

[FR Doc. E8-18636 Filed 8-14-08; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal Nos. 08-59]

**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, Transmittals 08-59 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: August 5, 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**

**AUG 01 2008  
In reply refer to:  
USP005663-08**

**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. 08-59, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to Germany for defense articles and services estimated to cost \$205 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. 08-59****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:** Germany
- (ii) **Total Estimated Value:**
- |                          |                       |
|--------------------------|-----------------------|
| Major Defense Equipment* | \$ 60 million         |
| Other                    | \$ <u>145 million</u> |
| TOTAL                    | \$ 205 million        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 5 MQ-9 Unmanned Aerial Vehicles (UAV), 4 Mobile Ground Control Stations, one year maintenance support, engineering support, test equipment, ground support, operational flight test support, communications equipment, technical assistance, personnel training/equipment, spare and repair parts, and other related elements of logistics support.
- (iv) **Military Department:** Air Force (STZ)
- (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:** AUG 01 2008

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

**POLICY JUSTIFICATION****Germany – (5) MQ-9 Unmanned Aerial Vehicle Aircraft**

The Government of Germany has requested a possible sale of 5 MQ-9 Unmanned Aerial Vehicles (UAV), 4 Mobile Ground Control Stations, one year of maintenance support, engineering support, test equipment, ground support, operational flight test support, communications equipment, technical assistance, personnel training/equipment, spare and repair parts, and other related elements of logistics support. The estimated cost is \$205 million.

Germany is a major political and economic power in NATO and the Atlantic and a key democratic partner of the United States in ensuring peace and stability in this region and around the world.

Germany requests these capabilities to provide for the defense of deployed troops, regional security, and interoperability with the United States. This program will increase Germany's ability to contribute to future NATO, coalition, and anti-terrorism operations that the U.S. may undertake. Germany is a staunch supporter of the Global War on Terror and have over 3,000 military participating in coalition operations in Afghanistan with the U.S. By acquiring this capability, Germany will be able to provide the same level of protection for its own forces as those of the United States.

The proposed sale of this equipment and support will not affect the basic military balance in the region. Germany will have no difficulty absorbing these aircraft into its armed forces.

The principal contractors will be:

General Atomics Aeronautical Systems, Inc.	San Diego, California
Raytheon Space and Airborne Systems	El Segundo, California
General Atomics Lynx Systems	San Diego, California

There are no known offset agreements proposed in connection with this potential sale.

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

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

**Transmittal No. 08-59****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 MQ-9 Unmanned Aerial Vehicle is Unclassified. The highest level of classified information required for training, operation, and maintenance is Secret. The MQ-9 is a long-endurance, high-altitude, remotely operated aircraft that can be used for surveillance, military reconnaissance, and targeting missions. Real-time missions are flown under the control of a pilot in a Ground Control Station (GCS). A data link is maintained that uplinks control commands and downlinks video with telemetry data. The data link can be a C-Band Line-of-Sight (LOS) communication or Ku-Band Over-the-Horizon Satellite Communication (SATCOM). Autonomous missions are preprogrammed by pilots in the GCS and are flown under the control of an onboard suite of redundant computers and sensors. Payload imagery and data are downlinked to a GCS. A pilot initiates autonomous missions once the aircraft is airborne and lands the aircraft when the mission is completed. Pilots can change preprogrammed mission parameters as often as required. The aircraft can also be handed off to other strategically placed ground- or sea-based Ground Control Stations. The MQ-9 is designed to carry 800 pounds of internal payload with maximum fuel and can carry multiple mission payloads aloft. The MQ-9 will be configured for the following payloads: Electro-Optical/Infrared (EO/IR), Synthetic Aperture Radar (SAR), Electronic Support Measures (ESM), Signals Intelligence (SIGINT), and laser designators. The MQ-9 systems will include the following components:**

a. **The Ground Control Station (GCS) can be either fixed or mobile. The fixed GCS is enclosed in a customer-specified shelter. It incorporates workstations that allow operators to control and monitor the aircraft, as well as record and exploit downlinked payload data. The mobile GCS allows operators to perform the same functions and is contained on a mobile trailer. Workstations in either GCS can be tailored to meet customer requirements. The GCS, technical data, and documents are Unclassified.**

b. **The General Atomics AN/DPY-1 Synthetic Aperture Radar/Ground Moving Target Indicator (SAR/GMTI) system provides all-weather surveillance, tracking and targeting for military and commercial customers from manned and unmanned vehicles. The AN/DPY-1 operates in the Ku band, using an offset-fed dish**

**antenna mounted on a three-axis stabilized gimbal. It has a large field of regard: 5-60 degrees in depression,  $\pm$  (45-135) degrees in squint in SAR mode, and  $\pm$  (0-175) degrees in squint in GMTI mode. The AN/DPY-1 has 0.3 to 3 meter resolution in stripmap mode and can image up to a 10-km wide swath (at 3 meter resolution). Swaths from multiple passes are combined for wide-area surveillance. The AN/DPY-1 SAR/GMTI radar system and technical data/documents are Unclassified.**

**c. The Raytheon Multi-Spectral Targeting System (MTS-B) is a multi-use infrared (IR), electro-optical (EO), and laser detecting ranging-tracking set, developed and produced for use by the U. S. Air Force in Predator B. This advanced EO and IR system provides long-range surveillance, high altitude, target acquisition, tracking, range finding, and laser designation for the HELLFIRE missile and for all tri-service and NATO laser-guided munitions.**

**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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