



# **SECURITY COOPERATION PROGRAMS**

**Defense Security Cooperation University**

**Fiscal Year 2021**

This handbook is intended to be an educational textbook and is not an OSDP- or DSCA-sanctioned compilation of programs.

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# 1021, Unified Counterdrug and Counterterrorism Campaign in Colombia

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

**Purpose:** As stated above

**Authorization:** Section 1021, NDAA, FY 2005, as amended, P.L.108-375, 28 October 2004

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

**Guidance:**

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

**Countries Eligible:** Colombia

**Value of Program:**

**Restrictions:** This authority is currently valid through FY 2022

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

**Execution:**

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

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

# 1022, Authority to Provide Counterdrug (CD)-Funded Support to Law Enforcement Agencies

**Description:** DoD support to law enforcement agencies conducting counterterrorism or counter-transnational organized activities

**Purpose:** In conjunction with 10 U.S.C. 284, DoD may provide support to law enforcement agencies in conducting counterterrorism or counter-transnational organized crime through DoD's counterdrug appropriation, which was otherwise limited to provide support for counterdrug (CD) activities.

**Authorization:** Section 1022, NDAA, FY 2004, as amended, P.L. 108-136, 24 November 2003, as amended by P.L. 116-283 Jan 01, 2021.

**Appropriation:** Only authority

**Guidance:** Subject to all applicable laws and regulations. Quarterly reports to the Defense committees must describe the support provided, the amounts, and the duration of the support.

**Countries Eligible:** As determined by SecDef

**Value of Program:** Variable

## **Restrictions:**

- Authority through FY 2022
- DoD Combatant Commands providing support under 1022 must do so within the scope of authorities delegated to Combatant Commands under CJCS Instruction 3710.01B
- No support that requires a transfer of DoD CD funds to another department or agency may be provided

**Key Players:** Law enforcement, Joint Task Force, Sec Def, Deputy Assistant Secretary of Defense for Counter-narcotics and Global Threats (DASD (CN & GT))

## **Execution:**

- To request initial authority, a DoD component should provide a written request to the Office of the DASD (CN & GT).
- The request should specify all of the following:
  - ◇ Which DoD joint task force (and which personnel within the joint task force) would provide support. National Guard requests should specify which State Guard components would provide support and under which authority (Title 10 or Title 32).
  - ◇ Which law enforcement agencies are requesting and would receive support.
  - ◇ The type and statutory basis, under 10 U.S.C. 284, for the proposed support.
  - ◇ The purpose and objectives of the proposed support.
  - ◇ How the support aligns with DoD strategic priorities and how the support either (1) relates significantly to objectives of providing CD activities or (2) aligns with vital U.S.



national security interests.

- ◇ What effect, if any, the support would have on the joint task force's CD programs.
- ◇ The name, title and office of the person submitting the request, and the person who reviewed the request for legal sufficiency.
- Pseudo LOA procedures generally not used.

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

# 1202, Support of Special Operations for Irregular Warfare

**Description:** Allows SecDef, along with concurrence of Chief of Mission, to provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting irregular warfare operations by U.S. Special Operations Forces (SOF).

**Purpose:** To enable foreign forces, irregular forces, groups or individuals engaged or facilitating ongoing irregular warfare operations by U.S. SOF support

**Authorization:** Sec 1202, NDAA FY18, P.L. 115-91, 12 Dec 2017, as amended

**Appropriation:** May expend up to \$5–15M for FY18–FY20 from DoD O&M funds; Authority extended through FY 2023

**Guidance:** The authority to make funds available may not be delegated below SecDef

**Countries Eligible:** As requested by USSOCOM and approved by SecDef

**Value of Program:** Variable

**Restrictions:** Authority is not given to conduct covert action, the introduction of U.S. Armed Forces within meaning of section 5(b) of the War Powers Resolution, for provision of support not otherwise prohibited by law, to support activities directly or indirectly inconsistent with the laws of armed conflict. Requires biannual reports to the Congressional Defense Committees of the support provided under this section.

**Key Players:** Theater SOCCOM CDR, USSOCOM, CCMDs, COM, and ASD (SO-LIC)

**Execution:** SecDef shall establish procedures that, at minimum, will give policy guidance for the execution of and constraints, process through which activities are to be developed, validated and coordinated with relevant USG agencies, and process through which legal reviews and determinations are made to comply with authority.

**Example:**

# 1206, Training of Security Forces and Associated Security Ministries of Foreign Countries to Promote Respect for the Rule of Law and Human Rights

**Description:** SecDef is authorized to conduct human rights training of security forces and associated security ministries of foreign countries.

**Purpose:**

- Provide human rights training to security forces prohibited from receiving such training under any provision of law only if the following is true:
  - ◇ Training is conducted in the country of origin of the security forces.
  - ◇ Such training is withheld from any individual of a unit when there is credible information that such individual has committed a gross violation of human rights or has commanded a unit that has committed a gross violation of human rights.
  - ◇ Such training may be considered a favorable step but is not a corrective for meeting the accountability requirement under the exception established in Sec 2249e(b) of 10 U.S.C. 2249e
  - ◇ Reasonable efforts have been made to assist the foreign country to take all necessary corrective steps regarding a gross violation of human rights with respect to the unit, including using funds authorized by the NDAA, FY 2015
  - ◇ Program authority expires 30 Sep 2020

**Authorization:** Section 1206, NDAA, FY15, P.L.113-291, 19 Dec 2014, as amended

**Appropriation:** Any funding authorized is to provide technical assistance or other types of support for accountability

**Guidance:**

- This training may be conducted only with the concurrence of SecState.
- SecDef shall consult with SecState on the content of this training, the methods of instruction to be provided, and the intended beneficiaries of this training.
- Human rights training is defined to include training for the purpose of directly improving the conduct of foreign security forces to accomplish the following:
  - ◇ Prevent gross violations of human rights and support accountability for such violations
  - ◇ Strengthen compliance with the laws of armed conflict and respect for civilian conduct of the military
  - ◇ Promote and assist the establishment of a military justice system and other mechanisms for accountability, and prevent the use of child soldiers

**Countries Eligible:** Legislation does not specify countries or regions. As determined by SecState and SecDef

**Value of Program:**

**Restrictions:**

- Training is to be conducted in-country with the authority expiring at the end of FY20
- Limitation of funds for construction and repair to \$10 million for the fiscal year

**Key Players:** Currently SecState, SecDef, COM, and CCDR

**Execution:****Example:**

# 1207, Global Security Contingency Fund (GSCF)

**Description:** Authorization for DoD and DoS to pool funds to provide security sector assistance to address emergent gaps, challenges, and opportunities important to U.S. national security.

**Purpose:**

- To enhance the capabilities of a country's national military forces and other national security forces that conduct border and maritime security, internal defense, and counterterrorism operations as well as the government agencies responsible for such forces to accomplish the following:
  - ◊ Conduct border and maritime security, internal defense, and counterterrorism
  - ◊ Participate in or support military, stability, or peace support operations consistent with U.S. foreign policy and national security interests
- For the justice sector (including law enforcement and prisons) rule of law programs and stabilization efforts in a country in which SecDef and SecState determine that conflict or instability in a country or region challenges the existing capability of civilian providers to deliver such assistance
- Authorization: Section 1207, National Defense Authorization Act (NDAA), FY 2012, as amended, P.L.112-81, 31 December 2011

**Appropriation:** FY 2021—up to \$7.5M of funds for Peacekeeping Operations and Foreign Military Financing may be transferred to and merged with funds previously made available under the heading “GSCF.” Consolidated Appropriations Act 2021, P.L. 116-133 27 Dec 2020.

**Guidance:**

- Any provided assistance may include equipment, including routine maintenance and repair, supplies, small-scale construction, and training.
- This GSCF authority is in addition to any other authorized assistance programs.
- SecState and SecDef shall jointly formulate assistance programs to be carried out within the authority of GSCF.
- Other agencies may detail personnel to DoS to carry out the GSCF program.
- Funding contributions for any such activity shall be split with 20 percent from DoS and 80 percent from DoD.
- SecState may accept funding, property, and services for the GSCF.
- Congress is to be notified in detail 30 days prior to initiating any GSCF assistance activity.
- SecState, with the concurrence of SecDef, shall notify Congress 15 days after the date on which all necessary guidance has been issued and the processes for implementation are established and fully operational.

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

**Value of Program:** Variable, contingent on DoS transfer limitations through FY 2021

**Restrictions:**

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

- Authority through FY 2021

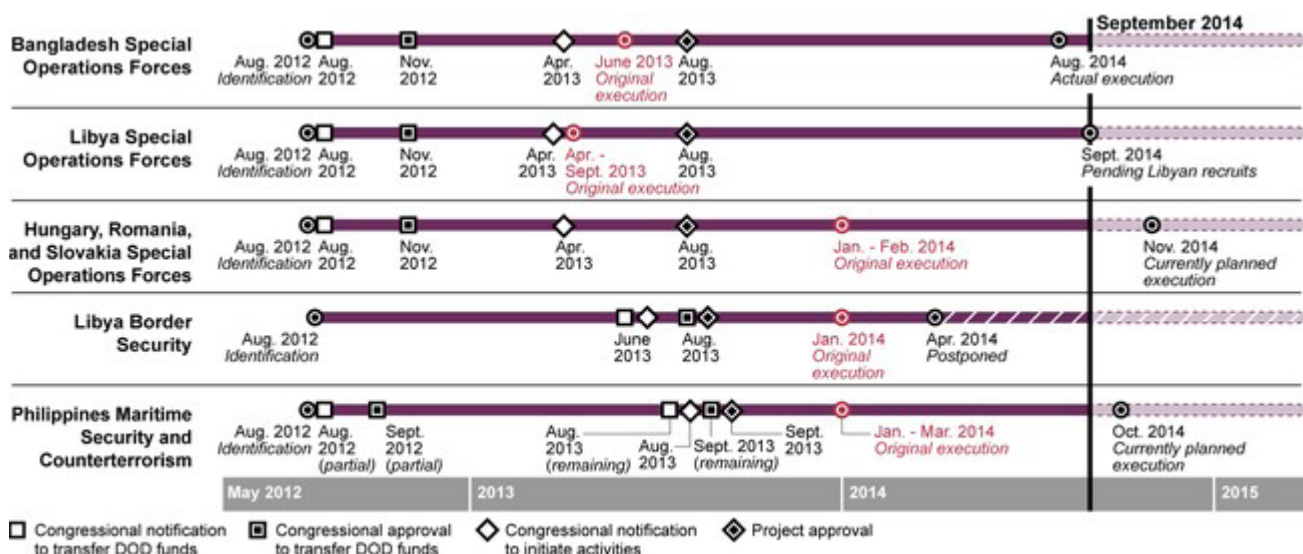
**Key Players:** Country teams, combatant commands, SecDef, SecState, DoS regional bureaus, DoS/PM, USDP/ASD (SO-LIC), and Implementing agencies

### Execution:

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

### Example:

- Identification and Training Execution Dates for Initial Five Department of State and Department of Defense Global Security Contingency Fund Projects, as of September 2014



Source: GAO analysis of Department of State and Department of Defense information. | GAO-15-75

# 1209, Authority to Provide Assistance to the Vetted Syrian Groups and Individuals

**Description:** Authorized assistance by DoD to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals.

**Purpose:**

- Provide equipment, supplies, training, stipends, construction and repair of training and associated facilities, and sustainment for following purposes:
  - ◇ Defending the Syrian people from attacks by the Islamic State of Iraq and Syria (ISIS), and securing territory formerly controlled by the Islamic Staff of Iraq and Syria
  - ◇ Protecting the U.S. and its partners and allies from threats posed by ISIS, Al-Qaeda, and associated forces in Syria
  - ◇ Providing appropriate support to vetted Syrian groups and individuals to conduct temporary and humane detention and repatriation of ISIS foreign terrorist fighters in accordance with all laws and obligations related to the conduct of such operations

**Authorization:** Section 1209, NDAA, FY 2015, P.L.113-291, 19 Dec 2014, as amended

**Appropriation:** From already funded DoD programs authorized for this type of assistance.

**Guidance:**

- SecDef, in coordination with SecState, shall provide a plan for such assistance to Congress not later than 15 days prior the provision of any assistance.
- The President shall submit a report to Congress describing how such assistance fits within a larger regional strategy.
- A quarterly report to Congress is required describing assistance provided, appropriately vetted recipients receiving such assistance, plan effectiveness, and any misuse or loss of provided training and equipment.
- SecDef may receive any contributions from other countries for assistance authorized by this authority.
- SecDef may also provide assistance to third countries for the purposes of this authorized assistance program.
- SecDef must certify to the appropriate committees that no U.S. forces will be or have been used to extract, transfer, or sell oil from Syria.
- This assistance is authorized through 31 December 2021.

**Countries Eligible:** None

**Restrictions:**

- Strict vetting of recipients, specifically to ensure that any individual/group supported is not affiliated with a violent extremist organization or the Syrian government
- Limitation of funds for construction and repair to \$10 million for the fiscal year

- Expenditures limited until after the latter of either the President's submission of a report on U.S. strategy in Syria or 30 days after the SecDef unclassified report on the efforts of USG to train and equip appropriately vetted Syrian opposition forces

**Key Players:** USCENTCOM, USSOCOM, DoS and DoD, USDP/ASD-SOLIC/DSCA, and Implementing Agencies

**Example:** A few Syrian rebels have been trained, and some supplies have air-dropped into northern Syria.



# 1210A, Support for Stabilization Activities in National Security Interests of the U.S.

**Description:** Support for stabilization activities of other Federal agencies working in Iraq, Syria, Afghanistan, and Somalia

**Purpose:** Logistics, supplies, and service support for stabilization activities conducted by DoS, USAID, or other Federal agencies on a reimbursable or nonreimbursable basis

**Authorization:** Section 1210A, NDAA, FY 2020, as amended, P.L. 116-92, 20 December 2019, as amended.

**Appropriation:** Not more than \$18M per fiscal year

**Guidance:** Support provided under this authority shall be implemented in accordance with the guidance of the Department of Defense entitled DoD Directive 3000.05 Stabilization,” dated 13 December 2018

**Countries Eligible:** Iraq, Syria, Afghanistan, and Somalia

**Value of Program:** \$18M

**Restrictions:** Authority expires 31 Dec 2021

**Key Players:** DoS, DoD, and USAID

**Execution:**

- Support may be provided with SecState concurrence and deemed in the national security interests of the US.
- No amount of support may be provided until 15 days after the date on which the SecDef with concurrence of SecState submits report on stabilization strategy for country to Congress.

# 1216, Reintegration Activities in Afghanistan

**Description:** Reintegration of former insurgents into Afghanistan society

**Purpose:** Return former terrorists into productive Afghan citizens

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

**Appropriation:**

- \$35,000,000 of DoD O&M during FY 2013
- \$25,000,000 of DoD O&M during FY 2014
- \$5,000,000 of DoD O&M during FY 2015

**Guidance:**

- NLT 30 days after enactment of NDAA, FY 2011, SecDef was to provide Congress a copy of the guidance issued regarding the allocation of such funds to include a mechanism for the coordination of this program with the GOA and other U.S. departments and agencies and also a mechanism to track rates of recidivism of participants.
- Any modification to this guidance is to be provided to Congress NLT 15 days after issuance.
- Program progress reports are to be provided to Congress every 180 days.

**Countries Eligible:** Afghanistan

**Value of Program:** \$5M

**Restrictions:**

- FY 2013 funds must be obligated no later than 31 Dec 2013.
- FY 2014 funds must be obligated no later than 31 December 2014.
- FY 2015 funds must be obligated no later than 31 December 2015.
- No new funding for FY 2016 or beyond

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

**Execution:**

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

# 1226, Support to Certain Governments for Border Security Operations

**Description:** This used to be called “1226, Support to the Government of Jordan and Lebanon for Border Security” but was renamed by the FY17 NDAA. This program provides assistance for the Government of Jordan, Egypt, Tunisia, Lebanon, Oman, and Pakistan for Border Security operations.

**Purpose:** To provide support on a reimbursement basis for the governments of Jordan, Egypt, Tunisia, Lebanon, Oman, and Pakistan to improve their security and to sustain increased border security along their borders

**Authorization:** Section 1226, FY16, NDAA, P.L. 114-92, 25 Nov 2015, as amended

**Appropriation:** Amounts to provide support from this section may be derived only from amounts authorized and appropriated from operations and maintenance defense-wide.

**Guidance:** Support under this program may be provided on a quarterly basis. Not later than 15 days before providing support, the Secretary of Defense shall submit to Congress a report setting forth a full description of the support to be provided, including the amount, timeline, and recipient.

**Countries Eligible:** Jordan, Egypt, Tunisia, Oman, Pakistan, and Lebanon

**Value of Program:** Variable

**Restrictions:**

- This assistance may not be provided after 31 Dec 2023.
- Support provided under this program to the Government of Lebanon may be used only for the armed forces of Lebanon and may not be used for or to reimburse Hezbollah or any forces other than the armed forces of Lebanon.
- The Secretary of Defense may not provide such support to the above countries if the Secretary determines that the government of said country fails to increase security and sustain increased security along their borders with Syria and Iraq.
- No reimbursement to Pakistan allowed without SecDef certification that certain conditions have been met to Congress.

**Key Players:** Country team (SCO), CCMDs, DoD, DoS, and Implementing Agencies

**Execution:**

**Example:**

# 1233, Coalition Support Fund (CSF)

**Description:** DoD reimbursement of certain countries supporting U.S. military and stability operations in Afghanistan and post-operation Iraq border security. The Coalition Readiness Support Program (CRSP) is also funded through this program.

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

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

**Appropriation:** \$350M authorized, NDAA FY 2019, P.L. 115-291

**Guidance:**

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

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

**Value of Program:** FY19 - \$350M; FY20 - \$450M; FY21 - \$180M

**Restrictions:**

- No funding is to be provided to Pakistan until SecDef certifies to Congress that Pakistan is providing security along the GLOCs through Pakistan for the transshipment of U.S. equipment and supplies, taking steps against terrorism in Pakistan, disrupting cross-border terrorist operations into Afghanistan, and countering the IED threat to include precursor material.
- Authority extends through 31 Dec 2021.

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

**Execution:**

- In-theater CENTCOM Cdr initiates reimbursement recommendation.
- Country team (SCOs) provides any required detail of equipment and training if the CSRP is to be used.
- USCENTCOM endorses.
- OSD (USDP and USDC) provides recommendation to SecDef.
- SecState provides concurrence.

- OMB is consulted.
- Congress is notified prior to any reimbursement or obligation.
- DSCA coordinates with applicable implementing agencies for CRSP pseudo FMS reimbursement.

**Example:** U.S. reimbursement of certain countries supporting U.S. forces in SWA; i.e., reimbursement to Azerbaijan for fuel used by U.S. forces in support of operations in Afghanistan. On 18 Dec 2012, it was announced that DoD notified Congress on 7 Dec 2012 of a \$680M reimbursement to Pakistan for the cost of stationing troops during Jun- Nov 11 along the Afghan border.

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

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

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

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

**Appropriation:** None; however, Section 1211, NDAA, FY12, P.L.112-81, 31 December 2011, amends Section 1234, P.L.110-181, 28 January 2008, authorizing the use of up to \$450M in FY 2012 DoD O & M funding for this program. Section 1216, NDAA, FY 2013, P.L.112-239, 2 Jan 2013, extends the authority through FY 2013 and removes Iraqi operations as being eligible. Section 1217, NDAA, FY 2014, P.L.113-66, 26 Dec 2013, extends the authority through 31 Dec 2014. Section 1223, NDAA, FY 2015, P.L.113-291, 19 Dec 2014, extends the authority through FY 2015 and restores “Iraq.” Section 1201, NDAA FY 2018, P.L. 115-91, 12 Dec 2017, extends this authority to 31 Dec 2018. Section 9025, P.L. 116-260 27 Dec 2020, extends this authority to 30 Sep 2022.

**Guidance:**

- SecDef must determine that such support is needed for the coalition forces that are essential to the success of a U.S. military or stabilization operation and the forces would not be able to participate in such operation without the support.
- Such support must be IAW AECA and other export control laws.
- SecDef is to provide a quarterly report to Congress describing such support just provided.
- Authority expires 30 Sep 2022.

**Countries Eligible:** As determined by SecDef

**Value of Program:** \$100M in annual DoD O&M

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

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

**Execution:**

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

**Example:** Any required U.S. airlift of partner nation military forces to Southwest Asia along with in-theater

logistics support during deployment (i.e., airlift of Finish forces in Afghanistan)

# 1251, Training for Eastern European National Security Forces in the course of Multilateral Exercises

**Description:** Authority to cover the incremental expenses of certain Eastern European nations due to participation in multilateral training exercises

**Purpose:** The purpose of this authority is to enhance and increase the capacity, capability, and interoperability of Eastern European forces and to improve their ability to respond to external threats—both conventional, unconventional, or a hybrid of both

**Authorization:** Section 1251, FY 2016, NDAA, P.L. 114-92, 25 Nov 2015, as amended

**Appropriation:** \$28M per fiscal year

**Guidance:** In general, the multilateral exercise training provided to such countries under this authority will be comparable or complimentary to the types of training that the United States Armed forces receive in the course of such multilateral exercises. Incremental expenses covered under this authority are rations, fuel, training ammunition, and transportation.

**Countries Eligible:** Signatory countries to the Partnership for Peace Framework (but not a member of NATO) and Countries that became a member of NATO after 1 Jan 1999

**Value of Program:** \$28M

**Restrictions:**

- This assistance may not be provided after 31 Dec 2023.
- This authority is limited to multilateral exercises conducted by U.S. forces.
- Incremental expenses do not include pay or allowances.

**Key Players:** SecState, SecDef, EUCOM, and applicable SCOs

**Execution:**

**Example:**



# Cross-Servicing Agreements for Loan of Personnel Protection and Personnel Survivability Equipment in Coalition Operations

**Description:** Provision of certain personnel protection equipment coalition forces operating with the U.S. using ACSA procedures.

**Purpose:** Authority to loan certain equipment to coalition forces in coalition or peacekeeping operations with the U.S. May also be loaned for use during training for such operations

**Authorization:** Section 1207, NDAA, FY 2015, P.L.113-291, 19 Dec 2014

**Appropriation:** None

**Guidance:**

- Loan is limited to the following categories of “personnel protection and survivability equipment” in the USML:
  - ◇ Cat I -Small arms (.50 caliber or less)
  - ◇ Cat II - Guns greater than .50 caliber
  - ◇ Cat III -Ammunition for Cat I and II weapons
  - ◇ Cat VII - Ground vehicles (less tanks)
  - ◇ Cat X - Protective Personnel Equipment and Shelters
- Duration of the loan is not to exceed the recipient’s period of participation in the operation.
- Authority expires 31 Dec 2024.
- In the event of loaned equipment combat damage or loss, SecDef may waive reimbursement, replacement- in-kind, or exchange of supplies or services of an equal value, if determined to be in U.S. national security interest.
- This program is not implemented using pseudo LOA procedures.

**Countries Eligible:** Coalition partners in coalition contingency or peacekeeping operations with the U.S.

**Value of Program:** None

**Restrictions:**

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

**Key Players:** CCMD, Joint Staff, SecDef (USDP), SecState, and Director of International Cooperation (IC)

**Execution:**

- Supporting and supported commanders determine the SME need for coalition forces
- Country team (and SCO) of partner nation might be a part of determining this need

- Joint Staff, SecDef (USDP), and SecState concurs and approves the loan
- DepSecDef Memo of 25 Nov 11 delegated management to IC in AT&L in coordination with CCMDs, DTSA, and MilDeps

**Example:**

# 1217, Afghanistan Infrastructure Fund (AIF)

**Description:** Development of infrastructure projects in Afghanistan

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

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

**Appropriation:**

- \$50,000,000 available until 30 Sep 2022—Consolidated Appropriations Act, FY 2021.
- Section 1219(1)(B), NDAA, FY13, P.L.112-239, 2 Jan 2013, authorizes up to \$350M in FY13 DoD O&M available through FY14 for AIF
- Title IX, DoD Appropriations Act, FY12, P.L.112-74, 23 December 2011, provides an additional \$400,000,000 for FY12 AIF funding (available through FY13).
- Title IX, DoD Appropriations Act, FY13, P.L.113-6, 26 March 2013, provides \$325,000,000 for FY13 AIF (avail through FY14).
- Title IX, DoD Appropriations Act, FY14, Div. C, P.L.113-76, 17 January 2014, provides \$199,000,000 for FY14 AIF (avail through FY15).

**Guidance:**

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

**Countries Eligible:** Afghanistan

**Value of Program:**

- \$325M for FY 2013
- \$199M for FY 2014
- Infrastructure funding from FY 2021 appropriation is available (out of ASFF) in the amount of \$50,000,000 only to complete existing projects previously approved under Afghan Infrastructure Fund, and only for required contract adjustments for inflation or other subsequent market-rate fluctuations.

**Restrictions:**

- SecDef shall notify Congress NLT 30 days prior to obligating or expending funds or transferring funds to DoS for any such project.
- Any unexpended funds transferred to DoS for an AIF project shall return to DoD.
- Projects in excess of \$1 million must be able to be audited and physically inspected by authorized

USG personnel or designated representatives.

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

**Execution:**

**Example:**

- Types of AIF projects may include the following:
  - ◊ Water, power, and transportation projects
  - ◊ Other projects in support of the counterinsurgency strategy in Afghanistan

# 1256, Pilot Program to Improve Cyber Cooperation with Vietnam, Thailand and Indonesia

**Description:** Using existing DOD authorities, and with the concurrence of the Department of State, Sec Def may establish a program for the listed countries to enhance the cyber security, readiness and resilience of the armed forces.

**Purpose:** To increase regional cooperation on cyber issues.

**Authorization:** National Defense Authorization Act for 2021, P.L. 116-283 Jan 01 2021.

**Appropriation:** None - only an authority

**Guidance:** The pilot program shall include the following:

- Training for military officers and civilian officials of the appropriate ministries of the listed countries.
- Regular dialogues among the U.S. DOD and these partner countries' concerned ministries to develop protections for their military cyber infrastructure.
- Training shall include related Human Rights, Rule of Law and Internet Freedom issues.

**Countries Eligible:** Vietnam, Thailand, Indonesia

**Value of Program:** Only an authority

**Restrictions:** Program Shall Terminate on Dec 31 2024.

**Key Players:** Country Team, GCC, Sec Def (OSD-P), Department of State Bureau of Political Military Affairs

**Execution:**

- Not later than June 2021 Sec Def shall report to the appropriate committees the design of the pilot program.
- Not later than Dec 31 2021 and annually thereafter Sec Def shall report to the appropriate committees regarding the actions taken and assessing the effectiveness of the program.

# 311, Exchange of Defense Personnel Between United States and Friendly Foreign Countries

## **Foreign Countries:** Authority

**Description:** Repeals the following three programs, which Section 311 will replace: “Defense Personnel Exchange Program,” “Engineers and Scientists Exchange Program,” and “Non-Reciprocal Exchange of Defense Personnel.”

**Purpose:** Codification into permanent U.S. law Section 311 that allows DoD organizations to exchange military or civilian personnel with other friendly countries; the mutual exchange of military or civilian engineers and scientists with friendly countries in a permanent change of station to become producing members of the host nation’s military RDT&E community; and includes non-reciprocal exchange of defense personnel with allied and friendly countries and international organizations.

**Authorization:** 10 U.S.C. 311

**Appropriation:** U.S. personnel are funded by DoD, defense agency, or MilDep funding. Foreign personnel are funded by their own country.

## **Guidance:**

- New guidance is forthcoming, but present guidance for Engineer and Scientist (ESEP) exchanges include the following:
  - ◊ IAC Handbook, Chapter 14
  - ◊ DoDD 5230.11, Disclosure of Classified Military Information to Foreign Governments and International Organizations
  - ◊ DoDD 5230.20, Visits and Assignments of Foreign Nationals
  - ◊ DoDD 5530.3, International Agreements

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

**Value of Program:** Only an authority

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

## **Execution:**

- New execution guidance is forthcoming, current execution steps are as follows:
  - ◊ Country team identifies and communicates the potential for an exchange.
  - ◊ CCMD endorses.
  - ◊ USD(AT&L) and applicable MilDep (RD&A) investigate and determine to begin the international agreement process.
  - ◊ USD(P)/DTSA determines the releaseability of U.S. data to be shared during the assignment and develops any required DDL.
  - ◊ SecState is advised of the agreement and notifies Congress, if required.

**Example:** Many exchanges are with industrialized, allied countries such as Australia, France, Germany, and the UK.

# 312, Payment of Personnel Expenses Necessary for Theater Security Cooperation

**Description:** Repeals the following four programs, which Section 312 will replace: “African Cooperation,” “LATAM Cooperation: Payment of Personnel Expenses,” “Payment of Expenses to attend Bilateral or Regional Conferences,” and “Payment of Foreign Nation Liaison Officer Expenses”

**Purpose:** Codification into permanent U.S. law Section 312 that allows, within certain limitations, the payment of personnel expenses (travel, subsistence, and similar expenses) for defense personnel, or with SecState concurrence, other personnel of friendly foreign governments, and non-governmental personnel that the DoD considers necessary for theater security cooperation

**Authorization:** 10 U.S.C. 312, as amended by NDAA 2021, Section 924(B)(11).

**Appropriation:** DoD or MilDep O&M

**Guidance:**

- The Space Force Chief of Staff is now authorized to request payment for travel and expenses for foreign officials under Section 312.
- Waiving of training and per diem costs for Latin American students, with the applicable MilDep absorbing the costs (for Latin American students)
- USAFRICOM validates as necessary and requests funding from the applicable MilDeps
- For USSOUTHCOM, waiver is generally determined (or requested for later approval) at the US-SOUTHCOM SCETWG
- Normally, the training is provided using the TMS process (for all students)
- CJCSM 3500.03C, Joint Training Manual for the Armed Forces of the United States, Appendix D, Enclosure M, 15 Jan 2011 (for payment of expenses to attend bilateral or regional conferences)
- This includes administrative services and support (travel, subsistence, and some medical) for liaison officers of a foreign country while that individual is temporarily assigned to a DoD headquarters; costs not to exceed \$150,000 in any fiscal year
- May be used to pay for limited expenses in connection with conferences, seminars, and other similar meetings

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

**Value of Program:** Variable

**Restrictions:** Payment of foreign nation liaison officer expenses is only for liaison officers from developing countries and not to exceed \$150,000 in any fiscal year. For payment of expenses to attend bilateral or regional conferences the countries must not be subject to USG sanctions or other policy restrictions.

**Key Players:** Country team (SCO), CCMDs, DSCA, and applicable MilDep

**Execution:**

- Request is forwarded by the SCO to the appropriate CCMD for endorsement.



- DSCA, the applicable CCMD, and/or the applicable MilDep agrees to fund the student/liaison.

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

# 321, Training with Friendly Foreign Countries: Payment of Training and Exercise Expenses

**Description:** This section of Chapter 16 of 10 U.S.C. repeals, re-codifies, and replaces “1203, Training of General Purpose Forces of the United States Armed forces with Military and other Security Forces of Friendly Foreign Countries” and “Developing Country Combined Exercise Program (DCCEP)” with Section 321, P.L. 114-328, Section 1244(a) & (c).

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

**Authorization:** Section 321, Chap. 16, 10 U.S.C. 2010 implemented by P.L. 114-328, Section 1244, FY17 NDAA, 23 Dec 16

**Appropriation:** DoD O&M

**Guidance:** Allows U.S. armed forces, under the jurisdiction of the Secretary of Defense, to train with military forces or other security forces of a friendly foreign country if the Secretary determines that it is in the national security interest to do so. Costs allowed includes deployment expenses, the incremental expenses of a friendly foreign force of a developing country as a direct result of participating; and, small-scale construction (not to exceed \$1.5M) that is directly related to the effective accomplish of the training exercise.

**Countries Eligible:** All whose participation is necessary to achieve the fundamental objective(s) of the exercise

**Value of Program:** Variable

**Restrictions:** Payment of salaries or allowances is not authorized, and small-scale construction is not to exceed \$750K

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

## **Execution:**

- New guidance is not yet available, current procedures are as follows:
  - ◇ SCO determines partner nation participation (or full participation) in a combined exercise is not possible unless U.S. funding assistance is provided.
  - ◇ GCC determines participation is necessary to achieve the objective of the exercise.
  - ◇ Recommended to the Joint Staff that DoD funding be made available for supporting the partner country exercise participation.

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

## 322, Special Operations Forces: Training with Friendly Foreign Forces

**Description:** Deployment of U.S. special operations forces (SOF) for the primary purposes of training the U.S. SOF elements involved. U.S. Special Operations Command refers to these interactions with foreign partner nation counterparts as “Joint Combined Exchange Training (JCET).”

**Purpose:**

- Provide deployment opportunities for U.S. SOF to enhance the following:
  - ◇ Combat skills
  - ◇ Instructor skills
  - ◇ Language proficiency
  - ◇ Cultural immersion

**Authorization:** Section 322, Chap. 16, 10 U.S.C. by P.L. 114-328, Section 1244, FY17 NDAA, 23 Dec 16

**Appropriation:** DoD and USSOCOM O&M

**Guidance:**

The primary purpose of the training under this section shall be to train the U.S. SOF under the combatant command. While these training events are not security assistance, many foreign partner militaries are eager to host JCETs. Note that any training benefits that accrue to the host nations forces during these events must be incidental to the purpose which is to train U.S. SOF. None of the funding made available may be used for any training, equipment, or other assistance for the members of a unit of a foreign security force if the SecDef has credible information that the unit has committed a gross violation of human rights.

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

**Value of Program:**

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

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

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

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

# 331, Friendly Foreign Countries: Authority to Provide Support for Conduct of Operations

**Description:** The following program has been transferred and recoded into Section 331: “Logistic Support for Allied Forces in Combined Operations.” The following program has been repealed and replaced with Section 331: “1207, Support to National Military Forces of Allied Countries for Counterterrorism Operations in Africa.”

**Purpose:** Codified into permanent U.S. law Section 331 that provides support (logistics, supplies, and services) to forces of a friendly foreign country participating in an operation with the armed forces of the DoD, military/stability operation that benefits U.S. national security interests, and/or solely for the purpose of enhancing interoperability of military forces in a combined operation.

**Authorization:** 10 U.S.C. 331

**Appropriation:** Up to \$450M in DoD O&M has been earmarked per fiscal year

**Guidance:** This logistics, supply, and services assistance can be provided if the SecDef determines that it is in the national security interest and critical to the timely and effective participation of such forces to do so. Additionally, the Secretary of Defense can provide this support to operations in which the United States is not participating if the Secretary of Defense and State jointly certify to Congress that the operation is in U.S. national security interests and the appropriate report is filed. Finally, this support also includes the procurement of equipment for the purpose of loaning such equipment to the military forces of a friendly foreign country participating in a U.S.-supported coalition or combined operation. This support also includes specialized training in connection with such an operation and small-scale construction.

**Countries Eligible:** Allied countries

**Value of Program:** \$450M

**Restrictions:** The aggregate value of all logistic support, supplies, and services provided in any fiscal year may not exceed \$450M

**Key Players:** Country team (SCO), CCMDs, DoD, DoS, and Implementing Agencies

**Execution:**

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

# 332, Friendly Foreign Countries; International and Regional Organizations: Defense Institution Capacity Building

**Description:** Codifies the following two programs into the new Section 332, Chapter 16 of Title 10 U.S.C.: “Assignment of DoD civpers as MoD Advisors (MODA)” and “Defense Institution Reform Initiative (DIRI).” (See related “Legal ICB Initiative” p.137).

**Purpose:** Codification into permanent U.S. law the program that allows SMEs, civilian advisors, and other experts in helping a respective country’s MoDs and/or various security agencies with Defense Institution Building (DIB). DIB is the development of effective and accountable foreign defense establishments

**Authorization:** 10 U.S.C. 332

**Appropriation:** DoD O&M

**Guidance:**

- Until new guidance is issued, the following is the existing guidance:
  - ◇ Provide institutional, ministerial-level advice and other training to personnel of the ministry or regional organization to which assigned to support of stabilization or post-conflict activities.
  - ◇ Assist such ministry in building core institutional capacity, competences, and capabilities to manage defense-related processes.
  - ◇ DepSecDef Memo of 7 Aug 2013 emphasizes the value of the program and strongly encourages all DoD components to support the MODA program.
  - ◇ Members of armed services can serve as advisors or trainers.

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

**Value of Program:** Varies

**Restrictions:** This is for advisor duties only

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

**Execution:** Much of this process is described in DoDD 5205.JB “Defense Institution Building”

**Example:** Has been in place in Afghanistan using ASFF authorities since FY 2010, currently totaling 90 advisors during FY 2013. Up to fifteen new MODA partners have been nominated by OSD, State, or CCMDs to include Montenegro, Kosovo, Yemen, and others. The Montenegro (logistics) and Kosovo (Security Sector Reform) U.S. MODAs are on-station.

# 333, Foreign Security Forces: Authority to Build Capacity

**Description:** Section 333 replaces the following four programs: “1204, Authority to Conduct Activities to Enhance the Capability of Foreign Countries to Respond to Incidents Involving Weapons of Mass Destruction,” “2282, Building Capacity of Foreign Security Forces,” “1033, DoD Assistance for C/N Activities by Certain Countries,” and “Assistance to the Government of Jordan for Border Security Operations.”

**Purpose:** Codification into permanent U.S. law of a program that allows the Secretary of Defense to provide equipment, services, and training to the national security forces of one or more foreign countries for the purpose of building capacity to do one or more of the following operations: counterterrorism, counter-weapons of mass destruction, counter-illicit drug trafficking, counter-transnational organized crime, maritime/border security, military intelligence, air domain awareness operations and cybersecurity operations, or activities that contribute to an international coalition operations.

**Authorization:** 10 U.S.C. 333, as amended by NDAA 2021, P.L. 116-283 02 Jan 2021.

## **Appropriation:**

- Funding for programs carried out may be derived from amounts authorized for such purposes from DoD O&M, Defense-wide, and that available for DSCA for such purposes.
- Amounts available in a fiscal year to carry out the authority in subsection may be used for programs under that authority that begin in such fiscal year and end not later than the end of the second fiscal year thereafter.
- Available until 30 Sep 2022—\$753,603,000

## **Guidance:**

- In developing and planning a program to build the capacity of the national security forces of a foreign country under this program, the SecDef and SecState should jointly consider political, social, economic, diplomatic, and historical factors, if any, of the foreign country that may impact the effectiveness of the program.
  - ◇ SAMM, C15 (undergoing revision)
  - ◇ For interim guidance, see DSCA Policy Memo 18-38 dated 5 Sep 2018
- Legislative guidance as follows:
  - ◇ National Security Forces under the program will undertake, or have undertaken, training that includes a comprehensive curriculum on the law of armed conflict, human rights and fundamental freedoms, and the rule of law, and that enhances the capacity to exercise civilian control of the military.
  - ◇ Prior to the initiation of the program that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program of institutional capacity building with appropriate institutions of such foreign country to enhance the capacity of such foreign country to organize, administer, employ, manage, maintain, sustain, or oversee the national security forces of such foreign country.
  - ◇ Per Section 1210E of P.L. 116-283, 01 Jan 2021, the SecDec, in coordination with SecState, shall incorporate participation by women into all security cooperation activities carried out under Title 10 and shall incorporate gender analysis and Women, Peace, and

Security priorities into training and activities to be conducted under Section 333 and other authorized security assistance programs. SC planners should note that the WPS requirements under section 1210(e) affect all SA and SC programs not just programs under 333..

**Countries Eligible:** Countries determined by the SecDef, with concurrence of the SecState, to be appropriate recipients

**Value of Program:** Variable

**Restrictions:**

- Along with existing restrictions, the FY17 NDAA mention specific restrictions for 333; those are marked as such:
  - ◇ Authorized assistance may include the provision of equipment, supplies, training, defense services, and small-scale military construction.
  - ◇ Along with various reporting requirements Section 333 prohibits assistance to units that have committed gross violations of human rights.
  - ◇ Sustainment support may not be provided for equipment under a new program or to programs previously provided by the Department of Defense under any authority available to the Secretary during fiscal year 2015 or 2016, for a period in excess of five years unless a written justification is given of how it will enhance security interests of the US, and to the extent a plan to transition such sustainment support from funding through the Department to funding through another security sector assistance program of the United States Government or funding through partner nations.
  - ◇ Assistance not applicable for countries not otherwise eligible by law for military exports.
  - ◇ Assistance requires congressional notification.
  - ◇ SecDef shall submit annual reports to the appropriate committees of Congress on DoD's implementation of the Women, Peace, and Security Act of 2017 P.L. 115-68, 131, Stat1202.

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

**Execution:** The SecDef and the SecState shall coordinate the implementation and each designate an individual responsible for program coordination at the lowest possible appropriate level concerned.

**Example:**



# 341, Department of Defense State Partnership Program

**Description:** A Joint DoD security cooperation program with the National Guard Bureau as the program manager and executed by the States. Each partnership is authorized by section 341, approved by the SecDef, in coordination with the SECSTATE, to “support the security cooperation objectives of the United States.”

**Purpose:** Codified into U.S. law, the State Partnership Program (SPP) allows the National Guard to interact with military, security forces, and emergency/disaster response organizations of friendly partner nations.

**Authorization:** 10 U.S.C. 341

**Appropriation:** DoD O&M, GCC RC labor (as available), service funding (as provided), NG Army National Guard and Air National Guard SPP appropriations (ARNG labor 2060, ARNG O&M 2065; ANG O&M 3840 and ANG milpers 3850), and other USG funds as authorized, to include interagency funding in accordance with Title 31 Economy Act procedures. Sections 312, 341, and 382 of Chapter 16 describe authorized expenditures of DoD security cooperation funds.

## Guidance:

- DoD Instruction 5111.20 of October 2016, identifies authorities and funding that may be used for SPP activities when jointly approved by the applicable CCMD and COM. These authorities are cross-walked/ referenced to the new authorities under Chapter 16. DoS/PM will coordinate any DoS concurrence as required.
  - ◇ Military/Security Force Organizations:
  - ◇ Section 311 of Chapter 16 formerly Section 1082, NDAA, FY 1997, P.L.104-201, 23 September 1996, Reciprocal Personnel Exchanges
  - ◇ Section 311 of Chapter 16 formerly Section 1207, NDAA, FY 2010, P.L.111-84, 28 October 2009, Non-Reciprocal Personnel Exchanges
  - ◇ Section 333 of Chapter 16 formerly 10 U.S.C. 2282 (previously 1206 program), Authority to Build the Capacity of Foreign Security Forces
  - ◇ 10 U.S.C. 166a, Combatant Commander Initiative Fund (CCIF)
  - ◇ Section 342 of Chapter 16 formerly 10 U.S.C. 184, Regional Centers for Security Studies (RCSS) & section 321 of Chapter 16 formerly P.L. 113-66, section 1203
  - ◇ Section 345 of Chapter 16 formerly 10 U.S.C. 2249c, Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program (CTIWFP)
  - ◇ Section 385 Department of Defense support for other departments and agencies of the United States Government that advance Department of Defense security cooperation objectives of Chapter 16
  - ◇ 10 U.S.C. 401, Humanitarian and Civic Action (HCA) during Military Operations & Section 632, FAA [22 U.S.C. 2392], Allocation and Reimbursement among Agencies
  - ◇ Section 312 of Chapter 16 formerly 10 U.S.C. 1050, LATAM Cooperation & 10 U.S.C. 1050a, African Cooperation Emergency and Disaster Response Organizations under sections 10 U.S.C. 401, 402, 404, and 2557, and 2561 implemented IAW SAMM Chapter 12 and FY12 OSD OHDACA cable.
- Each partnership is required to have a Partnership Support Plan synced to the geographic CCMD



Theater Campaign Plan's Country Security Cooperation Sections. NDAA 17 Security Cooperation Reform has re-designated multiple authorities from previous legislation efforts throughout Chapter 16, notably section 333. SPP is but one of a series of security cooperation programs that will be reviewed as part of DoD's quadrennial review IAW section 1252 of NDAA 17.

**Countries Eligible:** All countries are eligible for partnership consideration but the selection process starts with a country request for a partnership through the appropriate U.S. Embassy, endorsed and prioritized by the CCMD with final determination by the SecDef in coordination with SECSTATE. Currently 79 countries are in the SPP.

**Value of Program:** Variable and country-dependent. SPP matches State NG capabilities to a partner nation's security requirements for the military, security forces (border forces, constabulary, port (air and land forces), and first responder organizations with emergency and disaster response, to include medical and infectious disease. SPP is one of the few programs authorized to engage across the spectrum of country governmental organizations and is a multi-categorization security cooperation tool.

**Restrictions:**

- The National Guard member must be on active duty unless the activity is to be conducted within the affected state, then 32 U.S.C.502f duty status applies. Outside of affiliate state borders the NG duty status is typically 10 U.S.C 12301(d). All SPP activities must receive a Leahy determination prior to expending DoD funds, as mandated in 10 U.S.C., Chapter 16, §341 and §362. Congressional notification is required if activities includes security forces and/or disaster and/or emergency response organizations. No Invitation Travel Orders may be processed to support participation of countries who are designated as "High Income" IAW SecDef memo and section 311.
- The total amount of payments for incremental expenses of foreign countries as authorized under activities under program in any fiscal year may not exceed \$10M.

**Key Players:** COM, Country team, geographic CCMD, SecDef, National Guard Bureau, and applicable State National Guard

**Execution:** See procedures previously stated for each activity authority. All SPP activities must align with the geographic CCMD's Intermediate Military Objectives and/or Lines of Effort. Emergency and Disaster Response activities will be iaw SAMM Chapter 12 OHDACA and the FY12 OSD cable on OHDACA execution. All SPP activities will be entered into G-TSCMIS, and, if using OHDACA authorities, also in OHASIS. Annually, DoD will submit a report to Congress on the previous fiscal year's SPP activities iaw §386.

**Example:** In support of a Moroccan FMS case, Utah NG partnered with Massachusetts NG to complete TOW missile training and a live-fire for Morocco in December 2019. Vermont NG facilitated the donation of portable X-ray and ultrasound units and cardiac equipment in 2020-1 from Vermont University Medical Center to Senegal Ministry of Health. West Virginia NG is supporting Qatar with CBRN response planning for the 2022 World Cup.

## 342, Regional Centers for Security Studies (RCS)

**Description:** Five (5) regionally focused security studies centers that conduct academic-like programs to build institutional capacity and promote common perspectives on regional security.

**Purpose:**

- RCS are institutional capacity building (ICB) providers that support OSD(P) and CCMDs by doing the following:
  - ◊ Offering executive-level educational, outreach, and research programs that foster long-term collaborative relationships;
  - ◊ Developing and sustaining relationships and communities of interest among security practitioners and national security establishments, especially in the defense sector, and
  - ◊ Enhancing enduring partnerships among the nations of the region.
- As directed by Congress, RCs prioritize three functional areas of engagement: territorial and maritime security, transnational and asymmetric threats, and defense-sector governance.
- Information for each RC is as follows:
  - ◊ George C. Marshall European Center for Security Studies in Germany; [www.marshall-center.org](http://www.marshall-center.org), DSN: 314-440-2656
  - ◊ Daniel K. Inouye Asia-Pacific Center for Security Studies in Hawaii; [apcss.org](http://apcss.org), 808-971-8900
  - ◊ William J. Perry Center for Hemispheric Defense Studies in D.C.; [williamjperrycenter.org](http://williamjperrycenter.org), 202-685-4670
  - ◊ Africa Center for Strategic Studies in Wash, D.C.; [africacenter.org](http://africacenter.org), 202-685-7300
  - ◊ Near East South Asia Center for Strategic Studies in D.C.; [www.nesa-center.org](http://www.nesa-center.org), 202-685-4131
  - ◊ NDAA 2021 Section 1089 directs the DoD and State to submit a plan to establish a new regional security studies center for the Arctic. The Ted Stevens Center for Arctic Security Studies may subsequently be established, pending appropriation. The conferences report indicates that Alaska may be chosen for the new center's location.
  - ◊ NDAA 2021 Section 1299(L) requires DOD to report on the feasibility and benefits of establishing a functional center for the study of irregular warfare. Pending approval and appropriation DoD may establish such a center that would be operated and administered in the same manner as the existing regional centers.

**Authorization:** 10 U.S.C. 342

**Appropriation:** Annual DoD O&M provided for each RC

**Guidance:**

- Participants may be military, defense and non-defense government civilians, and non-governmental civilians.
- Many programs are offered in languages other than English.

- Tuition is on a reimbursable basis.
- Tuition may be waived by SecDef for developing country participants when determined to be in the U.S. national security interests.
- Up to \$1,000,000 may be waived for attendance by civilians from non-government organizations and international organizations each FY.

**Countries Eligible:** As determined by SecDef

**Value of Program:** Variable

**Restrictions:**

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

**Execution:**

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

**Example:** In coordination with ASD(ISP) and USEUCOM, the director of the Marshall Center announces an upcoming seminar on strategic airlift capabilities. The applicable country teams (SCO) nominate individuals from his country to attend. The director accepts the nomination. Alumni of the regional center programs often remain in contact with one another, and such groups can be important contacts in the professional network of U.S. SC Planners.

# 343, Western Hemisphere Institute for Security Cooperation

**Description:** The Secretary of Defense may operate an education training facility to provide professional education and training to the eligible personnel of countries of the Western Hemisphere

**Purpose:** The purpose of the Institute is to provide professional education and training to eligible personnel of countries of the Western Hemisphere within the context of the democratic principles set forth in the Charter of the Organization of American States (such charter being a treaty to which the United States is a party) while fostering mutual knowledge, transparency, confidence, and cooperation among the participating countries and promoting democratic values, respect for human rights, and knowledge and understanding of United States customs and traditions.

**Authorization:** 10 U.S.C. 343

**Appropriation:** DoD O&M

**Guidance:**

- The curriculum may include instruction and other educational and training activities on the following:
  - ◇ Leadership Development
  - ◇ Counterdrug operations
  - ◇ Peace support operations
  - ◇ Disaster relief
  - ◇ Any other matter that the Secretary determines appropriate

**Countries Eligible:**

- Personnel of countries of the Western Hemisphere are eligible for education and training at the Institute as follows:
  - ◇ Military personnel
  - ◇ Law enforcement personnel
  - ◇ Civilian personnel

**Value of Program:** Variable

**Restrictions:** Tuition fees charged for persons who attend the Institute may not include the fixed costs of operating and maintaining the Institute.

**Key Players:** U.S. Army is Executive Agent and placed the Institute subordinate to the Combined Arms Center, Fort Leavenworth, KS, a component of the U.S. Army Training & Doctrine Command at Fort Eustis, VA.

**Execution:** There shall be a Board of Visitors for the Institute.

**Example:** Students and faculty members have earned 188 Master's degrees while at WHINSEC, 135 through civilian institutions and 53 Masters of Military Arts and Science.

# 344, Participation in Multinational Centers of Excellence

**Description:** Participation in multilateral centers of excellence (COEs)

**Purpose:** Authorizes DoD to partially fund and participate in any multilateral military center of excellence

**Authorization:** 10 U.S.C. 344, as amended.

**Appropriation:** DoD O&M IAW DoDD 5100.3, Support of the Headquarters of Combatant and subordinate Joint Command.

**Guidance:**

- Participation is by a negotiated international agreement.
- The purpose of any such center is to include the following:
  - ◊ Enhancing other countries' military and civilian personnel to engage in joint exercises or coalition of international military operations
  - ◊ Improve interoperability between U.S. forces and other countries' forces
- DoD O&M funds may be used to pay the U.S share of operating any such centers and to pay expenses to attend any such center.
- DepSecDef memo of 28 Jan 2009 delegates the legislated SecDef authority to USDP.

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

**Value of Program:** Only an authority to use designated funding within the GCC approved resource levels

**Restrictions:** The DoD participation international agreement is to be coordinated with SecState.

**Key Players:** SecDef, SecState, applicable CCMD, and partner nation counterparts

**Execution:**

**Example:**

- A second DepSecDef memo of 28 Jan 2009 to EUCOM and the now deactivated JFCOM initially designated the following COEs (with locations) as authorized for DoD personnel participation and expenditure of U.S. funds to pay as the U.S. share of expenses:
  - ◊ Joint Air Power Competence Center (Germany)
  - ◊ Defense Against Terrorism (Turkey)
  - ◊ Combined Joint Operations from the Sea (U.S.)

The NATO School (Germany) and the European COE for Countering Hybrid Threats (Finland). There are 24 COEs altogether.

# 345, Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program (CTIWFP)

**Description:** DoD funding of international student attendance in counterterrorism and combatting irregular warfare courses. Program formerly known as Regional Defense Combating Terrorism Fellowship Program

**Purpose:**

- Provide funding assistance for international attendance at the following locations:
  - ◇ Military or civilian educational institutions
  - ◇ Regional centers
  - ◇ Conferences
  - ◇ Seminars

**Authorization:** 10 U.S.C. 345

**Appropriation:** Use of DoD O&M

**Guidance:**

- IAW DoDI 2000.28, 14 Nov 2013
  - ◇ Funding is allocated by ASD(SO-LIC).
  - ◇ Program is administered by DSCA using TMS.
  - ◇ Students are nominated by the country team (SCO) with CCMD endorsement to be approved at the annual CCMD -sponsored SCETWG.
  - ◇ Permits payment of transportation and travel/subsistence costs.

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

**Value of Program:** \$35M annually

**Restrictions:**

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

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

**Execution:**

- Country team nominates student(s) to attend specific course.
- GCC endorses nomination.

- ASD(SO-LIC) allocates funding by country.
- Quotas are filled at the annual SCETWG.
- MilDeps provide the training.
- DSCA manages the program throughout the year using TMS.

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

# 346, Distribution to Certain Foreign Personnel of Education and Training Material and Information Technology to Enhance Military Interoperability with the Armed Forces

**Description:** International students enroll in DoD distance learning courses; this program was previously called “Electronic Distribution of Training Material.”

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

**Authorization:** 10 U.S.C. 346

**Appropriation:** None

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

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

**Value of Program:**

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

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

**Execution:**

- Country team (SCO) forwards country request to enroll in a distance learning course.
- Applicable MilDep approves the request.
- Applicable training organization enrolls the student.

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



# 347, International Engagement Authorities for Service Academies

**Description:** Repeals the following two programs, which Section 347 will replace: “Attendance at Military Academies” and “Military Academy Exchange Program”

**Purpose:** Codification into permanent U.S. law of Section 347 that allows the service academies (The U.S. Naval Academy, the U.S. Military Academy, and the U.S. Air Force Academy), under the authority of each Service Secretary, to permit persons from foreign countries to receive instruction at said service academy. This includes student exchanges with foreign military academies for educational purposes or cultural activities.

**Authorization:** 10 U.S.C. 347

**Appropriation:** N/A

**Guidance:**

- For the purposes of this program, “Service Academy” refers to one of the following:
  - ◊ U.S. Military Academy
  - ◊ U.S. Naval Academy
  - ◊ U.S. Air Force Academy

**Countries Eligible:** As determined by USDP

**Value of Program:** Variable

**Restrictions:**

- Tuition is generally reimbursable; however, USDP may waive part or all with costs to be absorbed by the MilDeps.
- Each service academy shall bear the costs of such attendance from funds appropriated for that academy and from such additional funds as may be available to that academy from a source, other than appropriated funds, to support cultural immersion, regional awareness, or foreign language training.
- Expenditures from appropriated funds in support of exchange program for each Academy should not exceed \$1M during any fiscal year.
- Expenditures from appropriated funds in support of activities under this subsection for any Service Academy may not exceed \$40K during any fiscal year
- The number of persons permitted to receive instruction at each Academy under this program may not be more than 60 at any one time

**Key Players:** USDP, MilDeps, country team (DAO), Service Academies

**Execution:**

- Until new execution guidance is issued, the following is the current process:
  - ◊ USDP announces eligible countries.
  - ◊ Academy superintendents provides invitations for admission.

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

# 348, Aviation Leadership Program (ALP)

**Description:** Obtain undergraduate pilot training with any associated training

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

**Authorization:** 10 U.S.C. 348

**Appropriation:** USAF O&M funded.

**Guidance:**

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

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

**Value of Program:**

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

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

**Execution:**

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

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

## 349, Inter-American Air Forces Academy

**Description:** Authority for USAF to operate Air Force education and training facility for the military personnel of Central and South American countries, Caribbean countries, and other eligible countries

**Purpose:** The Secretary of the Air Force may operate the Air Force education and training facility known as the Inter- American Air Forces Academy for the purpose of providing military education and training to military personnel of Central and South American countries, Caribbean countries, and other countries eligible for assistance

**Authorization:** 10 U.S.C. 349

**Appropriation:** US Air Force O&M

**Guidance:** Military personnel of a foreign country may be provided education and training under this section only with the concurrence of the Secretary of State.

**Countries Eligible:** Central and South American countries, Caribbean countries, and other countries eligible for assistance

**Value of Program:** Variable

**Restrictions:** Education and training may not be provided under this section to the military personnel of any country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

**Key Players:** USAF, DoD, and DoS

**Execution:** The SCO and host governments select students to attend the academy's courses. SCO training officers must ensure each student meets all course prerequisites as required.

**Example:** The Inter-American Air Force Academy graduates an average of 800 students per year.

# 350, Inter-European Air Force Academy

**Description:** Authority to operate the Inter-European Air Forces Academy

**Purpose:** Provide military education and training to military personnel of countries that are members of NATO or signatories to the Partnership for Peace (PfP) Framework Documents or that are within the U.S. Africa Command Area of Responsibility.

**Authorization:** 10 U.S.C. 350

**Appropriation:** Air Force O&M; the use of SA/SC funding is not addressed.

Guidance:

- The following may be provided by the USAF:
  - ◊ Transportation incident to the education and training
  - ◊ Supplies and equipment to be used during the education and training
  - ◊ Billeting, food, and health services
- The USAF may provide a living allowance to the students.
- SecAF is to provide an annual report to Congress on the progress of Academy.

**Countries Eligible:** NATO, PfP countries, and AFRICOM countries, and any countries European or African countries eligible for IMET.

**Value of Program:** Variable

**Restrictions:**

- Participation by specific countries require SecState concurrence.
- Country must be otherwise eligible by law to receive such education and training.

**Key Players:** USAF, NATO, and PfP countries

**Execution:** Students must be nominated by their respective country to the SCO in that country. Students who attend IEAFA are not eligible to attend the standard USAF Squadron Officer School or NCO Academy. Among other requirements, students must have an ECL score of 80 or higher.

**Example:** So far, IEAFA has trained 155 students from the following 20 countries: Albania, Bulgaria, Croatia, Czech Republic, Georgia, Germany, Greece, Hungary, Estonia, Latvia, Lithuania, Malta, Montenegro, Poland, Romania, Slovakia, Slovenia, Sweden, Turkey, and the United States.

# 351, Inter-American Defense College

**Description:** Authority for the DoD to participate in the operation of and provision of support to the Inter-American Defense College

**Purpose:** Authorization for members of the armed forces and civilian personnel of the Department of Defense to participate in the operation of and the provision of support to the Inter-American Defense College and provide logistic support, supplies, and services to the Inter-American Defense College, including the use of Department of Defense facilities and equipment.

**Authorization:** 10 U.S.C. 351

**Appropriation:** Funds appropriated to the DoD O&M as the SecDef deems necessary

**Guidance:** The Secretary of Defense, with the concurrence of the Secretary of State, shall enter into a memorandum of understanding with the Inter-American Defense Board for the participation of members of the armed forces and civilian personnel of the Department of Defense in the operation of and provision of host nation support to the Inter-American Defense College.

**Countries Eligible:** Member states of the Organization of American States

**Value of Program:** Variable

**Restrictions:** No funds may be used to provide for the pay of members of the armed forces or civilian personnel of the DoD who participate in the operation of and the provision of host nation support to the Inter-American Defense College

**Key Players:** DoD

**Execution:**

- Funds appropriated may be used to pay costs that the Secretary determines are necessary for the participation of members of the armed forces and civilian personnel of the DoD in the operation of and provision of host nation support to the Inter-American Defense College to include the following:
  - ◇ Costs of expenses
  - ◇ Costs of hiring and retaining qualified professors, instructors, and lecturers
  - ◇ Curriculum support costs
  - ◇ Translation and interpretation service costs
  - ◇ Costs of information and education technology
  - ◇ Costs of utilities
  - ◇ Costs of maintenance and repair of facilities

**Example:** The Inter-American Defense College (IADC), located on Fort Lesley J. McNair, is an international educational institution operating as an element of the OAS through the Inter-American Defense Board. Since its beginning, 2,669 students from 26 different countries have graduated from the college.

# 352, Naval Small Craft Instruction and Technical Training School

**Description:** Authority for SecDef to operate the Naval Small Craft Instruction and Technical Training School

**Purpose:** The purpose of the school shall be to provide the military and security forces of one or more friendly foreign countries' education and training related to naval small craft instruction and training and to increase professionalism, readiness, and respect for human rights through formal courses or mobile training teams.

**Authorization:** Codified into Title 10 U.S.C. by Sec 1208 NDAA FY19, P.L. 115-232, div. A, Title XII, Section 1208(a)(1), 13 Aug 2018 132 Stat. 2021

**Appropriation:** Fixed costs of operation paid from DoD O&M funds.

**Guidance:** To be determined by SecDef

**Countries Eligible:** As determined by SecDef

**Value of Program:** Variable

**Restrictions:** Personnel or countries receiving training must otherwise be eligible by law.

**Key Players:** DoD and SecDef

**Execution:** To be determined by SecDef

**Example:**

# 385, DoD Support for Other Departments and Agencies of the USG that Advance DoD Security Cooperation Objectives

**Description:** Authorization to support other federal agencies for the purpose of implementing or supporting foreign assistance programs and activities that advance DoD security cooperation objectives

**Purpose:** The SecDef is authorized to support other departments and agencies of the United States Government for the purpose of implementing or supporting foreign assistance programs and activities that advance security cooperation objectives of the DoD and cannot be carried out by the DoD.

**Authorization:** 10 U.S.C. 385

**Appropriation:** Not to exceed \$75M per FY

**Guidance:**

The foreign assistance programs and activities authorized for support are foreign assistance programs and activities that do the following:

Are necessary for the effectiveness of one or more programs of the Department of Defense relating to security cooperation conducted under an authority

Cannot be carried out by the DoD

**Countries Eligible:** N/A

**Value of Program:** Variable, up to \$75M per FY

**Restrictions:** Funding transfer may not occur until SecDef and the head of the department or agency to receive the funds jointly submit to the congressional defense committees a detailed notice on the transfer.

**Key Players:** DoD, SecDef, and various federal agencies

**Execution:**

- SecDef and the head of federal agency must notify Congress with a detailed report to include the following:
  - ◇ Description of costs and purpose
  - ◇ Security cooperation objectives of the DoD, including elements of the theater campaign plan that will be advanced
  - ◇ A justification why such program or activity will advance listed objectives
  - ◇ A justification why such program or activity cannot be carried out by the DoD
  - ◇ An identification of any funds programmed or obligated by the department or agency other than the DoD on such program or activity
  - ◇ Timeline for the provision of support
- Funds will be transferred 30 days after congressional notification.



# Acquisition and Cross-Servicing Agreement (ACSA)

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

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

**Authorization:** 10 U.S.C. 2341-2350 as amended (with significant additional oversight reporting requirements) per Section 881, NDAA 2021, P.L. 116-283, 01 Jan 2021

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

**Guidance:**

- DoDD 2010.9, CJCSI 2120.01, and International Cooperation in AT&L handbook, Section 5.3.2
- Congressional notification required prior to entering agreement.

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

**Value of Program:**

**Restrictions:**

- The pseudo LOA process is not used for implementation.
- Advance notification and approvals are required before CCMDs enter into ACSA agreements.
- Significant military equipment (SME) is not to be transferred via ACSAs.
- SecDef may not use an agreement with any government or organization to facilitate the transfer of logistic support, supplies, and services to any country without an ACSA.
- SecDef-designated official must review the entire ACSA program and report to the Defense Committees a plan to improve tracking and reimbursement procedures and for all transactions valued at \$1M or more. Officials must report the amounts, dates, and other particulars of the transaction and subsequent reimbursements from that partner.

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

**Execution:**

- CCMD proposes the agreement.
- SecDef, Joint Staff, and SecState concur.

**Example:** Routine fuel, minor repair parts and services, beddown, and port services for visiting forces during exercises or operations. Further defined within 10 U.S.C. 2350.

# Afghanistan Security Forces Fund (ASFF)

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

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

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

**Appropriation:**

- FY 2021— 3,047,612,000 available through 30 Sep 2022, Title IX, OCO, P.L. 116-260
- FY 2020—\$4.2B available through FY 2020, Title IX, OCO, P.L. 116-93, 20 Dec 2019
- FY 2019—\$4.9B available through FY 2020, Title IX, OCO, Div. A, P.L. 115-244, 28 Sep 2018
- FY 2018—\$4.6B available through FY 2019, Title IX, OCO, Div. C, P.L.115-141, 23 Mar 2018

**Guidance:**

- Any contribution of funding from non-USG sources may be credited to the ASFF and used for such purposes. Congress is to be notified of any details of the receipt of such funds and its eventual use.
- This funding is in addition to authorities to provide assistance to other countries.
- Prior Notice and Reporting requirements listed in P.L. 114-328 are extended through 31 Jan 2023 [P.L. 116-283].
- Not less than \$20M of funds have been designated as OCO and earmarked for the recruitment, integration, and retention of women in the Afghan Security Forces.
- Funds available for the Afghanistan Security Forces Fund may be used to provide limited training, equipment, and other assistance that would otherwise be prohibited by 10 U.S.C. 362 (DoD Leahy) to a unit of the security forces of Afghanistan only if the SecDef certifies to the congressional defense committees that this is crucial to U.S. interests.
- SecDef, in conjunction with SecState, must certify to the appropriate committees that the government of Afghanistan is making progress toward meeting certain listed shared security objectives. SecDef may withhold up to 15 percent of funds under this section, should the Afghan government fail to demonstrate such progress. [P.L. 116-283]
- NDAA 2021 Section 1521 allows the SEC DEF to accept the return to U.S. stocks of certain equipment that had been intended for the Afghan security forces. Equipment procured under ASFF but not accepted or no longer required by the Afghan government may be returned to US stocks under this provision.

**Countries Eligible:** Afghanistan security forces

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

**Restrictions:**

- DSCA and the SC community will normally use pseudo LOA procedures for the management of any

defense articles and services provided using ASFF [SAMM, C15]

- Golden Sentry End-Use Monitoring procedures will be used to ensure delivery, receipt, and registration of DoD-provided defense articles [DoDI 4140.66, 15 October 2009]
- No ASFF funds may be obligated prior to DoD approval of a financial and activity plan prepared by the Afghan Resources Oversight Council. [P.L. 116-260]
- No funds under ASFF may be used to procure or transport man-portable air defense systems [P.L. 116-260]

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

**Execution:**

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

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

# African Peacekeeping Rapid Response Partnership (APRRP)

**Description:** Assistance for African peacekeeping

**Purpose:** Build international peacekeeping capacity and promote regional security operations so that African partner nations can execute their own internal security responsibilities and provide support for African Union/United Nations sponsored peace operations in Africa.

**Authorization:** Peacekeeping Capacity Building Assistance program established in FY 2015 under the title 22 authority

**Appropriation:** At least \$110M per year

**Guidance:** The focus for this program is creating the ability for African countries to support peace operations and possibly enhancing their capability to respond to various humanitarian and disaster crises. The type of assistance usually provided is logistics, lift, medical, engineering, interoperability, and training/deployment centers. There are also several Congressional notification requirements.

**Countries Eligible:** Senegal, Ghana, Ethiopia, Rwanda, Tanzania, and Uganda

**Value of Program:** \$267M budget FY 2015-2017

- Partner nations need to provide long-term sustainment of capacity provided by this assistance.
- Significant vetting is required.

**Key Players:** Country team (SCO), AFRICOM, DoD, and DoS

**Execution:** In general, the appropriate African SCOs need to develop implementation timelines, country-level objectives, and the respective focus areas and milestones to support those country-level objectives. Once these are in the respective Country Cooperation Plan and coordinated with the respective resource requests, they will be inserted into the AFRICOM program Sync Matrices for AFRICOM consideration. While there are no current plans to allocate additional funds for APREP, existing cases/projects are still being executed using prior year APREP dollars.

**Example:**

# Asia Reassurance Initiative

**Description:** To improve defense capacity, build counterterrorism capacity, and increase maritime domain awareness

**Purpose:** To advance United States foreign policy interests and objectives in the Indo-Pacific region in recognition of the value of diplomatic initiatives and programs in the furtherance of U.S. strategy; to improve the defense capacity and resiliency of partner nations to resist coercion and deter and defend against security threats, including through foreign military financing and international military education and training programs; to conduct regular bilateral and multilateral engagements, particularly with the United States' most highly capable allies and partners, to meet strategic challenges.

**Authorization:** Asia Reassurance Initiative Act of 2018, P.L. 115-409, 31 Dec 2018, authorizes up to \$1.5B for each FY from 2019 through 2023

**Appropriation:** FY 2021—\$1,482,000,000

**Guidance:**

- Can be used to accomplish the following:
  - ◇ Advance U.S. interests and objectives in the Indo-Pacific region
  - ◇ Improve the defense capacity and resiliency of partner nations to resist coercion and deter and defend against security threats
  - ◇ Conduct regular bilateral and multilateral engagements
  - ◇ Build new counterterrorism partnership programs in Southeast Asia to combat the growing presence of ISIS and other terrorist organizations
  - ◇ Help partner countries strengthen their democratic systems, with a focus on good governance
  - ◇ Ensure that the regulatory environments for trade, infrastructure, and investment in partner countries are transparent, open, and free of corruption (as amended by the NDAA 2021 P.L. 116-283, 01 Jan 2021, Sec 1260A, which contains additional Asia Reassurance Initiative Act requirements specific to Taiwan).
  - ◇ Encourage responsible natural resource management in partner countries, which is closely associated with economic growth
  - ◇ Increase maritime domain awareness programs in South Asia and Southeast Asia

**Countries Eligible:** Indo-Pacific Region

**Value of Program:** Up to \$1.5B per year; authority sunsets 31 Dec 2026

**Restrictions:**

- To be used for Cambodia unless specific certifications under section 7043(b)(1) of division K of the Consolidated Appropriations Act, 2018 (Public Law 115-141) have been met.
- None of the amounts appropriated may be made available for International Military Education and Training and Foreign Military Financing Programs for the armed forces of the Republic of the Union of Myanmar (historically known as Burma).

- SecState shall provide annual briefings to SFRC and HFRC regarding efforts to implement this Act by providing regular transfers to Taiwan of defense articles tailored to meet anticipated threats from the PRC.

**Key Players:** DoS, USAID, Country Team, DoD, and GCC

**Execution:** Funding should be made in consultation with appropriate congressional committees

# Assist in Accounting for Missing USG Personnel

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

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

**Authorization:** 10 U.S.C. 408

**Appropriation:** Up to \$1M in DoD funding may be used annually

**Guidance:**

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

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

**Value of Program:** Not to exceed \$1M annually

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

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

**Execution:**

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

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

# Attendance at the USCG Academy

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

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

**Authorization:** 14 U.S.C. 1923

**Appropriation:** None

**Guidance:**

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

**Countries Eligible:** As determined by the Secretary of Homeland Security

**Value of Program:**

**Restrictions:**

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

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

**Execution:**

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

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



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

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

**Purpose:**

- Host and participate in courses and seminars conducted both in-country with in-residence focusing on the delivery of knowledge and sharing of information between humanitarian assistance and disaster relief (HADR) practitioners.
- Provide support to military exercise planner staffs.
- Provide subject matter expertise (SME) in HADR operations and exercises.
- Provide expertise during HADR response operations. The COE is not an operational first responder organization.

**Authorization:** 10 U.S.C.182

**Appropriation:** DoD O&M, with additional funds provided by participating countries, USG agencies, international organizations, and NGOs

**Guidance:**

- Initially authorized in 1997 as a Center for Excellence (CFE).
- Directly reports to USPACOM and is located at Camp Smith, Hawaii.
- Generally in support of HADR activities in the PACOM AOR but is expanding to global activity support.
- Section 8093, DoD Appropriations Act, 2003, P.L.107-248, 23 Oct 2002, authorizes the use of CFE funds to pay the expenses of providing or facilitating COE training and education for appropriate military and civilian personnel of foreign countries.

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

**Value of Program:**

**Restrictions:** While HADR subject-matter experts in support of operational commanders or organizations, not a “first responder”

**Key Players:**

**Execution:** View website at <http://www.coe-dmha.org> or email [frontoffice@coe-dmha.org](mailto:frontoffice@coe-dmha.org), or phone 1-808-433-7035 for additional organization information to include references, best practices repository, or events such as ongoing or future HADR courses, workshops, and conferences.

**Example:**

- CFE-DMHA recently co-hosted with the Indonesian National Armed Forces (TNI) a senior multilat-

eral capstone pandemic influenza conference in Jakarta. Also recently conducted humanitarian assistance response training (HART) to USG military and civilian, NGO, and partner nation personnel on board USNS Mercy (T-AH-19) while en route to its medical and humanitarian civic action mission in Southeast Asia.

- Has developed and published online country disaster response handbooks for Bangladesh, Vietnam, Nepal, Indonesia, and Thailand.

# Coalition Readiness Support Program (CRSP)

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

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

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

**Appropriation:** \$350M -for the “1233” Coalition Support Fund NDAA, FY 2019, P.L.115-232, 13 Aug 2018. As amended by NDAA 2021, funds not to exceed \$180,000,000 under this section shall be available between 1 Oct 2020 and 31 Dec 2021.

- The CRSP process requires a 15-day advance congressional notification.
- CRSP is a component of the “1233” Coalition Support Fund (CSF) for the management of defense articles and services transfers.

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

**Value of Program:** Varies

## **Restrictions:**

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

## **Execution:**

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

**Example:** Transfer of equipment, supplies, or training as reimbursement to countries supporting U.S. forces in SWA. \$238,000,000 in CRSP pseudo LOAs during FY 2010.

# Combatant Commander Initiative Fund (CCIF)

**Description:** DoD funding of CCMD SC program proposals to SecDef

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

**Authorization:** 10 U.S.C. 166a

**Appropriation:**

- FY 2018—\$15M in DoD O&M appropriated by Title II, DoD Appropriations Act, FY18, Div. C, P.L.115-232, 23 Mar 2018
- FY 2019—\$7.5M in DoD O&M appropriated by Title II, DoD Appropriations Act, FY19, Div. A, P.L. 115-244, 28 Sep 2018
- FY 2020—\$6.85M available through FY20, Title II, O&M, P.L. 116-93, 20 Dec 2019
- FY 2021—\$3.0M DoD O&M P.L. 116-133, 27 Dec 2020

**Guidance:**

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

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

**Value of Program:** FY 2021—\$3.0M

**Restrictions:** Of the funds made available, no funds may be provided for any activity that has been denied by Congress.

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

**Execution:**

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

**Example:**

- Types of activities authorized for the use of CCIF includes the following:
  - ◊ Contingencies
  - ◊ Combined exercises
  - ◊ Selected operations

◇ Force protection

◇ Force training

# Commanders' Emergency Response Program (CERP)

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

**Purpose:**

- Provide immediate humanitarian relief resulting from terrorism in Afghanistan.
- Provide an immediate and direct benefit to the people of Afghanistan.
- Provide voluntary payments for damage, personal injury or death that is incident to combat operations of the Armed Forces in Afghanistan, Iraq, Syria, Somalia, Libya, or Yemen.

**Authorization:** Section 1201, NDAA, FY 2012, as amended, P.L.112-81, 31 December 2011, as amended P.L. 116-283, 01 Jan 2021, Section 1214.

**Appropriation:** FY 2021—\$2,000,000

**Guidance:**

- NLT 30 days after enactment of NDAA, FY 2012, SecDef is to provide Congress a copy of the guidance issued to commanders in Afghanistan regarding the use of CERP funds.
- Any modification to this guidance is to be provided to Congress NLT 15 days after issuance.

**Countries Eligible:** Afghanistan, Iraq, Syria, Somalia, Libya, and Yemen

**Value of Program:** Variable

**Restrictions:**

- Beginning in FY21 and not later than 45 days after the start of each quarter, the SecDef shall submit to the Defense Committees a report regarding the source, allocation, and use of the funds under the section in the previous quarter.
- No CERP project is to exceed \$2M in value.
- Expires 31 Dec 2021.

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

**Execution:** See guidance and restrictions.

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

# Cooperative Research, Development, and Production

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

**Purpose:**

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

**Authorization:**

- Section 27, AECA [22 U.S.C. 2767] – agreement for the cost-sharing of RDTE & joint production
- Section 65, AECA [22 U.S.C. 2796(d)] – no-cost loans of equipment for RDT&E
- 10 U.S.C. 2350a –agreement to conduct cooperative R&D, as amended [P.L. 116-260, subtitle B, Section 211]
- 10 U.S.C. 2350l – agreement for reciprocal use of test facilities
- 10 U.S.C. 2358 – general R&D authority and to use foreign sources as appropriate
- Major ref: IAC Handbook, Chapter 8

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

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

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

**Value of Program:**

**Restrictions:**

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

**Execution:**

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

**Example:** F-35 Joint Strike Fighter with U.K., Italy, Netherlands, Turkey, Canada, Denmark, Australia,

Norway, Singapore, and Israel.



# Cooperative Threat Reduction (CTR) Program

**Description:** Eliminate or provide safe and secure transportation and storage of the chemical, biological, or other weapons, weapon components, or weapon-related materials.

**Purpose:**

- Eliminate strategic offensive weapons to include nuclear, chemical, and biological weapons.
- Provide for secure transportation and storage for WMD.
- Prevent proliferation.
- Carry out mil to mil and defense contract for advancing mission of program.

**Authorization:** 50 U.S.C. 3711

**Appropriation:**

- FY 2019—\$335M, avail through FY19 Sec 1301, NDAA FY19, P.L. 115-232, 13 Aug 2019
- FY 2020—\$338.7M available through FY 2022, Sec 1301, NDAA FY20, P.L. 116-92, 20 Dec 2019
- FY 2021—\$360, 190,000 available through FY 2023, P.L. 116-260, 27 Dec 2020

**Guidance:** 15-day advance notification prior to obligation of any funds for programs other than those authorized by Section 1302, NDAA, FY 2015, P.L. 113-235, 19 December 2014. Of the funds appropriated under this section, the following amounts may be obligated as specified:

- (1) For strategic offensive arms elimination, \$2,924,000.
- (2) For chemical weapons destruction, \$11,806,000.
- (3) For global nuclear security, \$35,852,000.
- (4) For cooperative biological engagement, \$225,396,000.
- (5) For proliferation prevention, \$60,064,000.
- (6) For activities designated as Other Assessments/Administrative Costs, \$24,148,000.

**Countries Eligible:** Former Soviet Union, expanded in 2008 to include otherwise eligible countries

**Value of Program:** FY20 - \$338.7M

**Restrictions:** The authority to carry out the program includes authority to provide equipment, goods, and services, but does not include authority to provide funds directly for a project or activity carried out under the program.

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

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

**Example:** Several countries were, as former republics of the USSR, in possession of nuclear weapons and material. These weapons were either transported to Russia for secure storage or destruction. A report on the movement of 78 KG of highly enriched uranium from the Czech Rep to Russia was published on 5 Apr 13. Nu-

clear weapons material has even been transported to the U.S. for destruction. Overall, 7,600 nuclear warheads were deactivated, with the destruction or elimination of 900 ICBMs, 500 silos, 680, SLBMs, and 900 nuclear ASMs. A new bilateral agreement for CTR was signed on 14 Jun 2013. Recently (2 Feb 14) reported the use of \$45M in CTR funding to contract the rebuilding and safeguarding of the Libya chemical weapon destruction site.

# Counter ISIS Train and Equip Fund

**Description:** DoD authority, in coordination with DoS, to provide assistance to the government of Iraq (GOI) to defend Iraq, its people, allies, and partner nations from the threat posed by the Islamic State of Syria (ISIS) and groups supporting ISIS, and for securing the territory of Iraq. Formerly known as the Counter ISIL Train and Equip Fund. Also sometimes referred to as the Iraq Train and Equip Fund.

**Purpose:** Such assistance may include training, equipment, logistics support, supplies, and services, stipends, facility and infrastructure repair and renovation, and sustainment to military and other security forces of or associated with the GOI, including Kurdish and tribal security forces, or other local security forces.

**Authorization:** Section 1236, National Defense Authorization Act (NDAA), Fiscal Year 2015, P.L. 113-291, 19 Dec 2014, as amended.

## **Appropriation:**

- FY 2019 \$1.35B through 30 Sep 2020, DoD Appropriations Act, 2019, Title IX, Div. A, P.L. 115-244, 28 Sep 2018
- FY 2020 \$1.195B through 30 Sep 2021, DoD Appropriations Act, 2020, Title IX, Div. A, P.L. 116-93, 20 Dec 2019
- FY 2021 \$710M through 30 Sep 2022, Consolidated Appropriations Act FY 2021, P.L. 116-260, 27 Dec 2020

## **Guidance:**

- Prior to provide such assistance, elements of recipient forces are to be appropriately vetted assessing such elements for associations with terrorist groups or groups associated with the government of Iran, and receiving commitments in promoting respect for human rights and the rule of law.
- SecDef may accept and retain contributions, including assistance in-kind, from other governments, including the GOI, and other entities to carry out this assistance program for Iraq.
- SecDef will submit a report to the appropriate Congressional Committees on the history of Operation Inherent Resolve, its purpose and the weapons equipment and training provided under this section.

**Countries Eligible:** Iraq, including Kurdish and tribal security forces, or other local security forces fighting ISIS in Iraq and Syria (see “1209” Authority to Provide Support to Vetted Syrian Opposition)

**Value of Program:** \$322.5M available until Dec 31, 2021

## **Restrictions:**

Sec. 40, AECA, regarding transaction with countries supporting acts of terrorism, and Sec. 40A, AECA, regarding end-use monitoring, may be waived with a report to Congress by SecDef that such provisions would prohibit, restrict, delay, or otherwise limit such assistance.

- The authorities and requirements under this section expire on the date that Operation Inherent Resolve concludes.
- None of the funds in this section may be used to procure or transport man-portable air defense systems.

**Key Players:** OSC-I, USCENTCOM, USDC, USDP, ASD(SO-LIC), DSCA, DoS, and Implementing agencies

**Execution:** Similar to ASFF and with the possible use of pseudo-LOA procedures

**Example:** Rifles, radios, counter-IED equipment, and vehicles for Iraq to also include training, advice, and assistance for up to 12 Iraqi brigades plus the ordering eight brigade sets of equipment worth over \$400M.

# Countering Chinese Influence Fund

**Description:** To counter the influence of the People's Republic of China globally

**Purpose:** Countering Chinese Influence Fund to counter the influence of the People's Republic of China globally with congressional notification

**Authorization:** Further Consolidated Appropriations Act, Sec 7043(c)2, P.L. 116-94, 20 Dec 2019

**Appropriation:** Up to \$300M from "Development Assistance," Economic Support Fund," International Narcotics Control and Law Enforcement," Nonproliferation, Anti-terrorism, Demining, and Related Programs," and Foreign Military Financing Program." There is no additional money for these activities; projects must be funded out of existing Title 22 programs.

**Guidance:** Subject to the regular notification procedures of the Committees on Appropriations

**Countries Eligible:** Countries otherwise eligible as determined by DoS

**Value of Program:** Up to \$300M in FY 2021

**Restrictions:**

- None of the funds may be made available for any project or activity that directly supports or promotes any of the following:
  - ◇ The Belt and Road Initiative (BRI)
  - ◇ The use of technology, including biotechnology, digital, telecommunications, and cyber, developed by the People's Republic of China unless DoS advises doing such does not adversely impact the national security of the United States

**Key Players:** DoS, Country Team, and USAID

**Execution:** Funds are earmarked from various Title 22 Security Assistance programs for Countering Chinese Influence

# Countering Russian Influence in Europe and Eurasia

**Description:** To provide congressional review and to counter aggression by the Government of the Russian Federation

**Purpose:** The purpose of this authority is to counter the influence of the Russian Federation in various countries as determined by the SecState by providing security assistance.

**Authorization:** 22 U.S.C. 9541-9548 as authorized by P.L. 115-44, 2 Aug 2017

**Appropriation:** FY 2021—not less than \$290M shall be made available from INCL, FMF, and IMET under the Consolidated Appropriations Act 2021, P.L. 116-133, 27 Dec 2020.

**Guidance:**

- Funds shall be used to effectively implement activities in order to meet the following goals, prioritized in the following order:
  - ◇ To assist in protecting critical infrastructure and electoral mechanism from cyberattacks in the following countries
  - ◇ To combat corruption, improve rule of law, and otherwise strengthen independent judiciaries and prosecutors
  - ◇ To respond to humanitarian crises and instability caused or aggravated by the invasions and occupations of Georgia and the Ukraine by the Russian Federation
  - ◇ To improve participatory legislative processes and legal education, political transparency, and competition and compliance with international obligations
  - ◇ To build the capacity of civil society, media, and other nongovernmental organization countering the influence and propaganda of the Russian Federation
  - ◇ To assist the SECSTATE in executing section 1287(b) of NDAA FY17 (Global Engagement Center Activities)

**Countries Eligible:** As determined by SecState

**Value of Program:** FY 2021—\$290M

**Restrictions:** Authorization expires 2 Aug 2022

**Key Players:** DoS, USAID, Global Engagement Center of the DoS, U.S. Embassy, and DoD

**Execution:** Request for funding made through regional proposals to DoS (PM) and other DoS entities

**Example:** EUCOM used to fund security cooperation activities of various countries along the Black Sea under Black Sea Maritime Awareness

# Counterterrorism Partnerships Fund (CTPF)

**Description:** Provide support and assistance to foreign security forces or other groups or individuals to conduct, support, or facilitate counterterrorism and crisis response activities under authority provided to DoD by any other provision of law (“underlying DoD authority”).

## **Purpose:**

- To provide support and assistance to foreign security forces or other groups or individuals for counterterrorism and crisis response activities in the USCENTCOM (less Iraq) USAFRICOM AORs.
- To improve the capacity of U.S. armed forces to provide enabling support to such counterterrorism.

**Authorization:** Section 1534, National Defense Authorization Act (NDAA), Fiscal Year 2015, P.L. 113-291, 19 Dec 2014, as amended.

## **Appropriation:**

- FY 2015—\$1.3B DoD Appropriations Act, Title IX, OCO, P.L. 113-235, 16 Dec 2014
- FY 2016—1.1B, DoD Appropriations Act, Title IX, OCO, P.L. 114-113, 18 Dec 2015

## **Guidance:**

- This authority may be used to fund activities conducted by contract, including contractor-operated capabilities if SecDef typically acquires such services or equipment by contract in conducting similar activities.
- Standard vetting standards and procedures are to be used for any recipient of training, equipment, or other assistance under this authority.
- Up to \$600M may be used to provide assistance to the government of Jordan to support the armed forces of Jordan and to enhance security along its borders.
- As of NDAA FY19, Sec 9016, equipment procured using funds provided by this program for use in “1209” Authority to Provide Assistance to Vetted Syrian Opposition and not yet transferred to authorized recipients may be transferred to foreign security forces, irregular forces, groups or individuals authorized to receive assistance using amounts listed by the program, “Counter-ISIS Train and Equip Fund.”
- Consolidated Appropriations Act of FY 2021, P.L. 116-133, 27 Dec 2020, Sec 9016 authorizes equipment procured using funds provided in prior acts under this program and not yet transferred to authorized recipients may be transferred to foreign security forces, irregular forces, groups, or individuals, authorized to receive assistance using amounts provided under the heading, Counter-ISIS Train and Equip Fund.”

## **Countries Eligible:**

- Normally for such authorized activities in countries (less Iraq) within the USCENTCOM and USAFRICOM AORs.
- Such assistance may be provided to countries in other AORs if determined by SecDef with a 15-day advance notification with justification to Congress.

**Value of Program:** FY 2016—\$1B in DoD O&M.

**Restrictions:**

**Key Players:** Deployed CDRs, CCMDs, USDC, USDP, ASD (SO-LIC), DSCA, implementing agencies, and possible affected SCOs

**Execution:** CTPF is a source of funds, which is made available for other existing SC programs to use in support of CTPF goals. Practical Execution is somewhat similar to 333 BPC program that uses the pseudo FMS process.

**Example:** In 2015 \$16M was made available to develop count-IED capabilities of Maghreb and Sahel forces to maintain freedom of movement.



# Defense Health Program

**Description:** DoD provides HIV prevention education to African countries

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

**Authorization:** None

**Appropriation:** Title VI, DoD Appropriations Act, FY 2020 Div. A, P.L.116-93, 20 Dec 2019, earmarks \$8M of annual DoD health program funding for this program. The Consolidated Appropriations Act 2021, P.L. 116-133, 27 Dec 2020, makes \$8M available for this program until 30 Sep 2022.

**Guidance:**

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

**Value of Program:** \$8M available until 30 Sep 2022

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

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

**Execution:**

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

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

# Direct Commercial Sales (DCS)

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

**Purpose:**

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

**Authorization:** 22 U.S.C. 2751 et. seq.

**Appropriation:** Normally purchasing country cash, but with limited exceptions (approval by DSCA), certain countries may use FMF funding

**Guidance:**

- International Traffic in Arms Regulations (ITAR) [22 C.F.R. 120 - 130]
- DSCA guidance for the limited use of FMF for DCS is located at <http://www.dsca.mil/resources/foreign-military-financing-direct-commercial-contracts-fmf-dcc>.

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

**Value of Program:**

- \$124B in defense articles and services licensed during FY 2020
  - ◊ Not all licensed transfers take place
  - ◊ Licenses are generally effective for a four-year period

**Restrictions:**

- Applicant must register with State Department.
- Any defense article, service, or technology in the USML requires an export license.
- During FYs 2013-2014, as a part of significant export reform, DoS overhauled the USML allowing the transfer of certain military articles and services (generally non-lethal) from the USML to the commerce control list (CCL) as a “600 series item” to be regulated by Commerce Dept IAW the Export Administration Regulations (EAR).
- However, new Sec. 38(f)(5), AECA, allows the President to approve the transformation of any MDE within the 600 series CCL to a defense articles if determined to be in the U.S. national interest and the SFRC and HFAC are notified IAW Sec. 36(b)(5)(A), AECA.
- New Sec. 38(f)(6), AECA, requires the congressional notification of any MDE removed from the USML and the new 600 series items continue to be included within any required AECA notification or reporting to Congress.
- New Sec. 38(k), AECA, allows DoS to license the export of items on the CCL if to be used in or

with USML defense articles being licensed for export. Separate Commerce Dept approval is not required.

**Key Players:** DoS Bureau of Political Military Affairs (PM), Directorate of Defense Trade Control (DDTC), DoD Defense Technology Security Administration (DTSA), and U.S. defense industry

**Execution:**

- U.S. defense industry, with a signed contract, applies to PM/DDTC for the export license.
- DTSA provides any requested DoD recommendations to PM/DDTC regarding technology transfer for any license to be issued.
- State notifies Congress IAW Sec. 36(c) or 36(d), AECA, as required prior to issuing any license.
- After any congressional notification, PM/DDTC issues export license to U.S. industry.
- PM/DDTC manages End-Use Monitoring Program (Blue Lantern) for DCS IAW Sec. 38(g)(7), AECA, normally with the country team political-military attaché.

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

# Distinguished Visitor Orientation Tours (DVOT)

**Description:** The Distinguished Visitor Orientation Tour (DVOT) Program is a United States Security Cooperation Program that provides a country's defense leadership the unique opportunity to learn about specific assets of the U.S. defense establishment in order to address objectives specific to their own militaries and governments. DVOT delegations visit a variety of military installations, professional military education institutions, training facilities, and government organizations throughout the U.S. to learn from experts on specific subject matters.

**Purpose:** DVOTs provide a country's defense leaders a time-sensitive way to learn how to better manage their country's defense resources, how to interact within their new civil-military defense structure, or how to better train their Armed Forces. DVOTs are usually limited to countries with lesser-developed relations with the United States, but, in recent years, transitioning countries not new to security assistance have conducted tours to deepen their knowledge of democracy, peacekeeping, military modernization and interoperability, and counter-terrorism.

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

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

## **Guidance:**

- SAMM, C10.17.18.3
- JSCET, C12
- National Defense University (NDU) is responsible for conducting DVOTs and OTs.
- Generally authorizing the use of IMET and FMF funding to reimburse military officers assigned as Escort Officers in connection with orientation visits of foreign military and related civilian personnel.
- DVOTs are for those senior officers below the position of Chief of Staff of a service and are not to exceed 14 calendar days in length and consist of not more than five visitors.
- Orientation tours are for those senior officers in the position of Chief of Staff of a service or higher and are to be funded by the sponsoring DoD organization. OTs should not exceed seven members in size.
- Visits by international military cadets to U.S. service academies are not authorized for IMET or FMF funding.

**Countries Eligible:** Those countries allocated IMET, FMF, and some FMS funding.

## **Value of Program:**

**Restrictions:** See the Purpose' section above.

**Key Players:** SCO, CCMD, DSCA, NDU

## **Execution:**

- Country is authorized to receive a VIP tour, generally in the U.S.

- The SCO is required to provide an escort officer; NDU provides tour director.
- A request is submitted to NDU either directly or via the CCMD to the applicable MilDep to use IMET, FMF, or FMS funding allocated to the country.
- DSCA approves the use of IMET or FMF funding to cover the expenses of U.S. Escort Officer and tour director.

**Example:** For example, a partner thinks to set up a Coast Guard Academy and uses either IMET or national money to fund travel and per diem of a small group of their experts to visit, tour, and interview USCG facilities and officials to learn ways to proceed.

# DoD Participation in Multilateral Exchange of Air Transportation and Air Refueling Services (ATARES Programs)

**Description:** Authorizes DoD participation the Movement Coordination Centres in support of Air Transport, Air-to-Air Refueling and other Exchanges of Services (ATARES) program

**Purpose:** Provide mutual airlift and inflight refueling services

**Authorization:** Section 1276, NDAA, FY 2013, P.L.112-239, 2 Jan 2013 is repealed.

**Appropriation:** DoD O&M

**Guidance:** Legal guidance for participation in ATARES programs is now found in a new section, under Subchapter II of Chapter 138 of Title 10, United States Code, 2350o., Participation in programs relating to coordination or exchange of air refueling and air transportation services.

The SecDef, in concurrence with the SecState, may authorize the participation of the DoD in programs relating to the coordination or exchange of air refueling and air transportation services, including in the “ATARES program.” Participation of the Department of Defense in programs referred to in the first paragraph may include the following:

- (A) the reciprocal exchange or transfer of air refueling and air transportation services on a reimbursable basis or by replacement-in-kind
- (B) the exchange of air refueling and air transportation services of an equal value

DoD participation in the European program is authorized, and participation in an Indo-Pacific program is authorized to include the establishment of an Indo-Pacific Movement Coordination Center, per Section 1601, P.L. 116-283.

**Countries Eligible:** Participant countries within the ATARES program

**Value of Program:**

**Restrictions:**

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

**Key Players:** Department of State and Geographic Combatant Command J-4s

**Execution:** Requires international agreements coordinated through the Department of State.

**Example:**

# Drawdown Authorities

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

**Purpose:**

- To prepare for an unforeseen emergency that requires immediate military assistance
- The emergency requirement cannot be met under the authority of the AECA or any other law

**Authorization:**

- Section 506(a)(1), FAA [22 U.S.C. 2318(a)(1)] for up to \$100M for military assistance from DoD stocks, DoD services, and military training and education in a fiscal year,
- Section 506(a)(2), FAA [22 U.S.C. 2318(a)(2)] for up to \$200M from any USG inventory and military training and training (not more than \$75M from DoD) in a fiscal year for the following:
  - ◇ INCLE (not more than \$75M annually from DoD),
  - ◇ International disaster assistance,
  - ◇ Anti-terrorism assistance,
  - ◇ Nonproliferation
  - ◇ Migration and refugee assistance, or
  - ◇ Support cooperative efforts to locate and repatriate USG military or USG employed civilians who remain unaccounted for during the Vietnam War in Vietnam, Cambodia, or Laos (not more than \$15M annually).
- Section 552(c)(2), FAA [22 U.S.C. 2348a] for up to \$25M for unforeseen emergency PKO from any USG agency in a fiscal year.
- Section 7047, S/FOAA, FY 2015, Div. J, P.L.113-235, 16 Dec 2014, for up to \$30M of commodities and services during FY 2015 for the U.N. War Crimes Tribunal established with regard to the former Yugoslavia by the U.N. Security Council.
- Section 7049, FY21 P.L. 116-260, 27 Dec 2020.

**Appropriation:** None, only an authority

**Guidance:**

- Drawdowns are normally only directed by a presidential determination to SecState and the providing agency.
- All drawdowns are to be notified to Congress. Sec. 506(a)(2), FAA, drawdowns for INCLE and anti-terrorism purposes require a 15-day advance notification.
- The value of the drawdown normally includes any initial logistics and training support and transportation costs to be funded by the implementing agency.
- DSCA Handbook for Drawdown of Defense Articles and Services, H-1, Jun 2004, ([http://www.dsca.mil/sites/default/files/drawdown\\_handbook\\_2004b.pdf](http://www.dsca.mil/sites/default/files/drawdown_handbook_2004b.pdf)) provides guidance for the drawdown program within DoD.

**Countries Eligible:** As determined by the President

**Value of Program:** Variable

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

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

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

**Example:** All USG and partner-nation funding authorities have been exhausted, and urgent assistance is required immediately for a military threat or natural disaster. A recent example includes the presidential determination of 11 Feb 13 to drawdown \$50M in military assistance services [IAW Sec. 506(1)(a)] for Chad and France to counter terrorists and violent extremists within Mali. A more recent example includes the PD of 10 Dec 2013 to drawdown \$60M in DoD articles and services in support of operations in Central African Republic. On 11 Aug 14, a PD was published authorizing the drawdown of \$10M in DoD articles and services support of France in its C/T operations in Mali, Niger, and Chad. On 10 Sep 14, a PD was published authorizing the drawdown of \$25M defense articles, services, and training to Iraq to include the Kurdistan regional government. On 24 Sep 14, the President delegated to SecState to authorize the 506(a)(1) drawdown of up to \$5M of defense articles and services and the 552(c)(2) drawdown of nonlethal commodities and services for the government of the Ukraine.



# Economic Support Fund (ESF)

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

**Purpose:**

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

Promote economic or political stability

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

**Appropriation:**

- FY 2021—\$3,151,963,000
- FY 2020—\$3.05B
- FY 2019—\$3.72B
- FY 2018—\$4.6B

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

**Value of Program:** FY 2020 - Approximately \$3.15B available until 30 Sep 2022

**Restrictions:** No military or paramilitary assistance by this program

**Key Players:**

- SecState
- Administrator, USAID
- Country team USAID attaché

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

**Example:** Though ESF funding continues to be cut, this cut is partially offset by an increase in funding to other programs such as Development Assistance, Assistance to Europe and Central Asia and the Democracy Fund.

# European Deterrence Initiative (EDI)

**Description:** Formerly known as the European Resurgence Initiative (ERI) program to enhance the U.S. deterrence posture, increase the readiness and responsiveness of U.S. forces in Europe, support the collective defense and security of NATO allies, and bolster the security and capacity of U.S. allies and partners.

## **Purpose:**

- For the SecDef solely for the following purposes:
  - ◊ To increase the presence of U.S. armed forces in Europe
  - ◊ To foster bilateral and multilateral military exercise and training with allies and partner nations in Europe
  - ◊ To improve infrastructure in Europe to enhance the responsiveness of U.S. armed forces
  - ◊ To enhance the prepositioning in Europe of equipment of the U.S. armed forces
  - ◊ To build the defense and security capacity of allies and partner nations in Europe

**Authorization:** Sec. 1535, National Defense Authorization Act (NDAA), P.L.113-291, 19 Dec 2014.

**Appropriation:** FY 2020—\$5.96B, NDAA P.L. 116-92, 20 DEC 2019

## **Guidance:**

- Provide training, equipment, logistical supplies, support, and services.
- Also provide for the incremental expenses of the armed forces associated with prepositioning additional equipment and undertaking additional or extended deployments in such countries and adjacent waters.
- Not less than \$75M of funding shall be available for assistance to the Ukraine.
- Not less than \$30M of funding shall be available for assistance to build the capacity of European Allies and partner nations.
- Not later than 15 days prior to any transfer of funding, SecDef shall notify Congress of the ERI plan to include any support requested by USEUCOM for support, urgent operational need, or emergent operational need.

**Countries Eligible:** Countries otherwise eligible

**Value of Program:** \$5.9B in 2020; \$4.5B requested for FY2021

**Restrictions:** Per the Consolidated Appropriations Act 2021, P.L. 116-260, 27 Dec 2020, no EDI funds may be expended until the SecDef submits reports in both classified and unclassified format listing all the military construction projects associate with the EDI planned or anticipated for 2022 through 2026.

**Key Players:** USEUCOM, USDC, USDP, ASD (ISA), DSCA, and applicable SDO/DATT

**Execution:**

**Example:**

- The Ukraine Security Assistance Initiative falls under this category. EDI has included separate funding for Ukraine each year since the inception of the program. The FY 2021 EDI budget requests

\$250 million in security assistance to Ukraine in the forms of “intelligence support, personnel training, equipment and logistics support, supplies, and other services.”

- EDI also provides partial funding to Operation Atlantic Resolve.

# Excess Defense Articles (EDA)

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

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

**Authorization:**

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

**Appropriation:** None, only an authority.

**Guidance:**

- Secretaries of military departments declare items excess to their MilDeps causing them to be available for transfer to other USG agencies, local governments, or foreign governments eligible to receive them either by FMS or grant transfer.
  - ◊ Major end items are normally retained by the MilDep for final disposition.
  - ◊ Minor end items and parts are normally retained by DLA for final disposition.
- SecState/PM/RSAT coordinates and provides DoS approval to DoD/DSCA for any required congressional notification prior to transfer.
- In each case, the recipient must be determined eligible to receive the applicable technology.
- Once approved for transfer, a joint visual inspection (JVI) of the EDA is strongly encouraged [SAMM, C11.5.5] prior to transfer.
- NDAA 2021 (P.L. 116-283 Section 1236 stipulates that the Ukraine Navy should be prioritized for EDA to the extent practicable and that the required resource plan for Ukraine security assistance (jointly submitted by the SecState and SecDef) must outline all planned provision of EDA to Ukraine.

**Countries Eligible:**

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

- A 505 agreement is normally in place for all grant transfers including those using the pseudo LOA process.

**Value of Program:** Variable

**Restrictions:**

- If by FMS, it is generally priced based on usability ranging from 5 to 50 percent of its origin acquisition value.
- If by grant, the concept is “as is-where is.”
  - ◊ Articles are drawn from existing DoD stocks.
  - ◊ No DoD procurement funds are to be expended for the transfer.
  - ◊ The transfer will not have adverse impact on U.S. military readiness.
  - ◊ They must be determined to have no adverse effect on opportunities for any sale by U.S. industry.
- Excess construction, emergency, or firefighting equipment or vehicles are not eligible for the EDA sales or grant transfer programs.
- Total current value of grant EDA transfers in one fiscal year is not to exceed \$500M.
- Grant transfer of ships require specific legislation for each case [10 U.S.C. 7307].
- NDAA 2018 Section 1276(a) requires (absent a presidential waiver) all high-mobility, multipurpose wheeled vehicles, prior to transfer to a foreign partner, to be fully refurbished. While Section 1276(a) is not EDA-specific, the requirements has significant impacts on EDA (and other programs) that SC planners should account for. Requirements expire 13 Dec, 2021.

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

**Execution:**

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

**Example:**

- Countries purchase weapons systems (or parts) no longer needed by the USG but said equipment is to remain in the purchasing country inventory.
- The US transferred a 378-foot Coast Guard Cutter to Vietnam in 2017, and then another shipment of the same class in 2020. Despite the “as is, where is” dictum normally associated with EDA, the transfer, refurbishment, upgrades, and training required to support this transfer were all funded by various grant security assistance programs.

# Exercise-Related Construction (ERC)

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

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

**Authorization:** 10 U.S.C. 2805 & 10 U.S.C. 321

**Appropriation:** DoD O&M

**Guidance:**

- CJCSI 4600.02B, ERC Program Management, 4 Feb 19
- CJCSI 4600.02C, dated 22 April 2020
- Construction is to enhance the overall effectiveness of the exercise, enhance troop quality of life, and evaluate and increase operational readiness.
- The construction is used by U.S. forces but typically remains intact for host nation use after U.S. departure.
- U.S. and/or partner nation(s) engineer units and construction contracts may be used.
- Interoperability benefits from exercising with partner engineer units during the construction.
- The Joint Staff/J4/ED manages the ERC program through the CCMD engineer divisions.
- Section 8058, DoD Appropriations Act, FY12, Div. A, P.L.112-74, 23 December 2011 (as in prior years) requires “Leahy human rights vetting” before U.S. exercises take place with a country’s security force unit(s).

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

**Value of Program:**

**Restrictions:** Any construction must be related to the overall exercise & cannot exceed \$3M in cost

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

**Execution:**

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

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

# Foreign Comparative Testing (FCT)

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

**Purpose:**

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

**Authorization:** 10 U.S.C. 2350a(g); 22 U.S.C. 2767, as amended by NDAA 2021, Section 882.

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

**Guidance:**

- Major references include the following:
  - ◊ IAC Handbook, Chapter 6
  - ◊ DoDD 5230.20, Visits and Assignments of Foreign Nationals
  - ◊ DoDD 5530.3, International Agreements
  - ◊ DoD 5000.3-M-2, Foreign Comparative Testing Program Procedures Manual

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

**Value of Program:**

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

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

**Execution:**

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

**Example:** Graphic



# Measuring Progress

## Metrics - Last 32 Years



- Assessed Products from 30 Countries
- OSD Investment: \$1.13 Billion (constant FY11\$)
- Estimated RDT&E Cost Avoidance: \$7.6 Billion
- Accelerated Fielding Averages 5-7 years
- Procurement Rate: ~ 80%
- 1/3 of Projects Have Led To Foreign Vendor Teaming with U.S. Industry in 34 States

*Figure 6-1 FCT Program – Historical Results*

# Foreign Disaster Relief (FDR)

**Description:** The international humanitarian system calls for the delivery of life-saving aid in the most effective manner, which may, at times, justify the involvement of foreign military assets. As part of its responsibilities as lead federal coordinator of FDR, U.S. Agency for International Development (USAID) may request unique capabilities from DoD based on validated humanitarian needs. This typically comes in the form of logistics support, transportation, and technical expertise (e.g., air traffic control).

**Purpose:** Support for USG FDR is led by USAID's Office for Foreign Disaster Assistance (OFDA). The U.S. will continue to lead the world in humanitarian assistance. Even as we expect others to share responsibility, the U.S. will continue to catalyze international responses to man-made and natural disasters and provide our expertise and capabilities to those in need. Alleviating human suffering is an important expression of humanitarian concern and a tradition of the American people.

**Authorization:** 10 U.S.C. 404

**Appropriation:** Per the Consolidated Appropriations Act, 2021 (P.L. 1160220) \$147M is available to 30 Sep 2022 subject to limitations listed in Title 10 USC 407 (C) (3). OHDACA

**Guidance:**

- DoDD 5100.46, 6 Jul 12, as amended by Change 1, 28 July 2017
- Assistance is only provided when requested by both the PN and the COM and is validated by USAID/OFDA to address the immediate humanitarian needs of foreign civilian disaster victims
- DoD FDR may be provided on a non-reimbursable basis (OHDACA) or on a reimbursable basis
- Requires SecDef approval

**Value of Program:** NDAA 2021 (P.L. 116-283) lists \$109.9M (see Appropriation above).

**Restrictions:** IAW 10 U.S.C, 404, Congress is to be notified NLT 48 hours after commencement of FDR activities

**Key Players:** Partner Nation, COM, USAID/Bureau for Humanitarian Assistance (BHA) Department of State, OSD SO/LIC, DSCA (HDM), and CJCS

**Execution:**

- PN (Head of State or MOFA) requests U.S. disaster assistance, generally to the COM.
- USAID validates humanitarian need and in the USG interest to support; COM issues a disaster declaration.
- USAID-Washington DC validates humanitarian disaster requirements and, as appropriate, begins providing assistance. If DoD assistance is required, USAID or State Executive Secretary will send a formal request to the DoD Executive Secretary, after socializing with ASD SO/LIC.
- ASD SO/LIC, in coordination with CJCS, DoD Office of General Council, DoD Comptroller, and DSCA, makes a recommendation to SecDef regarding military support.
- If approved, SecDef will notify GCC of approved mission pursuant to authorities and available funding. DoD support will be based on validated OFDA humanitarian requirements. GCC will be

required provide timely cost accounting to OSD Comptroller, ASD SO-LIC and DSCA.

**Example:**

- At the request of the Indonesian government following a major earthquake and validated by USAID, DoD provided logistics support (C-130J airlift and aerial port services).
- DoD provided technical support/expertise to assist the Kingdom of Thailand with the search and rescue of a youth soccer team trapped in a cave.

# Foreign Military Financing (FMF)

**Description:** Financing of the purchase of defense articles and services

**Purpose:** SecState requests annual foreign assistance appropriations to fund select partner countries' purchases of U.S. defense articles and services normally via the FMS process.

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

**Appropriation:**

- FY 2021— \$6,175,524,000 of which \$576,909,000 is designated as OCO and available for obligation until 30 Sep 2022, Consolidated Appropriation Act 2021, P.L.116-133, 27 Dec 2020
- FY 2020—\$6.15B Further Consolidated Appropriations Act, 2020, P.L.116-94 20 Dec 2019
- FY 2019--\$5.96B
- FY 2018—\$5.7B

**Guidance:**

- Of the FY21 funds available, \$3.3B for Israel
- Of the FY20 funds, up to \$1.3B for Egypt remain available to 30 Sept 2021, Section 7041(a), Further Consolidated Appropriations Act, 2020, P.L. 116-94 20 Dec 2019
- In FY 2021, Direct Loans under section 23 of the AECA may be made available to Jordan in amounts not to exceed \$4B
- State Pol/Mil Security Assistance Office "Grant Military Assistance Guide" (last published in Aug 2016) when combined with annual FMF/IMET guidance cables sent to every Country Team, comprise the definitive DoS Policy Guidance for FMF

**Value of Program:** FY 2021—\$6.175B

**Restrictions:** By policy, FMF should not be used for the purchase of consumable non-lethal articles or services unless a part of a system sale or for subsequent sustainment support.

**Key Players:** Country team/SCO, GCC, DoD/USDP/DSCA, DoS/PM, DoS/DFA, and OMB

**Execution:**

- Though FMF is the AECA and S/FOAA-legislated term, the community often uses the terms FMF, FMF credit, and FMS credit.
- DOS/PM sends annual guidance cable with "suggested" amounts by country to all Country Teams. then informed by that cable each.
- Country team/SCO provides recommended funding levels through both the diplomatic and military chains-of-command two years in advance.
- DSCA coordinates within DoD/USDP for recommendation to DoS.
- DoS/DFA coordinates within DoS for justifications and entry into the upcoming budget year congressional budget justification (CBJ).

- After numerous congressional hearings for final appropriation, Title 22 funds in amounts confirmed by the Office of Management and Budget are transferred into by-country FMF accounts held at, and thereafter managed (with State approval) by, DSCA.

**Example:**

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

# FMF Regional Funds

**Description:** State PM/SA FMF managers notify portions of their FMF annual allocations to Congress as Regional Funds in order to respond to changes in regional assistance priorities during the budgeted year of execution.

**Purpose:**

- To provide flexibility and responsiveness in implementing parts of the FMF program. It is now becoming more common for some FMF monies to be provided based upon geographic regions. For example; two regional funds of note that have been created over the past couple of years:
  - ◊ FMF European Security Assistance Fund (ESAF)
  - ◊ Africa Regional Counterterrorism FMF program (ARCT FMF)

**Authorization:** Section 23 AECA [22 U.S.C. 2763] & residential Policy Directive (PPD 23)

**Appropriation:**

- Variable except for the two examples from above:
  - ◊ \$5M for ESAF [FY 2016]
  - ◊ \$10M for ARCT FMF [FY 2016]

**Guidance:**

- Also variable depending on regional issues; however, there are several common goals/end states desired:
  - ◊ Enhance deployment capabilities of partner nations
  - ◊ Strengthen partner nation territorial stability
  - ◊ Combat hybrid terrorist threats
- The monies in in these regional programs are accessed by their various countries through a competitive proposal driven process that tends to reward better-considered projects with strong partner buy-in..

**Countries Eligible:** Each regional FMF program has a different group of countries that are eligible; for instance, SCOs in Burkina Faso, Burundi, Cameroon, Chad, Djibouti, Ethiopia, Kenya, Mali, Mauritania, Niger, Nigeria, Senegal, Tanzania, and Uganda can submit proposals for grants from the ARCT FMF. Countries in Europe and Eurasia that have received bilateral FMF within the five fiscal years prior to the year of submission are eligible for ESAF.

**Value of Program:**

**Restrictions:** These regional FMFs monies are usually reserved for their respective developing countries that receive very little in the way of country specific FMF and these partner nations will need to maintain these capabilities on their own after the initial assistance.

**Key Players:** DoS, DoD, DoD Geographic Commands, Department of State Regional Bureaus, and SCOs

**Execution:** Variable; procedures are usually promulgated by the respective DoD Geographic Commands and

corresponding State Regional Bureaus

**Example:**

# Foreign Military Sales (FMS)

**Description:** Government-to-government sale of defense articles and services using the Letter of Offer and Acceptance (LOA) agreement process

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

**Authorization:**

- Section 21, AECA [22 U.S.C. 2761], authorizes the President to sell defense articles and services from DoD and USCG inventory to any eligible country or international organization, to also include excess defense articles (EDA).
- Section 22, AECA [22 U.S.C. 2762], authorizes the President, without requirement to for charge to any appropriation or contract authorization otherwise provided, to enter into contracts for the procurement of defense articles and services for sale for U.S. dollars to any foreign country or international organization with reimbursement to the USG.
- Section 29, AECA [22 U.S.C. 2769], authorizes the President to sell design and construction services to any eligible country or international organization if such country or organization agrees to pay in U.S. dollars not less than the full cost to the USG of furnishing such services. The services may be provided by the USG or contract.
- SAMM, Chapter 15, provides procedures within DoD to manage the purchase of defense articles and services for selected countries or international organizations using DoD or other agency funds with the use of established “Pseudo-LOA” procedures.
- The previous requirement to use firm-fixed-prices for FMS contracts (Section 830 of the 2017 NDAA) is Repealed. Firm-fixed-price contracts are no longer required. [per Section 888, NDAA 2021, P.L. 116-283 Jan 01 2021]

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

**Guidance:**

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



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

### **Countries Eligible:**

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

**Restrictions:** FMS transfer of ships require specific legislation for each case [10 U.S.C. 7307]

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

### **Execution:**

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

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

# Global Peace Operations Initiative (GPOI)

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

**Purpose:**

- Have a qualified, ready-to-go, mil-civ PKO force from non-G-8 countries
- Having exceeded the initial force goal, Phase II (FYs2010-14) emphasis is now sustainment and continued training to include self-sustainment and indigenous training. The goal is 318K troops from 61 countries
- NSC has endorsed continuing GPOI after FY 2014 with capacity building being the priority.
- Establish and support the Center of Excellence for Stability Police Units (COESPU) in Vicenza IT

**Authorization:** A component of FAA-authorized PKO

**Appropriation:**

- Allocated from appropriated PKO account. Budget of \$1.3B from FYs 2005-2020
- FY 2020 earmark \$71M, P.L. 116-94, 20 Dec 2019
- FY 2021 P.L. 116-260, 27 Dec 2020.

**Guidance:**

- All GPOI program activities and funding must be approved by the GPOI Coordinating Committee (GCC) co-chaired by DoS/PM and DoD/USDP.
- Any PKO funding of GPOI is to be notified to Congress prior to obligation.
- GPOI Implementation Guide - DoS/DoD annual document available at [GPOIeResource@state.gov](mailto:GPOIeResource@state.gov) using USG-only SharePoint website.

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

**Value of Program:** About \$100M annually

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

**Key Players:** Same as for PKO

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

**Example:** GPOI was launched in 2005, as the U.S. contribution to the G8 Action Plan for Expanding Global Capability for Peace Support Operations and is managed by the DoS's Bureau of Political-Military Affairs. GPOI is focused on strengthening the effectiveness of United Nations and African Union peace operations. Since FY 2005, the GPOI program implemented nearly \$1.3 billion in peacekeeping operations (PKO) funds with 55 current partner countries around the world. Program resources are applied to accomplish the following objectives: build self-sufficient peace operations training capacity in partner countries; support partner countries' development and employment of critical enabling capabilities; enhance partner country operational readiness and sustainment capabilities; strengthen partner country rapid deployment capabilities; expand the role of

women and enhance gender integration; and build UN and regional organization capabilities.

# Humanitarian and Civic Assistance (HCA)

**Description:** Providing operational readiness training to U.S. armed forces in conjunction with an authorized military operation, exercise, or deployment for training. The byproduct of the training is humanitarian in nature for partner nation civilians. Typically, basic health, veterinary, or engineering projects. Global manager: Joint Staff J-5; Oversight: ASD SO/LIC (SHA). NOTE: This is NOT the same humanitarian and civic assistance program as described in CJCSI 7401.01F/10 U.S.C. 166a for Combatant Commanders Initiative Fund (CCIF) or for USSOCOM “deminimus” projects.

## **Purpose:**

- Promote, as determined by the Secretary of Defense or the Secretary of the Military Department:
  - ◇ Security and foreign policy interests of the United States
  - ◇ Security and foreign policy interests of the country in which the activities are to be performed
  - ◇ Specific operational readiness skills of the Service members who participate in HCA activities

**Authorization:** 10 U.S.C. 401

**Appropriation:** O&M provided to the combatant command from their combatant command support agent (applicable military department) as noted in DoDD 5100.03, “Support of the Headquarters of Combatant and Subordinate Unified Commands,” Enclosure 3.

**Guidance:** DoDI 2205.02, “Humanitarian and Civic Assistance (HCA) Activities”, 22 May 17, per the Consolidated Appropriations Act of 2021 (P.L. 116-220) section 8011. Certain U.S. Army medical services in Hawaii and transportation there may, in some circumstances, be made available to civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Marshall Islands, Palau, and Guam.

**Value of Program:** Average annual global HCA expenditure is \$5M-\$8M.

## **Restrictions:**

- Not provided directly or indirectly to any individual, group, or organization engaged in military or paramilitary activity. HCA is not for building PN military capacity/capabilities
- Expenses not authorized to be paid with HCA funds include costs associated with the military operation or exercise (e.g., transportation; billeting; personnel expenses; fuel; repair of equipment). These costs are covered by funds designated for the operation or exercise. HCA funds cannot pay salaries and per diem of U.S. or PN participants.
- Authorized expenses include direct costs of consumable materials, supplies, and services reasonably necessary to provide the HCA activity.

**Key Players:** ODC/SCO; U.S. Chief of Mission/DCM; USAID; Combatant Command (and Component) staff; Military Departments (Services); Joint Staff; State Department (Main State); DSCA (OHASIS support); ASD SO/LIC (SHA)

## **Execution:**

- See DoDI 2205.02. Enclosure 3
- Some combatant commands/components may have additional AOR-specific SOPs.
- Restricted to rudimentary construction and/or repair activities and basic health and veterinary services. Do not drastically exceed the standards of local care or PN capacity to maintain facilities/equipment
- Project narratives should clearly identify the specific operational readiness skills being trained via the HCA activity. Look to the UJTL/Service/Unit task lists for objectives.
- All projects must be entered into the OHASIS database.
- All projects must be coordinated with USAID and have approval from both the PN and U.S. COM/DCM. No exceptions.
- Projects estimated to cost \$15K or less are “Command-approved” or “Min-cost” projects. These are approved at the combatant command. All other requirements still apply.
- Projects estimated to cost more than \$15K are forwarded from the combatant command to the Joint Staff for additional staffing and approval. Approval may take an additional 4-5 weeks. Incomplete, poorly prepared/reviewed narratives returned for correction.
- 30-day After Action Reports are required to be completed in OHASIS.

**Example:**

- Medical, surgical, dental, and veterinary care provided by Army units during Exercise Western Accord in Senegal in rural or underserved areas of a country to include education, training, and technical assistance related to the care provided.
- Engineering project repairs/upgrades a rural school’s bathroom and kitchen food preparation area to reduce spread of disease. Provides training for U.S. military plumbers, electricians, masons, and more.
- Veterinary project assists PN efforts to vaccinate livestock from various diseases. Trains U.S. military veterinarians, civil affairs personnel.
- Dental project to provide basic dental care to an under-served population. Trains dentists, oral surgeons, nurses, and more.

# Humanitarian Assistance (HA)

**Description:** The DoD conducts steady-state HA to relieve or reduce endemic conditions such as human suffering, disease, hunger, and privation particularly in regions where humanitarian needs may pose major challenges to stability, prosperity, and respect for universal human values. HA activities may also bolster a PN's capacity to reduce the risk of, prepare for, or respond to humanitarian disasters, thereby reducing reliance on foreign disaster relief.

**Purpose:** HA activities provide a valuable resource for Geographic Combatant Commands (GCC) to support DoD HA program goals; theater campaign plan objectives, including security cooperation; and U.S. interests. Steady-state HA projects are collaborative DoD engagements with PN government authorities to relieve or reduce human suffering, disease, hunger, or privation. HA projects are commonly developed jointly with PN ministerial-level authorities and include activities such as the construction, training, and equipment to address health services, education, and disaster preparedness requirements.

**Authorization:** 10 U.S.C. 2561

**Appropriation:** Multiple sources, including the Asia Pacific Regional Initiative (APRI); however, the primary source is the Overseas Humanitarian, Disaster, and Civic Aid (OHDACA) appropriation.

**Appropriation:** Per Consolidated Appropriations Act 2021, P.L. 116-260 Dec 27 2020 for OHDACA \$147,500,000 is available until 30 Sep 2022.

## **Guidance:**

- Policy Guidance for DoD Humanitarian Assistance Programs, SecDef, Washington, D.C., 101458Z Aug 16
- SAMM Chapter 12

**Countries Eligible:** As determined by the SecDef

**Value of Program:** Variable by year

## **Restrictions:**

- Must benefit the civilian population on an objective assessment of humanitarian needs—not on ethnic, racial, gender, or religious considerations
- May supplement or complement, but not duplicate or replace, the efforts of other USG agencies that have primary responsibility for providing foreign assistance
- Shall address basic humanitarian needs, including (1) disaster preparedness; (2) health-related projects and activities; (3) primary education support; and (4) basic infrastructure
- Shall not benefit foreign militaries or paramilitary groups unless the ultimate beneficiary is the civilian populace and the military/paramilitary group has an official role in providing humanitarian services directly to the public
- May not be used for reconstruction and long-term development

**Key Players:** Partner nations, COM, SCO, U.S. Agency for International Development, OSD/SO-LIC), DSCA, and GCCs

**Execution:**

- DoD HA projects will be coordinated with appropriate partner USG agencies and PN ministries as well as applicable intergovernmental organizations and non-governmental organizations. Coordination serves to 1) identify PN gaps, 2) design projects to address those gaps, 3) synchronize and integrate efforts, 4) improve efficiency, 5) identify opportunities for cooperation on projects, and 5) promote long-term project sustainability.
- HA projects involving NGOs or non-military PN entities should be closely coordinated with the USG agency that works most closely with such entities. GCCs are also encouraged to discuss disaster preparedness projects with the regionally and GCC-based representatives from USAID's Office of Foreign Disaster Assistance (OFDA).
- DoD country team representatives will seek coordination on project nominations from the USAID Mission Director or his/her designee prior to submission of the nomination to the Chief of Mission (or designee) for coordination.

**Example:** The SCO identifies a medical clinic in need of renovation, confirms that the school is government property, and submits a project request via OHASIS to the CCMD. Once submitted by the CCMD as a priority to DSCA, DSCA places the project into oversight review, coordinating the project through Legal and OSD if necessary. Once coordination is complete, DSCA approves the project in OHASIS, and the CCMD may then fund the project for execution.

# Humanitarian Assistance Excess Property (HA-EP) Program

**Description:** Under the DoD HA-EP program, DoD may donate non-lethal excess DoD supplies and property for humanitarian assistance purposes. Pursuant to 10 U.S.C. 2557, non-lethal supplies and property includes items that are not weapons, ammunition, or other equipment or materiel designed to inflict serious bodily harm or death. EP provided for humanitarian assistance shall be transferred to the DoS, typically via the U.S. Embassy, to be distributed to the intended PN government recipient.

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

**Authorization:** 10 U.S.C. 2557

**Appropriation:** OHDACA

**Guidance:**

- SAMM, C12
- The Humanitarian Assistance Program – Excess Property (HAP-EP) has three staging locations to collect, refurbish, store, and arrange for transportation when directed—all with the use of OHDACA funding:
  - ◇ Marines Corps Logistics Base, Albany GA
  - ◇ Leghorn Army Depot, Livorno, Italy
  - ◇ Camp Kinser, Okinawa, Japan

**Countries Eligible:** As determined by SecDef and SecState

**Value of Program:** Variable

**Restrictions:**

- Any provided property must primarily benefit recipient country civilians
- The property is donated without warranties or guarantees
- The property cannot be sold by the recipient government
- The property can be donated to the military if the ultimate beneficiary of the project is the civilian populace and the military has an official role in providing humanitarian services directly to the public.

**Key Players:** Country team, CCMD, DSCA, SCO, and ASD/SO-LIC

**Execution:**

- Country team submits request to the CCMD via OHASIS for validation and collation.
- CCMD forwards request to DSCA for staffing.
- DSCA provides approval to the CCMD for implementation; transportation is supported with OHDACA funds allocated at DSCA's HQ.

**Example:** Excess DoD furniture or technical equipment for recipient country use in schools, orphanages,



clinics, etc. Excess construction equipment, generators, shelters, and emergency vehicles for developing countries.

# Humanitarian Assistance Transportation Program (HATP)

**Description:** Humanitarian Assistance Transportation Program to ship humanitarian assistance donations for non-profit NGOs and private volunteers

**Purpose:** For the DoD to gain access and influence in PN's by funding transportation of humanitarian assistance donations provided by NGOs using Defense Transportation System contracted commercial carriers. This program provides DoD access and influence in partner nations by shipping U.S. donations and covering the cost.

**Authorization:** 10 U.S.C. 2561; 10 U.S.C. 402

**Appropriation:** OHDACA

**Guidance:**

- SAMM, C12
- Cargo must be humanitarian in nature and not include hazardous, political, or religious material.
- Minimum cargo is required to fill a 20-foot container at about 15,000 pounds or 1,200 cubic feet.
- Funded transportation is intended to begin in the United States as the place of origin to the recipient country.
- The donor requests transportation using the Humanitarian Assistance Transportation Programs website at <http://hatransportation.ohasis.org>.
- DSCA will coordinate with DoS for review of the request.

**Countries Eligible:** As determined by SecDef and SecState

**Value of Program:** Variable

**Restrictions:**

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

**Key Players:** NGO/PV, DSCA/HDM, DoS, USTRANSCOM, and contracted commercial carriers

**Execution:**

- Donor submits detailed request using the HA Transportation website to DSCA HDM: <https://hatransportation.ohasis.org/>.
- After review, DSCA HDM submits request to DoS for coordination.
- DSCA HDM provides approval to the donor.
- DSCA HDM coordinates the transportation with USTRANSCOM and funds the transportation.
- DSCA HDM provides assistance to the donor, contracted carrier, and DoS throughout the transportation process.

**Example:** Medical equipment and supplies, foodstuffs, and other quality of life items from a donor for transport

to a developing African country undergoing extreme drought and/or poverty.

# Humanitarian Mine Action (HMA)

**Description:** The DoD HMA Program provides assistance to PN civilian populations plagued by landmines, explosive remnants of war (ERW), and the hazardous effects of UXO by developing indigenous PN capacity for humanitarian demining, land-based and underwater explosive ordnance disposal, and physical security and stockpile management (PSSM) of conventional munitions. Like other OHDACA-funded authorities, the HMA program is a military-civilian authority, even though HMA efforts typically involve engagement with a PN military or security force.

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

**Authorization:** 10 U.S.C. 407

**Appropriation:** OHDACA

**Guidance:**

- SAMM, C12 and CJCSI 3207.01C
- DSCA coordinates all HMA projects with DOS/PM/WRA (Weapons Removal and Abatement).
- DSCA reviews HMA nomination, coordinating it with DOS/PM/WRA, and provides approval.
- DoD forces selected to implement HMA engagements complete pre-deployment training from the Humanitarian Demining Training Center (HDTC) before deploying to partner nation to implement the project.

**Countries Eligible:** As determined by the DoD

**Value of Program:** By law, HMA expenditures for supplies, equipment, and services are capped at \$15M

**Restrictions:**

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

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

**Execution:**

- Country submits request to the country team.
- CCMD reviews HMA request against the CCMD HMA Country Plan and develops OHDACA project nomination to support requirement.
- DSCA reviews HMA nomination, coordinating it with DOS/PM/WRA, and provides approval.
- DoD forces selected to implement HMA engagements complete pre-deployment training from the Humanitarian Demining Training Center (HDTC) before deploying to partner nation to implement the project.
- The Joint Staff, USSOCCOM, CCMD, and the country coordinate the plan for demining/ordnance

equipment and training support

- DSCA supports ASD/SO-LIC any budgeting proposal for demining-related assistance
- For FY 2018, 10 U.S.C. 407 authorized DoD to provide supplies, equipment, and services (SE&S) to participating Host Nations in a worldwide amount not to exceed \$15 million. SE&S support during FY 2017 totaled \$4,832,000.
- There were no countries in FY 2017 where HMA assistance was not provided because of an insufficient number of Department of Defense personnel
  - ◊ HMA is comprised of six complementary activities or “pillars”: 1) infrastructure development for HN mine action agencies, 2) ERW and landmine education and risk reduction, 3) demining (survey/marketing/mapping, landmine and unexploded ordnance disposal training, and quality assurance/control), 4) training in ‘victims’ assistance (i.e., first responder, surgical, and nursing care, etc.), 5) stockpiled conventional munitions assessments and training, and 6) program and assessment visits to monitor and improve the effectiveness of all aspects of the first 5 pillars.

# Indo-Pacific Maritime Security Initiative

**Description:** Providing assistance to various countries in the South China Sea and Indian Ocean region. The FY17 NDAA officially changed the name from “South China Sea Initiative” to the “Southeast Asia Maritime Security Initiative.” FY19 NDAA, Section 1254 changed it again to the above title and expanded the list of eligible countries.

**Purpose:** Provides authorization to support various countries in the South China Sea region with equipment, supplies, training, and small-scale military construction in order to increase maritime security and freedom of movement in the South China Sea

**Authorization:** Section 1263, FY 2016, NDAA, P.L. 114-92, 25 Nov 2015, as amended

**Appropriation:** \$50M in DoD O&M

**Guidance:**

- Priority in training and assistance will be given to countries whose enhancement will most contribute to greater stability and security in the region. Assistance includes equipment, supplies, training, and small-scale construction
- Not later than 15 days before exercising this authority, the Secretary of Defense shall provide notification to the appropriate congressional committees. This notification shall include the recipient country, detailed justification of said country, a description of the proposed action, its budget, statement of the action’s objectives, a description whether assistance and training provided under 333 of title 10, U.S.C., or other security cooperation authorities would be duplicative or redundant when contrasted with the proposed Section 1263 project.

**Countries Eligible:** Malaysia, Philippines, Thailand, Vietnam, Brunei, Bangladesh, Sri Lanka, India, Singapore, Taiwan, Federated States of Micronesia, Samoa, Tonga, Papua New Guinea, Fiji, Kiribati, Marshall Islands, Nauru, Palau, Vanuatu, Solomon Islands, and Tuvalu

**Value of Program:** \$50M

**Restrictions:**

- This assistance may not be provided after 31 Dec 2025.
- India, Brunei, Singapore, and Taiwan are only authorized for incremental training expenses.
- Vetting is required.

**Key Players:** Country team (SCO), CCMDs, DoD, DoS, and Implementing Agencies

**Execution:**

**Example:** The EDA cutter transferred to Vietnam in 2017 even after the required refurbishment needed additional equipment upgrades. Those were funded by Section 1263 as in the U.S. interest by contributing to regional maritime security.

# Information Exchange Program

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

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

**Authorization:** 10 U.S.C. 2358

**Appropriation:** None.

**Guidance:**

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

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

**Value of Program:** Only an authority

**Restrictions:**

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

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

**Execution:**

- Country team identifies and communicates the potential for an exchange.
- CCMD endorses.
- USD(AT&L) and applicable MilDep (RD&A) investigates and determines to begin the international

agreement process.

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

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



# Pacific Deterrence Initiative

**Description:** Funding for U.S. Indo-Pacific Command security cooperation activities

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

**Authorization:** Specific funding to USINDOPACOM for already authorized assistance programs; Section 1251 FY 2018 NDAA P.L. 115-91, amended by NDAA 2021, P.L. 116-282, Section 1251.

**Appropriation:**

- FY 2021 NDAA Section 1251 requires SecDef to establish an initiative to enhance U.S. deterrence and defense posture in the Indo-Pacific region. (then please drop the next line re FY 2020 into a separate bullet)
- FY 2020 - \$14M earmarked Navy O&M, Section 8035, Consolidated Appropriations Act, FY20, P.L.116-83, 20 Dec 2019 for the Asia Pacific Regional Initiative (APRI)
- FY 2019—Up to \$10.5M from Navy O&M, Sec 8033, DoD Appropriations Act, FY19, Div. A, P.L. 115-244, 28 Sep. 2018 for Asia Pacific Regional Initiative (APRI)

**Guidance:**

- Improve the design and posture of the Joint Force in the Indo-Pacific region primarily west of the international date line.
- Modernize and strengthen the U.S. armed forces including improvements to logistics and infrastructure to enhance the responsiveness and resiliency of the force.
- Build the defense and security capabilities, capacity, and cooperation of allies and partners' authority for humanitarian assistance, security assistance, or combined exercise expenses.

**Countries Eligible:** As determined by USINDOPACOM.

**Value of Program:** Up to \$2.234B available until 30 Sep 2021

**Restrictions:**

- Countries are not to receive assistance under this program if otherwise prohibited by law.
- SecDef shall report annually to the defense committees regarding the planned uses and activities for these resources for the following year.

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

**Execution:**

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

**Example:**

- Humanitarian assistance
- Payment of incremental and personnel cost of training and exercising with foreign security forces

# International Air and Trade Shows

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

**Purpose:**

- Increasing MilDep or CCMD support of international air and trade shows
- Providing leases of military equipment to contractors for sales demonstrations to foreign governments
- Enabling military equipment demonstrations by a MilDep to a foreign government

**Authorization:** Section 1082, NDAA, FY 1993, P.L.102-484, 23 October 1992

**Appropriation:** None

**Guidance:**

- DoDI 7230.08, Lease and Demonstrations of DoD Equipment
- DoD may provide equipment and personnel support to U.S. industry for air and trade shows, provided the requested company agrees to reimburse the following:
  - ◇ All incremental accompanying personnel costs to include per diem and local transportation
  - ◇ All incremental costs for moving the equipment to and from its normally assigned location
  - ◇ Any other costs that the USG would not have incurred had the support had not been provided
- SecDef must determine it is in the U.S. national security interest to do so and Congress is notified of the event, arms control implications, and estimated costs to be incurred.

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

**Value of Program:**

**Restrictions:**

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

bassy before participation is considered.

- USG employees as trade show observers are not included in this program.
- DSCA will support USDP in determining support for trade shows. DSCA annually publishes a listing to the MilDeps of trade shows to be supported during the next fiscal year. The latest USDP approval letter [[http://www.dsca.mil/sites/default/files/usdp\\_fy\\_2015\\_sep\\_12\\_2014\\_0.pdf](http://www.dsca.mil/sites/default/files/usdp_fy_2015_sep_12_2014_0.pdf)]

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

**Execution:**

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

**Example:**

- Paris, Farnborough, Dubai, Singapore, etc. air and trade shows. On 17 Jun 2013, State Department announced the attendance of Deputy Assistant SecState along with other USG reps attended the 2013 Paris Air Show in support of over 250 U.S. defense industry companies for equipment demonstrations and displays to potential purchasers. The UK Farnborough show in 2014 had a similar announcement.
- Press reported in Nov 2014 that the USG, using required third-party transfer permission, caused RoK to cancel participation in an air show in PRC because of concern for demonstrating U.S. technology capabilities within RoK aircraft.

# International Military Education and Training (IMET)

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

**Purpose:**

- Grant funding for the education and training of foreign country personnel in activities designed to do the following:
  - ◊ Encourage effective and mutually beneficial relations and increased understanding between the U.S. and foreign countries in the furtherance of the goals of international peace and security.
  - ◊ Improve the ability of participating foreign countries to utilize their resources, including defense articles and services obtained by them from the U.S., with maximum effectiveness, thereby contributing to greater self-reliance by such countries.
  - ◊ Increase the awareness of nationals of foreign countries participating in such activities of basic issues involving internationally recognized human rights.

**Authorization:** Sections 541 -543, FAA [22 U.S.C. 2347], P.L. 116-283, 01 Jan 2021, Section 1210C, “Plan to Increase Female Participation in IMET”

**Appropriation:** FY 2021 - \$112,925,000 of which \$56,463,000 shall be available until 31 Dec 2022 and of which, for female participation \$3,000,000 remains available until expended.

**Guidance:**

- The SecState, in coordination with the SecDef, shall submit a plan to the appropriate committees to increase the number of foreign female participants receiving training under this or other military exchange programs with the goal of doubling such participation by 2030.
- IMET is generally meant for professional military and education (PME) and only by exception for technical training.
- IMET is generally meant for tuition expenses but by exception can be used for travel and per diem expenses for developing countries.
- Other than English language laboratories, IMET funding is not to be used for purchase of articles.
- The FMS process is NOT used for the implementation of IMET.

**Countries Eligible:** As justified and determined by SecState

**Value of Program:** FY 2021—\$112.9M

**Restrictions:**

- Per Consolidated Appropriation Act for 2021 (P.L. 116-260) no funds under IMET shall be available for assistance for the government of Saudi Arabia (see Section 7041).
- NDAA 2021 Section 1090 requires significant enhancements to vetting and monitoring of foreign nationals seeking access to DoD facilities for more than 14 days. While section 1090 is not IMET-specific, the new requirements will have significant practical and possibly relationship impacts for which SC planners must account.

- Not otherwise ineligible by USG export law for such transfers. SecState/SecDef must report to the appropriate committee every two years regarding the directed increase in female participation.
- Per P.L. 116-220 Section 7043, no funds under IMET may be available for Burma.
- Per the Omnibus Appropriations Act, 2021, P.L. 116-283, Section 7042, IMET funds for African Great Lakes Region countries (Burundi, Rwanda, Uganda, Democratic Republic of the Congo) IMET funds may be spent only for courses identified as Expanded IMET (E-IMET) until the Sec-State determines and reports to the appropriate committees that the governments are not abetting armed groups or otherwise participating in activities that destabilize the region.

#### **Execution:**

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

#### **Example:**

- In FY19, India sent 32 Indian military officers to the U.S. for training, and, in FY20, planned to send 46 officers to various schools in the U.S. and to also train up to 60 officers through the DSCU Mobile Training Team (MTT) that will travel to India to conduct various training events.
- The IMET program is one of the pillars of the strategic defense relationship between the United States and India and is the cornerstone of the U.S.-India mil-to-mil relationship that has weathered the political challenges and changing governmental structures over the years.
- High-ranking military officers in senior strategic and operational billets who have received U.S. PME include previous (and current) Indian Chiefs of Staff of the Army and Deputy Chiefs, Chief of the Integrated Defense Staff (Joint Staff), Adjutant General, Commandant Indian Military Academy, Chief of Western and Eastern Army Commands, Chiefs of Naval Staff, Director General of the Indian Coast Guard, Commanders of the Western and Southern Naval Commands, Chief of Air Staff and Vice Chief, and Commandant of the Air Force Academy.
- FY 2019 CBJ requests \$95M–\$16.4M for Africa; \$9.8M for East Asia and Pacific; \$26.1M for Europe and Eurasia; \$15.1M for Near East; \$11.1M for South and Central Asia; \$11.1M for Western Hemisphere

# Expanded IMET

**Description:** As a sub-element under the same laws and funding as IMET, certain courses are designated in the MASL (Military Articles and Services List, maintained by DSCA) as “Expanded IMET” courses. Certain countries, typically new recipients of IMET of countries with problematic human rights records may be listed by the Department of State Political Military Affairs Bureau Office of Security Assistance as eligible for only E-IMET courses. Additionally, some countries may be required by State PM/SA to have a unique percentage their IMET funding to be spent only for E-IMET courses.

## **Purpose:**

- DSCA designates certain USG and U.S. military courses, such as E-IMET, when they meet the criterion for training and education primarily focused on the following:
  - ◇ Contributing to responsible defense resource management.
  - ◇ Fostering greater respect for the rule of law and its application to civilian control of the military.
  - ◇ Contributing to cooperation between the military and law enforcement personnel with respect to counternarcotics law enforcement efforts.
  - ◇ Improving military justice systems and procedures in accordance with internationally recognized human rights.

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

**Appropriation:** From the annual IMET appropriations (E-IMET is not a separate fund or program, it is merely a subset of courses available to foreign partners for the above listed military training and education purposes).

## **Guidance:**

- The Department of State cable (ALDAC 14 STATE 119096) states current DoS policy requiring all partner countries using IMET funding to spend at least 10 percent of their allocation for E-IMET-coded courses and for countries with problematic human rights records (identified in the ALDAC) to spend at least 10 percent of their allocation on courses emphasizing human rights, rule of law, and civilian control of the military (for problem countries, a total of 20 percent).
- For military and related civilian personnel with eligible civilians to also include personnel from ministries other than the ministry of defense and include legislators and individuals not members of the foreign government (NGOs).
- Courses are nominated by the DoD training community to DSCA to be listed as E-IMET.

**Countries Eligible:** Same as IMET (see ALDAC 14 STATE 119096 for the list of problematic countries or contact PMSecurityAssistance@state.gov with questions)

**Value of Program:** Variable as funded from IMET allocations

**Restrictions:** Same as IMET

**Key Players:** Same as IMET

**Execution:** Same as IMET

**Example:** Same as IMET with emphasis on countries with problematic records on civil liberties and on countries recently re-entering eligibility from past USG-imposed restrictions. For all countries, 10 percent of their allocation must go to E-IMET-coded courses. For certain countries specified in annual State PM/SA guidance, an additional 10 percent must be used for HR, rule of law, and civilian control of the military focused courses. For still other countries, the State Department (often under Congressional pressure) will require that all of that partners IMET be spent ONLY on E-IMET-coded courses.

For example, Sri Lanka had been ineligible for IMET for some years due to Congressional concerns over governmental treatment of ethnic minorities during Sri Lanka's civil war. When the State Department resumed IMET funding for Sri Lanka by policy, the State would approve only E-IMET courses for Sri Lankan students funded by IMET.



# International Narcotics Control and Law Enforcement (INCLE)

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

**Purpose:**

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

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

**Appropriation:** Rescission required by the Consolidated Appropriations Act, FY 2021, P.L. 116-260, 27 Dec 2020 funds remaining under the heading “INCLE” will be \$1,385,573 available until 30 Sep 2022.

**Guidance:**

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

**Restrictions:** A number country and program specific restrictions are listed in P.L. 116-220, see Sections 7023, 7034, 7035, 7041, 7043, 7044, 7045, 7047, 7052, 7055, 7058, 7060, 7065, 7071.

**Countries Eligible:** Any country or international organization the President determines

**Value of Program:** FY 2021—\$1.385B

**Key Players:** SecState, DoS/International Narcotics Control/Law Enforcement (INCLE), Country team/Narcotics Affairs Section (NAS), and DoD/DSCA, if defense article or services are determined necessary via pseudo LOA

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

**Example:**

- INL funding through an interagency agreement with DHS/HSI helps improve Colombia’s ability to combat illicit trade based on money laundering. In the first six months executing this project, Colombian National Police seized \$4 million in contraband goods.

- INL funding in Jamaica supported the creation of a polygraph unit, training for polygraphers, and a system to screen all new police recruits which identified and rejected 139 recruits with problematic records. The various countries eligible for INCLE assistance can be viewed at <http://www.state.gov/j/inl/narc/c2118.htm>.

# Israeli Cooperative Programs

**Description:** DoD support of Israeli anti-missile capabilities and Iron Dome radar systems

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

**Authorization:** Section 1690, FY17 NDAA, P.L. 114-328, 23 Dec 16

**Appropriation:**

- FY 2021—\$500M, Sec 8072, Consolidated Appropriations Act 2021, P.L. 116-260, 27 Dec 2020
- FY 2020—\$500M, Sec 8072, Consolidated Appropriations Act, 2020, P.L. 116-93, 20 Dec 2019
- FY 2019-- \$500m, Section 8070, DoD Appropriations Act, FY 2019, Div. A, P.L.115-244, 28 Sep 2018

**Guidance:**

- FY 2021 earmarks include the following:
  - ◇ \$73M Iron Dome defense system
  - ◇ \$177M for Short Range Ballistic Missile Defense of which \$50M will be for co-production activities
  - ◇ \$77M for the co-production of the Arrow 3 Upper Tier system in the U.S.
  - ◇ \$173M for the Arrow System Improvement Program

**Countries Eligible:** Israel

**Value of Program:** FY21—\$500M

**Restrictions:** No U.S.-Israeli coproduction agreement existed until March 2014 for production of the Iron Dome. Missile Defense Agency (MDA) is the USG agency responsible for the coproduction arrangement, which is to take place between Israel and Raytheon. The sharing of technology is yet to take place. The Undersecretary of Defense for Acquisition and Sustainment must report to appropriate committees regarding associated risks and certain milestone accomplishments by the government of Israel.

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

**Execution:** While firing two missiles per target, Israel is now considering just one missile per target. Latest success rate for Summer of 2014 (Operation Protective Edge) is 735 intercepts at 90 percent success rate.

**Example:**

- Current Iron Dome batteries and Tamir interceptors used recently by Israel against Hezbollah and Hamas Katyusha short range rockets were developed by this program. It is reported that the U.S. (DoD) has committed since 2011 almost \$1 billion to fund the Iron Dome. This is in addition to the annual FMF assistance.

# Joint Exercise Program

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

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

**Authorization:** 10 U.S.C. 153

**Appropriation:** DoD O&M

**Guidance:**

- Under the overall direction of the Joint Staff to be conducted by the CCMDs and their assigned forces
- 10 U.S.C. 2249e (renamed “10 U.S.C. 362”) [codified by Sec. 1204, NDAA, FY 2015, P.L.113-291, 19 Dec 2014] requires “Leahy human rights vetting” before U.S. exercises take place with a country’s security force unit(s).
- U.S. general purpose forces (GPF) may train with both military and other security forces of a country if determined by SecDef to be in the U.S. national security interests. [Section 1203, NDAA, FY 2014, P.L.113- 66, 26 December 2013]
  - ◇ Concurrence of the SecState is also required along with a 15-day advance notification to Congress.
  - ◇ A MilDep or CCMD may pay or authorize payment for incremental expenses of a participant country not to exceed \$10M each fiscal year.
  - ◇ Incremental expenses are defined to mean “reasonable and proper costs of rations, fuel, training ammunition, transportation, and other goods and services consumed by the country as a direct result of the training.”
  - ◇ Incremental costs are further defined to “not include pay, allowances, and other normal costs of such country’s military or security force personnel.”
  - ◇ Security forces are defined to include national security forces that conduct border and maritime security but not to include civilian police.
  - ◇ This authority expires on 30 September 2017.

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

**Value of Program:**

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

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

**Execution:**

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

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

**Example:**

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

# Leases of Equipment

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

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

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

**Appropriation:** None, normally country cash

**Guidance:**

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

**Countries Eligible:**

- Those determined eligible by IAW Sec. 3, AECA:
  - ◇ Presidential determination (PD) that sales to a country or international organization will strengthen U.S. security and promote world peace,
  - ◇ Recipient agrees not to retransfer with presidential consent (delegated to SecState),
  - ◇ Recipient agrees to limit use of articles/services to the purpose for which they are furnished,
  - ◇ Recipient agrees to maintain substantially the same degree of security for the article or

service as that provided by the USG, and Recipient is otherwise eligible.

**Value of Program:** Lease agreements during FY 2008 were valued at \$9M.

**Restrictions:**

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

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

**Execution:**

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

**Example:**

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

# Legal Institutional Capacity Building Initiative

**Description:** Initiative, under Section 332 of Title 10 U.S.C., of legal institutional capacity building in collaboration with appropriate ministry of defense (or security agency serving similar defense function) legal institutions that support efforts of one or more foreign countries to establish or improve legal institutional capacity

## **Purpose:**

- The purpose of the initiative is to enhance, through advisory services, training or related training support services, as appropriate, the legal institutional capacity of the applicable foreign government to do the following:
  - ◇ Integrate legal matters into the authority, doctrine, and policies of the ministry of defense
  - ◇ Provide appropriate legal support to commanders conducting defense and national security operations
  - ◇ With respect to defense and national security law, institutionalize education, training, and professional development for personnel and forces, including uniformed lawyers, officers, noncommissioned officers, and civilian lawyers and leadership within such ministries of defense
  - ◇ Establish a military justice system that is objective, transparent, and impartial
  - ◇ Conduct effective and transparent command and administrative investigations
  - ◇ Build legal capacity of the forces and civilian personnel of ministries of defense to provide equitable, transparent, and accountable institutions and provide for anti-corruption measures of such institutions
  - ◇ Build capacity to provide for the protection of civilians consistent with the law of armed conflict and human rights and to investigate incidents of civilian casualties
  - ◇ Promote understanding and observance of law of armed conflict, human rights, rule of law and civilian control of military
  - ◇ Establish mechanisms for effective civilian oversight of defense and national security legal institutions and legal matters

**Authorization:** Section 1210 NDAA FY20 PL 116-92, 20 Dec 2019 in accordance with Section 332 of Title 10

**Appropriation:** Only an authorization, but the authorization specifies funds may be available only from DOD Defense-wide O&M and only from funds made available to DSCA for such purposes.

## **Guidance:**

- Initiative shall include elements for monitoring implementation of the initiative and evaluating effectiveness.
- An assessment of organizational weaknesses for legal institutional capacity building of the applicable foreign country

**Value of Program:** Variable



**Restrictions:** Initiative expires 31 December 2024

# No-cost Equipment Loans for RDT&E

**Description:** No-cost loan of defense articles

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

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

**Appropriation:** None, only a no-cost authority

**Guidance:**

- If approved and determined as a requirement for the success of the research, the loaned equipment may be expended without reimbursement
- Any test results are to be provided back to the U.S.

**Countries Eligible:** NATO countries and major-non-NATO countries

**Value of Program:** None, only an authority

**Restrictions:** For the loaned equipment to be expended or destroyed without reimbursement requires prior determination and approval that the success of the research requires such destruction.

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

**Execution:**

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

**Example:**

# Non-Conventional Assisted Recovery Capabilities (NCARC) Assistance

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

**Authorization:** Section 943, NDAA, FY 2009, as amended, P.L.110-417, 14 Oct 2008, as amended by P.L. 116-283, 01 Jan 2021

**Guidance:**

- Authorizes the use of up to \$25M annually in DoD O&M
- SecDef is to establish such procedures and notify Congress within 72 hours of using such authority

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

**Restrictions:**

- Not implemented using pseudo LOA procedures
- Specifically not for 10 U.S.C. 333 (formerly 2282) purposes
- Not to provide assistance that is otherwise prohibited by any other provision of law, including the control of exports of defense articles and services
- Authority through FY 2023

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

**Execution:**

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

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

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

**Purpose:**

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

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

**Appropriation:** FY 2021—\$888,247,000 Consolidated Appropriations Act, FY 21, Div. K, Title IV, P.L. 116-260 27 Dec 2020

- May also be used for demining, clearance of unexploded ordnance, and the destruction of small arms
- May be used for a voluntary contribution to the International Atomic Energy Agency (IAEA) and to the Comprehensive Nuclear Test Ban Treaty Preparatory Committee

**Countries Eligible:** As determined by the President

**Value of Program:** \$889.2M in grant assistance available through 30 Sep 2022

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

**Key Players:** SecState, DoS/Nonproliferation, and DoD/DSCA, if defense article or services are determined necessary via pseudo LOA

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

**Example:**

For FY 2019 the CBJ requests \$690M. The FY 2020 SFOAA appropriated \$227.5 million in NADR-CWD funds and \$1 million in NADR-RRF (Relief and Recovery).

NADR-CWD supports small arms/light weapons (SA/LW) threat reduction programs, which includes depot improvements, weapons destruction efforts, and training, in Africa, southeast Europe, Latin America, Lebanon, and Central Asia. This effort supports U.S. national security interests by reducing the weapons' accessibility to non-state actors. In 2020, a regional CWD program in El Salvador, Guatemala, and Honduras, supported the destruction of confiscated weapons and enhanced security measures at vulnerable depots. In Peru, CWD facilitates

the air force and army's destruction of obsolete ordnance and helped develop an enduring explosive ordnance disposal capacity. In Somalia, CWD supported a roving weapons and ammunition disposal team operating throughout the country and provided depot upgrades to vulnerable stockpiles in south-central Somalia, depriving Al-Shabaab and other non-state actors access to weapons.

- NADR-CWD supports humanitarian demining activities, including survey and clearance of landmines and other explosive hazards, capacity development measures, monitoring and oversight, explosive ordnance risk education, and survivors' assistance. The United States is the largest financial contributor humanitarian demining sector with priority programs including Angola, Colombia, Middle East (Iraq, Syria, and Yemen), southeast Asia (Cambodia, Laos, and Vietnam), and Ukraine.

# Pakistan Counterinsurgency Capabilities Fund (PCCF)

**Description:** Economic assistance to build and maintain the counterinsurgency capability of Pakistan security forces. Since the former Pakistan Counterinsurgency Fund was combined with the PCCF, there are unexpended prior year funds remaining, but, in early 2018, the Trump Administration SUSPENDED security assistance to Pakistan; those funds are unused.

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

**Authorization:** Title 22 U.S.C. 8424

**Appropriation:**

FY 2012 – \$850M for overseas contingency operations, S/FOAA, Title VIII, Div. I, P.L.112-74, 23 Dec 2011 Section 1704(b), Title VII, S/FOAA CR for FY 2013, P.L.113-6, 26 Mar 2013, zeroed out the PCCF account No new funding starting with FY 2013

**Guidance:** The Biden Administration is reviewing security assistance to Pakistan, but, until that review is completed, the guidance remains that the PCCF/PCF funds MAY NOT BE OBLIGATED FOR PAKISTAN.

- Assistance to include the following:
  - ◊ Program management
  - ◊ Training in civil-military humanitarian assistance
  - ◊ Human rights training
  - ◊ Provision of equipment, supplies, services, and training, or
  - ◊ Facility and infrastructure repair, renovation, and construction

**Countries Eligible:** Pakistan

**Value of Program:**

- FY 2012—\$850M to remain available through FY 2013
- FYs 2013-2015 – zero.
- \$50,000,000 of FY12 funding was authorized for transfer to the FY12 “1207” Global Security Contingency Fund (GSCF)

**Restrictions:**

- Sec. 620M, FAA, “Leahy vetting” required
- Available to SecState with the concurrence of SecDef
- With a 15-day advance congressional notice in writing, such funds may be transferred to DoD or other USG agencies to support counterinsurgency operations. Upon determination by SecState, with the concurrence of SecDef, any such funds may be transferred back to the PCCF
- Quarterly report by SecState to Congress regarding the use of PCCF funding on a project-by-project basis

**Key Players:**

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

**Execution:** Possible to use pseudo-LOA process if PCCF is transferred to DoD PCF for implementation. Questions about the current status or availability for use of PCCF/PCF funds should be directed to PMSecurityAssistance@state.gov.

**Example:** Pseudo LOA process likely for PCCF funds transferred to DoD PCF fund for provision of defense article and services to Pakistan security forces. \$472M in agreements during FY 2010. Proposed transfer of funds to aid in the development of SOF capabilities in Libya.

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

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

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

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

**Appropriation:** None

**Guidance:**

- The cooperative program is to be conducted by international agreement for equitable contribution of support and services from each participant country which can be waived for U.S. national security interests.
- Any costs incurred by the U.S. shall be charged to the current applicable appropriations accounts or funds of the participating USG agencies.
- U.S. participants may include military and civilian defense personnel.
- Such training must satisfy common requirements with the U.S. for post-undergraduate flying and tactical leadership training.
- “And integrated air and missile defense training” was added to this cooperative SWA training program by Section 1233, NDAA, FY 2014, P.L.113-66, 26 December 2013.

**Countries Eligible:** As determined by the President

**Value of Program:**

**Restrictions:**

- No IMET funding to be used for this program.

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

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

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



# Peacekeeping Operations (PKO)

**Description:** Funding assistance for peacekeeping operations

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

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

**Appropriations:**

- FY 2021—\$1,456,314,000 of which \$705,994,000 is designated OCO, Consolidated Appropriations Act 2021, P.L. 116-260, 27 Dec 2020.

**Guidance:**

- FY 2021 earmark includes \$71M for Global Peace Operations Initiative, and \$25M for the United States' contribution to the Multinational Force and Observers' Mission in the Sinai.
- PKO funding may be used to enhance capacity of foreign civilian security forces.

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

**Value of Program:** FY 2021, \$818,542,000 available until 30 Sep 2022.

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

**Key Players:** SecState, DoS/PM, CCMD and SCO if defense articles and services are to be provided to partner nation, and DSCA, if defense articles and services are provided via pseudo LOA IAW SAMM, C15.1.4

**Execution:** Normally planned and executed by DoS/PM

**Example:**

- During FY 2014—\$212.35M for Somalia PKO [African Union Mission], \$36M for MFO, \$33M for Sudan PKO
- For FY 2019 the CBJ requests \$291M

# Reciprocal, No-charge Flight Training School

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

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

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

**Appropriation:** None

**Guidance:**

- SAMM, C10.17.8 is conducted with an international agreement.
- Agreements are generally negotiated at both the DoD and MilDep levels.
- Each country is to absorb any living expenses for their student(s).
- The exchange is reciprocal to be completed in the same fiscal year.

**Countries Eligible:** As determined by SecDef

**Value of Program:**

**Restrictions:**

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

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

**Execution:**

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

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

# Reciprocal, No-charge Professional Military Education (PME) Student Exchanges

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

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

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

**Appropriation:** N/A

**Guidance:**

- SAMM, C10.17.7.2
- Does not include attendance at the military academies
- Conducted with an international agreement at specific PME institutions
- Agreements generally negotiated at both the DoD and MilDep levels with State Department approval
- Each country to absorb any living expenses for their student(s)
- Reciprocal exchange to be completed in the same fiscal year

**Countries Eligible:** As determined by SecDef

**Value of Program:**

**Restrictions:** International agreements for the exchange are to be in-place prior to the exchange. The President must report to the appropriate Congressional Committees annually on the programs undertaken under this section.

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

**Execution:**

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

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

# Reciprocal, No-charge Unit Exchanges

**Description:** One-for-one unit exchanges for training

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

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

**Appropriation:** N/A

**Guidance:**

- SAMM, C10.17.7.2.2
- Conducted with an international agreement between the applicable MilDeps
- The training is completed on a reciprocal, no-cost basis with each MilDep providing comparable training, transportation, logistics, and other related support to each unit.
- The mutual training exchange must take place within one year.
- Should the partner country fail to provide comparable training to the U.S. unit, then the U.S. must be reimbursed for the provided training and support provided by the U.S.

**Countries Eligible:** As determined by SecDef

**Value of Program:**

**Restrictions:** Each country is responsible for their own student TLA.

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

**Execution:**

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

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

# Security Assistance for Baltic Nations for Joint Program for Interoperability and Deterrence

**Description:** To conduct or support a single joint security assistance/security cooperation program with Baltic nations to improve their interoperability and build capacity to deter and resist Russian aggression.

**Authorization:** Sec 1279D NDAA FY18, P.L. 115-91, 12 Dec 2017, as amended

**Appropriation:** From DoD O&M, not to exceed \$125M

**Guidance:**

- No later than 60 days before initiating activities under this program, the SecDef shall submit the following to Congress:
  - ◇ The countries that will participate in the joint program
  - ◇ An assessment of how the joint program will improve interoperability of the Baltic nations and build capacity to deter Russian aggression
  - ◇ How it advances the EUCOM theater SC plan, and integrated country strategy
  - ◇ Cost and delivery schedule of the program
  - ◇ Description of arrangements, if any, for the sustainment of the defense articles to be procured

**Countries Eligible:** Baltic nations defined as Estonia, Latvia and Lithuania; other countries may participate if they use their own country's funds

**Value of Program:** Variable; may not exceed \$100M

**Restrictions:** Authority expires 31 December 2021.

- NDAA 2020, P.L. 116-192, 20 Dec 2019, adds a number of assessment and reporting requirements.
- NDAA 2021, P.L. 116-283, 01 Jan 2021, offers a Sense of the Congress that the U.S. should continue efforts to improve assistance, coordination and planning to ensure the security of the Baltic states.

**Key Players:** DoD, DoS, EUCOM, SCO, and the Baltic nations

**Execution:** Using pseudo LOA/BPC process

**Example:**

# Space-A Transport of NGO Relief

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

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

**Authorization:** 10 U.S.C. 402

**Appropriation:** None

**Guidance:**

- SAMM, C12.7.4.2
- Program uses generally the same guidance as the previous Funded Transportation Program.
- Cargo minimum is 2,000 pounds with a maximum of 75,000 pounds.
- The delivery is generally from a CONUS aerial port to a recipient country aerial port.

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

**Value of Program:**

**Restrictions:**

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

**Execution:**

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

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

# Special Authorities

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

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

**Authorization:**

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

**Appropriation:** None except for the transfer of already appropriated but not obligated funds

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

**Countries Eligible:** As determined by the President

**Value of Program:** \$1.0 Billion IAW 22 U.S.C. 2364.

**Restrictions:** A diplomatic 505 agreement is needed

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

**Execution:**

- Country team (SCO) forwards request with country team endorsement.

- CCMD provides an additional endorsement.
- USDP(DSCA) coordinates within OSD and provides recommendation to DoS.
- DoS obtains presidential determination as required and forwards to DoD for implementation.
- DSCA processes any required congressional notification and forwards to the Implementing Agency for implementation.

**Example:** With an emergency determination that a friendly country is under attack or under an immediate threat of attack, the President may direct the emergency provision of defense articles or services to the country or redirect unobligated assistance to the friendly country.

Note: this authority is rarely used. In May 2019, the President invoked the Authorities granted in Title 22, Section 2364, and notified Congress of such a determination. Threats from Iran, the Administration argued, necessitated significant defense sales to Saudi Arabia, The United Arab Emirates, and Jordan. In July of 2019, Congress passed legislation to block the President's use of that authority in that specific case, and the President vetoed that legislation. After three failed attempts to override the President's veto, the sales moved forward.



# Support for Counterdrug Activities and Activities to Counter Transnational Organized Crime

**Description:** Provide defense articles and services to U.S. and foreign counterdrug and to counter transnational organized crime law enforcement agencies

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

**Authorization:**

- 10 U.S.C. 284, as amended by P.L. 116-283, 01 Jan 2021
- Section 901, Office of National Drug Control Policy Reauthorization Act of 2006, as amended, P.L.109-469, 29 December 2006

**Appropriation:**

- NDAA FY 2021, P.L. 116-260, 7 Dec 2020
  - ◇ \$567,003,000 for counter narcotics support, please add diamond: \$127,704,000 for drug demand reduction,
  - ◇ \$194,211,000 for the National Guard counter drug program.

**Guidance:**

- SAMM, C15.1.4.3
- Types of assistance include the following:
  - ◇ Maintenance, repair, and upgrade of equipment, including loaned equipment
  - ◇ Transportation of personnel, including personnel of foreign countries, supplies, and equipment
  - ◇ Establishment (included unspecified minor military construction projects) and operation of bases of operations or training facilities
  - ◇ Counterdrug related training of law enforcement personnel of federal, state, and local governments, Indian tribes, and of foreign countries, including associated support expenses for trainees and the provision of material necessary to carry out such training
  - ◇ Detection, monitoring, and communication
  - ◇ Construction of roads, fences, and installation of lighting
  - ◇ Establishment of command, control, and computer networks
  - ◇ Provision of linguists and intelligence analysis services
  - ◇ Aerial and ground reconnaissance.
- SecDef is authorized to prescribe regulations to the Chief, NGB, to establish, operate, or provide financial assistance to the States to establish and operate not more than five National Guard counterdrug schools and to expend not more than \$30,000,000 in each fiscal year in DoD “1004” O&M to support these schools. The authorized schools include the following:
  - ◇ The Multi-Jurisdictional Counterdrug Task Force Training (MCTFT), St. Petersburg,

FL

- ◇ The Midwest Counterdrug Training Center (MCTC), Johnston, IA
- ◇ The Regional Counterdrug Training Academy (RCTA), Meridian MS
- ◇ The Northeast Regional Counterdrug Training Center (NCTC), Fort Indiantown Gap, PA
- ◇ The Western Regional Counterdrug Training Center, Camp Murray, WA
- ASD (SO-LIC) may obtain this assistance directly from the MilDeps and other agencies, or from the existing FMS infrastructure with DSCA using SAMM, C15, pseudo LOA procedures to obtain defense articles, services, and training.

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

**Value of Program:** FY 2020—up to \$744.7M

**Restrictions:** Support provided to non-DoD agencies on a reimbursable basis IAW CJCSI 3710.01, DoD Counterdrug Support, 26 Jan 2007

**Key Players:** Country team (SCO and NAS), CCMD, SecDef, ASD/SO-LIC, DSCA, and Implementing Agencies

**Execution:**

- Country team submits requirements to ASD/SO-LIC.
- ASD/SO-LIC either obtains the articles/services directly from the applicable MilDep/agency or submits a written request to DSCA with a funding MIPR.
- The applicable implementing agency provides a SAMM, C15, pseudo LOA procedures for DSCA countersignature.
- ASD/SO-LIC conducts any required congressional notification.
- SecDef submits quarterly reports to appropriate committees regarding DoD support to counterdrug efforts under this section [P.L. 116-283 Jan 01 2021]

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

# Support of Special Operations to Combat Terrorism

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

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

**Authorization:** 10 U.S.C. 127e, as amended by P.L. 116-283.

**Appropriation:** Currently up to \$100M in annual DoD O&M funding for special operations

**Guidance:**

- Authority to make funds available is not to be delegated below the Secretary of Defense.
- Requires the concurrence of the applicable U.S. Chief of Mission.
- Oversight of policies and programs authorized under this title rests with ASD (SO-LIC).

**Countries Eligible:** As requested by USSOCOM and approved by SecDef

**Value of Program:** Up to \$100M

**Restrictions:** Does not constitute authority to conduct a cover action, defined in 50 U.S.C. 3093(e)

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

**Execution:**

- This program is not implemented using the pseudo LOA process.
- Notification to Congress shall include the following:
  - ◇ The type of support provided or to be provided to U.S. SOF and a description of the authorized operation
  - ◇ A description of the foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating the authorized ongoing operation who will receive support
  - ◇ A detailed description of the support provided or to be provided to the recipient
  - ◇ The amount obligated under the authority to provide support
  - ◇ A detailed description of the legal and operational authorities related to the authorized ongoing operation, including relevant execute orders issued by the Secretary of Defense and combatant commanders related to the authorized ongoing operation, including an identification of operational activities United States Special Operations Forces are authorized to conduct under such execute orders
  - ◇ Descriptions of the steps taken to ensure the support is consistent with U.S. national security objectives and the steps taken to ensure that the recipients of the support have engaged in human rights violations.

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

# Third-Party Transfer Authority

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

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

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

**Appropriation:** None, only an authority

**Guidance:**

- No defense article or service shall be sold or leased to any country or international organization until the country, or organization has agreed not to transfer the U.S.-origin defense article or service to a third agency, country or organization unless first approved by the President (delegated to PM/DDTC for DCS transfers and PM/RSAT for government-to-government transfers).
- Requirements for Consideration:
  - ◇ An official request for the transfer from the divesting government (i.e., cover letter)
  - ◇ A completed Standard TPT Questionnaire
  - ◇ End-Use Retransfer and Security Assurances from the recipient(s), including any intermediaries involved in the transfer via the Security Cooperation Information Portal (SCIP).
- Options for sending requests to PM/RSAT:
  - ◇ Via the U.S. Embassy in-country
  - ◇ Via the U.S. Office of Defense Cooperation (i.e., SAO, ODC, JUSMAG )
  - ◇ Directly to PM/RSAT by email or fax (202-647-9779)
  - ◇ Via the divesting government's embassy based in Washington D.C.
  - ◇ Via the Security Cooperation Information Portal (SCIP).

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

**Value of Program:** N/A

**Restrictions:**

- Any third-party transfer request will be forwarded for action by PM/DDTC or PM/RSAT for a coordinated DoS response.
- Any request and approval must be done in writing.
- No transfer request shall be approved unless the USG would be willing to transfer the item or service to the third party.
- No third-party transfer request is to be approved until a "505 agreement" [ref: Section 505(a), FAA] with the third-party government is in place.
- Congress is to be notified for approval before DoS authorizes the third-party transfer

- ◇ For NATO plus five countries, 15-day advance notification of any transfer exceeding \$100M or for MDE exceeding \$25M, priced at original acquisition value
- ◇ For all other countries, 30-day advance notification of any transfer exceeding \$50M or for MDE exceeding \$14M, priced at original acquisition value

**Key Players:** Country team to normally to include SCO, DoS/PM/DDTC or RSAT, DoD/DTSA if DoD recommendations for technology transfer are determined necessary, and applicable CCMDs of both the transferring and recipient countries

**Execution:**

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

**Example:** Transfer by sale of older U.S.-origin defense articles and support by a country preparing to obtain newer U.S.-origin defense articles to a third country. In 2019, Israel, planning to buy the new F-25 Joint Strike Fighter, proposed to sell 12 of its older F-16 fighter jets to Croatia in a deal worth \$500 million. But the U.S. State Department given their authority over such transfers vetoed the deal over tech transfer concerns.

# Traditional Combatant Commander's Activities (TCA)

**Description:** CCMD activities to contact and interact with foreign militaries to ensure functional military-to-military relationships necessary to fulfill CCMD responsibilities

**Purpose:** Title 10 United States Code §164 describes the responsibilities and authorities of a CDR but does not explicitly authorize a Combatant Command conduct military-to-military (M2M) contacts. A CCMD executes TCA pursuant to their inherent authority to interact with the militaries of foreign nations within his/her area of responsibility (AOR). The purpose of a TCA must reasonably relate to a CCMD's requirement to understand and ability to collaborate with foreign militaries in his/her AOR to further DoD mission execution.

**Authorization:** 10 U.S.C. 164

**Appropriation:** There is not a separate appropriation for TCA. TCA is a CCMD decision to use funds provided to the CCMD to accomplish its assigned responsibilities and mission.

**Guidance:** While TCA is a type of security cooperation activity, TCAs are conducted for the primary purpose of furthering DoD mission execution and do not provide a means to directly build foreign partner capacity. If the primary purpose of a partner engagement is to build a partner's capacity, a different security cooperation authority besides TCA must be relied upon.

**Countries Eligible:** Those identified by the respective CCMD

**Value of Program:** TCA is not a separate program but a CCMD decision to use funds provided to the CCMD to accomplish its assigned responsibilities and mission.

**Restrictions:** TCA does not provide an authority to pay for a foreign partner's travel or participation expenses. A different security cooperation authority must be identified to fund a foreign partner's travel expenses (such as 10 U.S.C. 312). TCA does not provide an authority to transfer supplies, equipment, or other assistance to a partner.

**Examples:** A TCA may be described as a meeting, conference, seminar or workshop. The title used to describe a TCA engagement does not provide any greater leeway to broaden or expand the limited purpose or function of TCA. Calling a TCA a seminar, workshop, or conference would not allow the CCMD to train a partner. Common types TCA objectives are as follows:

- **Key Leader Engagements:** Senior officer level bi-lateral or multilateral meetings to establish or maintain professional relationships and to gain or maintain cooperation for shared objectives and goals.
- **Assessments:** A CCMD's requirement to gather data or information regarding conditions on the ground and/or the partner's capabilities to inform future DoD operations or missions assigned to the GCC. These assessments normally last a week or less. Assessments are usually conducted by a team populated with expertise tailored to the questions that need to be answered and the types of missions anticipated. Assessments do not provide training to foreign partners.
- **Subject Matter Expert Exchanges (SMEEs):** A CCMD's effort to inform foreign partner how DoD forces conduct operations and also understand how another military force operates in the context of the specific terrain they occupy, or execution a type of military function. SMMes are a bi-lateral exchange of information and do not provide training to foreign partners.

- Interoperability (safety and familiarization) Meeting: A CCMD activity conducted for the narrow purpose of preparing the U.S. armed forces and our partner forces to conduct a near term or reasonably foreseeably combined operation. The purpose of such a meeting is to ensure that U.S. armed forces can successfully and safely operate in close proximity with a partner's military.

# Transfer of Defense Articles and Provide Defense Services to Military and Security Forces of Afghanistan

**Description:** No-cost transfer of non-excess defense articles from stocks of in-theater defense articles to Afghanistan without reimbursement from the Government of Afghanistan

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

**Authorization:** Section 1222, NDAA, FY 2013, P.L.112-239, as amended, 2 Jan 2013

**Appropriation:** N/A

**Guidance:**

- Authority expires 31 Dec 2022
- Requires the concurrence of SecState and a 15-day prior notification to Congress
- A quarterly report is to be provided to Congress once the transfers begin.
- This authority is in addition to the grant EDA transfer authority IAW Section 516, FAA.
- Military and security forces are defined to include national armies, national air forces, national navies, national guard forces, police forces, and border security forces, but not to include nongovernmental or irregular forces such as private militias.

**Countries Eligible:** Afghanistan

**Value of Program:** \$250M (replacement value) each fiscal year

**Restrictions:**

- Articles can only be transferred in the following circumstances:
  - ◇ Articles are no longer needed by U.S. forces in Afghanistan.
  - ◇ Articles were used in support of operations in Afghanistan.
  - ◇ Articles were in Afghanistan as of 2 Jan 2013.
- However, no articles can be transferred in the following circumstances:
  - ◇ No transfers are to take place until 15 days after a report to Congress regarding the articles and those articles to be drawn down from Afghanistan.
  - ◇ EDA and excess property are to be transferred “as is-where is.”

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

**Execution:**

- In-theater U.S. forces Cdrs, COMs, and SCOs determine needs.
- USCENTCOM endorses requirements.



- SecDef (USDP), in concurrence with SecState, approves transfers.
- In-place diplomatic 505 agreement required prior to transfer.

**Example:** No longer needed support equipment transferred to Afghanistan forces

# U.S. Participation in Headquarters Eurocorps

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

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

**Authorization:** Section 1275, NDAA, FY 2013, P.L.112-239, 2 Jan 2013; 10 U.S.C. 113 note

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

**Guidance:**

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

**Countries Eligible:** NATO Staff

**Value of Program:** Variable

**Restrictions:**

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

**Key Players:**

**Execution:** The participation of members of the Armed Forces as members of the staff of Headquarters Eurocorps shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and Headquarters Eurocorps.

Example:

# Ukraine Security Assistance Initiative

**Description:** Assistance to the national-level security forces of Ukraine and the national-level security forces of Partnership for Peace (PfP) nations

**Purpose:** Support for Ukraine and various Partnership for Peace nations to help them develop combat capability in order to preserve their sovereignty and territorial integrity against Russian and Russian-backed separatist aggression and to support, agreed-upon, ceasefire agreements

**Authorization:** Section 1250, FY 2016, NDAA, P.L. 114-92, 25 Nov 2015, as amended by P.L. 116-283, Section 9013, 01 Jan 2021

**Appropriation:**

- \$300M for FY20, Section 1244, NDAA FY20 P.L. 116-93, 20 Dec 2020
- \$137.5M for the Ukraine Security Assistance Initiative FY21, P.L. 116-260, Section 7046 (a) (2), 27 Dec 2020

**Guidance:**

- The Secretary of Defense, in coordination with the Secretary of State, can provide appropriate assistance, intelligence, and support (including lethal weapons of a defensive nature) to Ukraine and PfP nations when needed to support said countries sovereignty and territorial integrity against Russian aggression.
- Funding can be used for treatment of wounded Ukrainian soldiers in the U.S. in medical treatment facilities through the Secretarial Designee Program, including transportation, lodging, meals, and other appropriate non-medical support in connection with such treatment, and education and training for Ukrainian healthcare specialists to care for wounded Ukrainian soldiers.

**Countries Eligible:** Ukraine and other PfP nations that the Secretary of Defense deems necessary to deter Russian aggression

**Value of Program:** \$137.5M for FY21

**Restrictions:**

- This assistance may not be provided after 31 Dec 2023
- Prohibits the use of these funds for the procurement or transfer of man-portable air defense systems
- Fifty percent withheld until the Government of Ukraine has taken substantial actions to make defense institutional reforms, including transforming command and control structures and roles to align with NATO principles
- \$75M shall be available only for lethal aid

**Key Players:** Country team (SCO), CCMDs, DoD, DoS, and Implementing Agencies

**Execution:** Assistance also includes training, equipment, services, and supplies. Up to 50 percent of the amount available may be used for training.

**Example:**



# United States-Israel Anti-Tunnel Cooperation

**Description:** Authority to establish anti-tunnel capabilities with Israel

**Purpose:** Carry out research, development, test, and evaluation with Israel to establish anti-tunnel capabilities to detect, map, and neutralize underground tunnel threats

**Authorization:** Section 1279, FY 2016, NDAA, P.L. 114-92, 25 Nov 2015, as amended; 22 U.S.C. 8606 note

**Appropriation:** \$50M per fiscal year

**Guidance:** In general, the Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for anti-tunnel capabilities research, development, test, and evaluation. This authorization includes the ability to install necessary research equipment. Before implementing this authority, the Secretary of Defense shall provide a report to the appropriate congressional committees. This report shall include a memorandum of agreement between the United States and Israel regarding the sharing of research and development costs under this authority.

**Countries Eligible:** Israel

**Value of Program:** \$50M

**Restrictions:**

- Per NDAA 2020 (P.L. 116-92)
- Authority expires 31 Dec 2024.
- Israel must provide matching funds, though Sec may use amounts available to the Sec in excess of the amount contributed by Israel to provide support under this subsection for costs associated with any unique national requirement identified by the United States with respect to anti-tunnel capabilities.
- Of the amount provided by the U.S., not less than 50 percent shall be used for RDT&E activities in the U.S.

**Key Players:** SecDef [USD(AT&L)], DoS, and Israel

**Execution:**

**Example:**

# USG Wales Initiative Fund (WIF)

**Description:** DoD authorization and funding program to support the NATO Partnership for Peace (PfP) program established in 1994. In 2014, it was expanded to include the countries listed below.

**Purpose:**

- Per SAMM, C11.10.1, WIF primary objectives are to accomplish the following:
  - ◊ Improve NATO/PfP partner interoperability.
  - ◊ Advance PfP partner defense institution building/defense reform.
  - ◊ Support PfP partner integration with NATO.

**Authorization:**

- SAMM references repealed or recodified programs, which are covered under the following:
  - ◊ 10 U.S.C. 321
  - ◊ 10 U.S.C. 312

**Appropriation:** Annual DoD appropriations act for DoD (DSCA) O&M

**Guidance:**

- Previously named “Warsaw Initiative Fund”
- DASD-SC is the DoD primary for U.S. WIF and PfP policy with administration and management support provided by DSCA
- SAMM, C11.10, Warsaw Initiative Fund (former name of the Wales Initiative Fund)
  - ◊ SAMM, C11.T21, provides WIF organization responsibilities
  - ◊ SAMM, C11.T22, provides WIF program planning timeframe and implementation process
- Per SAMM, 11.10.4, WIF funds may be used in conjunction with other types of funding, to include the following:
  - ◊ 10 U.S.C. 166a, Combatant Commander Initiative Funds (CCIF)
  - ◊ DoDI 7250.13, 30 Jun 09, Use of Appropriated Funds for Official Representation Purposes
  - ◊ CJCSI 7201.01B, 20 Dec 2010, CCMD Official Representation Funds (ORF)
  - ◊ 10 U.S.C. 127, Emergency Extraordinary Expenses (EEE)
  - ◊ 22 U.S.C. 2763, Foreign Military Financing (FMF) Program
  - ◊ 22 U.S.C. 2347, International Military Education and Training (IMET)
  - ◊ 22 U.S.C. 2694, Limitation on Purchase of Gifts for Foreign Individuals
  - ◊ And NATO funds

**Countries Eligible:** PfP developing countries as determined by USD(P) recently to include: Armenia, Azerbaijan, Belarus, Bosnia-Herzegovina, Georgia, Kazakhstan, Kyrgyzstan, Macedonia, Moldova, Montenegro,

Russia, Serbia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan. With the rename to Wales Initiative Fund, also includes the Mediterranean Dialogue, to include Algeria, Egypt, Jordan, Mauritania, Morocco, and Tunisia; the Istanbul Cooperation Initiative, to include Bahrain and Qatar; NATO Partners Across the Globe, to include Afghanistan, Iraq, Mongolia, and Pakistan; and countries participating in the NATO Defense Education Enhancement Program (DEEP)

**Value of Program:** Variable

**Restrictions:**

- WIF cannot be the primary source of exercise funding or used to support U.S. participation except for planning conferences.
- WIF cannot be used to pay for courses, classroom study, defense articles and other military assistance, excessive PfP partner participation, PfP partner transfer of military officers to NATO for TDY, or PfP partner costs to hold events not approved by USDP.
- OSD policy restricts the use of WIF to pay Russian costs of participation in PfP events, in addition to NDAA FY19 Sec 1231 limitation on military cooperation between the U.S. and the Russian Federation.

**Key Players:** Country team (SCO), USEUCOM, USCENTCOM, SecDef (USDP & ASD/SO-LIC), DSCA, and SecState

**Execution:** See SAMM, C11.T22, guidelines.

**Example:** Much of what the WIF was set up for is now covered in various Sections of the new Security Cooperation chapter (16), 10 U.S.C. – DIB (Section 332), Mil-to-Mil Contacts (Section 311), Payment of Expenses to attend Bilateral or Regional Conferences (Section 312), and Payment of Training and Exercise Expenses (Section 321).

## X - Index: List of Programs by Category

**Purpose:** The following section lists all the programs in this document by category, some programs may be in more than one category. The first page defines the categories.

Category	Description
Contacts	Enable defense and military leaders to engage with partner countries for discussions, exchanges of tactics, planning, and other purposes. Contacts are largely conducted between U.S. military and civilian defense personnel and the military and civilian defense personnel of a partner country but may also include non-defense personnel of partner countries who play key security roles.
Defense Institution Building	Help partner countries develop more effective defense institutions, including organizations and processes that can ensure effective oversight, management, and execution of logistics, personnel, budgets, policy, strategy, doctrine for effective development, employment, and sustainment of defense capabilities.
Education	Includes participation in U.S. PME programs, supporting partner countries in relevant multilateral education and training programs and deploying MTTs to educate partners on specific topics.
Exchanges	A variety of options for conducting exchanges of military and civilian defense personnel with partner countries and may be used to develop familiarity with partner country systems, processes, interoperability, and technical expertise.
Exercises	Enables U.S. forces to meet U.S. training requirements and improve U.S. readiness with the secondary benefit of helping partner countries develop skills, tactics, techniques, procedures, and operational concepts that are in line with U.S. interests.
Humanitarian Assistance	DoD-provided support of U.S. humanitarian assistance to countries.
International Armaments Cooperation	U.S. bilateral and multilateral agreements with partner countries to share in the development, funding, and production of mutually required weapons systems or components.
Operational Support	Assistance designed to enable partner countries to participate in coalition operations by developing specific capabilities needed for said operations and by enhancing interoperability among partner countries and by sustaining partner operations in cases where partner countries cannot sustain operations on their own.
Train-and-Equip/Security Assistance: DoD Administered Title 22	Under the authority of DoS, DoD provides materiel assistance and related tactical/operational training to partner countries to develop specific defense capabilities.
Train-and-Equip/Security Assistance: DoS Administered Title 22	Economic & military assistance to partner countries implemented and managed by DoS and/or USAID.
Train-and-Equip/Security Assistance: Title 10 programs	Under the authority of DoD, DoD provides material assistance and related tactical/operational training to partner countries to develop specific defense capabilities.



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	Attendance at the USCG Academy	64
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