



New Defense Department Programs in the National Defense Authorization Act FY2015

Yesterday, the House of Representatives approved the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2015. The bill is identical to the recently agreed NDAA by both the House and Senate Armed Services Committees. Created annually by Congress, the NDAA includes many provisions that affect the way the U.S. military engages in foreign military and police aid, training and arms sales worldwide. While this bill still needs to be approved by the full Senate and the President, there's a good chance that it will soon become law. If approved, many of the NDAA provisions will also need funding through congressional appropriations.

Based on an initial review of the bill (H.R. 3979), it would create at least seven new Defense Department (DoD) authorities or programs to provide foreign military and/or police aid (see table 1 below). The agreement creates three key Obama Administration requests to combat the Islamic State in Iraq and the Levant (ISIL): 1) the Iraq Train and Equip Fund; 2) authority to train and equip vetted Syria rebels; and 3) the Counterterrorism Partnerships Fund. Similar to the previous Section 1209 reports, there is also a new DoD requirement to submit to Congress a biannual report (Section 1211) on all DoD security assistance.

Table 1: New DoD foreign security assistance programs in NDAA FY 2015

NDAA Programs	Amount	End Date
Counterterrorism Partnerships Fund (Section 1510)	\$1.3 billion	9/30/16
Iraq Train and Equip Fund (Section 1236)	\$1.62 billion	12/31/16
Syrian opposition train and equip fund (Section 1209)	Unavailable	12/31/16
Non-lethal training to Burmese military (Section 1253)	Unavailable	Unclear
DoD training of foreign militaries in human rights (Section 1206)	Unavailable	9/30/20
Inter-European Air Forces Academy (Section 1268)	Unavailable	9/30/19
European Reassurance Initiative (Section 1511)	\$370,713	9/30/16

The House-approved NDAA for FY 2015 also makes permanent several formerly temporary Defense Department foreign security assistance programs with some modifications. For example, Section 1206 (now under Section 1205), which DoD

uses to train foreign security forces for counterterrorism and stabilization efforts, is now permanent law. There would also be no need to approve each year the Defense Department’s “Leahy Law”, which restricts DoD aid to any foreign security force unit where there is credible evidence of gross human rights violations.

The House also agreed to the extension of at least eight previously approved DoD foreign security assistance authorities, with many of them also receiving modifications (see table 2 below). Three of the extended authorities are related to Defense Department counternarcotics and/or counterterrorism activities in Latin America or worldwide. Another three of the extended authorities are related to U.S. security assistance to Afghanistan. The House also extended the Defense Department authority for the Global Security Contingency Fund (Section 1201) and for U.S. Special Forces to train foreign security forces (Section 1208).

Table 2: Extended DoD security assistance programs with modifications		
<u>NDA Authority</u>	<u>Maximum Available</u>	<u>End Date</u>
Support to counterdrug and counterterrorism in Colombia (Section 1011)	Unchanged	9/30/16
Section 1004 counterdrug assistance (Section 1012)	Unchanged	9/30/17
Section 1033 counterdrug assistance (Section 1013)	\$125 million	9/30/20
Global Security Contingency Fund (Section 1201)	Unchanged	9/30/17
Authority for special forces to train foreign forces for counterterrorism (Section 1208)	\$75 million	9/30/17
Commanders’ Emergency Response Program in Afghanistan (Section 1221)	\$10 million	9/30/15
Authority to transfer U.S. arms in Afghanistan to Afghan security forces (Section 1231)	Not applicable	12/31/15
Authority to fund Afghan security force reintegration (Section 1232)	\$5 million	9/30/15

In several cases, there was also an increase in the maximum amount of money available (or the cap) to be used by each program per year. Under Section 1208, for instance, the NDA would increase the annual cap by \$25 million (from \$50 million to \$75 million). Similarly, Section 1033 (now Section 1013) was increased from \$100 million to \$125 million.

As congressional members and staff from the defense appropriations committees review the proposed NDA and suggested funding levels, there will likely be some small funding changes. The appropriations’ committees will also add in funding levels to many DoD security assistance programs that the Armed Services Committees’ agreement did not provide.