

Transmittal No. 04-19

**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 possible sale of SM-2 Block IIIB STANDARD missiles will result in the transfer of sensitive technology and information as well as classified and unclassified defense equipment and technical data. The STANDARD missile hardware including: guidance section, target detecting device, warhead, rocket motor, steering control section, safety and arming device, and auto-pilot battery unit are classified Confidential. Certain operating frequencies and performance characteristics are classified Secret. Confidential documentation to be provided includes: parametric documents, general performance data, firing guidance, kinematics information, Intermediate Maintenance Activity (IMA)-level maintenance, and flight analysis procedures.

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.

3. A determination has been made that Japan can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

[FR Doc. 04-16637 Filed 7-21-04; 8:45 am]
BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 04-15]

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 Pub. L. 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 04-15 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: July 16, 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

15 JUL 2004
In reply refer to:
I-04/001754

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. 04-08, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance (LOA) to India for defense articles and services estimated to cost \$40 million. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,


Richard J. Millies
Deputy Director

Enclosures:

- 1. Transmittal No. 04-08**
- 2. Policy Justification**
- 3. Sensitivity of Technology**

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. 04-08

**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:** India
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|----------------------------|
| Major Defense Equipment* | \$20 million |
| Other | <u>\$20 million</u> |
| TOTAL | \$40 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** three aircraft self-protection systems which consist of three components:
- AN/AAQ-24 Large Aircraft Infrared Countermeasures System
AN/ALE-47H Countermeasure Dispensing System
AN/ALQ-211 Early Warning Suite Controller and Radar Warning
- Also included, associated support equipment, installation, test support, spare and repair parts, publications, personnel training and training equipment, technical assistance, contractor technical and logistics personnel services and other related elements of program support.
- (iv) **Military Department:** Air Force (QJC)
- (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:** 15 JUL 2004

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

POLICY JUSTIFICATION

India – Aircraft Self-protection Systems

The Government of India has requested a possible sale of three aircraft self-protection systems that consist of three components:

**AN/AAQ-24 Large Aircraft Infrared Countermeasures System
AN/ALE-47H Countermeasure Dispensing System
AN/ALQ-211 Early Warning Suite Controller and Radar Warning**

Also included, associated support equipment, installation, test support, spare and repair parts, publications, personnel training and training equipment, technical assistance, contractor technical and logistics personnel services and other related elements of program support. The estimated cost is \$40 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 and strategic partner which has been, and continues to be, an important force for political stability and economic progress in South Asia.

India will install the self-protection systems on three new Boeing 737 aircraft. They will use the system for the movement and protection of their Head of State. India will have no difficulty absorbing these systems into its armed forces.

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

The prime contractor will be L3 Communications of Greenville, Texas. Additional subcontractors may be needed depending on the exact nature of the contracting arrangements established. There are no known offset agreements in connection with this proposed sale.

Implementation of this proposed sale will require the assignment of ten each U.S. Government and contractor representatives for two-week intervals annually to participate in program management and technical review.

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

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**Annex
Item No. vii**

(vii) Sensitivity of Technology:

1. The AN/AAQ-24(V) NEMESIS Directional Infrared Countermeasures (DIRCM) with a multi-band laser on large infrared signature aircraft reduces the number of required transmitters and increases effectiveness against threats from modern Man-Portable Air Defense Systems. This aircraft self-protection suite will provide fast and accurate threat detection, processing, tracking, and countermeasures to defeat current and future generation infrared missile threats. DIRCM is designed for installation on a wide range of rotary and fixed-wing aircraft. The ALQ-211 Suite of Integrated RF Countermeasures provides advanced radar warning, situational awareness, and electronic countermeasures capabilities. The AN/ALE-47 is a chaff/flare dispensing system.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software in this proposed sale, 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 advance capabilities.

3. A determination has been made that India can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

[FR Doc. 04-16640 Filed 7-21-04; 8:45 am]
BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE**Office of the Secretary****Finding of No Significant Impact for the Mobile Launch Platform**

AGENCY: Missile Defense Agency, Department of Defense.

ACTION: Notice.

SUMMARY: The Missile Defense Agency (MDA) prepared an Environmental Assessment (EA) to evaluate the potential environmental impacts of activities associated with using the Mobile Launch Platform (MLP) as a platform for testing sensors, launching target missiles, and launching interceptor missiles and the EA is hereby incorporated by reference. The MLP is the former USS Tripoli (LPH 10), a converted U.S. Navy Iwo Jima class Amphibious Assault Ship (Helicopter). The EA considers the impacts of

specific tests that propose to use the MLP. After reviewing and analyzing currently available data and information on existing conditions, project impacts, and measures to mitigate those impacts, the MDA has determined that the proposed action is a Federal action that would not significantly affect the quality of the human environment within the meaning of the National Environmental Policy Act (NEPA) of 1969, as amended. Therefore the preparation of an Environmental Impact Statement (EIS) is not required and MDA is issuing a Finding of No Significant Impact (FONSI). The MDA made this determination in accordance with all applicable environmental laws.

The EA was prepared in accordance with NEPA; the Council on Environmental Quality regulations that implement NEPA (Code of Federal Regulations [CFR], title 40, parts 1500-1508); Department of Defense (DoD) Instruction 4715.9, *Environmental Planning and Analysis*; the applicable service regulations that implement these

laws and regulations; and Executive Order (E.O.) 12114, *Environmental Effects Abroad of Major Federal Actions*, which direct DoD lead agency officials to consider potential environmental impacts and consequences when authorizing or approving Federal actions. The Draft EA was released for public comment on April 28, 2004. The Notice of Availability was published in the **Federal Register** on May 6, 2004. All comments received were considered in the preparation of the EA. An electronic copy of the EA is available for download at the following Web site: <http://www.acq.osd.mil/bmdo/bmdolink/html/bmdolink.html>.

ADDRESSES: Submit request for a copy of the MLP EA to MDA/TER, Attn: Mr. Crate Spears, 7100 Defense Pentagon Washington, DC 20301-7100.

SUPPLEMENTARY INFORMATION:

A. *Description of the Proposed Action:* The purpose of the proposed action is to provide a mobile sea-based platform from which to more realistically test sensors (radars,