

USAFRICOM official addresses participants in exercise Flintlock 10, sponsored by the command to build relationships and develop capacity among trans-Saharan nation security forces

DOD (Jeremiah Erickson)



SECURITY COOPERATION, SECURITY ASSISTANCE, AND BUILDING PARTNER CAPACITY

Enhancing Interagency Collaboration

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I am a great believer that strength and diplomacy go together; it is never one or the other. Today foreign policy is a unified diplomatic, military, and intelligence effort that must be tightly integrated—a team approach.¹

—George P. Shultz

The United States has been in the business of Building Partner Capacity (BPC) of nations and allies for over 60 years, to include significant efforts during World War II, the Korean War, the Vietnam War, and throughout the Cold War in Europe. Current Department of State United States Code (USC) Title 22 Security Assistance (SA) authorities, such as Foreign Military Financing (FMF), Foreign Military Sales (FMS), and International Military Education and Training (IMET), eventually evolved from the initial forays into formalizing BPC efforts legislatively in the 1960s.

Following the September 11 terrorist attacks, the Bush administration determined gaps existed with traditional SA authorities that hindered U.S. ability to address certain counterterrorism and stability operations funding, capacity, and capability shortfalls of key partner nations. To address these shortfalls, a new set of Department of Defense (DOD) USC Title 10 BPC authorities, which eventually became known as Security Cooperation (SC) programs, were developed by DOD and State, enacted in legislation by Congress, and signed into law by the President starting in 2006.

Unlike their SA counterparts, SC programs were appropriated (that is, funded) through and managed by DOD and designed to be more agile to support geographic combatant commanders in their responsibilities to conduct BPC in pursuit of national security objectives as directed initially in Security Cooperation Guidance and later in the Guidance for the Employment of the Force.² Some programs included legislative provisions, so-called dual-key, that required the Secretary of State's concurrence on military training and equipping programs approved by DOD (typically by the Secretary of Defense himself).

The 2006 National Defense Authorization Act (NDAA), Section 1206 (Global Train and Equip program) has become the flagship DOD authority for dual-key. From the outset of their enactment, SC programs, epitomized by Section 1206, have generated substantial controversy within Congress, the executive branch, and various foreign relations and Armed Forces academic institutions. Despite notable counterterrorism successes in Yemen, Pakistan, trans-Saharan Africa, and the Philippines-Malaysia-Indonesia triborder region, Section 1206 and dual-key have become a source of friction between Defense and State within the overall debate over the "militarization of foreign policy."

Even with the rigorous debate that Section 1206 and dual-key mechanisms have generated with regard to roles and missions between DOD and State, this article seeks to demonstrate that they have produced substantial benefits to the advancement of U.S. national security policy. First, it reviews the evolution of BPC activities from inception in the 1940s to pre-9/11 so as to properly frame the context of the current situation. Next, it examines the creation and implementation of Section 1206, along with the benefits it has achieved through the dual-key mechanism, which underscores the necessity for its prudent expansion into all aspects of security assistance and cooperation activities. Last, it reviews the

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Secretary of Defense's proposed BPC Shared Responsibility, Pooled Resources (SRPR) fund and considers how this proposal could establish a mutually beneficial architecture for enhanced collaboration between Defense and State in future SA and SC activities.

Evolution

According to Secretary of Defense Robert Gates:

Helping other countries better defend themselves or fight beside us—by providing equipment, training, or other forms of support—is something the United States has been doing in various ways for nearly three-quarters of a century. It dates back to the period before America entered World War II, when Winston Churchill famously said, "give us the tools, and we will finish the job."³

In the 1960s, these BPC activities were codified legislatively under the Foreign Assistance Act (FAA), which provided for the creation of SA authorities. These authorities, which eventually evolved into FMF and IMET, were appropriated through the State Department budget. Following bilateral negotiations between the United States and partner nations, these authorities provided program budget lines for training, educating, and equipping those partner militaries. They employed a model whereby State personnel assigned to U.S. Embassies abroad proposed (with Chief of Mission approval) assistance programs/budgets to improve the capabilities and capacity of these militaries, to include their professionalization. DOD (specifically the combatant commands, Services, Joint Staff, and Office of the Secretary of Defense) then assessed and made recommendations on those proposals, with State providing the final decision on the program selections, to include funding level and composition. Subsequently, State forwarded the approved programs to DOD for execution and implementation. Proposals, once approved by State during a current fiscal year, would typically not be implemented for approximately another 3 fiscal years.

Following the September 2001 terrorist attacks, pursuing BPC activities designed to directly enhance a partner nation's military counterterrorism and military stability operations capability and capacity assumed a more urgent priority. However, the pre-9/11 SA architecture, which relied on a slower process, was reexamined with a view toward their not being sufficiently agile to address

critical partner nation counterterrorism deficiencies that might suddenly arise within the traditional 3-year planning cycle. In the mid-2000s, DOD officials developed a proposal for a "Global Train and Equip" authority to increase U.S. support for foreign military and security forces in order to disrupt terrorist networks, build the capacity of legitimate states to provide security within their sovereign territory to prevent terrorists from establishing footholds, and strengthen the capacity of partner nations to participate in United Nations, regional, and U.S. coalition military missions.⁴ Under Secretary of Defense for Policy Michèle Flournoy discussed this concept in a June 2010 speech: "Nearly five years ago, the Defense Department obtained authorities enabling the military to provide training and equipment to countries with urgent security needs. This expansion of authority and funding was very helpful, adding much-needed flexibility to a creaky and slow-moving system."⁵

The creation of the Section 1206 Global Train and Equip Authority in the fiscal year 2006 (FY06) NDAA (subsequently revised in the FY07, FY09, and FY10 NDAs) would culminate several years of effort by the White House and DOD to establish new SC authorities that could meet the burgeoning need for enhancing the counterterrorism and military stability operations capacity of partner nations.⁶

Section 1206 and Dual-Key

Since its inception in 2006, the Section 1206 program has been evaluated several times. The combined DOD and State Inspector General (IG) report (2009) and Government Accountability Office (GAO) report (2010) are the most recent and relevant evaluations. They were conducted after the program had reached a level of operational maturity. The combined DOD and State team interviewed U.S. Government personnel at all levels of DOD and State, both in the field and in Washington, DC. The IG team's assessment attained buy-in since both departments' IG offices jointly conducted the evaluation and had equal input into drafting the final report. Considered a neutral and independent assessment organization, the GAO evaluation team had similar inherent credibility. Both reports issued generally positive evaluations on the Section 1206 program, to include strong endorsements about the interagency collaboration they engendered. The IG report specifically highlighted:

The synergy achieved by combining the geographical perspectives and resources of country teams . . . in Section 1206 planning and implementation is a unique strength. . . . The Under Secretary of Defense (Policy), in coordination with the Department of State, has developed a well-structured project selection process that includes vetting procedures. . . . Section 1206 projects evaluated were effective in building partner nation capacity for counterterrorism and military or stability operations. . . . Section 1206 leverages the expertise of both Departments of Defense and State. As such, Section 1206 is an excellent tool for providing corollary benefits to Chiefs of Mission.⁷

In summary, the IG report concluded that:

- DOD and State conducted the Section 1206 program in compliance with the law
- cooperation between the departments was effective
- a strength of the program is the combination of perspectives and resources of Ambassadors and combatant commanders.⁸

The April 2010 GAO report provided additional positive endorsements of Section 1206 and the dual-key mechanism:

The Section 1206 program is generally distinct from other programs. . . . DOD has demonstrated that most approved Section 1206 projects address U.S. military priorities and urgent and emergent counterterrorism and stabilization needs identified by DOD combatant commanders. Further, Section 1206 projects have done so more quickly than other programs could have—sometimes within a year, whereas FMF projects can take up to 3 years to plan.⁹

Additionally, the report concluded that:

- Section 1206 has generally been consistent with U.S. strategic priorities relating to combating terrorism and addressing instability
- the program has generally been in alignment with U.S. counterterrorism priorities
- most Section 1206 counterterrorism resources have been directed to countries the U.S. Intelligence Community has identified as priorities for the counterterrorism effort.¹⁰

Finally, the report positively endorsed the dual-key mechanism because it addressed

three key practices for interagency collaboration GAO had identified in a previous report.¹¹

Congress weighed in directly on the value of Section 1206 and dual-key when the House Armed Services Committee (HASC) commented positively on the program. In its FY10 NDAA report, the committee commented that it “regards the historical execution of this authority favorably and concludes that it is an important aspect of a combatant commander’s theater engagement strategy. The committee recognizes that it has become an important tool for building partner capacity and security cooperation.”¹²

However, one other key, unnoticed, unexpected, and unreported benefit has been the increased collaboration, integration, and coordination among the eight congressional oversight committees. Prior to the implementation of dual-key SC programs, BPC discussions with the committees were conducted in isolation from each other with authorizers separated from appropriators, HASC staffers fragmented from foreign relations/affairs

and interactions with the executive branch increased to the point where they began coordinating/integrating their respective legislative actions and even hosting joint briefings on BPC issues with the executive branch. In other words, similar to the much desired whole-of-government (that is, executive branch) objective, dual-key legislation produced a whole-of-Congress effect whereby committee members and staffers, who previously may have seldom interacted with their counterparts on other committees, now worked more closely on BPC issues.¹³ This has increased efficiency, improved the dialogue and understanding of executive and legislative points of view, and created better oversight of BPC activities by the legislative branch, to include more responsive action/replies to their inquiries.

From the outset of its enactment, Section 1206 generated substantial controversy within Congress, the executive branch, and various foreign relations and Armed Services academic institutions. It has frequently been



U.S. Air Force (Richard Simonsen)

Nuristan PRT commander discusses potential agriculture improvement projects with State Department representatives in Nangarsh, Afghanistan

staffers, and Senate committees separated from House committees. This resulted in a disjointedness that both hindered the integration of legislative action on BPC issues and exasperated the executive branch in its attempts to propose BPC legislative solutions and execute programs.

With the advent of dual-key, the committees’ awareness of their peer BPC activities

labeled the leading example of the “militarization of foreign policy,” which has overridden the DOD-State balance. Such views first appeared in the Senate Foreign Relations Committee report on combatant command and Embassy activities, which was published in December 2006, less than a year after the Section 1206 authority was established by Congress. The following excerpt from the

report highlights the concern that arose before any relevant SC activity had commenced:

Such bleeding of civilian responsibilities overseas from civilian to military agencies risks weakening the Secretary of State's primacy in setting the agenda for U.S. relations with foreign countries and the Secretary of Defense's focus on war fighting. . . . As the role of the military expands, particularly in the area of foreign assistance, embassy officials in some countries question whether the Department of Defense will chafe under the constraints of State Department leadership and work for still more authority and funding.¹⁴

These reactions continue today. As Laura A. Hill and Gordon Adams (a well-respected professor in the U.S. Foreign Policy Program at American University) asserted in an article from May 2010:

Providing some of the funding through DoD committees and with one key in the pocket

this arrangement and moving to a "dual key" would undermine this balance. No amount of consultation or even concurrence requirements outweighs the influence that resources and personnel bring to policy debates.¹⁵

Other documents advance similar narratives,¹⁶ all of which make common arguments in opposition to SC authorities such as Section 1206 and the dual-key mechanism. Unfortunately, they assert hypothetical disadvantages for SC authorities but never provide any concrete supporting details or examples of how their suppositions have come to (or are coming to) fruition. However, in assessing fault with Section 1206, dual-key, and SC authorities, they must also carry the burden to prove their case with facts. Instead, they:

- relied on statements, not grounded in any established facts, that served to evoke strong emotions about the accelerated demise of State responsibilities and authorities in a manner that has not been proven

while ignoring practical questions such as whether these security cooperation authorities are producing any success in obtaining national security objectives

- warned that Section 1206 reduces congressional ability to execute its constitutional oversight duties, but are incorrect in this regard since the authority's legislation mandates oversight by eight committees that in fact vigorously exercise their prerogative for notification briefings for each train and equip program approved by the Secretary of Defense

- claimed that Section 1206 programs endanger human rights efforts within those partner nations, but failed to account for the governing legislation that requires the authority to "observe and respect human rights, fundamental freedoms, and the legitimate civilian authority within that country,"¹⁷ which is accomplished through DOD and State adherence to the Leahy Amendment,¹⁸ as well as DOD implementation of human rights and respect for civilian authority training to every partner nation military unit receiving a Section 1206 assistance¹⁹

- overlooked the outstanding inter-agency collaboration and coordination between DOD and State that has taken root and grown since the inception of SC authorities, the dual-key ones in particular.



U.S. Air Force (Sarah Brown)

Under Secretary of Defense for Policy Michèle Flournoy meets with commander of Kabul Military Training Center for Afghan National Army

of the Secretary of Defense would distort the decision making on when, where, and for what purposes such funding should be applied. . . . Traditional train and equip missions, such as those done through foreign military financing, balance these two facts by being funded as foreign assistance, overseen by the Department of State, and implemented by the Department of Defense. Creating funding outside

- ignored the positive, concrete successes that SC authorities have produced

- failed to address/consider independent evaluations, such as those conducted by the GAO and DOD/State IG offices, which positively endorsed Section 1206 and dual-key; instead, they focused on the bureaucratic/organizational disagreements that revolve around Beltway funding, authority, and status

the executive and legislative branches should expand the dual-key mechanism to other SA and SC authorities

Given the benefits of increased inter-agency collaboration highlighted in the reports, the executive and legislative branches should expand the dual-key mechanism to other SA and SC authorities. Although a detailed discussion of which authorities should be recipients is beyond the scope of this article, as a starting point, DOD and State could limit the list of authorities to those that involve BPC of military forces since both departments have equity in these endeavors.

Section 1206 authority has demonstrated its uniqueness and utility to address critical counterterrorism and military stability operations capabilities gaps of our partner nations. Furthermore, it has done it in a manner that has enhanced interagency collaboration from the field to Washington, DC, and ensured that valuable State insight

U.S. Marine Corps (Joseph M. Peterson)



Marine demonstrates firing positions to Afghan Uniform Police personnel at Forward Operating Base Jackson, Helmand Province

is incorporated into DOD SC activities while promoting human rights and civilian leadership authority over the military within partner nations and preserving congressional oversight and transparency at home. Consequently, Section 1206 and/or a follow-on program of similar type and scope should be made permanent authorities in USC Title 10.

Improving BPC Efforts

In December 2009, Secretary Gates introduced a revolutionary proposal known as the Shared Responsibility, Pooled Resources Fund to transform the future of BPC while maintaining the best aspects of the current SC authorities (namely the dual-key mechanism). Based on a British model, the SRPR would consist of three separate pools of funds dedicated to specific activities: Security Capacity Building, Reconstruction and Stabilization, and Conflict Prevention. In February 2010, Secretary Gates discussed the memorandum that he sent to Secretary of State Hillary Clinton in December 2009 outlining the SRPR proposal:

Last year, I sent Secretary Clinton one proposal I see as a starting point of discussion for the way ahead. It would involve pooled funds set up for security capacity building, stabilization, and conflict prevention. Both the State and Defense Departments would contribute to these funds, and no project could move forward without the approval of both agencies. What I found compelling about this approach is that it would actually incentivize collaboration between different agencies of our government, unlike the existing structure and processes left over from the Cold War, which often conspire to hinder true whole-of-government approaches.²⁰

only minor adjustments to implement.²¹ Each pool would have an executive agent called a “process secretariat” who would manage the function required for its operation (nominally DOD for Security Capacity Building, State for Stabilization, and the U.S. Agency for International Development [USAID] for Conflict Prevention). The SRPR would retain the dual-key feature in the three pools as it is considered one of the best aspects of SC programs. In addition to their planned funding amounts, the organizations could also contribute follow-on funding as needed.

The SRPR proposal is still under review within the executive and legislative branches.

Secretary Gates introduced a revolutionary proposal known as the Shared Responsibility, Pooled Resources Fund

On the same topic, Under Secretary Flournoy provided her thoughts on the goal of the SRPR where she explained that the proposal was a creative way to break through the current BPC impasse, which required

For this legislation to advance, Congress will have to incorporate it into the NDAA and Defense appropriations bills as well as the State Foreign Operations authorization and appropriations bills. Given the shared respon-

sibilities, Congress would likely implement legislation that maintains eight oversight committees, similar to Section 1206.

Opponents of SRPR disagreed, using the same types of arguments they previously employed against Section 1206 and dual-key. For example, Paul Clayman in *Defense News* wrote in April 2010:

*Though innovative, “pooled resources, shared responsibilities” is an inappropriate construct for conducting America’s foreign policy. For the first time, it would grant the Secretary of Defense a veto over foreign policy decisions made by the Secretary of State. That, in turn, would misalign the roles of the Defense Department in policymaking and the contribution of security assistance to America’s delicate diplomatic balance.*²²

Laura Hall and Gordon Adams noted:

[Secretary] *Gates’ shared pools proposals provide the mirage of easy money but would come with too many strings. The Secretary of State should remain the lead on foreign policy activities and maintaining control of funding ensures she, and her successors, can exercise that authority. The larger problem with these proposals is the continued perception that the role of diplomatic and development activities is supporting military operations.*²³

These authors did not propose any novel and effective recommendations that took into account the significant improvements to interagency collaboration that the SRPR forerunners, Section 1206 and dual-key, produced. Instead, they appear to support turning back the clock toward the BPC framework that existed from the Cold War to the 1990s. Given the dramatic events that have shaped the world since 9/11, it is implausible and unfeasible to return to the “good old days” and, even if it were possible, such a course of action would undoubtedly undermine the substantial interagency collaboration built through the implementation of Section 1206 and dual-key.

Furthermore, after 5 years of operation, given these authors’ arguments, there should be plenty of specific examples of how Section 1206 and dual-key activities negatively impacted U.S. national security objectives for them to cite in support their assertions. However, such examples were not provided,

and their absence profoundly undermines those arguments.

Section 1206 authority and dual-key mechanisms have proven that they enhance interagency collaboration in the pursuit of Security Cooperation activities. The Shared Responsibility, Pooled Resources fund proposal builds upon these successes and has tremendous potential to further incentivize and institutionalize interagency collaboration/coordination between the Department of Defense and Department of State, which could transcend the “roles and missions” disagreement that has simmered between the two departments for years. **JFQ**

NOTES

¹ George P. Shultz, interviewed by Rickey L. Rife, April 13, 1998, Stanford University.

² Office of the Secretary of Defense (OSD), *Guidance for the Employment of the Force* (Washington, DC: OSD, May 2008).

³ “Remarks as Delivered by Secretary of Defense Robert M. Gates, The Nixon Center, Washington, D.C., Wednesday, February 24, 2010,” available at <www.defense.gov/Speeches/Speech.aspx?SpeechID=1425>.

⁴ Nina M. Serafino, *Security Assistance Reform: “Section 1206” Background and Issues for Congress* (Washington, DC: Congressional Research Service, 2010), 3.

⁵ “Under Secretary of Defense for Policy Speech at the Center for a New American Strategy Conference as Delivered by Undersecretary of Defense for Policy Michèle Flournoy, Center for a New American Strategy, Thursday, June 10, 2010,” available at <www.defense.gov/Speeches/Speech.aspx?SpeechID=1485>.

⁶ Public Law 109–163, National Defense Authorization Act for Fiscal Year 2006, 109th Cong., January 6, 2006, 322–324, Sec. 1206, available at <www.dod.gov/dodgc/olc/docs/PL109-163.pdf>.

⁷ Inspectors General, U.S. Department of Defense (DOD) and U.S. Department of State, *Interagency Evaluation of the Section 1206 Global Train and Equip Program*, DOD Report No. IE-2009-007, Department of State Report No. ISP-I-09-69 (Washington, DC: Government Printing Office, August 31, 2009), ii–iii.

⁸ *Ibid.*, 43–44.

⁹ U.S. Government Accountability Office (GAO), *DOD and State Need to Improve Sustainment Planning and Monitoring and Evaluation for Section 1206 and 1207 Assistance Programs*, GAO-10-431 (Washington, DC: GAO, April 15, 2010), 3–6.

¹⁰ *Ibid.*, 12–13.

¹¹ GAO, *Results-Oriented Government: Practices That Can Help Enhance and Sustain Col-*

laboration among Federal Agencies, GAO-06-15 (Washington, DC: GAO, October 21, 2005).

¹² U.S. House of Representatives, *National Defense Authorization Act for Fiscal Year 2010—Report of the Committee on Armed Services, House of Representatives on H.R. 2647 Together with Additional and Supplemental Views*, 111th Cong., 1st sess., 2009, Report 111-166, 411–412.

¹³ Robert M. Gates, Memorandum for Secretary of State: Options for Remodeling Security Sector Assistance Authorities, OSD 13826-09, December 15, 2009, 6, available at <www.washingtonpost.com/wp-srv/nation/documents/Gates_to_Clinton_121509.pdf>.

¹⁴ Senate Committee on Foreign Relations, *Embassies as Command Posts in the Anti-Terror Campaign—A Report to Members of the Committee on Foreign Relations, United States Senate*, 109th Cong., 2^d sess., 2006, S. Rep. 109-52, 2.

¹⁵ Laura A. Hall and Gordon Adams, “Relying on the Kindness of Others: A Risky Partner-Building Strategy,” May 13, 2010, available at <<http://thewillandthewallet.org/2010/05/13/relying-on-the-kindness-of-others-a-risky-partner-building-strategy/>>.

¹⁶ Stephen J. Morrison and Kathleen Hicks, *Integrating 21st Century Development and Security Assistance* (Washington, DC: Center for Strategic and International Studies, January 2008), 2, 7, 10; Thomas Boyatt, *A Foreign Affairs Budget for the Future—Fixing the Crisis in Diplomatic Readiness* (Washington, DC: The American Academy of Diplomacy, October 2008), 4, 22–24; Adam Isacson, “The Pentagon’s Military Aid Role Grows,” January 26, 2010, available at <<http://justf.org/blog/2010/01/26/pentagons-military-aid-role-grows>>.

¹⁷ Serafino, 9.

¹⁸ Defense Institute of Security Assistance Management (DISAM), *The Management of Security Assistance*, 27th ed. (Wright-Patterson AFB, Ohio: DISAM, October 2007), 16–9.

¹⁹ *Ibid.*, 5.

²⁰ Gates, “Remarks.”

²¹ Flournoy.

²² Paul Clayman, “Building State Department Muscle: Link Security Assistance to Foreign Policy Priorities,” *Defense News*, April 5, 2010, available at <www.defensenews.com/story.php?i=4567294>.

²³ Hall and Adams.