

**Army Regulation 70–41**

**Research, Development, and Acquisition**

# **International Cooperative Research, Development, and Acquisition**

**Headquarters  
Department of the Army  
Washington, DC  
23 March 2009**

**UNCLASSIFIED**

# ***SUMMARY of CHANGE***

AR 70-41

International Cooperative Research, Development, and Acquisition

This major revision, dated 23 March 2009--

- o Expands the scope of the exchange and placement programs to include the Administrative and Professional Exchange Program and Cooperative Program Personnel assigned under International Cooperative Research, Development, and Acquisition Agreements (paras 1-1a(4), 1-7i, 1-9a, and 2-1k(36)).
- o Updates policies for the development of Research, Development, Test and Evaluation Information Exchange Program annexes (para 1-8b(4)).
- o Identifies additional staffing requirements for Chemical, Biological, Radiological, and Nuclear related agreements (paras 1-8b(4) and 1-8f).
- o Provides greater detail about the requirements that the International Traffic in Arms Regulations (22 CFR 120-130) places on arrangements by U.S. contractors to export technical data (para 1-8i).
- o Adds Army responsibilities for Technical Information Papers and the Foreign Technology and Science Assessment Support Program memorandum of understanding (paras 1-10f, 2-1f, and 2-15t).
- o Updates responsibilities for the Assistant Secretary of the Army (Acquisition, Logistics, and Technology) to include the International Online System into the Acquisition Technology enterprise management system (para 2-1).
- o Updates Army responsibilities for the Foreign Comparative Testing Program (paras 2-9 a and b).
- o Clarifies Army policy concerning the establishment of international points of contact in various Army organizations (para 2-18).
- o Replaces the term Science and Technology Objective with Army Technology Objective (throughout).

Effective 23 April 2009

## Research, Development, and Acquisition


### International Cooperative Research, Development, and Acquisition

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By Order of the Secretary of the Army:

GEORGE W. CASEY, JR.  
*General, United States Army*  
*Chief of Staff*

Official:

  
JOYCE E. MORROW  
*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 cooperative research, development, and acquisition between the United States and other nations and prescribes responsibilities for managing and implementing Army participation in international cooperative research, development, and acquisition programs and for managing U.S. Army International Technology Centers and other overseas Army organizations that support international cooperative research, development, and acquisition.

**Applicability.** This regulation applies to the Active 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 a 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 higher headquarters to the policy proponent. Refer to AR 25-30 for specific guidance.

**Army management control process.** This regulation contains management control provisions but does not identify key

management controls that must be evaluated.

**Supplementation.** Supplementation of this regulation and establishment of command and local 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 command levels C, D, and E for the Active Army, the Army National Guard/Army National Guard of the United States, and the U.S. Army Reserve.

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\*This regulation supersedes AR 70-41, dated 15 February 2005.

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## **Chapter 1 General**

### **Section I Introduction**

#### **1–1. Purpose**

*a.* This regulation establishes policy and defines responsibilities for Department of the Army (DA) participation in international cooperative research, development, and acquisition (ICRDA) between the United States and other nations. It addresses the following ICRDA programs and supporting activities:

- (1) The identification and leveraging of opportunities for cooperative research, development, and acquisition (RDA).
- (2) The development, negotiation, and implementation of ICRDA agreements, which include Memorandums of Understanding (MOUs) or Memorandums of Agreement (MOAs) (both terms are used synonymously for the purposes of this regulation), project agreements/arrangements/annexes (PAs), and Arms Export Control Act (AECA) Section 65 loans.
- (3) The exchange of technical and scientific information under the Defense Research, Development, Test, and Evaluation Information Exchange Program (IEP) (formerly the Defense Data Exchange Program).
- (4) 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 Program Personnel (CPP) (administrators, engineers, scientists, and other professionals) under ICRDA agreements.
- (5) The loan of equipment under Section 65 of the AECA.
- (6) International Cooperative Research, Development, and Acquisition under The Technical Cooperation Program (TTCP).
- (7) The test and evaluation of foreign equipment under the Foreign Comparative Testing (FCT) Program.
- (8) Cooperative test and evaluation projects and the reciprocal use of test facilities under master Test and Evaluation Program (TEP) MOUs.
- (9) The development and execution of ICRDA projects (PAs) under the United States-Canadian Defense Development Sharing Program (DDSP).
- (10) The U.S. Army International Technology Centers (ITCs) (formerly the U.S. Army Research, Development, and Standardization Groups) and the U.S. Army Office for International Cooperative Programs—Far East) and other overseas Army organizations that support ICRDA.

*b.* This regulation updates policies and realigns responsibilities for Army ICRDA programs to reflect the establishment of the Office of the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA(DE&C)) and changes in the external environment for ICRDA programs.

#### **1–2. References**

Required and related publications and prescribed and referenced forms are listed in appendix A.

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

Abbreviations and special terms used in this regulation are explained in the glossary.

#### **1–4. Responsibilities**

Responsibilities are listed in chapter 2.

### **Section II**

#### **Army Participation in International Cooperative Research, Development, and Acquisition Programs and Activities**

#### **1–5. Objectives**

The U.S. Army participates in ICRDA programs and activities with allies and other friendly nations to enhance the security of the United States by contributing to one or more of the following objectives:

- a.* Improving multinational force compatibility (MFC) and coalition operations between the U.S. Army and armies of allies and other friendly nations through deployment of interoperable equipment and/or integrated logistic support.
- b.* Leveraging U.S. Army resources through cost sharing and economies of scale obtained through coordinated RDA and logistic support programs.
- c.* Avoiding duplication of research and development (R&D) efforts between the U.S. Army, its allies and other friendly nations.
- d.* Leveraging the best technologies available for equipping the U.S. Army and armies of allied and other friendly nations.

- e.* Addressing U.S. Army science, technology, and materiel development objectives.
- f.* Maintaining a strong defense industrial base for the U.S., its allies, and other friendly nations.
- g.* Modernizing, strengthening, and expanding existing alliances and friendships by increasing mutual understanding and information exchange in RDA programs and activities.

#### **1–6. Scope**

*a.* International cooperative research, development, and acquisition programs and activities include, but are not limited to, the following principal types:

(1) Information exchange in which participating countries exchange research, development, test and evaluation (RDT&E) information of mutual interest.

(2) Personnel exchanges or assignments in which participating countries exchange or assign scientists, engineers, logisticians, medical and other ICRDA-related defense professionals.

(3) The loan, testing, and evaluation of technology or materiel that has been or is being developed by the U.S. or friendly foreign nations.

(4) Research and/or development that may result in a decision to adopt foreign or jointly developed materiel to meet U.S. military requirements.

(5) Cooperative RDT&E efforts resulting from coproduction arrangements, foreign military sales, or direct commercial sales.

(6) Cooperative production and follow-on support of defense articles or equipment resulting from a cooperative RDT&E effort.

(7) Acquisition of foreign equipment, technology, or logistics support.

*b.* This regulation does not address technology transfer with foreign entities through Cooperative Research and Development Agreements (CRADAs) authorized under Section 3701, Title 15, United States Code (15 USC 3701). Army policy and procedures for developing CRADAs are contained in AR 70–57.

#### **1–7. Identifying and documenting international cooperative research, development, and acquisition opportunities**

*a.* Under 10 USC 2350a(e), the Department of Defense (DOD) is required to undertake an assessment of the potential to conduct cooperative research and development 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 a standalone document known as a cooperative opportunities document (COD). At a minimum, the COD will—

(1) Identify any similar allied project in development or production.

(2) Provide an assessment as to whether any existing allied projects could satisfy or be modified to satisfy U.S. Army requirements.

(3) Provide 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 MFC.

(4) Describe the alternate forms of armaments cooperation appropriate for the project.

(5) Recommend whether a cooperative program should be pursued.

*b.* Per DOD Instruction (DODI) 5000.02, the assessment described above will be incorporated in the Defense Acquisition Management System, Materiel Solution Analysis phase Analysis of Alternatives.

*c.* The Army will gather the information necessary to stay abreast of military doctrine, materiel and R&D of allied and friendly nations and will use this knowledge in identifying, planning, and executing ICRDA programs.

*d.* To capitalize on Army participation in international fora that may identify opportunities for ICRDA, meeting results will be regularly distributed to interested commands, agencies, and program executive officers (PEOs) and program/project managers (PMs).

*e.* International cooperative research, development, and acquisition will be considered when an evaluation indicates that it would benefit the U.S. Army without causing undue risk to U.S. security. The ICRDA will normally be undertaken to meet an identified technology need (for example, Army Technology Objective (ATO)) or approved military requirement, but ICRDA 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.

*f.* The FCT program and Section 65 loan program may be utilized to conduct the test and evaluation of non-developmental items (NDIs), materiel and technology developed or produced by allied and friendly nations.

*g.* While ICRDA programs are managed as separate activities, in practice the pursuit of one program may lead to another. For example, participation in a research and development 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 research and development projects or U.S. procurement of foreign defense equipment.

*h.* Cooperative Research and Development Agreements (CRADAs) with foreign nongovernmental entities may be

used, in conjunction with other methods, to identify potential ICRDA opportunities with the subject nation. The CRADAs will be established in accordance with AR 70–57.

*i.* All Army Commands (ACOMs), Army Service Component Commands (ASCCs), and Direct Reporting Units (DRUs) involved in the materiel development (MATDEV) process, also referred to as MATDEV commands, are encouraged to maximize use of exchange and assigned personnel such as ESEP personnel, APEP, foreign liaison officers (FLOs), CPP, and Military Personnel Exchange Program (MPEP) personnel in identifying potential ICRDA opportunities. In order to identify potential cooperative opportunities early in the materiel development process, Army MATDEV commands 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. U.S. Army International Technology Centers personnel, U.S. Army Training and Doctrine Command (TRADOC) liaison officers, and other Army personnel stationed overseas will also support the identification of potential ICRDA opportunities as part of their assigned responsibilities.

## **1–8. Developing and negotiating international cooperative research, development, and acquisition agreements and information exchange program annexes**

*a.* Army participation in ICRDA programs and activities will be subject to either a formal written agreement or other required documentation between the United States and participating nation(s). The type of each agreement and/or documentation will depend on the nations involved, the type of cooperative activity, and the degree to which DOD and/or U.S. Army resources are involved. The PEOs/PMs, and other research, development and acquisition personnel should consult DASA(DE&C) to identify the specific type of ICRDA agreement or documentation required and the associated management procedures.

(1) Those ICRDA programs that involve the expenditure of U.S. resources require the negotiation of a formal ICRDA agreement, often known as a MOU or a PA under a master/umbrella agreement such as a technology research and development project (TRDP) MOU, TEP MOU, or similar umbrella agreement.

(2) The loan or borrowing of defense equipment requires an Arms Export Control Act (AECA) Section 65 loan agreement. If the loan is executed as part of a broader cooperative Research, Development, Test, and Evaluation (RDT&E) project, a separate loan agreement is not required if the project MOU or PA cites the authority of AECA Section 65 (22 USC 2796d).

(3) Reciprocal Use of Test Facilities (RUTF) PAs and Cooperative Test and Evaluation (CTE) PAs developed under the authority of a master TEP MOU are considered international agreements.

(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 Annex B, paragraph 4.

*b.* All ICRDA agreements will be developed, negotiated, and established in accordance with DODI 5000.02 (Enclosure 10, paragraph 5.b.), DOD Directive (DODD) 5530.3, the Defense Acquisition Guidebook, Section 11.2, AR 550–51, and this regulation. Information Exchange Program annexes are not considered international agreements and are developed, negotiated, and established in accordance with DODI 2015.4 and this regulation.

(1) Those ICRDA agreements designated as MOUs involve extensive supporting documentation and require Office of the Secretary of Defense (OSD) approval. In accordance with DODI 5000.02 and AR 550–51, this process generally involves the following steps:

*(a)* Submission of a request for authority to develop (RAD) package to the Office of the DASA(DE&C) within the Office of the Assistant Secretary (Acquisition, Logistics, and Technology) (ASA(ALT)) for Headquarters, Department of the Army (HQDA), and OSD approval and Department of Commerce review and comment.

*(b)* Upon RAD approval, establishment of a U.S. team to prepare and negotiate a draft international agreement.

*(c)* Submission of a request for final approval (RFA) to the Office of the DASA(DE&C) within ASA(ALT) for HQDA and OSD approval and Department of Commerce review and comment.

*(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 Office of the Judge Advocate General (DAJA–IO) for transmission to the Department of State and OSD General Counsel.

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

(3) Reciprocal use of test facilities PAs will be developed and coordinated at the HQDA level as described in para (2) above. 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 separate RAD or RFA approval. In accordance with DODI 2015.4, the authority to develop, coordinate, conclude, modify, extend, and terminate IEP annexes have been delegated to HQDA. This authority is hereby re-delegated to the PEOs, Army MATDEV commands, and U.S. Army Research, Development and Engineering Command's (RDECOM's) laboratory and centers, technical directors or equivalent general officers (GOs)/Senior Executive Service (SES) officers. Army elements must still forward all draft IEP annexes

to DASA (DE&C) for consultative review by the Department of Commerce, as specified in subparagraph c. below. In accordance with OSD guidance, DASA (DE&C) will also forward IEP annexes pertaining to Chemical, Biological, Radiological, and Nuclear (CBRN) information to OSD (AT&L) for OSD review and approval.

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 ICRDA agreements and IEP annexes, the Under Secretary of Defense (Acquisition, Technology, and Logistics) (USD(AT&L)) and the Under Secretary of Commerce for Industry and Security have signed a statement of principles that establishes specific procedures for interagency consultation on ICRDA agreements and IEP annexes. They will be implemented as follows:

(1) For MOUs, the USD(AT&L) 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, USD(AT&L) will provide copies of RFAs to the Department of Commerce prior to agreement signature.

(3) For IEP annexes, PEOs, ACOMs and RDECOM's laboratory/center/institute directors or equivalent GO/SES officers will provide draft copies of the proposed annexes and their summary statements of intent (SSOIs) directly to DASA (DE&C) for transmission to the Department of Commerce for review and comment.

(4) Oral questions or comments from the Department of Commerce to the Army regarding ICRDA 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 MOUs, PAs and loans.* The DASA(DE&C) will develop written/electronic responses and coordinate with the office of the USD(AT&L)IC International Cooperation (IC) before transmitting the response to the Department of Commerce.

(b) *For IEP annexes.* The responsible Army Working-level Integrated Product Team (WIPT) will develop written/electronic responses. The WIPT's overseeing PEO Army Command or RDECOM Center/Laboratory/Activity director or equivalent will forward those responses to DASA(DE&C) for transmission to the Department of Commerce with copies provided to the Office of the USD(AT&L)IC.

(5) If a Department of Commerce nonconcurrence on a proposed ICRDA agreement or IEP annex cannot be resolved, Office of the USD(AT&L)IC, in coordination with DASA(DE&C), will notify the Department of Commerce in writing before taking final action.

d. International cooperative research, development, and acquisition agreements developed under the authority of 22 USC 2767 are subject to additional certification notification and review requirements.

(1) Not 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(b), 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 (c), 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 1–8d (2) and (3), above, are not required if the relevant information was provided to Congress as part of the agreement certification described in 1–8d (1).

e. Request for authority to develop packages for Science and Technology (S&T)-funded MOUs, PAs and AECA section 65 loans must be approved by the Army Technology Objective (ATO) manager and briefed to the Army Science and Technology Working Group's (ASTWG's) International Programs Working Group (IPWG) for concurrence. The IPWG, co-chaired by the DASA(DE&C) and Deputy Assistant Secretary of the Army for Research and Technology (DASA(R&T)), is a senior forum for policy oversight of international S&T funded agreements.

f. Those ICRDA agreements and IEP annexes that address Chemical, Biological, Radiological, and Nuclear (CBRN) technologies (including defense against such technologies) will be forwarded by DASA(DE&C) to the USD(AT&L)/IC, for further coordination at the OSD level.

g. Those ICRDA agreements and IEP annexes that provide for the release of classified military information (CMI) or controlled unclassified information (CUI) will be supplemented by a Delegation of Disclosure Authority Letter (DDL) developed and approved in accordance with AR 380–10, appendix D. Such information will be released only in accordance with the provisions of the applicable disclosure documentation.

h. 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 allied nations and are not binding on the U.S. Government.

i. Arrangements to export articles, technical data or defense services by U.S. contractors to foreign persons (as defined in 22 CFR 120.16) or Ministries of Defense are subject to the International Traffic in Arms Regulations (ITAR) (22 USC 120–130) (for defense articles, services, and technical data), or the Department of Commerce's Export Administration Regulations (for dual-use items). The DASA(DE&C) has been delegated authority to grant ITAR exemptions in support of ICRDA programs. However, Army elements developing and implementing ICRDA 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 Export Control Checklist (see glossary) 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) Ensure that contracts are in compliance with export control laws and regulations.
- (3) Ensure that transfer of project articles, defense services and information to participants, contractors and third parties is consistent with ICRDA agreements and export control laws and regulations.
- (4) Ensure that all contractors are cleared for and understand end use restrictions regarding all transferred information.

(5) Develop a mechanism to track export-controlled information transferred to and received from participants.

*j.* Memorandums of understanding, PAs and Section 65 Loans and their supporting documents will be developed and coordinated by the DASA(DE&C) with the following:

- (1) International Agreements Specialist/Negotiator: DASA(DE&C) staff officer.
- (2) Technical representatives.
  - (a) Program/project manager, ATO manager/representative, or other technical representative.
  - (b) International cooperative research, development, and acquisition agreement project officer (PO).
  - (c) Research, Development and Engineering Command's technology integration representative for science and technology (S&T) MOUs, PAs, and loans.

(3) Appropriate international point of contact.

(4) Foreign disclosure representative: Deputy Chief of Staff, G-2 (DCS, G-2) representative or designee.

(5) Army General Counsel Attorney.

(6) Financial management representative: Assistant Secretary of the Army (Financial Management and Comptroller) representative or designee.

(7) Other Army representatives as needed within ASA(ALT), the Deputy Chief, G-3/5/7 (DCS, G-3/5/7), to include its Army Model and Simulation Office, as required, the Deputy Chief of Staff, G-4 (DCS, G-4), the Chief Information Officer, G-6, Test and Evaluation Management Agency (TEMA), and the Deputy Chief of Staff, G-8 (DCS, G-8). The Integrated Product Team (IPT) process will be utilized as required.

*k.* Information exchange program annexes and their supporting documentation will be developed and coordinated using a Working-Level (proponent) Integrated Product Team (WIPT) chartered by the responsible PEO or ACOM/ASCC/DRU Center/Laboratory/Institute directors or GO/SES equivalents. The WIPT will consist of—

(1) The chair will be the technical office representative or international point of contact, as appointed by technical director or equivalent.

(2) An international point of contact, if not chair.

(3) Army technology objective manager or other technical representative, if appropriate and if not chair.

(4) The IEP annex technical project officer (TPO), if not chair.

(5) Supporting Foreign Disclosure Officer.

(6) Local Army legal advisor.

(7) The IEP annex associate TPO (ATPO) designate(s).

(8) The WIPT responsibilities are described in paragraph 2-18.

*l.* Army elements will use the Acquisition Technology - International Online (AcqTech-IOL) enterprise management system to coordinate, manage, and record the development and implementation of ICRDA agreements and IEP annexes. The Office of the Judge Advocate General (OTJAG) is the Army's single office of record for original hardcopy Army MOUs, PAs and Section 65 Loans. DASA(DE&C) serves as office of record for IEP annexes. Commands must transmit all ICRDA agreement and IEP annex documents to DASA (DE&C) for coordination and staffing using AcqTech-IOL.

*m.* Army elements will use the International Agreements Generator (IAG) to develop international agreements in support of ICRDA. Deviations from the IAG-approved text must be approved in advance of negotiation. Requests for deviations will be submitted to the ASA(ALT) for HQDA and OSD review and approval.

## **1-9. Policies and procedures for personnel exchange and assignment programs**

*a.* The DPEP includes four exchange and placement programs: the ESEP, APEP, MPEP and the Defense Intelligence Personnel Exchange Program (DIPEP). A description of each program is contained in appendix B.

(1) The DASA(DE&C) manages Army participation in the ESEP. The DASA(DE&C) receives nominations to place foreign scientists and engineers, and will coordinate with Army elements to arrange for appropriate placement in U.S. facilities. Centralized funding may be available to support the placement 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 select individuals based on their qualifications, recommendation from proponent commands and their potential to support Army ICRDA programs.

(2) The DASA(DE&C) manages participation in the APEP in a similar manner to the ESEP.

(3) Army participation in MPEP is managed by the Deputy Chief of Staff, G-3/5/7 (DCS, G-3/5/7). For more information on the MPEP, see AR 614-10.

(4) The DIPEP is managed by the director, Defense Intelligence Agency. For more information on the DIPEP, see DODD 5230.20.

*b.* The DASA(DE&C) manages the assignment of Cooperative Program Personnel (CPP) under specific ICRDA agreements that call for CPP and/or the establishment of a Joint Program Office (JPO) where a multinational staff manages the ICRDA agreement and/or executes the work under ICRDA agreement. Cooperative program participants report to and take direction from a DOD-appointed Program Manager (or Program manager equivalent). Army practice does not allow the assignment of CPPs in a dual capacity (i.e. as an official or employee of the JPO and as a FLO for his/her government). See appendix B for a more detailed description of CPP.

*c.* The DCS, G-2 is responsible for Army policy concerning Foreign Liaison Officers (FLOs). For more information on FLOs, see AR 380-10.

#### **1-10. Funding and financial considerations**

*a.* All ACOMs/ASCCs/DRUs, agencies, and PMs seeking to initiate an ICRDA project or activity must identify funding for the projected life cycle of the project or activity before developing the associated IA.

*b.* Additional funding may be available to initiate cooperative R&D projects with North Atlantic Treaty Organization (NATO) and major non-NATO allies through the NATO Research and Development Program (also known as the Nunn program), which is managed by ASA(ALT). 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.

(2) North Atlantic Treaty Organization Research and Development Program funds made available for projects may not be used to acquire equipment or services from foreign sources.

(3) The allied or major non-NATO signatory must contribute an equitable portion of total project funding.

(4) The Secretary of Defense or the USD(AT&L) must certify that the project will improve the conventional defense capabilities of NATO or of the United States and its major non-NATO allies.

*c.* Request for authority to develop packages that envision the use of NATO Research and Development Program funding will be reviewed and prioritized by HQDA prior to forwarding to OSD for review and approval. For S&T agreements, priority will be given to those that have received Army Science and Technology Working Group (ASTWG).

*d.* A second source of supplementary funding for cooperative projects is the Coalition Warfare Initiative (CWI). Projects proposed for CWI 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. CWI funding must not exceed three years (two preferred) and must not exceed foreign contributions to the project. The CWI is managed by the Office of the USD(AT&L), which selects projects for funding based on submissions from the military services, defense agencies, and combatant commanders. Army CWI proposals are forwarded to OSD through the ASA(ALT).

*e.* The DASA(DE&C) manages centralized funding to support the placement of U.S. personnel overseas as part of the Engineer and Scientist Exchange Program. Each year, subject to the availability of funding, DASA(DE&C) will solicit nominations for ESEP participants. Solicitation memorandum will identify specific selection criteria. In general, selection of all candidates will be based on the individuals' qualifications, recommendation from proponent organizations and on their potential to support Army ICRDA programs.

*f.* The Army Research, Development, and Engineering Command (RDECOM), in coordination with the Deputy Assistant Secretary of the Army for Research and Technology (DASA(R&T)), administers the Foreign Technology (and Science) Assessment Support (FTAS) program. The FTAS Program funds provide initial resources for Subject Matter Experts (SMEs) at RDECOM, PM/PEO and other Army organizations to conduct technology assessments, basic research studies, and test and evaluation efforts of unique foreign technologies. The FTAS provides funding for approximately 12 months of initial assessment. Candidate technologies are generally identified by U.S. Army International Technology Centers (USAITCs) and reported to RDECOM via Technology Information Papers (TIPs). Proposals for FTAS funding are evaluated by RDECOM, which forwards them to DASA(R&T) for final funding approval by the International Programs Working Group (IPWG) (see DA Pam 70-3).

*g.* In quantifying total U.S. and foreign contributions to an ICRDA project, Army project personnel will consider both financial and non-financial contributions of each participant in the project.

#### **1-11. Reporting on and evaluation of international cooperative research, development, and acquisition programs**

*a.* The ICRDA agreements and activities subject to regular reporting are—

(1) All international agreements (IAs), including DDSP PAs, as specified in the individual IA.

(2) Information exchange program annexes under the IEP (annually).

(3) The ESEP and APEP exchanges with countries for which the Army is responsible, as required.

(4) The FCT projects (on a quarterly basis).

- b.* In reporting on ICRDA programs, the benefits of Army participation in ICRDA programs will be identified.
- c.* The DASA(DE&C) will direct periodic reviews of established IEP annexes to confirm compliance with IEP annex development policy and procedures.
- d.* The DASA(DE&C) will direct periodic reviews of ICRDA 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 ICRDA acquisition programs and activities with respect to the objectives stated in paragraph 1–5 as part of the acquisition milestone reviews described in AR 70–1 and DODI 5000.02.

## **1–12. Training**

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

- (1) Structure, scope, and goals of relevant ICRDA programs.
- (2) Funding for ICRDA programs.
- (3) Policies, procedures, and documentation requirements for developing, negotiating, and establishing ICRDA agreements and IEP annexes, to include the use of AcqTech–IOL and the IAG.
- (4) The structure and tactics of international negotiations.
- (5) United States 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.* Appendix B, paragraphs B–11 and B–12, describe specific 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 ICRDA programs, as well as for ICRDA program specialists, will be defined by HQDA. Commanders of ACOMs and agencies are responsible for ensuring that recommended requirements are met.

## **Chapter 2 Responsibilities**

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

The ASA(ALT) will—

- a.* As Army Acquisition Executive, administer Army acquisition programs in accordance with DOD policies and guidelines, including those involving cooperative research, development, and acquisition with allies and friendly foreign nations.
- b.* Formulate acquisition policy for ICRDA programs.
- c.* Review and approve all RDT&E and procurement budget justification for international acquisition programs not reserved to other HQDA proponents.
- d.* Integrate international considerations and requirements in Army-wide technology base strategy, policy, guidance, and planning.
- e.* Provide science and technology (S&T) guidance to include Army Technology Objectives (ATOs) and other mission priorities for conduct of ICRDA programs and activities.
- f.* Provide policy guidance and oversight for the evaluation and/or acquisition of foreign technologies through the Foreign Technology (and Science) Assessment Support (FTAS) program. In coordination with Commander, RDECOM, provide seed money for the FTAS Program.
- g.* Inform all Army materiel developers of Congressionally mandated or other restrictions on the acquisition of foreign defense materiel or technology.
- h.* 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.
- i.* Establish and appoint co-chairs for the IPWG.
- j.* Appoint the Army representative to the NATO Army Armaments Group and Five Power Senior National Representatives (Army) (SNR)(A) fora.
- k.* Oversee ICRDA programs through the DASA(DE&C). The DASA(DE&C) will—
  - (1) Provide management oversight and policy guidance for ICRDA programs and activities.

- (2) Serve as the focal point within the Army for information on all ICRDA programs and activities of Army interest and coordinate the efforts of all DA agencies and commands involved in ICRDA activities.
- (3) Provide guidance on the development and conduct of ICRDA programs and activities to address Army materiel requirements and to support the Army's contribution to the national security strategy.
- (4) Coordinate HQDA review and prioritization of ICRDA activities and agreements.
- (5) Recommend international considerations and requirements for inclusion into Army-wide technology base strategy, policy, guidance, and planning through the ASTWG process. Provide ICRDA-related input to and review of the Army International Affairs Plan in accordance with AR 11-31.
- (6) Review capabilities documents developed under the Joint Capabilities Integrated Development System (JCIDS) and other DOD requirements processes for international considerations.
- (7) Disseminate the results of international meetings that address potential cooperative ICRDA opportunities to interested commands, agencies, program executive officers, and program/project managers.
- (8) Develop processes and supporting tools to facilitate the identification and development of international cooperative opportunities for Army acquisition programs.
- (9) Support HQDA staff elements, ACOMs/ASCCs/DRUs and other agencies in the development and processing of Planning, Programming, Budgeting, and Execution (PPBE) and other funding submissions to support ICRDA programs and activities.
- (10) Develop and support PPBE submissions for the NATO Research and Development Program and Army Armaments Group support.
- (11) Review and coordinate SSOIs, technology assessment/control plans (TA/CPs), delegation of disclosure authority letters (DDLs) and other supporting documentation submitted in support of proposed international agreements for ICRDA that require HQDA and OSD review and approval.
- (12) Brief IPWG-approved ICRDA programs to the ASTWG.
- (13) Develop, coordinate, negotiate and conclude Army ICRDA agreements (MOU, PA or Section 65 Loans) in accordance with DODI 5000.02 (Enclosure 10), DODD 5530.3, AR 550-51, and the Defense Acquisition Guidebook and in consultation with appropriate legal offices.
- (14) Ensure that security implications are considered for each ICRDA program that potentially involves the international transfer of critical military technology.
- (15) Establish Army export control policy in support of ICRDA programs:
  - (a) Establish Army procedures for requesting ITAR exemptions for which DASA(DE&C) has been delegated authority by the Defense Technology Security Agency (DTSA) in support of ICRDA programs.
  - (b) Review and approve requests for ITAR exemptions in support of ICRDA programs.
- (16) Forward RAD and RFA packages in support of international agreements for ICRDA to the USD(AT&L).
- (17) When delegated authority by the USD(AT&L), negotiate and establish international agreements as signatory authority on behalf of the U.S. Government for ICRDA programs.
- (18) Ensure that written Army responses to Department of Commerce comments and/or nonconcurrences on all ICRDA agreements and IEP annexes are coordinated with USD(AT&L) before being transmitted to the Department of Commerce.
- (19) Provide to USD(AT&L) the project information required as part of the Congressional certification for cooperative projects authorized under 22 USC 2767 and 10 USC 2350a.
- (20) Provide to USD(AT&L) 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.
- (21) Ensure compliance with the requirements of the Case Act (1 USC 112b), DODD 5530.3, and AR 550-51.
- (22) Establish reporting requirements for each ICRDA agreement.
- (23) Nominate the U.S. Army member to the DOD Departmental MOU Committee.
- (24) 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 agreement PO or National Annex Authority representative responsibilities (as defined in specific IEP agreements):
  - (a) Resolve any IEP issues that cannot be resolved by the IEP annex proponent PEO or ACOM/ASCC/DRU center/laboratory/institute director or equivalent.
  - (b) Coordinate requests for third-party information transfers.
  - (c) Transmit draft IEP annexes to Department of Commerce for review and comment.
  - (d) Transmit chemical-biological related IEP annexes to USD(AT&L)/IC for coordination with ASD(NBCP) prior to signature.
- (25) Define the responsibilities of IEP annex authorities, that is, TPOs and ATPOs, and establishments concerning the management of IEP annexes.
- (26) Coordinate Army responses to the NATO Armaments Planning Questionnaire and other multinational reporting activities on ICRDA.

- (27) Provide ICRDA policy guidance to PEOs/PMs, ACOMs/ASCCs/DRUs, and U.S. Army ITCs.
- (28) Provide a representative to the ASTWG. This representative shall also serve as the co-chair of the IPWG.
- (29) Serve as the Army Head of Delegation for international fora related to research, development, and acquisition such as the NATO Army Armaments Group (NAAG), U.S.-Japan Systems and Technology Forum, and bilateral senior national representatives (Army) (SNR(A)) fora.
- (30) Provide guidance and oversight of Army participation in international fora related to research, development, and acquisition, such as the NAAG Land Groups, American, British, Canadian, Australian (ABCA) and New Zealand, Armies' Program Capability Groups, SNR(A) Working Groups, and International Cooperative Opportunity Groups.
- (31) Provide a representative to the Army Multinational Interoperability Board (AMIB) and subordinate working groups as required.
- (32) Review proposed ICRDA programs and projects and new materiel requirements of U.S. allies for compatibility with security assistance goals, policies, plans, and programs.
- (33) Establish procedures and criteria for assessing the effectiveness of Army ICRDA programs and activities.
- (34) Prescribe qualification requirements for Army acquisition workforce personnel and other Army ICRDA program specialists involved in ICRDA programs.
- (35) Sponsor and manage the AcqTech-IOL system, to include system deployment, maintenance, training and help-desk support.
- (36) Manage the Army's participation in the APEP and ESEP, which are part of the Army's Defense Personnel Exchange Program (DPEP), and Cooperative Program/Project Personnel (CPP). In fulfilling this responsibility, the DASA(DE&C) will—
  - (a) Where the DOD has designated the Army as executive agent, establish, periodically review and, as appropriate, recommend ESEP/APEP agreement amendments; oversee all DOD interactions with designated countries; and maintain a record of ESEP/APEP agreement exchange positions and DOD component managing agents.
  - (b) 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.
  - (c) Distribute and manage centralized Army funding to support the placement of U.S. participants in the ESEP.
  - (d) Provide policy oversight for and manage the assignment of Army CPP.
- (37) Exercise Army responsibility for managing the United States-Canadian Defense Development Sharing Program (DDSP).

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

The Assistant Secretary of the Army (Financial Management and Comptroller) will review and approve provisions of proposed ICRDA agreements to ensure availability of funds and overall equitability.

## **2-3. The Chief Information Officer, G-6**

The Chief Information Officer, G-6 (CIO/G-6) will—

- a. In coordination with the DCS, G-3/5/7, DCS, G-8, and the ASA(ALT), review requirements, resourcing, and prioritization of individual command, control, communications, and computer, intelligence, surveillance and reconnaissance (C4ISR) and information technology (IT) programs involving ICRDA with allies and friendly foreign nations.
- b. Recommend potential ICRDA opportunities within their assigned area of responsibility to the ASA(ALT).
- c. Review proposed ICRDA programs and projects and known 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 research and development of C4ISR and IT systems, such as Senior National Representative (Army) Interoperability Working Group, C4ISR and IT-related ABCA Armies Program Capability Groups, and related ABCA fora.
- e. Develop interoperability standards for C4ISR and IT-related ICRDA programs and activities.

## **2-4. General Counsel**

The Army General Counsel will—

- a. Designate and provide guidance to legal advisors for negotiations for international agreements in support of ICRDA, in coordination with the ASA(ALT).
- b. Support DASA(DE&C) as necessary in the development and negotiation of ICRDA agreements.
- c. Receive signed copies of international agreements in support of ICRDA from the OTJAG (DAJA-IO) and forward to the OSD General Counsel.

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

The DCS, G-3/5/7 will—

- a. Provide Army international activities planning and policy guidance for ICRDA programs in accordance with the DOD Guidance for Employment of the Force and resolve interoperability policy issues with foreign counterparts.
- b. Develop, review, and promulgate Army Multinational Force Compatibility policy and priorities.
- c. Serve as the Army's ratification authority for NATO standardization agreements and ABCA Standards (see AR 34-1, para 2-1j ).
- d. Recommend potential ICRDA opportunities within assigned area of responsibility to the ASA(ALT).
- e. Review proposed ICRDA agreements, in coordination with ASA(ALT), to ensure that they are in compliance with Army international activities planning and policy guidance, and Army model and simulation policy (AR 5-11).
- f. Ensure the integration of international activities in the PPBE process to include program, functional, and Management Decision Package management.

## **2-6. The Deputy Chief of Staff, G-4**

The DCS, G-4 will—

- a. Review proposed ICRDA programs and projects and known new materiel requirements of U.S. allies for compatibility with cooperative logistics goals, policies, plans, and programs.
- b. Recommend potential ICRDA opportunities within assigned area of responsibility to the ASA(ALT).
- c. In coordination with the ASA(ALT), review proposals for cooperative opportunities to ensure the accuracy and completeness of information relating to his or her area of mission responsibilities and compliance with DA and DOD objectives.

## **2-7. The 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 ICRDA programs.
- b. Formulate policies, procedures, and administrative oversight governing disclosure of CMI to foreign representatives and provide general guidance, advice, and assistance to DA officials in determining the suitability of CMI identified for foreign disclosure.
- c. Serve as the primary HQDA POC for technology security issues in. 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) Provide staff review of all Army actions with technology transfer implications.
  - (3) Ensure appropriate protection measures are considered for each program that involves the potential international transfer of CMI.
  - (4) Provide representation to the Technology Transfer and Security Assistance Review Panel (TTSARP).
  - (5) Chair the Technology Control Panel (TCP) and assist in carrying out the responsibility to manage and coordinate international technology transfer for the Army.
- d. Record decisions on foreign visits to DA elements in the Foreign Visits System in compliance with DODD 5230.20.
- e. Coordinate, review, and submit all Army Exceptions to NDP-1 associated with ICRDA programs.
- f. Provide foreign disclosure guidance during the development, review and coordination of ICRDA documentation for programs and activities. Approve DDLs that authorize the disclosure of CMI in support of ICRDA programs and activities.
- g. Negotiate, conclude, and monitor master MOUs for the Foreign Liaison Officer program and review and approve all FLO placements with the U.S. Army.

## **2-8. The Judge Advocate General**

The Judge Advocate General (TJAG) will—

- a. Act as the Army office of record for international agreements, including those established in support of ICRDA programs.
- b. In accordance with AR 550-51, provide guidance on the development and negotiation of ICRDA agreements to ACOMs, PEO/PMs, and Army agencies as required.
- c. Forward copies of signed international agreements in support of ICRDA programs to the Department of State and to the OSD General Counsel, through the Army General Counsel.

## **2-9. Director, test and evaluation management agency**

The Director Test and Evaluation Management Agency will—

- a. Review agreement packages for RUTF PAs and RFAs and RADs for cooperative T & E PAs developed under TEP MOUs and other ICRDA agreements (MOUs, TRDP PAs, Section 65 Loans) with test and evaluation implications.

*b.* Oversee Army participation in the Foreign Comparative Testing (FCT) Program. Further responsibilities for the FCT are defined in AR 73–1.

## **2–10. Heads of all other Headquarters, Department of the Army staff elements**

The heads of all other HQDA staff elements will—

- a.* Develop and promulgate ICRDA-related policy and priorities in their functional area of responsibility.
- b.* Support DASA(DE&C) as necessary in the development and negotiation of ICRDA agreements.
- c.* Recommend potential ICRDA opportunities within their assigned area of responsibility to the ASA(ALT).
- d.* Forward requests to negotiate and establish international agreements in support of ICRDA within their assigned area of responsibility to the ASA(ALT) for HQDA coordination and forwarding to the USD(AT&L).
- e.* Complete relevant portions of the Army Export Control Checklist when developing and implementing ICRDA agreements and activities that will involve export of export controlled articles, technical data or defense services by contractors.

## **2–11. The Commanding General, Army Materiel Command**

The CG, AMC delegates the management of and participation in its ICRDA programs and activities to the CG, U.S. Army Research, Development and Engineering Command (RDECOM).

## **2–12. The Commanding General, United States Army Training and Doctrine Command**

The CG, Training and Doctrine Command (TRADOC) will—

- a.* Be responsible for overall management, direction and supervision of, and act as the focal point for, all ICRDA programs within the TRADOC area of responsibility.
- b.* Establish procedures to identify potential ICRDA opportunities in TRADOC-managed international fora.
- c.* Establish and maintain IPOCs (see para 2–19).
- d.* Establish procedures to recommend potential ICRDA opportunities identified in TRADOC-managed international fora to the ASA(ALT) and the responsible materiel developer.
- e.* Develop and forward proposals for Coalition Warfare Initiative projects to the USD(AT&L) through the ASA(ALT).
- f.* Maximize the use of FLOs and TRADOC liaison officers to identify and, when authorized, coordinate potential ICRDA.
- g.* Support DASA(DE&C) as needed in the development and negotiation of ICRDA agreements.
- h.* Appoint an IA PO to track the development of and maintain records in AcqTech–IOL for all IAs in support of ICRDA for which TRADOC is responsible.
- i.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA–IO) and one copy to the ASA(ALT).
- j.* Support PEOs, PMs, and other materiel developing agencies in the identification of international cooperative opportunities.
- k.* Monitor ICRDA projects and support ICRDA activities and testing under the FCT program and equipment loans under section 65 of the AECA, 22 USC 2796d.
- l.* Ensure that TRADOC ICRDA program specialists are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

## **2–13. Program executive officers**

The PEOs will—

- a.* Represent the U.S. Army on international management bodies for selected ICRDA projects, when required.
- b.* Maximize the use of FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities in accordance with AR 380–10.
- c.* Establish and maintain IPOCs (see para 2–19).
- d.* Support DASA(DE&C) as needed in the development and negotiation of ICRDA agreements.
- e.* Notify ASA(ALT) of 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 ASA(ALT) of intent to seek statutory waivers for cooperative projects under the same authority.
- f.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA–IO) and one copy to the ASA(ALT).
- g.* Ensure that reporting PMs comply with the policies and procedures in this regulation and as supplemented by guidance and instructions from the ASA(ALT).
- h.* Ensure that technology assessments/control plans (TA/CPs) and DDLs are developed for each system for which the PEO is responsible in accordance with AR 550–51 and DODD 5530.3.

*i.* Provide an annual assessment to the ASA(ALT) on those ICRDA programs and activities for which they are responsible.

*j.* Implement the IEP. In fulfilling this responsibility PEOs will—

(1) Ensure that a WIPT is chartered to develop, coordinate, negotiate, and recommend establishment, extension, or termination of IEP annexes (see para 1–8*p* ).

(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 (and one foreign language original when required) of IEP annexes to DASA(DE&C), office of record for Army IEP annexes.

(5) Ensure that all exchanges of information under IEP annexes for which they are responsible comply with AR 380–10 for CMI, and with AR 70–31 and DA Pam 70-3 for technical CUI.

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

*k.* Complete relevant portions of the Army Export Control Checklist when developing and implementing ICRDA agreements and activities that will involve export of export controlled articles, technical data or defense services by contractors.

## **2–14. Program/project managers**

Program/project managers (PMs) will—

*a.* Assess and document the potential for ICRDA for each program for which the PM has responsibility. This assessment should be documented in a cooperative opportunities document (COD) per DODI 5000.02.

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

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

*d.* Notify ASA(ALT) of 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 to ASA(ALT) notice of intent to seek statutory waivers for cooperative projects under the same authority.

*e.* Appoint an IA PO to track the development of and maintain records in AcqTech–IOL for all IAs in support of ICRDA for which the PM is responsible.

*f.* Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA–IO) and one copy to the ASA(ALT).

*g.* Direct reporting PMs to ASA (ALT) will—

(1) Ensure that TA/CPs and DDLs are developed for each system for which they are responsible in accordance with AR 550–51, DODD 5530.3, and DA Pam 70-3.

(2) Provide an annual assessment to the ASA(ALT) on those ICRDA activities for which they are responsible.

*h.* Prepare and submit FCT project proposals and reports, as required, to the DCG, RDECOM in accordance with established procedures and timelines.

*i.* Complete relevant portions of the Army Export Control Checklist when developing and implementing ICRDA agreements and activities that will involve export of export controlled articles, technical data or defense services by contractors.

## **2–15. The Commanding General, Army Research, Development, and Engineering Command**

The CG, RDECOM will—

*a.* Manage and participate in AMC ICRDA programs and activities as specified below.

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

*c.* Support DASA(DE&C) as necessary in the development and negotiation of ICRDA agreements falling within RDECOM functional responsibility.

*d.* Notify ASA(ALT) of RDECOM 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 ASA(ALT) of RDECOM intent to seek statutory waivers for cooperative projects under the same authority.

*e.* Establish and maintain IPOCs (see para 2–18).

*f.* Provide reports on the status on ICRDA projects to DASA(DE&C).

*g.* Provide supervision of and give direction to the commanders of the U.S. Army International Technology Centers, to include defining areas (countries and functions) of responsibility, directives, policies, and planning and program guidance.

*h.* Establish procedures to identify potential ICRDA opportunities in RDECOM-managed international fora.

*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 ICRDA opportunities to meet S&T and systems requirements.



*j.* Provide an annual IEP assessment to the DASA(DE&C) and DASA(R&T), which correlates Army S&T development requirements against S&T information exchange and leveraging opportunities identified via the U.S. Army Science and Technology Master Plan and its Global S&T watch.

*k.* Provide assessments of foreign S&T (TIPs, EXSUMs) documented through Tips Online (TOL), available at <https://www.oei-tech.com/annex/tol.html>.

*l.* Provide assessments to DASA(DE&C) and DASA(R&T) on those ICRDA programs for which RDECOM exercises responsibility. This assessment may be included as part of the reports specified in paragraph 1–11.

*m.* Oversee and maintain TOL operations as Army responsible official. Insure all TIPs and EXSUMs are documented on TOL to provide visibility of foreign technology to all Army laboratories, engineering centers, and PEO/PMs.

*n.* Maximize the use of DPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities.

*o.* Exercise Army responsibility for Army participation in the DOD FCT program and will—

(1) Serve as the Army responsible official for information regarding the identification, testing, and evaluation of foreign equipment (other than medical).

(2) Develop, coordinate, prioritize, and forward FCT summary proposals and proposals to the USD(AT&L) office of primary responsibility for the FCT program.

(3) Centrally manage, distribute, and account for all funding for approved Army FCT projects.

(4) Provide quarterly and other required status reports to the USD(AT&L) office of primary responsibility for the FCT program with copies furnished to DASA(DE&C).

*p.* Ensure that RDECOM IPOCs, foreign disclosure officers and legal advisors are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.

*q.* Ensure that provisions of AR 380–10 are followed when interacting with foreign entities.

*r.* Implement the IEP through the center and laboratory technical directors, who will—

(1) Ensure that a WIPT is chartered to develop, coordinate, negotiate, and recommend establishment, extension, or termination of IEP annexes (see paras 1–8 and 2–17).

(2) Approve IEP annex modifications (changes to Establishments and Authorities) recommended by the IEP annex TPO.

(3) Approve the assignment of TPOs for IEP annexes.

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

(5) Ensure that all exchanges of information under IEP annexes for which they are responsible comply with AR 380–10 for CMI, and with AR 70–31 and DA Pam 70–3 for technical CUI.

*s.* In coordination with ASA(ALT), develop implementing procedures for managing Technology Information Papers (TIPs).

*t.* In coordination with ASA(ALT), administer the Foreign Technology (and Science) Assessment Support (FTAS) Program.

*u.* Complete relevant portions of the Army Export Control Checklist when developing and implementing ICRDA agreements and activities that will involve export of export controlled articles, technical data or defense services by contractors.

## **2–16. Commanders of United States Army International Technology Centers**

Commanders, U.S. Army ITCs will—

*a.* Represent the U.S. Army in their respective geographic areas of responsibility with respective foreign ministries of defense on ICRDA programs using the various procedures and mechanisms described in this regulation.

*b.* Facilitate U.S. Army interaction in their respective geographical areas with foreign non-governmental entities, such as foreign private industry, foreign natural 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 FAR/DFAR contracting rules and procedures.

(2) Cooperative Research and Development Agreements (CRADAs) under AR 70–57.

(3) “Other Transactions” under 10 USC 2371.

*c.* Participate, as required and/or directed, in selected ICRDA-related international fora and programs involving countries in their area of responsibility.

*d.* Identify opportunities to leverage or acquire state-of-the-art foreign technology in accordance with Army S&T priorities as documented in the U.S. Army Science and Technology Master Plan.

*e.* Forward state-of-the-art technology identified via technology information papers (TIPs) to ACOMs/ASCCs/DRUs, PEOs and the RDECOM’s centers and laboratories for evaluation as specified in RDECOM procedures.

*f.* Obtain and forward research and development information from countries in their area of responsibility to

interested ACOMs/ASCCs/DRUs and agencies and provide advice on developing IEP annexes, ICRDA agreements, and other ICRDA activities with the U.S. Army.

*g.* Identify and recommend potential ICRDA opportunities to the DASA(DE&C) and the responsible ACOM/ASCC/DRU or agency.

*h.* Support visits, exchanges and placements of U.S. Army and foreign personnel to support the identification and/or conduct of ICRDA programs within their area of responsibility.

*i.* Serve as the U.S. Army senior standardization representative to the armies of the United Kingdom, Canada, and Australia, respectively, in accordance with the ABCA Armies Basic Standardization Agreement (1964) (See AR 34-1, app B-3).

*j.* Additional responsibilities may be assigned by the CG, AMC.

## **2-17. Chair, working-level integrated product teams**

Chair, WIPTs, for IEP annexes will—

*a.* Develop, coordinate, negotiate, approve, extend, terminate IEP annexes, and forward to the PEO/PM, ACOM/ASCC/DRU, agency, center, laboratory or institute director or equivalent for signature.

*b.* Forward each approved IEP annex and its associated SSOI to DASA(DE&C) for review by the Department of Commerce.

*c.* Prepare and forward to the Department of Commerce any written responses to the Department of Commerce IEP annex comments and/or nonconcurrences with copies to the DASA(DE&C) and USD(AT&L)IC.

*d.* Provide one original (and one foreign language original when required) of each signed IEP annex to DASA(DE&C) as the office of record.

## **2-18. International points of contact**

The IPOCs will, on behalf of their PEO/PM, ACOM/ASCC/DRU, agency, center, laboratory or institute—

*a.* Act as focal point for assigned ICRDA agreements and activities, including the development of plans and strategies to leverage ICRDA to benefit PEO/PM, ACOM/ASCC/DRU, agency, center, laboratory, or institute program objectives.

*b.* Provide functional support to PEO/PM and ACOM/ASCC/DRU personnel in the development, execution, or assessment of IEP annexes, ICRDA agreements and other ICRDA activities.

*c.* Serve as WIPT facilitator, recorder, and negotiator for IEP annexes. When appointed by technical director or equivalent, also serve as WIPT chair.

*d.* Coordinate training of local personnel on the organizations, policies, processes, and information systems related to ICRDA programs.

*e.* Coordinate reporting and assessment of ICRDA agreements and activities.

*f.* Attend periodic conferences on ICRDA agreements and activities.

## **2-19. Technical project officers for Information Exchange Program annexes**

The TPOs, exercising IEP annex day-to-day management, on behalf of their parent organization, will—

*a.* Leverage information exchange activities in collaboration with their foreign counterparts to maximize mutual, reciprocal program benefit.

*b.* Advise their directors and recommend changes to the disposition of IEP agreements based on current contribution or potential for future program benefit.

*c.* Forward and receive all IEP annex correspondence, data, information, reports, and so on to and from the foreign TPO.

*d.* Ensure that all U.S. authorities and establishments participating in the IEP annex receive current information and are advised as to the status of or changes to each IEP annex.

*e.* Appoint IEP annex ATPOs and ensure that the IEP annex list of establishments and authorities is kept current.

*f.* Arrange and execute appropriate U.S. TPO to foreign TPO visits in accordance with AR 380-10.

*g.* Refer issues that cannot be mutually resolved by the TPOs to the appropriate IPOC and director (or GO/SES equivalent).

*h.* Maintain the IEP annex record, that is, a record of all correspondence, data, information, reports, and so on, sent, received, and exchanged under the IEP annex.

*i.* Prepare and distribute all reports required under the IEP, to include completion of the IEP annex annual report.

*j.* Ensure that the IEP annex AcqTech-IOL record is kept current.

*k.* Assess, negotiate and revise Annual Information Exchange Objectives (AIO) for each IEP annex.

*l.* Maintain IEP annex security by ensuring that the IEP annex delegation of disclosure authority letter is current.

## **2-20. International agreement project officers**

The IA POs will—

- a. Ensure that all U.S. authorities and establishments responsible for implementing the IA receive current information and are advised as to the status of or changes to each IA.
- b. Ensure that all IA information in AcqTech-IOL is kept current.
- c. When authorized by the responsible command, agency, or PEO/PM office—
  - (1) Act as the office of record for all correspondence, data, information, reports, finances, or other documents sent, received, and exchanged under the IA.
  - (2) Prepare and distribute all reports required under the IA.

## **2–21. Commanders or heads of other Army Commands/ Army Service Component Commands /Direct Reporting Units and agencies**

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

- a. Administer ICRDA programs and ensure compliance with the policies and procedures in this regulation and as supplemented by guidance and instructions from ASA(ALT).
- b. Establish and support bilateral and multilateral fora with allied and friendly nations to exchange information, identify cooperative opportunities, and promote ICRDA programs.
- c. Maximize the use of assigned science and technology advisors and FLO, CPP, and DPEP individuals to identify and, when authorized, coordinate potential ICRDA opportunities.
- d. Establish and maintain IPOCs (see para 2–18).
- e. Recommend potential ICRDA opportunities within their area of responsibility to the ASA(ALT).
- f. Support DASA(DE&C) as necessary in the development and negotiation of ICRDA agreements.
- g. Notify ASA(ALT) of 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 to ASA(ALT) notice of intent to seek statutory waivers for cooperative projects under the same authority.
- h. Appoint an IA PO to track the development of and maintain records in STEM-IOL for all IAs in support of ICRDA for which the command or agency is responsible.
- i. Provide four copies of signed IAs in support of ICRDA to the Office of the Judge Advocate General (DAJA-IO) and one copy to the ASA(ALT).
- j. As authorized in paragraph 1–8, implement the IEP through the directors or other ACOM/ASCC/DRU or RDECOM equivalent officials at the GO/SES level). The technical directors, (or equivalent officials) will—
  - (1) Ensure that a WIPT is chartered to develop, coordinate, negotiate and recommend establishment, extension or termination of IEP annexes (see paras 1–8 and 2–17).
  - (2) Approve IEP annex modifications (changes to Establishments and Authorities) and extensions recommended by the IEP annex TPO.
  - (3) Approve the assignment of TPOs for IEP annexes.
  - (4) Provide one English language original (and one foreign language original when required) of IEP annexes to DASA(DE&C), office of record for Army IEP annexes.
  - (5) Ensure that all exchanges of information under IEP annexes for which they are responsible comply with AR 380–10 for CMI, and with AR 70–31 and DA Pam 70–3 for technical CUI.
- k. Provide an annual assessment to the ASA(ALT) on those ICRDA activities for which they are responsible.
- l. Ensure that TPOs forward all correspondence for all IEP annexes managed by the command or agency through established channels to the foreign project officer.
- m. Appoint a DDSP development sharing coordinator, establish reporting requirements, and submit progress reports as required under specific DDSP PAs.
- n. Ensure that command or agency personnel involved in ICRDA programs, including members of the acquisition workforce and ICRDA program specialists, are knowledgeable of the organizations, policies, processes, and information systems relevant to ICRDA programs and activities in which they participate.
- o. Assign properly qualified personnel to participate in negotiations for IAs in support of ICRDA or represent the U.S. Army in ICRDA fora.
- p. Complete relevant portions of the Army Export Control Checklist when developing and implementing ICRDA agreements and activities that will involve export of export controlled articles, technical data, or defense services by contractors.

## **Appendix A References**

### **Section I Required Publications**

#### **AR 5-11**

Management of Army Models and Simulations (Cited in para 2-5e.)

#### **AR 11-31**

Army International Security Cooperation Policy (Cited in para 2-1k(5).)

#### **AR 34-1**

Compatibility (Cited in paras 2-5c, 2-16i.)

#### **AR 70-1**

Army Acquisition Policy (Cited in para 1-11e.)

#### **AR 70-31**

Standards for Technical Reporting (Cited in paras 2-13j(5), 2-15r(5), and 2-21j(5).)

#### **AR 70-57**

Military-Civilian Technology Transfer (Cited in paras 1-6b, 1-7h, and 2-16b(2).)

#### **AR 380-10**

Foreign Disclosure and Contacts with Foreign Representatives (Cited in paras 1-8g, 1-9c, 2-13b, 2-13j(5), 2-15q, 2-15r(5), 2-19f , and 2-21j(5).)

#### **AR 550-51**

International Agreements (Cited in paras 1-8b, 1-8b(1), 1-8b(1)(d), 2-1k(13), 2-1k(21), 2-8b, 2-13h, and 2-14g(1).)

#### **DA Pam 70-3**

Army Acquisition Procedures (Cited in paras 2-1k(11), 2-1k(12), 2-15r(15), and 2-21j(5).)

#### **DODD 5530.3**

International Agreements (Cited in paras 1-8b, 2-1k(13), 2-1k(21), 2-13h, and 2-14g(1).)

#### **DODD 5230.20**

Visits and Assignments of Foreign National (Cited in para 1-9a(4).)

#### **DODI 5000.02**

Operation of the Defense Acquisition System (Cited in paras 1-7b, 2-14a, and 2-14g(1).)

#### **DODI 2015.4**

Defense Research, Development, Test and Evaluation (RDT&E) Information Exchange Program (IEP) (Cited in paras 1-8b, 1-8b(4).)

### **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. Department of Defense publications are available at [www.dtic.mil/whs/directives](http://www.dtic.mil/whs/directives). United States Code are available at [www.gpoaccess.gov/uscode/index.html](http://www.gpoaccess.gov/uscode/index.html).

#### **AR 12-1**

Security Assistance, International Logistics, Training, and Technical Assistance Support Policy and Responsibilities

#### **AR 200-1**

Environmental Protection and Enhancement

**AR 614–10**

U.S. Army Personnel Exchange Program with Armies of Other Nations

**AR 700–131**

Loan, Lease, and Donation of Army Materiel

**DOD 5000.3–M–2**

Foreign Comparative Testing (FCT) Program Procedures Manual

**DOD 7000.14–R**

Department of Defense Financial Management Regulations

**DODD 2010.6**

Materiel Interoperability with Allies and Coalition Partners

**DODD 5000.01**

The Defense Acquisition System

**DODD 5230.11**

Disclosure of Classified Military Information to Foreign Governments and International Organizations

**DODI 2040.02**

International Transfers of Technology, Articles, and Services

**DODI 3100.8**

The Technical Cooperation Program (TTCP)

**Defense Acquisition Guidebook**

Section 11.2, Considerations for International Cooperation. (Available at <http://akss.dau.mil/DAG>.)

**22 CFR 120–130**

International Traffic in Arms Regulations. (Available at [www.gpoaccess.gov/ecfr](http://www.gpoaccess.gov/ecfr).)

**1 USC 112b**

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

**10 USC 168**

Military to Military contacts and comparable activities

**10 USC 2341 et seq.**

Authority to acquire logistics 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 (Nunn Amendment)

**10 USC 2350b**

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

**10 USC 2350I**

Foreign contributions for cooperative projects

**10 USC 2531**

Defense Memorandum of Understanding and Related Agreements

**15 USC 3701**

Commerce And Trade, Chapter 63–Technology Innovation: 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 Control Act)

### **Section III**

#### **Prescribed Forms**

This section contains no entries.

### **Section IV**

#### **Referenced Forms**

This section contains no entries.

## **Appendix B**

### **Major International Cooperative Research Development Acquisition 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 “Nunn funded “ 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 USD(AT&L), which selects projects for CWP funding on a case by case basis. CWP funding must not exceed three years (two preferred) and must not exceed foreign contributions to the project. In addition to DOD funding, service funding may also be used for CWP projects. Proposals for Army CWP projects are submitted to the USD(AT&L) through the ASA(ALT). Submission procedures are based on USD(AT&L) guidance, which requires only a one-page written summary, a briefing, and high level supporting documentation.

##### **B–2. Cooperative Program Personnel**

An assignment program authorized by The National Defense Authorization Act for Fiscal Year 1997, section 1082 (also found at 10 USC 168 note) under which defense administrators and professionals are temporarily assigned to work under an ICRDA agreement (MOU or PA) in either the IA’s Joint Program Office (JPO) or on a specific IA project, effort, etc. Foreign personnel would be assigned to U.S. established JPOs or projects under the IA and U.S. Army personnel would be assigned to an allied or friendly nation JPOs or projects under the IA. Such personnel may serve in a variety of JPO or project positions — from Deputy Program Manager 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 nations. However, CPPs cannot perform duties that are reserved for a U.S. government 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 his/her government.

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

*a.* A program under which participating allies and friendly nations 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 participating nations.
- (3) Reduce the cost and duplication of effort in defense R&D.

(4) Promote multinational force compatibility and cooperative R&D of defense equipment.

b. Under IEP, the United States and allied or friendly nations 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. Department of Defense and partner nation(s), subject to applicable national export control laws.

c. The Office of the Secretary of Defense has delegated authority to develop and conclude IEP annexes to the military departments. Although the DASA(DE&C) oversees the entire IEP, the Army Materiel Development ACOMs/ASCCs/DRUs and program executive officers 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 Engineer and Scientist Exchange Program (ESEP), Administrative and Professional Personnel Exchange Program (APEP), Military Personnel Exchange Program (MPEP) and Defense Intelligence Personnel Exchange Program (DIPEP).

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 (also found at 10 USC 168 note) under which the foreign defense professionals are temporarily assigned to work in U.S. Defense establishments, and U.S. Defense professionals are temporarily assigned to work in allied and friendly country defense establishments (and supporting private contractors). The ESEP is designed to promote international cooperation and understanding in military R&D, as well as reduce costs and duplication of effort in U.S. and allied and other friendly nation research programs. As in the IEP, the United States and allied or friendly nations 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 and living expenses in the host country) will be borne by the participant’s parent organization. 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, the 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 (TCS)/temporary duty (TDY) 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 (also found at 10 USC 168 note) 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 allied and friendly country defense establishments (and supporting private contractors). The APEP is designed to promote international cooperation 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 allied or friendly nations negotiate master agreements that specify the general terms and conditions of the personnel exchange. APEP exchange assignments should address ICRDA or ICRDA-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 organization. The DOD executive agent for the APEP is the Office of the Under Secretary of Defense for Policy (USD(P)). The Army centrally manages Army APEP placements through the Office of the Deputy Assistant Secretary of the Army, Defense Exports and Cooperation (DASA(DEC)).

c. The MPEP involves the reciprocal assignment of U.S. Army and foreign military personnel to authorized positions within the other country’s military establishment. The positions and conditions for MPEP exchanges with individual nations are defined in an MOU between the U.S. Army and each participating nation. The MPEP can assign participants to R&D related positions, but such assignments are discouraged because the goal of the MPEP is to assign participants to U.S. Army tactical organizations, staffs, and schools and their reciprocal foreign equivalents. The

Executive Agent executes the duties of both the EA and the MA for the MPEP. Deputy Chief of Staff, G-3/5/7 (DAMO-SSF) is the proponent for the MPEP. General terms and conditions for MPEP exchanges, as well as the procedures for establishing MPEP positions and processing foreign MPEP nominations are contained in AR 614-10.

*d.* The DIPEP involves the exchange of defense intelligence personnel between the U.S. and other nations. These exchanges do not generally include personnel involved in ICRDA. General policies and responsibilities for the DIPEP are contained in DODD 5230.20.

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

A DOD test and evaluation program, authorized by 10 USC 2350a(g), which provides funding for U.S. testing and evaluation of conventional defense equipment, munitions, and technologies manufactured and developed by major allies or friendly foreign 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 Testing Office of the USD(AT&L) based on candidate projects annually nominated by the DOD Components. DOD policies and procedures for nominating projects are described in DOD 5000.3-M-2 and the Comparative Testing Office Procedures 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 Commanding General (CG) AMC, as the Army responsible official, manages the FCT program. FCT proposals are screened, prioritized, and forwarded by HQ, RDECOM to OSD, with an information copy provided to OASA(ALT).

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

*a.* The Test and Evaluation Program (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 cooperative test and evaluation related projects. The program is implemented through bilateral TEP agreements/memorandums of understanding (MOUs), which establish the broad terms and conditions for reciprocal and/or cooperative test and evaluation (T&E) activities. TEP agreements/MOUs 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.

*b.* Specific reciprocal tests and test-related cooperative efforts are carried out under two types of subordinate project arrangements (PAs). The first is a Reciprocal Use of Test Facilities (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 international agreement but does not require coordination at the OSD level. The U.S. signatory authority is the Director, Operational Test & Evaluation. Cooperative T&E efforts are carried out under a Cooperative T&E (CTEs) 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 international agreement but generally requires coordination at the OSD level. CTE PAs are also signed by the Director, Operational Test & Evaluation.

*c.* The DOD focal point for the TEP, designated as the agreement/MOU director is the U.S. Director, Operational Test & Evaluation. This official is responsible for executive-level management of the agreement/MOU. 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 & Evaluation.

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

Under section 65 of the Arms Export Control Act (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 research, development, test, and evaluation; 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 United States, which is intended to acquaint participating countries with the military R&D programs conducted by other TTCP members and to provide a means to combine resources and share tasks in carrying out ICRDA 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 project arrangements (PAs), equipment and materiel transfers (EM&Ts), assignments of Cooperative Program Personnel, 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 Non-atomic Military Research and Development (POPNAMRAD). 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. Technology Research and Development Projects Program**

The TRDP program provides for streamlined negotiation and approval of project-specific agreements in cooperative research and development. The TRDP is focused on collaborative projects involving basic, exploratory, and advanced technologies. System-specific collaboration generally requires a stand-alone cooperative R&D MOU. To implement the TRDP, the DOD has negotiated a series of bilateral and multilateral umbrella TRDP (or TRDP-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 United States 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 TRDP agreement. TRDP PAs require similar supporting documentation (SSOI and DDL) as stand-alone cooperative R&D MOUs, but the HQDA and OSD approval processes are streamlined and the PA itself is generally simpler to negotiate.

### **B-10. United States-Canadian Defense Development Sharing Program**

A program intended to promote joint U.S.-Canadian military materiel programs to support better use of the industrial, scientific, and technical resources of both countries in the interest of mutual defense. Under the program, the Canadian government will fund up to fifty percent of the costs of a defense R&D project if one or more Canadian firms are awarded the contract for the work. DDSP projects (documented in a PA) must meet an approved DOD requirement and should possess a relatively high density or dollar-value production potential. At the national level, the program is overseen by a U.S.-Canada Steering Committee co-chaired by the USD(AT&L), but the DOD has delegated approval authority for specific DDSP projects to the military departments. As the Army responsible official, the DASA(DE&C) reviews, coordinates, and approves all Army DDSP project proposals.

## **Section II**

### **Training for International Cooperative Research, Development, and Acquisition Personnel**

#### **B-11. International Cooperative Research, Development, and Acquisition Training**

*a.* On March 23, 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 Consists of—

- (1) PMT 202 – Multinational Program Management Course (MPMC).
- (2) PMT 203 – International Security and Technology Transfer/Control Course (ISTT/CC).
- (3) PMT 304 – Advanced International Management Workshop (AIMW).

*c.* Online Courses—

- (1) International Armaments Cooperation (IAC) Courses - Parts 1-3.
- (2) Information Exchange Program - Army, DOD, and Navy.

*d.* Each PMT course is taught as a one-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 <http://www.dau.mil/international/international.aspx>.

#### **B-12. International Security Training**

*a.* In October 1999, the Deputy Secretary of Defense directed that every Department of Defense (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. DOD Directive 5230.20, "Visits and Assignments of Foreign Nationals," signed June 22, 2005, 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 Program Security Requirement Course (IPSRC) offered by the Defense Institute of Security Assistance Management. The course is offered either online or as a 3-day in-house training session. For more information, see: <http://www.disam.dsca.mil/>.

(2) For Acquisition personnel, PMT 203 - International Security and Technology Transfer/Control Course (ISTT/CC) class offered by the Defense Acquisition University. See <http://www.dau.mil/international/international.aspx>.

(3) A training course through the Defense Security Service Academy (DSSA). The point of contact phone number for arranging a course is 410-865-2732, or via <http://dssa.dss.mil/seta/seta.html>.

### **Section III**

#### **Legal Authorities**

#### **B-13. The National Defense Authorization Act for Fiscal Year 1997 (Public Law 104-201), Section 1082 (10 USC 168 note)**

This section provides authority to the Secretary of Defense to negotiate agreements with allies or other friendly foreign countries to exchange military and civilian DOD personnel with military and civilian personnel of foreign defense ministries. Under this authority, DOD personnel may also be assigned to positions in private industries that support the defense ministry of the host foreign government. Each government will pay the salary, per diem, travel and relocation costs, and language training expenses of its own personnel involved in an exchange. Costs of travel duty directed by the host government, local training programs, and local facilities costs will be borne by the host government. The legal authority for the ESEP program, among other exchange programs, is found in this section of public law.

#### **B-14. 10 USC 2350a**

This provides explicit authority for DOD to conduct cooperative R&D projects on defense equipment and munitions with NATO organizations, members of NATO, and major non-NATO allies. 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 (CODs) and authorizes foreign comparative testing.

#### **B-15. 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 Chapter 14, DOD 7000.14-R.

#### **B-16. 10 USC 2350I**

This section authorizes the Secretary of Defense, with the concurrence of the Secretary of State, to enter into a memorandum of understanding (MOU) (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 or other formal agreement.

#### **B-17. 10 USC 2358**

This section of the United States Code 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 ICRDA 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-18. 22 USC 2767**

This section provides explicit authority for DOD to conduct cooperative R&D with NATO, with one or more members of NATO, or with other friendly foreign nations. These programs must promote rationalization, standardization, and interoperability to improve the conventional defense capabilities of the participating nations. 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-19. 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 to, 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-20. 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 ICRDA 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.

## **Glossary**

### **Section I Abbreviations**

#### **ABCA**

American, British, Canadian, Australian and New Zealand

#### **ACAT**

acquisition category

#### **ACOM**

Army Command

#### **AcqTech-IOL**

Acquisition Technology - International Online enterprise management system

#### **AECA**

Arms Export Control Act

#### **AKO**

Army Knowledge Online

#### **AHP**

Army Home Page

#### **AIO**

Annual information exchange objectives

#### **AMC**

Army Materiel Command

#### **APEP**

Administrative and Professional Personnel Exchange Program

#### **AR**

Army regulation

#### **ASA(ALT)**

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

#### **ASCC**

Army Service Component Command

#### **ASTWG**

Army Science and Technology Working Group

#### **ATO**

Army Technology Objective

#### **ATPO**

associate technical project officer

#### **C4**

command, control, communications, and computer

#### **CBRN**

chemical, biological, radiological and nuclear

#### **CG**

commanding general

**CFI**

classified military information

**COO**

cooperative opportunities document

**COO**

Cooperative Program Personnel

**COE**

cooperative test and evaluation

**COP**

Coalition Warfare Program

**COI**

controlled unclassified information

**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

**DCG**

Deputy Commanding General

**DCS, G-2**

Deputy Chief of Staff, G-2

**DCS, G-3/5/7**

Deputy Chief of Staff, G-3/5/7

**DCS, G-4**

Deputy Chief of Staff, G-4

**DCS, G-6**

Deputy Chief of Staff, G-6

**DCS, G-8**

Deputy Chief of Staff, G-8

**DDSP**

United States-Canadian Defense Development Sharing Program

**DDL**

delegation of disclosure authority letter

**DEA**

data exchange annex

**DFAR**

Defense/DOD Federal Acquisition Regulation

**DIPEP**

Defense Intelligence Personnel Exchange Program

**DOD**

Department of Defense

**DODD**

Department of Defense directive

**DODI**

Department of Defense instruction

**DOTMLPF**

doctrine, organization, training, material, leadership, personnel and facilities

**DPEP**

Defense Personnel Exchange Program

**DRU**

Direct Reporting Unit

**EAR**

Export Administration Regulations

**ESEP**

Engineer and Scientist Exchange Program

**EXSUM**

Executive Summary

**FAR**

Federal Acquisition Regulation

**FCT**

foreign comparative testing

**FLO**

foreign liaison officer

**FM**

field manual

**FTAS**

foreign technology (and science) assessment support

**GO**

general officer

**HQDA**

Headquarters, Department of the Army

**IA**

international agreement

**IAG**

international agreements generator

**IC**

international cooperation

**ICRDA**

international cooperative research, development, and acquisition

**IEA**

information exchange annex (now known as IEP annex)

**IEP**

Information Exchange Program

**IOL**

International Online

**IPOC**

international point of contact

**IPT**

integrated product team

**IPWG**

International Programs Working Group

**ITAR**

International Traffic in Arms Regulations

**ITC**

International Technology Center

**JCIDS**

Joint Capabilities Integration Development System

**JPO**

joint program office

**MATDEV**

materiel development/developer

**MFC**

multinational force compatibility

**MOA**

memorandum of agreement

**MOU**

memorandum of understanding

**MPEP**

Military Personnel Exchange Program

**MSC**

major subordinate command; an obsolete term

**NAMRAD**

Non-Atomic Military Research and Development

**NAAG**

NATO Army Armaments Group

**NATO**

North Atlantic Treaty Organization

**NDI**

non-developmental items

**NDP-1**

National Disclosure Policy

**OASA(ALT)**

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

**OSD**

Office of the Secretary of Defense

**OTJAG**

Office of the Judge Advocate General

**OUSD(P)**

Office of the Undersecretary of Defense for Policy

**PA**

project arrangement/agreement/annex

**PB**

professional bulletin

**PD**

position description

**PEO**

program executive officer

**PM**

program/project manager

**PO**

project officer

**POPNAMRAD**

Policies, Organizations, and Procedures in Non-Atomic Military Research and Development

**PPBE**

Planning, Programming, Budgeting, and Execution

**R&D**

research and development

**RAD**

request for authority to develop

**RDA**

research, development, and acquisition

**RDEC**

research, development, and engineering center

**RDECOM**

Research, Development and Engineering Command

**RDT&E**

research, development, test and evaluation

**RFA**

request for final approval



**RUTF**

reciprocal use of test facilities

**SAGC**

Secretary of the Army/General Counsel

**S&T**

science and technology

**SC**

security cooperation

**SES**

senior executive service

**SNR(A)**

senior national representatives (Army)

**SSOI**

summary statement of intent

**STO**

science and technology objective; an obsolete term

**STP**

soldier training publication

**TA/CP**

technology assessment/control plans

**TB**

technical bulletin

**TC**

technology circular

**TCP**

technology control panel

**T&E**

test and evaluation

**TEMA**

Test and Evaluation Management Agency

**TEP**

test and evaluation program

**TIP**

technology information paper

**TJAG**

The Judge Advocate General

**TM**

technical manual

**TOL**

TIPs on-line

**TPO**

technical project officer

**TRADOC**

Training and Doctrine Command

**TRDP**

technology research and development projects

**TTCP**

The Technical Cooperation Program

**TTSARP**

technology transfer and security assistance review panel

**USC**

United States Code

**USD(AT&L)**

Under Secretary of Defense (Acquisition, Technology, and Logistics)

**WIPT**

working-level integrated product team

**Section II****Terms****AcqTech-IOL**

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 ICRDA Agreements, IEP Annexes and DPEP assignments. AcqTech-IOL is located at <https://stem-collabsuite.altess.army.mil>.

**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 USD(AT&L). 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.

**Army export control checklist**

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

**Cooperative research, development, and acquisition**

Any method by which governments cooperate to make better use of their collective RDA 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 the ASA(ALT).

### **Data exchange**

The exchange of technical and scientific information of mutual interest among the United States and allied and friendly nations.

### **Defense article**

Any item or technical data designated in section 121.1 of the International Traffic in Arms Regulations (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 CFR 120.9

### **Delegation of Disclosure Authority Letter (DDL)**

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 ICRDA 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 international agreement by the United States. Replaces the obsolete term conclude.

### **IEP 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.

### **IEP 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**

International agreements 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 Department of Defense (DOD) or by representatives of the Department of State or any other Department or Agency of the U.S. Government.

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

(3) Is denominated as an international agreement, 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) above. The DOD representative who enters into the agreement must reduce such an agreement to writing.

c. A NATO standardization agreement or ABCA 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 (10 USC 2341 et seq.).

e. Any extension, revision, or other amendment or modification to an agreement, as defined in paragraphs a(1) through (4) of this definition.

f. For the purposes of this regulation, CRDAs with foreign entities developed under the authority of 15 USC 3701 are not considered international agreements.

### **International Agreement Generator (IAG)**

A menu-driven software program that has all standard IA provisions plus “fill in the blank “ formats for program-specific IA sections. It is designed to assist the ICRDA proponent in drafting agreements that conform to relevant U.S. law and U.S. Government regulations and policies, as well as the generally accepted IA formats and norms used by foreign countries.

### **International cooperative research, development, and acquisition (ICRDA)**

ICRDA constitutes agreements and activities between the U.S. and its allies and other friendly foreign nations that relate to cooperative weapons research, development, test, evaluation, and acquisition. ICRDA is a subset of broader defense cooperation, which includes doctrine, training and capabilities harmonization, and Foreign Military Sales. ICRDA is a key element of multinational force compatibility (MFC), which is the collection of capabilities, relationships, and processes that together enable the U.S. Army to conduct effective multinational operations across the full spectrum of military missions. See, also, the definition for interoperability. ICRDA also contributes to the development and maintenance of an alliance or coalition relationship. More information on MFC is contained in AR 34-1. Other synonymous terms for ICRDA are: International Armaments Cooperation, Defense Cooperation in Armaments, and International Cooperative Acquisition, Technology and Logistics.

### **International cooperative research, development, and acquisition program specialist**

A generic term designating personnel responsible for overseeing and coordinating a command or agency’s ICRDA programs and activities. ICRDA 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 ICRDA programs and activities.

### **International Programs Working Group**

The International Programs Working Group (IPWG), a two-star level group, conducts detailed review and assessment, providing leadership visibility, of all proposed funded international S&T programs. This review and assessment should be completed before the Deputy Assistant Secretary of the Army for Defense Exports and Cooperation (DASA(DE&C)) grants negotiation or request authority to develop (RAD) authority for each program’s supporting international agreement (IA). The IPWG has been delegated approval authority for all proposed funded international S&T programs with a total U.S. investment not to exceed \$10M. The IPWG presents the results of its work, with its decision and recommendations, to the ASTWG for guidance and approval. The IPWG is co-chaired by the DASA(DE&C) and the Director for Research and Laboratory Management under the Office of the DASA(R&T). It is comprised of senior representatives from the ACOMs, ASCCs, DRUs, and the Army Staff with S&T oversight or development responsibilities

### **Interoperability**

The ability of systems, units, and forces to provide and accept data, information, materiel, and services to and from other systems, units and forces and effectively interoperate with other U.S. forces, allies, and coalition partners.

### **Memorandum of agreement (MOA)**

An international agreement 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 official of the executive branch of governments, usually at or below the ministerial level. Sometimes used in place of the more common term, memorandum of understanding (see below).

### **Memorandum of understanding (MOU)**

See definition for MOA above. For the purposes of this regulation, the terms MOU and MOA are used equivalently.

**Militarily critical technology**

See definition for critical technology.

**National disclosure policy (NDP-1)**

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.

**Summary statement of intent (SSOI)**

A DOD-mandated document that summarizes a proposed ICRDA 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 will—

- a.* Provide an overview of the proposed project.
- b.* Identify the associated Army ATO, other technology objective, or operational requirement.
- c.* Identify the partner nations and define the negotiation strategy.
- d.* Cite the applicable U.S. legal authority.
- e.* Describe the proposed management structure.
- f.* Describe the benefits and risks to the United States.
- g.* Assess the impact of the proposed project on the U.S. industrial base.
- h.* Identify the funding source and requirements.
- i.* Discuss any information security issues.
- j.* List project points of contact.

**Technology assessment/control plan (TA/CP)**

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 ICRDA agreements are addressed in the SSOI and the DDL in lieu of the TA/CP. (See AR 380–10 and AR 550–51.)

**Section III****Special Abbreviations and Terms**

This section contains no entries.

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