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# Proposed Train and Equip Authorities for Syria: In Brief

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## Introduction

The President's requests for authority and funding for the Department of Defense to provide overt assistance, including possible military training and weapons, to vetted members of the Syrian opposition and other vetted Syrians for select purposes are the subject of close congressional consideration. This report introduces these proposals and the analysis and table below explore similarities and differences among some of these proposals.

The analysis specifically focuses on the Administration's September 2014 request to Congress and the so-called "McKeon Amendment" currently under consideration in Congress. On September 15, the House Rules Committee approved consideration of an amendment introduced by Representative Howard "Buck" McKeon (hereinafter the McKeon Amendment)<sup>1</sup> to the proposed FY2015 continuing resolution (H.J.Res. 124) that represents a counterproposal to the President's revised request for assistance authority.

Both the Administration's revised request and the McKeon amendment would provide explicit new authority for the Secretary of Defense to overtly train and equip vetted Syrians to defend the Syrian people from attacks by the Islamic State organization (IS, aka ISIL/ISIS). Such authority is currently not available according to the Administration.

The two versions differ in significant ways.

- The McKeon amendment may provide somewhat broader authority to provide "assistance, including training, equipment, supplies, and sustainment," to vetted Syrians for stated purposes.
- The Administration's version envisions broader purposes for assistance that include not only assistance to defend Syrians from IS attacks but also against attacks by the Syrian government.
- Neither proposal includes funding for this assistance but the McKeon Amendment would permit the Department of Defense to tap any funds designated for Overseas Contingency Operations while the Administration would limit funds to Operation and Maintenance accounts of the services or defense agencies.
- The McKeon Amendment provides a definition of vetting criteria and requires reporting on vetting procedures whereas the Administration's proposal does not.
- The McKeon Amendment provides that the Department of Defense "coordinate" with the Department of State whereas the Administration's requires State's "concurrence" (i.e., agreement) on assistance.
- Both proposals would require 15-day advance notification before providing assistance, and the McKeon Amendment also would require an implementation plan, a presidential strategy, and progress reporting every 90 days.

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<sup>1</sup> Available at: <http://www.rules.house.gov/amendments/MCKEON021915141612381238.pdf>.

- The McKeon Amendment states that its provisions shall not be “construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.”
- The McKeon Amendment authority would expire on December 11, 2014 when the CR ends or upon enactment of the FY2015 National Defense Authorization Act, whichever comes first. The Administration proposal could extend to the end of the fiscal year.

For more information on the Islamic State crisis and U.S. policy, see CRS Report R43612, *The “Islamic State” Crisis and U.S. Policy*, by Kenneth Katzman et al., and CRS Report RL33487, *Armed Conflict in Syria: Overview and U.S. Response*, coordinated by Christopher M. Blanchard.

## **Chronology of Proposals and Legislation**

- In 2013, legislation was introduced in both houses of Congress (H.R. 1327 and S. 960) and considered by the Senate Foreign Relations Committee (S. 960) that would have provided authority subject to conditions for the U.S. government to provide similar assistance.
- In June 2014, the Senate Armed Services Committee reported its version of the Fiscal Year (FY) 2015 Defense Authorization bill, S. 2410, which would have provided a comparable, conditional authority, and, later that month, the Obama Administration requested related so-called “train and equip” authority and funding as part of its Overseas Contingency Operations (OCO) request to Congress for FY2015.
- Senate Appropriations Committee members debated and approved a version of “train and equip” authority for Syrians in July 2014 in their reported version of the FY2015 Defense Appropriations bill (H.R. 4870 RS). The House-enacted version of the bill does not include such authority.
- In September, the Obama Administration revised its request to Congress to reflect its new proposals for “degrading and defeating” the “Islamic State” (IS, also known as ISIL or ISIS) organization in Iraq and Syria.
- On September 15, Representative Howard “Buck” McKeon introduced an amendment (hereinafter the McKeon Amendment)<sup>2</sup> to the proposed FY2015 continuing resolution (H.J.Res. 124) that represents a counterproposal to the President’s revised request for assistance authority.

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<sup>2</sup> Available at: <http://www.rules.house.gov/amendments/MCKEON021915141612381238.pdf>.

## Elements of the Debate

### Does the President “need” a new authority from Congress to provide the proposed assistance?

On September 16, Secretary of Defense Chuck Hagel said “DOD does not currently have the authority to conduct a train and equip mission” for vetted Syrians. On September 15, Representative Mac Thornberry presented a statement from House Armed Services Committee Chairman Howard “Buck” McKeon, the author of the McKeon Amendment, before the House Rules Committee. Thornberry said that, according to McKeon, the provision of specific authority in response to the President’s request is necessary, because “none of the existing Department of Defense authorities in law fit the conditions requested by the President—to train and equip non-government entities fighting in non-U.S. led operations.”<sup>3</sup> Almost all existing Department of Defense authorities to provide overt security assistance to U.S. partners abroad require that such assistance be provided on a government-to-government basis. Exceptions include activities authorized by Section 1208 of the FY2005 National Defense Authorization Act (P.L. 108-375) as amended, which authorizes the provision of up to \$50 million in U.S. assistance to “foreign forces, irregular forces, groups, or individuals” that assist or facilitate U.S. counterterrorism-related special operations.<sup>4</sup>

In this case, since the President is proposing to provide an unspecified but potentially large amount of U.S. assistance to specific non-state actors—vetted Syrian opposition members and other vetted Syrians—in operations that may arguably be viewed as non-U.S. led, and without a stated end date or spending limit, the Administration views security assistance as necessary. The Administration also may be seeking new authority for practical reasons. As discussed below, the Administration’s stated purposes for the requested authority extend beyond strict counterterrorism purposes. An existing authority such as Section 1208 would require U.S. leadership of operations and would not provide corresponding funding authority sufficient to support the scope of activities envisioned under the Administration’s current request. Moreover, given the range of public views on the Syria conflict, and the fact that the proposed authority is without precedent in the Syria context and its potential and largely unknowable implications for regional and global security, the executive branch may wish to obtain explicitly broad congressional support for its plans.

### What are the differences in the authorities that current proposals would provide?

Various proposals under consideration in Congress would authorize and fund assistance to vetted Syrian opposition elements and other vetted Syrians for different purposes and on different terms (see **Table 1** below). The most substantive differences in these proposals relate to:

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<sup>3</sup> Video available at: <http://www.c-span.org/video/?321476-1/house-rules-committee-markup-continuing-resolution>

<sup>4</sup> The United States provides security assistance to the Palestinian Authority under State Department authorities and funding.

- the scope of authorities granted;
- the stated purposes of assistance;
- limits on the availability or sources of funds to carry out any granted authorities;
- definitions of vetting requirements;
- required interagency processes;
- terms related to authorization for the use of military force; and,
- terms for the notification and reporting of oversight information to Congress.

## **Scope of Authority**

- The Administration requested authority from Congress in September 2014 “to provide assistance, including the provision of defense articles and defense services, to, appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals.”
- The “McKeon Amendment” to H.J.Res. 124 would authorize the Secretary of Defense, in coordination with the Secretary of State, “to provide assistance, including training, equipment, supplies, and sustainment” to the same entities.

It is unclear whether the McKeon Amendment’s specific illustrative description of what U.S. assistance may include is intended to be broader or more restrictive than the Administration’s request for authority to provide assistance including “defense articles and services.” The latter is a term most closely associated with some existing U.S. law governing the sale of U.S.-origin weaponry and the provision of security assistance abroad.<sup>5</sup> The former could be construed to be a subset of the latter, or vice versa, but the McKeon Amendment as introduced does not further define those terms. In a statement to the House Rules Committee on September 15, Representative Mac Thornberry defined “sustainment” as potentially including ammunition and tactical intelligence information for any trained forces. It is possible that sustainment could be construed to include other types of assistance as well.

Secretary of Defense Chuck Hagel told the Senate Armed Service Committee on September 16, 2014, that “the package of assistance that we initially provide would consist of small arms, vehicles, and basic equipment like communications, as well as tactical and strategic training. As these forces prove their effectiveness on the battlefield, we would be prepared to provide increasingly sophisticated types of assistance to the most trusted commanders and capable forces.”

## **Stated Purposes of U.S. Assistance**

The Administration’s request envisions U.S. assistance to Syrian entities in order to defend Syrians against attacks by two potential adversaries: the Islamic State and the government of Bashar al Asad. It would not require the prioritization of assistance to defend Syrians from one adversary relative to the other. However, Chairman of the Joint Chiefs of Staff General Martin

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<sup>5</sup> See Foreign Assistance Act of 1961 as amended, Sections 644(d) and 644(f); and, 22 U.S.C. 2403(d) and (f).

Dempsey's September 16 testimony before the Senate Armed Services Committee included references to "an ISIL-first strategy."

As described below, the McKeon Amendment would not include defense of the Syrian people from government attacks as a purpose of assistance and states a more limited purpose for assistance with regard to opposition-controlled territory.

- The Administration's September 2014 request seeks "train and equip" authority for three sets of purposes.
  1. "defending the Syrian people from attacks by the Islamic State of Iraq and the Levant and the Syrian regime; facilitating the provision of essential services; and, stabilizing territory controlled by the opposition";
  2. "protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and,
  3. promoting the conditions for a negotiated settlement to end the conflict in Syria."
- The McKeon Amendment to H.J.Res. 124 does not include the defense of Syrians from attacks by the Asad government as a purpose of U.S. assistance. The amendment focuses on the provision of U.S. assistance for the defense of the Syrian people from attacks by the Islamic State.
- The amendment would not authorize assistance to stabilize territory or facilitate service provision. Instead it would authorize assistance to for "securing territory controlled by the opposition."
- The McKeon Amendment also would authorize assistance for the purposes of protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and, for "promoting the conditions for a negotiated settlement to end the conflict in Syria."

Neither proposal specifies the kinds of attacks against which Syrians should be defended. Syrians can be targeted in attacks using small arms, artillery, armored forces, air bombardment, and terrorist tactics by different actors on a daily basis.

Neither proposal defines "conditions for a negotiated settlement to end the conflict in Syria." In broad terms, the Administration argues that pressure must be brought to bear on the government of Bashar al Asad in order to convince its leaders to negotiate a settlement to the conflict that would result in their departure from office. Administration officials have not publicly described the precise nature of such intended pressure, the specific terms of its application, or potential measures of its success in achieving its related strategic ends.

Neither proposal explicitly states that the departure of Bashar al Asad or members of his government is an essential condition for a negotiated settlement.

An assistance program explicitly intended not only to defend Syrians from attack, but to also assist in the stabilization of and provision of essential services in territory under opposition control may be of much broader scope, cost, or duration than a program intended to defend Syrians from attack and secure territory under opposition control. Programs designed for different purposes may present different risks and rewards. Also, the scope of territory could conceivably

expand or contract to include more or less of Syria than at present with follow-on effects on potential costs to the United States.

One could reasonably expect some Syrian opposition forces to prefer a broader scope for a proposed expansion of U.S. assistance. However, some Syrian groups may reject deeper U.S. involvement and prefer that the United States limit its focus to toppling the Asad government rather than pursuing counterterrorism, security, stability, and/or quality of life concerns.

## **Limits on the Availability and/or Sources of Funds to Carry out Proposed Authorities**

In June 2014, the Administration's request for authority and funding for a "train and equip" program for Syrians was presented as a component of the Administration's broader request for \$4 billion in Overseas Contingency Operations-designated Department of Defense Operation and Maintenance funding for a proposed "Counterterrorism Partnerships Fund." An Administration description of the intended use of the requested funds submitted at the time suggested that \$500 million of the requested funds would be used for an assistance program for vetted Syrians, for which specific authority was sought.

In July 2014, the Senate Appropriations Committee reported its version of the FY2015 Defense Appropriations bill (H.R. 4870), setting a \$500 million cap on the authority it provided for a Syria-specific "train and equip" program. The committee further defined the source of the authorized funds as the OCO-designated "Operation and Maintenance, Defense-wide" account, an individual account.

The Administration's September 2014 request for authority did not seek specific funding and did not make reference to a \$500 million cap or any specific spending limit. It would allow DOD to tap any OCO-designated Operation and Maintenance funds for any of the services or defense agencies made available by H.J.Res. 124 or any other act enacted during the period of the authority in order to implement the proposed program.

The McKeon Amendment would not place a dollar limit on the cost of the authorized program. It would authorize the Department of Defense to submit reprogramming requests to the four congressional defense committees to fund assistance programs in support of the authority's stated purposes. Funds could be drawn from any OCO-designated Department of Defense accounts including both Operation and Maintenance and Procurement funds made available pursuant to H.J.Res. 124.

## **Definitions of Vetting Requirements**

The Administration's June and September 2014 requests for authority to provide assistance require vetting of Syrians, but do not include definitions of vetting procedures or vetting criteria.

The McKeon Amendment defines "appropriately vetted" to mean that, "at a minimum" the executive branch will conduct assessments of proposed recipients' associations with: "terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq

and the Levant (ISIL), Jabhat al Nusra, Ahrar al Sham, and other al-Qaeda related groups, and Hezbollah.”

The McKeon Amendment also requires the Administration to report to Congress on procedures and criteria for vetting at least 15 days prior to the first provision of authorized assistance. It further requires reporting every 90-days on the progress of authorized assistance, to include any changes in program operations (which presumably includes vetting procedures) and any misuse of U.S. assistance.

## Required Interagency Process

Both the Administration’s September 2014 request and the McKeon Amendment would grant authority to the Secretary of Defense to carry out authorized activities to provide assistance to vetted Syrians for the purposes stated in the respective proposals. Whereas the Administration’s request would require the *concurrence* (i.e., approval) of the Secretary of State for the use of the proposed authority, the McKeon Amendment would require the Secretary of Defense to *coordinate* with the Secretary of State in implementation and reporting to Congress, presumably a less constraining direction. However, in practice, the Secretary of Defense might seek and obtain the concurrence of the Secretary of State and other leading officials prior to the initiation of such a program, irrespective of congressional direction.

## Terms for Implementation Notification and Reporting of Oversight Information to Congress

The Administration’s September 2014 request and the McKeon Amendment differ about:

- the content of required reporting;
- responsibility for providing such reporting; and,
- the terms of such reporting, to include time intervals and recipients.

The Administration request would require the Secretary of Defense to provide the four congressional defense committees “15 days prior to initiating a program to transfer defense articles or provide defense services” a report describing “the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.”

The McKeon Amendment would require more reporting to Congress both prior to the use of any “train and equip” authority and once such authority is in use. Specifically, in addition to a *15-day advance notice* of the intended provision of authorized assistance, the McKeon Amendment would require the submission of both an implementation plan and an overarching strategy describing how the assistance program relates to other U.S. objectives and activities.

The Secretary of Defense is required to submit an implementation plan 15 days prior to providing any assistance and in coordination with the Secretary of State. In addition, the President is to submit a strategy by an unspecified date. The McKeon Amendment, presumably for so long as such authority is in use, would require progress reports every 90 days.

In the McKeon Amendment, the House and Senate Committees on Armed Services, Foreign Affairs/Relations, Intelligence, and Appropriations would receive the implementation plan, presidential strategy and progress reports.

To obtain funds DOD would have to submit (and presumably receive approval) requests to reprogram funds under both the Administration's revised request and the McKeon Amendment. DOD reprogramming must be approved in writing by the four congressional defense committees (Armed Services and Appropriations) under DOD regulations.

## **Terms Related to Authorization for the Use of Military Force**

Because the Obama Administration believes that it already has authorities for the use of force (e.g., the 2001 AUMF), it did not request that authority in Iraq or in Syria in support of its plans to degrade and destroy the Islamic State organization.

The McKeon Amendment states that nothing in its terms should be construed to constitute a statutory authorization for the introduction of U.S. Armed Forces into "hostilities" or circumstances that could be considered "hostilities" as defined pursuant to the War Powers Resolution. During the 2011 debate over the authorization of U.S. military operations in Libya, the Obama Administration argued that U.S. military operations did not constitute "hostilities" for specific reasons. Some Members of Congress disagreed with the Administration's arguments in that regard.

## **Sunset Provisions**

The Administration's September request sought authority until either the enactment of the FY2015 National Defense Authorization Act (NDAA) or September 30, 2015, whichever is first.

The authority that would be granted by the McKeon Amendment would expire on December 11, 2014 (the end date in H.J.Res. 124), or the enactment of the FY2015 NDAA, whichever is earlier. Funding would also need to be made available through another continuing resolution or final enactment of the FY2015 NDAA.

Under the Administration's language, this train and equip authority would be in effect until the enactment of the FY2015 NDAA or September 30, 2015, the end of the fiscal year. The McKeon Amendment would end the authority on December 11, 2014, the end of H.J.Res. 124, unless the enacted FY2015 NDAA includes this authority.

Related provisions in these bills and others are described in more detail in the table below.

**Table I. Comparison of Select “Train and Equip” Proposals for Vetted Syrians**

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Authority	None	Secretary of Defense with concurrence of Secretary of State authorized “to provide equipment, supplies, training, and defense services to assist vetted elements of the Syrian opposition”	None	“Notwithstanding any other provision of law,” Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized “in coordination with the Secretary of State to provide, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals”
Interagency Process	None	“The Secretary of Defense shall obtain the concurrence of the Secretary of State before providing assistance” pursuant to authority.	None.	Authority requires “concurrence” of Secretary of State.	Authority requires “concurrence” of Secretary of State.	Authority requires “concurrence” of Secretary of State.	Authority requires “coordination with the Secretary of State” in general terms and on submission of required assistance plan and required progress reports.

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Purpose	None	<p>“(1) Defending the Syrian people from attacks by the Syrian regime.</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	None	<p>“(1) Defending the Syrian people from attacks by the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Defending the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	<p>“(1) Defending the Syrian people from attacks by the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	<p>“(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant and the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria”</p>	<p>“(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Vetting Definitions	None	Defines vetted elements as “units of the Free Syrian Army and the Supreme Military Council, and other Syrian forces, groups, or individuals opposed to the Syrian regime” determined by the USG not to be U.S. designated terrorists; and who reject terrorism, support counterterrorism and nonproliferation efforts; oppose sectarian violence and revenge killings; seek “a peaceful, pluralistic, and democratic Syria that respects the human rights and fundamental freedoms of all its citizens,” and are committed to civilian rule, civilian control of the military, and the rule of law.	None	None	“the term ‘appropriately vetted’ as used in this section shall be construed to mean, at a minimum, assessments of possible recipients for associations with terrorist groups, commitment to the rule of law, opposition to sectarian violence, commitment to a peaceful and democratic Syria under civilian rule, and compliance with section 8056 of this Act.”	None	“the term ‘appropriately vetted’ means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum, assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran, Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusra, Ahrar al Sham, and other al-Qaeda related groups, and Hezbollah.”

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Conditions on Eligible Defense Articles or Services	None	None	Section 10010. None of the funds made available by this Act may be obligated or expended to transfer man-portable air defense systems (MANPADS) to any entity in Syria.	None	None	None	Requires reporting 15 days prior to transfer on plans for end-use monitoring and, inter alia, details on intended “types of training, equipment, and supplies to be provided”
Sunset Provisions	None	December 31, 2018	None	December 31, 2018	The earlier of passage of FY2015 NDAA or September 30, 2015	The earlier of passage of FY2015 NDAA or September 30, 2015.	The earlier of CR end date or passage of FY2015 NDAA.
Funding Source	NA	NA	None	OCO-designated ‘Operation and Maintenance, Counterterrorism Partnerships Fund’ proposed account	OCO-designated ‘Operation and Maintenance, Defense-wide’ Account	Any OCO-designated Department of Defense Operation and Maintenance funds made available by H.J.Res. 124 or any other act.	Authorizes reprogramming of any OCO-designated Department of Defense funds made available pursuant to H.J.Res. 124
Availability of Funds	NA	NA	None	Three-year Funding	One-year Funding	One-year Funding	Varies by Source Account

	<b>House- Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Spending Amount Limit	None	None	None	None.  Notional \$500 million figure in text accompanying Counterterrorism Partnerships Fund/Syria Regional Stabilization Initiative request.	\$500 million cap, drawn from within OCO- designated 'Operation and Maintenance, Defense-wide' Account	None	Depends on reprogrammings approved by four congressional defense committees.
Foreign Contributions	None	Authorizes acceptance of contributions from and provision of assistance to foreign governments.  Foreign contributions may be used "until expended."	None	Authorizes acceptance of contributions from and provision of assistance to foreign governments.  Foreign contributions may be used "until expended."	Authorizes acceptance of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.	Authorizes acceptance of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.	Authorizes acceptance and retention of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.  Requires contributions to be OCO-designated
BCA Exemption	None	None	None	Yes	Yes	Yes	Yes

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Statements re: Authorization for the Use of Military Force	Sec. 1254 “Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.”	None.	Section 9013: prohibits the use of funds made available by the act “with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.)”	None	Not to be “construed to constitute a specific statutory authorization” for introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances, in accordance with section 8(a)(1) of the War Powers Resolution”	None	Not to be “construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.”

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Notification Requirements	None	Requires notice of assistance provided and foreign contributions accepted to “appropriate committees of Congress” defined as Armed Services, Appropriations, and Foreign Relations/Affairs Committees.	None	None	15 days prior to initiating a program to transfer defense articles or provide defense services as authorized by this section, the Secretary of Defense shall provide the congressional defense committees with a report describing the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.	15 days prior to initiating a program to transfer defense articles or provide defense services as authorized by this section, the Secretary of Defense shall provide the congressional defense committees with a report describing the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.	15 days prior to providing authorized assistance “to vetted recipients for the first time” the Secretary of Defense “in coordination with the Secretary of State” shall submit a report describing the assistance plan, vetting requirements and procedures; and end-use monitoring plans.  Requires the President to submit a report to appropriate congressional committees and House and Senate leadership on “how such assistance fits within a larger regional strategy,” to include reporting on goals and objectives, concept of operations, roles and contributions of partners, and the number of U.S. Armed Forces personnel deployed.

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>McKeon Amendment to H.J.Res. 124</b>
Program Oversight Reporting Requirements	None	None	None	None	None	None	90 days after the submission of assistance plan by Secretary of Defense and each 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide a “progress report” to appropriate congressional committees and House and Senate leadership, to include changes in plan, groups receiving assistance, recruitment and retention, misuse or loss of equipment, and assessment of effectiveness.
Appropriate Congressional Committees Defined	None	House and Senate Committees on Armed Services, Foreign Affairs/Relations, and Appropriations	None	None	Refers to congressional defense committees	Refers to congressional defense committees	House and Senate Committees on Armed Services, Foreign Affairs/Relations, Intelligence, and Appropriations.

**Source:** Legislative Information Service, Administration requests to Congress, House Rules Committee website.

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