



THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON
WASHINGTON, DC 20301-3010



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MEMORANDUM FOR

- SECRETARIES OF THE MILITARY DEPARTMENTS
- CHAIRMAN OF THE JOINT CHIEFS OF STAFF
- UNDER SECRETARY OF DEFENSE (POLICY)
- UNDER SECRETARY OF DEFENSE (COMPTROLLER)
- FINANCIAL OFFICER
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- DIRECTOR, DEFENSE INTELLIGENCE AGENCY
- DIRECTOR, DEFENSE LOGISTICS AGENCY
- DIRECTOR, DEFENSE NUCLEAR AGENCY
- DIRECTOR, DEFENSE SECURITY ASSISTANCE AGENCY
- DIRECTOR, NATIONAL SECURITY AGENCY

SUBJECT: Guidance for DoD Compliance with the Provisions of the United Nations Register of Conventional Arms

This memorandum, with attachment, provides guidance for Department of Defense (DoD) compliance with the provisions of the United Nations Register of Conventional Arms, in accordance with U.N. Resolution 46/36L, "Transparency in Armaments", and A/47/342, the Report of the Secretary General on the Register of Conventional Arms.

The U.N. General Assembly adopted U.N. Resolution 46/36L on 9 December 1991, entitled "Transparency in Armaments." This resolution established the United Nations Register of Conventional Arms to be based at the U.N. headquarters in New York City. U.N. member states have been requested to provide data annually on imports and exports of arms in seven categories of equipment. Member states have also been invited to provide available background information regarding their military holdings, procurement through national production, and relevant policies. A subsequent 1992 report, A/47/342, by a multinational Panel of Governmental Technical Experts elaborated technical procedures for effective operation of the Register. The recommendations of the Panel's report were endorsed by consensus Resolution 47/52L on 9 December 1992. The U.S. Government cosponsored U. N. Resolutions 46/36L and 47/52L and participated in the Panel's report. The USG is committed to complying with the requirements of the Register and meeting the Register's annual declaration deadline of 30 April.

In accordance with DoD Directive 2060.1, I have responsibility for oversight of DoD compliance with conventional arms control agreements. This responsibility applies to the U.N. Register of Conventional Arms. My point of contact is the Director, Strategic and Tactical Systems. The Under Secretary of Defense for Policy (USD(P)) is responsible for overall development and coordination of policy for DoD's involvement in ongoing and future work related to U.N. Resolution 46/36L. This includes possible expansion and/or modification of the U.N. Register and all work related to transparency in armaments at the U.N. and the Conference on Disarmament. The USD(P) point of contact is Assistant



Secretary of Defense for International Security Policy (ASD(ISP)). The Defense Security Assistance Agency (DSAA) will compile data on government-to-government exports in accordance with attached guidance. The Chairman of the Joint Chiefs of Staff will compile the data and information provided by the Services in accordance with attached guidance and provide advice and assistance for compliance with the provisions of the U.N. Register of Conventional Arms. The attached guidance is effective upon receipt, and will be used for all annual declarations, beginning with 1995 data and information. Authority for future modifications to the attached guidance is hereby delegated to the Director, Strategic and Tactical Systems. All addressees are responsible for ensuring compliance within their organizations.

Paul G. Kaminski

Paul G. Kaminski

Attachment

GUIDANCE FOR DoD COMPLIANCE WITH THE PROVISIONS OF THE U.N. REGISTER OF CONVENTIONAL ARMS

A. Reporting Requirements

The U.S. Government will comply with the provisions of the U.N. Register of Conventional Arms. Affected Services and DoD Agencies will supply the Office of the Under Secretary of Defense for Acquisition and Technology (OUSD(A&T)), Strategic and Tactical Systems with an official point of contact for U.N. Register matters within 30 days of signature of this memorandum. As requested by U.N. Resolution 46/36L and elaborated by the Report of the Secretary-General, A/47/342, the U.S. Government will provide import and export data on conventional arms. The Defense Security Assistance Agency (DSAA) will supply relevant data on government-to-government exports made through the Foreign Military Sales program, as authorized by the Arms Export Control Act and Chapter 2 of Part 11 of the Foreign Assistance Act (FAA) of 1961, as amended, as well as excess defense articles transferred under the FAA. These data will be provided to OUSD(A&T) by April 3 of each year for the preceding calendar year. Affected Services will supply relevant data on government-to-government imports to OUSD(A&T), through the Joint Staff, also by April 3 of each year. The Joint Staff will provide data on equipment cascaded in conjunction with the CFE Treaty and include it in data transmitted to OUSD(A&T). Data for imports and exports will be based on the Register's seven categories and definitions.

Affected Services and DoD Agencies will also provide annual information on military holdings and procurement through national production according to categories/definitions used for import and export data. Relevant information will be supplied to OUSD(A&T), through the Joint Staff, by April 3 of each year. OUSD(A&T) will supply to OUSD(P) by April 10 all data and information collected from DoD Agencies, the Joint Staff, and the Services. DoD working assumptions and definitions for reporting requirements are listed in Section F. New Register reporting provisions and any revised categories/definitions agreed in the U.N. may require changes to this document. OUSD(A&T) will revise this document as necessary. When report dates mentioned above fall on a weekend or holiday, information will be due the first workday thereafter.

The information required above will be recorded on the forms attached to this Guidance. In addition, a detailed explanation, including type and class, of each entry will be provided with the forms.

B. Resources

Affected DoD components will commit FY 95 funding to cover any unprogrammed costs of near-term efforts required to assure compliance with the Register's provisions. Related resource requirements for FY 96 and beyond should be included in the appropriate arms control program elements and defended in the POM/Budget process.

C. Compliance and Review Process

Consistent with the provisions of DoD Directive 2060.1, questions or issues on DoD compliance with the provisions of the U.N. Register of Conventional Arms Resolution will be identified to OUSD(A&T) and resolved by the Conventional Arms Control (CAC) Compliance Review Group (CRG). Concerns on data submissions should be raised to the CAC CRG in a timely fashion to facilitate discussion and resolution. Director, Strategic and Tactical Systems, or a designated representative, on behalf of

USD(A&T), chairs this group, which has representation from OUSD(P), Joint Staff (J-5), and General Counsel (GC), and from other DoD components as required.

D. Responsibilities

The USD(P) is responsible for providing data and relevant policies on government-to-government exports made through the Foreign Military Sales Program, as authorized by the Arms Export Control Act and Chapter 2 of Part 11 of the FAA of 1961, as amended, to OUSD(A&T). The DSAA will transmit such government-to-government data to the OUSD(A&T).

The USA, USN, USMC, and USAF are responsible for collecting data and information on government-to-government imports, procurement through national production, and current military holdings. This information will be provided to the Joint Staff.

The Joint Staff is responsible for compiling data and information from affected Services and agencies and for providing data on equipment cascaded under the CFE Treaty and transmitting the data and information to OUSD(A&T).

USD(A&T) is responsible for ensuring DoD compliance with the provisions of the U.N. Register of Conventional Arms. OUSD(A&T) will ensure that data and information collected meets U.S. Government and U.N. Register reporting provisions. Data and information will be collected, coordinated, and passed to OUSD(P).

OUSD(P) will transmit data and information to appropriate authorities within the United States Government.

E. Data Management

OUSD(A&T), in coordination with the Joint Staff and the Services, will define data management system requirements. So far as possible, the Register's reporting provisions will be incorporated into existing data management or notification systems.

F. Definitions and Assumptions

The categories and definitions, as outlined in A/47/342, are:

I. Battle Tanks

Tracked or wheeled self-propelled armored fighting vehicles with high cross-country mobility and a high level of self-protection, weighing at least 16.5 metric tons unladen weight, with a high muzzle velocity direct fire main gun of at least 75 millimeters caliber.

II. Armored Combat Vehicles

Tracked, semi-tracked or wheeled self-propelled vehicles, with armored protection and cross-country capability, either: (a) designed and equipped to transport a squad of four or more infantrymen; or (b) armed with an integral or organic weapons of at least 12.5 millimeters caliber or a missile launcher.

III. Large Caliber Artillery Systems

Guns, howitzers, artillery pieces, combining the characteristics of a gun or a howitzer, mortars or multiple-launch rocket systems, capable of engaging surface targets by delivering primarily indirect fire, with a caliber of 100 millimeters and above.

IV. Combat Aircraft

Fixed-wing or variable-geometry wing aircraft designed, equipped or modified to engage targets by employing guided missiles, unguided rockets, bombs, guns, cannons, or other weapons of destruction, including versions of these aircraft which perform specialized electronic warfare, suppression of air defense or reconnaissance missions. The term "combat aircraft" does not include primary trainer aircraft, unless designed, equipped or modified as described as above.

V. Attack Helicopters

Rotary-wing aircraft designed, equipped or modified to engage targets by employing guided or unguided anti-armor, air-to-surface, air-to-subsurface, or air-to-air weapons and equipped with an integrated fire control and aiming system for these weapons, including versions of these aircraft which perform specialized reconnaissance or electronic warfare missions.

VI. Warships

Vessels or submarines armed and equipped for military use with a standard displacement of 750 metric tons or above, and those with a standard displacement of less than 750 metric tons, equipped for launching missiles with a range of at least 25 kilometers or torpedoes with similar range.

VII. Missiles and Missile Launchers

Guided or unguided rockets, ballistic or cruise missiles capable of delivering a warhead or weapon of destruction to a range of at least 25 kilometers, and means designed or modified specifically for launching such missiles or rockets, if not covered by categories I through VI. For the purposes of the U.N. Register, this category:

- a. Also includes remotely-piloted vehicles with the characteristics for missiles as defined above;
- b. Does not include ground-to-air missiles.

The following overall assumptions will be used in reporting U.N. Register data and information:

- a. all data and information will be unclassified and pertain only to conventional equipment;
- b. information on military holdings and procurement through national production will include equipment held by the U.S. forces worldwide;
- c. information for holdings will be as of 31 December of the prior year; numbers reported should incorporate equipment acquired through imports and equipment leased from other countries, as well as procurement through national production;

- d. information for procurement through national production will be for the preceding calendar year;
- e. data for transferred equipment of exports and imports will be for the preceding calendar year;
- f. data will include equipment cascaded in conjunction with the CFE Treaty for the preceding calendar year;
- g. information on military holdings and procurement through national production will not include in any reporting categories, prototypes or developmental items, and equipment in research development, test, and evaluation;
- h. for the purposes of reporting data, "imported to or exported from" will be defined as occurring when a party takes title over the equipment, regardless of end use; and
- i. for the purposes of reporting data, leased equipment will not be reported as a transfer, but only as military holdings; and the United States will include within military holdings, equipment leased *from* other countries, but not equipment leased *to* other countries.

Definition of military holdings:

Military holdings are comprised of conventional military equipment that is in service, including such equipment in depots, pre-positioned stocks; equipment leased from other countries; and active, reserve and guard inventories, excluding prototypes; developmental items; museum pieces; and equipment in research, development, test, and evaluation. Additionally, equipment under exploitation for intelligence purposes obtained through confidential agreement with a foreign government or clandestine means will also be excluded. In computing military holdings, one should take into account, among other things, equipment acquired through imports, equipment acquired through national production, and equipment leased from other countries. Note: an imported item must meet this definition in order to be included in military holdings.

Definition of procurement through national production:

Equipment which has been accepted into service, excluding prototypes, developmental items, and equipment in research, development, test, and evaluation.

Definition of data:

As described in United Nations Resolution 46/36L, the term "data" refers to the number of items in each of the seven Register reporting categories of equipment imported into or exported from the United States. The term data also refers to the number of items of equipment cascaded in conjunction with the CFE Treaty.

Definition of information:

As described in United Nations Resolution 46/36L, the term "information" refers to facts and figures provided to the United Nations on available background regarding military holdings and procurement through national production and relevant policies.