



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

MAR 14 2008

In reply refer to:
USP003464-08

MEMORANDUM FOR SEE DISTRIBUTION


SUBJECT: Repeal of the American Servicemembers' Protection Act of 2002 (ASPA),
DSCA Policy 08-07

On October 17, 2006, section 1222 of the John Warner National Defense Authorization Act (NDAA) for Fiscal Year 2007 (Public Law 109-364) removed International Military Education and Training (IMET) as one of the types of military assistance prohibited pursuant to ASPA.

On January 28, 2008, President Bush signed the NDAA for Fiscal Year 2008 (Public Law 110-181). Section 1212 of the FY 2008 NDAA repealed the ASPA prohibition on the provision of military assistance.

As a result of this change in legislation, the State Department has announced that the remaining restrictions placed on provision to certain countries of grant assistance, including Foreign Military Funds (FMF), Excess Defense Articles (EDA), and certain drawdowns have been lifted. Uncommitted FMF funds that were frozen when Barbados, Bolivia, Costa Rica, Croatia, Ecuador, Kenya, Mali, Namibia, Niger, Paraguay, Peru, South Africa, St. Vincent & the Grenadines, Tanzania, Trinidad & Tobago, and Uruguay became subject to the ASPA prohibition are now available for expenditure in support of planned activities. The USG may now provide EDA pursuant to Section 516 of the Foreign Assistance Act of 1961, as amended, to countries that are parties to the Rome Statute, which established the International Criminal Court, that are otherwise eligible to receive such assistance.

For questions, please contact Mr. Mike Slack, DSCA/STR-POL, at 703-601-3842 or e-mail: michael.slack@dscamil.


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