pacific Command, Camp Smith, Hawaii. After retiring from the military service in 1994, he worked for a short time as the Director, Trade Development, Kansas Department of Commerce and Housing in Topeka, Kansas. In July 1997, he joined the security assistance office in the American Institute in Taiwan (AIT), located in Taipei, Taiwan, where he served till July 2004. He academic degrees include an MBA from the University of Kansas, a Master's Degree in Political Science from the University of Arizona, and a BS in Economics from Iowa State University.

The New Guide to Security Assistance Publications

By
Forrest "Ed" Smith
Defense Institute of Security Assistance Management Instructor

Introduction

From the late 1980's until 1999, the Defense Institute of Security Assistance Management (DISAM) provided the foreign military sales (FMS) customer with a *Guide to Security Assistance Publications*. The guide began as a special pamphlet and was eventually incorporated into the DISAM textbook, *The Management of Security Assistance*. The information remained a part of this textbook until 1999 when space constraints within the textbook necessitated its removal. However, due to the numerous new customers which have joined the FMS community since 2001, we feel it is once again needed to help them understand the correct method to order publications. This article contains an updated version of the original materials.

In the past, many aspects of providing publication support to the FMS program, was reliant upon using pre-existing military departments (MILDEP) and Department of Defense (DoD) systems with modifications adapted for the FMS customer. The general policy was that FMS publication requests would be filled as fully and quickly as possible using the procedures, administrative capabilities, and release policies that existed at the time. Today, with the development of new more efficient systems, much consideration is being made during program development and implementation to include specific processes to meet the unique needs of the FMS customer. Whether the supporting system is new or old, the FMS customer must commit themselves to understanding the purpose of the system and learning how to use it to best meet their needs.

The purpose of this guide is to help FMS customers and security assistance officers (SAOs) understand the procedures used by the United States Navy, Army, Air Force, and other DoD organizations to fill requests for publications and determine the publication prices. One final consideration is the recent proliferation of internet and compact disk (CD) based publications. All the implementing agencies are now using this technology. In fact, many Navy, Air Force, Army, and Defense Logistics Agency (DLA) publications are available only on the internet or CDs.

It is the customer's responsibility to understand and use the systems already in place. The purpose of this guide is to help both SAOs and customers estimate the costs and understand the procedures used by the United States Navy, Army, Air Force, and other DoD organizations to fill requests for publications, and determine the publication prices. One final consideration is the recent proliferation internet and compact disk (CD) based publications. All the implementing agencies are now using this technology. In fact, many Navy, Air Force, Army, and DLA publications are available only on the internet or CDs.

Publication References

To be able to understand and initiate requisitions for DoD publications, the customer country should have access to the various publications listed throughout this article. These publications are the authors' recommendations. A summary of all the publications mentioned herein are listed in Table 1.

Publications on the Internet

The growth of the internet access has given the FMS customer a new source to get publications. The previous article "Publications and Foreign Military Sales" by Robert Van Horn, on page 137 in this *Journal*, contain a list of links to sources of information such as commercial and military newspapers, magazines, databases, libraries, and other related sites. Publications

that had to be ordered through the MILDEPs and other government agencies in the past are now available for free on the internet. An excellent starting point would be the LogTool website at http://logtool.net/.

Table 1
Internet Sources of Useful Publications for Your Foreign Military Sales Library

Publication	Title	Internet Sources
DoD 4000.25-1-M	Military Standard Requisitioning and Issue Procedures (MILSTRIP)	http://www.dla.mil/j6/dlmso/eLibrary/Manuals/dlmso_pubs.asp
DoD 4120.24-M DoD 4120.3	Defense Standardization Program (DSP) Policies and Procedures DoD Index of Specification (DoDISS)	http://dodssp.daps.dla.mil/
DoD 5105.38-M	Security Assistance Management Manual (SAMM)	http://www.dsca.mil/samm/
DoD 7000.14-R, Vol 15 DLAI 4140.55	DoD Financial Management Regulation, Volume 15 Reporting Supply Discrepancies	http://www.dod.mil/comptroller/fmr/15/index.html http://www.dla.mil/j-6/dlmso/eLibrary/Manuals/SDR/
AFMAN 16-101 AFMAN 23-110, Vol 9	International Affairs And Security Assistance Management USAF Supply Manual: Security Assistance Program Procedures	http://www.e-publishing. Air Force.mil/
T.O. 00-5-17	USAF Computer Program Identification Numbering (CPIN) System	https://www.toindex-s.wpafb. Air Force.mil/ http://137.240.249.5/tild/to/00517.pdf
T.O. 00-5-19	Security Assistance Technical Order Program	https://www.toindex-s.wpafb. Air Force.mil/ http://137.240.249.5/tild/to/00519.pdf
AR 12-8 AR 725-50 DA PAM 25-30 DA PAM 25-33	Security Assistance: Operations and Procedures Requisitioning, Receipt, and Issue System Consolidated Index of Army Publications and Blank Forms User's Guide for Army Publications and Forms	http://www.usapa.army.mil/
NAVSUP PUB 526 (UNDER REVISION) NAVAIR TM 00-25-100	Foreign Military Sales Customer Supply System Guide Program Naval Air Systems Command Technical Manual	http://www.nll.navsup.navy.mil/

Initial Support and Follow-on Support

Under the Total Logistics Support concept, publications shown in Figure 1 are an integral part of the support package for major weapons systems. Each major system sale includes those publications required to maintain the system. Technical publications are crucial items in the FMS program. They often provide the only operating and maintenance instructions for the equipment purchased by FMS customers. Without the proper publications, equipment may be misused or improperly maintained.

Nevertheless, it is up to the customer to ensure that such publications are kept current. Lack of up-to-date publications can keep a weapon system inoperative. Publications are just as important as training, spares, and support equipment to ensure that the system will perform as required. Follow-on cases for publications are a must. To aid in this effort, each of the MILDEPs

has developed procedures for automatic distribution which the customer can use to ensure their publications are kept up-to-date.

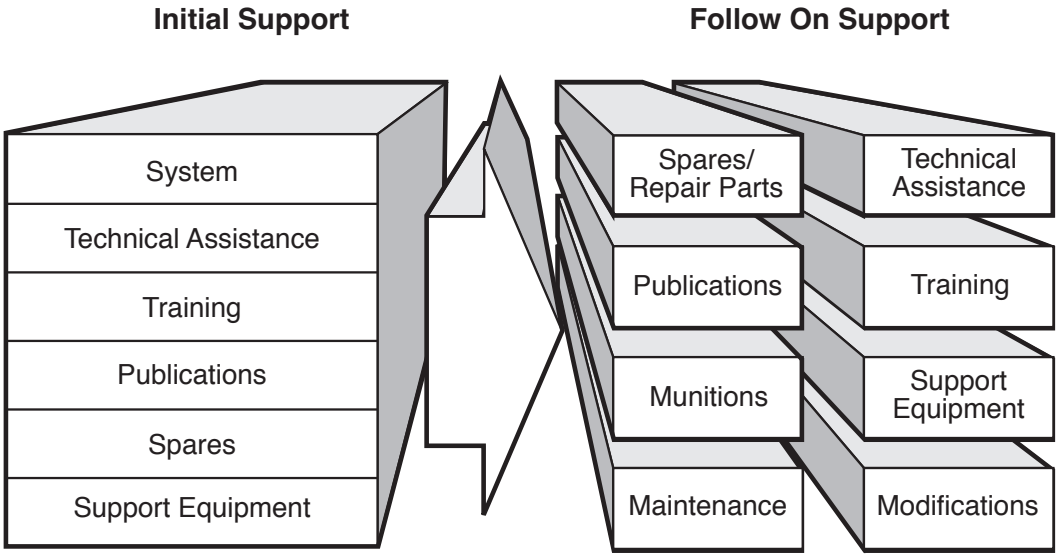


Figure 1 Total Package Approach-Logistics Support

At this point, it should be mentioned that the exact handling of publications by the freight forwarder depends upon the contract between the FMS customer and the freight forwarder. Some special services which might reduce problems include the adding of unique markings on the packages and the use of faster modes of delivery.

Types of Cases/Categories of Publications

The customer has a choice of two types of FMS cases for ordering publications, either a blanket order or a defined order case. The blanket order is the preferred type of case to use. It makes administration of the case much simpler and permits the more rapid filling of customer requests. If the customer desires to participate in the automatic distribution program, a blanket order case is mandatory. The blanket order case can be used to order publications in the following categories:

- Standard Forms and Publications;
- Films;
- Stocklists;
- Cataloging Documents;
- Tables of Allowance;
- Decalcomania and Technical Orders;
- Manuals; and
- Computer Program Identification Numbers (CPINs).

A customer might wish to order publications using a defined order case. In fact, certain categories of publications can only be ordered using a defined order case. Publication categories falling under this restriction include:

- Defense Language Institute Publications; and
- Professional Military Education Correspondence Courses.

MILDEP procedures may vary as to the type of cases used.

In addition to the above types of publications, each service has placed restrictions on other publications. More specific guidance on the ordering of publications is found in the following:

- For the Navy NAVSUP 526; *Foreign Military Sales Customer Supply System Guide* [Note: Under revision at time of this publication].
- For the Army in DA PAM 25-33, *User's Guide for Army Publications and Forms*; and
- For the Air Force in AFMAN 23-110 Volume 9, *USAF Supply Manual: Security Assistance Program Procedures*.

Each of the MILDEPs has its own unique system for requisitioning publications. These will be discussed separately in the following sections.

Accessing Publications Not Available via the Internet

The following lists ways for FMS customers to submit requisitions for publications:

- The Defense Data Network (DDN);
- The International Logistics Communication System (ILCS);
- The Supply Tracking and Reparable Return/Personal Computer (STARR/PC) system, one of the unique web-based programs AFSAC On-Line, Navy eBusiness Suite is illustrated in Figure 2;
- The Security Cooperation Information Portal (SCIP); and
- The Defense Security Cooperation Agency (DSCA), messages, facsimiles, E-mail, or the telephone.

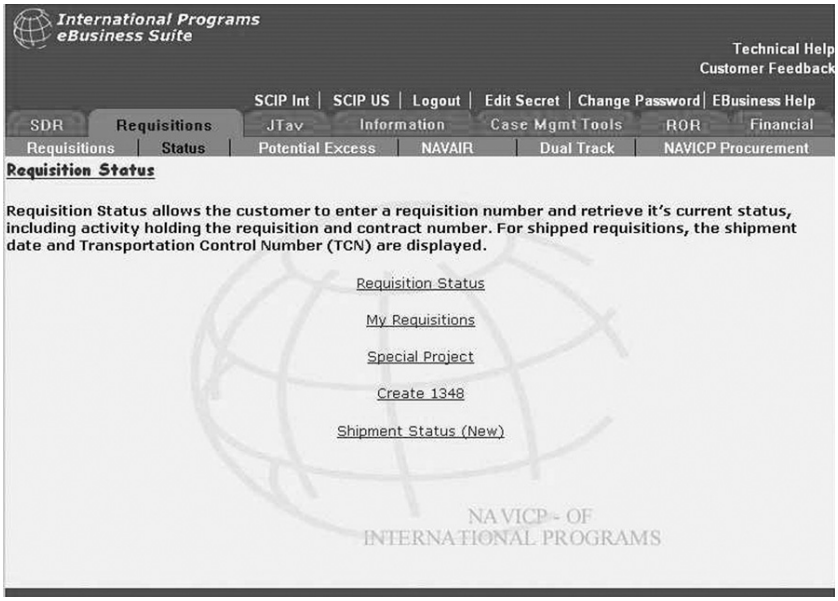


Figure 2 Navy eBusiness Suite Requisition Screen

Navy Publications

The Naval Logistics Library (NLL) is a web-based application that provides a broad range of information about Navy publications and directives. It is the central link in the Navy publications supply chain. For FMS Customers, the NLL is most valuable as a research tool for obtaining publication stock number information. Its most significant feature is the P2003 Index, which contains a catalogue of publications for performing research beneficial to maintaining a publications library. The NLL also contains an order status module that allows query capability for individual requisitions as well as an expanded search capability for requisitions placed within the last twenty-four month period.

The NLL requires a valid userid and password. Applications for access to the NLL are processed via the NAVICP-OF eBusiness Suite and therefore, an eBusiness Suite userid is required. To apply for a userid and password or to access the NLL go to the following website: http://nll.navsup.navy.mil/ and follow the instructions for registering as an FMS customer.

To obtain a basic publication and all of its changes, an individual MILSTRIP must be submitted for the basic publication and each change. Some basic Naval Air Systems Command (NAVAIR) publications do contain all the changes and require only one MILSTRIP requisition to receive the entire publication. These publications are identified in the title field of the NLL as a "P/U" revision. Requesting distribution of publications sponsored by NAVAIR involves unique procedures. The instructions are found in NAVAIR TM 00-25-100, *Naval Air Systems Command Technical Manual Program*.

Requisitions should be submitted electronically via the NAVICP-OF eBusiness Suite, STARR-PC, ILCS, DDN or SCIP. If electronic submission is not possible, contact the NAVICP FMS Operations Directorate for assistance. The Document Identifier should be A04 and the publication stock number should contain "LP" or "LD" in positions 5 and 6 of the stock number field. This will identify the MILSTRIP transaction as a request for a publication or a directive. The MILSTRIP transaction will be processed and recorded in the *Management Information System, International Logistics* (MISIL) first, and will be electronically sent to the NLL for further validation and processing.

Most requests for publications require release approval by the publication sponsoring activity or agent. The sponsor approval process is transparent to the customer. The requisition will remain in BD status until the sponsor approves release of the publication to the customer. There are instances when the publication release determination process could be lengthy. This usually occurs with initial (first time) issues because the publication must be sent to the sponsor's security office and/or logistics manager to verify things such as configuration. Sponsor release determination could take up to 120 days. If release is denied, the requisition will be rejected and cancellation status code D8 or BQ will be applied. Figure 3 depicts the simplified flow of documentation requests for publications.

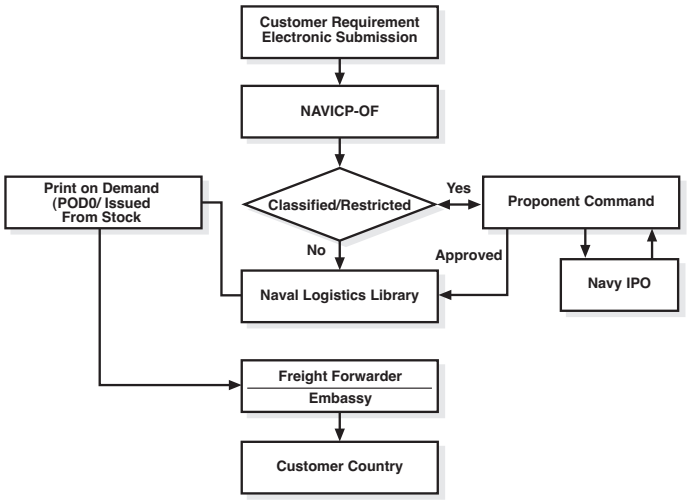


Figure 3 Navy Publications Flowchart

Status will be provided for each individual requisition number. If a particular change is not received with a basic publication, the customer should review the status documents. It is possible to receive back ordered (BB) status on one or more changes and still receive the basic publication and all other changes.

Many publications are sponsored by Naval Air Systems Command (NAVAIR). An initial distribution of a NAVAIR publication is sometimes provided as part of a new FMS case for NAVAIR material. When this happens, NAVAIR initiates automatic distribution services for changes to that publication for the customer. These services will normally continue for a period of one to three years. The period covered depends on the conditions stated on the LOA. These cases are usually blanket order, Direct Requisitioning Procedure (DRP) cases managed by NAVICP.

During the follow-on support phase, customers can initiate automatic distribution services for changes to NAVAIR sponsored publications, or change the existing service. They must send a request to the NAVICP-OF Integrated Country Program Manager. It is very important that the customer advise NAVICP-OF of any changes to automatic distribution requirements. This includes changes to shipping addresses, quantities, and changes to shipping instructions.

The Automatic Distribution requirements are handled as "push" requisitions. Usually, the requisition serial number will be in the 9000 series. When a requirement is initiated, the requisition will be established on MISIL with a document identifier "X04" and the stock number will contain "LZ" in positions 5 and 6 of the stock number field. The "LZ" further identifies these requisitions as automatic distribution. Therefore, the customer may wish to convert these stock numbers to reflect "LP" in positions 5 and 6 of the stock number field for more accurate library management. When the requisition is shipped, a document identifier "AS3" MILSTRIP transaction will be provided.

For customers who do not have full time, reliable access to the internet, unclassified SECNAV and OPNAV Directives are available on CD from the Document Automation and Production Service (DAPS). These CDs are produced in five-disk sets every quarter January, April, July, and October.

The Points of Contact for Navy publications as of March 1, 2005 are:

- For Naval Logistics Library (NLL) related questions: Contact the NLL help desk via email, nllhelpdesk@navy.mil, or telephone, (215) 697-2626 or toll free (866) 317-3130.
- For Policy related questions: Contact the NAVICP FMS Policy and Systems Division, Code 761, 700 Robbins Avenue, Philadelphia, Pennsylvania 19111-5098. Telephone: DSN 442-6445 or Commercial (215) 697-6445.
- For FMS Case related questions: Contact the NAVICP FMS Operations Directorate, Code 75, 700 Robbins Avenue, Philadelphia, Pennsylvania 19111-5098. Telephone DSN 442-4654 or Commercial: (215) 697-4654

Army Publications

Publications requisitioning from the Army is accomplished under a combination of MILSTRIP and non-MILSTRIP requisition processes because the U.S. Army Publishing Agency (USAPA) does not have an automated internal supply system capable of accepting MILSTRIP requisition actions. USASAC and USAPA, working together have established various automated and manual processes to build a bridge between a MILSTRIP and a non-MILSTRIP system. Requisitions for publications can be submitted electronically by the customer via DDN, ILCS, STARR/PC2 or the SCIP using the "BMB" format. If electronic means are not available, then the customer can use messages, facsimiles, and E-mail. USASAC records all publication orders in the Centralized Integrated System for International Logistics (CISIL) so that the customer always has visibility of the requests. See Army Regulation 725-50, Requisitioning, Receipt, and Issue System, for more details. The Army FMS publication system is depicted in Figure 4.

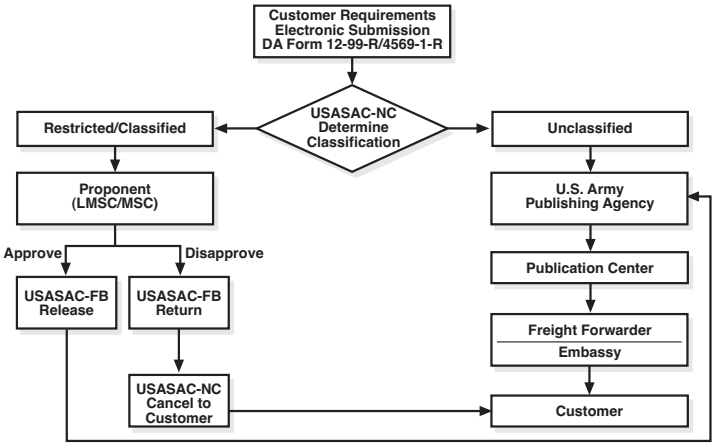


Figure 4 Army Publications Flowchart

To understand the system the customer needs to comprehend two terms used to describe the methods of distribution:

- Resupply copy system; and;
- Initial distribution.

The resupply copy system is used to order specific publications on a one-time basis, to replace lost or damaged publications, or to update basic publications. No automatic distribution is authorized under this method. Under resupply, requisitions for restricted and classified publications, and requisitions for unclassified publications must be submitted on separate DA Form 4569-1-R, *Security Assistance Publication Requisition Code Sheet*, see Figure 5 on page 155. Customers should ensure that the proper spacing, dashes, and slashes are used in the publication number. If these are omitted, the request will be rejected for corrections and processing will be delayed.

The initial distribution method is used to keep publications current, since the customer will receive automatic shipment without requisitioning of all newly printed changes, revisions, and reprints. However, only unclassified and unrestricted publications are eligible for initial distribution.

The DA Form 12-99-R, *Initial Distribution Requirements for Publications* is used to establish initial distribution, Figure 6 on page 156. The initial distribution customer will receive only those changes, revisions, etc., from the time that initial distribution is established forward. It is assumed that the customer has the basic publication and changes up to this point.

As of February 1, 2005, all FMS customers requiring advice and assistance on publications problems should contact:

Commander, U.S. Army Security Assistance Command
ATTN: AMSAC-OL/C
3rd Street & M Avenue
New Cumberland, Pennsylvania 17070-5096
Telephone DSN 977-8286, or Commercial (717) 770-8286.

Air Force Publications

The Air Force guidance for ordering publications/forms can be found in AFMAN 23-110, Volume 9, *USAF Supply Manual*: *Security Assistance Program Procedures*, T.O. 00-5-17, USAF *Computer Program Identification Numbering System*, and T.O. 00-5-19, *Security Assistance Technical Order Program*. The Air Force uses a combination of MILSTRIP and non-MILSTRIP procedures. Figure 7 is a simplified publications and forms request flow for the Air Force. Once the customer has determined the actual type of publications and form needed, one of several forms must be completed.

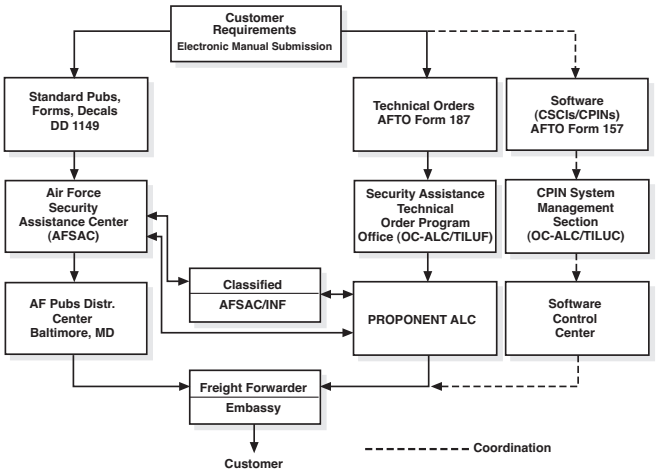


Figure 7. Air Force Publications Flowchart

For standard publications, forms, and decals the customer needs to first check the Air Force Publications Distribution Center (AFPDC) Baltimore, Maryland website: https://afpubs.hq. Air Force.mil to see if the document is downloadable.

SECURITY ASSISTANCE PUBLICATION REQUISTION CODE SHEET

For use of this form, see DA PAM 25-33; the proponent agency is ODISC4

1. PUBLICATION ACCOUNT NUMBER	2. COUNTRY/CASE DESIGNATOR	3. REQUISITION DATE	4.
N0410	BANDARIA BN-B-TBA	050111	PAGE 1 OF 1

5. TO	6. FROM (Include nine-digit ZIP Code)	7. SHIP TO ADDRESS (Include nine-digit ZIP Code or APO Number)
COMMANDER U.S.ARMY SECURITY ASSISTANCE COMMAND ATTN: AMSAC-(APPROPRIATE CCM) 3RD ST & M AVE NEW CUMBERLAND PA 17070-5096	GOVERNMENT OF BANDARIA 1234 MASSACHUSETTS AVE NW WASHINGTON DC 29999-0000	BANDARIAN FREIGHT FORWARDING CORP USA WAREHOUSE DOCKS BALTIMORE MD 21224-0319

		DOCUMENT NUMBER: REQUISITIONER (1–6)	DATE (7–10)	SERIAL (11–14)	PUBLICATION OR FORM NUMBER (15–42)	CHANGES REQ (43–45)	UNIT OF ISSUE (UI) (46–50)	QUANTITY REQUIRED (51–55)
1	B	BNL53	5Ø11	ØØØ1	TM 9-11ØØ	ØØØ	EA	1Ø
2	B			2	TM 5-389S-273-2ØP	ØØØ		2
3	B			3	TM 11-6625-25Ø3-1Ø	ØØØ		3
4	B			4	TM 11-6625-25Ø3-1Ø	ØØ1		3
5	B			5	TM 11-6625-25Ø3-1Ø	ØØ2		3
6	B							
7	B							
8	B							
9	B							
10	B							
11	B							
12	B							
13	B							
14	B							
15	B							
16	B							
17	B							
18	B							
19	B							
20	B							

8. REMARKS

9. SIGNATURE

DA FORM 4569-1-R, APR 96 PREVIOUS EDITIONS ARE OBSOLETE

Figure 5. DA Form 4569-1-R - Security Assistance Publication Requisition Code Sheet

INITIAL DISTRIBUTION REQUIREMENTS FOR PUBLICATIONS

For use of this form see DA PAM 25-33; the proponent agency is ODISC4

1. DATE
10 JAN 05

2. ACCOUNT NUMBER
N0410

3. FROM *(Include 9-Digit Zip Code)*
GOVT OF BANDARIA
1234 MASSACHUSETTS AVE NW
WASHINGTON DC 29999-0000

4. THRU *(Include 9-Digit Zip Code)*
COMMANDER
USASAC
ATTN: AMSAC (APP CCM)
3RD ST & M AVE
NEW CUMBERLAND PA 17070-5096

5. TO *(Include 9-Digit Zip Code)*
USA PUBLICATIONS AND
PRINTING COMMAND

PUBLICATION ID NUMBER	QUANTITY REQUIRED	PUBLICATION ID NUMBER	QUANTITY REQUIRED	PUBLICATION ID NUMBER	QUANTITY REQUIRED
310144	NONE				
310200	3				
400200	17				

DA FORM 12-99-R, APR 96 PREVIOUS EDITIONS ARE OBSOLETE USAPPC V1.00

Figure 6. DA Form 12-99-R - Initial Distribution Requirements for Publications

If the document is not accessible via the website, the customer must fill out a DD From 1149, *Requisition and Invoice/Shipping Document* which includes a 14-digit country MILSTRIP document number, and submit the form to AFSAC. Details on filling in the DD Form 1149 are available in AFMAN 23-110, Chapter 8, Attachments 8H1 and 8H2. If automatic distribution is required the DD Form 1149 must be annotated, Request of Automatic Distribution. Automatic distribution of decals is not authorized.

SHIPPING CONTAINER TALLY → 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

REQUISITION AND INVOICE/SHIPPING DOCUMENT

Form Approved OMB No. 0704-0246 Expires Feb 28, 2006

The public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0246). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE ADDRESS IN ITEM 2.

1. FROM: (Include ZIP Code)
US Embassy Bandaria; DAO; Lt Col Jones
Unit 99, Box Bandaria
APO AE 99999

SHEET NO. | NO. OF SHEETS | 5. REQUISITION DATE | 6. REQUISITION NUMBER: DBNO 03349001

7. DATE MATERIAL REQUIRED (YYYYMMDD): 20050420 | 8. PRIORITY

2. TO: (Include ZIP Code)
US Embassy, Herat, Defense Attache Office
Dept of State
Washington DC 20501-2199

9. AUTHORITY OR PURPOSE: AFR 400-23

10. SIGNATURE | 11a. VOUCHER NUMBER & DATE (YYYYMMDD) | b.

3. SHIP TO - MARK FOR
DAO (Lt Col Jones)
English Language Materials
Tel: +999 9 555 99 90
Fax: +999 9 555 99 91

12. DATE SHIPPED (YYYYMMDD) | 13. MODE OF SHIPMENT | 14. BILL OF LADING NUMBER | 15. AIR MOVEMENT DESIGNATOR OR PORT REFERENCE NO.

4. APPROPRIATIONS DATA: FMS Funding (Case BN-D-TAA) | AMOUNT

ITEM NO. (a)	FEDERAL STOCK NUMBER, DESCRIPTION, AND CODING OF MATERIEL AND/OR SERVICES (b)	UNIT OF ISSUE (c)	QUANTITY REQUESTED (d)	SUPPLY ACTION (e)	TYPE CONTAINER (f)	CONTAINER NOS. (g)	UNIT PRICE (h)	TOTAL COST (i)
1	ALC General English Inten Mat Book 17, Student Text	ea	5				7.00	35.00
2	ALC General English Inten Mat Book 18, Student Text	ea	10				7.00	70.00
3	ALC General English Inten Mat Book 19, Student Text	ea	10				7.00	70.00
4	ALC General English Inten Mat Book 20, Student Text	ea	5				7.00	35.00

16. TRANSPORTATION VIA MATS OR MSTS CHARGEABLE TO | 17. SPECIAL HANDLING

18. RECAPITULATION OF SHIPMENT

ISSUED BY	TOTAL CONTAINERS	TYPE CONTAINER	DESCRIPTION	TOTAL WEIGHT	TOTAL CUBE
CHECKED BY					
PACKED BY					
			TOTAL		

19. RECEIPT

	DATE (YYYYMMDD)	BY	
CONTAINERS RECEIVED EXCEPT AS NOTED			SHEET TOTAL 210.00
QUANTITIES RECEIVED EXCEPT AS NOTED			GRAND TOTAL 210.00
POSTED			20. RECEIVER'S VOUCHER NO.

DD FORM 1149, JUN 2003 — 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 — PREVIOUS EDITION IS OBSOLETE.

Figure 8. DD Form 1149 Requisition and Invoice/Shipping Document

Initial Distribution (ID) is the first or automatic distribution of a Technical Order (TO), a Time Compliance Technical Order (TCTO), and all follow-on support, changes, revisions, and supplements to established customers after the initial printing. ID is based upon ID/follow-on requirements established in the Security Assistance Technical Order Distribution System (SATODS). Once the TO is published and ID is made, the TO may be obtained by requisition, but ID requirements must be established if follow-on updates are required. AFTO Form 187, *Technical Order Publications Request*, see Figure 9, is used as the source document for either, electronic, DDN, ILCS, STARR-PC, AFSAC On-Line, or hardcopy, fax, mail, e-mail attachment requests for TO's. Complete information for establishing distribution of USAF Technical Orders can be found in TO 00-5-19, Section 13.

TECHNICAL ORDER PUBLICATIONS REQUEST

1. TODO/TM ACCOUNT ADDRESS *(Exactly as established with OC-ALC/LGLUF or AAC/NWLT)*
DURHAM-MALONE FREIGHT FORWARDER
FMS BN-PBA-001 F/F 4 M/F7
124 RIGHT WAY
ANYWHERE US 73145
NOTE: If address, has changed submit revised AFTO Form 43

2. NW TODO CODE OR FMS TM ACCOUNT NUMBER
D*039W
NOTE: For FMS ONLY, the 6 Digit TM Account Number replaces the 4 digit TODO Code.

3. I certify that the requirements herein are the minimum requirements to support the mission of all organizations served by this distribution code. Requirements are approved IAW the provisions of TOs 00-5-1 and 00-5-19 and any supplements thereto.

(Government Approving Agency Officer *(Signature, Title, Grade)*)

4. APPLICABLE TO FMS AND NW TODO/TM ACCOUNTS. The approving/validating official certifies the requesting activity has valid requirement and need to know for the TOs requested below.

COMMAND VALIDATING/CONTRACTING OFFICE

USAF/US GOVERNMENT APPROVING VALIDATING OFFICER *(Signature, Grade, Title)*

LINE NUMBER	DATE REQUEST PREPARED YYYY	MM	DD	TODO/TM ACCT REQUEST NUMBER (5)	TECHNICAL ORDER NUMBER (Up to 40)	SECURITY CLASS (1)	RESTRICTION (1)	INITIAL DISTRIBUTION QUANTITY (4)	ONE-TIME REQUISITION QUANTITY (4)	USE ONLY FOR BACKORDER CANCELLATION: ORIGINAL REQUEST DATE YYYY	MM	DD	ORIGINAL TODO/TM ACCT REQUEST NUMBER (5)	BLANK OR C (1)	1, 2, OR 3 (1)	H OR Z (1)
1	2005	02	24	00001	00-5-19	U		0001								H
2	2005	02	24	00002	1F-5	U		0001								H
3	2005	02	24	00003	1F-4	U		0001	0001							H
4	2005	02	24	00004	00-5-19	U		0005	0004							H
5	2005	02	24	00005	00-5-19	U		0001								H
6	2005	02	24	00006	1F-5-590	U			0001							H
7	2005	02	24	00007	1F-5	U		XXXX								H
8	2005	02	24	00008	00-5-19	U			0001	2004	07	21	00003	C	1	Z
9																
10																
11																
12																
13																
14																
15																
16																
17																
18																
19																

AFTO FORM 187, 20030716 (IMT-V1) PREVIOUS EDITION IS OBSOLETE

Notes:

Line 1. Establishing a first time requirement, initial distribution (ID), for the TO. If release is approved, an automatic requisition will issue to ship the TO. TODO will receive future updates automatically.

Line 2. Establishing a first time requirement (ID) for a TO Series Header. TODO will receive one copy of future published TCTOs and supplements, if releasable. TODO will not receive copies of previously issued TCTOs and supplements.

Line 3. Establishing a first time requirement (ID) for a TCTO Series Header and submitting a one-time requirement for all active TCTOs and supplements. One copy of each releasable TCTO and supplements will be shipped. TODO will automatically receive one copy of future published TCTOs and supplements, if releasable.

Line 4. Requesting the ID quantity be increased to five copiues and a one-time requisition for four additional copies. Previous ID quantity was one copy. A requisition for four copies of the basic and all active increments will generate. TODO will automatically receive one copy of future published TCTOs and supplements, if releasable.

Line 5. Requesting the ID quantity be decreased to one copy. Previous ID was four. No requisition will generate and the TODO will receive only one copy of all future updates

Line 6. Making a one-time request for a TCTO. If releasable, a requisition to ship the TCTO and all active supplements will generate. This action does not establish a requirement for future TCTOs that may issue in the series or any new supplements that may issue to the requested TCTO.

Line 7. Requesting cancellation of the ID requirement for this TO/TCTO Series Header. TODO will no longer receive automatic distribution for an update to this TO or any TCTOs that issue after the ID cancellation has processed.

Line 8. Previously submitted one-time requisition placed this TO on backorder, as advised by AFTO Form 215 with a BB action code. TODO decided the back ordered TO is not needed. The C1Z will cancel the backorder.

Figure 9 AFTO Form 187 - Technical Order Publications Request

AFTO Form 157, *Computer Program Configuration Item Request*, Figure 10, is used to establish requirements for software covered under the USAF Automated Computer Program Identification Number Systems (ACPINS). Complete information for establishing distribution of USAF Compendiums, Index of Compendiums, Cross-References, and software can be found in TO 00-5-17, Section V. More information on the ACPINS program can be found at http://www .stsc.hill. Air Force.mil/crosstalk/2000/03/ozment.html.

COMPUTER PROGRAM CONFIGURATION ITEM REQUEST

Signature in Blocks 1 thru 4 certifies that the requirements established herein are the minimum essential requirements to support the mission of organizations served by distribution code listed below. Applicable security directives have been complied with in establishing requirements for classified material.

1. TODO CODE	2. TODO REQUISITION NO.	3. REQUEST DATE	4. SECURITY CLASS	5. ORDER CONTROL NUMBER
YOUR TODO HERE	START WITH 00001	5 Sep 96		

6. TODO ADDRESS (*DSN/Commercial Phone*)
1. INPUT YOUR ADDRESS AS IT SHOWS ON YOUR LATEST AFTO FORM 43
2.
3.
4.
5.

7. ADMINISTRATIVE CONTRACTING OFFICER ADDRESS (*Contractors Only*)

CONTRACTING OFFICER (*Signature, Grade and Title*)

9. APPROVING ALC SCC/MAJCOM FOCAL POINT ADDRESS

REQUESTING OFFICER (*Signature, Grade and Title*)

8. APPROVING OFFICIAL ADDRESS (*USAF Government*)

APPROVING OFFICIAL (*Signature, Grade and Title*)

APPROVING ALC SCC/MAJCOM FOCAL POINT (*Signature, Grade and Title*)

PART 1 — **ID AND OR ONE TIME REQUISITION QUANTITIES**

1. COMPUTER PROGRAM IDENTIFICATION NUMBER	2. REV NO	3. SEC CLASS		4. MEDIA TYPE	5. ID QTY	6. ONE TIME RQST QTY	7. EMER CODE
99A-TEST/CPIN-T001-00A (11JUN95)	000		U	BASF 53066 HD16		0002	
" " " " " (PENDING)	001		U	" " "	0002		
HOW TO ORDER BOTH ID & 1 TIME RQN WHEN THE LATEST REVISION IS PENDING					future rqmts	ship now	
99A-TEST/CPIN-T002-00A (11JUN96)	002		U	DISKETTE	0003	0003	
HOW TO ORDER BOTH ID & 1 TIME RQN WHEN ONLY REVISION IS DATED					future rqmts	ship now	
99A-TEST/CPIN-T002-01A (16JUL96)	003		S	DISKETTE 3.5 DSDD	0001	0001	
" " " " " "	"		"	DISKETTE 5.25 HD	0001	0001	
HOW TO ORDER A CPIN THAT IS AVAILABLE IN MORE THAN ONE MEDIA TYPE				MEDIA MUST ALREADY BE AVAILABLE IN INDEX	future rqmts	ship now	
99A-TEST/CPIN-T002-01A (PENDING)	004		S	DISKETTE 5.25 HD	0002		
ABOVE: HOW TO INCREASE ID QTY(WAS 1) BELOW: HOW TO CANCEL ID QTY (WAS 1)				PREVIOUS EXAMPLE SHOWS ORIGINAL ID	future rqmts		
99A-TEST/CPIN-T002-01A (PENDING)	004		S	DISKETTE 3.5 DSDD	0000	0000	

AFTO FORM 157, SEP 95 *(EF-V2)* *(PerFORM PRO)* **PREVIOUS EDITION IS OBSOLETE**

H9700209

Figure 10 AFTO Form 157 - Computer Program Configuration Item Request

The point of contact as of 1 March 2005 for standard publications is:

AFSAC/COMV
1822 Van Patton Drive
Wright-Patterson Air Force Base, Ohio 45433-5337
Telephone DSN 787-8226 Ext. 4018
Commercial (937) 257-8226 Ext. 4018.

All inquires concerning Technical Orders (TO/CSTO) shipping status should be directed to:

OC-ALC/LGLUF
7851 Arnold Street, Suite 213
Tinker Air Force Base, Oklahoma 73145-9147
Telephone numbers are DSN 336-7684, Commercial (405) 736-7684.

All inquires concerning the Automated Computer Program Identification Number Systems (ACPINS) should be directed to:

OC-ALC/LGLUC
7851 Arnold Street, Suite 205
Tinker Air Force Base, Oklahoma 73145-9147
Telephone numbers are DSN: 336-2227
Commercial 405-736-2227
Toll Free: 888-742-4461
Fax: DSN: 336-7734. COMM 405-736-7734.

Federal Supply Catalogs

The DLIS is the DLA field activity designated as the manager of the FCS. The FCS is the official U.S. government program under which equipment and supplies are uniformly named, described, classified, and stock numbered. DLIS offers a range of products containing FCS information.

DLIS's Customer Contact Center (DLIS-VSS) can assist you with any questions or problems you may encounter. Customers can call

Toll Free: 877-DLA-2255
DSN: 661-7776, or Commercial: 269-961-47776
FAX numbers are DSN: 661-5305 and Commercial: 269-961-5305
E-Mail address is dlis-support@dlis.dla.mil.

Certain products are available only to NATO and NATO Codification System (NCS) sponsored countries because they contain proprietary data and characteristics data of countries other than the U.S. The NATO STANAGs which are a part of the NCS sponsorship agreements contain language regarding the protection of restricted data. The restricted publications:

Federal Logistics Data (FED LOG): A five compact disk or one digital versatile disc (DVD) product, FED LOG can be searched using Part Number or Partial Part Number, NSN/NIIN/PSCN, Item Name or Partial Item Name, CAGE Code or NCAGE and CAGE Code to Part Number Picklist, Supplier Name or Partial Supplier Name, Item Name Code (INC), and Combination Searches. Data is displayed in the following groups: Reference Number, Management Data, including Interchangeability and Substitutability (I&S), CAGE/Supplier, Characteristics, and Freight. In addition to the data listed above, it contains service unique data for Army, Navy, Air Force, and Marines. It contains an option called FED LOG Characteristics Search that allows the user to search for NSNs by technical characteristics defined by the user. It also contains a FED LOG drawing and photo extractor option that allows the user to extract all photos and/or drawings associated with a NSN or for a related group of NSNs.

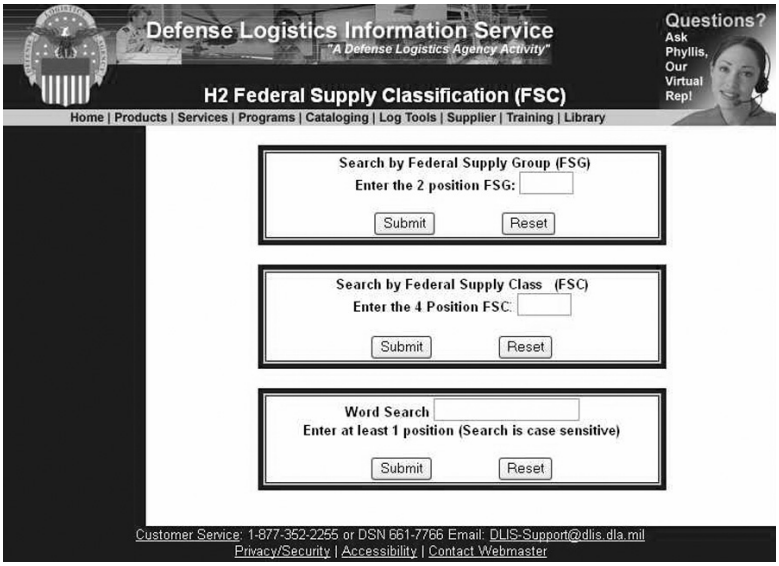


Figure 11 - H2 Federal Supply Classification Web Access

DLIS on the world wide web (WWW): DLIS has a home page on the WWW. The home page has a large amount of information about DL-IS, DLIS's products and services, and contact points within DLSC, as well as links to other U.S. government home pages. The URL is http://www.dlsc.dla.mil. The following products are available on the internet or CDs to all customers:

- The H-Series is a one disk product that incorporates the following:
  - H2 the Federal Supply Group and Class information;
  - H3 Ammunition Code Data;
  - H4/H8 Corporate Names and Address Information Referenced to CAGEs/NCAGEs;
  - H5 Corporate Parent and Affiliate Information; and
  - H6 Item Name Dictionary.

Figure 12 - Multilingual ACodP-2/3

Multilingual ACodP-2/3: This one disk product shown in Figure 12, contains the *NATO Multilingual Supply Classification Handbook,* equivalent to the U.S. H2 containing the *Federal Supply Group and Class information* and the *NATO Multilingual Item Name Directory*, equivalent to the U.S. H6 containing the *Item Name Dictionary*. The data is provided in thirteen languages.

Characteristics Data (CHAR DATA) CD-ROM. The Characteristics Data provides characteristics information on each National Stock Number (NSN) in the Federal Catalog System. This product is published quarterly. It contains a total file replacement and supersedes all previous editions. It is a 3-disc interactive set which includes the following:

- CHAR DATA contains information that describes the NSN such as:

- The Item Name;
- Environmental Attribute Codes (ENACs);
- Master Requirement Code (MRC);
- Requirement Statement; and
- Clear Text Reply for each NSN Master Cross–Reference Data (MCRD) CD-ROM.

The MCRD CD-ROM is one disc and is published in its entirety quarterly. It is intended to be used by anyone needing to relate reference and stock numbers assigned to items in the Federal Catalog System in order to accomplish the following:

- Make certain the manufacturer of an item when a reference number or stock number is known;
- Determine whether the reference number is item-identifying or requires additional data;
- Correctly identify the item of supply; or
- Cross-reference a superseded/cancelled number to a valid one.

The Master Cross Reference Data (MCRD) is on a two disk product which contains CAGE, reference number, and reference number coding data cross referenced to NSN data.

Management Data (MD) and Interchangeability and Standardization (I&S): This two disc product contains management data to assist requisitioners in acquiring and accounting for items of supply, cross referenced to NSNs. The Management Data CD includes the following data:

- Acquisition Advice Code (AAC);
- Source of Supply (SOS);
- Unit of Issue;
- Price;
- Reparability Coding; and
- Interchangeability and Substitutability Data (I&S).

DEMIL Catalog is a one disk product which provides active and inactive NSNs that are cross-referenced to the applicable Demilitarization Codes and related demilitarization specifications, such as:

- Source of Supply;
- Hazardous Material Indicator Code (HMIC); and
- Precious Metals Indicator Code (PMIC).

The Medical Catalog is a one disk product providing descriptive, management, and reference data for the selection and identification of items to support the medical community.

Magnetic Tape Products are also available to the customer, prices vary. Contact DLIS for price quotes and sample data layouts. DLIS can also tailor magnetic tape products to your needs.

DLIS offers a wide range of training classes related to cataloging and the Federal Catalog System and the use of DLIS's information products. Additional information is available from the following:

Commander, Defense Logistics Information Service
ATTN: DLIS-VST, 74 North Washington Street
Battle Creek, Michigan 49017-3084.

The telephone number is (616) 961-5181/5425
FAX: (616) 961-4307
E-Mail: dlis.tng.@dlis.dla.mil.

The FMS customer may obtain DLIS publications directly from DLIS or through cases with the MILDEP. Requests for information about DLIS information products or placing an order should be directed to:

Commander, Defense Logistics Services Center
ATTN: DLIS-KI, 74 North Washington Street
Battle Creek, Michigan 49017-3084
DSN 661-4310/4328
Commercial (269) 961-4310/5271
FAX (269) 961-4760
E-Mail: Mary.Lloyd@dla.mil or Gerald.Kalemkiewicz@dla.mil.

Department of Defense Specifications and Standards

Although the FMS process is not used to access specifications and standards, and they are not part of an original weapons system sale, they may become necessary for follow-on support and maintenance purposes.

The DoD Single Stock Point (DODSSP) was created to centralize the control, distribution, and access to the extensive collection of Military Specifications, Standards, and related standardization documents either prepared by or adopted by the DoD. The DODSSP mission and responsibility was assumed by Document Automation and Production Service (DAPS). Customers can use the Acquisition Streamlining and Standardization Information System (ASSIST) to find data. The website is http://dodssp.daps.dla.mil/assist.htm. To register, visit the ASSIST-online page or call the ASSIST help desk at: (215) 697-6257. ASSIST is comprised of three standardization databases:

- The Department of Defense Index of Specifications and Standards;
- The SD-4; and
- The AMSDL.

The DODISS contains catalog listings of the following document types:

- Military, Performance and Detail Specifications;
- Military Standards;
- DoD-adopted Non-government and Industry Specifications and Standards;
- Federal Specifications and Standards;
- Military Handbooks;
- Qualified Products and Manufacturers Lists (QPL/QMLs);
- Commercial Item Descriptions (CIDs);
- Air Force and Navy Aeronautical Standards and Design Standards; and
- Air Force Specifications Bulletins.

The SD-4 contains standardization project tracking data. The AMSDL is an index listing all active and cancelled Data Item Descriptions (DIDs).

Government agencies as well as commercial firms, both national and foreign, can use ASSIST or can obtain these documents by submitting their requests directly to DAPS. ASSIST is outside the normal FMS processing rules, and an FMS case is not needed to obtain these publications. All ASSIST documents are now available to users free of charge.

If internet access is not available customers can order individual documents by submitting the Form DAPS-Phila 1425, DODSSP Specifications and Standards Order Form, see example in Figure 13, by mail to the following address or phone numbers:

DODSSP, Building 4/ Section D
700 Robbins Avenue
Philadelphia, Pennsylvania 19111-5098
Fax at DSN 442-1462
Commercial (215) 697-1462.

The DODSSP special assistance desk can be reached at

DSN: 442-2179
Commercial (215) 697-2179

DODSSP Specifications & Standards Order Form DAPS Phila 1425E (10/98)

Date Submitted 24 February 2005
Name / Code Embassy of the Republic of Bandaria
Organization / Department Air Attache
Address (If new, please check here): ☐
1234 Massachusetts Ave, NW
Washington DC 29999

Please select one:
USA ○ USN ○ USAF ○ DLA ○
OTHER DOD ○ FEDERAL ○ OTHER ◉
Phone Number 203-555-9999
Customer Account Number
If this is your first order, a Customer Account Number will be assigned to you.

Documents ordered must appear in the DOD Index of Specifications and Standards (DODISS). Reorder forms will be enclosed with each shipment.

STANDARDIZATION DOCUMENT NUMBER	TITLE (as it appears in the DODISS)	QTY
MIL-STD-2073-1D (1)	DOD Standard Practice for Military Packing	2
MIL-A-8869B NOT 1	Aircraft Strength and Rigidity Ground Tests	1

- Requests for Official Use Documents must be submitted via cognizant DOD Inspection Officer or Contract Administrator for certification of "need to know."
- Non-Government Standardization documents will not be furnished to commercial concerns. Copies may be purchased from the appropriate Non-Government Association.
- Questions concerning documents not listed in the Department of Defense Index of Specifications and Standards (DODISS) should be directed to Code: DPM-9, or call the DODSSP Special Assistance Desk: (215) 697-2179 DSN: 442- FAX: (215) 697-1462.

Closing Date:
(IFB. RFQ. or RFP)

DODSSP
BUILDING 4 / SECTION D
700 ROBBINS AVENUE
PHILADELPHIA, PA 19111-5098

Figure 13. DAPS Phila 1425E (10/98) - DODSSP Specifications and Standards Order Form

Publications from the North Atlantic Treaty Organization Sources

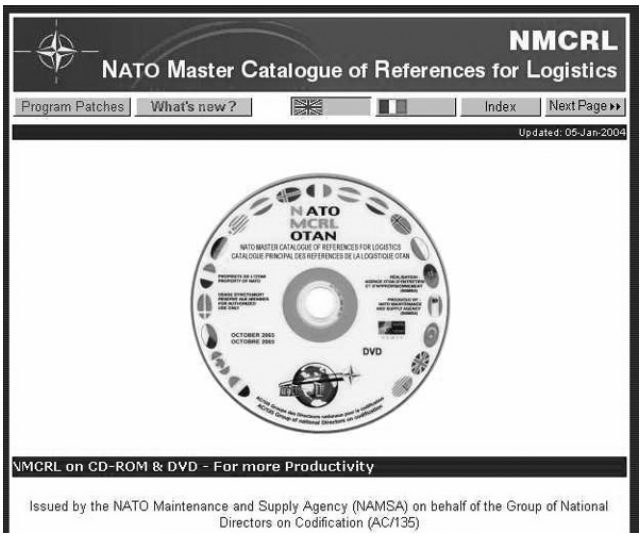


Figure 14. North Atlantic Treaty Organization NMCRL Screen.

The NATO Maintenance and Supply Agency (NAMSA) is the focal point for the NATO Master Catalogue of References for Logistics (MCRL) on DVD (NMCRL). This product contains all of the NSNs, reference numbers, CAGEs/NSCMs, item names, and manufacturer's data (name and address) of all the NATO countries, including the U.S. Since it does not contain any restricted data, it is available to all countries. The NMCRL is issued six times each year, with each issue updated to include any changes since the last issue. The NATO MCRL operates in the same hardware and software environment as DLIS's CD products. The NMCRL is produced and distributed, by NATO, Figure 14. For further information and current pricing data go to the following web sight: http://www.nmcrl.com/start.htm.

North Atlantic Treaty Organization Ammunition Data Base on CD-ROM

There is growing need within NATO for a single authoritative source of NATO ammunition interchangeability, technical and logistic information which is portable and available even under field conditions.

The state of the art user interface software will provide powerful search capabilities while remaining simple to use. Users will be able to search on NATO Stock Number, item name, ammunition model number, manufacturer, weapon, user nation and other similar criteria. The North Atlantic Treaty Organization Ammunition Data Base (NADB) will provide a list of all ammunition natures which meet all selected criteria. Users will then be able to obtain full technical details on each of these items. Information can be printed or exported for use in another software application.

Similarly, Allied Publications will be indexed by publication number, title, custodian, publication date, and sponsoring group. These documents can be viewed, printed or electronically searched for specific text. If you would like more information concerning the NADB please see the following web site: http://www.king.igs.net/~ammo/.

Conclusion

This guide has presented an overview of the requisitioning procedures used by the Army, Navy and Air Force and other DoD agencies. Ordering publications is not a simple process but it is an important one. Out-of-date publications can complicate the supply and maintenance processes. The importance of monitoring publications can not be stressed enough.

Foreign military sales customers will find it very helpful to maintain current copies of the various publications used by the U.S. supply system. Information contained in these publications will help reduce errors and avoid delays in supply transaction processing. For these reference documents to be beneficial to the customer, they must include the most recent changes. The best way to ensure this is to request automatic distribution of changes and revisions when requisitioning the basic publications. [Current NAVSUP PUB 526, para 020413].

If you encounter any problems accessing publications, contact the appropriate representative at the International Logistics Control Organization (ILCO) supporting your military service or defense agency.

The author would like to give a special thank you for all those who contributed to and reviewed this article, including:

- Mary Lloyd (DLIS-KI);
- Bette Conover (NAVICP-OF);
- Larry Daly (AFSAC);
- Terry Allred (USASAC-NC);
- Cynthia Ray (OC-ALC/LGLUF); and
- Cheryl Glover (OC-ALC/LGLUC).

About the Author

Mr. Forrest "Ed" Smith has an extensive background in security assistance programs and training. He is an Associate Professor of Security Assistance Management at the Defense Institute of Security Assistance Management. He has held positions as a Logistics Analyst for DSAMS Training and Field Support, Chief, Arabian Programs Branch, Air Force Security Assistance Center AFLC Security Assistance Program Liaison Officer to PACOM, and Security Assistance Program Manager, International Logistics Center. He was awarded a Master of Science and Logistics Management from the Air Force Institute of Technology, and a Bachelor of Business Administration and Finance from the University of Massachusetts.

The Defense Institute of Security Assistance Management Sends a Mobile Education Team to Thailand

By
Craig M. Brandt
Defense Institute of Security Assistance Management

At the invitation of the Thai Armed Forces, Defense Institute of Security Assistance Management (DISAM) was invited to send a mobile education team to Bangkok from March 7 through 11, 2005. The requested course consisted of executive and program manager level presentations to upper level management of the Thai military, including the Ministry of Defense, the Royal Thai Supreme Command, and the individual services. DISAM faculty members Frank Campanell and Craig Brandt provided an overview of the entire life cycle of a defense sale from the purchaser's request through the development, release and acceptance of the DoD offer and continuing through the delivery of the material and services and the closing of cases.

Photos by Craig M. Brandt

Executive level instruction focused on the comparison between foreign military sales and direct commercial sales and the circumstances which might dictate the use of either method.

A Thailand Lieutenant General, the Deputy Director of the Office of Policy and Planning, led the class given to members of the Ministry of Defense.

Also of interest was the discussion of offsets and counter trade in an acquisition of a defense system.

The presentations were conducted at various venues throughout the Bangkok area. Lieutenant General Pongsak Eakbannasingh, Deputy Chief of Staff, welcomed the DISAM team on behalf of the Royal Thai Army while Colonel Chalermkiat Poethongnark, Deputy Commandant, hosted the Army's course at the Army Logistics School. After a courtesy call on Air Chief Marshall Kongsak Vantana, Commander-in-Chief, Royal Thai Air Force, the DISAM team conducted two sessions with personnel of the Air Force Headquarters. Admiral Surin Reong-Arom, Chief of Staff, Royal Thai Navy, greeted the delegation from JUSMAG and DISAM before the start of the course for Navy

FMS managers. During the course conducted the following day at the headquarters of the Supreme Command, the DISAM team was greeted by an old friend, Group Captain Manu Katemanee, who has long been associated with the school since his tour as the Thai liaison officer with the Air Force Security Assistance Center at Wright-Patterson. On the final day of instruction, the team called on the Minister of Defense H.E. General Sumpun Booyanun, General Oud Buangbon, Defense Permanent Secretary and General Apichart Penkitti, Director, Office of Policy and Planning, both of MOD. LTG Nipat Thonglek, Deputy Director of the Office of Policy and Planning hosted the actual class.

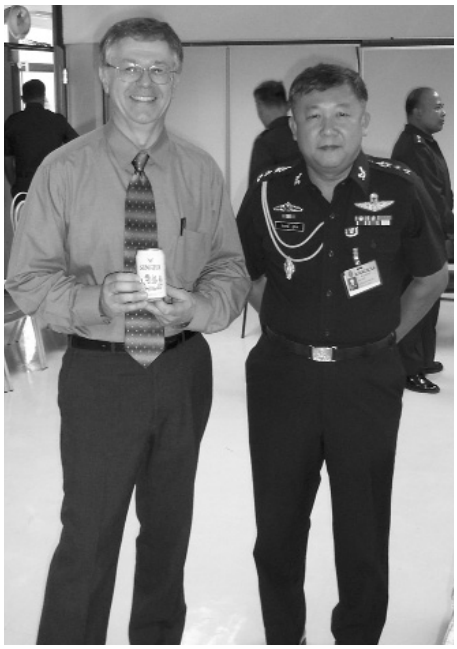
A DISAM instructor was pleased to encounter two former students who were in the DISAM class of January 1980. One former student is now the Director of Finance for the Royal Thai Air Force, and the second former student is in the J7 of the Supreme Command Headquarters.

DISAM has had an association with Thailand for many years. One of DISAM's first METs was to Bangkok in January, 1980. Then-LCDR Craig Brandt was a member of that team. At the close of the course, the team and students were presented with a photograph of the entire class. Twenty-five years later, armed with this same photograph, Dr. Brandt queried some of the more senior class members of the recent MET to see if any of the former students were still on active duty. It turned out two of them were available to meet with the DISAM instructors. Air Vice Marshall Surapol Imsang, the current director of finance for the Royal Thai Air Force, was again a student in the Air Force's executive session. Colonel Eua-aree Maneekhao did not attend the class but her office was nearby, and she came to talk to the team. After her first DISAM course twenty-five years ago, she has spent much of her career in security assistance and was often one of the Supreme Command's representatives for the U.S. and Thai Security Assistance Program Reviews.

Because this class was taught on five different installations, the coordination required for the DISAM visit was extraordinary. Captain Craig Nordskog, USAF, the JUSMAG training officer and his training division assistants Khun Baew and Khun Swiss as well as the Navy section's Khun Pichit were invaluable in shepherding the DISAM team from venue to venue.

The close association between the Thai Armed Forces, JUSMAG and DISAM will continue. Already in the works is a planned one-week executive MET in 2006 that will focus on FMS logistics and finance.

The training assistant of the JUSMAG, at the headquarters of the Supreme Command. She was responsible for arranging the myriad details of the courses presented six times in five days.



A Colonel of the Security Assistance Coordinating Division of The Royal Thai Army and a DISAM instructor discuss the course.

RESEARCH AND CONSULTATION

Is there a security assistance procedure, requirement and/or program guidance which is [or has been] presenting a significant problem in accomplishing your security assistance function? If so, DISAM would like to know about it. If you have a specific question, we will try to get you an answer. If it is a suggestion in an area worthy of additional research, we will submit it for such research. If it is a problem you have already solved, we would also like to hear about it. In all of the above cases, DISAM will use your inputs to maintain a current "real world" curriculum and work with you in improving security assistance management.

Contact DISAM Research via our web page, http://www.disam@dsca.mil/research/research.htm or submit pertinent questions and/or comments by completing the remainder of this sheet and return it to:

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1. Question/Comment:

2. Any Pertinent References/Sources:

3. Contact Information:
   Name:
   Address:
   Telephone Number

4. Additional Background Information: