



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

20 AUG 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: Non-Program of Record Solutions Transferred Through Security Cooperation
Authorities, Defense Security Cooperation Agency Policy 25-35 (SAMM E-Change
751)

REFERENCES:

- a) Foreign Military Sales Tiger Team Tasks #7, #43, and #45
- b) Guidance for Recording Non-Program of Record Case Line Items in DSAMS, Defense Security Cooperation Agency [Policy Memorandum 21-50](#)
- c) Updates to Security Assistance Management Manual Glossary, Defense Security Cooperation Agency [Policy Memorandum 25-07](#)
- d) [Federal Acquisition Regulations 2.101](#)

This memorandum documents Security Assistance Management Manual (SAMM) E-Change 751, which updates the SAMM with new guidance for Foreign Military Sales (FMS) transfers of Non-Program of Record (NPOR) solutions. This e-change updates policies and procedures regarding: making determinations as to whether LORs are Actionable; preparing negative responses to LORs for NPOR solutions; establishing when DSCA will designate specific Implementing Agencies (IAs) to lead NPOR Letter of Request (LOR) development; identifying NPOR case lines within the Defense Security Assistance Management System (DSAMS); and adding LOR and Letter of Offer and Acceptance (LOA) requirements specific to NPOR sales. To execute DSCA policy, each IA will develop supplemental NPOR guidance to

accommodate their internal processes. Supplemental guidance from each IA may include roles, responsibilities, equipment-specific criteria, or other items.

This memorandum additionally serves as interim guidance for capturing NPOR case line detail in DSAMS, pending future system updates to the data line fields as described below.

Reference (b), released in 2021, directed IAs to appropriately mark FMS LOA case lines which provide NPOR articles or services with one of six NPOR types. This policy supersedes Reference (b) by updating the categories and definitions of NPOR types. These updates consider relevant factors, such as acquisition strategies, existing program resources, and other elements that could impact the degree of effort required to acquire or produce the NPOR articles or services. This update will assist the IAs and DSCA with tracking these factors, and better identify, track, and analyze responses to LOR for NPOR solutions.

Recategorized NPOR case lines and definitions are below:

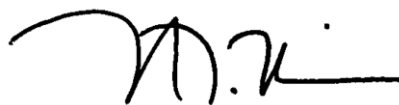
- NPOR Type A: Modified/Former POR. Includes requests to modify an existing Program of Record (POR) with NPOR elements and requests tied to former PORs.
- NPOR Type B: Military Unique. Includes commercial capabilities that are designed, modified, or built specifically for military applications and are not current or former PORs.
- NPOR Type C: Commercial. A “commercial product” as defined in [FAR 2.101](#) that is not classified.

Table 1: Aligning previous six NPOR types to revised NOPR types

Initial NPOR Types	New NPOR Types
Type 1 and Type 2	Type A
Type 3, Type 4, and Type 5	Type B
Type 6	Type C

Following the publication of this memorandum, DSAMS will be updated with the new NPOR case line types (A-C) within 30 days. Prior to completion of the DSAMS update, IAs should continue to identify case lines using the existing 1-6 identifiers. Existing LOAs will not automatically be revised to the new type A-C standard, and IAs are not required to update all existing LOAs retroactively to the new standard. However, IAs will be required to update lines that are modified when processing new case amendments or modifications for existing LOAs.

The SAMM and this e-change are accessible at <https://samm.dsca.mil>. If you have questions about this memorandum, please contact DSCA (Office of International Operations, Weapons Directorate (IOPS/WPN)) at dsca.ncr.iops.list.wpns-all-members@mail.mil. Please reference the DSCA policy number and memorandum subject in your inquiry. For general questions about the SAMM, please contact DSCA (Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA)) at dsca.ncr.spp.mbx.epa@mail.mil.



Michael F. Miller
Director

Attachments:

- Attachment 1: SAMM E-Change 751 - Non-Program of Record Processing and Case Development
- Attachment 2: Non-Program of Record Processing and Case Development

Attachment 1: Security Assistance Management Manual (SAMM), E-Change 751
Non-Program of Record Processing and Case Development

- 1) Add the following Section C5.1.3.7. to Chapter 5:

C5.1.3.7. Letters of Request for Non-Program of Record. The U.S. Government routinely receives requests to provide Non-Program of Record (NPOR) solutions to address unique foreign partner requirements. NPOR solutions may support U.S. security cooperation objectives, improve U.S. competitiveness, strengthen the health of the U.S. defense industrial base, advance interoperability with U.S. forces, enable allies and partners to defend themselves, and reinforce relationships with partners and allies.

Non-Program of Record processing and case development is further detailed in the Common Access Card (CAC)-Enabled SAMM site, which is located at: <https://dod365.sharepoint-mil.us/sites/OSDDSCA-CUI-SAMM>. Contact DSCA (IOPS/WPNS) at dscanocr.iops.list.wpns-all-members@mail.mil for more information.

DoD CAC holders: if you have questions regarding access to the site, please contact DSCA (Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA)) at dscanocr.spp.mbx.epa@mail.mil.

- 2) Revise Section C5.1.8.3.

Current:

C5.1.8.3. Pre-Operational Test and Evaluation Sales Policy (Yockey Waiver). Before responding to LORs for MDE items that have not completed OT&E, the IA submits a request to DSCA (IOPS/WPN) for the concurrence of the USD (A&S). This request may be for multiple countries. LOA or P&A data for such items is not released prior to DSCA and USD (A&S) approval. If approved for release, a note is included in the P&A data correspondence or on the LOA. [See Appendix 6, Operational Test and Evaluation \(OT&E\) Incomplete \(Yockey Waiver\).](#)

Revised:

C5.1.8.3. Pre-Operational Test and Evaluation Sales Policy (Yockey Waiver). Before responding to LORs for Major Defense Equipment (MDE) that has not completed Operational Testing and Evaluation (OT&E) in accordance with [Department of Defense Instruction \(DoDI\) 5000.85](#), the IA shall submit a Yockey Waiver approval request through DSCA (IOPS/WPNS) for endorsement. DSCA (IOPS/WPNS) is responsible for endorsing and submitting the coordinated Yockey Waiver approval request to USD (A&S) for final determination. Yockey Waiver approval determinations are made on a case-by-case basis. A Yockey Waiver for multiple countries or multiple MDE items is prohibited. For multinational FMS cases, each end-user country requires a separate Yockey Waiver. LOA or P&A data for such items cannot be released prior to USD (A&S) approval. If approved, a note must be included in the P&A data correspondence, or on the LOA. [See Appendix 6, Operational Test and Evaluation \(OT&E\) Incomplete \(Yockey Waiver\).](#)

- 3) Add the following Section C5.1.8.3.1. to Chapter 5:

C5.1.8.3.1. Applicability of Yockey Waivers for Non-Programs of Record. Yockey Waivers only pertain to items designated as MDE where OT&E is not yet completed, in accordance with [DoDI 5000.85](#). Therefore, NPOR solutions or components that are not designated as MDE do not require a Yockey Waiver. When a MDE article which would otherwise require a Yockey Waiver is incorporated as a component into an NPOR solution, then a Yockey Waiver request must be approved for the component. IAs may contact DSCA (IOPS/WPNS) at dscan.cr.iops.list.wpns-all-members@mail.mil for clarification prior to the submission of a Yockey Waiver request.

- 4) Add the following Section C5.3.3. to Chapter 5:

C5.3.3. Price and Availability for Non-Program of Record Systems and Subsystems. Foreign partners may submit a LOR for Price and Availability (P&A) data for NPOR systems and subsystems. P&A responses for NPOR systems or subsystems must be coordinated with the respective IA stakeholders in line with IA internal guidance. IA stakeholders for NPOR activities are identified in the CAC-enabled SAMM. IAs may request additional information from the purchaser to support LOR Actionable determinations. When the IA lacks sufficient historical procurement data, the IA should coordinate with the contractor that is providing the NPOR system or subsystem prior to providing a P&A response. P&A responses to foreign partner requests for NPOR systems or subsystems must include the [NPOR Disclaimer for FMS](#) line note.

- 5) Revise Section C5.3.5. to add line 10 to Table C5.T5.:

C5.3.5. Price and Availability Data Format. Table C5.T5. presents the information included in P&A data.

Table C5.T5. Price and Availability Data

#	Price and Availability Data
1	Major item or service, quantity, and estimated cost. <ul style="list-style-type: none">a. Cost includes adjustments for inflation. If inflation trends on a given system are not known, Under Secretary of Defense (Comptroller) (USD (C)) standard inflation factors are used.b. Include estimated offset costs as provided by the contractor.
2	Ancillary support equipment necessary for the operation and maintenance of the requested system and its estimated cost.
3	Integrated Logistics Support (ILS) elements (e.g., training and publications) and estimated cost.
4	Estimated assessorial charges.
5	Source of the data (e.g., last contract award, stock price).
6	Estimated availability of the articles or services.
7	Assumptions used in developing the data. For example:

#	Price and Availability Data
	<ul style="list-style-type: none"> a. The standard DoD Component factors were used in developing the ancillary equipment or ILS elements necessary to support the quantity of items requested. b. Training and publication cost estimates are based on criteria used by the DoD Component.
8	<p>Key factors affecting the data. For example:</p> <ul style="list-style-type: none"> a. The current contract for this item expires on [insert date] and an LOA must be implemented by [insert date] so that options can be added to the current contract. b. The production line is due to phase out by [insert date]. Start-up costs apply if an LOA is not implemented by [insert date]. c. The materiel has a shelf life of [insert date].
9	<p>The following is included in all responses for P&A data:</p> <p>“The Price and Availability (P&A) data provided are not valid for purposes of preparing a Letter of Offer and Acceptance (LOA) and may not be adequate for budgetary purposes. These data are for planning/review purposes only, to assist in your Government’s determination whether or not to request an LOA. If [insert the appropriate partner nation] is interested in pursuing this potential purchase, it must request an LOA.”</p>
10	The P&A must include the NPOR Disclaimer for FMS line note found in Appendix 6.

- 6) Add the following Section C5.4.4. to Chapter 5:

C5.4.4. Letters of Offer and Acceptance for Non-Program of Record System Support.

Articles or services that support NPOR systems and subsystems (such as commercial end items, obsolete end items including those that have undergone system support buy outs, and non-U.S.-origin military end items) may be incorporated within the LOA. Duration of Total Package Approach support for NPOR items and services (including spare parts, maintenance, sustainment, and training), at the discretion of the IA, may differ from the period of performance of the LOA or of the contracts that will execute the LOA.

- 7) Add Sections C5.4.10. - C5.4.10.12. to Chapter 5:

C5.4.10. Recording Non-Program of Record Case Line Items in DSAMS. IAs must ensure that each case line item in development (regardless of whether it is a base case, amendment, or modification) within the DSAMS is appropriately marked as either a Program of Record (POR) or Non-Program of Record (NPOR). This DSAMS NPOR case line guidance applies to FMS and BPC cases. If a case line item is a NPOR, case writers must select the appropriate NPOR type as identified below. IAs are not required to update existing LOAs to the new standard but must update affected lines when processing new case amendments or modifications to existing LOAs. This data, as captured in DSAMS, will support efforts to identify, track, and analyze the industry and foreign partner demand signal for NPOR defense articles and services as well as the DoD’s overall activities involving them.

C5.4.11. Categorization of Non-Program of Records. To better align FMS procurements with DoD’s acquisition processes and contextualize NPOR-related challenges within the security cooperation enterprise, NPOR solutions are to be categorized using the following “types” (for detailed guidance on NPOR types, refer to IA supplemental NPOR policy):

- NPOR Type A: Modified/Former POR. Includes requests to modify an existing POR with NPOR elements and requests tied to former PORs.
- NPOR Type B: Military Unique. Includes commercial capabilities that are designed, modified, or built specifically for military applications and are not current or former PORs.
- NPOR Type C: Commercial. A “commercial product” as defined in [FAR 2.101](#) that is not classified.

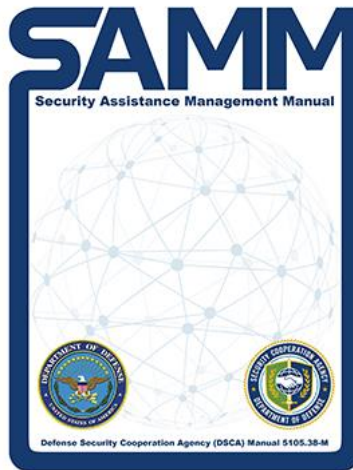
C5.4.12. Non-Program of Record Disclaimer. Responses to Letters of Request for P&A or LOAs that contain a NPOR solution must include the [NPOR Disclaimer for FMS line note](#) found in Appendix 6.

8) Add the following note to Appendix 6:

Non-Program of Record Disclaimer for Foreign Military Sales Cases

Foreign Military Sales	Yes
Building Partner Capacity	No
Note Input Responsibility	IA
Date Range of Use	All
References	See CUI SAMM Portal (USG Only - CAC Required)
Note Usage Instructions for Documents	
Mandatory for Foreign Military Sales (FMS) Letters of Offer and Acceptance (LOAs), Amendments, Modifications, and responses to requests for Price and Availability (P&A) data that provide Non-Program of Record (NPOR) solutions. Add other text as required to explain the specific case.	
Note Text	
"Line(s) [list all applicable line numbers], at the time of signature of this document, is/are considered a Non-Program of Record (NPOR) by the U.S. Government. The purchaser acknowledges the risk that problems may arise during testing, development, implementation, or execution of the Foreign Military Sales Letter of Offer and Acceptance (LOA). The purchaser agrees to assume such risks, which may include but are not limited to: an increase in procurement costs; delays to delivery schedules; underperformance of the item or service; incompatibility with existing or future infrastructure or systems; and/or sustainability challenges. The U.S. Government is not liable for any increased costs, delays, performance issues, or limitations to interoperability with U.S. or other forces. Further, a Cooperative Logistics Supply Support Arrangement (CLSSA) may not be available in support of this FMS LOA."	

Attachment 2: Security Assistance Management Manual, E-Change 751
Non-Program of Record Processing and Case Development



NOTE: Attachment is CUI and has been removed from this posting.

Please see the [CAC-Enabled SAMM](https://dod365.sharepoint-mil.us/sites/OSDDSCA-CUI-SAMM) (<https://dod365.sharepoint-mil.us/sites/OSDDSCA-CUI-SAMM>) for the attachment.

Contact DSCA (Office of International Operations, Weapons Directorate (IOPS/WPNS)) at dsca.ncr.iops.list.wpns-all-members@mail.mil for more information.

DoD CAC holders: please contact DSCA Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA) at dsca.ncr.spp.mbx.epa@mail.mil with any questions regarding access to the site.