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# Proposed Train and Equip Authorities for Syria: In Brief

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## Summary

The FY2015 continuing appropriations resolution (H.J.Res. 124, P.L. 113-164, CR), enacted on September 19, 2014, authorizes the Department of Defense through December 11, 2014, or until the passage of a FY2015 defense authorization act, to provide overt assistance, including training, equipment, supplies, and sustainment, to vetted members of the Syrian opposition and other vetted Syrians for select purposes. The current CR does not include any dedicated funding for this activity but authorizes DOD to submit reprogramming requests to the four congressional defense committees to transfer funds made available by the act.

In order to continue any related programs beyond the expiration of the CR, Congress would have to extend the authority or include an amended version of it in new legislation.

The provision was enacted in response to President Obama's request for authority to begin such a program as part of U.S. efforts to combat the Islamic State and other terrorist organizations in Syria and to set the conditions for a negotiated settlement to Syria's civil war.

This report reviews the authority granted in H.J.Res. 124 and explores similarities and differences among the H.J.Res. 124 authority, the President's requests, and other proposals that may be considered by Congress, including during anticipated consideration of FY2015 full-year appropriations or defense authorization (H.R. 4435/S. 2410) legislation.

For more information on the Islamic State crisis and U.S. policy, see CRS Report R43612, *The "Islamic State" Crisis and U.S. Policy*, by Kenneth Katzman et al., and CRS Report RL33487, *Armed Conflict in Syria: Overview and U.S. Response*, coordinated by Christopher M. Blanchard.

For analysis of proposals related to the Authorization for the Use of Military Force relative to the Islamic State, see CRS Report R43760, *A New Authorization for Use of Military Force Against the Islamic State: Comparison of Current Proposals in Brief*, by Matthew C. Weed.

## Contents

Introduction.....	1
Overview of Proposals .....	2
Policy Questions and Potential Implications .....	3
Political-Military Context.....	4
Measuring “Effectiveness” .....	5
Elements of the Debate .....	7
Does the President “need” authority from Congress to provide “train and equip” assistance? .....	7
What are the differences between the enacted authority, the President’s requests, and other proposals? .....	8
Scope of Authority.....	9
Stated Purposes of U.S. Assistance .....	10
Defending Syrian Civilians from Attacks .....	10
“Securing” vs. “Stabilizing” Opposition-held Territory and Facilitating the Provision of Essential Services .....	11
Promoting the Conditions for a Negotiated Settlement to End the Conflict in Syria .....	11
Sunset Provisions.....	11
Implications of Different Funding Sources and Directives .....	11
Definitions of Vetting Requirements .....	12
Required Interagency Process .....	13
Advance Notification and Reporting of Oversight Information to Congress.....	13
Terms Related to Authorization for the Use of Military Force.....	14

## Tables

Table 1. Comparison of Select “Train and Equip” Proposals for Vetted Syrians .....	16
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## Contacts

Author Contact Information.....	24
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## Introduction

Congress and the President have debated proposals for the provision of U.S. assistance to the Syrian opposition since the outbreak of the Syrian uprising in 2011. Members of Congress have articulated varying views on the potential purposes, scope, risks, and rewards of such assistance. The executive branch, with the support of Congress, has provided overt non-lethal assistance to unarmed and armed groups in Syria, in addition to providing humanitarian assistance in Syria and in neighboring countries. U.S. assistance and weaponry also reportedly has been provided to select Syrian opposition groups under covert action authorities.<sup>1</sup> Until mid-2014, President Obama and some Members of Congress were opposed to the overt provision of U.S. military training or equipment to opposition forces reportedly in part because of concerns about its effectiveness.

The President's stance was altered by the failure in early 2014 of United Nations-backed negotiations aimed at ending the Syrian civil war and the mid-2014 offensive in Iraq by the extremist group known as the Islamic State (IS, also known as ISIL or ISIS). In the Administration's June 2014 amended request for war funding, President Obama requested authority and funding from Congress to begin a so-called "train and equip" program for vetted Syrians for the following purposes:

- "defending the Syrian people from attacks by the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;
- defending the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and,
- promoting the conditions for a negotiated settlement to end the conflict in Syria."

The President amended the request in September to reflect new goals for combatting the Islamic State.

As enacted, H.J.Res. 124 (P.L. 113-164, "the CR") contains a temporary authorization for the training and equipping of vetted Syrians that differs from the Administration's June and September requests. The CR's provisions expire no later than December 11, 2014. After the November midterm elections, Members are likely to debate whether to re-endorse or consider changes to the "train and equip" authority granted in H.J.Res. 124 during consideration of full-year FY2015 appropriations or defense authorization legislation.

Congress may consider revisions to the current temporary "train and equip" authority based on other versions proposed by the Administration in September, the Senate Armed Services Committee (SASC) in S. 2410, and the Senate Appropriations Committee (SAC) in its markup of H.R. 4870. These revisions could be included in either the final version of the National Defense

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<sup>1</sup> Secretary of Defense Chuck Hagel said in a September 2013 hearing before the Senate Foreign Relations Committee that the Administration was taking steps to provide arms to some Syrian rebels under covert action authorities. Secretary Hagel said, "it was June of this year that the president made the decision to support lethal assistance to the opposition. As you all know, we have been very supportive with hundreds of millions of dollars of nonlethal assistance.... This is, as you know, a covert action. And, as Secretary Kerry noted, probably to [go] into much more detail would—would require a closed or classified hearing."

Authorization Act or a subsequent CR or final defense appropriations act that Congress may act on after returning from its recess.

Differences between H.J.Res. 124 and elements of these proposals illustrate five key questions that Members of Congress may consider when debating any proposed revisions to the CR's Syria language.

- How, if at all, should the purposes of the initiative be redefined?
- How long should the authority last?
- How should the “train and assist” initiative be paid for? Should caps, account specifications, or dedicated funding be considered? With what tradeoffs?
- Should currently required advance notification and reporting requirements be retained, expanded, or withdrawn?
- Should the Department of Defense be required to seek State Department concurrence with the program rather than coordination?

### **Chronology of “Train and Equip” Proposals**

- In 2013, legislation was introduced in both houses of Congress (H.R. 1327, S. 617, and S. 960) and considered by the Senate Foreign Relations Committee (S. 960) that would have provided authority to provide training and assistance to armed elements of the Syrian opposition, subject to certain conditions.
- In June 2014, the Senate Armed Services Committee reported its version of the FY2015 defense authorization bill, S. 2410, which would have provided a comparable, conditional authority, and, later that month, the Obama Administration requested related so-called “train and equip” authority and funding as part of its Overseas Contingency Operations (OCO) request to Congress for FY2015.
- Senate Appropriations Committee members debated and approved a version of “train and equip” authority for Syrians in July 2014 in their reported version of the FY2015 defense appropriations bill (H.R. 4870 RS). The Senate Appropriations Committee considered and rejected a proposed amendment that would have stripped the authority and funding for the Syria program from the bill. The House-enacted version of the bill does not include such authority.
- In September, the Obama Administration revised its OCO request to Congress to reflect its new goal of “degrading and defeating” the “Islamic State” organization in Iraq and Syria.
- On September 15, Representative Howard “Buck” McKeon, who is Chairman of the House Armed Services Committee, introduced an amendment (hereinafter the McKeon Amendment) to the FY2015 continuing resolution (H.J.Res. 124) that represented a counterproposal to the President's revised request for assistance authority. The House adopted the amendment (H.Amdt. 1141) by a vote of 273 to 156 on September 17, and the Senate enacted the amended bill by a vote of 78 to 22 on September 18. The amendment text is included as Section 149 of H.J.Res. 124.

## **Overview of Proposals**

There are several key differences between the recently enacted temporary authority in the current CR, other proposals already considered by Congress, and the President's September 2014 request. Compared to the authority granted by the CR:

- The SAC-reported version of the FY2015 Department of Defense Appropriations Act (H.R. 4870) would broaden the purposes of assisting and protecting Syrians from Islamic State forces to include defending the Syrians from government

attacks, stabilizing rather than securing opposition held areas and facilitating the provision of essential services in opposition held areas. The SAC language is similar to the Administration's request.

- The SAC version would also limit funds for a “train and equip” program to up to \$500 million in the OCO-designated Operation and Maintenance, Defense-wide account. The funding provision in H.J.Res. 124 has no funding cap and permits DOD to request transfers from any OCO-designated account.
- Both the SAC and SASC versions include additional vetting criteria to those in H.J.Res.124, which are designed to ensure aid recipients are not members of select terrorist and extremist groups. The SAC and SASC versions also seek to ensure that the ideology and political goals of U.S. aid recipients are compatible with U.S. stated preferences for a pluralistic, democratic, and civilian-led Syria.
- The SASC- and SAC-reported bills (and the Administration's request) require that the State Department “concur” (i.e., agree) with DOD on assistance whereas H.J.Res.124 requires that the Department of Defense “coordinate” with the State Department.
- H.J.Res.124 and the SAC version would require 15-day advance notification before providing assistance whereas the SASC proposal would require congressional notification of assistance after the fact. H.J.Res.124 also requires an implementation plan, a presidential strategy, and progress reporting every 90 days, which are not included in other proposals.
- Both H.J.Res.124 and the SAC proposal state that their provisions shall not be “construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.” The SASC version does not contain a statement regarding the authorization of U.S. military force.
- Both the SASC and the SAC version provide authority longer than H.J.Res.124 under which the current authority expires on December 11, 2014 (when the CR ends) or upon enactment of the FY2015 NDAA, whichever comes first. The SAC proposed authority would extend to the end of FY2015 or the adoption of the FY2015 NDAA, whichever comes first. The SASC version would provide the authority through December 31, 2018.

## **Policy Questions and Potential Implications**

The different purposes of assistance described in H.J. 124 and other pending “train and equip” proposals have strategic implications for U.S. involvement in Syria, and may have different potential effects on stated U.S. goals. As such, Members of Congress may wish to consider a number of basic policy questions when considering proposals to extend or modify the “train and equip” authority authorized under H.J.Res. 124:

- For what purposes, if any, should the United States train and equip Syrians? How might the short and long term goals of the United States and those of Syrians align or conflict?

- What should the content of any such U.S. training and equipment be? What, if anything, should not be provided? How might the “train and equip” mission expand in size, geographic scope, or cost depending on different scenarios? What risks might such expansion pose?
- Who should receive such U.S. training and assistance? How should they be identified and vetted? What criteria should Congress insist upon for the vetting of participants?
- How much training and equipment will be sufficient to accomplish stated U.S. objectives or achieve the stated purposes of authorizing language? How much might this level of effort cost and how long might it take to reach these goals?
- How should such a program be funded? Through base budget funding or overseas contingency operations funding? How long should authority for such a program be available and on what terms? What effects might an expanded duration or cost for such a program have on other defense or foreign assistance priorities? Is there sufficient public support for a potentially longstanding commitment?
- How should Congress conduct oversight of such a program? Should advance notification of assistance be provided to congressional committees or Congress as a whole or after-the-fact notification at certain intervals? How should success be defined and assessed? Which committees should be involved in reviewing program reporting and spending notifications?
- How effective have other “train and equip” programs been in other contexts? What lessons learned from those efforts should be applied to a Syria-related effort?

## **Political-Military Context**

Current political-military conditions in Syria may pose challenges for U.S. efforts to train and equip vetted Syrians for U.S.-defined purposes. Most armed opposition groups have sought U.S. and other third-party assistance since the outbreak of conflict for the expressed purpose of toppling the government of Bashar al Asad and replacing it with various Islamist or secular alternatives. The CR provision does not authorize assistance for this purpose and identifies the Islamic State organization rather than the Syrian government as the entity from which Syrians should be protected. President Obama has suggested that U.S. engagement will remain focused “narrowly” on assisting Syrians in combatting the Islamic State, while continuing “to look for opportunities” to support a political resolution to Syria’s conflict.<sup>2</sup> In an interview with London-based newspaper *Al Aharq Al Awsat*, U.S. anti-IS coalition leader General John Allen reportedly responded to a question about whether Syrian units being trained to fight the Islamic State would be “those who will later fight the regime’s armed forces” by saying:

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<sup>2</sup> The President said, “our attitude towards Asad continues to be that you know, through his actions, through using chemical weapons on his own people, dropping barrel bombs that killed innocent children that he—he has foregone legitimacy. But when it comes to our policy and the coalition that we’re putting together, our focus specifically is on ISIL. It’s narrowly on ISIL.” President Obama interview with NBC News Meet the Press, September 6, 2014.

No. What we would like to see is for the FSA and the forces that we will ultimately generate, train and equip to become the credible force that the Assad government ultimately has to acknowledge and recognize. There is not going to be a military solution here [in Syria]. We have to create so much credibility within the moderate Syrian opposition at a political level ... that they earn their spot at the table when the time comes for the political solution. Now, there could be FSA elements that ultimately clash with the regime, that may well be the case, as they seek to defend themselves and those areas that they dominate and as they seek to defend their families and their ways of life ... it could be an outcome. But the intent is not to create a field force to liberate Damascus—that is not the intent. The intent is that in the political outcome, they [the moderate Syrian opposition] must be a prominent—perhaps the preeminent voice—at the table to ultimately contribute to the political outcome that we seek.<sup>3</sup>

Some Syrian political and military opposition forces appear to resent such a narrow focus and some have indicated they may insist on broader support for their anti-Asad goals as a condition of working with a U.S.-backed coalition against the Islamic State.

Nevertheless, the CR provision does envision the use of U.S. training and equipment to promote undefined “conditions for a negotiated settlement to end the conflict in Syria.” Most parties assume such a settlement would include some changes to the leadership or structure of the Syrian government. Administration officials have not publicly described mechanisms under consideration for ensuring that U.S. training and assistance is used for congressionally defined purposes and not for others. It is not clear how the Administration intends to direct types and amounts of assistance in order to achieve discrete security-related goals along with the inherently political goal of promoting conditions conducive to a negotiated conflict settlement. Insofar as this political goal may be dependent on variables outside of U.S. control, it may be more difficult to assess whether given levels and types of assistance are “enough” to achieve it.

## **Measuring “Effectiveness”**

As in past cases involving the provision of U.S. security assistance, different observers may define “success” and “effectiveness” differently based on their perspectives and priorities about the proper purposes and scope of assistance. For example, in the current Syria case observers differ over whether a training program should train and equip vetted fighters to offensively attack Islamic State forces or pro-Asad forces or whether it should focus on enabling Syrians to better defend against Islamic State or government attacks.

There are no direct recent analogues to the type of overt and broadly defined “train and equip” program for vetted Syrians authorized under H.J.Res.124. Most current “train and equip” authorities are far more limited in scope and funding, and targeted to government security forces. Independent evaluations of some recent U.S. security assistance programs suggest that even when measured against broadly stated purposes and objectives, these types of programs can face significant difficulties in implementation or show questionable results.<sup>4</sup>

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<sup>3</sup> Min al Oraibi, “Exclusive: General Allen discusses coalition plans for defeating ISIS as regional tour starts,” *Al Sharq al Awsat* (UK), October 25, 2014.

<sup>4</sup> See the work of the Special Inspectors General for Afghanistan and Iraq Reconstruction on respective efforts to train and equip security forces in those countries. See also, RAND, “How Successful Are U.S. Efforts to Build Capacity in Developing Countries? A Framework to Assess the Global Train and Equip ‘1206’ Program,” Jennifer D. P. Moroney, Beth Grill, Joe Hogler, Lianne Kennedy-Boudali, Christopher Paul, Prepared for the Office of the Secretary of Defense, (continued...)



Programs with some partial similarities in context and content to the Syria program authorized under H.J.Res.124 include the following:

- Congress debated and imposed limits on the purposes and scope of covert U.S. assistance programs to so-called resistance movements in Angola, Afghanistan, Cambodia, and Nicaragua during the 1980s and early 1990s.<sup>5</sup> While these efforts occurred in similarly complex conflict settings, they were perceived to be part of a global U.S.-Soviet confrontation of the Cold War. Their relative successes and failures remain the subject of ongoing study and debate.
- In 1998, Congress authorized the drawdown of Department of Defense goods and services for Iraqi opposition groups, but did not authorize sustained or direct U.S. training or the transfer of weaponry.<sup>6</sup> A subsequent Department of Defense training program for so-called Free Iraqi Forces in early 2003 trained a small number of recruits to facilitate U.S. civil-military operations in Iraq.<sup>7</sup>
- The Sudan Peace Act (P.L. 107-245, October 21, 2002) authorized President George W. Bush “to provide increased assistance to the areas of Sudan that are not controlled by the Government of Sudan to prepare the population for peace and democratic governance, including support for civil administration, communications infrastructure, education, health, and agriculture.” In support of these purposes, the act authorized to be appropriated \$100 million in fiscal years 2003, 2004, and 2005 “to remain available until expended.” Some recipients of U.S. assistance authorized by the act held both civilian and military leadership positions in the South Sudanese opposition.
- The U.S. government has provided overt training and equipment to Palestinian security forces for strictly defined purposes using foreign affairs authorities and funds, but participants in those programs are members of official Palestinian Authority security bodies rather than individuals unaffiliated or not currently affiliated with official government institutions.<sup>8</sup>
- The Obama Administration notified Congress of a drawdown of up to \$25 million in U.S. government goods and services for Libyan forces in 2011, but Congress did not act to expressly authorize U.S. military engagement in a “train and equip” program for Libyan opposition members.

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(...continued)

2011.

<sup>5</sup> See Raymond Copson and Robert Sutter, “Support for Third World Resistance Movements: Changing Priorities,” in Congressional Research Service, *Congress and Foreign Policy*, 1990, p. 77-107.

<sup>6</sup> The Iraq Liberation Act (P.L. 105-338, October 31, 1998) gave President Clinton the authority to provide up to \$97 million worth of defense articles and services to designated Iraqi opposition groups. A designation procedure and criteria for identifying eligible groups was also prescribed by the act in Section 5, stating that only those organizations that (1) include a broad spectrum of Iraqi individuals, groups, or both, opposed to the Saddam Hussein regime; and (2) are committed to democratic values, to respect for human rights, to peaceful relations with Iraq’s neighbors, to maintaining Iraq’s territorial integrity, and to fostering cooperation among democratic opponents of the Saddam Hussein regime” would be eligible for such assistance.

<sup>7</sup> See Army Maj. Gen. David Barno, Briefing on Free Iraqi Forces, Department of Defense, March 14, 2003.

<sup>8</sup> See CRS Report RS22967, *U.S. Foreign Aid to the Palestinians*, by Jim Zanotti.

Members of Congress may want to consider some of the policy questions that were debated during consideration of these programs and efforts in any upcoming debate about the purposes, scope, and duration of the new “train and equip” assistance program for vetted Syrians. In particular, Members of Congress may wish to consider:<sup>9</sup>

- the net effects of the introduction of outside arms and training in previous cases on the prospects for conflict settlement, the duration and intensity of violence, U.S. national security goals, and humanitarian conditions;
- the potential tradeoffs and dilemmas associated with the pursuit of specific short-term security or counterterrorism objectives alongside longer term political goals and the promotion of human rights and democratic governance;
- the challenges U.S. policy makers have faced in ensuring the reliability and integrity of recipients of U.S. assistance in past cases and the implications of those challenges for efforts to design vetting and oversight measures;
- the contributions of past cases to debates about the roles and responsibilities of the executive branch and Congress in defining the purposes, terms, scope, and duration of U.S. security assistance abroad; and,
- the regional security and global strategic implications of the provision, modulation, and termination of U.S. training and equipment in analogous cases.

## Elements of the Debate

### Does the President “need” authority from Congress to provide “train and equip” assistance?

The “train and equip” authority granted in H.J.Res. 124 is set to expire by December 11, 2014, at the latest. According to the Administration and the House Armed Services Committee, there are no other existing legal authorities that would allow such overt “train and equip” assistance to be provided to non-government actors in Syria in the current context.<sup>10</sup> Therefore, in order to continue any related programs beyond the expiration of the CR, Congress would have to extend the authority or include an amended version of it in new legislation.

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<sup>9</sup> For a fuller discussion of similar thematic questions that can be applied to Syria and other cases where the United States may seek to partner with non-state entities, see Larry Hanauer and Stephanie Pezard, *Security Cooperation Amidst Political Uncertainty: An Agenda for Future Research*, RAND International Security and Defense Policy Center, WR-1052-IRD, July 2014.

<sup>10</sup> Prior to the passage of H.J.Res. 124, Secretary of Defense Chuck Hagel told the Senate Armed Services Committee on September 16, 2014 that the Department of Defense did not have the authority to conduct a “train and equip” mission for vetted Syrians. On September 15, Representative Mac Thornberry presented a statement from House Armed Services Committee Chairman Howard “Buck” McKeon, the author of the McKeon Amendment, before the House Rules Committee. Thornberry said that, according to McKeon, the provision of specific authority in response to the President’s request was necessary, because “none of the existing Department of Defense authorities in law fit the conditions requested by the President—to “train and equip” non-government entities fighting in non-U.S. led operations.”

Almost all existing Department of Defense authorities to provide overt security assistance to U.S. partners abroad require that such assistance be provided on a government-to-government basis. Exceptions include activities authorized by Section 1208 of the FY2005 National Defense Authorization Act (P.L. 108-375) as amended, which authorizes the provision of up to \$50 million in U.S. assistance to “foreign forces, irregular forces, groups, or individuals” that assist or facilitate U.S.-led counterterrorism-related special operations. An existing authority such as Section 1208 would require U.S. leadership of operations and would not provide corresponding funding authority sufficient to support the scope of activities envisioned under the Administration’s request.

As discussed below, the Administration’s stated purposes for the requested authority extend beyond strict counterterrorism purposes. Moreover, given the range of public views on the Syria conflict, and the fact that the authority is without precedent in the Syria context and may have profound implications for regional and global security, the executive branch may desire broad congressional support for its plans.

With regard to the provision of nonlethal assistance, including to armed groups, the State Department sought and obtained new authority notwithstanding other provisions of law restricting the provision of U.S. assistance in Syria and to Syrians. Section 7041(i) of Division K of the FY2014 Consolidated Appropriations Act (H.R. 3547/P.L.113-76) significantly expanded the Administration’s authority to provide nonlethal assistance in Syria for certain purposes using the Economic Support Fund (ESF) account. Such assistance had been restricted by a series of preexisting provisions of law (including some terrorism-related provisions) that required the President to assert emergency and contingency authorities to provide such assistance to the Syrian opposition and communities in Syria. It is unclear whether further authorization beyond that enacted in H.J.Res.124 may be required for the purposes of the proposed “train and equip” program for Syrians.

## **What are the differences between the enacted authority, the President’s requests, and other proposals?**

The authority enacted in H.J.Res. 124, the President’s requests, and other proposals under consideration in Congress would authorize and fund assistance to vetted Syrian opposition elements and other vetted Syrians for different purposes and on different terms (see **Table 1** below). The most substantive differences relate to:

- the scope of authorities granted/sought;
- the stated purposes of assistance;
- sunset provisions for the authority;
- limits on the availability or sources of funds to carry out any granted authorities;
- definitions of vetting requirements;
- required interagency processes;

- terms related to authorization for the use of military force; and
- terms for the notification and reporting of oversight information to Congress.

## Scope of Authority

The Administration requested authority from Congress in September 2014 “to provide assistance, including the provision of defense articles and defense services, to, appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals.” H.J.Res. 124 authorizes the Secretary of Defense, in coordination with the Secretary of State, “to provide assistance, including training, equipment, supplies, and sustainment” to the same entities.

It is unclear whether the specific illustrative description in H.J.Res. 124 of what U.S. assistance may include was intended to be broader or more restrictive than the Administration’s request for authority to provide assistance including “defense articles and services.” The latter is a term most closely associated with existing U.S. law governing the sale of U.S.-origin weaponry and the provision of security assistance abroad.<sup>11</sup> The former could be construed to be a subset of the latter, or vice versa, but H.J.Res. 124 as enacted does not further define those terms.

The report (H.Rept. 113-600) accompanying the resolution providing for consideration of H.J.Res. 124 refers in general terms to authorizing the executive branch to “train and equip appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals.” In a statement to the House Rules Committee on September 15, Representative Mac Thornberry defined “sustainment” as potentially including ammunition and tactical intelligence information for any trained forces. It is possible that sustainment could be construed to include other types of assistance as well, such as the provision of food, water, and logistical support.

In its budget justification for funds provided for the Afghanistan Security Forces Fund (ASFF), “sustainment” is defined broadly to include not only individual equipment and logistical support but also pay of military and civilian personnel:

“requirements to support the ANA, AAF, and SMW, by providing clothing, individual equipment, medical supplies, replacement equipment, and operational sustainment services, communications and intelligence as well as pay and incentive programs.”<sup>12</sup>

If this definition were adopted, “sustainment” could include the full array of support services from food, water, and logistical support to personnel pay.

Secretary of Defense Chuck Hagel told the Senate Armed Services Committee on September 16, 2014, that the Administration seeks to provide a “package of assistance” that would “initially... consist of small arms, vehicles, and basic equipment like communications, as well as tactical and strategic training.” According to Secretary Hagel, “As these forces prove their effectiveness on the battlefield, we would be prepared to provide increasingly sophisticated types of assistance to the most trusted commanders and capable forces.”

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<sup>11</sup> See Foreign Assistance Act of 1961 as amended, Sections 644(d) and 644(f); and, 22 U.S.C. 2403(d) and (f).

<sup>12</sup> Department of Defense, “Justification for FY 2015 Overseas Contingency Operations (OCO), Afghanistan Security Forces Fund (ASFF), June 2014, p. 6; <http://asafm.army.mil/Documents/OfficeDocuments/Budget/budgetmaterials/fy15/ABE/asff.pdf>.

The SASC-reported version of the FY2015 defense authorization bill would authorize the provision of “equipment, supplies, training, and defense services.”

An amendment adopted as part of the House-passed version of the FY2015 defense appropriations bill (H.R.4870) would prohibit the use of funds made available in the act to “transfer man-portable air defense systems (MANPADS) to any entity in Syria.”

Other proposals previously introduced and considered also sought to define the types of assistance that could be provided and to place conditions or restrictions on the transfer of certain weapons systems to Syrians (S.960, H.R. 1327).

## **Stated Purposes of U.S. Assistance**

Programs designed for different purposes may present different potential risks and rewards. An assistance program explicitly intended not only to defend Syrians from attack, but also to assist in the stabilization of and provision of essential services in territory under opposition control may be of much broader scope, cost, or duration than a program intended to defend Syrians from attack by one specified group and/or secure territory under opposition control. Moreover, the scope of opposition-held territory may conceivably expand or contract to include more or less of Syria than at present, with follow-on effects for potential costs to the United States.

Following the enactment of the CR by Congress, some Syrian opposition forces and their U.S. supporters have stated their preference for a broader scope of U.S. assistance and military intervention. However, other Syrian groups may reject deeper U.S. involvement and prefer that the United States focus any assistance on toppling the Asad government rather than pursuing counterterrorism, security, stability, and/or quality of life concerns.

In light of these dynamics, Members of Congress may wish to consider whether to broaden or further limit the purposes of U.S. assistance as stated in the current CR by modifying language addressing the topics below.

## **Defending Syrian Civilians from Attacks**

As noted above (see “Introduction”) the Administration’s September 2014 request for authority envisioned a broader protection purpose for U.S. assistance relative to the CR. Specifically, the Administration requested authority to provide assistance to vetted Syrians in order to defend Syrian civilians against attacks by two potential adversaries—the Islamic State *and* the government of Bashar al Asad, though without explicitly prioritizing assistance for protection from one adversary vs. the other. President Obama and Administration officials have since indicated that U.S. assistance will be provided in line with a so-called “ISIL-first strategy,” and press reports citing unnamed U.S. officials indicate that defensive rather than offensive training and equipment is to be provided under the program.<sup>13</sup> H.J.Res.124 does not specify the kinds of attacks that Syrians should be trained or equipped to defend against.

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<sup>13</sup> Rajiv Chandrasekaran, “Syrians to be trained to defend territory, not take ground from jihadists, officials say,” *Washington Post*, October 22, 2014.

## **“Securing” vs. “Stabilizing” Opposition-held Territory and Facilitating the Provision of Essential Services**

As enacted, H.J.Res.124 states a more limited purpose for assistance with regard to opposition-controlled territory than the Administration’s requests. Unlike the President’s proposal, H.J.Res.124 does not authorize assistance to “stabilize” opposition-held territory or to facilitate the provision of essential services. Instead it authorizes assistance for “securing territory controlled by the opposition.” Both “stabilizing” territory and facilitating the provision of services in opposition-held areas could be interpreted as longer-term, costlier, and more involved commitments than “securing” territory.

## **Promoting the Conditions for a Negotiated Settlement to End the Conflict in Syria**

While both H.J.Res. 124 and the President’s proposal include the same goal of providing assistance that will promote conditions for a negotiated settlement to end the conflict in Syria, neither defines those conditions. In broad terms, the Administration argues that pressure must be brought to bear on the government of Bashar al Asad in order to convince its leaders to negotiate a settlement to the conflict that would result in their departure from office. Administration officials have not publicly described the precise nature of such intended pressure, the specific terms of its application, or potential measures of its success in achieving its related strategic ends. The Administration’s requests and H.J.Res.124 do not explicitly state that the departure of Bashar al Asad or members of his government is an essential condition for a negotiated settlement.

## **Sunset Provisions**

The authority granted in H.J.Res.124 will expire on December 11, 2014, or upon the enactment of the FY2015 National Defense Authorization Act (NDAA), whichever is earlier. The NDAA would presumably include a “sunset” provision specifying whether the new authority would be available for FY2015 or a longer period of time. In addition Congress also must determine the amount and source of funding available for FY2015 (see “Implications of Different Funding Sources ” below) in either another continuing resolution or enactment of a full-year FY2015 defense appropriations act. Providing a longer authorization could be interpreted as a signal of stronger congressional support for the Administration’s plan to train vetted Syrians over a period of multiple years.

The SAC-reported version of the FY2015 defense appropriations bill would provide “train and equip” authority for vetted Syrians through the passage of FY2015 NDAA or September 30, 2015, whichever is earlier.

The Administration’s June 2014 request sought “train and equip” authority for vetted Syrians through December 31, 2018. The SASC-reported version of the FY2015 NDAA would provide such authority through that date.

## **Implications of Different Funding Sources and Directives**

H.J.Res.124 does not place a dollar limit on the cost of the authorized program. Instead, it authorizes the Department of Defense to submit reprogramming requests to the four



congressional defense committees to re-direct funds from any OCO-designated Department of Defense accounts, including both Operation and Maintenance and Procurement accounts, to support the “train and equip” program. To obtain funds, the Department of Defense must submit reprogramming requests that in turn must be approved in writing by the four congressional defense committees (Armed Services and Appropriations) under Department of Defense regulations. Thus, H.J. Res. 124 provides the four congressional defense committees an opportunity to approve or disapprove particular proposals.

Whether a separate source of funding is available for train and equip efforts or funds for the program are drawn from within existing accounts may signal the level of congressional support for the program and have implications for the Administration’s continued commitment to it. In its initial request in June 2014, the Administration presented the Syria “train and equip” program as a component of its broader request for \$4 billion in OCO-designated Department of Defense Operation and Maintenance funds for a new “Counterterrorism Partnerships Fund” category within the Operation and maintenance (O&M), Defense-wide account. Unlike other O&M funds, however, these funds would be available to be obligated for three years rather than one year. The Administration’s budget justification material suggested that \$500 million would be allocated for an assistance program for vetted Syrians, for which specific authority was sought.

In its version of the FY2015 defense appropriations bill (H.R. 4870, reported in July 2014, the Senate Appropriations Committee set a \$500 million cap on the Syria-specific “train and equip” program to be drawn from the OCO-designated “Operation and Maintenance, Defense-wide” account. Unlike the Administration’s original proposal, this funding structure could require the Department of Defense to make trade-off decisions concerning the new train and equip program relative to other priorities under that specific account.

The Administration’s September 2014 request for authority did not seek specific funding and did not make reference to any specific spending limit, although Administration officials signaled that \$500 million remained its estimate for the initial cost of the program. It sought authority for the Department of Defense to use any OCO-designated Operation and Maintenance funds for any of the services or defense agencies made available by H.J.Res.124 or any other act enacted during the period of the authority in order to implement the proposed program. This provision would require trade-offs within existing resources but would permit DOD to draw on a larger pool of funds for the program. The Administration’s request would not have required reprogramming requests to congressional defense committees.

## **Definitions of Vetting Requirements**

H.J.Res.124 defines “appropriately vetted” to mean that, “at a minimum” the executive branch will conduct assessments of proposed recipients’ associations with: “terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran. Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, and other al-Qaeda related groups, and Hezbollah.”

The Administration’s June and September 2014 requests envisioned vetting of Syrians, but did not include definitions of vetting procedures or vetting criteria. Presumably, this would give the Department of Defense additional leeway in selecting participants. As mentioned above, the SASC- and SAC-reported versions of the FY2015 defense authorization and appropriations bills include more expansive vetting criteria than H.J.Res. 124.

The SASC-reported NDAA would require vetting to preclude the involvement of U.S.-designated terrorists and would authorize assistance to individuals who reject terrorism; support U.S. counterterrorism and nonproliferation efforts; oppose sectarian violence and revenge killings; seek “a peaceful, pluralistic, and democratic Syria that respects the human rights and fundamental freedoms of all its citizens”; and are committed to civilian rule, civilian control of the military, and the rule of law.

Similarly, the SAC-reported defense appropriations bill would exclude designated terrorists and require that vetting assess recipients’ commitment to the rule of law, opposition to sectarian violence, and commitment to a peaceful and democratic Syria under civilian rule. The SAC-reported bill also would require the Syria program’s compliance with Section 8056 of the bill, which prohibits the provision of assistance to “members of a unit of a foreign security force if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.” The prohibition could be waived under “extraordinary” circumstances, but would require detailed reporting to the congressional defense and appropriations committees.

The authority granted in H.J.Res. 124 does not include specific human rights vetting requirements.

## **Required Interagency Process**

In line with the Administration’s September 2014 request, H.J.Res.124 grants authority to the Secretary of Defense to carry out authorized activities to provide assistance to vetted Syrians for stated purposes.

Whereas H.J.Res.124 requires the Secretary of Defense to coordinate with the Secretary of State in implementation and reporting to Congress, the Administration’s request would have required the *concurrence* (i.e., approval) of the Secretary of State for the use of the proposed authority. Coordination is presumably a less constraining direction than concurrence. In other more limited train and equip authorities for government security forces, Congress has typically required “concurrence” rather than “coordination” of programs. Nevertheless, in practice, the Secretary of Defense might seek and obtain the concurrence of the Secretary of State and other leading officials prior to the initiation of the authorized program.

The SASC- and SAC-reported versions of the FY2015 defense authorization and appropriations bills also would require the concurrence of the Secretary of State.

## **Advance Notification and Reporting of Oversight Information to Congress**

H.J.Res.124 requires more reporting to Congress both prior to the use of any “train and equip” authority and once such authority is in use than other proposed versions. Specifically, in addition to requiring a *15-day advance notice* of the intended provision of authorized assistance, H.J.Res.124 requires the submission of both an implementation plan and an overarching strategy describing how the assistance program relates to other U.S. objectives and activities. The four congressional defense committees also would receive reprogramming requests in advance that would have to be approved according to DOD regulations.



H.J.Res.124 requires the Administration to report to Congress on procedures and criteria for vetting at least 15 days prior to the first provision of authorized assistance. It further requires reporting every 90 days on the progress of authorized assistance, to include any changes in program operations (which presumably would include changes to vetting procedures) and any misuse of U.S. assistance. Under H.J.Res.124, the House and Senate Committees on Armed Services, Foreign Affairs/Relations, Intelligence, and Appropriations will receive the implementation plan, presidential strategy, and progress reports.

The Administration's September request would have required the Secretary of Defense to provide the four congressional defense committees "15 days prior to initiating a program to transfer defense articles or provide defense services" a report describing "the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details."

The SASC-reported FY2015 NDAA would require notice of assistance provided and foreign contributions accepted after the fact to "appropriate committees of Congress," defined as the Armed Services, Appropriations, and Foreign Relations/Affairs Committees of the House and Senate.

The SAC-reported version of the FY2015 defense appropriations bill would require the Secretary of Defense to provide 15 days prior to initiating a program to transfer defense articles or provide defense services a report to the congressional defense committees describing the details and objectives of the program, including its goals, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.

## **Terms Related to Authorization for the Use of Military Force**

For analysis of proposals related to the Authorization for the Use of Military Force relative to the Islamic State, see CRS Report R43760, *A New Authorization for Use of Military Force Against the Islamic State: Comparison of Current Proposals in Brief*, by Matthew C. Weed.

Because the Obama Administration argues that it already has constitutional and statutory authority for the use of force in Iraq and Syria (e.g., the President's commander in chief and foreign affairs powers under the Constitution, and the 2001 and 2002 Authorizations for the Use of Military Force against Al Qaeda and in Iraq, or AUMFs),<sup>14</sup> as of October, it had not requested additional authorization for the use of force in support of its plans to degrade and destroy the Islamic State organization or other terrorist entities in those countries. Several Members of Congress have introduced proposals to authorize the use of military force against the Islamic State, and the Obama Administration has said it would welcome specific authorization from Congress but believes that the President already has the authority he needs.

H.J.Res.124 states that nothing in its terms should be construed to constitute a statutory authorization for the introduction of U.S. Armed Forces into "hostilities" or circumstances that

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<sup>14</sup> See Letters from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate, War Powers Resolution Regarding Syria and Iraq, September 23, 2014.

could be considered “hostilities” as defined pursuant to the War Powers Resolution.<sup>15</sup> A similar formulation is included in the SAC-reported version of the FY2015 defense appropriations bill. During the 2011 debate over the authorization of U.S. military operations in Libya, the Obama Administration argued that U.S. military operations did not constitute “hostilities” for specific reasons. Some Members of Congress disagreed with the Administration’s arguments.

The House-passed version of the FY2015 defense appropriations bill states “Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.”

Related provisions in these bills and others are described in more detail in the table below.

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<sup>15</sup> See CRS Report R42699, *The War Powers Resolution: After Thirty-Eight Years*, by Richard F. Grimmett; and CRS Report RL31133, *Declarations of War and Authorizations for the Use of Military Force: Historical Background and Legal Implications*, by Jennifer K. Elsea and Matthew C. Weed.

**Table I. Comparison of Select “Train and Equip” Proposals for Vetted Syrians**

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>H.J.Res. 124/ P.L.113- 164</b>
Authority	None	Secretary of Defense with concurrence of Secretary of State authorized “to provide equipment, supplies, training, and defense services to assist vetted elements of the Syrian opposition”	None	“Notwithstanding any other provision of law,” Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized, with concurrence of Secretary of State, “to provide assistance, including the provision of defense articles and defense services, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups or individuals”	Secretary of Defense authorized “in coordination with the Secretary of State to provide assistance, including training, equipment, supplies, and sustainment, to appropriately vetted elements of the Syrian opposition and other appropriately vetted Syrian groups and individuals”
Interagency Process	None	“The Secretary of Defense shall obtain the concurrence of the Secretary of State before providing assistance” pursuant to authority.	None.	Authority requires “concurrence” of Secretary of State.	Authority requires “concurrence” of Secretary of State.	Authority requires “concurrence” of Secretary of State.	Authority requires “coordination with the Secretary of State” in general terms and on submission of required assistance plan and required progress reports.

					<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>H.J.Res. 124/ P.L. 113- 164</b>
	<b>House- Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>			
Purpose	None	<p>“(1) Defending the Syrian people from attacks by the Syrian regime.</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria.</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	None	<p>“(1) Defending the Syrian people from attacks by the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Defending the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria; and</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	<p>“(1) Defending the Syrian people from attacks by the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>	<p>“(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant and the Syrian regime, facilitating the provision of essential services, and stabilizing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria”</p>	<p>“(1) Defending the Syrian people from attacks by the Islamic State of Iraq and the Levant (ISIL), and securing territory controlled by the opposition;</p> <p>(2) Protecting the United States, its friends and allies, and the Syrian people from the threats posed by terrorists in Syria;</p> <p>(3) Promoting the conditions for a negotiated settlement to end the conflict in Syria.”</p>

	House-Passed FY2015 NDAA (H.R. 4435)	Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)	House-Passed FY2015 Defense Appropriation (H.R. 4870)	FY2015 OCO Request	Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)	Revised Administration Request for CR	H.J.Res. 124/ P.L. 113- 164
Vetting Definitions	None	Defines vetted elements as “units of the Free Syrian Army and the Supreme Military Council, and other Syrian forces, groups, or individuals opposed to the Syrian regime” determined by the USG not to be U.S. designated terrorists; and who reject terrorism, support counterterrorism and nonproliferation efforts; oppose sectarian violence and revenge killings; seek “a peaceful, pluralistic, and democratic Syria that respects the human rights and fundamental freedoms of all its citizens,” and are committed to civilian rule, civilian control of the military, and the rule of law.	None	None	“the term ‘appropriately vetted’ as used in this section shall be construed to mean, at a minimum, assessments of possible recipients for associations with terrorist groups, commitment to the rule of law, opposition to sectarian violence, commitment to a peaceful and democratic Syria under civilian rule, and compliance with section 8056 of this Act.”	None	“the term ‘appropriately vetted’ means, with respect to elements of the Syrian opposition and other Syrian groups and individuals, at a minimum, assessments of such elements, groups, and individuals for associations with terrorist groups, Shia militias aligned with or supporting the Government of Syria, and groups associated with the Government of Iran, Such groups include, but are not limited to, the Islamic State of Iraq and the Levant (ISIL), Jabhat al Nusrah, Ahrar al Sham, and other al-Qaeda related groups, and Hezbollah.”

	House-Passed FY2015 NDAA (H.R. 4435)	Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)	House-Passed FY2015 Defense Appropriation (H.R. 4870)	FY2015 OCO Request	Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)	Revised Administration Request for CR	H.J.Res. 124/ P.L. 113- 164
Conditions on Eligible Defense Articles or Services	None	None	Section 10010. None of the funds made available by this Act may be obligated or expended to transfer man- portable air defense systems (MANPADS) to any entity in Syria.	None	None	None	Requires reporting 15 days prior to transfer on plans for end-use monitoring and, inter alia, details on intended “types of training, equipment, and supplies to be provided”
Sunset Provisions	None	December 31, 2018	None	December 31, 2018	The earlier of passage of FY2015 NDAA or September 30, 2015	The earlier of passage of FY2015 NDAA or September 30, 2015.	The earlier of CR end date or passage of FY2015 NDAA.
Funding Source	NA	NA	None	OCO-designated 'Operation and Maintenance, Counterterrorism Partnerships Fund' proposed account	OCO-designated 'Operation and Maintenance, Defense- wide' Account	Any OCO- designated Department of Defense Operation and Maintenance funds made available by H.J.Res.124 or any other act.	Authorizes reprogramming of any OCO-designated Department of Defense funds made available pursuant to H.J.Res.124
Availability of Funds	NA	NA	None	Three-year Funding	One-year Funding	One-year Funding	Varies by Source Account

	House-Passed FY2015 NDAA (H.R. 4435)	Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)	House-Passed FY2015 Defense Appropriation (H.R. 4870)	FY2015 OCO Request	Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)	Revised Administration Request for CR	H.J.Res. 124/ P.L. 113- 164
Spending Amount Limit	None	None	None	None.  Notional \$500 million figure in text accompanying Counterterrorism Partnerships Fund/Syria Regional Stabilization Initiative request.	\$500 million cap, drawn from within OCO- designated 'Operation and Maintenance, Defense-wide' Account	None	Depends on reprogrammings approved by four congressional defense committees.
Foreign Contributions	None	Authorizes acceptance of contributions from and provision of assistance to foreign governments.  Foreign contributions may be used "until expended."	None	Authorizes acceptance of contributions from and provision of assistance to foreign governments.  Foreign contributions may be used "until expended."	Authorizes acceptance of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.	Authorizes acceptance of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.	Authorizes acceptance and retention of contributions, including in-kind assistance, from foreign governments.  Requires notification of congressional defense committees prior to obligation of foreign contributions.  Requires contributions to be OCO-designated
BCA Exemption	None	None	None	Yes	Yes	Yes	Yes

	<b>House-Passed FY2015 NDAA (H.R. 4435)</b>	<b>Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)</b>	<b>House-Passed FY2015 Defense Appropriation (H.R. 4870)</b>	<b>FY2015 OCO Request</b>	<b>Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)</b>	<b>Revised Administration Request for CR</b>	<b>H.J.Res. 124/ P.L. 113- 164</b>
Statements re: Authorization for the Use of Military Force	Sec. 1254 “Nothing in this Act shall be construed as authorizing the use of force against Syria or Iran.”	None.	Section 9013: prohibits the use of funds made available by the act “with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.)”	None	Not to be “construed to constitute a specific statutory authorization” for introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances, in accordance with section 8(a)(1) of the War Powers Resolution”	None	Not to be “construed to constitute a specific statutory authorization for the introduction of the United States Armed Forces into hostilities or into situations wherein hostilities are clearly indicated by the circumstances.”



	House-Passed FY2015 NDAA (H.R. 4435)	Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)	House-Passed FY2015 Defense Appropriation (H.R. 4870)	FY2015 OCO Request	Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)	Revised Administration Request for CR	H.J.Res. 124/ P.L. 113- 164
Notification Requirements	None	Requires notice of assistance provided and foreign contributions accepted to “appropriate committees of Congress” defined as Armed Services, Appropriations, and Foreign Relations/Affairs Committees.	None	None	15 days prior to initiating a program to transfer defense articles or provide defense services as authorized by this section, the Secretary of Defense shall provide the congressional defense committees with a report describing the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.	15 days prior to initiating a program to transfer defense articles or provide defense services as authorized by this section, the Secretary of Defense shall provide the congressional defense committees with a report describing the details and objectives of such program, including the goals of the program, a concept of operations, the amount of assistance to be provided, the cooperation of partner nations, the number of United States Armed Forces personnel involved, and other relevant details.	15 days prior to providing authorized assistance “to vetted recipients for the first time” the Secretary of Defense “in coordination with the Secretary of State” shall submit a report describing the assistance plan, vetting requirements and procedures; and end-use monitoring plans.  Requires the President to submit a report to appropriate congressional committees and House and Senate leadership on “how such assistance fits within a larger regional strategy,” to include reporting on goals and objectives, concept of operations, roles and contributions of partners, and the number of U.S. Armed Forces personnel deployed.

	House-Passed FY2015 NDAA (H.R. 4435)	Senate Armed Services Committee- Reported FY2015 NDAA (Section 1209 of S. 2410)	House-Passed FY2015 Defense Appropriation (H.R. 4870)	FY2015 OCO Request	Senate Appropriations Committee- Reported FY2015 Defense Appropriations (Section 9015 of H.R. 4870)	Revised Administration Request for CR	H.J.Res. 124/ P.L. 113- 164
Program Oversight Reporting Requirements	None	None	None	None	None	None	90 days after the submission of assistance plan by Secretary of Defense and each 90 days thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall provide a “progress report” to appropriate congressional committees and House and Senate leadership, to include changes in plan, groups receiving assistance, recruitment and retention, misuse or loss of equipment, and assessment of effectiveness.
Appropriate Congressional Committees Defined	None	House and Senate Committees on Armed Services, Foreign Affairs/Relations, and Appropriations	None	None	Refers to congressional defense committees	Refers to congressional defense committees	House and Senate Committees on Armed Services, Foreign Affairs/Relations, Intelligence, and Appropriations.

**Source:** Legislative Information Service, Administration requests to Congress, House Rules Committee website.

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