
Security Assistance Management Manual (SAMM) Tips

[Editor's Note: The following *Security Assistance Management Manual (SAMM) Tips* are a compilation of the same tips appearing in the Defense Security Cooperation Newsletter. We gratefully acknowledge DSCA's contributions and if you want to read more please go to the following web site: <http://www.dsca.mil>.]

Department of Defense Support to Direct Commercial Sales

U.S. industry may request defense articles and services from the Department of Defense (DOD) to support a direct commercial sale (DCS) to a foreign country or international organization accomplished pursuant to an approved export license and an applicable statutory authority, including Section 30 of the Arms Export Control Act (AECA) which authorizes the sale of defense articles or defense services to U.S. companies at not less than their estimated replacement cost (or actual cost for services) for incorporation into end items to be sold by such companies on a DCS basis. It is important that defense industry representatives identify early in the DCS planning process if support from the DOD will be required. Companies requiring DOD support should arrange meetings with DOD representatives to discuss the support required and the method for funding the associated costs, which requires a unique sales agreement. SAMM Chapter 11, section C11.8. discusses authorized DOD support under this section. For questions or further information on this topic, please contact DSCA, Policy Division, Strategy Directorate.

Medical Countermeasures

Purchases of medical countermeasures such as drugs, vaccines, and other medical interventions against biological and chemical agents require the approval of the Office of the Under Secretary of Defense for Policy. It is essential that Letters of Request (LORs) for these items be submitted to DSCA (Strategy Directorate) as soon as the requirement is known to allow sufficient staffing time. See paragraph C5.1.4.3.4. for additional information on LOR submission. For questions or further information on this topic, please contact DSCA, Policy Division, Strategy Directorate.

Letter of Offer and Acceptance Document Holds

The Defense Security Assistance Management System (DSAMS) allows holds to be placed on the letter of offer and acceptance (LOA) documents. These capabilities cannot be used as a substitute for rejecting documents or for moving documents through the process in a timely manner. Holds do not "stop the clock" - the time period during which the case is on hold is included in the LOA processing metric time calculations. See Chapter 5, paragraph C5.4.14.6. of the Security Assistance Management Manual (SAMM) for additional information on case holds. For questions regarding the SAMM, please contact DSCA, Policy Division, Strategy Directorate.

36(b) Notifications Requiring Qualitative Military Edge Statements

Section 201 of Public Law 110-429 requires that any 36(b) notification shall include a determination that the sale or export of the defense articles or defense services to countries in the Middle East other than Israel will not adversely affect Israel's qualitative military edge (QME) over military threats to it. State drafts the determination, which remains a classified portion of the notification not included in the publicly released Federal Register notice or press release. For questions or further information on this topic, please contact DSCA, Policy Division, Strategy Directorate.

Letter of Request (LOR) Advisory

An LOR Advisory services as a notice to Under Secretary of Defense for Acquisition, Technology and Logistics (USD (AT&L)), Chairman of the Joint Chiefs of Staff, and others that DSCA has received an LOR for items or services that are either first introduction of major defense equipment (MDE), MDE that is expected to result in a Congressional Notification, coproduction or licensing agreement for MDE, or items and/or services of a sensitive nature. For example, Night Vision Devices, Man Portable Air Defense System, foreign-sourced articles and/or services, and items associated with missile defense. The LOR Advisory is sent as soon as possible after receiving the LOR to ensure consistency with existing Theater Security Cooperation objectives and technology security policy. The recipients have ten (10) working days from the date of the LOR Advisory to provide comments to DSCA for consideration. The LOR Advisory does not take the place of any Exception to National Disclosure Policy (ENDP) processes or releasability requirements that are worked by the military departments (MILDEPs). See SAMM Chapter 5, Section C5.1.4.5. for more details. For questions or further information on this topic, please contact DSCA, Policy Division, Strategy Directorate.

Transportation Plans

A Transportation Plan is required for each LOA containing classified material. The plan covers all movement continental United States or outside of the continental United States (CONUS and/or OCONUS) that occurs after custody passes, including final receipt at the classified material's ultimate destination in the purchaser's country. The implementing agency that prepares the LOA develops a Transportation Plan for the movement of classified material in coordination with the purchasing government and ensures that its own component security officials review and approve/disapprove the Transportation Plan. Once approved, a Transportation Plan becomes an integral part of all official copies of the LOA. This package is available for review by U.S. Customs and security officials when classified material is exported. Purchasers are responsible for insuring that their freight forwarders have copies when they are involved with the exports. For questions or further information on this topic, please contact DSCA Policy Division, Strategy Directorate. This information is also available in Chapter 7 of the SAMM. The SAMM is available at: www.dsca.mil/SAMM.

Multi-Service Letters of Offer and Acceptances

When a Letter of Request (LOR) received by an implementing agency includes a requirement for an item managed by another implementing agency, the implementing agency should consider preparing a Multi-Service LOA, particularly when the purchaser advises the United States Government that it requires multiple weapon systems on a single case for its own budgetary and/or other internally based reasons. However, if the manual financial and logistical processing required to prepare and execute a Multi-Service LOA exceeds the efficiencies that would be derived, the LOR requirements may be split into multiple LOA documents separated by implementing agency and major weapon system but managed in close coordination with one another. Regardless of the method used, implementing agencies must operate within a framework of cooperation that clearly defines the roles and responsibilities of each participant. See SAMM Chapter 5, paragraph C5.4.6.1., for additional details. For questions or further information on this topic, please contact DSCA, Policy Division, Strategy Directorate.