DEFENSE SECURITY COOPERATION AGENCY
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15 JUN 2015

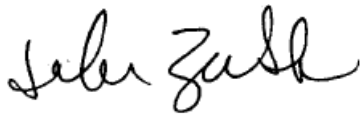
MEMORANDUM FOR DEPUTY UNDER SECRETARY OF THE AIR FORCE FOR INTERNATIONAL AFFAIRS
DEPUTY ASSISTANT SECRETARY OF THE ARMY FOR DEFENSE EXPORTS AND COOPERATION
DEPUTY ASSISTANT SECRETARY OF THE NAVY FOR INTERNATIONAL PROGRAMS
DIRECTOR, DEFENSE CONTRACT MANAGEMENT AGENCY
DIRECTOR FOR SECURITY ASSISTANCE, DEFENSE FINANCE AND ACCOUNTING SERVICE-INDIANAPOLIS OPERATIONS
DIRECTOR, DEFENSE INFORMATION SYSTEMS AGENCY
DIRECTOR, DEFENSE LOGISTICS AGENCY
DIRECTOR, DEFENSE LOGISTICS INFORMATION SERVICE
DIRECTOR, DEFENSE LOGISTICS AGENCY DISPOSITION SERVICES
DIRECTOR, DEFENSE THREAT REDUCTION AGENCY
DIRECTOR, MISSILE DEFENSE AGENCY
DIRECTOR, NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY
DEPUTY DIRECTOR FOR INFORMATION ASSURANCE, NATIONAL SECURITY AGENCY

SUBJECT: Note on Principles of Use of Military Unmanned Aerial Systems or Strike-Enabling Technologies to be Used on Unmanned Aerial Systems, DSCA Policy 15-21 [SAMM E-Change 277]

In accordance with the U.S. Export Policy for Military Unmanned Aerial Systems announced by the Department of State on February 17, 2015, the attached change to the Security Assistance Management Manual (SAMM) adds a note to be used on Letter of Offer and Acceptance (LOA) documents for sale of Military Unmanned Aerial Systems (UASs) or Strike-Enabling Technologies to be used on a UAS of any type. This note is not intended for use on cases involving strike-enabling technologies to be used other than on UASs.

A military UAS is one controlled under the International Traffic in Arms Regulations (ITAR), whether armed or unarmed. Strike-enabling technologies are defined as equipment and/or components that, when installed on a UAS, regardless of the range or payload capability of the UAS, enable the deployment of munitions from the UAS or another platform (examples involve bomb release racks and missile rails designed to carry munitions on a UAS and laser target designators). Strike-enabling technologies do not include technologies that allow the UAS to measure distance, determine navigational information, or otherwise gather information (examples of technologies not included in the definition of strike-enabling technologies are synthetic aperture radars, low-light level sensors and cameras, infrared sensors, or laser range-finders).

This change will take effect immediately. Appendix 6 of the SAMM will be updated as reflected in the attachment, and this change will be included in the online version of the SAMM found on the DSCA Web Page, www.samm.dsca.mil, as SAMM E-Change 277. If you have questions regarding this policy please contact DSCA/STR Weapons at (703) 604-6622. For general questions on the SAMM, please contact Mr. Mike Slack, DSCA/STR/POL, at (703) 601-3842 or e-mail: michael.slack@dsca.mil. Implementing Agencies should disseminate this policy to supporting activities.



Jennifer N. Zakriski
Deputy Director

Attachments:
As stated

cc:
USAFRICOM
USCENTCOM
USEUCOM
USNORTHCOM
USSOUTHCOM
USPACOM
USTRANSCOM
USSOCOM
STATE/PM-RSAT
USASAC
SATFA
TRADOC
NAVSUPWSS
NETSAFA
AFSAC
AFSAT
DISAM
MARCORIP
SCETC
USCG International Affairs (G-CI)

SECURITY ASSISTANCE MANAGEMENT MANUAL (SAMM), E-CHANGE 277

Addition to Appendix 6 - Note on Principles of Use of Military Unmanned Aerial Systems (UASs) or Strike-Enabling Technologies to be Used on UASs

Add the following notes to Appendix 6:

Principles of Use of Military Unmanned Aerial Systems (UASs) or Strike-Enabling Technologies to be Used on UASs

Note Usage
Mandatory for FMS LOAs that include military UASs or Strike-Enabling Technologies to be used on UASs. Strike-enabling technologies are defined as equipment and/or components that, when installed on a UAS, regardless of the range or payload capability of the UAS, enable the deployment of munitions from the UAS or another platform (examples involve bomb release racks and missile rails designed to carry munitions on a UAS and laser target designators). Strike-enabling technologies do not include technologies that allow the UAS to measure distance, determine navigational information, or otherwise gather information (examples of technologies not included in the definition of strike-enabling technologies are synthetic aperture radars, low-light level sensors and cameras, infrared sensors, or laser range-finders). This note is not intended for use on cases involving strike-enabling technologies for use other than on UASs. Mandatory for Amendments that add military UASs or strike-enabling technologies to be used on UASs.
References
Note Input Responsibility
CWD
Note Text
"In addition to the General Purchaser Agreements under Condition 2 of the Standard Terms and Conditions, the purchaser agrees: 1. not to modify U.S.-origin Unmanned Aerial Systems (UASs) with U.S.- or foreign-origin strike-enabling technologies without USG permission and to obtain prior USG consent for the integration and/or use of U.S.-origin strike-enabling technologies on non-U.S.-origin UASs; 2. to use these systems in accordance with international law, including international humanitarian law and international human rights law, as applicable; 3. to use armed UASs and strike-enabling technologies in operations involving the use of force only when there is a lawful basis for use of force under international law, such as self-defense; 4. not to use UASs to conduct unlawful surveillance or use unlawful force against its domestic population; and 5. as appropriate, to provide UAS operators technical and doctrinal training on the use of these systems to reduce the risk of unintended injury or damage."

Principles of Use of Military Unmanned Aerial Systems (UASs) or Strike-Enabling Technologies to be Used on UASs

Note Usage

Mandatory for BPC LOAs that include military UASs or Strike-Enabling Technologies to be used on UASs.

> Strike-enabling technologies are defined as equipment and/or components that, when installed on a UAS, regardless of the range or payload capability of the UAS, enable the deployment of munitions from the UAS or another platform (examples involve bomb release racks and missile rails designed to carry munitions on a UAS and laser target designators). Strike-enabling technologies do not include technologies that allow the UAS to measure distance, determine navigational information, or otherwise gather information (examples of technologies not included in the definition of strike-enabling technologies are synthetic aperture radars, low-light level sensors and cameras, infrared sensors, or laser range-finders). This note is not intended for use on cases involving strike-enabling technologies for use other than on UASs.

Mandatory for Amendments that add military UASs or strike-enabling technologies to be used on UASs.

References

Note Input Responsibility

CWD

Note Text

“In addition to the assurances provided in the 505 Agreement, which apply to this transfer, the recipient must provide written agreement to the following principles before transfer to the recipient country:

1. not to modify U.S.-origin Unmanned Aerial Systems (UASs) with U.S.- or foreign-origin strike-enabling technologies without USG permission and to obtain prior USG consent for the integration and/or use of U.S.-origin strike-enabling technologies on non-U.S.-origin UASs;
2. to use these systems in accordance with international law, including international humanitarian law and international human rights law, as applicable;
3. to use armed UASs and strike-enabling technologies in operations involving the use of force only when there is a lawful basis for use of force under international law, such as self-defense;
4. not to use UASs to conduct unlawful surveillance or use unlawful force against its domestic population; and
5. as appropriate, to provide UAS operators technical and doctrinal training on the use of these systems to reduce the risk of unintended injury or damage.”