

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal Nos. 08–99]

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, DSCA/DBO/CFM, (703) 601–3740.

The following is a copy of a letter to the Speaker of the House of

Representatives, Transmittals 08–99 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: October 7, 2008.

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

BILLING CODE 5001–06–M



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

SEP 26 2008

**In reply refer to:
USP012066-08**

**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. 08-99, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Pakistan for defense articles and services estimated to cost \$115 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. 08-99

**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:** Pakistan
- (ii) **Total Estimated Value:**
- | | |
|---------------------------------|-----------------------------|
| Major Defense Equipment* | \$ 0 million |
| Other | <u>\$115 million</u> |
| TOTAL | \$115 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** refurbishment of eight AH-1F Cobra Helicopters. The Government of Pakistan has also requested warranties, system integration, spare and repairs parts, including transportation for the parts, support equipment, personnel training and training equipment, publications and technical data, U.S. Government and contractor engineering and logistics support services, and other related elements of logistics support.
- (iv) **Military Department:** Army (IAA, Amd #3)
- (v) **Prior Related Cases, if any:**
FMS case IAC - \$ 2 million - 19Mar04
FMS case IAA - \$49 million - 12Apr04
- (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 26 2008

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

POLICY JUSTIFICATION

Pakistan – AH-1F Cobra Helicopter Refurbishment

The Government of Pakistan has requested a possible sale of refurbishment and maintenance of eight AH-1F Cobra Helicopters. The Government of Pakistan has also requested warranties, system integration, spare and repairs parts, including transportation for the parts, support equipment, personnel training and training equipment, publications and technical data, U.S. Government and contractor engineering and logistics support services, and other related elements of logistics support. The estimated cost is \$115 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 economic progress in South Asia and a partner in the Global War on Terrorism. In addition, the Cobra helicopters are a very important part of Pakistan's ongoing efforts to defeat the Taliban and Al Qaeda in the Federally Administered Tribal Areas and the Northwest Frontier Province. The Pakistan Army uses the Cobras to conduct and support counterinsurgency and counterterrorism operations.

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

The prime contractor will be US Helicopter in Ozark, Alabama. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple U.S. Government and contractor representatives in Pakistan for approximately three weeks to ensure delivery and operability of the equipment. Also, a three person Field Office will be established for three years to provide technical assistance and contract administration for the Pakistan Army.

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

Transmittal No. 08-99**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 AH-1F drawings, specifications, hardware, and operating characteristics are Unclassified. The degree of sensitivity is low. Sensitive items consist of the aircraft survivability equipment listed below. The software loaded into the Threat Data Package on each aircraft is also sensitive.

a. The AN/ALQ-144A(V)3 Infrared Jammer is an active, continuous operating, omni-directional, electrically fired infrared (IR) jammer system designed to confuse or decoy threat IR missile systems, in conjunction with low reflective paint and engine suppressors. The hardware is classified Confidential. Releasable technical manuals for operation and maintenance are classified Secret. Reverse engineering and development of counter countermeasures are concerns if the hardware and releasable technical data are compromised to a competent adversary.

b. The AN/APR-39A(V)3 Radar Signal Detecting Set provides warning of a radar directed air defense threat to allow appropriate countermeasures. The hardware is classified Confidential when programmed with U.S. threat data, and releasable technical manuals for operation and maintenance are classified Confidential. Releasable technical data pertaining to performance is classified Secret. The system can be programmed with threat data provided by the purchasing country.

c. The AN/AVR-2 Laser Warning Set is a passive laser warning system that receives, processes, and displays threat information resulting from aircraft illumination by lasers. The hardware is classified Confidential. Releasable technical manuals for operation and maintenance are classified Secret.

d. The Talon RT 8303 Series Radio combining FM, UHF, and VHF capabilities on each helicopter is sensitive. Both the hardware and software are Unclassified. Reverse engineering is very possible, but will reveal no new technology.

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.

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal Nos. 08–41]

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