



THE UNDER SECRETARY OF DEFENSE

2000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-2000

August 19, 2011
Incorporating Change 2, October 4, 2012

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Directive-Type Memorandum (DTM) 11-010, "Use of Appropriated Funds for Conducting State Partnership Program (SPP) Activities"

References: See Attachment 1

Purpose. This DTM, in accordance with the authority in DoD Directive (DoDD) 5111.1 and Deputy Secretary of Defense Memorandum (References (a) and (b)), establishes policy for the use of funds appropriated to the DoD to pay the costs of the National Guard for SPP activities. This DTM is issued pursuant to the requirements of section 1210 of Public Law 111-84 (Reference (c)). This DTM is effective upon its publication to the DoD Issuances Website; it shall be converted to a new DoD Instruction. This DTM shall expire effective August 20, 2013.

Applicability. This DTM 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 National Guard, 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").

Definitions. See Glossary.

Policy. It is DoD policy that:

- SPP activities and events shall be planned, coordinated, and executed to achieve the security cooperation objectives of the geographic Combatant Commander concerned.
- 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))).

- SPP activities shall be approved by the appropriate Combatant Commander as well as the U.S. Chief of Mission (COM) in the affected partner nation(s) and the U.S. Secretary of State, as required.
- 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.
- 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.
- Funds appropriated to the Department of Defense for such purposes may be used to pay the costs of the National Guard Bureau (NGB) for SPP activity support, administration, and management.
- When an activity is otherwise authorized by title 32, U.S.C. (Reference (j)), and approved by an appropriate authority, National Guard personnel may conduct that activity as an SPP activity in the United States in a title 32 status in accordance with the applicable provisions of this policy. However, National Guard operation and maintenance funds may not be used to pay the costs of the partner nation participating in these activities.

Responsibilities. See Attachment 2.

Information Requirements. The Annual State Partnership Program Report to Congress at paragraph 2.c. of Attachment 2 has been assigned RCS DD-POL(A)2464 in accordance with DoD 8910.1-M (Reference (k)).

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



Michèle A. Flournoy
Under Secretary of Defense for Policy

Attachments:
As stated

DISTRIBUTION:

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ATTACHMENT 1

REFERENCES

- (a) DoD Directive 5111.1, “Under Secretary of Defense for Policy (USD(P)),” December 8, 1999
- (b) Deputy Secretary of Defense Memorandum, “Delegations of Authority,” November 30, 2006
- (c) Sections 1207 and 1210 of Public Law 111-84, “The National Defense Authorization Act for Fiscal Year 2010,” October 28, 2009
- (d) Section 1082 of Public Law 104-201, “The National Defense Authorization Act for Fiscal Year 1997,” September 23, 1996
- (e) Section 1206 of Public Law 109-163, “The National Defense Authorization Act for Fiscal Year 2006,” as amended, January 6, 2006
- (f) Title 10, United States Code
- (g) Section 1535 of title 31, United States Code
- (h) Section 2392 of title 22, United States Code (also known as section 632 of “The Foreign Assistance Act of 1961, as amended”)
- (i) DoD Instruction 1215.06, “Uniform Reserve, Training and Retirement Categories,” February 7, 2007
- (j) Title 32, United States Code
- (k) DoD 8910.1-M, “DoD Procedures for Management of Information Requirements,” June 30, 1998
- (l) DoD Directive 5105.77, “National Guard Bureau (NGB),” May 21, 2008
- (m) Section 2 of Public Law 107-296, “The Homeland Security Act of 2002,” November 25, 2002

ATTACHMENT 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 and the geographic Combatant Commanders, as appropriate.

b. Review and approve the reports required by section 1210 of Reference (c) in coordination with the General Counsel of the Department of Defense; Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense; the Chief, National Guard Bureau (CNGB); and the Chairman of the Joint Chiefs of Staff, and forward the reports to the appropriate congressional committees.

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

a. Provide guidance and oversight on the use of appropriated funds to conduct SPP activities.

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

c. In accordance with the guidance provided by the USD(P) and to meet the reporting requirements of section 1210 of Reference (c), prepare an annual report on all SPP civilian engagement activities conducted. Submit this report to the USD(P) for the fiscal years 2010 through 2013.

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 DoD objectives.

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

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

a. Ensure that each of the geographic Combatant Commanders submit 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. To meet the reporting requirements of section 1210 of Reference (c), the geographic Combatant Commanders shall submit this record not later than November 1 of each of the fiscal years 2011 through 2013.

b. Ensure that this information is prepared in accordance with the guidance provided by the USD(P) to meet the reporting requirements of section 1210 of Reference (c), including forwarding an electronic copy to the Office of the Deputy Assistant Secretary of Defense (Policy) Partnership Strategy & Stability Operations by November 1 of each of the fiscal years 2011 through 2013.

5. 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 Combatant Commander is not the approval authority.

b. Consult with the geographic Combatant Command's staff judge advocate, as appropriate.

c. Incorporate SPP activities as a means to implement security cooperation plans.

d. Coordinate with relevant U.S. Embassy Country Teams to obtain COM concurrence (and, if required, request OSD coordination with the Department of State) for SPP activities with a partner nation regardless of where those activities are to take place.

e. Coordinate with CNGB to ensure the best use of National Guard and partner nation assets in achieving geographic Combatant Command security cooperation objectives and the national security objectives of the partner nation.

f. Pursuant to the guidance provided by the USD(P) and to meet the reporting requirements of section 1210 of Reference (c), submit an annual record of all SPP civilian engagement activities conducted that use any source of DoD funds. 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 Office of the Deputy Assistant Secretary of Defense (Policy) Partnership Strategy & Stability Operations not later than November 1 of each of the fiscal years 2011 through 2013.

6. CNGB. The CNGB, in accordance with DoDD 5105.77 (Reference (l)), shall:

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

b. Ensure the use of management controls for expenditure of appropriated funds.

c. Pursuant to the guidance provided by the USD(P) and to meet the reporting requirements of section 1210 of Reference (c), prepare an annual record of all SPP civilian engagement activities conducted that were supported by funds administered by NGB. 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 Office of the Deputy Assistant Secretary of Defense (Policy) Partnership Strategy & Stability Operations not later than November 1 of each of the fiscal years 2011 through 2013.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ASD(SO/LIC&IC)	Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict and Interdependent Capabilities
CNGB	Chief, National Guard Bureau
COM	Chief of Mission
DoDD	DoD Directive
DTM	Directive-Type Memorandum
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 DTM.

partner nation. A foreign nation that has established (or is in a formal process of establishing) a military relationship with the National Guard of a U.S. State, with approval of the geographic Combatant Commander concerned.

SPP. 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 promoting mutual understanding, interoperability, and readiness of U.S. National Guard forces; supporting combatant command missions; building enduring relationships with, and to the extent authorized by law, the capacity of, partner nation military forces.

SPP activity. Any security cooperation activity, such as exchanges and familiarizations, supported by funds appropriated to the DoD, occurring between a State's National Guard personnel and that State's partner nation, consistent with the SPP.

SPP civilian engagement activity. Any SPP activity conducted for the purpose of engaging a State's National Guard personnel with a civilian or civilian agency from a partner nation employed or existing outside of that nation's Ministry of Defense and without participation from that nation's Ministry of Defense personnel.

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 (m)).