

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

[Transmittal Nos. 08–92]

**36(b)(1) Arms Sales Notification****AGENCY:** Department of Defense, Defense Security Cooperation 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 Public Law 104–164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. B. English, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of

Representatives, Transmittals 08–92 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: October 7, 2008.

**Patricia L. Toppings,**  
*OSD Federal Register Liaison Officer,*  
*Department of Defense.*

**BILLING CODE 5001–06–M**



**DEFENSE SECURITY COOPERATION AGENCY  
2800 DEFENSE PENTAGON  
WASHINGTON, DC 20301-2800**

**SEP 26 2008  
In reply refer to:  
USP010660-08**

**The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
Washington, DC 20515-6501**

**Dear Madam Speaker:**

**Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 08-92, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Brazil for defense articles and services estimated to cost \$525 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.**

**Sincerely,**

**Jeffrey A. Wieringa  
Vice Admiral, USN  
Director**

**Enclosures:**

- 1. Transmittal**
- 2. Policy Justification**
- 3. Sensitivity of Technology**

**Same ltr to:**

**House  
Committee on Foreign Affairs  
Committee on Armed Services  
Committee on Appropriations**

**Senate  
Committee on Foreign Relations  
Committee on Armed Services  
Committee on Appropriations**

**Transmittal No. 08-92****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser:** Brazil
- (ii) **Total Estimated Value:**
- |                          |                      |
|--------------------------|----------------------|
| Major Defense Equipment* | \$375 million        |
| Other                    | <u>\$150 million</u> |
| TOTAL                    | \$525 million        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 15 UH-60L BLACK HAWK helicopters with 30 T-700-GE-701C engines, 2 spare T-700-GE-701C engines, external and internal fuel tanks, warranty, internal and external hoist kits, weather radar, spare and repair parts, tools and support equipment, publications and technical data, personnel training and training equipment, contractor engineering and technical support services and other related elements of logistics support.
- (iv) **Military Department:** Army (UUC)
- (v) **Prior Related Cases, if any:**  
FMS case UUB - \$158 million - pending  
FMS case UTZ - \$175 million - 30Dec04
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached
- (viii) **Date Report Delivered to Congress:** SEP 26 2008

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

## **POLICY JUSTIFICATION**

### **Brazil – UH-60L BLACK HAWK Helicopters**

**The Government of Brazil has requested a possible sale of 15 UH-60L BLACK HAWK helicopters with 30 T-700-GE-701C engines, 2 spare T-700-GE-701C engines, external and internal fuel tanks, warranty, internal and external hoist kits, weather radar, spare and repair parts, tools and support equipment, publications and technical data, personnel training and training equipment, contractor engineering and technical support services and other related elements of logistics support. The estimated cost is \$525 million.**

**This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country that has been, and continues to be, an important force for political stability and economic progress in South America.**

**Brazil needs these aircraft to fulfill its strategic commitments for search and rescue and self-defense within the region without being dependent upon assistance from other countries. This procurement will upgrade its air mobility capability and provide for the defense of vital installations and close air support for ground forces. Brazil will have no difficulty absorbing these helicopters into its armed forces.**

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

**The principal contractors will be: Sikorsky Aircraft (United Technologies) Corporation of Stratford, Connecticut and General Electric Engines of Lynn, Massachusetts. There are no known offset agreements proposed in connection with this potential sale.**

**Implementation of this proposed sale will require the assignment of two contractor representatives to Brazil for a period of up to two years.**

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

**Transmittal No. 08-92****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act****Annex  
Item No. vii****(vii) Sensitivity of Technology:**

**1. The UH-60L BLACK HAWK weapon system contains communications and identification equipment, navigation equipment, displays and sensors. The aircraft itself does not contain sensitive technology. The highest level of classified information required to be released for training, operation, and maintenance of the BLACK HAWK helicopter is Confidential. The highest level that could be revealed through reverse engineering or testing of the end item is Confidential.**

**2. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software in this proposed sale, 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 advanced capabilities.**