



A Plan To Reform U.S. Security Assistance

By Max Bergmann and Alexandra Schmitt March 2021

Contents

- 1 Introduction and summary**

- 4 The strategic case for security assistance reform**

- 12 Landscape of the security assistance system today**

- 20 Consequences of the current system**

- 26 Policy recommendations: Fixing the security assistance system**

- 35 Conclusion**

- 36 About the authors**

- 37 Endnotes**

Introduction and summary

U.S. security assistance is broken and in need of an overhaul. Over the past two decades, the bureaucratic system developed to deliver billions of dollars of military aid to partner nations has evolved and expanded not by design but as the result of a series of ad hoc legislative and policy changes. Though the U.S. Department of State was initially in charge of security assistance policy and accounts, since 9/11, the U.S. Department of Defense (DOD) has established a separate, well-funded security assistance bureaucracy at the Pentagon. This has inhibited effective congressional oversight, harmed coordination between diplomacy and defense, and contributed to the growing militarization of U.S. foreign policy. It has created a dysfunctional and bifurcated security assistance system.

Under the current security assistance system, the returns on America's security investments are limited, inconsistent, and not strategic. The consequences of today's broken system include increased reliance on the military to solve foreign policy challenges; a perpetuated status quo whereby nondemocratic partners receive U.S. assistance and where human rights abuses are ignored; and an ineffective and unwieldy bureaucracy. This matters because the United States depends on capable allies and partners as a core component of its national security strategy, but the current system is not suited to the task. A new administration can change this by embracing wholesale reform of the security assistance system. To do so, however, a Biden-Harris administration must move quickly to work with Congress and include such reforms in any effort to rebuild and revive U.S. diplomacy. This will require talking not only about security assistance authorities, but fundamentally about money and resources as well. Any reform efforts intending to bolster the role of the State Department must start by examining how funding is oriented and balanced between the departments. This necessitates close cooperation with the Hill.

There must be a dramatic realignment of U.S. security assistance. This report provides an overview and a systemic critique of the current bureaucratic structure of U.S. security assistance and outlines how transferring resources and responsibilities for security assistance back to the State Department will better advance U.S. interests and address the current geopolitical challenges America confronts. It calls for reviving the centrality of diplomacy by restoring the State Department's role,

as originally intended under U.S. law, as the overseer of all U.S. foreign assistance. It also offers recommendations for expanding and training the security assistance workforce, improving interagency coordination, elevating human rights concerns in security assistance policy, and adapting best practices from the DOD.

Specifically, this report calls for transferring the following programs and funding from the DOD to the State Department:

- The relatively newly created Section 333 train and equip authority, which replicates the State Department’s Foreign Military Financing (FMF) authority
- The DOD’s security assistance authorities that focus on long-term security force reform to the State Department, including the Afghanistan Security Forces Fund, the Counter-Islamic State of Iraq and Syria (ISIS) Train and Equip Fund, and the Ukraine Security Assistance Initiative fund

This would result in a roughly \$7 billion transfer, significantly augmenting the State Department’s budget and capacity to guide security assistance policy.

Putting the State Department back in charge of security assistance will be a major reform and will require significant operational changes within the department, as well as a dramatic expansion of its administrative capacity. This will take time to implement and require significant reform within the agency.

The DOD has done an admirable job in setting up a new institutional structure, in implementing assistance, and in coordinating with the State Department. However, officials across the U.S. foreign policy world acknowledge that the system is not working. Tommy Ross, a former DOD official in charge of overseeing the Pentagon’s security assistance, recently argued that U.S. security assistance is “not fit for purpose” and is “out of sync with U.S. priorities when it comes to where resources are needed most and the types of capabilities required by America’s allied and partners.”¹ Indeed, throughout much of the last decade, it has been DOD officials who publicly argued for increased funding for the State Department.² Ultimately, the current bifurcated security assistance system is suboptimal and results in the bureaucratic diminishment of the State Department relative to the military considerations of the DOD. Transferring resources and responsibility to the State Department would centralize responsibility for foreign aid under diplomatic control, while improving interagency cooperation, as DOD would remain the primary implementer of U.S. assistance.

Some of these ideas will likely be met with innate skepticism from a generation of security professionals whose experience in Washington has been characterized by an ever-withering State Department and an ever-strengthening Pentagon. This report anticipates and rebuts likely arguments against reform, including the capacity of the State Department to take on this responsibility, the benefits of the Pentagon's current management, or the unnecessary disruption that would result from significant bureaucratic change laid out in this proposal.

Failing to reform security assistance not only leaves the United States with a wasteful and inefficient status quo, it also perpetuates the marginalization of diplomacy and locks in the military's newly found dominance in driving U.S. foreign policy. The current security assistance system evolved to address the threats posed by the post-9/11 era and is now outdated and ill-suited for a new geopolitical environment characterized by competition. If the next administration is to revive U.S. diplomacy and rebuild the State Department, it must empower the agency to oversee and direct foreign assistance. The Biden-Harris administration should seize the opportunity to work with a new Congress to reform the system from its first days in office and restore an effective tool in the U.S. foreign policy arsenal.

A new security assistance system, centralized and coordinated within the State Department, would allow the United States to wield its security assistance more effectively and responsibly in today's competitive geopolitical environment. Arms transfers, training, and support could also better support U.S. foreign policy goals, in particular bolstering democratic partners and emerging democracies, making them stronger U.S. partners to counter threats from authoritarian actors. Empowering the State Department to oversee and manage security assistance would also ensure that aid is used to advance a values-based foreign policy that respects and supports human rights.³ It would also give U.S. diplomats greater clout and leverage and potentially create greater coherence to the provision of foreign assistance overall. The result would be to strengthen a key tool in the U.S. foreign policy toolbox and increase the clout and authority of America's diplomats, which is badly needed in this new era of geopolitical competition.

The strategic case for security assistance reform

Security assistance is foreign aid. Providing weapons, training, and support to a foreign country is, by law, a foreign policy responsibility and therefore has historically been directed by the secretary of state. This is for a simple reason: Providing arms to a partner nation is a foreign policy act, a responsibility codified into law through the 1961 Foreign Assistance Act.⁴ Nevertheless, the provision of arms to a partner is also a military act, and, following 9/11, with the onset of the so-called war on terror and the wars in Afghanistan and Iraq, an operational argument was made for the DOD to gain expanded authorities to provide military assistance to partners. But the DOD authorities soon expanded and grew such that the operational intent of DOD assistance faded, and the purpose of its assistance became indistinguishable from the purpose of State Department assistance. During this period, as the DOD gained authorities and resources, the State Department's assistance programs remained stifled by lack of funding, excessive congressional earmarks, and legacy commitments.

As a result, as the United States sought to provide more security assistance to partners, it did so through the DOD. This has created a bifurcated bureaucratic structure for administering security assistance that marginalizes the State Department. The current system is both inefficient and ill-suited for the present foreign policy environment. The new era of great power competition and today's threats of climate change, pandemics, and other nontraditional challenges demand a new and more integrated, agile, and wholistic approach to U.S. assistance efforts.

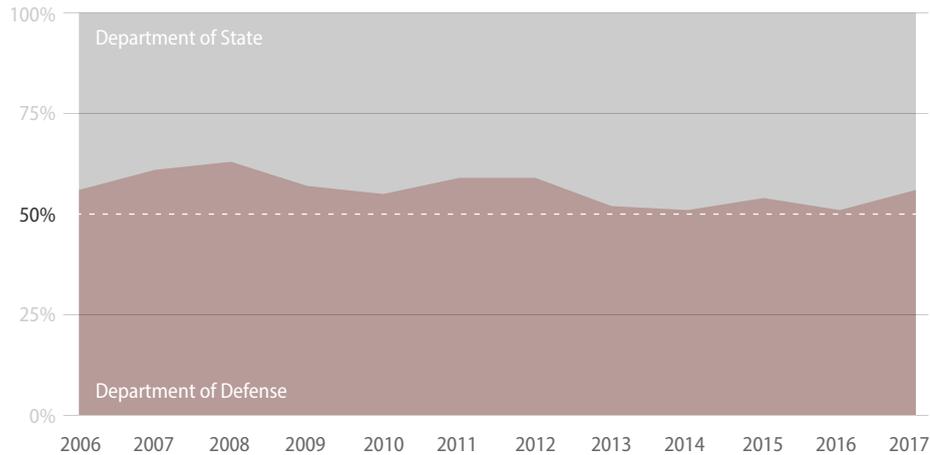
Defining U.S. security assistance

For the purposes of this report, U.S. security assistance is defined as all arms, equipment, supplies, training, and support provided under the Title 22 and Title 10 authorities from the State Department and the DOD. The authors' definition of security assistance encompasses the DOD's new security cooperation programs that focus on arms, equipment, supplies, and training to build partner capacity.

FIGURE 1

The U.S. Department of Defense (DOD) has consistently received more funding for security assistance than the Department of State

Share of Department of State and DOD security assistance and cooperation funding, fiscal years 2006 to 2017



Source: Susan B. Epstein and Liana W. Rosen, "U.S. Security Assistance and Security Cooperation Programs: Overview of Funding Trends" (Washington: Congressional Research Service, 2018), available at <https://fas.org/sgp/crs/natsec/R45091.pdf>.

The foreign policy environment has shifted greatly over the last decade. Today's security assistance system emerged in the 9/11 era and was built for counterterrorism and counterinsurgency, with a focus on confronting threats from nonstate actors.⁵ This was encapsulated in the "building partnership capacity" strategy, outlined by then-Secretary of Defense Robert Gates in 2010, which called for increasing the capabilities of developing states to better police and patrol their neighborhoods and to close off space for insurgent groups.⁶ U.S. aid was often provided to nondemocratic states or partners that violated human rights but were considered critical partners in the "war on terror." Decisions were viewed as primarily operational, and aid was provided as needed to help partners tackle imminent terrorist or insurgent threats. Almost all U.S. security aid provided year over year is driven by a strategic rationale that is centered on building better counterterrorism partners.

Today, U.S. aid to build up a partner's military should be viewed through the lens of competition between states, in addition to the ongoing counterterrorism concerns and state fragility challenges, with much higher stakes for U.S. foreign policy and national interests. This renewed geopolitical competition is at its core an ideological competition between states. China's rise and Russia's resurgence require the United States to realign its foreign policy toward strengthening relations and bolstering democratic

states. Security assistance is a tool to do so: It strengthens America's closest partners and fosters closer relationships with other states. When a country accepts U.S. military equipment or enters into a long-term procurement or acquisition of U.S. defense equipment, they are tying their country to the United States. The U.S. decision, for instance, to provide military aid to the United Kingdom through the lend-lease program in the 1940s was not a simple military consideration but a foreign policy consideration with enormous consequences.⁷ Today, U.S. decisions to provide weapons or support tie American officials to how that support is used—whether they like it or not—as the case of U.S. support to the Saudi-led coalition in Yemen demonstrates.

Moreover, countries that receive U.S. military systems are not just buying equipment off the shelf; they are entering into a longer-term relationship with that country for training, maintenance, and sustainment. This is similar to when a consumer buys a smart phone, as they are not simply buying a piece of hardware; they are reliant on the company to access its broader ecosystem of apps and software and trusting the company to safeguard important data. Over time, a consumer becomes locked in and dependent on a particular provider. Similarly, when a state commits to expanding military-to-military ties—often the most sensitive area for a country—they are making a diplomatic bet on that country. As they base their military on U.S. equipment and U.S. training and engagement, they similarly become locked in to the United States. This sets the ground for more productive American partnerships to tackle a range of geopolitical challenges. For example, U.S. security assistance has been key to building ties with Vietnam after the war between the two countries. American assistance provided to clear unexploded ordnance has helped repair diplomatic relations between Hanoi and Washington, while the recent provision of a retired Coast Guard ship to the Vietnam military can help strengthen military ties and potentially open the door to more U.S. assistance and security cooperation, which will further strengthen bilateral relations.⁸

There are several reasons that today's security assistance system must change:

- **Current security policy decision-making perpetuates the status quo.** The current system perpetuates an ineffective status quo, whereby the United States often fails to effectively exert significant diplomatic leverage that it has through security assistance because the bureaucratic structure to administer it—both within the State Department and between the State Department and the DOD—is not designed to advance diplomatic efforts but merely to administer appropriated funds.⁹ This makes it challenging to change security assistance programs given shifting foreign policy dynamics or changes in a partner's behavior that may make them a less suitable recipient of U.S. security aid, such as democratic backsliding or a pattern of human rights abuses.

Today, U.S. decisions to provide weapons or support tie American officials to how that support is used—whether they like it or not—as the case of U.S. support to the Saudi-led coalition in Yemen demonstrates.

- **U.S. engagement with partners could be dominated by military issues if foreign officials turn to DOD counterparts instead of diplomats for assistance resources.**

Because the DOD controls its own security assistance accounts, other foreign policy concerns may get trumped if partners go around the State Department to get aid from the Pentagon. Sen. Ben Cardin (D-MD) worried at a 2017 Senate Foreign Relations Committee hearing that the shift to increasing DOD authorities could “send a fundamental message that the United States considers security relationships over all other U.S. foreign policy objectives or concerns, including human rights or good governance.”¹⁰ Under the current framework, the State Department’s ability to put the brakes on security assistance or military cooperation under DOD authorities is highly limited because the State Department does not control implementation and can often only approve or disapprove of DOD proposals. While State Department officials and ambassadors can and sometimes do halt or temper problematic efforts, doing so requires exerting significant political capital that is in short supply.¹¹ Centralizing control at the State Department would help to fix this bureaucratic imbalance between diplomacy and the Pentagon.

- **Defense priorities often undervalue democratic and human rights concerns.** Compared with the State Department, the DOD is less equipped to effectively weigh human rights concerns in its decision-making. This makes it harder to leverage U.S. military cooperation for economic or political concessions or changes that might bolster democratic goals. For example, U.S. military objectives to counter terrorist groups in Somalia called for continuously supplying Uganda with U.S. assistance despite growing human rights and democracy concerns.¹² Putting the State Department in charge would make it easier to realign U.S. security assistance toward democratic states and effectively consider human rights issues in every security assistance decision.
- **Security assistance in a tense era of great power competition is extremely sensitive and can increase tension and lead to miscalculation.** The risk in today’s geopolitical environment is that providing sensitive and potentially provocative assistance will not receive the same scrutiny from policymakers and will become the norm for the administering agency, the DOD. In the last era of great power competition, the Cold War, security assistance often stoked tension between the United States and the Soviet Union and led to spiraling commitments. For instance, Soviet provision of nuclear missiles to Cuba led to a nuclear standoff, while U.S. military support for Vietnam led to deepening U.S. engagement.

As competition with China and Russia increases, security assistance could once again prove a major source of tension and cause miscalculation. Providing aid in this environment is not a mere technical military matter, but ultimately a political and diplomatic concern that is highly sensitive. Yet today, it is the DOD that is driving

assistance to countries such as Ukraine and regions such as Southeast Asia.¹³ When Russia invaded Ukraine in 2014, the National Security Council became significantly involved in policymaking and limited types of assistance that could be provided, including lethal aid.¹⁴ Such unique scrutiny was warranted because there was a crisis involving a U.S. partner and a nuclear-armed state. But the nature of White House intervention was necessary in large part because the security assistance process—for both decision-making and for providing assistance—was broken.

- **A military-led response can overprioritize military engagement and could unintentionally steer American engagements into high-risk confrontations.** Without careful calibration and understanding of broader political context, there is real concern that the DOD could get ahead of U.S. policy or drive it in a more military-centric direction. For example, China could interpret the DOD's provision of some security assistance through the agency's Southeast Asia Maritime Security Initiative as an act of aggression if it is not carefully and effectively calibrated against broader political concerns in the region.¹⁵ Given the political sensitivities of great power competition, responsibility and oversight for security assistance decisions should rest with the agency most in tune with broader U.S. foreign policy concerns and diplomatic developments: the State Department.

Reforming security assistance by centralizing it at the State Department would help to elevate the diplomatic considerations of this policy area, while reducing the military-first priorities of the current system that are ill-suited to today's geopolitical challenges.

How to fix the system

To change this, there is a straightforward solution: give the State Department the money. A new administration and new Congress should redirect almost all of the DOD's security assistance resources to the State Department and build up the State Department's capacity to administer assistance. Clearly, such a transfer must be accompanied by swift and far-reaching internal reforms at the State Department to enable this expanded role, but such reforms are long overdue and should not deter this bold step.

This proposal would help to fix many of the challenges of a duplicative, bifurcated security assistance system that spans multiple U.S. agencies and involves thousands of personnel. It would enable more coherent overall policy on American security assistance, allowing aid decisions to be guided by general foreign policy concerns and current priorities. It would better allow for ensuring that U.S. assistance comports with American values, including working closely with democratic states and prioritizing respect for human rights.

To change this, there is a straightforward solution: give the State Department the money.

This report focuses on the relatively new development of parallel security assistance authorities at the DOD that mirror the State Department's traditional authority for long-term capacity building of partner forces to achieve U.S. foreign policy goals. The State Department's FMF account is the primary vehicle for this; it receives about \$6 billion annually, about 80 percent of which goes to Israel, Egypt, and Jordan. The remaining \$1 billion of FMF is also heavily earmarked, limiting the State Department's discretion.¹⁶ The DOD's security cooperation programs, which are challenging to track due to frequent changes in accounts and programs, received about \$2 billion total last year.¹⁷ The DOD accounts that most closely mirror the State Department's FMF program, including the Section 333 capacity-building authority, the Maritime Security Initiative, and several other programs, received \$1.3 billion in fiscal year 2020.¹⁸

Funding associated with long-term capacity building of partner militaries—such as the DOD's funding to build partner capacity through Section 333—should be the domain of the State Department. DOD assistance accounts that currently fund U.S. involvement in endless wars or prolonged security assistance engagements meant to build the capacity over partners over the long term, such as the Afghanistan Security Forces Fund (\$4.2 billion), the Counter-ISIS Train and Equip Fund (\$1.2 billion), and funding for Ukraine (\$250 million), should be reviewed with an eye to move the programs and funding to the State Department.¹⁹ Combined with Section 333 funds (\$1.2 billion), this would result in a transfer of about \$7 billion annually, more than doubling the State Department's total security assistance resources. While it makes sense for the DOD to control authorities to provide operational assistance when engaged in combat, U.S. policy in Afghanistan has moved toward long-term projects of building up the security forces, which would point toward a larger role for the State Department.²⁰ The other programs are also more aligned with broader foreign policy goals of long-term capacity building of partners.

While there are times when it is appropriate for the DOD to have the authority to directly provide assistance to a partner, these programs should be exclusive to when the United States is at war and fighting side by side with allied or partner forces. In these cases, such as in active combat in Iraq or Afghanistan, it may make sense for the Pentagon to have its own authorities to assist foreign partners. But outside these wartime situations, and especially in light of today's efforts to end the forever wars, the State Department is fully able to oversee and manage the bulk of U.S. security assistance programs.

While this report calls for realigning U.S. assistance toward democratic allies and partners, it avoids diving into the specific policy debates over what countries should or should not receive security assistance. Those are obviously critical foreign policy debates,

but the authors focus on improving the ability of U.S. officials to make coherent policy decisions by first creating an effective management and organizational structure of security assistance. This will also require major reform to the State Department's own security assistance programs, which routinely and without deliberation provide billions in aid to nondemocracies. Security assistance should not be a diplomatic handout or entitlement; it should serve U.S. foreign policy and be flexible enough in its administration to align with U.S. foreign policy objectives and values. That not only requires consolidating security assistance programs in one place, but also demands significant reforms to the decision-making structure and security assistance system at the State Department.

The Biden-Harris administration should therefore make rebalancing and reforming security assistance—and restoring the lead to the State Department—an immediate priority, working with Congress and pushing for shifting resources from the DOD to the State Department in its first budget.

Anticipating and rebutting arguments against reform

Of course, reforming the security assistance system will not be easy and will encounter challenges. But these would be outweighed by the benefits of a more coherent and effective security assistance policy guided by the State Department. Anticipated challenges and benefits might include:

- **The State Department must be scaled up in order to gain the capacity to absorb the DOD's programs.** Moving the DOD's vast assistance budget to the State Department would be one of the most significant realignments of the U.S. national security agencies since the formation of the U.S. Department of Homeland Security in 2002. Such a bureaucratic change will require real reform and a significant expansion in the State Department's capacity to manage and administer the substantial increase in resources, as well as demand significant internal reform and reorganization. To be clear, State Department bureaucracy has often been its own biggest enemy; it is beset by turf battles, inefficiency, lack of clear and timely decision-making, and tangled lines of authority. As it currently stands, the State Department is far from capable of taking on the role this report suggests. However, these barriers should become the impetus for reform, not excuses to favor the status quo. Indeed, these efforts should be undertaken with other necessary reforms at the State Department to rebuild and improve U.S. diplomatic capacity.

- **Centralizing authorities and resources to the State Department would simplify the interagency process.** As noted above, moving security assistance authorities to the State Department would represent a huge realignment in the interagency process. But this reform effort would align with long-term broad, bipartisan consensus that there is a diplomacy-defense imbalance in U.S. foreign policy agencies.²¹ Realigning assistance resources must be fundamental to any effort to reempower the State Department and would eventually improve interagency functionality by resulting in better-managed policymaking. The costs of moving authorities would be well worth the improvements in overall U.S. policy by making it more coherent, less wasteful, and more effective.
- **Reforming the State Department's security assistance management could improve policy consideration and implementation.** Many of the functions involving DOD security cooperation activities, such as funding related to exercises and certain training activities, should remain in the Pentagon. Unifying decision-making on policy—not the details of implementation—in the State Department system would also ensure hand-in-glove cooperation and coordination with the DOD because it is the DOD that, by and large, implements State Department programs. The DOD would therefore continue managing U.S. government security assistance programs even if its programs were folded into the State Department's authorities, as currently is the case with the State Department's FMF program.
- **The U.S. defense industry would not be damaged by reforms.** Despite the recent insistence of the Trump administration, the objective of U.S. security assistance should not be to support the U.S. defense industrial base or as a jobs program; there are much more effective ways of supporting American jobs, such as through domestic infrastructure investments, than paying U.S. defense firms to build needless tanks. Unfortunately, this was the outlook for many in the Trump administration. Peter Navarro, the former president's trade adviser, trumpeted that American jobs were sustained by continuing to build tanks for Egypt.²² This jobs claim has been challenged by academic researchers, who found that investments in arms sales do not create as many new jobs as other potential investments and offer underwhelming economic benefits for Americans.²³ Security assistance should instead be viewed primarily as a diplomatic tool and thus controlled by diplomats.

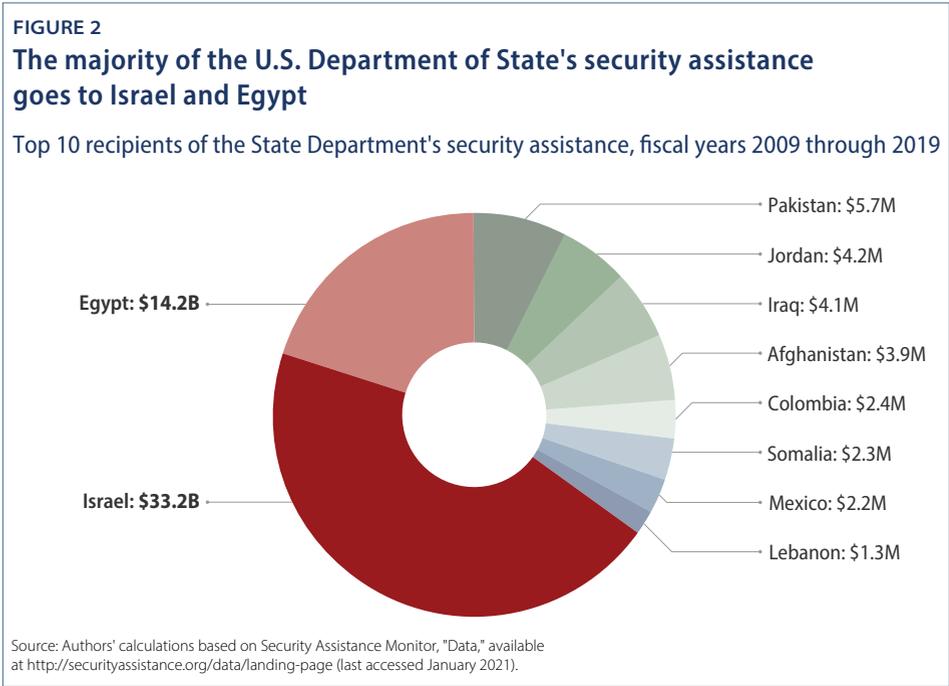
Hypothetical costs of reforming the system and disrupting current implementation of U.S. security assistance are likely to be significantly outweighed by improvements in the policymaking process and well worth the political capital a new administration and Congress would need to expend.

Landscape of the security assistance system today

Security assistance has been a critical foreign policy tool for decades.²⁴ Today, the United States provides assistance to a range of allies and partners to achieve its security goals. The primary objective of U.S. security assistance is to advance U.S. national and global security by empowering allies and partners to effectively confront shared security challenges.

The State Department system

The State Department provides security assistance primarily through the FMF program, an account with about \$6 billion annually for military equipment and training to partners.²⁵ The State Department's other authorities receive about half that amount, averaging around \$3 billion annually for professional military education, peacekeeping, counternarcotics, and other programs.²⁶



The State Department's security assistance funds, primarily FMF, provide little flexibility for diplomats. More than 80 percent of FMF flows to Israel, Egypt, and Jordan, the top three recipients of U.S. security aid.²⁷ After these partners, the State Department is generally left with about \$1 billion to distribute among the remaining countries around the world, though most of this funding is already earmarked by Congress for specific countries.²⁸ While State Department officials could in theory request more funds or flexibility, the department's legislative affairs office has often failed to even ask Congress for more resources or flexibility. To that point, funding for the State Department has declined in real terms—compared with significant growth in the Pentagon budget—since 9/11.²⁹

State Department security assistance programs

- Foreign Military Financing (FMF)
- International Narcotics and Law Enforcement (INCLE)
- Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR)
- Peacekeeping Operations (PKO)
- International Military Education and Training (IMET)

There are several challenges with today's State Department security assistance:

- **It's not flexible.** The majority of FMF's funds are earmarked in appropriations for specific partners, such as Egypt and Israel. The top-down direction of FMF funding leaves very little available funding for State Department programmers to grant to countries in the event of crises or new political dynamics. This makes it difficult for the State Department to reallocate significant enough funds to provide useful security assistance in times of crisis, especially when compared with some of the DOD's resources and more flexible authorities. Senior State Department officials have warned, "The more money and more authority you move out of traditional accounts we have used for decades to work with our partners, the more you lose the ability to balance."³⁰ For example, after Russia invaded Ukraine in 2014, the State Department wanted to provide urgent security assistance but was only able to reallocate a few million dollars from its FMF account.³¹

This lack of flexibility stands in stark contrast to allocations of DOD resources, some of which are granted to combatant commands and security cooperation officers in country to decide when and to whom funding is granted based on more immediate security considerations.³² As a result of this lack of flexibility, the State Department is largely seen as slow and bureaucratic and unable to respond to security crises within the U.S. government. But the State Department is no slower or faster than the DOD. Often, the State Department is seen as being slow in acting when it is actually holding on a decision due to policy reasons or due to congressional concerns. This was the case, for instance, in providing security assistance to partly fund Pakistan's acquisition of additional F-16s.³³

- **Bureaucratic incentives favor the status quo.** The State Department’s regional-functional bureaucratic divide—a perennial problem within the agency—inhibits its effectiveness in managing security assistance. In practice, the State Department’s Bureau of Political-Military Affairs shares decision-making authority on security assistance with regional bureaus that are loath to cut funding for the countries under their purview. Many regional bureaus also needlessly maintain their own separate security assistance offices, reducing their reliance on the Political-Military Affairs Bureau and complicating internal policymaking. Critiques of the State Department’s internal disfunction are valid, and lessons learned within the U.S. government and the DOD about how best to implement security assistance should be incorporated into State Department reforms.
- **The State Department’s leadership has in the past refused to ask Congress for more money for security assistance.** This has created an odd juxtaposition where Pentagon officials and military officers plead with Congress for more money for the State Department, while State Department officials do not.³⁴ The department’s silence, however, was largely due to fears that a conservative Congress would not increase the State Department’s overall budget but instead take funds from other accounts such as development, undercutting the agency’s other missions.

To address these challenges, there should be a review of the security assistance structure at the State Department to centralize decision-making in order to inform better, more coherent policy that aligns with the secretary of state’s objectives for U.S. foreign policy. The reforms should also build more agility and flexibility into the State Department’s FMF program, in part by reducing the influence of some regional offices that can distort broader foreign policy goals.

The DOD system

While the DOD has long played a role in implementing security assistance—usually as directed by the State Department—the provision of expansive authorities to the DOD, enabling it to manage its own assistance programs, is relatively new. Beginning in the 1980s, the DOD was granted funds to conduct its own security assistance programs—separate from the State Department—under Title 10, with programs for counternarcotics, nonproliferation, and counterterrorism activities.³⁵ After the 9/11 attack, the Bush administration sought to expand the DOD’s role to focus on counterterrorism and expanding partner special operations capabilities. In the following years, Congress more than doubled the number of DOD security assistance programs, granting new authorities and resources to the executive branch to bolster counterterrorism efforts and combat emerging threats.³⁶

There are several challenges of this duplicative security assistance system at the DOD:

- **The DOD’s authorities duplicate authorities originally granted to the State Department.**

Congress originally granted long-term efforts to develop another country’s security forces to the State Department and put these efforts under the purview of diplomats. But in the post-9/11 security environment, rather than fix the State Department’s lack of resources to handle counterterrorism issues, appropriators gave the funds to the DOD, contributing to more bifurcation of security assistance policy. This was exemplified by the 2006 creation of Section 1206: a \$350 million annual authority for the secretary of defense to support counterterrorism efforts and assist coalition partners. Though it required cooperation with the State Department, it was explicitly designed to empower the DOD, in part because some DOD officials thought the State Department was too slow and lacking expertise to carry out counterterrorism activities.³⁷ In 2014, a Congressional Research Service report found that “government personnel state that Section 1206 has been used as a substitute for FMF, especially in the early years, given what many analysts believe is a shortage of FMF funds to meet legitimate foreign defense equipment needs.”³⁸

- **Congressional barriers exacerbated the DOD-State Department imbalance.** The 2011 Budget Control Act and a Republican-controlled Congress skeptical of the State Department made giving more resources to the department a nonstarter.³⁹ Senior DOD officials urged Congress to grant the agency new authorities, such as in a 2008 House Armed Services Committee hearing with the secretary of defense and chairman of the joint chiefs of staff.⁴⁰ Faced with these constraints, the Obama administration opted to create more authorities at the DOD through the annual must-pass National Defense Authorization Act (NDAA). Meanwhile, the Senate Foreign Relations and House Foreign Affairs committees, with jurisdiction only over the State Department’s security assistance programs, did little to correct the imbalance.⁴¹ According to one study before the recent consolidation efforts, the DOD managed 48 out of 50 new programs created after the 9/11 attacks.⁴² Of the 107 existing security assistance programs today, the DOD manages 87—a whopping 81 percent.⁴³

- **DOD officials can work around the State Department’s diplomats.** In part due to restrictions from the Budget Control Act and with new programs at the DOD, Pentagon officials had more flexibility on security assistance programs than their State Department counterparts. The DOD had budgetary space to reallocate significant funds from the substantial Pentagon budget to respond to sudden emergencies or new crises, something that is virtually impossible for the State Department, making the DOD often the lead actor in a crisis.⁴⁴ Regional combatant commands

aggressively sought more resources from Congress to conduct their own security assistance programs, giving them added flexibility to work with partners in the field that their State Department counterparts lacked.⁴⁵ A Government Accountability Office report found that 56 DOD security assistance programs do not require any involvement from the State Department.⁴⁶

- **Temporary programs become permanent.** The majority of the new DOD security assistance authorities were premised as temporary, operational programs, designed to tackle immediate threats and challenges.⁴⁷ But in practice, many programs have endured. Once a multiyear, multimillion-dollar program is established, it has a tendency to become entrenched, becoming a permanent assistance program with its own invested bureaucracy to sustain and expand it.⁴⁸ The Section 1206 authority exemplifies this phenomenon: A 2017 DOD inspector general report found that “DoD officials stated that the temporary nature of the authority made it infeasible to commit the resources necessary to effectively manage Section 1206 as a ‘program’”—despite the fact that it was annually authorized and funded for 10 years until fiscal year 2015. Some \$2.2 billion was appropriated for Section 1206 before it became law. Section 333 funding now replicates many of the same functions today.

The DOD’s duplicative security assistance programs complicate overall foreign policymaking. Reforming security assistance by centralizing resources at the State Department—and coupling the move with necessary reforms at the State Department—would go a long way toward improving this policy process.

DOD security assistance programs

Assessing total DOD funding for security assistance programs remains a challenge.⁴⁹ Today, in addition to implementing State Department security assistance, the DOD operates a range of its own security assistance programs. This contributes to a system that is less coherent, less integrated, less transparent, and less subject to effective congressional oversight.

- DOD security assistance programs related to train and equip include:⁵⁰
- Afghanistan Security Forces Fund (ASFF)
- Afghanistan Infrastructure Fund (AIF)
- Section 333 Building Capacity of Foreign Security Forces (formerly Section 1206)
- Commander’s Emergency Response Program (CERP)
- Combatant Commander Initiative Fund (CCIF)
- Counter-ISIS Train and Equip Fund
- Counterterrorism Partnerships Fund (CTPF)
- Coalition Support Fund (CSF)
- Defense Institution Reform Initiative (DIRI)
- European Reassurance Initiative (ERI)
- Iraq Train and Equip Fund (ITEF)
- Logistic Support for Allied Forces in Combined Operations
- Ministry of Defense Advisors Program (MODA)
- Southeast Asia Maritime Security Initiative (MSI)
- Regional Centers for Security Studies (RCSS)
- Ukraine Security Assistance Initiative (USAI)
- Wales Initiative Fund (WIF)

TABLE 1

U.S. Department of Defense (DOD) train and equip funds have risen significantly while U.S. State Department funds have remained flat

Recent appropriations for DOD and State Department security assistance programs, fiscal years 2015 to 2019

State Department account	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Foreign Military Financing (FMF)	\$5,867.30	\$6,022.00	\$6,313.10	\$6,131.60	\$6,191.60
International Military Education and Training (IMET)	\$106.10	\$108.10	\$159.40	\$110.90	\$110.80
International Narcotics Control and Law Enforcement (INCLE)	\$1,292.30	\$1,621.50	\$1,204.60	\$1,369.80	\$1,497.50
Nonproliferation, Anti-Terrorism, Demining, and Related Programs (NARD)	\$682.50	\$885.50	\$1,098.50	\$876.10	\$864.60
Peacekeeping Operations (PKO)	\$473.70	\$600.60	\$659.00	\$537.90	\$488.70
Department of Defense account					
Section 333: Building Partner Capacity	n/a	n/a	\$657.40	\$869.50	\$1,186.90
Section 1206: Train and Equip	\$539.30	\$1,299.20	n/a	n/a	n/a
Afghanistan Security Forces Fund	\$4,109.30	\$3,652.30	\$4,262.70	\$4,666.80	\$4,920.00
Counter-Islamic State in Iraq and Syria Train and Equip Fund	n/a	n/a	\$1,606.40	\$1,769.00	\$1,352.00
Ukraine Security Assistance Initiative	n/a	\$226.50	\$150.00	\$150.00	\$200.00

Note: Tracking individual figures using DOD sources remains a challenge, and only FY 2019 and FY 2020 appropriated and spent figures were found online. Funds are in millions of dollars.

Source: Authors' calculations based on Security Assistance Monitor to track year over year comparison between State Department and DOD accounts. See Security Assistance Monitor, "Data," available at <http://securityassistance.org/data/landing-page> (last accessed January 2021).

Past attempts to reform the system

Recent efforts to reform the security assistance architecture tend to get bogged down by the complexity of the current system. This has led to an inevitable focus on incremental tweaks that address tactical-level concerns. These weedy discussions, while useful, often take the current structure of the U.S. security assistance system as a given—and therefore, do not address the broader strategic and budgetary issues and imbalance between diplomacy and defense. Furthermore, policymakers and politicians often get lost in the technical nature of these discussions, lack broader historical context, and are easily persuaded by officials with a stake in largely preserving the status quo and in protecting their offices, who tout the complexity of the challenge; as a result, they quickly lose interest in reform. A new administration should be wary of these past mistakes when embarking on suggested reforms in this report.

Obama administration efforts attempted to improve interagency cooperation

During the first years of the Obama administration, White House officials led an interagency review of U.S. security assistance policy. The result, Presidential Policy Directive 23, established goals and policy guidelines for U.S. security assistance in 2013 and sought to increase interagency, meaning State Department-DOD, collaboration.⁵¹ But there were challenges in implementing these reforms. For example, the Global Security Contingency Fund (GSCF) was created under the Obama administration as an experimental program designed as a joint effort, housed at the State Department with staff from both agencies and new funds to pool resources.⁵² But the GSCF turned out to be bureaucratically unwieldy and ultimately unsuccessful: Because it was housed at the State Department and the DOD, eight congressional committees exerted oversight, and projects were easily stymied by skeptical staffers.⁵³ It also lacked institutional buy-in from the DOD, which was slow to provide staff and resources and focused on working around the State Department instead.

Congressional efforts have primarily focused on the DOD's resources

Rather than concentrate on the overall security assistance landscape, congressional reform efforts focused entirely on consolidating DOD authorities and bridging silos within the existing system. For example, the fiscal year 2017 NDAA sought to institutionalize DOD assistance by merging many of the Pentagon's authorities into a "new, broader global train and equip authority," creating a new Section 333 under the DOD's Title 10 authority.⁵⁴ But Section 333 is essentially redundant to many of the State Department's authorities, including FMF; International Narcotics and Law Enforcement; and Nonproliferation, Anti-terrorism, Demining, and Related Programs. And while the authorization calls for the "concurrence" of the secretary of state, in practice, it leaves the State Department with very little leverage and little ability to shape DOD programs. Some analysts found, "There are varying degrees of Section 333 implementation and buy-in from combatant command leadership," with some viewing the State Department-DOD integration as a check-the-box exercise.⁵⁵

While there have been some notable attempts, such as 2019's Department of State Authorization Act in the House of Representatives,⁵⁶ Congress has failed to enact any major legislation to modernize State Department authorities or resources. Moreover, these reforms to the DOD's security assistance authorities did nothing to improve the State Department's authorities; though Section 333 included reporting requirements that are considered a "gold standard" for assessing a partner's capacity to absorb U.S. assistance, such assessments are not required for assistance from the State Department.⁵⁷

Trump administration changes have exacerbated the problem

Meanwhile, Trump administration efforts have only further exacerbated the growing imbalance between the DOD and the State Department. President Donald Trump proposed significant foreign aid cuts in each budget, which would significantly strain already limited State Department resources. For example, the president's 2020 budget proposed a 5 percent increase for DOD security assistance while advocating an 18 percent cut to State Department programs.⁵⁸ The president's first budget in 2017 went even further and proposed cuts of 51 percent for peacekeeping and 32 percent for narcotics and law enforcement accounts, while proposing a \$54 billion bump in total DOD funds.⁵⁹ Trump also proposed shifting FMF program from grants to loans, suggesting partners could purchase American equipment with U.S. assistance "on a repayable basis."⁶⁰ Another proposal from the Trump administration would have reduced the State Department's flexibility even further, directing 95 percent of FMF to just four recipients and leaving 5 percent for the rest of the world.⁶¹ These changes—which have not ultimately taken effect or been pursued by the Congress—would have left the State Department with even fewer resources to effectively and flexibly respond to American partners and changing security needs.

Consequences of the current system

As this report argues, there is a clear case to reform security assistance. Doing so would create a more effective policy process and enable better results in using this foreign policy tool. But there are also important consequences that would continue if policymakers fail to reform the current unworkable, ineffective security assistance system, including the fact that it:

- Contributes to the militarization of U.S. foreign policy
- Perpetuates a status quo system that ignores changes in partner government behavior
- Harms democratic progress and enables human rights violators
- Inhibits effective congressional oversight
- Contributes to an inefficient and wasteful bureaucracy

Understanding these consequences will be key to incentivizing the executive and legislative branch officials who will need to make these tough reforms. Addressing these consequences should also guide the types of reforms needed to improve overall security assistance policy.

Contributes to the militarization of foreign policy

The current security assistance system contributes to the militarization of U.S. foreign policy. Militarizing foreign policy entails the increasing use of the military to solve foreign policy challenges and results in a bloated DOD budget with more resources and authority. Researchers describe it as a phenomenon whereby “the military more and more becomes the primary actor and face of U.S. policy abroad,” leading to a cycle in which the DOD requires and receives significantly more resources than any other foreign policy agency and is thus increasingly relied on to solve U.S. foreign policy problems.⁶² There are several elements of a militarized foreign policy in today’s security assistance system, but primarily, the DOD’s control of significantly more security assistance resources puts the Pentagon—rather than diplomats—in the driver’s seat in policymaking.

The Pentagon's significant resources also distort the face of U.S. security assistance on the ground. Gordon Adams, a former White House budget official, warned, "Who owns the ball matters here because it colors the way the U.S. engages overseas. If American engagement wears a uniform . . . that's one form of interaction. If it involves the ambassador and the [U.S. Agency for International Development] and people doing governance work, it's a different set of missions and there's a hugely different perception."⁶³ Recipient countries can utilize this to their advantage; foreign officials may more eagerly seek to follow through or make progress on DOD requests or priorities, such as going through with a significant military exercise or a ship visit, while ignoring or slow-rolling State Department requests or priorities, such as releasing a dissident or altering an economic regulation. And if the interlocutor that matters in relations with the United States is the military, the subject that matters is defense. The Pentagon's priorities can therefore end up carrying more importance with partners than the State Department's broader foreign policy concerns, making combatant commands more powerful than any diplomat. When the State Department is deprived of resources, or cut out of the decision-making process entirely, diplomats cannot effectively weigh in on whether a proposed sale or package makes sense given a range of other nonmilitary concerns that may exist in a bilateral relationship. In short, money is power, and the DOD has the money.

The net effect is that U.S. foreign policy is less coherent, with Pentagon policy more likely to be out of sync with broader foreign policy concerns. For example, the DOD's U.S. Africa Command posture review is being conducted with little to no coordination with the State Department, and the rumored outcome is to call for reduced U.S. presence and security investments in order to free up DOD resources to focus on competition with Russia and China.⁶⁴ Yet the United States still has serious security and geopolitical interests in the continent that are likely not reflected in traditional military-only decision-making. Rachel Stohl, managing director at the Stimson Center, warned that developing military-to-military security assistance programs is "an important relationship, one that should be cultivated, but it is not separate from the diplomatic and foreign policy relationships that have to be developed and take time. If you lose the foreign policy piece and just focus on the security piece, you're doing a disservice to the larger strategic objectives."⁶⁵ The siloed security assistance system leads to disjointed U.S. foreign policy, divorces security concerns from broader economic or diplomatic concerns, and can end up promoting militarized solutions.

Perpetuates the status quo in security relationships

The current security assistance framework at the State Department and the DOD often perpetuates the status quo by creating incentives to continue providing assistance to the same partners. Between congressionally mandated allocations to large security partners in the State Department’s FMF assistance and specific authorities created for certain countries, there are often few built-in incentives to reexamine a partner’s record or backsliding. And when reviews are done, there is strong resistance to shift funding due to the potential fallout. Rarely is the top consideration the effectiveness of assistance. In an interview with the authors in June 2020, Anthony Wier, a former deputy assistant secretary in the State Department’s Bureau of Legislative Affairs, explained, “Right now, the best predictor for what we propose to spend this year is what we proposed last year – in other words, the whole system is basically just drifting from year to year.”⁶⁶

This greatly affects the perception of other U.S. security assistance partners. Countries know that the United States is unlikely to cut assistance, even despite bad behavior, in order to avoid harming a bilateral relationship. Recipients take note of such reluctance to pull aid even when gross abuses occur and thus ignore U.S. chastising on bad behavior. As long as the United States is unwilling to cut off assistance or move funds elsewhere after a country commits actions that U.S. officials oppose, security assistance will provide no foreign policy leverage.

Harms democratic progress and enables human rights violators

Current security assistance policy, divorced from other foreign aid considerations, hampers pursuing this values-based policy and does not effectively elevate human rights and democracy concerns in the decision-making process. This is dangerous because the United States ends up supporting autocratic regimes with serious governance and stability challenges. Yemen, for example, received more than \$300 million in security assistance through the DOD’s train and equip authority between 2010 and 2015, yet researchers documented human rights abuses perpetrated by the government and possible diversion of U.S. aid.⁶⁷ Worse still, the perception that U.S. aid was fueling conflict led much of the Yemeni public to believe that the United States was primarily responsible for the destruction of the Saudi-led coalition in the current war.⁶⁸ Today, the conflict in Yemen is the world’s worst humanitarian crisis.

An overly militarized security assistance policy makes it harder to support emerging democracies. Building up security forces without accompanying reforms to strengthen civilian oversight can lead to coup-proofing or consolidation around a political leader,

rather than the development of a competent force.⁶⁹ Often, these impacts are not prioritized by security assistance practitioners; for example, the DOD’s relative spending on building up partner security institutions, such as the Defense Institution Reform Initiative, was \$32.6 million in fiscal year 2019, compared with \$1.9 billion of overall spending.⁷⁰ At the same time, the DOD’s investment in institutional capacity building far exceeds the State Department’s investment in these efforts—an example where the State Department will have to incorporate and improve on the DOD’s practices.

While U.S. laws technically prohibit providing security assistance to units found to violate human rights—the Leahy laws—the provisions are riddled with loopholes and are too weak to effectively prioritize human rights in U.S. security assistance.⁷¹ Offices and agencies responsible for elevating human rights in U.S. foreign policy, such as the State Department’s Bureau of Democracy, Human Rights, and Labor, are too often cut out of the decision-making process for security assistance programs—especially those run out of the Pentagon. At the same time, the Pentagon maintains its own security assistance accounts, such as Section 127e, that are not required to conduct human rights vetting and operate with little transparency—furthering opportunities to militarize foreign policy.⁷² And often, such as in the case of Egypt, security assistance is accompanied by paltry amounts of democracy, human rights, and governance funding (DRG), or certifications on human rights are waived entirely, to make providing arms more palatable.⁷³ These small DRG funds or certification stops do little to change the underlying political challenges or are sometimes even hampered by the regime the United States is funding.

Inhibits congressional oversight

By creating two separate security assistance bureaucracies—one at the State Department and one at the DOD—there is no uniform oversight of security assistance by Congress. DOD security assistance residing in Title 10 is a relatively tiny piece—comprising about 2 percent of the overall DOD budget—of the oversight jurisdiction for the Senate and House Armed Services committees and DOD appropriators. Meanwhile, the assistance under State Department authorities comprises a far more significant proportion of the State Department budget—about 15 percent—and therefore can be subject to more expert attention.

Congressional staff are expected to review a continuous flow of piecemeal security assistance notifications from the executive branch and track reports about the myriad authorities. Many congressional staff report being unable to keep up with reviewing even the biggest program, and reports—even those made public—are rarely reviewed

in any depth.⁷⁴ Moreover, these committees rarely talk to each other or coordinate over specific security assistance programs. They also jealously guard their jurisdictions and have a poor track record of communication, let alone cooperation.⁷⁵

As a result, security assistance rarely gets a vetting before the public eye. The Senate Foreign Relations Committee has held two hearings on security assistance in the last 10 years—and tends to focus on the foreign policy dimensions of the most problematic partnerships.⁷⁶ Congressional notification requirements are not uniform and only mandated for certain types of authorities, making it impossible to see a “full and authoritative accounting” of U.S. security assistance funding around the world.⁷⁷

Contributes to an inefficient bureaucracy and coordination nightmare

Because of the patchwork of existing authorities to provide security assistance, there are multiple systems for U.S. officials in Washington and on the ground in embassies to manage. For the security assistance system to work effectively, U.S. officials at the State Department, the Pentagon, and in the field need to closely coordinate—but this does not always happen in the current structure. Military officers conducting and implementing security assistance have to juggle multiple security assistance programs with different types of reporting requirements, human rights vetting standards, and administrative barriers, while also being beholden to two chains of command—the ambassador and the combatant command—with sometimes divergent perspectives.

Many programs are supposed to be dual key and require signoff from both the secretary of defense and secretary of state. But because the DOD owns the authority, their control over the direction of the program exceeds the State Department’s capacity and available political influence to shape programs. A Congressional Research Service report found that in practice, “many more projects are submitted by the Combatant Commands than by embassy staff.”⁷⁸ The resource imbalance between the DOD and the State Department also affects coordination; for example, State Department officials usually only see planned Section 333 activities when the DOD transmits a hefty tranche of proposals for a 14-day concurrence—hardly a joint planning process.⁷⁹ This leaves the State Department in a position where, if it cannot persuade the DOD of the merits of any particular concerns, it must either sign off on the package or risk an interagency battle over one minor piece of it.

Doing the latter not only puts the State Department in a very tough bureaucratic position vis-a-vis the DOD, but it can also be hard to convince a secretary of state that the objection is worth the battle with their DOD counterpart. This suggests that DOD programs, even if dual key, are likely to reflect military considerations and priorities, regardless of intentions.

Moreover, due to personnel and resource shortages, former U.S. officials found that the State Department is “not equipped to coordinate across the increasingly complex and unwieldy” security assistance system.⁸⁰ Senior policymakers, who often lack adequate staff or extensive training on security assistance, are not well equipped to effectively guide the bureaucracy on who should receive security assistance and how it fits into broader foreign policy decision-making.⁸¹ The State Department’s lack of resources also naturally hampers dual-key provisions that seek to fix coordination gaps between the State Department and the DOD. This leads to a system where security assistance policy varies country by country, depending on the personnel in place and the agency that takes charge. The added bureaucracy can make efficient, cost-conscious decisions impossible, and it opens the process up to political influence.

Policy recommendations: Fixing the security assistance system

The dysfunction of today’s security assistance system is not a new problem but has become exacerbated over time. That said, the proliferation of programs and funds appropriated in recent years is not so entrenched that reform is impossible. Former officials have called for this reform but failed to achieve it. As then-Senate Foreign Relations Committee Chairman Bob Corker (R-TN) argued, “Both the State and Defense departments play important roles in the delivery of security assistance, but the process should reflect the reality that these are fundamentally foreign policy decisions about advancing U.S. interests.”⁸²

To reform, a new administration must make this a priority from the outset and act decisively within its first days in office to move to fix this broken system. This is critical because failing to act immediately allows the bureaucracy to capture the political appointees meant to oversee reform. These new appointees or senior officials gain a stake in the existing system and will not want to lose oversight over resources or be seen as not standing up for their department, office, and staff. These forceful and influential appointees then become fierce opponents of reform. As Rufus Miles observed, “where you stand depends on where you sit”; to reform security assistance requires acting quickly before the new appointees have taken a seat.⁸³ In order to give these reforms the best possible likelihood of succeeding, a new administration should announce these efforts very early in office.

Move almost all security assistance funding from the DOD to the State Department

The DOD’s security assistance authorities and funds related to train and equip accounts should be transferred by Congress from the DOD to the State Department. The State Department should have full decision-making authority over all U.S. funding for security assistance programming—as indeed the Foreign Assistance Act requires.⁸⁴

While the DOD would remain the agency in charge of implementing programs, the State Department needs to have the lead in deciding what, who, and when to fund security assistance. The Biden-Harris administration should work with Congress to pass legislation to transfer the requisite resources and authorities to the State Department, including the DOD's Section 333 program and train and equip accounts such as the Afghanistan Security Forces Fund, the Counter-ISIS Train and Equip Fund, the Iraq Train and Equip Fund, and the Ukraine Security Assistance Initiative.

Expand and train the security assistance workforce at the State Department

To administer such a massive expansion in security assistance funding, the State Department will need significantly more qualified people focused on this work. The proposed funding shift should involve the State Department incorporating DOD civilian employees who currently work on security assistance. This workforce development plan should be a focus of the security assistance structure across the U.S. government, and it should look at where the State Department could detail officials from the DOD as Foggy Bottom ramps up its capacity. The workforce reform should also include the following changes:

- Conduct an overall review of the existing security assistance workforce and make significant reforms to improve the State Department's capacity to manage new resources that are transferred to the department.
- Hire more employees charged with overseeing security assistance policy, acknowledging that it will take time to build a robust security assistance workforce.
- Direct resources to professionalize the security assistance workforce at the State Department. Similar reforms were mandated for DOD officials working on security cooperation at the Pentagon in 2017.⁸⁵ Proponents of the changes at the DOD noted that it would “establish a pool of talented and experienced employees from which future senior leaders in security cooperation will be selected, mentored and given an opportunity to guide the enterprise.”⁸⁶ This specialized workforce should extend beyond the DOD so that State Department officials can benefit from established knowledge of the security assistance landscape.

These reforms are critical because without an effective and well-resourced workforce to administer these policy changes at the State Department, the DOD will likely be able to continue to set policy and the terms under which it is implemented due to bigger budgets and manpower at the Pentagon.

Review and reform the State Department's security assistance structure

The State Department will need to reorganize the structure of bureaus involved in security assistance to ensure that relevant offices and personnel are coordinating with each other. Various security assistance programs at the State Department, such as International Narcotics and Law Enforcement or Diplomatic Security's Antiterrorism Assistance, may need to be reorganized under a new structure, such as one centralized security assistance office in the Political-Military Affairs Bureau, under one under-secretary. The State Department should restructure the decision-making process to strengthen the role of the Political-Military Affairs Bureau, granting it more authority over funding decisions and the power to move funds between countries and regions. There should be a clear chain-of-command and decision-making hierarchy in order to enable coherent, consistent decisions on security assistance policy. The reforms should also work to establish effective systems for cross-department and interagency prioritization, planning, and dispute resolution.

In a new system, the offices charged with overseeing security assistance must have greater authority to make decisions and move funds to regain foreign policy leverage. As the Political-Military Affairs Bureau increases its relative authority, though, it should be required to offer a clear strategic vision for security assistance and should be held to account to implement this vision. The bureau should also be required to produce an annual report to Congress outlining goals and objectives for U.S. security assistance. For example, if the goal of U.S. foreign policy is to rebalance toward democratic partners, the Political-Military Affairs Bureau should have to show that it is taking steps to meet that goal, such as by moving funds and creating new initiatives that support emerging democracies.

Reorganize the decision-making structure for security assistance at the State Department

To improve the overall U.S. security assistance system, it will be critical for the State Department to set up a policy process where funds are not treated as diplomatic entitlements owed to the regional bureaus. Too often, regional bureaus—focused intensely on maintaining and improving diplomatic relations—win out in arguments over rights and values under the justification of prioritizing smooth diplomatic relations and avoiding uncertainty. Meanwhile, functional bureaus such as the Political-Military Affairs and the Democracy, Human Rights, and Labor bureaus often lack the clout internally to overcome regional bureau objections. The duplicative security cooperation offices currently

housed in regional bureaus should be moved into the Political-Military Affairs Bureau to augment the workforce. By having their own security offices, regional bureaus are less reliant on the expertise in the Political-Military Affairs Bureau, as they have duplicated it in-house. This leads to unending turf wars and poor coordination. At the same time, bureaus such as Democracy, Human Rights, and Labor should be given a greater role to inform security assistance policy, especially involving decisions related to nondemocracies and human rights violators.

Create a better policy planning process to guide U.S. security assistance policy

The State Department, in coordination with the DOD, the National Security Council, and other relevant agencies, should implement a policy planning process that includes defining outcomes and goals for the provision of U.S. aid. This should include weighing security, political, and economic factors in a partnership, and assessing what kind of support a country should receive. By centralizing security assistance at the State Department, U.S. officials would be able consider the entire range of concerns in bilateral relationships. Pushing forward security assistance without adequately considering the partner's capacity to effectively absorb assistance—or assessing whether the partner will use it properly and not commit abuses with U.S. weapons and training—can be wasteful at best or extremely dangerous at worst. For example, despite the U.S. Africa Command spending millions of dollars on security training and support in Mali before 2011, the government quickly collapsed in the face of an insurgent force enabled by al-Qaida-affiliated groups—a clear failure of U.S. security assistance goals.⁸⁷ Reforms to security assistance must focus on expediting the process only after a comprehensive deliberation on a range of issues has occurred.

Congress should also grant more flexibility to the State Department to guide allocations. If State Department leaders determine that appropriations for a given partner would not best be utilized for security assistance, the State Department should have the flexibility and authority to provide political or economic aid instead. This could help address today's challenge where U.S. security assistance is provided to fragile states that lack effective institutions or accountable, transparent processes to effectively utilize security aid. Benchmarks should be also established that would help determine whether U.S. assistance is helping partners build more capacity and use U.S. equipment and training in the right ways.⁸⁸

Incorporate best practices from the DOD into State Department assistance

The DOD's expertise and best practices should not be lost in transferring programs and resources to the State Department. When the new administration announces its intent to transfer resources, it should also announce plans to conduct a review of best practices in U.S. security assistance and plan to incorporate these into the reforms at the State Department. For example, the flexibility granted to combatant commands in Section 333 assistance may be a better model for State Department officials than the top-down process of aid allocation in current FMF assistance. DOD programs have also made significant strides in improving and incorporating assessment, monitoring, and evaluation into its programs, as well as better processes for incorporating other aspects of security assistance such as institution building, which the State Department should seek to replicate. Furthermore, recent consolidation of security assistance accounts at the DOD may provide guidance for consolidating some of the State Department's different assistance programs in the review process called for above.⁸⁹

Build long-term planning into the security assistance system

Given the annual appropriations process, security assistance decisions are often constrained by one-year funding availability. But to accomplish the goals of much of today's security assistance—to build up capable, effective, well-trained security forces in fragile states to maintain regional security—requires years of effort and planning to succeed.⁹⁰ To address some of these challenges, the State Department should work with Congress and counterparts at the DOD to develop better long-term planning in security assistance programs. Multiyear funding programs would allow U.S. officials to build conditions into the assistance provided, where good behavior and adherence to international law could unlock higher levels of U.S. cooperation and more advance equipment. This would also build in checks on a partner's compliance with human rights standards and theoretically make it easier for U.S. officials to block future aid if violations continue. Multiyear programming would also reduce pressure to send equipment and assistance out the door before annual budgeting cycles close, saving U.S. dollars.

Realign security assistance so that it supports more democratic states and more closely aligns with U.S. democratic values

U.S. security assistance—funded by American taxpayers—should rarely, if ever, go to authoritarian regimes. Instead, future security assistance should be realigned to support established democracies and growing democratic efforts. Reducing U.S. security assistance to an authoritarian state will likely be a difficult process and at times require short-term tangible trade-offs, such as military access or overflight rights, with a less tangible long-term goal of rebuilding America’s moral authority and boosting incentives for states to remain, or become, democratic. Yet, as history has shown, these trade-offs are often not worth the short boost in relations at the longer-term cost in stability and good governance practices. This realignment process can only be accomplished and overseen by the State Department, as the DOD is not equipped to decide trade-offs involving nonmilitary or security needs.

There may be exceptions or cases where, despite the objective of realigning, foreign policy interests on strengthening military ties take precedence. One example may be Vietnam, where the United States worked hard to build relations in the aftermath of the Vietnam War and in response to China’s rise, and security aid was accompanied by health and development assistance. But providing U.S. security assistance to nondemocracies when called for could and should demand additional strings and additional nonsecurity aid.⁹¹ In the case of counterterrorism assistance to partners with bad rights records, for example, security assistance needs to be accompanied by increased funding for democracy, rights, and governance to help strengthen civil society and improve election monitoring capacity. If governments do not support or welcome U.S. assistance toward governance and democracy initiatives, security assistance packages should be vetted and reassessed, with an inclination toward realigning funding for nondemocratic states. Centralizing security assistance in the State Department would make it easier for diplomats to track these political factors and make the call to approve or cut off U.S. aid.

Elevate the role of human rights in security assistance decision-making and policymaking

Currently, human rights considerations are rarely given significant weight in decisions about who to support and when with U.S. security assistance. In moving resources to the State Department, officials should conduct a full review of a partner’s capability, capacity, and political will to protect civilians and abide by human rights requirements before approving future U.S. assistance.⁹² These reviews, conducted at the outset of U.S. security relationships, could ensure that a partner is unlikely to abuse U.S. aid.

Additionally, to counter the sizeable influence of regional bureaus, the Bureau of Democracy, Human Rights, and Labor should be required to review and concur on security assistance projects that involve countries found to have a history or pattern of human rights abuses in the conduct of its security forces or security policy. This determination should be informed by the State Department's own annual human rights reporting in addition to information from civil society groups.

Human rights vetting should also be reformed. Under the current system, partners who purchase U.S. assistance and equipment circumvent Leahy law vetting, and aid that flows directly to ministries of defense, rather than individual units, is not subject to the same human rights restrictions.⁹³ Closing these loopholes would not only bring all U.S. assistance in accordance with existing U.S. law, but it would also make for smarter policy. Researchers have found that when partners commit human rights abuses with known U.S. support, civilians on the ground are more likely to blame American foreign policy.⁹⁴ Prioritizing partners that are willing to abide by international human rights standards would protect American interests and civilians on the ground. The Bureau of Political-Military Affairs, in collaboration with the Bureau of Democracy, Human Rights, and Labor, should jointly increase the human rights vetting of arms transfers.

Finally, the State Department should develop a framework of triggers and indicators on human rights and civilian protection that would require a reevaluation or termination of a security partnership. When partners commit abuses or refuse to abide by international law, the United States must be willing to cut off assistance. This would ensure that the United States is not complicit in abusive behavior and could incentivize partners to clean up security force conduct. This internal trigger should also automatically alert Congress to ensure that proper remediation is done by the executive branch.

Create a position on the National Security Council to oversee all U.S. security assistance

To keep the White House informed and ensure cohesive policy development, a new staff position should be created within the National Security Council to oversee and coordinate all U.S. security assistance and arms transfers across the government. This position will help to execute broader U.S. security assistance policy and elevate and synchronize its role as an essential tool of U.S. foreign policy in the era of great power competition and new global threats. The new role should work closely with the State Department to clearly articulate a unified security assistance strategy that prioritizes working with democratic states and using security assistance as a tool to support emerging democracies. It could be housed in either the nonproliferation or defense directorate.

Educate State Department officials and ambassadors on the U.S. security assistance system

In order to effectively wield security assistance as a tool of U.S. foreign policy, American officials must be more knowledgeable about the resources at their disposal. Ambassadors, in particular, represent the front lines of U.S. policy in a partner country and must be aware of the relevant dynamics of security assistance programs. But too often, officials are deployed without a clear understanding of the goals and intent of providing American security assistance. The State Department should develop and formalize a curriculum to educate officials on the basic tenets of U.S. security assistance and the system that provides it. Such a course could be mandatory for promotion to GS-15 and senior executive positions. The State Department could also add a session to the A-100 orientation course for all new foreign service officers on security assistance so that entering officials have a better understanding of the importance of this tool. The goal should be to provide a common baseline understanding of what security assistance is provided for, what it is meant to accomplish, the system that provides it, and the relevant restrictions—particularly human rights restrictions and why they matter—in partnerships.

Develop a crisis response playbook for security assistance

Critics of the current system rightly point out that U.S. security assistance can move too slowly in a crisis. Relevant U.S. agencies should come together to develop a standard response playbook for U.S. security assistance during a crisis. This could involve incorporating the best practices from DOD and State Department security assistance, under the leadership of the State Department. Agencies should conduct a review of the most useful items—from nonlethal supplies to equipment that enhances lethality—to send quickly to a partner in crisis. These supplies should be maintained in stockpiles in convenient global locations so that they can be distributed quickly. Centralizing this response playbook at the State Department would help to ensure that the decision to respond to a crisis can effectively weigh all relevant political, rights, economic, and security concerns.

Build in assessment, monitoring, and evaluation programs at the outset of security assistance programs

Effective monitoring mechanisms should be built in from the outset in reforming the State Department's security assistance programs. In the current system, there is little evidence of what works or what does not in terms of improving a partner country's capacity or will to achieve shared security objectives. Some reforms to DOD security assistance

programs were an important step toward building assessment, monitoring, and evaluation into the DOD's security assistance programs.⁹⁵ Similarly, recent efforts to reform monitoring in the State Department's Peacekeeping Operations accounts have had notable success. These reforms should be copied and mandated for all programs conducted by the State Department and the DOD moving forward. Assessment, monitoring, and evaluation programs should be regularized and aggregated in order to be useful for U.S. officials implementing security assistance programs.⁹⁶ This will be a significant undertaking, and so building up a professional workforce that can effectively monitor and evaluate security assistance programs must be a significant component and priority in personnel reforms at the State Department and the DOD. Further reforms should be considered, such as mandating that a small portion of funds for each security assistance program be set aside for assessment, monitoring, and evaluation purposes.

Congress should modify oversight structures to reduce stovepiping

Reforms to the security assistance framework are often slowed by congressional equities that remain stovepiped and unwilling to enable resource sharing and coordination between departments. The House and Senate Armed Services committees, the Senate Foreign Relations Committee, and the House Foreign Affairs Committee should consider working together to establish a joint subcommittee, working group, or task force on security assistance policy that would be responsible for the oversight of all forms of security sector assistance. Great strides were made in the Obama administration to increase State Department-DOD collaboration and integration, only to run into challenges when engaging a Congress that remained stuck in its agency oversight stovepipes.

Congress should also hold regular oversight hearings to hold the executive branch accountable for developing a coherent security assistance policy. It should require an annual report to track where funds are being allocated and to articulate how U.S. security assistance efforts support broader U.S. foreign policy goals and objectives. This will not only provide needed transparency and accountability, but also put political and public pressure on the Political-Military Affairs Bureau.

Conclusion

Moving resources to the State Department to conduct security assistance would result in more effective aid that is less likely to be wasted or flow to abusive partners. It would also reduce unnecessary bureaucracy from the current system. This would be an important step toward undoing the militarization of U.S. foreign policy and would give an important foreign policy tool back to American diplomats.

The new administration should move quickly to consolidate security assistance resources under the State Department, with accompanying reforms to the bureaucracy and workforce that handles these issues. Congress should support this realignment and transfer the necessary authorities and resources from the DOD to the State Department.

About the authors

Max Bergmann is a senior fellow at the Center for American Progress, where he focuses on European security and U.S.-Russia policy. From 2011 to 2017, he served in the U.S. Department of State in a number of different positions, including as a member of the secretary of state’s policy planning staff, where he focused on political-military affairs and nonproliferation; special assistant to the undersecretary for arms control and international security; speechwriter to then-Secretary of State John Kerry; and senior adviser to the assistant secretary of state for political-military affairs. Prior to serving in the State Department, he worked at CAP as a military and nonproliferation policy analyst and at the National Security Network as the deputy policy director. Bergmann received his master’s degree from the London School of Economics in comparative politics and his bachelor’s degree from Bates College.

Alexandra Schmitt is a senior policy analyst on the National Security and International Policy team at the Center. She previously worked on U.S. foreign policy advocacy at Human Rights Watch and received her Master in Public Policy from the Harvard Kennedy School.

Endnotes

- 1 Stephen Tankel and Tommy Ross, "Retooling U.S. Security Sector Assistance," *War on the Rocks*, October 28, 2020, available at <https://warontherocks.com/2020/10/reforming-u-s-security-sector-assistance-for-great-power-competition/>.
- 2 Dan Lamothe, "Retired generals cite past comments from Mattis while opposing Trump's proposed foreign aid cuts," *The Washington Post*, February 27, 2017, available at <https://www.washingtonpost.com/news/checkpoint/wp/2017/02/27/retired-generals-cite-past-comments-from-mattis-while-opposing-trumps-proposed-foreign-aid-cuts/>.
- 3 CAP has advocated for a democratic values-based foreign policy. See Kelly Magsamen and others, "Securing a Democratic World: The Case for a Democratic Values-Based U.S. Foreign Policy" (Washington: Center for American Progress, 2018), available at <https://www.americanprogress.org/issues/security/reports/2018/09/05/457451/securing-democratic-world/>. President-elect Biden has also made similar calls. See Joseph R. Biden Jr., "Why America Must Lead Again: Rescuing U.S. Foreign Policy After Trump," *Foreign Affairs*, March/April 2020, available at <https://www.foreignaffairs.com/articles/united-states/2020-01-23/why-america-must-lead-again>.
- 4 As the Foreign Assistance Act puts it, "the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, military assistance, and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby." See U.S. Agency for International Development, "The Foreign Assistance Act of 1961, As Amended," available at <https://www.usaid.gov/ads/policy/faa> (last accessed January 2021).
- 5 This was encapsulated in the "building partnership capacity" strategy, outlined by then-Secretary of Defense Robert Gates in 2010, which called for increasing the capabilities of developing states to better police and patrol their neighborhoods and to close off space for insurgent groups. See U.S. Department of Defense, "Remarks as Delivered by Secretary of Defense Robert M. Gates, The Nixon Center's Distinguished Service Award," February 24, 2010, <https://www.usgldocs.org/USGLCdocs/Secretary%20of%20Defense%20Gates%20-%20Nixon%20Center.pdf> remarks available here.
- 6 *Ibid.*
- 7 U.S. Department of State, "Lend-Lease and Military Aid to the Allies in the Early Years of World War II," available at <https://history.state.gov/milestones/1937-1945/lend-lease> (last accessed September 2020).
- 8 U.S. Department of State, "U.S. Security Cooperation With Vietnam," July 27, 2020, available at <https://www.state.gov/u-s-security-cooperation-with-vietnam-2/>.
- 9 For example, U.S. FMF assistance to Egypt continued to flow despite documented abuses and violations of end-use monitoring. See U.S. Government Accountability Office, "U.S. Government Should Strengthen End-Use Monitoring and Human Rights Vetting for Egypt" (Washington: 2016), available at <https://www.gao.gov/assets/680/676503.pdf>.
- 10 U.S. Senate Committee on Foreign Relations, "Managing Security Assistance to Support Foreign Policy" (Washington: 2017), available at https://www.foreign.senate.gov/imo/media/doc/09_26_17_Managing_Security_Assistance_to_Support_Foreign_Policy.pdf.
- 11 Based on the author's experience within the State Department.
- 12 Ty McCormick, "Is the U.S. Military Propping Up Uganda's 'Elected' Autocrat?," *Foreign Policy*, February 18, 2016, available at <https://foreignpolicy.com/2016/02/18/is-the-us-military-propping-up-ugandas-elected-autocrat-museveni-elections/>.
- 13 A recent Center for Strategic and International Studies report concluded, "DoD is beginning to leverage its security cooperation resourcing in support of strategic competition vis-à-vis Russia and China." See Melissa G. Dalton and others, "Shifting the Burden Responsibly: Oversight and Accountability in U.S. Security Sector Assistance" (Washington: Center for Strategic and International Studies, 2019), available at https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/190424_Dalton%20et%20a%20ShiftingBurdenResponsibly_WEB_v2_0.pdf.
- 14 Michael R. Gordon and Eric Schmitt, "U.S. Considers Supplying Arms to Ukraine Forces, Officials Say," *The New York Times*, February 1, 2015, available at <https://www.nytimes.com/2015/02/02/world/us-taking-a-fresh-look-at-arming-kiev-forces.html>.
- 15 Analysts have warned that Southeast Asian countries may "welcome assistance in capacity building. But they may well be more reticent to sign on to any regional scheme that could be taken as 'siding' with one side against the other"—referring to China and the United States—suggesting serious future challenges that would likely be better coordinated through careful diplomacy. See Mark J. Valencia, "Maritime Security Cooperation in the South China Sea: Sailing in Different Directions," *The Diplomat*, September 17, 2018, available at <https://thediplomat.com/2018/09/maritime-security-cooperation-in-the-south-china-sea-sailing-in-different-directions/>.
- 16 The remaining \$5 billion goes to three partners: Israel, Egypt, and Jordan. See Figure 2 of this report for more information or Security Assistance Monitor, "Security Sector Assistance," available at <http://securityassistance.org/data/landing-page> (last accessed January 2021).
- 17 Finding total amounts of appropriated and spent funds from government sources for all of the DOD's security cooperation programs is challenging. This figure comes from the Defense Security Cooperation Agency's fiscal year 2021 budget estimates, which reported fiscal year 2019 actuals. A further challenge is accounting for security cooperation funds included in the Overseas Contingency Operations (OCO), rather than the base budget. The \$2 billion figure includes base and OCO funding. Another resource is the DOD's comptroller report on security cooperation, which provides the fiscal year 2021 request from the administration. The request would represent an even larger sum appropriated for DOD programs if appropriated by Congress: \$7.6 billion in requested base and OCO, and a significant increase comes from requests in OCO for capacity-building funds and a new Partner Security Forces for Counterterrorism Activist and Combating Insurgencies. For the fiscal year 2019 actuals, see U.S. Department of Defense, "Defense Security Cooperation Agency Operation and Maintenance, Defense-Wide Fiscal Year (FY) 2021 Budget Estimates," available at https://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2021/budget_justification/pdfs/01_Operation_and_Maintenance/O_M_VOL_1_PART_1/DSCA_OP-5.pdf (last accessed September 2020). For the fiscal year 2021 request totals, see Office of the Secretary of Defense, "Fiscal Year (FY) 2021 President's Budget: Justification for Security Cooperation Program and Activity Funding" (Washington: U.S. Department of Defense, 2020), available at https://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2021/fy2021_Security_Cooperation_Book_FINAL.pdf.

- 18 In the fiscal year 2021 budget request a footnote on p. 29 specifies that the “Capacity Building, MSI, MoDA, RDPF, and WIF/PFP” funds were incorporated into a fund called “National Defense Strategy Implementation (NDS-I).” See Office of the Secretary of Defense, “Fiscal Year (FY) 2021 President’s Budget.”
- 19 These are fiscal year 2020 numbers from the fiscal year 2021 budget request. See Ibid.
- 20 When the Afghanistan Security Forces Fund was created in 2005, the Bush administration sought to have the State Department lead the authority—as this report recommends—but leadership in Foggy Bottom declined, and the DOD was then put in the lead. The authors call for this decision to be reconsidered given the foreign policy environment the country faces 15 years later. More information is available at Defense Security Cooperation Agency, “Afghanistan Security Forces Fund (ASFF),” <https://www.dsca.mil/programs/afghanistan-security-forces-fund-asff> (last accessed September 2020).
- 21 See, for example, Bruce Bedford and others, “State Department Reform Report” (Washington: Atlantic Council, 2017), available at https://pdf.usaid.gov/pdf_docs/pbaah471.pdf; William J. Burns, “The Damage at the State Department Is Worse Than You Can Imagine,” *The Atlantic*, March 12, 2020, available at <https://www.theatlantic.com/ideas/archive/2020/03/how-rebuild-state-department/607837/>.
- 22 Peter Navarro, “Why America Needs a Stronger Defense Industry,” *The New York Times*, March 19, 2019, available at <https://www.nytimes.com/2019/03/19/opinion/trump-defense-industry.html>.
- 23 William D. Hartung, “Pentagon Spending Is a Poor Job Creator,” *The Nation*, March 22, 2019, available at <https://www.thenation.com/article/archive/pentagon-spending-is-a-poor-job-creator/>; A. Trevor Thrall and Jordan Cohen, “The False Promises of Trump’s Arms Sales,” *Cato Institute*, April 5, 2019, available at <https://www.cato.org/publications/commentary/false-promises-trumps-arms-sales>.
- 24 For example, during World War II, the United States developed the lend-lease program to provide crucial military equipment to its allies. After World War II, U.S. assistance helped to rebuild decimated European militaries. See U.S. Department of State, “Lend-Lease and Military Aid to the Allies in the Early Years of World War II”; U.S. Department of State, “North Atlantic Treaty Organization (NATO), 1949,” available at <https://history.state.gov/milestones/1945-1952/nato> (last accessed September 2020).
- 25 Cory R. Gill, Marian L. Lawson, and Emily M. Morgenstern, “Department of State, Foreign Operations, and Related Programs: FY2020 Budget and Appropriations” (Washington: Congressional Research Service, 2020), available at <https://fas.org/sgp/crs/row/R45763.pdf>.
- 26 Susan B. Epstein and Liana W. Rosen, “U.S. Security Assistance and Security Cooperation Programs: Overview of Funding Trends” (Washington: Congressional Research Service, 2018), available at <https://fas.org/sgp/crs/natsec/R45091.pdf>. The remaining State Department accounts fund professional military education, peacekeeping, counternarcotics, and other programs. The Peacekeeping Operations account funds U.S. support for stabilization missions around the world. International Military Education and Training supports professional training for officers from partner militaries. For more information on the accounts, see U.S. Department of State, “Office of Security Assistance,” available at <https://www.state.gov/about-us-office-of-security-assistance/> (last accessed September 2020).
- 27 See Security Assistance Monitor, “Security Sector Assistance.”
- 28 Gill, Lawson, and Morgenstern, “Department of State, Foreign Operations, and Related Programs.”
- 29 The State Department’s budget has increased since 9/11 but at an overall slower pace than current dollars. Most increases in the State Department budget can be attributed to the creation of new programs. For example, the creation of the Millennium Challenge Corp. and the U.S. President’s Emergency Plan for AIDS Relief contributed to growing funding levels between 2004 and 2009, while supplemental funding for the Ebola and Zika health crises contributed to rising funds in 2015, 2016, and 2017. See Emily M. Morgenstern, “Department of State and Foreign Operations Appropriations: History of Legislation and Funding in Brief” (Washington: Congressional Research Service, 2019), available at <https://fas.org/sgp/crs/row/R44637.pdf>.
- 30 Missy Ryan, “State Department and Pentagon tussle over control of foreign military aid,” *The Washington Post*, July 10, 2016, available at https://www.washingtonpost.com/world/national-security/state-department-and-pentagon-tussle-over-control-of-foreign-military-aid/2016/07/10/ddc98f3e-42b0-11e6-88d0-6adee48be8bc_story.html.
- 31 This quarterly financial report from the State Department explains how much money they were able to move to Ukraine funds. See U.S. Senate Committee on Foreign Relations, “National Security and Foreign Policy Priorities in the Fiscal Year 2015 International Affairs Budget” (Washington: 2014), pp. 131–132, available at https://www.foreign.senate.gov/imo/media/doc/040814_Transcript_National%20Security%20and%20Foreign%20Policy%20Priorities%20in%20the%20FY15%20International%20Affairs%20Budget.pdf.
- 32 For an overview of security assistance resources available to DOD security cooperation, see Defense Security Cooperation Agency, “Chapter 2: Types of Funds,” available at https://www.dsca.mil/sites/default/files/2-types_of_funds_0.pdf (last accessed September 2020).
- 33 For an overview of some of these dynamics, see C. Christine Fair, “The U.S.-Pakistan F-16 Fiasco,” *Foreign Policy*, February 3, 2011, available at <https://foreignpolicy.com/2011/02/03/the-u-s-pakistan-f-16-fiasco/>.
- 34 For example, see the different requests between the DOD and State Department testimonies at this Senate Foreign Relations Committee hearing. Puneet Talwar, “Testimony Before the Senate Committee on Foreign Relations Subcommittee on Africa and Global Health Policy,” U.S. Senate Committee on Foreign Relations, June 4, 2015, available at https://www.foreign.senate.gov/imo/media/doc/060415_Talwar_Testimony.pdf; Amanda Dory, “Testimony Before the Senate Foreign Relations Subcommittee on Africa and Global Health Policy,” U.S. Senate Committee on Foreign Relations, June 4, 2015, available at https://www.foreign.senate.gov/imo/media/doc/060415_Dory_Testimony.pdf.
- 35 Epstein and Rosen, “U.S. Security Assistance and Security Cooperation Programs.”
- 36 Adam Isacson and Sarah Kinosian, “Putting the Pieces Together: A Global Guide to U.S. Security Aid Programs” (Washington: Washington Office on Latin America, 2017), available at <https://www.wola.org/analysis/publication-putting-pieces-together-global-guide-u-s-security-aid-programs/>.
- 37 In an analysis of the authority, the Congressional Research Service wrote, “At the same time, DOD officials considered the State Department as lacking the necessary expertise and capabilities to carry out an effective counterterrorism program. DOD officials also viewed the State Department’s planning and implementation processes under authorities for traditional T&E programs as too slow and cumbersome to meet emerging threats.” See Nina M. Serafino, “Security Assistance Reform: Section 1206’ Background and Issues for Congress” (Washington: Congressional Research Service, 2014), available at <https://fas.org/sgp/crs/natsec/RS22855.pdf>.

- 38 Ibid.
- 39 Congressional Research Service, "The Budget Control Act: Frequently Asked Questions" (Washington: 2019), available at <https://fas.org/sgp/crs/misc/R44874.pdf>.
- 40 Danielle Skinner, "Gates, Rice Urge Congress for Extension of Security-Assistance Legislation," U.S. Africa Command Public Affairs Office, April 16, 2008, available at <https://www.africom.mil/article/6167/gates-rice-urge-congress-for-extension-of-security>.
- 41 Then-Senate Foreign Relations Committee Chairman Bob Corker and then-Ranking Member Ben Cardin did express concern in a 2017 hearing, but the imbalance remains undressed. See U.S. Senate Committee on Foreign Relations, "Managing Security Assistance to Support Foreign Policy."
- 42 Isacson and Kinosian, "Putting the Pieces Together," p. 3.
- 43 Ibid.
- 44 Based on the author's experience at the State Department. For example, when conflict broke out in Ukraine, the State Department was unable to reallocate significant resources.
- 45 U.S. Government Accountability Office, "Building Partner Capacity: Inventory of Department of Defense Security Cooperation and Department of State Security Assistance Efforts" (Washington: 2017), available at <https://www.gao.gov/products/gao-17-255r>.
- 46 Ibid.
- 47 For example, Section 1206, the large security assistance authorization granted to the DOD originally in the fiscal year 2006 NDAA, initially included a termination provision for one year after the program started. The provisions grant the secretary of defense the authority to train and equip foreign forces for counterterrorism and stability operations. But Section 1206 was reauthorized every year in the NDAA until it was made permanent law and codified under Title 10 in the fiscal. Year 2015 NDAA. See Serafino, "Security Assistance Reform."
- 48 Office of the Inspector General, "Evaluation of Department of Defense Efforts to Build Counterterrorism and Stability Operations Capacity of Foreign Military Forces with Section 1206/2282 Funding" (Washington: U.S. Department of Defense, 2017), available at <https://media.defense.gov/2017/Dec/19/2001858653/-1/-1/1/DODIG-2017-099.PDF>.
- 49 Epstein and Rosen, "U.S. Security Assistance and Security Cooperation Programs."
- 50 This is from a list of major DOD security cooperation accounts compiled by a Congressional Research Service report. See Ibid.
- 51 Obama White House, "Fact Sheet: U.S. Security Sector Assistance Policy," April 5, 2013, available at <https://obamawhitehouse.archives.gov/the-press-office/2013/04/05/fact-sheet-us-security-sector-assistance-policy>.
- 52 David Nakamura, "Obama lays out new approach to foreign policy in second term," *The Washington Post*, May 28, 2014, available at https://www.washingtonpost.com/world/national-security/obama-wants-to-set-up-new-5-billion-counterterrorism-fund/2014/05/28/cSee3362-e662-11e3-a86b-362fd5443d19_story.html.
- 53 Aaron Mehta, "Future of Global Security Contingency Fund Unclear," *Defense News*, September 5, 2016, available at <https://www.defensenews.com/pentagon/2016/09/05/future-of-global-security-contingency-fund-unclear/>.
- 54 Epstein and Rosen, "U.S. Security Assistance and Security Cooperation Programs." See also Office of the Secretary of Defense, "Fiscal Year (FY) 2019 President's Budget: Security Cooperation Consolidated Budget Display" (Washington: U.S. Department of Defense, 2018), available at https://comptroller.defense.gov/Portals/45/Documents/defbudget/fy2019/Security_Cooperation_Budget_Display_OUS-DC.pdf. It authorized the secretary of defense to build the capacity of foreign security forces for a wide range of operations, including counterterrorism, counter-weapons of mass destruction, counter-illicit drug trafficking, counter-transnational organized crime, maritime and border security operations, and operations that contribute to an international coalition operation determined to be in the national interest of the United States. See U.S. House of Representatives, "U.S. Code Title 10 Chapter 16: Security Cooperation," available at <https://uscode.house.gov/view.xhtml?path=/prelim@title10/subtitleA/part1/chapter16&edition=prelim> (last accessed January 2021).
- 55 Dalton and others, "Shifting the Burden Responsibly."
- 56 Department of State Authorization Act of 2019, H.R. 3352, 116th Cong., 1st sess. (September 9, 2019), available at <https://www.congress.gov/bill/116th-congress/house-bill/3352?q=%7B%22search%22%3A%5B%22state+department+authorization+bill%22%5D%7D&s=1&r=3>.
- 57 Martha Lee, Alexandra Schmitt, and Gabrielle Tarini, "Partnering to Protect: Reforming US Security Assistance to Reduce Civilian Harm" (Cambridge, MA: Harvard Kennedy School Belfer Center, 2019), available at <https://www.belfercenter.org/sites/default/files/2019-06/PAE/PartneringtoProtect.pdf>.
- 58 See Executive Office of the President, "A Budget for a Better America" (Washington: 2020), available at <https://www.govinfo.gov/content/pkg/BUDGET-2020-BUD/pdf/BUDGET-2020-BUD.pdf>.
- 59 Joe Gould, "Trump seeks defense boost for 2018, \$30B supplemental for 2017," *Defense News*, March 16, 2017, available at <https://www.defensenews.com/congress/2017/03/16/trump-seeks-defense-boost-for-2018-30b-supplemental-for-2017/>. See also Office of Management and Budget, "America First: A Budget Blueprint to Make America Great Again" (Washington: White House, 2018), available at https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/budget/fy2018/2018_blueprint.pdf.
- 60 Office of Management and Budget, "America First."
- 61 Epstein and Rosen, "U.S. Security Assistance and Security Cooperation Programs."
- 62 Gordon Adams and Shoon Murray, eds., *Mission Creep: The Militarization of US Foreign Policy?* (Washington: Georgetown University Press, 2014).
- 63 Ryan, "State Department and Pentagon tussle over control of foreign military aid."
- 64 Dan Lamothe and Danielle Paquette, "Pressure builds against the Pentagon as it weighs reducing troop numbers in Africa," *The Washington Post*, January 20, 2020, available at <https://www.washingtonpost.com/national-security/2020/01/20/pressure-builds-against-pentagon-it-weighs-reducing-troop-numbers-africa/>.
- 65 Aaron Mehta, "Standoff brews over the future of US security assistance," *Defense News*, March 28, 2017, available at <https://www.defensenews.com/2017/03/28/standoff-brews-over-the-future-of-us-security-assistance/>.
- 66 Anthony Wier, former deputy assistance secretary, U.S. Department of State Bureau of Legislative Affairs, personal communication with authors via email, June 10, 2020, on file with authors.

- 67 For data, see Security Assistance Monitor, "Security Sector Assistance." On human rights abuses, see Human Rights Watch, "US: Investigate Counterterrorism Assistance to Yemen," December 11, 2010, available at <https://www.hrw.org/news/2010/12/11/us-investigate-counterterrorism-assistance-yemen>.
- 68 Dalton and others, "Shifting the Burden Responsibly."
- 69 Andrew Boutton, "The Dangers of U.S. Military Assistance to Weak States," *Texas National Security Review*, November 20, 2018, available at <https://tnsr.org/roundtable/policy-roundtable-the-pros-and-cons-of-security-assistance/-essay2>.
- 70 U.S. Department of Defense, "Defense Security Cooperation Agency Operation and Maintenance, Defense-Wide Fiscal Year (FY) 2021 Budget Estimates."
- 71 Daniel R. Mahanty, "The 'Leahy Law' Prohibiting US Assistance to Human Rights Abusers: Pulling Back the Curtain," *Just Security*, June 27, 2017, available at <https://www.justsecurity.org/42578/leahy-law-prohibiting-assistance-human-rights-abusers-pulling-curtain/>.
- 72 Legal Information Institute, "10 U.S. Code § 127e - Support of special operations to combat terrorism," available at <https://www.law.cornell.edu/uscode/text/10/127e> (last accessed January 2021); Dalton and others, "Shifting the Burden Responsibly."
- 73 U.S. Government Accountability Office, "U.S. Government Should Strengthen End-Use Monitoring and Human Rights Vetting for Egypt."
- 74 Lee, Schmitt, and Tarini, "Partnering to Protect."
- 75 *Ibid.*
- 76 This is based on a review of the archive of Senate Foreign Relations Committee hearings. See U.S. Senate Committee on Foreign Relations, "Hearings," available at <https://www.foreign.senate.gov/hearings> (last accessed January 2021). For the only recent hearing focused on the U.S. sales to Saudi Arabia and the United Arab Emirates, see U.S. Senate Foreign Relations Committee, "Menendez Opening Remarks at Hearing on Trump Admin's Abuse of Emergency Declaration for Arms Sales to Saudi Arabia and UAE," July 10, 2019, available at <https://www.foreign.senate.gov/press/ranking/release/menendez-opening-remarks-at-hearing-on-trump-admins-abuse-of-emergency-declaration-for-arms-sales-to-saudi-arabia-and-uae>.
- 77 Serafino, "Security Assistance Reform."
- 78 *Ibid.*
- 79 The workshops are a DOD-State Department planning effort called the Joint Security Sector Assistance Review. State Department and DOD officials may agree on priority countries with specific security requirements, but the review process would not entail planning specific activities or granular packages of aid and training to provide. Thus, in practice, the first time many State Department officials see the full scope of planned Section 333 activities is during the short clearance process.
- 80 Rose Jackson, "Untangling the Web: A Blueprint for Reforming American Security Sector Assistance" (New York: Open Society Foundations, 2017), available at https://www.opensocietyfoundations.org/publications/untangling-web-blueprint-reforming-american-security-sector-assistance-publications_download.
- 81 *Ibid.* See also Mara Karlin, "Why military assistance programs disappoint," *Foreign Affairs*, November/December 2017, available at <https://www.brookings.edu/articles/why-military-assistance-programs-disappoint/>.
- 82 Bryan Bender, "Pentagon muscles out State Dept. on foreign aid," *Politico*, March 23, 2016, available at <https://www.politico.com/story/2016/03/general-diplomats-tussle-over-pentagons-growing-military-aid-portfolio-221177>.
- 83 Rufus E. Miles Jr., "The Origins and Meaning of Miles' Law," *Public Administration Review* 38 (5) (1978): 399–403, available at <https://www.jstor.org/stable/975497>.
- 84 Legal Information Institute, "22 U.S. Code § 2382, - Coordination with foreign policy," available at <https://www.law.cornell.edu/uscode/text/22/2382> (last accessed January 2021). "Under the direction of the President, the Secretary of State shall be responsible for the continuous supervision and general direction of economic assistance, military assistance, and military education and training programs, including but not limited to determining whether there shall be a military assistance (including civic action) or a military education and training program for a country and the value thereof, to the end that such programs are effectively integrated both at home and abroad and the foreign policy of the United States is best served thereby.>"
- 85 U.S. House of Representatives, "National Defense Authorization Act for Fiscal Year 2017 Conference Report" (Washington: 2016), available at <https://www.congress.gov/114/crpt/hrpt840/CRPT-114hrpt840.pdf>.
- 86 Jim Stocks and Adam Genest, "Security Cooperation for the 21st Century," U.S. Army, August 21, 2017, available at <https://asc.army.mil/web/news-alt-ond17-security-cooperation-for-the-21st-century/>.
- 87 Brian Rauen, Terri Erisman, and Edward Ballanco, "More Is Not Better: Fixing Security Cooperation," U.S. Army War College War Room, June 22, 2018, available at <https://warroom.armywarcollege.edu/articles/more-is-not-better-fixing-security-cooperation/>; Eric Schmitt and Tim Arango, "Billions From U.S. Fail to Sustain Foreign Forces," *The New York Times*, October 3, 2015, available at https://www.nytimes.com/2015/10/04/world/middleeast/uss-billions-fail-to-sustain-foreign-forces.html?_r=0.
- 88 For more details, see Jackson, "Untangling the Web."
- 89 A phased approach may be the best way to accomplish the resource transfer, which is realistic about the State Department's capacity and capabilities.
- 90 Karlin, "Why military assistance programs disappoint"
- 91 Mark E. Manyin, "U.S. Assistance to Vietnam" (Washington: Congressional Research Service, 2005), available at <https://fas.org/gpp/crs/row/RL32636.pdf>.
- 92 Lee, Schmitt, and Tarini, "Partnering to Protect."
- 93 *Ibid.*
- 94 Dalton and others, "Shifting the Burden Responsibly."
- 95 For example, see Office of the Under Secretary of Defense for Policy, "DOD Instruction 5132.14: Assessment, Monitoring, and Evaluation Policy for the Security Cooperation Enterprise" (Washington: U.S. Department of Defense, 2017), available at https://open.defense.gov/portals/23/documents/foreignasst/dodi_513214_on_am&e.pdf.
- 96 Jefferson P. Marquis and others, "Developing an Assessment, Monitoring, and Evaluation Framework for U.S. Department of Defense Security Cooperation" (Santa Monica, CA: RAND Corp., 2016), available at https://www.rand.org/content/dam/rand/pubs/research_reports/RR1600/RR1611/RAND_RR1611.pdf.

Our Mission

The Center for American Progress is an independent, nonpartisan policy institute that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country.

Our Values

As progressives, we believe America should be a land of boundless opportunity, where people can climb the ladder of economic mobility. We believe we owe it to future generations to protect the planet and promote peace and shared global prosperity.

And we believe an effective government can earn the trust of the American people, champion the common good over narrow self-interest, and harness the strength of our diversity.

Our Approach

We develop new policy ideas, challenge the media to cover the issues that truly matter, and shape the national debate. With policy teams in major issue areas, American Progress can think creatively at the cross-section of traditional boundaries to develop ideas for policymakers that lead to real change. By employing an extensive communications and outreach effort that we adapt to a rapidly changing media landscape, we move our ideas aggressively in the national policy debate.

