



JUN 16 2008
In reply refer to:
USP006306-08

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Title and Custody Transfer for Department of Defense (DoD) Appropriated Pseudo Cases, DSCA Policy 08-14, [SAMM E-Change 106]

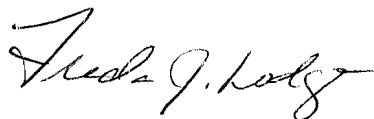
This memorandum revises Chapter 5, Table C5.T5., of the SAMM by adding a mandatory note for title and custody transfer for Pseudo Letters of Offer and Acceptance (LOA) documents financed with DoD appropriated funds. The revision formalizes the procedures that take place when defense articles are transferred under the respective authority of the Public Law on the attached listing and the Arms Export Control Act (AECA).

Effective 30 days from the date of signature, the following LOA note must be included when preparing LOAs using the codes on the attached listing. This note should also be added to LOA documents that are being amended or modified; however, there is no need to amend or modify the LOA document only to add this note.

Note Name	Note Usage	Note Text
Title and Custody Transfer - Public Law [insert Public Law] Authorization for Programs	Mandatory for all Pseudo LOA documents funded with DoD appropriations	“The U.S. Government will retain title to and custody of the defense articles to be transferred under the authority of Public Law [insert Public Law] and the Arms Export Control Act (AECA), until delivery to the recipient country or authorized international organization. A designated U.S. Government representative will confirm and document delivery of the Public Law [insert Public Law] program materiel to an authorized recipient country representative or agent or to the authorized international organization. This U.S. Government representative will keep documentation showing when, where, and to whom delivery was made for this case. The U.S. Government representative will provide a copy of this documentation to the [insert U.S Army Security Assistance Command, Navy International Programs Office, or Secretary of the Air Force/International Affairs].”

This revision will be included in the automated version of the SAMM found on the Defense Security Cooperation Agency (DSCA) Web Page as SAMM E-Change 106.

If you have any questions concerning guidance for preparing Pseudo LOAs, please contact Mr. Kidd Manville, STR/POL, kidd.manville@dscs.mil, (703) 604-6594.

A handwritten signature in black ink, appearing to read "Freda J. Lodge". The signature is fluid and cursive, with the first name "Freda" being the most prominent part.

Freda J. Lodge
Principal Director
Strategy

Attachment
As stated

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Pseudo LOA Codes Requiring Title and Custody Transfer Notes

Program	Pseudo Code	Recipient Country	Fiscal Year	Public Law
Emergency Supplemental Appropriations for Afghanistan Security Forces Fund	B2	Afghanistan	FY06	P.L. 109-234
Emergency Supplemental Appropriations for Iraq Security Forces Fund	B3	Iraq	FY06	P.L. 109-234
National Defense Authorization Act (Section 1206)	B4	Various	FY06	P.L. 109-163, Sec 1206
National Defense Authorization Act (Section 1206)	B5	Various	FY07	P.L. 109-364, Sec 1206
Fiscal Year 2007 DoD Appropriations Act for Afghanistan Security Forces Fund	B6	Afghanistan	FY07	P.L. 109-289 as supplemented by P.L. 110-28
Fiscal Year 2007 DoD Appropriations Act for Iraq Security Forces Fund	B7	Iraq	FY07	P.L. 109-289 as supplemented by P.L. 110-28
National Defense Authorization Act (Section 1206)	B8	Various	FY08	P.L. 109-364
Consolidated Appropriations Act, Afghanistan Security Forces Fund	E3	Afghanistan	FY08	P.L. 110-161
Consolidated Appropriations Act, Iraq Security Forces Fund	E4	Iraq	FY08	P.L. 110-161
DoD Counternarcotics Program, Section 1033	S7	Various	N/A	NDAA, Sec 1033
DoD Counternarcotics Program, Section 1004	S8	Various	N/A	NDAA, Sec 1004
Presidential Drawdowns	S9	Various	N/A	FAA, Sec 506(a)(1)
Train and Equip Authority for the Afghanistan National Army	Y2	Afghanistan	FY04	Sec 1107 of FY04 Supplemental
Train and Equip Authority for the New Iraqi Army	Y3	Iraq	FY04	Sec 1107 of FY04 Supplemental
Section 9006 of FY05 Defense Appropriations Act for Afghanistan	Y5	Afghanistan	FY05	P.L. 108-287
Section 9006 of FY05 Defense Appropriations Act for Iraq	Y6	Iraq	FY05	P.L. 108-287
Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan	Y7	Iraq	FY04	P.L. 108-106
Afghanistan Security Forces Fund – Emergency Supplemental Appropriations Act	Y8	Afghanistan	FY05	P.L. 109-13
Iraq Security Forces Fund – Emergency Supplemental Appropriations Act	Y9	Iraq	FY05	P.L. 109-13