

Figure C5.F19. Standard Note in a Lead Nation Case

1. [XXX] will act as Lead Nation on this Letter of Offer and Acceptance (LOA). [YYY] will act as Participating Nation(s) on this LOA. The Lead Nation will ensure that no defense article or service under this LOA is transferred to a Participating Nation until the Participating Nation has signed the separate “Basic Retransfer Assurances and Letter of Offer and Acceptance (LOA) Standard Terms and Conditions for Participating Nations” and such signed terms and conditions are returned to the U.S. Government (USG). Upon delivery of the defense article or service from the Lead Nation to the Participating Nation(s), the Lead Nation will be required to submit in writing to the U.S. State Department (State) at PM_RSAT-TPT@state.gov, a note to reference the initial transfer to the Participating Nation(s). Subsequent retransfers among the Participating Nation(s) and/or Lead Nation will be subject to the retransfer requirements outlined in [Section 2.4](#) of the separate LOA Standards Terms and Conditions, as well as any written retransfer authorizations received from the USG.
2. The Purchaser, acting as the Lead Nation and distinct from the Participating Nations, as distinct from the participating transferee nations, agrees, with respect to any subsequent retransfer of defense articles to it by the North Atlantic Treaty Organization (NATO) Organization or the countries named on this LOA, that it shall not, unless the prior written consent of the Government of the United States of America has been first obtained:
 - a) Permit any use of defense articles originally provided on this LOA including related data and information, by anyone not an officer, employee, or agent of the Purchaser; and
 - b) Transfer or permit any officer, employee, or agent of the Purchaser to transfer such commodity, including related data and information, by gift, sale, or otherwise to anyone other than the NATO Organization or the countries named on this LOA.
3. The Purchaser agrees to seek advance consent from State prior to any subsequent retransfer to a NATO member country or country identified in Section 3(d)(5) of the Arms Export Control Act (AECA) ([22 U.S.C. 2753\(d\)\(5\)](#)) and named on this LOA if the original acquisition value of the articles being retransferred is \$25M or more of Major Defense Equipment (MDE) or \$100M or more in total value, or prior to any subsequent retransfer to a NATO Organization or non-NATO member country named on this LOA if the original acquisition value of the articles being retransferred is \$14M of MDE or \$50M in total value. For retransfers below these thresholds to any country named on this LOA, advance consent is not required.
4. Transferee NATO Organization or countries named on this LOA will report their retransfers to the Lead Nation on a quarterly basis. The Purchaser agrees to provide the information on its retransfers as well as those of the Participating Nation(s) by email to PM_RSAT-TPT@state.gov in a quarterly report to State by the 15th of each month following the end of each quarter in which a retransfer has occurred.

5. The Purchaser agrees to maintain the security of such commodity while in its possession, including related data and information, and will provide substantially the same degree of security protection afforded by the Government of the United States of America.
6. The Purchaser agrees that, unless prior written consent of the Government of the United States of America has first been obtained, it will use such commodity, including related data and information, solely for internal security, for legitimate self-defense, for preventing or hindering the proliferation of weapons of mass destruction and of the means of delivering such weapons, to permit the Purchaser to participate in regional or collective arrangements or measures consistent with the Charter of the United Nations, or otherwise to permit the Purchaser to participate in collective measures requested by the United Nations for the purpose of maintaining or restoring international peace and security.