

# DEFENSE SECURITY COOPERATION AGENCY 2800 DEFENSE PENTAGON

WASHINGTON, D.C. 20301-2800

12 FEB 2016

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: Revised Letter of Offer and Acceptance (LOA) Checklist, Defense Security

Cooperation Agency (DSCA) Policy 16-03

Reference: DSCA Policy 11-59, "Updated Letter of Offer and Acceptance (LOA) Checklist," December 6, 2011

This memorandum supersedes DSCA Policy 11-59 which introduced the LOA checklist currently in use. The Implementing Agencies must complete the revised checklist in its entirety to enhance LOA document processing, reduce returns, and standardize identification of critical items submitted with each document. Use of the revised LOA checklist will be mandatory 45 days from signature of this memorandum. Detailed instructions are attached. LOA documents submitted to the DSCA Security Assistance Case Writing Division (SA/CWD) prior to signature of this memorandum will be processed with the referenced LOA checklist.

For any questions regarding this memorandum, contact Ms. Regina Martin, DSCA/SA/CWD, (937) 713-3193, email: regina.k.martin@us.af.mil. For questions regarding the SAMM, contact Ms. Michelle Davis, DSCA/STR/SPI, (703) 601-3843, email: michelle.davis13.civ@mail.mil.

J. W. Rixey

Vice Admiral, USN

Director

## Attachment:

As stated

### cc:

STATE/PM-RSAT

AFRICOM

CENTCOM

**EUCOM** 

**JFCOM** 

NORTHCOM

**PACOM** 

**SOCOM** 

SOUTHCOM

TRANSCOM

**USASAC** 

SATFA TRADOC

NAVICP

NETSAFA

**AFSAC** 

**AFSAT** 

MDA

**DISAM** 

## Letter of Offer & Acceptance (LOA) Checklist

(Enter case remark certifying compliance.) See SAMM C3.6.



Yes	No	ENHANCED END USE MONITORING (EEUM) & SPECIAL NOTES		Yes	No	NOTES - See SAMM Appendix 6		
		EEUM Articles	CWD Enter Note #(s):			Note that changes LOA Standard Terms & Conditions included (Add case remark with pre-coordination	If Yes, Note #(s):	
		Type 1 COMSEC Items (Provide copy of NSA Appr See SAMM C3.7. and C8.4.	oval Letter for COMSEC items.)			approval by DSCA/STR/SPI.)  Note that is unique &/or peculiar	If Yes, Note #(s):	
		Enhanced Targeting Da	ıta			to this FMS case included		
		Cat I Missiles	c. Gripstocks, Command Launch Units.			All DSCA Standard notes for which the IA has responsibility have been added.  See SAMM Appendix 6.		
		Cat II Missiles - TOW-2B				Aircraft Ferrying		
		Cat III Missiles e.g. AIM-9X, AMRAAM, HARPOON BIk II, SLAM-ER, SM-III, & related Guidance systems				(Indicate in line description note if the aircraft being ferried is USG or Purchaser owned.)  Contingency/Non-Specific  If Yes, Note #(s): If Yes, Line #(s):		
		Joint Munitions – e.g. JASSM & JSOW				Requirements Line (R9B) 079200N0NSPRQ		
		Tomahawk				See SAMM C5.4.9.	art Arrangament	
		THAAD (A	dd non-standard physical security note.)			Cooperative Logistics Supply Supply (Provide associated FMSO I/II)	ort Arrangement	
		LAIRCM				Design/Construction Services (Provide construction agent name/org)		
		Unmanned Aircraft Sys (Predator/Reaper/Global Hawk) See DSCA Policy 15-21.	tem (UAS) - MTCR CAT I			Offer Expiration Date (OED) (Short OED - Provide justification in case note; Long OED - provide		
		UAS (other than CAT I) (Add non-standard EEUM N See DSCA Policy 15-21.	ote on a Case-by-Case basis.)			justification in case remarks.)  Offshore Procurement If Yes, N	ote #(s): If Yes, Line #(s):	
		Strike-Enabling Techno Aerial Systems Of Any	ologies To Be Used On Unmanned Type ote on a Case-by-Case basis.)			OT&E Incomplete	If Yes, Note #(s):	
		Night Vision Devices (N (Provide copy of DSCA App See SAMM C5.T1e. & C8.4.				(Add case note pre-coordinated with DSCA STR/SPI & provide copy of Yockey Waiver)  PCS Personnel in country (Check PCS box on the Case		
Yes	No	5	ENSITIVE ITEMS			<u>Detail/Document Tab Window</u> in DSAMS)		
		The IA certifies compliance w	erial and Services requiring GEOINT with NGA.			See SAMM C5.4.7.6.  Prior Year Funds / Period of Perforn (Provide CFM Approval Memo and case note See DSCA Policy 10-08, 11-06, & 13-30.		
		Approval Letter, if required. See DSCA Policy 06-43 per S	AMM C4.4.16., C5.1.4.3.5. & C5.T1d.			BPC Articles/Services Redirected	er Associated Case ID(s)	
		Aircraft, Electronic Wai Reconnaissance Pods	fare (EW) e.g. Radars, etc. Radios and			Travel & Living Allowance (TLA)		
		Anti-Personnel Mines/C e.g. CBU-105/CBU-97 incl. an software for any CM.	Cluster Munitions(CM) ny software (SW), test equip-CMBRE & aircraft			(Enter approval date in note) See DSCA Policy 09-24 and SAMM C10.7.5.1		
		(Add Cluster Munitions not See SAMM C4.5.2. & C4.5.3.				Sole Source (Provide LOR. One note per case, using 2-column format for multiple contractors, as required.)		
		Ammunition, Bombs, F (GBUs), Missiles e.g. Air-to-Ground Missiles (AG	irearms, Guided Bomb Units  M-XXX), & other Weapons.		See SAMM Appendix 6.  IA / CWD Additional Comments			
		Global Positioning Sys	tems (GPS)		turning d	locuments, explain in detail what changed on this version. sceed the available space above, please provide additional cor	nments on a separate attachment.	
		· · · · · · · · · · · · · · · · · · ·	tion Distribution System (MIDS).					
		Chemical/Bio-Detection E e.g. Vaccines/ Chemical/ Biol Explosive individual protective	quipment/Medical Counter-Measures ogical/ Radiological/ Neurological/ High-Yield e equipment. le LOR was forwarded to DSCA/STR/SPL)					
		Depleted Uranium e.g. 105mm M774/M833 or 1: See SAMM C4.4.9.	20mm M829/M946.					
		Police, Counterterroris Provided to non-MoD entities e.g. rubber bullets/smoke gre	m & Military Intelligence assistance and riot control for non-lethal crowd control. nades/tear gas/etc.					
		White Phosphorus Mur	itions					
		(Add standard note provide See SAMM C4.4.8. & C5.T1g	d by PM/RSAT at DoS.)					

## Instructions for Preparing the LOA Checklist

#### INSTRUCTIONS

The LOA Checklist is <u>mandatory</u> for all documents submitted to the DSCA Case Writing Division (CWD). The purpose of this checklist is to enhance LOA document processing, provide a standardized means for Implementing Agencies to highlight key components of the **CURRENT** case version being developed, and to reduce returns. This ensures case preparers provide a complete package to DSCA on the first pass. Items in (parentheses) MUST be included in the offline package &/or entered in DSAMS Case/Line Remarks where indicated.

Documents without required enclosures/offline documentation may be returned.					
LOA (BASIC)	This is new scope developed on new Foreign Military Sales (FMS)/Building Partner Capacity (BPC) LOA documents. All information pertaining to LOAs must be checked on the LOA Checklist with applicable case/line remarks entered in DSAMS. All applicable off-line data must also be provided with the electronic package. Address pricing/waivers in the FINANCIAL WAIVERS/PRICING section, as applicable.				
AMD (& CONCURRENT MODS)	Amendments and concurrent modifications generally increase or decrease scope of FMS/BPC LOA documents. Use checklist to highlight areas of added/increased scope on the checklist and any other applicable areas that changed. Address pricing/waivers in the FINANCIAL WAIVERS/PRICING section, as applicable, regarding lines being touched.				
MOD	By their nature modifications generally do not change scope. Highlight the areas, as applicable, based on instructions provided below. Address pricing/waivers in the FINANCIAL WAIVERS/PRICING section, as applicable, regarding lines being touched.				
CASE ID	This field must include the complete case identifier, including the version of the document being developed (e.g. BN-Q-ABC-BASIC; BN-Q-ABC-A01-RESTATE; BN-Q-ABC-M01).				
IMPLEMENTING AGENCY POINT	This field must include the Implementing Agency (IA) primary & alternate Point of Contact (POC) information (name, commercial and DSN phone numbers, & email address) for this case version.				
OF CONTACT	Ensure the POC(s) identified are available & the information provided is correct.				
	This section <b>pertains to the entire LOA</b> and must be completed on every case version. Items highlighted in <b>red must</b> be provided as indicated.				
GENERAL OVERVIEW	Electronic File Size Limitation - Ensure LOA package file size is reduced to the maximum extent possible. Note: Combining emailed and scanned attachments may result in large file sizes and may require all documents be scanned for optimization to ensure maximum compression capability. As a rule of thumb, most LOA packages should be 3MB or less, but NTE 8MB.				
	Digital Signatures - Ensure any attachment containing a digital signature is scanned to retain signature.				
CASE ITEMS - Added/ Increased Requirements	This section pertains to new scope (e.g. new or added/increased requirements) on this version of the LOA document. For the purposes of this checklist, all lines are new requirements on a basic LOA. For Amendments and Modifications, it is not necessary to conduct additional reviews for MTCR or CPI compliance or to enter related case remarks when there is no change in scope, when blanket order lines are changed in scope only to increase value, or when lines are touched for financial adjustments only (e.g. price increase/ decrease).				
	This section must be completed <b>on every case version</b> . Items highlighted in <b>red must</b> be provided as indicated.				
FINANCIAL POLICIES & PROCEDURES	NOTE: A complete financial review of the entire case should be performed to ensure all lines are priced correctly and all pricing related validation errors and warnings are addressed. Case preparers must review each Individual Pricing Component (IPC) for applicability and ensure coding matches. If an IPC does not apply to a line, the IPC must be set to not-applicable (NA) (e.g. If the Delivery Term Code being used does not warrant transportation costs, the IPC must be set to NA.) When pricing errors are discovered that affect the price of the line, these must be fixed at the time they are discovered.				
	See DSCA Policies: 14-08, dated 3 Apr 14; 08-10, dated 2 Apr 08; & 09-06, dated 1 Apr 09.				
	Items highlighted in red must be provided as indicated.				
ENHANCED END USE MONITORING (EEUM) & SPECIAL NOTES	This section must be completed whenever these items are being provided, quantities are increased, or MASL/ line description, or line description note(s) change. The MASL for these items must be on a defined order MASL with a unit of issue other than "XX" and EUM indicator should reflect "E" for Enhanced End Use Monitoring. It is not necessary to complete this section on modification/amendments if new items/increased quantities are not being provided, or if there are not changes in the MASL, line description, or line description note on the case version. On modification/amendments, if these lines are only touched for financial adjustments, this section does not need to be completed. Items highlighted in red must be provided as indicated.				
	This section must be completed when these sensitive items are being provided on a case version, or if the Military Articles and Services List (MASL), line description, or line description note(s) change.				
SENSITIVE TECHNOLOGY	For Amendments and Modifications, it is not necessary to complete this section if there is no change in scope (e.g. no new items &/or increased quantities), or when lines are touched for financial adjustments only (e.g. price increase/decrease). Items highlighted in red must be provided as indicated.				
NOTES	This section must be completed on every case version. Items highlighted in red must be provided as indicated.				
ADDITIONAL COMMENTS	This section is for Implementing Agencies to provide any additional information/instructions regarding the LOA document. Provide detailed information regarding any changes made to a "returned" version of the document. Supporting rationale must be provided in this block (& a case remark) when requested changes were not made. It is preferred that this be pre-coordinated with the individual initiating the return to avoid any additional returns &/or delays in processing. This section is for DSCA/CWD to provide any additional information regarding the case. For cases returned to CWD, this section must be used to detail the changes made by CWD as a result of the return.				

Supporting rationale must be provided in this block (& a case remark) when requested changes were not made. It is preferred that this

be pre-coordinated with the individual initiating the return to avoid any additional returns &/or delays in processing.