



Billing Code: 5001-06

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary**

**[Transmittal No. 16-74]**

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

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

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification.

**FOR FURTHER INFORMATION CONTACT:** Kathy Valadez, (703) 697-9217 or Pamela Young, (703) 697-9107; DSCA/DSA-RAN.

**SUPPLEMENTARY INFORMATION:** This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 16-74 with attached Policy Justification.

Dated: July 13, 2017.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer,*

*Department of Defense.*



DEFENSE SECURITY COOPERATION AGENCY

201 12TH STREET SOUTH, STE 203  
ARLINGTON VA 22202-6408

JUN 29 2017

The Honorable Paul D. Ryan  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. 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. 16-74, concerning the Department of the Air Force proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$147.5 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J. W. Rixey  
Vice Admiral, USN  
Director

Enclosures:

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



Transmittal No. 16-74

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: Taipei Economic and Cultural Representative Office  
(TECRO) in the United States

(ii) Total Estimated Value:

Major Defense Equipment\*

\$ 47.5 million

Other

\$100.0 million

\$147.5 million

TOTAL

(iii) Description and Quantity or Quantities of Articles or Services under  
Consideration for Purchase:

Major Defense Equipment (MDE):

Fifty (50) AGM-88B High-Speed Anti-Radiation Missiles (HARMs)

Ten (10) AGM-88B Training HARMs

Non-MDE includes:

HARM integration, LAU-1 18A Launchers, missile containers, spare and repair parts,  
support and test equipment, Joint Mission Planning System update, publications and  
technical documentation, personnel training and training equipment, U.S.

Government and contractor engineering, technical and logistics support services, and  
other related elements of logistical and program support.

(iv) Military Department: Air Force (QBZ)

(v) Prior Related Cases, if any: None

(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 Attached Annex

(viii) Date Report Delivered to Congress: 29 JUN 2017

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

## POLICY JUSTIFICATION

### Taipei Economic and Cultural Representative Office (TECRO) in the United States – AGM-88B High-Speed Anti-Radiation Missiles (HARM)

TECRO requested a possible sale of fifty (50) AGM-88B HARMs and ten (10) AGM-88B Training HARMs. This request also includes: HARM integration, LAU-118A Launchers, missile containers, spare and repair parts, support and test equipment, Joint Mission Planning System update, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The total estimated program cost is \$147.5 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The recipient will have no difficulty absorbing this equipment into its armed forces.

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

Currently, market research is being conducted to determine the viability of a qualified contractor in accordance with Federal Acquisition Regulations. The purchaser typically requests offsets, but any offsets will be determined between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives outside the United States.

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

Transmittal No. 16-74

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. AGM-88B High-Speed Anti-Radiation Missile (HARM) is a supersonic air-to-surface missile designed to seek and destroy enemy radar-equipped air defense systems. HARM has a proportional guidance system that hones in on enemy radar emissions through a fixed antenna and seeker head in the missile nose. The missile consists of four sections; guidance section, warhead, control section, and rocket motor.

2. The highest classification of the hardware to be exported is SECRET. The highest classification of the technical documentation to be exported is SECRET, but no radar cross-section and infrared signature data nor U.S.-only tactics or tactical doctrine will be disclosed. The highest classification of the software to be exported is SECRET; however, no software source code will be disclosed. All reprogramming of missile microprocessor memories must be accomplished by U.S. Government personnel or U.S. Government approved contractors.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, 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.

4. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons. 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 and in accordance with the Taiwan Relations Act.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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7/18/2017]