CERTIFICATION PURSUANT TO § 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 and State Department Delegation of Authority No. 145, I hereby certify that the sale of defense articles and defense services, to include AGM-154A-1 Joint Standoff Weapon (JSOW) with BLU-111, AGM-154C JSOW, AGM-154-1 JSOW Dummy Air Training, AGM-154 JSOW Captive Flight Vehicles, AGM-154 JSOW Missile Simulation Units, containers, software development/integration, test sets and support equipment, system integration and testing, simulation units, spare and repair parts, training devices, 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, to the Government of Turkey is consistent with the principles set forth in § 620C(b) of the Act.

This certification will be made part of the notification to Congress in accordance with § 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.

Robert Joseph
Under Secretary of State
for Arms Control and
International Security

[FR Doc. 05–18755 Filed 9–20–05; 8:45 am]
BILLING CODE 5001–06–C

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05–29)

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/DBO/ADM, (703) 604–6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05–29 with attached transmittal, policy justification, Sensitivity of Technology and Section 620C(d).

Dated: September 14, 2005.

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

8 SEP 2005
In reply refer to:
I-05/005909

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. 05-29, concerning the Department of the Air Force's proposed Letters(s) of Offer and Acceptance to Turkey for defense articles and services estimated to cost $175 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,

Richard J. Millies
Deputy Director

Enclosures:
1. **Transmittal**
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. 05-29

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

(i) Prospective Purchaser: Turkey

(ii) Total Estimated Value:

Major Defense Equipment*	$130 million
Other	$ 45 million
TOTAL	$175 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of Turkey has requested a possible sale of:

Major Defense Equipment (MDE)

215 AN/APX-113 Advanced Identification Friend or Foe (AIFF);
203 Link 16 Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT);
2 AGM-84H Standoff Land Attack Missile-Expanded Response Exercise Missiles (SLAM-ER);
2 AGM-88B High-Speed Anti-Radiation Missile Captive Air Training Missiles (HARM);
50 CBU-103 and 50 CBU-105 Wind Corrected Munition Dispensers;
Joint Direct Attack Munition Kits: 200 GBU-31 Guided Bomb Unit (GBU) kits, 200 GBU-38 kits, and 100 BLU-109;
Joint Direct Attack Munition Integration Test Assets: 6 GBU-31 and 4 GBU-38 kits.

Non-MDE

1 AGM-154 Joint Standoff Weapon (JSOW) Missile Simulation Unit;
2 AGM-154C JSOW Captive Flight Vehicles;
2 AGM-84H SLAM-ER Missile Guidance Sections;
1 AGM-84H SLAM-ER Recoverable Air-Test Vehicles;
2 AGM-84L HARPOON Captive Air Training Missiles;
2 AGM-84L HARPOON Missile Guidance Sections;
1 AGM-88B HARM MOD III Telemetry Section; and
2 AIM-9X SIDEWINDER Captive Air Training Missiles

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

Also included are system integration and testing, missile modifications, software development/integration, test sets and support equipment, simulation units, link pods, spare and repair parts, training devices, 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 $175 million.

(iv) Military Department: Air Force (NCU, Amendment 2, QAT, and YAS)

(v) Prior Related Cases, if any:

FMS case NCE	-	**$1,099 million**	-	**26Apr05**
FMS case SLA	-	**$2,343 million**	-	**26Mar92**
FMS case SFA	-	**$3,270 million**	-	**09Dec83**

(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: 8 SEP 2005

POLICY JUSTIFICATION

Turkey - Munitions and Aircraft Components for F-16 Aircraft

The Government of Turkey has requested a possible sale of:

Major Defense Equipment (MDE)

215 AN/APX-113 Advanced Identification Friend or Foe (AIFF);
203 Link 16 Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT);
2 AGM-84H Joint Standoff Land Attack Missile-Expanded Response Exercise Missiles;
2 AGM-88B High-Speed Anti-Radiation Missile Captive Air Training Missiles;
50 CBU-103 and 50 CBU-105 Bombs;
Joint Direct Attack Munition Kits: 200 GBU-31 Guided Bomb Unit (GBU) kits, 200 GBU-38 kits, and 100 BLU-109;
Joint Direct Attack Munition Integration Test Assets: 6 GBU-31 and 4 GBU-38 kits.

Non-MDE

1 AGM-154 Joint Standoff Weapon (JSOW) Missile Simulation Unit;
2 AGM-154C JSOW Captive Flight Vehicles;
2 AGM-84H SLAM-ER Missile Guidance Sections;
1 AGM-84H SLAM-ER Recoverable Air-Test Vehicles;
2 AGM-84L HARPOON Captive Air Training Missiles;
2 AGM-84L HARPOON Missile Guidance Sections;
1 AGM-88B HARM MOD III Telemetry Section; and
2 AIM-9X SIDEWINDER Captive Air Training Missiles

Also included are system integration and testing, missile modifications, software development/integration, test sets and support equipment, simulation units, link pods, 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 $175 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.

This proposed modernization will enhance the Turkish Air Force's ability to defend Turkey while patrolling the nation's extensive coastline and borders against future threats and to contribute to the Global War on Terrorism and NATO operations. Turkey needs these capabilities for mutual defense, regional security, modernization, and U.S. and NATO interoperability. The proven reliability and compatibility of like systems integrated with numerous platforms will foster increased interoperability with NATO and U.S. forces, and expand regional defenses to counter common threats to air, border, and shipping assets in the region. The modernization of the F-16 aircraft 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.

Link-16 MIDS LVT improves interoperability with U.S. and NATO by providing Turkish aircraft with enhanced command, control communications system with high volume voice and data link.

Weapons integration will enable Turkey to keep pace with advances in technologies among other regional powers and solidify Turkey's ability to fight alongside the United States.

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

The principal contractors will be:

ViaSat	Carlsbad, California
BAE Advanced Systems	Greenlawn, New York
Boeing Integrated Defense Systems (three locations)	St Louis, Missouri Long Beach, California San Diego, California
Raytheon Missile Systems	Tucson, Arizona

Although generally the purchaser requires offsets, at this time, there are no known offset agreements proposed in connection with this potential sale.

The number of U.S. Government and contractor representatives to support this program will depend on results of negotiations with Turkish defense contractors on the content of local work and subsequent decisions by the Government of Turkey on contractor responsibilities for modification effort.

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

Transmittal No. 05-29

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 AN/APX-113 Advanced Identification Friend or Foe is a combined interrogator/transponder. The system generates and responds to friendly interrogations to provide target identification. It provides for FAA and ICAO mandated IFF Mode IIIC, as well as military Modes 1, 2, and 4. National Security Agency controlled COMSEC is required for classified military modes, including interrogation, to function. It also can operate in Mode S and has growth potential for Mode 5, which are newly adopted DoD requirements. The system is Unclassified until loaded with COMSEC; then it becomes Secret.

2. The Multifunctional Information Distribution System-Low Volume Terminal (MIDS-LVT) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. MIDS-LVT is intended to support key theater functions such as surveillance, identification, air control, weapons engagement coordination, and direction for all services and allied forces. The system will provide jamming-resistant, wide-area communications on a Link-16 network among MIDS and Joint Tactical Information Distribution System (JTIDS) equipped platforms. The MIDS/LVT and MIDS On Ship Terminal hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified Confidential. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

3. The Standoff Land Attack Missile/Expanded Response (SLAM-ER) is an air-launched, day/night, adverse weather, over-the-horizon, precision strike missile. SLAM-ER provides an effective, long range, precision strike option for both pre-planned and Target of Opportunity attack missions against land and maneuvering ship targets, and other moving targets. SLAM/ER contains a highly accurate, global

positioning system-aided guidance system; an imaging infrared seeker and two-way data link with the AWW-13 Advanced Data Link pod for Man-In-The-Loop (MITL) control; improved missile aerodynamic performance characteristics that allow both long range and flexible terminal attack profiles; and an ordnance section with good penetrating power and lethality. Advanced features on SLAM-ER include Automatic Target Acquisition (ATA). This function improves target acquisition in cluttered scenes, overcomes most infrared countermeasures, and mitigates the effects of environmentally degraded conditions. The SLAM-ER All Up Round (AUR) is classified Confidential; individual components (guidance, seeker, radome, warhead, and other components) are all classified Confidential; technical data and other documentation are classified up to Secret.

4. The AGM-88B High-Speed Anti-Radiation Missile (HARM) is a supersonic air-to-surface missile designed to seek and destroy enemy radar equipped air defense systems. HARM has a proportional guidance system that homes in on enemy radar emissions through a fixed antenna and seeker head in the missile nose. The missile consists of four sections including guidance, warhead, control section and rocket motor. AUR is classified Confidential; major components and subsystems range from Unclassified up to Secret; technical data and other documentation is up to Secret.

5. The Joint Direct Attack Munition (JDAM) is a guidance tail kit that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions. With the addition of a new tail section that contains an inertial navigational system and a global positioning system guidance control unit, JDAM improves the accuracy of unguided, general-purpose bombs in any weather condition. JDAM can be launched from very low to very high altitudes in a dive, toss and loft, or in straight and level flight with an on-axis or off-axis delivery. JDAM enables multiple weapons to be directed against single or multiple targets on a single pass. The JDAM AUR and all of its components are Unclassified; technical data for JDAM is classified up to Secret.

6. The AGM-154 Joint Standoff Weapon (JSOW) is a low observable, 1,000 lb. class, INS/GPS-guided, family of air-to-ground precision glide weapons. JSOW consists of a common airframe and avionics that provides for a modular payload assembly to attack stationary targets. JSOW provides combat forces with all weather, day/night, multiple kills per pass, launch and leave, and standoff capability (15 to 65 nm). JSOW A+ contains a 500 lb. warhead effective against armored vehicles, tanks, as well as soft targets. JSOW C incorporates an un-cooled, terminal-guidance imaging infrared seeker and a two-stage warhead composed of a shaped-charge precursor and a small penetrating warhead. It is effective against any target vulnerable to blast fragmentation and penetration. The JSOW AUR is Unclassified, including interrogation; major components and subsystems are classified up to Secret; and technical data and other documentation are up to Secret.

7. The AGM-84 Harpoon is an all weather, over-the-horizon, anti-ship missile system. Its low-level, sea-skimming cruise trajectory, active radar guidance and warhead design assure high survivability and effectiveness. The Harpoon missile is designed as an anti-ship cruise missile. It cruises just above the water's surface toward its target and just before impact does a terminal pop-up maneuver to counter close-in defenses and enhance warhead penetration. The Harpoon AUR is classified Confidential; individual components (guidance, seeker, radome, warhead, and other components) are all classified Confidential; technical data and other documentation are classified up to Secret.

8. The AIM-9X Sidewinder missile is a supersonic, air-to-air guided missile that employs a passive infrared (IR) target acquisition system, proportional navigational guidance, a closed-loop position servo Fin Actuator Unit, and a Target Detector. It features digital technology and micro-miniature solid-state electronics. A solid-propellant Rocket Motor propels the missile. The AIM-9X is configured with an Annular Blast Fragmentation warhead controlled by an Electronic Safe-Arm Device. Jet Vane Control provides enhanced maneuverability over other variants of the AIM-9, as well as most currently fielded foreign infrared missiles, by deflecting rocket motor thrust to aid in turning. The AIM-9X AUR is Confidential; major components and subsystems range from Unclassified to Confidential; and technical data and other documentation are classified up to Secret.

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

CERTIFICATION PURSUANT TO § 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 and State Department Delegation of Authority No. 145, I hereby certify that the sale of defense articles and defense services, to include 215 AN/APX-113 Advanced Identification Friend or Foe (AIFF), 203 Link 16 Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT), 2 AGM-84H Standoff Land Attack Missile-Expanded Response Exercise Missiles (SLAM-ER), 2 AGM-88B High-Speed Anti-Radiation Missile Captive Air Training Missiles (HARM), 50 CBU-103 and 50 CBU-105 Wind Corrected Munition Dispensers, 200 GBU-31 Guided Bomb Unit (GBU) kits, 200 GBU-38 kits, 100 BLU-109, 6 GBU-31 kits, 4 GBU-38 kits, 1 AGM-154 Joint Standoff Weapon (JSOW) Missile Simulation Unit, 2 AGM-154C JSOW Captive Flight Vehicles, 2 AGM-84H SLAM-ER Missile Guidance Sections, 1 AGM-84H SLAM-ER Recoverable Air-Test Vehicle, 2 AGM-84L HARPOON Captive Air Training Missiles, 2 AGM-84L HARPOON Missile Guidance Sections, 1 AGM-88B HARM MOD III Telemetry Section, 2 AIM-9X SIDEWINDER Captive Air Training Missiles, system integration and testing, missile modifications, software development/integration, test sets and support equipment, simulation units, link pods, spare and repair parts, training devices, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contactor representatives, contactor engineering and technical support services, and other related elements of logistics support, to the Government of Turkey is consistent with the principles set forth in § 620C(b) of the Act.

This certification will be made part of the notification to Congress in accordance with § 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.

Robert Joseph
Under Secretary of State
for Arms Control and
International Security

[FR Doc. 05–18756 Filed 9–20–05; 8:45 am]
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