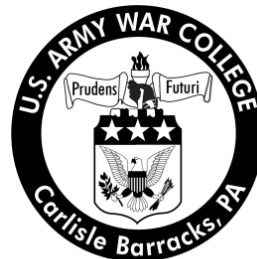


State Partnership Program: Shaping the Environment for 21st Century Defense

by

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United States Army War College
Class of 2012

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USAWC STRATEGY RESEARCH PROJECT

**STATE PARTNERSHIP PROGRAM:
SHAPING THE ENVIRONMENT FOR 21ST CENTURY DEFENSE**

by

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ABSTRACT

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A decade of persistent conflict exacerbated by fiscal austerity has compelled the United States to reassess national security priorities. Policy makers have concluded that fiscal responsibility does not have to come at the expense of a strong national defense. The latest defense strategic guidance directs the services to “develop innovative, low cost, and small footprint approaches to achieve security objectives, relying on exercises, rotational presence, and advisory capabilities.” The Department of Defense (DOD) currently pursues this strategy by building partner capacity and capability through security cooperation programs like the National Guard’s State Partnership Program (SPP). The SPP has been the National Guard’s program of record for building partnerships for nearly two decades. However, since its inception, questions have persisted about the program. This paper will define the strategic role of SPP in building partner capacity; analyze the goals and objectives in terms of their relationship to theater security cooperation; evaluate the constraints and recommend a means to eliminate these barriers to fully achieve U.S. strategic objectives.

THE NATIONAL GUARD STATE PARTNERSHIP PROGRAM: SHAPING THE ENVIRONMENT FOR 21ST CENTURY DEFENSE

Across the globe we will seek to be the security partner of choice, pursuing new partnerships with a growing number of nations...whose interest and viewpoints are merging into a common vision of freedom, stability, and prosperity.

—Barrack Obama¹

A decade of persistent conflict exacerbated by fiscal austerity has compelled the United States to reassess the national security priorities. Policy makers have concluded that fiscal responsibility does not have to come at the expense of a strong national defense.² The latest defense strategic guidance directs the services to “develop innovative, low cost, and small footprint approaches to achieve security objectives, relying on exercises, rotational presence, and advisory capabilities.”³ The Department of Defense (DOD) currently pursues this strategy by seeking to build partner capacity and capability through security cooperation programs like the National Guard’s State Partnership Program (SPP).⁴ The SPP has been the National Guard’s program of record for building partnership capacity for nearly two decades. However, since its inception, there have been questions about the program’s conformity with the law, measures of effectiveness, and the relationship with combatant commanders’ priorities. While these concerns remain they have recently begun to subside in response to the need for new global partnerships. Today the SPP is seen leading efforts toward building partnership capacity in regions like Afghanistan where they provide training to the Afghan National Army (ANA) and serve as liaisons between the ANA and the International Security Assistance Force (ISAF).

Given the constraints of the current fiscal environment, U.S. forces will no longer posture to conduct “prolonged stability operations.”⁵ This necessitates an increased reliance upon building partner capacity. Debate continues however over the strategic impact of SPP. What limitations should exist, if any? How is the SPP program nested with the priorities of the Combatant Commander (CCDR)? Should statutory authorities exist? This paper will define the strategic role of SPP in building partner capacity; analyze the goals and objectives in terms of their relationship to theater security cooperation; evaluate the current constraints and recommend a means to eliminate these barriers to fully to fully achieving U.S. strategic objectives.

This paper is limited by two considerations. First, only the SPP is considered during the analysis portion of this paper. It does not seek to compare and contrast SPP with other DOD partnership building capabilities. Second, the term Guard refers to both the Army and Air National Guard of the United States.

Background and Evolution

The SPP originated after the collapse of the Soviet Union in 1990. The U.S. was concerned about the potential for instability in the region and sought to encourage the former Soviet states to embrace democracy. In an effort to achieve this goal the U.S. knew that defense reform was instrumental to the successful reorganization of the newly independent government. U.S. European Command (USEUCOM) led the effort aimed at creating military to military contact with the now independent states. One of the primary goals was to ensure the understanding of military subordination to civilian led governments. The Joint Contact Team Program (JCTP) was created in 1992 and comprised solely of active duty personnel. As the team began to work with the Baltic States the DOD insisted that the National Guard take the lead in engaging these states.

In 1993, after a visit to the Baltic States General John Conway, the Chief of the National Guard Bureau (CNGB), established the first state partnership program with the Baltic States.⁶

The SPP continued to grow into what the National Guard today considers the “crown jewel” of its international relations efforts. Currently the SPP maintains sixty-three partnerships with seventy nations and is a major component of DOD’s security cooperation efforts across the globe.⁷

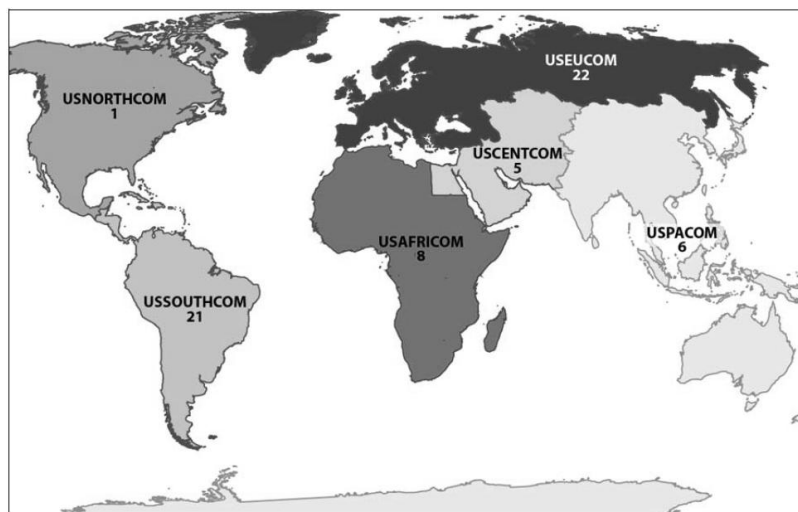


Figure 1. Number of State Partnerships in GCC.⁸

Building Partner Capacity

To gain a thorough understanding of SPP it is first necessary to analyze the strategic objectives of building partner capacity and capability. SPP is a component of DOD’s concept of Building Partner Capacity (BPC) and exercised through the Geographic Combatant Commander’s (GCC) Theater Security Cooperation Program (TSCP). DOD defines BPC as “[t]he outcome of comprehensive inter-organizational activities, programs, and engagements that enhance the ability of partners for security, governance, economic development, essential services, rule of law, and other critical government functions.”⁹ Further DOD defines a partner as a “[p]erson, group, institution,

or nation who shares or is associated in some action or endeavor”¹⁰ and a partnership as “[t]he relationship between two or more people, groups, institutions, or nations that are involved in the same action or endeavor.”¹¹ Security cooperation is defined as “DOD interactions with foreign defense establishments to build defense relationships that promote specific U.S. security interests, develop allied and friendly military capabilities for self-defense and multinational operations, and provide U.S. forces with peacetime and contingency access to a host nation.”¹² These definitions provide the framework for partnership building and serve as the genesis for SPP.

The common thread arising from the BPC concept is that while the use of force is the least preferred method, it is necessary at times to ensure national security.¹³ However by establishing partnerships the U.S. can improve upon another nation’s capabilities and capacity to become self-reliant, and subsequently a reliable coalition partner should the need arise.¹⁴ By establishing mutual trust and confidence with the U.S. other nations are better postured to subdue extremists and insurgencies emerging from within their own borders and regions. The capacity the U.S. builds in its partners can be used to secure U.S. national interest abroad and often without employment of U.S. forces.¹⁵ This concept of building partner capacity relies heavily upon the partner’s cultural awareness and inherent regional interests in shaping the environment of the future.¹⁶

A thorough understanding of BPC reveals that it is instrumental in enabling DOD to achieve its primary goal of securing the U.S. homeland.¹⁷ Further analysis suggests that security of the homeland is therefore contingent upon effectively securing the international environment, an undertaking which the U.S. can only accomplish through

selective enhancement of partner capacity and capabilities across the globe.¹⁸ BPC is a predictive, preventative, and protracted approach to affordable security of the U.S. homeland. While BPC plays a key role in all phases of military campaign planning, it is the success BPC achieves in steady-state operations that mitigates the potential for prolonged U.S. involvement in the subsequent phases of any campaign.

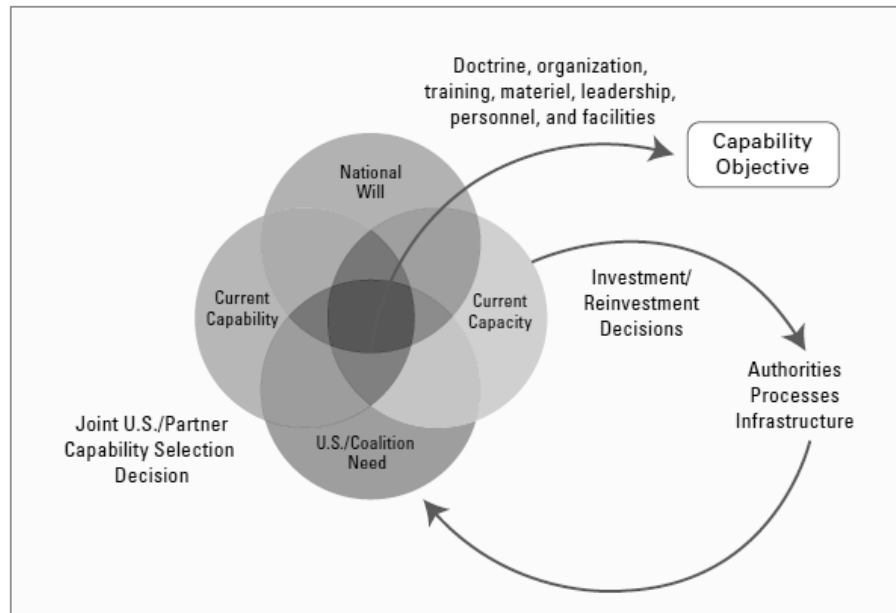


Figure 2. Capability-building.¹⁹

Current U.S. strategic guidance either specifically directs or strongly implies that the deliberate pursuit of building partnership capacity is necessary to the realization of national security objectives. The guidance reinforces the importance of enhancing partner capacity to aid in efforts directed at maintaining international peace and security. The National Security Strategy (NSS), National Defense Strategy (NDS), National Military Strategy (NMS), Quadrennial Defense Review (QDR), and Guidance for the Employment of the Force (GEF) each call for increased capability and capacity through partnership building. The critical direction provided by these strategy documents clearly

illustrates, as noted below, that building partner capacity is paramount to securing U.S. national interest across the globe.

- The *National Security Strategy* (NSS) emphasizes that “no one nation – no matter how powerful – can meet the daunting global security challenges alone” and asserts, “we will... [provide] assistance to build the capacity of at-risk nations and reduce the appeal of violent extremism.”²⁰
- The *National Defense Strategy* (NDS) makes clear DOD’s core responsibility is to defend the U.S. from attack upon its territory at home and to secure U.S. interests abroad. It also declares, “We will support, train, advise, and equip partner security forces to counter insurgencies, terrorism, proliferation, and other threats. We will assist other countries in improving their capabilities through security cooperation”²¹
- The *National Military Strategy* (NMS) directs that, “joint force, combatant commanders, and Service Chiefs shall actively partner with other U.S. government agencies to pursue theater security cooperation to increase collective security skills with a wider range of partners.” Capacity-building resources must become more flexible, processes less cumbersome, and efforts across all departments and programs more complementary.²²
- The *Quadrennial Defense Review* (QDR) *Report* makes clear the U.S. does not have the resources to address the myriad of challenges ahead. Threats to U.S. security in the future will come from a nation’s weakness rather than strength. Enabling partners to respond to their security challenges reduces risk to U.S. forces and extends security to areas the U.S. cannot reach alone.²³
- The *Guidance for the Employment of the Force* (GEF) directs a shift toward a strategy-centric approach by maintaining stability and security through a proactive, deliberate approach...preventing conflict and enhancing interoperability with international partners so that coalition operational objectives can be achieved quickly.²⁴ Combatant commanders will create campaign plans to achieve theater and functional strategic end states.²⁵

The concept of BPC is a whole of government approach that requires extensive coordination and collaboration across the joint, interagency, intergovernmental, and multinational (JIIM) community to achieve comprehensive success.²⁶ When expressed in terms of operational design, BPC is in effect a line of effort or operation in the whole

of government approach aimed at increasing the capacity and capability of a partner (the stability mechanism) to become self-reliant and postured to subdue threats emerging from within their own borders and regions (the supported objectives) thus providing the U.S. with a means to shape the international environment (the desired condition) and provide for affordable security of the U.S. homeland (the end state). In short, BPC (way) is a method the U.S., with and through its partners (means), employs to increase the security of the US Homeland (end).²⁷

Figure 3 depicts how the SPP goals are integrated into the DOD priorities to achieve national strategic objectives.

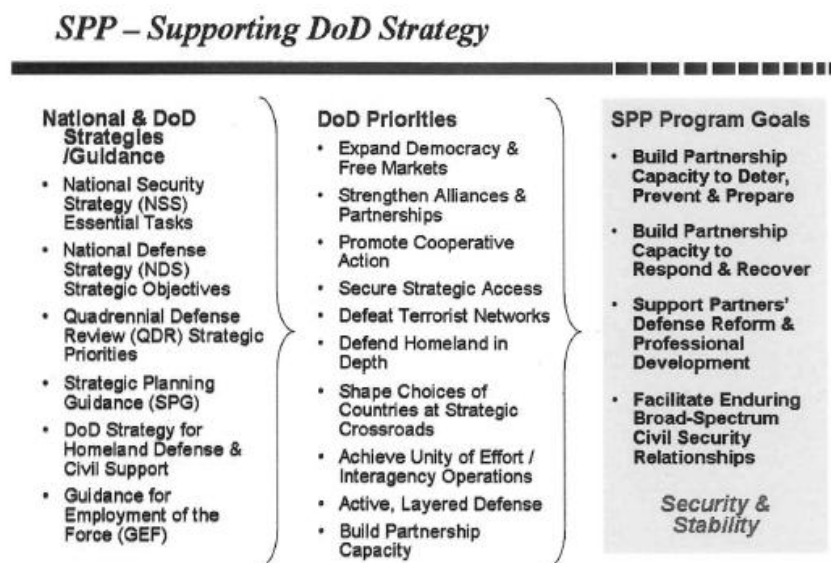


Figure 3. SPP – Supporting DOD Strategy.²⁸

The preceding paragraphs clearly define BPC and describe the significant role it has in achieving the goals outlined in current U.S. strategy. While the utility of BPC can be seen throughout the last half of the 21st century it has only recently begun to find itself codified into U.S. doctrine. The Guard however has been formally pursuing the strategic goals outlined above for over two decades through the State Partnership Program. The SPP is a viable partnership and capacity building program worthy of

increased understanding and emphasis. The remainder of this paper will further examine this claim by discussing the SPP purpose, examining the goals and objectives by analyzing their relationship to the GCC TSCP, and evaluating the programs constraints and proposing recommendations to remove barriers.

State Partnership Program

The SPP purpose is to act as a foreign policy engagement instrument aimed at supporting U.S. national strategy by shaping the international environment. The SPP endeavors to advance international civil-military cooperation to address the concerns articulated in the aforementioned national strategy documents. This is achieved through calculated interaction and relationship building efforts with foreign partners. The SPP seeks to leverage domestic relationships to enhance civil security both at home and abroad.²⁹ By establishing enduring relationships and cultivating long term associations the SPP aims to solve current and evolving problems while identifying future opportunities.

The SPP reinforces the geographic combatant commander's (GCC) goals for military transformation and interoperability through continuous military to military contact and is an integral component of the GCC's theater security cooperation objectives. DOD specifically directs that SPP activities will be planned, coordinated and executed in support of these objectives.³⁰ SPP is defined by DOD as the "program that establishes a military relationship between the National Guard of a U.S. State and a partner nation's military forces for the complementary purposes of...supporting combatant command missions; building enduring relationships...and capacity of partner nation military forces."³¹ The SPP does not supplant other TSCP efforts; rather it supports and greatly enhances the GCC capability to establish enduring partnerships within a given region.

BPC is among the stated priorities for each of the GCCs. Further, current GCC posture statements call for increased emphasis on BPC, and in most cases specifically highlight the importance of SPP in helping achieve this goal. US Africa Command's former commander, General "Kip" Ward, noted in his testimony before Congress that SPP is "superb tool" that "adds tremendous value" towards building partner capacity.³² Below are salient examples from current posture statements that echo General Ward's sentiments.

- US Africa Command (USAFRICOM) – "the National Guard State Partnership Program...contribute[s] to partner operational capacity. This program builds long term relationships, promotes access, enhances African military professionalism and capabilities, strengthens interoperability, and enables healthy civil-military relations. Working closely with the National Guard Bureau, the Command will seek to expand this highly effective program."³³
- US Central Command (USCENTCOM) – "...strengthening partnerships in central Asia by Building Partner Capacity and Pursuing Cooperative Activities. The investment we make in our military-to-military engagement to build the capabilities of our partner nation's security forces is a critical component of the whole-of-government efforts in the region. These cost-effective efforts properly place security responsibilities in the hands of other sovereign governments and help to prevent conflicts and instability."³⁴
- US European Command (USEUCOM) – "The most important activities and initiatives contained in these pages are those in which we work together with our allies and partners to build capacity to ensure U.S. security in the European theater and, thus, defend our homeland forward." "The State Partnership Program accounts for 45% of EUCOM's military-to military engagement. The true value of this program is the enduring relationships that have been built over time, as many of European Command's state partnerships are approaching their twenty-year anniversaries."³⁵
- US Southern Command (USSOUTHCOM) – "We will also continue to evolve as a[n] organization that promotes... security interests through enduring partnerships. These partnerships...are essential. Under this vision, each exercise, program, and operation we conduct in the region augments the training of our joint forces, improves our ability to work

with partner armed forces, and enhances the capabilities of our partners to confront regional security challenges.”³⁶

- US Pacific Command (USPACOM) – “...strengthening defense partnerships is important to regional security. To further military interoperability and build regional capacity to respond to these challenges, the establishment of foundational information, logistics, and technology exchange agreements with these Allies and partners is important.”³⁷

The comments articulated in each of these posture statements not only demonstrate the strategic significance of building partner capacity but also serve to illustrate the increased reliance upon SPP. As U.S. strategy begins to shift toward the Pacific it is important to note that while USPACOM acknowledges that BPC is a key priority it advises that a lack of available manpower significantly hinders their overall efforts.³⁸ It is conceivable given the success of the SPP in the other geographic locations that leaders may look to the SPP to aid in filling this gap.

National Guard Bureau (NGB) serves as the lead agency and has responsibility for managing SPP while the individual states are responsible for program execution.³⁹ SPP efforts are coordinated and synchronized with the GCC.⁴⁰ An analysis of the SPP goals and corresponding objectives provides a clear understanding of exactly how the SPP efforts are nested in the GCC’s TSCP to support the national strategy objectives.⁴¹ The SPP goals and objectives are depicted in Figure 4.

Build Partnership Capacity to Deter, Prevent & Prepare Build capacity to exercise national sovereignty in the physical domain. Build capacity to plan and prepare for natural and man-made disasters, and attacks. Build capacity to protect critical infrastructure. Build capacity to deter and prevent the establishment of transnational and non state networks that threaten national freedom, stability or peace. Build capacity to plan and prepare for health contingencies and human-related crises. Build Partnership Capacity to Respond & Recover Build capacity to respond and recover from natural and man-made disasters, including attacks. Build capacity to respond to sustained transnational threats. Support Partners' Defense Reform & Professional Development Support institutional defense reform and transformation of military and security forces to meet the challenges of the 21st century. Support development of capabilities to plan and conduct operations within multi-service, interagency, and multinational environments. Enable and Facilitate Enduring Broad-Spectrum Security Relationships Facilitate finding peaceful solutions to regional and global challenges. Encourage good governance by sharing public and private sector management best practices founded on democratic principles, protection of human rights and the rule of law. Support economic security and growth initiatives to improve opportunities and prosperity for all citizens. Enable the broadening and deepening of societal and cultural understanding through public diplomacy.

Figure 4. SPP Goals and Objectives.⁴²

SPP's active pursuit of these goals and objectives has allowed the program to demonstrate a number of successes over the past several years. Most recently, the strategic effects of SPP were evidenced in the war in Afghanistan. Specifically, the relationships fostered in the region by SPP's military to military programs set the conditions necessary for the US to swiftly form a coalition of military partners. These relationships permitted the U.S. to establish an airbase in Uzbekistan which would ultimately serve as the intermediate staging base for forces deploying into Afghanistan.⁴³ Other examples of SPP successful efforts to build partner capacity are numerous, some of which are illustrated below to express the breadth of the program.

- Illinois National Guard is preparing to deploy with the Polish Army in 2012. The unit will work with civilian contractors and train the army and police to take more of a leading role in operations. The most important role will be advising Polish soldiers on Western military tactics, techniques and procedures. COL Michael Zerbonia said "Over the past five years, the Polish army has adopted a more Western mindset...the Polish Army is trying to model itself similar to the American military format."⁴⁴

- Soldiers and Airmen from the Virginia National Guard are working with leaders of the Tajikistan Ministry of Defense to prepare the peacekeeping operations (PKO) Battalion for future service on a United Nations peacekeeping mission in 2013. LTC Matthew Ritchie stated “This sort of mission further cements the relationship of a military force to the civilian population that it serves.”⁴⁵
- The Maryland National Guard State Partnership Program has successfully implemented a liaison officer in their partnership with Bosnia-Herzegovina, and is the first state to do so. “This is expected to enhance bilateral relationships between the state and the partner country” said MAJ Matthew DiNenna. Lt. Col. Dzevad Buric will serve as the Bosnia-Herzegovina (BiH) liaison to the state of Maryland, as well as the assistant BiH Defense, Military, Naval and Air attaché to the United States. Partnerships like these fosters closer adherence to NATO standards.⁴⁶
- North Carolina and Idaho Air Guard partnered with the Royal Cambodian Armed Forces counterparts for a combined civil military assistance mission in Koh Kong Province, Cambodia, in August 2012. This engagement supports U.S. Pacific Command's capacity-building efforts by partnering with other governments to provide medical, dental, veterinary and engineering assistance to their citizens. The relationships that are built and sustained through this military operation will help in future humanitarian efforts and in preserving peace and stability in the region.⁴⁷
- The first Police Operations Mentor Liaison Team (POMLT-1) established in the Ghowr Province of Afghanistan is led by the Lithuanian Armed Forces with the team members drawn from the Pennsylvania Army National Guard. The POMLT focuses on coaching, teaching, and mentoring the leadership and officers of the Afghan National Police in order to help them develop a professional, effective and self-sustaining police force. Operations Mentor Liaison Teams represent a maturing of the SPP to the point where National Guard states and their partner nations fight side-by-side in overseas contingency operations.⁴⁸

The preceding examination of SPP's purpose, the strict alignment of strategic goals and objectives nested with the GCC's priorities, and demonstrated successes clearly shows that SPP is a strategic level capability aimed at developing the capacity of U.S. partners. SPP is a key tool in the U.S. national security apparatus and shares in the responsibility of developing a partner's ability to self govern and provide for its own

security. SPP's proven track record of success and its unique ability to nurture enduring relationships suggests that SPP is well postured to meet the challenges of the future. Arguably, without peacetime engagement programs like SPP, the U.S. would struggle to maintain the contacts paramount to achieving the basic interoperability required for coalition warfare.⁴⁹ SPP is a diplomacy tool that can capitalize on both civilian and military strengths to enhance partner capacity. The relationships SPP forms with partners are durable, sustainable and affordable means of avoiding conflict and potentially war by preserving peace. It is imperative that Congress, now more than ever, demonstrate better stewardship of this strategic instrument.⁵⁰

In January 2012, following the release of President Obama's strategic guidance to the military, Admiral James Winnefeld, Vice Chairman of the Joint Chiefs of Staff, noted that SPP is "a very valuable high-leverage tool" that aligns well with the new strategy.⁵¹ Evidence supports Admiral Winnefeld's claim, however, there are obstacles which must be removed and barriers which must be broken down to fully leverage SPP capabilities.⁵²

The first obstacle which must be overcome is to determine the extent of SPP success in achieving strategic results. The goals and objectives shown above provide U.S. policy makers with the ability to effectively align global strategies and establish priorities. The examples of recent SPP partner engagements certainly suggest that SPP has demonstrated substantial success, however true effectiveness may not be realized for generations. Quantifiable measures of effectiveness (MOE) are necessary to determine SPP's true value.⁵³ While the supporting objectives defined below lack the

detail necessary to measure iterative effectiveness they nevertheless offer a starting point for developing the MOE necessary to establish the viability of SPP.

The supporting objectives of the first goal establish the framework necessary in determining a partner's ability to:

- Provide land border defense; control and security of external borders and remote internal regions; provide maritime domain awareness to defend and protect littoral and inland waterways; and provide aviation domain awareness and defend/protect national airspace.⁵⁴
- Prepare for natural or man-made disasters, and for terrorist or other attacks including those resulting from the use of weapons of mass destruction.⁵⁵
- Secure the energy, utility, manufacturing, and services sectors; the transportation nodes and networks; the agricultural and health sectors; and the information technology sector.⁵⁶
- Identify and address conditions favorable for the establishment of terrorist networks; illegal narcotics production and drug trafficking networks; organized crime networks; and proliferation of weapons of mass destruction determine the MOEs for this objective.⁵⁷
- Improve military and civilian public health capabilities including medical facilities and sanitation, and the ability to plan for and manage large scale health and other human crises.⁵⁸

The supporting objectives of the second goal focus upon the partners' ability to effectively demonstrate:

- Improved military and civilian public health capabilities including medical facilities and civil-military Command, Control, Communications, Computers, & Intelligence (C⁴I), logistics, emergency medical response capabilities required to successfully perform consequence management and disaster response missions and return society to a state of normalcy following a disaster or terrorist attack.⁵⁹
- The capability to identify and to counter terrorist and insurgent activities; respond to illegal narcotics production and trafficking; to take action against organized crime networks including; and to stop the manufacture and/or proliferation of weapons of mass destruction.⁶⁰

The supporting objectives associated with third goal assess a partner's ability to:

- Transform into smaller, more flexible, mobile forces capable of defending the homeland and participating in coalition operations as well as transition to civilian control of military operations; sharing best practices in leadership, personnel management, quality of life, professional development, and the development and management of reserve components. Including assisting partner efforts to develop doctrine and technologies that will accelerate transformation and improve interoperability with U.S. and/or regional forces and improving military planning, budgeting and assessment capabilities.⁶¹
- Demonstrate the capability for internal multi-service military-to-military interoperability and interoperability with U.S. forces; military-to-interagency cooperation/interoperability within their own country; and their ability to conduct military-to-military and military-to-interagency operations with neighbors and allies on a regional scale.⁶²

The supporting objectives for the fourth and final SPP goal suggest that there is an expectation that the capabilities have achieved maturity in that the partners are:

- Demonstrating the capacity for multi-partner teaming and collaboration with geographical neighbors and others to share knowledge and best practices and ability to link SPP initiatives with complementary efforts by the U.S. military services, GCCs, DOS, agencies of partner countries, international security alliances and non-governmental organizations.⁶³
- Seeking Improving public services capabilities, supporting of public administration and management transformation; and public sector finance and legal frameworks.⁶⁴
- Considering macroeconomic security and diversification efforts; supporting open markets, private enterprise and entrepreneurship; and partnering to advance sustained agriculture.⁶⁵
- Demonstrating ability to advance educational concepts and methods; promoting educational exchange at the individual level; encouraging cultural understanding; and protecting cultural heritage.⁶⁶

Figure 5 illustrates the iterative levels of improved capacity and the corresponding alignment with the desired endstate.

SPP Civil Military FY09-15 Partnership Plans

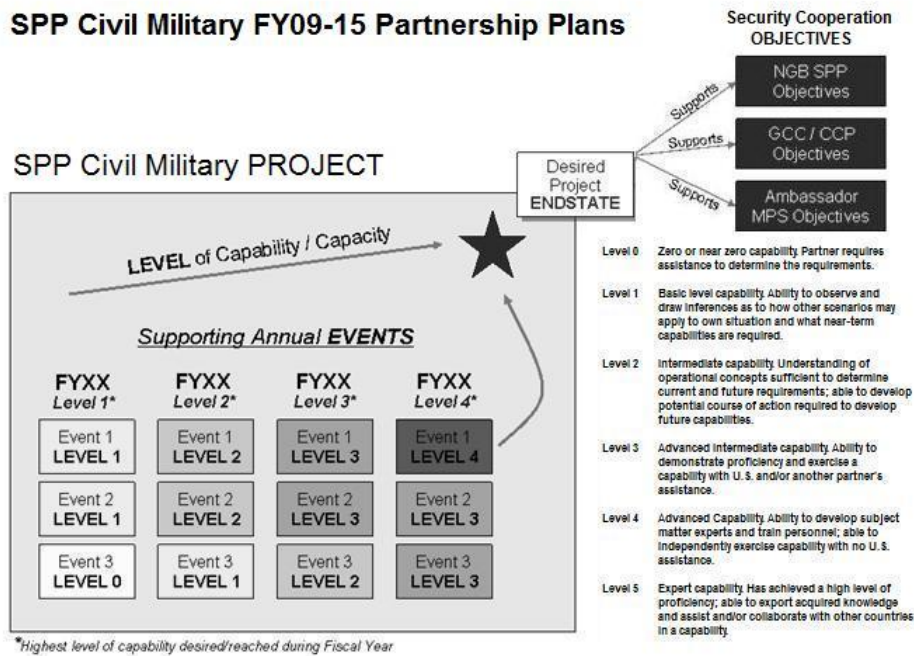


Figure 5. SPP Civil Military FY09-15 Partnership Plans⁶⁷

The evolutionary nature of building global partnership capacity through SPP is clearly evidenced in the supporting objectives outlined above. Without detailed MOEs Congress will be unable to accurately assess whether the efforts and successes demonstrated by SPP are effectively achieving the desired strategic effect. Congress should conduct a thorough review of the SPP goals, assessment methodology, and internal assessments. Congress should quantify these goals, methods, and assessments and incorporate them into a detailed SPP statute. The statute should prescribe the rate of assessment and require NGB to provide detailed annual reports to Congress. Further, to ensure the program is adequately supporting strategic objectives in a fiscally efficient and effective manner, Congress should require the General Accounting Office (GAO) to conduct a routine audit of the SPP program and provide an annual report of the findings for congressional review. The SPP law should not stop

merely by codifying the MOE. To reach its maximum potential as a BPC tool, SPP must also overcome several obstacles associated with authority and funding.

As noted previously, SPP does not have a dedicated statutory authority and must therefore rely upon a plethora of authorities to conduct its activities.⁶⁸ The sheer volume of authorities alone poses a challenge for lawmakers seeking to ensure SPP is conforming to the legal constraints of respective US Codes (USC) and Public Laws (PL). Further, the authorities SPP uses to conduct security cooperation activities are markedly similar to those used by most other components pursuing security cooperation activities.⁶⁹ These similarities make it increasingly difficult for policy makers to distinguish between the purpose of SPP and the characteristics and purpose of other security cooperation activities, such as Security Force Assistance (SFA) and Foreign Internal Defense (FID).⁷⁰ A representative list of authorities used by SPP and other security cooperation activities may include:

- 10 USC 166a Combatant Commanders Initiative Fund.⁷¹
- 10 USC 168 Military to Military Contacts (also referred to as Traditional Commander's Activities).⁷²
- 10 USC 184 Regional Centers for Security Studies.⁷³
- 10 USC 401 Humanitarian and Civic Assistance Provided in Conjunction with Military Operations.⁷⁴
- 10 USC 402 Transportation of Humanitarian Relief Supplies to Foreign Countries.⁷⁵
- 10 USC 404 Foreign Disaster Assistance.⁷⁶
- 10 USC 1050 Latin American Cooperation: Payment of Personnel Expenses.⁷⁷
- 10 USC 1051 Multilateral, Bilateral, or Regional Cooperation Programs: Payment of Personnel Expenses.⁷⁸

- 10 USC 2249c Regional Defense Combating Terrorism Fellowship Program.⁷⁹
- 10 USC 2557 Excess Non-Lethal Supplies.⁸⁰
- 10 USC 2561 Humanitarian Assistance.⁸¹
- Section 1082, P.L. 104-201 Agreements for Exchange of Defense Personnel between the United States and Foreign Countries.⁸²
- Section 1206, P.L. 109-163 Authority to Build Capacity of Foreign Military Forces.⁸³
- Section 1207, P.L. 111-84 Authority for Non-Reciprocal Exchanges of Defense Personnel between the United States and Foreign Countries.⁸⁴

One of the greatest concern lawmakers express about SPP is whether the various engagements involve participation by civilians from the U.S. or foreign government.⁸⁵ Statutes like 10 USC 166a and 401 authorize U.S. military personnel to provide “humanitarian and civic assistance” and involve related civilian personnel.⁸⁶ Yet others, like 10 USC 168 and Section 1206 PL 109-163 are directed at “military-to-military contacts and comparable activities” and generally involve only U.S. or foreign military personnel.⁸⁷ Close examination suggests that there are often allowances for exchanges with foreign civilian personnel if those individuals are part of the foreign government’s defense ministry. Ambiguities such as this are common throughout the various statutes and serve only to complicate the distinction lawmakers seek to make. Essentially, if an engagement is authorized by a statute or law that restricts civilian participation and during the conduct of the engagement civilian involvement becomes necessary then the engagement could subsequently be deemed illegal. It is conceivable that this may occur even in instances where it is intrinsic to the overall effort, such as coordinating with civilian officials from the partner nation’s health, public safety, or transportation ministries during activities authorized under 10 USC 401.⁸⁸

This discourse grows increasingly more convoluted when some law makers question whether SPP activities conducted under the authority of Section 1206 PL 109-163 or even 10 USC 401 might be considered militarization of U.S. foreign assistance.⁸⁹ The concerns over perceived militarization seemingly present a direct contradiction to the previously discussed matter of civilian participation. Section 1206 in particular is often referenced by law makers who seek to reign in DOD's efforts to train and educate foreign military forces.⁹⁰ Further, law makers have argued that DOD's use of humanitarian and civic assistance exercises are often at odds with long-term development goals in the countries and should be conducted with US State Department or USAID oversight.⁹¹

Recent efforts to mitigate these concerns have included broad guidance found in NGB Policy Letters, the National Defense Authorization Act (NDAA) 2012, and most notably in a DOD directive dated August 19, 2011. DOD Directive Type Memorandum (DTM) 11-010 "Use of Appropriated Funds for Conducting State Partnership Program Activities" establishes policy for the use of appropriated funds in support of NG SPP activities.⁹² While more definitive than the language found in either the NGB policy letters, or the NDAA, interpretation of DTM 11-010, nevertheless remains quite subjective. The DTM states it is DOD policy that:

- SPP activities shall be an integral component of geographic Combatant Command theater security cooperation plans. SPP activities **typically** include activities such as those authorized by section 1207 of Reference (c), section 1082 of Public Law 104-201, section 1206 of Public Law 109-163, as amended, and sections 166a, 184, 401, 402, 404, 1050, 1050a, 1051, 2249c, 2557, and 2561 of title 10, United States Code (U.S.C.) (References (d), (e), and (f), respectively), and **may** include **other** activities as authorized by law (e.g., joint exercises). To the extent legally permissible, and to the extent supported by the relevant Chief of Mission and Combatant Commander, activities that

complement the SPP may include activities (e.g., interagency, limited military-civilian activities) performed at the request of other Federal agencies on a reimbursable basis pursuant to section 1535 of title 31, U.S.C. (Reference (g)), and section 2392 of title 22, U.S.C. (also known as section 632 of “The Foreign Assistance Act of 1961, as amended” (Reference (h))).⁹³

- In accordance with section 1210 of Reference (c) and DOD Instruction 1215.06 (Reference (i)), National Guard personnel shall not conduct SPP activities in a foreign country unless the personnel are on active duty in the Military Services at the time of participation.⁹⁴
- Funds appropriated to the Department of Defense shall not be used to conduct SPP civilian engagement activities unless those activities are based on legal authority that allows use of such funds for those activities.⁹⁵

The DTM delineates responsibilities down to the various under secretaries, assistant secretaries, CJCS, GCCs and CNGB. It directs that a report on all SPP civilian engagement activities will be prepared annually and assigns the Under Secretary of Defense for Policy (USD (P)) as the principal staff assistant and advisor to the Secretary of Defense (SECDEF) for SPP policy and programs. As noted in the first excerpt above the DTM mentions the Chief of Mission but fails to establish the relationship that must exist between DOD and the DOS to align strategic objectives.⁹⁶ The ambiguity of the DTM is further demonstrated, if by no other means than by the choice of subjective terms and phrases. This consequently leaves the practitioner(s) with no other alternative but to interpret the guidance from their own perspective. The research underpinning this paper was unable to establish whether the individual reports on “civilian engagement activities” have been prepared and it is unclear at this time whether DOD has provided Congress with a current report on SPP activity.⁹⁷ The DTM was originally set to expire on February 20, 2012 in anticipation of the directive being converted to a new DOD Instruction, however a change dated February 8, 2012

established a new expiration date of August 20, 2012.⁹⁸ Given the absence of reporting and the delay in formalizing the directive it seems apparent that DTM is merely an exercise in futility without effective implementation and comprehensive oversight.

To leverage the maximum potential from SPP it should be codified into law. By establishing specified laws covering SPP activities rather than trying to conduct the program under the auspices of a myriad of complex, often conflicting and contradictory authorities, policy makers could ensure better oversight of the program and eliminate confusion. DOD should develop, in coordination with DOS and in consultation with NGB, clear standards and procedure for pursuing, planning, executing and fostering SPP engagements. Congress should define the parameters within which the efforts of the program will be conducted, provide a clear purpose to eliminate subjectivity in determining who may participate in the program and mandate joint oversight by DOS and DOD with NGB continuing to serve as the lead agency for program execution. This will ensure that the successes of the program will not be diminished over time while eliminating concerns over the inappropriate use of funds. Further, by involving DOS in the process greater continuity can be achieved in the overall strategic effects.

A key element in achieving these coordinated results is the comprehensive use of the Bilateral Affairs Officer (BAO).⁹⁹ The BAO is a Guard Soldier who works for the GCCs in the Embassies of respective partner nations. GCCs provide the funding for the BAOs and, in coordination with NGB, maintain oversight of their efforts. Although GCCs provide the funding for BAOs there is no standardized formal program for doing so. The lack of a formal program leads to instability in the BAO structure and fragments the pursuit of enduring relationships. Further the BAO's only integration with DOS results

from their relationship with the Defense Coordinator in each Embassy. This may diminish the efforts to achieve synchronization of purpose with DOS who ultimately authorizes all military presence in a given region.¹⁰⁰

In mandating joint oversight of SPP by DOS and DOD Congress should also consider including language in the law which allows DOS to fund the BAO position under the authorities of Title 22 (Foreign Affairs).¹⁰¹ It is important to note that Title 22 has been used in the past to fund Guard involvement in activities like the Global Peace Operations Initiative (GPOI), International Military Education and Training Program (IMET) and Foreign Military Sales (FMS).¹⁰² This may offer greater consistency and synchronization of strategic goals while stabilizing the work environment for the BAO. In both instances this leads to improved relationships with partners. This recommendation assumes some degree of risk in that the increased utilization of military personnel under the provisions of Title 22 may serve to further complicate the discussion concerning the militarization of diplomacy. Further, under the provisions of Title 10 the SPP enjoys a degree of flexibility which may be lost should the program transition to Title 22. Arguably however this risk could be mitigated by authorizing DOS to control of the BAO's foreign affairs activities while DOD and NGB retain operational control and direction of the BAO's military activities.

Codifying SPP into law is not without risks. Presently SPP execution is relatively decentralized down to the state level allowing for greater flexibility and responsiveness to partners. Congress should seek to mitigate these risks by ensuring that the law does not increase the levels of coordination necessary to comply with the new law below the level of NGB. Additionally, Congress should not discount the unique nature of the NG

when drafting these laws. Although NG personnel, when deployed, are equivalent under the law to other US military personnel they possess certain critical civilian skill sets, non-military experiences, and durable characteristics that are not commonly found in the active component.¹⁰³ Many of the successes that SPP has realized over the past two decades are the direct result of this NG “uniqueness”.

So what are these unique characteristics that the Guard possesses? First, the relationships that the Guard establishes are sustainable for the long term. Guard Soldiers often spend several years with the same unit enabling them to build relationships with partners over a period of years. U.S. and foreign Soldiers alike are capable of advancing at a similar rate which serves to strengthen the relationships, build language skills, cultural skills and most importantly mutual trust over time. In contrast, active Soldiers generally rotate through their organizations in a relatively short period. This cyclical process is not conducive to establishing long term relationships. Continuity is broken after one or maybe two engagements therefore trust must be re-established during each partner engagement.

Secondly, the Guard is uniquely designed to serve in either a Title 10 (federal) and a Title 32 (state) status, or what is commonly referred to as “dual status”. In Title 10 status the Guard is trained, organized and equipped by the Army and the Air Force. Like their active counterparts they become capable of conducting any number of military missions. In a Title 32 the Guard routinely provides Defense Support to Civilian Authorities (DSCA).¹⁰⁴ DSCA activities encompass a wide array of activities including disaster relief, border security, counter-drug and domestic security operations. Often Guardsmen possess a civilian skill set that broadens their individual military capabilities.

These Soldiers may work as city managers, bankers, surgeons, law enforcement officers, building contractors, farmers or even elected officials in their civilian capacity. These capabilities and expertise are often in high demand by U.S. partners and are available in the Guard at no cost to the U.S. government. While some active Soldiers may possess these types of skills it is unlikely that they are daily practitioners of the craft in question. It is also important to note that in some instances active Soldiers are prohibited by law from carrying out certain activities otherwise permitted by the Guard.

Next, the Guard is often available to support the GCC's TSCP when active Soldiers may be committed or postured to respond elsewhere. As noted earlier in the USAFRICOM and USPACOM posture statements, the lack the force structure to accomplish all of their requirements is problematic; and as noted by USEUCOM, SPP currently provides 45% of their partnership capability.¹⁰⁵ Also, some prospective partners may simply not have matured to a level that compels the GCC to commit extensive resources towards the partner. By employing the Guard SPP the GCC can proactively invest in the partners' long-term capability with greater flexibility yet commit fewer resources. It is important to note that the SPP is mutually beneficial; so while the partner nation may be deemed immature, the Guard itself enjoys a tremendous opportunity to enhance and sustain perishable skills.

The last unique Guard characteristic examined within this section deals with the partners' relationship to an individual state. While supporting the GCC's TSCP is certainly the imperative, there are collateral benefits not immediately related to this specific purpose. Namely, the relationship that develops between the State and the partner nation can lead to improved economic opportunities for each. Further,

depending upon the maturity of the partner nation, opportunities to establish educational exchange programs in disciplines like emergency management, law enforcement and health care may evolve over time. This relationship fosters a certain degree of autonomy at the state level. This relationship may well prove enduring yet not require cultivation by the federal government.



Figure 6. SPP - Spectrum of Cooperation.¹⁰⁶

It is evident that the Guard SPP contains several unique characteristics that can enhance the overall U.S. ability to build partner capacity. Current construct however often restricts full implementation. As demonstrated in previous sections, BPC requires a “whole of government” approach. Congress should then commit to making SPP a “whole of government” program to fully support this approach. Like previous recommendations the Guard should maintain the lead in executing the SPP program. As a joint activity which can be employed in either Title 10 or 32 statuses, the Guard SPP is uniquely positioned to adapt to a whole of government program.¹⁰⁷ Congress should again establish SPP under its own law. The law should make provisions for including non-military personnel in events where their participation produces the desired

results. Such might be the case with emergency responders whose participation might generate tremendous value for the partner and the region. The language should support utilization of Guardsmen's civilian skills even if that is all that is required of them for a particular exercise or engagement. Guardsmen with civilian acquired law enforcement or medical credentials could then engage in building partner capacity in those specific areas. Others Guardsmen skills may include local and state government officials whose skills may be valuable to a partner trying to establish a township, develop a public utility or manage infrastructure. Congress should ensure that the law is detailed enough to dissuade conflicts with strategic objectives. The SPP should continue to fall under DOD but careful synchronization should involve DOS.

Whether conducting SPP engagements or combat operations an increased reliance upon the Guard poses some risks. First, when the Guard is deployed it means that they are unavailable to Governors to conduct emergency response and disaster relief operations. This leaves the States vulnerable and possibly unreceptive to increased reliance upon the Guard for what many may see as the responsibility of the active duty forces. Secondly, employers assume a sizable portion of the burden when their employees are not available to them.¹⁰⁸ This latter concern may be mitigated to some degree by the suggestion that Guardsmen deployed in support of SPP activities are pursuing a course of action that may aid in stabilizing the economy, a fact not lost on employers or the general population. Regardless of these risks the Guard is now a fully operational force whose capabilities are intrinsic to the development of Joint Force 2020 and beyond.¹⁰⁹ The Guard will now and for the foreseeable future continue to be

called upon to conduct operations around the globe — better to be engaged in preserving peace than relegated to conducting war.

Conclusion

The current economic environment demands fiscal responsibility. This however does not have to come at the expense of a strong national defense nor does it have to sacrifice the experience and capability gained by the Guard over the past decade. SPP provides Congress with the opportunity to preserve the operational capability achieved by the Guard during contingency operations by preserving the training expense that was invested while the Guard was on active duty. Retaining the Guard's valuable civilian expertise and the investments made in training and cultural awareness is a prudent approach to "develop[ing] innovative, low cost...approaches to achieve security objectives."¹¹⁰ SPP is just such an approach.

It is evident that the utility of SPP has been thoroughly demonstrated throughout the last half of the 21st century. It has a proven track record of success and its unique ability to nurture enduring relationships suggests that SPP is well postured to meet the challenges of the future. Former U.S. Secretary of Defense Robert M. Gates stated that, "Helping other countries better provide for their own security will be a key and enduring test of U.S. global leadership and a critical part of protecting U.S. security..."¹¹¹ SPP's ability to advance regional security, stability, and prosperity through building partner capacity as defined in strategic guidance clearly establishes that it is a key element in the national security apparatus. SPP is ideally suited for providing support to GCCs. SPP rigorously reinforces the GCC goals and is an integral component of the GCC's theater security cooperation objectives providing the predictability and stability required in building long-term relationships. To fully leverage these obvious capabilities

Congress should codify SPP into law and make it a “whole of government” approach to building partner capacity.¹¹² This codification should include: quantifying the goals, methods, and assessments; defining the parameters within which the efforts of the program will be conducted; providing a clear purpose; eliminating subjectivity in determining who may participate; mandating joint oversight by DOS and DOD; ensuring NGB continues to serve as the lead agency; and allowing DOS to fund in part under the authorities of Title 22. SPP is an enduring, fiscally responsible tool that provides the U.S. with the agility and flexibility necessary for building partner capacity to address what was termed by Secretary Gates as “a national priority”.¹¹³ The time has come for Congress to codify SPP into law to effectively pursue this priority.

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⁹⁴ Ibid. Emphasis placed on ambiguous terms by author.

⁹⁵ Ibid. Emphasis placed on ambiguous terms by author.

⁹⁶ U.S. Under Secretary of Defense for Policy Michele A. Flournoy, "Directive-Type Memorandum (DTM) 11-010, Use of Appropriated Funds for Conducting State Partnership Program (SPP) Activities," memorandum for Secretaries of the Military Departments, Washington, DC, August 19, 2012, 5-7.

⁹⁷ Ibid.

⁹⁸ U.S. Under Secretary of Defense for Policy Michele A. Flournoy, "Directive-Type Memorandum (DTM) 11-010, Use of Appropriated Funds for Conducting State Partnership Program (SPP) Activities," memorandum for Secretaries of the Military Departments, Washington, DC, August 19, 2012, Change 1, February, 2012, <http://www.dtic.mil/whs/directives/corres/pdf/DTM-11-010.pdf> (accessed February 14, 2012).

⁹⁹ For more information concerning Bilateral Affairs Officers, see Marcela Lopez, "BAO Application," linked from *National Guard Home Page* at "Applications," http://www.ng.mil/ia_backup/Resources/Forms/AllItems.aspx?RootFolder=%2fia%5fbackup%2fResources%2fposition%20applications&View=%7b9BBE50AF%2d812D%2d41D3%2dA085%2dDB7774031FE9%7d (accessed February 24, 2012).

¹⁰⁰ U.S. Under Secretary of Defense for Policy Michele A. Flournoy, "Directive-Type Memorandum (DTM) 11-010, Use of Appropriated Funds for Conducting State Partnership Program (SPP) Activities," memorandum for Secretaries of the Military Departments, Washington, DC, August 19, 2012, 2.

¹⁰¹ Mike Marra, "Reference Guide to Funding Authorities" reference sheet with comments, Carlisle Barracks, PA, U.S. Army War College, 2012.

¹⁰² For more information concerning Global Peace Operations Initiative, see 22 U.S. Code 2348; International Military Education and Training Program, see 22 U.S. Code 2347; Foreign Military Sales, see 22 U.S. Code 2761-2762.

¹⁰³ For more information concerning authorities, see 10 U.S. Code, U.S. Armed Forces; 32 U.S. Code, National Guard.

¹⁰⁴ For more information concerning Defense Support to Civilian Authorities, see Department of Defense, *Defense Support to Civilian Authorities*, Department of Defense Instruction 3025.18 (Washington DC: Department of Defense, December 29, 2010), <https://www.federalregister.gov/articles/2011/01/13/2011-620/defense-support-of-civil-authorities-dsca>. (accessed February 24, 2012).

¹⁰⁵ James G. Stavridis, United States European Command 2011 Posture Statement to Senate Armed Service (Washington, DC: U.S. Department of Defense, March 29, 2011), 9.

¹⁰⁶ Source: U.S. Army NG, *NG State Partnership Program - Program Goals Fiscal Year 2008-13* (Arlington, VA: NGB-J5-IA, September 5, 2007), 2.

¹⁰⁷ Department of Defense, *National Guard Bureau (NGB)*, Department of Defense Instruction 5105.77 (Washington DC: Department of Defense, May 21, 2008), 1.1.

¹⁰⁸ U.S. Department of Defense, "DOD to Measure Guard and Reserve Employment Practices," March 2, 2011, linked from *U.S. Department of Defense Home Page* at "Releases," <http://www.defense.gov/Releases/Release.aspx?ReleaseID=14303> (accessed February 24, 2012).

¹⁰⁹ Martin E. Dempsey, "Letter to the Joint Force," October 1, 2011, linked from *U.S. Department of Defense Home Page* accessed at "Chairman's Corner," <http://www.dod>

live.mil/index.php/2011 /10/general-dempseys-letter-to-the-joint-force/ (accessed February 24, 2012).

¹¹⁰ Obama, *Sustaining U.S. Global Leadership*, 3.

¹¹¹ Gates, *Foreign Affairs*, 4.

¹¹² Department of the Army, *Security Forces Assistance*, Army Field Manual 3-07.1 (Washington DC: U.S. Department of the Army, May 1, 2009).

¹¹³ Gates, *Foreign Affairs*, 4.