

DEPARTMENT OF DEFENSE**Office of the Secretary****[Transmittal No. 03–33]****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 Pub. L. 104–164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/COMPT/RM, (703) 604–6575

The following is a copy of a letter to the Speaker of the House of

Representatives, Transmittal 03–33 with attached transmittal, policy justification, Sensitivity of Technology and Section 620(C)(d) certification.

Dated: October 10, 2003.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–08–M



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

24 SEP 2003
In reply refer to:
I-03/009531

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 (AECA), as amended, we are forwarding herewith Transmittal No. 03-33 and under separate cover the classified annex thereto. This Transmittal concerns the Department of the Army's proposed Letter(s) of Offer and Acceptance (LOA) to Greece for defense articles and services estimated to cost \$150 million. Soon after this letter is delivered to your office, we plan to notify the news media of the unclassified portion of this Transmittal.

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,

A handwritten signature in cursive script, reading "Tome H. Walters, Jr.", is positioned above the typed name.

TOME H. WALTERS, JR.
LIEUTENANT GENERAL, USAF
DIRECTOR

Attachments

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. 03-33

**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:** Greece
- (ii) **Total Estimated Value:**
- | | |
|--------------------------|----------------------|
| Major Defense Equipment* | \$ 0 million |
| Other | <u>\$150 million</u> |
| TOTAL | \$150 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** non-MDE items: 14 Aircraft Survivability Equipment (AN/ALQ-162(V)6 Radar Jammers, AN/ALQ-39B(V)2 Radar Signal Detecting and Laser Detecting Sets) or 12 Helicopter Integrated Defensive Aid Systems and software support facilities in conjunction with a commercial sale of AH-64D Apache helicopters. Included are: Aviation Life Support Equipment, Aviation Mission Planning Systems, Embedded Global Positioning System, Modernized Target Acquisition Designated Sight/Pilot Night Vision System spare parts, threat library, spare and repair parts, communications equipment, support equipment, tools and test sets, software support, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical assistance and other related elements of logistics and program support.
- (iv) **Military Department:** Army (XMJ and XMI)
- (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:** none
- (viii) **Date Report Delivered to Congress:** 24 SEP 2003

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

POLICY JUSTIFICATION**Greece – Aircraft Survivability Equipment or Helicopter Integrated Defensive Aid Systems**

The Government of Greece has requested a possible sale of non-MDE items: 14 Aircraft Survivability Equipment (AN/ALQ-162(V)6 Radar Jammers, AN/ALQ-39B(V)2 Radar Signal Detecting and Laser Detecting Sets) or 12 Helicopter Integrated Defensive Aid Systems and software support facilities in conjunction with a commercial sale of AH-64D Apache helicopters. Included are: Aviation Life Support Equipment, Aviation Mission Planning Systems, Embedded Global Positioning System, Modernized Target Acquisition Designated Sight/Pilot Night Vision System spare parts, threat library, spare and repair parts, communications equipment, support equipment, tools and test sets, software support, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical assistance and other related elements of logistics and program support. The estimated cost is \$150 million.

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

Greece wants to maintain a “like fleet configuration” and seeks the same performance and reliability improvements demanded by the U.S. Army. This proposed sale will contribute significantly to U.S. strategic and tactical objectives by strengthening the unity and interoperability within NATO. Greece will have no difficulty absorbing systems into its armed forces. These systems will be provided to Greece in accordance with and subject to the limitations on use and transfer of the Arms Export Control Act, as embodied in the terms of sale. 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 principal contractors will be: Lockheed Martin Corporation of Orlando, Florida and BAE Systems Avionics Limited of Stanmore, Middlesex, England. There are no offset agreements proposed in connection with this potential sale.

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

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

Transmittal No. 03-33

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. There are no MDE items being offered to the Government of Greece in this proposed sale. Identification and security classification of sensitive technological information and/or restricted information contained in the equipment, major components, subsystems, software, technical data, documentation, training devices and services to be conveyed with this proposed sale:

a. The AN/ALQ-162(V)6 Radar Jammer is a system which provides radar jamming and protection against surface-to-air missiles and airborne intercept missiles that use continuous wave radar for guidance. Monitors the radio frequency (RF) environment for potential threats, identifies the threats and provides the most appropriate radar jamming technique to protect the aircraft. Offers rail keeping and terminal threat protection from RF guided missiles, thus improving the survivability of aircraft and crew. System classification is Secret. Operational Flight Program source program source code and related software documentation will not be released, minimizing the risk for software exploitation.

b. The AN/APR-39B(V)2 Radar Signal Detecting Set is a system which provides warning of a radar directed air defense threat to allow appropriate countermeasures. It is programmed with appropriate threat data. Hardware is Confidential when programmed with U.S. threat data; releasable technical manuals for operation and AVUM level maintenance are Unclassified and Confidential; releasable (technical performance) data is classified Secret. Reverse engineering and development of counter-countermeasures are concerns if the hardware and releasable technical data are compromised to a competent adversary.

c. The AN/ALQ-144(V)3 is an active, continuous operating, omni directional, electrically fired infrared jammer system designed to confuse or decoy threat IR missile systems, in conjunction with low reflective paint and engine suppressors. Hardware is classified Confidential; 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.

d. The AN/AVR-2A Laser Detecting Set is a passive laser warning system which receives, processes, and displays threat information resulting from aircraft illumination by lasers, on the IP-1150A indicator. The hardware is classified Confidential; releasable technical manuals for operation and maintenance are concerns if hardware and releasable technical data are compromised to a competent adversary. There would be a substantial technology loss/transfer.

2. Helicopter Integrated Defensive Aids System (HIDAS) is an integrated suite of EW sub-systems designed to provide a highly effective multi-spectral platform protection system. Information from different sensor types supports rapid threat identification and significantly reduces the likelihood of incorrectly identifying a threat system. In turn, the most appropriate defensive reaction may be rapidly initiated and efficiently controlled to protect the platform. HIDAS consists of Sky Guardian 2000 Radar Warning Receiver (RWR)

including DAS Controller; Series 1223 Laser Warning Receiver (LWR) and Data Transfer Unit; Vican 78 Series 455 Countermeasures Dispensing System (CMDS); and AN/AAR-57 Missile Warning System (MWS). The AN/AAR-57 Missile Warning System (MWS) is the only U.S. component of the HIDAS system. Thus, it is the only sub-system of HIDAS for which we have a concern for sensitivity of technology.

a. Sky Guardian 2000 RWR is an ultra-broad band digital Radar Warning Receiver with a built in Defensive Aids Suite Controller. Sky Guardian 2000 RWR consists of 1 each RWR Receiver Processor, 4 each of Quadrant Receiver, and 2 each of Anti Vibration Mounts. Advanced hardware and software processing extracts emitter information from the dense electromagnetic spectrum. Highly sensitive, it provides the vital situational awareness needed on the battlefield. User-programmability with over 4000 entries, it provides the capability to adapt to the mission.

b. The Series 1223 Laser Warning Receiver represents technology advancement necessary for today's battlefield aircraft. Series 1223 LWR consists of 4 each of Sensor Head Unit, 1 each of Data Transfer Unit, and 1 each of PC Card. With extremely high sensitivity, its specialized detectors provide detection of very low power threats including all types of Beamrider systems as well as the higher power types of laser threat system. User-programmability with over 1000 entries, it provides the capability to adapt to the mission.

c. Vican 78 Series 455 CMDS provides both Chaff and Flare capability. Series 455 CMDS consists of 2 each of CMDS Countermeasures Dispenser, 1 each of CMDS Chaff Dispenser Unit, 1 each of Safety Disarm Unit, and 1 each of Pin and Flag. Being fully programmable, dispense sequences can be tailored to the mission. Dispensing can be automatic, semi automatic or manual and the sequences are adaptive in flight to the aircraft dynamics. The chaff dispenser accommodates mini-block chaff allowing 64 'shot' from the single dispenser, which is aimed at the tail rotor to aid 'blooming'.

d. AN/AAR-57 MWS is a U.S. tri-service developed passive Missile Warning System. AN/AAR-57 MWS consists of 1 each of Countermeasures Receiver, 4 each of Sensor Assembly Electro-Optic Missile Sensor (EOMS), and 1 each of User Data Module. The AN/AAR-57 passively detects missile plume energy, tracks multiple energy sources and classifies each source as a lethal missile, non-lethal missile (not intercepting the aircraft) or clutter. Its very fine angle-of-arrival (AOA) capability delivers rapid and accurate hand-off to cue an IRCM pointing/tracking subsystem or for the deployment of chaff, and or flares for missile defense. Fine AOA processing provides detection ranges nearly double that of existing fielded passive systems and greatly reduces false alarm rates. This provides all weather, all-altitude operation while protecting against multiple simultaneous engagements in dense clutter environments. The AN/AAR-57 has already been released to numerous countries. The risk management factor also is low. Disclosure of the advanced technology, if compromised, will not constitute an unreasonable risk to the United States.

3. In summary, HIDAS provides: Improved aircraft survivability through – a prioritized and co-ordinated, timely response to multiple threats. Improved situational awareness through – a single, integrated cockpit display of the combined sensor inputs; reduced false alarm rates through correlation of data. Improved mission effectiveness through – reduced crew workload through automated, effective and efficient use of countermeasures; user control and re-programmability at the flight line. Improved supportability through – integrated mission dependent data preparation and up loading; recording and analysis of detected emitters and countermeasures activity; integrated BIT and a reduced number of LRUs.

4. Reverse engineering and development of countermeasures are concerns if the hardware and releasable technical data are compromised to a competent adversary; however, Greece can provide substantially the same degree of protection for the technology being released as the U.S. Government.

5. A determination has been made that Greece 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.

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 (§ 1-201(a)(13)) and State Department Delegation of Authority No. 145 (§ 1(a)(1)), I hereby certify that the furnishing to Greece of 14 Aircraft Survivability Equipment sets (AN/ALQ-162(V)6 Radar Jammers, AN/ALQ-39B(V)2 Radar Signal Detecting and Laser Detecting Sets) or 12 Helicopter Integrated Defensive Aid Systems and software support facilities in conjunction with a commercial sale of AH-64D APACHE helicopters (including with either system Aviation Life Support Equipment, Aviation Mission Planning Systems, Embedded Global Positioning System, Modernized Target Acquisition Designated Sight/Pilot Night Vision System spare parts, threat library, spare and repair parts, communications equipment, support equipment, tools and test sets, software support, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor technical assistance and other related elements of logistics and program 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 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.

JRB

John R. Bolton
Under Secretary of State
for Arms Control and
International Security Affairs