

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal No. 07-18]

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, Transmittal 07-18 with attached transmittal and policy justification.

Dated: May 7, 2007.

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

In reply refer to:
I-07/003384

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. 07-18, concerning the Department of the Navy's proposed Letters(s) of Offer and Acceptance to Turkey for defense articles and services estimated to cost \$71 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

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 the principles set forth in subsection 620C(b) of that Act as codified in section 2373 of title 22, United States Code.

Sincerely,

A handwritten signature in black ink, appearing to read "J. B. Kopleh".

JEFFREY D. KOPLEH,
LIEUTENANT GENERAL, USAF
DIRECTOR

Enclosures:

1. Transmittal
2. Policy Justification
3. Sensitivity of Technology
4. Section 620C(d)

Transmittal No. 07-18

**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* | \$55 million |
| Other | <u>\$16 million</u> |
| TOTAL | \$71 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 105 AIM-9X All-Up-Round SIDEWINDER Missiles, 78 LAU-129 launchers, 22 Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government (USG) and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support.
- (iv) **Military Department:** Navy (AAI)
- (v) **Prior Related Cases, if any:** FMS case AHX - 549 million - 20Sep05
- (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:**

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

POLICY JUSTIFICATION

Turkey - AIM-9X All-Up-Round SIDEWINDER Missiles

The Government of Turkey has requested a possible sale of 105 AIM-9X All-Up-Round SIDEWINDER Missiles, 78 LAU-129 launchers, 22 Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government (USG) and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support. The estimated cost is \$71 million.

Turkey is a political and economic power in Europe and the eastern Mediterranean, and a partner of the United States in ensuring peace and stability in those regions. It is vital to the U.S. national interest to assist our Turkish North Atlantic Treaty Organization ally in developing and maintaining a strong and ready self-defense capability that will contribute to an acceptable military balance in the area. This proposed sale is consistent with those objectives.

The proposed sale of the AIM-9X SIDEWINDER missiles is part of Turkey's modernization effort and will enhance its current air-to-air intercept capability. Sales of the AIM-9X have recently been approved for other customers within the region. The missiles will be provided in accordance with, and subject to the limitation on use and transfer provided under the Arms Export Control Act, as amended, and as embodied in the Letter of Offer and Acceptance.

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 question.

The prime contractor will be Raytheon Systems Corporation, Tucson, Arizona. Offset agreements associated with this proposed sale are expected, but at this time the specific offset agreements are undetermined and will be defined in negotiations between the purchaser and contractors.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Turkey.

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

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of the Arms Export Control Act**

**Annex
Item No. vii**

(vii) Sensitivity of Technology:

1. The AIM-9X represents a substantial increase in missile acquisition and kinematics performance over previous AIM-9 variants. The missile includes a high off bore-sight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Joint Helmet Mounted Cueing System. The software algorithms are the most sensitive portions of the AIM-9X missile. The software continues to be modified during the testing phase in order to improve its counter-countermeasures capabilities. No software source code or algorithms will be released. Sensitive and/or classified (up to Secret) elements of the AIM-9X missiles include equipment/hardware, and software, and classified portions of operational performance. Maintenance training documentation is unclassified, including missile sectionalization training.

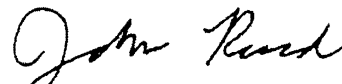
2. The external view of the AIM-9X Sidewinder Missile is Unclassified and is not sensitive. The seeker/guidance and control section and the target detector are Confidential and contain sensitive state-of-the-art technology. Specifically, the infrared seeker sensitivity is a significant improvement over the previous AIM-9 variants. Manuals and technical documents for the AIM-9X that support the ability to integrate with aircraft sensors are classified up to Secret. Performance and operating logic of the counter-countermeasures circuits are Secret. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters, and similar critical information.

3. 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 systems effectiveness or could be used in the development of a system with similar or advanced capabilities.

UNCLASSIFIED**CERTIFICATION PURSUANT TO § 620C(d)
OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED**

Pursuant to Section 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163, State Department Delegation of Authority No. 293-1, and a State Department Delegation of Authority signed March 12, 2007, I hereby certify that the furnishing to Turkey of 105 AIM-9X All-Up-Round SIDEWINDER missiles, 78 LAU-129 launchers, 22 Captive Air Training Missiles, missile containers, missile modifications, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government (USG) and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support is consistent with the principles contained in Section 620C(b) of the Act.

This certification will be made part of the notification to Congress under Section 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.



John C. Rood
Assistant Secretary of State
for International Security and
Nonproliferation

[FR Doc. 07-2330 Filed 5-10-07; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 07-20]

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ACTION: Notice.

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