

# **Fiscal Year 2022 President's Budget Defense Technology Security Administration**



**May 2021**

**Defense Technology Security Administration  
Operation and Maintenance, Defense-Wide  
Fiscal Year (FY) 2022 President's Budget**

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

	<u>FY 2020 Actuals</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2021 Enacted</u>	<u>Price Change</u>	<u>Program Change</u>	<u>FY 2022 Request</u>
DTSA	36,769	788	623	38,180	882	243	39,305

\*FY 2020 includes Division A, Title IX and X of the Consolidated Appropriations Act, 2020 (P.L. 116-93), Division F, Title IV and V from the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136).

\*FY 2021 includes Division C, Title IX and Division J, Title IV of the Consolidated Appropriations Act, 2021 (P.L. 116-260).

**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.<sup>1</sup>

The mission of DTSA is linked to the three lines of effort 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, as well as to the military establishments of strategic competitors and rogue states. Equally important, to facilitate strong alliances and attract new partners, DTSA plays an essential role in enabling security cooperation with allies and partners, conducting foreign disclosure reviews of classified information, supporting partner and ally interoperability with U.S. Armed 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 and technology security dimensions. Third, it develops and

<sup>1</sup> Visit <http://www.dtsa.mil/> for more information.

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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 select 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, data, and services) and provides end-user analysis on parties listed on Department of State, Commerce, Energy and the National Regulatory Commission export licenses.

DTSA leads or plays a central role in a number of USG bodies that identify and manage risks tied to information and technology 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 entities. DTSA also plays an essential role in developing and negotiating, on behalf of the U.S. government international agreements on classified information sharing with foreign governments and international organizations. Further, it reviews all patents involving classified or highly-sensitive 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 has increased and will do so in the coming fiscal years. Because of expanded CFIUS authorities under FIRRMA, which is captured in the FY2019 NDAA under Section 1701, DTSA's technology security reviews will become even more important to maintain the U.S.'s technological 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 technology and information security cooperation, and enhance military interoperability. DTSA performs this function in a variety of ways. The DTSA leadership conducts 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 dialogues, 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 classified military information and technology security subject matter experts.

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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 OSD lead for the WA, MTCR, AG, 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 security surveys in foreign countries. These visits ensure that these nations have the capability to protect U.S. classified information to equivalent U.S. standards in accordance with bi-lateral General Security of Information or General Security of Military Information Agreements and provides information the National Disclosure Policy Committee (NDPC) in support of its reviews of Exceptions to National Disclosure Policy (ENDP). The survey also provide information into cooperative technology security dialogues to identify areas in which DTSA can work with partners and Allies to improve information and technology security practices. 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 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 strategic 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 materiel. 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 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.

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**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 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 Allies and partners.

**Executive Operations:**

<u>FY 2020 Actuals</u>	<u>FY 2021 Enacted</u>	<u>FY 2022 Estimate</u>
1,094	2,168	2,297

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 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 strategic competitors and/or adversaries such as China, Russia, Iran, and North Korea. DTSA supervises the control, and mitigate 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. The DTSA also has active and robust programs for legislative liaison and public affairs, for which the Executive Office is responsible.

**International Engagement Directorate (IED):**

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<b><u>FY 2020 Actuals</u></b>	<b><u>FY 2021 Enacted</u></b>	<b><u>FY 2022 Estimate</u></b>
7,418	7,751	7,638

Composed primarily of foreign affairs specialists (civil servants and contractor personnel) and security specialists (civil servants), the International Engagement Directorate (IED) works with other USG agencies and components, industry, international partners, and academia on technology security policy matters. IED, as the focal point for DoD policy on disclosure of classified information and technology security, provides strategic analysis of technology transfer trends, issues, and opportunities. The International Engagement Directorate leads the agency's engagement in the Department of Defense and in the interagency for the implementation of the National Defense Strategy (NDS), with regard to ensuring the technological advantage of the U.S. warfighter and engaging allies and partners concerning information and technology security.

As directed or delegated by law, regulation, DoD Directive, or DoD Instruction, IED leads the DoD's efforts in a wide variety of technology security and export control matters. In the international arena, IED provides policy and subject-matter expertise in a number of forums. This is particularly true with respect to the international export control regimes. IED 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. IED 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. IED also spearheads OUSDP's work in development and implementation of Defense Trade Treaties with the UK and Australia.

IED, in partnering with the DTSA Export Control Directorate, 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.

On behalf of the U.S. Patent and Trademark Office, IED manages the Department's national security reviews of patent applications for sensitive, and classified defense-related technology. In a related vein, IED manages 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.

IED 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. IED plays a central role in U.S. export denial consultations with foreign partners.

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In addition, IED 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. IED 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.

IED plans and executes all of the DTSA's bilateral international engagements including the Cooperative Technology Security Dialogues (CTSD). The CTSD is part of the DoD Ministry of Defense Advisors (MoDA)/Institution Capacity Building (ICB) Program initiatives in which IED experts advise other countries' defense and security establishments regarding technology security practices, procedures, and policies, and is a mechanism to work with foreign partners to protect sensitive indigenous and U.S.-origin military technologies. CTSD helps to build USG confidence in partner nations' technology protection and export control capabilities; provide crucial information on technology security practices, procedures, and policies; and bolsters partners' institutional capacity, and thus the CTSD is a key enabler of greater security cooperation with partner countries.

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

IED's workload and accomplishments for a typical year are considerable. IED 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. IED also conducts up to a dozen in-depth, analytical studies on country-specific and worldwide technology acquisition trends, and over 6,000 patent security reviews in support of day-to-day licensing/technology transfer operations and review.

IED also 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 national and designated security authorities for this and other purposes. In support of government and commercial international activities, IED develops security policies and associated arrangements. IED also develops and negotiates, on behalf of the U.S. government, international security agreements with foreign governments and international organizations. NATO security matters are a significant part of the IED's portfolio. In this regard, IED 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.

IED 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. IED also serves as the DoD and OSD Foreign Disclosure Office. In this role, IED reviews 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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IED also works with foreign governments and international organizations to achieve its mission. To this end, IED develops and negotiates general, special, and industrial security agreements with allies and partners. These foundational, legally-binding agreements codify the foreign government's or international organization's intent to protect shared classified information. In addition, IED 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, IED 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. IED 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.

IED provides technology release and foreign disclosure process oversight, coordination, and synchronization of the DoD's high-priority requests for releasing classified or sensitive defense-related technology. IED ensures transparent, timely, and well-informed guidance and decisions on information or technology transfers using established technology release and foreign disclosure processes.

IED 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, IED develops, coordinates, and promulgates strategic 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 leaders' guidance, IED screens, performs triage, and tracks technology release and foreign disclosure actions that merit the attention of the DoD's senior leaders. IED also identifies and develops strategic 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. IED 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, IED conducts outreach efforts to engage the DoD technology release and foreign disclosure community aware of senior leader guidance and interests. IED 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. IED 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.

For the DoD, IED 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. IED is responsible for receiving, reviewing, coordinating, and approving proposed memorandum of



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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, IED 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, IED 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. IED 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 Excellence (CDSE), and the Defense Security Cooperation University (DSCU) on training courses pertaining to foreign disclosure and international security.

**Export Controls Directorate (ECD):**

<b><u>FY 2020 Actuals</u></b>	<b><u>FY 2021 Enacted</u></b>	<b><u>FY 2022 Estimate</u></b>
14,481	14,701	16,011

The Export Controls Directorate (ECD) is the entry and exit point for all DoD actions related to the U.S. national security review of Department of State licensing related to direct commercial sales of defense articles, technical data and defense services, Department of Commerce export licensing of dual use items, and Department of Energy export licensing of nuclear energy-related technology and National Regulatory Commission (NRC) nuclear-controlled materials. The ECD provides DTSA's principal source of technical and regulatory insight, advice, and analysis on international transfers of defense-related items and other technology-related matters of national security interest.

ECD reviews approximately 45,000 munitions and dual-use export license applications per year. ECD experienced a slight decrease in license volume as a result of revisions to the Department of State's (DoS) International Traffic in Arms Regulations (ITAR) and the Department of Commerce's export Administration Regulations (EAR) and availability of Department of Commerce license exceptions.

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ECD processes approximately 18,000 munitions direct Commercial Sales export license applications received from DoS. 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, the Joint Staff, and Defense Agencies provide to ECD under mandated review timelines. Due to the COVID-19 pandemic, licensing timelines slowed during Fiscal Year 2020.

The annual case load of approximately 27,000 dual-use and Commerce-controlled munitions export license applications received from the Commerce Department remains substantial. In this regard, ECD 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. ECD defended 274 disputed technology transfer requests escalated to the Commerce Department-led dispute resolution process (Operating Committee [OC]) and 34 cases escalated to the Assistant Secretary-level, Advisory Committee on Export Policy (ACEP), for senior-level decision in the last calendar year.

ECD 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, ECD 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 the process of reviewing technology transfers to other countries, ECD is often called upon to recommend solutions to complex technical problems affecting national security. This task requires ECD to document and convey clear and accurate positions on international transfers that protect the U.S. warfighting edge and mitigate technology security risks.

The ECD technical staff consists of senior engineers, scientists, subject matter experts and licensing analysts who contribute to maintaining and promoting the U.S. military's advantages on the battlefield. In addition, the knowledge and expertise residing in ECD influences and helps shape DoD's technology security policies. To effectively accomplish the DTSA mission in a timely manner, ECD 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 ECD's engineers and scientists to integrate contributions from DoD and other USG stakeholders in developing viable technical solutions for managing technology transfer risks. Finally, they must convey their analysis and recommendations on complex technical subjects in understandable terms to a broad audience.

ECD also protects U.S. space-related technological advantages and prevents the diversion or proliferation of this critical technology. ECD 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. ECD 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.

ECD maintains a technically qualified and readily available staff of engineers who can respond quickly to industry's demands for space monitoring services. ECD deploys its space 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-

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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 (e.g., 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). ECD reviews and approves these industry plans to ensure the launch campaign is carried out within DoS or DoC authorizations or limitations, and prevents the unauthorized transfer of U.S. space technology.

ECD 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, ECD leads DoD's commodity classification reviews regarding munitions articles controlled under the EAR to determine the appropriate export control classification number (ECCN) for an item or technology. The ECCN determines licensing policy. The ECD 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.

ECD 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 426 Commodity Jurisdiction requests received from DoS. In addition, ECD annually develops and adjudicates the Department's final "harm to national security" decisions on an average of 67 notifications of possible export violations received from DoS.

ECD 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.

The Department, interagency, and the U.S. high tech business industry frequently seeks guidance from ECD staff for its regulatory and direct commercial sales licensing expertise and experience. For example, ECD 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 – and often considerable time - of DTSA's subject matter experts. ECD 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).

In the interagency and international arena, ECD 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 concerns, and on behalf of the Department, ECD reviews open-source and

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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. ECD 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. ECD 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 reports.

**Management Directorate (MD):**

<b>FY 2020 <u>Actuals</u></b>	<b>FY 2021 <u>Enacted</u></b>	<b>FY 2022 <u>Estimate</u></b>
9,197	8,727	8,454

The Management Directorate (MD) is responsible for issues relative to human capital, finance, contracts, security, information, information technology, facilities, internal management controls, fraud prevention, 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, human resources, contracts, Information Technology (IT), business operations, and intelligence. These people provide the necessary professional, technical, and administrative guidance and actions to plan, align, use, and protect all of DTSA's resources.

MD has wide-ranging responsibilities. It protects DTSA's workforce 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, and special security. MD also provides critical intelligence to inform recommendations on export licenses for DCS (equipment, technology, data, and services) and provides end-user analysis on parties listed on Department of State, Commerce, Energy and the National Regulatory Commission export licenses.

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

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Administratively, MD provides guidance to the broader organization by publishing, monitoring, and updating DTSA's administrative instructions, standard operating procedures, and policy memorandums related to MD programs. Additionally, MD manages DTSA's personnel administration, personnel security, physical security, evaluation, recognition, and support programs for both military members and civilian employees.

**Security Policy Automation Network (SPAN):**

<b><u>FY 2020 Actuals</u></b>	<b><u>FY 2021 Enacted</u></b>	<b><u>FY 2022 Estimate</u></b>
4,579	4,833	4,904

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

1. 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, to include flexibility to process license applications in a telework environment.

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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 2021.

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

The FY 2022 Direct War and Enduring Costs accounted for in the base budget are as follows:

- Direct War costs accounted for in the Base Budget: \$0.0 thousand: Direct War costs are those combat or direct combat support costs that will not continue to be expended once combat operations end at major contingency locations.
- Enduring costs accounted for in the Base Budget: \$300 thousand: Enduring Requirements are enduring in theater and in CONUS costs that will likely remain after combat operations cease.

**II. Force Structure Summary:**

Not Applicable.

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**III. Financial Summary (\$ in Thousands):**

	<b>FY 2020 <u>Actuals</u></b>	<b>Budget <u>Request</u></b>	<b>FY 2021</b>			<b>Current <u>Enacted</u></b>	<b>FY 2022 <u>Request</u></b>
			<b><u>Congressional Action</u></b>				
			<b><u>Amount</u></b>	<b><u>Percent</u></b>	<b><u>Appropriated</u></b>		
<b><u>A. BA Subactivities</u></b>							
Defense Technology Security Agency		\$38,432	\$-252	-0.66%	\$38,180	\$38,180	\$39,305
<b>Total</b>	<b>\$36,769</b>	<b>\$38,432</b>	<b>\$-252</b>	<b>-0.66%</b>	<b>\$38,180</b>	<b>\$38,180</b>	<b>\$39,305</b>

\*FY 2020 includes Division A, Title IX and X of the Consolidated Appropriations Act, 2020 (P.L. 116-93), Division F, Title IV and V from the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136).

\*FY 2021 includes Division C, Title IX and Division J, Title IV of the Consolidated Appropriations Act, 2021 (P.L. 116-260).

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**III. Financial Summary (\$ in Thousands): (Cont.)**

<b><u>B. Reconciliation Summary</u></b>	<b><u>Change FY 2021/FY 2021</u></b>	<b><u>Change FY 2021/FY 2022</u></b>
<b>BASELINE FUNDING</b>	<b>\$38,432</b>	<b>\$38,180</b>
Congressional Adjustments (Distributed)	0	
Congressional Adjustments (Undistributed)	-252	
Adjustments to Meet Congressional Intent	0	
Congressional Adjustments (General Provisions)	0	
<b>SUBTOTAL APPROPRIATED AMOUNT</b>	<b>38,180</b>	
Fact-of-Life Changes (2021 to 2021 Only)	0	
<b>SUBTOTAL BASELINE FUNDING</b>	<b>38,180</b>	
Supplemental	0	
Reprogrammings	0	
Price Changes		882
Functional Transfers		0
Program Changes		243
<b>CURRENT ESTIMATE</b>	<b>38,180</b>	<b>39,305</b>
Less: Wartime Supplemental	0	
<b>NORMALIZED CURRENT ESTIMATE</b>	<b>\$38,180</b>	<b>\$39,305</b>



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**III. Financial Summary (\$ in Thousands): (Cont.)**

<b>FY 2021 President's Budget Request (Amended, if applicable)</b> .....	<b>\$38,432</b>
1. Congressional Adjustments .....	\$-252
a) Distributed Adjustments.....	\$0
b) Undistributed Adjustments .....	\$-252
1) EXCESS TO NEED - NON MIP .....	\$-252
c) Adjustments to Meet Congressional Intent.....	\$0
d) General Provisions .....	\$0
<b>FY 2021 Appropriated Amount</b> .....	<b>\$38,180</b>
2. War-Related and Disaster Supplemental Appropriations .....	\$0
a) OCO Supplemental Funding .....	\$0
3. Fact-of-Life Changes.....	\$0
a) Functional Transfers.....	\$0
b) Technical Adjustments .....	\$0
c) Emergent Requirements.....	\$0
<b>FY 2021 Baseline Funding</b> .....	<b>\$38,180</b>
4. Reprogrammings (Requiring 1415 Actions).....	\$0

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**III. Financial Summary (\$ in Thousands): (Cont.)**

a) Increases .....	\$0
b) Decreases .....	\$0
<b>Revised FY 2021 Estimate.....</b>	<b>\$38,180</b>
5. Less: Item 2, War-Related and Disaster Supplemental Appropriation and Item 4, Reprogrammings .....	\$0
a) Less: OCO Supplemental Funding.....	\$0
<b>FY 2021 Normalized Current Estimate .....</b>	<b>\$38,180</b>
6. Price Change .....	\$882
7. Functional Transfers .....	\$0
a) Transfers In .....	\$0
b) Transfers Out.....	\$0
8. Program Increases.....	\$1,720
a) Annualization of New FY 2021 Program .....	\$0
b) One-Time FY 2022 Increases .....	\$0
c) Program Growth in FY 2022.....	\$1,720
1) Civilian Compensation - Increase due to 1.1% FERS increase, 1% Awards increase, 1.7% pay increase, and 2 FTEs .....	\$710
2) Defense Finance and Accounting (DFAS) increase reflects additional Direct Billable Hours related to Audit Sustainment.....	\$237

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**III. Financial Summary (\$ in Thousands): (Cont.)**

Increased workload is due to civilian pay benefits increases.

3) IT Contract Support & Other Services -Increase due to DoD CIO mandate to migrate to the Cloud and transition services to the Joint Service Provider (JSP). ..... \$335  
Support is being provided by OUSD Policy and Army Command, Control, Communication, Computers, Cyber, Intelligence, Surveillance and Reconnaissance (C5ISR) Center.

4) Other Services - Requirements for audit readiness and financial reporting are a continued effort to achieve a clean audit report. .... \$289

5) Training, Leadership Development & Studies and Analysis- Increase to ensure that DTSA personnel are current on engineering, licensing, and technological advancements to support the DTSA core mission. .... \$149

9. Program Decreases .....\$-1,477

a) Annualization of FY 2021 Program Decreases .....\$0

b) One-Time FY 2021 Increases .....\$0

c) Program Decreases in FY 2022 ..... \$-1,477

1) Mark Center Rent - Updated estimates provided by GSA displayed a decrease in square footage costs..... \$-68

2) Other Intra Government Purchases - Requirements have been reduced to fund the increase in DFAS support and other requirements..... \$-531

3) Supplies and Materials - Decrease reflects efficiencies using fewer supplies throughout the Agency. Training has also been realigned to the proper line item. .... \$-280

4) Travel of Persons - Reduce costs associated with the travel of persons. Advancements in virtual connectivity allows alternate means of conducting the mission. .... \$-598

**FY 2022 Budget Request .....\$39,305**

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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 2021 and FY 2022, 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.

<b><u>FY 2020 Actuals</u></b>	<b><u>FY 2021 Estimate</u></b>	<b><u>FY 2022 Estimate</u></b>
100%	100%	100%

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**V. Personnel Summary:**

	<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>Change FY 2020/ FY 2021</u>	<u>Change FY 2021/ FY 2022</u>
<b>Active Military End Strength (E/S) (Total)</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>0</b>	<b>0</b>
Officer	8	8	8	0	0
<b>Reserve Drill Strength (E/S) (Total)</b>	<b>21</b>	<b>21</b>	<b>21</b>	<b>0</b>	<b>0</b>
Officer	15	15	15	0	0
Enlisted	6	6	6	0	0
<b>Civilian End Strength (Total)</b>	<b>132</b>	<b>139</b>	<b>141</b>	<b>7</b>	<b>2</b>
U.S. Direct Hire	129	136	138	7	2
<b>Total Direct Hire</b>	<b>129</b>	<b>136</b>	<b>138</b>	<b>7</b>	<b>2</b>
Reimbursable Civilians	3	3	3	0	0
<b>Civilian FTEs (Total)</b>	<b>127</b>	<b>139</b>	<b>141</b>	<b>12</b>	<b>2</b>
U.S. Direct Hire	124	136	138	12	2
<b>Total Direct Hire</b>	<b>124</b>	<b>136</b>	<b>138</b>	<b>12</b>	<b>2</b>
Reimbursable Civilians	3	3	3	0	0
<b>Average Annual Civilian Salary (\$ in thousands)</b>	<b>208.3</b>	<b>206.9</b>	<b>213.7</b>	<b>-1.3</b>	<b>6.8</b>
<b>Contractor FTEs (Total)</b>	<b>36</b>	<b>38</b>	<b>36</b>	<b>2</b>	<b>-2</b>

**Personnel Summary Explanations:**

**Civilian FTEs (Total):**

**Changes from FY 2020 to FY 2021:** The programmatic change to manpower (12 FTES) is related to the increase of projected workload attributed to the Committee on Foreign Investment in the United States (CFIUS) cases.

**Changes from FY 2021 to FY 2022:** The programmatic changes for both, the manpower (2 FTES) and the average annual salary for U.S. Direct Hire reflects an increase in both FERS and awards benefits.

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**V. Personnel Summary: (Cont.)**

**Average Annual Civilian Salary:** The increase from FY21 to FY22 are attributed to the 1% increase in awards, 1.1% increase in FERS, and a 1.7% pay increase.

**Contractor FTEs (Total):**

**Changes from FY 2020 to FY 2021:** None

**Changes from FY 2021 to FY 2022:** The reduction of 2 contractor FTEs is due to altering the scope of one contract and eliminating another. The elimination of a contract was a cost savings measure in order to support efforts in financial audit readiness.

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

	FY 2020 Program	Change from FY 2020 to FY 2021		FY 2021 Program	Change from FY 2021 to FY 2022		FY 2022 Program
		Price Growth	Program Growth		Price Growth	Program Growth	
101 EXEC, GEN'L & SPEC SCHEDS	25,823	398	1,921	28,142	639	710	29,491
<b>0199 TOTAL CIVILIAN PERSONNEL COMPENSATION</b>	<b>25,823</b>	<b>398</b>	<b>1,921</b>	<b>28,142</b>	<b>639</b>	<b>710</b>	<b>29,491</b>
308 TRAVEL OF PERSONS	218	4	579	801	15	-598	218
<b>0399 TOTAL TRAVEL</b>	<b>218</b>	<b>4</b>	<b>579</b>	<b>801</b>	<b>15</b>	<b>-598</b>	<b>218</b>
696 DFAS FINANCIAL OPERATION (OTHER DEFENSE AGENCIES)	687	184	-242	629	65	237	931
<b>0699 TOTAL OTHER FUND PURCHASES</b>	<b>687</b>	<b>184</b>	<b>-242</b>	<b>629</b>	<b>65</b>	<b>237</b>	<b>931</b>
914 PURCHASED COMMUNICATIONS (NON-FUND)	15	0	-15	0	0	1	1
915 RENTS (NON-GSA)	1,854	37	23	1,914	36	-69	1,881
920 SUPPLIES & MATERIALS (NON-FUND)	87	2	235	324	6	-280	50
933 STUDIES, ANALYSIS & EVAL	178	4	0	182	3	49	234
935 TRAINING AND LEADERSHIP DEVELOPMENT	129	3	-132	0	0	100	100
959 OTHER COSTS (INSURANCE CLAIMS/INDMNTIES)	0	0	1	1	0		1
960 OTHER COSTS (INTEREST AND DIVIDENDS)	0	0	1	1	0		1
987 OTHER INTRA-GOVT PURCH	1,736	35	-1,002	769	15	-531	253
989 OTHER SERVICES	1,463	29	-903	589	11	289	889
990 IT CONTRACT SUPPORT SERVICES	4,579	92	157	4,828	92	335	5,255
<b>0999 TOTAL OTHER PURCHASES</b>	<b>10,041</b>	<b>202</b>	<b>-1,635</b>	<b>8,608</b>	<b>163</b>	<b>-106</b>	<b>8,665</b>
<b>9999 GRAND TOTAL</b>	<b>36,769</b>	<b>788</b>	<b>623</b>	<b>38,180</b>	<b>882</b>	<b>243</b>	<b>39,305</b>

\*FY 2020 includes Division A, Title IX and X of the Consolidated Appropriations Act, 2020 (P.L. 116-93), Division F, Title IV and V from the Further Consolidated Appropriations Act, 2020 (P.L. 116-94) and the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116-136).

\*FY 2021 includes Division C, Title IX and Division J, Title IV of the Consolidated Appropriations Act, 2021 (P.L. 116-260).