

DEFENSE SECURITY COOPERATION AGENCY

2800 DEFENSE PENTAGON WASHINGTON, D.C. 20301-2800

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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 Policy Memorandum 25-10, Updates to Clarify Building Partner Capacity Line Construction and Document Requirements [SAMM E-Change 736]

Effective immediately, Security Assistance Management Manual (SAMM) Chapter 15 is updated to clarify that all Building Partner Capacity (BPC) Letter of Offer and Acceptance (LOA) (also known as a BPC case) Lines are defined lines and will contain a month range for the number of months for services and training or number of months for anticipated delivery of defense articles to the USG. The months are limited by the legal authorization and appropriation for the BPC case. For lines with the unit of issue of "XX," the scope of assistance will be defined by the line note and month range. Appendix 8, Section 333 is updated to clarify the documents that comprise the Memorandum of Request to initiate a BPC program, and Chapter 15 is updated to clarify the documents necessary when submitting a draft BPC case to the DSCA (Office of International Operation, Global Execution Directorate, Case Writing and Development Division (IOPS/GEX/CWD)).

The policy in the attachment is incorporated into the DSCA SAMM at https://samm.dsca.mil. If you have any questions concerning this guidance or for general questions about the SAMM, please contact SPP/EPA at dsca.ncr.spp.mbx.epa@mail.mil.

Hussam Bader

Acting Assistant Director Strategy, Plans, and Policy

Attachment:

SAMM E-Change 736 - Updates to C15.

Attachment: SAMM E-Change 736 - Updates to C15.

1. Update Chapter 15 per below:

• Current:

C15.3.5. Line Construction. Each line on the MOR must be an individual line on the case, unless the DSCA Office of Primary Responsibility (OPR) (DSCA IOPS/REX, and/or Global Capability Development Directorate (IOPS/GCD)) determine it is not appropriate to do so. The notes section will identify the corresponding line on the MOR, if applicable. The purpose is to increase accuracy in program execution reporting and accountability. All SME and MDE must be tracked using the appropriate Military Articles and Services List (MASL).

<u>C15.3.5.1.</u> Benefitting Countries. Multiple Benefitting Partners can be included on the same BPC case but may not be included on the same line. A single Benefitting Partner must be listed on a defense article or service line to enable tracking, monitoring, and evaluation of the provided assistance.

C15.3.5.2. Non-descriptive Military Articles and Services List Item. A non-descriptive general MASL may only be used by approved exception from DSCA (IOPS/GCD) and the corresponding case note must provide a complete and detailed listing of all the items purchased to include quantities and National Stock Numbers (NSNs) of items purchased. The BPC case preparer should not use a non-descriptive MASL with only general information contained in the notes.

<u>C15.3.6. Months.</u> For BPC cases, the MOS field in DSAMS-BPC is the period of performance date(s) when services will be performed or the number of MOS for anticipated delivery of defense articles to the USG (not the Benefitting Partner), calculated from the anticipated or actual BPC case implementation date. See <u>Figure C5.F5.</u> for the MOS definition. The MOS calculation is not to be confused with when items are considered to be delivered to the Benefitting Partner as described in <u>Section C15.5.9.5</u>.

<u>C15.3.16. Notes.</u> Notes on a BPC case do not represent the terms and conditions of an international agreement, but they do communicate information necessary for proper handling of the BPC case and case materiel by USG entities. <u>Appendix 6</u> lists standard notes applicable to BPC cases. The IA is responsible for adding non-standard notes, as required. Line-item description notes for training, service, or technical assistance lines will include an explanation of the category of service (severable or non-severable) along with the expected period of performance for services. BPC training grants will not contain case notes.

C15.3.17.1. Submittal to the Defense Security Cooperation Agency Case Writing and Development Division. The IA will submit the draft BPC case documents to DSCA (IOPS/GEX/CWD) as early as possible to allow adequate time for final stage processing and review before obligation of funds and return of excess funds for other uses. A BPC case package must include the MOR and the final training and equipment list. At the latest, the IA should provide Military Approval (MILAP) in DSAMS-BPC 60 days before the BPC program funds expire for new obligation.

C15.5.4.2. Review and Reconciliation. The DoD FMR, Volume 3, Chapter 8, requires a Dormant Account Review-Quarterly (DAR-Q) of commitments, obligations, accounts payable, and accounts receivable. The IA will review and reconcile financial documentation regularly to identify and correct errors. Performing these reviews ensures the full use of appropriated funds before they expire and ensures that open obligations are valid and liquidated before the cancellation of the appropriation. This should be a collaborative effort among multiple IA offices, to include resource management, accounting, program management, contracting, acquisition, and logistics functions. Both case and financial data should be reconciled throughout the execution phase to facilitate timely case closure. Price increases and other activities may occur on the BPC case after availability of funds. Fiscal law allows upward obligation adjustments only in select situations. Increases in scope, quantity increases on defined order lines, or extending the period of performance are not usually allowed. The DSCA Country Finance Director (CFD) will review any price and quantity increase or extension of the period of performance at the line or sub-line level. For adjustments to obligations incurred on a BPC case, funds from the original fiscal year (FY) appropriation should be used if available; current year funds will only be used if there are no original year funds available. See DoD FMR Volume 3, Chapter 10.

Revised:

C15.3.5. Line Construction. Each line on a planning document for a BPC program (e.g. MOR, TEL, etc.) must be clearly accounted for on the BPC case (either with a Military Articles and Services List (MASL), case line description, or line [insert line number] description note, unless the DSCA Office of Primary Responsibility (OPR) (DSCA IOPS/REX), and/or Global Capability Development Directorate (IOPS/GCD)) determine it is not appropriate to do so. The notes section will identify the corresponding line on the MOR, if applicable. The purpose is to increase accuracy in program execution reporting and accountability. All SME and MDE must be tracked using the appropriate Military Articles and Services List (MASL).

C15.3.5.1. Line Construction for Significant Military Equipment, Major Defense Equipment, United States Munitions Lists, and Other Major end Items. The IA will identify MDE or SME items from the MOR, TEL, etc. and create individual case lines, with no embedded non-SME items being included. Other major end items must also be individual lines on a BPC case with a corresponding MASL (end items are defined in the Defense Finance Acquisition Regulation Supplement (DFARS) Part 207 as a production product assembled, completed, and ready for issue or deployment). Examples of major end items may include aircraft; ships; boats; motorized wheeled, tracked, and towed vehicles for use on highway or rough terrain; weapon, missile, and sensor end items; ammunition; and sets, assemblies, or end items having a major end item as a component. In addition, any article identified on the United States Munitions List (USML) must be an individual line on a BPC case.

C15.3.5.2. Line Construction for Non-Significant Military Equipment that are not Major end Items. Non-SME lines (that are not major end items) are created using appropriate categories with case line descriptions such as "radar spares," "communication equipment," "training support items," etc. These non-SME lines will be created to ensure that shipments are executed properly and will ensure accountability for unshipped items. Small items typically included as part of a spares package may be rolled up into a spares line with a corresponding spares MASL on a BPC case. Parts, components, accessories, or attachments to an end item may be included as part of an ancillary items package with a corresponding MASL on a BPC

case. The IA will be responsible for determining the appropriately coded MASLs. The unit of issue as "XX" is only allowed for services, training, and support item lines. Appropriate units of issue for non-spare article lines are "each," "kit," "package," etc.

C15.3.5.3. Line [Insert Line Number] Description Notes. The line description notes will identify the corresponding line on the planning document (e.g. MOR, TEL, etc.) and will include the list of items being provided on the line for tracking purposes. This requirement will increase accuracy in program execution, to include materiel delivery tracking purposes, reporting, and accountability. Line description notes for spares will indicate the end item being supported and the scope of the support (for example: "initial support package," or "two years of spares as required").

C15.3.5.3.1. Representative Lists. Equipment and parts lists are intended to specify what items will be provided and may be representative in nature. If any additional item(s) is required to meet the originally intended scope of the line, the IA, the IOPS RPD, and the DSCA (Office of Business Operations, Financial Policy & Regional Execution Directorate (OBO/FPRE)) CFD coordinate to determine if a BPC case amendment or follow-on effort case is needed. If the required additional items are identified after the relevant funding expires and the items are within the scope of the original obligation of funds, the IA will submit a request for a Prior Year Adjustment (see Section C15.6.). See Section C15.5.9.2.1. for representative lists and delivery requirements.

<u>C15.3.5.4.</u> Benefitting Partners Countries. Multiple Benefitting Partners can be included on the same BPC case but may not be included on the same line. A single Benefitting Partner must be listed on a defense article or service line to enable tracking, monitoring, and evaluation of the provided assistance.

C15.3.5.2. Non-descriptive Military Articles and Services List Item. A non-descriptive general MASL may only be used by approved exception from DSCA (IOPS/GCD) and the corresponding case note must provide a complete and detailed listing of all the items purchased to include quantities and National Stock Numbers (NSNs) of items purchased. The BPC case preparer should not use a non-descriptive MASL with only general information contained in the notes.

C15.3.6. Months. For BPC cases, the MOS field in DSAMS-BPC is the estimated calendar range of months when services will be performed or the calendar range of months for anticipated delivery of defense articles to the USG (not the Benefitting Partner), calculated from the anticipated or actual BPC case implementation date. See Figure C5.F5. for the MOS definition. The MOS calculation is not to be confused with when items are considered to be delivered to the Benefitting Partner as described in Section C15.5.9.5. All BPC case lines are defined and will use a month/year range (e.g. MAR 2025 – SEP 2026) to define the calendar range of months for services and training or calendar range of months for anticipated delivery of defense articles to the USG. The initial month cannot occur before the month MILAP is posted, and consideration should be given for normal processing timelines when choosing the beginning months for services and delivery efforts. Normal processing month start date is usually 30 days after MILAP.

<u>C15.3.16. Notes.</u> Notes on BPC cases do not represent the terms and conditions of an international agreement, but they do communicate information necessary for proper execution of the BPC case and handling of the materiel by USG entities. Appendix 6 lists standard notes applicable to BPC cases. The IA is responsible for adding non-standard notes,

as required. See <u>Section C15.3.5.3.</u> for line description notes. BPC training grants will not contain case notes.

C15.3.17.1. Submittal to the Defense Security Cooperation Agency Case Writing and Development Division. The IA will submit the draft BPC case documents to DSCA (IOPS/GEX/CWD) as early as possible to allow adequate time for final stage processing and review before obligation of funds and return of excess funds for other uses. A BPC case package must include the planning document (e.g. MOR, TEL, etc.), the draft Congressional Notification document, the direction to begin BPC case development, and any significant changes to the planning document, as applicable (e.g. MOR, TEL, etc.). The IA should provide Military Approval (MILAP) in DSAMS-BPC at least 60 days before the BPC program funds expire for new obligation.

C15.5.4.2. Review and Reconciliation. The DoD FMR, Volume 3, Chapter 8, requires a Dormant Account Review-Quarterly (DAR-Q) of commitments, obligations, accounts payable, and accounts receivable. The IA will review and reconcile financial documentation regularly to identify and correct errors. Performing these reviews ensures the full use of appropriated funds before they expire and ensures that open obligations are valid and liquidated before the cancellation of the appropriation. This should be a collaborative effort among multiple IA offices, to include resource management, accounting, program management, contracting, acquisition, and logistics functions. Both case and financial data should be reconciled throughout the execution phase to facilitate timely case closure. Price increases and other activities may occur on the BPC case after the funds' period of availability for obligation expires. Fiscal law allows upward obligation adjustments for the recording, adjusting, and liquidating of obligations properly chargeable to that account. Current year funds will only be used if there are no original year funds available or the use of funds in the current fiscal year (FY) would not constitute a bona fide need of the FY in which the funds were originally obligated. The DSCA CFD will review any price and quantity increase or extension of the number of months or range of delivery dates at the line or subline level. See DoD FMR Volume 3, Chapter 10.

2. Add Section C15.5.9.2.1.

<u>C15.5.9.2.1.</u> The program office will upload the final list of equipment procured under a BPC case line (See <u>Section C15.3.5.3.1.</u>) in SCIP/SCMS Non-Standard Requisition (NSR) Tool no later than 30 days prior to the line's final shipment.

3. Update Table C15.T3a. entry 9 per below:

• Current:

9	Source Code/Months (MOS)/Type of Assistance (TA) or Note Fields	Enter codes for Source of Supply (SOS), number of MOS estimated before items or services will be available, and case notes.
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Revised:

9 Source Code/Months (MOS)/Type of Assistance (TA) or Note Fields

Enter codes for Source of Supply (SOS), range of estimated MOS (using the month/year range for all lines (e.g. MAR 2025 – SEP 2026) that items or services will be available, and case notes. Use TA "B" for all lines for BPC cases developed in the DSAMS BPC Module.

4. Update Section S333.4.2.2. per below:

• Current:

S333.4.2.2. Training and Equipment List Development. 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 Section 333 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 Chapter 15 (for fiscal year (FY)24 appropriations and before, see Chapter 15-Legacy). 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). Section 333 and MSI funded activities may not proceed with execution prior to Congressional approval.

• Revised:

S333.4.2.2. Training and Equipment List Development (TEL). The TEL and email direction from DSCA (IOPS/GCD) 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. The TEL, email direction, draft Congressional Notification (CN) from DSCA (IOPS/GCD), and correspondence noting IOPS/GCD significant changes from the TEL and CN draft are required 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 Chapter 15 (for fiscal year (FY)24 appropriations and before, see Chapter 15-Legacy). TELs submitted past the OSD(P) guidance deadline will require OSD(P) approval and may not be included in the current year CN. Section 333 and MSI funded activities may not proceed with execution prior to Congressional approval.