

POLICY JUSTIFICATION**Iraq –M16A4 Rifles, M4 Carbines, and M203 Grenade Launchers**

The Government of Iraq has requested a possible sale of (80,000) M16A4 5.56MM Rifles, (25,000) M4 5.56MM Carbines, (2,550) M203 40MM Grenade Launchers, spare and repair parts, 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 \$148 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. This proposed sale directly supports the Iraq government and serves the interests of the Iraqi people and the U.S.

The proposed sale of the small arms and support will enable the Iraq Army to expand its force structure. This expansion will enable Iraq to equip new forces to assume the missions currently accomplished by U.S. and coalition forces and to sustain themselves in their efforts to bring stability to Iraq and to prevent overflow of unrest into neighboring countries.

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

The principal contractors are Colt Manufacturing Company in Hartford, Connecticut and Fabrique Nationale Manufacturing Group Herstal, S. A. in Herstal, Belgium. There are no known offset agreements proposed in connection with this potential sale.

U.S. Government and Contractor technical assistance will be required but cannot be fully defined at this time. The use of existing, deployed U.S. military personnel will be maximized.

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

[FR Doc. E8–30448 Filed 12–22–08; 8:45 am]

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DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal Nos. 09–11]

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 09–11 with attached transmittal, and policy justification.

Dated: December 16, 2008.

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

BILLING CODE 5001–06–M



**DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408**

DEC 09 2008

**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. 09-11, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services estimated to cost \$485 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,

A handwritten signature in black ink, appearing to read "Jeffrey A. Wieringa".

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

Enclosures:

- 1. Transmittal**
- 2. Policy Justification**
- 3. Regional Balance (Classified Document Provided Under Separate Cover)**

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. 09-11

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

- (i) (C) **Prospective Purchaser:** Iraq
- (ii) (C) **Total Estimated Value:**
- | | |
|--------------------------|-----------------------|
| Major Defense Equipment* | \$ 0 million |
| Other | \$ <u>485 million</u> |
| TOTAL | \$ 485 million |
- (iii) (C) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** (64) Deployable Rapid Assembly Shelters (DRASH), (1,500) 50 watt Very High Frequency (VHF) Base Station Radios, (6,000) VHF Tactical Handheld Radios, (100) VHF Fixed Retransmitters, (200) VHF Vehicular Radios, (30) VHF Maritime 50 watt Base Stations, (150) 150 watt High Frequency (HF) Base Station Radio Systems, (150) 20 watt HF Vehicular Radios, (30) 20 watt HF Manpack Radios, (50) 50 watt Very High Frequency/Ultra High Frequency (VHF/UHF) Ground to Air Radio Systems, (50) 150 watt VHF/UHF Ground to Air Radio Systems, (50) 5 watt Multiband Handheld Radio Systems, accessories, warranties, installation, spare and repair parts, 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) (C) **Military Department:** Army (VDJ)
- (v) (C) **Prior Related Cases, if any:** none
- (vi) (C) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) (C) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** none
- (viii) (C) **Date Report Delivered to Congress:** DEC 09 2008

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

POLICY JUSTIFICATION

Iraq –Deployable Rapid Assembly Shelters (DRASH) and Communication Equipment

The Government of Iraq has requested a possible sale of (64) Deployable Rapid Assembly Shelters (DRASH (1,500) 50 watt Very High Frequency (VHF) Base Station Radios, (6,000) VHF Tactical Handheld Radios, (100) VHF Fixed Retransmitters, (200) VHF Vehicular Radios, (30) VHF Maritime 50 watt Base Stations, (150) 150 watt High Frequency (HF) Base Station Radio Systems, (150) 20 watt HF Vehicular Radios, (30) 20 watt HF Manpack Radios, (50) 50 watt Very High Frequency/Ultra High Frequency (VHF/UHF) Ground to Air Radio Systems, (50) 150 watt VHF/UHF Ground to Air Radio Systems, (50) 5 watt Multiband Handheld Radio Systems, accessories, warranties, installation, spare and repair parts, 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 \$485 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. This proposed sale directly supports the Iraq government and serves the interests of the Iraqi people and the U.S.

The proposed sale of the Shelters and Communications equipment will enable the Iraq Army to expand its force structure. This expansion will enable Iraq to equip new forces to assume the missions currently accomplished by U.S. and coalition forces and to sustain itself in its efforts to bring stability to Iraq.

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

The principal contractors are DHS Systems, LLC, Orangeburg, New York; ITT Corporation, White Plains, New York; Harris Corporation, Melbourne, Florida; or Harris Corporation-Defense Systems, Rochester, New York. There are no known offset agreements proposed in connection with this potential sale.

With the number of shelters and volume of communication equipment in this proposed sale, levels of U.S. Government and Contractor technical assistance will be required but cannot be fully defined at this time. The use of existing, deployed U.S. military personnel will be maximized.

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

[FR Doc. E8-30450 Filed 12-22-08; 8:45 am]

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DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education Overview Information High School Equivalency Program (HEP); Notice Inviting Applications for New Awards for Fiscal Year (FY) 2009

Catalog of Federal Domestic Assistance (CFDA) Number: 84.141A.

DATES: *Applications Available:* December 23, 2008.

Deadline for Transmittal of Applications: February 23, 2009.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of HEP is to help migrant and seasonal farmworkers and their children obtain a general education diploma (GED) that meets the guidelines for high school equivalency established by the State in which the HEP project is conducted, and to gain employment or be placed in an institution of higher education (IHE) or other postsecondary education or training.

Priorities: This competition includes two competitive preference priorities and one invitational priority. In accordance with 34 CFR 75.105(b)(2)(ii), the competitive preference priority for "novice applicant" is from the Education Department General Administrative Regulations (EDGAR) (34 CFR 75.225). In accordance with 34 CFR 75.105(b)(2)(iv), the competitive preference priority for "prior experience of service delivery" is from section 418A(e) of the Higher Education Act of 1965, as amended by the Higher Education Opportunity Act (20 U.S.C. 1070d-2(e)).

Competitive Preference Priorities: For FY 2009, these priorities are competitive preference priorities. Under 34 CFR 75.105(c)(2)(i) we award an additional five points to an application that meets the "novice applicant" competitive preference priority, and up to a maximum of 15 additional points to an application that meets the "prior experience of service delivery" competitive preference priority.

These priorities are:

Novice Applicant:

The applicant must be a "novice applicant" as defined in 34 CFR 75.225(a).

Prior Experience of Service Delivery:

With respect to applicants with an expiring HEP project, the Secretary will consider the applicant's prior

experience in implementing its expiring HEP project based on information contained in documents previously provided to the Department, such as annual performance reports, project evaluation reports, site visit reports, and the previously approved HEP application.

Under this competition, we are particularly interested in applications that address the following priority.

Invitational Priority: For FY 2009, this priority is an invitational priority. Under 34 CFR 75.105(c)(1), we do not give an application that meets this invitational priority a competitive or absolute preference over other applications.

This priority is:

Applications that propose to engage faith-based and community organizations in the delivery of services under this program.

Program Authority: 20 U.S.C. 1070d-2, the Higher Education Act of 1965, as reauthorized by the Higher Education Opportunity Act (HEOA) (Pub. L. 110-315).

Applicable Regulations: (a) EDGAR in 34 CFR parts 74, 75, 77, 79, 82, 84, 85, 86, 97, 98, and 99. (b) The regulations in 34 CFR part 206. (c) The definitions of a *migratory agricultural worker* in 34 CFR 200.81(d), *migratory child* in 34 CFR 200.81(e), and *migratory fisher* in 34 CFR 200.81(f). (d) The regulations in 20 CFR 669.110 and 669.320.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to IHEs only.

Note: The definition of terms in 34 CFR 200.81(d), (e), and (f) were published in the **Federal Register** on July 29, 2008 at 73 FR 44102, 44123-24.

Note: The regulations in 34 CFR part 206 were issued prior to the enactment of the HEOA. The application package identifies any provisions in part 206 that have been superseded by enactment of the HEOA.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: The Administration has requested \$7,143,000 for new awards for this program for FY 2009. The actual level of funding, if any, depends on final congressional action. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

Estimated Range of Awards: \$180,000-\$475,000.

Estimated Average Size of Awards: \$446,438.

Maximum Award: We will reject any application that proposes a HEP award exceeding \$475,000 for a single budget period of 12 months. The Assistant Secretary for Elementary and Secondary Education may change the maximum amount through a notice published in the **Federal Register**.

Estimated Number of Awards: 16.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. **Eligible Applicants:** IHEs or private non-profit organizations (including faith-based organizations) that plan their projects in cooperation with an IHE and propose to operate some aspects of the project with the facilities of the IHE.

2. **Cost Sharing or Matching:** This program does not require cost sharing or matching.

IV. Application and Submission Information

1. **Address to Request Application Package:** David De Soto, U.S. Department of Education, Office of Migrant Education, 400 Maryland Avenue, SW., room 3E344, Washington, DC 20202-6135. Telephone: (202) 260-8103 or by e-mail: david.de.soto@ed.gov.

The application package also can be obtained electronically at the following address: <http://www.ed.gov/programs/hep/applicant.html>.

If you use a telecommunications device for the deaf (TDD), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

Individuals with disabilities can obtain a copy of the application package in an accessible format (e.g., Braille, large print, audiotope, or computer diskette) by contacting the program contact person listed in this section.

2. **Content and Form of Application Submission:** Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit the application narrative to the equivalent of no more than 25 pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1" margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations,