

FY 2016 Report on Government Police Training and Equipping Programs

This report is provided as requested by House Report (H.Rpt. 114-102), accompanying H.R. 1735, the National Defense Authorization Act for Fiscal Year (FY) 2016 (TAB B) (P.L. 114-92). The report requests that the Secretary of Defense, in coordination with the Secretary of State, the Secretary of Homeland Security, and the Attorney General of the United States, submit an update to the report submitted in 2012 on U.S. Government police training programs outside the United States to the congressional defense committees, the House Committee on Foreign Affairs, the Senate Committee on Foreign Relations, the House Committee on Homeland Security, the Senate Committee on Homeland Security and Government Affairs, the House Committee on the Judiciary, and the Senate Committee on the Judiciary by March 1, 2016. The report is requested to include the following information:

- (1) A list of all U.S. Government departments and agencies involved in implementing police training and equipping programs;*
 - (2) A description of the scope, size, and components of all police training and equipping programs for fiscal years 2015 and 2016, to include:
 - (a) the name of each country that received assistance under the program;*
 - (b) for each training activity, the number of foreign personnel provided training, their units of operation, location of the training, cost of the activity, the U.S. unit involved, and the nationality and unit of non-U.S. training personnel (if any) involved in each activity;*
 - (c) the purpose and objectives of the program;*
 - (d) the funding and personnel levels for the program in each such fiscal year;*
 - (e) the authority under which the program is conducted;*
 - (f) the name of the U.S. Government department or agency with lead responsibility for the program and the mechanisms for oversight of the program; and*
 - (g) the metrics for measuring the results of the program;**
 - (3) An assessment of the requirements for police training and equipping programs, and what changes, if any, are required to improve the capacity of the U.S. Government to meet such requirements;*
 - (4) An evaluation of the appropriate role of U.S. Government departments and agencies in coordinating on and carrying out police training and equipping programs;*
 - (5) An evaluation of the appropriate role of contractors in carrying out police training and equipping programs, and what modifications, if any, are needed to improve oversight of such contractors; and*
 - (6) Recommendations for legislative modifications, if any, to existing authorities relating to police training and equipping programs.*
- The report shall be delivered in unclassified form, that is made available to the public, and may include a classified annex, if necessary.*

The following information is based on input from the Departments of State, Defense, Justice, and Homeland Security.

Definitions

- **Police Training** - any effort in which a U.S. Government law enforcement agency, technical expert, or contracted third party provides instruction, or mentors host-nation law enforcement personnel.
- **Police Equipping** - any material provided directly to the host nation or provided to personnel that is used in the execution of their law enforcement duties.
- **Police** – any organization sanctioned by a host government or accredited international organization to conduct law enforcement operations (examples include but are not limited to national police, state/municipal police, gendarmerie, counternarcotics police, counterterrorism police, formed police units, border security, coast guards, customs, and military units with law enforcement responsibilities).
- **Lead Agency** – the department or agency receiving appropriated funds for police training activities and that ultimately has responsibility for oversight and accountability for those funds.
- **Contractor** – any private individual or organization under contract to a U.S. Federal department or agency to provide goods or services in support of law enforcement programs and projects.

A. LIST OF ALL U.S. GOVERNMENT DEPARTMENTS AND AGENCIES INVOLVED IN IMPLEMENTING POLICE TRAINING AND EQUIPPING PROGRAMS

- **The Department of State (State)**
 - Bureau of International Narcotics and Law Enforcement Affairs (INL)
 - Bureau of Counterterrorism (CT)
 - Bureau of Political-Military Affairs (PM)
 - Bureau of International Security and Nonproliferation (ISN)
 - Bureau of Diplomatic Security (DS)
- **The Department of Defense (DoD)**
 - U.S. Africa Command (USAFRICOM)
 - U.S. Central Command (USCENTCOM)
 - U.S. European Command (USEUCOM)
 - U.S. Pacific Command (USPACOM)
 - U.S. Southern Command (USSOUTHCOM)
 - U.S. Special Operations Command (USSOCOM)
 - Office of Counternarcotics and Global Threats
 - Defense Threat Reduction Agency
- **The Department of Justice (DOJ)**
 - Office of International Criminal Investigative Training Assistance Program (ICITAP)
 - Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)

- Federal Bureau of Investigation (FBI)
- U.S. Marshals Service (USMS)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Drug Enforcement Administration (DEA)
- **Department of Homeland Security (DHS)**
 - Customs and Border Protection (CBP)
 - Immigration and Customs Enforcement (ICE)
 - U.S. Coast Guard (USCG)
 - U.S. Secret Service (USSS)
 - Federal Law Enforcement Training Center (FLETC)

B. DESCRIPTION OF THE SCOPE, SIZE, AND COMPONENTS OF ALL POLICE TRAINING AND EQUIPPING PROGRAMS FOR FISCAL YEARS 2015 and 2016

The scope, size, and components of police training and equipping programs for FYs 2015 and 2016 are detailed in the attachment with information collected from the Departments of State, Defense, Justice, and Homeland Security. The information contains (1) the name of each country that received assistance under the program; (2) the types of recipient nation units receiving the assistance under the program; (3) the purpose and objectives of the program; (4) the funding and personnel levels for the program in each such fiscal year (in cases where administrative costs are a significant portion of the effort, as is the case in Iraq, Afghanistan, and Pakistan, they are included as well); (5) the authority under which the program is conducted; (6) the name of the U.S. Government department or agency with lead responsibility for the program and the mechanisms for oversight of the program; (7) the extent to which the program is implemented by contractors or U.S. Government personnel; and (8) the metrics for measuring the results of the program. Because final FY 2016 information is not yet available, information provided for FY 2016 is for activities planned or expected, and is thus subject to change.

Overall, the U.S. Government conducted police training in more than 100 countries and obligated more than \$2 billion in training programs and \$100 million in equipping programs in FY 2015. More than 94,000 people participated in these training events.

C. ASSESSMENT OF THE REQUIREMENTS FOR POLICE TRAINING AND EQUIPPING PROGRAMS, AND WHAT CHANGES, IF ANY, ARE REQUIRED TO IMPROVE THE CAPACITY OF THE U.S. GOVERNMENT TO MEET SUCH REQUIREMENTS

The U.S. Government has long recognized the importance of building the capabilities and enhancing the professionalism of our partner nations' law enforcement agencies to accomplish foreign policy and national security objectives. The objective of law enforcement training has been to promote the rule of law, to strengthen regional security, and to build law enforcement-to-law enforcement relationships that foster international cooperation on transnational investigations.

The vast majority of funding provided for U.S. Government police training and equipping is appropriated to the Departments of State and Defense, with multiple other Federal departments and agencies, particularly the Departments of Justice and Homeland Security, providing guidance and support for those efforts by developing curriculum and providing subject-matter expertise. The training of international police forces has been intended to support U.S. and international objectives to confront drug trafficking and related threats and to strengthen the rule of law and democratic institutions, particularly in the context of stability operations in post-conflict countries. Accordingly, civilian police training has been a key component of U.S. foreign assistance efforts in Colombia, Central America, Mexico, Haiti, Afghanistan, Pakistan, Central Asia, Iraq, Liberia, Sudan, Lebanon, and the Palestinian territories. Often, these efforts have been carried out in support of designated U.N. or other multinational peacekeeping missions. In the years since the terrorist attacks of September 11, 2001, police training efforts have supported broader U.S. counter-terrorism objectives by enhancing investigative skills and denying safe-havens for terrorists or other violent extremist groups. Due to the growing recognition of the ties between drug trafficking and transnational organized crime and terrorism, insurgency, and other threats to national security, U.S. international police training activities have expanded to include efforts to combat a wide range of illicit activity, including the trafficking of wildlife and other natural resources, people, weapons, and the laundering the proceeds of these illicit activities.

The Department of State (through its Bureau of International Narcotics and Law Enforcement Affairs (INL)) is the U.S. Government's lead agency for developing U.S. foreign policy for countering drug trafficking and transnational organized crime. INL is also responsible for coordinating foreign assistance efforts to build police forces in post-conflict countries. Requirements for Department of State-managed training are derived from the U.S. Embassy's Mission Strategic Plans that support broader regional foreign policy objectives. Department of State-sponsored training is typically carried out by U.S. law enforcement agencies, civilian contractors, or through one of INL's International Law Enforcement Academies located in Bangkok, Thailand; Budapest, Hungary; Gaborone, Botswana; San Salvador, El Salvador; and Roswell, New Mexico.

DoD police training and equipping programs are predominately carried out through the Department's Drug Interdiction and Counterdrug Activities, Defense account, which is centrally managed by the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats and implemented by the geographic Combatant Command and/or U.S. Special Operations Command. Requirements for DoD police training and equipping programs are derived from the Department's Counternarcotics and Global Threats Strategy and Combatant Command Theater Campaign Plans, in close coordination with the U.S. Embassy's country team. DoD training and equipping can be provided both to ministry of defense and civilian law enforcement partners. Because many foreign militaries have a law enforcement role, for the purposes of this report, the Department has included training or equipping activities that are intended for law enforcement (e.g., counterdrug) purposes, whether support is provided to a civilian or military agency.

Because U.S. police training and equipping programs are important to multiple U.S. Federal departments and agencies, close coordination is essential to ensuring that support provided is not duplicative and supports country and regional objectives. In this regard, U.S.

Embassies and country teams in each country serve as a coordinating mechanism for U.S. agencies and facilitate coordination between various U.S. departments and agencies and the host nation in order to validate specific training and equipping needs. Individual country assessments are undertaken at various stages in the life of the country program that inform the sponsoring agency how best to support the host government in its design and implementation of activities that support the institutionalization of democratic governance, peace, and security.

A targeted and coordinated approach based on measurement and evaluation of police assistance programs is necessary to ensure that training objectives are achievable and worth the investment. A robust capacity to support U.S. national security objectives, including mechanisms to ensure that the relevant U.S. Government departments and agencies are able to identify and sponsor the U.S. law enforcement agencies most capable to provide international law enforcement support in a given country, is critical. Multiple U.S. Government departments and agencies have capabilities to contribute to each level and type of effort, but these efforts will only be successful if those roles are clearly established.

Where the U.S. Government is one of several international actors involved in police support, we work with international organizations and multilateral bodies to ensure coordination. Multilateral cooperation is also required to maximize the benefits gained from the finite resources the U.S. Government invests in the host government's law enforcement sector.

D. EVALUATION OF THE APPROPRIATE ROLE OF U.S. GOVERNMENT DEPARTMENTS AND AGENCIES IN COORDINATING ON AND CARRYING OUT POLICE TRAINING AND EQUIPPING PROGRAMS

The Departments of State and Defense have been provided with statutory authorities and appropriations to develop, coordinate, and implement police training and equipping programs overseas. The Department of State is the lead U.S. agency for the implementation of U.S. foreign assistance programs, and its police training and equipping activities are primarily managed through its INL bureau. Through its various building partnership capacity authorities, DoD provides support to foreign law enforcement agencies as well as military units with law enforcement roles and responsibilities. These departments draw upon technical expertise from various agencies, including, but not limited to, the Departments of Justice, Homeland Security, and Treasury and their subordinate law enforcement agencies, to implement police training and equipping programs overseas. Both State and DoD-funded activities are subject to statutory ("Leahy Law") provisions prohibiting training or equipment support when there is credible information that the individuals or units have committed gross violations of human rights. Vetting of individuals prior to receiving support is the responsibility of the Department of State through its International Vetting and Security Tracking (INVEST) system, managed by the Bureau for Democracy, Human Rights, and Labor (DRL).

No single department or agency has all of the necessary authorities, expertise, or resources to implement all the required U.S. police training worldwide, and interagency collaboration and coordination are essential to ensuring that police training supports U.S. foreign policy and national security objectives. Coordination among U.S. departments and agencies is primarily carried out through the U.S. Embassy Country Team, with the U.S. Ambassador responsible for

resolving any interagency disagreements. Further coordination is carried out in Washington through existing interagency processes led by the National Security Council staff.

E. EVALUATION OF THE APPROPRIATE ROLE OF CONTRACTORS IN CARRYING OUT POLICE TRAINING AND EQUIPPING PROGRAMS, AND WHAT MODIFICATIONS, IF ANY, ARE NEEDED TO IMPROVE OVERSIGHT OF SUCH CONTRACTORS

The U.S. private sector is an essential partner in international police training and equipping programs. When faced with an urgent requirement to supply personnel for law enforcement assistance, contracted subject matter experts, many of whom are former U.S. Federal, State, or local law enforcement officers, may be relied upon to impart essential technical expertise and experience generally not available in the host nation and the staffing flexibility to build up or draw down as circumstances require. The U.S. Government can use contracted personnel as program advisors for certain programs when the requisite experience is not readily available from within the active ranks of U.S. Government law enforcement personnel.

Oversight of contracted subject matter experts is the responsibility of the implementing agency, and oversight mechanisms and reporting requirements are generally built into contract requirements and into the terms and conditions stipulated in individual contracts. Generally speaking, contracted personnel are required to provide written assessments and summaries of their work and must work within the scope of work delineated in the signed contract. U.S. Government personnel with significant law enforcement training experience and oversight training have direct input into the oversight of any contracts for police training and assistance programs.

U.S. contractors also play a vital role in providing the equipment that is often necessary to complement police training or other assistance to foreign partners. In addition to providing valuable insight on technologies and capabilities, U.S. contractors are also responsible for compliance with U.S. export licensing requirements and other applicable laws.

F. RECOMMENDATIONS FOR LEGISLATIVE MODIFICATIONS, IF ANY, TO EXISTING AUTHORITIES RELATING TO POLICE TRAINING AND EQUIPPING PROGRAMS

The existing authorities provide the U.S. Government with the tools necessary to carry out police training and equipping programs overseas. We, therefore, do not recommend any legislative changes at this time.