

**Defense Technology Security Administration
Operation and Maintenance, Defense-Wide
Fiscal Year (FY) 2021 Budget Estimates**

**Operation and Maintenance, Defense-Wide Summary (\$ in thousands)
Budget Activity (BA) 4: Administration and Service Wide Activities**

	FY 2019 <u>Actuals</u>	Price <u>Change</u>	Program <u>Change</u>	FY 2020 <u>Enacted</u>	Price <u>Change</u>	Program <u>Change</u>	FY 2021 <u>Estimate</u>
DTSA	35,334	885	-1,461	34,758	738	2,936	38,432

I. Description of Operations Financed: Mission, Responsibilities, and Core Functions

The Defense Technology Security Administration (DTSA) - a Field Activity under the authority, direction, and control of the Under Secretary of Defense for Policy (USDP) - develops and implements Department of Defense (DoD) policies on international transfers of defense-related information, goods, services, and technologies.¹

The mission of DTSA is linked to the three approaches of the National Defense Strategy: Build a More Lethal Force; Strengthen Alliances and Attract New Partners; and Reform the Department for Greater Performance and Affordability. To facilitate a more lethal force, DTSA protects the U.S. military's critical information and technological advantages by controlling and limiting transfer of information and technology that - in the wrong hands - could prove potentially detrimental to U.S. national security interests. In this regard, DTSA pays particular attention to transfers that could result in the proliferation of weapons of mass destruction and their means of delivery, as well as conventional weapons and dual-use technology that could erode the U.S. warfighter's technological advantage. Related to this, DTSA plays a fundamental role in inhibiting the diversion of U.S.-produced, defense-related goods to terrorists. Equally important, to facilitate strong alliances and attract new partners, DTSA plays an essential role in enabling security cooperation with allies and partners, executing foreign disclosure

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reviews of classified information, supporting partner and ally interoperability with U.S. Forces, and assisting in the enhancement of their military capabilities to address national security matters of mutual concern. Finally, in executing the foregoing responsibilities, DTSA does its utmost to achieve greater performance and affordability by balancing the safeguarding of critical defense information and technologies with fostering the health of the U.S. defense industrial base through four core functions. First, it conducts National security reviews of Defense information and technology transfers. Second, it works closely with allies and partners on cooperative endeavors that have an information security dimension. Third, it develops and implements DoD policies related to defense information and technology release determinations, foreign disclosure of classified information, and exports. Finally, it performs important security and information management functions for other U.S. Government (USG) agencies as well as the DoD.

National Security Review of Defense Information and Technology Transfers

In partnership with other U.S. government agencies and industry, DTSA assesses defense information and technologies and develops measures to prevent diversion or proliferation of information and technology that could prove detrimental to U.S. national security. DTSA accomplishes this function in several ways. It assesses the national security risks of Direct Commercial Sales (DCS) and Foreign Military Sales (FMS) and assists in managing those risks. DTSA plays a key role in risk management by developing technology security policies, identifying critical and emerging technologies that require export controls, drafting U.S export regulatory controls, adjudicating export classification of equipment and technology, assessing the harm to U.S. national Security with regard to potential violations of export laws and regulations, and supporting end user checks. As the DoD agent, DTSA makes recommendations on export licenses for DCS (equipment, technology, OP-5 Exhibit - Operation and Maintenance Detail

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data, and services) and supports Department of State and Commerce end-user checks of export license applicants.

DTSA leads or plays a central role in a number of USG bodies that identify and manage risks tied to technology and information security. DTSA is responsible for the development and maintenance of the National Policy and Procedures for the Disclosure of Classified Military Information to Foreign Governments and International Organizations Policy (NDP-1), which is approved by the Secretary of Defense. DTSA chairs the National Disclosure Policy Committee which establishes the policy governing the disclosure of classified military information and materiel to foreign Governments and international organizations. DTSA also plays a leading role in the oversight of technology exports for foreign space launches. In this regard, it develops license provisos and closely monitors launch preparation activities to ensure that unauthorized technology transfers do not occur. As the USDP representative on Committee on Foreign Investment in the United States (CFIUS) reviews, DTSA plays a key role in reviewing the defense-critical technology that could be transferred when U.S. companies or company assets are sold to foreign owners. DTSA also plays an essential role in developing International agreements on classified information sharing with foreign governments and international organizations. Further, it reviews all patents involving highly-sensitive or classified technologies. DTSA assists other agencies in assessing whether foreign purchasers of critical technology are complying with license requirements and supports USG enforcement efforts when license requirements are violated. Finally, DTSA reviews documents describing sensitive U.S. information and technology to make sure they are suitable for public release. With the passage of the Foreign Investment Risk Review Modernization Act (FIRRMA), DTSA's role in national security review of CFIUS cases will greatly increase in the coming fiscal years. Because of expanded CFIUS authorities under FIRRMA, which is

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captured in the FY2019 NDAA, DTSA's technology security review will become even more important to maintain the U.S. military edge.

International Engagements and Information Security Cooperation

In an effort to Strengthen Alliances and Attract New Partners, DTSA works with international partners to protect critical defense-related information and technology, increase information security cooperation, and enhance military interoperability. DTSA performs this function in a variety of ways. The leaders of DTSA conduct regular bilateral engagements with partners and allies around the world to address information and technology security matters of mutual importance. Often these engagements are directly tied to cooperative technology security programs, for which DTSA plays a principal role in representing the USG's national security interests. DTSA's leaders also support a variety of interagency and intra-departmental bilateral engagements as the USG's military information and technology security subject matter experts.

Representatives from DTSA are also important and regular contributors to multilateral export control and non-proliferation regimes (i.e., Wassenaar Agreement (WA), Missile Technology Control Regime (MTCR), Nuclear Suppliers Group (NSG), and Australia Group (AG)). DTSA is the USDP's lead for the WA, MTCR, and the NSG. This responsibility is written into the revised DTSA charter (DoDD 5105.72, dated April 26, 2016). Additionally, DTSA plays a central role in the development and maintenance of key treaties with defense trade or military technology security dimensions, such as the UK/AU Defense Trade Cooperation Treaties, and the North Atlantic Treaty Organization (NATO). Elements of DTSA collaborate routinely with foreign partners to design and maintain viable industrial security programs. Teams from DTSA regularly conduct National Disclosure Policy Committee (NDPC) security surveys in foreign countries to ensure that these nations have the capability to protect U.S. classified information to equivalent U.S. standards in

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accordance with bi-lateral General Security of Information or General Security of Military Information Agreements. DTSA also liaises with the combatant commands to advise and assist them with technology security matters as these commands work with partners and Allies in their respective areas of responsibility. Lastly, DTSA's leaders regularly attend Defense international trade shows to represent the USG's and DoD's interests in technology security and to assess the state of critical defense-related technologies internationally.

DoD Export, Technology Release, and Foreign Disclosure Policy Determinations

DTSA shapes international and domestic policies and regulations that protect defense information and technology while facilitating security cooperation with partners and allies. DTSA experts regularly contribute to U.S. export control laws, regulations, and policies; export control reform; commodity jurisdiction determinations; commodity classifications; and the USG Entities List. On behalf of the DoD, DTSA allows technology release waivers when it assesses the potential risk to U.S. national security is acceptable or that adequate protective measures can be put in place to reduce risk to an acceptable level. DTSA also leads technology release reviews for night vision equipment exported under the Foreign Military Sales (FMS) program.

To get ahead of material and technology requirements in a fast-paced operational environment, DTSA - in cooperation with the Department of State and other DoD components - develops "anticipatory" technology-release policies. DTSA also plays a unique role in supporting key governmental bodies responsible for oversight of information and technology security. DTSA leads the development and implementation of national and DoD policies on, and authorities for, the disclosure of classified military information and

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material. It also provides guidance to DoD components in a variety of ways (e.g., export controls, DoD directives, the Defense Federal Acquisition Regulation Supplement (DFARS), trade security controls, and demilitarization requirements).

Technology Security Management Functions

DTSA supports the USG and DoD by performing several management functions that support information security-related systems. First, it provides the Secretariats for the National Disclosure Policy Committee (NDPC). Next, DTSA oversees all foreign personnel visits and assignments to USG organizations. Finally, DTSA operates and maintains five information technology systems that support the USG and DoD: the USXPORTS interagency export licensing system, the DoD Patent Application Review System (DPARS), the Foreign Visits System, the Spacelink system, and the National Disclosure Policy System.

Culture

DTSA professionals accomplish the mission through communication, partnership, and transparency. We use the P.A.R.T.N.E.R. philosophy internally and in all interactions with U.S. Government, industry, international partners and other stakeholders to achieve DTSA's goals and objectives. We are PROACTIVE in how we manage challenges and opportunities; ACCOUNTABLE - for ourselves and our organization; RESPECTFUL - to the culture, background, and dignity of all people; TRANSPARENT - knowing we are doing the right things; NETWORKED - because we invest in building relationships while strengthening existing alliances and attracting new partners; EMPOWERED - to fulfill our role in supporting our mission as a valued professional; and REPRESENTATIVE - in how we portray ourselves and exemplify our organization. We will: 1) ensure critical U.S. military

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technological advantages are preserved; 2) build partner capability and capacity, and 3) preserve the U.S. industrial base.

History

Established in the mid-1980s as a field activity under the Office of the Under Secretary of Defense for Policy, DTSA reviewed and opposed the Soviet Union's attempts to acquire technology that would improve its military capabilities. DoD officials considered such transfers - especially of dual-use technologies - a major threat to U.S. national security. With the fall of the Soviet Union, DTSA's role evolved. While retaining its mission to protect the U.S. military's technological edge in the most critical and sensitive areas, DTSA has increasingly been involved in reviewing the transfer of critical technologies to friends and Allies.

Executive Operations:

FY 2019 <u>Actual</u>	FY 2020 <u>Estimate</u>	FY 2021 <u>Estimate</u>
1,149	1,163	1,363

Consistent with U.S. policy, national security objectives, and Federal laws and regulations, the DTSA Director is responsible for protecting the U.S.'s advantages in military technology. The DTSA Director and Deputy Director accomplish this responsibility through direct support to the National Defense Strategy. To protect the technological superiority of our warfighter, DTSA works with DoD components and industry in identifying critical technologies that are key to current and future warfighting capabilities. DTSA oversees the development and implementation of the DoD technology security policies for

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international transfers of these defense-related goods, services, classified information and technology. DTSA strengthens alliances by working with international partners in coordination with the Departments of State and Commerce and others, to control and prevent the transfer of critical technologies to competitors and/or adversaries such as China, Russia, Iran, and North Korea. DTSA supervises the control, and mitigates the risk, of information and technology transfers to key partners and allies to ensure that they are not detrimental to U.S. security. DTSA identifies and mitigates transfers that would result in the proliferation of weapons of mass destruction and their means of delivery. One of the fundamental pillars of the National Defense Strategy is to harness innovative technologies from our industries in order to build and maintain a more lethal, resilient and rapidly innovative force. DTSA implements policies and processes that promote the health of the United States' defense industrial base.

**International Cooperation Directorate (ICD):
Formerly Policy Directorate (PD)**

FY 2019 <u>Actual</u>	FY 2020 <u>Estimate</u>	FY 2021 <u>Estimate</u>
4,480	4,539	5,098

Composed primarily of foreign affairs specialists (civil servants and contractor personnel) with broad and varied backgrounds in international relations, the International Cooperation Directorate (ICD) works with other USG agencies and components, industry, international partners, and academia on technology protection policy matters. The ICD, as the focal point for DoD policy on technology protection, provides strategic analysis of technology transfer trends, issues, and opportunities. The International Cooperation Directorate leads the agency's engagement in the Department of Defense and in

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the interagency for the implementation of the National Defense Strategy (NDS), specifically with regard to ensuring the technological advantage of the U.S. warfighter.

As directed or delegated by law, regulation, DoD Directive, or DoD Instruction, ICD leads the DoD's efforts in a wide variety of technology protection and export control matters. In the international arena, ICD provides policy and subject-matter expertise in a number of forums. This is particularly true with respect to the international export control regimes. ICD represents the Department at, and oversees DoD input in, all Australia Group (Export Controls for Chemical and Biological Agents), Missile Technology Control Regime (MTCR), Nuclear Suppliers Group (NSG), and Wassenaar Arrangement (Export Controls for Conventional Arms and Dual-Use Goods and Technologies) activities. The ICD also leads the Department's efforts in activities related to Section 123 of the Atomic Energy Act, which addresses U.S. civil nuclear cooperative agreements with other nations. ICD also spearheads OUSDP's work in development and implementation of Defense trade treaties with the UK and Australia.

ICD, in partnering with other DTSA directorates, and other stakeholders in the Department, ensures proper and robust implementation of the Export Control Reform Act (ECRA). As part of the 2019 National Defense Authorization Act, it provided authorities to respond to China and Russia's aggressive pursuit of critical U.S. technologies. ECRA requires identification of "emerging and foundational technologies" essential to U.S. national security for possible new export controls and foreign direct investment reviews. DTSA is focused on strengthening technology protections, and is a key player in the U.S. Government effort to identify and address current technology protection gaps.

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On behalf of the U.S. Patent and Trademark Office, ICD conducts national security reviews of patent applications for sensitive, and classified defense-related technology. In a related vein, the ICD reviews classified foreign patent applications covered under the "NATO Agreement for the Mutual Safeguarding of Secrecy of Inventions Relating to Defense and for which Applications for Patents Have Been Made" and related bi-lateral agreements. The ICD also plays an important role for the Department in contributing to USG decisions on sanctioning violators of U.S. export regulations and helping to determine which business entities (U.S. and foreign companies and individuals) should be restricted from purchasing sensitive or classified defense technology. ICD plays a central role in U.S. export denial consultations with foreign partners.

In addition, the ICD is the Office of the Under Secretary of Defense for Policy's (OUSDP) lead for all National security reviews for transactions filed with the Committee on Foreign Investment in the United States (CFIUS), which involve the sale of U.S. companies (with the capability to make a product or provide a service important to U.S. national security or defense) to a foreign entity. ICD is playing an essential part in the Department's implementation of the Foreign Investment Risk Review Modernization Act of 2018, as known as FIRRMA. The law expands CFIUS authorities and export control provisions to respond to Chinese aggressive pursuit of U.S. critical technologies via gaps in legislative authorities.

The ICD plans and executes all of the DTSA's bilateral international engagements including the Cooperative Technology Security Program (CTSP). The CTSP is a DoD Ministry of Defense Advisory (MoDA)/Institution Capacity Building (ICB) Program-funded initiative in which ICD experts advise other countries' defense and security establishments regarding technology protection institutions and mechanisms for the purpose of protecting sensitive indigenous and U.S.-origin warfighter technologies. The CTSP helps to build USG confidence in partner nations' technology protection and export control capabilities,

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bolsters partners' institutional capacity, and thus the CTSP is a key enabler of greater security cooperation with partner countries.

For the DTSA itself, the ICD plays a leading role in several activities. In support of the DTSA's License Directorate, the ICD reviews commercial munitions and dual-use export license applications for policy-related concerns and makes recommendations as appropriate.

The ICD's outreach and liaison responsibilities on behalf of DTSA are also considerable and varied. First, it conducts a robust program of outreach activities with industry and academia (both U.S. and foreign).

The ICD's workload and accomplishments for a typical year are considerable. The ICD plans, coordinates, and executes more than 100 international engagements, including approximately 15 major multilateral negotiations at the office-director-level and approximately 25 senior-level engagements, many requiring overseas travel for the DTSA's Director. The ICD also conducts up to a dozen in-depth, analytical studies on country-specific and worldwide technology acquisition trends, over 6,000 patent security reviews in support of day-to-day licensing/technology transfer operations and review.

Technology Directorate (TD):

<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
8,128	8,432	10,150

The Technology Directorate (TD) provides the DTSA's principal source of technical insight, advice, and analysis on international transfers of defense-related items and other technology-related matters of national security interest.

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The TD supports the DTSA mission in several ways by providing the technical foundation to virtually every action or activity undertaken. As one of its core functions, the TD identifies technologies that are critical to the U.S.' military advantage and national security. This is particularly true with respect to DoD efforts to modernize, streamline, and synchronize the USG's export control systems and regulations, as well as international export control regimes, such as the Missile Technology Control Regime (MTCR), Nuclear Suppliers Group (NSG), and Wassenaar Arrangement (WA). In support of U.S. national security reviews of both State Department and Commerce Department export licenses, doing so, the TD annually reviews and analyses roughly 19,000 international transfers of military technology, defense articles, and dual-use items in a manner consistent with DoD's technology security objectives and national security interests. In the process of reviewing technology transfers to other countries, the TD is often called upon to recommend solutions to complex technical problems affecting national security. This task requires the TD to document and convey clear and accurate positions on international transfers that protect the U.S.' warfighting edge and mitigate technology security risks.

The TD technical staff consists of senior engineers and scientists who are recognized experts on highly-sensitive, military technologies that contribute to the U.S.' military advantage, and who apply their knowledge and expertise daily to shape DoD technology security policy. To effectively accomplish the DTSA mission in a timely manner, the TD scientists and engineers must be experts on both domestic and foreign defense-related technology and capabilities. They must also be highly proficient at applying their technical knowledge in a manner consistent with the USG's policy and regulatory framework as well as a variety of multilateral forums concerned with technology security. The foregoing requires TD's engineers and scientists to integrate contributions from DoD and other USG stakeholders in developing viable technical solutions for managing technology

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transfer risks. Finally, they must convey their analysis and recommendations on complex technical subjects in understandable terms to a broad audience.

The TD also protects U.S. space-related technological advantages and prevents the diversion or proliferation of this critical technology. The TD promotes the U.S. space industry's competitiveness in the international marketplace by providing responsive services that support the U.S. space industry's export license requests. The TD performs post-licensing oversight of both DoS and DOC exported spacecraft, satellites, or related items if they are to be launched using a foreign space launch vehicle.

The TD maintains a technically qualified and readily available staff of engineers who can respond quickly to industry's demands for monitoring services. The TD deploys its monitors when the DoS Directorate of Defense Trade Controls (DDTC) imposes special export controls (SECs) on space-related export authorizations. SECs are imposed when a satellite (or related items) is exported for launch in a foreign country that is neither a member of NATO nor a major non-NATO ally of the U.S. (or by the nationals of such a country). In cases where SECs are mandated, the applicant must reimburse the U.S. Government for all monitoring costs. In the event of a launch failure (i.e., crash), a separate mandatory license is required for the conduct of investigations and analysis. Export licenses for evaluating launch failures in such cases also require reimbursement from industry.

Although SECs are not required for the launch of U.S.-origin satellites, spacecraft, and components from or by nationals of a country that is a member of NATO or a major non-NATO ally, such export controls may nonetheless be applied. SECs include physical monitoring and also the development of Technology Transfer Control Plans (TTCPs). The TD reviews and approves these industry plans to ensure the launch campaign is carried out within DoS

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or DoC authorizations or limitations, and prevents the unauthorized transfer of U.S. space technology.

Licensing Directorate (LD):

<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
6,138	6,238	6,620

The Licensing Directorate (LD) manages all of DoD's actions related to the U.S. national security review of State Department export and import licensing of defense articles and services, Commerce Department export licensing of dual-use items/munitions articles, Energy Department export licensing of nuclear energy-related technology and National Regulatory Agency (NRC) nuclear-controlled materials.

The LD reviews an average of 46,308 munitions and dual-use export license applications per year. The LD experienced a slight decrease in license volume as a result of revisions to the State Department's (DoS), International Traffic in Arms Regulations (ITAR) and the Commerce Department's Export Administration Regulations (EAR), and availability of Department of Commerce license exceptions.

The LD is DoD's lead in the Department of State's commodity jurisdiction (CJ) process, which determines the proper regulatory jurisdiction for controlled technology and defense services. Further, the LD leads DoD's commodity classification reviews regarding munitions articles controlled under the EAR to determine the appropriate export control

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classification number (ECCN) for an item or technology. The ECCN determines licensing policy. The LD also spearheads DoD efforts in developing and drafting U.S. regulatory export control language regarding proposed changes to the ITAR and EAR. Finally, it heads the DoD's efforts in assessing the potential harm U.S. national security resulting from export violations.

The LD processes an average of 18,312 munitions Direct Commercial Sales export license applications received from the DoS. The directorate anticipates a moderate increase (~12,000) in overall licenses referred to DoD after the State Department publishes final changes to Categories I-III of the ITAR (Firearms, close Assault Weapons and Combat Shotguns; Armament and Ammunition/Ordnance). Forthcoming ITAR regulatory changes and implementation of the FY 2019 National Defense Authorization Act that mandates new reporting requirements for interagency licensing disputes resolution decisions, the LD further projects a requirement for a 1.50 additional FTE increase. In accomplishing this significant responsibility, the directorate develops and adjudicates the DoD's final national security decision on munitions-related export license applications referred to the department by the DoS. The directorate prepares and releases DoD decisions on recommendations the Military Departments, Joint Staff, and Defense Agencies provide to the LD under mandated review timelines.

The LD leads the DoD process for review of changes to the ITAR and EAR. In this capacity it proposes, and provides the DoD's decisions on changes to rules and regulations of the ITAR and EAR, to include export control parameters, licensing policies and licensing exemptions (e.g., exports not requiring an individual U.S. Government license authorization), based on recommendations provided by the Military Departments, the Joint Staff, and defense agencies.

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The Department, interagency, and the U.S. high tech business industry frequently seeks guidance from the LD staff for its regulatory and direct commercial sales licensing expertise and experience. For example, the LD serves as the Department's export licensing experts on a variety of technology security teams that address major DoD defense and cooperative programs. These programs require the expertise of the DTSA's subject matter experts - and often considerable time. The LD also provides the DoD expertise on export licensing in interagency and international forums to concerning individual licensing actions, commodity jurisdictional determinations, and violations of the Arms Export Control Act (AECA).

The LD plays an important role in adjudicating or otherwise resolving important USG or DoD export control and technology transfer issues. Frequently, U.S. industry is unclear whether the Department of State, or the Department of Commerce has regulatory jurisdiction over a defense article that may be subject to the ITAR or the EAR. As a result, the directorate annually develops and adjudicates the Department's final determination on an average of 574 Commodity Jurisdiction requests received from DoS. In addition, the LD annually develops and adjudicates the Department's final "harm to national security" decisions on an average of 34 notifications of possible export violations received from DoS.

The annual case load of 27,966 dual-use and Commerce-controlled munitions export license applications received from the Commerce Department remains substantial. In this regard, the LD develops and adjudicates the Department's final national security position on Commerce-Department-regulated, dual-use and munitions export license applications for submission to the Commerce Department based on recommendations provided by the Military Departments, the Joint Staff, and Defense Agencies. The LD defended 336 disputed technology transfer requests escalated to the Commerce-Department-led dispute resolution

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process (Operating Committee (OC) and 29 cases escalated to the Assistant Secretary-level Advisory Committee on Export Policy (ACEP), for senior-level decisions.

In the interagency and international arena, the LD represents the Department in USG forums that deliberate dual-use and military-related license decisions that fall within the scope of the Australia Group (AG), Missile Technology Control Regime (MTCR), and Nuclear Suppliers Group (NSG). In support of U.S. policies to stem the proliferation of controlled goods and technology to foreign countries and entities of concern, and on behalf of the Department, LD reviews open-source and intelligence reporting and recommends foreign entities for inclusion on the U.S. Department of Commerce's Entity List. The Entity List places a significantly higher burden on high risk foreign parties seeking access to controlled U.S. technologies and goods. The LD is the Department's focal point for developing and disseminating final decisions to approve parties for addition on the USG's Validated End-User Program, which confers favorable license-free treatment to trusted foreign companies.

The LD also serves the Department by maintaining a comprehensive repository of export information to include licensing trends, industry technology roadmaps, technical specifications, historical data, and supply chain information. This information is useful for developing export control policy, establishing technology security thresholds, and supporting Federal law enforcement agencies in pursuing violations of export control laws and interdicting illicit exports.

International Security Directorate (ISD):

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<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
2,710	2,780	2,800

The International Security Directorate (ISD) carries out the responsibilities of the Secretary of Defense for U. S. national policy governing the disclosure of classified military information and materiel to foreign governments and international organizations. It provides DoD's liaison with foreign government officials for this and other purposes. In support of government and commercial international activities, ISD develops security policies and associated arrangements. The ISD also develops and negotiates security arrangements with foreign governments and international organizations. NATO security matters are a significant part of the ISD's portfolio. In this regard, the ISD represents the U.S. at the NATO Security Committee, implements NATO security regulations, develops the U.S. position on NATO Security Agreements with Partnership for Peace countries, and leads the formation of the U.S. position on NATO security matters.

The ISD carries out the foregoing mission and responsibilities in various ways. First, it formulates, coordinates, and publishes the National Disclosure Policy (NDP-1). As the executive secretariat for the USG's National Disclosure Policy Committee (NDPC), it runs day-to-day operations for this body and provides administrative support for it. The ISD is also serves as the DoD and OSD Foreign Disclosure Office. In this role, the ISD review all foreign military sale congressional notifications; various intelligence arrangements; and cooperative research, development, test and evaluation initiatives to ensure that the requisite disclosure authority is in place to support execution of these efforts.

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The ISD also works with foreign governments and international organizations to achieve its mission. To this end, the ISD develops and negotiates general and industrial security agreements with allied and other friendly nations on behalf of the U.S. Government. These foundational, legally-binding agreements codify the foreign governments or international organization's intent to protect shared classified information. In addition, the ISD conducts on-site security assessments of foreign government and international organization security laws, regulations, policies, and practices to ensure foreign governments and international organizations have the ability to protect shared classified information equivalent to U.S. security standards. It provides liaison between the DoD and security officials of allied and other friendly nations on matters of mutual concern and represents the DoD's security interests in international organizations, meetings, and conferences. Examples of this responsibility include co-chairing the U.S.-Canada Security and Technology Sharing Subcommittee and representing the U.S. at the Multinational Industrial Security Working Group.

For the DoD, the ISD drafts, coordinates, and promulgates policies and procedures governing the conduct of activities (e.g., foreign visitors, personnel exchanges, cooperative programs, intelligence engagements, coalition operations and planning) that involve the sharing of classified military information and materiel with foreign governments and international organizations through the issuance of DoD Directive 5230.11. The ISD also advises and provides policy advice and guidance to the DoD Components on the security aspects of security assistance, armament cooperation, and other international activities.

The ISD provides technology release and foreign disclosure process oversight, coordination, and synchronization of the DoD's high-priority requests for releasing sensitive defense-related technology. ISD ensures transparent, timely, and well-informed

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guidance and decisions on information or technology transfers using established technology release and foreign disclosure processes.

The ISD performs a number of critical functions for the Department. First, acts as the Secretariat of a forum for the DoD's senior body to provide guidance and policy on transfers of high-priority, urgently-needed technology to partners and Allies. Based on senior leader guidance, ISD develops, coordinates, and promulgates export policy decision documents for foreign military sales, direct commercial sales, and Under Secretary of Defense for Acquisition and Sustainment cooperative programs with applicable DoD components, Executive Branch agencies, nations, and U.S. companies.

In supporting senior leader's guidance, ISD screens, performs triage, and tracks technology release and foreign disclosure actions that merit the attention of the DoD's senior leaders. ISD also identifies and develops "anticipatory" policies for the Secretary and Deputy Secretary of Defense. The intent is to "get ahead of the power curve" so that the Department can quickly react to emergent requirements when they arise. ISD also enables the expedited review of technology transfers by providing guidance to the DoD's technology release and foreign disclosure community on staffing release requests through applicable processes in the most efficient and effective way. Finally, the ISD conducts outreach efforts to engage the DoD technology release and foreign disclosure community aware of senior leader guidance and interests. ISD also performs two unique and specialized functions. It staffs and provides final disposition of Electronic Warfare (EW) information assurance waiver requests required for providing EW capabilities to partners and allies. ISD also supports several Senior Integration Groups (SIGs) that have time-sensitive technology release and disclosure review requirements for urgently needed technology in support of ongoing operations.

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I. Description of Operations Financed (cont.)

For the DoD, the ISD drafts, coordinates, and promulgates policies and procedures governing the conduct of activities that involve visits and the assignment of foreign nationals through the issuance of DoD Directive 5230.20. The ISD is responsible for receiving, reviewing, coordinating, and approving proposed memorandum of agreement text for negotiations and conclusion of the Foreign National Personnel Exchange Agreements with a foreign Government. Lastly, it develops and negotiates special security provisions for international acquisition programs (e.g., cooperative research and development, security assistance, and reciprocal procurement).

With respect to interagency matters, the ISD develops and provides policy advice on those sections of the ITAR that deal with security and the export of classified defense articles and technical data. Additionally, it develops or provides input on international security to U.S. industrial security policy.

Within the USG, the ISD implements policies and procedures for the protection of NATO classified information through the United States Security Authority for-North Atlantic Treaty Affairs (USSAN) Instruction 1-07, "Implementation of North Atlantic Treaty Organization Security Requirements. It represents the U.S. at the NATO Security Committee meeting and on NATO working groups. It also exercises policy and operational control over the Central United States Registry, which provides oversight of Information Systems Security (INFOSEC) and document security for all NATO-affiliated agencies and organizations within the United States

One final responsibility merits mention. The ISD provides policy guidance and oversight to the Military Services, the Defense Acquisition University (DAU), the Defense Counterintelligence and Security Agency (DCSA) Center for Development of Security

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I. Description of Operations Financed (cont.)

Excellence (CDSE), and the Defense Institute of Security Cooperation Studies (DISCS) on training courses pertaining to foreign disclosure and international security.

Management Directorate (MD):

FY 2019 <u>Actual</u>	FY 2020 <u>Estimate</u>	FY 2021 <u>Estimate</u>
7,456	6,916	7,553

The Management Directorate (MD) is responsible for issues relative to personnel, finance, contracts, security, information, facilities, internal management controls, and general administrative support services to the Director, DTSA, and the other directorate line organizations of DTSA. Proper execution of these services ensures DTSA fulfills its technology and information security mission and meets its strategic goals.

The MD staff consists of experts in finance, security, personnel, contracts, Information Technology (IT), and business operations. These individuals provide the necessary professional, technical, and administrative guidance and actions to plan, align, use, and protect all of DTSA's resources.

The MD has wide-ranging responsibilities. It protects the DTSA's personnel and resources through a comprehensive security program, including robust physical, and personnel, information assurance/cyber, antiterrorism/force protection, travel/personal security, communications security, operations security, special security, and insider threat awareness programs. The DTSA Insider Threat Program (required by Presidential Memorandum on National Insider Threat Policy and Minimum Standards for Executive Branch Insider

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I. Description of Operations Financed (cont.)

Threat Programs, November 21, 2012, and DoD Directive 5205.16, the DoD Insider Threat Program, September 30, 2014) is currently at an initial operating capability (IOC). DTSA is on track to achieve Full operating capability (FOC) in FY 2021. FOC requires acquisition, operation, and maintenance of user activity monitoring (UAM) system(s) and additional analyst personnel. The Joint Service Provider is responsible for providing UAM services to ensure DTSA is compliant with national and DoD standards.

MD safeguards DTSA's resources from fraud, waste and abuse through use of a strict Internal Management Control Program. Based on guidance from the Director, DTSA, MD plans, programs, and executes DTSA's financial resources. The MD provides oversight of the DTSA's acquisition and support contract requirements.

Administratively, the MD provides guidance to the broader organization by publishing, monitoring, and updating DTSA's administrative instructions, standard operating procedures, and policy memorandums. Additionally, the MD manages DTSA's personnel administration, evaluation, recognition, and support programs for both military and civilian employees. The DTSA also has active and robust programs for legislative liaison and public affairs, for which the MD is responsible. The DoD components produce or update a considerable number of issuances (directives, instructions, manuals and directive-type memos) every year. The MD oversees and coordinates the review of all issuances that pertain to technology security, export control, or Defense trade.

Security Policy Automation Network (SPAN):

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I. Description of Operations Financed (cont.)

<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
5,273	4,700	4,828

The Security Policy Automation Network (SPAN) is a group of automated systems and applications that support U.S. technology security objectives. The DTSA operates and maintains five primary SPAN systems mission applications.

1. The USXPORTS provides case management and adjudication of munitions and dual-use license applications submitted by U.S. exporters. They are adjudicated by the Departments of Defense, Treasury, Energy, and Homeland Security, and ultimately approved or disapproved by the Departments of State (DoS), Commerce (DoC), or Energy (DoE). The Export Licensing Information System Advisor (ELISA) is a USXPORTS adjunct application that allows U.S. exporters to obtain the current status of their dual-use and munitions license applications.

Under the previous Presidential administration's initiative on Export Control Reform, USXPORTS became the platform-of-choice for unifying and modernizing the USG's electronic export licensing system. DTSA is the USG Executive Agent for USXPORTS.

The DoD, DoS, and DoE are fully on-line and using USXPORTS. The DoC is partially on-line, and the National Security Staff (NSS) directed DoC to continue its transition to USXPORTS. The DTSA continues to upgrade USXPORTS through enhancements that support the export licensing adjudication processes.

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I. Description of Operations Financed (cont.)

2. The Spacelink is an IT application that supports DTSA's statutory Space Monitoring mission. The application is a web-based, collaborative tool used by the DoD and U.S. Industry to share and review documentation associated with foreign space launches of U.S. technology (i.e., satellites and/or their components).
3. The Foreign Visits System (FVS) consists of a suite of three IT applications used to request, adjudicate, and confirm visits by foreign nationals to DoD and DoD contractor facilities within the continental U.S.
4. The National Disclosure Policy System (NDPS) records the U.S. Government's National Disclosure Policy Committee decisions on exceptions to national disclosure policy.
5. The DoD Patent Application Review System (DPARS) is a web-based case management tool used by the Military Departments to review and adjudicate technology-based U.S. patent applications. The DoD provides receive secrecy order recommendations to the U.S. patent and Trademark Office for U.S. patent application that have a military application.

All commercial, unclassified, and classified SPAN systems have been scheduled for cloud hosting environments during fiscal year 2020.

USG personnel oversee contractor support for SPAN applications in the areas of software/hardware upgrades, operations and maintenance, life cycle documentation, and federal archiving of electronic records. USG personnel also oversee infrastructure

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I. Description of Operations Financed (cont.)

support for DTSA's networks, servers, databases, and cybersecurity certification and accreditation.

II. Force Structure Summary:

Not Applicable.

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III. Financial Summary (\$ in thousands)

	FY 2020						
	FY 2019 <u>Actuals</u>	Budget <u>Request</u>	<u>Congressional Action</u>			Current <u>Enacted</u>	FY 2021 <u>Estimate</u>
			<u>Amount</u>	<u>Percent</u>	<u>Appropriated</u>		
A. BA Subactivities							
Defense Technology Security Agency	35,334	35,626	-868	-2.4	34,758	34,758	38,432
Total	35,334	35,626	-868	-2.4	34,758	34,758	38,432

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III. Financial Summary (\$ in thousands)

<u>B. Reconciliation Summary</u>	<u>Change</u> <u>FY 2020/FY 2020</u>	<u>Change</u> <u>FY 2020/FY 2021</u>
Baseline Funding	35,626	34,758
Congressional Adjustments (Distributed)	-695	
Congressional Adjustments (Undistributed)	-173	
Adjustments to Meet Congressional Intent		
Congressional Adjustments (General Provisions)		
Subtotal Appropriated Amount	34,758	
Fact-of-Life Changes (2020 to 2020 Only)		
Subtotal Baseline Funding	34,758	
Supplemental		
Reprogrammings		
Price Changes		738
Functional Transfers		
Program Changes		2,936
Current Estimate	34,758	39,300
Less: Wartime Supplemental		
Normalized Current Estimate	34,758	

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III. Financial Summary (\$ in thousands)

<u>C. Reconciliation of Increases and Decreases</u>	<u>Amount</u>	<u>Totals</u>
FY 2020 President's Budget Request (Amended, if applicable)		35,626
1. Congressional Adjustments		-868
a. Distributed Adjustments		
1) Insufficient Justification	-695	
Congressional Adjustments: Insufficient justification. (FY 2020 Baseline: \$35,626 thousand)		
b. Undistributed Adjustments		
1) Unjustified Growth (Across-the-Board Reduction to the Operation and Maintenance, Defense-Wide Account)	-132	
2) Budget Justification Inconsistencies (Across-the-Board Reduction to the Operation and Maintenance, Defense-Wide Account)	-41	
c. Adjustments to Meet Congressional Intent		
d. General Provisions		
FY 2020 Appropriated Amount		34,758
2. War-Related and Disaster Supplemental Appropriations		
3. Fact-of-Life Changes		
FY 2020 Baseline Funding		34,758
4. Reprogrammings (Requiring 1415 Actions)		
Revised FY 2020 Estimate		34,758
5. Less: Item 2, War-Related and Disaster Supplemental Appropriations and Item 4, Reprogrammings		
FY 2020 Normalized Current Estimate		34,758
6. Price Change		738
7. Functional Transfers		
8. Program Increases		5,211
a. Annualization of New FY 2020 Program		
b. One-Time FY 2021 Increases		
c. Program Growth in FY 2021		

OP-5 Exhibit - Operation and Maintenance Detail

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III. Financial Summary (\$ in thousands)

C. <u>Reconciliation of Increases and Decreases</u>	<u>Amount</u>	<u>Totals</u>
1) Manpower Increase to support New Requirements Additional manpower needed to review and adjudicate 1,000 CFIUS cases as a result of FIRMA passage, and to fully support COCOM requirements by establishing technology security infrastructure and defense institution building at prioritized ally and partner countries. (FY 2020 Baseline: \$0 thousand; +12 FTEs)	2,670	
2) Civilian Compensation - Shortfall An increase to restore funding levels to 94 percent manning rate. This allows a 6 percent hiring-lag rate versus 10 percent. (FY 2020 Baseline: \$25,258 thousand; Baseline FTEs: 124)	2,163	
3) Operational Requirements Increase reflects planned scope changes in the information technology contract; leased space costs and other intra-government purchases. (FY 2020 Baseline: \$6,733 thousand)	328	
4) Travel of Persons Increase to adequately execute DTSA goals and mission by collaborating with allies and partners in support of the National Defense Strategy. (FY 2020 Baseline: \$736 thousand)	50	
9. Program Decreases		-2,275
a. Annualization of FY 2020 Program Decreases		
b. One-Time FY 2020 Increases		
c. Program Decreases in FY 2021		
1) Defense-Wide Review (DWR) Reductions to DTSA (FY 2020 Baseline: \$39,800 thousand)	-1,990	

OP-5 Exhibit - Operation and Maintenance Detail

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III. Financial Summary (\$ in thousands)

C. <u>Reconciliation of Increases and Decreases</u>	<u>Amount</u>	<u>Totals</u>
2) Defense Finance and Accounting Service Decrease reflects less workload projected for direct billable hours. (FY 2020 Baseline: \$637 thousand)	-179	
3) Compensable Days Reflects a decrease of 1 compensable day, from 262 in FY 2020 to 261 in FY 2021. (FY 2020 Baseline: \$25,258 thousand; Baseline FTEs: 136)	-96	
4) Supplies and Materials Decrease reflects taking purchase efficiencies with fewer supplies and training needs for the Agency. (FY 2020 Baseline: \$327 thousand)	-10	
FY 2021 Budget Request		38,432

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IV. Performance Criteria and Evaluation Summary:

Technology Security Actions (TSAs) represent work accomplished by the DTSA. A typical TSA represents a unit of work, which allows for the tracking and analysis of our business activity. On average DTSA processes 130,000 actions annually, such actions actually counted represent the application of resources to achieve all mission, regulatory, statutory goals, and objectives. Some TSAs are devoid of precise performance or time measurement. For example, the development of an International Agreement may take months of work, negotiation, and coordination before actual implementation, where the review of a license is measured and tracked daily.

Percent of Munitions and Dual-Use Licenses referred back to regulatory agencies within statutory timelines. In FY 2020 and FY 2021, DTSA will adjudicate 100% of Munitions and Dual-Use export license applications received from the Departments of State and Commerce within prescribed statutory and regulatory timelines.

FY 2019	FY 2020	FY 2021
<u>Actual</u>	<u>Estimate</u>	<u>Estimate</u>
100%	100%	100%

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V. <u>Personnel Summary</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>	<u>Change FY 2019/ FY 2020</u>	<u>Change FY 2020/ FY 2021</u>
<u>Active Military End Strength (E/S) (Total)</u>	<u>7</u>	<u>8</u>	<u>8</u>	<u>1</u>	<u>0</u>
Officer	7	8	8	1	0
<u>Reserve Drill Strength (E/S) (Total)</u>	<u>21</u>	<u>21</u>	<u>21</u>	<u>0</u>	<u>0</u>
Officer	15	15	15	0	0
Enlisted	6	6	6	0	0
<u>Civilian End Strength (Total)</u>	<u>126</u>	<u>127</u>	<u>139</u>	<u>1</u>	<u>12</u>
U.S. Direct Hire	123	124	136	1	12
Total Direct Hire	123	124	136	1	12
Reimbursable Civilians	3	3	3	0	0
<u>Civilian FTEs (Total)</u>	<u>126</u>	<u>127</u>	<u>139</u>	<u>1</u>	<u>12</u>
U.S. Direct Hire	123	124	136	1	12
Total Direct Hire	123	124	136	1	12
Reimbursable Civilians	3	3	3	0	0
Average Annual Civilian Salary (\$ in thousands)	199.7	203.7	208.8	4.0	5.1
<u>Contractor FTEs (Total)</u>	<u>42</u>	<u>36</u>	<u>36</u>	<u>-6</u>	<u>0</u>

Changes from FY 2019 to FY 2020: The change in U.S. Direct Hire reflects five (5) Full-time-Equivalents (FTEs) reduction. DTSA took two (2) FTEs in Management Headquarters; two (2) FTEs for Direct-Hire Efficiency and transferred one (1) FTE to Joint Service Provider (JSP). Reimbursable civilians are paid by industry.

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Average Annual Civilian Salary: DTSA funded civilian compensation at 94 percent to allow for a 6 percent hiring-lag. Previously it was at 10 percent.

Changes from FY 2020 to FY 2021: The programmatic changes for both, the manpower (12 FTEs) and the average annual salary for U.S. Direct Hire reflects an increase of 240% caseload for Committee on Foreign Investment in the United States.

Contractor FTEs (Total):

Changes from FY 2019 to FY 2020: The decrease of six (6) contractor FTEs are in FY 2020 due to the end of DTSA's audit support contract.

Changes from FY 2020 to FY 2021: None

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VI. OP 32 Line Items as Applicable (Dollars in thousands):

<u>OP 32 Line</u>	<u>FY 2019</u> <u>Actuals</u>	<u>Change</u> <u>FY 2019/FY 2020</u>		<u>FY 2020</u> <u>Enacted</u>	<u>Change</u> <u>FY 2020/FY 2021</u>		<u>FY 2021</u> <u>Estimate</u>
		<u>Price</u>	<u>Program</u>		<u>Price</u>	<u>Program</u>	
101 Exec, Gen'l & Spec Scheds	24,568	683	7	25,258	389	2,747	28,394
199 Total Civ Compensation	24,568	683	7	25,258	389	2,747	28,394
308 Travel of Persons	733	15	-12	736	15	50	801
399 Total Travel	733	15	-12	736	15	50	801
696 DFAS Financial Operation (Other Defense Agencies)	687	1	-51	637	171	-179	629
699 Total DWCF Purchases	687	1	-51	637	171	-179	629
914 Purchased Communications (Non- Fund)	260	5	-265	0	0	0	0
915 Rents (Non-GSA)	1,996	40	-181	1,855	37	22	1,914
920 Supplies & Materials (Non- Fund)	230	5	92	327	7	-10	324
933 Studies, Analysis & Eval	174	3	1	178	4	0	182
959 Other Costs (Insurance Claims/Indmnties)	0	0	1	1	0	0	1
960 Other Costs (Interest and Dividends)	0	0	1	1	0	0	1
987 Other Intra-Govt Purch	559	11	0	570	11	188	769
989 Other Services	855	17	-295	577	12	0	589
990 IT Contract Support Services	5,272	105	-759	4,618	92	118	4,828
999 Total Other Purchases	9,346	186	-1,405	8,127	163	318	8,608
Total	35,334	885	-1,461	34,758	738	2,936	38,432