SEC. 1212. EXTENSION OF AUTHORITIES RELATING TO PROGRAM TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

Section 1206(g) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456), as most recently amended by section 1204(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81; 125 Stat. 1622), is further amended—

(1) by striking "September 30, 2013" and inserting "September 30, 2014"; and

(2) by striking "fiscal years 2006 through 2013" and inserting "fiscal years 2006 through 2014".

Section-by-Section Analysis

This proposal would extend the authority of the Secretary of Defense, with the concurrence of the Secretary of State, to direct programs to build the capacity of foreign forces to conduct counterterrorism and stability operations through Fiscal Year 2014. This authority (referred to as "Section 1206") was first provided under section 1206 of the National Defense Authorization Act for Fiscal Year 2006, extended and expanded in section 1206 of the John Warner National Defense Authorization Act for Fiscal Year 2007, extended and expanded again in section 1206 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009, amended again in section 1206 of the National Defense Authorization Act for Fiscal Year 2010, and extended in section 1207 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 and again in section 1204 of the National Defense Authorization Act for Fiscal Year 2012.

The Geographic Combatant Commanders (GCC) cite Section 1206 as their most important tool in the field to build partner capacity. Accordingly, demand has consistently outstripped the size of the current authority. Since 2006, GCCs have submitted on average more than $700 million per year in train-and-equip proposals.

Additionally, the authority to use Section 1206 funds for training and equipping coalition forces for participation in military and stability operations alongside U.S. forces, especially in Afghanistan, is a critical need. Many partner nations are willing to deploy, but lack the capacity to do so. DoD assumes increased military risk and potential exposure when properly trained and equipped forces are absent. Building the capacity of these forces is critical to reducing stress on U.S. forces, both for the new mandate to build coalition capacity in Afghanistan, and around the world. Creating these capabilities in key partners through measured investments represents pennies on the dollar when compared to the fixed cost and commitment, both fiscal and institutional, associated with the deployment of additional U.S. forces and equipment.

Extension of this authority would also facilitate the support and continued development of partner forces, including special operations forces, to deploy to current operations in Afghanistan and other potential military and stability operations in the future. It is the Administration's view that the demand for skills unique to special operations forces will continue to increase in an era when the joint force is likely to engage adversaries who use both conventional and irregular methods of warfare. At this point, however, there are simply not enough of those forces to meet current or projected future requirements, and the United States, although clearly the world leader, is at its capacity in this regard. It is also in our interest to build the capability of coalition special operations forces for today's conflicts in such a way that these forces can retain these skills, generating a self-sustaining capability that is interoperable with U.S. forces so we can count on them as interoperable and prepared to contribute to future coalition operations past their initial rotations.

This proposal would extend the expiration of the Section 1206 authority to provide the Combatant Commands and the Country Teams stability and predictability for mid-term contingency planning. As the Departments of Defense and State call upon Combatant Commands and Country Teams to conduct deliberate planning that looks out to future years, it is critical that they are able to develop campaign plans alongside reliable funding resources. Additionally, we must act proactively to prevent or respond to problems before they become crises. As such, Section 1206 is deliberately calibrated to make modest investments based on early indicators rather than waiting for threats to develop and metastasize. By building capacity early, we can create over time a network of partners to reduce stress on our forces, increase global stability, and keep violent extremists at bay.

This proposal seeks an extension of authority to match the newly established Global Security Contingency Fund (GSCF), as authorized in section 1207 of the National Defense Authorization Act for Fiscal Year 2012. The Administration views the GSCF and Section 1206 programs as complementary, and therefore seeks to ensure that both tools remain available through Fiscal Year 2014. Section 1206 is targeted on meeting specific counterterrorism and stability operations requirements, while the GSCF provides assistance in cases where Section 1206 cannot, such as dealing with civilian security requirements related to transnational terrorism, transnational threats other than terrorism, rule of law assistance, working with interior ministries and non-MoD forces, and dealing with non-state actors like Somalia. Section 1206 is designed to provide rapid assistance to meet a counterterrorism or stability operations need, and it would continue to meet USG needs for a quick response in those cases.

The joint process between DoD and the Department of State, together with the congressional notification requirement, ensures that transparency and respect for human rights and civilian authority would remain key components of programs under this proposal without sacrificing flexibility critical to U.S. interests and national security.

Budget Implications: The President's FY 2013 Budget includes $365 million from Operation & Maintenance, Defense-Wide funding.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2013	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
DSCA	+365.0	+350.0	-	-	-	O&M-DW	4	4GTD
Total	+365.0	+350.0	-	-	-	O&M-DW		

Changes to Existing Law: This proposal would amend section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163), as amended, as follows:

SEC. 1206. AUTHORITY TO BUILD THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) AUTHORITY. —The Secretary of Defense, with the concurrence of the Secretary of State, may conduct or support a program or programs as follows:

(1) To build the capacity of a foreign country's national military forces in order for that country to—

(A) conduct counterterrorism operations; or

(B) participate in or support military and stability operations in which the United States Armed Forces are participating.

(2) To build the capacity of a foreign country's maritime security forces to conduct counterterrorism operations.

(b) TYPES OF CAPACITY BUILDING.— ***

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(g) TERMINATION OF PROGRAM.—The authority provided under subsection (a) terminates at the close of ~~September 30, 2013~~September 30, 2014. Any program directed before that date may be completed, but only using funds available for fiscal years 2006 through ~~2013~~ 2014.