

[FR Doc. E8-23337 Filed 10-3-08; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 08-26]

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. B. English, DSCAIDBO/CFM, (703) 601-3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 08-26 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: September 25, 2008.

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

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**DEFENSE SECURITY COOPERATION AGENCY
2800 DEFENSE PENTAGON
WASHINGTON, DC 20301-2800**

SEP 08 2008

**In reply refer to:
USP002191-08**

**The Honorable Nancy Pelosi
Speaker of the House of Representatives
Washington, DC 20515-6501**

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. 08-26, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost \$737 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,

A handwritten signature in black ink, appearing to read "Jeffrey A. Wieringa".

**Jeffrey A. Wieringa
Vice Admiral, USN
Director**

Enclosures:

- 1. Transmittal**
- 2. Policy Justification**
- 3. Sensitivity of Technology**

Same ltr to:

**House
Committee on Foreign Affairs
Committee on Armed Services
Committee on Appropriations**

**Senate
Committee on Foreign Relations
Committee on Armed Services
Committee on Appropriations**

Transmittal No. 08-26

**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:** United Arab Emirates
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|----------------------|
| Major Defense Equipment* | \$460 million |
| Other | <u>\$277 million</u> |
| TOTAL | \$737 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 78 complete AVENGER fire units including Vehicle Mounted Stinger Launch Platform (VMSLP) fire units (72 Tactical and 6 floats); 780 STINGER-Reprogrammable Micro-Processor (RMP) Block 1 Anti-Aircraft missiles; 24 STINGER Block 1 Buy-to-Fly missiles; 78 Captive Flight Trainers, 16 AN/MPQ64-F1 SENTINEL Radars; 78 AN/VRC-92E Single Channel Ground and Airborne Radio System (SINCGARS) radios; 78 Enhanced Position Location Reporting System (EPLRS) Radios; 20 Integrated Fire Control Stations, S250 Shelters on High Mobility Multi-Purpose Wheeled Vehicles (HMMWV), communication and support equipment, system integration and checkout, tools and test equipment, spare and repair parts, publications, installation, personnel training and training equipment, U.S. Government and contractor technical support services, and other related elements of logistics support.
- (iv) **Military Department:** Army (ZUI, ZUJ)
- (v) **Prior Related Cases, if any:** none
- (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:** SEP 0 8 2008

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

POLICY JUSTIFICATION**United Arab Emirates – AVENGER and VMSLP Fire Units**

The Government of the United Arab Emirates has requested a possible sale of 78 complete AVENGER fire units including Vehicle Mounted Stinger Launch Platform (VMSLP) fire units (72 Tactical and 6 floats); 780 STINGER-Reprogrammable Micro-Processor (RMP) Block 1 Anti-Aircraft missiles; 24 STINGER Block 1 Buy-to-Fly missiles; 78 Captive Flight Trainers, 16 AN/MPQ64-F1 SENTINEL Radars; 78 AN/VRC-92E Single Channel Ground and Airborne Radio System (SINCGARS) radios; 78 Enhanced Position Location Reporting System (EPLRS) Radios; 20 Integrated Fire Control Stations, S250 Shelters on HMMWVs, communication and support equipment, system integration and checkout, tools and test equipment, spare and repair parts, publications, installation, personnel training and training equipment, U.S. Government and contractor technical support services, and other related elements of logistics support. The estimated cost is \$737 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 friendly country that has been and continues to be an important force for political stability and economic progress in the Middle East.

The Buy-to-Fly missiles will be used by the U.S. Government for acceptance testing of missile lots as necessary. Any unexpended Buy-to-Fly missiles will be delivered to the United Arab Emirates.

The proposed sale of these weapon systems will strengthen the effectiveness and interoperability of a trusted coalition partner, reduce the dependence on U.S. forces in the region, and enhance any coalition operations the U.S. may undertake. The United Arab Emirates will have no difficulty absorbing these weapon systems into its armed forces.

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

The principal contractors will be:

**Boeing Aerospace Company of Huntsville, Alabama
Raytheon Missile Systems of Tucson, Arizona
Thales Raytheon of Fullerton, California**

There are no offset agreements proposed in connection with this potential sale.

The United Arab Emirates does desire a government support presence in its country on an extended basis. An in-country field office comprised of three contractor Field Service Representatives and one U.S. Government personnel will be stationed in the United Arab Emirates for a period of five years.

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

Transmittal No. 08-26**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 highest classification of the AVENGER hardware is Confidential and the data and information is Secret.**

a. **The AVENGER fire unit utilizes two Stinger Vehicle Universal Launchers to allow for the loading and firing of eight STINGER missiles. The primary critical technology associated with the AVENGER system is the STINGER missile utilized with the system. The Avenger control electronics unit integrates several inputs and outputs for the overall fire unit control. This could be used to develop evasive tactics. The AVENGER system utilizes a Confidential software Personal Computer Memory Card International Adapter card for upload of critical missile software orientation and kinematic range information to the platform. The laser range finder and Forward Looking Infra Red could compromise detailed design and fabrication information for these systems and their use with small missiles. The AVENGER/STINGER training equipment contains operational seeker hardware and firmware and must be protected by the same level of controls as tactical hardware.**

b. **The STINGER Block I International Missile System, hardware, software and documentation contain sensitive technology and are classified Confidential. The guidance section of the missile and tracking head trainer contain highly sensitive technology and are classified Confidential. No man-portable grip stocks will be sold under these LOAs.**

c. **Missile System hardware and fire unit components contain sensitive/critical technologies. STINGER critical technology is primarily in the area of design and production know-how and not end-items. This sensitive/critical technology is inherent in the hybrid microcircuit assemblies; microprocessors; magnetic and amorphous metals; purification; firmware; printed circuit boards; laser range finder; dual detector assembly; detector filters; missile software; optical coatings; ultraviolet sensors; semi-conductor detectors infrared band sensors; compounding and handling of electronic, electro-optic, and optical materials; equipment operating instructions;**

energetic materials formulation technology; energetic materials fabrication and loading technology; and warhead components seeker assembly. Information on vulnerability to electronic countermeasures and countermeasures, system performance capabilities and effectiveness, and test data are classified up to Secret.

d. The Sentinel radar (AN/MPQ-64) is a highly mobile phased-array radar that provides highly accurate 3 dimensional radar track data to using system via the Forward Area Air Defense Command, Control, and Intelligence (C2I) node. The Sentinel Export configuration AN/MPQ-64 being offered is a derivative of the US Army Sentinel Radar. The hardware is classified Confidential when the software is loaded into the hardware, and Unclassified with the software removed and purged.

e. The Sentinel consists of a radar-based sensor system with the M1097A2 as the prime mover and the MEP-813A Tactical Quite Generator as the power source. The sensor is a an advanced, battlefield capable X-Band air defense phased-array with an instrumented range of 40 kilometers with a rotating antenna providing 360 degree azimuth coverage for acquisition and tracking.

f. Sentinel has only one item currently designated Critical Program Information, (CPI) and that is the Sentinel software modules containing routines for electronic counter-countermeasures (ECCM) have been determined to be a CPI. However, several parameters and characteristics must be protected against unwanted exploitation. The upper and lower limits of the instantaneous bandwidth are classified Secret to protect Pre-planned Product Improvement (P3I) development. The upper and lower limits of target velocity processing are classified as Secret. The upper and lower limits of Doppler frequency processing are classified as Secret. Receiver sensitivity is classified Confidential. Receiver front-end bandwidth is classified as Confidential. Antenna gain pattern is classified as Confidential. Distribution of technical performance and system capabilities reports and data shall only be released up to the Confidential level. It is not possible to obtain the Sentinel wartime reserved frequencies by reverse engineering, testing, or analyzing the unclassified Sentinel end item.

2. 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.

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