

## **DEFENSE SECURITY COOPERATION AGENCY**

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

July 31, 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 25-58, International Traffic in Arms Regulations Category for Defense Articles Not Enumerated in the U.S. Munitions List [SAMM E-Change 762]

Reference: <u>DSCA Policy Memorandum 24-47</u>, "Guidance for Processing Letter of Offer and Acceptance Documents to Cease Use of United States Munitions List Category XXI in the Automated Export System"

This memorandum incorporates guidance from the referenced policy memorandum on the use of the International Traffic in Arms Regulations (ITAR) U.S. Munitions List (USML) category code 55 in Military Articles and Services List (MASL) data and the Automated Export System (AES). While items that are to be exported under Foreign Military (FMS) authority are deemed "defense articles" pursuant to section 47 of the AECA (22 U.S.C. 2794), those items that are not enumerated in the USML must be properly coded for export in the AES. Therefore, to provide a valid means of exporting items that are not enumerated in the USML but are exported through a Letter of Offer and Acceptance (LOA), Department of State's Directorate of Defense Trade Controls (DDTC) implemented category code 55 to use for such items when identifying their USML Category within the AES.

For such items not enumerated in the USML, DSCA and the Implementing Agencies (IAs) will review MASLs and update them to USML category 55 as appropriate. As needed, IAs may use the MASL mass input process reflected in the DSCA MASL Handbook. A stand-alone Modification or Amendment is not required to replace MASLs with category code 55 updates on existing LOA documents. This MASL change will be identified on the next required Amendment or Modification. If a new MASL is required to be created as a result of category code 55, this new MASL can replace an existing MASL on a Modification as long as the scope of the defense article does not change. This memorandum supersedes the reference.

The policy in the attachment is incorporated into the DSCA Security Assistance Management Manual (SAMM) at <a href="https://samm.dsca.mil">https://samm.dsca.mil</a>. If you have questions on this memorandum, please contact DSCA (Office of Strategy, Plans, and Policy, Execution Policy and Analysis Directorate (SPP/EPA)) at <a href="mailto:dsca.ncr.spp.mbx.epa@mail.mil">dsca.ncr.spp.mbx.epa@mail.mil</a>.

Hussam Bader

Acting Assistant Director Strategy, Plans, and Policy

Attachment: SAMM E-Change 762 - International Traffic in Arms Regulations Category for Defense Articles Not Enumerated in the U.S. Munitions List

## **Security Assistance Management Manual E-Change 762**

# International Traffic in Arms Regulations Category for Defense Articles Not Enumerated in the U.S. Munitions List

- 1. Update SAMM Figure C5.F5. "Letter of Offer and Acceptance Information," paragraph 1 through paragraph 2(b) to:
  - GENERAL. This provides basic information pertaining to the Letter of Offer and Acceptance (LOA) for U.S. and Purchaser use. Additional information is found may be obtained from throughout the Security Assistance Management Manual, <u>DSCA</u> <u>5105.38-M</u>, the in-country Security Cooperation Organization (SCO), the DSCA (<u>Integrated Regional Teams (IRT)</u> Office of International Operations, Regional Execution Directorate, Country Portfolio Director (CPD)), or from the Implementing Agency (IA).

#### 2. INFORMATION ENTERED BY THE USG.

- a. Terms of Sale, and Purchaser responsibilities under those Terms, are described on the LOA. A list of all Terms of Sale, with explanations for each, is shown in <a href="DSCA-5105.38-M">DSCA-5105.38-M</a> Section C9.8.
- b. Description/Condition. The item description consists of coding for use in U.S. management of the LOA (starting with Generic/MASL and codes, loaded automatically based on the MASL, that identify whether the line item is Significant Military Equipment (SME)/Major Defense Equipment (MDE), controlled under the Missile Technology Control Regime (MTCR), subject to special End Use Monitoring (EUM), and controlled under an identified Category of the International Traffic in Arms Regulations (ITAR) U.S. Munitions List (USML). The Military Articles and Services List (MASL) on each LOA line consists of codes used in the USG's management of the LOA. The codes are loaded automatically on the LOA based on the MASL selected. Codes used are listed below:
  - Significant Military Equipment (SME)/Major Defense Equipment (MDE)

Y	MDE
S	SME that is not MDE
N	Non-SME

• Missile Technology Control Regime (MTCR)

M	Contains MTCR-controlled components
N	Contains no MTCR-controlled components

## • End Use Monitoring (EUM)

R	Routine
E	Enhanced

# International Traffic in Arms Regulations (ITAR) U.S. Munitions List (USML) Category

USML	Description
I	Firearms and Related Articles
II	Guns and Armament
III	Ammunition and Ordnance
IV	Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines
V	Explosives and Energetic Materials, Propellants, Incendiary Agents, and Their Constituents
VI	Surface Vessels of War and Special Naval Equipment
VII	Ground Vehicles
VIII	Aircraft and Related Articles
IX	Military Training Equipment and Training
X	Personal Protective Equipment
XI	Military Electronics
XII	Fire Control, Laser, Imaging, and Guidance Equipment
XIII	Materials and Miscellaneous Articles
XIV	Toxicological Agents, Including Chemical Agents, Biological Agents, and Associated Equipment
XV	Spacecraft and Related Articles
XVI	Nuclear Weapons Related Articles
XVII	Classified Articles, Technical Data, and Defense Services Not Otherwise Enumerated
XVIII	Directed Energy Weapons
XIX	Gas Turbine Engines and Associated Equipment
XX	Submersible Vessels and Related Articles
XXI	Articles, Technical Data, and Defense Services Not Otherwise Enumerated (Articles confirmed as USML Category XXI also require an accompanying Department of State's Bureau of Political-Military Affairs, Directorate of Defense Trade Controls Determination Number, as required by <a href="State">State</a> (PM/DDTC)).

USML	Description
55	For use only when defense articles exported through a Letter of Offer and Acceptance are not controlled by the ITAR and therefore not listed within any USML category.

This is followed by a short description of what is to be provided. Unless otherwise noted in the LOA, all items listed are in Condition Code A, Serviceable-Issuable without Qualification, or B, Serviceable-Issuable with Qualification, and are new, used, repaired, or reconditioned material which is serviceable and issuable for its intended purpose. In some instances, reference to a note in the Terms and Conditions may complement or replace these codes.

2. Update SAMM Figure C5.F23. "MASL Form and Instruction Sheet," "Instructions for Preparing the MASL Request Form," row "International Traffic in Arms (ITAR)":

International	This section is for the United States Munitions List (USML) International
Traffic in Arms	Traffic in Arms Regulation ITAR Part 121 classification designator
Regulations	category code. Use the dropdown menu to select the ITAR classification
(ITAR)	designator category code. If unsure of the category your article falls
	under, the designator Category code descriptions can be found on the
	Directorate of Defense Trade Controls website at the Department of State
	Electronic Code of Federal Regulations (eCFR) or in the MASL
	Handbook.
	Implementing Agencies (IAs) will first consult original equipment
	manufacturer data, then Defense Technology Security Administration
	(DTSA) guidance, and finally Department of State's Bureau of Political-
	Military Affairs, Directorate of Defense Trade Controls (State
	(PM/DDTC)) guidance to determine the correct ITAR USML category
	code.
	Category code 55 will be used for defense articles exported on a LOA that
	are not ITAR-controlled and therefore not enumerated in the USML. See
	Table C7.T8. on "Individual Shipment-Level Requirements for Export,"
	which outlines documentation and reporting requirements.