



**DEFENSE SECURITY COOPERATION AGENCY**  
**2800 DEFENSE PENTAGON**  
**WASHINGTON, D.C. 20301-2800**

01 SEP 2011

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Sharing Pseudo Letter of Offer and Acceptance (LOA) Documents with Benefitting Countries, Defense Security Cooperation Agency (DSCA) Policy 11-39

This memorandum provides guidance to Department of Defense (DoD) personnel concerning the sharing of Pseudo LOA documents with Partner Nations that benefit from Security Cooperation (SC) Programs (hereafter referred to as Benefitting Countries).

Implementing Agencies (IAs) will continue to provide case information to the Security Cooperation Organizations (SCOs) during case development, execution, and preparation for training and services. SCOs, in turn, are encouraged to share requirement information and the Letter of Request/Memorandum of Request with Benefitting Country Ministry of Defense representatives to foster open communications. However, SCOs should clearly articulate that no guarantee of assistance can be made until the defense articles or services are delivered and title and custody has been transferred. SCOs may not share internal U.S. Government (USG) correspondence or information about internal USG discussions regarding case requirements with Benefitting Countries.

Once the case is accepted by the IA and is funded, the SCO may share the Pseudo LOA and supporting documents (such as materiel requirements lists, shipping details, manpower travel and data sheets, etc.) with Benefitting Country Ministry of Defense representatives in order to receive, secure, operate and sustain the equipment; and to achieve training and service objectives. The following information may not be shared and should be removed from case documents prior to release:

- Pre-decisional case information (to include the draft Pseudo LOA);
- USG internal correspondence regarding the case (e-mails, meeting minutes, etc.) or any internal USG planning information, policy determinations or justifications regarding the case;
- Information pertaining to another country (an LOA with multiple Benefitting Countries must be carefully screened prior to sharing);
- The FAA 632(b) Memorandum of Agreement or other LOA funding documents;
- Proprietary information from any source; or,
- Contract documents or commercially-sensitive information.

The IA must obtain authorization to share the information listed above from the DSCA Strategy Directorate. Case information will be shared in the interest of U.S. national security and in accordance with any existing international agreements (such as an FAA Section 505 Agreement) governing the provision of security assistance. Release of information regarding the

schedule of shipments or training events does not constitute a commitment of the United States to the Benefitting Country and SCOs should clearly communicate this to Benefitting Country representatives.

If you have any questions concerning this guidance, please contact Ms. Marie Kokotajlo, DSCA-STR/POL, at (703) 604-1107, or [marie.kokotajlo@dca.mil](mailto:marie.kokotajlo@dca.mil).

A handwritten signature in black ink that reads "William E. Landay III". The signature is written in a cursive style with a prominent initial "W" and a stylized "L".

**William E. Landay III**  
Vice Admiral, USN  
Director

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