

10 USC 384: Department of Defense security cooperation workforce development

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PART I-ORGANIZATION AND GENERAL MILITARY POWERS

CHAPTER 16-SECURITY COOPERATION

SUBCHAPTER VII-ADMINISTRATIVE AND MISCELLANEOUS MATTERS

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§384. Department of Defense security cooperation workforce development

(a) PROGRAM REQUIRED.-The Secretary of Defense shall carry out a program to be known as the "Department of Defense Security Cooperation Workforce Development Program" (in this section referred to as the "Program") to oversee the development and management of a professional workforce supporting security cooperation programs and activities of the Department of Defense, including-

- (1) assessment, planning, monitoring, execution, evaluation, and administration of such programs and activities under this chapter; and
- (2) execution of security assistance programs and activities under the Foreign Assistance Act of 1961 and the Arms Export Control Act by the Department of Defense.

(b) PURPOSE.-The purpose of the Program is to improve the quality and professionalism of the security cooperation workforce in order to ensure that the workforce-

- (1) has the capacity, in both personnel and skills, needed to properly perform its mission, provide appropriate support to the assessment, planning, monitoring, execution, evaluation, and administration of security cooperation programs and activities described in subsection (a), and ensure that the Department receives the best value for the expenditure of public resources on such programs and activities; and
- (2) is assigned in a manner that ensures personnel with the appropriate level of expertise and experience are assigned in sufficient numbers to fulfill requirements for the security cooperation programs and activities of the Department of Defense and the execution of security assistance programs and activities described in subsection (a) (2).

(c) ELEMENTS.-The Program shall consist of elements relating to the development and management of the security cooperation workforce for the purposes specified in subsection (b), including the following elements on training, certification, assignment, career development, and tracking of personnel of the security cooperation workforce:

- (1) Establishment of a comprehensive system to track and account for all Department of Defense personnel in the security cooperation workforce, using systems of record in the military departments, the Office of the Secretary of Defense, the combatant commands, Defense Agencies, Department of Defense Field Activities, and the National Guard.
- (2) Establishment of a management information system, pursuant to regulations prescribed by the Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, to ensure that all organizations and elements of the Department provide standardized information and data to the Secretary on persons serving in security cooperation positions. Such management information system shall, at a minimum, provide for the collection and retention of information concerning the qualification, assignments, and tenure of persons in the security cooperation workforce.
- (3) Implementation and management of the security cooperation human capital initiative under subsection (e).
- (4) Establishment of a defense security cooperation service, pursuant to regulations prescribed by the Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, to ensure that security cooperation organizations of the United States located at overseas missions possess the requisite personnel, and that such personnel possess the skills needed, to properly perform their missions, which shall include-
 - (A) members of the armed forces and civilians assigned to security cooperation organizations of United States missions overseas who are performing security cooperation functions, regardless of funding source; and
 - (B) personnel of the Department of Defense performing functions in furtherance of section 515 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i).

(5) Such other elements as the Secretary of Defense determines appropriate.

(d) MANAGEMENT.-

(1) IN GENERAL.-The Program shall be managed by the Director of the Defense Security Cooperation Agency.

(2) MANAGING ENTITY.-

(A) DESIGNATION.-The Secretary of Defense, acting through the Under Secretary of Defense for Policy and the Director of the Defense Security Cooperation Agency, shall designate the Defense Security Cooperation University to serve as the lead entity for managing the implementation of the Program.

(B) DUTIES.-The Defense Security Cooperation University shall carry out the management and implementation of the Program, consistent with objectives formulated by the Secretary of Defense, which shall include the following:

- (i) Providing for comprehensive tracking of and accounting for all Department of Defense employees engaged in the security cooperation enterprise.
- (ii) Providing training requirements specified at the requisite proficiency levels for each position.

(C) REPORTING.-The Secretary of Defense shall ensure that, not less frequently than semi-annually, each military department, the Office of the Secretary of Defense, and each combatant command, Defense Agency, Department of Defense Field Activity, and unit of the National Guard submits to the Defense Security Cooperation University a formal manpower document as determined by the Director of the Defense Security Cooperation Agency that-

- (i) lists each position in the security cooperation workforce of the organization concerned as determined by the Director of the Defense Security Cooperation Agency; and
- (ii) uniquely codes every position within component manpower systems for the security cooperation workforce for the management and career development of the security cooperation workforce, as determined by the Director of the Defense Security Cooperation Agency.

(3) SECURITY COOPERATION WORKFORCE MANAGEMENT INFORMATION SYSTEM.-The Secretary of Defense, acting through the Director of the Defense Security Cooperation Agency, shall prescribe regulations to ensure that each military department, the Office of the Secretary of Defense, and each combatant command, Defense Agency, Department of Defense Field Activity, and unit of the National Guard provides standardized information and data to the Secretary on persons serving in positions within the security cooperation workforce.

(e) SECURITY COOPERATION HUMAN CAPITAL INITIATIVE.-

(1) IN GENERAL.-The Secretary shall implement a security cooperation human capital initiative within the Defense Security Cooperation University to identify, account for, and manage the career progression of personnel in the security cooperation workforce.

(2) ELEMENTS.-The security cooperation human capital initiative shall do the following:

- (A) Provide direction to the Department of Defense on the establishment of professional career paths for the personnel of the security cooperation workforce, addressing training and education standards, promotion opportunities and requirements, retention policies, and scope of workforce demands.
- (B) Provide for a mechanism to identify and define training and certification requirements for security cooperation positions in the Department and a means to track workforce skills and certifications.
- (C) Provide for a mechanism to establish a program of professional certification in Department of Defense security cooperation for personnel of the security cooperation workforce in different career tracks and levels of competency based on requisite training and experience.
- (D) Establish requirements for training and professional development associated with each level of certification provided for under subparagraph (C).
- (E) Provide for a mechanism for assigning appropriately certified personnel of the security cooperation workforce to assignments associated with key positions in connection with security cooperation programs and activities.
- (F) Identify the appropriate composition of career and temporary personnel necessary to constitute the security cooperation workforce.
- (G) Identify specific positions throughout the security cooperation workforce to be managed and assigned through the Program.
- (H) Identify career paths that provide a competency-based road map for security cooperation employees to aid in their career planning and professional development.
- (I) Develop a competency-based approach to the security cooperation workforce that enables components of the Department of Defense to incorporate competencies in recruitment and retention tools such as job analysis, position descriptions, vacancy announcements, selection assessment questionnaires, and employee training and development plans.
- (J) Align with the Department of Defense and Defense Security Cooperation Agency strategic planning, budget process, performance management goals, and metrics to ensure the appropriate workforce mix and skill sets to accomplish the security cooperation mission.

(K) Include assessment measures intended to assess progress in implementing the security cooperation workforce using results-oriented performance measures.

(f) FOREIGN MILITARY SALES CENTER OF EXCELLENCE.-

(1) ESTABLISHMENT.-The Secretary of Defense shall direct an educational institution of the Department of Defense with the requisite expertise in foreign military sales and in education, training, research, and analysis of the security cooperation workforce within the Department of Defense to serve as a Foreign Military Sales Center of Excellence to improve the training and education of personnel engaged in foreign military sales planning and execution.

(2) OBJECTIVES.-The objectives of the Foreign Military Sales Center of Excellence shall include-

(A) conducting research on and promoting best practices for ensuring that foreign military sales are timely and effective; and

(B) enhancing existing curricula for the purpose of ensuring that the foreign military sales workforce is fully trained and prepared to execute the foreign military sales program.

(g) DEFENSE SECURITY COOPERATION UNIVERSITY.-

(1) CHARTER.-The Secretary of Defense shall develop and promulgate a charter for the operation of the Defense Security Cooperation University.

(2) MISSION.-The charter required by paragraph (1) shall set forth the mission, and associated structures and organizations, of the Defense Security Cooperation University, which shall include-

(A) management and implementation of international military training and education security cooperation programs and authorities executed by the Department of Defense;

(B) management and provision of institutional capacity-building services executed by the Department of Defense; and

(C) advancement of the profession of security cooperation through research, data collection, analysis, publication, and learning.

(3) COOPERATIVE RESEARCH AND DEVELOPMENT ARRANGEMENTS.-

(A) IN GENERAL.-In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary of Defense may enter into such contract or cooperative agreement, or award such grant, through the Defense Security Cooperation University.

(B) TREATMENT AS GOVERNMENT-OPERATED FEDERAL LABORATORY.-The Defense Security Cooperation University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(4) ACCEPTANCE OF RESEARCH GRANTS.-

(A) IN GENERAL.-The Secretary of Defense, through the Under Secretary of Defense for Policy, may authorize the President of the Defense Security Cooperation University to accept qualifying research grants. Any such grant may only be accepted if the work under the grant is to be carried out by a professor or instructor of the Defense Security Cooperation University for a scientific, literary, or educational purpose.

(B) QUALIFYING GRANTS.-A qualifying research grant under this paragraph is a grant that is awarded on a competitive basis by an entity described in subparagraph (C) for a research project with a scientific, literary, or educational purpose.

(C) ENTITIES FROM WHICH GRANTS MAY BE ACCEPTED.-A grant may be accepted under this paragraph only from a corporation, fund, foundation, educational institution, or similar entity that is organized and operated primarily for scientific, literary, or educational purposes.

(D) ADMINISTRATION OF GRANT FUNDS.-The Director of the Defense Security Cooperation Agency shall establish an account for administering funds received as research grants under this section. The President of the Defense Security Cooperation University shall use the funds in the account in accordance with applicable provisions of the regulations and the terms and condition of the grants received.

(E) RELATED EXPENSES.-Subject to such limitations as may be provided in appropriations Acts, appropriations available for the Defense Security Cooperation University may be used to pay expenses incurred by the Defense Security Cooperation University in applying for, and otherwise pursuing, the award of qualifying research grants.

(F) REGULATIONS.-The Secretary of Defense, through the Under Secretary of Defense for Policy, shall prescribe regulations for the administration of this subsection.

(h) SOURCE OF FUNDS.-

(1) IN GENERAL.-Funds available to the Defense Security Cooperation Agency, and other funds available to the Department of Defense for security cooperation programs and activities of the Department of Defense, may be used to carry out the Program.

(2) BUDGET JUSTIFICATION.-Funds necessary to carry out the Program as described in paragraph (1) for a fiscal year shall be identified, with appropriate justification, in the consolidated budget for such fiscal year required by section 381 of this title.

(i) USE OF FUNDS.-Amounts available for use for the Program may be transferred to any account of the military departments or the Defense Agencies for purposes of the Program.

(j) SECURITY COOPERATION WORKFORCE DEFINED.-In this section, the term "security cooperation workforce" means the following:

(1) Members of the armed forces and civilian employees of the Department of Defense working in the security cooperation organizations of United States missions overseas.

(2) Members of the armed forces and civilian employees of the Department of Defense in the geographic combatant commands and functional combatant commands responsible for planning, monitoring, or conducting security cooperation activities.

(3) Members of the armed forces and civilian employees of the Department of Defense in the military departments performing security cooperation activities, including activities in connection with the acquisition and development of technology release policies.

(4) Other military and civilian personnel of Defense Agencies and Field Activities who perform security cooperation activities.

(5) Personnel of the Department of Defense who perform assessments, monitoring, or evaluations of security cooperation programs and activities of the Department of Defense, including assessments under section 383 of this title.

(6) Other members of the armed forces or civilian employees of the Department of Defense who contribute significantly to the security cooperation programs and activities of the Department of Defense by virtue of their assigned duties, as determined pursuant to the security cooperation human capital initiative under subsection (e).

(k) REPORT ON SECURITY COOPERATION WORKFORCE.-

(1) IN GENERAL.-Not later than 2 years after the date of the enactment of this subsection, and not less frequently than once every 2 years thereafter, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department of Defense security cooperation workforce.

(2) ELEMENTS.-Each report under paragraph (1) shall-

(A) identify current and projected security cooperation workforce manpower requirements, including expeditionary requirements within the context of total force planning, needed to meet the security cooperation mission;

(B) identify critical skill gaps (such as recruitment in the existing or projected workforce) and development of strategies to manage the security cooperation workforce to address those gaps;

(C) address development, validation, implementation, and assessment of security cooperation workforce and Department-wide competencies for security cooperation and associated occupational series using the Department taxonomy;

(D) produce a comparison between competency proficiency levels against target proficiency levels at enterprise and individual levels to identify competency gaps and gap closure strategies, for competencies needed at the time of the report and in the future;

(E) identify any exceptions and waivers granted with respect to the application of qualification, assignment, and tenure policies, procedures, and practices to persons, billets or positions;

(F) indicate relative promotion rates for security cooperation workforce personnel;

(G) identify the funds requested or allocated for the Department of Defense security cooperation workforce and address whether such funds are sufficient to-

(i) address the critical skill gaps identified pursuant to subparagraph (B); and

(ii) provide incentives to recruit and retain high-quality personnel in the security cooperation workforce; and

(H) include any other matters the Secretary of Defense determines appropriate.

(l) COMPTROLLER GENERAL EVALUATION.-

(1) IN GENERAL.-The Comptroller General of the United States shall conduct an independent evaluation of the actions taken by the Secretary of Defense to carry out the requirements of this section.

(2) REPORT.-Not later than 2 years after the date of the enactment of this subsection, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the evaluation conducted under paragraph (1). Such report shall include-

(A) an analysis of the effectiveness of the actions taken by the Secretary to carry out the requirements of this section; and

(B) such legislative and administrative recommendations as the Comptroller General considers appropriate to meet the objectives of this section.

(Added Pub. L. 114–328, div. A, title XII, §1250(a), Dec. 23, 2016, 130 Stat. 2526 ; amended Pub. L. 118–31, div. A, title XII, §1204(a), Dec. 22, 2023, 137 Stat. 442 .)

EDITORIAL NOTES

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a)(2), is Pub. L. 87–195, [Sept. 4, 1961](#), 75 Stat. 424, which is classified principally to chapter 32 (§2151 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

The Arms Export Control Act, referred to in subsec. (a)(2), is Pub. L. 90–629, [Oct. 22, 1968](#), 82 Stat. 1320, which is classified principally to chapter 39 (§2751 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of Title 22 and Tables.

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2017, referred to in subsec. (e)(1), (2), is the date of enactment of Pub. L. 114–328, which was approved Dec. 23, 2016.

The date of the enactment of this subsection, referred to in subsecs. (k)(1) and (l)(2), is the date of enactment of Pub. L. 118–31, which was approved Dec. 22, 2023.

PRIOR PROVISIONS

A prior section 384 was renumbered section 284 of this title.

AMENDMENTS

2023-Subsec. (c). Pub. L. 118–31, §1204(a)(1), amended subsec. (c) generally. Prior to amendment, text read as follows: "The Program shall consist of such elements relating to the development and management of the security cooperation workforce as the Secretary considers appropriate for the purposes specified in subsection (b), including elements on training, certification, assignment, and career development of personnel of the security cooperation workforce."

Subsec. (d). Pub. L. 118–31, §1204(a)(2), amended subsec. (d) generally. Prior to amendment, text read as follows: "The Program shall be managed by the Director of the Defense Security Cooperation Agency."

Subsec. (e). Pub. L. 118–31, §1204(a)(3), amended subsec. (e) generally. Prior to amendment, subsec. (e) related to guidance for the execution and administration of the Department of Defense Security Cooperation Workforce Development Program.

Subsecs. (f) to (h). Pub. L. 118–31, §1204(a)(5), (6), added subsecs. (f) and (g) and redesignated former subsec. (f) as (h). Former subsecs. (g) and (h) redesignated (i) and (j), respectively.

Subsec. (h)(6). Pub. L. 118–31, §1204(a)(4), substituted "security cooperation human capital initiative under subsection (e)" for "guidance issued under subsection (e)".

Subsecs. (i), (j). Pub. L. 118–31, §1204(a)(5), redesignated subsecs. (g) and (h) as (i) and (j), respectively.

Subsecs. (k), (l). Pub. L. 118–31, §1204(a)(7), added subsecs. (k) and (l).