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[FR Doc. 97-15037 Filed 6-9-97; 8:45 am]

BILLING CODE 6050-28-P

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Transmittal No. 97-14]

**36(b)(1) Arms Sales Notification**

**AGENCY:** Department of Defense, Defense  
Security Assistance Agency.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is  
publishing the unclassified text of a  
section 36(b)(1) arms sales notification.  
This is published to fulfill the  
requirements of section 155 of P.L. 104-  
164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms.  
J. Hurd, DSAA/COMPT/CPD, (703) 604-  
6575.

The following is a copy of a letter to  
the Speaker of the House of  
Representatives, Transmittal 97-14,  
with attached transmittal, policy

justification, and sensitivity of  
technology pages.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison  
Officer, Department of Defense.*

BILLING CODE 5000-01-M



## DEFENSE SECURITY ASSISTANCE AGENCY

WASHINGTON, DC 20301-2800

21 MAY 1997

In reply refer to:  
I-04309/97

Honorable Newt Gingrich  
Speaker of the House of  
Representatives  
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 97-14, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to France for defense articles and services estimated to cost \$85 million. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

A handwritten signature in black ink, reading "Thomas G. Rhame".

Thomas G. Rhame  
Lieutenant General, USA  
Director

Same ltr to: House Committee on International Relations  
Senate Committee on Appropriations  
Senate Committee on Foreign Relations  
House Committee on National Security  
Senate Committee on Armed Services  
House Committee on Appropriations

Attachments

## Transmittal No. 97-14

Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act (U)

- (i) Prospective Purchaser: France
- (ii) Total Estimated Value:
- |                          |              |
|--------------------------|--------------|
| Major Defense Equipment* | \$ 0 million |
| Other                    | \$85 million |
| TOTAL                    | \$85 million |
- (iii) Description of Articles or Services Offered:  
Four Electronic Support Measures (ESM) Systems for incorporation into their E-3F AWACS fleet, develop and provide support for a French ESM Emitter Data Base system, maintenance of system software and related services, U.S. Government and contractor engineering and logistics services, personnel training and training equipment, publications and technical data, support equipment, spare and repair parts and other related elements of logistics support.
- (iv) Military Department: Air Force (NBS)
- (v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None
- (vi) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:  
See Annex attached.
- (vii) Date Report Delivered to Congress: 21 MAY 1997

\* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATIONFrance - Electronic Support Measures Systems

The Government of France has requested the purchase of four Electronic Support Measures (ESM) Systems for incorporation into their E-3F AWACS fleet, develop and provide support for a French ESM Emitter Data Base system, maintenance of system software and related services, U.S. Government and contractor engineering and logistics services, personnel training and training equipment, publications and technical data, support equipment, spare and repair parts and other related elements of logistics support. The estimated cost is \$85 million.

This sale will contribute to the foreign policy and national security of the United States by improving the security military capabilities of France in fulfillment of its NATO obligations; furthering NATO rationalization, standardization, and interoperability.

France will use these systems to upgrade its AWACS aircraft inventory as well as expand its role in support of existing United Nations peacekeeping operations and other ongoing coalition contingencies. France will have no difficulty absorbing these systems into its armed forces.

The sale of this equipment and support will not affect the basic military balance in the region.

The prime contractor will be Boeing Defense and Space Group, Seattle, Washington. One or more proposed offset agreements may be entered into in connection with this proposed sale.

Implementation of this program will not require the assignment of any additional U.S. Government personnel in-country but will require approximately six contractor representatives to provide in-country technical support for 36 months.

There will be no adverse impact on U.S. defense readiness as a result of this sale.

Transmittal No. 97-14

Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act

Annex  
Item No. vi

(vi) Sensitivity of Technology:

1. The Electronic Support Measures Systems contains sensitive state-of-the-art technology. Some of the hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified Secret. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through depot level) of the E-3F aircraft and its installed systems and related software.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advance capabilities.

3. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.