



DEPARTMENT OF THE AIR FORCE  
WASHINGTON, DC

Office Of The Under Secretary

24 Aug 01

MEMORANDUM FOR (SEE DISTRIBUTION LIST)

FROM: SAF/IAPX  
1080 Air Force Pentagon  
Washington, DC 20330-1080

SUBJECT: Interim Air Force Manual (AFMAN) 16-101 Change - Legal Review  
**(SAF/IAPX 01018)**

Paragraph 1.6.3 of the AFMAN provides guidance on the responsibilities of SAF/GCI to provide legal advice on security assistance programs. Effective immediately, this interim change replaces section 1.6.3 of AFMAN 16-101 (attachment 1). This change will be incorporated into the revised edition of AFMAN 16-101. SAF/IAPX POC is Sheilah Boyd, DSN 425-8366, email: sheilah.boyd@pentagon.af.mil.

//signed//

TERRY BATES  
Chief, Security Assistance Policy Division  
Dep Under Secretary, Int'l Affairs

Attachments:

1. Interim Change to AFMAN 16-101
2. Distribution List

**INTERIM MESSAGE CHANGE**  
**To AFMAN 16-101 (1 Sep 95)**

AFMAN 16-101, paragraph 1.6.3 is hereby deleted and replaced with the following new paragraph 1.6.3:

**1.6.3. SAF/GCI.** The Secretary of the Air Force, Office of the General Counsel, Deputy General Counsel for International Affairs (SAF/GCI) is responsible for providing legal advice on security assistance programs.

1.6.3.1 Secretariat and Air Staff offices shall obtain SAF/GCI coordination on all matters that may involve legal issues to ensure consistency with statutes, regulations, international agreements, and other authorities. Specifically, Secretariat and Air Staff offices shall obtain SAF/GCI review and/or coordination on the following:

1.6.3.1.1 LOAs, LOA Amendments, LOA Modifications, Purchaser sole source requests, leases, loans, drawdowns, and international agreements.

1.6.3.1.2 Establishment and implementation of a working forum involving any Secretariat or Air Staff personnel, a Foreign Purchaser(s) and US industry. The term “working forum” includes initiatives, whether FMS, direct commercial sale (DCS) or a combination FMS/DCS. These initiatives may result in an LOA, or other form of written or oral presentation to a foreign government or international organization in response to a foreign request for proposals, invitation for bids, or request for tenders. The term “working forum” also includes all Air Force initiatives which may results in an FMS, DCS or FMS/DCS presentation about the sale of, or offer to sell, defense articles or defense services, regardless of whether the USAF or other organization makes the presentation.

1.6.3.1.3 All Air Force efforts and initiatives, not otherwise described above, to sell, lease, loan or otherwise provide defense articles or defense services to a foreign government or international organization.

1.6.3.2 SAF/GCI provides guidance to MAJCOM and base level Staff Judge Advocates (SJAs) on security assistance programs as well as related issues such as export regulations, disclosure guidance, protection and use of information, etc.

1.6.3.3 MAJCOMs shall ensure the Office of the Staff Judge Advocate is fully informed on MAJCOM international and security assistance actions and involvement,

whether CONUS or OCNUS , including all actions described in paragraph 1.6.3.1, above.

1.6.3.4 AFSAC shall obtain legal advice from the Air Force Material Command Legal Office (AFMC LO/JA) on legal issues arising under, or related to, security assistance programs. AFMC/LO/JA coordination will be obtained on all matters that may involve legal issues, including all actions described in paragraph 1.6.3.1. above.

1.6.3.5 AFSAT shall obtain legal advice from the Air Education and Training Command Staff Judge Advocate (AETC/JA) on legal issues arising under, or related to, security assistance programs. AETC/JA coordination will be obtained on all matters that may involve legal issues, including all actions described in paragraph 1.6.3.1. above.

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