



DEFENSE SECURITY COOPERATION AGENCY
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12 FEB 2016

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

SUBJECT: Pre-Countersignature Meeting Requirements for Letters of Offer and Acceptance (LOAs), DSCA Policy 15-44, SAMM E-Change 285

Reference: DSCA Policy 13-61, "Responsibilities and Procedures for Defense Security Cooperation Agency-Hosted Pre-countersignature Meetings, December 24, 2013

This policy updates the Security Assistance Management Manual (SAMM) by defining further the type of LOA documents that may require a Pre-Countersignature meeting, as well as the responsibilities of personnel involved in Pre-Countersignature meetings. The policy also identifies the type of documents that the Implementing Agency must prepare in order to ensure a successful Pre-Countersignature meeting.

If you have any questions concerning this guidance, please contact Mr. Kent Bell, DSCA STR/SPI, eddie.k.bell.civ@mail.mil, (703) 604-6612.

A handwritten signature in black ink, reading "Robert P. Helfant".

Robert P. Helfant
Principal Director
Strategy

Attachment:
As stated

cc:
AFRICOM
CENTCOM
EUCOM
NORTHCOM
SOUTHCOM
PACOM
TRANSCOM
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STATE/PM-RSAT
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MARCOR IP

ATTACHMENT

Security Assistance Management Manual (SAMM), E-Change 285

Revise C.5.4.12. as follows:

C5.4.12. Pre-Countersignature Meetings for New LOAs for Major Sales. The DSCA Country Financial Director (CFD) or the Country Portfolio Director (CPD) will convene a Pre-Countersignature meeting on selected “major sales” when warranted. For the purpose of this paragraph “major sales” include: sales that trigger AECA section 36(b) (22 U.S.C. 2776) (“36(b)”) thresholds and proposed sales that represent an increase of more than fifteen percent to the FMS purchaser’s current active program. The IA notifies the DSCA CFD at least 15 days prior to submitting LOAs for countersignature that trigger 36(b) thresholds. The DSCA CFD will then determine whether a proposed sale represents an increase of more than fifteen percent to the FMS purchaser’s current active program. The DSCA CPD and CFD will decide jointly whether a “major sale” requires a Pre-Countersignature meeting. If one is required, the DSCA CFD will schedule the meeting. Attendees will include DSCA, the IA, and prime contractor representatives, as appropriate. The purpose of the meeting is to review the purchaser requirements and confirm that: the proposed financial payment schedule correlates to the proposed program/delivery plan and the Dependable Undertaking term of sale, if applicable; LOA notes and transportation methods are appropriate; MASLs are correct and that the disclosure and releasability review process was conducted as required, and identify discrepancies in the LOA before it reaches the DSCA Case Writing Division. If the DSCA CFD and CPD convenes a meeting, the IA is responsible for presenting a plan to manage the program/delivery performance schedule as consistent with the financial requirements in the payment schedule. The plan should address the contract financing vehicle, anticipated contract payment milestones, and known purchaser budget constraints.

C5.4.12.1. Documents Required for Pre-Countersignature Meetings. The IA will provide a complete LOA package to the DSCA Pre-Countersignature meeting secretary five work days prior to a Pre-Countersignature meeting. The LOA package will include the following documents, as applicable: LOR, LOA document, LOA checklist, MTCR approval by Department of State, 36(b) Congressional Notification(s), EDA approval message, MTDS, payment schedules, to include manually developed payments schedules and termination liability, related waivers (e.g., NC, Yockey Waiver), National Security Agency approval letter, Consortium approval memo, GPS approval memo, unique notes and any other applicable offline information related to the LOA.