DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05–33]

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/DBO/ADM, (703) 604–6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05–33 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: September 14, 2005.

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

6 SEP 2005

In reply refer to:
I-05/007012

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. 05-33, concerning the Department of the Navy's proposed Letters(s) of Offer and Acceptance to Turkey 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.

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**
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. 05-33

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*	$35 million
Other	$ 5 million
TOTAL	$40 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of Turkey has requested a possible sale of

Major Defense Equipment (MDE)

50 AGM-154A-1 Joint Standoff Weapon (JSOW) with BLU-111 and
54 AGM-154C JSOW

Non-MDE

4 AGM-154A-1 JSOW Dummy Air Training;
3 AGM-154 JSOW Captive Flight Vehicles;
3 AGM-154 JSOW Missile Simulation Units; and

Also included are containers, software development/integration, test sets and support equipment, system integration and testing, simulation units, spare and repair parts, training devices, 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.

(iv) Military Department: Navy (AID and GIU)

(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: 6 SEP 2005

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

POLICY JUSTIFICATION

Turkey – AGM-154A/C Joint Standoff Weapons

The Government of Turkey has requested a possible sale of

Major Defense Equipment (MDE)

50 AGM-154A-1 Joint Standoff Weapon (JSOW) with BLU-111 and
54 AGM-154C JSOW

Non-MDE

4 AGM-154A-1 JSOW Dummy Air Training;
3 AGM-154 JSOW Captive Flight Vehicles;
3 AGM-154 JSOW Missile Simulation Units; and

Also included are containers, software development/integration, test sets and support equipment, system integration and testing, simulation units, spare and repair parts, training devices, 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 $35 million.

The Government of Turkey is a political and economic power in Europe and the Middle East, a member of NATO, 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 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. This proposed sale would strengthen military/political ties and extend USG influence in the procurement and usage of military equipment. Sale of equipment, plus future dependence upon USG technical assistance, publications, training, and repair capability will help to ensure continued support for USG initiatives, both militarily and politically, within the region.

We previously notified transmittal number 05-12 to Congress on 7 October 2004 for the possible sale for modernization of 218 F-16 aircraft. This proposed sale included modifying 104 F-16 Block 40, 76 F-16 Block 50 and 38 F-16 Block 30 aircraft; integration and testing for several major defense items; and logistics support for an estimated value of $3.888 billion.

This proposed sale is in conjunction with the planned modernization of Turkey's F-16 fighter aircraft. Turkey will use the JSOW as a standoff weapon, which will enhance the capabilities for mutual defense, regional security, and modernization. The proposed quantity is adequate to meet the needs of the Turkish Air Force for NATO and coalition operations. The munitions 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 prime contractor will be Raytheon Systems Corporation of Tucson, Arizona. Although generally the purchaser requires offsets, at this time, there are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require temporary visits of U.S. Government and contractor representatives to Turkey for program technical/management oversight and support.

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

Transmittal No. 05-33

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 AGM-154 Joint Standoff Weapon (JSOW) is a low cost, launch and leave, air launched standoff weapon that provides aircraft with a capability to attack well defended targets in day, night, and less-than-ideal weather conditions. The AGM-154A-1 with BLU-111 and AGM-154C missiles, including publications, documentation, operations, supply, maintenance, and training to be conveyed with this proposed sale have the highest classification level of Confidential.

2. The AGM-154A-1 with BLU-111 and AGM-154C JSOW incorporate components, software, and technical design information that are considered sensitive. The following JSOW components being conveyed by the proposed sale that are considered sensitive and may be classified up to Confidential include:

a. global positioning system/inertial navigation system
b. imaging infrared seeker
c. operation flight program software
d. missile operational characteristics and performance data

These elements are essential to the ability of the JSOW missile to selectively engage hostile targets under a wide range of operational, tactical and environmental conditions.

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

CERTIFICATION PURSUANT TO § 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 and State Department Delegation of Authority No. 145, I hereby certify that the sale of defense articles and defense services, to include AGM-154A-1 Joint Standoff Weapon (JSOW) with BLU-111, AGM-154C JSOW, AGM-154-1 JSOW Dummy Air Training, AGM-154 JSOW Captive Flight Vehicles, AGM-154 JSOW Missile Simulation Units, containers, software development/integration, test sets and support equipment, system integration and testing, simulation units, spare and repair parts, training devices, 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, to the Government of Turkey is consistent with the principles set forth in § 620C(b) of the Act.

This certification will be made part of the notification to Congress in accordance with § 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.

Robert Joseph
Under Secretary of State
for Arms Control and
International Security

[FR Doc. 05–18755 Filed 9–20–05; 8:45 am]
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DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 05–29)

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/DBO/ADM, (703) 604–6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05–29 with attached transmittal, policy justification, Sensitivity of Technology and Section 620C(d).

Dated: September 14, 2005.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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