SEC. ___. TRAINING WITH SECURITY FORCES OF FRIENDLY FOREIGN COUNTRIES.

(a) IN GENERAL.—

(1) AUTHORITY.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2011 the following new section:

"§ 2011a. General purpose forces: training with friendly foreign forces

"(a) AUTHORITY.—Under regulations prescribed pursuant to subsection (d), the armed forces and Department of Defense civilian employees may train with the military forces or other security forces of a friendly foreign country in order to prepare the armed forces to train the military forces or other security forces, and supporting institutions, of a friendly foreign country. Training activities may be carried out under this section only with the prior approval of the Secretary of Defense and with the concurrence of the Secretary of State.

"(b) AUTHORITY TO PAY EXPENSES.—The Secretary of a military department or commander of a combatant command may pay, or authorize payment for, the incremental expenses incurred by a friendly foreign country as the direct result of training with Department of Defense personnel pursuant to this section.

"(c) PURPOSE OF TRAINING.—The primary purpose of the training authorized under subsection (a) shall be to train the general purpose forces of a military department or general purpose forces available to the commander of a combatant command in order to—

"(1) develop and maintain necessary advise and assist training skills; or

"(2) prepare such forces for the provision of defense services or other assistance under any provision of law.

"(d) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section. Such regulations shall establish accounting procedures to ensure that the expenditures pursuant to this section are appropriate.

"(e) DEFINITIONS.—In this section:

"(1) The term 'incremental expenses', with respect to a friendly foreign country, means the reasonable and proper costs of rations, fuel, training ammunition, and transportation, and other goods and services consumed by such country as a direct result of that country's participation in training events authorized under this section. Such term does not include pay, allowances, and other normal costs of such country's personnel.

"(2) The term 'other security forces' includes national security forces that conduct border and maritime security, internal security, and counterterrorism operations, but does not include civilian police.".

"(f) LIMITATION.—Not more than $10,000,000 may be used in any fiscal year to pay for the incremental expenses of the military forces or other security forces of a friendly foreign country to train with Department of Defense personnel pursuant to this section.

"(g) EXPIRATION.—The authority under this section may not be exercised after September 30, 2018.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2011 the following new item:

"2011a. General purpose forces: training with friendly foreign forces.".

(b) BUDGET PROPOSALS.—Section 166(c) of such title is amended—

(1) by striking "SOF" in the subsection heading; and

(2) by inserting "or 2011a" after "section 2011".

Section-by-Section Analysis

This proposal would expand existing authority with respect to training with foreign forces. Currently, only Special Operations Forces (SOF) have authority for such training. The proposal would specify within title 10, United States Code, authorities for the Department of Defense (DoD) also to ensure the readiness of conventional U.S. Armed Forces (also referred to as "general purpose forces") to deliver effective assistance to partner security forces when and if required to do so. Specifically, the proposal would authorize the Secretary of Defense, with the concurrence of the Secretary of State, to conduct training, preparation to train, and participation in training of U.S. forces available to a military department or combatant command and friendly foreign countries in order to prepare U.S. forces to train, advise, and assist the military forces and other security forces, and supporting institutions, of a friendly country and to pay the expenses during such training events of the participating forces of friendly foreign countries. The change to title 10 is required because there is currently no authority for conventional U.S. Armed Forces to prepare and train for train, advise, and assist missions with foreign forces nor for funding the cost of this training in support of broad strategic goals and objectives of the U.S. Government.

The exchanges would be conducted primarily to benefit U.S. forces by preparing them for future delivery of defense services and security force assistance missions under other provisions of existing law in support of U.S. Government national security objectives. During peacetime, DoD frequently delivers defense services to foreign partners on behalf of the Secretary of State through traditional security assistance programs like the Foreign Military Financing (FMF) program. During conflict, DoD is often granted special temporary authority to provide direct security assistance to the country in which the conflict is taking place. Conducting preparatory training with foreign forces would improve the readiness of U.S. Armed Forces to deliver assistance in both situations.

All training activities conducted with foreign security forces under the proposed new section of title 10, U.S. Code, would require the concurrence of the Secretary of State for the countries and units with whom DoD would conduct readiness training. Coordination with the Department of State would include the Chiefs of Mission of the countries in which the readiness training will take place in and through current approval processes for security cooperation events such as joint training exercises and military-to-military exchanges authorized under title 10 or as required by other provisions of law. All activities involving foreign security forces would be coordinated for "Leahy vetting" and other requirements similar to the process for Joint and Combined Exchanges for Training.

In connection with the conflicts in Afghanistan and in Iraq, the general purpose forces (GPF) of the United States have developed considerable skills training, advising, and assisting the security forces of friendly foreign countries. Historically, SOF have conducted the majority of DoD activities to train, equip, advise, and assist international security forces. However, the limited availability of SOF for the fundamental role of building partner nation capability and capacities, counterdrug support to foreign forces (as authorized in section 1004 of P.L. 101-510 (10 U.S.C. 374 note), section 1021 of P.L. 108-375, and 1033 of P.L. 105-85), and Cooperative Threat Reduction under section 1501 of the FY 1997 NDAA requires DoD to build upon and

expand the existing capabilities and capacities of its GPF to conduct these missions as well as security force assistance.

It is the Administration's view that this is a skill that these forces will need in connection both with future conflicts and with the avoidance of future conflicts. The January 2012 Defense Strategic Defense Guidance, *Sustaining U.S. Global Leadership: Priorities for 21st Century Defense,* signed by the President, states that "building partnership capacity elsewhere in the world also remains important for sharing the costs and responsibilities of global leadership …. *Whenever possible, we will develop innovative, low-cost, and small-footprint approaches to achieve our security objectives,* relying on exercises, rotational presence, and advisory capabilities." (emphasis added)

The ability to train for advise and assist, and security force assistance missions directly supports the readiness requirements of DoD's general purpose forces. Security force assistance -- the DoD activities that contribute to unified action by the U.S. government to support the development of the capacity and capability of foreign security forces and their supporting institutions (see DoDI, 5000.68, Security Force Assistance) -- is a contingency and wartime mission for GPF. Just as with other DoD missions, these skills must be practiced in peacetime, before conflicts arise, in order to prepare GPF for success. Currently, the GPF may only conduct advise and assist training under special regional or country-specific authorities (e.g., Iraq Security Forces Fund, Afghanistan Security Forces Fund), or through security assistance programs. In regions or countries without special authorities, GPF "training" opportunities with foreign security forces or supporting institutions are limited to participation in combined exercises with foreign military forces. Such exercises are conducted solely to promote interoperability between U.S. and foreign forces, and do not enable U.S. forces to develop or maintain train, advise, and assist skills. Further limiting exchange training to only foreign military forces does not provide U.S. forces the opportunity to develop fully the train, advise, and assist skills necessary for security assistance programs and security force assistance missions that may include non-military or paramilitary foreign forces.

Training readiness of DoD forces also includes DoD civilians. Security force assistance and the provision of defense services is not limited to only uniformed DoD personnel. Technical training missions, in particular, are often performed by DoD civilians who have extensive knowledge of the systems provided to friendly countries. In addition, service and ministerial level institutional advise and assist missions have a significant civilian component. Preparing and training these DoD civilians beforehand in the necessary advise and assist skills directly contributes to the overall readiness of DoD and mission success.

Expansion of forces eligible for training exchanges beyond traditional military forces of friendly foreign countries to "other security forces" is consistent with the recent actual requirements of the general purpose forces' experience in both Iraq and Afghanistan. Our past experience in not only Iraq and Afghanistan, but also in Panama, Haiti, Bosnia, Kosovo, and other countries has shown the importance of training, advising, and assisting the full spectrum of national security forces and supporting institutions, including border, maritime, internal, and counterterrorism forces. It is anticipated that GPF participating in future conflicts will be called upon again to train, advise, and assist these "other security forces" just as they have in the past.

While ultimately successful, these previous efforts were hampered by long preparatory periods as the GPF "trained up" to assume advise and assist and security force assistance missions. In Iraq, for example, it was almost a full year from the end of major combat operations before the GPF fielded specially organized "transition teams" with the requisite skills to conduct "advise and assist" missions. Moreover, the 2011 report of the Government Accountability Office (GAO) titled, "Iraq and Afghanistan: Actions Needed to Enhance the Ability of Army Brigades to Support the Advising Mission," noted that security force assistance is a core mission of the U.S. Army and the importance of preparatory training for advisors. To correct the shortfalls noted in the 2011 GAO Report, the Army has developed a Security Force Assistance Brigade Combat Team (SFA BCT) concept. In Afghanistan, the Army and Marine Corps have just recently fielded specially trained Security Force Assistance Teams that have extensive CONUS-based train up periods using role players to replicate the in country experience. However, role players are a sub-optimal substitute for the experience gained from an in country training event with actual partner nation security forces. The authority to train for these missions in advance will better prepare GPF to more quickly transition to "advise and assist" or security force assistance missions for future success.

There also are no existing provisions for GPF to develop and maintain appropriate train, advise, and assist skills nor to prepare, in advance, for delivery of defense services and security assistance. Moreover, as a range of security force assistance missions from tactical to institutional support are increasingly executed by the GPF, DoD needs the ability for its conventional forces to prepare for these missions through training evolutions with foreign security forces. These training evolutions would include not only tactical-level but also institutional-level advise-and-assist training for U.S. forces. By training in partner nations with friendly foreign forces, U.S. forces will be better prepared with the necessary skills to conduct a variety of train, advise, and assist missions.

The Secretary of Defense would have responsibility for oversight, management, and administration of activities pursuant to the provisions of this authority through promulgation of appropriate regulations and instructions. This authority is similar to other provisions of law that allows the Secretary of Defense to pay the incremental expenses incurred by the country with which U.S. forces are training as a direct result of such training. We have chosen specifically not to limit country eligibility to "developing" countries so as not to preclude important partner nations (e.g., current and former NATO Partnership for Peace countries) from participating in these important exchanges. This is consistent with other authorities, such as the Coalition Support Fund, that allows payments for other than "developing" countries where the greater benefit is to U.S. forces and to our national security objectives.

Section 166 of title 10 currently provides that the Secretary of Defense shall include in the annual budget submission a separate budget proposal for "force training" for each of the combatant commands. Funding for implementation of the new authority proposed by this proposal would be included in this section of the annual DoD budget. In addition, section 166(c) provides that a funding proposal for force training under section 166(b)(2) may include amounts for training expense payments authorized in section 2011 of title 10. This proposal would amend

section 166(c) so funding proposals may include amounts for force training authorized by the proposed new section 2011a.

Section 166a of title 10 provides that the funds made available in any fiscal year for the Combatant Commander Initiative Fund may be used for (1) force training, (2) joint exercises (including activities of participating foreign countries), (3) military education and training to military and related civilian personnel of foreign countries (including transportation, translation, and administrative expenses), and (4**)** joint warfighting capabilities. Funding for implementation of proposed new section 2011a would be included in this section of the annual DoD budget.

Budget Implications: This proposal is cost neutral because it is not intended to increase the amount appropriated annually for comparable activities. Military departments and combatant commands would fund these activities within limits of annually appropriated funding and provisions of 10 U.S.C. 166a. Navy has no objections to the legislative proposal, but the proposal was not vetted in a timely manner during the programming/budget process and, therefore, the Navy has no funding in their FY 2014 Budget submission. As of March 11, 2013, Navy also does not currently intend to POM for the proposal in FY 2015.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2014	**FY 2015**	**FY 2016**	**FY 2017**	**FY 2018**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
Army	1.0	1.0	1.5	1.5	2.0	Operation & Maintenance, Army	04	442
Air Force	0.4	0.4	0.5	0.5	0.6	Operation & Maintenance, Air Force	02	021A
Navy	0.0	0.0	0.0	0.0	0.0	Operations & Maintenance, Navy		
Total	1.4	1.4	2.0	2.0	2.6	--	--	--

Changes to Existing Law: This proposal would be add a new section 2011a to title 10, United States Code. The text of the new section is set forth in full above.