

BIG “T”/Little “t”

The emerging training paradigm for deployed Marine Corps forces

by Maj Christian C. Pappas & Charles M. Olmsted

“Using specific words to describe the training we provide matters,” Col J. Q. Bohm, CO, Special Purpose Marine Air Ground Task Force, Crisis Response, Central Command 15.1 (SPMAGTF-CR-CC) told his staff. The CO’s words detailed an important distinction when we were addressing the training we were conducting with our Iraqi, Jordanian, Bahraini, Kuwaiti, and other coalition partners. Correctly characterizing and explaining this training or cooperation is critical when U.S. units describe daily interaction with foreign forces. That distinction touched on the fact that words matter and drive authorities almost as much as the actions that those words characterize. “Training” is one of those critical words. We distinguished our training parameters, authorities, and fiscal constraints by using the colloquial terms “Big T” and “little t” when addressing this subject in situation reports or other similar communications. The activities conducted throughout the entirety of SPMAGTF-CR-CC’s deployment would lend even greater weight to these passing words spoken in a staff meeting.

During the course of SPMAGTF-CR-CC’s deployments, working in conjunction with U.S. Marine Corps Forces Central Command (MARCENT), U.S. Marine Corps Force Central Command (Forward) (MARCENT ([Fwd])), Combined Joint Task Force-Operation INHERENT RESOLVE (CJTF-OIR), and Combined Joint Forces Land Component Command-Iraq (CJFLCC-I), SPMAGTF-CR-CC developed and conducted a wide range of training with and of coalition and partner nation military forces. Each training event involving partnered military forces required a clearly defined authority, which, at

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Big T training is authorized and funded by Congress and is designed to build the capability of our partner nation. (Photo by Cpl Paul S. Martinez)

times, was not as clearly defined as one would have hoped due to the constantly changing grid of authorities and policy interpretations. As the Marine Corps departs the paradigm of over a decade of land warfare in well-defined joint operating areas and re-enters its traditional role of fighting the Nation’s small wars through Phase 0 engagement to partnered kinetic strikes in the same day, it is imperative that commanders and their staffs familiarize themselves with the authorities that will enable them to fight and win the Nation’s conflicts

while remaining true to the oaths each have sworn to protect and defend the Constitution of the United States of America.

In accordance with the *National Security Strategy*,¹ the United States is likely no longer going to “go it alone” and will rely heavily on formal coalitions and partners to maintain its national security. Fighting with and through partners will be the method by which the United States will maintain its place in the world. The coalition and partnered warfare executed over the

past decade in Iraq and Afghanistan will only increase as the United States continues to engage both near-peer competitors such as Russia and asymmetric threats like the Islamic State of Iraq in the Levant (ISIL). This article, though touching briefly on the experiences of other recently deployed Marine forces, will focus on the experiences of SPMAGTF-CR-CC 15.1 and 15.2, and the authorities on which they relied in conducting various training events with foreign forces that ranged from multinational exercises to training of foreign security forces while in combat. Our objective is to assist commanders and staffs in understanding some of the underlying authorities that they will rely upon when executing missions in the “new normal” environment.

Training with and training of foreign forces is nothing new to the Marine Corps. Marine Corps training and advisory groups hail as far back as to the Banana Wars of 1915. There, Marines not only served in an operational

capacity, they also organized, advised, and trained units in Haiti, the Dominican Republic, and Nicaragua.² Today, SPMAGTFs and MEUs continue to train with foreign forces under various mandates and authorities around the globe.³

The nuance of training *with* a foreign force vice providing training *to* a foreign force is a significant dichotomy that must be understood by commanders and their staffs as they deploy in the new normal environment. Put simply, there are two primary types of training we can conduct with partnered nations: formalized training and interoperability training. Colloquially, formalized training is referred to as “Big T” training, while interoperability training is referred to as “little t” training. Big T training is training and equipping specifically authorized and funded by Congress in order to build the capacity of a coalition or partner nation and is also commonly referred to as security assistance. Little t training is

training conducted with coalition and partner nations that primarily benefits the DOD. As was highlighted by Col Bohm, words matter in distinguishing what it is a MAGTF is doing, because failure to adhere to the law can have serious implications not only for the unit but also for U.S. foreign policy.

Through the Constitution, Congress has the power of the purse, and it is for the Executive to execute the fiscal mandates.⁴ Training of foreign forces always involves the expenditure of public funds and resources, and consequently, Commanders must execute their missions in accordance with the law. Congress maintains control of activities such as training of foreign forces through public laws and statutes, such as the annual National Defense Authorization Act (NDAA), the DOD Appropriations Act (DODAA), and title 10 and 12 provisions. As with any expenditure of funds from the public, spending money for training follows the fiscal law principles of purpose, time, and amount. In order

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for training of foreign forces to occur, Congress must specifically authorize it and appropriate for it.⁵

“Big T”

The Department of State (DOS) is the lead Federal Agency for training and equipping foreign military forces, and its authority in this regard is primarily set forth in the Foreign Assistance Act and the Arms Export Control Act. The execution of training and equipping foreign forces, also known as security assistance, is Big T training and is commonly executed in the form of foreign military sales like the cases with the U.S. Military Training Mission–Saudi Arabia and the Marine Corps Training Mission–United Arab Emirates, both of which are conducted under the purview of DOS even though the actual training is conducted by the U.S. military. However, Congress, in carrying out its mandate to control who can spend money on what and when, has authorized the DOD to execute security assistance in support of coalition and partner nations in certain limited circumstances either through codified U.S. statute or, more typically in the case of the DOD, through the annual NDAA and DODAA. The fiscal year (FY) 2015 NDAA not only authorized funding for training of foreign forces but also set forth vetting requirements to ensure that the U.S. trains only those forces that have not engaged in conduct



Little t training primarily benefits DOD. (Photo by Cpl Paul S. Martinez.)

ally there is little room for deviation from the guidance established by the DOD to implement congressionally authorized training packages; therefore, the executing units must understand the limits of their authority as they are critical in ensuring compliance with law and policy and, arguably more importantly, ensuring the Marine Corps will have a continued role in these partnerships and programs.

One of SPMAGTF-CR-CC’s primary training initiatives involved establishing and supporting advise and assist (A&A) and build partnership

support, supplies and services, stipends, facility and infrastructure repair and renovation, and sustainment in order to defend Iraq from the Islamic State in Iraq and the Levant (ISIL). ITEF provides authority to train Iraqi security forces with a national security mission, including Kurdish Security Forces, tribal forces, and certain other local security forces. Consistent with long running U.S. policy, ITEF may not be used to train groups with terrorist affiliations or with connections to Iran.

In addition to ensuring that U.S. forces do not train terrorist groups or Iranian-backed militias, all units receiving training or equipment must be vetted to ensure that they demonstrate compliance with international human rights law. In order to accomplish this goal, Section 1236 contains Leahy vetting requirements. Prior to beginning training or equipping any units, the names and other identifying information on the Iraqi brigade and battalion commanders of the units must be gathered and submitted to DOS for vetting through the International Vetting and Security Tracking System (INVEST). For units smaller than a brigade or battalion, the information for the senior leader in the unit is also submitted for vetting. An additional requirement to the vetting process is to provide Iraqi forces with training on the law of armed

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contrary to national policy.⁶ This vetting is typically done through a process known as Leahy vetting.⁷ Thus, through statute Congress specifically authorizes the DOD to conduct training in order to enhance the capabilities of a partner nation. The DOD then publishes additional guidance to dictate how training will be conducted. Typi-

capacity (BPC) sites for training the Iraqi Security Forces (ISF). Congress authorized this formalized training under the FY 2015 NDAA section 1236, Iraq Train and Equip Fund (ITEF) and reauthorized with modifications in the FY 2016 NDAA. ITEF gives DOD, in coordination with DOS, authority to provide training, equipment, logistics



Marines from the Black Sea Rotational Force participated in an exercise involving eight NATO nation and partner nations. (Photo by Cpl Kelly Street.)

conflict, human rights, and respect for civil authority. The SPMAGTF-CR-CC staff judge advocate (SJA) or a representative from CJFLCC-OIR normally provides this training, utilizing a CJFLCC-OIR produced period of instruction.

The other significant Big T training initiative for SPMAGTF-CR-CC is the BPC authority granted in the FY 2006 NDAA as amended and now codified as 10 U.S.C. Section 2282. This authority gives the DOD, with the concurrence of DOS, the authority to train a foreign country's national military forces in order for that country to conduct counterterrorism operations or participate in or support on-going allied or coalition military stability operations that benefit the United States. The statute covers types of capacity building, limitations, congressional notification prior to implementation of a program, and coordination with DOS.⁸ 2282 authority includes providing foreign forces with equipment, supplies, training, defense services, and small-scale construction (less than \$750,000 per project). Most of the funds are supposed to be spent on training and equipping with very little on construction (<5 percent of total). 2282 authority is treated much like a foreign military sales case, to include pseudo letters of acceptance

and Security Cooperation Office (SCO) vetting and monitoring responsibilities. Practically speaking, which was the case of SPMAGTF-CR-CC 15.1, what this means is that there is a long tail required for notification, production, and delivery as well as a limitation on the

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activities that can be conducted, namely that operational support in current and future operations is limited like that of an foreign military sales case. Because of this, initial activities under the approved case were limited to training of Jordanian forces but using only organic Jordanian training equipment and ammunition. Only in follow-on iterations has the full scope of the case been realized with the delivery of significant ammunition stocks and equipment to support the Royal Jordanian Marine Battalion and the rapid reaction force; however, the advisors supporting the case cannot advise on current counter-

ISIL activities while in their 2282 role. The lesson learned from this experience was to work heavily with the MARFOR and the SCO in the U.S. embassy in order to leverage other authorities and to synchronize efforts to support the combatant commander's theater campaign plan and the host-nation's desires. An additional consideration for Section 2282 authorized training is that, like most security assistance statutes, it must include elements that promote observance of and respect for human rights and the rule of law. Unlike the 1236 training requirements in Iraq, for human rights training conducted under 2282, the DOD has mandated a specific two-day training course created by and under the purview of the Defense Institute of International Legal Studies (DIILS).⁹ The training must employ DIILS approved instructors and DIILS materials. Thus, there is an extra coordination element required for 2282, which is not required for 1236, but is easily met using DIILS instructors and the SPMAGTF-CC-CR, 5th MEB and other forward deployed judge advocates. Again, coordinating through the MARFOR and the SCO, the training could be delivered in a timely manner.¹⁰

“Little t”

As part of its constitutional role in raising and supporting armies and to provide and maintain a navy, Congress authorizes and appropriates funds for the operations and maintenance (O&M) of the military, which allows units to train to missions assigned through the Executive. The key mission being fighting and winning America's wars, which under current national strategy and practice means the U.S. military must learn to fight alongside partner and coalition forces. As such, as a necessary expense to meet its mission, U.S. forces are authorized to train with coalition or host-nation forces, unless otherwise specifically provided for. This training is usually referred to as interoperability training, or colloquially, as little t training. This little t training is authorized so long as it is genuinely intended to benefit the DOD unit conducting the training and is limited to interoperability, familiarization of U.S. forces with

a foreign security force, and safety for the U.S. unit conducting operations or exercises with a foreign security force.¹¹ Much can be done within the scope of little t training; however, this is not a separate authority like security assistance authorities that allow for the provision of equipment or formal training. The key to any analysis in making this determination is whether the U.S. forces would be adding capability or capacity to the foreign security force or would any benefit to the foreign security force be merely incidental to the United States conducting training of its own forces. This determination turns on purpose and intent of the training and should focus on whether the interoperability training is being conducted in support of an exercise, current operations, or a registered operation plan.

For SPMAGTF-CR-CC, all training with foreign security forces that fell outside of the Big T specified authorities mentioned above, were informal, interoperability, or little t training events. SPMAGTF-CR-CC conducted little t training with Kuwaiti, Bahraini, Iraqi, Jordanian, and Emirati armed forces through discrete subject matter expert exchanges, shoulder-to-shoulder ranges, bilateral and multilateral exercises, and day-to-day interactions in the conduct of combined operations. For each of the events, the purpose of the training was to benefit the U.S. unit's training objectives. U.S. forces did not train the partnered force or supply it with any supplies or logistics.¹² Specific examples include training with Iraqi Air Force security forces with which SPMAGTF-CR-CC shared an obligation to defend Task Force Al Asad and Task Force Taqqadum, Bahraini Air Force pilots conducting strike coordination and reconnaissance/armed reconnaissance missions with SPMAGTF-CR-CC pilots, various subject matter experts exchanges assigned by MARCENT, participation in exercise EAGER LION in Jordan, and several partnered ranges at SPMAGTF-CR-CC's several basing locations with host-nation forces.¹³ In each of these cases, in order to enhance U.S. forces' security and safety at each location, SPMAGTF-CR-CC conducted interoperability training with

host-nation forces defending the base. While this training undoubtedly benefitted the several host-nation forces, the primary intended beneficiary was the United States.

The most significant lesson learned for the SPMAGTF-CR-CC staffs, and the judge advocates in particular, is the need to train the executing unit and individual planners on the scope of little t training. Units must avoid the temptation to lump all training into the interoperability category; despite the obvious attraction of less oversight, less required coordination, and greater flexibility by the executing unit. Interoperability training is truly for the benefit of U.S. forces in order to allow them to operate together with partner forces as the mission dictates. The danger and harm of masking security assistance behind a thin veil of little t training is much farther reaching than may be realized at the moment of execution by the company or battalion on the ground. Categorizing all ancillary training as interoperability training or little t training erodes credibility with the partner nation, higher headquarters and civilian leadership, subjects the unit to greater scrutiny and less freedom of action, and ultimately may lead to an Antideficiency Act violation or more restrictions enacted by Congress.

The training Marines conduct with our partnered forces will be as successful as the Marines on the ground make it, be it interoperability training or formalized security assistance. As deployed Marine units continue to train and work with partnered forces, be it the Black Sea Rotational Force working in Eastern Europe, the Georgian Liaison Team training and deploying with Georgians into combat, or the Marine Rotational Force-Darwin working with the Australians, the understanding of how we can train with them will remain important. It is imperative that a commander and staff understand the authorities under which it is to operate prior to deployment and that they continue to refine this understanding during execution in order to avoid violating the law and setting false expectations with the partner forces. Critical to the process of security cooperation refinement also includes

feedback from the "using" unit. If more authorities are required in order to allow follow on units to be more successful, then that message must be relayed back to the MARFORs to allow an advocate at both the Service and the combatant commander levels to request and fight for additional authorities through proper channels. With a continued, solid understanding of training left and right lateral limits, the Marine Corps will continue to accomplish the mission in the face of seemingly insurmountable challenges and, consistent with our history, it is under these circumstances when we, as an organization, usually shine the brightest.

"Big T"	"Little t"
Formalized training FOR foreign unit	"Interoperability" training WITH Foreign Unit
Enhances capability of foreign unit	Benefit of training flows to U.S. Unit
Authority comes from Congress/statute (i.e. NDAA)	No associated statutory authority
Funds come from designated "pot" of monty allocated by Congress	Unit O & M funds

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Notes

1. Government of the United States, *National Security Strategy*, (Washington, DC: February 2015), 3.
2. Ivan Musicant, *The Banana Wars: A History of United States Military Intervention in Latin America from the Spanish-American War to the Invasion of Panama*, (New York: Macmillan, 1990), 470.
3. Some examples include the Black Sea Rotational Force, which completed PLATINUM LION 15-3, a multi-lateral exercise with European forces; SPMAGTF-CR-Africa (AF), which completed a training package with Senegalese Comandos, maritime security training under fiscal year 2015 (FY15) National Defense Authoriza-

tion Act (NDAA) section 1203, Counter Lord's Resistance Army foreign security force training under FY15 NDAA section 1206, and counter narcotics training under FY91 NDAA section 1004; the Marine Rotational Force–Darwin which regularly engages with the Australians and other Pacific partners; and the SPMAGTF-CR-CC which conducted multilateral and bilateral exercises alongside the MEUs as well as training Jordanian Armed Forces (JAF) under FY06 NDAA section 1206 and Iraqi forces under FY15 NDAA 1236.

4. Congress' power of the purse is vested in Article I, section 8, cl. 1 and section 9, cl. 7 of the U.S. Constitution and plays a critical role in its relationship with the executive branch and the U.S. military. Through this power, Congress authorizes expenditure of funds and appropriates specific amounts that may be spent in support of operations, to include training of foreign forces as specifically delineated within statute.

5. "Purpose" requires that appropriations are applied only to the units for which the appropriations were made except as otherwise provided by law. See 31 U.S.C. § 1301(a). Thus, if provided authorization and appropriations

to use on training the Iraqi Security Forces, the DOD may not use that money to train the Japanese Defense Force. A corollary to the principle of Purpose is the Necessary Expense Doctrine under which expenditures must be necessary and incident to the purposes of the appropriation, it must not be prohibited by law, and it must not otherwise have been provided for within another authorization or appropriation. See e.g. Hon. Bill Alexander, 63 Comp. Gen. 422, 427–428 (1984). The principle of Time requires that funds may only be used during their period of availability and that an obligation of funds may only be used to meet a bona fide or legitimate need that exists during the period of availability of that fund. 31 U.S.C. §§ 1502(a), 1552. The principle of Amount refers to the Antideficiency Act (ADA), 31 U.S.C. §§ 1341(a), 1342, or 1517(a), which prohibits obligating and expending appropriations "in excess of" the amount available in an appropriation. This last restriction is a particularly important one as violations of the ADA can lead to administrative or punitive discipline and includes a report to the President naming the individual who made the violation. Even good faith or mistake of fact does not relieve an individual from responsibility for an ADA violation.

6. See e.g., Public Law no. 113-291, §§ 1209, 1236 (2014), and P. L. no. 114-92, §§ 1223, 1225 (2015) (continuing authority to provide security assistance to Iraqi Security Forces and Vetted Syrian Opposition).

7. Leahy vetting is a process through which the U.S. government vets U.S. assistance to foreign security forces, as well as DOD training programs, to ensure that recipients have not committed gross human rights abuses. When the vetting process uncovers credible evidence that an individual or unit has committed a gross violation of human rights, U.S. assistance is withheld, consistent with U.S. law and policy. This obligation to vet foreign security forces can be found in section 620M of the Foreign Assistance Act of 1961 (FAA) and in the FY 2014 NDAA.

8. 10 USC Section 2282. Authority to build the capacity of foreign security forces.

9. See www.diils.org for more info on this agency.

10. Like all security assistance programs, Leahy vetting was required which ensured that SPMAGTF-CR-CC partnered with and trained only those units that complied with the international law. A lesson learned from the SPMAGTF-CR-CC experience regarding vetting was that biometric data collected by

Marines could not be used as a substitute for vetting requirements in support of Operation INHERENT RESOLVE. Applying lessons learned in Afghanistan, the FY15 NDAA Section 1236 contains specific requirements for the DOD to brief Congress as to what measures are in place for each training program to mitigate the insider threat. In accordance with that Congressional mandate, DOD has implemented biometric enrollment as a force protection measure. However, biometric enrollment is not and cannot serve as a substitute for "Leahy" or Section 1236 vetting, and the appropriate executive agencies must still coordinate and conduct vetting of those units receiving security assistance.

11. In 1983, the U.S. military was involved in a broad range of training and building capacity to a host of countries, including Honduras, where it was improperly using operations and maintenance funds for training and construction activities. This prompted Congressman Alexander, AK, to request a legal opinion from the Government Accounting Office. The legal opinion provided the limiting basis for future military security assistance expenditure of funds without proper associated authorities among other limitations. See The Honorable Bill Alexander, 63 Comp. Gen. (1984), 445–46.

12. This logistical support does not include acquisition and cross servicing agreements (ACSA) between the United States and partnered forces where any received logistical support is reimbursed from the country receiving it to the providing country, i.e. pay to play. ACSA is a separate authority that must follow regulations implemented through the chain of command to potentially include limited "warranted" ACSA officers as was the case within MARCENT.

13. Additionally, the MEUs and other SPMAGTF-CRs conduct "little t" military-to-military interoperability training within their several operating areas and may even draw from special appropriations in order to conduct this training. Such is the case for SPMAGTF-CR-AF when it draws from the Africa Partnership Station funds derived from NAVEUR and NAVAF. For Marines with MARFOREUR, almost all of the partnered training is "little t" training, carried out by the Black Sea Rotational Force in Bulgaria, Romania, Poland, and Latvia under programs like the European Reassurance Initiative.



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