SEC. 1203. CONSOLIDATION AND REVISION OF AUTHORITIES FOR PAYMENT OF PERSONNEL EXPENSES NECESSARY FOR THEATER SECURITY COOPERATION.

(a) CONSOLIDATION AND REVISION OF AUTHORITIES.—Chapter 16 of title 10, United States Code, as added by section 1201(a)(3), is amended by inserting after section 311, as added by section 1202(a), the following new section:

"§312. Payment of personnel expenses necessary for theater security cooperation

"(a) AUTHORITY.—The Secretary of Defense may pay expenses specified in subsection (b) that the Secretary considers necessary for theater security cooperation.

"(b) TYPES OF EXPENSES.—The expenses that may be paid under the authority provided in subsection (a) are the following:

"(1) PERSONNEL EXPENSES.—

(A) Subject to subparagraph (B), the Secretary may pay—

"(i) travel, subsistence, and similar personal expenses of, and special compensation for, defense personnel of friendly foreign governments that the Secretary considers necessary for theater security cooperation; and

"(ii) travel, subsistence, and similar personal expenses of, and special compensation for, other personnel of friendly foreign governments and non-governmental personnel that the Secretary considers necessary for theater security cooperation.

"(B) Expenses may be paid under subparagraph (A) only with the concurrence of the Secretary of State, other than in the case of payment of

expenses of defense personnel of a friendly foreign government, for which such concurrence is not required.

"(2) ADMINISTRATIVE SERVICES AND SUPPORT FOR LIAISON OFFICERS.—The Secretary may provide administrative services and support for the performance of duties by a liaison officer of another nation while the liaison officer is assigned temporarily to the headquarters of a combatant command, component command, or subordinate operational command of the United States or to the Joint Staff.

"(3) TRAVEL, SUBSISTENCE, AND MEDICAL CARE FOR LIAISON OFFICERS.—The Secretary may pay the expenses of a liaison officer in connection with the assignment of that officer as described in paragraph (2) if the assignment is requested by the commander of the combatant command or by the Chairman of the Joint Chiefs of Staff, as appropriate, as follows:

"(A) Travel and subsistence expenses.

"(B) Personal expenses directly necessary to carry out the duties of that officer in connection with that assignment.

"(C) Expenses for medical care at a civilian medical facility if—

"(i) adequate medical care is not available to the liaison officer at a local military medical treatment facility;

"(ii) the Secretary determines that payment of such medical expenses is necessary and in the best interests of the United States; and

"(iii) medical care is not otherwise available to the liaison officer pursuant to any treaty or other international agreement.

"(D) Mission-related travel expenses if such travel meets each of the following conditions:

"(i) The travel is in support of the national security interests of the United States.

"(ii) The commander of the relevant combatant command or the Chairman of the Joint Chiefs of Staff, as applicable, directs round-trip travel from the assigned location to one or more travel locations.

"(4) CONFERENCES, SEMINARS, AND SIMILAR MEETINGS.—

"(A) The authority provided by paragraph (1) includes authority to pay travel and subsistence expenses for such personnel in connection with the attendance of such personnel at any conference, seminar, or similar meeting as the Secretary considers necessary for theater security cooperation.

"(B) In addition to the personnel expenses provided by paragraph (1), the Secretary of Defense may pay such other expenses in connection with any such conference, seminar, or similar meeting as the Secretary considers in the national security interests of the United States.

"(c) LIMITATIONS.—

"(1) COUNTRIES OTHER THAN DEVELOPING COUNTRIES.—The authority provided in subsection (a) may be used only for the payment of expenses of, and special compensation for, personnel from developing countries, except that the Secretary of Defense may authorize the payment of such expenses and special compensation for personnel from a country other than a developing country if the Secretary determines that such payment is in the national security interest of the United States.

"(2) SECRETARY OF STATE CONCURRENCE FOR ASSIGNMENT OF NON-DEFENSE FOREIGN LIAISON OFFICERS.—In the case of a non-defense foreign liaison officer, the authority of the Secretary of Defense under subsection (a) to pay any expenses specified in paragraph (2) or (3) of subsection (b) may be exercised only if the assignment of that liaison officer as a liaison officer with the Department of Defense was accepted by the Secretary of Defense with the concurrence of the Secretary of State.

"(d) REIMBURSEMENT.—The Secretary may provide the services and support specified in subsection (b)(2) with or without reimbursement from (or on behalf of) the recipients. The terms of reimbursement (if any) shall be specified in the appropriate agreements used to assign the liaison officer to a combatant command or to the Joint Staff.

"(e) LIMITATIONS.—(1) Travel and subsistence expenses authorized to be paid under subsection (a) may not, in the case of any individual, exceed the amount that would be paid under chapter 7 or 8 of title 37 to a member of the armed forces (of a comparable grade) for authorized travel of a similar nature.

"(2) The amount paid for expenses specified in subsection (b)(3) for any liaison officer in any fiscal year may not exceed $200,000 (in fiscal year 2014 constant dollars).

"(f) AVAILABILITY OF FUNDS ACROSS FISCAL YEARS.—Funds available to carry out this section shall be available for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.

"(g) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the administration of this section.

"(h) DEFINITION.—In this section, the term 'administrative services and support' includes base or installation support services, office space, utilities, copying services, fire and police

protection, training programs conducted to familiarize, orient, or certify liaison personnel regarding unique aspects of the assignments of the liaison personnel, and computer support.”.

(b) CONFORMING AMENDMENTS.—

(1) REPEALS.—Sections 1050, 1050a, 1051, and 1051a of title 10, United States Code, are repealed.

(2) CROSS-REFERENCE.—Subsection (f)(5) of section 341 of title 10, United States Code, as transferred and redesignated by section 1201(d), is amended—

(A) by striking “the Latin American cooperation authority set forth in section 1050” and inserting “section 312’; and

(B) by striking “William J. Perry Center for Hemispheric Defense Studies” and inserting “Department of Defense Regional Centers for Security Studies”.

(3) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 53 of such title is amended by striking the items relating to sections 1050, 1050a, 1051, and 1051a.

(c) SAVINGS PROVISION.—The authority under section 1050 of title 10, United States Code, as in effect on the day before the date of the enactment of this Act, shall continue to apply with respect to the Inter-American Defense College, under regulations prescribed by the Secretary of Defense.

Section-by-Section Analysis

This proposal would consolidate similar authorities permitting the payment of personnel expenses of allied or partner countries during theater security cooperation activities, and make aspects of the authority to do so available globally.

This proposal is part of a package of Fiscal Year (FY) 2017 security cooperation authorities reform proposals sponsored by the Under Secretary of Defense for Policy intended to consolidate and simplify Title 10 authorities under a new Chapter 16 for security cooperation.

Four similar authorities in title 10, United States Code, permit the payment of personnel expenses:

1. SEC. 1050. Latin American cooperation: payment of personnel expenses;
2. SEC. 1050a. African cooperation: payment of personnel expenses;
3. SEC. 1051. Multilateral, bilateral, or regional cooperation programs: payment of personnel expenses; and
4. SEC. 1051a. Liaison officers of certain foreign nations; administrative services and support; travel, subsistence, medical care, and other personal expenses.

This proposal would consolidate these authorities while preserving the key operative elements of each authority.

Consolidation of these authorities would provide a single authority for use by the Department of Defense (DoD) to pay for the personnel expenses of friendly countries' defense, security, or other personnel when doing so is advantageous to DoD and supports theater cooperation. The single authority enables reimbursement of expenses that may otherwise prevent partners from attending or participating in military-to-military activities, as well as the expenses necessary for foreign liaison officers to serve in U.S. commands.

The inclusion of non-defense personnel may include security personnel from national agencies or departments as well as personnel whose participation is important for the success of an event or activity. For example, activities focused on the DoD response in support of humanitarian assistance and disaster relief may not be successful without the inclusion of officials from the ministries responsible for public health and emergency management and representatives from non-governmental organizations helping to coordinate the response. In cases where non-defense personnel are included, it makes sense to inform the State Department of DoD's intent to include these people and organizations to ensure that DoD activities are fully aligned with and informed by State and other agency efforts.

As 10 U.S.C. 1051 currently authorizes for liaison officers, the proposed legislation would define what expenses are and are not covered, place limits on amounts that may be paid to a liaison officer, and authorize the provision of administrative services and support. The proposed legislation would authorize the payment of travel and subsistence, personal expenses, and medical expenses (in certain circumstances). This proposal does not require DoD to cover expenses for a liaison officer from a country that should be financially capable of covering those expenses itself.

The single authority would improve efficiency and effectiveness of security cooperation and execution by establishing a common authorities framework for the payment of necessary expenses for bilateral, multilateral, or regional military to military cooperation. In doing so, it would offer security cooperation planners clarity on activities that are authorized and improve the coherence of security cooperation planning by streamlining policy and legal reviews of proposed activities.

The proposal would require the Secretary to issue regulations to ensure that the authority is used exclusively to fund the participation of personnel from countries otherwise unable to pay for personnel expenses, absent exceptional circumstances. The proposal intends to preserve latitude for Combatant Commands to make prioritization decisions, in select cases, that may authorize reimbursement of some expenses for countries whose participation is vital to military to military activities but which may exceed by small margins the developing country threshold. Combatant commands and other commands making use of this authority are expected to justify their prioritization of the use of funds to the Chairman of the Joint Chiefs of Staff who will be responsible for implementing this authority, establishing rules governing implementation, and providing oversight of the uses of this authority.

Budget Implications: The tables below detail resource requirements associated with this proposal. The resources reflected in the tables below are funded within the FY2017 President's Budget.

For 10 U.S.C. 1050 (Latin American Cooperation): Army and Air Force program for this authority. Their planned funding levels are outlined in the table below.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	1.32	1.47	1.525	1.556	1.414	Operation and Maintenance, Army	04	442	1001010A
USAF	0.2	0.2	0.2	0.2	0.2	Operation and Maintenance, Air Force	04	44A	A1010F

For 10 U.S.C. 1050a (African Cooperation): Army programs funding for this authority at the levels identified in the Table below.

RESOURCE REQUIREMENTS ($MILLIONS)

	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	Appropriation From	Budget Activity	Dash-1 Line Item	Program Element
Army	1.2	1.2	1.2	1.2	1.2	Operation and Maintenance, Army	01	138	0201109A

For 10 U.S.C. 1051 (Multilateral, bilateral, or regional cooperation programs: payment of personnel expenses): The resources reflected in the table below are funded within the FY2017 President's Budget.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Army	1.2	1.2	1.2	1.2	1.2	Operation and Maintenance, Army	01	138	0201109A
Army	31.6	51.1	51.6	52.1	52.7	Operation and Maintenance, Army	01	121	0202214A
Army	.9	.9	.9	1.0	1.0	Operation and Maintenance, Army	01	121	0202218A
	Navy does not intend to use this authority, which would have been funded in the following account: Operation and Maintenance, Navy. Air Force does not intend to use this authority, which would have been funded in the following account: Operation and Maintenance, Air Force.								

For 10 U.S.C. 1051a (Liaison officers): The resources reflected in the table below are funded within the FY2017 President's Budget.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2017	**FY 2018**	**FY 2019**	**FY 2020**	**FY 2021**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Defense	0.9	1.1	1.3	1.5	1.7	Operation and Maintenance, Defense-Wide	01	1PL2	
Navy	6.5	6.5	6.5	6.5	6.5	Operation and Maintenance, Navy	01	1CCM	1001004

USAF	3.7	3.7	3.7	3.7	3.7	Operation and Maintenance, Air Force	04	44A	A1010F
TRANS COM	Transportation Working Capital Fund does not intend to use this authority, which would have been funded from Transportation Working Capital Fund account**.**								

Changes to Existing Law: This proposal would make the following changes to existing law:
(1) Add a new section 312 to the proposed new chapter 16 of title 10, United States Code, as shown in full in the legislative text above.
(2) Amend section 341(as transferred and redesignated by section 1201), as follows.
(3) Repeal current sections 1050, 1050a, and 1051, and 1051a of that title, as follows:

TITLE 10, UNITED STATES CODE

§341. [as transferred and amended by sec. 1201] Regional Centers for Security Studies

(a) IN GENERAL.—The Secretary of Defense shall administer the Department of Defense Regional Centers for Security Studies in accordance with this section as international venues for bilateral and multilateral research, communication, and exchange of ideas involving military and civilian participants.

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(f) PAYMENT OF COSTS.—(1) Participation in activities of a Regional Center shall be on a reimbursable basis (or by payment in advance), except in a case in which reimbursement is waived in accordance with paragraph (3).

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(4) Funds accepted for the payment of costs shall be credited to the appropriation then currently available to the Department of Defense for the Regional Center that incurred the costs. Funds so credited shall be merged with the appropriation to which credited and shall be available to that Regional Center for the same purposes and same period as the appropriation with which merged.

(5) Funds available for the payment of personnel expenses under ~~the Latin American cooperation authority set forth in section 1050~~ section 312 of this title are also available for the costs of the operation of the ~~William J. Perry Center for Hemispheric Defense Studies~~ Department of Defense Regional Centers for Security Studies.

(6) Funds available to carry out this section, including funds accepted under paragraph (4) and funds available under paragraph (5), shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.

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~~**§ 1050. Latin American cooperation: payment of personnel expenses**~~

~~The Secretary of Defense or the Secretary of a military department may pay the travel, subsistence, and special compensation of officers and students of Latin American countries and other expenses that the Secretary considers necessary for Latin American cooperation.~~

~~§ 1050a. African cooperation: payment of personnel expenses~~

~~The Secretary of Defense or the Secretary of a military department may pay the travel, subsistence, and special compensation of officers and students of African countries and other expenses that the Secretary considers necessary for African cooperation.~~

~~§1051. Multilateral, bilateral, or regional cooperation programs: payment of personnel expenses~~

~~(a) The Secretary of Defense may pay the travel, subsistence, and similar personal expenses of defense personnel of developing countries in connection with the attendance of such personnel at a multilateral, bilateral, or regional conference, seminar, or similar meeting if the Secretary determines that the attendance of such personnel at such conference, seminar, or similar meeting is in the national security interests of the United States.~~

~~(b)(1) Except as provided in paragraphs (2) and (3), expenses authorized to be paid under subsection (a) may be paid on behalf of personnel from a developing country only in connection with travel to, from, and within the area of responsibility of the unified combatant command (as such term is defined in section 161(c) of this title) in which the multilateral, bilateral, or regional conference, seminar, or similar meeting for which expenses are authorized is located or in connection with travel to Canada or Mexico.~~

~~(2) In a case in which the headquarters of a unified combatant command is located within the United States, expenses authorized to be paid under subsection (a) may be paid in connection with travel of personnel to the United States to attend a multilateral, bilateral, or regional conference, seminar, or similar meeting.~~

~~(3) In the case of defense personnel of a developing country that is not a member of the North Atlantic Treaty Organization and that is participating in the Partnership for Peace program of the North Atlantic Treaty Organization (NATO), expenses authorized to be paid under subsection (a) may be paid in connection with travel of personnel to the territory of any of the countries participating in the Partnership for Peace program or the territory of any NATO member country.~~

~~(4) Expenses authorized to be paid under subsection (a) may not, in the case of any individual, exceed the amount that would be paid under chapter 7 of title 37 to a member of the armed forces of the United States (of a comparable grade) for authorized travel of a similar nature.~~

~~(c) In addition to the expenses authorized to be paid under subsection (a), the Secretary of Defense may pay such other expenses in connection with any such conference, seminar, or similar meeting as the Secretary considers in the national security interests of the United States.~~

~~(d) The authority to pay expenses under this section is in addition to the authority to pay certain expenses and compensation of officers and students of Latin American countries under section 1050 of this title.~~

~~(e) Funds available to carry out this section shall be available, to the extent provided in appropriations Acts, for programs and activities under this section that begin in a fiscal year and end in the following fiscal year.~~

~~§ 1051a. Liaison officers of certain foreign nations; administrative services and support; travel, subsistence, medical care, and other personal expenses~~

~~(a) AUTHORITY.—Subject to subsection (d), the Secretary of Defense may provide administrative services and support for the performance of duties by a liaison officer of another nation while the liaison officer is assigned temporarily as follows:~~

~~(1)To the headquarters of a combatant command, component command, or subordinate operational command of the United States.~~

~~(2)To the Joint Staff.~~

~~(b) TRAVEL, SUBSISTENCE, AND MEDICAL CARE EXPENSES.—~~

~~(1)The Secretary may pay the expenses specified in paragraph (2) of a liaison officer of a developing country in connection with the assignment of that officer as described in subsection (a), if the assignment is requested by the commander of the combatant command or by the Chairman of the Joint Chiefs of Staff, as appropriate.~~

~~(2)Expenses of a liaison officer that may be paid under paragraph (1) in connection with an assignment described in that paragraph are the following:~~

~~(A)Travel and subsistence expenses.~~

~~(B)Personal expenses directly necessary to carry out the duties of that officer in connection with that assignment.~~

~~(C)Expenses for medical care at a civilian medical facility if—~~

~~(i)adequate medical care is not available to the liaison officer at a local military medical treatment facility;~~

~~(ii)the Secretary determines that payment of such medical expenses is necessary and in the best interests of the United States; and~~

~~(iii)medical care is not otherwise available to the liaison officer pursuant to any treaty or other international agreement.~~

~~(3)The Secretary may pay the mission-related travel expenses of a liaison officer described in subsection (a) if such travel meets each of the following conditions:~~

~~(A)The travel is in support of the national interests of the United States.~~

~~(B)The commander of the relevant combatant command or the Chairman of the Joint Chiefs of Staff, as applicable, directs round-trip travel from the assigned location to one or more travel locations.~~

~~(c) REIMBURSEMENT.—The Secretary may provide the services and support authorized by subsection (a), and the expenses authorized by subsection with or without reimbursement from (or on behalf of) the recipients. The terms of reimbursement shall be specified in the appropriate agreement used to assign the liaison officer to a combatant command or to the Joint Staff.~~

~~(d) LIMITATION AND OVERSIGHT.—~~

~~(1)The amount of unreimbursed support for any liaison officer supported under subsection (b)(1) in any fiscal year may not exceed $200,000 (in fiscal year 2014 constant dollars).~~

~~(2)The Chairman of the Joint Chiefs of Staff shall be responsible for implementing the authority under this section.~~

~~(e) SECRETARY OF STATE COORDINATION.—The authority of the Secretary of Defense to provide administrative services and support under subsection (a) for the performance of duties by a liaison officer of another nation may be exercised only with respect to a liaison officer of another nation whose assignment as described in that subsection is accepted by the Secretary of Defense with the coordination of the Secretary of State.~~

~~(f) DEFINITION.—In this section, the term "administrative services and support" includes base or installation support services, office space, utilities, copying services, fire and police protection, training programs conducted to familiarize, orient, or certify liaison personnel regarding unique aspects of the assignments of the liaison personnel, and computer support.~~