

BILLING CODE 5001-06-M

[FR Doc. E9-20018 Filed 8-20-09; 8:45 am]

BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 09-42]

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 09-42 with attached transmittal, policy justification, and sensitivity of technology.

Dated: August 12, 2009.

Patricia L. Toppings,

*OSD Federal Register Liaison Officer,
Department of Defense.*



DEFENSE SECURITY COOPERATION AGENCY

201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

AUG 4 2009

**The Honorable Nancy Pelosi
Speaker
U.S. 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. 09-42, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost \$526 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,

**Beth M. McCormick
Deputy Director**

Enclosures:

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

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. 09-42

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

- (i) **Prospective Purchaser:** United Arab Emirates
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|-----------------------|
| Major Defense Equipment* | \$ 36 million |
| Other | <u>\$ 490 million</u> |
| TOTAL | \$ 526 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 362 AGM-114N3 HELLFIRE Missiles, 15 AAR-57 Common Missile Warning Systems (CMWS), 21 AN/APR-39A(V)4 Radar Warning Receivers, 8 each AN/APX-118 Transponders, 19 AN/PRC-117 Radios, 15 AN/ASN-128D Doppler Radars, 6 AN/ARC-231 Radios, 15 Data Transfer Modules/Cartridges. Also included are engineering and installation, transportation, engineering change proposals, depot maintenance, communications equipment, repair and return, support equipment, spare and repair parts, publications technical documentation, personnel training and training equipment, contractor technical and logistics support services, and other related support elements.
- (iv) **Military Department:** Army (ZUK and ZUL)
- (v) **Prior Related Cases, if any:**
FMS Case ZUE-\$1.5B-20Aug07
FMS Case UDN-\$743M-05Dec05
FMS Case UDE-\$123M-06Jan00
FMS Case ZUF-\$149M-31Dec08
- (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 Annex attached
- (viii) **Date Report Delivered to Congress:** AUG 4 2009

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

POLICY JUSTIFICATION

United Arab Emirates - AGM-114N3 HELLFIRE Missiles, Aircraft Survivability Equipment (ASE), Communications Equipment, and Other Related Support

The Government of the United Arab Emirates has requested a possible sale of 362 AGM-114N3 HELLFIRE Missiles, 15 AAR-57 Common Missile Warning Systems (CMWS), 21 AN/APR-39A(V)4 Radar Warning Receivers, 8 each AN/APX-118 Transponders, 19 AN/PRC-117 Radios, 15 AN/ASN-128D Doppler Radars, 6 AN/ARC-231 Radios, 15 Data Transfer Modules/Cartridges. Also included are engineering and installation, transportation, engineering change proposals, depot maintenance, communications equipment, repair and return, support equipment, spare and repair parts, publications and technical documentation, personnel training and training equipment, contractor technical and logistics support services, and other related support elements. The estimated cost is \$526 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 that has been and continues to be an important force for political stability and economic progress in the Middle East.

The proposed sale of the weapons will allow the United Arab Emirates to deploy aircraft to materially assist the U.S. in overseas contingency operations. The support equipment will strengthen the effectiveness and interoperability of a potential coalition partner, reduce the dependence on U.S. forces in the region, and enhance any coalition operations the U.S. may undertake. The United Arab Emirates will have no difficulty absorbing this support into its armed forces.

The proposed sale of this weapon system will not alter the basic military balance in the region.

The principal contractors will be:

Science and Engineering Services, Inc (SES-I)	Columbia, MD
British Aerospace Engineering (BAE)	Rockville, MD
L3 Corporation	Canton, MA
Boeing Aircraft Corporation	Mesa, AZ
Lockheed Martin Corporation	Orlando, FL
Northrop Grumman	Baltimore, MD
Lockheed Martin Systems Integration	Owego, NY

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the UAE.

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

Transmittal No. 09-42**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. The AGM-114N3 Hellfire Missile is a precision-strike semi-active laser (SAL)-guided HELLFIRE II missile system that defeats advanced armor and urban point targets in the presence of severe electro-optical countermeasures, with minimal collateral damage. It can be launched from multiple air, sea, and ground platforms, autonomously or with remote designation. HELLFIRE II is Secret, based upon the software. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is Secret; the highest level that must be disclosed for production, maintenance, or training is Confidential.

2. The AN/APR-39A(V)4 Radar Detecting Set (RDS) is a lightweight radar receiver for general aircraft application--AH-1F, AH-64A, CH-47D, OH-58C/D, UH-1H/V, UH-60A/L. The system provides warning of radar directed threats to allow appropriate evasive maneuvers and deployment of chaff. The system has the capability of detecting all pulse radar normally associated with hostile surface-to-air missiles, airborne intercepts and anti-aircraft weapon systems. The system has 10 individually housed components consisting of one control, one indicator, one comparator, two receivers, two left spiral antennas, two right spiral antennas and one blade antenna. Hardware is classified Confidential when programmed with U.S. threat data; releasable technical manuals for operation and maintenance are classified Confidential; releasable technical data (technical performance) is classified Secret.

3. The AN/ARC-231 Receiver/Transmitter, RT-1808A is an airborne Very High Frequency/Ultra High Frequency (VHF/UHF) Line-of-Sight with frequency agile modes, UHF Satellite Communications (SATCOM), and Demand Assigned Multiple Access (DAMA) Radio System. The ARC-231 provides airborne, multi-band, multi-mission, secure anti-jam voice, data and imagery network capable communications in a compact radio set. The AN/ARC-231 is classified as a Controlled Cryptographic Item (CCI); however, depending upon the software load, this radio may be classified as Secret.

4. The AN/AAR-57 Common Missile Warning System is the detection component of a suite of countermeasures being developed jointly to increase survivability of current generation combat, airlift and special operations aircraft against the threat posed by infrared guided missiles. The Electronic Control Unit (ECU) controls other Line Replaceable Units, provides countermeasures selection and initiation, controls built-in-test (BIT), and provides the platform interface. The Electro-Optic Missile Sensors (EOMS, baseline four for ATIRCM and six for CMWS) passively detect the presence of energy within a specific band of interest, and transmit information to the ECU. Hardware and releasable technical information for operations and maintenance is classified Secret.

5. The AN/APX-118 Common Transponder identifies aircraft and ships as friendly forces by responding to interrogations from ground-based or airborne Identification Friend or Foe (IFF) systems. The transponders, installed on aircraft and naval vessels, establish the identity of friendly forces. Those that do not identify themselves as friendly are considered threats. The US Army uses the common transponder on submarines, surface ships, fixed-wing aircraft and helicopters. The AN/APX-118 replaces outdated IFF transponders with digital technology, which is designed to improve the reliability and maintainability of aging systems. Hardware and releasable technical information for operations and maintenance is classified Secret.

6. The AN/ASN-128D Doppler Radars are self-contained airborne navigational sets which determine the three orthogonal components of aircraft velocity from measurements of the Doppler frequency shift and compute present position, bearing, time, and distance to selected destinations. The pilot, by reading the digital display, is able to directly observe present position, distance, bearing, and time to fly to the next destination. All AN/ASN-128 systems allow one to enter up to 100 destinations in either LAT/LONG or MGRS format. The AN/ASN-128D can operate in Combined Doppler/GPS navigation mode when Doppler data and GPS present position are combined to position data at the rate of the Doppler Radar, and with the accuracy of Global Positioning Systems. Hardware and releasable technical information for operations and maintenance is classified Secret.

7. The Data Transfer Cartridge and Card provide a means to program information directly from the Commander's computer to the ASN-128 Doppler rather than having to individually program the systems. This allows less time in programming and preparing for a mission and more time spent actually performing the mission. Hardware and releasable technical information for operations and maintenance is classified Secret.

8. The AN/PRC-117 Multiband Manpack Radio, or Multiband Multi Mission Radio (MBMMR), is a man-portable, tactical software-defined combat-net radio covering the 30-512 MHz frequency range and employing Type 1 Crypto capability. The designation AN/PRC translates to Army/Navy Portable Radio used for two-way Communications, according to Joint Electronics Type Designation System guidelines. Hardware and releasable technical information for operations and maintenance is classified Secret.

9. If a technologically advanced adversary were to obtain knowledge of the specific hardware in the proposed sale, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

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DEPARTMENT OF DEFENSE BILLING

Office of the Secretary

[Transmittal Nos. 09-40]

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