

[FR Doc. E8-23352 Filed 10-3-08; 8:45 am]

BILLING CODE 5001-06-C

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal Nos. 08-75]

**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, DSCAIDBO/CFM, (703) 601-3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 08-75 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: September 25, 2008.

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

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

**SEP 08 2008  
In reply refer to:  
USP008277-08**

**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. 08-75, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Saudi Arabia for defense articles and services estimated to cost \$598 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. 08-75**

**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: Saudi Arabia**
- (ii) **Total Estimated Value:**
- |                                 |                             |
|---------------------------------|-----------------------------|
| <b>Major Defense Equipment*</b> | <b>\$350 million</b>        |
| <b>Other</b>                    | <b><u>\$248 million</u></b> |
| <b>TOTAL</b>                    | <b>\$598 million</b>        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: 12 AH-64D Block II APACHE Longbow Helicopters, 30 T700-GE-701D Engines, 12 Modernized Targeting Acquisition and Designation Systems/Pilot Night Vision Sensors, 4 each AN/APG-78 Fire Control Radars and AN/APR-48 Radar Frequency Interferometers, 28 M299 HELLFIRE Longbow Missile Launchers, 12 AN/ALQ-144C(V)3 Infrared Jammers, 12 AN/APR-39A(V)4 Radar Signal Detecting Sets, 12 AN/ALQ-136(V)5 Radar Jammers, 12 AAR-57(V)3/5 Common Missile Warning Systems, 36 Improved Countermeasures Dispensers, and 12 AN/AVR-2B Laser Warning Sets. Also included: composite horizontal stabilators, Integrated Helmet and Display Sight Systems, repair and return, transportation, depot maintenance, spare and repair parts, support equipment, publications and technical documentation, U.S. Government and contractor technical support, and other related elements of program support.**
- (iv) **Military Department: Army (WAB)**
- (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: SEP 08 2008**

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

**POLICY JUSTIFICATION****Saudi Arabia – AH-64D APACHE Longbow Helicopters**

**The Government of Saudi Arabia has requested a possible sale of 12 AH-64D Block II APACHE Longbow Helicopters, 30 T700-GE-701D Engines, 12 Modernized Targeting Acquisition and Designation Systems/Pilot Night Vision Sensors, 4 each AN/APG-78 Fire Control Radars and AN/APR-48 Radar Frequency Interferometers, 28 M299 HELLFIRE Longbow Missile Launchers, 12 AN/ALQ-144C(V)3 Infrared Jammers, 12 AN/APR-39A(V)4 Radar Signal Detecting Sets, 12 AN/ALQ-136(V)5 Radar Jammers, 12 AAR-57(V)3/5 Common Missile Warning Systems, 36 Improved Countermeasures Dispensers, and 12 AN/AVR-2B Laser Warning Sets. Also included: composite horizontal stabilators, Integrated Helmet and Display Sight Systems, repair and return, transportation, depot maintenance, spare and repair parts, support equipment, publications and technical documentation, U.S. Government and contractor technical support, and other related elements of program support. The estimated cost is \$598 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 which has been and continues to be an important force for political stability and economic progress in the Middle East.**

**Saudi Arabia will use the AH-64D for its national security, and protecting its borders and oil infrastructure. The aircraft will provide the Saudi military more advanced targeting and engagement capabilities. The proposed sale will provide for the defense of vital installations and will provide close air support for the Saudi military ground forces. This sale also will increase the Royal Saudi Air Force (RSAF) APACHE sustainability and interoperability with the U.S. Air Force, the Gulf Cooperation Council countries, and other coalition air forces. Saudi Arabia will have no difficulty absorbing these helicopters into its armed forces.**

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

**The prime contractors will be Boeing Corporation of Mesa, Arizona, General Electric Company of Fairfield, Connecticut, and Lockheed Martin Corporation of Palmdale, California. There are no known offset agreements proposed in connection with this potential sale.**

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**Implementation of this proposed sale requires the assignment of one Contractor Field Service representative (CFSR) to Saudi Arabia for two years for the airframe and electrical systems, and another CFSR for two years for the Fire Control Radar. Also, this program will require U.S. government and contractor personnel participation in annual, one-week Program Management Reviews in Saudi Arabia.**

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

**Transmittal No. 08-75****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act (U)****Annex  
Item No. vii****(vii) Sensitivity of Technology:**

**1. The AH-64D APACHE Attack Helicopter includes the following sensitive and/or classified (up to and including Secret) components:**

**a. AN/APG-78 Longbow Fire Control Radar (FCR) is an active fire control radar system providing detection, location, classification and prioritization of targets to be prosecuted by the Longbow HELLFIRE Modular Missile System or handed over to other on-board sensor systems. This enables the APACHE helicopter to detect and fire upon targets in visual conditions that preclude the use of visual or infrared imaging systems. Hardware and releasable technical manuals for operation and organic level maintenance are Unclassified. The data, including operational software proposed for release, will not, in itself, facilitate reverse engineering.**

**b. AN/APR-48A Radar Frequency Interferometer (RFI) is part of the AN/APG-78 FCR. It passively detects, locates in azimuth, and identifies radar emitters and sends the emitter identification and location to either the FCR or to the APACHE Weapons Processor for display to the aircrew. Emitter information can also be used to cue the FCR, as well as for making decisions on FCR target prioritization. Hardware is classified Confidential when the User Data Module (UDM) is attached to the RFI Processor Assembly, Unclassified when the UDM is absent. Releasable technical manuals for operation and organic level maintenance are Unclassified. The data, including operational software, proposed for release will not facilitate reverse engineering.**

**c. The Modernized Target Acquisition and Designation Sight/Pilot Night Vision Sensor (MTADS/PNVS) provides day, night, limited adverse weather target information, as well as night navigation capabilities. The PNVS provides thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area, while TADS provides the co-pilot gunner with search, detection, recognition, and designation by means of Direct View Optics (DVO), television, and Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations. Hardware is Unclassified. Technical manuals for authorized maintenance levels are Unclassified. Reverse engineering is not a major concern.**

**d. The Common Missile Warning System (CMWS) detects energy emitted by threat missile in-flight, evaluates potential false alarm emitters in the environment, declares validity of threat and selects appropriate counter-measures. The CMWS consists of an Electronic Control Unit (ECU) and four to six Electro-Optic Missile Sensors (EOMSs). The ECU provides the central processing and integrates the sub-components of the CMWS and processes information obtained from the EOMSs. The ECU hardware is Unclassified, and the software is Secret. The EOMSs are passive staring detectors operating in the UV electromagnetic spectrum. They detect UV radiation generated from the plume of an in-flight missile and transmit the information to the EUC. The ECU hardware is Unclassified and the software is Unclassified.**

**e. 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. Hardware is classified confidential and 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.**

**f. The AN/APR-39A(V)4 Radar Signal Detecting Set is a system, that provides warning of a radar directed air defense threat and allow appropriate countermeasures. This is the 1553 databus compatible configuration. The hardware is classified Confidential when programmed with U.S. threat data; releasable technical manuals for operation and maintenance are classified Confidential; releasable technical data (technical performance) is classified Secret.**

**g. The AN/ALQ-136(V)5 Radar Jammer is an automatic radar jammer that analyzes various incoming radar signals. When threat signals are identified and verified, jamming automatically begins and continues until the threat radar breaks lock. The hardware is classified Confidential; releasable technical manuals for operation and maintenance are classified Secret; releasable technical data (technical performance) is classified Secret.**

**h. The AN/AVR-2B Laser Warning Set is a passive laser warning system that receives, processes and displays threat information resulting from aircraft illumination by lasers on the multi-functional display. The hardware is classified Confidential; releasable technical manuals for operation and maintenance are classified Secret. Reverse engineering is not a major concern.**

**i. The Integrated Helmet Display Sight System (IHDS) is an enhanced version of its predecessor. It will provide improved operational performance primarily in resolution allowing greater utilization of the M-TADS/M-PNVS performance enhancements. The hardware is Unclassified.**

**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.**



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BILLING CODE 5001-06-C

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal Nos. 08-79]

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Dated: September 25, 2008.

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

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