
Ask an Instructor Questions and Answers

By the Defense Institute of Security Assistance
Management Directorate of Research

[The following is a new feature added to the Journal “Education and Training” section which provides our readership insight into some of the more globally applicable questions and answers we have received through our web site (www.disam.dsca.mil/Research/Ask_Instructor/askinstructor.asp). We hope you find it useful and solicit your feedback on both this article and the utility of DISAM’s “Ask an Instructor” program. Questions and answers may be changed or edited to suit the Journal and its readership.]

Question:

There is a guide that provides points of contact information for Security Assistance Organizations (SAOs) (e.g. names, telephone numbers, mailing addresses); and I have a copy of this guide. Is there a comparable guide that provides point of contact information for Foreign Embassies located in the Washington, D.C. area? If yes, what is this resource and where can it be found (e.g. website)?

Answer:

Yes, there is such a guide. It is available on the Department of State web site. _____
At the bottom left side of this page, there is a link entitled “Foreign Embassy Personnel in the United States (Diplomatic List).” This site provides current and archival information regarding foreign diplomats in the U.S. by name and position and also usually furnishes a mailing address or other contact information for their Consulate or Embassy.

Question:

How do I find an on-site class (DISAM non-resident course) that is being held near my location?

Answer:

Please contact the DISAM on-site coordinator. Currently the telephone number is DSN 784-8457 and Commercial (937)904-8457. Also, the email can be found on the DISAM webpage: <http://www.disam.dsca.mil/catalog1/SAM-os.asp> linked as “On-Site Coordinator” under the section titled “Requesting SAM-OS Course”. The appropriate person will be forwarded the email from that location. Classes are requested by an organization for that organization. Not all organizations will allow others to attend their on-site classes; but in unique cases, you may be able to attend an on-site for another organization at a nearby location. You can also get a good Security Assistance and Security Cooperation overview from the Security Assistance Management Orientation Course (SAM-OC) online at: <http://www.disam.dsca.mil/catalog1/sam-oc.asp>.

Question:

My country has asked for a printout of available excess defense articles. Is there a link that is accessible on a non .mil or .gov network that allows my country to peruse the list of available excess defense articles?

Answer:

Sorry, but there is no such list. Major end items are declared Excess Defense Articles (EDA) by each service Secretary as they become available and are generally advertised by the Military Department International Logistics Control Organization (ILCO) — for the Air Force, Air Force Security Assistance Center; for the Army, United States Army Security Assistance Center-New

Cumberland; for the Navy, Navy Inventory Control Point Philadelphia/OF (International programs) — on a when available, one-time basis. They generally do not maintain a list. You can contact each implementing agency to find out if they have anything excess to offer at a specific time. If anything matching your list is available, then your country may be considered along with all other applicants who have indicated an interest in that EDA. For EDA that are secondary, consumable, and non-lethal and demilitarized major assets (which generally require major repairs), you may consult the Defense Reutilization and Marketing Service (DRMS). Their website is: www.drms.dla.mil. Their site allows viewers to see a list of available assets; but unless you have a foreign military sales (FMS) case in place with DRMS, you cannot purchase or freeze those assets.

Question:

Given that funds collected from foreign governments for foreign military sales (FMS) purposes are not appropriated by Congress, are these FMS funds subject to the same legal restrictions regarding how they may be spent as funds that have been appropriated by Congress? Do we tend to apply the rules for appropriated funds to FMS funds as a matter of policy rather than law?

Answer:

Funds are treated as though they were appropriated funds with the exception that once they are deposited in the Security Assistance Trust Fund they are no year funds and can be used until they are all obligated.

Question:

If an FMS case is a “sole source” contract case (sole source vice single source), whose responsibility is case management and under what regulation?

Answer:

The fact that an FMS case is sole source does not change the organization that performs the case management. Sole source procedures are outlined in the *Security Assistance Management Manual* (SAMM) section C6.3.4. The SAMM is the official policy for conducting FMS. You will note that the SAMM does not address any change in case management responsibilities as a result of the Letter of Offer and Acceptance (LOA) being sole source. Sole source does require the case manager to review the Letter of Request (LOR) sole source justification against the SAMM criteria for approval/disapproval. Additionally, the case manager is encouraged to coordinate the sole source request with the contracting organization that will eventually place the FMS requirement on contract in order to obtain information/advice from the contracting officer perspective. Implementation of a sole source LOA would be in accordance with the SAMM C6.1 but would include direction that the respective procurement by the applicable program office or inventory control point be on a non-competitive procurement per the approved LOA sole source note.

Question:

When a case is in closure and the “Below the Line” (BTL) transportation expenditures are less than the amount of the BTL transportation costs on the LOA, does the Defense Finance and Accounting Service (DFAS) return the unused transportation costs back to the country?

Answer:

Yes, the LOA is a cost estimate. The country will be billed based on actual costs. LOA standard term and condition 4.2 specifically states, “The USG will refund any payments received for this LOA which prove to be in excess of the final total cost of delivery and performance and which are not required to cover arrearages on other LOAs of the Purchaser.”

Question:

Do all Night Vision Goggles (NVGs) require End Use Monitoring (EUM)? Could we go with a lesser generation of Night Vision Goggle (over the counter) and not have the enhanced EUM requirements?

Answer:

All NVGs purchased by foreign military end users require some degree of end use monitoring. If purchased via FMS, Enhanced End Use Monitoring is the normal method. See the *Security Assistance Management Manual* (SAMM) policy memo: “Guidance for the Transfer of Night Vision Devices (NVDs) (DSCA 04-25)” (http://www.dsca.mil/samm/policy_memos/2004/DSCA%2004-25.pdf). If purchased via a direct commercial sale, the Department of State will verify the end use via the Blue Lantern system of checks. If purchased as an “over the counter” commercial item, the Commerce Department verifies the export license of “Dual Use” items such as Gen II and III NVGs via their monitoring program, EXTRAN. It is illegal to ship or transport any Night Vision Device (NVD)/NVG overseas without written approval from one of the three USG agencies above.