

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 02-49]

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. J. Hurd, DSCA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 02-49 with attached transmittal and policy justification.

Dated: July 23, 2002.

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

BILLING CODE 5001-08-M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

22 JUL 2002

In reply refer to:
I-02/009752

The Honorable J. Dennis Hastert
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 (AECA), as amended, we are forwarding herewith transmittal no. 02-49 and under separate cover, the classified documents thereto. This transmittal concerns the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to Poland for defense articles and services estimated to cost \$1,049 million. Soon after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this transmittal.

Reporting of Offset Agreements in accordance with Section 36(b)(1)(C) of the Arms Export Control Act (AECA), as amended, requires a description of any offset agreement with respect to this proposed sale. Section 36(g) of the AECA, as amended, provides that reported information related to offset agreements be treated as confidential information in accordance with section 12(c) of the Export Administration Act of 1979 (50 U.S.C. App. 2411(c)). Information about offsets for this proposed sale is described in the enclosed confidential attachment.

Sincerely,


Richard J. Millies
Acting Director

Attachments

Separate Cover:
Classified Annex
Offset certificate

Same ltr to: House Committee on International Relations
Senate Committee on Appropriations
Senate Committee on Foreign Relations
House Committee on Armed Services
Senate Committee on Armed Services
House Committee on Appropriations

Transmittal No. 02-49

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

- (i) **Prospective Purchaser:** Poland
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|------------------------|
| Major Defense Equipment* | \$ 957 million |
| Other | \$ <u>92 million</u> |
| TOTAL | \$1,049 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 4 F-16C Block 50/52 aircraft with either the F100-PW-229 or F110-GE-129 engines and APG-68(V)9 FMS radars, 10 LAU-129 Launchers, 22 PANTERA weapon targeting systems, 6 reconnaissance pods, 48 conformal fuel tanks, 8 autonomous air combat maneuvering instruments, 48 Joint Helmet Mounted Cueing Systems, 48 Link 16 NATO Datalink Systems, 48 Advanced Integrated Defensive Electronic Warfare Suites, 20 Night Vision Goggles, 4 AN/APX-113 Identification Friend or Foe systems, 8 AN/ARC-210 SINGAR radios with HAVE QUICK II, 1 Pratt and Whitney F-100-PW-229 or F-110-GE-129 spare engine, 1 spare APG-68(V)9 FMS radar set, 178 AIM-9X Sidewinder missiles, 24 AIM-9X Sidewinder training missiles, 280 AGM-154A/C Joint Stand-Off Weapons, 215 MK-82 500# general purpose bombs, 140 CBU-97 bombs with Wind Correct Munitions Dispenser, and 214 GBU-22/24 Paveway III guided bomb units, associated support equipment, software development/integration, Night Vision Goggle-compatible cockpits, practice bombs, training missiles, ammunition, spare and repair parts, flight test instrumentation, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics personnel services, and other related elements of logistics support.
- (iv) **Military Department:** Air Force (SAC)
- (v) **Prior Related Cases, if any:**
 FMS case SAA - \$245 million – pending
 FMS case SAB - \$4,300 million - pending

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

- (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 under separate cover
- (viii) Date Report Delivered to Congress: 22 JUL 2002

POLICY JUSTIFICATION**Poland - F-16C Aircraft**

The Government of Poland has requested a possible sale of 4 F-16C Block 50/52 aircraft with either the F100-PW-229 or F110-GE-129 engines and APG-68(V)9 FMS radars, 10 LAU-129 Launchers, 22 PANTERA weapon targeting systems, 6 reconnaissance pods, 48 conformal fuel tanks, 8 autonomous air combat maneuvering instruments, 48 Joint Helmet Mounted Cueing Systems, 48 Link 16 NATO Datalink Systems, 48 Advanced Integrated Defensive Electronic Warfare Suites, 20 Night Vision Goggles, 4 AN/APX-113 Identification Friend or Foe systems, 8 AN/ARC-210 SINCGAR radios with HAVE QUICK II, 1 Pratt and Whitney F-100-PW-229 or F-110-GE-129 spare engine, 1 spare APG-68(V)9 FMS radar set, 178 AIM-9X Sidewinder missiles, 24 AIM-9X Sidewinder training missiles, 280 AGM-154A/C Joint Stand-Off Weapons, 215 MK-82 500# general purpose bombs, 140 CBU-97 bombs with Wind Correct Munitions Dispenser, and 214 GBU-22/24 Paveway III guided bomb units, associated support equipment, software development/integration, Night Vision Goggle-compatible cockpits, practice bombs, training missiles, ammunition, spare and repair parts, flight test instrumentation, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical and logistics personnel services, and other related elements of logistics support. The estimated cost is \$1,049 million.

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

This proposed sale of the F-16 aircraft would enhance NATO interoperability and simultaneously provide operational capabilities as Poland's inventory of Soviet-era aircraft is eventually retired. This proposed sale would not impact the regional military balance of power.

The principal contractors will be Lockheed Martin Aeronautics Company in Fort Worth, Texas; Pratt and Whitney in East Hartford, Connecticut; General Electric Aircraft Engines in Cincinnati, Ohio; Raytheon Corporation in Lexington, Massachusetts; and Boeing Company in Seattle, Washington. One or more proposed offset agreements may be related to this proposed sale.

Implementation will require the assignment of approximately 12 each U.S. Government and contractor representatives for a period of up to four years to provide program support commencing with delivery of the aircraft to Poland.

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