



DEFENSE INFORMATION SYSTEMS AGENCY

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OCT 24 2012

DISA INSTRUCTION 100-50-16*

POLICIES

International Security Assistance

1. **Purpose.** This Instruction assigns responsibility for international security assistance at DISA.
2. **Applicability.** This Instruction applies to DISA.
3. **Authority.** This Instruction is published in accordance with the authority contained in the Foreign Assistance Act of 1961, as amended (22 U.S.C. Sec. 2151 et seq), and the Arms Export Control Act of 1976, as amended (22 U.S.C. Sec 2751 et seq).
4. **References.**
 - 4.1 DoD 5105.38-M, Security Assistance Management Manual (SAMM), 30 October 2003.
 - 4.2 DoD 7000.14-R, Department of Defense Financial Management Regulations (FMRs), Volume 15, Security Assistance Policy and Procedures, June 2012.
 - 4.3 DoDD 5230.11, Disclosure of Classified Military Information to Foreign Governments and International Organizations, 16 June 1992.
 - 4.4 DoDD 8500.01-E, Information Assurance (IA), 24 October 2002.
 - 4.5 DoDD 5230.20, Visits and Assignments of Foreign Nationals, 22 June 2005.
5. **Definitions.** Definitions are provided in the enclosure.
6. **Management.** Management of the Foreign Military Sales (FMS) Case Managers and the Foreign Disclosure Officer (FDO) in the Foreign Affairs Office is accomplished by the Chief of Staff.

7. Foreign Military Sales (FMS) Case Managers and Foreign Disclosure Officer (FDO) Duties.

7.1 Foreign Military Sales (FMS) Case Manager. An FMS Case Manager will:

7.1.1 Advise the Director, DISA, and Agency senior management on FMS and security cooperation policy issues.

7.1.2 Process and prepare responses to Letters of Request (LORs) for price and availability (P&A) data and process and prepare Letters of Offer and Acceptance (LOAs) for DISA products and services.

7.1.3 Ensure compliance with applicable Federal Laws and associated DoD Regulations, Instructions, and procedures as they pertain to the Security Cooperation Program and FMS.

7.1.4 Provide FMS case management from assignment through case closure coordinating necessary actions to satisfy case requirements and objectives.

7.1.5 Ensure case records are retained in accordance with DoD 5105.38-M (reference 4.1) and maintain essential (noncase specific) FMS records and performance metrics for DISA.

7.1.6 Obtain obligation authority for each case and establish case records in the Centralized Information System for International Logistics (CISIL). Coordinate, develop, and prepare financial data in support of each FMS case. Prepare, review, and verify funding requirements and initiate case amendments or modifications in a timely manner.

7.1.7 Maintain records in DISA financial databases which must be consistently reconciled with DoD or Army accounting systems; such as, the Defense Integrated Financial System (DIFS), Program Budget Accounting System (PBAS), and CISIL.

7.1.8 Participate in financial reviews, as requested by the Defense Finance and Accounting Service (DFAS), Defense Security Cooperation Agency (DSCA), and FMS customers.

7.1.9 Develop and prepare FMS administrative fund budget packages and submit to DSCA.

7.1.10 Develop and submit FMS financial reports on a monthly and annual basis, as required, in accordance with volume 15 of DoD 7000.14-R (reference 4.2).

7.1.11 Provide guidance to supporting organizational elements on FMS case issues.

7.1.12 Ensure appropriate case and financial management training is available to all DISA personnel supporting FMS.

7.2 **Foreign Disclosure Officer (FDO).** The FDO will:

7.2.1 Advise the Director, DISA, and Agency senior management on foreign disclosure issues.

7.2.2 Process, coordinate, and make disclosure decisions on foreign requested technical data releases (e.g., test data, briefings, and program documents), in accordance with DoD Directive (DoDD) 5230.11, DoDD 8500.01-E, and DoDD 5230.20 (references 4.3, 4.4, and 4.5).

7.2.3 Provide disclosure guidance and decisions on all technology transfer issues to include, but not be limited to, preparation of delegation of disclosure letters, international agreements, data exchange agreements, information exchange projects, and international cooperative research and development programs, in accordance with DoD 5105.38-M (reference 4.1) and DoDD 5230.11 (reference 4.3).

7.2.4 Serve as the DISA export license point of contact and coordinate review of export license cases from DSCA with the appropriate subject matter experts, in accordance with DoDD 5230.11 (reference 4.3). (Position on the cases to be provided in the USXports database on the Office of the Secretary of Defense (OSD) Security Policy Automated Network (SPAN).)

7.2.5 Process, coordinate, and make disclosure recommendations on foreign visits using the Foreign Visit System on the SPAN, in accordance with DoDD 5230.20 (reference 4.5) and provide guidance on foreign national attendance at DISA hosted conferences or meetings at which technical data may be transferred or disclosed.

7.2.6 Assist in the preparation of disclosure guidance pertaining to DISA foreign exchange officers and DISA foreign liaison officers, in accordance with DoDD 5230.20 (reference 4.5).

7.2.7 Provide guidance on exemptions to Freedom of Information Act (FOIA) requests when DISA technical data is requested.

7.2.8 Provide foreign disclosure training and awareness sessions for all DISA personnel.

8. Responsibilities.

8.1 Principal Directors and Directors. The Principal Directors and Directors will:

8.1.1 Review formal FMS packages, as required, to meet DSCA requisite timelines.

8.1.2 Provide engineering and technical assistance in support of FMS cases or foreign disclosure determinations.

8.1.3 Provide information or cost estimates for DISA products in support of FMS cases or foreign disclosure determinations.

8.3 Chief Financial Executive Comptroller (CFE). The CFE will:

8.3.1 Ensure proper DoD financial and accounting procedures for FMS cases are followed.

8.3.2 Ensure FMS cases are established in the Washington Area Accounting System/Defense Area Accounting System (WAAS/DAAS).

8.3.3 Verify funding is available and ensure commitments, obligations, disbursements, and billings are posted to the correct FMS case and line, in accordance with volume 15 of DoD 7000.14-R (reference 4.2).

8.3.4 Ensure cases and lines are active until the FMS Case Manager provides final reconciliation documentation.

8.4 Director for Manpower, Personnel, and Security (MPS). The Director, MPS, will:

8.4.1 Ensure appropriate clearance and access controls for foreign nationals visiting DISA are in place.

8.4.2 Ensure security personnel are trained to use the Office of the Secretary of Defense (OSD) mandated Foreign Visit System - Confirmation Module (FVS-CM). (The FVS-CM is used for foreign visitors accessing DISA sites.)

8.4.3 Ensure proper badging of foreign visitors and assigned foreign personnel to include Foreign Liaison Officers and Foreign Exchange Officers, in accordance with DoDD 5230.20 (reference 4.5).

8.5 **Director for Procurement and Logistics (PLD).** The Director, PLD, will ensure all FMS contracts are compliant with the Federal Acquisition Regulation (FAR) and the Defense Federal Acquisition Regulation (DFAR).

8.6 **General Counsel (GC).** The GC will provide legal guidance on current and proposed FMS cases and leases and foreign disclosure and release matters.

FOR THE DIRECTOR:

1 Enclosure a/s



FREDERICK A. HENRY
Brigadier General, USA
Chief of Staff

*This Instruction cancels DISAI 100-50-16, 7 April 2006.
OPR: COS
DISTRIBUTION: P

Enclosure: DISAI 100-50-16

DEFINITIONS

Classified Military Information (CMI). Information originated by or for the Department of Defense or its Agencies or under their jurisdiction or control requiring protection in the interest of national security. It is designated as Top Secret, Secret, and Confidential as described in Executive Order (E.O.) 12356. CMI may be in oral, visual, or material form.

Controlled Unclassified Information (CUI). Unclassified information to which access or distribution limitations have been applied in accordance with national laws, policies, and regulations of the originating country. It includes U.S. information that is determined to be exempt from public disclosure or that is subject to export controls. CUI is unclassified information of such sensitivity, usually involving technical or research data, that its use and dissemination is controlled in a similar fashion as classified military information (CMI).

Defense Security Assistance Management System (DSAMS).

An automated information system used for the development, preparation, and submission of foreign military sales (FMS) cases and price and availability (P&A) packages.

Defense Security Cooperation Agency (DSCA). The agency responsible for the management of DoD participation in international programs and security assistance.

Delegation of Disclosure Letter (DDL). A letter issued by the appropriate designated disclosure authority describing classification levels, categories, scope, and limitation of information under a DoD Component's disclosure jurisdiction that may be disclosed to a foreign recipient. It is also used to delegate authority to subordinate disclosure authorities.

Foreign Disclosure Officer (FDO). An individual appointed in writing to oversee and control coordination of specific disclosures of classified military information (CMI) and controlled unclassified information (CUI).

Foreign Military Sales (FMS). A nonappropriated program through which eligible foreign governments purchase defense articles, services, and training from the U.S. Government.

These purchases may be from either DoD stocks or through DoD managed contracts. A signed government-to-government agreement (Letter of Offer and Acceptance (LOA)) facilitates the sale.

National Disclosure Policy (NDP). The collection of existing laws and other policies that govern the control and release of classified military information (CMI) to foreign governments and international organizations derived from the National Security Decision Memorandum (NSDM) 119.

Security Assistance Programs (SAP). Similar to foreign military sales (FMS), these programs do not include the standard terms and conditions found in an FMS Letter of Offer and Acceptance (LOA) and, as such, administrative and other surcharges do not apply. These programs are implemented via a government-to-government agreement (e.g., Memorandum of Understanding) and are usually jointly managed. They include loans, grants, coproduction, cooperative research and development, and exchange programs.

Security Policy Automation Network (SPAN). SPAN is a private network that operates within the DoD-wide Secret-high network and also supports a separate unclassified network. The classified and unclassified networks that comprise SPAN support communications and coordination among DOD activities, the Department of State, the Department of Commerce, U.S. industry, and foreign embassies on the subjects of international visits, foreign disclosure, export control, and international arms control and cooperation.