



Billing Code: 5001-06

DEPARTMENT OF DEFENSE

Office of the Secretary

[Transmittal No. 17-39]

Arms Sales Notification

AGENCY: Defense Security Cooperation Agency, Department of Defense.

ACTION: Arms sales notice.

SUMMARY: The Department of Defense is publishing the unclassified text of an arms sales notification.

FOR FURTHER INFORMATION CONTACT: Karma Job at karma.d.job.civ@mail.mil or (703) 697-8976.

SUPPLEMENTARY INFORMATION: This 36(b)(1) arms sales notification is published to fulfill the requirements of section 155 of Public Law 104-164 dated July 21, 1996. The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 17-39 with attached Policy Justification; Sensitivity of Technology; and State Department Emergency Determination and Justification.

Dated: July 19, 2019.

Aaron T. Siegel,

Alternate OSD Federal Register Liaison Officer,

Department of Defense.



DEFENSE SECURITY COOPERATION AGENCY

201 12TH STREET SOUTH, STE 203
ARLINGTON, VA 22202-5408

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-209, The Capitol
Washington, DC 20515

MAY 24 2019

Dear Madam Speaker:

On May 23, 2019, the Secretary of State, pursuant to section 36(b) of the Arms Export Control Act, as amended, determined that an emergency exists which requires the immediate sale of the defense articles and defense services identified in the attached transmittals to the Kingdom of Saudi Arabia and the United Arab Emirates through the Foreign Military Sales process, including any further amendments specific to costs, quantity, or requirements, occurring within the duration of circumstances giving rise to these emergency sales, in order to deter further the malign influence of the Government of Iran throughout the Middle East region.

Please find attached (Tab 1) the Secretary of State Determination and Justification waiving the Congressional review requirements under Section 36(b)(1) and 36 (b)(5)(C) of the Arms Export Control Act, as amended, for the attached list of Transmittals of proposed Letters of Offer and Acceptance to the United Arab Emirates and the Kingdom of Saudi Arabia for defense articles and services pursuant to the notification requirements of Section 36(b)(1) and Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended. The determination and detailed justification are a part of each Transmittal. After this letter is delivered to your office, we plan to issue a news release to notify the public of the proposed sales.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Hooper", written over a circular stamp or seal.

Charles W. Hooper
Lieutenant General, USA
Director

Enclosures:

1. Secretary of State Determination and Justification Transmittal
2. Transmittal 17-0B for the United Arab Emirates
3. Transmittal 17-39 for the United Arab Emirates
4. Transmittal 17-70 for the United Arab Emirates
5. Transmittal 17-73 for the United Arab Emirates
6. Transmittal 18-21 for the Kingdom of Saudi Arabia
7. Transmittal 18-31 for the Kingdom of Saudi Arabia

8. Transmittal 19-18 for the United Arab Emirates
9. Transmittal 19-01 for the Kingdom of Saudi Arabia
10. Regional Balance Determinations (Classified document provided under separate cover)

Transmittal No. 17-39

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: United Arab Emirates
- (ii) Total Estimated Value:
- | | |
|--------------------------|---------------------|
| Major Defense Equipment* | \$35 million |
| Other | <u>\$45 million</u> |
| TOTAL | \$80 million |
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:
- Major Defense Equipment (MDE):
Twenty (20) RQ-21A Blackjack Unmanned Air Vehicles (UAVs)
- Non-MDE:
This request also includes the following Non-MDE: Forty (40) Global Positioning Systems (GPS) with Selective Availability Anti-Spoofing Module (SAASM) Type II (MPE-S), air vehicle support equipment to include eight (8) Ground Control Stations (GCS), four (4) launchers, and four (4) retrievers, spare and repair parts, publications, training and technical support services.
- (iv) Military Department: Navy (AE-P-SAW)
- (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 Attached Annex
- (viii) Date Report Delivered to Congress: May 24, 2019

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

POLICY JUSTIFICATION

United Arab Emirates (UAE) – RQ-21A Blackjack Unmanned Air Vehicles

The Government of the UAE has requested to buy twenty (20) RQ-21A Blackjack Unmanned Air Vehicles (UAVs). Also included are forty (40) Global Positioning Systems (GPS) with Selective Availability Anti-Spoofing Module (SAASM) Type II (MPE-S); air vehicle support equipment including eight (8) Ground Control Stations (GCS), four (4) launchers, and four (4) retrievers; spare and repair parts; publications; training; and technical support services. The estimated total case value is \$80 million.

The Secretary of State has determined and provided detailed justification that an emergency exists that requires the immediate sale to the United Arab Emirates of the above defense articles (and defense services) in the national security interests of the United States, thereby waiving the Congressional review requirements under Section 36(b) of the Arms Export Control Act, as amended.

This proposed sale will contribute to the foreign and national security of the United States by improving the security of an important ally in the Middle East. This sale is consistent with U.S. national security objectives of assisting the UAE in developing and maintaining a strong and ready self-defense capability and enhancing interoperability with U.S. forces. The UAE will have no difficulty absorbing these UAVs into its armed forces.

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

The prime contractor will be Insitu, Bingen, WA, a wholly owned subsidiary of the Boeing Company. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government and contractor representatives to participate in program and technical reviews plus training and maintenance support in country, on a temporary basis, for a period of twenty-four (24) months. It will also require one (1) contractor representative to reside in country for a period of two (2) years to support this program.

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

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 following components and technical documentation for the program are classified as listed below:

a. The RQ-21 unmanned aircraft system (UAS) is a runway-independent, modular unmanned aircraft system that is designed for a variety of missions. The RQ-21 UAS has four subsystems: RQ-21A air vehicle (AV), launcher, retriever, and ground control stations (GCS).

1) The RQ-21A AV is a fixed-wing, single engine AV remotely controlled by an operator via the GCS.

2) The launcher is a pneumatically-controlled launch device that accelerates the RQ-21A AV to flying speed.

3) The retriever is a hydraulically-controlled telescoping crane that captures the RQ-21A AV at the end of the flight.

4) The GCS is a workstation that is used to plan missions, control and monitor the RQ-21A AV, and manage the data received from the air vehicle.

b. The RQ-21 UAS is capable of transport via ground, air, or ship. The RQ-21 UAS performs a wide variety of reconnaissance, intelligence, and special missions. Operationally or tactically vital data may be obtained cost-effectively by exploiting the UAS mission systems and payload options. The RQ-21A AV is designed to perform air reconnaissance (AR) based missions. It is equipped to carry a forward turret to support the primary mission of reconnaissance and an assortment of specialized, mission specific, payloads within the center payload bay. The Electro Optical/Infrared (EO/IR) Imager Counter Countermeasures sensor ball is the Alticam 11 EOIR4, which provides exceptional day/night capability in a small, lightweight, low power solution, or the EOIR5 which adds a laser designator capability. It uses mid-wave infrared (MWIR) electro-optical image, a gyro-stabilized gimbal system, has multiple operating modes, is compatible with the Alticam video processing board (AVS), and has a laser pointer and rangefinder. It is designed for small unmanned aerial vehicles (UAVs), and is also used on piloted airplanes, blimps, ground vehicles, and unmanned surface vehicles.

c. The imagery and electronic reconnaissance functions of the RQ-21A AV support intelligence functions and operational warfighting missions. Intelligence-based support functions range from intelligence, surveillance, and reconnaissance (ISR) to intelligence preparation of the battlefield (IPB) including imagery associated sub-tasks. Operational functions are enhanced by a

laser rangefinder and infrared marking system. The turret, with laser system, facilitates target acquisition and terminal guidance operations in support of a wide breadth of aviation support to MAGTF operations mission. These include but are not limited to point, area, and route reconnaissance; convoy escort; call for indirect fires; battle damage assessment; and tactical recovery of aircraft and personnel. The aircraft also passively supports radio communications relay and the vessel traffic function of automatic identification.

d. The GCS includes an operator work station (OWS), a ground data terminal for C2 communication and video downlink, and a GPS electronics module (GEM) integration kit for navigation. The GCS is composed of a standard component package. If installed on a ship, the GCS will be composed of the same components as the land based system, but the number and arrangement of each of the components will vary depending on the specific class of ship on which the GCS is installed. The RQ-21 GCS is comprised of the following components:

- 1) Two operator work stations. The OWS consist of four modules: electronics power module (EPM), network computer module (NCM), user interface module (UIM), and the data storage module (DSM). The EPM provides the power source for the GCS. The EPM is the bottom module in the OWS. The UIM is not installed in the GCS for ship-based operations.
- 2) Ground data terminal. The GDT includes the antenna interface module (AIM), directional antenna, and omni antennas (for ship-board operations only). The AIM models are different between land and ship-based configurations.
- 3) GEM integration kit. The GEM integration kit includes the GEM itself and the ground GPS antenna.
- 4) Moving platform module (MPM) integration kit (ship-based only).
- 5) Selective availability and anti-spoofing module (SAASM) GPS antenna.
- 6) Systems check laptop.
- 7) GCS cables.

e. The launcher provides the initial RQ-21A AV speed required for air vehicle flight over a wide range of wind and density altitude conditions, and enables expeditionary employment of the UAS in locations without suitable runways. The launcher is designed for transport by air, ship, or towed by light vehicles into rugged terrain. The launcher is made up of the launcher core and systems and the accessory components. The launcher core is attached lengthwise on the launcher trailer deck at two interface towers. The trailer is used to transport the launcher components and serves as a platform for the launcher core and systems.

f. The retriever system is comprised of the recovery system and trailer. The recovery system is a hydraulically-controlled telescoping crane mast that uses a vertical capture rope to catch the RQ-21A AV. The vertical capture rope features a bungee and rope energy dissipation system. The retriever is mounted to a modified MIL-STD trailer chassis. The trailer frame and hitch assembly connects the retriever to a towing vehicle. The trailer has one axle and four outriggers that are installed for use.

g. While no part of the RQ-21A UAS is itself classified, the following performance data and

technical characteristics are classified as annotated:

RQ-21 Unmanned Aircraft System (UAS)

| | |
|---|-------------------|
| GPS P/Y Code navigation equipment | SECRET when keyed |
| UAS Susceptibility to Jamming | SECRET |
| UAS TEMPEST Characteristics | SECRET |
| UAS Vulnerabilities | SECRET |
| UAS Survivability | SECRET |
| UAS Radar Cross Section | Up to SECRET |
| UAS Infrared Signature | SECRET |
| UAS Electromagnetic Interference (EMI) Vulnerability | SECRET |
| UAS Threat Data | SECRET |
| Communications Relay Tactical Employment | CONFIDENTIAL |
| Electro Optical/Infrared (EO/IR) Imager Counter Countermeasures | SECRET |
| EO/IR Imager Operational Characteristics | Up to SECRET |
| Automatic Information System Vulnerabilities | SECRET |

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the United Arab Emirates can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale of the RQ-21 UAS and associated equipment is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of the United Arab Emirates.

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DATE DSCA RECEIVED
MAY 24 2019

DETERMINATION UNDER THE ARMS EXPORT CONTROL ACT

SUBJECT: Emergency Arms Sales to Saudi Arabia, the United Arab Emirates, and Jordan

Pursuant to sections 36(b)(1), 36(c)(2), and 36(d)(2) of the Arms Export Control Act, 22 U.S.C. 2776, I hereby state that an emergency exists which requires the immediate sale of the following foreign military sales and direct commercial sales cases, including any further amendments specific to the cost, quantity, or requirements of these cases, in the national security interest of the United States:

For the Kingdom of Saudi Arabia:

- F-15 Support
- Paveway Precision Guided Munitions (sale and co-production)
- Aircraft Maintenance Support
- Aurora Bomb Fuzing System
- 120mm M933A1 Mortar Bombs
- F110 Engines for F-15s
- F/A-18 Panel Manufacture in Saudi Arabia for other end-users
- Advising and support of Ministry of Defense reform
- Continuation of follow-on logistics support and services for Royal Saudi Air Force, including Tactical Air Surveillance System support

For the United Arab Emirates:

- AH-64 Equipment
- APKWS Laser-guided Rockets
- Javelin Anti-Tank Missiles
- Paveway Precision Guided Munitions and Maverick missile support
- RQ-21 Blackjack UAS
- M107A1 .50 caliber Rifles
- FMU-152A/B Programmable Bomb Fuse
- Patriot Guidance Enhanced Missile – Tactical Ballistic Missile
- U.S. Marine Corps training of UAE Presidential Guard
- F-16 engine parts
- Amendment to previously Congressionally notified case for ScanEagle and Integrator Unmanned Aerial Systems

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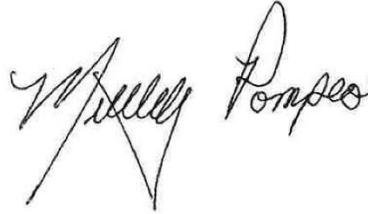
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For Jordan:

- Transfer of Paveway II Precision Guided Munitions from the United Arab Emirates.

This determination shall be published in the *Federal Register* and, along with the accompanying Memorandum of Justification, shall be transmitted to Congress.

A handwritten signature in black ink, appearing to read "Mike Pompeo". The signature is written in a cursive style with a large, stylized initial "M".

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(U) MEMORANDUM OF JUSTIFICATION
FOR EMERGENCY ARMS TRANSFERS AND AUTHORIZATIONS TO THE
KINGDOM OF SAUDI ARABIA,
THE UNITED ARAB EMIRATES, AND THE HASHEMITE KINGDOM OF
JORDAN TO DETER IRANIAN MALIGN INFLUENCE

(U) Iranian malign activity poses a fundamental threat to the stability of the Middle East and to American security at home and abroad. Iran's actions have led directly to the deaths of over six hundred U.S. military personnel in Iraq, untold suffering in Syria, and significant threats to Israeli security. In Yemen, Iran helps fuel a conflict creating the world's greatest humanitarian crisis. Iran directed repeated attacks on civilian and military infrastructure in Saudi Arabia and the United Arab Emirates by Iranian-designed explosives-laden drones and ballistic missiles fired by the Houthis, also known as Ansar Allah, who receive financial, technical, and materiel support from Iran.

(U) Current threat reporting indicates Iran engages in preparations for further malign activities throughout the Middle East region, including potential targeting of U.S. and allied military forces in the region. As the Administration publicly noted and briefed to Congress in greater detail in the appropriate setting, a number of troubling and escalatory indications and warnings from the Iranian regime have prompted an increased U.S. force posture in the region. The Iran-backed Houthis publicly threatened to increase operations targeting vital military targets in the United Arab Emirates, Saudi Arabia, and Saudi-Led Coalition positions in Yemen. The rapidly-evolving security situation in the region requires an accelerated delivery of certain capabilities to U.S. partners in the region.

(U) As President Trump noted in National Security Memorandum 11 of May 8, 2018, "the actions and policies of the Government of Iran, including its proliferation and development of missiles and other asymmetric and conventional weapons capabilities, its network and campaign of regional aggression, its support for terrorist groups, and the malign activities of the Islamic Revolutionary Guard Corps and its surrogates continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States."

(U) Iran's actions pose a critical threat to regional stability and the national security of the United States, which has been long acknowledged. Since 1984, Iran remains designated by the United States as a State Sponsor of Terrorism pursuant to section 6(j) of the Export Administration Act, section 40 of the Arms Export

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Control Act, and section 620A of the Foreign Assistance Act. In addition, the recent designation of Iran's Islamic Revolutionary Guard Corps (IRGC) as a Foreign Terrorist Organization under section 219 of the Immigration and Nationality Act notes the Government of Iran, through the IRGC-Quds Force, provides material support to the Taliban, Lebanese Hizballah, Hamas, Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine-General Command (PFLP-GC). Iran is also identified as constituting an unusual and extraordinary threat to the national security, foreign policy and economy of the United States under Executive Orders dating back to the Carter and Clinton Administrations.

(U) In 2014, the Houthis, an Iran-supported force increasingly contributing to the Iranian regime's efforts to destabilize the Arabian Peninsula, attempted to overthrow the internationally recognized government of Yemen. The Houthis have greatly increased regional instability, threatened the global economy, destroyed infrastructure, and terrorized the Yemeni people.

(U) The Houthis have attacked civilian areas within Saudi Arabia and the UAE with ballistic missile and unmanned aerial vehicle attacks in addition to cross-border raids; these have resulted in the deaths of over five hundred Saudi civilians, and the Kingdom of Saudi Arabia was fortunate in 2017 to have intercepted a ballistic missile aimed at Mecca which could have led to in a regional conflagration.

(U) The Houthi threat to stability extends beyond the security of their immediate neighbors. Over 10% of global shipping passes through the Bab-el-Mandeb straits separating Yemen from Africa, including an estimated 4.8 million barrels of oil per day, or about 5% of the global oil trade. Since 2016, the Houthis have repeatedly targeted international shipping transiting these straits to or from the Suez Canal. Houthi-controlled media recently announced the Houthis' intent to target Saudi ARAMCO infrastructure. Utilizing anti-ship cruise missiles, small boat attacks, and remote-controlled explosive vessels, the Houthis continue to strike not only commercial oil tankers, but also struck a cargo ship carrying grain to a Yemeni port. The Houthis conducted maritime attacks on the USS Mason and the USS Ponce, demonstrating the direct nature of the Houthi threat to U.S. personnel, assets, and our national security.

(U) Within Yemen, the Houthis severely limited the ability of the international community to provide humanitarian assistance to the population under their control. International humanitarian organizations report the "Houthi

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forces' widespread use of landmines along Yemen's western coast since mid-2017 has killed and injured hundreds of civilians and prevented aid groups from reaching vulnerable communities." Despite the humanitarian catastrophe, the Houthis continue to escalate the conflict in Yemen, most recently disregarding their own commitments under the UN-sponsored ceasefire deal regarding the port city of Hudaydah.

(U) The United States strongly backs peace efforts brokered by UN Special Envoy Martin Griffiths. Griffiths' painstaking endeavor to have parties reach agreements in peace talks in Sweden in 2018 would lay a solid track for a political process to end the conflict.

(U) For the reasons cited above, an emergency exists requiring immediate provision of certain defense systems to Saudi Arabia, the United Arab Emirates, and Jordan in the national security interest of the United States. Such transfers, whether provided via the Foreign Military Sales system, or through the licensing of Direct Commercial Sales, must occur as quickly as possible in order to deter further Iranian adventurism in the Gulf and throughout the Middle East. The Secretary of State, therefore, has certified an emergency exists under sections 36(b)(1), 36(c)(2), and 36(d)(2) of the Arms Export Control Act, 22 U.S.C. 2776, thereby waiving the congressional review requirements of those provisions.

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