

DEPARTMENT OF DEFENSE**Office of the Secretary****[Transmittal Nos. 08–93]****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 08–93 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: October 7, 2008.

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

BILLING CODE 5001–06–M



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

SEP 26 2008

**In reply refer to:
USP010662-08**

**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. 08-93, concerning the Department of the Air Force's proposed Letters(s) of Offer and Acceptance to Greece for defense articles and services estimated to cost 133 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.

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 the principles set forth in subsection 620C(b) of that Act as codified in section 2373 of title 22, United States Code.

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**
- 4. Section 620C(d)**

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. 08-93

**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* | \$ 3 million |
| Other | <u>\$130 million</u> |
| TOTAL | \$133 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 50 Enhanced PAVEWAY II kits for use with MK-84 Warheads and continuation of sustainment support for the Hellenic Air Force F-16 which includes Electronic Combat International Security Assistance Program services, Technical Coordination Program services, minor modifications, repair and return, Aircraft Structural Integrity Program services, spare and repair parts, support equipment, publications and technical documentation, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistical support.
- (iv) **Military Department:** Air Force (YDV, Amd 1 and QCE)
- (v) **Prior Related Cases, if any:**
FMS case YDV - \$166 million - 30Nov07
FMS case QBY - \$ 93 million - 20May04
- (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 26 2008
- * as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Greece – Enhanced PAVEWAY II Kits and Sustainment Support for F-16 Aircraft

The Government of Greece has requested a possible sale of 50 Enhanced PAVEWAY II kits for use with MK-84 Warheads and continuation of sustainment support for the Hellenic Air Force F-16 which includes Electronic Combat International Security Assistance Program services, Technical Coordination Program services, minor modifications, repair and return, Aircraft Structural Integrity Program services, spare and repair parts, support equipment, publications and technical documentation, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistical support. The estimated cost is \$133 million.

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

The Government of Greece needs this capability for mutual defense, regional security, modernization, and interoperability with the U.S. and other North Atlantic Treaty Organization (NATO) countries. The modernization of Greece's F-16 fleet will increase the effectiveness of its contribution and capabilities to future NATO, coalition, and anti-terrorism operations. This will also enhance Greece's ability to patrol its extensive coastline and borders against future threats, and will contribute to the War on Terrorism and to NATO operations. This modernization will be provided in accordance with, and subject to the limitation on use and transfer provided under the Arms Export Control Act, as amended, and as embodied in the Letter of Offer and Acceptance.

The proposed sale of these weapons and support will bring overall standoff performance up to existing regional baselines. Greece will have no difficulty absorbing these weapons and support into its armed forces.

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: Raytheon Missile Systems in Tucson, Arizona; Lockheed Martin Aeronautics Company in Fort Worth, Texas; Lockheed Martin Missiles and Fire Control in Dallas, Texas; Northrop-Grumman Electro-Optical Systems in Garland, Texas; Northrop-Grumman Electronic Systems in Baltimore, Maryland. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of 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. 08-93**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended****Annex
Item No. vii****(vii) Sensitivity of Technology:**

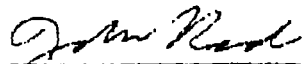
1. The Enhanced PAVEWAY II modification improves the existing PAVEWAY II Laser Guided Bomb (LGB) by adding an additional Global Positioning System (GPS) guidance unit to the current LGB Control system. The nomenclature for the 2000 lb variant (MK-84) of this weapon is the Enhanced Guided Bomb Unit (EGBU-10). The EGBU allows the user to employ the weapon as a traditional LGB, using end game terminal laser guidance for precision strike during favorable weather conditions, day or night. With the added Global Positioning System (GPS) feature, the weapon can be employed during all weather conditions where laser employment may not be feasible for terminal guidance. An additional benefit to the GPS guidance is increased range. The basic PAVEWAY II is classified Confidential (Pulse Interval Modulation and doublet coding are not releasable); technical data for the EGBU is classified up to Secret.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware or software in this proposed sale, 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.

CERTIFICATION PURSUANT TO SECTION 620C(d) OF THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED

Pursuant to Section 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, 50 Enhanced PAVEWAY II kits for use with MK-84 Warheads and continuation of sustainment support for the Hellenic Air Force F-16 which includes Electronic Combat International Security Assistance Program services, Technical Coordination Program services, minor modifications, repair and return, Aircraft Structural Integrity Program services, and other related elements of logistical support, to the Government of Greece is consistent with the principles set forth in Section 620C(b) of the Act.

This certification will be made part of the notification to Congress in accordance with Section 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 C. Rood
Acting Under Secretary of State for
Arms Control and International
Security

[FR Doc. E8-24406 Filed 10-14-08; 8:45 am]

BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal Nos. 08-102]

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 08-102 with attached transmittal, and policy justification.

Dated: October 7, 2008

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

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