

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

**DEPARTMENT OF DEFENSE INSTRUCTION
5111.19 AIR FORCE INSTRUCTION 16-124**

23 APRIL 2013



Operations Support

SECTION 1206 GLOBAL TRAIN-AND-EQUIP AUTHORITY

COMPLIANCE WITH THIS PUBLICATION IS MANDATORY

ACCESSIBILITY: Publications and forms are available on the e-Publishing website at:
<http://www.e-publishing.af.mil/> for downloading or ordering.

RELEASABILITY: There are no releasability restrictions on this publication.

OPR: SAF/IAPX

Certified by: SAF/IA (Ms. Heidi Grant, SES)
Pages: 17

This Supplement provides the directive requirements for the Air Force to address the section 1206 Global Train-and-Equip authority in support of national security objectives. The Department of the Air Force shall organize, train, equip, and provide air, space, and cyberspace forces for the conduct of prompt and sustained combat operations, military engagement, and security cooperation in defense of the Nation, and to support the other Military Services and joint forces. The US Air Force contributes unique service capabilities to the joint force commander through security cooperation and the section 1206 Global Train-and-Equip authority. Original DoD text appears in regular font and added Air Force (AF) text appears in bold font. Added AF text prescribes and explains US Air Force responsibilities and actions with regard to the section 1206 Global Train-and-Equip authority. This Supplement applies to the Total Force, i.e., Regular Air Force, Air Force Civilian, Air Force Reserve Units, and Air National Guard Units when federally activated into T10 (ANGUS) status and personnel. It implements Department of Defense Instruction (DODI) 5111.19, *Global Train and Equip Authority*, and AFPD 16-1, *International Affairs*.

Send all recommended changes or comments about this publication to

safiapx.workflow@pentagon.af.mil, using AF Form 847, *Recommendation for Change of Publication*. Ensure that all records created as a result of the administration and management of AF-sponsored Global Train-and-Equip programs are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located at <https://www.my.af.mil/afrims/afrims/afrims/rims.cfm>.



Department of Defense **INSTRUCTION**

NUMBER 5111.19
July 26, 2011

USD(P)

SUBJECT: Section 1206 Global Train-and-Equip Authority

References: See Enclosure 1

1. **PURPOSE.** In accordance with the authority in DoD Directive (DODD) 5111.1 (Reference (a)) and the Deputy Secretary of Defense Memorandum (Reference (b)), this Instruction establishes policy and assigns responsibilities for the development and execution of programs authorized in accordance with section 1206 of Public Law 109-163, as amended (Reference (c)).
2. **APPLICABILITY.** This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the Department of Defense (hereafter referred to collectively as the “DoD Components”).
3. **POLICY.** It is DoD policy that:
 - a. Pursuant to Reference (c), the Secretary of Defense authorizes, with the concurrence of the Secretary of State, conducting or supporting programs to:
 - (1) 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 U.S. Armed Forces are participating.
 - (2) Build the capacity of a foreign country’s maritime security forces to conduct

counterterrorism operations.

b. Each approved section 1206 program must include elements that promote observance of and respect for human rights and fundamental freedoms; and respect for legitimate authority within that country.

DoDI5111.19_AFI16-124 23 APRIL 2013

c. Section 1206 programs shall respond to field-identified capability gaps identified by a commander (in coordination with a chief of mission (COM)) to train and equip partner nations (PNs) to conduct counterterrorism operations or stability operations in accordance with Reference (c).

d. Section 1206 programs shall be complementary and non-duplicative of the use of other similar DoD train-and-equip authorities, e.g., Coalition Support Funds and the Coalition Readiness Support Program, and non-DoD authorities such as Foreign Military Financing (FMF) and International Military Education and Training (IMET).

4. RESPONSIBILITIES. See Enclosure 2.

5. PROGRAM GUIDELINES. See Enclosure 3.

6. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

7. EFFECTIVE DATE. This Instruction is effective upon its publication to the DoD Issuances Website.

Michèle A. Flournoy
Under Secretary of Defense for Policy

Michael B. Donley
Secretary of the Air Force

Enclosures

1. References
 2. Responsibilities
 3. Program Guidelines
- Glossary

TABLE OF CONTENTS

ENCLOSURE 1: REFERENCES4

ENCLOSURE 2: RESPONSIBILITIES5

 ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND
 LOW-INTENSITY CONFLICT AND INTERDEPENDENT CAPABILITIES
 (ASD(SO/LIC&IC))5

 DIRECTOR, DSCA.....5

 USD(C)/CFO.....6

 GC, DoD.....7

 HEADS OF THE DoD COMPONENTS.....7

 SECRETARIES OF THE MILITARY DEPARTMENTS.....7

 CHAIRMAN OF THE JOINT CHIEFS OF STAFF7

 GCCs.....8

 DIRECTOR, DEFENSE INSTITUTE OF INTERNATIONAL LEGAL STUDIES
 (DIILS)9

 COMMANDER, U.S. TRANSPORTATION COMMAND.....9

ENCLOSURE 3: PROGRAM GUIDELINES11

GLOSSARY13

 ABBREVIATIONS AND ACRONYMS13

2
3 ENCLOSURE 1

4
5 REFERENCES

- 6
7
8 (a) DoD Directive 5111.1, "Under Secretary of Defense for Policy (USD (P))," December 8,
9 1999
- 10 (b) Deputy Secretary of Defense Memorandum, "Delegations of Authority," November 30, 2006
- 11 (c) Section 1206 of Public Law 109-163, "National Defense Authorization Act for Fiscal Year
12 2006," January 6, 2006, as amended
- 13 (d) Section 8058 of Public Law 112-10, "Department of Defense Appropriations Act, 2011,"
14 April 15, 2011
- 15 (e) Sections 2378d¹ and 7101² of title 22, United States Code
- 16 (f) Secretary of Defense Memorandum, "Delegation of Authority and Assignment of
17 Responsibility for Section 1206 of the National Defense Authorization Act for Fiscal Year
18 2006, Public Law 109-163, as Amended," August 7, 2009
- 19 (g) DoD Directive 5105.65, "Defense Security Cooperation Agency," September 23, 2003
- 20 (h) DoD Directive 5132.03, "DoD Policies and Responsibilities Relating to Security
21 Cooperation," October 24, 2008
- 22 (i) Office of the Under Secretary of Defense for Policy, "Guidance for the Employment of the
23 Force," April 21, 2008
- 24 (j) DoD Contingency Plan (CONPLAN) 7500-06, August 14, 2008
- 25 (k) Sections 7008³ and 7012⁴ of Division F of Public Law 111-117, "Department of State,
26 Foreign Operations, and Related Programs Act, 2010," December 16, 2009
- 27 (l) Department of State Office of the Legal Advisor, "Compliance with the State and DoD Leahy
28 Amendments: A Guide to the Vetting Process," available from the Department of State's
29 Bureau of Democracy, Human Rights, and Labor.
- 30 (m) DoD 7000.14-R, "DoD Financial Management Regulation," current edition
- 31 (n) **(Added)(AF) HAFMD 1-16, Secretary of the Air Force, International Affairs, May 16,**
32 **2009**
- 33 (o) **(Added)(AF) DSCA Manual 5105.38-M, DSCA Policy 12-20, April 30, 2012**
- 34 (p) **(Added)(AF) AFPD 16-1, International Affairs, November 2, 2009**
- 35 (q) **(Added)(AF) AFMAN 16-101, International Affairs and Security Assistance**
36 **Management, February 15, 2011**
- 37 (r) **(Added)(AF) AFI 16-105, Joint Security Cooperation Education and Training,**
38 **January 3, 2011**
- 39
40
41
42
43

¹ Section 2378d is also known as section 620J of the Foreign Assistance Act of 1961, as amended.

² Section 7101 is also known as "The Victims of Trafficking and Violence Protection Act of 2000."

³ Section 7008 is also known as "The Department of State, Foreign Operations, and Related Programs Act, 2010"

⁴ Section 7012 is also known as "The Brooke Amendment."

ENCLOSURE 2

RESPONSIBILITIES

1. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT AND INTERDEPENDENT CAPABILITIES (ASD(SO/LIC&IC)).

The ASD(SO/LIC&IC), under the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)), shall:

a. Provide section 1206 policy oversight and guidance on behalf of the Office of the USD(P) (OUSD(P)) to regional and functional offices and the DoD Components.

b. Lead the DoD proposal review process in coordination with the Director, Joint Staff Strategic Plans and Policy Directorate (JS/J-5); Director, Defense Security Cooperation Agency (DSCA); and the General Counsel of the Department of Defense (GC, DoD). Coordinate related efforts with the Department of State (DOS) Bureau of Political-Military Affairs.

c. Ensure compliance with the current “Leahy” human rights provisions of section 8058 of Public Law 112-10 (Reference (d)), and section 2378d of title 22, United States Code (U.S.C.) (also known and hereafter referred to as section 620J of the Foreign Assistance Act of 1961, as amended) (Reference (e)), and any successor provisions.

d. Ensure that section 1206 programs meet the intent of Reference (c) and represent consensus with DOS, including, as required, with the concurrence of the Secretary of State, and that countries do not receive section 1206 assistance that is otherwise prohibited by any other provision of law, pursuant to Reference (c).

e. Coordinate Secretary of Defense (SecDef) approval of and Secretary of State concurrence in section 1206 programs for implementation.

f. Coordinate the congressional notification and reporting process within the Department of Defense, with DOS, and with congressional committees identified in Reference (c) pursuant to the Secretary of Defense Memorandum (Reference (f)).

g. Coordinate assessments (e.g., metrics, measurement of impacts) of use of section 1206 authority, and determine the implemented programs’ return on investment.

h. Develop budget estimates and budget justification materials for submission to the Under Secretary of Defense (Comptroller)(USD(C))/Chief Financial Officer (CFO), Department of Defense.

2. DIRECTOR, DSCA. The Director, DSCA, under the authority, direction, and control of the

90 USD(P), and in addition to the responsibilities in section 5 of this enclosure, shall:

91
92 a. Execute approved section 1206 programs using the foreign military sales (FMS)
93 pseudo-case process, in accordance with DoDDs 5105.65 and 5132.03 (References (g) and (h))
94 and Enclosure 3 of this Instruction.

95
96 b. Ensure that section 1206 programs are feasible for acquisition, procurement, and
97 transportation by the Military Departments and monitor the financial and programmatic execution
98 of section 1206 programs.

99
100 c. As appropriate, direct implementing agencies, such as the Military Departments, to use the
101 FMS case execution system to develop cases for selected section 1206 programs in furtherance of
102 SecDef goals and objectives for conducting counterterrorism operations and military and stability
103 operations.

104
105 d. Prepare data on the budget and planned expenditure of funds needed for section 1206
106 congressional notifications.

107
108 e. Coordinate with the Office of the USD(C)/CFO regarding program funding, including
109 requests for funds to implement approved pseudo-letters of offer and acceptance (LOAs) after
110 congressional notification requirements have been fulfilled (including the necessary waiting
111 period). Following completion of case writing and review, coordinate DOS approval.

112
113 f. Identify challenges to program execution as they arise and notify the ASD(SO/LIC&IC) as
114 appropriate.

115
116 g. For approved pseudo-LOA cases placed under DSCA management, coordinate as needed
117 with the applicable Military Departments and Combatant Commands to:

118
119 (1) Identify potential risks that would preclude current-year funds from being obligated by
120 the end of the fiscal year to provide approved section 1206 equipment and training.

121
122 (2) Manage assigned section 1206 pseudo-LOAs after implementation by tracking
123 shipments, deliveries, fund obligations, and disbursements.

124
125 (3) Identify current-year section 1206 program funds for reallocation or obligation by the
126 end of the fiscal year.

127
128 3. GC, DoD. The GC, DoD, shall:

129
130 a. Ensure that section 1206 programs recommended for SecDef approval meet legal
131 requirements.

132
133 b. Coordinate with the DOS Office of the Legal Adviser on legal issues about section 1206, as
134 appropriate.

135 4. USD(C)/CFO. The USD(C)/CFO shall release funding available under the section 1206

136 program to execute approved programs following the congressional notification process.

137
138 5. HEADS OF THE DoD COMPONENTS. The Heads of the DoD Components shall ensure
139 that section 1206 programs within their Components are complementary and non-duplicative of
140 the use of other similar DoD train-and-equip authorities, e.g., Coalition Support Funds and the
141 Coalition Readiness Support Program, and non-DoD authorities such as FMF and IMET.

142
143 6. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military
144 Departments, in addition to the responsibilities in section 5 of this enclosure, shall:

145
146 a. Procure equipment and provide training for approved section 1206 programs, to the extent
147 provided for through pseudo-FMS cases.

148
149 **(1) (Added)(AF) Procedures identified in the Defense Security Cooperation Agency**
150 **(DSCA) Manual 5105.38-M, DSCA Policy 12-20; AFMAN 16-101, *International Affairs*; and**
151 **AFI(I) 16-105, *Joint Security Cooperation Education and Training* shall be adhered to.**
152 **Waivers for deviations shall be addressed to the SAF/IA section 1206 program lead and**
153 **coordinated, as necessary, with the Security Assistance Policy and International Training**
154 **and Education Division (SAF/IAPX).**

155
156 b. Identify the information necessary to understand program requirements; documentation
157 needed for LOA development (e.g., call-up messages, statements of urgency, country team
158 assessments, statements of work, transportation feasibility, implementation timelines, planned
159 expenditure of funds); and other issues that must be resolved before case development or
160 implementation.

161
162 **(1) (Added)(AF) Procedures identified in DSCA Manual 5105.38-M, AFMAN**
163 **16-101, and AFI(I) 16-105 shall be adhered to. Implementing agency and program office**
164 **input should be gathered and communicated to the Building Partnership Capacity Division**
165 **of DSCA's Programs Directorate (DSCA PGM/BPC) throughout the development cycle and**
166 **during the annual feasibility review.**

167
168 c. Provide accurate and timely cost data within section 1206 pseudo-LOAs.

169
170 **(1) (Added)(AF) Procedures identified in DSCA Manual 5105.38-M, AFMAN**
171 **16-101, and AFI(I) 16-105 shall be adhered to. Implementing agency and program office**
172 **input should be gathered and communicated to DSCA PGM/BPC. Cost data shall be**
173 **revised during program definitization and prior to notifying Congress.**

174
175 d. Identify potential risks that would preclude current year funds from being obligated by the
176 end of the fiscal year to provide approved section 1206 equipment and training.

177
178 **(1) (Added)(AF) Procedures identified in DSCA Manual 5105.38-M, AFMAN**
179 **16-101, and AFI(I) 16-105 shall be adhered to. Implementing agency and program office**
180 **input shall be gathered and communicated to DSCA PGM/BPC throughout the**
181 **development cycle and during the annual feasibility review.**

182
183 e. Manage assigned section 1206 pseudo-LOAs after implementation by tracking shipments,
184 deliveries, fund obligations, and disbursements.

185
186 **(1) (Added)(AF) Procedures identified in DSCA Manual 5105.38-M, AFMAN**
187 **16-101, and AFI(I) 16-105 shall be adhered to. The case manager will ensure unique**
188 **program requirements are identified. Unique requirements include, but are not limited to:**
189 **shipment consolidation; expedited shipping funded via the case or DSCA managed**
190 **transportation case; and establishment of financial obligations for cross-fiscal year**
191 **authority (salaries, travel costs, etc.) via an Air Force Form 406, *Miscellaneous***
192 ***Obligation/Reimbursement Document (MORD).***

193
194 f. Identify current-year section 1206 program funds that are at risk of under-obligation or
195 under-execution so that such funds may be reallocated or obligated by the end of the fiscal year.

196
197 **(1) (Added)(AF) The Air Force Security Assistance and Cooperation (AFSAC)**
198 **Directorate command country managers (CCMs) shall inform the SAF/IA program lead**
199 **and applicable country desk officer of excess current year program funds as soon as**
200 **possible, but no later than 15 August. Coordinate the reallocation of all excess current year**
201 **funds with the Country Financial Management Division of DSCA's Business Operations**
202 **Directorate (DSCA DBO/CFM) and DSCA PGM/BPC.**

203
204 g. Ensure all section 1206-funded pseudo-FMS cases are closed by the date designated by
205 DSCA.

206
207 **(1) (Added)(AF) Procedures related to section 1206 program development and**
208 **execution identified in DSCA Manual 5105.38-M shall be adhered to. On 15 October, 15**
209 **January, and 15 June of the canceling year of the appropriation, CCMs shall notify the**
210 **SAF/IA program lead and applicable country desk officer of potential case closure issues,**
211 **un-liquidated obligations, and actions needed to resolve issues.**

212
213 h. Provide information necessary for program assessments and reports as requested by the
214 ASD(SO/LIC&IC).

215
216 **(1) (Added)(AF) The SAF/IA program lead will direct the accumulation and**
217 **compilation of section 1206 data, as required by ASD(SO/LIC&IC). SAF/IAPX will**
218 **coordinate on all submissions and reports. The SAF/IA program lead will send**
219 **consolidated, coordinated USAF responses to DSCA PGM/BPC, prior to submission to**
220 **ASD(SO/LIC&IC).**

221
222 **(2) (Added)(AF) SAF/IAPX, in coordination with USAF section 1206 stakeholders,**
223 **will continually work with the Policy Division of DSCA's Strategy Directorate (DSCA**
224 **STR/POL) to ensure current policy enables the development and execution of section 1206**
225 **programs.**

226
227 7. CHAIRMAN OF THE JOINT CHIEFS OF STAFF. The Chairman of the Joint Chiefs of

228 Staff, in addition to the responsibilities in section 5 of this enclosure, shall:

229

230 a. Review proposals and provide military advice to the USD(P) to contribute to the policy
231 oversight of use of the section 1206 authority. Coordinate with the Combatant Commands to
232 ensure that field-identified concerns are addressed during the annual program selection and
233 congressional notification processes.

234

235 b. Request that the Geographic Combatant Commanders (GCCs) complete the identification
236 of requirements for selected programs, according to specifics identified by DSCA and the Military
237 Departments, during feasibility assessments and pseudo-FMS case development.

238

239 8. GCCs. The GCCs, in addition to the responsibilities in section 5 of this enclosure, shall:

240

241 a. Jointly develop annual section 1206 program proposals with embassy country teams and
242 security cooperation organizations.

243

244 b. Task security cooperation officers (SCOs) to develop a needs assessment for section 1206
245 programs. The assessment is a critical part of the section 1206 program strategy. The partner
246 nation (PN) helps the SCO determine the level of support required and the sustainability
247 requirements for the articles being provided.

248

249 c. Task the SCOs to work with the PN to develop a concept of operations for each
250 SecDef-approved program, which must be submitted to the Joint Staff within 6 months of program
251 approval.

252

253 d. Coordinate the program proposal development process among theater SCOs in accordance
254 with this Instruction, the annual guidance issued by the OUSD(P), and the annual programmatic
255 guidance memorandum issued by DSCA. At a minimum, program proposals should be
256 formulated based on the Guidance for the Employment of the Force (Reference (i)), DoD
257 Contingency Plan (CONPLAN) 7500-06 (Reference (j)), theater security cooperation plans, and
258 the applicable country team's mission strategic plan (MSP). Program proposals require the
259 concurrence of the COM, which must be provided via a cable to the DOS Bureau of Democracy,
260 Human Rights, and Labor.

261

262 e. Provide the Joint Staff J-5 with a prioritized list of program proposals for the given fiscal
263 year cycle. Should GCCs need to submit an urgent or emergent, out-of-cycle proposal, they must
264 indicate the priority of the new proposal relative to the respective original prioritized program list.

265

266 f. Develop, as part of the development of program proposals and in conjunction with the SCO,
267 quantitative and qualitative measures of performance to assess the progress and success of the
268 programs, and forward them to the Joint Staff J-5 within 6 months of program approval.

269

270 g. For approved programs, verify with SCOs that Leahy human rights vetting requirements
271 have been met in accordance with Reference (d) and section 620J of the Foreign Assistance Act of
272 1961, as amended (Reference (e)), and human rights training as required for each section 1206
273 program have been conducted.

274
275 h. Provide assessments of and recommend modifications to DoD section 1206 authority.
276
277 i. For approved programs, direct SCOs to coordinate with DSCA and the applicable Military
278 Department supporting agency to track closely the procurement, shipment, and delivery of
279 requested equipment or the scheduling of designated training.
280
281 j. Upon the request of the Joint Staff J-5, resolve issues regarding the definition of
282 requirements for selected programs, according to specifics identified by DSCA and the Military
283 Departments during feasibility assessments and pseudo-FMS case development.
284
285 9. DIRECTOR, DEFENSE INSTITUTE OF INTERNATIONAL LEGAL STUDIES (DIILS).
286 The Director, DIILS, under the authority, direction, and control of the Director, DSCA, shall:
287
288 a. Implement a human rights element (e.g., training) for all SecDef-approved programs as
289 required by section 1206.
290
291 b. Develop and forward to country teams a curriculum covering the required section 1206
292 subjects, which include observance of and respect for human rights and fundamental freedoms and
293 respect for legitimate civilian authority, and the related topic of the law of armed conflict (law of
294 war). Country teams will be invited to review the DIILS curriculum and to work with DIILS to
295 tailor the curriculum, as needed.
296
297 c. Work with country teams to identify requirements for human rights training events. Draft
298 surveys that identify details including participating units, number of personnel, training location,
299 and desired time frame for conducting the training seminars. The surveys will also seek
300 assistance in identifying and scheduling DIILS-funded translators, providing logistics support
301 (including meals), and the time frame for the follow-on training event.
302
303 d. Provide country teams with curriculum that the ASD(SO/LIC&IC) and GC, DoD have
304 identified as required on the topics of observance of and respect for human rights and fundamental
305 freedoms and respect for legitimate civilian authority, which may include instruction on the law of
306 armed conflict (law of war).
307
308 e. Invite country teams to propose for consideration by DIILS additional curriculum on these
309 topics, and modification of curriculum as appropriate to accommodate local circumstances, to the
310 extent that such modifications do not delete or detract from required content. Provide this
311 additional or modified curriculum to the training audience when appropriate. The training
312 audience will include unit commanders, key staff, and noncommissioned officers, as appropriate.
313 Country teams may invite other military personnel and civilians of military forces or maritime
314 security forces to attend such training, subject to training space and resource availability.
315
316 f. Request country team confirmation that requirements for human rights vetting have been
317 met for all participants. Current Department of State-DoD guidance (Reference (1)) provides
318 human rights vetting guidance for DoD assistance, participants vetted within the past 12 months
319 for other purposes do not need to be vetted a second time to participate in the training.

320
321 g. Keep an up-to-date database that tracks surveys completed, in addition to any seminars
322 completed, and provide weekly reports to the ASD(SO/LIC&IC).

323
324 10. COMMANDER, U.S. TRANSPORTATION COMMAND (USTRANSCOM). The
325 Commander, USTRANSCOM, shall:

326
327 a. Execute the transportation of all section 1206-funded defense articles through the Defense
328 Transportation System, as requested.

329
330 b. Facilitate improvements to transportation processes with the ASD(SO/LIC & IC) and
331 Director, DSCA, as necessary in view of the importance of SecDef-approved section 1206
332 programs.

DoDI5111.19_AFI16-124 23 APRIL 2013

ENCLOSURE 3

PROGRAM GUIDELINES

1. GCCs and COMs will lead the annual section 1206 proposal submission effort, with Military Departments and other DoD Components in support.
2. Section 1206 funds may only be used:
 - a. To train and equip a foreign country's national military forces, i.e., forces under the authority of the Ministry of Defense (MOD), in order for that country to conduct counterterrorism operations or participate in or support military and stability operations in which U.S. Armed Forces are participating; or
 - b. To build the capacity of a foreign country's maritime security forces (including non-MOD elements) to conduct counterterrorism operations.
3. Section 1206 funding may not be used to provide assistance that is otherwise prohibited by any provision of law.
4. Congress has indicated that section 1206 assistance for military and stability operations should be used to train and equip partner nations with a demonstrated need for assistance in third theaters, such as Iraq or Afghanistan. (See section 10 of this enclosure.)
5. Programs shall comply with Leahy human rights vetting requirements, in accordance with Reference (d) and section 620J of the Foreign Assistance Act of 1961, as amended (Reference (e)). No assistance shall be provided to units that would otherwise be restricted, either legally or by policy, from receiving security assistance. All units scheduled to receive training or equipment provided in accordance with Reference (c) shall be vetted in accordance with DoD and DOS Leahy human rights vetting requirements not more than 12 months before provision of such assistance. DOS shall conduct the vetting in coordination with the country team.
6. Countries that are otherwise prohibited from receiving the proposed training and equipping assistance (pursuant to, for example, section 7101 of Reference (e), also known as "The Victims of Trafficking and Violence Protection Act of 2000;" section 7012 of Public Law 111-117, also known as "The Brooke Amendment" (Reference (k)); section 7008 of Reference (k), also known as "The Department of State, Foreign Operations, and Related Programs Act, 2010;" and successor provisions restricting assistance to any country whose duly elected head of government has been deposed in a coup) may not be included in section 1206 programs.
7. A pseudo LOA or a pseudo FMS case is used by the Department of Defense to track the sale of defense articles and services under section 1206. The pseudo LOA itemizes the defense articles and services to be provided pursuant to a program plan approved by the Secretary of Defense with

the concurrence of the Secretary of State and after congressional notification in accordance with section 1206. Although pseudo-FMS cases use many of the traditional FMS procedures, these cases are subject to unique policy requirements to ensure the cases are developed and managed according to the particular program requirements applicable to the funding authority or other relevant provisions of law. For example, some pseudo-FMS cases developed for training, design, and construction services are subject to particular, additional requirements.

8. Section 1206 programs may include the provision of equipment, supplies, and training. Any construction must be relatively minor and only as necessary and incidental to installation of critical components that are provided (e.g., a concrete pad for a coastal radar).

9. The annual selection of programs for approval shall be undertaken as a closely coordinated process with the DOS; all program proposals shall be jointly formulated and coordinated between the GCC and the appropriate COM.

10. Currently, section 1206 funds may not be used for support of Iraqi or Afghan security forces. Section 1206 funds may be used to support coalition members preparing to deploy to Iraq or Afghanistan for military and stability operations alongside U.S. forces. Section 1206 funds should not be used for Pakistan, provided the Pakistan Counterinsurgency Fund and the Pakistan Counterinsurgency Capability Fund are in effect to meet training and equipment requirements in Pakistan.

11. Reference (c) shall not be used to backfill or overlap with other authorities, including lower-priority projects unfunded by FMF, DoD counter-narcotics authorities, cooperative threat reduction authorities, or other partner capacity-building programs.

12. Section 1206 program planning shall take into account the fiscal and contracting limitations inherent in the use of expiring DoD annual operation and maintenance (O&M) funds. DoD 7000.14-R (Reference (m)) provides guidance on the use of O&M funds; however, there are some exceptions applicable to section 1206 that are not covered in existing DoD guidance. For example, the investment or expense threshold does not apply, and the cross-fiscal year authority provides an exception to the bona fide needs rule (see paragraph (c) (4) of Reference (c)).

13. Training may begin in the fiscal year in which the program is approved but must be completed by the end of the following fiscal year. Temporary duty (TDY) expenses may be obligated in Year One for training that will be provided into Year Two, or for training and TDY expenses wholly measured in Year Two. The section 1206 program must begin in Year One and end in Year Two. Civilian salaries may be obligated across fiscal years; civilian personnel are not required to cease their section 1206-related activities at the end of Year One. If military pay is part of the reimbursable expense, that, too, may be reimbursed from section 1206 funds.

14. Section 1206 programs shall be subject to these temporary limitations on amounts for building capacity to participate in or support military and stability operations; not more than \$75,000,000 may be used during Fiscal Year 2011, and not more than \$100,000,000 may be used during Fiscal Year 2012.

15. Military Departments will afford section 1206 pseudo FMSLOAs priority handling. With DOS approval, DSCA will place the pseudo FMS-LOA in an “offered” status. When all conditions for funding have been met, the Military Departments will then post the accepted status. DSCA will complete the financial implementation processes in coordination with the Defense Finance and Accounting Service.

DoDI5111.19_AFI16-124 23 APRIL 2013

GLOSSARY

ABBREVIATIONS AND ACRONYMS

AFI	(Added)(AF) Air Force Instruction
AFMAN	(Added)(AF) Air Force Manual
AFPD	(Added)(AF) Air Force Policy Directive
AFSAC Directorate	(Added)(AF) Air Force Security Assistance and Cooperation Directorate
ASD(SO/LIC&IC)	Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and Interdependent Capabilities
CCM	(Added)(AF) command country manager
COM	chief of mission
CONPLAN	contingency plan
DIILS	Defense Institute of International Legal Studies
DoDD	DoD Directive
DoDI	DoD Instruction
DOS	Department of State
DSCA	Defense Security Cooperation Agency
DSCA DBO/CFM	(Added)(AF) DSCA Business Operations Directorate, Country Financial Management Division
DSCA PGM/BPC	(Added)(AF) DSCA Programs Directorate, Building Partnership Capacity Division
DSCA STR/POL	(Added)(AF) DSCA Strategy Directorate, Policy Division
FMF	foreign military financing
FMS	foreign military sales
GCC	Geographic Combatant Commanders
GC, DoD	General Counsel of the Department of Defense
HAFMD	(Added)(AF) Headquarters Air Force Mission Directive
IMET	international military education and training
LOA	letter of offer and acceptance

LOR	letter of request
MOD	Ministry of Defense
MORD	(Added)(AF) <i>Miscellaneous Obligation/Reimbursement Document</i>
O&M OUSD(P)	Operation and Maintenance Office of the Under Secretary of Defense for Policy
PN	partner nation
SAF/IAPX	(Added)(AF) Security Assistance Policy and International Training and Education Division
SCO	security cooperation officer
SecDef	Secretary of Defense
TDY	temporary duty
U.S.C.	United States Code
USG	United States Government
USD(C)/CFO	Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense
USD(P)	Under Secretary of Defense for Policy