

Category	Adjusted twelve-month limit ¹
341	4,662,027 dozen.

¹ The limits have not been adjusted to account for any imports exported after December 31, 2003.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
D. Michael Hutchinson,
Acting Chairman, Committee for the Implementation of Textile Agreements.
[FR Doc. E4-2659 Filed 10-14-04; 8:45 am]

BILLING CODE 3510-DR-S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Wool Textile Products Produced or Manufactured in Malaysia

October 8, 2004.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner, Bureau of Customs and Border Protection adjusting limits.

EFFECTIVE DATE: October 15, 2004.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port, call (202) 344-2650, or refer to the Bureau of Customs and Border Protection Web site at <http://www.cbp.gov>. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel Web site at <http://otexa.ita.doc.gov>.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limit for Category 435 is being increased for swing, reducing the limit for Category 442 to account for the swing being applied to Category 435.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 69 FR 4926, published on February 2, 2004). Also see 68 FR 59921, published on October 20, 2003.

D. Michael Hutchinson,
Acting Chairman, Committee for the Implementation of Textile Agreements.
Committee for the Implementation of Textile Agreements
October 8, 2004.

Commissioner,
Bureau of Customs and Border Protection, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on October 14, 2003, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textiles and textile products and silk blend and other vegetable fiber apparel, produced or manufactured in Malaysia and exported during the twelve-month period which began on January 1, 2004 and extends through December 31, 2004.

Effective on October 15, 2004, you are directed to adjust the limits for the following categories, as provided for under the Uruguay Round Agreement on Textiles and Clothing:

Category	Adjusted twelve-month limit ¹
435	20,093 dozen.

Category	Adjusted twelve-month limit ¹
442	17,167 dozen.

¹ The limits have not been adjusted to account for any imports exported after December 31, 2003.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
D. Michael Hutchinson,
Acting Chairman, Committee for the Implementation of Textile Agreements.
[FR Doc. E4-2660 Filed 10-14-04; 8:45 am]

BILLING CODE 3510-DR-S

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05-11]

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. J. Hurd, DSCA/OPS-ADMIN, (703) 604-6575

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05-11 with attached transmittal, policy justification, Sensitivity of Technology, and Section 620C(d).

Dated: October 8, 2004.

L.M. Bynum,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001-06-M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

7 OCT 2004

**In reply refer to:
I-04/008406**

**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, as amended, we are forwarding herewith Transmittal No. 05-11, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services estimated to cost \$96 million. Soon after this letter is delivered to your office, we plan to notify the news media.

You will also find attached a certification as required by Section 620C(d) of the Foreign Assistance Act of 1961, as amended, that this action is consistent with Section 620C(b) of that statute.

Sincerely,

A handwritten signature in cursive script that reads "Richard J. Millies".

**Richard J. Millies
Deputy Director**

Enclosures:

- 1. Transmittal No. 05-11**
- 2. Policy Justification**
- 3. Sensitivity of Technology**
- 4. Section 620C(d)**

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

Transmittal No. 05-11

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

- (i) **Prospective Purchaser:** Turkey
- (ii) **Total Estimated Value:**
- | | |
|---------------------------------|----------------------------|
| Major Defense Equipment* | \$68 million |
| Other | <u>\$28 million</u> |
| TOTAL | \$96 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 225 AIM-9X SIDEWINDER Missiles, 5 AIM-9X Dummy Air Training Missiles, 20 AIM-9X Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support.
- (iv) **Military Department:** Navy (AHX)
- (v) **Prior Related Cases, if any:**
 FMS case AGS - \$30 million - 15Nov94
 FMS case AGC - \$18 million - 02Nov92
 FMS case AFV - \$16 million - 16Jan91
- (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:** 7 OCT 2004

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

POLICY JUSTIFICATION

Turkey – AIM-9X SIDEWINDER Missiles

The Government of Turkey has requested a possible sale of 225 AIM-9X SIDEWINDER Missiles, 5 AIM-9X Dummy Air Training Missiles, 20 AIM-9X Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support. The estimated cost is \$96 million.

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

The proposed sale of the AIM-9X SIDEWINDER missile systems is being addressed in conjunction with the planned modernization of their F-16 fighter aircraft. The missiles will significantly enhance the Air Force's current air-to-air intercept capability to equal capabilities within their region of operations. The Turkish Air Force has extensive experience operating the AIM-9M missile system with their F-16 aircraft and should have no difficulties incorporating this proposed upgraded weapon system into their forces. The missiles will be provided in accordance with, and subject to the limitation on use and transfer provided under the Arms Export Control Act, as amended, as embodied in the Letter of Offer and Acceptance. This proposed sale will improve Turkey's capacity to contribute to NATO operations and the Global War on Terrorism.

The proposed sale will not affect the basic military balance in the region or U.S. efforts to encourage a negotiated settlement of the Cyprus questions.

The prime contractor will be Raytheon Systems Corporation of Tucson, Arizona. Although generally the purchaser requires offsets, at this time, there are no known offset agreements proposed in connection with this potential sale.

There will be up to three U.S. Government and contractor representatives on a temporary basis for in-country training over the life of the missile systems.

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

Transmittal No. 05-11**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 AIM-9X represents a substantial increase in missile acquisition and kinematics performance over the AIM-9M. The missile includes a high off-bore-sight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Helmet Mounted Cueing System. The software algorithms are the most sensitive portions of the AIM-9X missile. The software continues to be modified during the testing phase in order to improve its counter-countermeasures capabilities. No software source code or algorithms will be released. Sensitive and/or classified (up to Secret) elements of the AIM-9X missiles include equipment/hardware, software, training, maintenance, documentation, and operation/performance.

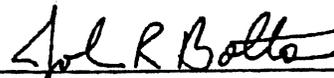
2. The external view of the AIM-9X SIDEWINDER missile is Unclassified and not sensitive. The AIM-9X features a high off-bore-sight seeker, enhanced countermeasure rejection capability, improved acquisition range and the ability to integrate with aircraft sensors. The seeker/guidance and control section and the target detector are Confidential and contain sensitive state-of-the-art technology. Specifically, the infrared seeker sensitivity is a significant improvement over the previous AIM-9 variants. Manuals and technical documents for the AIM-9X that are necessary or support operational use and organizational maintenance have portions classified up to Secret. Performance and operating logic of the counter-countermeasures circuits are Secret. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and similar critical information.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

CERTIFICATION UNDER § 620C(D)
OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to § 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 (§ 1-100) and State Department Delegation of Authority No. 145 (§ 1(a)(1)), I hereby certify that the furnishing to Turkey of 225 AIM-9X SIDEWINDER Missiles, five AIM-9X Dummy Air Training Missiles, 20 AIM-9X Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support is consistent with the principles contained in § 620C(b) of the Act.

This certification will be made part of the notification to Congress under § 36(b) of the Arms Export Control Act, as amended, regarding the proposed sale of the above-named articles and services and is based on the justification accompanying said notification, of which said justification constitutes a full explanation.



John R. Bolton
Under Secretary of State
for Arms Control and
International Security

[FR Doc. 04-23118 Filed 10-14-04; 8:45 am]

BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05-12]

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/OPS-ADMIN, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05-12 with attached transmittal, policy justification, Sensitivity of Technology, and Section 620C(d).

Dated: October 8, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001-06-M