



DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 24-38]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense (DoD).

ACTION: Arms sales notice.

SUMMARY: The DoD is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Urooj Zahra at (703) 695-6233, urooj.zahra.civ@mail.mil, or dscn.ncr.rsrmgmt.list.cns-mbx@mail.mil.

SUPPLEMENTARY INFORMATION: This 36(b) 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 with attached Transmittal 24-38 and Policy Justification.

Dated: January 29, 2026.

Stephanie J. Bost,

Alternate OSD Federal Register Liaison Officer,

Department of Defense.



DEFENSE SECURITY COOPERATION AGENCY
2800 Defense Pentagon
Washington, DC 20301-2800

February 28, 2025

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

Dear Mr. Speaker:

On February 28, 2025, the Secretary of State, pursuant to section 36(b) of the Arms Export Control Act, as amended, determined that an emergency exists which requires the immediate sale of the defense articles and defense services identified in the attached transmittals to the Government of Israel through the Foreign Military Sales process, including any further amendment specific to costs, quantity, or requirements occurring within the duration of circumstances giving rise to this emergency sale.

Please find attached (Tab 1) the Secretary of State Determination and Justification waiving the congressional review requirements under Section 36(b)(1) and 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended for the attached lists of transmittals of proposed Letters of Offer and Acceptance to the Government of Israel. The determination and detailed justification are a part of each transmittal. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

A handwritten signature in black ink, appearing to read "M.F. Miller", is positioned above the printed name.

Michael F. Miller
Director

Enclosures:

1. Secretary of State Determination and Justification Letter
2. Transmittal 24-38
3. Transmittal 25-0C
4. Transmittal 25-26
5. Transmittal 25-34

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DETERMINATION UNDER SECTION 36(b)(1) OF THE ARMS EXPORT
CONTROL ACT

Pursuant to section 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, I hereby determine that an emergency exists which requires the immediate sale through the following foreign military sales cases, including any further amendments specific to the cost, quantity, or requirements of these cases, in the national security interest of the United States:

For Israel:

- Bulldozers
- Administrative Price Change to Munitions
- 1,000-lb Warheads and JDAM Kits
- 2,000-lb Warheads

This determination shall be published in the *Federal Register* and, along with the accompanying Memorandum of Justification, shall be transmitted to Congress with the applicable notifications.

2/28/2025

Date



Marco Rubio
Secretary of State

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(U) MEMORANDUM OF JUSTIFICATION
FOR EMERGENCY ARMS TRANSFERS TO ISRAEL UNDER SECTION 36(b)(1) OF
THE ARMS EXPORT CONTROL ACT

(U) On October 7, Hamas launched the worst attack on Israel since the 1973 Yom Kippur War, firing thousands of rockets, striking civilians and locations as far as Tel Aviv and Jerusalem. Hamas gunmen crossed into Israel, entering towns and communities as far as 15 miles from Gaza, slaughtering men, women, and children. More than 230 hostages were taken and dragged back into Gaza, including U.S. citizens. Hamas' act of terrorism has claimed the lives of nearly 1,200 in Israel, including at least 31 U.S. citizens, and wounded thousands more. The attack was the single deadliest day for the Jewish people since the Holocaust, and it was reminiscent of the worst rampages of ISIS. The following day, the Government of Israel formally declared war on Hamas in accordance with its Basic Law.

(U) Israel has the right to defend itself, and the United States strongly supports Israel taking necessary action to defend its country and protect its people from Hamas terrorists, consistent with international law, including the law of war. The Department of State and the Department of Defense are coordinating with Israeli partners to meet their military requirements and ensure Israel has what it needs to continue to defend itself, its people, and U.S. citizens living, working, and traveling in Israel.

(U) The United States' commitment to Israel's security is ironclad, which is reflected in decades of close political-military dialogues and high-level defense policy exchanges. The historic ten-year U.S.-Israel Memorandum of Understanding to provide Israel with \$38 billion in security assistance is a bulwark against regional threats. Should hostilities resume, Israel will need urgent and substantial support to respond to the immediate threat raised by Hamas' failure to uphold the terms of the ceasefire. Forced to respond to a resurgent Hamas, Israel must replenish stocks of key defense articles to fight and destroy Hamas, maintain its Qualitative Military Edge in the region, and continue to deter broader-scale regional conflict.

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- 2 -

(U) It is essential to the United States' national security interest to swiftly provide Israel with the military equipment and arms required to defend itself and reinforce deterrence against other significant regional threats. These threats are very likely to increase should hostilities resume. Israel has communicated an urgent requirement for air-to-ground munitions and D9 bulldozers. The urgency of Israel's requirement has been validated by the Department of Defense in consultation with the Department of State. Should hostilities resume, we anticipate Israel will recommence its military operations in Gaza in the near-term. In order to effectively do so and ensure it is prepared for any other attacks, it has an urgent and ongoing need for these defense articles. The immediacy of the challenge at hand requires overcoming the statutory 15-day Congressional Notification timeline to expedite transfers to Israel.

(U) Further, over the 15 months between Hamas' October 7 attack and implementation of the ceasefire, Israel has faced attacks from Hizballah in Lebanon, the Houthis in Yemen, Iranian Aligned Militia Groups in Iraq and Syria, and two direct ballistic attacks from Iran. With the resumption of hostilities, such threats will likely increase and Israel remains at urgent risk of extremists in Lebanon, Iraq, Syria, and Yemen exploiting the resumption of hostilities.

(U) For the reasons cited above, an emergency exists requiring immediate provision of these defense articles to Israel in the national security interest of the United States. These transfers, through Foreign Military Sales, will provide Israel as soon as possible with defense articles that are necessary to allow it to defend itself in its war with Hamas as well as sending a strong, unwavering message that the United States will stand by and support Israel as it continues its fight against Hamas and other regional threats. The Secretary of State, therefore, has certified an emergency exists under sections 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, thereby waiving the congressional review requirement of that provision.

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Transmittal No. 24-38

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

(i) Prospective Purchaser: Government of Israel

(ii) Total Estimated Value:

Major Defense Equipment*	\$ 0
Other	<u>\$295 million</u>
TOTAL	\$295 million

Funding Source: Foreign Military Financing

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

Major Defense Equipment (MDE):

None

Non-MDE:

D9R and D9T Caterpillar bulldozers; spare and repair parts; corrosion protection; publications and technical documentation; pre-delivery inspections; United States (U.S.) Government and contractor support; technical and logistics support services; storage; and other related elements of logistics and program support.

(iv) Military Department: Army (IS-B-ZZX)

(v) Prior Related Cases, if any: IS-B-ZEU; IS-B-ZLT; IS-B-ZYS

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None

(viii) Date Report Delivered to Congress: **February 28, 2025**

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

POLICY JUSTIFICATION

Israel – Caterpillar D9 Bulldozers

The Government of Israel has requested to buy D9R and D9T Caterpillar bulldozers; spare and repair parts; corrosion protection; publications and technical documentation; pre-delivery inspections; U.S. Government and contractor support; technical and logistics support services; storage; and other related elements of logistics and program support. The estimated total cost is \$295 million.

The U.S. is committed to the security of Israel, and it is vital to U.S. national interests to assist Israel to develop and maintain a strong and ready self-defense capability. This proposed sale is consistent with those objectives.

The proposed sale will improve Israel's capability to meet current and future threats by improving the ability of the Israeli Ground Forces to defend Israel's borders, vital infrastructure, and population centers. Israel 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.

The principal contractor will be Caterpillar Inc., located in Irving, TX. At this time, the U.S. Government is not aware of any offset agreement proposed in connection with this potential sale. Any offset agreement will be defined in negotiations 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 to Israel.

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

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