

File 20110801.1630: Interesting discussion of Foreign Military Sales (FMS). Frank Sinkular requested a meeting from Ernie about it this week. Dan Griffin is supposed to meet with Olav and Ernie and probably Kim Frey about it at 1830 this evening. Dan Griffin is very upset, feels the developer not passing along information about FMS. The developer's side of it is that the developer hands off equipment to the government, and sometimes the government puts it in an FMS situation without the developer's knowledge. Olav has got to try to calm down Dan Griffin over it tonight. I am not in that meeting, but would be interested to know what happens, even though it is not anything I can use.

The situation is this: a Deputy Secretary of Defence has concerns about FMS of cross domain solutions. Poland, Morocco, and Saudi Arabia are the current sales (or planned sales) that have them most upset, but a deal with Australia is being held up as well. In the past, RM systems have gone to Australia, Canada, New Zealand and a very small number of other places 'north of Iraq' although those are supposedly on US bases and hence, from the developer's perspective, not FMS. But because of the DSD's concerns, they are pulling back on the Australia deal.

Frank Sinkular has suggested that if RM were to make a version that contained none of the critical technology that is FMS export restricted, they would own the FMS guard market, since none of the other guard vendors would play in that space.

I wish I could hear what will be discussed in the meeting with Dan Griffin, but I do not think I can use it for obvious export control reasons. For caution, I think I ought to stay out of it. I already supplied my recommendation in an email last week, where I quoted DCID 6/3 Appendix E on foreign nationals with privileged accounts on the guard.

Larry Brown made a telling point, in that there is a large difference between an interface of an RM sending data to a foreign country, and foreign nationals having privileged access (including the case of unlimited physical access) to a Radiant Mercury. It is possible that Dan Griffin, and beyond him the DSD, do not appreciate that distinction. Ernie noted that in once case (New Zealand perhaps?), NSA gave it to the foreigners and the developer had nothing to do with the transfer.

## References