

## Chapter

# 3

# UNITED STATES GOVERNMENT ORGANIZATIONS

## INTRODUCTION

U.S. security assistance (SA) and security cooperation (SC) programs have their roots in public law, which contains authorizations, appropriations, restrictions, and reporting requirements. To understand how this legislation is welded into a coherent, operational foreign policy program, it is appropriate to briefly discuss the roles of the three branches of the U.S. federal government concerning international programs.

## LEGISLATIVE BRANCH: THE CONGRESS

### Role of Congress

The Congress of the U.S., as provided by Article I, Section 1, of the U.S. Constitution, is vested with all legislative powers. In terms of SA/SC, congressional power and influence are exercised in several ways:

- Development, consideration, and action on legislation to establish or amend basic SA/SC authorization acts
- Enactment of appropriation acts
- Passage of joint continuing resolutions to permit the incurrence of obligations to carry on essential SA/SC program activities until appropriation action is complete
- Conduct hearings and investigations into special areas of interest, to include instructions to the Government Accountability Office (GAO), the Congressional Budget Office (CBO), and Congressional Research Service (CRS) to accomplish special reviews
- Review of proposed arms transfers by foreign military sales (FMS), direct commercial sales (DCS), third-party transfers, grants, and leases
- Ratification of treaties that may have SA implications

A major dimension of the U.S. SA/SC framework is conventional arms transfers and sales. The ultimate authority for such sales resides in Article I, Section 8, of the Constitution, which assigns Congress the power to regulate commerce with foreign nations. Article IV, Section 3, grants Congress the power to dispose of and make all necessary rules and regulations regarding the transfer of property belonging to the U.S. government (USG).

### Committee Structure

The work of receiving and preparing legislation is performed largely by committees in both houses of Congress. The primary committees of Congress with SA responsibility for authorizations are the House of Representatives Committee on Foreign Affairs (HFAC) and the Senate Committee on Foreign Relations (SFRC). SA appropriations legislation, or the annual Department of State/Foreign Operations Appropriations Acts, are handled by the House of Representatives Committee on Appropriations (HAC) Subcommittee on Foreign Operations (HACFO) and the Senate Committee on

Appropriations (SAC) Subcommittee on Foreign Operations (SACFO).

At times, special topics in SA will be addressed by other committees such as the Armed Services, Banking, and Finance committees. Most SC authorities have been generated by the Senate Armed Services Committee (SASC) and the House Armed Services Committee (HASC) with the annual National Defense Authorization Act (NDAA).

### **Special Congressional Offices**

Within the legislative branch, three offices have a significant impact on the conduct and management of the U.S. SA/SC program. The most prominent activities of the GAO are its audits and evaluations of USG programs and activities, conducted in response to requests from Congress, its committees, members, and staff. The GAO is under the control and direction of the Comptroller General of the United States. The audit authority of the GAO extends to all departments and other agencies of the federal government. Among other functions, the GAO also has statutory authority to prescribe accounting principles and standards and settle claims by and against the United States. The CBO is tasked with the collection of data and the analyses of alternative fiscal, budgetary, and programmatic policy issues. The CRS within the Library of Congress accomplishes special studies for Congress. Often, these studies are concerned with SA/SC issues and policies.

## **JUDICIAL BRANCH: THE COURTS**

Article III, Section 1, of the U.S. Constitution provides for the federal court system. Federal courts are responsible for interpreting federal laws and determining the constitutionality of U.S. law. Historically, the courts have had limited involvement in the day-to-day activities of SA. Judicial involvement is also possible should a contractor, who is providing materials or services under a Department of Defense (DOD) contract, decide to pursue a legal remedy in the event of a dispute through an appropriate federal court.

## **EXECUTIVE BRANCH: THE PRESIDENT**

Article II, Section 1, of the U.S. Constitution establishes the President as the nation's chief executive and, by implication, the chief arbiter in matters of foreign policy. Furthermore, Section 2 of this same article empowers the President, by and with the consent of the Senate, to make treaties and appoint ambassadors and other public ministers. Section 3 of Article II authorizes the President to receive ambassadors and other public ministers—all essential facets of carrying out U.S. foreign policy. It is the President who presents the recommended annual U.S. SA/SC program and budget to Congress for its consideration and executes this program once it becomes law.

As the chief executive, the President is responsible for all the activities of the executive branch. The President has numerous assistants, cabinet officers, and other subordinate officials to oversee the conduct of U.S. SA/SC programs (Figure 3-1).

### **Office of the President**

The National Security Council (NSC) and the Office of Management and Budget (OMB) are two organizations within the Executive Office of the President that impact SA/SC.

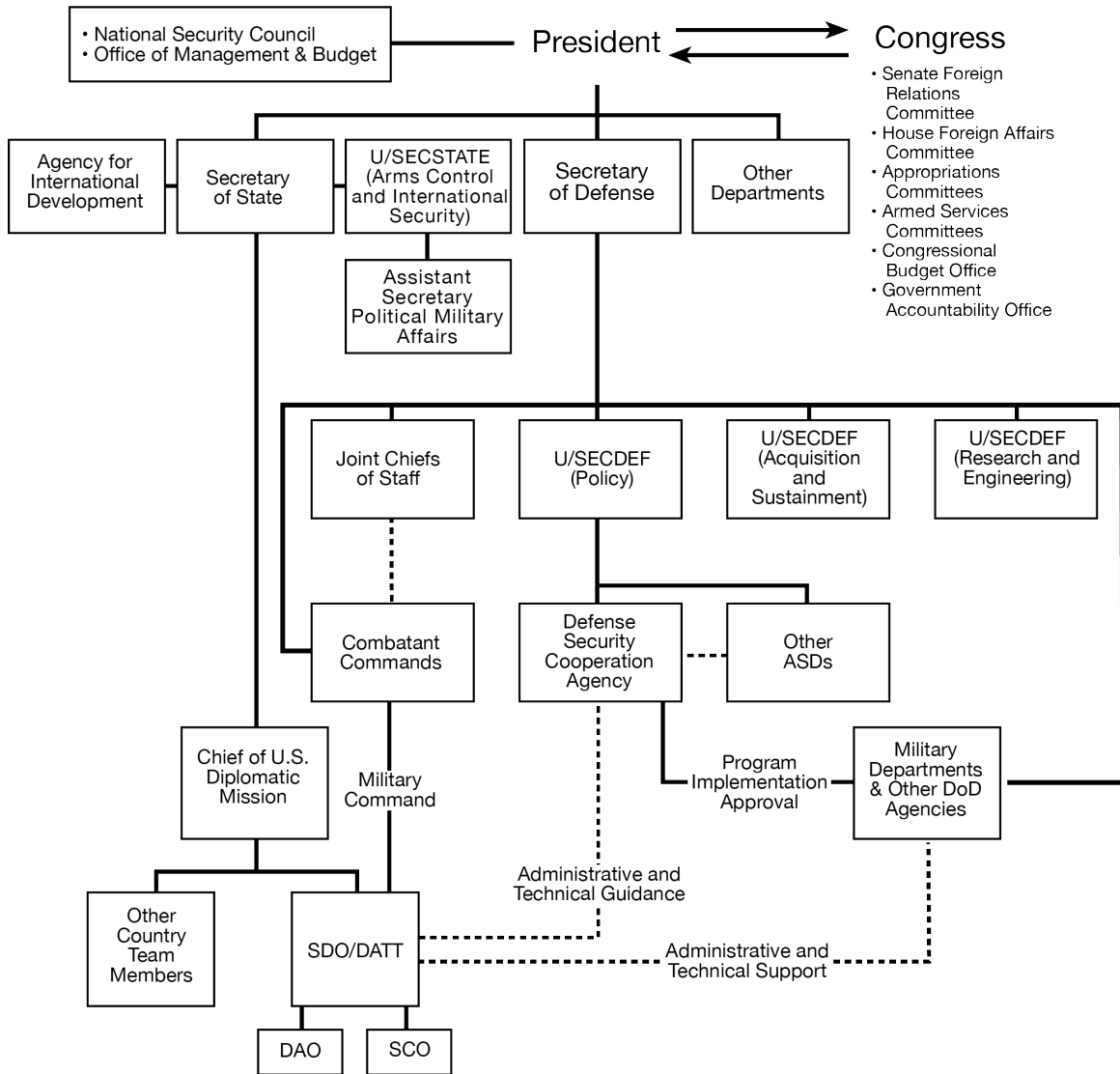
The NSC is chaired by the President. The function of the NSC is to advise the President concerning the integration of domestic, foreign, and military policies relating to national security. As a function, the NSC can assist the President in writing a variety of national security documents, including the Conventional Arms Transfer Policy (CATP), and is responsible for developing an overarching National Security Strategy. The National Security Advisor (NSA) is charged with the effective integration of policy through the oversight of the interagency process conducted by the NSC. It is important to note that the Secretary of Defense and Chairman of the Joint Chiefs of Staff advise the NSC. During

deliberations, OSD Policy and Joint Staff J-5 do most of the work for the DOD. The Joint Staff is the organization that represents the Geographic Combatant Commanders to the NSC. The NSC is also involved in the review of the annual SA/SC budget proposal as well as many proposed major arms transfers.

The OMB assists the President in the preparation of the annual USG budget and the formulation of the nation's fiscal program. The President's submission of the budget request is the first key step to getting funding for the SA/SC programs. The OMB assists the President in this process by interacting with federal agencies to develop a budget, which then gets presented to Congress. The OMB is also interested in the impact the SA/SC programs have on DOD military and civilian manpower, facilities, and performing accounts as well as the amounts of the appropriations themselves. The OMB controls the apportionment of appropriated funds for obligation and expenditure in support of SA/SC activities. Once Congress approves the funds for appropriation and expenditure, they should be expended before their expiration. However, according to the Impoundment Control Act of 1974, a president may withhold (impound) funds permanently as long as the president sends a "special message" to Congress. The President can withhold funds for 45 days during a continuous congressional session while Congress decides whether or not to rescind the funds. Unless Congress rescinds the funds within the 45-day window, they are eligible for obligation, even if they were held through their expiration date.

Figure 3-1

U.S. Government Organization for Security Assistance and Security Cooperation



Department of State

The statutory role of the Secretary of State regarding SA is contained in Section 622 of the Foreign Assistance Act (FAA), Section 2 of the Arms Export Control Act (AECA), and Executive Order 13637. Under the direction of the President, the Secretary of State shall be responsible for the following:

- The continuous supervision and general direction of economic assistance, military assistance, military education and training, and sales and export programs
- Determining whether there shall be a SA program and whether there should be a sale, lease, or financing for a country and the value thereof
- Determining whether there will be a cooperative project and the scope thereof
- Determining whether there will be a delivery or other performance under the sale, lease, cooperative project, or export

- Ensuring such programs are effectively integrated with other U.S. activities, both at home and abroad, and that the foreign policy of the U.S. is best served thereby

The Under Secretary of State for Arms Control and International Security (T) is the senior adviser to the President and Secretary of State for arms control nonproliferation, and disarmament, and is the focal point within the Department of State (DOS) for SA matters. Approval of routine defense articles, services, and technology transfers has been delegated to the Under Secretary. Coordination of recommendations for significant defense transfers is prepared within this office. Figure 3-2 provides an overall organizational view of the Department of State, and Figure 3-3 provides a more security assistance-focused view of the Department ranging from the Secretary to the applicable offices within the Bureau of Political-Military Affairs (PM) to the country team.

Responsibilities include active participation in the SA review process. Per Section 36(b)(1), AECA, for those proposed FMS agreements meeting the dollar threshold for advance notification of Congress, the preparation of a transmittal to Congress (in consultation with the Secretary of Defense) of how the proposed sale might contribute to an arms race, increase the possibility of conflict, and prejudice the negotiation of any arms control agreements must be completed. A similar review is required for commercial arms exports licensed under Section 38, AECA.

The Bureau of Political-Military Affairs (PM), headed by the Assistant Secretary of State for Political-Military Affairs (State/PM), has four principal SA functions:

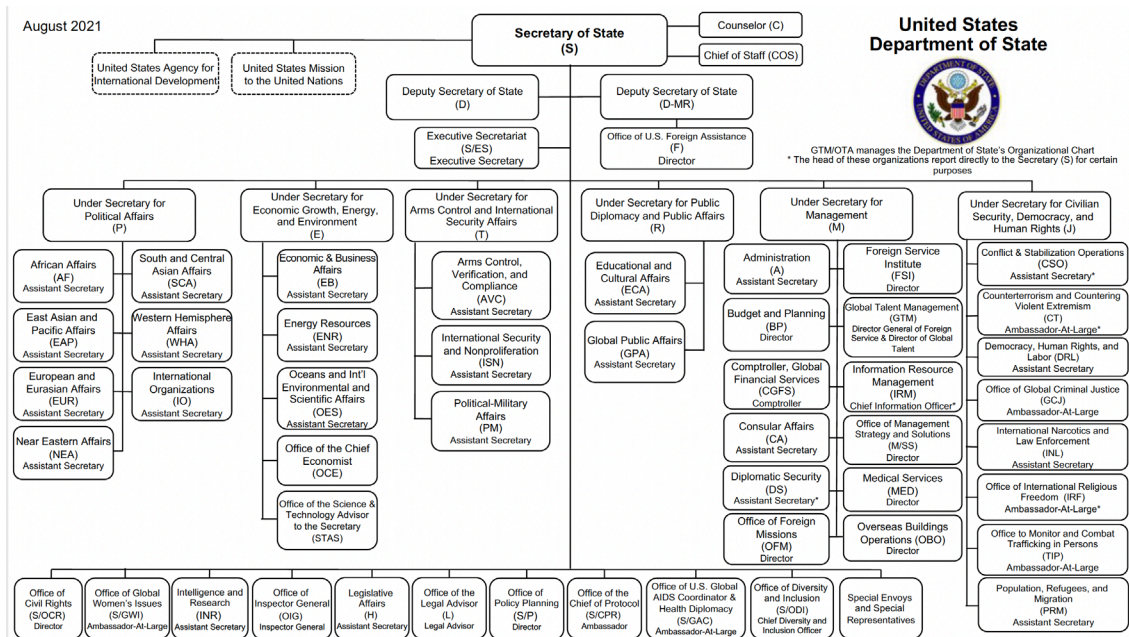
1. Advise the Secretary on issues and policy problems arising in the areas where foreign policy and defense policy of the U.S. impinge on one another
2. Serve as the principal liaison and contact between the DOS and DOD
3. Take the lead in developing the positions of the DOS on political-military questions, including those under consideration within the NSC
4. Assist the Secretary in carrying out responsibilities for supervision of the military assistance and sales programs and for licensing the commercial export of defense articles or services

Various offices within the Bureau (refer to Figure 3-3) are concerned with general military strategic planning, policy development for the foreign policy aspects of nuclear energy and weapons, and matters concerning arms control and disarmament. Four offices within the Bureau are specifically concerned with SA.

The Directorate of Defense Trade Controls (PM/DDTC) is responsible to the State/PM for the licensing of commercial exports of arms and materiel on the U.S. Munitions List (USML). The PM/DDTC maintains the International Traffic in Arms Regulations (ITAR) and the commercial sales reports, which are required by Congress.

The Office of Regional Security and Arms Transfer (PM/RSAT), responsible to State/PM, “advances U.S. foreign policy and national security interests through its management of bilateral/multi-lateral political-military and regional security relations and the sale/transfer of U.S.-origin defense articles and services to foreign governments.” PM/RSAT also receives and staffs all change of end-use and third-party transfer requests from countries regarding defense articles, services, and training originally transferred by government-to-government agreements. It works closely with the DOD offices as described later in this chapter.

**Figure 3-2  
U.S. Department of State**



According to the DOS, the Office of Security Assistance's functions are trifold:

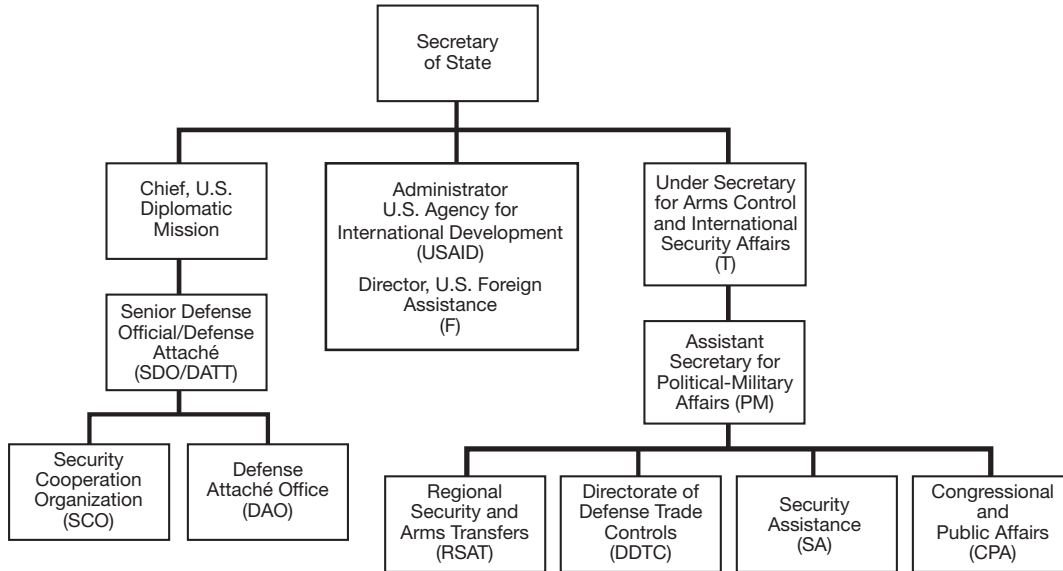
- (1) managing State Department Title 22 military grant...assistance to allies and friends through policy development, budget formulation, and program oversight;
- (2) managing concurrence/coordination on various Department of Defense (DOD) Title 10 authorities, including joint planning and development of section 333 [programs]; and
- (3) participating in, and coordinating State Department input into, DOD planning efforts.

The Office of Congressional and Public Affairs (PM/CPA) provides the information link between Congress and State/PM, especially regarding any requests for additional information or justifications for proposed foreign military sales approved by the DOS for notification by DSCA.

The Assistant Secretary of State for Democracy, Human Rights, and Labor is responsible for reviewing proposed SA programs and sales requests concerning their impact on human rights in the country concerned. Additionally, per Sections 116(d) and 502(B) of the FAA, the Secretary of State is required to submit to Congress by 25 February of each year a detailed analysis entitled *Country Reports on Human Rights Practices for 20XX*. The reference list for this chapter includes a link to this document. This compilation of reports describes the status of internationally recognized human rights in countries that receive U.S. assistance and in all other countries that are members of the United Nations (UN). The report is to be submitted as part of the presentation materials for SA programs proposed each fiscal year (FY). With direct input starting with the country team, the Democracy, Human Rights, and Labor Bureau puts this required report together for the Secretary of State. During August and September, the Secretary promulgates formal human rights reporting instructions to the

country teams for submissions no later than 1 October, with subsequent updating of significant events as they occur.

**Figure 3-3  
Security Assistance Offices within the Department of State**



Within thirty days after submitting the annual human rights report, the Secretary of State must submit a listing of countries that engage in a consistent pattern of gross violations of internationally recognized human rights. Also, in a separate but related annual report, the Secretary must describe how the Foreign Military Finance Program (FMFP) budget proposal will be used to promote and advance human rights and how the U.S. will avoid identification with activities that are contrary to internationally recognized standards of human rights.

The Under Secretary of State for Political Affairs directs the activities of the geographic bureaus, which are responsible for U.S. foreign affairs activities in the major regions of the world. These seven bureaus are shown in Figure 3-2. They have a direct role in the SA budget formulation process and other day-to-day SA matters.

***U.S. Agency for International Development***

The U.S. Agency for International Development (USAID) carries out a variety of economic assistance programs designed to help the people of certain less-developed countries develop their human and economic resources, increase productive capacities, and improve the quality of human life as well as promote economic and political stability in friendly countries.

USAID performs its functions under the direction and foreign policy guidance of the Secretary of State. The agency is charged with central direction and responsibility for the U.S. foreign economic assistance program. The agency consists of headquarters in Washington, D.C., and missions and offices overseas. The FAA authorizes the agency to administer three kinds of foreign economic assistance:

1. Development assistance, which focuses on assistance programs in critical problem areas that affect most of the people in the developing countries, like providing food and agricultural development
2. International humanitarian assistance

### 3. Economic Support Fund (ESF), which is described in Chapter 1 of this textbook

Historically, the Director of Foreign Assistance (F) has been at different times a dual-hatted USAID Administrator. F is responsible to the Secretary of State for the development of U.S. foreign assistance program strategy and objectives and the preparation of the annual funding request to Congress to achieve these objectives. Once the congressional appropriation process is completed, F is also responsible for the allocation of funding, by programs and countries, which is communicated to Congress via the Section 653(a), FAA report.

#### ***U.S. Diplomatic Missions***

Diplomatic missions located overseas have important roles in SA. The ambassador (or chief of the U.S. diplomatic mission) is the personal representative of the President and is either a career member of the Foreign Service Officer (FSO) Corps or a non-career political appointee, depending upon the desires of the President. The ambassador reports to the President through the Secretary of State. The ambassador heads the country team, which may include the Senior Defense Official/Defense Attaché Officer (SDO/DATT), Defense Attaché Officer (DAO), the chief of the U.S. Security Cooperation Organization (SCO), the political and economic officers, and any other embassy personnel desired by the ambassador. The U.S. diplomatic mission, the SDO/DATT, the SCO, and the DAO will be further addressed in Chapter 4 of this textbook, “Security Cooperation Organizations Overseas.”

#### **Department of Treasury**

The Department of Treasury is involved in SA through its role as a financial agent for the USG and as a member of the NSC. The FMS trust fund account is a U.S. Treasury account; therefore, the Treasury is most interested in the overall cash flow of this account. If a country’s FMS account goes into a deficit or delinquent cash position, this is of special interest to the Treasury. The Treasury has a fiduciary interest in the appropriated or credit programs of SA as well.

#### **Department of Justice**

Although the thrust of this text is toward the export of defense articles and services in support of the U.S. SA program, the AECA also confers upon the President the function of controlling the import of arms, ammunition, and implements of war, including technical data, into the U.S. This function has been delegated by the President to the Attorney General and the Department of Justice (DoJ). The Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is the law enforcement agency controlling the import of defense articles. Designation by the Attorney-General of items as defense articles or services subject to import control must have the concurrence of the Secretaries of State and Defense [Executive Order No. 11958].

#### **Department of Homeland Security**

Duties of the former U.S. Customs Service within the Department of Treasury were transferred to the Department of Homeland Security (DHS) by the Homeland Security Act of 2002. DHS customs enforcement is divided between two agencies:

1. U.S. Customs and Border Protection (CBP)
2. U.S. Immigration Customs Enforcement (ICE)

CBP is responsible for reviewing DOS-issued munitions control export licenses at the U.S. port of departure and reporting any irregularities. This agency also collects and compiles international trade statistics, some of which are SA-related, and forwards them to the Bureau of the Census for compilation.

The Homeland Security Act of 2002 also transferred the U.S. Coast Guard (USCG) from the



Department of Transportation (DOT) to the DHS. The USCG is a significant SA partner, especially in the areas of maritime security, law enforcement, navigation, and safety. In keeping with its long tradition with the U.S. Navy, the USCG works closely with the Navy International Programs Office (Navy IPO) in providing SA overseas.

### **Department of Commerce**

The Department of Commerce (DOC) is involved with the U.S. SA program in several ways. One way is through its interface with the DOS and DOD concerning civil items with the potential for military application (i.e., dual-use items). Dual-use items on the Department's Commerce Control List (CCL) require an export license issued by the Bureau of Industry and Security (BIS). In other instances, technology transfer implications are an issue. Commerce also manages export administration and related activities, including advice and assistance on regulating exports through the licensing of U.S. goods and technology for purposes of national security and foreign policy. Further information can be found in Chapter 7 of this textbook, "Technology Transfer, Export Controls, and International Programs Security."

### **Department of Transportation**

The U.S. Maritime Administration (MARAD), which is part of the DOT, is also involved in SA. It has a responsibility to determine if foreign countries, through their freight forwarder agents, are properly using U.S. flag shipping for U.S.-funded SA programs. Chapter 11 of this textbook, "Security Cooperation Transportation Policy," provides additional information on U.S. flag shipping.

### **Department of Defense**

The Department of Defense (DOD), from the standpoint of the overall effort, has the greatest involvement in SA of any department within the executive branch. The addition of security cooperation responsibilities further increases DOD's involvement in international activities.

As prescribed by Section 623, FAA, and Section 42(d), AECA, the Secretary of Defense is charged with primary responsibility for carrying out the following SA functions:

- The determination of military end-item requirements
- The procurement of military equipment in a manner that permits its integration with service programs
- The supervision of end-item use by recipient countries
- The supervision of the training of foreign military and related civilian personnel
- The movement and delivery of military end-items
- The establishment of priorities in the procurement, delivery, and allocation of military equipment
- Within the DOD, the performance of any other functions for the furnishing of military assistance, education, training, sales, and guarantees

### ***Office of the Secretary of Defense***

The Under Secretary of Defense for Policy (USD [P]) serves as the principal adviser and assistant to the Secretary for all matters concerned with the integration of departmental plans and policies with overall national security objectives. It exercises overall direction, authority, and control over SA matters through the various assistant secretaries of defense.

Relating to SA, the Director of the Defense Technology Security Administration (DTSA) is responsible to the USD(P) for the coordination of technical data transfer decisions within DOD by using procedures established by the *National Disclosure Policy* (NDP-1). This is performed by the National Disclosure Policy Committee (NDPC), whose general membership includes representatives from the DOS, Joint Staff, and military departments (MILDEPs) as well as representatives from other DOD agencies when applicable. DTSA/NDPC also manages the International Program Security (IPS) education and oversight programs within the DOD.

DTSA is responsible for the DOD coordination of the proposed export of defense technology items through DCS licensed by the DOS, and dual-use technology commercial sales licensed by the DOC. Chapter 7 of this textbook, “Technology Transfer, Export Controls, and International Program Security,” will discuss NDP, IPS, and DTSA processes and programs.

The Office of the USD(P) also includes five assistant secretaries:

1. The Office of the Assistant Secretary of Defense for Homeland Defense and Global Security develops policy guidance; provides astute policy advice; and oversees planning, capability development, and operational implementation to assure warfighting and national security advantages in the mission areas of Countering Weapons of Mass Destruction; Cyber; Space; Defense Continuity; Mission Assurance; Defense Support of Civil Authorities; and supervises Homeland Defense activities of the Department of Defense.
2. The Assistant Secretary of Defense for International Security Affairs is the principal advisor to the Under Secretary of Defense for Policy (USD(P)) and the Secretary of Defense on international security strategy and policy on issues of DOD interest that relate to the nations and international organizations of Europe (including the North Atlantic Treaty Organization), the Middle East, and Africa, their governments and defense establishments; and for oversight of security cooperation programs and foreign military sales programs in these regions.
3. The Assistant Secretary of Defense for Indo-Pacific Security Affairs is the principal advisor to the Under Secretary of Defense for Policy and the Secretary of Defense on international security strategy and policy on issues of DOD interest that relate to the nations and international organizations of the Asia-Pacific, its governments and defense establishments, and for oversight of security cooperation programs, including Foreign Military Sales, in the region.
4. Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (ASD(SO/LIC)) oversees and advocates for Special Operations and Irregular Warfare throughout the Department of Defense to ensure these capabilities are resourced, ready, and properly employed per the National Defense Strategy. ASD(SO/LIC) also Exercises authority, direction, and control of all special operations peculiar issues relating to the organization, training, and equipping of special operations forces.
5. The Assistant Secretary of Defense for Space Policy (ASD(SP)) will be the senior official responsible for the overall supervision of DOD policy for space warfighting. The ASD(SP) will be under the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)). In addition, ASD(SP) is responsible for interagency coordination and international engagement on space policy and strategy.
6. The Assistant Secretary of Defense for Strategy, Plans, and Capabilities is the Principal advisor to the Under Secretary of Defense for Policy and Principal Deputy Under Secretary of Defense on National Security issues and Defense Strategy and the capabilities, forces, and contingency plans necessary to implement the Defense Strategy. This role includes the following:

1. Providing DOD input to the National Security Strategy and associated national,

regional, and functional strategies.

2. Developing National Defense Strategy (NDS), and other strategic-level guidance documents.
3. Reviewing campaign and contingency plans, major force deployments, and military operational plans.
4. Evaluating the capability of forces to accomplish U.S. Defense and National Security Strategy.
5. Developing policy and strategy guidance to enhance partner capabilities and compatibility with the DOD.
6. Developing Global Force Posture policy and strategy and overseeing implementation.

Within the Office of the Assistant Secretary of Defense for Strategy, Plans, and Capabilities, the Office of the Deputy Assistant Secretary of Defense for Global Partnerships is the focal point for Security Cooperation & Building Partnership Capacity subject matter expertise, recognized as the DOD lead that will prioritize, integrate and evaluate bilateral and multilateral security cooperation activities to strengthen U.S. and global security.

FY 2017 NDAA directed that DOD restructure the office of the Under Secretary of Defense Acquisition, Technology & Logistics (USD [AT&L]) into two organizations: an Under Secretary of Defense (Research and Engineering) (USD [R&E]), an Under Secretary of Defense (Acquisition and Sustainment) (USD [A&S]), and a Chief Management Officer (CMO), effective 1 February 2018.

Office of the Undersecretary of Defense for Research and Engineering (USD(R&E)) will focus on developing future technologies and be charged with three key goals: set technology strategy for the DOD, solve critical technical warfighting challenges, and deliver technology solutions faster. USD (R&E) will continue to assure considerations of rationalization, standardization, and interoperability in security cooperation programs with North Atlantic Treaty Organization (NATO) allies, provide analysis of the risks of compromise of U.S. weapons systems, and participate in the technology-transfer review process.

USD(R&E) is built around the NDS modernization priorities and is composed of three major entities: Modernization (M), which serves as the chief steward for the priorities and works to set an overarching strategic technical direction. Research and Technology (R&T), which includes oversight of the labs, Federally Funded Research and Development Centers, University Affiliated Research Centers, and academic research, and Advanced Capabilities (AC), which accelerates and prototypes more mature technologies. AC also oversees the Department's conduct of developmental tests and evaluations, and investment in the associated range infrastructure through the Test Resource Management Center (TRMC). The Missile Defense Agency (MDA), Defense Technical Information Center (DTIC) will be under the authority, direction, and control of USD (R&E). More details on the roles of MDA and DTIC in the security cooperation enterprise can be found in later chapters of this textbook.

Office of the Undersecretary of Defense for Acquisition and Sustainment (USD(A&S)) will have a day-to-day focus on existing systems and will be in charge of setting policy, handling oversight and metrics, and running training for the acquisition staff, which is why the Defense Acquisition University will report to USD (A&S). In line with congressional wishes, much of the actual acquisition decisions will go back toward the military services.

USD (A&S) has six subordinate organizations, which all have a greater or lesser role in working with our international partners:

1. Office of the Executive Director for International Cooperation. The mission of the International Cooperation (IC) Office is to strengthen key international partnerships through cooperative Acquisition & Sustainment initiatives to improve interoperability and sharpen the warfighter's technological edge. Refer to Chapter 13 of this textbook, "Systems Acquisition and International Armaments Cooperation Programs," for further information regarding these programs.
2. Office of the Executive Director for Special Access Program Central Office. The Office of the Executive Director for Special Programs serves under the authority and direction of both the Deputy Secretary of Defense (DepSecDef) and the USD(A&S), directly reporting to the DepSecDef as the Director of the DOD Special Access Program (SAP) Central Office (SAPCO) and functionally reporting to USD(A&S) as the Director for Special Programs.

The Executive Director for Special Access Program Central Office facilitates and maintains MOAs and memorandums of understanding for foreign involvement with DOD SAPs and coordinates with appropriate oversight authorities. It participates in DOD efforts to resolve security, technology transfer, and export issues; supports the Committee on Foreign Investment in the United States (CFIUS), and the foreign ownership, control, and influence certification process.

1. Office of the Assistant Secretary of Defense for Acquisition, which includes the Defense Contract Management Agency (DCMA). More details on the role of DCMA in the security cooperation enterprise can be found in later chapters of this textbook.
2. Office of the Assistant Secretary of Defense for Sustainment, which includes the Defense Logistics Agency (DLA). More details on the role of DLA in the security cooperation enterprise can be found in later chapters of this textbook.
3. Office of the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs, which includes the Defense Threat Reduction Agency (DTRA).

As a combat support agency, DTRA can help develop and strengthen the Countering Weapons of Mass Destruction (CWMD) capabilities of our allies, international partners, the military, and other federal, state, and local government agencies. DTRA's CBRNE (chemical, biological, radiological, nuclear, and high-yield explosives) Preparedness Program provides training and equipment to countries that may not have all of our resources but still face the same Weapons of Mass Destruction (WMD) problems. DTRA also helps countries control and keep track of naturally occurring biological hazards that kill thousands. There is more on DTRA in later chapters of this textbook and on the DTRA website.

6) Office of the Assistant Secretary of Defense for Industrial Policy. The Industrial Policy office supports the Under Secretary of Defense for Acquisition and Sustainment by providing detailed analyses and in-depth understanding of the increasingly global, commercial, and financially complex industrial supply chain essential to our national defense.

The Under Secretary of Defense (Comptroller) [USD(C)] is the DOD Chief Financial Officer (CFO) responsible for establishing policy and procedures involving financial management, fiscal matters, accounting, pricing, auditing, and international balance of payments as these matters relate to SA. The Director of the Defense Finance and Accounting Service (DFAS) is the focal point for SA matters within the office of the comptroller. The Defense Contract Audit Agency (DCAA) is the organization within the USD(C) responsible for the financial audit of DOD contracts to include those awarded in support of the FMS community.

The Directorate for Security Cooperation Accounting of the Defense Finance and Accounting Service (DFAS-IN) located in Indianapolis, IN, serves as the central bank for FMS. Its responsibilities include the operation of the DOD centralized FMS billing, collecting, and trust fund accounting

system. The Indianapolis center is a component of DFAS, Washington, DC, which is responsible to the USD(C). Refer to Chapter 12 of this textbook, “Financial Management,” for further information regarding the tasks performed by DFAS–IN.

The Under Secretary of Defense for Intelligence and Security or USD(I&S) is responsible for the management of intelligence processes within the DOD to include participation in the technology-disclosure process and supervision of the Defense Counterintelligence and Security Agency (DCSA). DCSA is responsible to the USD(I&S) for security issues within the U.S. defense industry. This also includes validating transportation plans in support of export licenses to be issued by the DOS for DCS. DCSA also assists the NDPC when validating and assisting foreign defense industries’ participation regarding international armaments cooperation. Refer to Chapter 7 of this textbook, “Technology Transfer, Export Controls, and International Programs Security,” for further information regarding DCSA’s role in SA.

### *Joint Chiefs of Staff*

The Chairman of the Joint Chiefs of Staff is the principal military adviser to the President. The Joint Staff constitutes the immediate military staff of the Secretary of Defense, serving as a coordinating agency in the chain of command that extends from the President through the Secretary of Defense to the geographic combatant commanders. The Joint Staff communicates instructions from the Secretary of Defense to the geographic combatant command (CCMD) and furnishes the Secretary with information from the CCMD.

The Joint Staff organization is a key participant in the SA program development and review process. The Joint Staff coordinates SC with U.S. military plans and programs, and provides the Secretary of Defense with military advice concerning SA/SC programs, actions, and activities to include the following:

- Recommending the selection, introduction, or redistribution of weapons systems in and among recipient countries, considering rationalization, standardization, and interoperability
- Recommending military force objectives, requirements, and priorities for actual or potential SA/SC recipients
- Determining the impact of SA/SC programs on U.S. programs and defense readiness
- Recommending SA/SC organizational and manpower requirements for SCOs and SA/SC personnel augmentations to Defense Attaché Offices
- Recommending the designation of military services responsible for furnishing chiefs of SCOs, other than defense attachés, assigned SA/SC responsibilities
- For other than defense attachés assigned SA/SC responsibilities, recommending the nominations of individuals to serve as chiefs of SCOs and recommending tour extensions or curtailment for such individuals
- Assigning Force Activity Designators (FAD) to determine priorities in the allocation of defense articles among recipient nations and between recipient nations and the U.S. Armed Forces within guidelines established by the Office of the Secretary of Defense

The Joint Staff reviews certain proposed FMS cases for their impact on national security and ensures that SA/SC factors are included in the joint planning process. The focal point for SA/SC matters within the Joint Staff is the Weapons Technology Control Division, Politico-Military Affairs, with the Director for Strategic Plans and Policy (J-5/DDPMA-A/WTC). This office also represents the Joint Staff and the CCMDs on the NDPC.

## ***Geographic Combatant Commands***

Six geographic combatant commands (CCMDs) have responsibilities for the conduct of the U.S. SA/SC programs within their respective geographical regions. The following is a list of the CCMDs:

1. U.S. European Command (EUCOM)
2. U.S. African Command (AFRICOM)
3. U.S. Southern Command (SOUTHCOM)
4. U.S. Indo-Pacific Command (INDOPACOM)
5. U.S. Northern Command (NORTHCOM)
6. U.S. Central Command (CENTCOM)

Concerning SA/SC, the functions of the CCMDs include the following:

- Make recommendations to the Joint Staff and the Secretary of Defense on any aspect of SA/SC programs, projections, or activities
- Keep informed on all SA/SC matters, including programs, projections, and activities
- Command, supervise, and support the SCOs in matters that are not functions or responsibilities of the chiefs of the U.S. diplomatic missions, including the provision of necessary technical assistance and administrative support to SCOs
- Coordinate and assist DOD components in the conduct of regional SA/SC programs and activities when required and practical
- Develop and submit, as directed by the Joint Staff, recommendations regarding the organization, staffing, and administrative support of SCOs
- Keep the Secretary of Defense, Joint Staff, and MILDEPs informed on matters that could have an impact on SA/SC programs or actions that could impact other DOD programs under their cognizance
- Ensure coordination of regional SA/SC matters with U.S. diplomatic missions and DOD components as appropriate
- Conduct activities as directed and, when required, to ensure the efficient and effective administration of SA activities
- Provide evaluation, as required, of the efficiency and effectiveness of DOD overseas SA/SC organizations

## ***Security Cooperation Organizations***

The Security Cooperation Organization (SCO) is the generic name for the DOD organization overseas with the primary responsibility of interfacing with the host nation on SA and SC programs. The SCO is normally co-located with the U.S. embassy in-country and is a part of the ambassador's country team. The SCO may be known by a variety of locally specific titles such as Office of Defense Cooperation (ODC), Military Assistance Advisory Group (MAAG), Office of Security Cooperation (OSC), etc. The chief of the SCO is responsible to four authorities:

1. Ambassador

2. Senior Defense Official/Defense Attaché (SDO/DATT)
3. Geographic Combatant Commander
4. Director, Defense Security Cooperation Agency (DSCA)

A detailed discussion of the duties and functions of the SCO and the SDO/DATT is presented in Chapter 4 of this textbook, “Security Cooperation Organizations Overseas.”

### ***Department of Defense Agencies***

#### **Defense Security Cooperation Agency**

As noted in DODD 5105.65, DODD 5132.3, and DSCA 5105.38-M, *Security Assistance Management Manual* (SAMM), Defense Security Cooperation Agency (DSCA) is established as a separate agency of the DOD under the direction, authority, and control of the USD(P). The principal SA functions of DSCA include the following:

- Administering and supervising SA planning and programs
- Coordinating the formulation and execution of SA programs with other governmental agencies
- Conducting international logistics and sales negotiations with foreign countries
- Serving as the DOD focal point for liaison with U.S. industry regarding SA activities
- Managing the credit-financing program
- Developing and promulgating SA procedures, such as the SAMM
- Developing and operating the data processing system and maintaining the macro database for the SA program
- Making determinations concerning the allocation of FMS administrative funds
- Administer assigned security cooperation programs
- Administer the implementation of any assigned Security Force Assistance (SFA) activities

In 1998, DSCA assumed the responsibility for administering the USD(P) security cooperation programs of Humanitarian Mine Actions, Humanitarian Assistance, and Wales Initiatives. DSCA also has administrative management responsibilities for the DOD Regional Defense Combating Terrorism and Irregular Warfare Fellowship Program (CTIWFP), DOD-funded/authorized security cooperation programs implemented using the pseudo-LOA process and the five regional centers for security studies.

Defense Security Cooperation University (DSCU) is the DOD’s center for training, education, and certification of the security cooperation workforce.

DSCU’s mission is to do the following:

- Deliver a competency-based curriculum to train, educate, and develop the security cooperation workforce in support of the Security Cooperation Workforce Certification Program
- Offer educational and training opportunities to non-security cooperation workforce U.S. Government, U.S. industry stakeholders, and foreign government military and civilian personnel

- Leverage a virtual consortium of stakeholder education and training institutions and subject-matter experts to serve as a security cooperation enterprise-wide resource for developing and advancing security cooperation
- Partner with the Joint Staff, other Department of Defense, and U.S. Government organizations, and civilian academic institutions to advance security cooperation education and training

DSCU currently has two campuses: one campus in the National Capital Region (NCR) and a second at Wright Patterson Air Force Base, OH.

The Defense Institute of International Legal Studies (DIILS) provides expertise through resident courses and mobile education teams on over 250 legal topics with an emphasis on disciplined military operations. DIILS is located in Newport, RI.

The DOD Humanitarian Demining Training Center (HDTC) prepares U.S. forces to conduct humanitarian mine action missions in landmine-affected countries. The center directly supports U.S. engagement policy in humanitarian mine action through a “train-the-trainer” approach to land mine mitigation and indigenous capacity development. HDTC is located at Fort Lee, VA.

### **Defense Logistics Agency**

The Defense Logistics Agency (DLA) is a DOD agency within the USD(A&S) organization, headquartered at Ft. Belvoir, VA, under the control of the Assistant Secretary of Defense for Sustainment. The mission of DLA is to provide support to the military services, other DOD components, federal civil agencies, and foreign governments. Such support includes providing assigned materiel commodities and items of supply, logistics services, and other support services. To accomplish this mission, DLA has the following organizations:

- The DLA logistics operation directorate, established from the resources of the materiel management directorate of Headquarters, DLA, located at Ft. Belvoir, VA, assumed all of the former materiel management missions, functions, and organizations, to include the following organizations that support U.S. SC programs:
  - ◊ DLA Logistics Information Service, Battle Creek, MI, operates the federal catalog system for the entire USG and provides cataloging services to NATO and other foreign countries
  - ◊ DLA Disposition Services, also located at Battle Creek, MI, is responsible for the conduct of FMS sales of DOD and other USG agency-generated excess property
- The inventory control points (ICP), which include the various defense supply and support centers, provide supply management for items that are common among the U.S. services and provide items to foreign purchasers based upon requests transmitted by the various U.S. services

DLA is also responsible for what is referred to as the military standard logistics systems. These include the following:

- The DLA Transaction Services (formerly the Defense Automatic Addressing System [DAAS])
- The *Military Assistance Program Address Directory* (MAPAD)
- The *Military Standard Requisitioning and Issue Procedures* (MILSTRIP)



### **Defense Contract Management Agency**

The Defense Contract Management Agency (DCMA) and its area offices administer, on behalf of the defense and MILDEP acquisition offices, SC contracts at numerous contractor facilities throughout the world. It can also provide quality assurance for DCS, if such service is requested and purchased by the foreign government from the Defense Contract Management District-International (DCMDI). Other services include pre-award surveys, price reviews, and production surveillance. DCMA is located within the USD(A&S) organization.

### **Defense Contract Audit Agency**

The Defense Contract Audit Agency (DCAA) is a separate agency under the control of the [USD(C)] to audit DOD contracts. Through its field audit offices, it provides audit services for many SC-related contracts.

### **Defense Language Institute English Language Center**

The Defense Language Institute English Language Center (DLIELC), located at Lackland Air Force Base, TX, operates under the command and control of the Air Force's Air Education and Training Command (AETC). The Center is tasked by the Army, Navy, and Air Force, under provisions of a joint regulation. It is responsible for the conduct, supervision, and technical control of English language training programs for non-English speaking foreign and U.S. service personnel.

### **National Geospatial-Intelligence Agency**

The National Geospatial-Intelligence Agency (NGA), headquartered in Springfield, VA, offers support on matters of mapping and charting to foreign countries under the U.S. SC program.

### **Other DOD Agencies**

The following additional DOD agencies are authorized to receive letters of request and prepare USG offers to sell defense articles or services.

- Defense Information Systems Agency (DISA), Fort Meade, MD
- Defense Threat Reduction Agency (DTRA), Fort Belvoir, VA
- Missile Defense Agency (MDA), Redstone Arsenal, AL
- National Security Agency (NSA), Fort Meade, MD

### **Military Departments**

The Secretaries of the MILDEPs serve as advisers to the Secretary of Defense on all SA and SC matters impacting, or related to, their departments and shall act for the Secretary of Defense where responsibility for actions is delegated. In carrying out their responsibilities, the Secretaries do the following:

- Provide the Secretary of Defense recommendations considered appropriate and necessary to ensure the successful conduct of SA, including its interface with and support of MILDEP policies, objectives, plans, and programs
- Provide data, upon request, about price, source, availability, and lead time for use in developing and reviewing SA programs, including FMS cases
- Provide to elements of the OSD, Joint Staff, CCMDs, and SCOs, as appropriate, technical information as to weapons systems, tactics and doctrine, training, and pertinent logistic support

- Conduct training and acquire and deliver defense articles and services included in approved programs
- Coordinate and establish delivery schedules and necessary internal procedures for follow-up, expediting, and related actions during the implementation of approved programs
- Provide such other technical assistance and facilities to elements of OSD as necessary to promote efficiency and economy in SA/SC matters
- Within policies and criteria established by the USD(P), and under the direction of the Director, DSCA, make sales of defense articles and services to eligible countries and international organizations
- Integrate acquisition for SA/SC with military service acquisition programs in accordance with policy guidance provided by the Director, Defense Research and Engineering (DDR&E)
- Maintain appropriate records and furnish prescribed reports within the scope of their responsibilities
- Obtain from the CCMDs and SCOs such data as may be needed to carry out assigned responsibilities
- For the area or areas assigned, provide administrative support needed to carry out SA/SC functions, subject to the direction and policy guidance of USD(P)
- Per approved tables of distribution and other authorizations, directives, and requests, recommend and provide qualified military personnel to carry out SA/SC assignments
- Assist the USD(P) and the Director, DSCA, as requested, in government-to-government or interdepartmental discussion involving SA policies, plans, and programs
- Assist the USD(P) and the Director, DSCA, as requested, in government-to-government negotiations involving SA/SC and the Director for International Cooperation, or designee in government-to-government negotiations involving international armaments cooperation arrangements

### **Department of the Army**

Subject to the authority, direction, and control of the Assistant Secretary of the Army ([Acquisition, Logistics and Technology] (ASA[ALT])), the Deputy Assistant Secretary of the Army ([Defense Exports & Cooperation] (DASA[DE&C])) leads, manages, resources, and directs policy and strategy for the conduct of select elements of the U.S. Army's global SC activities, including Foreign Military Sales (FMS); foreign military/national training and education; Armaments Cooperation; non-Special Access Program technology transfer; and export policy. The DASA(DE&C) ensures that all ASA(ALT)-managed SC programs are conducted according to law and policy and has direct tasking authority for execution of delegated SC responsibilities to the U.S. Army Security Assistance Command (USASAC), the U.S. Army Security Assistance Training Field Activity (SATFA), the U.S. Army Corps of Engineers (USACE), and the U.S. Army Medical Command (MEDCOM).

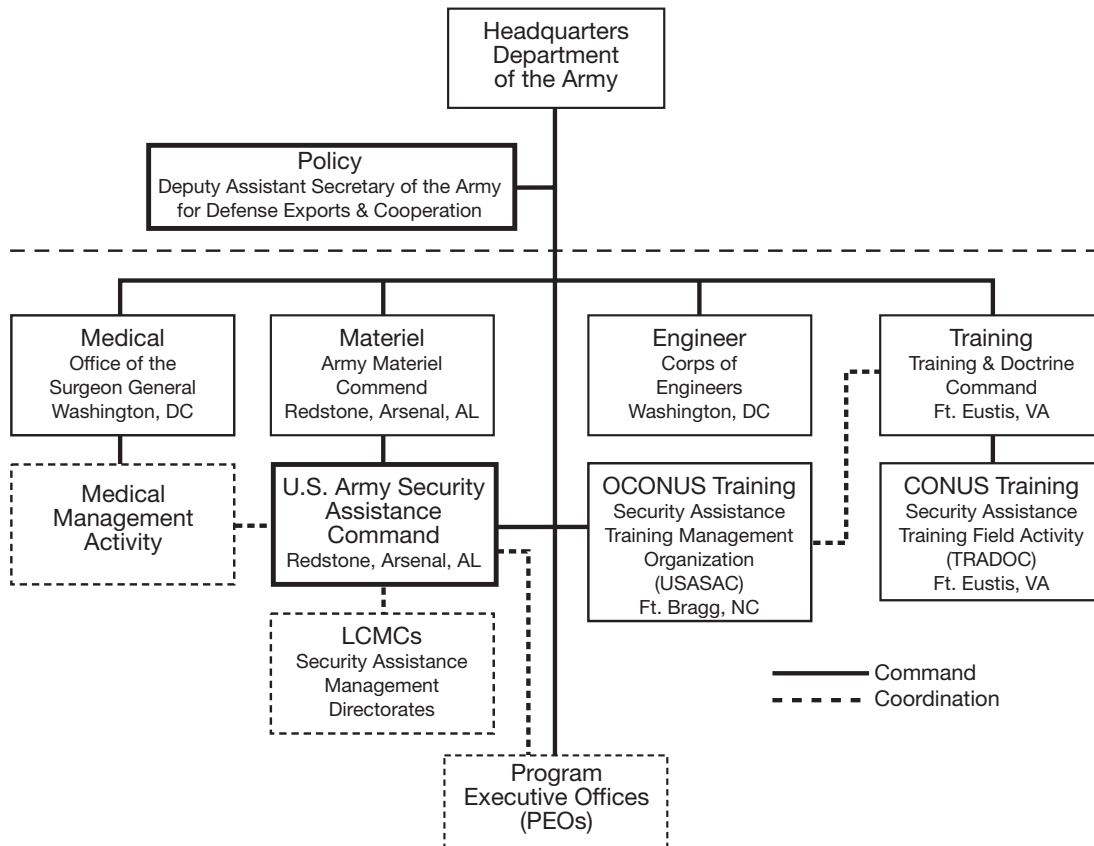
The commander, U.S. Army Material Command (AMC), is the Department of the Army Executive Agent for the provision of defense articles and services, to include total life-cycle management of those SC and SA activities for which it is responsible. AMC delegates AMC SA Enterprise responsibilities to USASAC, which is separated into distinct operations. USASAC Headquarters—which houses the Commander, Command and Special Staff Support, and Regional Operations Directorates—is located in Redstone Arsenal, AL. The USASAC International Logistics Control Office operations are located

in New Cumberland, PA. USASAC also possesses a Washington Field Office, which maintains liaison with international partners and DOD organizations in the Washington, DC, area. Finally, overseas training team management and organization is the responsibility of USASAC's Security Assistance Training Management Organization (SATMO), located at Fort Bragg, NC.

The Commander, U.S. Army Training and Doctrine Command, is the Department of the Army Executive Agent for SC and SA institutional training with those functions delegated to SATFA. SATFA, located at Fort Eustis, VA, manages U.S. Army training solutions for international military students (IMS). SATFA manages FMS training cases, SA/SC grant program funds, course listings/prices, coordinates SC training/professional military education (PME) requirements in the Structure Manning Decision Review/Training Resource Arbitration Panel, and assists IMS Student Officers.

USACE, headquartered in Washington, DC, is responsible for Letter of Request (LOR) receipt, Letter of Offer and Acceptance (LOA) development/implementation, and execution of facility infrastructure design and construction for SA, BPC, and Foreign Assistance Act Section 607 programs using the FMS mechanism. USACE provides services using in-house USACE personnel and contracted services. USACE provides services that include, but are not limited to, planning, design, construction, design/construction management, and technical assistance in the areas of infrastructure, water resource management, environment and sustainability, programs/project management, geospatial/engineering, and sustainment.

**Figure 3-4**  
**Department of the Army Functional Organization for SA/SC**



The Commander, MEDCOM, exercises command and control of the U.S. Army's medical, dental, and veterinary treatment capabilities with SC and SA functions delegated to MEDCOM's major subordinate commands. U.S. Army Medical Materiel Agency (USAMMA), headquartered in Fort

Detrick, MD, serves as the U.S. Army's Life-Cycle Management Command (LCMC) for strategic medical acquisition, project management, and logistics programs. Under the technical control of USASAC, USAMMA manages medical foreign military sales from pricing availability through case closure. In addition, the U.S. Army Medical Research and Materiel Command in coordination with ASA(ALT), operates as the lead agency for cooperative medical research and development with international partners. Finally, the U.S. Army Medical Department Center and School is a leading provider of international military medical education and training services.

The Army is decentralized in the preparation and management of LOAs. LOAs involving AMC-provided materiel and services are managed over their life cycles by Country Program Managers at USASAC. The applicable LCMC Security Assistance Management Directorate is responsible for developing the LOA before being offered and implemented by USASAC. USAMMA manages medical LOAs after USASAC implementation. SATFA and USACE independently develop, implement, and manage LOAs for their respective capabilities.

### **Department of the Navy**

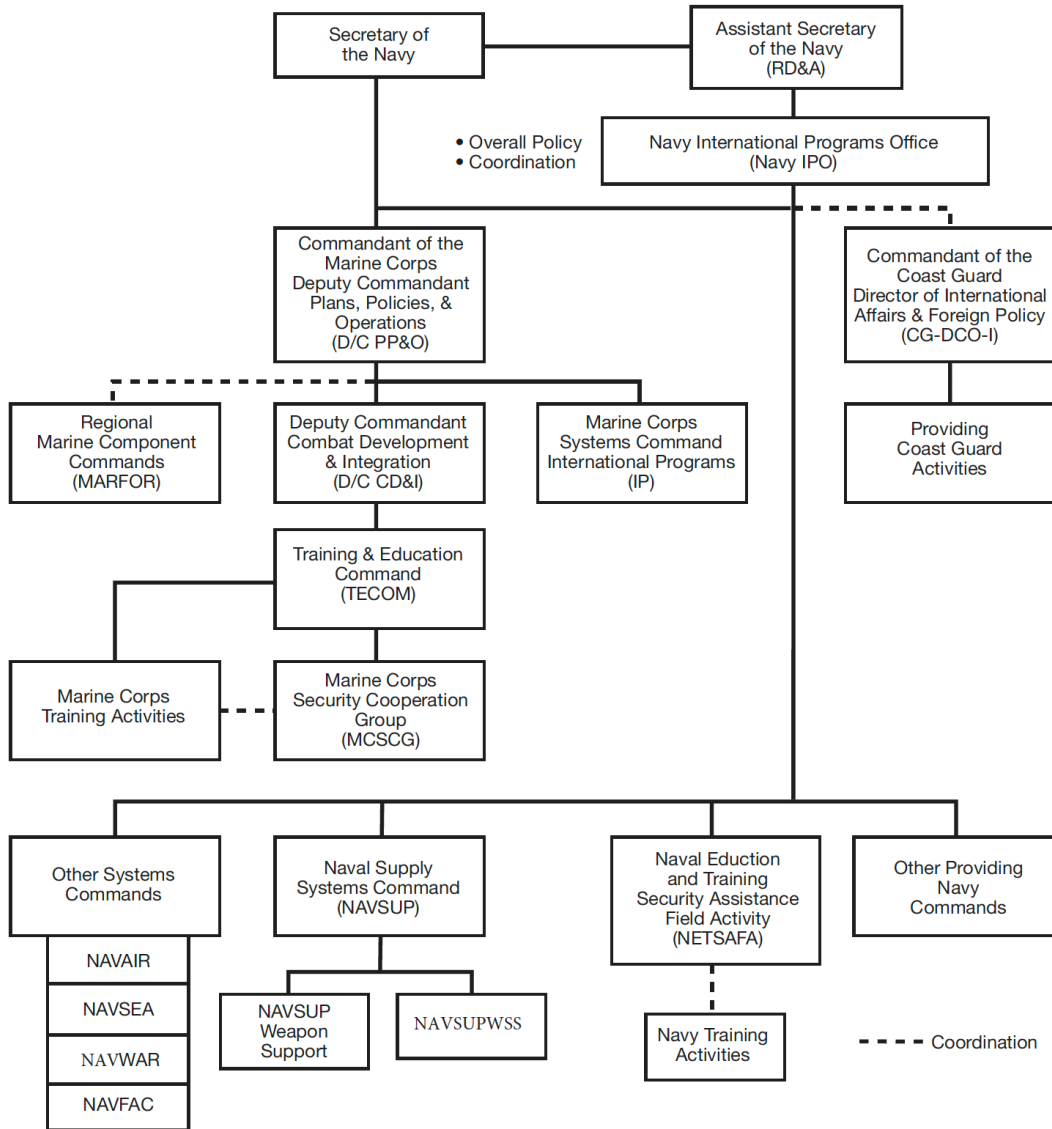
The principal Navy organization for handling SC matters is the U.S. Navy International Programs Office (Navy IPO), located in the Washington Navy Yard in Washington, DC. Under the direction of the Assistant Secretary of the Navy for Research, Development, and Acquisition (ASN-RD&A), Navy IPO formulates and implements Navy SA/SC policy and interfaces with other government agencies. Sales negotiations for all types of Navy service FMS requirements are carried out by Navy IPO (Figure 3-5).

Detailed management of the Department of the Navy SA/SC programs occurs at the systems commands and at the Naval Education and Training Security Assistance Field Activity (NETSAFA), which is located in Pensacola, FL. Within each system's command and in NETSAFA, an SA/SC coordination office oversees and monitors the command's SA/SC business. However, the program management office or training activity that manages the U.S. Navy acquisition or school will be tasked with the execution of the FMS requirement for its product. Follow-on support FMS cases are managed at Navy Supply Command Weapon Systems Support-N52 located both in Mechanicsburg, PA, and Philadelphia, PA.

Although the U.S. Marine Corps (USMC) is a separate service within the Department of the Navy, Navy IPO is the entry point for all requests for USMC SA/SC. The U.S. Marine Corps Systems Command (International Programs), located at Quantico, VA, executes all FMS for systems and logistics, international procurement matters, international armaments programs, and the facilitation of all exercises involving international forces operating with the USMC or utilizing USMC facilities. The U.S. Marine Corps Security Cooperation Group (MCSCG), located at the Joint Expeditionary Base, Little Creek-Fort Story, VA, coordinates, manages, and implements all SA/SC education and training for the USMC. Deployment of USMC training teams is through the appropriate regional USMC component command and USMC forces command.

Although a component of the DHS and not the DOD, the USCG participates in certain SC programs. The Headquarters, USCG, Director of International Affairs and Foreign Policy (CG-DCO-I), located in Washington, DC, coordinates USCG SA/SC policy and directs the performance of SC programs on behalf of the Commandant of the USCG. USCG operating units, training centers, and inventory control points may provide U.S. defense articles and services to foreign customers through the SA/SC program.

**Figure 3-5  
Department of the Navy Functional Organization for SA/SC**



**Department of the Air Force**

The office of the Secretary of the Air Force, Deputy Under Secretary for International Affairs (SAF/ IA) develops, implements, and oversees SA/SC activities assigned to the U.S. Air Force by OSD. It is the office of primary responsibility for the central management, direction, guidance, and supervision of the Air Force portion of SA/SC programs for foreign nations and international activities. The Assistant Secretary of the Air Force for Acquisition (SAF/AQ), by having responsibility for Air Force acquisition, has a coordinating role in the development of LOAs for major acquisition cases and an oversight role in their execution. Both SAF/IA and SAF/AQ are located in Washington, DC.

For follow-on support that will be provided from Air Force Materiel Command (AFMC) assets, the Air Force Security Assistance and Cooperation (AFSAC) Directorate at Wright-Patterson Air Force Base, OH, prepares, processes, and oversees the performance of the applicable FMS cases. AFSAC

has also assumed from SAF/IA the writing of system sales cases.

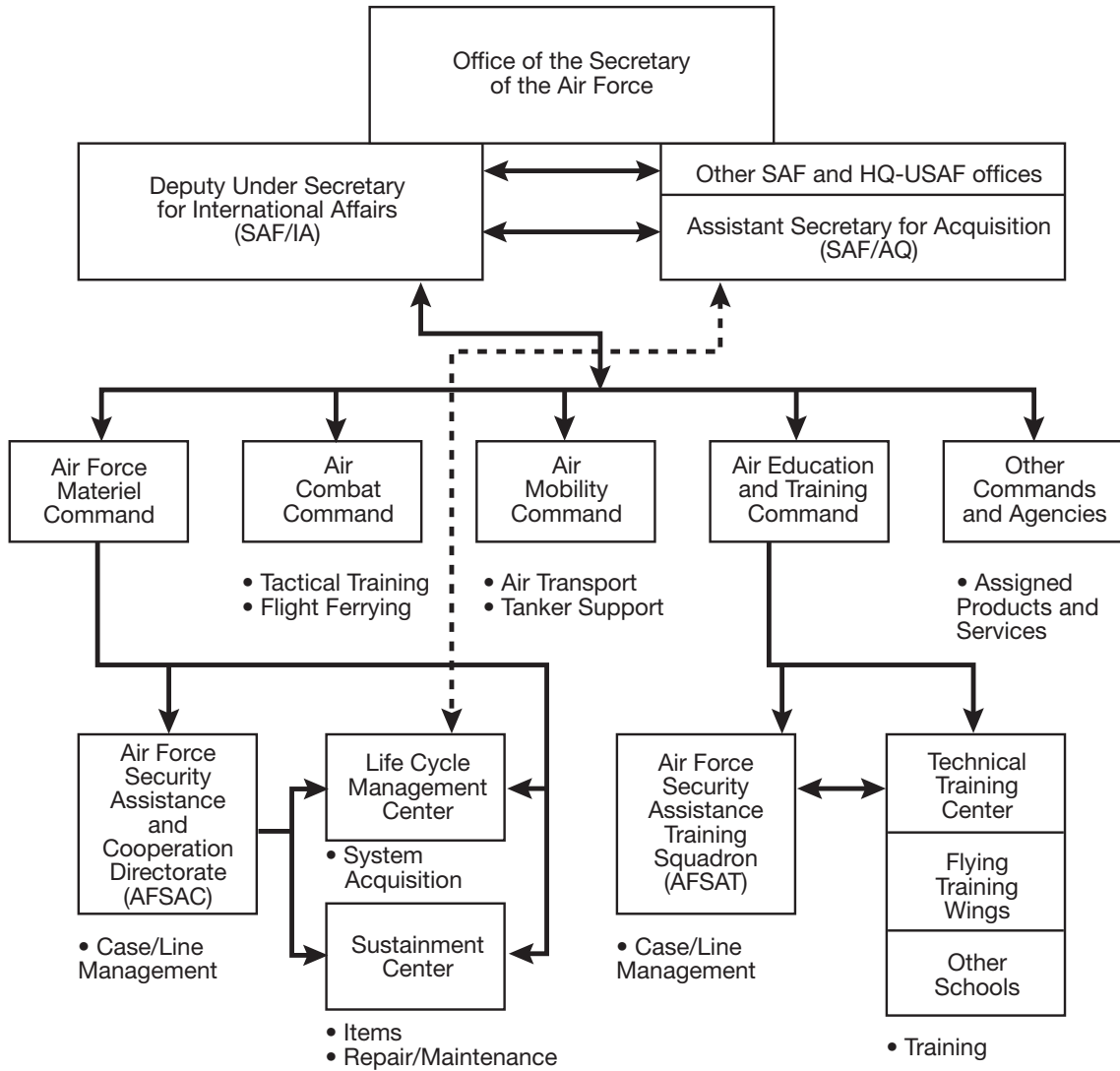
Air Force directs the management of its FMS business on a line-by-line basis. SAF/IA or AFSAC, as applicable, assigns line management responsibility to the major command having cognizance over the article or service being provided and a Security Assistance Program Manager (SAPM) to oversee the development and execution of major FMS system acquisition LOAs (see Figure 3-6).

Detailed management of USAF SA/SC training cases is conducted by the Air Force Security Assistance Training (AFSAT) Squadron, a component of the Air Education and Training Command (AETC). Both AFSAT and AETC are located at Randolph Air Force Base, TX.

## **SUMMARY**

The development and management of the U.S. SA/SC program requires the active participation and cooperation of all branches of the USG. Within the executive branch, several departments have a particularly active role. By law, the Secretary of State is responsible for the continuous supervision and general direction of the SA program. Other departments and offices, e.g., the DOD, DOT, DOC, and OMB have a supportive role as well. The DOD has perhaps the largest supportive role from a level-of-effort standpoint.

**Figure 3-6**  
**Department of the Air Force Functional Organization for SA/SC**



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