

**Army Regulation 70–41**

**Research, Development, and  
Acquisition**

# **Armaments Cooperation**

**Headquarters  
Department of the Army  
Washington, DC  
17 June 2019**

**UNCLASSIFIED**

# ***SUMMARY of CHANGE***

AR 70–41

Armaments Cooperation

This major revision, dated 17 June 2019—

- o Changes the title of the regulation from International Cooperative Research, Development, and Acquisition to Armaments Cooperation (cover).
- o Clarifies legal authorities covering the execution of armaments cooperation programs and activities (para 1–6).
- o Expands the scope of armaments cooperation programs and activities to include Combating Terrorism Technical Support Office Task Plans (para 1–8*b*).
- o Adds responsibilities for the utilization of Global Theater Security Cooperation Management Information System (paras 1–8*j*, 2–14*r*, 2–15*q*, 2–16*q*, 2–17*r*, 2–18*r*, and 2–19*r*).
- o Updates responsibilities for the Assistant Secretary of the Army (Acquisition, Logistics, and Technology), to include direct tasking authority over the Army’s designated lead commands and implementing organizations for the execution of their delegated security cooperation responsibilities (para 2–1*h*).
- o Adds responsibilities for the Deputy Assistant Secretary of the Army for Research and Technology (para 2–3).
- o Clarifies Army policy concerning coordination for representation on international management bodies for selected armaments cooperation projects (paras 2–14*o*, 2–15*n*, 2–16*n*, 2–17*o*, 2–18*o*, and 2–19*o*).
- o Adds responsibilities and reporting requirements for international engagement plans (paras 2–14*q*, 2–15*p*, 2–16*p*, 2–17*q*, 2–18*q*, and 2–19*q*).
- o Formally adds responsibilities for the U.S. Army Medical Research and Materiel Command and U.S. Army Corps of Engineers (paras 2–15 and 2–18).
- o Updates Army reporting requirements for the Foreign Comparative Testing Program (paras 2–15*x*, 2–17*v*(5), 2–18*y*, and 3–5*a*(4)).
- o Updates policies for the development of Research, Development, Test, and Evaluation Information Exchange Program annexes (para 3–2*j*).


Effective 17 July 2019

**Research, Development, and Acquisition  
Armaments Cooperation**

By Order of the Secretary of the Army:

**MARK A. MILLEY**  
*General, United States Army  
Chief of Staff*

Official:

  
**KATHLEEN S. MILLER**  
*Administrative Assistant  
to the Secretary of the Army*

**History.** This publication is a major revision.

**Summary.** This regulation establishes Department of the Army policy on armaments cooperation in alignment with DODD 5132.03 and Headquarters, Department of the Army General Orders No. 2019–01, between the United States and other countries, the North Atlantic Treaty Organization, and other authorized international organizations. It prescribes responsibilities for managing and implementing Army participation in armaments cooperation programs and activities of Army organizations and personnel that support collaboration in science and technology; research, development, test, and evaluation; and acquisition, in-service, and logistics support (acquisition and cross-servicing agreements), to support security cooperation goals.

**Applicability.** This regulation applies to the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve, unless otherwise stated.

**Proponent and exception authority.** The proponent of this regulation is the Assistant Secretary of the Army (Acquisition, Logistics and Technology). The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations. The proponent may delegate this approval authority, in writing, to a division chief within the proponent agency or its direct reporting unit or field operating agency, in the grade of colonel or the civilian equivalent. Activities may request a waiver to this regulation by providing justification that includes a full analysis of the expected benefits and must include formal review by the activity's senior legal officer. All waiver requests will be endorsed by the commander

or senior leader of the requesting activity and forwarded through their higher headquarters to the policy proponent. Refer to AR 25–30 for specific guidance.

**Army internal control process.** This regulation contains internal control provisions in accordance with AR 11–2 and identifies key internal controls that must be evaluated (see app C).

**Supplementation.** Supplementation of this regulation and establishment of agency, command, and installation forms are prohibited without prior approval from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), 102 Army Pentagon, Washington, DC 20310–0102.

**Suggested improvements.** Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to the Assistant Secretary of the Army (Acquisition, Logistics and Technology), 102 Army Pentagon, Washington, DC 20310–0102.

**Distribution.** This publication is available in electronic media only and is intended for the Regular Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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## **Glossary**

## **Chapter 1 Introduction**

### **1–1. Purpose**

This regulation establishes Army policy and defines responsibilities for Army entities (or their successor organization) participation in armaments cooperation (AC), between the United States and other countries, North Atlantic Treaty Organization (NATO), and other authorized international organizations.

### **1–2. References and forms**

See appendix A.

### **1–3. Explanation of abbreviations and terms**

See the glossary.

### **1–4. Responsibilities**

Responsibilities are listed in chapter 2.

### **1–5. Records management (recordkeeping) requirements**

Records management (recordkeeping) requirements for all record numbers, forms, and reports required by this regulation are addressed in Records Retention Schedule-Army (RRS–A). Detailed information for all related record numbers, forms, and reports are located in RRS–A at <https://www.arims.army.mil>. If any record numbers, forms, and reports are not current, addressed, and/or published correctly in RRS–A, see DA Pam 25–403.

### **1–6. Authority**

*a.* The statutory authority to implement AC is provided primarily under the United States Code: Section 311, Title 10, United States Code (10 USC 311); 10 USC 2350a; 10 USC 2350b; 10 USC 2350d; 10 USC 2350i; 10 USC 2350l; 10 USC 2358; 22 USC 2767; and 22 USC 2796d. These legal authorities are further defined in appendix B.

*b.* The delegation of authority to fulfill the related responsibilities to AC is derived from DODD 5132.03 and the Headquarters, Department of the Army (HQDA) General Orders NO. 2019–01.

*c.* AR 11–31 and AR 12–1 provide additional responsibilities pertaining to the implementation and execution of AC.

### **1–7. Objectives of Army armaments cooperation**

The U.S. Army engages in innovative, constructive, and advanced AC programs and activities with other countries, NATO, and other authorized international organizations to foster enhanced security for the U.S. in pursuit of one or more of the following objectives (see JP 3–20 and CJCSI 2700.01G)—

*a.* Increase warfighter operational readiness and effectiveness through interoperability and partnership with allies and coalition partners.

*b.* Reduce weapons acquisition cost by sharing costs through cooperative production.

*c.* Avoid duplication of research and development (R&D) efforts between the U.S. Army, other countries, NATO, and other authorized international organizations.

*d.* Access the best technologies available for equipping the U.S. Army.

*e.* Minimize the capability gaps with allies and coalition partners.

*f.* Address U.S. Army science and technology objectives (STOs), and materiel development objectives.

*g.* Maintain a strong industrial base.

*h.* Modernize, strengthen, and expand existing alliances by increasing mutual understanding through personnel and information exchanges.

*i.* Expand network of cooperation with emerging partners to build collective capability and capacity.

*j.* Advance objectives of rationalization, standardization, and interoperability that promote and enhance military interoperability with multinational partners.

### **1–8. Scope**

This policy addresses AC programs and activities which include, but are not limited to—

- a.* The identification of opportunities for AC across the Army research, development, test, and evaluation (RDT&E), and acquisition enterprises, to include research and/or development that may result in improvements to current and future U.S. Army capabilities in support of U.S. Army requirements.
- b.* The development, negotiation, and implementation of AC agreements, which include memorandum of understanding (MOUs), memorandum of agreement (MOAs), project agreements/arrangements (PAs), Combating Terrorism Technical Support Office (CTTSO) task plans, and Arms Export Control Act (AECA) Section 65 loans.
- c.* The exchange of technical and scientific information under the defense RDT&E Information Exchange Program (IEP).
- d.* The exchange of defense professionals under the Administrative and Professional Personnel Exchange Program (APEP), the exchange of engineers and scientists under the Engineer and Scientist Exchange Program (ESEP), and the assignment of cooperative project/program personnel (CPP).
- e.* The loaning, testing, and evaluating of technology or materiel that has been or is being developed by the U.S., other countries, NATO, or international organizations, to include the testing and evaluating of foreign equipment under the Foreign Comparative Testing (FCT) Program.
- f.* Cooperative test and evaluation (CTE) projects and the reciprocal use of test facilities (RUTF) projects under master test and evaluation program (TEP) MOUs and MOAs.
- g.* Cooperative RDT&E efforts resulting from coproduction arrangements or foreign military sales.
- h.* Cooperative production and follow-on support of defense articles or equipment resulting from a cooperative RDT&E effort.
- i.* Scouting of foreign technologies to include but not limited to non-developmental items, materiel, and technology developed and/or produced by government or industry of other countries and by NATO or other authorized international organizations.
- j.* The utilization of databases, such as the Global Theater Security Cooperation Management Information System (G-TSCMIS) and International Online (IOL).
- k.* Army representation at international fora related to AC, such as Office of the Secretary of Defense (OSD) level fora, the NATO Army Armaments Group (NAAG) Land Groups, Armies' Program Capability Groups, Senior Cooperation Fora (Army) (SCF(A)), and other international cooperative opportunity working groups, to include CTTSO.
- l.* Army participation in international air and trade shows.
- m.* This regulation does not address technology transfer with foreign entities through Cooperative Research and Development Agreements (CRADAs) authorized under 15 USC 3701. Army policy and procedures for developing CRADAs are contained in AR 70–57.

## **Chapter 2 Responsibilities**

### **Section I**

#### **Headquarters, Department of the Army and Army Commands**

##### **2–1. Assistant Secretary of the Army (Acquisition, Logistics and Technology)**

The ASA (ALT), in accordance with HQDA General Orders NO. 2019–01, is responsible for setting the strategic direction for and ensuring that Department of the Army (DA) policies, plans, and programs related to security cooperation not otherwise delegated (including security assistance, AC, and direct commercial sales) are executed consistent with law, regulation, and policy. The ASA (ALT) will—

- a.* Review and approve all RDT&E and procurement budget justification for international acquisition programs not reserved to other HQDA proponents.
- b.* Integrate international considerations and requirements into current and future acquisition programs of record and Armywide technology base strategy, policy, guidance, and planning.
- c.* Provide science and technology (S&T) guidance, to include STOs and other mission priorities, for the conduct of AC programs and activities.
- d.* Provide policy guidance and oversight for the evaluation and/or acquisition of foreign technologies through the foreign technology (and science) assessment support (FTAS) program. The U.S. Army Combat Capabilities Development Command (CCDC) administers the FTAS program on behalf of the Deputy Assistant Secretary of the Army for Research and Technology (DASA (R&T)).
- e.* Inform all Army materiel developers of Congressionally-mandated or other restrictions on the acquisition of foreign defense materiel or technology.

- f.* Formulate the policy governing the disclosure of technical controlled unclassified information (CUI) to foreign governments and international organizations and provide general guidance, advice, and assistance to Army officials in determining the suitability of technical CUI identified for sharing under established international programs.
- g.* Appoint the Army representative to the NAAG and Five Power Senior National Representatives (Army) fora.
- h.* Oversee AC programs and activities, and have direct tasking authority over the Army's designated lead commands and implementing organizations for the execution of their delegated security cooperation responsibilities.

## **2–2. Deputy Assistant Secretary of the Army for Defense Exports and Cooperation**

Subject to the authority, direction, and control of the ASA (ALT), the DASA (DE&C) is delegated responsibility for select security cooperation activities. The DASA (DE&C) leads, manages, resources, and directs policy and strategy for the conduct of select elements of the Army's global security cooperation activities, including: foreign military sales; foreign military and foreign national training and education; AC; non-special access program technology transfer; and export policy. The DASA (DE&C) is also the program manager (PM) for the Army Munitions Control Program. The DASA (DE&C) ensures that all ASA (ALT) managed security cooperation programs are conducted according to law and policy and has direct tasking authority over the Army's designated lead commands for the execution of ASA (ALT)'s delegated security cooperation responsibilities (see AR 11–31 and AR 12–1). The DASA (DE&C) will—

- a.* Provide management oversight and policy guidance for all AC programs and activities to address Army material requirements and to support the Army's contribution to the national security strategy.
- b.* Serve as the focal point within the Army for information on all AC programs and activities of Army interest and coordinate the efforts of all DA agencies and commands involved in AC activities.
- c.* Serve as the Army head of delegation for international fora related to research, development, and acquisition (RDA) such as the NAAG, bilateral SCF(A), and other OSD level fora as requested.
- d.* Provide guidance and oversight of Army participation in international fora related to RDA, such as the NAAG Land Groups; American, British, Canadian, Australian, and New Zealand (ABCANZ); Armies' Program Capability Groups; SCF(A) working groups; International Cooperative Opportunity Groups; and the CTTSO. Serve as the Army's ratification authority for materiel related NATO standardization agreements, and coordination on ABCANZ standards.
- e.* Develop processes and supporting tools to facilitate the identification and development of armaments cooperation opportunities for Army acquisition programs.
- f.* Review capabilities documents developed under the Joint Capabilities Integration and Development System and other Department of Defense (DOD) requirements processes for international considerations, to include but not limited to, acquisition strategies and international acquisition and exportability analyses.
- g.* Recommend international considerations and requirements for inclusion into current and future acquisition programs of record and Armywide technology base strategy, policy, guidance, and planning.
- h.* Review proposed AC programs and projects and new materiel requirements of U.S. allies for compatibility with security assistance goals, policies, plans, and programs.
- i.* Coordinate HQDA review and prioritization of all AC programs, activities, and agreements.
- j.* Develop and support planning, programming, budgeting, and execution submissions for the NATO Research and Development Program and Armament Group Support Program.
- k.* Develop, coordinate, negotiate, and conclude Army AC agreements (MOU, MOA, PA, or Section 65 loans) in accordance with DODI 5000.02, DODD 5530.3, AR 550–51, and the Defense Acquisition Guidebook and in consultation with appropriate legal offices.
- l.* Review and coordinate summary statements of intent (SSOIs), technology assessment/control plans, delegation of disclosure authority letters (DDLs), and other supporting documentation submitted in support of proposed international agreements (IAs) for AC that require HQDA and OSD review and approval.
- m.* Review security implications for each AC program that potentially involves the international transfer of critical military technology.
- n.* Develop Army export control policy in support of AC programs:
  - (1) Develop Army procedures for requesting International Traffic in Arms Regulations (ITAR) exemptions for which DASA (DE&C) certifies exemptions under the ITAR.
  - (2) Review requests for ITAR exemptions in support of AC programs.
- o.* Comply with the requirements of the Case Act (1 USC 112b), DODD 5530.3, and AR 550–51.
- p.* Provide to Office of the Under Secretary of Defense (Acquisition and Sustainment) (OUSD (A&S)) the project information required as part of the Congressional certification for cooperative projects authorized under 22 USC 2767 and 10 USC 2350a.
- q.* Provide to OUSD (A&S) proposed Congressional notices of Army intent to award contracts or subcontracts or seek statutory waivers in furtherance of cooperative projects authorized under 22 USC 2767.

- r. Coordinate with OUSD (A&S) on written Army responses to Department of Commerce comments and/or non-concurrences on all AC agreements and IEP annexes before being transmitted to the Department of Commerce.
- s. Forward request for authority to develop (RAD) and request for final authority (RFA) packages in support of IAs for AC to OUSD (A&S).
- t. When delegated authority by OUSD (A&S), negotiate and establish IAs as signatory authority on behalf of the United States Government (USG) for AC programs.
- u. Nominate the U.S. Army member to the DOD Departmental MOU Committee.
- v. Exercise Army oversight of the IEP and maintain an office of record for IEP annexes. Execute, in addition to the aforementioned, the following Army IEP annex project officer or national annex authority representative responsibilities (as defined in specific IEP annexes):
  - (1) Resolve any IEP issues that cannot be resolved by the IEP annex proponent.
  - (2) Coordinate requests for third-party information transfers.
  - (3) Transmit draft IEP annexes to the Department of Commerce for review and comment.
  - (4) Transmit chemical-biological related IEP annexes to OUSD (A&S) International Cooperation (IC) for coordination with Deputy Assistant Secretary of Defense for Chemical and Biological Defense (DASD (NCB/CBD)) prior to signature.
- w. Define the responsibilities of IEP annex authorities, that is, technical project officers (TPOs) and associate technical project officers (ATPOs), and establishments concerning the management of IEP annexes.
- x. Manage the Army's participation in the ESEP and APEP (which are part of the Army's Defense Personnel Exchange Program (DPEP)) and CPP. In fulfilling this responsibility, DASA (DE&C) will—
  - (1) Where the DOD has designated the Army as executive agent, establish, periodically review, and, as appropriate, recommend ESEP/APEP agreement amendments; and maintain a record of Army ESEP/APEP agreement exchange positions and DOD component managing agents.
  - (2) For all ESEP and APEP countries, as Army managing agent, enter into specific ESEP/APEP exchanges; manage the assignment of all Army ESEP/APEP personnel to foreign installations and all foreign ESEP/APEP assigned to Army installations; maintain a record of the position descriptions for all positions, and report exchange positions as required by respective master exchange agreements.
  - (3) Select the assignments of all Army ESEP personnel to foreign installations that are funded with centralized Army funding and distribute and manage the centralized Army funding.
  - (4) For all Army ESEP, APEP, and CPP personnel, the U.S. organization must consult with DASA (DE&C) when coordinating assignment of Army defense professionals overseas and placement of foreign personnel in Army installations.
  - (5) Provide policy oversight for and manage the assignment of Army CPP.
- y. Formulate strategy, decide and direct Army participation, and advise Defense Security Cooperation Agency regarding Army participation in international air and trade shows.
- z. Establish procedures and criteria for assessing the effectiveness of Army AC programs and activities.
  - aa. Establish reporting requirements for each AC agreement.
  - bb. Coordinate Army responses to the NATO Armaments Planning Questionnaire and other multinational reporting activities on AC.
  - cc. Validate that personnel adhere to the training and security cooperation workforce certification requirements as defined by Defense Security Cooperation Agency.
  - dd. Sponsor and manage the IOL system, to include system deployment, maintenance, training, and help-desk support.

### **2–3. Deputy Assistant Secretary of the Army for Research and Technology**

Subject to the authority, direction, and control of the ASA (ALT), the DASA (R&T) is delegated responsibility for select security cooperation activities. The DASA (R&T) leads, manages, resources, and directs policy and strategy for the conduct of select S&T elements as it relates to Army's global security cooperation activities, and collaborates with DASA (DE&C) in the context of the broader ASA (ALT) AC responsibilities. The DASA (R&T) provides technical input to DASA (DE&C) on AC activities to ensure technical goals are aligned with Army priorities. The DASA (R&T) will—

- a. Oversee the FTAS program to support promising technologies identified by research, development, and engineering centers/labs to accelerate the integration of international technology solutions into Army research and technology and acquisition programs. CCDC administers the FTAS program on behalf of DASA (R&T).
- b. Coordinate academic grants and collaborative research alliances with foreign universities.
- c. Analyze foreign technologies for potential integration into Army research and technology and acquisition programs identified through various technology scouting efforts.



#### **2-4. Assistant Secretary of the Army (Financial Management and Comptroller)**

The ASA (FM&C) will review and approve provisions of proposed AC agreements for availability of funds and overall equitability.

#### **2-5. Chief Information Officer, G-6**

The CIO/G-6 will—

- a.* In coordination with the Deputy Chief of Staff (DCS), G-3/5/7, DCS, G-8, and ASA (ALT) review requirements, resourcing, and prioritization of individual command, control, communications, computer, intelligence, surveillance, and reconnaissance (C4ISR) and information technology (IT) programs involving AC with other countries, NATO, and other authorized international organizations.
- b.* Recommend potential AC opportunities within their assigned area of responsibility to ASA (ALT).
- c.* Review proposed AC programs and projects and new C4ISR and IT-related materiel requirements of U.S. allies for compatibility with U.S. C4ISR and IT goals, policies, plans, and programs.
- d.* Represent the Army in selected international fora dealing with R&D of C4ISR and IT systems, such as program capability groups, related ABCANZ fora, Mission Partner Environment Executive Steering Committee working groups, and Federated Mission Networking working groups.
- e.* Identify and coordinate interoperability standards for C4ISR and IT-related AC programs and activities.

#### **2-6. General Counsel**

The GC will—

- a.* Designate legal counsel for negotiation of AC agreements and provide legal guidance for IAs in support of AC to program executive officers (PEOs)/PMs.
- b.* Support DASA (DE&C) as necessary in the development and negotiation of AC agreements.
- c.* Receive signed copies of IAs in support of AC from the Office of the Judge Advocate General (OTJAG) and forward to the OSD GC.

#### **2-7. Deputy Chief of Staff, G-2**

The DCS, G-2 will—

- a.* Develop and issue appropriate guidance on intelligence, counterintelligence, and security matters relating to DA participation in AC programs.
- b.* Formulate policies, procedures, and administrative oversight governing disclosure of classified military information (CMI) to foreign representatives and provide general guidance, advice, and assistance to DA officials in determining the suitability of CMI identified for foreign disclosure in support of AC activities.
- c.* Serve as the primary HQDA point of contact for technology security issues. In this role, the DCS, G-2 will—
  - (1) Task appropriate Army elements to prepare risk assessments as needed to identify military critical technologies and provide additional technical support for international technology transfer issues.
  - (2) Review for appropriate protection measures for each program that involves the potential international transfer of CMI.
  - (3) Provide representation to the technology transfer and security assistance review panel to assist in carrying out the responsibility to manage and coordinate international technology transfer for the Army.
- d.* Coordinate, review, and submit all Army exceptions to national disclosure policy associated with AC programs.
- e.* Provide foreign disclosure guidance during the development, review, and coordination of AC documentation for programs and activities. Approve DDLs that authorize the disclosure of CMI in support of AC programs and activities.

#### **2-8. Deputy Chief of Staff, G-3/5/7**

The DCS, G-3/5/7 will—

- a.* Develop, review, and promulgate Army multinational force interoperability policy and priorities.
- b.* Serve as the Army's ratification authority for non-materiel related NATO standardization agreements and ABCANZ standards (see AR 34-1).
- c.* Review AC agreements, in coordination with ASA (ALT), for compliance with Army international activities planning and policy guidance.

#### **2-9. Deputy Chief of Staff, G-4**

The DCS, G-4 will—

*a.* Review proposed AC programs and projects and new materiel requirements of U.S. allies for compatibility with cooperative logistics goals, policies, plans, and programs.

*b.* In coordination with ASA (ALT), review proposals for cooperative opportunities for the accuracy and completeness of information relating to his or her area of mission responsibilities and compliance with DA and DOD objectives.

## **2–10. Deputy Chief of Staff, G–8**

The DCS, G–8 will coordinate with ASA (ALT) for the release of Army models and simulations to foreign governments in accordance with Army modeling and simulation policy (see AR 5–11).

## **2–11. The Judge Advocate General**

TJAG will—

*a.* Act as the Army office of record for IAs, including those established in support of AC programs.

*b.* In accordance with AR 550–51, provide guidance, in coordination with the GC, on the development and negotiation of AC agreements to Army commands (ACOMs) and Army agencies as required.

*c.* Forward copies of signed IAs in support of AC programs to the Department of State and to the OSD GC.

## **2–12. Deputy Under Secretary of the Army for Test and Evaluation**

The DUSA–TE will review agreement packages for RUTF PAs and RADs and RFAs for CTE PAs developed under TEP MOUs/MOAs and other AC agreements (MOUs, MOAs, RDT&E PAs, Section 65 loans) with test and evaluation (T&E) implications.

## **2–13. Heads of all other Headquarters, Department of the Army staff elements**

The heads of all other HQDA staff elements will—

*a.* Support DASA (DE&C) as necessary in the development and negotiation of AC agreements.

*b.* Recommend potential AC opportunities within their assigned area of responsibility to ASA (ALT).

*c.* Forward requests to negotiate and establish IAs in support of AC within their assigned area of responsibility to DASA (DE&C) for HQDA coordination and forwarding to OUSD (A&S).

*d.* Complete relevant portions of the Army ITAR exemptions checklist when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data, or defense services by contractors.

## **2–14. Commanding General, U.S. Army Futures Command**

The CG, AFC has designated the CCDC to do the following:

*a.* Manage AFC execution responsibilities for and participation in AC activities as specified below.

*b.* Provide oversight for assigned AC programs and activities.

*c.* Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA (ALT).

*d.* Follow provisions of AR 380–10 when interacting with foreign government representatives.

*e.* Establish and maintain international points of contact (IPOCs).

*f.* Coordinate training of CCDC IPOCs, foreign disclosure officers, and legal advisors on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B–10 and B–11).

*g.* Support DASA (DE&C) in the development and negotiation of AC agreements falling within CCDC functional responsibility.

*h.* Host international fora related to RDA such as bilateral SCF(A)s and other OSD level fora as requested by DASA (DE&C).

*i.* Advise and support PEOs/PMs in their development of cooperative R&D strategies via foreign technology and materiel “market” surveillance, and the identification of AC opportunities to meet S&T and systems requirements.

*j.* Provide reports on the status of AC programs and activities to DASA (DE&C).

*k.* Provide an annual assessment to DASA (DE&C) and DASA (R&T) on those AC programs for which CCDC exercises responsibility. This assessment may be included as part of the reports specified in paragraph 3–5.

*l.* Maximize the use of foreign liaison officer (FLO), CPP, and DPEP individuals to identify and, when authorized, coordinate potential AC opportunities.

*m.* Implement the AC agreement process and execute the following:

(1) Ensure that working-level integrated product teams (WIPTs) are properly structured and documented to support the development, establishment, and execution of AC agreements.

- (2) Recommend AC agreement modifications.
  - n.* Implement the IEP. In fulfilling this responsibility, CCDC will—
    - (1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.
    - (2) Approve IEP annex modifications (changes to establishments and authorities) and extensions recommended by the IEP annex TPO.
    - (3) Assign TPOs and ATPOs for IEP annexes under their purview.
    - (4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.
    - (5) Comply with AR 380–10 for CMI, and with AR 70–31, DA Pam 70–3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.
    - (6) Oversee the execution of the IEP by their subordinate organizations.
      - o.* Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).
      - p.* Provide technical expert to review domestic program plans to determine whether there are international equities.
      - q.* Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
      - r.* Validate or enter all overseas AC activities and engagements in G–TSCMIS. Maintain and close information in G–TSCMIS in accordance with established HQDA policies.
      - s.* Provide assessments on AC programs and activities to DASA (DE&C) and DASA (R&T) which correlate to Army S&T capability needs and identify cooperative opportunities which align with U.S. Army S&T strategy.
      - t.* Notify DASA (DE&C) of CCDC intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not fewer than 30 days prior to contract award. Also, provide notice to DASA (DE&C) of CCDC intent to seek statutory waivers for cooperative projects under the same authority.
      - u.* Complete relevant portions of the Army ITAR exemptions checklist, for approval by DASA (DE&C), when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data or defense services.
      - v.* Facilitate U.S. Army interaction with foreign non-governmental entities, such as foreign private industry, foreign national persons, and academia, using the appropriate procedures and mechanisms described outside this regulation - including but not limited to the following examples:
        - (1) Acquisition of materiel and services thru standard Federal Acquisition Regulation/Defense Federal Acquisition Regulation contracting rules and procedures.
        - (2) CRADAs under AR 70–57.
        - (3) “Other Transactions” under 10 USC 2371.
        - (4) Identify research opportunities supporting Army S&T priorities and execute grants and cooperative agreements to academic institutions and conferences/workshops in support of these topics.
      - w.* Identify opportunities to acquire state-of-the-art foreign S&T in accordance with Army S&T priorities as documented in the Army S&T strategy.
      - x.* Obtain and forward R&D information from countries and international organizations to interested ACOMs/Army service component commands (ASCCs)/direct reporting units (DRUs) and agencies.
      - y.* Exercise Army responsibility for Army participation in the DOD FCT program and—
        - (1) Serve as the Army responsible official for information regarding the identification, testing, and evaluation of foreign equipment.
        - (2) Support FCT in accordance with the initiation and management responsibilities identified in the FCT Program Handbook.
      - z.* In coordination with ASA (ALT), administer the FTAS Program.

## **2–15. Commanding General, U.S. Army Materiel Command**

The CG, AMC has designated the U.S. Army Medical Research and Materiel Command (MRMC) to do the following:

- a.* Provide oversight for assigned AC programs and activities.
- b.* Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA (ALT).
- c.* Follow provisions of AR 380–10 when interacting with foreign government representatives.
- d.* Establish and maintain IPOCs.
- e.* Coordinate training of MRMC IPOCs, foreign disclosure officers and legal advisors on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B–10 and B–11).

- f. Support DASA (DE&C) as necessary in the development and negotiation of AC agreements falling within MRMC functional responsibility.
- g. Host international fora related to RDA such as bilateral SCF(A)s and other OSD level fora as requested by DASA (DE&C).
- h. Advise and support MRMC subordinate organizations in their development of cooperative R&D strategies via foreign technology and materiel “market” surveillance, and the identification of AC opportunities to meet S&T and systems requirements.
  - i. Provide reports on the status of AC programs and activities to DASA (DE&C).
  - j. Provide an annual assessment to DASA (DE&C) and DASA (R&T) on those AC programs for which MRMC exercises responsibility. This assessment may be included as part of the reports specified in paragraph 3–5.
  - k. Maximize the use of FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential AC opportunities.
    - l. Implement the AC agreement process and execute the following:
      - (1) Ensure that WIPTs are properly structured and documented to support the development, establishment, and execution of AC agreements.
      - (2) Recommend AC agreement modifications.
    - m. Implement the IEP. In fulfilling this responsibility, MRMC will—
      - (1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.
      - (2) Approve IEP annex modifications (changes to establishments and authorities) and extensions recommended by the IEP annex TPO.
      - (3) Assign TPOs and ATPOs for IEP annexes under their purview.
      - (4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.
      - (5) Comply with AR 380–10 for CMI, and with AR 70–31, DA Pam 70–3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.
      - (6) Oversee the execution of the IEP by their subordinate organizations.
  - n. Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).
    - o. Provide technical expert to review domestic program plans to determine whether there are international equities.
    - p. Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
  - q. Validate or enter all overseas AC activities and engagements in G–TSCMIS. Maintain and close information in G–TSCMIS in accordance with established HQDA policies.
  - r. Provide assessments on AC programs and activities to DASA (DE&C) and DASA (R&T), which correlates to Army S&T capability needs and identifies cooperative opportunities which align with U.S. Army S&T strategy.
  - s. Notify DASA (DE&C) of MRMC intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not fewer than 30 days prior to contract award. Also, provide notice to DASA (DE&C) of MRMC intent to see statutory waivers for cooperative projects under the same authority.
  - t. Complete relevant portions of the Army ITAR exemptions checklist, for approval by DASA (DE&C), when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data or defense services.
  - u. Facilitate U.S. Army interaction with foreign non-governmental entities, such as foreign private industry, foreign national persons, and academia, using the appropriate procedures and mechanisms described outside this regulation - including but not limited to the following examples:
    - (1) Acquisition of materiel and services thru standard Federal Acquisition Regulation/Defense Federal Acquisition Regulation contracting rules and procedures.
    - (2) CRADAs under AR 70–57.
    - (3) “Other Transactions” under 10 USC 2371.
    - (4) Identify research opportunities supporting Army S&T priorities and execute grants and cooperative agreements to academic institutions and conferences/workshops in support of these topics.
  - v. Identify opportunities to acquire state-of-the-art foreign S&T in accordance with Army S&T priorities as documented in the Army S&T strategy.
  - w. Obtain and forward R&D information from countries and international organizations to interested ACOMs/ASCCs/DRUs and agencies.
  - x. Prepare and submit FCT project proposals and reports, as required, to the Army FCT office within CCDC in accordance with established procedures and timelines.

- y. In coordination with ASA (ALT), participate in the FTAS Program.

## **2–16. Commanding General, U.S. Army Training and Doctrine Command**

The CG, TRADOC will—

- a. Manage TRADOC execution responsibilities and participation in AC activities as specified below.
- b. Provide oversight for assigned AC programs and activities.
- c. Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA (ALT).
- d. Follow provisions of AR 380–10 when interacting with foreign government representatives.
- e. Establish and maintain IPOCs.
- f. Coordinate training of TRADOC IPOCs, foreign disclosure officers, and legal advisors on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B–10 and B–11).
- g. Support DASA (DE&C) as necessary in the development and negotiation of AC agreements falling within TRADOC functional responsibility.
- h. Advise and support TRADOC subordinate organizations in their development of cooperative R&D strategies and the identification of AC opportunities to meet S&T and systems requirements.
- i. Provide reports on the status of AC programs and activities to DASA (DE&C).
- j. Provide an annual assessment to DASA (DE&C) on those AC programs for which TRADOC exercises responsibility. This assessment may be included as part of the reports specified in paragraph 3–5.
- k. Maximize the use of FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential AC opportunities.
  - l. Implement the AC agreement process and execute the following:
    - (1) Ensure that WIPTs are properly structured and documented to support the development, establishment, and execution of AC agreements.
    - (2) Recommend AC agreement modifications.
  - m. Implement the IEP. In fulfilling this responsibility, TRADOC will—
    - (1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.
    - (2) Approve IEP annex modifications (changes to establishments and authorities) and extensions recommended by the IEP annex TPO.
    - (3) Assign TPOs and ATPOs for IEP annexes under their purview.
    - (4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.
    - (5) Comply with AR 380–10 for CMI, and with AR 70–31, DA Pam 70–3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.
    - (6) Oversee the execution of the IEP by their subordinate organizations.
  - n. Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).
  - o. Provide technical expert to review domestic program plans to determine whether there are international equities.
  - p. Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
  - q. Validate or enter all overseas AC activities and engagements in G–TSCMIS. Maintain and close information in G–TSCMIS in accordance with established HQDA policies.
  - r. Provide assessments on AC programs and activities to DASA (DE&C) which correlates to Army S&T capability needs and identifies cooperative opportunities which align with U.S. Army S&T strategy.
  - s. Support PEOs, PMs, and other materiel developing agencies in the identification of international cooperative opportunities.
  - t. Support DASA (DE&C) as necessary in the identification of international opportunities by providing capability requirements documentation and analysis early in the capability development process, to include but not limited to, Capabilities Based Assessment final report, analysis of alternatives, and initial capability document.

## **Section II**

### **All Other Commands and Organizations**

## 2-17. Program executive officers

The PEOs will—

- a. Manage PEO execution responsibilities and participation in AC activities as specified below.
- b. Provide oversight for assigned AC programs and activities.
- c. Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from DASA (DE&C).
- d. Follow provisions of AR 380-10 when interacting with foreign government representatives.
- e. Establish and maintain IPOCs.
- f. Coordinate training of PEO IPOCs, foreign disclosure officers and legal advisors on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B-10 and B-11).
- g. Support DASA (DE&C) as necessary in the development and negotiation of AC agreements falling within PEO functional responsibility.
- h. Host international fora related to RDA such as bilateral SCF(A)s and other OSD level fora as requested by DASA (DE&C).
- i. Advise and support PMs in their development of cooperative R&D strategies via foreign technologies and material “market” surveillance, and the identification of AC opportunities to meet S&T and systems requirements.
- j. Provide reports on the status of AC programs and activities to DASA (DE&C).
- k. Provide an annual assessment to DASA (DE&C) on those AC programs and activities for which PEOs exercise responsibility. This assessment may be included as part of the reports specified in paragraph 3-5.
- l. Maximize the use of FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential AC opportunities.
- m. Implement the AC agreement process and execute the following:
  - (1) Ensure that WIPTs are properly structured and documented to support the development, establishment, and execution of AC agreements.
  - (2) Recommend AC agreement modifications.
- n. Implement the IEP. In fulfilling this responsibility, PEOs will—
  - (1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.
  - (2) Approve IEP annex modifications (changes to Establishments and Authorities) and extensions recommended by the IEP annex TPO.
  - (3) Assign TPOs and ATPOs for IEP annexes under their purview.
  - (4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.
  - (5) Comply with AR 380-10 for CMI, and with AR 70-31, DA Pam 70-3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.
  - (6) Oversee the execution of the IEP by their subordinate organizations.
- o. Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).
- p. Provide technical expert to review domestic program plans to determine whether there are international equities.
- q. Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
- r. Validate or enter all overseas AC activities and engagements in G-TSCMIS. Maintain and close information in G-TSCMIS in accordance with established HQDA policies.
- s. Notify DASA (DE&C) of PEO intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not less than 30 days prior to contract award. Also provide notice to DASA (DE&C) of PEO intent to seek statutory waivers for cooperative projects under the same authority.
- t. Complete relevant portions of the Army ITAR exemptions checklist when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data or defense services.
- u. Develop technology assessments/control plans and DDLs for each system for which the PEO is responsible in accordance with AR 550-51 and DODD 5530.3.
- v. Oversee AC activities through the PMs. PMs will—
  - (1) Per DODI 5000.02, be responsible for integrating international acquisition and exportability considerations into the program’s acquisition strategy at each major milestone or decision point. The PM will consider the potential demand and likelihood of cooperative development or production, direct commercial sales, or foreign military sales early in the acquisition planning process, and consider U.S. export control laws, regulations, and DOD policy for international transfers when formulating and implementing the acquisition strategy, in accordance with DODI 2040.02. Where appropriate, PMs

will pursue cooperative opportunities and international involvement throughout the acquisition life cycle to enhance IC and improve interoperability in accordance with DODI 2010.06.

(2) Assess and document the potential for AC for each program for which the PM has responsibility. This assessment of cooperative opportunities should be documented in the program's acquisition strategy per DODI 5000.02 and updated on an annual basis to remain current.

(3) Provide copies of relevant cooperative opportunities section from the program's acquisition strategy to DASA (DE&C) for review and comment prior to the formal entry into each phase of the acquisition life cycle.

(4) Support DASA (DE&C) as necessary in the development and negotiation of AC agreements.

(5) Prepare and submit FCT project proposals and reports, as required, to the Army FCT office within CCDC in accordance with established procedures and timelines.

(6) Complete relevant portions of the Army ITAR exemptions checklist when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data or defense services.

## **2-18. Commanding General, U.S. Army Corps of Engineers**

The CG, USACE will—

*a.* Manage USACE execution responsibilities and participation in AC activities as specified below.

*b.* Provide oversight for assigned AC programs and activities. USACE and major subordinate U.S. Army Engineer Research and Development Center (ERDC) are the primary interface to DASA (DE&C) for all USACE-related AC programs and activities.

*c.* Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA (ALT).

*d.* Follow provisions of AR 380-10 when interacting with foreign government representatives.

*e.* Establish and maintain IPOCs.

*f.* Coordinate training of USACE IPOCs, foreign disclosure officers, and legal advisors on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B-10 and B-11).

*g.* Support DASA (DE&C) as necessary in the development and negotiation of AC agreements falling within USACE functional responsibility.

*h.* Host international fora related to RDA such as bilateral SCF(A)s and other OSD level fora as requested by DASA (DE&C).

*i.* Advise and support USACE subordinate commands in their development of cooperative R&D strategies via foreign technology and materiel "market" surveillance, and the identification of AC opportunities to meet S&T and systems requirements.

*j.* Provide reports on the status of AC programs and activities to DASA (DE&C).

*k.* Provide an annual assessment to DASA (DE&C) and DASA (R&T) on those AC programs for which USACE exercises responsibility. This assessment may be included as part of the reports specified in paragraph 3-5.

*l.* Maximize the use of FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential AC opportunities.

*m.* Implement the AC agreement process and execute the following:

(1) Ensure that WIPTs are properly structured and documented to support the development, establishment, and execution of AC agreements.

(2) Recommend AC agreement modifications.

*n.* Implement the IEP. In fulfilling this responsibility, USACE will—

(1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.

(2) Approve IEP annex modifications (changes to establishments and authorities) and extensions recommended by the IEP annex TPO.

(3) Assign TPOs and ATPOs for IEP annexes under their purview.

(4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.

(5) Comply with AR 380-10 for CMI, and with AR 70-31, DA Pam 70-3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.

(6) Oversee the execution of the IEP by their subordinate organizations.

*o.* Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).

*p.* Provide technical expert to review domestic program plans to determine whether there are international equities.

- q.* Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
- r.* Validate or enter all overseas AC activities and engagements in G-TSCMIS. Maintain and close information in G-TSCMIS in accordance with established HQDA policies.
- s.* Provide assessments on AC programs and activities to DASA (DE&C) and DASA (R&T) which correlates to Army S&T capability needs and identifies cooperative opportunities which align with U.S. Army S&T strategy.
- t.* Notify DASA (DE&C) of USACE intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not fewer than 30 days prior to contract award. Also, provide notice to DASA (DE&C) of USACE intent to seek statutory waivers for cooperative projects under the same authority.
- u.* Complete relevant portions of the Army ITAR exemptions checklist, for approval by DASA (DE&C), when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data or defense services.
- v.* Facilitate U.S. Army interaction with foreign non-governmental entities, such as foreign private industry, foreign national persons, and academia, using the appropriate procedures and mechanisms described outside this regulation - including but not limited to the following examples:
  - (1) Acquisition of materiel and services thru standard Federal Acquisition Regulation/Defense Federal Acquisition Regulation contracting rules and procedures.
  - (2) CRADAs under AR 70-57.
  - (3) "Other Transactions" under 10 USC 2371.
  - (4) Identify research opportunities supporting Army S&T priorities and execute grants and cooperative agreements to academic institutions and conferences/workshops in support of these topics.
- w.* Identify opportunities to acquire state-of-the-art foreign S&T in accordance with Army S&T priorities as documented in the Army S&T strategy.
- x.* Obtain and forward R&D information from countries and international organizations to interested ACOMs/ASCCs/DRUs and agencies.
- y.* Prepare and submit FCT project proposals and reports, as required, to the Army FCT office within CCDC in accordance with established procedures and timelines.
- z.* In coordination with ASA (ALT), participate in the FTAS program.

## **2-19. Commanders or heads of other Army service component commands, direct reporting units, and agencies**

Commanders or heads of other ASCCs, DRUs, and agencies, for programs and materiel for which they hold sole or primary RDA responsibility will—

- a.* Manage their execution responsibilities and participation in AC activities as specified below.
- b.* Provide oversight for assigned AC program and activities.
- c.* Comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA (ALT).
- d.* Follow provisions of AR 380-10 when interacting with foreign government representatives.
- e.* Establish and maintain IPOCs.
- f.* Coordinate training of command or agency personnel involved in AC programs on the organizations, policies, processes, and information systems relevant to AC programs and activities in which they participate (see paras B-10 and B-11).
- g.* Support DASA (DE&C) as necessary in the development and negotiation of AC agreements falling within their functional responsibility.
- h.* Host international fora related to RDA such as bilateral SCF(A)s and other OSD level fora as requested by DASA (DE&C).
- i.* Advise and support their subordinate commands in their development of cooperative R&D strategies via foreign technology and material "market" surveillance, and the identification of AC opportunities to meet S&T and systems requirements.
- j.* Provide reports on the status of AC programs and activities to DASA (DE&C).
- k.* Provide an annual assessment to DASA (DE&C) on those AC activities for which they exercise responsibility. This assessment may be included as part of the reports specified in paragraph 3-5.
- l.* Maximize the use of assigned S&T advisors and FLO, CPP, and DPEP individuals, and when authorized, coordinate potential AC opportunities.
- m.* Implement the AC agreement process and execute the following:
  - (1) Ensure that WIPTs are properly structured and documented to support the development, establishment, and execution of AC agreements.



- (2) Recommend AC agreement modifications.
- n.* Implement the IEP through the directors or other ACOM/ASCC/DRU or CCDC equivalent officials at the general officer (GO)/senior executive service (SES) level. The technical directors (or equivalent officials)—
  - (1) Ensure that WIPTs are properly structured and documented to develop, coordinate, and recommend establishment, extension, or termination of IEP annexes.
  - (2) Approve IEP annex modifications (changes to establishments and authorities) and extensions recommended by the IEP annex TPO.
  - (3) Assign TPOs and ATPOs for IEP annexes under their purview.
  - (4) Provide one English language original of IEP annexes to DASA (DE&C), the office of record for Army IEP annexes.
  - (5) Comply with AR 380–10 for CMI, and with AR 70–31, DA Pam 70–3, and DODI 5230.24 for technical CUI on all exchanges of information under IEP annexes for which they are responsible.
  - (6) Oversee the execution of the IEP by their subordinate organizations.
    - o.* Represent the U.S. Army on international management bodies for selected AC projects, when required by DASA (DE&C) or coordinated with DASA (DE&C).
    - p.* Provide technical expert to review domestic program plans to determine whether there are international equities.
    - q.* Provide international engagement plan(s) as updated and/or requested to DASA (DE&C).
    - r.* Validate or enter all overseas AC activities and engagements in G–TSCMIS. Maintain and close information in G–TSCMIS in accordance with established HQDA policies.
    - s.* Provide assessments on AC programs and activities to DASA (DE&C) and DASA (R&T), which correlates to Army S&T capability needs and identifies cooperative opportunities which align with U.S. Army S&T strategy.
    - t.* Notify DASA (DE&C) of their intent to award contracts or subcontracts to particular contractors in furtherance of cooperative projects authorized under 22 USC 2767 not fewer than 30 days prior to contract award. Also, provide notice to DASA (DE&C) of their intent to see statutory waivers for cooperative projects under the same authority.
    - u.* Complete relevant portions of the Army ITAR exemptions checklist, for approval by DASA (DE&C), when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data, or defense services by contractors.

## **Chapter 3**

### **Armaments Cooperation**

#### **Section I**

#### **Armaments Cooperation Policy Considerations**

##### **3–1. Identifying and documenting armaments cooperation opportunities**

The identification of AC opportunities is governed by U.S. statutes and DOD regulations.

- a.* 10 USC 2350a(e) requires the DOD to undertake an assessment of the potential to conduct cooperative R&D for any planned acquisition project at an early point in the formal system development review process. This assessment will be conducted for all new Army acquisition programs and will be documented in the program’s acquisition strategy per DODI 5000.02. At a minimum, the program’s acquisition strategy—
  - (1) Identifies any similar allied project in development or production.
  - (2) Provides an assessment as to whether any existing allied projects could satisfy or be modified to satisfy U.S. Army requirements.
  - (3) Provides an assessment of the advantages and disadvantages of a cooperative development program with regard to program timing, developmental and life cycle costs, technology sharing, cost sharing, disclosure, and multinational force interoperability.
  - (4) Describes the alternate forms of AC appropriate for the project.
  - (5) Recommends whether a cooperative program should be pursued.
- b.* The Defense Acquisition Guidebook provides further guidance to PMs and acquisition personnel regarding international acquisition and exportability considerations.
- c.* The assessment described above will be incorporated in the Defense Acquisition Management System, Materiel Solution Analysis phase Analysis of Alternatives.
- d.* DASA (DE&C) will gather the information necessary to stay current of military doctrine, materiel, and R&D of other countries, NATO, and other authorized international organizations and will use this knowledge in identifying, planning, and executing AC programs.

- e.* To capitalize on Army participation in international fora that may identify opportunities for AC, meeting results will be regularly distributed to interested commands, agencies, and PEOs.
- f.* AC will be considered when an evaluation indicates that it would benefit the U.S. Army without causing undue risk to U.S. security. AC will normally be undertaken to meet an identified technology need (for example, STO) or approved military requirement, but AC programs may also be used to help the Army identify and describe a possible requirement or be undertaken as a result of direction from higher headquarters.
- g.* The FCT program may be utilized to conduct the T&E of non-developmental items, materiel, and technology developed and/or produced by industries of other countries.
- h.* The Section 65 loan program may be utilized to conduct the T&E of non-developmental items, materiel, and technology developed and/or produced by governments of NATO member countries and major non-NATO allies.
- i.* While AC programs are managed as separate activities, in practice the pursuit of one program may lead to another. For example, participation in a R&D oriented international forum may lead to specific information exchange annexes, defense personnel exchanges, testing of foreign equipment or Section 65 loans. These exchanges of people, information, and materiel may in turn evolve into cooperative R&D projects or U.S. procurement of foreign defense equipment.
- j.* CRADAs with foreign non-governmental entities may be used, in conjunction with other methods, to identify potential AC opportunities with the subject nation. CRADAs will be established in accordance with AR 70–57.
- k.* All ACOMs, ASCCs, and DRUs involved in the materiel development process are encouraged to maximize use of exchange and assigned personnel such as ESEP personnel, APEP personnel, FLOs, and CPPs, in identifying potential AC opportunities.
- l.* Army RDT&E and acquisition enterprises are encouraged to maximize exchange personnel participation in integrated capabilities development teams, integrated product teams, or other similar fora relating to proposed projects with their parent countries in order to identify potential cooperative opportunities early.
- m.* CCDC, ERDC, and MRMC overseas personnel; TRADOC liaison officers; and other Army personnel stationed overseas will support the identification of potential AC opportunities as part of their assigned responsibilities.

### **3–2. Developing and negotiating armaments cooperation agreements and information exchange program annexes**

- a.* Army participation in AC programs and activities will be subject to either a formal written agreement or other required documentation between the U.S. and participating nation(s). The type of each agreement and/or documentation will depend on the countries, NATO, and other authorized international organizations involved, the type of cooperative activity, and the degree to which DOD and/or U.S. Army resources are involved. The RDT&E and acquisition enterprises should consult the Office of the DASA (DE&C) to identify the specific type of AC agreement or documentation required and the associated management procedures.
  - (1) Certain AC programs and activities that involve the expenditure of U.S. resources require the negotiation of a formal AC agreement, often known as an MOU, MOA, or a PA under a master/umbrella agreement such as an RDT&E MOU/MOA, TEP MOU/MOA, or similar umbrella agreement.
  - (2) The loan or borrowing of defense equipment requires an AECA Section 65 loan agreement. If the loan is executed as part of a broader cooperative RDT&E project, a separate loan agreement is not required if the project MOU, MOA, or PA cites the authority of AECA Section 65 (22 USC 2796d).
  - (3) RUTF PAs and CTE PAs developed under the authority of a master TEP MOU/MOA are considered IAs.
  - (4) The exchange of defense RDT&E data and information under the IEP requires the development of an IEP annex. Specific requirements and restrictions on the content of IEP annexes are described in appendix B.
- b.* All AC agreements will be developed, negotiated, and established in accordance with DODI 5000.02, DODD 5530.3, the Defense Acquisition Guidebook, AR 550–51, and this regulation. IEP annexes are not considered IAs and are developed, negotiated, and established in accordance with DODI 2015.4 and this regulation.
  - (1) Those AC agreements designated as MOUs and MOAs involve extensive supporting documentation and require OSD approval. In accordance with DODI 5000.02 and AR 550–51, this process generally involves the following steps:
    - (a)* Submission of a RAD package to DASA (DE&C) within ASA (ALT) for HQDA and OSD approval and Department of Commerce review and comment.
    - (b)* Upon RAD approval, establishment of a U.S. team (at a minimum a technical subject matter expert, DASA (DE&C) IA negotiator, and Army Office of the General Counsel representative) to prepare and negotiate a draft IA.
    - (c)* Submission of a RFA package to DASA (DE&C) within ASA (ALT) for HQDA and OSD approval.
    - (d)* Upon RFA approval, language certification (when required by AR 550–51) and signature (establishment) of the IA.
    - (e)* Within 10 days of signature, forwarding of the signed agreement to the OTJAG for transmission to the Department of State and OSD GC.

(2) The development of PAs, with the exception of RUTF PAs and Section 65 loan agreements, is similar to the MOU/MOA process except that authority to approve RADs for PAs and Section 65 loan agreements has been delegated to DASA (DE&C). However, these agreements must be transmitted to OSD for RFA.

(3) RUTF PAs will be developed and coordinated at the HQDA level as described in paragraph 3–2b(2). However, in lieu of submission to OSD for RFA, Army coordinated RUTF PA packages are transmitted to the Office of the Director, Operational Test and Evaluation for signature.

(4) The development of IEP annexes does not require approval of separate RAD or RFA documents. In accordance with DODI 2015.4, the authority to develop and conclude IEP annexes has been delegated to HQDA. This authority is re-delegated to TRADOC, PEOs, CCDC, USACE, and MRMC at GO/SES level in accordance with their locally developed policies and procedures. Army elements must forward all draft IEP annexes to DASA (DE&C) for consultative review by the Department of Commerce, as specified in paragraph 3–2c.

c. In furtherance of the provisions of 10 USC 2531, which requires the DOD to solicit and consider Department of Commerce comments and recommendations regarding the commercial implications of AC agreements and IEP annexes, the OUSD (A&S) and the Under Secretary of Commerce for Industry and Security have signed a statement of principles that establishes specific procedures for interagency consultation on AC agreements and IEP annexes. They will be implemented as follows:

(1) For MOUs and MOAs, OUSD (A&S) will provide copies of RADs (prior to negotiations) and RFAs (prior to approval) to the Department of Commerce for review and comment.

(2) For PAs and Section 65 loan agreements, OUSD (A&S) will provide copies of RFAs to the Department of Commerce prior to agreement signature.

(3) For IEP annexes, TRADOC, PEOs, CCDC, USACE, and MRMC will provide draft copies of the proposed annexes and their SSOIs directly to DASA (DE&C) for transmission to the Department of Commerce and the other Services for review and comment.

(4) Oral questions or comments from the Department of Commerce to the Army regarding AC agreements and IEP annexes may be answered orally. Written questions and nonoccurrence's concerning these agreements and annexes will be responded to in writing or electronically as appropriate.

(a) *For memorandums of understanding, memorandums of agreement, project agreements/arrangements, and loans.* DASA (DE&C) will develop written/electronic responses and coordinate with OUSD (A&S) IC before transmitting the response to the Department of Commerce.

(b) *For Information Exchange Program annexes, memorandums of understanding, memorandums of agreement, project agreements/arrangements, and loans.* The responsible Army WIPT will develop written/electronic responses and will forward those responses to DASA (DE&C) for transmission to the Department of Commerce with copies provided to OUSD (A&S) IC.

(5) If a Department of Commerce non-concurrence on a proposed AC agreement or IEP annex cannot be resolved, OUSD (A&S) IC, in coordination with DASA (DE&C), will notify the Department of Commerce in writing before taking final action.

d. AC agreements developed under the authority of 22 USC 2767 are subject to additional certification notification and review requirements.

(1) No less than 30 days before a cooperative project agreement authorized by 22 USC 2767 is to be signed, DOD must provide a numbered certification to Congress describing the project in detail.

(2) In accordance with 10 USC 2350b, if the Army intends to award a contract or subcontract to a particular contractor in furtherance of a cooperative project authorized under 22 USC 2767, the Army must provide a proposed notification of such action to OSD in sufficient time to forward to Congress before the time of contract award.

(3) In accordance with 10 USC 2350b, if the Army intends to exercise a waiver of statutory contracting provisions authorized under 22 USC 2767, it must provide a proposed congressional notice to that effect to OSD.

(4) The congressional notifications described in paragraphs 3–2d(2) and (3) are not required if the relevant information was provided to Congress as part of the agreement certification described in 3–2d(1).

e. Those AC agreements and IEP annexes that address chemical, biological, radiological, and nuclear technologies (including defense against such technologies) will be forwarded by DASA (DE&C) to the Office of the DASD (NCB/CBD) or its successor organization(s).

f. Those AC agreements and IEP annexes that provide for the release of CMI or CUI will be supplemented by a DDL developed and approved in accordance with AR 380–10. Such information will be released only in accordance with the provisions of the applicable disclosure documentation. No DDL is required for IEP annexes where data exchanged has been approved for public release in accordance with AR 360–1.

g. Arrangements between Army and licensee-licensor teams are encouraged. They may supplement or support government-to-government agreements. Licensee-licensor agreements are often privately arranged between potential U.S. contractors and foreign developers in other countries and are not binding on the USG.

h. Arrangements to export articles, technical data or defense services by U.S. contractors to foreign persons (as defined in Section 120.16, Title 22, Code of Federal Regulations (22 CFR 120.16)) or Ministries of Defense are subject to the ITAR (22 CFR 120 through 130) (for defense articles, services, and technical data), or the Department of Commerce's export administration regulations (for dual-use items). DASA (DE&C) has been delegated authority to grant ITAR exemptions in support of AC programs. However, Army elements developing and implementing AC agreements and activities that will involve the export of controlled articles, technical data, or defense services by contractors must complete relevant portions of the Army ITAR exemptions checklist, for approval by DASA (DE&C), at key stages of the agreement development process. Key export control related actions that are documented in the checklist include the following:

- (1) Identify and mark export-controlled information to be disclosed under those programs.
- (2) Review contracts compliance with export control laws and regulations.
- (3) Review transfer of project articles, defense services and information to participants, contractors, and third parties for consistency with AC agreements and export control laws and regulations.
- (4) Review all contractors for clearance and understanding of end use restrictions regarding all transferred information.
- (5) Develop a mechanism to track export-controlled information transferred to and received from participants.

i. MOUs, MOAs, PAs, and Section 65 loans and their supporting documents will be developed by DASA (DE&C) IA specialists/negotiators and coordinated with the following:

- (1) Appropriate personnel within the RDT&E and acquisition enterprises, to include technical representatives, organizational IPOC, and headquarters personnel.
- (2) DCS, G-2, Foreign Disclosure.
- (3) Army GC attorney.
- (4) Financial management representative: ASA (FM&C) representative or designee.
- (5) Other Army representatives as needed within ASA (ALT); the DCS, G-3/5/7; the DCS, G-4; the CIO/G-6; DUSA-TE; and the DCS, G-8, to include its Army model and simulation office. The integrated product team process will be utilized as required.

j. Information exchange program annexes and their supporting documentation will be developed and coordinated using a WIPT conducted by the responsible proponent organization at the GO/SES level. The WIPT will consist of—

- (1) The chair will be the IPOC, as appointed by technical director or equivalent.
- (2) The IEP annex TPO.
- (3) Supporting foreign disclosure officer.
- (4) Local Army legal advisor.
- (5) The IEP annex ATPO designate(s).
- (6) Proponent higher headquarters personnel, in accordance with locally approved policies and guidance.

k. Army elements will use the IOL enterprise management system to manage and record the development and implementation of AC agreements and IEP annexes. The OTJAG is the Army's single office of record for original hardcopy Army MOUs, MOAs, PAs, and Section 65 loans. DASA (DE&C) serves as office of record for IEP annexes.

### **3-3. Policies and procedures for personnel exchange and assignment programs**

a. DASA (DE&C) manages Army participation in three exchange and placement programs: the ESEP, APEP, and CPP. The ESEP and APEP are regulated by bilateral MOUs/MOAs negotiated between the U.S. DOD and the Ministries of Defense of other countries. CPP positions must be specifically established under bilateral or multilateral AC agreements. A brief description of each program is provided below.

(1) *Engineer and Scientist Exchange Program.* DASA (DE&C) manages Army participation in the ESEP, both for U.S. outgoing and foreign incoming ESEP participants. DASA (DE&C) solicits and/or receives nominations to provide on-site working assignments for U.S. personnel in foreign defense (government and contractor) establishments, and for foreign personnel in U.S. defense (government) establishments. Centralized funding may be available to support the deployment of U.S. personnel abroad, however, Army organizations retain the option to fund their own ESEP participants. In all cases, DASA (DE&C) will review nominees and coordinate with Army elements to arrange for appropriate placements in support of Army AC programs. See appendix B for a more detailed description of the ESEP.

(2) *Administrative and Professional Personnel Exchange Program.* DASA (DE&C) manages participation in the APEP in a similar manner to the ESEP, both for U.S. outgoing and foreign incoming APEP participants. DASA (DE&C) will review nominees and coordinate with Army elements to arrange for appropriate placements in support of Army AC programs. See appendix B for a more detailed description of the APEP.

(3) *Project/program personnel.* DASA (DE&C) manages the assignment of CPP under specific AC agreements that call for CPP participants and/or the establishment of a joint program office (JPO) where a multinational staff manages the AC agreement and/or executes the work under AC agreements. CPP participants report to and take direction from a DOD-appointed PM (or PM equivalent). Army practice does not allow the assignment of CPPs in a dual capacity (that is as an official or employee of the JPO or as a FLO for his/her government). See appendix B for a more detailed description of the CPP program.

b. The DCS, G-2 is responsible for Army policy concerning extended foreign visits for ESEP, APEP, and CPP participants. For more information regarding the extended foreign visit process, see AR 380-10.

c. DASA (DE&C) produces a handbook on current procedures for implementing the ESEP for both U.S. outgoing and foreign incoming participants.

## **Section II**

### **Armaments Cooperation Planning Requirements**

#### **3-4. Funding and financial considerations**

a. All ACOMs/ASCCs/DRUs, agencies, and PEOs/PMs seeking to initiate an AC project or activity must identify a funding source by program element for the projected life cycle of the project or activity before developing the associated IA. In quantifying total U.S. and foreign contributions to an AC project, Army project personnel will consider both financial and non-financial contributions of each participant in the project.

b. Additional funding may be available to initiate AC projects with other countries, NATO, and other authorized international organizations through the International (or NATO) Cooperative Research and Development Program managed by DASA (DE&C). At a minimum, projects selected for funding under this program, as well as all other projects that are undertaken under the authority of 10 USC 2350a, must meet the following criteria:

- (1) An approved IA must be in place or pursuant to a formal IA.
- (2) International (or NATO) Cooperative Research and Development Program funds made available for projects may not be used to acquire equipment or services from foreign sources.
- (3) The foreign signatory must contribute an equitable portion of total project funding.
- (4) The Assistant Secretary of Defense (Research and Engineering), or its successor organization, must certify that the project will improve the conventional defense capabilities of NATO or of the U.S. and its major non-NATO allies.

c. A second source of supplementary funding for cooperative projects is the Coalition Warfare Program (CWP). Projects proposed for CWP funding must focus on the development of doctrine, concepts, systems, and technologies that promote interoperability between the U.S. and its allies in a coalition environment. CWP funding must not exceed 3 years (2 preferred) and must not exceed foreign contributions to the project. The CWP is managed by OUSD (A&S), which selects projects for funding based on submissions from the military services, defense agencies, and combatant commanders. As the Army executive agent for CWP, DASA (DE&C) reviews each project nomination against CWP key criteria, Army priorities, and forwards those determined as potential Army candidate proposals to OUSD (A&S).

d. DASA (DE&C) manages centralized funding to support the placement of U.S. personnel overseas as part of the ESEP. Each year, subject to the availability of funding, DASA (DE&C) will solicit nominations for ESEP participants. Solicitation memorandum will identify specific selection criteria.

e. The Army CCDC, in coordination with the DASA (R&T), administers the FTAS program. The FTAS Program funds provide initial resources for subject matter experts at CCDC, PM/PEO and other Army organizations to conduct technology assessments, basic research studies, and T&E efforts of unique foreign technologies. The FTAS provides funding for approximately 12 months of initial assessment. Proposals for FTAS funding are evaluated by DASA (R&T) for final funding approval (see DA Pam 70-3).

#### **3-5. Reporting on and evaluation of armaments cooperation programs and activities**

- a. AC programs and activities subject to regular reporting to DASA (DE&C) are—
- (1) All IAs.
  - (2) IEP annexes under the IEP (annually).
  - (3) The ESEP, CPP, and APEP exchanges with countries for which the Army is responsible, as required.
  - (4) FCT projects as required.
- b. In reporting on AC programs, the benefits of Army participation in AC programs will be identified.
- c. DASA (DE&C) will direct periodic reviews of established IEP annexes to confirm compliance with IEP annex development policy and procedures.
- d. DASA (DE&C) will direct periodic reviews of AC programs in preparation for bilateral or multilateral fora.

*e.* Army PEOs/PMs and other Army materiel developers will assess the adequacy, effectiveness, efficiency, and productivity of AC acquisition programs and activities with respect to the objectives stated in paragraph 1–6 as part of the acquisition milestone reviews described in AR 70–1 and DODI 5000.02.

### **3–6. Training**

*a.* Those members of the Army acquisition workforce assigned to AC programs or activities, as well as AC program specialists at HQDA and materiel development organizations, who are not members of the acquisition workforce, will be trained on the organizations, policies, processes, and information systems related to these programs. At a minimum, individuals should be trained on the following:

- (1) Structure, scope, and goals of relevant AC programs.
- (2) Funding for AC programs.
- (3) Policies, procedures, and documentation requirements for developing, negotiating, and establishing AC agreements and IEP annexes, to include the use of IOL.
- (4) The structure and tactics of international negotiations.
- (5) U.S. arms export control regulations and DOD and Army information and industrial security policies.
- (6) The U.S. Army security and foreign disclosure policies and procedures.
- (7) Reporting requirements.

*b.* Paragraphs B–10 and B–11 list specific training courses to meet these training requirements for all DOD personnel involved in international programs. Recommended training and education standards (and other qualification requirements) for members of the Army acquisition workforce participating in AC programs, as well as for AC program specialists, will be defined by HQDA. Commanders of ACOMs and agencies are responsible for ensuring that recommended requirements are met.

## **Appendix A**

### **References**

#### **Section I**

##### **Required Publications**

**AR 5–11**

Management of Army Modeling and Simulation (Cited in para 2–10.)

**AR 11–31**

Army Security Cooperation Policy (Cited in para 1–6*c*.)

**AR 12–1**

Security Assistance, Training, and Export Policy (Cited in para 1–6*c*.)

**AR 34–1**

Multinational Force Interoperability (Cited in para 2–8*b*.)

**AR 70–1**

Army Acquisition Policy (Cited in para 3–5*e*.)

**AR 70–31**

Standards for Technical Reporting (Cited in para 2–14*n*(5).)

**AR 70–57**

Army Technology Transfer (Cited in para 1–8*m*.)

**AR 360–1**

The Army Public Affairs Program (Cited in para 3–2*f*.)

**AR 380–10**

Foreign Disclosure and Contacts with Foreign Representatives (Cited in para 2–14*d*.)

**AR 550–51**

International Agreements (Cited in para 2–2*k*.)

**CJCSI 2700.01G**

Rationalization, Standardization, and Interoperability (RSI) Activities (Available at <http://www.jcs.mil/>.) (Cited in para 1–7.)

**DA Pam 70–3**

Army Acquisition Procedures (Cited in para 2–14*n*(5).)

**DODD 5132.03**

DOD Policy and Responsibilities Relating to Security Cooperation (Cited in title page.)

**DODD 5530.3**

International Agreements (Cited in para 2–2*k*.)

**DODI 2010.06**

Materiel Interoperability and Standardization with Allies and Coalition Partners (Cited in para 2–17*v*(1).)

**DODI 2015.4**

Defense Research, Development, Test, and Evaluation (RDT&E) Information Exchange Program (IEP) (Cited in para 3–2*b*.)

**DODI 2040.02**

International Transfers of Technology, Articles, and Services (Cited in para 2–17*v*(1).)

**DODI 5000.02**

Operation of the Defense Acquisition System (Cited in para 2–2*k*.)

**General Orders No. 2019–01**

Assignment of Functions and Responsibilities Within Headquarters, Department of the Army (Cited in title page.)

**JP 3–20**

Security Cooperation (Available at <http://www.jcs.mil>.) (Cited in para 1–7.)

**Section II****Related Publications**

A related publication is a source of additional information. The user does not have to read it to understand this publication. CFR material is available at <https://www.ecfr.gov>. DOD publications are available at <https://www.esd.whs.mil/dd/>. USC material is available at <http://uscode.house.gov/>.

**AR 11–2**

Managers' Internal Control Program

**AR 25–30**

Army Publishing Program

**AR 200–1**

Environmental Protection and Enhancement

**AR 614–10**

Army Personnel Exchange Program with Military Services of Other Nations

**AR 700–131**

Loan, Lease, and Donation of Army Materiel

**ATP 3–01.7**

Air Defense Artillery Brigade Techniques

**ATP 3–07.31**

Multi-Service Tactics, Techniques, and Procedures For Peace Operations

**CJCSI 2110.01E**

International Transfer of U.S. Defense-Related Technology and Munitions

**DA Pam 11–31**

Army Security Cooperation Handbook

**DA Pam 25–403**

Guide to Recordkeeping in the Army

**DAG**

Defense Acquisition Guidebook (Available at <https://www.dau.mil/tools/dag/>.)

**Department of Defense Office of the Secretary of Defense Comparative Technology Office Foreign Comparative Testing Program Handbook**

(Available at <https://cto.acqcenter.com/osd/portal.nsf/referenceall?openview&count=-1>.)

**DOD 7000.14–R**

Department of Defense Financial Management Regulations

**DODD 5000.01**

The Defense Acquisition System

**DODD 5230.11**

Disclosure of Classified Military Information to Foreign Governments and International Organizations

**DODD 5230.20**

Visits and Assignments of Foreign Nationals

**DODI 3100.08**

The Technical Cooperation Program (TTCP)

**DODI 5132.14**

Assessment, Monitoring, and Evaluation Policy for the Security Cooperation Enterprise

**DODI 5230.24**

Distribution Statements on Technical Documents



**FM 3-16**

The Army in Multinational Operations

**FM 4-01**

Army Transportation Operations

**FM 6-05**

Multi-Service Tactics, Techniques, and Procedures for Conventional Forces and Special Operations Forces Integration, Interoperability, and Interdependence

**JP 3-0**

Joint Operations (Available at <http://www.jcs.mil/doctrine/joint-doctrine-pubs/>.)

**JP 6-0**

Joint Communications System (Available at <http://www.jcs.mil/doctrine/joint-doctrine-pubs/>.)

**22 CFR 120 through 130**

International Traffic in Arms Regulations

**22 CFR 120.6**

Defense article

**22 CFR 120.9**

Defense service

**22 CFR 120.16**

Foreign person

**22 CFR 121.1**

The United States Munitions List

**1 USC 112b**

United States international agreements; transmission to Congress (Case Act)

**10 USC 311**

Exchange of defense personnel between United States and friendly foreign countries: authority

**10 USC 2341 et seq.**

Authority to acquire logistic support, supplies, and services for elements of the armed forces deployed outside the United States (Acquisition and Cross-Servicing Agreements Authority)

**10 USC 2350a**

Cooperative research and development agreements: NATO organizations; allied and friendly foreign countries

**10 USC 2350b**

Cooperative projects under Arms Export Control Act: acquisition of defense equipment

**10 USC 2350d**

Cooperative logistic support agreements: NATO countries

**10 USC 2350i**

Foreign contributions for cooperative projects

**10 USC 2350l**

Cooperative agreements for reciprocal use of test facilities: foreign countries and international organizations

**10 USC 2358**

Research and development projects

**10 USC 2371**

Research projects: transactions other than contracts and grants

**10 USC 2531**

Defense memoranda of understanding and related agreements

**10 USC 2538**

Industrial mobilization: orders; priorities; possession of manufacturing plants; violations

**10 USC 2539b**

Availability of samples, drawings, information, equipment, materials, and certain services

**10 USC 2681**

Use of test and evaluation installations by commercial entities

**15 USC 3701**

Findings

**22 USC 2151**

United States Development Cooperation Policy (Section 607 of the Foreign Assistance Act of 1961)

**22 USC 2767**

Authority of President to enter into cooperative projects with friendly foreign countries

**22 USC 2796d**

Loans of materials, supplies, and equipment for research and development purposes (Section 65 of the Arms Export Control Act)

**Section III**

**Prescribed Forms**

This section contains no entries.

**Section IV**

**Referenced Forms**

Unless otherwise indicated, DA Forms are available on the Army Publishing Directorate website (<https://armypubs.army.mil>).

**DA Form 11-2**

Internal Control Evaluation Certification

**DA Form 2028**

Recommended Changes to Publications and Blank Forms

## Appendix B

### Major Armaments Cooperation Programs, Training, and Legal Authorities

#### Section I

#### Major Programs

##### **B–1. Coalition Warfare Program**

A DOD funded program intended to assist the combatant commanders, services, and defense agencies in developing and inserting coalition-enabling solutions into existing and planned U.S. programs. Unlike AC programs which focus on the cooperative research and development of materiel, CWP focuses on the development of doctrines, concepts, systems, and technologies that promote interoperability between the U.S. and its allies in a coalition environment. CWP projects may also be developed with countries that are not formal allies. The CWP is administered by the OUSD (A&S), which selects projects for CWP funding on a case-by-case basis. CWP funding must not exceed 3 years (2 preferred) and must not exceed foreign contributions to the project. In addition to DOD funding, service funding may also be used for CWP projects. Submission procedures are based on OUSD (A&S) guidance, which requires only a one-page written summary, a briefing, and high level supporting documentation. As the Army Executive Agent for CWP, DASA (DE&C) reviews each project nomination against CWP key criteria, Army priorities, and forwards those determined as potential Army candidate proposals to OUSD (A&S).

##### **B–2. Cooperative project/program personnel**

An assignment program authorized by The National Defense Authorization Act for Fiscal Year 1997, section 1082 under which defense administrators and professionals are temporarily assigned to work under an AC agreement (MOU, MOA, or PA) in either the IA's JPO or on a specific IA project, effort, and so forth. Foreign personnel would be assigned to U.S. established JPOs or projects under the IA and U.S. Army personnel would be assigned to other country JPOs or projects under the IA. Such personnel may serve in a variety of JPO or project positions — from deputy PM to bench scientist. The CPP promotes specific IA co-development efforts, and CPP participants are assigned specific project responsibilities. During their assignments, CPPs represent the host nation or JPO, as opposed to acting as FLOs, who act as representatives of their own countries. However, CPPs cannot perform duties that are reserved for a USG representative or perform other official acts as a representative of the host organization. Because a CPP acts as a host nation or JPO representative, Army practice prohibits a CPP participant from serving in a dual capacity as both a CPP and as a FLO for their government.

##### **B–3. Defense Research, Development, Test, and Evaluation Information Exchange Program**

a. A program under which participating countries exchange with the United States technical and scientific information of mutual interest. DOD policies and responsibilities for the program are spelled out in DODI 2015.4. The objectives of the IEP are to—

- (1) Enhance the cohesion and breadth of existing military alliances and friendships.
- (2) Coordinate the R&D efforts of the United States and other countries.
- (3) Reduce the cost and duplication of effort in defense R&D.
- (4) Promote multinational force interoperability and cooperative R&D of defense equipment.

b. Under IEP, the U.S. and other countries negotiate IEP agreements that specify the general terms and conditions of information exchange. Specific exchanges of information are carried out under IEP annexes to IEP agreements that provide details pertinent to the exchange of information in a specific area or field of interest. The provisions of an IEP agreement apply to all IEP annexes with the concerned country, and there is no limit to the number of IEP annexes an IEP agreement may have. IEP annexes specify annex establishments for each country that are authorized to receive information. IEP annexes may not include non-government entities or contractors as establishments. This includes “special status” contractors such as federally funded research and development centers or foreign equivalents. These non-government entities may still participate in annex-related meetings or other interchanges based on mutual agreement between the U.S. DOD and partner nation(s), subject to applicable national export control laws.

c. The OSD has delegated authority to develop and conclude IEP annexes to the military departments. Although DASA (DE&C) oversees the entire IEP, the Army Materiel Development ACOMs/ASCCs/DRUs and PEOs exercise Army responsibility for approving IEP annexes not requiring HQDA review. They also appoint U.S. Army TPOs, who are responsible for overall technical management of an individual IEP annex as well as the actual exchange of data and information.

#### **B-4. Defense Personnel Exchange Program**

The DPEP consists of the ESEP, APEP, Military Personnel Exchange Program, and Defense Intelligence Personnel Exchange Program.

*a.* The ESEP is a professional development and exchange program authorized by The National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201), section 1082 under which foreign defense professionals are temporarily assigned to work in U.S. Defense establishments, and U.S. Defense professionals are temporarily assigned to work in other country defense establishments (and supporting private contractors). The ESEP is designed to promote IC and understanding in military R&D, as well as reduce costs and duplication of effort in U.S. and other country research programs. As in the IEP, the U.S. and other countries negotiate master agreements that specify the general terms and conditions of the personnel exchange. ESEP exchange assignments should address technical disciplines associated with a common military requirement and be managed in a way that provides equitable benefits to both countries. ESEP exchanges may not be used to provide technical training, and the costs of participation (including travel to and from the host country and living expenses) will be borne by the participant's parent country. To administer the program, DOD has designated the Army and Air Force as executive agents for managing exchanges with specific countries and providing status reports to OSD. Within the Army, DASA (DE&C) exercises DOD responsibility for the ESEP for assigned countries and exercises Army responsibility for coordinating assignment of Army defense professionals overseas and placement of foreign personnel in Army installations. The latter form of exchange requires development of several documents, including an approved position description and approved DDL that describes the classification levels, categories, scope, and limitations of information that may be disclosed to the foreign ESEP participant, and certificate of responsibilities. Subject to availability of funds, DASA (DE&C) may also provide centralized funding to Army elements to support the placement of U.S. Army scientists and engineers abroad. This money may be used to pay costs associated with language training, salary, temporary change of station/temporary duty expenses and overseas allowances.

*b.* The APEP is a professional exchange program authorized by The National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201), section 1082 under which foreign defense administrators and professionals are temporarily assigned to work in U.S. Defense establishments, and U.S. Defense administrators and professionals are temporarily assigned to work in other country defense establishments (and supporting private contractors). The APEP is designed to promote IC through the exchange of Army career administrators and professionals in fields such as administration, logistics, finance, legal, medical, planning, and quality assurance. As in the IEP, the U.S. and other countries negotiate master agreements that specify the general terms and conditions of the personnel exchange. APEP exchange assignments should address AC or AC-supporting disciplines such as the aforementioned. APEP exchange assignments also should be managed in a way that provides equitable benefits to both countries. APEP exchanges may not be used to provide technical training, and the costs of participation (including travel to and from and living expenses in the host country) will be borne by the participant's parent country. The DOD executive agent for the APEP is the Office of the Under Secretary of Defense for Policy. The Army centrally manages Army APEP placements through DASA (DE&C).

#### **B-5. Foreign Comparative Testing Program**

A DOD T&E program, authorized by 10 USC 2350a, which provides funding for U.S. testing and evaluation of conventional defense equipment, munitions, and technologies manufactured and developed by other countries when such items or technologies are identified as having good potential to satisfy valid DOD requirements. The program is managed directly by the Comparative Technology Office of the Office of the Under Secretary of Defense (Research and Engineering) based on candidate projects annually nominated by the DOD Components. DOD policies and procedures for nominating projects are described in the OSD Comparative Technology Office FCT Program Handbook. Equipment proposed for testing under the FCT programs must be non-developmental items, address valid military requirements, and have user support. In addition, the sponsoring DOD component must have conducted a thorough market survey and demonstrate a clear intention to procure the item if the testing is successful. The CG, CCDC, as the Army responsible official, manages the FCT program. FCT proposals are screened, prioritized, and forwarded by Headquarters, CCDC to OSD, with an information copy provided to ASA (ALT).

#### **B-6. Test and Evaluation Program**

*a.* The TEP is a DOD managed program, authorized under 10 USC 2350l that enables U.S. and partner nation or international organization access to each other's test facilities and the pursuit of CTE related projects. The program is implemented through bilateral TEP agreements/MOUs/MOAs, which establish the broad terms and conditions for reciprocal and/or CTE activities. TEP agreements/MOUs/MOAs may also enable information exchange, formation of working groups, project equipment transfers, and familiarization visits. Acquisition or production programs and the provision of educational and training services are outside the scope of TEP agreements/MOUs/MOAs.

b. Specific reciprocal tests and test-related cooperative efforts are carried out under two types of subordinate PAs. The first is a RUTF PA, which describes a fee-for-service relationship in which testing services are provided at preferred (less than full cost recovery) rates. Testing under a RUTF PA may be conducted for the purposes of developmental, operational, and live fire T&E. A RUTF PA is considered an IA but does not require coordination at the OSD level. The U.S. signatory authority is the Director, Operational Test and Evaluation. CTE efforts are carried out under a CTE PA under which the parties/participants work together on an equitable basis to improve the conduct of T&E and share results. A CTE PA is also considered an IA but generally requires coordination at the OSD level. CTE PAs are also signed by the Director, Operational Test and Evaluation.

c. The DOD focal point for the TEP, designated as the agreement/MOU/MOA director is the U.S. Director, Operational Test and Evaluation. This official is responsible for executive-level management of the agreement/MOU/MOA. Country-specific TEP activities are managed by a Managing Agent assigned to each nation; the DOD Managing Agents are provided by the Office of the Director, Operational Test and Evaluation.

#### **B-7. Section 65 loans**

Under Section 65 of the AECA (22 USC 2796d), DOD components may loan to NATO and major non-NATO allies materiel, supplies, or equipment for purposes of carrying out a program of cooperative RDT&E; or rationalization, standardization, and interoperability. DOD components may also accept loans or gifts from these same allies for these same purposes. Section 65 loans will normally not exceed one year. A loan of U.S. equipment must be documented in a loan agreement, supplemented by an SSOI and DDL. Within the Army, all Section 65 loan agreements must be approved by the ASA (ALT).

#### **B-8. The Technical Cooperation Program**

A multilateral program comprising Australia, Canada, New Zealand, the United Kingdom, and the U.S., which is intended to acquaint participating countries with the military R&D programs conducted by other The Technical Cooperation Program (TTCP) members and to provide a means to combine resources and share tasks in carrying out AC ventures. The TTCP works primarily through activities described in the TTCP MOU of 24 October 1995, as amended on 16 October 2000. This agreement establishes a mechanism among the participants that provides for the continuation and enhancements of all TTCP efforts. These efforts include exchange of scientific and technical information, harmonization, and alignment of national S&T programs, and collaboration through TTCP PAs, equipment and materiel transfers, assignments of CPP, trials and testing, and personnel visits. The program is managed by a multinational management structure that is headed by the chiefs of defense for research and development of the member countries, also known as the Non-Atomic Military Research and Development (NAMRAD) principals. The NAMRAD principals provide strategic guidance for the program and, as individuals, appoint national representatives to TTCP subgroups. Day-to-day management of the program has been delegated to representatives of the participating countries located in Washington, DC (known as the Washington deputies). The Washington deputies, assisted by a secretariat, monitor the information exchange activities of TTCP subgroups and other subordinate bodies in coordination with the responsible military department. Policies and procedures that govern TTCP collaboration are contained in the TTCP MOU and policies, organizations, and procedures in NAMRAD. DOD policies and procedures for the TTCP are described in DODI 3100.8. Release of information for TTCP purposes is subject to the requirements of AR 380-10, AR 70-31, and DA Pam 70-3.

#### **B-9. Research, Development, Test, and Evaluation Program**

The RDT&E program provides for streamlined negotiation and approval of project-specific agreements in cooperative R&D. The RDT&E is focused on collaborative projects involving basic, exploratory, and advanced technologies. System-specific collaboration generally requires a standalone cooperative R&D MOU/MOA. To implement the RDT&E Program, the DOD has negotiated a series of bilateral and multilateral umbrella RDT&E (or RDT&E-like) agreements that cover cooperation on a broad scope of Defense R&D-related work and spell out the general terms and conditions for cooperation between the U.S. and various foreign signatories. Specific cooperative R&D projects are initiated through development of implementing arrangements known as PAs that incorporate by reference the terms of the relevant umbrella RDT&E agreement. RDT&E PAs require similar supporting documentation (SSOI and DDL) as standalone cooperative R&D MOUs/MOAs, but the HQDA and OSD approval processes are streamlined and the PA itself is generally simpler to negotiate.

## Section II

### Training for Armaments Cooperation Personnel

#### B–10. Armaments cooperation training

*a.* On 23 March 1997 the Secretary of Defense issued a memorandum on DOD International Armaments Cooperation Policy which directed "Training for program managers and other Acquisition Workforce personnel will include sufficient instruction in the policies and procedures of international armaments cooperation programs...." The International Acquisition Education Program of the Defense Acquisition University (DAU) is DOD's only program of instruction addressing the Secretary's direction.

*b.* DAU's International Program Resident Courses—

- (1) ACQ 230 – International Acquisition Integration.
- (2) ACQ 340 – Advanced International Management Workshop.
- (3) ACQ 350 – Advanced Technology Security/Control Workshop.
- (4) ACQ 380 – International Acquisition Management.

*c.* DAU's International Program Online Courses—

- (1) CLI 001–3 – International Armaments Cooperation (Parts 1–3).
- (2) CLI 005 – Information Exchange Program (Army).
- (3) ACQ 120 – Fundamentals of International Acquisition.
- (4) ACQ 130 – Fundamentals of Technology Security/Transfer.

*d.* Each resident course is taught as a 1-week seminar. Enrollment is open to all government personnel, as well as authorized contractors on a space-available basis. Online courses are taught through the DAU Continuous Learning Center web portal. For course descriptions and information on enrollment, see <https://www.dau.mil/training>.

#### B–11. International security training

*a.* In October 1999, the Deputy Secretary of Defense directed that every DOD employee who is involved in international programs would receive training in the security arrangements that protect sensitive and classified U.S. technology and military capabilities, and the laws, policies, and procedures that govern foreign involvement in DOD programs. DODD 5230.20 reiterates this requirement in its Policy section. Section 4.12 of DODD 5230.20 states, "All DOD personnel responsible for negotiating, overseeing, managing, executing, or otherwise participating in international activities shall successfully complete one or more of the courses required by Deputy Secretary of Defense Memorandum dated October 22, 1999."

*b.* The training may be completed by one of the following options:

- (1) The International Programs Security Requirements course offered by the Defense Institute of Security Cooperation Studies. The course is only offered online. For more information, see: <http://www.discs.dsca.mil/>.
- (2) For acquisition personnel, the ACQ 130, Fundamentals of Technology Security/Transfer class offered by the Defense Acquisition University (see [http://icatalog.dau.mil/onlinecatalog/courses.aspx?crs\\_id=1964](http://icatalog.dau.mil/onlinecatalog/courses.aspx?crs_id=1964)).
- (3) Related courses that highlight general security (U.S. Army Foreign Disclosure Certification and U.S. Army Foreign Disclosure Orientation) are offered by the Center for Development of Security Excellence. For more information, see <https://www.cdse.edu/catalog/curricula/index.html>.

## Section III

### Legal Authorities

#### B–12. 10 USC 311

This section authorizes the Secretary of Defense to enter into international defense personnel exchange agreements. For purposes of this section, an international defense personnel exchange agreement is an agreement with the government of a friendly foreign country or international or regional security organization. The agreement is for the reciprocal or non-reciprocal exchange of members of the armed forces and civilian personnel of the DOD; and military and civilian personnel of the defense or security ministry of that foreign government or international or regional security organization. An exchange of personnel under an international defense personnel exchange agreement under this section may only be made with the concurrence of the Secretary of State to the extent the exchange is with either a non-defense security ministry of a foreign government or an international or regional security organization.

**B-13. 10 USC 2350a**

This provides explicit authority for DOD to conduct cooperative R&D projects on defense equipment and munitions with the NATO, a NATO organization, a member of NATO, a major non-NATO ally, and any other friendly foreign country. The proposed project must improve, through the application of emerging technology, the conventional defense capabilities of NATO or the common conventional defense capabilities of the United States and its major non-NATO allies. This statute is commonly known as the “Nunn Amendment.” Nunn funds must be spent in the United States; they cannot be used to procure equipment or services from any foreign entity. The allied participant must also provide an equitable share of the project costs. Section 2350a, title 10, United States Code also states the requirement for cooperative opportunities documents and authorizes foreign comparative testing.

**B-14. 10 USC 2350b**

This provides explicit authority for DOD to carry out contracts or obligations incurred under section 27d of the AECA (22 USC 2767).

**B-15. 10 USC 2350d**

This provides explicit authority for DOD to enter into bilateral or multilateral agreements known as Support Partnership Agreements with one or more governments of other member countries of the NATO participating in the operation of the NATO Support organization and its executive agencies. Any such agreement shall be for the purpose of providing cooperative logistics support for the armed forces of the countries which are parties to the agreement.

**B-16. 10 USC 2350i**

This section authorizes the Secretary of Defense, with the concurrence of the Secretary of State, to enter into a MOU/MOA (or other formal agreement) with a foreign country or international organization to provide for the testing, on a reciprocal basis, of defense equipment with each nation using the other nation’s test facilities. The nation whose equipment is being tested will reimburse the nation providing the test facility for the direct cost of the test and for other indirect costs as specified in the MOU/MOA or other formal agreement.

**B-17. 10 USC 2350l**

This provides explicit authority for DOD to enter into a MOU (or other formal agreement) with a foreign country or international organization to provide for the testing, on a reciprocal basis, of defense equipment (1) by the U.S. using test facilities of that country or organization, and (2) by that country or organization using test facilities of the U.S.

**B-18. 10 USC 2358**

This section of the USC confers the general authority to the Secretary of Defense and the Secretaries of the military departments to conduct and participate in R&D programs. This statute is cited for AC programs that do not involve cooperative production and where participants perform, or separately contract to perform, their own share of the work. It is also the authority for cooperative R&D with countries not eligible under 10 USC 2350a or 22 USC 2767.

**B-19. 10 USC 2539b and 10 USC 2681**

These two statutes provide authority for DOD laboratories to sell testing services to any person or entity. These services include the testing and evaluation of materials, equipment, models, computer software, and other items for a fee. Although DOD laboratories are prohibited from competing with the private sector, DOD testing services may be offered when these services are not reasonably and expeditiously available within the private sector. The authority to implement this authority is delegated to directors or commanders of government laboratories, centers, or other facilities for the testing of materials, equipment, models, computer software, and other items, subject to direction or control by a higher office. This authority may be exercised when the person or entity requiring the services has established in writing, and to the satisfaction of the director or commander, that provisions of the services will not constitute undue competition with the private sector, and the service does not involve expansion of the capabilities and capacities of the laboratory/facility providing the service, even if the person or entity agrees to finance the expansion. The policies and procedures for implementation of 10 USC 2539b are stated in DOD 7000.14-R, Volume 11A.

**B-20. 22 USC 2767**

This section provides explicit authority for DOD to conduct cooperative R&D with the NATO organization, with one or more member countries of that Organization, or with other friendly countries. These programs must promote rationalization, standardization, and interoperability to improve the conventional defense capabilities of the participating countries. Each agreement will provide that the United States and each of the other participants will contribute its equitable share of

the full cost to the cooperative project and will receive an equitable share of the results. Cooperative projects negotiated under this authority are also subject to congressional certification and notification requirements.

**B-21. 22 USC 2796d (Section 65 of the Arms Export Control Act)**

This provision states that the military services may establish and implement written agreements to make, accept, and administer loans, without charge, of U.S. defense materials, supplies, or equipment, and to accept loans or gifts of defense materials, supplies, or equipment from NATO and major non-NATO allies. These agreements permit no-cost loan of equipment for the purposes of cooperative research, development, test, or evaluation programs.

**B-22. 22 USC 2151 (section 607 of the Foreign Assistance Act of 1961)**

Section 607 of the Foreign Assistance Act of 1961 authorizes federal agencies to provide commodities and services to friendly countries, international organizations, the American Red Cross, and other voluntary nonprofit relief agencies registered with and approved by the Agency for International Development. Although most often used in the context of the U.S. security assistance program, it may be used to support selected AC activities, particularly in the field of engineering and civil works. Specific responsibilities and procedures for implementing Section 607 authority are contained in AR 12-1.



## **Appendix C**

### **Internal Control Evaluation**

#### **C–1. Function**

The function covered by this evaluation is effective conduct of Army engagement in AC programs and activities.

#### **C–2. Purpose**

The purpose of this evaluation is to assist HQDA in evaluating the key internal controls listed. It is intended as a guide and does not cover all controls.

#### **C–3. Instructions**

Answers must be based on the actual testing of key internal controls (for example, document analysis, direct observations, sampling, simulation, or other). Answers that indicate deficiencies must be explained and the corrective action identified in supporting documentation. These internal controls must be evaluated at least once every 5 years. Certification that the evaluation has been conducted must be accomplished on DA Form 11–2 (Internal Control Evaluation Certification).

#### **C–4. Test questions**

- a.* Does the DASA (DE&C) review this regulation at least once every 5 years and updates as necessary?
- b.* Does the DASA (DE&C) updates this regulation as command relationships change?
- c.* Do organizations requiring funding for AC activities/programs use the planning, programming, budgeting, and execution process to channel requests through their commands/headquarters for prioritization and submission?
- d.* Do HQDA, ACOMs, and other commands and organizations integrate and leverage authorities in order to achieve AC objectives?

#### **C–5. Supersession**

This regulation supersedes AR 70–41, dated 23 March 2009.

#### **C–6. Comments**

Help make this a better tool for evaluating internal controls. Submit comments to the DASA (DE&C), 102 Army Pentagon Washington, DC 20310–0102.

## **Glossary**

### **Section I**

#### **Abbreviations**

**ABCANZ**

American, British, Canadian, Australian, and New Zealand

**AC**

armaments cooperation

**ACOM**

Army command

**ACQ**

Acquisition

**AECA**

Arms Export Control Act

**AFC**

U.S. Army Futures Command

**AMC**

U.S. Army Materiel Command

**APEP**

Administrative and Professional Personnel Exchange Program

**AR**

Army regulation

**ASA (ALT)**

Assistant Secretary of the Army (Acquisition, Logistics and Technology)

**ASA (FM&C)**

Assistant Secretary of the Army (Financial Management and Comptroller)

**ASCC**

Army service component command

**ATP**

Army techniques publication

**ATPO**

associate technical project officer

**C4ISR**

command, control, communications, computer, intelligence, surveillance, and reconnaissance

**CCDC**

U.S. Army Combat Capabilities Development Command

**CFR**

Code of Federal Regulations

**CG**

commanding general

**CIO**

Chief Information Officer

**CJCSI**

Chairman of the Joint Chiefs of Staff Instruction

**CMI**

classified military information

**CPP**  
cooperative project/program personnel

**CRADA**  
Cooperative Research and Development Agreement

**CTE**  
cooperative test and evaluation

**CTTSO**  
Combating Terrorism Technical Support Office

**CUI**  
controlled unclassified information

**CWP**  
Coalition Warfare Program

**DA**  
Department of the Army

**DASA (DE&C)**  
Deputy Assistant Secretary of the Army for Defense Exports and Cooperation

**DASA (R&T)**  
Deputy Assistant Secretary of the Army for Research and Technology

**DASD (NCB/CBD)**  
Deputy Assistant Secretary of Defense for Chemical and Biological Defense

**DAU**  
Defense Acquisition University

**DCS**  
Deputy Chief of Staff

**DDL**  
delegation of disclosure authority letter

**DOD**  
Department of Defense

**DODD**  
Department of Defense directive

**DODI**  
Department of Defense instruction

**DPEP**  
Defense Personnel Exchange Program

**DRU**  
direct reporting unit

**DUSA-TE**  
Deputy Under Secretary of the Army for Test and Evaluation

**ERDC**  
Engineer Research and Development Center

**ESEP**  
Engineer and Scientist Exchange Program

**FCT**  
foreign comparative testing

**FLO**  
foreign liaison officer

**FM**  
field manual

**FTAS**  
foreign technology (and science) assessment support

**GC**  
general counsel

**GO**  
general officer

**G–TSCMIS**  
Global Theater Security Cooperation Management Information System

**HQDA**  
Headquarters, Department of the Army

**IA**  
international agreement

**IC**  
international cooperation

**IEP**  
Information Exchange Program

**IOL**  
International Online

**IPOC**  
international point of contact

**IT**  
information technology

**ITAR**  
International Traffic in Arms Regulations

**JP**  
joint publication

**JPO**  
joint program office

**MOA**  
memorandum of agreement

**MOU**  
memorandum of understanding

**MRMC**  
U.S. Army Medical Research and Materiel Command

**NAAG**  
NATO Army Armaments Group

**NAMRAD**  
Non-Atomic Military Research and Development

**NATO**  
North Atlantic Treaty Organization

**OSD**  
Office of the Secretary of Defense

**OTJAG**  
Office of The Judge Advocate General

**OUSD (A&S)**

Office of the Under Secretary of Defense (Acquisition and Sustainment)

**PA**

project agreement/arrangement

**PEO**

program executive officer

**PM**

program manager

**R&D**

research and development

**RAD**

request for authority to develop

**RDA**

research, development, and acquisition

**RDT&E**

research, development, test, and evaluation

**RFA**

request for final authority

**RUTF**

reciprocal use of test facilities

**S&T**

science and technology

**SCF(A)**

Senior Cooperation Forum (Army)

**SES**

senior executive service

**SSOI**

summary statement of intent

**STO**

science and technology objective

**T&E**

test and evaluation

**TEP**

test and evaluation program

**TJAG**

The Judge Advocate General

**TPO**

technical project officer

**TRADOC**

Training and Doctrine Command

**TTCP**

The Technical Cooperation Program

**USACE**

U.S. Army Corps of Engineers

**USC**

United States Code

## **USG**

United States Government

## **WIPT**

working-level integrated product team

## **Section II**

### **Terms**

#### **Acquisition positions**

Civilian positions and military billets that are in the DOD acquisition system, have acquisition duties, and fall in an acquisition category established by the OUSD (A&S). While most frequently located in organizations having an acquisition mission, acquisition positions are also located in management headquarter organizations, management support organizations, and other DOD organizations.

#### **Acquisition workforce**

The personnel component of the Defense acquisition system. The acquisition workforce includes permanent civilian employees and military members who occupy acquisition positions, are members of an acquisition corps, or who are in acquisition career development programs.

#### **Armaments cooperation program specialist**

A generic term designating personnel responsible for overseeing and coordinating a command or agency's AC programs and activities. AC program specialists may or may not be members of the Army acquisition workforce or fill a designated acquisition position. It does not include those members of the Army acquisition workforce (generally scientific and technical personnel) responsible for identifying, developing, executing, and reporting on one or more AC programs and activities.

#### **Army international traffic in arms regulations exemptions checklist**

A checklist that Army elements must complete when developing and implementing AC agreements and activities that will involve export of export-controlled articles, technical data, or defense services. The checklist actions are intended to assure compliance by Army elements with appropriate export control regulations, including the Department of State ITAR and the Department of Commerce export administration regulations. DASA (DE&C) is responsible for the checklist and maintains the current version in the templates section of IOL.

#### **Cooperative research, development, and acquisition**

Any method by which governments cooperate to make better use of their collective research, development, and acquisition resources, including data and information exchange, personnel exchange, interdependent research and development, and testing and evaluation.

#### **Critical technology**

Technology that consists of—

- a. Arrays of design and manufacturing know-how (including technical data).
- b. Keystone manufacturing, inspection, and test equipment.
- c. Keystone materials.
- d. Goods accompanied by sophisticated operation, application, or maintenance know-how that would make a significant contribution to military potential of any country or combination of countries and compromise of which may prove detrimental to U.S. security (also referred to as militarily critical technology).

*Note.* All determinations of a technology or technologies as “critical technology” must be approved by ASA (ALT).

#### **Data exchange**

The exchange of technical and scientific information of mutual interest among the United States and other countries.

#### **Defense article**

Any item or technical data designated in section 121.1 of the ITAR (22 CFR 121.1). This term includes technical data recorded or stored in any physical form, models, mockups, or other items that reveal technical data directly relating to items designated in section 121.1 of the ITAR. It does not include basic marketing information on function or purpose or general system descriptions (see 22 CFR 120.6).

#### **Defense Service**

Defense services include—

*a.* The furnishing of assistance (including training) to foreign persons, whether in the United States or abroad, in the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, processing, or use of defense articles.

*b.* The furnishing to foreign persons of any technical data controlled under this subchapter (see ITAR sec 120.10), whether in the United States or abroad; or military training of foreign units and forces, regular and irregular, including formal or informal instruction of foreign persons in the United States or abroad or by correspondence courses, technical, educational, or information publications and media of kinds, training aid, orientation, training exercise, and military advice (see 22 CFR 120.9).

#### **Delegation of disclosure authority letter**

A letter issued by the appropriate designated disclosure authority describing classification levels, categories, scope, and limitations related to information under DA's disclosure jurisdiction that may be disclosed to specific foreign governments or their nationals for a specified purpose. It is used to delegate disclosure authority to subordinate disclosure authorities. DDLs are intended for internal Army use only and will not be provided to foreign representatives. A DDL is required for all AC programs that involve CMI or CUI. DDLs authorizing the disclosure of CMI may only be approved by the DCS, G-2. (See AR 380-10 for detailed requirements and format.)

#### **Establish**

To sign, initial, respond, or otherwise indicate the acceptance of an IA by the United States. Replaces the obsolete term "conclude."

#### **Information Exchange Program agreement**

The basic agreement between the United States and a country or countries participating in the IEP that permits the establishment of IEP annexes for the exchange of information. It outlines the conditions and procedures that will govern the exchange of information under the overall program.

#### **Information Exchange Program annex**

An annex to an IEP agreement that provides details pertinent to the exchange of information in a specific area or field of interest. The provisions of an IEP agreement apply to all IEP annexes with the concerned country. There is no limit to the number of IEP annexes an IEP agreement may have. Under IEP agreements with selected countries, these annexes are called data exchange annexes or information exchange annexes.

#### **International agreement**

IAs include—

*a.* Any written agreement that is established (concluded) that is signed/entered into force with one or more foreign governments (including their agencies, instrumentalities, or political subdivisions) or with an international organization, and—  
(1) Is signed or agreed to by personnel of any organizational element of the DOD or by representatives of the Department of State or any other Department or Agency of the USG.

(2) Signifies the intention of the parties to be bound by international law.

(3) Is denominated as an IA, or as a memorandum of understanding, memorandum of agreement, project arrangement/agreement, memorandum of arrangements, exchange of notes, exchange of letters, technical arrangement, protocol, note verbale, aide memoire, agreed minute, contract, arrangement, statement of intent, letter of intent, statement of understanding, or any other term connoting a similar legal commitment.

*b.* Any oral agreement that meets the criteria in paragraph a(1). The DOD representative who enters into the agreement must reduce such an agreement to writing.

*c.* A NATO standardization agreement or ABCANZ standard that provides for mutual support or cross-servicing of military equipment, ammunition, supplies, and stores, or the mutual rendering of defense services, including training.

*d.* Umbrella agreements, implementing arrangements, and cross-servicing agreements concluded under the Acquisition and Cross-Servicing Agreements Authority (see 10 USC 2341 et seq.).

*e.* Any extension, revision, or other amendment or modification to an agreement as defined in paragraphs a(1) through (3) of this definition.

*f.* For the purposes of this regulation, CRADAs with foreign entities developed under the authority of 15 USC 3701 are not considered IAs.

#### **International Online**

The International Online Module of the Science and Technology Enterprise Management system. This online system includes profiles, associated documents, and records of coordination for all AC agreements, IEP annexes, and DPEP assignments. IOL is located at <https://acqdomain.army.mil/>.

**Interoperability**

- a. The ability to operate in synergy in the execution of assigned tasks. (JP 3–0) (See FM 3–16, FM 4–01, FM 6–05.)
- b. The condition achieved among communications-electronics systems or items of communications-electronics equipment when information or services can be exchanged directly and satisfactorily between them and/or their users. The degree of interoperability should be defined when referring to specific cases. (JP 6–0) (See FM 6–05, ATP 3–01.7, ATP 3–07.31.)

**Memorandum of agreement**

An IA between two or more parties. When used in the context of NATO programs, it usually refers to government-to-government agreements negotiated between allied defense agencies and signed by an official of the executive branch of governments, usually at or below the ministerial level.

**Memorandum of understanding**

See definition for MOA above.

**National disclosure policy**

Specific disclosure criteria and limitations, definitions of terms, release arrangements, and other guidance required by U.S. departments and agencies having occasion to release U.S. critical military information to foreign governments and international organizations.

**Non–developmental item**

(Federal Acquisition Regulation) (1) Any previously developed item of supply used exclusively for government purposes by a Federal agency, a State or local government, or a foreign government with which the U.S. has a mutual defense cooperation agreement; (2) any item described in paragraph (1) of this definition that requires only minor modification or modifications of a type customarily available in the commercial marketplace in order to meet the requirements of the procuring department or agency; or (3) any item of supply being produced that does not meet the requirements of paragraphs (1) or (2) solely because the item is not yet in use.

**Senior Cooperation Forum (Army)**

A senior-level strategic bilateral armaments cooperation forum as a partnership between DASA (DE&C) and DASA (R&T) which merges S&T and acquisition activities to streamline the bilateral fora process to provide an unified Army approach to international cooperation with partners across the acquisition life cycle. SCF(A)s are established with the following partners: Australia, Canada, France, Germany, Israel, Italy, Japan, Singapore, Sweden, United Kingdom.

**Summary statement of intent**

A DOD-mandated document that summarizes a proposed AC project. It is reviewed by HQDA and OSD as part of the initial staffing process and must be approved prior to negotiating the associated IA. Development of the SSOI is the responsibility of the materiel developer, in concert with appropriate international cooperative program offices and foreign disclosure/security offices. At a minimum, the SSOI—

- a. Provides an overview of the proposed project.
- b. Identifies the associated STO, other technology objective, or operational requirement.
- c. Identifies the partner countries and defines the negotiation strategy.
- d. Cites the applicable U.S. legal authority.
- e. Describes the proposed management structure.
- f. Describes the benefits and risks to the United States.
- g. Assesses the impact of the proposed project on the U.S. industrial base.
- h. Identifies the funding source and requirements.
- i. Discusses any information security issues.
- j. Lists project points of contact.

**Technology assessment/control plan**

A DOD-mandated technology transfer security document that identifies and describes: sensitive program information, the risks involved in foreign access to the information, the participation in the program of foreign sales of the resulting system, and the development of protective measures to protect the U.S. technological or operational advantage represented by the system. It is required for all classified major defense equipment where there is a potential for foreign sales. Technology transfer and security issues for AC agreements are addressed in the SSOI and the DDL in lieu of the technology assessment/control plans (see AR 380–10 and AR 550–51).



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