

Memorandum of Intent

Between

the Department of Defense

of the United States of America

and

the Minister of National Defense

of the Republic of Poland

Concerning

PATRIOT Defense Capabilities

The Department of Defense  
of the United States of America

and

The Minister of National Defense  
of the Republic of Poland

In his letter of June 9, 2017, to Polish Minister of National Defense Antoni Macierewicz, U.S. Secretary of Defense James Mattis wrote that the U.S. Defense Security Cooperation Agency (DSCA) and the U.S. Department of the Army would outline the estimated timeline for Foreign Military Sales (FMS) Letters of Offer and Acceptance (LOAs) to respond to Poland's request for procurement of the PATRIOT missile system and other elements of Poland missile defense.

The U.S. Deputy Assistant Secretary of the Army for Defense Exports and Cooperation outlined a phased approach to meeting Poland's missile defense requirements.

In the spirit of our strong commitment to Poland's defense, deepening defense cooperation, and support for Poland's urgent need for an air and missile defense capability, the U.S. Department of Defense (DoD) intends to expeditiously address development and presentation of LOAs to the Republic of Poland for the PATRIOT capabilities described herein. The U.S. DoD also intends to pursue vigorously the integration of the requested capabilities while adhering to U.S. laws and regulations. In particular, the U.S. DoD is to comply with all technology release authorities, policy clearances, and Congressional approvals.

The U.S. DoD intends to pursue the PATRIOT requirement as follows:

Phase I. The U.S. Army intends to deliver an LOA to Poland for the PATRIOT/ Integrated Battle Command System (IBCS) system by December 2017. The U.S. DoD intends to offer the U.S. Army Configuration that includes four (4) Firing Units of PATRIOT Configuration 3+ with PAC-3 Missile Segment Enhancement and the IBCS. The U.S. DoD is unable to provide current PATRIOT configuration radars for lease or buy-back. Projected delivery will begin in 2022, and initial operational capability is expected in 2023.

Phase II. Based on WISLA requirements provided by the Ministry of National Defense of the Republic of Poland, and as part of a Polish FMS case, the U.S. DoD intends to pursue, within the statutory and regulatory framework of the Security Cooperation enterprise, integration of SkyCeptor, 360 degree Active Electronically Scanned Array radar, and Polish indigenous sensors into the Polish WISLA architecture. The ability of the U.S.

DoD to implement this integration effort depends on the receipt of additional technical and scheduling information from Poland as well as higher release authorities. Delivery of a Phase II amended LOA is projected by the end of calendar year 2018.

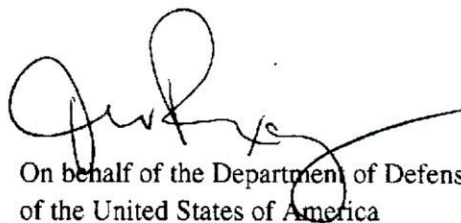
Additionally, the U.S. DoD intends to transfer the maximum level of technology allowable under U.S. policy, associated with the 69 areas, which includes the 12 critical areas briefed by the Polish Ministry of National Defense, to be provided formally to the U.S. DoD. These critical areas include technology associated with a proposed U.S. radar and SkyCeptor missile.

The Minister of National Defense of the Republic of Poland intends to support purchase, sustainment, and deployment of the defense capabilities described herein by making arrangements for a payment method that guarantees funds are received on a timely basis from the Republic of Poland.

This Memorandum of Intent is not considered legally binding under international law. This document does not create any authority to perform any work or obligate or create any binding commitment under the national laws of the United States of America or the Republic of Poland to make or provide any financial or nonfinancial contribution or to deliver any defense article to or perform any defense service for the other for any purpose.



On behalf of the Minister of National Defense  
of the Republic of Poland  
Bartosz Kownacki  
Deputy Minister of National Defense  
of the Republic of Poland



On behalf of the Department of Defense  
of the United States of America  
J.W. Rixey  
Vice Admiral, USN  
Director  
Defense Security Cooperation Agency