



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

APR 11 2022

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: Defense Security Cooperation Agency (DSCA) Delegation of Authority to the
Implementing Agencies to Sign Letters of Offer and Acceptance DSCA Policy
22-24

Reference(s): (a) Department of Defense (DoD) Directive 5105.65, “Defense Security
Cooperation Agency (DSCA),” dated October 26, 2012
(b) DoD Instruction (DoDI) 8520.02, “Public Key Infrastructure (PKI) and Public
Key (PK) Enabling,” dated May 24, 2011
(c) DoDI 8520.03, “Identity Authentication for Information Systems,” dated May
13, 2011

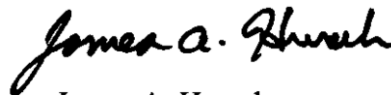
Pursuant to the authority delegated to the Director, Defense Security Cooperation Agency (DSCA), in Department of Defense Directive 5105.65, dated October 26, 2012 (Reference (a)), I hereby delegate to the Directors of the Implementing Agencies (IAs) the authority to sign Letters of Offer and Acceptance (LOAs) with foreign governments, including amendments and modifications thereto, executed under the Foreign Military Sales (FMS) and Title 10 Building Partnership Capacity (BPC) programs. Recognizing that this authority to sign LOA documents has been implied in practice based on the role of the U.S. Military Departments, Defense Agencies, and DoD Field Activities in executing FMS cases and implementing assigned responsibilities under Reference (a), this memorandum formalizes IA authority and clarifies that IA Directors may delegate this function further, as set forth below, in order to promote efficiency in the LOA formulation process.

The IA approval milestone (MILSGN) in the Defense Security Assistance Management System (DSAMS) records IA approvals. Consistent with DSCA's process for providing electronic approval of the LOA and as required by mission needs, signature authority may be re-delegated within IAs' respective organizations no lower than the individual performing the MILSGN milestone in DSAMS. Effective immediately, LOAs will reflect "IA Reviewed/Approved" upon the date on which the MILSGN milestone is entered on page 1 of the LOA. This change will negate the requirement for a USG wet signature on the LOA, enhance auditability, and comply with References (b) and (c).

To facilitate this change, IAs will review/update DSAMS Security Roles of personnel authorized to perform the MILSGN function to ensure adequate internal controls with personnel changes. Representing and committing the U.S. Government to the terms and conditions within an LOA is an inherently governmental function. Personnel receiving authorization to perform this LOA signature function must be, at a minimum, a government civilian or military member employed at the GS-12/O-4, or equivalent level. Contractor personnel may not perform this function.

IA Directors may reserve the right to require LOA signature at a level above GS-12/O-4 for a particular FMS or BPC case depending on the foreign partner, dollar value, or nature of the defense articles/services being provided. In such situations, the MILSGN milestone will be recorded in DSAMS according to the standard process, and the IA may attach a cover memo signed at a higher level, as appropriate.

If you have any questions about this matter, please contact Ms. Kara Greenberg, Office of General Counsel, at 703 697-8981 or email kara.t.greenberg.civ@mail.mil, or Ms. Regina Martin, International Operations Global Execution, Case Writing and Development Division, at 937-713-3193 or email regina.k.martin.civ@mail.mil.



James A. Hursch
Director

cc:

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