

20 MAR 2025

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, DEFENSE INFORMATION SYSTEMS AGENCY DIRECTOR, DEFENSE LOGISTICS AGENCY DIRECTOR, DEFENSE THREAT REDUCTION AGENCY DIRECTOR, MISSILE DEFENSE AGENCY DIRECTOR, NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY DIRECTOR, SECURITY COOPERATION ACCOUNTING DIRECTORATE, DEFENSE FINANCE AND ACCOUNTING SERVICE, INDIANAPOLIS OPERATIONS DIRECTOR OF CYBERSECURITY DIRECTORATE AND DEPUTY NATIONAL MANAGER FOR NATIONAL SECURITY SYSTEMS. NATIONAL SECURITY AGENCY

SUBJECT: Defense Security Cooperation Agency Policy Memorandum 25-03, Appendix 8 Section 333 Administrative and Clarification Updates [SAMM E-Change 742]

This memorandum updates the Security Assistance Management Manual (SAMM) with clerical, administrative, and clarification changes for Appendix 8, Section 333. This memorandum does not contain contextual policy changes. The policy in the attachment is incorporated into the DSCA SAMM at <u>https://samm.dsca.mil</u>.

If you have any questions concerning this guidance or questions relating to the SAMM, please contact DSCA (Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA)), dsca.ncr.spp.mbx.epa@mail.mil.

David Ferrari Assistant Director Strategy, Plans, and Policy

Attachment: SAMM E-Change – 742 – SAMM Appendix 8, Section 333 Administrative and Clarification Changes

Attachment: Security Assistance Management Manual E-Change 742

SAMM Appendix 8, Section 333 Administrative and Clarification Changes

- 1. Update Section S333.2.13.5. per below:
 - Current:

<u>S333.2.13.5.</u> Small-Scale Construction. As a matter of law, <u>Section 333</u> small scale construction projects cannot exceed \$1,500,000. For all small-scale construction projects above \$750,000, the CN must include the location, project title, and cost of each project that will be carried out, a <u>Defense Department (DD) Form 1391</u>, and a masterplan of planned infrastructure investments at the location over the next five years.

• Revised:

<u>S333.2.13.5.</u> Small-Scale Construction. As a matter of law, <u>Section 333</u> small scale construction projects currently cannot exceed \$2M. For all small-scale construction projects above \$750,000, the CN must include the location, project title, and cost of each project that will be carried out, a <u>Defense Department (DD) Form 1391</u>, and a masterplan of planned infrastructure investments at the location over the next five years.

- 2. Update Section S333.3.7. per below:
 - Current:

<u>S333.3.7.</u> Implementing Agencies. Per DSCA request/coordination, IAs provide technical advice to other stakeholders on requirements and suggesting best fit technology in terms of interoperability, capability, and cost. IAs can provide early rough order of magnitude costs for the total package approach and assist with estimates for life cycle management costs. IAs may participate in SSCI Rough order of Magnitude (ROM) validation and support the development of future programs and TELs. Once the TELs are submitted, the IAs are responsible for reviewing TELs, participating in feasibility reviews, and providing P&A data to DSCA. Upon congressional approval, IAs execute the program and drafts the case within 60 days for DSCA review or provide written justification of why the case has not yet been developed and provide a timeline of when it will be developed. IAs periodically update CN to Letter of Offer and Acceptance (LOA) crosswalks with the delivery status of materiel, defense services, and training.

• Revised:

<u>S333.3.7.</u> Implementing Agencies. Per DSCA request/coordination, IAs provide technical advice to other stakeholders on requirements and suggest best fit technology in terms of interoperability, capability, and cost. IAs can provide early rough order of magnitude costs for the total package approach and assist with estimates for life cycle management

costs. IAs may participate in SSCI Rough order of Magnitude (ROM) validation and support the development of future programs and TELs. Once the TELs are submitted via Socium, the IAs are responsible for reviewing TELs, participating in feasibility reviews, and providing P&A data via Socium to DSCA. Upon congressional approval, IAs execute the program and draft the case within 60 days for DSCA review or provide written justification of why the case has not yet been developed and provide a timeline of when it will be developed. IAs periodically update CN to Letter of Offer and Acceptance (LOA) crosswalks with the delivery status of materiel, defense services, and training.

- 3. Update Section \$333.4.2.2. per below:
 - Current:

<u>S333.4.2.2. Training & Equipment List Development.</u> The TEL is a major component of the Memorandum of Request (MOR) for Section 333 and MSI programs. The TEL is the primary document translating desired capabilities to specific acquisition requirements. A complete MOR for <u>Section 333</u> and MSI programs is a final TEL and email direction from DSCA (IOPS/GCD) to initiate case development. A CCMD is the USG RA responsible for consolidation of TEL data and submission to DSCA within published timelines and in accordance with <u>Chapter 15</u>. TELs submitted past the OSD(P) guidance deadline, will require OSD(P) approval and may not be included in the current year Congressional Notification (CN). <u>Section 333</u> and MSI funded activities may not proceed with execution prior to Congressional approval.

• Revised:

<u>S333.4.2.2. Training & Equipment List Development.</u> The TEL is a major component of the Memorandum of Request (MOR) for Section 333 and MSI programs. The TEL is the primary document translating desired capabilities to specific acquisition requirements. A complete MOR for <u>Section 333</u> and MSI programs is a final TEL and email direction from DSCA (IOPS/GCD) to initiate case development. A CCMD is the USG RA responsible for consolidation of TEL data and submission to DSCA via Socium within published timelines and in accordance with <u>Chapter 15</u>. TELs submitted past the OSD(P) guidance deadline₇ will require OSD(P) approval and may not be included in the current year Congressional Notification (CN). <u>Section 333</u> and MSI funded activities may not proceed with execution prior to Congressional approval.

- 4. Update Section S333.4.2.2.1. per below:
 - Current:

<u>S333.4.2.2.1.</u> One TEL is required per Benefitting Partner recipient unit. DSCA will not accept TELs that include equipment for several different units within the Benefitting Partner even if they are within the same MILDEP or Service. Delivery of equipment, training, services, supplies, small-scale construction and human rights training are tied to the specific unit included on the original CN. A unit not included in the CN may not receive any equipment, training, defense services, supplies, or small-scale construction.

• Revised:

<u>S333.4.2.2.1.</u> A TEL may contain multiple Benefitting Partner recipient units. <u>DSCA will</u> not accept TELs that include equipment for several different units within the Benefitting Partner even if they are within the same MILDEP or Service. Delivery of equipment, training, services, supplies, small-scale construction, and human rights training are tied to the specific unit included on the original CN. A unit not included in the CN may not receive any equipment, training, defense services, supplies, or small-scale construction.

- 5. Update Section S333.4.2.3. per below:
 - Current:

<u>S333.4.2.3.</u> Training and Equipment List Technical Review. The purpose of the Technical Review is for the IAs, other implementers and Program Offices to be able to review the proposed program requirements and formally accept the TEL and commit to providing BPC P&A data to DSCA. As previously stated, the IAs, other implementers and Program Offices use technical TEL reviews to assess validated proposals, assist with the refinement of the proposal, develop acquisition strategies, determine the Total Package Approach (TPA) using established programs of record (PORs), existing contracting vehicles and present risks associated with non-POR capabilities. DSCA (IOPS/GCD) is responsible for facilitating the TEL Technical Reviews to coordinate Requests for Information (RFI) and confirm if a program can move forward to the BPC Price and Availability phase.

• Revised:

<u>S333.4.2.3. Training and Equipment List Technical Review.</u> The purpose of the Technical Review is for the IAs, other implementers, and Program Offices to be able to review the proposed program requirements and formally accept the TEL and commit to providing BPC P&A data to DSCA. As previously stated, the IAs, other implementers, and Program Offices use technical TEL reviews to assess validated proposals, assist with the refinement of the proposal, develop acquisition strategies, determine the Total Package Approach (TPA), and identify related Institutional Capacity Building (ICB) needs in coordination with DSCA/DSCU Institutional Capacity Building Directorate and related stakeholders using established programs of record (PORs), existing contracting vehicles, and present risks associated with non-POR capabilities. DSCA (IOPS/GCD) is responsible for facilitating the TEL Technical Reviews to coordinate Requests for Information (RFI) and confirm if a program can move forward to the BPC Price and Availability phase.

- 6. Update Section S333.4.2.3.1. per below:
 - Current:

<u>S333.4.2.3.1.</u> DSCA (IOPS/GCD) encourages using the Technical Review Checklist on the TEL early in the process to successfully generate requirements. SCOs, USG RAs, DSCA, and Implementers (e.g., IAs and non-traditional IAs like the Department of

Justice International Criminal Investigative Training Assistance Program) should use the TEL Technical Checklist located on the first tab of the TEL to review requested acquisition requirements prior to submitting the final TEL to DSCA (IOPS/GCD).

• Revised:

<u>S333.4.2.3.1.</u> DSCA (IOPS/GCD) encourages using the Technical Review Checklist on the TEL early in the process to successfully generate requirements. SCOs, USG RAs, DSCA, and Implementers (e.g., IAs and non-traditional IAs like the Department of Justice International Criminal Investigative Training Assistance Program) should use the TEL Technical Checklist located on the first tab of the TEL to review requested acquisition requirements prior to submitting the final TEL, via Socium, to DSCA (IOPS/GCD).

- 7. Update Section S333.5.2. per below:
 - Current:

<u>S333.5.2.</u> Congressional Notification to Letter of Offer and Acceptance Crosswalk. United States Army Security Assistance Command-Washington Field Office (USASAC-WFO) manually develops and updates the Congressional Notification (CN) to Building Partner Capacity (BPC) Letter of Offer and Acceptance (LOA) crosswalk tables upon tranche notification in order to start populating this crosswalk with LOA information. USASAC-WFO manages the crosswalk for tri-service reporting of deliveries. IAs update the "Estimated Ship Date" field on the crosswalk in the Security Cooperation Information Portal (SCIP). The USG Requesting Authority (RA) will review the crosswalk on a quarterly basis to ensure they remain current on upcoming deliveries.

• Revised:

S333.5.2. Congressional Notification to Letter of Offer and Acceptance Crosswalk. United States Army Security Assistance Command-Washington Field Office (USASAC-WFO) manually develops and updates the Congressional Notification (CN) to Building Partner Capacity (BPC) Letter of Offer and Acceptance (LOA) crosswalk tables upon tranche notification in order to start populating this crosswalk with LOA information. USASAC WFO manages the crosswalk for tri service reporting of deliveries. IAs update the "Estimated Ship Date" field on the crosswalk in the Security Cooperation Information Portal (SCIP). The USG Requesting Authority (RA) will review the crosswalk on a quarterly basis to ensure they remain current on upcoming deliveries.

- 8. Update Section S333.6.13.2. per below:
 - Current:

S333.6.13.2. The Congressional Notification to Letter of Offer and Acceptance Crosswalk. The CN to BPC LOA crosswalk is the primary tool for reviewing program execution status in detail. USASAC-WFO develops this crosswalk tables as soon as a tranche is congressionally notified in order to start populating the crosswalk with LOA information. USASAC-WFO manages the crosswalk for tri-service reporting of deliveries. IAs and other implementers are required to update the "Estimated Ship Date" field on the crosswalk in SCIP. The CCMDs and SCOs will review the crosswalk on a quarterly basis to ensure they remain current on upcoming deliveries.

• Revised:

<u>S333.6.13.2.</u> The Congressional Notification to Letter of Offer and Acceptance <u>Crosswalk.</u> The CN to BPC LOA crosswalk is the primary tool for reviewing program execution status in detail. USASAC-WFO develops the crosswalk tables as soon as a tranche is congressionally notified in order to start populating the crosswalk with LOA information. USASAC-WFO manages the crosswalk for tri service reporting of deliveries. IAs and other implementers are required to update the "Estimated Ship Date" field on the crosswalk in SCIP. The CCMDs and SCOs will review the crosswalk on a quarterly basis to ensure they remain current on upcoming deliveries.

- 9. Update Section S333.7.4. and S33.7.4.1. per below:
 - Current:

<u>S333.7.4.</u> Section <u>333</u> Quarterly Report. DSCA is legally required to submit a Section 333 Quarterly Report to Congress. DSCA (Office of International Operations, Global Capability Development Directorate (IOPS/GCD)) is the Office of Primary Responsibility (OPR) for this report, and is responsible for data collection, data validation, report creation, report review, and submission to Congress. The report includes information about the delivery and execution status of all defense articles, training, defense services and supplies (including consumables), and small-scale construction. The report must include information on the timeliness of those deliveries compared to the delivery schedule included in the original Congressional Notification (CN). The report must also include information about the status of funds for allocated programs, including amounts of unobligated funds, unliquidated obligations, and disbursements. The <u>Section 333</u> report is the official program report for congressional committees to evaluate the efficiency and effectiveness of the <u>Section 333</u> authority. Quarterly reports must be accurate and reflect any deviation from the original CN.

S333.7.4.1. The Director, DSCA, will on a quarterly basis, submit to the appropriate committees of Congress a report setting forth, for the preceding calendar quarter, the following:

• Revised:

<u>S333.7.4.</u> Section <u>333</u> Semi-Annual Report. DSCA is legally required to submit a Section 333 Semi-Annual Report to Congress. DSCA (Office of International Operations, Global Capability Development Directorate (IOPS/GCD)) is the Office of Primary Responsibility (OPR) for this report, and is responsible for data collection, data validation, report creation, report review, and submission to Congress. The report includes information about the delivery and execution status of all defense articles, training, defense services and supplies (including consumables), and small-scale construction. The report must include information on the timeliness of those deliveries compared to the delivery schedule included in the original Congressional Notification (CN). The report must also include information about the status of funds for allocated programs, including amounts of unobligated funds, unliquidated obligations, and disbursements. The <u>Section 333</u> report is the official program report for congressional committees to evaluate the efficiency and effectiveness of the <u>Section 333</u> authority. Semi-Annual reports must be accurate and reflect any deviation from the original CN.

S333.7.4.1. The Director, DSCA, will on a semi-annual basis, submit to the appropriate committees of Congress a report setting forth, for the preceding calendar quarter, the following:

- 10. Update Table S333.T7. per below:
 - Current:

Table S333.T7. - Section 333 Resources in the Security Cooperation Information Portal

- CN TAB B (SCIP/SCMS/Documents tab)
- Training and Equipment List, DSCA (IOPS/GCD)
- CN to LOA crosswalks (SCIP/SCMS/Documents tab)
- SCMS Dashboard Report (SCIP) for the list of all LOAs under approved program
- Transportation Forecast Spreadsheet (SCIP/SCMS/Documents tab)
- Title Transfer Documents (SCIP/SCMS/Documents tab)
- SEC333 POC List (SCIP/SCMS/Documents tab)
 - Revised:

Table S333.T7. - Section 333 Resources in the Security Cooperation Information Portal

- CN TAB B (SCIP/SCMS/Documents tab) DSCA SP 333 site
- Training and Equipment List, DSCA (IOPS/GCD Socium)
- CN to LOA crosswalks (SCIP/SCMS/Documents tab)
- SCMS Dashboard Report (SCIP) for the list of all LOAs under approved program
- Transportation Forecast Spreadsheet (SCIP/SCMS/Documents tab)
- Title Transfer Documents (SCIP/SCMS/Documents tab)
- SEC333 POC List (SCIP/SCMS/Documents tab)

11. Delete the following sections and renumber accordingly:

<u>S333.4.2.3.2.</u> DSCA (IOPS/GCD) will post TEL rollups on DSCA SharePoint site for the IAs and DSCA (Defense Security Cooperation University, Defense Institute of International Legal Studies (DSCU/DIILS)) for a formal technical review period of 7-14 days. During this time, implementers review all TELs to ensure they can procure assigned equipment, training and services (to include small scale construction); identify any questions about equipment, services and training; and assess feasibility of the program. Non Programs of record and programs requiring specific equipment variant will be coordinated with the IAs and require Justification & Approval (J&A) letter from the USG RA.

- Renumber following 2 sections as \$333.4.2.3.2 and \$333.4.2.3.3.

<u>S333.6.3.1. Initiate Case Development (60 days After Congressional Approval).</u> Once Congress has approved the program, the DSCA will send a "Case Development" email to the IAs to officially start case development. The email will include the final CN documentation, a TEL roll-up, and the associated program code for each program.

- Renumber existing sub-section as "\$333.6.3.1. Memorandum of Request"

<u>S333.6.4.1.</u> Once a <u>Section 333</u> case reaches BPC "Wait/Review" status and can proceed further in the process given funds availability another 20 days are allocated to move it towards financial implementation.

- Renumber following section as S333.6.4.1.

<u>S333.6.13.2.1.</u> IAs will update the estimated ship date on the CN to LOA crosswalks. The USASAC New Cumberland (USASAC NC) team manage the CN to LOA crosswalks.

- No renumbering needed.