SEC. 1020. PILOT PROGRAM TO PROVIDE INCREMENTAL SUPPORT TO NONGOVERNMENTAL ORGANIZATIONS PARTICIPATING IN HUMANITARIAN AND CIVIC ASSISTANCE ACTIVITIES IN THE AREA OF OPERATIONS OF UNITED STATES SOUTHERN COMMAND.

(a) PILOT PROGRAM.—During fiscal years 2012 and 2013, the Secretary of Defense may use funds available for operation and maintenance to provide incremental support to nongovernmental organizations participating with the Armed Forces in humanitarian and civic assistance activities in the area of operations of the United States Southern Command under section 401 of title 10, United States Code, when providing such support is anticipated to add to the effectiveness of the Armed Forces in conducting the humanitarian and civic assistance activities or to add to the operational readiness skill levels of members of the Armed Forces participating in the humanitarian and civic assistance activities.

(b) LIMITATION.—The amount of funds obligated under this section may not exceed $500,000 during fiscal year 2012 and $600,000 during fiscal year 2013.

(c) AUTHORIZED EXPENSES.—Support provided to a nongovernmental organization under subsection (a) may include expenses for the reasonable and proper cost of lodging, subsistence, and transportation incurred by the nongovernmental organization as a direct result of that organization's participation in humanitarian and civic assistance activities, but may not include pay, allowances, and other administrative costs of such organization.

(d) INDEPENDENT STUDY REQUIRED.—

(1) SELECTION OF INDEPENDENT STUDY ORGANIZATION.—No later than September 30, 2013, the Commander of the United Stated Southern Command shall select and enter

into an agreement with an appropriate, independent, nonprofit organization to conduct a study of the matters described in paragraph (3).

(2) QUALIFICATIONS OF ORGANIZATION SELECTED.—The organization selected shall be qualified on the basis of having relevant expertise in the provision of international humanitarian assistance and the coordination between Federal agencies and nongovernmental organizations in providing humanitarian assistance, and on the basis of other criteria the Commander of the United States Southern Command may determine.

(3) MATTERS TO BE COVERED.—The study required by paragraph (1) shall be completed no later than March 31, 2014. The study shall include assessments and descriptions of—

(A) how the pilot authority under subsection (a) was used;

(B) the impact of the use of the authority on the provision of humanitarian assistance by United States Southern Command under section 401 of title 10, United States Code;

(C) the impact of the use of the authority on the number of military personnel staffing each humanitarian operation implemented by United States Southern Command under section 401 of title 10, United States Code;

(D) the type of training provided to the nongovernmental organization personnel whose participation in humanitarian operations was supported by the use of the authority; and

(E) a description for each humanitarian operation implemented by United States Southern Command under section 401 of title 10, United States Code, and

supported by the use of the authority, including, for each such operation, the following:

(i) The purpose of the operation.

(ii) The dates of the operation.

(iii) The location of the operation.

(iv) The number of military personnel supporting the operation, shown by component.

(v) The names of the nongovernmental organizations that were funded to provide assistance with the operation.

(vi) The number of nongovernmental organization personnel provided by each nongovernmental organization supported using this authority.

(vii) What support each nongovernmental organization provided to the operation.

(viii) The amount spent to support each nongovernmental organization staff member, listed by type of support (including air transportation, bus transportation, lodging, and food).

Section-by-Section Analysis

This proposal would create a two-year pilot program under which the Secretary of Defense could fund the incremental lodging, subsistence, and transportation costs of nongovernmental organizations (NGOs) that participate in United States Southern Command (USSOUTHCOM) humanitarian and civic assistance activities (such as Continuing Promise, Beyond the Horizon, New Horizons, and stand-alone Medical Readiness Training Exercises). The pilot program would be a test case for the program's viability, with funding caps of $500,000 in fiscal year (FY) 2012 and $600,000 in FY 2013. Depending on the results of an assessment of how the pilot authority was used in these two fiscal years, the initiative could be expanded to other combatant commands. The legislative proposal would provide authority for the USSOUTHCOM initiative in the short term and provide the groundwork to support the

integration of important NGOs capabilities across the combatant commands' exercises and missions in the long term in the best interest of overall Department of Defense (DoD) mission accomplishment.

Section 401 of title 10, United States Code, allows the Department of Defense to carry out humanitarian and civic assistance activities in conjunction with authorized military operations of the armed forces in a country if the activities promote the security interests of both the United States and the country in which the activities are to be carried out and promote the specific operational readiness skills of the members of the armed forces who participate in the activities. This proposal would permit the Commander, USSOUTHCOM, to use operation and maintenance (O&M) funds to pay the incremental expenses of nongovernmental organizations that directly participate in and contribute to DoD humanitarian and civic assistance activities.

Humanitarian and civic assistance (HCA) missions are carried out globally by the DoD and frequently may include partnership with other organizations such as NGOs, private volunteer organizations (PVOs), and international organizations (IOs) (referred to in the proposal as nongovernmental organizations) working in the same area. Partnering with NGOs, PVOs, and IOs greatly enhances the level, capacity, and specialization of services that can be provided and broadens the extent of the training available to the service members on the exercise. This proposal allows DoD to utilize that capacity more strategically and to maximize the effectiveness of HCA operations.

DoD Instruction (DoDI) 3000.05 of September 16, 2009 ("Stability Operations") provides that DoD shall "[c]ollaborate with other U.S. Government agencies and…nongovernmental organizations, and private sector firms as appropriate to plan, prepare for, and conduct stability operations." In addition, DoDI 6000.16 of May 17, 2010 ("Military Health Support for Stability Operations") states that "MSOs [Medical Stability Operations] are a core U.S. military mission that the DoD Military Health System (MHS) shall be prepared to conduct throughout all phases of conflict and across the range of military operations, including in combat and non-combat environments. MSOs shall be given priority comparable to combat operations …." DoDI 6000.16 further provides that the commanders of the geographic combatant commands shall "[e]ngage relevant U.S. Government departments and agencies, foreign governments and security forces, IOs, NGOs, and members of the Private Sector in MSO planning, training, and exercising, as appropriate …." The ability to fund the incremental costs of NGO participation in HCA activities enables DoD to prepare more effectively for its core stability operations mission and the specific MSO mission.

Thus, the flexibility to use DoD funds to support nongovernmental organizations' incremental costs of participation in HCA and stability operations missions supports and enhances DoD's ability to train its forces while also providing humanitarian and civic assistance to underserved areas of the world. Without this flexibility, the number of NGOs, PVOs, and IOs, as well as their level of participation and the amount of time they can participate, will be restricted.

In 2009, military personnel assigned to the Continuing Promise 2009 (CP09) mission were not able to staff the optimal number of operating rooms on the USNS COMFORT—i.e.,

four of ten fully operating rooms were considered the minimum number, and six of ten being the optimal number of rooms for the anticipated workload. Without the NGO personnel augmentation, only two to three operating rooms would have been fully operational; with NGO personnel augmentation, four to six operating rooms were operational, which increased the number of surgeries by 30 percent relative to the previous USNS COMFORT deployment. The significant performance increase was provided at minimal cost to the government.

Budget Implications: There are cost implications associated with this proposal. The proposal would clarify the authority to use available appropriated O&M funds to pay for the enumerated incremental expenses of NGO personnel participating in HCA-related DoD missions, exercises, and training. The NGO personnel would be lodged and fed to the same standards as the exercise's/mission's military personnel regardless of whether the conditions are those of a bivouac, a hotel co-located with the mission site, or a Navy ship. This proposal would not lead to an increase in combatant command or military department budgets as the cost estimate is only for USSOUTHCOM participation during fiscal years 2012-2013 and the initiative would be funded from within the existing USSOUTHCOM J9 Partnering Directorate budget. Funding would be up to $500,000 in FY 2012 and $600,000 in FY 2013. See the table below for detailed information.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2012	**FY 2013**	**FY 2014**	**FY 2015**	**FY 2016**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
	$0.5	$0.6	N/A	N/A	N/A	O&M Army	01: Operating Forces	Joint Defense Activities, 2020 A 138 215: Mission Support

Changes to Existing Law: This proposal would not make any changes to existing law.