DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 09–46]

36(b)(1) Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, DoD.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification 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.

SUPPLEMENTARY INFORMATION: The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 09–46 with attached transmittal, policy justification, and Sensitivity of Technology.

BILLING CODE 5001–06–P

DEFENSE SECURITY COOPERATION AGENCY
201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

NOV 3 0 2009

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

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. 09-46, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Hashemite Kingdom of Jordan for defense articles and services estimated to cost $388 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

Beth M. McCormick
Deputy Director

Enclosures:
1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Regional Balance (Classified Document Provided Under Separate Cover)

Same ltr to: Committee on Foreign Relations

Transmittal No. 09-46

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: Jordan

(ii) Total Estimated Value:

Major Defense Equipment*	$ 365 million
Other	$ 23 million
TOTAL	$ 388 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: 1808 JAVELIN Anti-Tank Guided Missiles, 18 Fly-to-Buy Missiles, 162 JAVELIN Command Launch Units (CLUs) with Integrated Day/Thermal Sight, containers, missile simulation rounds, enhanced basic skills trainer (EPBST), rechargeable and non-rechargeable batteries, battery dischargers and chargers, and coolant units, support equipment, spare and repair parts, publications and technical data, U.S. Government and contractor engineering and logistics personnel services, and other related elements of logistics support.

(iv) Military Department: US Army (WCN and WYD)

(v) Prior Related Cases: FMS Case VXG-$16M–10Jan02

(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 Attached Annex

(viii) Date Report Delivered to Congress: NOV 30 2009

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

POLICY JUSTIFICATION

Jordan – JAVELIN Guided Missile Systems

The Hashemite Kingdom of Jordan has requested a possible sale of 1808 JAVELIN Anti-Tank Guided Missiles, 18 Fly-to-Buy Missiles, 162 JAVELIN Command Launch Units (CLUs) with Integrated Day/Thermal Sight, containers, missile simulation rounds, enhanced basic skills trainer (EPBST), rechargeable and non-rechargeable batteries, battery dischargers and chargers, and coolant units, support equipment, spare and repair parts, publications and technical data, U.S. Government and contractor engineering and logistics personnel services, and other related elements of logistics support. The estimated cost is $388 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 Major Non-NATO Ally which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Jordan's capability to meet current and future threats. Jordan will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Jordan, which already has Javelin Anti-Tank missiles in its inventory, will have no difficulty absorbing these additional missiles.

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

The prime contractor will be a Javelin Joint Venture of Raytheon of Tucson, Arizona and Lockheed Martin of Orlando, Florida. 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 Jordan.

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

Transmittal No. 09-46

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

Annex
Item No. vii

(vii) Sensitivity of Technology:

1. The Javelin Weapon System hardware and the documentation provided with the sale thereof are unclassified. However, sensitive technology is contained within the system itself. This sensitivity is primarily in the software programs which instruct the system how to operate in the presence of countermeasures.

2. The JAVELIN Anti-Tank missile system provides a man-portable, medium anti-tank capability to infantry, scouts, and combat engineers. JAVELIN is comprised of two major tactical components: a reusable Command Launch Unit (CLU) and a missile sealed in a disposable launch tube assembly. The CLU provides the interface between the operator and the missile. The CLU incorporates an integrated day/night sight and provides target engagement capability in adverse weather and countermeasure environments. The CLU's thermal sight is a second-generation Forward Looking Infrared (FLIR) sensor, operating in the 8 to 10 microns wavelength, and is a 240x2 scanning array integral with Dewar/Cooler unit. To facilitate initial loading and subsequent updating of software, all on-broad missile software is uploaded via the CLU after mating and prior to launch. JAVELIN is Unclassified; however, information associated with the system is classified up to Secret.

3. The software programs contained in the JAVELIN Weapon System are in the form of microprocessors equipped with available Read Out Memory maps. However, the system does not allow access to the actual software program. The overall hardware is considered sensitive in that the modulation frequency and infrared wavelengths could be useful in attempted countermeasure developments.

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

Dated: December 1, 2009.

Mitchell S. Bryman,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. E9–29022 Filed 12–4–09; 8:45 am]

BILLING CODE 5001–06–C

DEPARTMENT OF EDUCATION

[CFDA NO. 84.031H]

Office of Postsecondary Education; Strengthening Institutions Program (SIP), American Indian Tribally Controlled Colleges and Universities (TCCU), Alaska Native and Native Hawaiian-Serving Institutions (ANNH), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI), Native American Serving Nontribal Institutions (NASNTI), Developing Hispanic-Serving Institutions (HSI), Promoting Postbaccalaureate Opportunities for Hispanic Americans (PPOHA), and Predominantly Black Institutions (PBI) Programs for Fiscal Year (FY) 2010

Purpose of Programs: The SIP, TCCU, ANNH, AANAPISI, NASNTI and PBI Programs are authorized under Title III, Part A, of the Higher Education Act of 1965, as amended (HEA). Under these programs, institutions of higher education (IHEs or institutions) are eligible to apply for grants if they meet specific statutory and regulatory eligibility requirements. Similarly, IHEs are eligible to apply for grants under Title V of the HEA if they meet specific statutory and regulatory requirements. The HSI and PPOHA Programs are authorized under Title V, Parts A and B of the HEA. In addition, under Title III of the HEA, institutions applying for grants under the AANAPISI and NASNTI Programs must be eligible institutions as defined in section 312(b) of the HEA. Institutions applying for grants under the PBI Program must be eligible institutions as defined in section 318(b)(1).

An IHE that is designated as an eligible institution may also receive a