

Figure C5.F8. Template for 36(b)(1) Transmittal Documents

TEMPLATE NOTES:

1. Update all bracketed text and delete brackets. Delete quotation marks around recommended language.
 - a. If bracketed text begins with “SELECT,” choose only one of the provided options and delete the others.
 - b. Suggested language is provided throughout the document. Confirm statements are true prior to submitting the document to DSCA. If a statement is not true, do not use it.
2. All congressional notification (CN) documentation should be marked as Controlled Unclassified Information (CUI) and “PRE-DECISIONAL” prior to notification unless a higher classification applies, in which case the documentation should be developed and transmitted over Secret Internet Protocol Router Network (SIPRNET). If any information in this document is CUI or classified independent of the pre-notification handling process, update the classification markings and include portion markings throughout the document.
3. A CUI designation indicator should be placed on the bottom right side of the first page of the transmittal document prior to the footer. The below template contains the approved CUI designation indicator for Section 36(b) CNs.
4. Formatting: Times New Roman, 12 point font, 1-inch margins, two spaces between sentences.
5. Writing guidelines: Write out all acronyms upon first usage if they will be repeated in the document, even if they are commonly abbreviated without writing them out in full (e.g., “global positioning system (GPS)”), and then subsequently use the acronym instead of writing out in full each time. Use lower case for all terms that are not proper nouns or part of official names and use serial (“Oxford”) commas if listing more than two items within each section of the list separated by a semicolon. Ensure all names and terms are used consistently across sections and documents].

Delete this section (including line break) before submitting.

Transmittal No. [XX-XX]

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

(i) (U) Prospective Purchaser: Government of [Purchaser]

(ii) (U) Total Estimated Value:

Major Defense Equipment (MDE)*: [\$##.# m/billion | Note: Total MDE value]

Other: [\$##.# m/billion | Note: Total non-MDE value]

TOTAL: [\$##.# m/billion | Note: Total program value]

Funding Source: [National Funds, Foreign Military Financing (FMF) Grant, FMF Repayable, or Unknown]

(iii) (U) Description and Quantity or Quantities of Articles and/or Services under Consideration for Purchase: [If an amendment to an existing case will bring the MDE or total case value above notification thresholds for the first time, indicate so here].

Major Defense Equipment:

[Note: List all MDE, including quantity, name, and Military Articles and Service List (MASLs). Spell out the number and provide the numeral in parenthesis. Put each MDE item on a new line. E.g.,

Quantity (##) MDE Article Name (MASL#)

Quantity (##) MDE Article Name (MASL#)

Quantity (##) MDE Article Name (MASL#)]

Non- Major Defense Equipment:

The following non-MDE items will also be included: [Note: List all Significant Military Equipment (SME) items, followed by general descriptions of non-SME services and articles associated with the sale. Optional non-SME general descriptors (delete all that don't apply and add additional ones, as appropriate)]: containers; munitions; support and test equipment; aircraft and munitions; integration and test support; spare and repair parts; communications equipment; software delivery and support; Identification Friend or Foe (IFF) Equipment; facilities and construction support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical, and logistics support services; studies and surveys; and other related elements of logistics and program support].

(iv) (U) Military Department: [Service (Foreign Military Sales (FMS) Case Designator) | Note: Provide the country specific designator. Do not use a Building Partner Capacity (BPC) case designator unless submitting a classified or DSCA/State designated sensitive CN package].

(v) (U) Prior Related Cases, if any: [XX-X-XXX | Note: If there are prior cases, list them separated by semicolons. If there are no prior cases, state "None."]

(vi) (U) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known [Note: If a payment, contribution, gift, commission or fee was paid, offered, or agreed to be paid, provide: the name of person who made such payment, contribution, gift, commission, or fee; the name of any sales agent or other person to whom such payment, contribution, gift, commission, or fee was paid; the date and amount of such payment, contribution, gift, commission, or fee; and a description of the sale in connection with which such payment, contribution, gift, commission, or fee was paid].

(vii) (U) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex [Note: In the event there is NO transfer of sensitive or classified technology/information, state, "None."]

(viii) (U) Date Report Delivered to Congress: [Note: Leave blank. DSCA will insert the date prior to delivery].

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

Controlled by: DSCA

Controlled by: IOPS/GEX

CUI Category: OPSEC, LMI

LDC: FEDCON

LDC: Publicly Releasable Upon Congressional Notification

POC: DSCA/IOPS/GEX

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[Include the following language in the footer, along with classification markings: "This document contains information exempt from mandatory disclosure under the Freedom of Information Act (FOIA)."]