



# **Section 1206 of the National Defense Authorization Act for FY2006: A Fact Sheet on Department of Defense Authority to Train and Equip Foreign Military Forces**

**Nina M. Serafino**  
Specialist in International Security Affairs

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## Summary

Section 1206 of the National Defense Authorization Act (NDAA) for Fiscal Year 2006 provides the Secretary of Defense with authority to train and equip foreign military and foreign maritime security forces. The Department of Defense (DOD) values this authority as an important tool to train and equip military partners. Funds may be obligated only with the concurrence of the Secretary of State. Thus far, the Department of Defense (DOD) has used Section 1206 authority primarily to provide counterterrorism support. This authority expires in FY2011.

As of September 28, 2009, Section 1206 obligations total just over \$1 billion for FY2006 through FY2009. Section 1206 obligations totaled some \$106 million in FY2006, \$277 million in FY2007, and \$289 million in FY2008. As of September 28, 2009, FY2009 obligations totaled \$340.6 million.

For FY2010, DOD first requested a \$400 million appropriation for Section 1206 programs, but then appears to have revised its actual request to \$345 million. In the respective versions of the FY2010 NDAA (H.R. 2647, reported June 18, and S. 1390, reported July 2, respectively), neither the House nor the Senate armed services committee appeared inclined to raise the authorized limit from its current \$350 million level. (Across-the-board mandated cuts reduce the actual amount available for FY2010 from the authorized \$350 million to about \$346 million, according to DOD.)

As reported by the House Appropriations Committee (July 16, 2009, H.Rept. 111-230) and passed by the House (July 22, 2009), the House version of the DOD appropriations act (H.R. 3326) would appropriate \$195 million for Section 1206 funding. The Senate Appropriations Committee version (reported September 10, 2009, S.Rept. 111-74) would appropriate \$345 million.

In related legislation, as passed by the House on June 10, Section 841 of the FY2010-FY2011 Foreign Relations Authorization Act (H.R. 2410) would create a new “Security Assistance Contingency Fund” for the State Department with purposes that would overlap with Section 1206.

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Section 1206 of the FY2006 National Defense Authorization Act (NDAA ), P.L. 109-163, as amended, provides the Secretary of Defense with a new authority to train and equip foreign military forces and foreign maritime security forces. Section 1206 is the first major Department of Defense (DOD) authority to be used expressly for the purpose of training the national military forces of foreign countries. Generally, DOD has trained and equipped foreign military forces through State Department programs. The George W. Bush Administration requested this “Global Train and Equip” authority because DOD viewed the planning and implementation processes under which similar State Department security assistance is provided as too slow and cumbersome.<sup>1</sup>

Section 1206 provides the Secretary of Defense with authority to train and equip foreign military forces for two purposes. One is to enable foreign military forces, as well as foreign maritime security forces, to perform counterterrorism (CT) operations. Nearly all Section 1206 assistance to date has been CT training and equipment (T&E). Most T&E has been provided by contractors, according to DOD officials. The other purpose is to enable foreign military forces to participate in or to support military and stability operations in which U.S. armed forces are participating. (DOD does not use Section 1206 authority for operations in Iraq and Afghanistan, however, according to DOD officials.)

In its May 2009 budget submission for DOD, the Obama Administration requested a \$400 million appropriation for Section 1206 spending. This is \$50 million above the authorized spending limit of \$350 million. According to the DOD FY2010 Budget Request Summary Justification Document accompanying the request, U.S. military “Combatant Commanders consider this [Section 1206] program ... as the single most important tool for the Department to shape the environment and counter terrorism.”<sup>2</sup> According to that document, the Section 1206 program is important because it allows the United States to train and equip foreign military forces to respond to “urgent and emergent threats,” and because it “provides opportunities to solve problems before they become crises.”<sup>3</sup>

## Origins and Evolution of Section 1206 Authority

In the wake of the September 11, 2001, terrorist attacks on the United States, some DOD officials sought a means to increase U.S. support to foreign military and security forces in order to disrupt terrorist networks. Although “train and equip” authority had resided with the State Department since 1961, DOD submitted proposed legislation to Congress in early 2005 for authority and appropriations to train and equip foreign forces. As submitted to Congress, the DOD-proposed legislation differed in several important respects from the legislation that was eventually passed.

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<sup>1</sup> State Department programs under which foreign military forces are trained are the International Military Education and Training (IMET) and the Expanded IMET (E-IMET) programs. Equipment is provided to foreign governments through the State Department Foreign Military Sales/Foreign Military Financing (FMS/FMF) programs. According to DOD, this “traditional security assistance takes three to four years from concept to execution,” while “Global Train and Equip authority allows a response to emergent threats or opportunities in six months or less.” U.S. Department of Defense, *Fiscal Year 2009 Budget Request Summary Justification*, February 4, 2008, p. 103. Hereafter referred to as *FY2009 DOD Summary Justification*.

<sup>2</sup> U.S. Department of Defense, *Fiscal Year 2010 Budget Request Summary Justification*, May 2009, pp. 1-13.

<sup>3</sup> *Ibid.*

DOD's proposed authorization bill would have vested new authority with the President to "authorize building the capacity of partner nations' military or security forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support United States, coalition, or international military or stability operations." The proposed legislation provided the Secretary of Defense the lead on implementation, but gave a veto power to the Secretary of State: "The Secretary of Defense may, with the concurrence of the Secretary of State, implement partnership security capacity building." DOD could implement capacity building projects on its own, or by transferring DOD funds to the Department of State or to any other federal agency. The presidential and agency roles changed in subsequent versions.

The original authorization language would have allowed assistance to build up foreign military and security forces for purposes similar to but more specific than those ultimately enacted into law (Section 1206, P.L. 109-163). The types of forces that could be assisted were much broader, and included "armies, guard, border security, civil defense, infrastructure protection, and police forces." The proposed annual cap on such assistance was \$750 million, much greater than that eventually approved.

DOD's proposed appropriations language would have provided for the appropriation of up to \$750 million of funds from operations and maintenance accounts to provide assistance to military or security forces in Iraq and Afghanistan, and provide assistance to other military forces in friendly nations in the nearby region to enhance their capability to combat terrorism and to support U.S. military operations in Iraq and Afghanistan. The Secretary of Defense could use those funds only with the concurrence of the Secretary of State.

## **Congressional Action in 2005**

Neither DOD proposal for a global train and equip authority or appropriation was included in legislation reported that year by the Armed Services committees or the Appropriations committees. A modified version of the DOD authorization proposal was introduced by Senator Inhofe as a floor amendment (S.Amdt. 2432) to the Senate version of the FY2006 NDAA. (S. 1042) On November 8, 2005, the Senate approved an amended version of that amendment, supported by Senator Lugar. Both would provide authority for the purposes requested by DOD. Each version of the Inhofe amendment, progressively strengthened the State Department role compared to the DOD proposal. Conference committee negotiators made further changes, however, strengthening the DOD role, diminishing the State Department role, restricting the types of forces that could be supported, and lowering the funding cap.

The Inhofe amendment introduced on November 4, 2005, was similar to the DOD authorization request in that it would have conferred authority on the President to build partnership security capacity of foreign military and security forces on the President and authorized the use of up to \$750 million a year in DOD funds for the same purposes as the original DOD authorization request. A major difference was the role of the State Department. The Inhofe amendment made a request by the Secretary of State to the Secretary of Defense the trigger to initiate DOD support, a seemingly stronger role than that of the DOD proposed legislation which required the Secretary of Defense to seek the concurrence of the Secretary of State for any support. Like the DOD proposal, however, the Inhofe amendment left DOD free to implement programs itself, or to transfer funds to the Department of State or any other federal agency for implementation. (These funds would remain available until expended.) In introducing the amendment, Senator Inhofe indicated that the purpose of the new authority was to expedite train and equip assistance, and expressed displeasure with then-current arrangements for train and equip programs conducted

through the State Department. For instance, he noted that assistance to train and equip Georgia forces for counterterrorism required that “Seven different authorities for funding and sources ... be stitched together” in a process that took eight months. (Congressional Record, November 4, 2005, p S12395.)

The revised Inhofe amendment further strengthened the Secretary of State’s role by making three changes. One change eliminated DOD’s ability to implement proposals on its own. Another eliminated DOD’s ability to transfer funds to any civilian agency other than the State Department. In short, the Secretary of Defense could provide partnership support *only* by transferring DOD funds to the Department of State. A third change made such support subject to the authorities and limitations in the Foreign Assistance Act of 1961, and the FY2006 Foreign Operations bill. In a floor statement on November 8, 2006, Senator Lugar said that “the amendment as now written leaves the authority for deciding which countries, and when, how, and why foreign assistance should be provided, in the hands of the Secretary of State. The amendment does not provide statutory authority to the Secretary of Defense to establish a new foreign aid program outside the purview of the Secretary of State. It does authorize the Secretary of Defense to provide funding to the State Department for a new train and equip foreign assistance program.”<sup>4</sup> At the same time, Senator Lugar acknowledged DOD concerns that the “State Department oversight of these kinds of programs [is] cumbersome and slow.” He stated: “These obstacles need to be overcome. State Department procedures should be streamlined and the two Departments should develop plans to push these important programs forward efficiently and quickly.” (Congressional Record, Senate, S12495.)

A final version, as discussed elsewhere, emerged from the conference committee. There were four important changes from the Senate version. First, the conference committee version (Section 1206 of P.L. 109-163) stripped the leadership role from the Secretary of State and bestowed it on the Secretary of Defense. Section 1206 broadened DOD’s role by providing authority for the President to direct the Secretary of Defense to conduct or support a program to build the capacity of a foreign military forces. It reduced the Secretary of State’s role by providing that the Secretaries of Defense and State were to “jointly formulate any program directed by the President” and the Secretary of Defense was to “coordinate with the Secretary of State in the implementation of any program directed by the President.” Second, the conference committee version did not provide authority to assist security forces of any type. Third, it lowered the annual funding cap considerably, to \$200 million. And fourth, it broadened the purpose of the counterterrorism element of the assistance from enabling foreign forces to disrupt or destroy terrorist networks and to close safe havens to enabling them *to conduct counter-terrorist operations*.

In their explanatory statement (H.Rept. 109-360, accompanying H.R. 1815), the conferees described Section 1206 as a two-year pilot program, which would be reviewed at the end of that

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<sup>4</sup> Senator Lugar further stated that “the Secretary of State should retain full authority over decisions as to which countries should receive assistance, the timing of its provision, and the way in which it should be provided. The Department of Defense should continue implementing train and equip programs under the purview of the Secretary of State.” He concluded: “All foreign assistance programs need to take place within a foreign policy context, with consideration of the traditional concerns—the recipient country’s treatment of its own people, potential reactions from neighboring states in the region, and the overall bilateral relationship with the recipient country, including the assistance in the war against terrorism. It is the Secretary of State’s job to weigh such foreign policy issues and make recommendations to the President that strike the right balance for American interests. The amendment as now written meets the concerns I had and I would request that I be listed as a co-sponsor.” (Congressional Record, Senate, S12495.)

period. They noted that “under current law, foreign military training programs are conducted exclusively under the authority of the Secretary of State. The conferees believe it is important that any changes in statutory authorities for foreign military assistance do not have unintended consequences for the effective coordination of U.S. foreign policy writ large, nor should they detract from the Department of Defense’s focus on its core responsibilities, particularly the warfighting tasks for which it is uniquely suited.”

## **Congressional Action and Concerns: 2006-2008**

Congress made further changes to Section 1206 authority through amendments in subsequent NDAA’s, among them changes elevating the State Department’s role but at the same time vesting authority for the program in the Secretary of Defense (with the concurrence of the Secretary of State), raising the funding cap, and extending the duration of the authority. Section 1206 of the John Warner NDAA for FY2007 (P.L. 109-364) eliminated the President’s role in directing the Secretary of Defense to conduct or support such programs, and instead authorized “the Secretary of Defense, with the concurrence of the Secretary of State” to conduct or support those programs. It raised the authorized amount to \$300 million, and it extended the authority through FY2008.<sup>5</sup>

This amendment was the result of a conference committee compromise over a proposed Senate amendment that would have extended Section 1206 authority to combatant commanders. In their explanatory statement, the conferees stated that “the authorities provided in this section are provided in the spirit of a pilot program.... The conferees believe it will be important to demonstrate through experience that these expanded authorities can and will be exercised consistent with the effective coordination of U.S. foreign policy writ large. Furthermore, the conferees strongly believe that foreign assistance programs are more appropriately funded through the foreign assistance accounts, as administered by the Department of State, and urge the administration to request sufficient funding for foreign military assistance in those accounts in future years budget requests.”<sup>6</sup>

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<sup>5</sup> The DOD proposal for FY2007 NDAA authorization language had requested that authority to direct Section 1206 programs be vested in the Secretary of Defense, with the concurrence of the Secretary of State, rather than the President, in order to “increase responsiveness by relieving the President of having to approve each Section 1206 program personally, while preserving important roles of both the Secretary of Defense and the Secretary of State in authorizing capacity-building programs under this provision. This would enable the Department of Defense, with the concurrence of the Secretary of State, to pursue time-sensitive opportunities to build capacity of partner nations.” DOD also requested the expansion of the types of forces that could be assisted to include security forces (“specifically gendarmerie, constabulary, internal defense, infrastructure protection, civil defense, border protection, and counterterrorism forces ...”), and an increase in the spending cap to \$750 million.

<sup>6</sup> These changes were the result of a conference committee compromise on a Senate amendment to Section 1206 in S. 2766, its version of the FY2007 NDAA. See H.Rept. 109-702, the John Warner NDAA for Fiscal Year 2007, Conference Report to Accompany H.R. 5122.

The Senate amendment would have permitted the Secretary of Defense, with the concurrence of the Secretary of State, to authorize commanders of the geographic combatant commands “to respond to unanticipated changes in a security environment” within their area of responsibility (AOR) to spend up to \$50 million per year per commander for Section 1206 purposes, with total spending limited to \$200 million. In addition, the Senate Amendment would have permitted the Secretary of Defense to authorize geographic combatant commanders “to respond to urgent and unanticipated humanitarian relief or reconstruction requirements in a foreign country within the commander’s AOR” if the commander determined that such assistance would promote the security interest of the United States and the recipient country, up to a total of \$200 million “in any country in a fiscal year.” In response, the House, which had no similar provision, offered the amendment which was adopted. Although the proposed section to provide combatant commanders with funding for existing Section 1206 purposes was deleted, elsewhere in the bill the conferees included a provision to expand authority under the Combatant Commanders Initiative Fund to provide urgent and unanticipated (continued...)

Through the enactment of the Duncan Hunter NDAA for FY2009 (P.L. 110-417), Congress rejected the Bush Administration's 2008 request to make Section 1206 authority permanent law under Title 10 (Armed Services) of the United States Code. Instead, it extended the temporary authority for three years (i.e., through FY2011). P.L. 110-417 also expanded Section 1206 authority to include the provision of assistance to maritime security forces,<sup>7</sup> and raised the spending cap to \$350 million.

In their respective conference reports on the FY2009 NDAA, both the House and the Senate armed services committees expressed concern about whether Section 1206 funds were being appropriately used.

- The Senate Armed Services Committee report reiterated the committee's earlier position that Section 1206 was intended as a pilot program, "not intended to duplicate or substitute for other foreign assistance authorities, nor ... intended to sustain train and equip programs over multiple years." It expressed the committee's concerns that Section 1206 funds were "being used for programs, particularly in countries where the terrorist threat is currently low, that primarily serve to build counter-narcotics capabilities."<sup>8</sup>
- The House Armed Services Committee report stated DOD had "pushed beyond the clearly articulated limits of this authority" in the case of Panama, raising concern "about the responsible execution of this authority in the future." In the report, the committee expressed its belief "that capable foreign partners play a vital role in the international security environment but remain unconvinced that this authority should reside permanently with the Department of Defense. The committee expects that, over the long-term, these 'train and equip'-type authorities, which appear to be migrating to the Department of Defense, might better remain within the Department of State's jurisdiction."<sup>9</sup>

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(...continued)

humanitarian relief and reconstruction assistance.

<sup>7</sup> As passed by the Senate, S. 3001 would have extended Section 1206 authority to security forces, specifically "a foreign country's coast guard, border protection, and other security forces engaged primarily in counterterrorism missions in order for that country to conduct counterterrorism operations." The Administration had requested authority to train and equip a wide spectrum of security forces, including gendarmerie, constabulary, internal defense, infrastructure protection, civil defense, homeland defense, coast guard, border protection, and counterterrorism forces.

<sup>8</sup> S.Rept. 110-335 continued: "While recognizing a degree of overlap between counterterrorism and counternarcotics capabilities, the committee urges the Department of Defense to fund programs to build counter-narcotics capabilities using funds and authorities intended to support counter-narcotics activities, and if appropriate, seek any necessary modifications to existing counter-narcotics authorities to support these activities. The committee also indicated that it viewed U.S. Africa Command AOR counterterrorism needs as a priority for Section 1206 assistance.

<sup>9</sup> H.Rept. 110-652 also encouraged DOD "to use members of the United States military to conduct the training provided under this authority whenever possible."

## Funding Provisions, Annual Obligations, and Conditions

Section 1206 programs are funded from the DOD operations and maintenance account. During the first two years of the program, DOD transferred funds from lower-priority missions to fund activities under Section 1206, according to the Office of the Secretary of Defense/Policy (OSD/P). For FY2008, Congress appropriated \$300 million for Section 1206 in the DOD Appropriations Act, 2008 (also known as the Consolidated Appropriations Act of 2008, P.L. 110-116). In its 2008 request for permanent Section 1206 authority, the Bush Administration requested that spending authority be increased to \$750 million, but in its FY2009 budget request asked for \$500 million in appropriations for that year.

Instead, in the FY2009 Duncan Hunter NDAA, Congress increased the authorized amount to \$350 million. In the same bill, Congress also provided authority for funds to be used in consecutive fiscal years (i.e., funds made available for a program begun in one fiscal year may also be used for that program in the next fiscal year).

The table below provides data on Section 1206 FY2006-FY2009 programs. Total program obligations for FY2006 through FY2008 were \$672.3 million: \$106.3 million in FY2006, \$277.3 million in FY2007, and \$288.7 million in FY2008.<sup>10</sup> Obligations for FY2009 through September 28, 2009, totaled \$340.6 million, bringing the Section 1206 total obligations for all five fiscal years to just over \$1 billion. (See **Table 1** below for a detailed accounting of obligations by region and country.)

For FY2010, the Obama Administration first requested a \$400 million appropriation for Section 1206 funding,<sup>11</sup> which would have entailed a \$50 million increase in the authorized funding level. It appears to have revised its request to \$345 million. (Across-the-board mandated cuts reduce the actual amount available for Section 1206 programs in FY2010 from the authorized \$350 million to about \$346 million, according to DOD.)

### Conditions

Section 1206 of the FY2006 NDAA requires that programs conducted under its authority observe and respect human rights, fundamental freedoms, and the “legitimate civilian authority within that country.” The authority may not be used to provide any *type* of assistance that is otherwise prohibited by any provision of law. It also may not be used to provide assistance to any *country* that is otherwise prohibited from receiving such assistance under any other provision of law. The legislation also requires a 15-day advance notification to the congressional defense, foreign affairs, and appropriations committees before initiating each program. This notification must specify, among other things, the program country, budget, and completion date, as well as the source and planned expenditure of funds.

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<sup>10</sup> The FY2006-FY2008 figures were revised from previous editions of this report with updated DOD data provided on July 29, 2009 and on September 28, 2009.

<sup>11</sup> U.S. Department of Defense, *Fiscal Year 2010 Budget Request Summary Justification*, May 2009, pp. 1-13

## Joint DOD-State Department Approval Process

As modified by the FY2007 John Warner NDAA, Section 1206 authority permits the Secretary of Defense to provide such support with the “concurrence” of the Secretary of State. According to DOD and State Department officials, that term has been interpreted to mean the Secretary of State’s approval. Section 1206 requires both secretaries to jointly formulate any program and coordinate in its implementation. Their respective agencies have developed an extensive joint review process that some officials see as a potential model for other assistance programs. Section 1206 programs are developed under a “dual-key” authority (i.e., with the approval of both DOD and Department of State officials). U.S. embassies and the military combatant commands are encouraged to jointly formulate programs. Both parties “must approve each program explicitly in writing”<sup>12</sup> before the proposal is submitted to DOD and State Department staff in Washington, DC, for their concurrence and, ultimately, the approval of the Secretaries of Defense and State.<sup>13</sup>

## Congressional Action 2009

### National Defense Authorization Act for Fiscal Year 2010 (H.R. 2647 and S. 1390)

The House and Senate versions of the FY2010 NDAA (H.R. 2647, passed by the House on June 25, 2009, and S. 1390, incorporated as a substitute amendment into H.R. 2647 and passed by the Senate on July 23, 2009) differ in their treatment of the Section 1206 authorization.

As marked up by the House Armed Services Committee (HASC) on June 10, and reported to the House on June 18 (H.Rept. 111-166), the FY2010 NDAA would authorize \$350 million for Section 1206, according to the HASC press release. The committee report accompanying the bill (H.Rept. 111-166) notes that the bill contains Section 1206 funding but does not include the amount. The report also notes an evolution of the HASC position on Section 1206 funding.

In discussing Section 1206, HASC noted that while it previously had regarded Section 1206 “as part of the foreign assistance family of authorities that has traditionally resided within the Department of State’s purview” in order to assist foreign countries meet their own security needs as part of a U.S. foreign policy framework, it now views Section 1206 is a “new type of authority” to meet the Secretary of Defense’s assessment of a combatant commander’s need to build certain capacity” as an important aspect of a combatant commander’s theater engagement strategy.” (p. 411) While not discounting the idea that the authority might better be placed at the Department of State than at DOD, HASC reflects that wherever the authority ultimately lies, the need for projects responding to a DOD-led assessment of U.S. national security needs means that the “Secretary of Defense must play a primary role in generating requirements.” (p. 412)

In its version of the FY2010 NDAA (S. 1390) reported July 2, 2009, SASC would limit to \$75 million (of the total \$350 authorized for Section 1206) spending on programs to build the capacity of foreign military forces to participate in or support military and stability operations in

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<sup>12</sup> *FY2009 DOD Summary Justification*, p. 103.

<sup>13</sup> E-mail from the OSD/P, May 20, 2007.

which the U.S. armed forces are a participant. This limitation would pertain to programs that begin on or after October 1, 2009, and be effective for FY2010 and FY2011. In its report (S.Rept. 111-35), SASC explains this limitation as a means to ensure that Section 1206 funding served its intended purpose (i.e., to provide a means to address emerging needs), not a substitute for security assistance under the State Department Foreign Military Financing (FMF) authority. “To this end,” SASC states in its report, “the committee has emphasized the need for 1206 programs to develop plans to transition to FMF funding if longer-term assistance is required. The Department’s stated desire to conduct sustained capacity building to prepare special operations to deploy for coalition operations suggests that it intends to establish multi-year programs with respect to certain recipient countries.” The \$75 million limit is intended to reduce “the potential impact of such multi-year programs on the section 1206 program as a whole.” The committee report emphasized the temporary nature of Section 1206 authority and urged the Obama Administration to review existing DOD and State Department security assistance authorities in order to reconcile and “de-conflict” them and to improve their effectiveness.

### **Foreign Relations Authorization Act, Fiscal Years 2010 and 2011 (H.R. 2410)**

The FY2010-FY2011 Foreign Relations Authorization Act (H.R. 2410) would create a new “Security Assistance Contingency Fund” for the State Department with purposes that would overlap with Section 1206. As reported to the House on June 4 (H.Rept. 111-136) and passed by the House on June 10, Section 841 would authorize the Secretary of State “to conduct a program to respond to contingencies in foreign countries or regions by providing training, procurement, and capacity-building of a foreign country’s military forces and dedicated counterterrorism forces in order for that country to (1) conduct counterterrorist operations; or (2) participate in or support military and stability operations in which the United States is a participant.” The types of capacity-building support authorized include the provision of equipment, supplies, and training. Section 841 would authorize a new appropriation of \$25 million for each FY2010 and FY2011 for these programs, and the use of up to \$25 million in Foreign Military Financing funds for these programs in each of those fiscal years. Funds would remain available until expended.

Like Section 1206, this authority could not be used to provide any type of assistance otherwise prohibited by law nor used to assist any foreign country otherwise prohibited from receiving such type of assistance under any provision of law. Unlike Section 1206, this authority would be exercised by the Secretary of State. The only coordination requirement is that the Secretary “shall consult with the head of any other appropriate department or agency in the formulation and execution” of programs conducted under this authority. It does not require the concurrence (i.e., approval) of the Secretary of Defense. Section 841 would require a 15-day notification to congressional foreign affairs and appropriations committees before funds are obligated.

### **Department of Defense Appropriations Act, 2010 (H.R. 3326)**

As reported by the House Appropriations Committee (July 16, 2009, H.Rept. 111-230) and passed by the House (July 22, 2009), the House version of the DOD appropriations act (H.R. 3326) would appropriate \$195 million for Section 1206 funding. The Senate Appropriations Committee version (reported September 10, 2009, S.Rept. 111-74) would appropriate \$345 million. Both versions of the bill would appropriate Section 1206 funds as part of the Operations and Maintenance, Defense-Wide budget, under the Defense Security Cooperation Agency account.

**Table I. Section 1206 Funding: FY2006-FY2009 Obligations**

(as of Sept. 28, 2009)

(\$ U.S. millions)

Recipient(s)	Program	FY2006	FY2007	FY2008	FY2009	Totals
<b>General Human Rights/Respect for Civilian Authority (HR/RCA) Training</b>						
Recipients unspecified. Funding to Defense Institute of International Legal Studies to conduct training.	HR/ RCA)Training	—	—	0.6	—	
Recipients and trainer(s) unspecified.	Follow-on to FY08 HR/RCA training for 35 countries	—	—	—	1.2	
Bangladesh, Guyana, Kyrgyzstan, Suriname, Indonesia are named recipients. Trainer(s) unspecified.	Follow-on to FY08 HR/RCA training.	—	—	—	0.3	
Total HR/RCA Training		<b>0</b>	<b>0</b>	<b>0.6</b>	<b>1.5</b>	<b>2.1</b>
<b>AFRICA</b>						
Chad	Tactical Airlift Capacity Training	—	1.7	—	—	<b>1.7</b>
Djibouti	Maritime Domain Awareness (MDA), Response, Interdiction, and Coastal Security Enhancement	—	8.0	—	—	<b>16.6</b>
	Counterterrorist (CT) Communications Package	—	—	5.1	—	
	CT Capabilities Package	—	—	—	3.5	
Ethiopia	CT Communications and Combat Engineering Capability	—	—	13.3	—	<b>28.0</b>
	Night Vision Capability Package	—	—	4.4	—	
	Regiment and Platoon CT Initiative	—	—	—	10.3	
Kenya	Border Security Initiative	—	—	4.1	—	<b>26.3</b>
	Border and Coastal Security Enhancement	—	—	7.0	—	
	Maritime Security Initiative	—	—	—	15.2	
Mali	Light infantry Equipment for CT (Redirected FY2007 Mauritania aid and additional storage and transportation costs charged in FY2009.)		4.5		0.6	<b>5.1</b>
Nigeria	CT Capacity Building for Military Forces (Original notified obligation was \$4.1 million; this figure represents DOD's expected expenditure.)	—	—	—	1.5	<b>2.4</b>

Recipient(s)	Program	FY2006	FY2007	FY2008	FY2009	Totals
	Light infantry Vehicles, Communications Equipment, and other equipment (FY09 cost of redirecting some FY07 Chad program aid to Nigeria; the amount of the FY07 obligation for this aid was not provided.)				0.9	
Tunisia	Suppressing Trans-Border Terrorist Activity	—	—	10.0	—	18.8
	Intelligence, Surveillance and Reconnaissance Capability to secure borders.	—	—	—	8.8	
Chad, Mauritania, Nigeria and Senegal	Civil-Military Operations Training in Support of the TransSahara CT Program	—	3.4	—	—	3.4
Djibouti, Ethiopia, Kenya, Tanzania	East Africa Regional Security Initiative	—	18.0	—	—	18.0
Nigeria and Sao Tome and Principe	Gulf of Guinea Regional Maritime Awareness Capability Aid	6.8	—	—	—	6.8
Chad and Nigeria	Multinational Information-sharing Network Aid	6.2	—	—	—	6.2
Algeria, Chad, Mali, Mauritania, Morocco, Niger and Senegal	Partner Nation Intelligence Capability Aid	—	1.1	—	—	1.1
Algeria, Benin, Cameroon, Cape Verde, Republic of the Congo, Gabon, Ghana, Gambia, Guinea, Liberia, Morocco, Mozambique, Senegal, Sierra Leone, and Sao Tome and Principe	MDA and Territorial Water Threat Response Capability Establishment	—	5.8	—	—	5.8
Benin, Cameroon, Cape Verde, Gabon, Ghana, Sao Tome & Principe, Senegal, Togo	West and Central Africa Maritime Equipment Package	—	—	11.0	—	11.0
Cameroon, Gabon, Senegal, Sierra Leone (Guinea deleted due to the Dec. 2008 coup d'etat.)	West Africa Maritime Security Capability Enhancement	—	—	12.5	—	12.5
Mozambique, Tanzania, Mauritius, Seychelles	South East African Maritime Security Initiative	—	—	—	8.6	8.6
<b>Total Africa</b>		<b>13.0</b>	<b>42.5</b>	<b>67.4</b>	<b>49.4</b>	<b>172.3</b>
<b>GREATER EUROPE</b>						
Albania	CT Capability Aid	—	6.7	—	—	12.2
	Maritime Coastal Patrol CT	—	—	5.5	—	

Recipient(s)	Program	FY2006	FY2007	FY2008	FY2009	Totals
	Capability Enhancement					
Georgia	CT Capability Aid	—	6.5	—	—	18.0
	Special Forces T&E			11.5	—	
Macedonia	CT Capability Aid	—	3.0	—	—	3.0
Ukraine	CT Capability Aid	—	12.0	—	—	12.0
<b>Total Greater Europe</b>		—	<b>28.2</b>	<b>17.0</b>	<b>0</b>	<b>45.2</b>
<b>ASIA AND THE PACIFIC (Including Central Asia)</b>						
Indonesia	Integrated Maritime Surveillance System	18.4	—	—	—	57.5
	Eastern Fleet Regional Command Center	—	3.8	—	—	
	Eastern Fleet Maritime Equipment		7.3	—		
	Celebes Sea and Malacca Strait Network	—	6.1	—	—	
	Coastal Surveillance Stations	—	11.5	4.3	—	
	Western Fleet Command and Control (C2) Center and HQ	—	—	2.0	—	
	Command, Control, Communications and Computers (C4) Surveillance and Reconnaissance	—	—	4.1	—	
Kazakhstan	Coalition CT and Stability Operations Capacity Aid	—	19.2	—	—	31.7
	Caspian Security	—	—	12.5	—	
Kyrgyzstan	Increasing Armed Forces CT Capabilities	—	—	12.0	—	21.6
	CT Forces Support	—	—	—	9.6	
Malaysia	Eastern Sabah MDA Radars	—	13.6	—	—	43.9
	Strait of Malacca MDA Support	—	2.2	—	—	
	MDA Package	—	—	11.5	—	
	CENTRIX Stations	—	0.5		—	
	C2 Center for Joint Forces Sabah HQ	—	—	7.1	—	
	Maritime Interdiction Package	—	—	9.0	—	
Philippines	Maritime T&E for Interdiction Purposes	—	3.0	—	—	55.1
	Coast Watch South High Frequency Radios (FY07)/ Radars for Sulu Archipelago (FY08)	—	1.8	11.1	—	

Recipient(s)	Program	FY2006	FY2007	FY2008	FY2009	Totals
	Maritime Interdiction Capability	—	6.4	—	—	
	Interdiction and Offensive Capabilities Improvement (of UH-1 Huey helicopters)	—	4.4	—	—	
	Border Control Interdiction	—	—	5.8	—	
	Coast Watch South (CWS) Radars for Eastern Mindanao and adjacent border surveillance	—	—	—	14.5	
	CWS Intelligence – Operations CT Capability	—	—	—	8.1	
Sri Lanka	Maritime Security T&E for Interdiction Purposes	11.0	—	—	—	18.4
	Aircraft C2 Integration	—	6.0	—	—	
	Maritime Security and Navy Interdiction Capability	—	1.4	—	—	
<b>Total Asia and the Pacific</b>		<b>29.4</b>	<b>87.2</b>	<b>79.4</b>	<b>32.2</b>	<b>228.2</b>
<b>MIDDLE EAST AND SOUTH/SOUTHWESTERN ASIA</b>						
Azerbaijan	Naval Commando CT Training	—	—	1.7	—	1.7
Bahrain	Patrol Boats	5.3	—	—	—	50.4
	Coastal Patrol Capability Development	—	24.6	—	—	
	Defense Force Counterintelligence Analysis Center Development	—	0.04	—	—	
	Defense Force Special Operations T&E	—	—	4.3	—	
	Coastal Surveillance System Upgrade	—	—	—	16.2	
Bangladesh	Maritime Patrol and Interdiction Initiative	—	—	7.2	—	15.7
	Naval Special Forces CT T&E	—	—	—	8.5	
Lebanon	Military Assistance to Lebanese Armed Forces	10.6	30.6	—	—	106.9
	Special Operations Forces T&E	—	—	7.2	—	
	Secure Communications for Special Operations Forces	—	—	9.2	—	
	Urban Soldier Equipment	—	—	—	21.5	
	Cessna Caravan	—	—	—	27.8	

Recipient(s)	Program	FY2006	FY2007	FY2008	FY2009	Totals
Pakistan	Border Area T&E/ Marines T&E	27.5	5.7	—	—	<b>210.6</b>
	Enhance Shared MDA and Cooperative Maritime Security Aid	—	8.1	—	—	
	Helicopter CT Capability	—	—	20.9	—	
	Special Services Group COIN Kick Start Initiative	—	—	17.9	—	
	Mi-17 Support	—	—	17.0	—	
	Mi-17 Helicopters	—	—	—	80.0	
	Aviation Maintenance Shelters in Federally Administered Tribal Areas	—	—	—	3.1	
	Army and Navy Capability Building to Investigate Explosives	—	—	—	0.6	
	Special Operations Forces CT Package	—	—	—	17.0	
	Ground-Based Intelligence S&R Capability	—	—	—	12.8	
Yemen	Cross Border Security and CT Aid	5.0	—	—	—	<b>98.2</b>
	Yemeni Special Operations Capacity Development to enhance border security	—	26.0	—	—	
	Air Force Aerial Surveillance Initiative	—	—	—	5.9	
	Coast Guard Maritime Security Initiative	—	—	—	30.1	
	Increased Border Security CT Initiative	—	—	—	25.4	
	Explosive Ordnance Disposal Initiative	—	—	—	5.8	
<b>Total Middle East and South Asia</b>		<b>48.4</b>	<b>95.0</b>	<b>85.4</b>	<b>254.7</b>	<b>483.5</b>
<b>WESTERN HEMISPHERE</b>						
Mexico	CT Capabilities (FY07)/ CT Capability Package (FY08)	—	1.0	13.0	—	<b>14.0</b>
Dominican Republic and Panama	Joint Maritime CT Capability Aid	15.5	—	—	—	<b>15.5</b>
Bahamas, Dominican Republic, Honduras, Jamaica, and Nicaragua	Caribbean Basin Maritime Security Aid (radios and boats)	—	23.4	—	—	<b>23.4</b>
Bahamas, Belize, Dominican Republic, Honduras, Jamaica, and Panama	Caribbean Basin Capability Enhancements	—	—	12.1	—	<b>12.1</b>

<b>Recipient(s)</b>	<b>Program</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>	<b>FY2009</b>	<b>Totals</b>
Belize, Guyana, Honduras, and Suriname	CT Unit T&E for participation in Operation Enduring Freedom	—	—	13.8	—	<b>13.8</b>
<b>Total Western Hemisphere</b>		<b>15.5</b>	<b>24.4</b>	<b>38.9</b>	<b>0</b>	<b>78.8</b>
<b>Additional Transportation Expenses</b> for items obligated FY06-FY08 but delivered later.		—	—	—	<b>3.0</b>	<b>3.0</b>
<b>Totals</b>		<b>106.3</b>	<b>277.3</b>	<b>288.7</b>	<b>340.6</b>	<b>1,013</b>

**Source:** Office of the Secretary of Defense. Updated figures for FY2006-FY2008 provided July 29, 2009 and September 28, 2009. FY2009 figures as of September 28, 2009.

**Note:** Totals may not add due to rounding.

## Author Contact Information

Nina M. Serafino  
Specialist in International Security Affairs  
nserafino@crs.loc.gov, 7-7667