



**DEFENSE SECURITY COOPERATION AGENCY**

WASHINGTON, DC 20301-2800

**DEC 11 2009**

**MEMORANDUM FOR THE 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 REUTILIZATION AND  
MARKETING SERVICE  
DIRECTOR, DEFENSE THREAT REDUCTION  
AGENCY  
DIRECTOR, NATIONAL GEOSPATIAL-  
INTELLIGENCE AGENCY  
DEPUTY DIRECTOR FOR INFORMATION  
ASSURANCE, NATIONAL SECURITY AGENCY**

**SUBJECT: Assignment of Code “G5” for Afghanistan Security Forces Fund (ASFF),  
Two Year Funds, DSCA Policy 09-52, [SAMM E-Change 148]**

**REFERENCE: Assignment of Code “G6” for Afghanistan Security Forces Fund (ASFF),  
One Year Funds, DSCA Policy 09-53, [SAMM E-Change 149]**

This memorandum updates SAMM Chapter 4, Table C4.T2., Country, International Organization, and Regional Codes and FMS Eligibility, to add code “G5” to track FY2010 ASFF, provided under Continuing Resolution Authority (CRA), Department of Interior, Environment, and Related Agencies Appropriations Act, 2010 (P.L. 111-88). These funds will remain available until September 30, 2011.

Once the CRA expires and the full year appropriation bill is issued, this memorandum, to include the instructions for preparing “G5” cases and LOA notes, will

be revised to cite the appropriate public law. All implemented cases should be modified prior to case closure to replace the CRA (P.L. 111-88) with the full year appropriations public law.

As a matter of policy, all Pseudo LOA documents using the "G5" country code should be expended as well as fully reconciled and closed on or before July 31, 2016.

The Defense Security Cooperation Agency must authorize and will assign use of this code for Pseudo LOA documents. The following information applies:

Organization	FMS Code	Combatant Command v1	Regional Grouping v2	FMS/AECA Eligible v3	Accel. Case Closure Eligible
Department of Interior, Environment, and Related Agencies Appropriations Act, 2010 (Public Law 111-88), Afghanistan Security Forces Fund (ASFF)	G5	CE	NR	AECA Only	N/A

This change will be included in the automated version of the SAMM found on the DSCA Web Page as SAMM E-Change 148.

If you have any questions concerning this guidance, please contact Mr. Kidd Manville, DSCA-STR/POL, [kidd.manville@dscamilitary.com](mailto:kidd.manville@dscamilitary.com), (703) 604-6594.

*Scott Schless* 12/11/09  
Scott Schless  
Principal Director  
Strategy

Attachment:  
As stated

**Instructions for Preparing Pseudo Letters of Offer and Acceptance (LOAs)**

**Afghanistan Security Forces Fund Cases, 2010 (P.L. 111-88)**

Contracts to carry out a Pseudo LOA may not rely on title 10 United States Code (U.S.C.) section 2304 (c) (4), implemented by the Federal Acquisition Regulation (FAR) 6.302-4, International Agreement (directed source), as authority to award using other than full an open competition. Any sole source purchases must be justified and approved in accordance with other statutory authority found in title 10 U.S.C. using procedures applicable to United States Government appropriated-funded purchases.

<b>Instructions for Preparing P.L. 111-88 Pseudo LOAs</b>
1. Case Identifier. DSCA (Strategy Directorate) will assign a case identifier composed of country code (e.g., "G5" for Afghanistan Security Forces Fund (ASFF), Implementing Agency code of the DoD Component providing the support. Implementing Agencies may request unique designators to meet their requirements as identified in SAMM Figure C5.F5.
2. Nickname Field. The country/organization receiving the support and the Pseudo case authority and the text "(Non-FMS)" (e.g., ASFF (2 YR Funds), P.L. 111-88, (Non-FMS)) are identified in the "nickname" field on the Pseudo LOA. Since ASFF has three internal customers, Afghanistan National Army (ANA), Afghanistan National Police (ANP), and Related Activities (RA), ASFF cases should be identified as ASFF/ANA, ASFF/ANP, or ASFF/RA, P.L. 111-88 (Non-FMS).
3. Purchaser's Reference Field. Include the following statement below in the Purchaser's Reference Field of the Customer Request: "Based on funds provided and the request of Program Originator [insert Program Originator's name (e.g., CSTC-A, Combatant Commands, etc.) and LOR/MOR reference number] to the Defense Security Cooperation Agency, dated [insert date of written request]. Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (P.L. 111-88). See Note [insert LOA note number] for additional information."
4. Terms of Sale Field. The Term of Sale for ASFF Pseudo LOAs is Cash with Acceptance, Public Law 111-88.
5. Authority Field. Insert "ASFF, P.L.111-88, FY10" (in DSAMS only).
6. Authority Fiscal Year. Insert "FY 2010" (in DSAMS only).
7. Purchaser Signature Field (Customer Signatory Name on Distribution Tab of Case Detail). Insert the authority and the statement that no purchaser signature is required (e.g., P.L. 111-88 (Non-FMS - No Purchaser Signature Required)).
8. Purchaser Mailing Address. Insert "Department of Defense".
9. MASL. Use valid existing MASLs for items being transferred or contact DSCA to approve new MASLs, if required.
10. Delivery Term Code. For Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (P.L. 111-88) Pseudo LOAs, use the Delivery Term Code (DTC) for Defense Transportation System that will provide shipment all the way into recipient country. This is generally accomplished through DTC 7, unless DTC 9 suffices.
11. Offer Expiration Date. The Offer Expiration Date on the LOA should be no later than the last date the funds are required to ensure they are obligated prior to the funds expiring.
12. Benefitting Country. Afghanistan

**LOA Notes for P.L. 111-88 Pseudo LOAs**

Note Name	Note Usage	Note Text
<p>Authority for Sale – P.L. 111-88 Programs</p>	<p>Mandatory for all P.L. 111-88 Pseudo LOAs.</p>	<p>“This sale is made under the authority of P.L. 111-88 and the Arms Export Control Act (AECA). Any reference in this Letter of Offer and Acceptance to the United States Arms Export Control Act, to defense articles, and to defense services shall be construed instead to be a reference to P.L. 111-88 and the United States AECA. Any reference in this LOA to “purchaser” shall be construed as a reference to the Department of Defense.”</p>
<p>Case Closure – P.L. 111-88 Programs</p>	<p>Mandatory for all P.L. 111-88 Pseudo LOAs.</p>	<p>“This case must be fully reconciled and closed by July 31, 2016.”</p>
<p>Funds, Purpose, Availability and Amount P.L. 111-88 Programs</p>	<p>Mandatory for all P.L. 111-88 Pseudo LOAs.</p>	<p>“The funds financing this Pseudo Letter of Offer and Acceptance (LOA) are expiring funds and are subject to all the requirements and restrictions under the heading of P.L. 111-88. The funds provided carry the same time, purpose, and availability restrictions associated with fund source 21 10/11 2091.</p> <ul style="list-style-type: none"> <li>a. Failure to obligate the funds during the period of availability ending on September 30, 2011 will render them unavailable for new obligations after that date.</li> <li>b. All funds must be expended on or before July 31, 2016.</li> <li>c. Total funds available for expenditure against this Pseudo LOA are limited to the value of [insert dollar value].</li> <li>d. Amendments or Modifications to this Pseudo LOA are only authorized with DSCA written approval.”</li> </ul>

<p>Nonrecurring Costs – USG Appropriation</p>	<p>Mandatory for LOAs when an NC charge has been established, but the case is financed by a USG appropriation.</p> <p>Mandatory for Amendments or Modifications when the case is financed by a USG appropriation and (1) lines items are added and the NC charge applies to the new lines; or (2) quantities are increased on line items for which NC charges have been established. See Chapter 9, C9.4.5.</p>	<p>“Nonrecurring Costs (NC) have been established for line item(s) [insert line item numbers] of this case. These charges are not included on this case because the case is financed with a USG appropriation.”</p>
<p>Title and Custody Transfer - P.L. 111-88 Programs</p>	<p>Mandatory for all P.L. 111-88 Pseudo LOAs.</p>	<p>“The U.S. Government will retain title to and custody of the defense articles to be transferred under the authority of P.L. 111-88 until delivery to the recipient country. A designated U.S. Government representative will confirm and document delivery of the P.L. 111-88 program materiel to an authorized recipient country representative or agent. This U.S. Government representative will keep documentation showing when, where, and to whom delivery was made and will provide a copy of this documentation to the [insert U.S Army Security Assistance Command, U.S. Army Corps of Engineers, Navy International Programs Office, Deputy Under Secretary of the Air Force/ International Affairs, or Air Force Center for Engineering and the Environment].”</p>

## New Country/Organization/Region Code Requirements

Country Code – G5

Short Name [Max of 30 characters including spaces] – ASFF P.L. 111-88, FY10 (2YR)

1200 Sys Name (Max of 20 characters including spaces) – ASFF FY10 (2YR)

Formal Name [Name that will appear on the LOA, etc.] – Afghanistan Security Forces Fund, Continuing Resolution Authority, 2010 (2YR Funds)

Customer Type –

Alias	<input type="checkbox"/>	Country	<input type="checkbox"/>	Int'l Org	<input type="checkbox"/>	Multi-Nat'l Prog	<input type="checkbox"/>
Other	<input type="checkbox"/>	Pseudo	<input checked="" type="checkbox"/>	Region	<input type="checkbox"/>		

Transportation Rate Area –

1	<input type="checkbox"/>	<i>Eur, C Amer, Med</i>	2	<input checked="" type="checkbox"/>	<i>N Atl, S Am, F/N East, Africa</i>
---	--------------------------	-------------------------	---	-------------------------------------	--------------------------------------

Region –

Africa	<input type="checkbox"/>	Amer Rep (Latin America)	<input type="checkbox"/>	Non-Regional	<input type="checkbox"/>
Europe/Canada	<input type="checkbox"/>	East Asia/Pacific	<input type="checkbox"/>	Near East/S Asia	<input checked="" type="checkbox"/>

Unified Command –

NORTHCOM	<input type="checkbox"/>	EUCOM	<input type="checkbox"/>	CENTCOM	<input checked="" type="checkbox"/>	Non-Regional	<input type="checkbox"/>
SOUTHCOM	<input type="checkbox"/>	PACOM	<input type="checkbox"/>	AFRICOM	<input type="checkbox"/>		

Co-Production Code – N/A

Financial Threshold –

NATO Ctry	<input type="checkbox"/>	N/A	Non-NATO Countries	<input type="checkbox"/>	N/A	N/A	<input type="checkbox"/>
-----------	--------------------------	-----	--------------------	--------------------------	-----	-----	--------------------------

Advance Notification Required? Yes  No

Dependable Undertaking Authorized? Yes  No

ASDA Eligible? Yes  No

*(Indicates that applicable case version documents for this customer can be approved by the State Department based on the information provided on the State List Report (RP139), without viewing the document itself. The State Department Approval Required checkbox in the Case Detail Window - Document Tab cannot be checked and the DSCA Countersignature Required checkbox unchecked at the same time if the customer is not authorized for Automated State Department Approval (ASDA).)*

S1/S3 Transaction Authorized? Yes  No

*(Indicates that S1 and S3 transactions will be sent to the DSCA 1200 system to update their database. Changes to this field cannot be made through the application. They must be requested through the DSCA/PMO office.)*

DFAS Authorized to Send to DSCA? Yes  No

Customer Within Country Code – B  D  T (Other)   
(can be more than one) K  P

Any known Pricing Waivers (CAS, Administrative, LSC, etc.)? Yes  No

Any known other waivers (initial deposit not required to Implement, concurrent modification authorized, etc.)? Yes  No

Any Restrictions (Brooks, Symington, Illicit Drug)? Yes  No

Eligibility – (can be more than one) 1200 System & DSAMS – FMS  Lease  Grant

Is this a "Pseudo" Country Code? Yes  No

What types of cases is the code eligible for? Blanket order  Blanket Order Training  FMSO I  WWRS   
(can be more than one) Defined Order  Defined Order Training  FMSO II

EDA Grant Eligible? Yes  No

Accelerated Case Closure Eligible? Yes  No

Training Tuition Pricing Category?

**FMS**

FMF Grant/Incremental	<input type="checkbox"/>	Incremental	<input type="checkbox"/>	Full	<input type="checkbox"/>	NATO	<input type="checkbox"/>	IMET	<input checked="" type="checkbox"/>	CT only	<input type="checkbox"/>	N/A	<input type="checkbox"/>
-----------------------	--------------------------	-------------	--------------------------	------	--------------------------	------	--------------------------	------	-------------------------------------	---------	--------------------------	-----	--------------------------

If pseudo case, should a new authority be established in conjunction with this Code? Yes  No

If yes, what is it? ASFF FY10 CRA (2YR)

### Coordination

Office	Date	Office	Date
STRATEGY/Policy	0-Jan-00	IT/1200	0-Jan-00
DBO/Financial Policy	0-Jan-00	DFAS/DIFS	0-Jan-00
IT/DSAMS	0-Jan-00		