

FY2024 NDAA: Security Cooperation

September 27, 2023

Background

The U.S. Department of Defense (DOD) broadly defines “[security cooperation](#)” (also known as SC) as department interactions with foreign security establishments to build security relationships that promote specific U.S. security interests, develop allied and partner nation military and security capabilities for self-defense and multinational operations, and provide U.S. forces with peacetime and contingency access to allied and partner nations. DOD [policy](#) states that by encouraging and enabling cooperation between the United States and partner nations to achieve strategic objectives, security cooperation programs are a key tool for achieving U.S. national security and foreign policy objectives. DOD-administered SC programs (authorized under Title 10, U.S.C.) and DOD-implemented State Department security assistance programs (authorized under Title 22, U.S.C.) execute SC activities. In addition to grant-based programs, SC encompasses the Foreign Military Sales (FMS) program and enables U.S. and partner nation collaboration on defense articles. For more background on SC, see CRS In Focus IF11677, *Defense Primer: DOD “Title 10” Security Cooperation*.

The House- and Senate-passed versions of the National Defense Authorization Act for Fiscal Year 2024 (FY2024 NDAA; H.R. 2670; S. 2226) include multiple proposals pertaining to SC programs, such as SC workforce development, specific regional initiatives, and the export of U.S. defense equipment. **Table 1** summarizes selected provisions from H.R. 2670 and S. 2226.

Table 1. Selected Security Cooperation Proposals in the FY2024 NDAA Bills

House-Passed H.R. 2670	Senate-Passed S. 2226
Proposals Related to SC Programs and Workforce	

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IN12256

House-Passed H.R. 2670	Senate-Passed S. 2226
<p>Section 1210 would amend Section 333 of Title 10, U.S.C., to authorize the Secretary of Defense to conduct or support programs to build the capacity of foreign security forces for the purpose of “counter-illegal, unreported, and unregulated fishing operations.”</p> <p>Section 1205 would modify Section 384 of Title 10, U.S.C., regarding the Security Cooperation Workforce Development Program. The provision would also establish the Defense Security Cooperation University structure, require an implementation plan and report from the Secretary of Defense, and require the Comptroller General to submit an independent evaluation.</p> <p>Section 1202 would amend Section 166a of Title 10, U.S.C., to include incremental expenses related to SC activities and would authorize funding for U.S. Africa Command and U.S. Southern Command for SC.</p> <p>Section 1209 would require the Secretary of Defense to submit a report that specifies partner countries whose military forces have participated in SC and subsequently engaged in a coup, insurrection, or action to overthrow a democratically elected government.</p> <p>No similar provision.</p>	<p>Section 1303 would amend Section 333 of Title 10, U.S.C., to authorize the Secretary of Defense to conduct or support programs to build the capacity of foreign security forces for the purpose of “other counter-illicit trafficking operations” and “foreign internal defense operations,” amongst additional modifications.</p> <p>Section 1309 would modify Section 384 of Title 10, U.S.C., to enhance the management and implementation of the Security Cooperation Workforce Development Program provided for under that section. The provision would also provide authorities for the operation of the Defense Security Cooperation University.</p> <p>No similar provision.</p> <p>No similar provision.</p> <p>Section 1306 would extend the authority under section 1210A of the FY2020 NDAA (P.L. 116-92) through December 31, 2025, for the Secretary of Defense to provide support for the stabilization activities of other federal agencies.</p>
Proposals Related to the Middle East and Central Asia	
<p>Section 1214 would extend and modify the authority to provide assistance to Iraq to counter the Islamic State of Iraq and Syria (ISIS) through December 31, 2024.</p> <p>No similar provision.</p> <p>Section 1206 would require U.S. Central Command to engage in regular exercises with international partners to practice and simulate coalition strike, refueling, and other missions.</p> <p>No similar provision.</p> <p>Section 1210C would require the Secretary of the Air Force to make available the resources to train pilots and ground crews of the Israeli Air Force on the KC-46 aircraft.</p>	<p>Section 1223 would extend the authority to provide assistance to Iraq to counter the Islamic State of Iraq and Syria (ISIS) through December 31, 2024.</p> <p>Section 1301 would direct the Secretary of Defense to develop a strategy for improved integrated maritime domain awareness and interdiction capabilities to counter seaborne threats in the Middle East.</p> <p>No similar provision.</p> <p>Section 1310 would expand the list of countries authorized to receive support to their armed forces for border security operations to include Tajikistan, Uzbekistan, and Turkmenistan.</p> <p>Section 1312 would require the Secretary of the Air Force to make available the resources to train pilots and ground crews of the Israeli Air Force on the KC-46 aircraft.</p>
Proposals Related to Ukraine and Europe	
<p>Section 1222 would establish an office of the Special Inspector General for Ukraine Assistance.</p>	<p>No similar provision.</p>

House-Passed H.R. 2670	Senate-Passed S. 2226
Section 1223 would extend the Ukraine Security Assistance Initiative through FY2025.	Section 1331 would extend the Ukraine Security Assistance Initiative through FY2027.
Section 1233 would require a report articulating DOD's strategy to deepen SC with the Baltic states of Estonia, Latvia, and Lithuania.	Section 1337 would require the Secretary of Defense to provide a report on the execution of, and any updates to, the multiyear strategy for SC with Estonia, Latvia, and Lithuania required by Section 1246 of the FY2020 NDAA (P.L. 116-92).

Proposals Related to the Indo-Pacific

No similar provision.	Section 1343 would require the Secretary of Defense, in coordination with the Secretary of State, to establish an initiative with U.S. allies and partners, including Australia, Japan, and India, to be known as the "Indo-Pacific Maritime Domain Awareness Initiative."
No similar provision.	Section 1342 would require the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with appropriate Taiwan officials, to establish a comprehensive training, advising, and institutional capacity-building program for Taiwan's military.
Section 1505 would require the Secretary of Defense, acting through the Under Secretary of Defense for Policy, in concurrence with the Secretary of State and in coordination with the Commander of the U.S. Cyber Command and the Commander of the U.S. Indo-Pacific Command, to cooperate with the Taiwan's Ministry of Defense on defensive military cybersecurity activities.	Section 1352 would require the Secretary of Defense, with the concurrence of the Secretary of State, to engage with appropriate Taiwan officials for expanding cooperation on military cybersecurity activities using the authorities under Chapter 16 of Title 10 of the U.S. Code, and other applicable statutory authorities available to the Secretary of Defense.

Proposals Related to U.S. Defense Exports

No similar provision.	Section 1399K would establish certain requirements relating to FMS processing, including requiring the Secretary of Defense to ensure that specific response times are met, and would allow the Secretary to prioritize FMS within the Defense Priorities Allocation System.
Section 1245 would amend 22 U.S.C. §2762 to authorize the Secretary of Defense to designate priority theaters of operation and combatant commands for potential purchasers of U.S.-origin defense articles or services.	No similar provision.
No similar provision.	Section 1399F would authorize the Secretary of Defense to establish, within the Special Defense Acquisition Fund, an account to be known as the Foreign Advance Acquisition Account. The provision would authorize the Secretary to accept financial contributions from certain covered foreign countries for the purpose of accelerating the production of U.S.-produced items in reasonable anticipation of the sale of such items through the FMS or direct commercial sales process.
Section 1207 would require the Comptroller General of the United States to provide a report to Congress regarding alleged end-use violations of equipment provided to foreign countries. Section 1208 would require the Comptroller General to submit a report on practices related to enhanced end-use monitoring of equipment provided to foreign countries.	No similar provision.

House-Passed H.R. 2670	Senate-Passed S. 2226
Other SC Proposals	
Section 1871 would require the Secretary of Defense to submit to Congress an assessment of weapons systems needed for Taiwan's and Ukraine's self-defense. This assessment must include an evaluation of associated supply chain issues.	No similar provision.
No similar provision.	Section 1399CCCCC would require the State Department to work with other federal agencies to enhance the institutional capacity and technical capabilities of defense and security institutions in the Western Hemisphere.
Section 1247 would require the Commander of U.S. Special Operations Command, in consultation with the Secretary of Defense and the Commander of U.S. Northern Command, to develop and submit a Special Operations Forces Arctic Security Strategy.	Section 1381 would require the Secretary of Defense to provide a report on DOD roles and responsibilities in support of the National Strategy for the Arctic Region.
No similar provision.	Section 6231 would establish a "Black Sea Security Act of 2023" that would require, amongst other items, a strategy to enhance regional security assistance with the Black Sea states, as well as an overview of U.S. security assistance to the Black Sea region.

Source: CRS analysis of legislation on Congress.gov.

Discussion

Ukraine

The House-passed and Senate-passed versions of an FY2024 NDAA include provisions that would require the executive branch to provide additional information regarding U.S. security assistance to Ukraine, as well as assistance provided by NATO member states. The House-passed version would require the executive branch to provide a plan and report on allied and partner support to Ukraine, as well as a report regarding allied contributions. The House-passed bill also would require reports on certain U.S.-provided assistance to Ukraine, arms deliveries to Ukraine, and a DOD Inspector General report on detailed oversight of U.S. assistance to Ukraine. The Senate-passed version would require an independent study on lessons learned from information operations conducted by the United States, Ukraine, Russia, and NATO members both before and during Russia's full-scale invasion of Ukraine in 2022.

Taiwan

Both versions of an FY2024 NDAA contain several provisions encouraging additional U.S. defense cooperation with Taiwan and requiring assessments of Taiwan's military capabilities. The Senate-passed version would require a classified report on Taiwan's military capacity to absorb U.S.-approved and delivered defense articles and services during the past 10 years. The report is also to include the date of projected or achieved initial and full operational capabilities. The House-passed version would similarly require the Secretary of Defense to brief Congress on the status of developing and implementing the joint multiyear plan to fulfill defensive requirements of Taiwan's military required under Section 5506 of the FY2023 NDAA (P.L. 117-263).

Transfer of U.S.-Origin Defense Articles

Several provisions in the House and Senate versions of an FY2024 NDAA apparently aim to facilitate faster lead times and deliveries of U.S.-origin defense articles and services. H.Rept. 118-125 directs the Secretary of Defense to provide a report to Congress regarding potential coproduction of “asymmetric defense capabilities” with Taiwan and requires the Secretary to brief Congress on the status of FMS for Indo-Pacific allies and partners. The House-passed bill would require an evaluation of the FMS process for Taiwan, as well as a report regarding delays in delivering a current FMS for the Harpoon Coastal Defense System (HCDS) to Taiwan. The Senate-passed version of an NDAA would require the Assistant Secretary of the Navy for Research, Development, and Acquisition to develop a plan for providing enhanced coastal defense capabilities, including the HCDS, to allies and security partners. Both versions of an FY2024 NDAA include provisions that would require improvements in training and education of the FMS workforce and process.

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