

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Transmittal No. 98-13]

**36(b)(1) Arms Sales Notification****AGENCY:** Defense Security Assistance Agency, Department of Defense.**ACTION:** Notice.

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**SUMMARY:** The Department of Defense in publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of P.L. 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. J. Hurd, DSAA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of

Representatives, Transmittal 98-13, with attached transmittal, policy justification, and sensitivity of technology pages.

Dated: November 20, 1997.

**L.M. Bynum,**

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

**BILLING CODE 5000-04-M**



DEFENSE SECURITY ASSISTANCE AGENCY

WASHINGTON, DC 20301-2800

09 NOV 1997

In reply refer to:  
I-55944/97

Honorable Newt Gingrich  
Speaker of the House of  
Representatives  
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b) (1) of the Arms Export Control Act, we are forwarding herewith Transmittal No. 98-13, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Portugal for defense articles and services estimated to cost \$185 million. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

A handwritten signature in black ink, appearing to read "M. S. Davison, Jr.", written in a cursive style.

MICHAEL S. DAVISON, JR.  
LIEUTENANT GENERAL, USA  
DIRECTOR

Attachments

## Transmittal No. 98-13

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

- (i) Prospective Purchaser: Portugal
- (ii) Total Estimated Value:
- |                          |                       |
|--------------------------|-----------------------|
| Major Defense Equipment* | \$ 0 million          |
| Other                    | \$ <u>185 million</u> |
| TOTAL                    | \$ 185 million        |
- (iii) Description of Articles or Services Offered:  
Twenty Mid-Life Update (MLU) modification kits for Portuguese Air Force F-16A/B aircraft, installation, support equipment, training and training devices, technical assistance, technical orders, system drawings, U.S. Government and contractor engineering, spare parts, and other logistics elements necessary for full program support.
- The MLU is an avionics retrofit program for F-16 aircraft consisting of a Central Core Computer, Block 50 cockpit design, Digital Terrain System, Global Positioning System, APG-66(V2) radar upgrade, Integrated Data Modem, microwave landing system and night capabilities provisions, and an Advanced Identification Friend or Foe (AIFF).
- (iv) Military Department: Air Force (NMP)
- (v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None
- (vi) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:  
See Annex attached.
- (vii) Date Report Delivered to Congress: 09 NOV 1997

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

POLICY JUSTIFICATION

Portugal - F-16A/B Mid-Life Update Modification Kits

The Government of Portugal has requested a possible sale of 20 Mid-Life Update (MLU) modification kits for Portuguese Air Force F-16A/B aircraft, installation, support equipment, training and training devices, technical assistance, technical orders, system drawings, U.S. Government and contractor engineering, spare parts, and other logistics elements necessary for full program support. The estimated cost is \$185 million.

The MLU production phase is the continuation of the development program notified to the Congress in August 1990. This multi-national effort has included the governments of the United States, Belgium, Denmark, The Netherlands, and Norway who have participated with the United States Air Force in the full scale MLU engineering development and integration effort. The MLU is an avionics retrofit program for F-16 aircraft consisting of a Central Core Computer, Block 50 cockpit design, Digital Terrain System, Global Positioning System, APG-66(V2) radar upgrade, Integrated Data Modem, microwave landing system and night capabilities provisions, and an Advanced Identification Friend or Foe (AIFF).

This proposed sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Portugal while enhancing weapon system standardization and interoperability with the U.S. forces in the region.

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

The prime contractor will be Lockheed Martin Tactical Aircraft systems, Fort Worth, Texas. There are no offset agreements proposed to be entered into in connection with this potential sale.

Implementation of this proposed sale will require the assignment of U.S. Government personnel and contractor representatives to Portugal to provide technical and logistics services prior to delivery of the last MLU kit. The number of personnel and types of skills necessary to support the program will be determined jointly between U.S. and Portuguese representatives upon program implementation.

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

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of the Arms Export Control Act

Annex  
Item No. vi

(vi) Sensitivity of Technology:

1. The F-16A weapon system is unclassified except as mentioned below. The aircraft does contain state-of-the-art technology. Sensitive elements of the F-16A include the F100-PW-200/220 turbofan engine, the FMS version of the AN/ALR-69 radar warning receiver (RWR), the FMS version of the AN/ALQ-131 electronic countermeasures pod, the FMS version of the AN/APG-66 radar, the AIM-7 radar missile capability, the AIM-9 missile capability, the AIM-120 (AMRAAM) missile capability, the ATLIS II laser designator pod capability, and the fly by wire flight control system. The system design notes on software architecture are also critical elements.

2. Classified elements of the F-16A include the F100 engine infrared signature, radar software documentation, the Operational Flight Program (OFP) and the Emitter Identification Data (EID) for the ALR-69, the OFP and EID for the ALQ-131, the OFP for the Fire Control Computer, AIM-9 hardware, AIM-7 hardware, AIM-120 hardware, and 15 operating manuals and maintenance technical orders containing performance information, operating and test procedures, and other information related to support operation and repair at the organizational and intermediate levels. Classified elements of the MLU kit in addition to the above items include: the Advanced IFF (AIFF). The hardware, software, and data identified are classified to protect vulnerabilities, design, and performance parameters, munitions related data, and similar critical information.

3. If a technologically advanced adversary were to obtain knowledge of these specific hardware and software elements, they might be able to develop countermeasures or countertactics which could reduce weapon system effectiveness. Of additional concern, but requiring a much longer exploitation period, is the possibility such information could be used in the development of systems with similar advanced capabilities.

4. 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 proposed sale is necessary in furtherance of