

**Transmittal No. 08-48****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 AIM-9X represents a substantial increase in missile acquisition and kinematics performance over previous AIM-9 variants. The missile includes a high off bore-sight seeker, enhanced countermeasure rejection capability, low drag/high angle of attack airframe and the ability to integrate the Joint Helmet Mounted Cueing System. The software algorithms are the most sensitive portions of the AIM-9X missile. The software continues to be modified during the testing phase in order to improve its counter-countermeasures capabilities. No software source code or algorithms will be released. Sensitive and/or classified (up to Secret) elements of the AIM-9X missiles include equipment/hardware, and software, and classified portions of operational performance. Maintenance training documentation is unclassified up to and including missile sectionalization training.

2. The external view of the AIM-9X Sidewinder Missile is Unclassified and is not sensitive. The seeker/guidance and control section and the target detector are Confidential and contain sensitive state-of-the-art technology. Specifically, the infrared seeker sensitivity is a significant improvement over the previous AIM-9 variants. Manuals and technical documents for the AIM-9X that support the ability to integrate with aircraft sensors are classified up to Secret. Performance and operating logic of the counter-countermeasures circuits are Secret. The hardware, software, and data identified are classified to protect vulnerabilities, design and performance parameters and similar critical information.

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

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BILLING CODE 5001-06-C

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Transmittal Nos. 08-52]

**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 08-52 with attached transmittal, policy justification.

Dated: May 16, 2008.

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

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

**MAY 07 2008**

**In reply refer to:  
USP003763-08**

**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. 08-52, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to Iraq for defense articles and services estimated to cost \$450 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**

**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. 08-52**

**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:** Iraq
- (ii) **Total Estimated Value:**
- |                          |                      |
|--------------------------|----------------------|
| Major Defense Equipment* | \$ 0 million         |
| Other                    | <u>\$450 million</u> |
| TOTAL                    | \$450 million        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** technical assistance to ensure provision of adequate facilities and infrastructure in support of the recruitment, garrison, training, and operational facilities and infrastructure for the Iraqi Security Forces (ISF). The U.S. Army Corps of Engineers (USACE) will provide engineering, planning, design, acquisition, contract administration, construction management, and other technical services for construction of facilities and infrastructure (repair, rehabilitation, and new construction) in support of the training, garrison, and operational requirements of the ISF. The scope of the program includes provision of technical assistance for facilities and infrastructure in support of Government of Iraq (GoI) construction projects throughout the country of Iraq. The facilities and infrastructure planned include, new barracks/facilities, maintenance and supply buildings, brigade headquarters, and utilities systems (including heating, water, sewer, electricity, and communication lines). Services include support, personnel training and training equipment, acquisition of engineer construction equipment, technical assistance to Iraqi military engineers, other technical assistance, contractor engineering services, and other related elements of logistic support.
- (iv) **Military Department:** USACE (HAK)
- (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:** MAY 07 2008

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

## **POLICY JUSTIFICATION**

### **Iraq - Technical Assistance for Construction of Facilities and Infrastructure**

The Government of Iraq has requested a possible sale of technical assistance to ensure provision of adequate facilities and infrastructure in support of the recruitment, garrison, training, and operational facilities and infrastructure for the Iraqi Security Forces (ISF). The U.S. Army Corps of Engineers (USACE) will provide engineering, planning, design, acquisition, contract administration, construction management, and other technical services for construction of facilities and infrastructure (repair, rehabilitation, and new construction) in support of the training, garrison, and operational requirements of the ISF. The scope of the program includes provision of technical assistance for facilities and infrastructure in support of Government of Iraq (GoI) construction projects throughout the country of Iraq. The facilities and infrastructure planned include, new barracks/facilities, maintenance and supply buildings, brigade headquarters, and utilities systems (including heating, water, sewer, electricity, and communication lines). Services include support, personnel training and training equipment, acquisition of engineer construction equipment, technical assistance to Iraqi military engineers, other technical assistance, contractor engineering services, and other related elements of logistic support. The estimated cost is \$450 million.

This proposed sale would contribute to the foreign policy and national security of the U.S. by enhancing Iraq's capacity to support USG Operation Iraqi Freedom efforts, and by supporting Iraq's legitimate need for military independence.

This proposed sale would enable Iraq to support the recruitment, training, bed-down, and operational effectiveness of its military; to establish security and stability throughout Iraq; and to promote the stability and development of a friendly, democratic central government.

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

The USACE is the principal organization that will direct and manage this program. The USACE will provide services through both in-house personnel and contract services. Contracts will be procured in accordance with Federal Government contracting law and regulations. There are no known offset agreements proposed in connection with this potential sale.

The estimated number of U.S. Government and contractor representatives to be assigned to Iraq to implement the provisions of this proposed sale will be determined during program execution.

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Revised Non-Foreign Overseas Per Diem Rates

**AGENCY:** DoD, Per Diem, Travel and Transportation Allowance Committee.

**ACTION:** Notice of revised non-foreign overseas per diem rates.

**SUMMARY:** The Per Diem, Travel and Transportation Allowance Committee is publishing Civilian Personnel Per Diem Bulletin Number 259. This bulletin lists

revisions in the per diem rates prescribed for U.S. Government employees for official travel in Alaska, Hawaii, Puerto Rico, the Northern Mariana Islands and Possessions of the United States. AEA changes announced in Bulletin Number 194 remain in effect. Bulletin Number 259 is being published in the **Federal Register** to assure that travelers are paid per diem at the most current rates.

**EFFECTIVE DATE:** June 1, 2008.

**SUPPLEMENTARY INFORMATION:** This document gives notice of revisions in per diem rates prescribed by the Per Diem Travel and Transportation Allowance Committee for non-foreign areas outside the continental United

States. It supersedes Civilian Personnel Per Diem Bulletin Number 258. Distribution of Civilian Personnel Per Diem Bulletins by mail was discontinued. Per Diem Bulletins published periodically in the **Federal Register** now constitute the only notification of revisions in per diem rates to agencies and establishments outside the Department of Defense. For more information or questions about per diem rates, please contact your local travel office. The text of the Bulletin follows:

Dated: May 16, 2008.

**Patricia L. Toppings,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*