The Department of State has now established a third-party transfer (TPT) policy to allow the provision of blanket U.S. Government (USG) authorization to governments that wish to temporarily transfer specific unclassified defense articles and technical data originally provided via government-to-government channels (e.g., the Foreign Military Sales (FMS), Excess Defense Articles (EDA), and drawdown programs) to specific private entities for the sole purpose of maintenance, repair, or overhaul, subject to the below listed conditions.

**(Note: Hereafter, the term “recipient government” shall be used to refer to the government that received the defense article(s) and/or technical data from the U.S. Government. End note).**

Requests for blanket USG authorization to temporarily transfer specific unclassified defense articles and technical data to specific private entities for the sole purpose of maintenance, repair, or overhaul must meet the following conditions to be considered for approval:

1. A recipient government may request blanket authority for the temporary transfer of specific unclassified defense articles and technical data to a contractor for the sole purpose of receiving maintenance, repair or overhaul.
2. If the contractor takes physical possession of the defense articles, the articles must be returned to the recipient government (Title to the equipment would remain with the recipient government regardless of any physical movement.).
3. Requests for such authority must come from the recipient government (signed by an official at the level of the recipient government’s Minister of Defense, Deputy Minister of Defense, or Minister of Foreign Affairs or by another official delegated and empowered to sign a Letter of Offer and Acceptance).
4. The identified contractor must be either:
5. An entity established pursuant to the laws of the recipient country, such that the person or entity is subject to the recipient government’s legal jurisdiction; or

1. A U.S. private entity with the relevant technical assistance agreement (TAA) or manufacturing license agreement (MLA) to perform the requested maintenance/service.
2. The request must be in support of a specific platform, and consist of unclassified defense articles and related technical data obtained through government-to-government channels (e.g., Foreign Military Sales, Excess Defense Articles, and drawdowns).
3. The recipient government may not pass classified information or material to the identified contractor (or any other contractor).
4. The recipient government must have in place a written contract legally binding the contractor to:
5. Use and maintain possession of the defense articles and technical data only for the purpose of fulfilling its contractual obligation to the recipient government, and then to return the defense articles and technical data to the recipient government;
6. Not retransfer the defense articles and technical data without prior written consent from the recipient government; and
7. Institute appropriate security measures for the defense articles and technical data in accordance with all applicable agreements between the recipient government and the U.S. Government.
8. The Department may revoke any retransfer authorization at any time and for any reason. Once authorization for a specific contractor has been revoked, the Department must rescind the revocation before a contractor may again be considered for blanket retransfer authorization. The recipient government must submit in writing any request to the Department to review its revocation of previously granted blanket retransfer authorization. Similarly, the recipient government must resubmit a new complete request if it wishes to amend a blanket authorization to add additional private entities.
9. The recipient government must provide the Department with an official request for blanket authorization to temporarily retransfer defense articles to a specific contractor and receive authorization before the first transfer can occur. The request should be forwarded to the Office of Regional Security and Arms Transfers, Bureau of Political Military Affairs (PM/RSAT) for action.
10. The request should contain a signed letter of request from the foreign government on official government letterhead and a signed acknowledgement letter from the proposed contractor on company letterhead. The letters should contain the language indicated in the attached templates.
11. Irrespective of whether the contractor is a citizen or national of the United States, the recipient government must wait for a reply from PM/RSAT granting retransfer authorization before transferring any defense articles or related technical data to the contractor. Once blanket authorization has been received from PM/RSAT, the recipient government can transfer unclassified articles and technical data to the approved contractor for the purpose of maintenance, repair or overhaul on the specified platform as needed without the requirement for additional authorization requests.
12. Contractors may not be authorized under this arrangement to receive classified defense articles or information on a blanket basis, even if they are otherwise permitted to work on or access classified defense articles or information. Thus a recipient government must use established procedures to seek retransfer authorization for each individual transfer of classified defense articles or information on a case-by-case basis.
13. Unauthorized use, retransfer, or access to defense articles or technical data by a recipient government’s contractor would be a breach of the recipient government’s obligations to the U.S. Government and may require a report by the U.S. Government to the United States Congress.