



# Department of Defense **INSTRUCTION**

NUMBER 5111.20  
December 14, 2012

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USD(P)

SUBJECT: State Partnership Program (SPP)

References: See Enclosure 1

1. PURPOSE. This Instruction:

a. Establishes policy, assigns responsibilities, and provides instructions for the use of funds appropriated to the DoD to pay the costs of authorized SPP activities conducted in accordance with section 1210 of Public Law 111-84 (Reference (a)) and the authority in DoD Directive (DoDD) 5111.1 and Deputy Secretary of Defense Memorandum (References (b) and (c)).

b. Cancels Directive-type Memorandum 11-010 (Reference (d)).

2. APPLICABILITY. This Instruction applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (hereinafter referred to collectively as the "DoD Components").

3. DEFINITIONS. See Glossary.

4. POLICY. It is DoD policy that:

a. The establishment and conduct of an SPP between the Department of Defense and a foreign partner nation involving a U.S. State's National Guard, at the request of an appropriate representative of such State, shall further U.S. defense strategy objectives and be coordinated with and approved by the appropriate DoD Components as provided for in Enclosure 2.

b. SPP activities and events shall be planned, coordinated, and executed to achieve the theater security cooperation program objectives of the geographic Combatant Commander taking into account the objectives of the relevant chief of mission (COM), as well as the national security objectives of the partner nation.

c. SPP activities shall be approved by the appropriate Combatant Commander and the relevant U.S. COM in the affected partner nation(s), as appropriate. The exception to this shall be individual activities that require the concurrence of the Secretary of State due to the authority being used. For these activities, the Department of State's (DOS) Bureau of Political-Military Affairs shall also be consulted to ensure review by the appropriate DOS principal official.

d. SPP activities shall be integrated into theater security cooperation programs, as appropriate. SPP activities are those activities authorized under existing law, such as by section 1207 of Reference (a); section 1082 of Public Law 104-201 (Reference (e)); section 1206 of Public Law 109-163, as amended (Reference (f)); sections 166a, 184, 401, 402, 404, 1050, 1050a, 1051, 2249c, 2557, and 2561 of title 10, United States Code (U.S.C.) (Reference (g)); and other activities authorized by law (e.g., combined exercises). To the extent legally permissible, and to the extent approved by the relevant Combatant Commander and COM, activities that complement the SPP (e.g., interagency approved, limited military-civilian activities) may be conducted at the request of another Federal department or agency on a reimbursable basis pursuant to section 1535 of title 31, U.S.C. (Reference (h)), or section 2392 of title 22, U.S.C. (also known as section 632 of the "Foreign Assistance Act of 1961," as amended (Reference (i))).

5. RESPONSIBILITIES. See Enclosure 2.

6. PROGRAM GUIDELINES. See Enclosure 3.

7. INFORMATION COLLECTION REQUIREMENTS

a. The civilian engagement activities conducted under the SPP report referred to in paragraph 2.c. of Enclosure 2 and subsequent paragraphs of this instruction is submitted to Congress in accordance with Section 1210c of Reference (a) and is coordinated with the Assistant Secretary of Defense for Legislative Affairs in accordance with the procedures in DoD Instruction 5545.02 (Reference (j)).

b. The annual report on all SPP engagement activities referred to in paragraph 2.e. of Enclosure 2 and subsequent paragraphs of this Instruction has been assigned Report Control Symbol DD-POL(A)2464 in accordance with the procedures in Directive-type Memorandum 12-004 (Reference (k)) and DoD 8910.1-M (Reference (l)).

8. RELEASABILITY. UNLIMITED. This Instruction is approved for public release and is available on the Internet from the DoD Issuances Website at <http://www.dtic.mil/whs/directives>.

9. EFFECTIVE DATE. This Instruction:

a. Is effective December 14, 2012.

b. Must be reissued, cancelled, or certified current within 5 years of its publication in accordance with DoD Instruction 5025.01 (Reference (m)). If not it will expire effective December 14, 2022 and be removed from the DoD Issuances Website.



James N. Miller  
Under Secretary of Defense for Policy

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ENCLOSURE 1

REFERENCES

- (a) Sections 1207 and 1210 of Public Law 111-84, “The National Defense Authorization Act for Fiscal Year 2010,” October 28, 2009
- (b) DoD Directive 5111.1, “Under Secretary of Defense for Policy (USD(P)),” December 8, 1999
- (c) Deputy Secretary of Defense Memorandum, “Delegations of Authority,” November 30, 2006
- (d) Directive Type Memorandum 11-010, “Use of Appropriated Funds for Conducting State Partnership Program (SPP) Activities”, August 19, 2011 (hereby cancelled)
- (e) Section 1082 of Public Law 104-201, “The National Defense Authorization Act for Fiscal Year 1997,” September 23, 1996
- (f) Section 1206 of Public Law 109-163, “The National Defense Authorization Act for Fiscal Year 2006,” as amended, January 6, 2006
- (g) Title 10, United States Code
- (h) Section 1535 of title 31, United States Code
- (i) Section 2392 of title 22, United States Code (also known as section 632 of “The Foreign Assistance Act of 1961,” as amended)
- (j) DoD Instruction 5545.02, “DoD Policy for Congressional Authorization and Appropriations Reporting Requirements,” December 19, 2008
- (k) Directive-type Memorandum 12-004, “DoD Internal Information Collections,” April 24, 2012
- (l) DoD 8910.1-M, “Department of Defense Procedures for Management of Information Requirements,” June 1998
- (m) DoD Instruction 5025.01, “DoD Directives Program,” September 26, 2012
- (n) DoD Directive 5105.77, “National Guard Bureau (NGB),” May 21, 2008
- (o) Section 1085 of Public Law 112-81, “The National Defense Authorization Act for Fiscal Year 2012,” December 31, 2011
- (p) Title 32, United States Code
- (q) Section 2 of Public Law 107-296, “The Homeland Security Act of 2002,” November 25, 2002

ENCLOSURE 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR POLICY (USD(P)). The USD(P) shall:

a. Serve as the principal staff assistant and advisor to the Secretary of Defense for SPP policy and programs, and in those capacities, consult with the Chairman of the Joint Chiefs of Staff, the geographic Combatant Commanders, and the Chief, National Guard Bureau (NGB), as appropriate.

b. Review and approve the reports prepared in accordance with section 1210 of Reference (a), in coordination with the General Counsel of the Department of Defense; the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense; the Assistant Secretary of Defense for Legislative Affairs; the Assistant Secretary of Defense for Reserve Affairs (ASD(RA)); the Chief, NGB; and the Chairman of the Joint Chiefs of Staff. Forward the reports to the appropriate congressional committees.

2. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW-INTENSITY CONFLICT (ASD(SO/LIC)). The ASD(SO/LIC), under the authority, direction, and control of the USD(P), shall:

a. Provide guidance and oversight on the use of appropriated funds on behalf of the Office of the USD(P) to DoD Components regarding the conduct of SPP activities.

b. Coordinate with DoD Component Heads and other designated officials on program and budget matters pertaining to SPP activities.

c. Prepare the reports required by section 1210 of Reference (a) describing the civilian engagement activities conducted under the SPP, including a detailed description of the activities undertaken and funds expended in the previous fiscal year under the SPP, and submit them to USD(P).

d. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish an SPP relationship between the Department of Defense and a foreign nation.

e. Prepare and submit to the USD(P) annually a report on all SPP engagement activities conducted. Coordinate the report with all appropriate DoD Components.

(1) The report shall include:

(a) A detailed description of each engagement activity (including date, location, and details of each activity).

(b) The number of participants involved in each activity.

(c) A description of each participant (e.g., National Guard personnel by unit and grade, and whether in a title 10 or title 32 status).

(d) A description of the foreign participants, their status (active duty military or civilian), and their organization affiliation (e.g., Strategist for the Minister of Defense)).

(e) The total cost of each activity.

(f) A list of costs for each activity broken down by category (e.g., per diem, travel, and the cost of any equipment or materials purchased for the activity).

(2) The report shall also identify the funding source and authorization(s) used for each activity.

3. ASSISTANT SECRETARIES OF DEFENSE FOR INTERNATIONAL SECURITY AFFAIRS, ASIAN AND PACIFIC SECURITY AFFAIRS, AND HOMELAND DEFENSE AND AMERICAS' SECURITY AFFAIRS.

The Assistant Secretaries of Defense for International Security Affairs, Asian and Pacific Security Affairs, and Homeland Defense and Americas' Security Affairs, under the authority, direction, and control of the USD(P), shall:

a. Provide regional guidance and oversight of SPP activities, and review the effectiveness of SPP activities in achieving strategic DoD objectives.

b. Consult with the appropriate regional Assistant Secretary of State on a periodic basis on National Guard SPP activities.

c. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish SPPs between the Department of Defense and a foreign nation.

d. Review, comment on, and provide coordination on, as appropriate, the reports prepared to meet the reporting requirements of section 1210 of Reference (a).

e. Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

4. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR RULE OF LAW AND DETAINEE POLICY.

The Deputy Assistant Secretary of Defense for Rule of Law and Detainee Policy, under the authority, direction, and control of the USD(P), shall:

a. Provide substantive guidance and oversight of aspects of SPP activities that relate to partner nations' military forces' compliance with applicable domestic and international law, and review the effectiveness of SPP activities in achieving DoD objectives.

b. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish SPPs between the Department of Defense and a foreign nation.

c. Review, comment on, and provide coordination on, as appropriate, the reports prepared to meet the reporting requirements of section 1210 of Reference (a).

d. Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

5. ASD(RA). The ASD(RA), under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, shall:

a. Support ASD(SO/LIC) in providing guidance and oversight of SPP activities.

b. Monitor SPP planning events and activities to ensure participating DoD Components are optimizing training engagements in support of overall readiness.

c. Review, comment on, and provide coordination on, as appropriate, the reports prepared to meet the reporting requirements of section 1210 of Reference (a).

d. Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

6. CHAIRMAN OF THE JOINT CHIEFS OF STAFF. The Chairman of the Joint Chiefs of Staff shall:

a. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish SPPs between the Department of Defense and a foreign nation.

b. Review, comment on, and provide coordination on, as appropriate, any proposed revisions to SPP-related guidance.

c. Review, comment on, and provide coordination on, as appropriate, each geographic Combatant Commander's submission of an annual record of the SPP civilian engagement activities conducted that use any source of DoD funds, including a detailed description of the activities undertaken and the funds expended in the previous fiscal year.

d. Forward an electronic copy of the report required by section 1210 of Reference (a) to the Office of the Deputy Assistant Secretary of Defense for Partnership Strategy and Stability Operations (DASD(PSO)) no later than 30 days after the close of the fiscal year to meet the reporting requirements of section 1210 of Reference (a).

e. Review, comment on, and provide coordination on, as appropriate, each geographic Combatant Commander's submission of an annual record of the all SPP engagement activities conducted in the relevant area of responsibility using any source of funds during the previous fiscal year to meet the requirements of ASD(SO/LIC)'s report for the USD(P). Coordinate the report with the Chief, NGB.

(1) The record shall include:

(a) A detailed description of each engagement activity (including date, location, and details of each activity).

(b) The number of participants involved in each activity, including a description of the U.S. participants and their organization affiliation (e.g., National Guard in title 10 or title 32 status, by unit and grade).

(c) A description of the foreign participants, their status (active duty military or civilian), and their organization affiliation (e.g., strategist in the Ministry of Defense).

(d) The total cost of each activity.

(e) A list of costs for each activity broken down by category (e.g., per diem, travel, and the cost of any equipment or materials purchased for each activity).

(2) The record shall also identify the funding source and legal authority for each activity.

f. Forward an electronic copy of the annual records submitted by each of the geographic Combatant Commanders to the DASD(PSO) by December 1 each year.

g. Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

7. GEOGRAPHIC COMBATANT COMMANDERS. The geographic Combatant Commanders shall:

a. Review and approve, as appropriate, all proposed SPP activities, and forward to the relevant approval authority those requests for SPP activities for which the geographic Combatant Commander is not the approval authority.

b. Consult with the geographic Combatant Command's staff judge advocate, as appropriate, regarding the legal authority and source of funds for each proposed activity.

c. Incorporate SPP activities as integral parts of theater security cooperation plans, as appropriate.

d. Coordinate with relevant U.S. Embassy country teams to obtain COM approval (and, if required, request OSD coordination with the DOS) for SPP activities with a partner nation.

e. Coordinate with the Chief, NGB, to ensure the best use of National Guard resources to achieve geographic Combatant Command security cooperation objectives and the national security objectives of the partner nation.

f. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish partnerships between the Department of Defense and a foreign nation.

g. Ensure all SPP activities are recorded in the Global Theater Security Cooperation Management Information System (GTSCMIS), once that system is operational.

h. Submit by electronic copy a record of all SPP activities in the geographic Combatant Commander's area of responsibility through the Chairman of the Joint Chiefs of Staff to the DASD(PSO) and ASD(RA) no later than 30 days after the close of each of the fiscal year to meet the requirements of ASD(SO/LIC)'s report to the USD(P). The record shall include a detailed description of each engagement activity (including date, location, and details of each activity); the number of participants involved in each activity, including a description of the U.S. participants and their organization affiliation (e.g., National Guard in title 10 or title 32 status, by unit and grade); a description of the foreign participants, their status (active duty military or civilian), and their organization affiliation (e.g., strategist in the Ministry of Defense); the total cost of each activity; and a list of costs for each activity broken down by category (e.g., per diem, travel, and the cost of any equipment or materials purchased for each activity). The report shall also identify the funding source and legal authority for each activity.

i. Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

j. Assess the effectiveness of SPP activities in achieving theater security cooperation objectives.

8. CHIEF, NGB. The Chief, NGB, in accordance with DoDD 5105.77 (Reference (n)), shall:

a. Provide guidance to State Adjutants General, State National Guard staffs, and National Guard unit commanders participating in SPP on authorized SPP activities, including guidance on the appropriate use of DoD funds for SPP activities.

b. Provide guidance to State Adjutants General on the establishment and disestablishment of an SPP.

c. Review, comment on, and provide coordination on, as appropriate, all proposals to establish or disestablish an SPP.

d. Ensure effective management controls are in place for budgeting and use of appropriated funds expended for SPP.

e. Provide advice in support of the best use of National Guard assets in achieving geographic Combatant Command theater security cooperation program objectives and the national security objectives of the partner nation.

f. Once the GTSCMIS is operational, ensure all SPP activities are recorded in the GTSCMIS database, regardless of the Component's or force provider's database of record.

g. Prepare an annual record of all SPP civilian engagement activities conducted that were supported by NGB appropriated funds, in accordance with the reporting requirements of section 1210 of Reference (a). Include a detailed description of the activities undertaken and the funds expended in the previous fiscal year. Submit this record through the Chairman of the Joint Chiefs of Staff to the DASD(PSO) and ASD(RA) no later than 30 days after the close of each of the fiscal year.

h. Submit to the Chairman of the Joint Chief of Staff, not later than November 1, an annual record of the SPP engagement activities conducted that use any funds appropriated to the NGB during the previous fiscal year to meet the requirements of ASD(SO/LIC)'s report prepared for the USD(P).

(1) The report shall include a detailed description of each engagement activity (including date, location, and details of each activity); the number of participants involved in each activity, including a description of the U.S. participants and their organization affiliation (e.g., National Guard in title 10 or title 32 status, by unit and grade); a description of the foreign participants, their status (active duty military or civilian), and their organization affiliation (e.g., strategist in the Ministry of Defense); the total cost of each activity; and a list of costs for each activity broken down by category (e.g., per diem, travel, and the cost of any equipment or materials purchased for each activity). The report shall also identify the funding source and legal authority for each activity.

(2) Review, comment on, and coordinate on the ASD(SO/LIC)'s annual report on all SPP engagement activities prepared for the USD(P).

ENCLOSURE 3

PROGRAM GUIDELINES

1. Funds appropriated to DoD shall not be used to conduct SPP civilian engagement activities unless those activities are based on legal authority that authorizes the use of such funds for those activities.
2. In accordance with section 1085 of Public Law 112-81 (Reference (o)), up to \$3,000,000 may be used to pay for the travel and per diem costs associated with the participation of U.S. and foreign civilian and non-defense agency personnel in conducting SPP activities.
  - a. The activity in which U.S. and foreign civilian and non-defense agency personnel are to participate must be approved by the relevant geographic Combatant Commander and COM.
  - b. Costs associated with legally permissible SPP activities, such as conference costs, would normally be funded with National Guard operation and maintenance appropriations.
  - c. To the extent a proposed SPP activity that includes the travel of foreign civilian and non-defense agency personnel to the United States has been approved under section 1210 of Reference (a), and is otherwise authorized under existing law, then the travel may be paid for under the authority of Reference (o).
3. When an activity is otherwise authorized by title 32, U.S.C. (Reference (p)), and approved in accordance with section 7 of Enclosure 2, a policy determination regarding whether National Guard personnel will perform such activity in the United States in a title 10 or title 32 status is required. Guidance will be issued separately regarding how to seek such determinations.
4. National Guard operation and maintenance funds may not be used to pay the costs of the partner nation participating in these activities except as authorized under Reference (o).

## GLOSSARY

### PART I. ABBREVIATIONS AND ACRONYMS

ASD(RA)	Assistant Secretary of Defense for Reserve Affairs
ASD(SO/LIC)	Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict
COM	chief of mission
DASD(PSO)	Deputy Assistant Secretary of Defense for Partnership Strategy and Stability Operations
DoDD	DoD Directive
DOS	Department of State
GTSCMIS	Global Theater Security Cooperation Management Information System
NGB	National Guard Bureau
SPP	State Partnership Program
U.S.C.	United States Code
USD(P)	Under Secretary of Defense for Policy

### PART II. DEFINITIONS

These terms and their definitions are for the purposes of this Instruction.

SPP partner nation. A foreign nation with which DoD, at the request of a State's National Guard, and with the approval of the relevant geographic Combatant Commander and COM concerned, has established (or is in a formal process of establishing) a SPP.

SPP. A DoD security cooperation program under which a military-to-military relationship is established between the National Guard of a U.S. State and a partner nation's military forces for the complementary purposes of promoting mutual understanding; interoperability; furtherance of the Combatant Commander's theater security cooperation program objectives by building enduring relationships with, and, to the extent authorized by law, the capacity of, partner nation military forces; and promoting the readiness of U.S. National Guard forces.

SPP activity. Any security cooperation activity authorized by law, supported by funds appropriated to the DoD, occurring between a U.S. State's National Guard personnel and that State's partner nation's personnel.

SPP civilian engagement activity. Any SPP activity authorized by law that includes engagement between a U.S. State's National Guard personnel and civilians or a civilian agency from a partner nation not affiliated with that nation's Ministry of Defense.

State. Any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States, as defined in section 2 of Public Law 107-296 (Reference (q)).