



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON DC 20301-1010

August 3, 2018

MEMORANDUM FOR: CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE
SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
CHIEF OF THE NATIONAL GUARD BUREAU
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE
DIRECTOR, OPERATIONAL TEST AND EVALUATION
CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE
ASSISTANT SECRETARY OF DEFENSE FOR LEGISLATIVE AFFAIRS
ASSISTANT TO THE SECRETARY OF DEFENSE FOR PUBLIC AFFAIRS
DIRECTOR, NET ASSESSMENT
DIRECTORS OF THE DEFENSE AGENCIES
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: Directive-type Memorandum (DTM)-18-005 - Authority for Support of Special Operations for Irregular Warfare (IW)

References: See Attachment 1.

Purpose. In accordance with the authority in Section 1202 of the National Defense Authorization Act for Fiscal Year (FY) 2018 (Public Law 115-91) (hereafter referred to as "Section 1202 Authority"), this DTM:

- Establishes policy guidance for the execution of, and regarding constraints within, activities under Section 1202 authority; the processes through which activities under the Section 1202 authority are to be developed, validated, and coordinated, as appropriate, with relevant entities of the U.S. Government; and the processes through which legal reviews and determinations are made to comply with the Section 1202 authority and ensure that the exercise of such authority is consistent with the national security of the United States.
- Is effective August 3, 2018; it will be converted to a new DoD instruction. This DTM will expire effective August 3, 2019.

Applicability. This DTM applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this DTM as the “DoD Components”).

Definitions. See Glossary.

Policy.

- Section 1202 Authority may be used to provide support to foreign forces, irregular forces, groups, or individuals (collectively referred to hereafter as “enabled forces”) engaged in supporting or facilitating ongoing and authorized IW operations by U.S. Special Operations Forces (USSOF).
- Funding obligated in accordance with Section 1202 Authority must directly support or facilitate USSOF IW operations.
- Section 1202 Authority may be leveraged across the range of USSOF IW operations and in accordance with DoD Directive 3000.07.
- The use of Section 1202 Authority requires the concurrence of the Chief of Mission (CoM) for each country with which the United States maintains diplomatic relations and in which support is provided or supported activities occur.
- Support provided under Section 1202 Authority should have a prescribed end-state and a concept for transition, hibernation, or termination.
- Section 1202 Authority does not constitute authorization:
 - To conduct a covert action, as that term is defined in Section 3093 of Title 50, United States Code.
 - For the introduction of U.S. Armed Forces, within the meaning of Section 5(b) of the War Powers Resolution, into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.
 - For the provision of support to regular forces, irregular forces, groups, or individuals for the conduct of operations that USSOF are not otherwise legally authorized to conduct themselves.
 - To conduct or support operations, directly or indirectly, that are inconsistent with the law of armed conflict.

Responsibilities. See Attachment 2.

Procedures. See Attachment 3.

Information Collection Requirements. None.

Releasability. Cleared for public release.

A handwritten signature in blue ink, appearing to read "Robert M. Smith". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke extending to the right.

Attachments:

As stated

ATTACHMENT 1

REFERENCES

DoD Directive 5111.10, “Assistant Secretary of Defense for Special Operations and Low Intensity Conflict (ASD(SO/LIC)),” March 22, 1995, as amended
DoD Directive 3000.07, “Irregular Warfare,” August 28, 2014, as amended
DoD Directive 5143.01, “Under Secretary of Defense for Intelligence (USD(I)), October 24, 2014, as amended
DoD Directive 5240.01, “DoD Intelligence Activities,” August 27, 2007, as amended
DoD Directive 5240.02, Counterintelligence (CI), March 17, 2015, as amended
DoD Instruction 5240.10, DoD Counterintelligence in the Combatant Commands and Other DoD Components, October 5, 2011, as amended
DoD Instruction O-5100.94, “Oversight Coordination, Assessment and Reporting of DoD Intelligence and Intelligence-Related Sensitive Activities,” September 27, 2011, as amended
Public Law 115-91, Section 1202, “National Defense Authorization Act for Fiscal Year 2018,” December 12, 2017
Sections 503(e) and 504 of the National Security Act of 1947 (50 United States Code 3093, 3094)

ATTACHMENT 2

RESPONSIBILITIES REGARDING USE OF SECTION 1202 AUTHORITY

1. UNDER SECRETARY OF DEFENSE FOR POLICY (USD(P)). The USD(P):

a. Implements policy on the use of Section 1202 Authority in consultation with OSD and DoD Component leadership as appropriate.

b. Implements Section 1202 Authority guidance on behalf of the Secretary of Defense (SecDef) and ensures that activities in accordance with Section 1202 Authority are aligned with DoD policy.

2. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS/LOW-INTENSITY CONFLICT (ASD(SO/LIC)). Under the authority, direction, and control of the USD(P), and in accordance with DoDD 5111.10, the ASD(SO/LIC):

a. Serves as the principal civilian advisor to the SecDef and the USD(P) regarding policy, capability, and operational employment of Section 1202 Authority.

b. Provides primary programmatic and policy oversight of DoD application of Section 1202 Authority.

c. Provides overall fiscal oversight and management of the use of Section 1202 Authority by the United States Special Operations Command (USSOCOM).

d. In coordination with the office of the USD(P) regional offices and the Joint Staff, reviews all proposed programs and program modification requests, coordinates with other offices, as appropriate, and submits a recommendation to the SecDef through the USD(P). Coordinating offices may, as appropriate, be under:

(1) The Under Secretary of Defense for Intelligence (USD(I)).

(2) The Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense.

(3) The General Counsel of the Department of Defense.

(4) The USD(P).

(5) The Assistant Secretary of Defense for Legislative Affairs (ASD(LA)).

e. Prepares, signs, and submits all required congressional notifications and reports required by Section 1202.

- f. Coordinates programs with other relevant U.S. Government departments and agencies.
- g. Distributes quarterly reports and annual forecasts within OSD as appropriate.
- h. Coordinates with USD(I) on any intelligence activities conducted during the conduct of programs supported with Section 1202 authority to determine best methods of fulfilling intelligence activity reporting requirements in accordance with DoDI O-5100.94.
- i. Provides primary oversight of USSOF execution of counterintelligence procedures consistent with established USD(I) policies.
- j. Ensures that all proposed concepts of operations (CONOPS) include foreign screening and vetting measures that adhere to the established USD(I) guidelines.

3. USD(I). The USD(I):

- a. Provides oversight and policy guidance for intelligence, counterintelligence, security, sensitive activities, and other intelligence-related activities for Section 1202 programs, as authorized in accordance with Section 504 of the National Security Act of 1947.
- b. Develops, coordinates, and oversees the implementation of policy for foreign screening and vetting to ensure adequate counterintelligence and insider threat protection for programs supported with Section 1202 authority.

4. ASD(LA). The ASD(LA) ensures timely delivery of all required congressional notifications and biannual reports to the congressional defense committees.

5. GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE (GC DoD). The GC DoD oversees, coordinates, and approves the legal review of any Program and associated activities to ensure compliance with applicable law.

6. CJCS. The CJCS:

- a. Serves as the principal military advisor to the SecDef for capability and operational employment of DoD forces and components supported with Section 1202 Authority.
- b. In coordination with the ASD(SO/LIC), reviews proposed programs and program modification requests for SecDef decision.
- c. In coordination with the ASD(SO/LIC), synchronizes all programs with the relevant Military Departments and Defense Agencies.

d. Transmits the SecDef's decision regarding proposed programs and program modification requests to the relevant geographic Combatant Commands.

e. In coordination with the ASD(SO/LIC), reviews the biannual reports and all congressional notifications.

7. COMMANDER, UNITED STATES SPECIAL OPERATIONS COMMAND (CDRUSSOCOM). The CDRUSSOCOM:

a. Oversees the exercise of Section 1202 Authority in support of geographic Combatant Commander (GCC) requirements.

b. Develops and promulgates specific process guidance to theater special operations commands, special operations task forces, and USSOCOM components.

c. Reviews proposed programs and program modification requests from the GCCs and provides a recommendation to the ASD(SO/LIC) and the CJCS.

d. Reviews program expense authorization document (EAD) modification requests and, when required by these procedures, provides a recommendation to the CJCS and the ASD(SO/LIC).

e. Provides the annual forecast to the ASD(SO/LIC) and the CJCS as outlined in Figure 2 below.

f. Provides quarterly reports to the ASD(SO/LIC) and the CJCS not later than 45 days after the close of each calendar quarter as outlined in Figure 1 below.

g. Provides the annual report to the ASD(SO/LIC) and the CJCS not later than 60 days after the close of each FY as outlined in Figure 1 below.

h. Establishes and maintains financial controls for the expenditure of funds pursuant to Section 1202 Authority so that total expenditures do not exceed the total Section 1202 authorization for any given FY.

i. Programs and budgets Major Force Program 11 funding to support the authorization.

j. Provides adequate training for USSOCOM personnel involved in the expenditure of funds pursuant to Section 1202 Authority.

k. Ensures accountability, during all phases of a program, of property acquired in accordance with Section 1202 Authority.

l. Obtains any necessary waivers and exceptions to policy for the transfer of significant military equipment (SME) to foreign recipients.

m. Establishes and promulgates standards for end-use monitoring for transferred defense articles under Section 1202 Authority in coordination with the Defense Security Cooperation Agency.

8. GCCs. The GCCs:

a. Provide command and control of the operational employment of DoD forces engaged in IW operations supported with Section 1202 Authority.

b. Develop proposed programs and program modification requests.

c. Coordinate proposed programs and program modification requests with the CDRUSSOCOM for submission through the Joint Staff to the SecDef for approval.

d. Obtain all COM concurrence letters, as required by these procedures, for each proposed program and program modification request.

e. Include a description of any intended communications with the host nation or host nations for each proposed program, including the groups and individuals and type of information communicated.

f. Provide input on operations, supporting activities, capabilities, and requirements regarding each program to CDRUSSOCOM in support of its preparation of reports, including, but not limited to, the annual forecast, the quarterly reports, and the biannual reports.

ATTACHMENT 3

PROCEDURES FOR THE USE OF SECTION 1202 AUTHORITY

1. GENERAL. The following are the procedures for requesting, utilizing, and reporting on the use of Section 1202 Authority.

2. ESTABLISHMENT OF A PROGRAM. This section details procedures for the establishment of a new program.
 - a. Development of a Proposed Program by a GCC. The GCC requesting to establish a program of support using Section 1202 Authority will develop a proposed program CONOPS, a proposed program EAD, and a description of end-use monitoring to be used.

 - b. COM Concurrence Requirement.
 - (1) Prior to endorsing a program proposal to the CDRUSSOCOM, GCCs must obtain written COM concurrence in the proposed program.

 - (2) The written concurrence must come from the COM for each country with which the U.S. Government maintains diplomatic relations in which support under the proposed program will be provided or operations or activities supported by the proposed program will occur.

 - (3) COM concurrence in the establishment or modification of a program will be regarded as valid unless rescinded in writing, and COM concurrence does not require revalidation for each subsequent FY.

 - (4) GCCs and CDRUSSOCOM must include in their quarterly and annual reports a statement in each "Description" paragraph that specifies each COM that concurred in a proposed program or program modification request and the date of such concurrence (see Figure 2).

 - c. Endorsement of Proposed Program by the GCC. The GCC will review, validate, endorse, and transmit proposed programs to the USD(P), the CJCS, and the CDRUSSOCOM.

 - d. Review and Endorsement of a Proposed Program by the CDRUSSOCOM. Upon receipt of the proposed program endorsed by the GCC, the CDRUSSOCOM will verify that it represents an appropriate and permissible use of Section 1202 Authority and that the total amount of support requested will not cause the Department's total use of Section 1202 Authority to exceed the annual Section 1202 Authority limit. If these conditions are satisfied, then the CDRUSSOCOM may approve the proposed program EAD, subject to the SecDef's approval of the proposed program CONOPS, and transmit the proposed program to the CJCS.

 - e. Review and Forwarding of a Proposed Program by the CJCS. Upon receipt of a proposed program from the GCC and approved EAD from the CDRUSSOCOM, the CJCS shall

review and forward the proposal to the ASD(SO/LIC) for programmatic and policy review, with the CJCS's recommendation.

f. Review and Coordination of a Proposed Program by the ASD(SO/LIC).

(1) If the ASD(SO/LIC) and the CJCS concur in the proposed program, the ASD(SO/LIC) will prepare an action memorandum seeking approval of the proposed program by the SecDef. The action memorandum will be accompanied by:

- (a) A description of the program provided by the Joint Staff.
- (b) An endorsement of the proposed program from the CDRUSSOCOM.
- (c) One or more COM concurrence letters, as may be required by these procedures.
- (d) A description of intended communications with the host nation or host nations, as appropriate.
- (e) Draft congressional notification memorandums for the congressional defense committees.

(2) The ASD(SO/LIC) will coordinate the action memorandum with the Joint Staff, the ASD(LA), the GC DoD, the appropriate USD(I) offices, and appropriate USD(P) offices. After coordination, the ASD(SO/LIC) will submit the action memorandum to the SecDef for decision. Only the SecDef may approve a program of support using Section 1202 Authority.

g. Approval by SecDef and Notification to Congress. If the SecDef approves the proposed program, then the ASD(LA) will ensure that the congressional notification is delivered to the congressional defense committees.

h. Dissemination of Notice to DoD Components. Upon confirmation that the congressional defense committees have received congressional notification, the ASD(SO/LIC) will notify the Joint Staff, and the Joint Staff will notify the CDRUSSOCOM and the supported GCCs.

i. Release of Funds. CDRUSSOCOM may release funding for the program 15 days after congressional notification has occurred and upon receipt of notification from the Joint Staff.

3. MODIFICATION OF A PROGRAM. Paragraphs 3.a. and 3.b. in this attachment detail procedures for approval of a request to modify an approved program.

a. Program Scope Modification. A GCC will submit requests to modify the scope of an approved program with a program EAD modification request (if applicable) and COM

concurrence letters to the CDRUSSOCOM for review and endorsement. Staffing and presentation to the SecDef for approval are to be conducted in accordance with Paragraphs 2.d. through 2.i. in this attachment. Only the SecDef may approve a program scope modification (see glossary).

b. Program EAD Modification.

(1) Program EAD Major Modification Request.

(a) To increase or decrease the authorized program level of a program by an amount that is equal to or greater than the lesser of \$500,000 or 10 percent of the current program EAD amount, a GCC may submit a program EAD major modification request to the CDRUSSOCOM for review, verification, and approval.

(b) Program EAD major modification requests require COM notification. The Commander of the GCC must provide documentation of COM notification to the CDRUSSOCOM as part of the program EAD major modification request.

(c) Upon receipt of an EAD major modification request, CDRUSSOCOM will verify that it represents an appropriate and permissible use of Section 1202 Authority and that the total amount of support requested will not cause the Department's total use of Section 1202 Authority to exceed the annual Section 1202 Authority limit. If these conditions are satisfied, the CDRUSSOCOM may approve the request and inform the ASD SO/LIC of the approval.

(d) The ASD SO/LIC will prepare, sign, and submit notification to the congressional defense committees.

(e) The CDRUSSOCOM may implement the EAD modification no earlier than 15 days after notification to the congressional defense committees is complete.

(2) Program EAD Minor Modification Request.

(a) To increase or decrease the authorized program EAD funding level of a program by an amount that is less than the lesser of \$500,000 or 10 percent of the EAD amount most recently notified to Congress, a GCC may submit a program EAD minor modification request to the CDRUSSOCOM for review, verification, and approval.

(b) The CDRUSSOCOM may approve the program EAD minor modification request only after verifying that the aggregate amount of funding forecast by the CDRUSSOCOM to fund all program requirements will not exceed the Section 1202 authorization for the FY if the request is approved.

(c) The CDRUSSOCOM may implement the program EAD minor modification immediately after the request is approved and the ASD(SO/LIC) and the CJCS are notified.

4. REPORTING REQUIREMENTS

a. CDRUSSOCOM.

(1) Quarterly and Annual Reports. The CDRUSSOCOM will submit quarterly and annual reports to the ASD(SO/LIC) and the CJCS that summarize activities pursuant to Section 1202 Authority. The quarterly report for the first three quarters of each FY is due 45 days after the close of each quarter; the annual report is due 60 days after the close of the FY. Quarterly and annual report formats, including required elements of information, are illustrated in Figure 1.

(2) Annual Forecast. No later than 6 weeks prior to the start of each new FY, the CDRUSSOCOM will prepare and submit to the ASD(SO/LIC) for dissemination to the congressional defense committees a forecast for the use of Section 1202 Authority, using Figure 2. The annual forecast will identify year-to-year adjustments of funding levels for each program. The CDRUSSOCOM will identify program EAD modifications to prior-year program EADs when submitting the annual forecast and will include the type of support provided or to be provided to USSOF or the enabled force and the level of funding used to provide support.

b. ASD(SO/LIC). The ASD (SO/LIC) will submit a report for the preceding FY (the prior year report) and a report for the current year (the current-year report) to the congressional defense committees as required by Section 1202. The USSOCOM annual report will be used as input for the prior-year report, and the USSOCOM quarterly reports will be used as input for the current-year report. The prior-year report must be submitted to the congressional defense committees by the ASD(LA) not later than 120 days after the close of each FY. The current-year report must be submitted not later than 180 days thereafter. Each report must include the following information:

- (1) A description of programs by country.
- (2) A summary of program operations.
- (3) The type of enabled forces that received support, identified by authorized category (foreign forces, irregular forces, groups, or individuals).
- (4) The total amount obligated for all programs in the previous FY, including budget details.
- (5) The historical total obligated for all programs in prior FYs.
- (6) The intended duration of support for each program.
- (7) A description of support or training provided to the enabled forces in each program.

(8) An assessment of the program's support to country plans and theater campaign objectives.

(9) Any program CONOPS modifications.

(10) Any program EAD modifications.

5. TRANSFER OF DEFENSE ARTICLES

a. Temporary and permanent transfers of all defense articles to foreign recipients under Section 1202 Authority will be executed in a planned, deliberate manner that takes into account the threat environment and the ability and willingness of the enabled forces to secure and protect the defense articles properly. Any transfer must be conducted in coordination with the respective country team and relevant U.S. government departments and agencies.

b. During the initial recruiting, vetting, and pre-mission training phases of a program, transfers of SME should be temporary, with USSOF maintaining positive control of weapons, ammunition, and SME to the extent possible.

c. During the operational phase, USSOCOM may approve the temporary transfer of SME for the duration of the operational phase of the program when required for mission success and when it is feasible for USSOCOM or USSOF to maintain proper accountability.

d. When the operational phase is terminated, USSOCOM should seek to regain possession of the SME. The permanent transfer of SME should be the exception and must be coordinated with the Defense Technology Security Administration, the Defense Security Cooperation Agency, other U.S. Government departments and agencies as appropriate, and respective country teams. The CDRUSSOCOM must approve permanent transfers and notify the ASD(SO/LIC). Required information regarding the SME should be entered into applicable material-tracking databases, and responsibility for any end-use-monitoring should be prescribed clearly.

6. COUNTERINTELLIGENCE

a. All counterintelligence activities in support of Section 1202 Authority, whether conducted within or directly affecting a GCC, will be conducted in accordance with DoDD 5240.02.

b. Proposed program CONOPS and Program CONOPS modification requests will contain an assessment of foreign intelligence entity threats to the proposed activities in accordance with DoDI 5240.10.

7. SCREENING AND VETTING:

a. Proposed program CONOPS and program CONOPS modification requests will contain a description of the screening measures that USSOF will apply, as feasible, prior to and during the conduct of operations and activities executed in support of the proposed program.

b. Executing units may apply additional screening measures, based on the level of training, technology, and information accessible to foreign personnel.

Figure 1. Annual or Quarterly Report

ANNUAL or QUARTERLY REPORT

U.S. Special Operations Command Section 1202 Authority FY _____ Report (U)

____ Quarter (If quarterly report)

The following paragraphs provide details on the provisions of support in FY ____ by the Department of Defense authorized by Section 1202 of the NDAA for FY 2018 (Public Law 115-91).

(* Executive Summary: Under the authority of Section 1202, the Department of Defense conducted ____ operations through the __ quarter of (if quarterly report) FY ____ with a total obligation of \$____. (Add additional language as needed.)

Operation "X"	Location + SOC	Purpose	Current FY Funding (\$)	Total Funding (including Prior Years) (\$)
Total				

Name of Country

(* Operation "X": (Name the operation, the supported Combatant Command, and the executing unit.)

a. (*) Description of U.S. Special Operations Forces (USSOF) Operation: Provides a detailed description of the supported USSOF operation and the support that recipients of Section 1202 Authority are expected to provide to the operation. Include in this paragraph the date COM concurrence was obtained and the date the program was initiated and terminated, as appropriate. The Office of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict (OASD(SO/LIC)) will add the date the program was approved by the Secretary of Defense and the date Congress was notified.)

b. (*) Summary of Operations: (Summary of the operation or activity-who, what, when, where, why – by enabled forces and the significance of those operations and activities to the supported USSOF operation.)

c. (*) Enabled forces, identified by authorized category: List foreign forces, irregular forces, groups, or individuals, or a combination of them, and provide a description of why this enabled force was selected.

Figure 1. Annual or Quarterly Report, Continued

d. (*) Budget Details: Use the following chart to provide budget details. Explain any program EAD modification in the quarter in subparagraph “i” below.

OPERATION X	1st Quarter	2nd Quarter	3rd Quarter
Payments to:			
Individuals/Groups			
Personnel Support			
Operating Support			
Transportation			
Sensitive Items List			
Total			

Include all sensitive items and the quantity that were required and used. (Sensitive items will not be listed in the annual report to Congress; they are for internal OSD(SO/LIC) use only.)

Sensitive Items	Quantity

e. (*) Intended Duration of Support: Address the concept for transition and termination and an estimated timeline.

f. (*) Support or Training Provided: Identify who provided training (i.e. USSOF) and address any use of contractors to provide support. (Support includes: equipment/material required/used; training accomplished; payments to individuals/groups; logistical support required/used; including sensitive items)

g. (*) Assessment: Clear description of how the operations and activities of enabled forces contributed to ongoing USSOF IW operations, campaign objectives, and theater objectives

h. (*) Program CONOPS Modifications, Prior FY: Explain the details of any change in the scope of a program. If none, list none.

i. (*) Program EAD Modifications: Explain all EAD increases or decreases in funding for the operation in the prior FY. If none, list none.

*Classification: Report may be classified up to SECRET//NO FOREIGN//ACCM (XX) level to permit a sufficient level of detail.

Figure 2. FY XX Annual Forecast

United States Special Operations Command Section 1202 Authority FY Annual Forecast (U)

OPERATION XX	Previous FY Funding (\$)	Current FY Funding (\$)	Forecasted Change (\$)	Explanation for Forecasted Change
Payments to:				
Individuals/Groups				
Personnel Support				
Operating Support				
Transportation				
Sensitive Items List				
Individuals/Groups				
Total				

a. (*) Operation "X": (Name the operation, the supported Combatant Command, and the executing unit.)

i. (*) Previous FY Funding.

ii. (*) Current FY Funding.

iii. (*) Forecasted Change: If none, list none.

iv. (*) Explanation for Forecasted Change: Explain all potential increases or decreases in funding. If none, list none.

*Classification: Report may be classified up to SECRET//NO FOREIGN//ACCM (XX) level to permit a sufficient level of detail.

GLOSSARYPART I. ABBREVIATIONS AND ACRONYMS

ASD(LA)	Assistant Secretary of Defense for Legislative Affairs
ASD(SO/LIC)	Assistant Secretary of Defense for Special Operations/Low-Intensity Conflict
CDRUSSOCOM	Commander, United States Special Operations Command
CJCS	Chairman of the Joint Chiefs of Staff
CoM	Chief of Mission
CONOPS	concept of operation
DTM	Directive-type memorandum
EAD	expense authorization document
FY	fiscal year
GC DoD	General Counsel of the Department of Defense
GCC	geographic Combatant Commander
IW	irregular warfare
SecDef	Secretary of Defense
SME	significant military equipment
USD(I)	Under Secretary of Defense for Intelligence
USD(P)	Under Secretary of Defense for Policy
USSOCOM	United States Special Operations Command
USSOF	U.S. Special Operations Forces

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this DTM.

annual forecast. A projection of the use of Section 1202 Authority for the fiscal year, prepared by the CDRUSSOCOM and submitted to the ASD(SO/LIC) no later than 6 weeks prior to the start of the fiscal year.

annual report. A report prepared by the CDRUSSOCOM and submitted to the ASD(SO/LIC) 60 days after the end of each fiscal year that summarizes all activity funded by Section 1202 Authority.

COM. The principal officer in charge of a diplomatic facility of the United States, including any individual temporarily assigned to be in charge of such a facility.

COM concurrence letter. A letter from a COM stating that the COM supports the program, which must be included in all proposed programs and program modification requests.

congressional defense committees. Senate Armed Services Committee and Appropriations Subcommittee for Defense; House Armed Services Committee and Appropriations Subcommittee for Defense.

congressional notification. Written notice to the congressional defense committees regarding the approval by the SecDef of a proposed program or a program modification request.

current-year report. A report based upon quarterly reports received from CDRUSSOCOM that summarizes support provided under Section 1202 Authority during the first half of the current fiscal year, required by Section 1202, which must be delivered to the congressional defense committees not later than 180 days after the submission of the prior year report.

enabled forces. Foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing and authorized IW operations by USSOF.

IW. Defined in the National Defense Authorization Act for FY 2018.

prior-year report. A report based upon the annual report prepared by CDRUSSOCOM that summarizes support provided under Section 1202 Authority during the previous fiscal year, required by Section 1202, which must be delivered to the congressional defense committees not later than 120 days after the close of each fiscal year.

program. A singular named package, consisting of a Program CONOPS and a program EAD, that has been established to provide support, utilizing Section 1202 Authority, to select enabled forces in a named country or countries in order to achieve specified effects in furtherance of identified USSOF IW operations.

program CONOPS. A proposed program CONOPS or program CONOPS modification request that has been approved by the SecDef.

program EAD. A proposed program EAD or program EAD modification request that has been approved by the SecDef.

program EAD major modification. An increase or decrease of the program EAD funding level by an amount that is equal to or greater than the lesser of \$500,000 or 10 percent of the current funding level. The relevant increase or decrease is measured from the amount of support stated within the most recent congressional notification provided to the congressional defense committees for the program request.

program EAD major modification request. A request for a program EAD major modification. One or more COM concurrence letters, as applicable, must be obtained in support of the request, and the modification must be approved by the SecDef and congressional notification must be provided.

program EAD minor modification. An increase or decrease of the program EAD funding level by an amount that is less than the lesser of \$500,000 or 10 percent of the funding level stated within the most recent congressional notification provided to the congressional defense committees for the program request.

program EAD minor modification request. A request for a program EAD minor modification. A COM concurrence letter is not required to support the request.

program EAD modification request. A program EAD major modification request or a program EAD minor modification request.

program modification request. A request by the GCC for the approval of modifications to the scope or funding level of an existing and ongoing program. The content of a request is dictated by the intent of the GCC, and is limited to one of the following packages:

A program CONOPS modification request and one or more COM concurrence letters.

A program CONOPS modification request, a program EAD modification request, and one or more COM concurrence letters.

A program EAD major modification request and one or more COM concurrence letters.

A program EAD minor modification request.

program scope modification request. A request to modify the scope of an existing and ongoing program to a degree that requires approval by the SecDef and notification to the congressional defense committees. Specific examples of changes to the scope of a program CONOPS that would require the approval of the SecDef and notification to the congressional defense committees include, but are not limited to: expanding the operation to include a different country or countries; transferring significant military equipment to an enabled force if such transfer was not previously approved by SecDef; changing the type of enabled forces to be supported (e.g., foreign national forces vs. irregular forces); or changing or expanding the operational authorities under which the program is being conducted (e.g., a change from one execute order to another or the inclusion of a new execute order). One or more COM concurrence letters, as applicable, must be obtained in support of the request. The request must be approved by SecDef, and congressional notification must be provided.

proposed program. A proposal from the GCC for the approval of a new program that consists of a proposed program CONOPS, a proposed program EAD, and one or more COM concurrence letters.

proposed program CONOPS. A proposed concept of operations for a new program that must include:

A description of the supported on-going IW operations by USSOF.

The type of support that the enabled forces will provide to USSOF.

The type of support provided or to be provided to the enabled forces.

An assessment of foreign intelligence entity threats to the proposed operations.

A description of the operational screening measures that USSOF will apply, as feasible, prior to and during the conduct of operations and activities executed in support of the proposed program

proposed program EAD. A proposed expense authorization document for a new program that identifies the purpose of support, the recipient of support, and the supported USSOF unit; and that describes the fiscal and material support to be provided under Section 1202 Authority.

quarterly report. A report prepared by USSOCOM and submitted to the ASD(SO/LIC) 45 days after the end of each quarter that summarizes all activity funded by Section 1202 Authority.