CERTIFICATION UNDER § 620C(D) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to § 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 (§ 1-100) and State Department Delegation of Authority No. 145 (§ 1(a)(1)), I hereby certify that the furnishing to Turkey of 225 AIM-9X SIDEWINDER Missiles, five AIM-9X Dummy Air Training Missiles, 20 AIM-9X 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 and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support is consistent with the principles contained in § 620C(b) of the Act.

This certification will be made part of the notification to Congress under § 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 R. Bolton
Under Secretary of State
for Arms Control and
International Security

[FR Doc. 04–23118 Filed 10–14–04; 8:45 am]
BILLING CODE 5001–06–C

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05–12]

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. 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 05–12 with attached transmittal, policy justification, Sensitivity of Technology, and Section 620C(d).

Dated: October 8, 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

7 OCT 2004
In reply refer to:
I-04/008873

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. 05-12**, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Turkey for defense articles and services estimated to cost $3.888 billion. Soon after this letter is delivered to your office, we plan to notify the news media.**

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 Section 620C(b) of that statute.

Sincerely,

Richard J. Millies
Deputy Director

Enclosures:
1. **Transmittal No.** 05-12
2. **Policy Justification**
3. **Sensitivity of Technology**
4. **Section 620C(d)**

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. 05-12

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

(i) **Prospective Purchaser: Turkey**

(ii) **Total Estimated Value:**

Major Defense Equipment*	$ .652 billion
Other	$3.236 billion
TOTAL	$3.888 billion

(iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: the modernization of 218 F-16 aircraft. This proposed sale will modify 104 F-16 Block 40, 76 F-16 Block 50 and 38 F-16 Block 30 aircraft. The proposed sale will include the following MDE items for integration and testing:**

180 AN/APG-68(V)9 radars;
7 full mission trainers for upgrade/replacement;
200 Joint Helmet Mounted Cueing Systems (JHMCS);
200 AN/AVS-9 Night Vision Goggles (NVG);
4 AGM-84H Joint Standoff Land Attack Missile-Expanded Response (SLAM-ER);
4 AGM-84 HARPOON missiles;
6 AIM-120C Advanced Medium Range Air-to-Air Missiles (AMRAAM);
4 drones (aerial targets);
1 AGM-154B Joint Standoff Weapon (JSOW);
1 AGM-154A JSOW;
2 AIM-9X SIDEWINDER missiles;
2 CBU-103 Cluster Bomb Units with Wind Corrected Munitions Dispenser (WCMD);
2 CBU-105 Sensor Fused Weapon with WCMD;
1 AGM-88B High-Speed Anti-Radiation Missiles (HARM); and
2 AN/ASQ-213 HARM Targeting System (export) (HTS(E).

The proposed upgraded capabilities will include integration of the Modular Mission Computer, AN/APG-68(V)9, JHMCS, AN/AVS-9, Link-16, Self-Protection Electronic Warfare Suite (SPEWS II), HTS(E), export versions of weapons available on F-16s, plus five additional foreign weapon systems: Infra-Red Improved SIDEWINDER-TVC (IRIS-T) (Germany) and PENGUIN (Norway), PYTHON-5 (Israel), DERBY (Israel), and SPICE (Israel). Also included are system integration and testing, missile modifications, software development/integration, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support.

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

(iv) **Military Department: Air Force (NCU)**

(v) **Prior Related Cases, if any:**

FMS case NCE	**- $ 162 million**	**- 26Mar92**
FMS case SLA	**- $2,343 million**	**- 26Mar92**
FMS case SFA	**- $3,270 million**	**- 09Dec83**

(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:** 7 OCT 2004

POLICY JUSTIFICATION

Turkey – F-16 Modernization Program

The Government of Turkey has requested a possible sale for the modernization of 218 F-16 aircraft. This proposed sale will modify 104 F-16 Block 40, 76 F-16 Block 50 and 38 F-16 Block 30 aircraft. The proposed sale will include the following MDE items for integration and testing:

180 AN/APG-68(V)9 radars;
7 full mission trainers for upgrade/replacement;
200 Joint Helmet Mounted Cueing Systems (JHMCS);
200 AN/AVS-9 Night Vision Goggles (NVG);
4 AGM-84H Joint Standoff Land Attack Missile-Expanded Response (SLAM-ER);
4 AGM-84 HARPOON missiles;
6 AIM-120C Advanced Medium Range Air-to-Air Missiles (AMRAAM);
4 drones (aerial targets);
1 AGM-154B Joint Standoff Weapon (JSOW);
1 AGM-154A JSOW;
2 AIM-9X SIDEWINDER missiles;
2 CBU-103 Cluster Bomb Units with Wind Corrected Munitions Dispenser (WCMD);
2 CBU-105 Sensor Fused Weapon with WCMD;
1 AGM-88B High-Speed Anti-Radiation Missiles (HARM);
2 AN/ASQ-213 HARM Targeting System (export) (HTS(E).

The proposed upgraded capabilities will include integration of the Modular Mission Computer, AN/APG-68(V)9, JHMCS, AN/AVS-9, Link-16, Self-Protection Electronic Warfare Suite (SPEWS II), HTS(E), export versions of weapons available on F-16s, plus five additional foreign weapon systems: Infra-Red Improved SIDEWINDER-TVC (IRIS-T) (Germany) and PENGUIN (Norway), PYTHON-5 (Israel), DERBY (Israel), and SPICE (Israel). Also included are system integration and testing, missile modifications, software development/integration, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support. The estimated cost is $3.888 billion.

This proposed sale will contribute to the foreign policy and national security objectives of the United States by improving the military capabilities of Turkey and further weapon system standardization and interoperability with U.S. forces.

This proposed modernization will enhance the Turkish Air Force's ability to defend Turkey while patrolling the nation's extensive coastline and borders against future threats and contribute to Global War on Terrorism and NATO operations. Turkey needs these capabilities for mutual defense, regional security, modernization, and U.S. and NATO interoperability. The proven reliability and compatibility of like systems integrated with numerous platforms will foster increased interoperability with NATO and U.S. forces, and expand regional defenses to counter common threats to air, border, and shipping assets in the region. The modernization of the F-16 aircraft will be provided in accordance with, and

subject to the limitation on use and transfer provided under the Arms Export Control Act, as amended, 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 questions.

The principle contractors will be:

BAE Advanced Systems	Greenlawn, New York
Boeing Integrated Defense Systems (three locations)	St Lewis, Missouri Long Beach, California San Diego, California
Harris Corporation, Government Communications Systems Division	Melbourne, Florida
Lockheed Martin Aeronautics Company	Fort Worth, Texas
Lockheed Martin Missiles and Fire Control	Dallas, Texas
Northrop-Grumman Electro-Optical Systems	Garland, Texas
Northrop-Grumman Electronic Systems	Baltimore, Maryland
Raytheon Missile Systems	Tucson, Arizona

Although generally the purchaser requires offsets, at this time, there are no known offset agreements proposed in connection with this potential sale.

There will be up to three U.S. Government and contractor representatives on a temporary basis for in-country training over the life of the missile systems.

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

Transmittal No. 05-12

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

Classified Annex
Item No. vii

(vii) Sensitivity of Technology:

1. The modifications and weapons proposed in the PEACE ONYX III F-16 modernization program are, for the most part, classified. The highest level of classified information required to be released for training, operation and maintenance of the modified Block 40 and 50 F-16s and weapons associated with the PEACE ONYX III modification is Secret. The highest level that could be revealed through reverse engineering or testing of the end item, including weapons, is Secret.

2. The modified Turkey Air Force Block 40 and Block 50 aircraft will include the following classified or sensitive components and weapons:

a. The AIM-9X SIDEWINDER missile is a supersonic, air-to-air guided missile that employs a passive infrared (IR) target acquisition system, proportional navigational guidance, a closed-loop position servo Fin Actuator Unit, and a Target Detector. It features digital technology and micro-miniature solid-state electronics. A solid-propellant Rocket Motor propels the missile. The AIM-9X is configured with an Annular Blast Fragmentation warhead controlled by an Electronic Safe-Arm Device. Jet Vane Control provides enhanced maneuverability over other variants of the AIM-9, as well as most currently fielded foreign infrared missiles, by deflecting rocket motor thrust to aid in turning. The AIM-9X All-Up Round (AUR) is Confidential; major components and subsystems range from unclassified to Confidential; and technical data and other documentation are classified up to Secret.

b. The AGM-88B High-Speed Anti-Radiation Missiles (HARM) is a supersonic air-to-surface missile designed to seek and destroy enemy radar equipped air defense systems. HARM has a proportional guidance system that homes in on enemy radar emissions through a fixed antenna and seeker head in the missile nose. The missile consists of four sections including guidance, warhead, control section and rocket motor. The HARM AUR is classified Confidential, major components and subsystems range from unclassified up to Secret; technical and data and other documentation are classified up to Secret.

c. The AIM-120C Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, air launched, aerial intercept, guided missile featuring digital technology and micro-miniature solid-state electronics. The missile employs active radar target tracking, proportional navigation guidance, and active Radio Frequency target detection. It can be launched day or night, in any weather and increases pilot survivability by allowing the pilot to disengage after missile launch and engage other targets. AMRAAM capabilities include lookdown/shootdown, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high- and low-flying and maneuvering

targets. The AMRAAM AUR is classified Confidential, major components and subsystems range from unclassified to Confidential; and technical data and other documentation are classified up to Secret.

d. The AGM-84 HARPOON is an all weather, over-the-horizon, anti-ship missile system. Its low-level, sea-skimming cruise trajectory, active radar guidance and warhead design assure high survivability and effectiveness. The HARPOON missile is designed as an anti-ship cruise missile. It cruises just above the water's surface toward its target and, just before impact, does a terminal pop-up maneuver to counter close-in defenses and enhance warhead penetration. The HARPOON AUR is classified Confidential; individual components (guidance, seeker, radome, warhead, and other components) are all classified Confidential; technical data and other documentation are classified up to Secret.

e. The AGM-154A/B Joint Standoff Weapon (JSOW) is a low observable, 1000 lb. class, INS/GPS-guided, family of air-to-ground glide weapons. JSOW consists of a common airframe and avionics that provides for a modular payload assembly to attack stationary and moving massed light-armored and armored vehicle columns, surface-to-air targets and personnel. JSOW provides combat forces with all weather, day/night, multiple kills per pass, launch and leave, and standoff capability. JSOW A contains BLU-97 Combined Effects submunitions effective against light armored vehicles, soft targets and personnel and JSOW B contains BLU-108 Sensor Fuzed Weapon submunitions for use against armored vehicles or main battle tanks. The JSOW AUR is Unclassified, major components and subsystems are classified up to Secret; and technical data and other documentation are to Secret.

f. The CBU-103 is a wide area smart munition designed to defeat fixed and moving, lightly armored land combat vehicles, personnel, and soft targets. CBU-103 consists of a Tactical Munition Dispenser (TMD) and 202 BLU-97 submunitions. These Combined effects submunitions are multi-mode to allow use against light armor in a shaped-charge mode and against soft targets, such as wood structures or personnel in a blast/fragmentation mode. The CBU-103 incorporates the Wind Corrected Munition Dispenser (WCMD) tail kit. The tail kit inertially steers the munition from a known release point to precise target coordinates while compensating for launch transients, winds aloft, surface winds, and adverse weather. The CBU-103 AUR is Unclassified; major components and subsystems are classified up to Confidential; technical data/documentation are classified up to Secret.

g. The Sensor Fuzed Weapon (SFW) CBU-105 is a wide area smart munition designed to defeat fixed and moving land combat vehicles including main battle tanks. The SFW consists of a Tactical Munition Dispenser (TMD), SUU-66/B, and ten BLU-108 submunitions. Each submunition contains four projectile warheads, for a total of 40 submunitions per TMD. The warheads target and activate through a small infrared sensor and fire a self-forging, penetrating projectile into the target. The CBU-105 incorporates the Wind Corrected Munition Dispenser (WCMD) tail kit, nearly equivalent in function to the CBU-103 tail kit (see the WCMD description above). The SFW CBU-105 AUR is Unclassified; major components and subsystems are classified up to Confidential; and technical data and documentation are classified up to Secret.

h. The Joint Direct Attack Munition (JDAM) is a guidance tail kit that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions. With

the addition of a new tail section that contains an inertial navigational system and a global positioning system guidance control unit, JDAM improves the accuracy of unguided, general-purpose bombs in any weather condition. JDAM can be launched from very low to very high altitudes in a dive, toss and loft, or in straight and level flight with an on-axis or off-axis delivery. JDAM enables multiple weapons to be directed against single or multiple targets on a single pass. The JDAM AUR and all of its components are unclassified, technical data for JDAM is classified up to Secret.

i. Standoff Land Attack Missile/Expanded Response (SLAM-ER) is an air-launched, day/night, adverse weather, over-the-horizon, precision strike missile. SLAM-ER provides an effective, long range, precision strike option for both pre-planned and Target of Opportunity attack missions against land and maneuvering ship targets, and other moving targets. SLAM/ER contains a highly accurate, GPS-aided guidance system; an imaging infrared seeker and two-way data link with the AWW-13 Advanced Data Link pod for Man-In-The-Loop (MITL) control; improved missile aerodynamic performance characteristics that allow both long range and flexible terminal attack profiles; and an ordnance section with good penetrating power and lethality. Advanced features on SLAM-ER include Automatic Target Acquisition (ATA). This function improves target acquisition in cluttered scenes, overcomes most IR countermeasures, and mitigates the effects of environmentally degraded conditions. The SLAM-ER AUR is classified Confidential, individual components (guidance, seeker, radome, warhead, and other components) are all classified Confidential; technical data and other documentation are classified up to Secret.

j. The Joint Helmet Mounted Cueing System (JHMCS) is a modified HGU-55/P helmet that incorporates a visor-projected Heads-Up Display (HUD) to cue weapons and aircraft sensors to air and ground targets. In close combat, a pilot must currently align the aircraft to shoot at a target. JHMCS allows the pilot to simply look at a target to shoot. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting his field of view through the cockpit canopy, the system uses a magnetic transmitter unit fixed to the pilot's seat and a magnetic field probe mounted on the helmet to define helmet pointing positioning. A Helmet Vehicle Interface (HVI) interacts with the aircraft system bus to provide signal generation for the helmet display. This provides significant improvement for close combat targeting and engagement. Hardware is Unclassified; technical data and documents are classified up to Secret.

k. The HARM Targeting System (Export) (HTS(E)) is designed for Suppression of Enemy Air Defenses (SEAD). The HTS(E) provides pilots the capability to employ HARM in its most effective mode, Range Known. The pod can autonomously detect, identify and locate radar- guided threats at long ranges. It displays the target location to the pilot for AGM-88 designation and firing. The HTS(E) is fully field reprogrammable and designed for high reliability/ maintainability. HTS(E) provides a significant increase in situational awareness. AN/ASQ-213 HTS(E) hardware is classified Secret; major components and subsystems range from unclassified to Secret; technical data and documentation are classified up to Secret.

l. The AN/APG-68(V)9 is the latest model of the APG-68 radar. This model contains the latest digital technology available for a mechanically scanned antenna, including higher processor power, higher transmission power, more sensitive

receiver electronics, and an entirely new capability, Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a much greater distance than previous versions of the APG-68. The upgrade features a 30% increase in detection range of air targets, a five-fold increase in processing speed, a ten-fold increase in memory, as well as significant improvements in all modes, jam resistance and false alarm rates. Complete hardware is classified Confidential; major components and subsystems are classified Confidential; software is classified Secret; and technical data and documentation are classified up to Secret.

m. The AN/AVS-9 Night Vision Goggle (NVG) is a 3rd generation aviation NVG offering higher resolution, high gain, and photo response to near infrared. Features include independent eye-span adjustment, 25-mm eye relief eyepieces which easily accommodate eyeglasses, and a low-profile battery pack. Minus-blue filter screens glare from cockpit instrument lighting; class B filter (available with some variants) can accommodate aircraft color displays. Other features include: low-distortion optics and automatic brightness control. The Night Vision Imaging System modification includes cockpit modifications to provide NVG-compatible cockpit lighting that optimizes NVG sensitivity, as well as external lighting capable of operating in a covert mode wherein only NVG-equipped personnel can see the aircraft external lighting. Hardware is Unclassified; and technical data and documentation to be provided are Unclassified.

n. The Multifunctional Information Distribution System-Low Volume Terminal (MIDS-LVT) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. MIDS-LVT is intended to support key theater functions such as surveillance, identification, air control, weapons engagement coordination, and direction for all services and allied forces. The system will provide jamming-resistant, wide-area communications on a Link-16 network among MIDS and Joint Tactical Information Distribution System (JTIDS) equipped platforms. The MIDS/LVT and MIDS On Ship Terminal hardware, publications, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified Confidential. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

o. F-16 Block 40/50 Simulator/Training Devices: A complete, high fidelity simulation for the post-CCIP F-16 Block 40/50 aircraft realistically simulates all hardware, software, avionics, and weapons requested by the buyer, so all of the capabilities and sensitivities associated with the aircraft itself are evident in the simulator. Hardware is Unclassified; software and overall simulation are classified up to Secret.

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 that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

CERTIFICATION UNDER § 620C(d) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to § 620C(d) of the Foreign Assistance Act of 1961, as amended (the Act), Executive Order 12163 (§ 1-100) and State Department Delegation of Authority No. 145 (§ 1(a)(1)), I hereby certify that the export of defense articles and services associated with the modification of 218 F-16 Aircraft, to include the integration of export versions of weapons available on F-16s, system integration and testing, missile modifications, software development/integration, test sets and support equipment, spare and repair parts, publications and technical data, maintenance, personnel training and training equipment, U.S. Government and contractor representatives, contractor engineering and technical support services, and other related elements of logistics support is consistent with the principles contained in § 620C(b) of the Act.

This certification will be made part of the notification to Congress under § 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 R. Bolton
Under Secretary of State for
Arms Control and International Security

[FR Doc. 04–23119 Filed 10–14–04; 8:45 am]
BILLING CODE 5001–06–C

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal of the Planning and Steering Advisory Committee (Navy)

ACTION: Notice.

SUMMARY: The Planning and Steering Advisory Committee (PSAC) has been renewed in consonance with the public interest, and in accordance with the provisions of Public Law 92–463, the ''Federal Advisory Committee Act.''

The PSAC provides an avenue of communications by which a distinguished group representing scientific, academic engineering and intelligence communities advises the Chief of Naval Operations on questions related to SSBN Security. Their mission is to make in-depth technical assessments of U.S. and foreign threat ASW developments and related technologies, to critically review programs which potentially impact SSBN survivability, and to evaluate intelligence efforts to identify and define ASW and SSBN survivability threats.

The Committee will continue to be composed of selected Group members to conduct detailed examinations of matters related to SSBN security.

FOR FURTHER INFORMATION CONTACT: Laura Wurzer, telephone: 301–693–0934.

Dated: October 8, 2004.

L.M. Bynum,
OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 04–23114 Filed 10–14–04; 8:45 am]
BILLING CODE 5001–06–M

DEPARTMENT OF DEFENSE

Office of the Secretary

National Security Education Board Meeting

AGENCY: National Defense University, DOD.