



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

Office Of The Under Secretary

MEMORANDUM FOR SEE DISTRIBUTION

04 April 2002

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

SUBJECT: Impact of Changes to the International Traffic and Arms Regulation (ITAR)
(IAPX 02011)

References: (a) DSCA Memo I-00/009264-PMD dtd 23 Aug 00

(b) SAF/IAPX Memo dtd 20 Sep 00

References (a) and (b) implemented changes to the International Traffic and Arms Regulations, Section 126.6 through the SAMM, Section 50303.

US Customs is withholding the release of FMS shipments due to LOAs and implementing USG contracts not mirroring each other in their descriptions of the defense articles and services being sold or because the LOA line item descriptions provide insufficient detail. Customs is sensitive to any inconsistencies because they are wary of possible diversion of an export for purposes other than stated in export documents. This policy memorandum re-emphasizes the following guidelines for ensuring traceability from the LOA to the USG contracts and between the prime contractors and their subcontractors.

The following information is required on all contracts:

- a. FMS case identifier,
- b. Identification of the foreign recipient of the services and disclosure of the US or foreign parties that may be involved in the transfer and their roles/responsibilities (to the extent known at time of contract award).

Whenever a requirement or service is definitized at a later date the contract needs to be amended as well as a modification or amendment to the basic LOA accomplished to reflect this change. LOA revisions should be made to Note, "Line Item".

We need to make adjustments to our business practices and appreciate 11 Sep has forever changed things. All appropriate personnel i.e., Country Directors, SAPMs, Command Country Managers, Case Managers and AFSAT Country Managers, need to ensure that when events occur that impact an FMS program e.g., contract slippage, contract definitization, etc., appropriate corresponding changes should be made to the LOA documents to avoid any unnecessary delay in the delivery of the defense articles and services.

If you have any questions, please call Sheilah Boyd, SAF/IAPX, (703) 588-8366 or DSN 425-8366.

//signed//

TERRY L. BATES

Chief, Security Assistance Policy Division

Dep Under Secretary, Int'l Affairs

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