

qualification, assignment, and tenure policies, procedures, and practices to persons, billets or positions;

(F) indicate relative promotion rates for security cooperation workforce personnel;

(G) identify the funds requested or allocated for the Department of Defense security cooperation workforce and address whether such funds are sufficient to—

- (i) address the critical skill gaps identified pursuant to subparagraph (B); and
- (ii) provide incentives to recruit and retain high-quality personnel in the security cooperation workforce; and

(H) include any other matters the Secretary of Defense determines appropriate.

(I) **COMPTROLLER GENERAL EVALUATION.—**

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct an independent evaluation of the actions taken by the Secretary of Defense to carry out the requirements of this section.

(2) **REPORT.**—Not later than 2 years after the date of the enactment of this subsection, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the evaluation conducted under paragraph (1). Such report shall include—

(A) an analysis of the effectiveness of the actions taken by the Secretary to carry out the requirements of this section; and

(B) such legislative and administrative recommendations as the Comptroller General considers appropriate to meet the objectives of this section.

(Added Pub. L. 114-328, div. A, title XII, §1250(a), Dec. 23, 2016, 130 Stat. 2526; amended Pub. L. 118-31, div. A, title XII, §1204(a), Dec. 22, 2023, 137 Stat. 442.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a)(2), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

The Arms Export Control Act, referred to in subsec. (a)(2), is Pub. L. 90-629, Oct. 22, 1968, 82 Stat. 1320, which is classified principally to chapter 39 (§2751 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, referred to in subsec. (e)(1), (2), is the date of enactment of Pub. L. 114-328, which was approved Dec. 23, 2016.

The date of the enactment of this subsection, referred to in subssecs. (k)(1) and (l)(2), is the date of enactment of Pub. L. 118-31, which was approved Dec. 22, 2023.

PRIOR PROVISIONS

A prior section 384 was renumbered section 284 of this title.

AMENDMENTS

2023—Subsec. (c). Pub. L. 118-31, §1204(a)(1), amended subsec. (c) generally. Prior to amendment, text read as

follows: “The Program shall consist of such elements relating to the development and management of the security cooperation workforce as the Secretary considers appropriate for the purposes specified in subsection (b), including elements on training, certification, assignment, and career development of personnel of the security cooperation workforce.”

Subsec. (d). Pub. L. 118-31, §1204(a)(2), amended subsec. (d) generally. Prior to amendment, text read as follows: “The Program shall be managed by the Director of the Defense Security Cooperation Agency.”

Subsec. (e). Pub. L. 118-31, §1204(a)(3), amended subsec. (e) generally. Prior to amendment, subsec. (e) related to guidance for the execution and administration of the Department of Defense Security Cooperation Workforce Development Program.

Subsecs. (f) to (h). Pub. L. 118-31, §1204(a)(5), (6), added subssecs. (f) and (g) and redesignated former subsec. (f) as (h). Former subssecs. (g) and (h) redesignated (i) and (j), respectively.

Subsec. (h)(6). Pub. L. 118-31, §1204(a)(4), substituted “security cooperation human capital initiative under subsection (e)” for “guidance issued under subsection (e)”.

Subsecs. (i), (j). Pub. L. 118-31, §1204(a)(5), redesignated subssecs. (g) and (h) as (i) and (j), respectively.

Subsecs. (k), (l). Pub. L. 118-31, §1204(a)(7), added subssecs. (k) and (l).

§ 385. Department of Defense support for other departments and agencies of the United States Government that advance Department of Defense security cooperation objectives

(a) **SUPPORT AUTHORIZED.**—Subject to subsection (c), the Secretary of Defense is authorized to support other departments and agencies of the United States Government for the purpose of implementing or supporting foreign assistance programs and activities described in subsection (b) that advance security cooperation objectives of the Department of Defense.

(b) **FOREIGN ASSISTANCE PROGRAMS AND ACTIVITIES.**—The foreign assistance programs and activities described in this subsection are foreign assistance programs and activities that—

- (1) are necessary for the effectiveness of one or more programs of the Department of Defense relating to security cooperation conducted pursuant to an authority in this chapter; and
- (2) cannot be carried out by the Department.

(c) **ANNUAL LIMITATION ON AMOUNT OF SUPPORT.**—The amount of support provided pursuant to subsection (a) in any fiscal year may not exceed \$75,000,000.

(d) **NOTICE AND WAIT.**—If a determination is made to transfer funds in connection with the provision of support pursuant to subsection (a) for a program or activity, the transfer may not occur until—

- (1) the Secretary and the head of the department or agency to receive the funds jointly submit to the congressional defense committees a notice on the transfer, which notice shall include—

(A) a detailed description of the purpose and estimated cost of such program or activity;

(B) a detailed description of the security cooperation objectives of the Department, including the theater campaign plan of the combatant command concerned, that will be advanced;

(C) a justification why such program or activity will advance such objectives;

(D) a justification why such program or activity cannot be carried out by the Department;

(E) an identification of any funds programmed or obligated by the department or agency other than the Department on such program or activity; and

(F) a timeline for the provision of such support; and

(2) a period of 30 days elapses after the date of the submittal of the notice pursuant to paragraph (1).

(Added Pub. L. 114-328, div. A, title XII, §1241(m), Dec. 23, 2016, 130 Stat. 2511; amended Pub. L. 115-232, div. A, title XII, §1204(c)(1)(E), Aug. 13, 2018, 132 Stat. 2017.)

Editorial Notes

AMENDMENTS

2018—Subsec. (d)(1)(B). Pub. L. 115-232 substituted “including” for “include”.

§ 386. Annual report

(a) ANNUAL REPORT REQUIRED.—Not later than March 31 of each year, the Secretary of Defense shall submit to the appropriate congressional committees a report that sets forth, on a country-by-country basis, an overview of security cooperation activities carried out by the Department of Defense during the fiscal year in which such report is submitted, using the authorities specified in subsection (b).

(b) ELEMENTS OF REPORT.—Each report required under subsection (a) shall include, with respect to each country and for the entirety of the period covered by such report, the following:

(1) A narrative summary that provides—

(A) a brief overview of the primary security cooperation objectives for the activities encompassed by the report; and

(B) a description of how such activities advance the theater security cooperation strategy of the relevant geographic combatant command.

(2) A table that includes an aggregated amount with respect to each of the following:

(A) With respect to section 331 of this title, the value of all logistic support, supplies, and services for which notice is required by such section.

(B) With respect to amounts made available for section 332(a) of this title, the Department of Defense cost to provide any Department personnel as advisors to a ministry of defense.

(C) With respect to amounts made available for section 332(b) of this title, the Department of Defense incremental execution costs to conduct activities under such section.

(D) With respect to section 333 of this title, the value of all programs for which notice is required by such section.

(E) With respect to section 335 of this title, the total Department of Defense costs to fund expenses to attend training provided by the Government of Colombia that began during the period of the report.

(F) With respect to amounts made available for section 341 of this title, the Department of Defense manpower and travel costs to conduct bilateral state partnership program engagements with the partner country.

(G) With respect to amounts made available for section 342 of this title, the Department of Defense-funded, foreign-partner travel costs to attend a regional center activity that began during the period of the report.

(H) With respect to amounts made available for section 345 of this title, the estimated Department of Defense execution cost to complete all training that began during the period of the report.

(I) With respect to amounts made available for section 2561 of this title, the planned execution cost of completing humanitarian assistance activities for the partner country that were approved for the period of the report.

(3) A table that includes aggregated totals for each of the following:

(A) Pursuant to section 311 of this title, the number of personnel from a partner country assigned to a Department of Defense organization.

(B) The number of new programs carried out during the period of the report that required notice under section 331 of this title.

(C) Pursuant to section 332(a) of this title, the number of Department of Defense personnel assigned as advisors to a ministry of defense.

(D) Pursuant to section 332(b) of this title, the number of activities conducted by the Department of Defense.

(E) The number of new programs carried out during the period of the report that required notice under section 333 of this title.

(F) With respect to section 335 of this title, the number of partner country officials who participated in training provided by the Government of Colombia that began during the period of the report.

(G) With respect to section 341 of this title, the number of Department of Defense bilateral state partnership program engagements with the partner country that began during the period of the report.

(H) With respect to section 342 of this title, the number of partner country officials who participated in regional center activity that began during the period of the report.

(I) Pursuant to the authorities under sections 343, 345, 348, 349, 350 and 352 of this title, the total number of partner country personnel who began training during the period of the report.

(J) Pursuant to section 347 of this title, the number of cadets from the partner country that were enrolled in the Service Academies during the period of the report.

(K) Pursuant to amounts made available to carry out section 2561 of this title, the number of new humanitarian assistance projects funded through the Overseas Humanitarian Disaster and Civic Aid account that were approved during the period of the required report.