



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 164

WASHINGTON, TUESDAY, OCTOBER 9, 2018

No. 167

## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Most loving God, the source of our hope, abide with our lawmakers today. Fill their minds with thoughts of Your love, wisdom, and strength.

Lord, use them to be a voice for the voiceless. Keep them from all evil, purifying their hearts to be instruments for Your use. Take away from our Senators anything that hinders them from hearing and obeying Your voice. Teach them this day to see You more clearly, love You more dearly, and follow You more nearly.

Now and always we pray, in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. HOEVEN). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DESIGNATING THE UNITED STATES COURTHOUSE LOCATED AT 300 SOUTH FOURTH STREET IN MINNEAPOLIS, MINNESOTA, AS THE "DIANA E. MURPHY UNITED STATES COURTHOUSE"

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to accompany S. 3021, which the clerk will report.

The legislative clerk read as follows:

House message to accompany S. 3021, an Act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the "Diana E. Murphy United States Courthouse".

Pending:

McConnell motion to concur in the amendments of the House to the bill.

McConnell motion to concur in the amendment of the House to the bill, with McConnell amendment No. 4048 (to the motion to concur in the amendment of the House to the bill), to change the enactment date.

McConnell amendment No. 4049 (to amendment No. 4048), of a perfecting nature.

McConnell motion to refer the House message to accompany the bill to the Committee on Environment and Public Works, with instructions, McConnell amendment No. 4050, to change the enactment date.

McConnell amendment No. 4051 (to the instructions (amendment No. 4050) of the motion to refer), of a perfecting nature.

McConnell amendment No. 4052 (to amendment No. 4051), of a perfecting nature.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

RESIGNATION OF NIKKI HALEY

Mr. McCONNELL. Mr. President, first, I want to convey a few words of thanks to our dedicated Ambassador to the United Nations, who we just learned will be stepping down at the end of the year.

Our Nation has benefited greatly from the tough, skilled leadership that Nikki Haley brought to the U.N. Her tenure will be remembered for her proud reassertion of American moral leadership and her fearless willingness to turn a bright spotlight on critical

challenges, from Israeli's sovereignty to Iran's sponsorship of regional violence.

Ambassador Haley has been a key part of the administration's team that has faced down a wide variety of critical challenges, and she has done so with distinction.

She took on this role after an impressive 6 years as Governor of South Carolina and quickly proved to be both be a skillful advocate for our national interest and a forceful spokeswoman for our principles.

I hope this is not the end of Ambassador Haley's distinguished career in public service. I thank her for her significant contributions to our country.

CONFIRMATION OF BRETT KAVANAUGH

Mr. President, on another matter, yesterday, I was pleased to attend the ceremonial swearing-in for the newest member of our Supreme Court—Justice Brett Kavanaugh.

Justice Kavanaugh's remarks yesterday affirmed yet again what his record and his testimony clearly told us: He will be a thoughtful, fairminded Justice who is committed to applying our laws and our Constitution as they are actually written.

His confirmation last week was a victory for the very same principles of fairness and justice we can now count on with him—along with his fellow Justices—to uphold.

Saturday's vote was also a victory for the Senate—for this institution—and for the integrity of this institution. Reason and deliberation triumphed over what was literally—literally—an attempt to sway the Senate using mob tactics. I wish this were an exaggeration, but it isn't.

While many came to Washington peacefully to share their stories, the loudest voices proved to be those of the politically motivated far left—the same far left special interests that had pledged total opposition to any Supreme Court nominee before the ink

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S6703

was even dry on Justice Kennedy's retirement. They pulled out all the stops. They did everything they could.

When it became clear Justice Kavanaugh's nomination would not be stopped on the merits—well, as we know, that was only the beginning. The far-left activists decided that the U.S. Senate and their Members should be harassed and intimidated wherever they might be—in a restaurant with family, getting out of their own car, or in their own homes; anything went.

When they did not get their way, when these tactics failed to sway us, they just turned up the anger even more. Protestors disregarded the men and women of the Capitol Police, trampled barricades, stormed the steps of the Capitol and the Supreme Court, climbed on statues, and tried to literally shout down Senators right in the middle of a rollcall vote in the Senate.

When the dust settled, literally hundreds of arrests had been made. Extraordinary security measures were required to protect the Senate, the Supreme Court, as well as the Kavanaugh family. Members of this body and Senate staff have received threats of violence and murder.

After all that, I am afraid the far left had succeeded in only one thing: They made it even more difficult for the vast majority of Americans to take them seriously. They made it difficult for most Americans to take these people seriously.

The madness hasn't stopped. They are already signaling that even more drastic steps may be necessary now that Justice Kavanaugh is on the Court.

Some leftwing publications are already trying to lay the groundwork for—you guessed it—literally packing the Court with more Justices. That is right. The far left has gone scrounging through the ash heap of American history, and they are bandying about that discredited fantasy from back in the 1930s.

In the meantime, while the groundwork is laid for that scheme, one far-left pressure group is already trying to circulate petitions that Justice Kavanaugh should be impeached—Justice Kavanaugh should be impeached.

The mob would like to make themselves perfectly clear. If Democrats were to retake Congress, "progressives" expect them to use their full power to get Kavanaugh off the bench."

So it is pretty obvious. The all-consuming animosity toward this nominee, independent of all the facts and all the evidence, is still being stoked. The far-left mob is not letting up.

Early today, former Secretary of State Clinton sent this signal as clear as day—this is Secretary Clinton. She told CNN exactly how she views millions of Americans who hold different political views from her own. Here is what she said:

You cannot be civil with a political party that wants to destroy what you stand for. . . . If we are fortunate enough to win back

the House and/or the Senate, that's when civility can start again.

No peace until they get their way? More of these unhinged tactics?

Apparently, this is the left's rallying cry, but fortunately the American people know the fact-free politics of hate, fear, and intimidation are not how we actually govern in our democratic Republic.

The Senate and the Nation will not be intimidated.

S. 3021

Mr. President, on an entirely different matter, earlier this year, the President challenged us to seriously address our Nation's crumbling infrastructure. We have wasted no time in Congress on working to tackle this challenge in a bipartisan way.

Here are just a few highlights: The funding bill for fiscal 2018 included a \$21 billion increase in infrastructure funding. We continue to build on that significant commitment in our historic return to regular appropriations for fiscal year 2019.

Just last week, we passed the longest FAA reauthorization in more than three decades on an overwhelmingly bipartisan basis. This week, we have the chance to keep the momentum going and advance another major victory for the American infrastructure by passing America's Water Infrastructure Act.

Chairman BARRASSO and Ranking Member CARPER deserve a lot of credit for getting this important bipartisan legislation across the finish line. Its importance for every State in our Nation really cannot be overstated.

America's ports and inland waterways give our producers access to markets around the world. For example, more than 60 percent of our grain exports move through our inland waterways and so do other commodities such as fuel, coal, and agricultural inputs.

No wonder the American Farm Bureau Federation wrote the Senate, explaining that this legislation "will put America's inland waterways and port infrastructure on a solid and sustainable foundation to contribute to U.S. economic growth, jobs and global competitiveness for generations to come."

This legislation covers big projects, like deepening ports and ensuring the navigability of inland waterways, but it also focuses on the unique challenges our local communities face. It will help ensure access to functioning sewer systems and clean drinking water.

On the last point, there is good reason why the chairman of the EPW Committee calls this legislation "the most significant drinking water infrastructure bill in decades." When you look at its contents, it is hard to reach any other conclusion.

There is more support for our rural communities as they grapple with aging water, sewer, and flood control infrastructure. The legislation includes Senator BOOZMAN's SRF-WIN Act, which puts low-interest financing within reach for small and midsized rural communities, like those in my home State of Kentucky.

For the first time in over 20 years, this legislation reauthorizes Federal funding to States to help ensure the safety of our drinking water.

The legislation also addresses environmental protection. To name just one example, it includes an important effort championed by Senator RUBIO and Governor Scott to help address harmful algal blooms that have plagued Florida's waterways. These are just a few of the significant accomplishments this legislation secures. Dams and levees, flood control for our communities, safe drinking water, and sewer systems in communities big and small.

The bill before us addresses real needs in my State and across America. I hope each of my colleagues will join me in voting to advance America's Water Infrastructure Act later today.

CONFIRMATION OF BRETT KAVANAUGH

Now, on one final matter, I would like to conclude where I started, with a few words of thanks for a job well done. Justice Kavanaugh's confirmation could not have happened without the tireless work of so many. So while I certainly can't mention everyone who is deserving, I wish to take a moment to express my gratitude.

First, of course, is President Trump himself, for sending to the Senate such a talented and qualified nominee. He and Vice President PENCE are stalwart champions for the judiciary that the American people deserve.

My deep gratitude also goes to White House Counsel Don McGahn. Without Don's total dedication to ensuring that Judge Kavanaugh received a fair hearing, we would not be where we are today.

Here in the Senate, I can't compliment enough our dear friend Chairman GRASSLEY for his leadership of the Judiciary Committee. He balanced strong leadership with generosity and flexibility to all of the Members. He oversaw the most thorough, painstaking review of a Supreme Court nominee in our Nation's history.

Supporting Chairman GRASSLEY and the committee, I would like to mention the following individuals: Staff Director Kolan Davis, Chief Nominations Counsel Mike Davis, Steve Kenny, Lauren Mehler, Andrew Ferguson, Taylor Foy, Rachel Mitchell, Katharine Willey, Jessica Vu, George Hartman, Jill Kozeny, and Jennifer Heins in Senator GRASSLEY's office, and an entire team of outstanding staff.

Thanks are also due to the Republican Whip, Senator CORNYN, and his excellent team, led by Monica Popp, and also to all of the dedicated floor staff who make this body function: Laura Dove, Robert Duncan, and the entire cloakroom team; the Secretary of the Senate, Parliamentarians, clerks, reporters of debates, Sergeant at Arms, and our doorkeepers.

On my own team, I really cannot imagine this process—or really, my office, at all—without the crucial leadership of Sharon Soderstrom, my chief of

staff. She works harder and achieves more, under more pressure, than almost anyone I have ever had the privilege of working with.

Don Stewart, my deputy chief of staff, is the expert hand who helps keep us on course and shapes our communications strategy. Hazen Marshall, my policy director, helped to keep this and other priorities on track, including the other bipartisan policy wins the Senate delivered during the nomination debate.

John Abegg is my chief counsel and right-hand man for every step of this process. For 15 weeks, John poured his determination, his experience, and his wisdom into this process. He started working the moment Justice Kennedy announced he was stepping down and did not stop until the gavel fell. We wouldn't be here without his work.

I am grateful to my policy advisers, my communications team, and my operations staff for all the hard work and late nights they poured into this process, and to Phil Maxson and my personal office team for their assistance.

But most important of all, I need to close with this. To the men and women of the United States Capitol Police and to all of the other law enforcement officers who kept Members, staff, and citizens safe, even in extremely difficult and often hostile circumstances, we really can't thank them enough. Our representative government and the rule of law depend on their dedication, their bravery, and their sacrifice. So thank you so much for keeping the Senate safe.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CANCER RESEARCH

Mr. CORNYN. Mr. President, it was good to get back home to Texas over the weekend and on Columbus Day. I had a chance to travel to far West Texas, out to El Paso, TX, and catch up with some of my friends and constituents there on some important issues they care an awful lot about.

While we in Washington have been focused on Brett Kavanaugh's confirmation to the U.S. Supreme Court for the last 90 days or so, a lot of other important things have been happening back in Texas and around the country.

For example, on August 1, Dr. Jim Allison, affiliated with the University of Texas MD Anderson Cancer Center in Houston, won the Nobel Prize in medicine, along with a researcher from Japan. This is really important work. It was a culmination of 25 years of effort, and I am sure something Jim would have never even dreamed of as he grew up in the small town of Alice, TX, 45 minutes from Corpus Christi. He has come a long way since then. We are

very proud of him, and today we send our congratulations to Dr. Allison and to the entire MD Anderson team on a tremendous accomplishment.

Dr. Allison developed a new way to treat cancer using T cells. His method unleashes a patient's immune system to attack tumors. In other words, it is your own immune system that is triggered to attack the tumors that are attacking the patient. This is called immune checkpoint therapy. It has resulted in the development of numerous drugs that have the potential to save lives. None other than our former President, Jimmy Carter, is now cancer free because of this type of therapy, but he is just one of the most famous of many examples.

In the not so distant past, cancer could be treated in only one of three ways: through surgery, radiation, or chemotherapy. A friend of mine gave me the book—I think it was a Pulitzer Prize winning book—called "The Emperor of All Maladies," which was also a documentary. To be honest, the way that the medical profession treated cancer in the early days was pretty primitive: surgery, radiation, or chemotherapy. But now, thanks to people like Dr. Allison and MD Anderson, cancer patients have other options.

Dr. Allison is sometimes referred to as the "Godfather of cancer immunotherapy," and the drugs he has helped to develop have now been approved to treat not only melanoma and lung cancer but also Hodgkins lymphoma and cancers of the kidney, bladder, liver and stomach.

But despite the great strides made by this Nobel Prize-winning Texan, immunotherapy is still in the very early stages of development. Dr. Allison said there are nearly 2,000 immunotherapy trials in progress around the Nation, including 200 at MD Anderson alone. That gives my colleagues an idea of the number of people and the ongoing efforts that are working to extend the scientific frontiers of cancer treatment.

Much of this work, of course, would not be possible without the funding that is provided by the American taxpayer through State and Federal funding. The National Institutes of Health remains the largest funding mechanism, but in Texas we have done our part by investing \$3 billion over 10 years through the Cancer Prevention and Research Institute of Texas, commonly known as CPRIT.

Here in the Senate and in the House, working together with the administration, we have been promoting cancer research in several overlapping ways. I recently met with Dr. Shanlin Shah and learned about the fascinating proton therapy that MD Anderson has pioneered. Conversations like that are a great way that we in Congress, who are obviously not experts, can try to stay on top of rapidly advancing research.

But even more important is what we do here collectively to fund that research. We have increased funding by

\$2 billion to the National Institutes of Health. With that increase, close to \$6 billion is now going to the National Cancer Institute, and an additional \$100 million is being put toward the so-called Cancer Moonshot that Joe Biden and others touted and which all of us working together voted to create. The Moonshot will accelerate research regarding high mortality cancers.

As a part of the Moonshot initiative, the National Institutes of Health has partnered with biopharmaceutical companies to launch what is known as the Partnership for Accelerating Cancer or PACT, as it is called. PACT is a 5-year public-private research collaboration totaling \$215 million. Hopefully, it will identify new biomarkers and develop new immunotherapy treatments.

Dr. Allison, whom I mentioned earlier, has spoken about how crucial this government funding effort really is. Of course, like I said, while we are caught up in the fights of the day here on the floor of the Senate, a lot of good work gets done that the American people don't hear about. So that is why it is so important to emphasize this point.

While biotech and pharmaceutical companies fund the late-stage research that brings well-developed therapies into clinical trials, the early funding of basic science, which makes that possible, often comes from the money provided by the U.S. Government through the National Institutes of Health. Without it, Dr. Allison said, "many of the therapies that currently treat millions of cancer patients worldwide simply wouldn't exist."

That is an important point too. It is not just treating cancer here in America. The science and the developments, the research and the cures that are developed at places like MD Anderson Hospital in Houston, TX, benefit the whole world.

I remember one of the last times I was at MD Anderson for a townhall meeting with Senator MCCONNELL, the majority leader, and Senator John McCain, our recently departed colleague from Arizona. At the time, I was told that patients from 90 different countries come to MD Anderson in Houston, TX, because of their expertise treating cancer.

So this is not just a local or national phenomenon. This is a worldwide phenomenon.

It is not just the government, of course, that helps to fund this important research. Philanthropists are also invaluable when it comes to this sort of research as well. I am thinking about my friends Peggy and Lowry Mays of San Antonio, TX. Thanks to their generosity, San Antonio's premier cancer center, which is one of only four in Texas with the National Cancer Institute's elite designation, is entering into an entirely new era. Their donations and their generosity will provide an endowment to support the director of the cancer center, and it will also fund new faculty recruitment and retention initiatives for generations to come. This is just another way

that generous people with big hearts are making a difference. It is not just government. It is government working together with people like the Mays to get these things done.

What all of this shows, of course, is that when serious and sustained effort is applied and money is invested, there is a lot of progress that we can make in dealing with things that never would have even been considered treatable years earlier, not that many years ago, and there is always more to be learned.

This calls to mind something the great Thomas Edison, the inventor of the light bulb, once said: "When you have exhausted all possibilities, remember this—you haven't." We haven't exhausted all possibilities, as Dr. Allison's path-breaking work clearly shows—not even close. We have so much more to discover and understand. With science advancing at practically lightning speed, I believe it is not a question of if we cure cancer but when.

That comes as good news for families all across this country of ours because almost no family has been spared. Even when we don't have a close friend or immediate family member who has undergone radiation treatment or chemotherapy, we know stories of famous people, such as Steve Jobs, Aretha Franklin, and even our friend John McCain, recently departed. They passed away from pancreatic cancer and glioblastoma. For others we know, it was oral cancer or lung cancer. Cancer respects no persons and observes no differences between the wealthy and the poor or race or ethnicity. But if we are lucky, we are also blessed to know cancer survivors who, thanks to medical innovation, have a new shot at life. They have undergone hardships and treatment that the rest of us might find difficult to even imagine, but they have endured by their spirit, and they have inspired all of us to keep working, whether it be at the Mays Cancer Center in San Antonio, at MD Anderson in Houston, or up here in Washington, where we work to fund research through legislation. Like Thomas Edison said, we will never exhaust all of the possibilities, so we must not give up. We must keep trying.

Working with generous donors, as well as undaunted scientific researchers like Dr. Allison and his team, I hope we will continue to apply our time and talents to finding answers and yielding newer and greater discoveries.

To all the younger generations—some in towns not unlike Alice, TX—to all of those who are wondering what they might want to be when they grow up, look no further than Dr. Jim Allison. Look how much he has accomplished through his life's work. He is a good example of the type of person you can aspire to be and what is possible if you try.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLIMATE CHANGE

Ms. KLOBUCHAR. Mr. President, I rise today to talk about something that is such an urgent challenge for our Nation and the world; that is, climate change. Over the weekend, we received the most recent and most dire warning of the costs of inaction yesterday when the U.N. Intergovernmental Panel on Climate Change issued its report. It wasn't easy to break through the news in the last week. We all know there was a lot going on, but this one did.

Why did this break through the news? First of all, it was such a comprehensive report. It was a product of 91 scientists from 40 countries. They looked at more than 6,000 studies, and they concluded, absent major changes in our greenhouse gas emissions, the devastating consequences of climate change are coming much sooner than previously expected. I think that is why it made front page news—because of the timeline.

I think a lot of times people think of something that maybe their grandkids or great-grandkids are going to have to deal with, but, no, actually the pages in this room—young people today, people even in my generation—are going to have to be dealing directly with the frontline consequences of climate change.

The report predicted that the atmosphere will warm up by as much as 2.7 degrees Fahrenheit above preindustrial levels by 2040. That is just over 20 years. Think about the pages in this room. Twenty years from now might seem long, but it is not that long at all.

Just 20 years ago, we could see persistent droughts—we are already seeing a number of droughts now—food shortages, worsening wildfires—think of what we have already seen in Colorado and California on the west coast—and increased coastal flooding, damage that could cost \$54 trillion. This is about loss of life, loss of quality of life, and this is about loss of money and loss of people's incomes.

As the authors of the report make clear, it will take immediate action to avoid these catastrophic consequences for our country and our world. First, by 2030, we must reduce greenhouse gas pollution by 45 percent from 2010 levels. Second, by 2050, we must increase our use of renewable energy, such as wind and solar, by as much as 47 percent.

Do you know what? We can do this. If we don't do anything, we are going to face dire consequences.

When I first came to the Senate, we started hearing from military people and from scientists from all over the world about what we could see even in the next 10 years, 20 years, 30 years. So

much of that has already come true. Imagine if we do nothing, and we keep on this trajectory.

The American people understand it. I hear about the climate issue everywhere I go in my State—from hunters in Northern Minnesota to people who like to snowmobile and cross-country ski, to business leaders in the Port of Duluth, to students at the University of Minnesota.

Increasingly, warmer temperatures are having dramatic effects all over the northern part of our country. Lyme disease has spread further north. Aspen forests are shrinking. Moose range is declining. There is thirty-seven percent more rainfall as a result of mega rainstorms than we saw 50 years ago. The ragweed pollen season has extended 3 weeks in the Twin Cities in just the past 20 years. Those are facts.

When you think about the effect that has on animals, think about the effect that has on our daily lives, and then think about what would happen if we kept going that way, not just this way but that way in the next 20 years. This is in stark contrast to comments made by some who still suggest the climate change debate isn't settled. I couldn't disagree more.

I know we had a vote in this Chamber where something like 98 or 99 Senators voted that climate change is occurring. There may not be agreement on what we should do about it, but there better be soon.

I am a former prosecutor, so I believe in evidence. As this U.N. report shows us, the facts and the science couldn't be clearer. I suggest that everyone read about it or read summaries, which are easily available. Every week seems to bring fresh evidence of the damage climate change is already causing, and Americans will feel the consequences.

My State may be miles and miles away from rising oceans, but the impacts are not less of a real threat to my State. Climate change isn't just about melting glaciers, although we sure have seen those. Anyone who visits Glacier National Park—I went with my family—can literally see over time, decade by decade, the changes to those glaciers. I once visited Greenland with a number of Senators, including Republican Senators, and you could see what is happening there as major icebergs and parts of their ice sheets are breaking off and disappearing. You can see the physical evidence of this. You can see the photographs of this. It is not just about that.

Recently, we have seen the devastating impact of natural disasters, like Hurricane Florence and the catastrophic flooding this summer throughout Southern Minnesota in Duluth. There may be some political division around climate change; that is putting it mildly. But there isn't any real scientific division because nearly all of the scientists in this world believe this is happening.

I will never forget an episode from the John Oliver show, which is a humorous program to watch, but it brings

real issues to light. To show that kind of scientific division, he decided to have a bunch of scientists on the stage with him. They were wearing their white coats. He had something like 97 or 98 scientists on one side in their white coats and 1 or 2 on the other side. That is the division. It is not real division if you are someone who believes in evidence. Climate change is occurring, and this latest report is from the scientists all over the world who would have no reason to do this except to warn people about the truth. That is why they are doing this.

As citizens, we have an obligation to learn about it, to understand it, and to support ideas that will not hold us back dramatically but will allow us to tackle this head-on. If we don't tackle this issue, we are going to continue to struggle with the far-reaching economic and environmental consequences. This report makes clear that those risks aren't far off in the future for your great-great-great-great-grandchildren; no, they could become a crisis as soon as 2040.

Shifting global trends have the potential to wreak more subtle, long-term havoc on our businesses and industries. That is why so many businesses in my State support doing something about climate change. Sometimes it is because they have customers all over the world—all over the world in areas that are going to be the first hit by tsunamis and other weather events or it is because they simply want to be good corporate citizens or it is because they see their bottom line and how it is going to be affected if we don't do something about this.

The U.N. report details the economic damage that will happen if we fail to act, including losses of roughly 1.2 percent to our gross domestic product for every 1.8 degrees of warming. As it gets hotter, the GDP does go down.

As a Senator from a State with a strong agricultural industry and a tradition of hunting, fishing, snowmobiling, and skiing, climate change is not only a direct threat to our State's economy, it is also a threat to our quality of life, to the way we grew up, to enjoying the outdoors with our friends and our families.

When President Trump announced that the United States would withdraw from the international climate change agreement last summer, I heard a lot from people in our State.

As you all know, 195 countries made a pledge to come together to combat climate change, and in withdrawing, the United States was initially one of only three countries that would not be in the agreement. The other two countries that weren't in the agreement were Syria and Nicaragua. Well, now Syria and Nicaragua have signed the accord, so the United States is now the only country not to sign the accord.

Our decision to leave this agreement sent the wrong message to the rest of the world—the wrong message. The lack of leadership has led to other

countries discussing backing out of the agreement. That is not leadership. That is not leading from the front. We can't have this happen. America should be leading and helping the world move forward.

By the way, there is such an innovation space here, so much money to be made by responding to this in a smart way and developing new vehicles and developing new energy and new ways to deal with this challenge. It isn't just a challenge; it is also an opportunity. If we don't seize that opportunity by getting our own act together, by admitting that it is a problem and giving incentives to our businesses to go in the right direction and to bring other countries with us, we are going to lose that opportunity to other countries that are part of this international coalition.

I have already talked to people who work in government or who work for businesses that have gone to international meetings and who have said: Do you know what some of these people in other countries say? I think we are going to work with China on this. They are part of that agreement. Hey, we are going to buy our solar panels from them, or we are going to do work with them on this.

You can't hide from the fact that we withdrew from that agreement, and it hurts not just our environment, it hurts our economic opportunities going forward.

Look at Minnesota and what has happened because we were out front on this. I am proud that our State has taken an incredibly proactive and innovative approach to energy use and sustainability, which is critical to addressing carbon emissions. Our State's renewable energy standard requires that 25 percent of our electricity come from renewable sources by 2025. We passed that way back in 2007 with—get this—a Republican Governor, Governor Pawlenty. He helped lead the way on that and worked with the legislature of Democrats and Republicans to pass what was at the time seen as a very aggressive standard. We did it by combining it with doing something about biofuels—something that is important not just in Minnesota but in the Presiding Officer's State of North Dakota.

We were able to put together that kind of coalition—the leaders in our legislature and the Governor, farmers and workers, environmentalists—to move forward on biofuels so we would have diversity in our fuel supply as well as diversity in our energy supply. So we don't rely on just one type of energy, and we reduce greenhouse gases by having an “all of the above” energy approach.

The legislation back then in 2007 received overwhelming bipartisan support, passing the Minnesota House 123 to 10 and the Minnesota Senate 63 to 3. It has been a while since we have reached that kind of consensus on the Federal level when it comes to energy.

What has happened? We have more than met those goals. What has hap-

pened nationally? Well, there was progress made during the Obama administration. When I first got here in 2007, I personally thought that we should move to some kind of a renewable electricity standard for the whole country, maybe making differences by geographic areas and regions. Sadly, the decision was not made to go that way. I think we lost it by one vote. We lost it by one vote. Instead, the decision was made on one side that we wanted to be more aggressive—and we tried with cap and trade, but that didn't end up getting passed in the Senate—and then on the other side, to kind of say: Well, let's just see what happens. As a result, in my mind, we have not done nearly enough.

What has happened instead? Well, the States, our laboratories of democracy, have moved ahead—many of them, like Minnesota—and are coming up with their own standards or doing it by region. Our universities have moved ahead, our cities have moved ahead, and our businesses have moved ahead. By 2015, 154 companies, including companies I am very proud of—major companies in my State, such as Target, Best Buy, General Mills, and Cargill—had signed a pledge demonstrating their support for action on climate change that takes a strong step toward a low-carbon, sustainable future. These companies collectively employ more than 9 million people and represent more than \$3 trillion in annual revenue.

Last month at the Alliance to Save Energy gala, I got to present an Energy Efficiency Award to Target because of the work they have done with sustainability and righting the impacts of climate change. They have created an electric car program that is up and running in 5 States, and they plan to expand that number to 20 in the next 2 years. They signed a virtual power purchase agreement with the Stephens Ranch wind farm in Texas as part of their goal of sourcing 100 percent renewable energy in their U.S. operations. Like so many companies in the United States, they have started a major solar program and are committed to establishing rooftop solar panels on 500 of their stores by 2020. As of last year, they had already finished 436 of their projects.

They are not alone. Xcel Energy, Minnesota's largest utility, was an early supporter of the Obama administration's Clean Power Plan.

If we had allowed that to go through and had that in place, imagine what a better position we would be in when we read headlines like those from this morning about the U.N.'s report and the dire predictions of what we are going to see in 20 years. But, no, we are in what I consider a state of paralysis. Maybe we are not making things worse, although when we took away those gas mileage standards—when the administration went back on that—we made them worse. We sure aren't making them better. Thanks to cities and

States, we are making progress, but we should be doing this together as a nation.

Xcel Energy is another example of a company that appears to be ahead of the Federal Government. They supported the Obama administration's Clean Power Plan and announced plans to reduce carbon emissions by 60 percent in the next 15 years.

I look at it this way: If companies like Target and Xcel Energy understand the need to reduce our use of fossil fuels and embrace the energy of the future, then so should Members of Congress, and so should this administration.

We know that energy innovation can't take root—not in any serious way—without certainty and stability on what those incentives are. That is what that Clean Power Plan was about. It took what I considered a more moderate route than some people thought it was going to take, but then it got pulled back by this administration. It is very hard to start planning for the future if we don't have a route for these companies to go. The rest of the world is getting on board. We don't want to be following; we want to be leading in America.

As this week's report made clear, inaction is not an option for our economy, for our environment, for our country, or for the world. Military and security experts have repeatedly reminded us that climate change is a threat to our national security, increasing risks of conflict, humanitarian crisis, and damage to critical infrastructure.

We see the stories of some of the refugees who are not coming up from conflict but are coming up from parts of Africa where they used to do subsistence farming but can no longer do that kind of subsistence farming because it is too dry, there are too many droughts, and the world has changed. We are going to see these humongous movements of people because they can't live where they used to live.

It is much better for us if we take this on as a world and do something about it than deal with the repercussions of it—more severe weather, heat waves that could reduce our water supply, extreme rainfall that could damage critical infrastructure, and a decrease in agricultural productivity that could threaten my State's \$20 billion agricultural industry. People around the country understand the stakes, but this place—I think it needs just a little more imagination.

If you ever visit my office, I have a picture on the wall, and it is a picture of an angel, and she is handing off the world to some outstretched hands. The words on the picture read: "The angel shrugged, and she said, 'If we fail this time, it will be a failure of imagination.'" That is what we need right now in Washington, DC—imagination to deal with a very clear threat that the scientists have put right in front of us. Twenty years from now, it is going to

be worse than those wildfires we see raging in California and Colorado. Twenty years from now, it is going to be worse than what we are seeing when it comes to the hurricanes and the tsunamis and all of the icebergs melting and what we are seeing in our national parks. Why would we just let this happen? We are America. We are leaders. It is time to act.

I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### HEALTHCARE

Mr. SCHUMER. Mr. President, well, now that the Senate has concluded its very divisive debate about the Supreme Court, it is time to talk about the No. 1 issue to the American people: healthcare. We begin that debate tomorrow, when the Senate will take up a Democratic motion to repeal the Trump administration's effort to expand short-term insurance plans.

Let me be clear. These so-called short-term plans are junk insurance. Short-term plans are junk insurance. People who buy them are going to be extremely disappointed because they bait the consumer in with low prices but hardly cover anything. They might not cover maternity care, mental health care, prescription drugs—you name it. Even worse, the plans draw consumers out of the health insurance market, making it more expensive for everyone else to purchase insurance, especially more expensive for those with preexisting conditions.

That is why so many prominent patient and consumer groups have filed a lawsuit against the administration's rule to expand these junk plans. Groups like the American Cancer Society, the AARP, the Lung Association, the Diabetes Association, and others that represent millions of Americans with preexisting conditions have clearly said that this is sabotage—sabotage—of the insurance market and will drive up costs for millions of Americans.

So Senator BALDWIN has introduced a CRA disapproval resolution—a resolution brought under the Congressional Review Act—to repeal this fundamentally misguided policy from the Trump administration. All of my colleagues should vote for this, but I suspect my colleagues on the other side of the aisle have a different idea because ever since taking control of Congress and the Presidency, Republicans have deliberately, relentlessly undermined Americans' healthcare.

This particular policy is part of a long campaign to sabotage our

healthcare system. Remember, nearly every Republican was silent when President Trump canceled the program that helped low-income Americans afford insurance. Remember, every Republican was silent when President Trump directed his administration to stop helping Americans sign up for the right policy. Remember, nearly every Republican was silent when President Trump's Justice Department refused to defend protections for preexisting conditions. A large number of Republican attorneys general—some running for the Senate right now—were part of the Trump administration's efforts to say it is just fine to get rid of protections for those with preexisting conditions. Remember, nearly every Republican voted to gut Medicaid, raise premiums on older Americans, repeal protections for Americans with preexisting conditions, and move us toward a future where 20 million fewer Americans have healthcare. Remember, every single Republican voted to repeal the coverage requirement and cause premiums to be much higher this year than they needed to be.

So Americans, when you are paying more for insurance and you hate it, when those deductibles go up, those co-payments go up, and you say: Where is the insurance that was supposed to protect me? I have taken so much money out of my own pocket. It is hardly worth it. Look to the other side of the aisle, and look at what your Senators have done, if you come from a State where they represent you. As a result of the Republican sabotage, premiums are up, out-of-pocket costs are up, prescription drug costs are up, and the quality of insurance is down—in many cases way down. Under this Republican President and this Republican Congress, Americans are paying more to get lower quality health insurance. Americans, under this President, this Congress, are paying more to get less when it comes to health insurance.

Protections for preexisting conditions are under assault in so many different ways. No wonder why, in poll after poll, Americans put healthcare as the No. 1 issue in the upcoming election. Tomorrow the Senate will have an opportunity to undo a portion of the Republican campaign to sabotage healthcare.

In November, the American people will have a golden opportunity to move our country in a dramatically different direction by voting for Democratic candidates who will work to improve our healthcare rather than so many of those Republican candidates who, in obedience to the big insurance companies, work to destroy it.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from Arkansas.

S. 3021

Mr. BOOZMAN. Mr. President, I want to thank Chairman BARRASSO, Ranking Member CARPER, and Senators INHOFE and CARDIN for all their hard work to advance the America's Water Infrastructure Act of 2018 to the Senate

floor so we can make the much needed improvements to our Nation's water infrastructure. I would also like to express my appreciation to the hard-working staff of the Environment and Public Works Committee who spent literally countless hours working on this important water infrastructure legislation. The path to getting this bill to the Senate floor has not been easy, and it would not have happened without the strong bipartisanship shown by EPW leaders.

This bill gets us back on track to authorize critical water infrastructure projects across the country every 2 years, ensuring our economic vitality and competitiveness. America's Water Infrastructure Act is in lockstep with President Trump's vision for infrastructure by growing our economy, cutting redtape, protecting our citizens and their property, and improving transparency, all the while being fiscally responsible.

I am particularly pleased, this bill also includes the Securing Required Funding for Water Infrastructure Now Act or SRF WIN Act legislation that I had an opportunity to introduce with Senator BOOKER. The SRF WIN Act was a truly bipartisan effort, and I would like to give special thanks to our cosponsors, Senators BARRASSO, CORNYN, INHOFE, CAPITO, WICKER, HYDE-SMITH, FEINSTEIN, CASEY, BALDWIN, MANCHIN, and Senator WHITEHOUSE.

The fact that the SRF WIN Act has cosponsors from across the country with vastly different political ideologies makes an important point that infrastructure investment is not a rural issue or a big city issue. It is not a red State or blue State problem. This is a national emergency, and it is time we put partisanship aside and show the American people we can work together to provide safe and reliable drinking water and wastewater services to Americans in every part of the country.

The SRF WIN Act is a result of months-long negotiations. It blends the best ideas available to ensure this commonsense, bipartisan legislation will work effectively and efficiently, providing millions and potentially billions in project dollars to communities that have traditionally not had access to these types of funds.

What the SRF WIN Act does is simple. It combines the efficiency and trust associated with the State Revolving Funds with the leveraging power of the Water Infrastructure Finance and Innovation Act. This legislation makes the process easier and more affordable for States and communities to access Federal water infrastructure funding. Simply put, the SRF WIN Act is a critical component to future water infrastructure financing.

Congress needs to do a better job providing basic public services such as safe roads, bridges, and an up-to-date water infrastructure system. By passing America's Water Infrastructure Act of 2018, Congress has made water infra-

structure investment a top priority. This bill is a victory for job creators, small and large businesses, every single State across the country, and consumers. I am pleased to see support for this bill in the House, the Senate, and the White House.

I urge my colleagues to pass this important legislation, and I again thank Chairman BARRASSO, Ranking Member CARPER, Senators INHOFE and CARDIN for their strong bipartisan work. They set a great example of the good policy outcomes that can be accomplished if we work together.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HEALTHCARE

Mr. DURBIN. Mr. President, we receive a lot of letters in our offices, and primarily we pay attention to those that come from our own home States. People expect me as their Senator to read the letter and to at least consider their point of view. Some of these letters are kind of routine, almost form letters. Some emails come in at a volume we can hardly keep up with. In Illinois, I receive 10,000 emails a week—a week. That is a lot.

There was a time when I was a college kid working here on Capitol Hill, and the Senator from Illinois signed every letter that went out of the office—sat at the desk and signed the letters. It is inconceivable now that we can respond to all the letters each day. We try to keep up with them, we try to be timely, and we pick those letters out that are personal and important enough that the staff thinks I should read them personally, and I make a point of doing it.

Sometimes the stories they tell give me an insight into the issues we debate on the floor of the Senate.

Most of the time the American people look at us puzzled, asking: What are they talking about, and why does this mean anything to my family and my future?

Let me give you an example of a couple of letters I received that relate to a vote we are going to take this week. The first letter was from Richard and Mary Laidman, from Naperville, IL, which is west of the city of Chicago, in DuPage County.

Richard and Mary wrote: "Our 13-year-old son Sam was diagnosed with leukemia one day after the 'no pre-existing conditions exclusions for kids' protection went into effect."

They went on to say to me: "Obviously, we are feeling dependent on all the clauses of the [ACA] right now—in-

cluding [the] no pre-existing conditions exclusions."

The bottom line, the Laidmans say, is "junk insurance plans," the ones that are so cheap they don't cover anything important. "Junk insurance plans" wouldn't cover their son. It would leave him and the family to fend for themselves in the individual market.

Do you know what it is like to go into the individual market as a mother and father and try to find health insurance for a 13-year-old son who has been diagnosed with leukemia? Maybe you can't find any, but if you could, it would be so expensive that you might not be able to afford it. The Affordable Care Act changed that, and it said: If you are going to offer health insurance plans in this country, you cannot discriminate against Americans with pre-existing conditions. You have to cover everybody—bring them all in.

We do that in Medicare. We say when you reach Medicare eligibility: All aboard. Everybody is invited in.

But for the longest time, private health insurance companies wanted to pick and choose. They wanted healthy people who can pay premiums. They would rather not pay these bills so they excluded a lot of people with pre-existing conditions.

Sam, age 13 and diagnosed with leukemia, would be one of the victims of that old-time approach. The Leukemia and Lymphoma Society recently stated:

People diagnosed with cancer on a short term plan soon discover these plans fail to cover even lifesaving cancer treatments. If patients on short term plans can get access to cancer therapies at all, they will often be left with hundreds of thousands of dollars in medical bills.

TAMMY BALDWIN is a Senator from the State of Wisconsin. She is going to offer to the Senate tomorrow a chance to vote against President Trump's plan that would eliminate protection for preexisting conditions. We will get a chance to be on record here. I think it is long overdue.

None of us knows what tomorrow will bring. We don't know if tomorrow will bring an accident or a diagnosis, and, all of a sudden, your happy, healthy family has a challenge you never dreamed of. It has happened to my family. I will bet it has happened to most of yours.

The question is, Are we going to demand of health insurance companies that they cover those with preexisting conditions or are we just going to tell those families: Fend for yourself. See what happens. See how much it costs.

Another letter is from Watseka, IL, from the McTaggart family. Watseka is south of Chicago, in Iroquois County, a rural county, with big towns like Watseka and Milford. It is a great little place.

Here is a letter from Christine McTaggart. She was originally diagnosed with stage III inflammatory breast cancer. Given this type of aggressive cancer, her prognosis was not



good. She went through 16 cycles of chemo, a bilateral mastectomy, 33 radiation treatments, failed reconstruction and chronic tissue issues, and a thyroid cancer diagnosis. After all that, she learned the breast cancer was back. This time she was stage IV. In her letter to me, Christine said:

When the ACA became law, I had no idea that my life would come to depend on policies such as pre-existing conditions not excluding you from coverage.

She ends with this quote:

I thank you for your tireless advocacy on this issue. . . . My life, literally, depends on it.

We pass a lot of resolutions here for “National Pickle Week” and saluting the flag. All of that is part of my job. Occasionally, an issue comes to the floor of the Senate that is really going to affect life-and-death issues for Americans all across our Nation. This is one of them. This is the No. 1 issue in this election.

You might think our debate last week about a Supreme Court Justice was important, but you ask families back in Illinois: What do you really care about?

They say: Senator, that was an important debate. I care about my family. I care about my health insurance. I want to make sure of two things. I want to make sure I can afford it, and I want to make sure that when I buy it, it is worth owning and it is there when I need it.

The Republican view on this is this: Buyer beware. Go out in the marketplace. Shop around. Buy yourself something cheap, like a junk insurance plan. It may not be there when you need it, but boy, the premiums will be low.

That is not much confidence in insurance, if that is the case, and that is why, when TAMMY BALDWIN, Senator of Wisconsin, offers us a chance to vote—I think, as soon as tomorrow—on this Trump rule, I hope we will get at least two Republicans who cross the aisle and join us. If they are listening at home, they will, because if they are listening at home, they know that families really care about this issue of pre-existing conditions. It is so important for us.

You look at the groups that have come out in opposition to President Trump’s junk insurance plans. They are the most important groups that you could think of. The American Cancer Society stated that President Trump’s junk plan rule would “leave older and sicker Americans in the individual market with few, if any, affordable health coverage choices” and that “patients living with serious conditions will be left paying more for the coverage they need, if they can afford coverage at all.

In recent months, I have heard a lot of congressional Republicans proclaim to care about people with preexisting conditions, especially those up for reelection. These are the same ones who have eagerly voted to repeal the Af-

fordable Care Act in the middle of the night.

I have been in the Senate for a few years. That was one vote I will never forget. John McCain walked through those doors in the middle of the night, stood at that table, and with his arms still restricted because of the torture he went through as a veteran in the Vietnam war, he could barely lift his right arm with his thumb pointed down, saying no. That “no” vote, together with two other Republicans, saved health insurance coverage for millions of Americans.

But the Trump administration isn’t finished. They found new ways to reduce coverage for American families and to raise costs. That is what the Trump plan is all about, and that is what we get a chance to vote on.

The Senate is broken out in 51 Republicans and 49 Democrats. If all of the Democrats vote for TAMMY BALDWIN, and I think they will, we still need two Republicans. Let’s see if they will come over and vote not only against the Trump plan but vote for the millions of families like those who I have read about today on the floor who are counting on quality health insurance to be there when they need it, who believe that no one should discriminate against someone because of a pre-existing health condition. That, to me, seems fundamentally fair.

I have raised a child with a serious problem. We face this time and again. Nobody should have to face it. A vote for TAMMY BALDWIN’s resolution of disapproval on the Trump plan tomorrow will put America on the right course for families that need health insurance they can count on.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3021

Mr. CARDIN. Mr. President, I rise to speak about the Water Resources Development Act, the cloture motion of which we will be voting on very shortly. I strongly support moving forward with this legislation, and I encourage this body’s support of that important work.

I begin by thanking Chairman BARRASSO, Ranking Member CARPER, and Senator INHOFE for their great work on this bill. On the Environment and Public Works Committee, we have the leadership of Senator BARRASSO and Senator CARPER, and on the subcommittee that deals with infrastructure, I work with Senator INHOFE. The four of us have worked very closely in, I think, the best traditions of the Environment and Public Works Committee in the U.S. Senate in order to bring forward legislation that really does rep-

resent the priorities of all 100 Members of the U.S. Senate.

From the beginning, I acknowledge the amount of work that was done in order to accomplish this. It was done in great measure by incredibly gifted staff people who have been working for a long period of time in order to bring this bill to completion. Obviously, there are rough edges, and there are problems that require a lot of negotiations. Yet I know that Senator BARRASSO, Senator CARPER, and Senator INHOFE will agree with me about the importance of our staffs’ work.

I acknowledge Mae Stevens of my staff for the work she has done on this legislation to advance the priorities that are important for the people of Maryland and to make sure we have a well-balanced bill for our country.

As I think my colleagues know, the focal point of my environmental work has been to restore and protect the Chesapeake Bay, which is considered to be one of America’s greatest natural resources and is a national treasure. The Chesapeake Bay is the Nation’s largest estuary. It generates \$1 trillion in economic benefit to the watershed region. The Chesapeake Bay is critically important with regard to who we are as a region, our quality of life, our economy, and because of its rich environmental treasures.

The shoreline of the Chesapeake Bay and its tidal tributaries stretch over 2,000 miles. More than 100,000 streams and rivers and thousands of acres of wetlands provide the freshwater that flows into the Chesapeake Bay. If we do not protect the health of this incredible network of waters, we cannot hope to restore the Chesapeake Bay to its former glory.

Additionally, the effort to clean up and restore the bay creates new jobs and economic growth opportunities around the bay States. For example, work to repair and upgrade our urban and suburban wastewater and stormwater systems puts people to work as engineers and operators, and there are so many more jobs that are created.

Although we are making great strides in improving the quality of the Chesapeake Bay—I am very pleased of the progress we have made, and I think you see that when you visit the Inner Harbor of Baltimore or our shorelines—we still have a long way to go.

America’s Water Infrastructure Act of 2018 supports the health of the Chesapeake Bay. In doing so, it helps our Nation’s economic competitiveness, our environment, and the health and welfare of our citizens. In particular, I am pleased that America’s Water Infrastructure Act of 2018 will help both Poplar Island and the Mid-Bay project to continue what is a win-win for both the Baltimore Harbor and the Chesapeake Bay. Both of these projects are located in the State of Maryland. Both are critically important for us to maintain the environment and economy of the Chesapeake Bay.



I have seen firsthand the results of the U.S. Army Corps of Engineers' efforts around the State. The Corps' ingenuity and expertise have spearheaded the replenishing and expansion of Poplar Island in the Chesapeake Bay. This massive sustainability project is quite literally bringing life to our region in its restoration of a habitat which for years suffered from erosion and environmental degradation.

We are taking Poplar Island, which used to exist in the Chesapeake Bay but had been down to just a few acres, and restoring it in an environmental restoration project. We are bringing back wildlife and species diversification into the Chesapeake Bay. At the same time, it is a location for dredged materials. I can tell you, in my having been in Congress, it is not always easy to find locations to put dredged materials. Poplar Island is also popular with the community, so it has been a win-win-win situation.

The expansion of the island now to 1,715 acres has the long-term benefit of creating a place for our native plants and animals to thrive and the short-term benefit of efficiently utilizing dredged materials from the maintenance of the Port of Baltimore to rebuild the island beyond its original footprint. We are now back up to over 1,700 acres from just the few acres that existed not too many years ago. This creates a system that helps to improve the vitality of both our treasured ecosystem and our commercial waterways, and it sets a precedent for beneficial practices in the future.

The Army Corps has collaborated with Federal and State agencies, local communities, and businesses for input on this project, ensuring that its benefits will extend to all within the region.

The Mid-Bay Project is a continuation of the very successful Poplar Island project, and I am pleased that both projects are supported in this bill. Poplar Island will reach its capacity in the next few years, which is what we planned on. Yet, in order to make sure we have another site that is available, we have to move that project now so that the planning process can be completed in time and engineering work can be completed in time so that there is no loss of activity in keeping the harbors at the needed dredge levels for shipping and have a site where the dredged material can be located. That is why it is so critically important to move forward with Mid-Bay now.

We need policies that will keep up with the demand of our infrastructure backlog while we address the needs of our communities and our environment. We can and we must do both. I am pleased that America's Water Infrastructure Act of 2018 would help projects in the Anacostia River watershed in Prince George's County get off the ground.

This is the third WRDA bill in a row. Congress is including updates to our Nation's drinking water, wastewater,

and stormwater infrastructure, including much needed funding.

The American Society of Civil Engineers has yet again given our drinking water and wastewater a grade of D for 2016. States will need \$32.75 billion a year every year for the next 20 years just to get our infrastructure in working order, which is more than \$1 trillion. Yet we are currently only spending about \$2 billion per year on both the clean water and drinking water State revolving funds combined. Every community—urban, rural, and suburban neighborhoods—has a right to expect that water that comes from its tap is safe to drink and that Congress will do everything within its power to ensure that it happens. Clean water means good jobs and better health throughout Maryland and our Nation.

Clean water is not a partisan issue, and I have been proud to work with my colleagues to develop legislation that will benefit our aging water resources and infrastructure. Congress has the responsibility to be a strong partner with States and localities to repair our Nation's hidden water infrastructure and open waterways and to always remain unwavering in our commitment to improve the Chesapeake Bay watershed.

One of the problems is that a lot of our water infrastructure is hidden. You don't see it, but you sure do notice it if you don't get clean water to drink, and you sure notice it when it affects the water quality of the bay or of other critical waters in this country. We really need to pay attention to this. We need to increase our capacity to be a partner in modernizing our water infrastructure, and this legislation absolutely takes a major step forward in carrying out that commitment.

Let me talk about some of the specific provisions that are included in this act.

First, the bill includes S. 1137, the Clean Safe Reliable Water Infrastructure Act, which was introduced by me and Senators BOOZMAN, INHOFE, and DUCKWORTH. It addresses the need to invest in our Nation's drinking water, sewer, and stormwater systems, and it provides for increased water efficiency.

The Clean Safe Reliable Water Infrastructure Act specifically includes \$450 million to protect the sources of our drinking water and the funding to repair and eliminate combined sewer overflows, which dump water sewage into our Nation's waterways every time it rains. This is especially timely as the Mid-Atlantic region has seen historic precipitation events increasingly in the last decade. These 100- or 1,000-year events cause wastewater treatment plants to take on more water than they can handle. Millions of gallons of untreated water are diverted into our local waterways—the same water that supplies our drinking water and the fish, crabs, and oysters that Marylanders love to eat.

In fact, there was a storm so massive in Frederick, MD, just a few months

ago that city officials asked residents to stop using the water in order to prevent equipment failure at the wastewater treatment plant. This is a crisis situation. This \$450 million will go far toward helping to divert stormwater away from the wastewater treatment plant in Frederick as well as those like it all over the State of Maryland and our Nation.

The Clean Safe Reliable Water Infrastructure Act also formally authorizes the voluntary WaterSense Program, which identifies and promotes water-efficient products through voluntary labeling. The WaterSense label makes it simple to find water-efficient products, new homes, and programs that meet the EPA's criteria for efficiency and performance. WaterSense-labeled products and services are certified to use at least 20-percent less water, save energy, and perform as well as or better than regular models. The program should help individuals reduce their water demand while protecting water quality. This benefits all of us, as we save water, we save energy, and we save costs.

The EPA's WaterSense Program partners with manufacturers, retailers, distributors, home builders, irrigation professionals, and utilities to bring efficient products and services to our communities, and their partnerships encourage innovation in manufacturing and support sustainable jobs for American workers.

Secondly, the WRDA bill creates a multi-agency Federal task force to study the problem of funding and financing stormwater infrastructure. The task force will, with the feedback from State and local governments and other program stakeholders, provide in a report to Congress suggestions for improving the funding and financing of stormwater systems—especially important as Maryland sees more frequent and severe storms, like the deadly floods in Ellicott City that were 22 months apart.

I have already spoken on the Senate floor about what happened in Ellicott City, MD. Within 20 months, we had two 1,000-year floods. These floods were unprecedented. What do I mean by that? We have had flooding in Ellicott City before because the water rises in the river that goes through Ellicott City. These are the first floods we have had as a result of the stormwater runoff that literally ran down the main streets of Ellicott City. It destroyed homes and cost people their lives.

We need to deal with this. Stormwater pollution is not only an urgent and deadly threat but a long-term one as well. Stormwater pollution is the fastest growing source of pollution in the Chesapeake Bay. Yes, we talk about our farmers, and we have to do better for our farmers. We talk about the other problems we have, including the airborne pollutants that go into the Bay. But the fastest growing source in the Chesapeake Bay is storm runoff, which is a result of more people

living in the community, a result of more concrete, and a result of more severe weather events.

Third, the bill addresses the need for information about onsite wastewater recycling as one alternative for communities that cannot afford the up-front costs or ongoing maintenance costs of traditional wastewater infrastructure. This is especially important in the rural parts of my State, like Maryland's Eastern Shore.

Fourth, the bill includes S. 451, the Water Resources Research Amendments Act, introduced by me and Senator BOOZMAN, which addresses the need for additional research into increasing the effectiveness and efficiency of new and existing water treatment works. Funding from this program helps to support the Maryland Water Resources Research Center and the Department of Civil and Environmental Engineering at the University of Maryland, College Park. We want to add the latest technology. We want to be the best in the world, as far as technology, when dealing with our water. This particular provision in the bill will help us achieve those objectives.

Fifth, the bill reauthorizes WIFIA, a low-cost financing mechanism for water infrastructure projects. We first started with WIFIA in our transportation bill, coming out of our Environment and Public Works Committee, where we found creative ways in order to leverage the Federal participation so we can have larger infrastructure projects for roads, transit, and bridges. Now we are doing the same with water infrastructure. This bill reauthorizes the WIFIA program.

Baltimore is on the list to receive one of the very first low-interest WIFIA loans. Baltimore's \$200 million loan will complete a set of projects to repair, rehabilitate, replace, and upgrade its wastewater collection and treatment, water treatment and distribution, and storm water management systems.

These projects will help to improve the city's sanitary sewer collection system, ensure the reliability and performance of the drinking water and wastewater systems, and improve storm water management to meet Clean Water Act permit requirements.

This will help the 1.8 million people served by the Baltimore Department of Public Works to continue to have some of the cleanest, safest, and most reliable drinking water in the country. There is no more fundamental responsibility of government than to make sure they provide safe drinking water to its population.

Sixth, this bill creates the Water Infrastructure Resiliency and Sustainability Program, from a bill that I have long championed to help drinking water plants combat the effects of climate change. This program will award grants to increase the resiliency and adaptability of water systems to increasingly severe storms and droughts, as well as sea level rise—all caused by climate change.

Water utilities can use the grants to assist in the planning, design, construction, implementation, operation, or maintenance of the plant—really, anything they need to increase their climate preparedness.

I applaud the great work that has been accomplished through this legislation, and I look forward to continuing the work to advance water infrastructure investment, including integrated planning and affordability.

From the very beginning, I said that this was a bill that was done in the right process in the Senate. Input was solicited from every Member of the Senate. The committee reached out to all of the Members. All the members of our committee have had input into this legislation. It is bipartisan. It is fiscally responsible, which was a key requirement of the bill.

It will benefit of our communities. It will help us to meet our fundamental commitment to provide the citizens of this Nation with clean and safe drinking water. It will deal with the challenges we have in storm runoff, as it deals with environmental challenges we have. It is a well-balanced bill.

Once again, I applaud the leadership of Senators BARRASSO and CARPER and my colleague on the subcommittee, Senator INHOFE, for their tremendous work.

I look forward to voting for this bill, and I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

CONFIRMATION OF BRETT KAVANAUGH

Mr. GRASSLEY. Mr. President, I come to the floor to speak on two different subjects. The most important one is the first one: to thank a lot of people who helped me to chair and oversee the confirmation of Judge Brett Kavanaugh.

I should have given this speech 72 hours ago, but I was in a hurry to get to the airport. So I am making up for lost time now.

As everyone knows, on Saturday the Senate confirmed Judge Brett Kavanaugh as our newest Associate Justice on the U.S. Supreme Court. I come to the floor to thank the Senate staff who helped to make that confirmation possible.

Senators don't always recognize their staff as much as we probably should, but I am proud of the work my staff accomplished over the last 3 months as we considered the nomination of Kavanaugh. They have worked very diligently on this confirmation process of our new Justice, and most of it was behind the scenes. They put in the long, long work hours required, and they did it 7 days a week, if needed. The chairman's team tackled the heavy workload before them, and I am tremendously grateful for all they did to make this nomination a success.

First, on my staff, I would like to recognize my Judiciary counsel staff director, Kolan Davis. Kolan's experi-

ence and sound judgment keeps me out of a lot of trouble. I value his counsel today, just as I have for the last 33 years that he has been on my staff.

By my side right here today is Mike Davis, the Judiciary Committee's chief counsel for nominations and also an Iowan. He graduated from the University of Iowa and Iowa Law. Mike brought the tenacity, diligence, and everything else that was needed to lead Kavanaugh's confirmation.

The permanent nomination unit for the Senate Judiciary Committee, working with Mike Davis, includes Lauren Mehler, Steve Kenny, Katharine Willey, and Jessica Vu. Each of them worked incredibly hard. They have worked hard on all nominations of lifetime appointments to the Federal judiciary and over a long period of time, not just on Kavanaugh. Their hard work is shown by the record number of judges the Senate has confirmed this Congress. I think the number is 67 so far, besides 2 Supreme Court Justices. I believe there are 41 on the calendar right now.

In addition to this team, Andrew Ferguson joined my staff to lead the team of special counsels to specifically assist with the Supreme Court nomination. Andrew led by example with his tireless work ethic and, of course, his legal talent.

I also want to thank special counsels Tyler Badgley, Lucas Croslow, Colleen Ernst, Megan McGlynn, and Collin White. This team read every word of Justice Kavanaugh's more than 500,000 pages from his time as an executive branch lawyer, the 307 opinions he authored on the DC Circuit Court, and all other documents relevant to his nomination.

Rachel Mitchell was part of this special counsel team, offering her expertise and many years of experience at a time when we needed extra help when we had Dr. Ford and Judge Kavanaugh before our committee for a second set of hearings.

Law clerks Tim Rodriguez, Camille Peeples, Abby Hollenstein, Dario Camacho, Elizabeth Donald, Michael Talent, Bob Minchin, Nathan Williams, Sam Adkisson, and Asher Perez had the opportunity to contribute and learn during this nomination. I thank them for their hard work and service here in the Senate, on top of their rigorous education. I thank the intern Jacob Ramer for his contribution as well.

Justice Kavanaugh's confirmation process resulted in a record number of pages available to Senators, including questions for the record. This team handled it all.

Over the course of my Senate service, I have established a reputation for my oversight work. I am equipped with a permanent staff of experienced investigators. When allegations of sexual assault were brought to my attention on September 13, I was fortunate to have this experienced and highly regarded division of my staff already on the job

to help run down every question and allegation we received.

I thank DeLisa Lay, Patrick Davis, Josh Flynn-Brown, Katherine Nikas, Daniel Parker, and executive branch detailee Andy Hromyak for their dedication to investigation, oversight, and accountability.

I also want to thank my talented communications team: Judiciary Committee communications director Taylor Foy and Judiciary Committee press secretary George Hartmann, as well as Michael Zona, Nicole Tieman, and Alexa Den Herder for their hard work. October 6 will be a memorable date for Taylor, marking both his wedding anniversary and the day Justice Kavanaugh was confirmed.

I am thankful for my personal office staff, led by my chief of staff, Jill Kozeny. She has been on my staff for 31 years. I have long appreciated Jill's advice and all of her hard work on my behalf.

I am also grateful for Jennifer Heins, who makes a tremendous contribution every day, and every staffer who was part of this confirmation process, including Penne Barton, Zach Schultz, Katelyn Schultz, Josie Wagler, and my State staff, who had to answer a lot of telephone calls over a period of 3 months, just dealing with people for and against the nomination of Justice Kavanaugh.

I very much appreciate the rest of my Judiciary Committee staff, including my deputy staff director, Rita Lari, who took care of things while I was on the floor and during the long hours in the hearing.

Finally, I appreciate the work of Leader McCONNELL's staff, most importantly, John Abegg.

#### RELIGIOUS FREEDOM IN CHINA AND TAIWAN

Mr. President, tomorrow, October 10, is the 107th national day of the Republic of China on Taiwan.

I would like to extend my congratulations to the people of Taiwan on this very important occasion and to express my appreciation for the U.S.-Taiwan relations. We were allies in World War II and have been close strategic and economic partners for a very long time. However, as the Government of the Republic of China on Taiwan has evolved into a thriving free-market democracy that is today, our relationship has even deepened and strengthened in a way that can only happen when two countries share core values.

There are times when the economic or geopolitical interests of the United States are aligned with those of another country that does not fully embrace freedom as we do—whether that freedom is in the marketplace of goods and services or the marketplace of ideas in a democratic context. We can and should seek to engage with countries that do not share our values where it is in our national interest, and we do that.

Still, those relationships remain contingent on weighing economic and security costs and benefits. On the other

hand, with free-market democracies like Taiwan, there is at the heart of our relationship a very high degree of mutual understanding underpinning all of our interactions. Our shared values mean that our long-term economic and strategic interests are likely to remain aligned. For instance, market economies are more likely to seek mutually beneficial free and fair trade. Democracies tend not to seek hegemony but cooperation. In short, our shared values provide the basis for an enduring and stable bond that can only exist between free people.

One of those fundamental values that is dear to my heart is religious freedom. I know my colleagues are aware of the disturbing reports out of the People's Republic of China about the closing and destruction of churches and the burning of Bibles. That is something we in the United States just do not understand how anybody, any country, could take this situation and think: Who is afraid of worshipping God? Well, it seems they have some problem in China.

In Xinjiang Province, the Chinese Government has rounded up over 1 million Uighurs and Kazakh Muslims. Tibetan Buddhists and practitioners of Falun Gong have also long had their freedom to practice their beliefs suppressed. This should disturb all free people.

Of course, the Communist leaders of China have excuses for their behavior. One of these is the need for sinicization of nonnative religions. In other words, they think religions like Christianity as freely practiced are somehow not compatible with Chinese society. Of course, from our point of view, that is strictly nuts.

Just look at Taiwan. It has the same Chinese history, the same Chinese language, the same Chinese culture as mainland China. Yet, on Taiwan, Christians and other religious groups practice their faith freely. No one gives even a second thought to whether this is compatible with their history and tradition because it is a matter of conscience, not a matter of undercutting the government. That is why I don't understand why it is a problem for Beijing.

In fact, Taiwan has arguably preserved traditional Chinese cultures better than on the mainland. Chiang Kai-shek was able to rescue and bring to Taiwan some of the most valuable treasures from Chinese history. Of course, these items in Taiwanese society, in general, were spared the horrors of the cultural revolution. Of course, the cultural revolution was when the Communist Party of China destroyed an untold number of historical artifacts as well as cultural and religious sites. Ancient Chinese texts were burned, and there were massive human rights abuses.

Some have suggested that recent developments in China are the beginning of a new sort of cultural revolution. I hope not because we know what the results of that were 50 or 60 years ago.

Whatever the Communist Chinese Government is thinking, its actions have shattered many illusions. The hope held by many in the United States was that robust engagement with the People's Republic of China on an economic and political level would help it to evolve into a free market democracy. That hope has now dimmed significantly. Things seem to be going quite in the opposite direction.

This is a bad sign, then, for U.S.-China relations. If the Chinese leaders would like to correct their current course and improve relations with the United States, just take the example of Taiwan. Just look across the Taiwan Strait for that model: Chinese people, just like they are in Beijing.

As the people of Taiwan celebrate their national day, I would like to thank them for their friendship with our great country. The Republic of China on Taiwan continues to be a strong partner in trade, security, and human rights. In fact, I should note that a delegation from Taiwan recently visited my home State of Iowa to increase their purchases of soybeans, and I greatly appreciate that, along with 88,000 Iowa farmers.

Finally, I would like to thank Taiwan for being a model of a free and democratic society when it can have a mutually beneficial partnership with the United States.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Montana.

#### HEALTH INSURANCE PLANS

Mr. TESTER. Mr. President, I rise on behalf of 152,000 of my constituents in Montana with preexisting conditions. These are folks who are struggling with things like diabetes and heart disease and asthma and cancer. Many of them are just one medical bill away from bankruptcy. Thankfully, their health insurance is there for them when they need it, whether it be for a joint replacement or to undergo chemo or to have a baby.

Federal law holds health insurance companies accountable that their plans cover us when we need it. Unfortunately, those rules are being tossed out so big insurance can make a quick buck at the expense of working families.

Just last week, health insurance companies started flooding the market with junk plans. These plans are marketed as cheap insurance that will keep you healthy. Fifty bucks a month for full coverage, they say; \$8.95 a week for top-rated coverage, they claim. Now, that is a heck of a deal.

Well, not so fast. They are total and complete shams. If you read the fine print, you will discover that dialysis, blood pressure pills, and x rays aren't covered. In fact, most things are not covered.

Originally, insurance companies designed these plans to provide stopgap coverage when you changed jobs or needed health insurance for just a few months. They figured you could get by

with a bare-bones policy for a month or two. They were never designed to provide coverage for an entire year, let alone three, but now that has all changed.

Starting last week, health insurance companies now have permission to sell long-term junk plans to Montana's families. What was once a short-term solution is now becoming a long-term problem.

So let's ask ourselves why we buy insurance in the first place. It is for risk management. Why do we buy auto insurance? It is in case you get in an auto wreck. You hope you never have to use it, but if you do, you need that insurance to take care of that automobile to get it back on the road again.

Why do we buy fire insurance? In case you have a fire. You hope it never ever happens, but every once in a while it does, and if you are unfortunate and it happens to you, you have fire insurance to rebuild your home.

I am a farmer. Why do you have crop insurance? You have crop insurance in that case where Mother Nature may not be smiling upon you; you may not get the rain at the appropriate time or you may get a hailstorm that wipes you out. You hope it never happens, but if it does, you have that crop insurance you can depend upon to manage your risk.

So why do you buy health insurance? Is it because you plan on getting sick? I don't think so. It is because, if you get sick, you will need the coverage. If you end up with high blood pressure, you have the coverage to help offset those costs.

Unfortunately, with these junk plans, they are called junk for a reason—because they don't cover anything. They give you a false sense of hope and a false sense of coverage and you have no coverage.

I want to take you back to 1965. In 1965, my parents bought an accident insurance policy. It was supposed to cover accidents. Guess what happened in 1965. I got in a little accident with a meat grinder, and that insurance policy covered nothing. My folks had to dig deep and pay for the cost. When they thought they had insurance, they had nothing.

I was young, but I can still remember how angry my father was that they had been sold a bill of goods. That is exactly what it is with these junk insurance plans.

Montanans are getting gifted. They are being sold a bill of goods. They are being lied to, deceived, and I will do whatever I can do to keep the junk out of our healthcare.

We must hold big insurance companies accountable. We cannot let corporations swindle folks who need health insurance when, in the end, they have nothing.

The bill before us this week does that. It keeps short-term plans short term. It stops insurance companies from selling garbage plans that don't cover preexisting conditions.

That is why I am urging my colleagues to vote for this resolution, to stand up for Montanans across the State and Americans across this country. These are folks who work hard to put food on the table, and they shouldn't have to choose between a doctor's appointment and a utility bill.

Today I rise for those folks from Miles City, Harlowton, and Libby and promise to defend them from these shoddy plans.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 3021

Mr. CARPER. Mr. President, in a few minutes, hopefully, the Senate will vote to invoke cloture on the motion to concur on the America's Water Infrastructure Act of 2018. In preparing to take this vote, I want to remind our colleagues why this bill is so important not just for our country's economy but for our environment as well.

The Senator from Wyoming, Mr. BARRASSO, will mention shortly that this is a comprehensive bill that supports the Army Corps of Engineers. It supports EPA's drinking water and wastewater programs. It authorizes the Corps to construct, modify, study, and expedite more than 100 water resource development projects. It prepares our country's water infrastructure for extreme weather events to avoid devastation caused by storms like Hurricane Florence by reauthorizing levee and dam safety programs through 2023.

It also establishes programs to make communities more resistant to sea level rise. It reauthorizes, for the first time in 22 years, the Drinking Water State Revolving Loan Fund, which provides for needed investments in water and sanitation infrastructure all across our country.

This bill would also nearly double the size of this critical loan program from \$1 billion to almost \$2 billion by 2021. It expands the existing \$60 million annual small and disadvantaged communities program to allow for the testing and treatment of contamination in drinking water systems. It provides schools with the resources needed to address lead contamination.

This bipartisan bill is a major win for families across the country. It passed both the Senate Environment and Public Works Committee and the House unanimously, and I urge my colleagues in the Senate to vote yes on this cloture motion.

Before I yield, I just want to say to my friend Senator BARRASSO how proud I have been to work with him. Our staffs are really a model of the way this place should work. We worked well not only with our colleagues on our

committee and outside of our committee but also with the folks over in the House of Representatives. I will talk about them later today. To my chairman, it is a real pleasure to work with you on this one.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to complete my brief remarks before the rollcall vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, first I wish to thank my colleague and friend from Delaware, Senator CARPER, for his friendship, leadership, and advocacy on this important piece of legislation. We worked closely together.

I rise in support of S. 2031, America's Water Infrastructure Act of 2018.

Every day, Americans depend on our Nation's water infrastructure systems. Clean water, flood control structures, working irrigation systems are all necessary for health, safety, and prosperity for our communities.

This legislation is going to authorize important water projects. It will maintain the navigability of inland waterways and coastal ports, increase water storage, and fix aging irrigation systems across the country.

It will create jobs. It will spur economic growth and give local leaders an increased say in the projects and the way the projects are prioritized. It will rebuild flood control systems.

This is the most significant drinking water legislation in decades. America's Water Infrastructure Act will cut Washington redtape; it will help grow the economy; and it will keep communities safe.

The legislation is good for all 50 States. It is bipartisan. It is bicameral. The legislation passed the Environment and Public Works Committee by a vote of 21 to 0. It passed the House by unanimous consent on a voice vote.

It has the support of a broad array of stakeholders, from the American Farm Bureau to the U.S. Chamber of Commerce, to the National Association of Manufacturers, to the Family Farm Alliance. As a testament to just how broad the support is for this bill, both the American Petroleum Institute and the Sierra Club have endorsed its passage. We don't see that every day.

It is time to pass this important legislation and send it to President Trump for his signature. I encourage all Senators to support cloture on this bill.

I yield the floor.

CLOTURE MOTION

THE PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to S. 3021, an act to designate the United States

courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the “Diana E. Murphy United States Courthouse”.

Mitch McConnell, Chuck Grassley, John Boozman, Roy Blunt, Deb Fischer, Todd Young, James Lankford, Susan M. Collins, Richard C. Shelby, Jon Kyl, John Thune, Pat Roberts, Orrin G. Hatch, Marco Rubio, John Barrasso, Roger F. Wicker, John Hoeven

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendments to S. 3021, an act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the “Diana E. Murphy United States Courthouse,” shall be brought to a close?

The yeas are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) is necessarily absent.

The PRESIDING OFFICER (Mr. BARRASSO). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 96, nays 3, as follows:

[Rollcall Vote No. 224 Leg.]

#### YEAS—96

Alexander	Gillibrand	Murray
Baldwin	Graham	Nelson
Barrasso	Grassley	Paul
Bennet	Harris	Perdue
Blumenthal	Hassan	Peters
Blunt	Hatch	Portman
Boozman	Heinrich	Reed
Brown	Heitkamp	Risch
Cantwell	Heller	Roberts
Capito	Hirono	Rounds
Cardin	Hoeven	Rubio
Carper	Hyde-Smith	Sanders
Casey	Inhofe	Sasse
Cassidy	Isakson	Schumer
Collins	Johnson	Scott
Coons	Jones	Shaheen
Corker	Kaine	Shelby
Cornyn	Kennedy	Smith
Cortez Masto	King	Stabenow
Cotton	Klobuchar	Sullivan
Crapo	Kyl	Tester
Cruz	Lankford	Thune
Daines	Leahy	Tillis
Donnelly	Manchin	Toomey
Duckworth	Markey	Udall
Durbin	McCaskey	Van Hollen
Enzi	McConnell	Warner
Ernst	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Moran	Wicker
Flake	Murkowski	Wyden
Gardner	Murphy	Young

#### NAYS—3

Burr	Lee	Schatz
------	-----	--------

#### NOT VOTING—1

Booker

The PRESIDING OFFICER (Mr. RUBIO). On this vote, the yeas are 96, the nays are 3.

Three-fifths of the Senators having voted in the affirmative, the motion is agreed to. Cloture having been invoked, the motion to refer amendments pending thereto fall.

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, water infrastructure, a bill that we

have just moved to a positive cloture vote, 96 to 3—water infrastructure is important to every State, as we see by this vote—every territory, every community, and every Tribe in this country. These systems support America's economic growth and our competitiveness. They deliver drinking water and treat wastewater. They provide water for crops, cattle, and small businesses. They are used to ship American-made goods from the heartland to the coasts and around the world. They keep homes safe from dangerous flood waters; they store water for times of drought.

These systems are vital to our country. We must maintain, upgrade, and, where necessary, build them.

During the State of the Union Address this year, President Trump called on Congress to act on infrastructure. He said we will build America's infrastructure “with American heart, American hands, and American grit.”

Water infrastructure is a major part of the President's call. That is why I introduced America's Water Infrastructure Act, along with my fellow leaders of the Environment and Public Works Committee, Senators CARPER, INHOFE, and CARDIN. Several other committee members were also cosponsors, including Senators CAPITO, WICKER, VAN HOLLEN, BOOZMAN, WHITEHOUSE, and SULLIVAN.

Politico called America's Water Infrastructure Act the most significant infrastructure legislation to be taken up under the Trump administration so far. This legislation passed the Environment and Public Works Committee in the Senate unanimously, 21 to 0.

Last month, the same leaders from our committee and the leadership of the committees in the House of Representatives reached a deal on historic comprehensive water infrastructure legislation. America's Water Infrastructure Act now has broad bicameral and bipartisan support.

Our bill will help grow the economy, will cut Washington redtape, and will keep communities safe.

Authorizing important water projects will create jobs that will spur economic growth. The legislation will help deepen nationally significant ports and maintain the navigability of inland waterways. It is going to increase storage in the West and build new flood management infrastructure.

This bill will fix aging dams and irrigation systems across the country. Upgrading these systems will ensure that ranchers and farmers will get the water that they rely on.

It will also help communities recover from devastating storms like Hurricane Florence and the damage it left along the east coast, especially in North and South Carolina.

America's Water Infrastructure Act also cuts Washington redtape. As chairman of the Senate Environment and Public Works Committee, I have heard time and again how State and local leaders know better than Wash-

ington which projects would have the most positive impact on their community. Our bill will give local experts an increased role in prioritizing which Army Corps projects get built.

When a local partner takes over an Army Corps of Engineer's flood control project, they will no longer need to worry about obtaining brandnew permits. The Army Corps will simply transfer its authority to the local partner so that new permits are no longer necessary.

The government will also provide technical assistance to smaller communities to make it simpler for them to comply with environmental laws.

Leveraging Federal dollars is an important element of President Trump's infrastructure plan. We included language to help smaller rural communities leverage their resources so that they can build water infrastructure projects. Federal leveraging programs, particularly the Water Infrastructure Flexibility Act, allow taxpayers to get the most bang for their buck.

In the past, smaller rural communities have had trouble accessing these dollars. The language in our consensus bill will give these rural communities the chance to compete for these funds and the ability to participate in these successful programs.

Cutting redtape and increasing access to these leveraging programs will help us get projects done faster, better, cheaper, and smarter. That is just common sense.

America's Water Infrastructure Act is also about safety. In recent years, we have seen the damage that floods and droughts can cause. We must maintain and improve our dams, our beach fronts, our levies, and our reservoirs.

Our bill takes steps to address the backlog of maintenance needs of these infrastructure systems. It also creates a permanent program to find solutions for floods caused by ice jams.

In the spring, and certainly in Wyoming, thawing ice and snow create jams in rivers and can cause them to overflow their banks. In my home State of Wyoming, ice jam floods have been devastating for the towns of Greybull and Worland. America's Water Infrastructure Act authorizes important programs to find permanent ways to prevent these types of floods.

This bill is about more than just flood prevention. It is the most significant drinking water legislation in decades. The bill authorizes funds to repair aging drinking water systems.

For the first time since 1996—that is 22 years ago—Congress will be authorizing the Drinking Water State Revolving Funds. These funds give States certainty—certainty that they can meet their drinking water needs. That is a big deal.

There is a line that people say in Wyoming. It was originally attributed to Mark Twain. The line is this: Whiskey is for drinking; water is for fighting over. That is not the case with America's Water Infrastructure Act.

That is not the case with America's Water Infrastructure Act. Democrats and Republicans are working together in a bipartisan way. The House of Representatives and the Senate are working together in a bicameral way. The House of Representatives passed this consensus bill unanimously by voice vote. Now it is the Senate's turn. We all know how important this legislation is for our country, for our States, and for our constituents. The bill is bipartisan and is fiscally responsible. America's Water Infrastructure Act actually reduces the deficit.

I thank Ranking Member CARPER and Subcommittee Chairman INHOFE and Subcommittee Ranking Member CARDIN and their staffs for their leadership in working through this process. They have been wonderful partners in writing legislation that will have a real impact all across America. This bill is for all of America. It will have a real impact in our rural areas and in our big cities. It will help communities in the heartland and communities on the coasts.

It is now time to pass this legislation. Let's pass the American Water Infrastructure Act and send it to President Trump for his signature.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Delaware.

Mr. CARPER. Mr. President, I rise today, along with the chairman, Senator BARRASSO, to further discuss the important piece of infrastructure legislation that he has outlined that will positively affect the States of every Member of this body. I want to encourage each of our colleagues to support it.

Over the course of August and early September, the Senate Environment and Public Works Committee reached an agreement with our counterparts in the House to advance America's Water Infrastructure Act of 2018.

Our chairman, JOHN BARRASSO, and I coauthored this bill and did so with the help of the majority and minority staffs of the Environment and Public Works Committee over the better part of this past year. I want to take a moment to thank our chairman, as I have earlier, for his leadership. I want to thank the chairman and ranking member of the Infrastructure Subcommittee of EPW, JIM INHOFE and BEN CARDIN, for their leadership in producing this critical bipartisan legislation.

I want to thank the members of their staffs and especially the majority and minority member EPW staffs, without whose help this bill would not be before us today. Collectively, you have done a terrific job. I am proud of you. As we say in the Navy, Bravo Zulu, which means "well done."

As some of you may recall, the Senate's version of the bill was reported out of the Environment and Public Works Committee unanimously a few months back. On September 13, the bill

passed the House of Representatives unanimously on a voice vote.

People back home say to me: Why can't you just work together? Well, in this case, we have, and I think the results speak for themselves. I am hopeful and encouraged that this bill will receive the same strong support in the Senate this week.

In a Congress and a country that are all too often divided, it is refreshing to me and I think to others as well that we have been able to come together to authorize water infrastructure and drinking water programs that are both vital and critical to the American people's way of life.

America's Water Infrastructure Act of 2018 is a win-win for our Nation's economy and for our environment. This bill should serve as a model for how we can get meaningful legislation done in Congress, and I hope it will serve as a model.

This legislation supports the ongoing work of the U.S. Army Corps of Engineers. It does so by reauthorizing the Corps' program for flood control, for beach and shoreline maintenance, and for the maintenance of inland and coastal waterways through which the goods that enter and depart from American ports travel.

The Corps' Civil Works Program is our Nation's largest and I believe the world's biggest water resources undertaking. This program addresses a wide variety of priorities, including ship navigability; flood risk management; beach and shoreline protection; renewable energy, such as hydropower; water supply; and environmental restoration and stewardship. In fact, over 99 percent of U.S. overseas trade moves through the waterways which the U.S. Army Corps of Engineers is responsible for maintaining. Think of that—99 percent.

In fact, this bill supports the Corps' operation and maintenance of 13,000 miles of commercial deep-draft ship channels and 12,000 miles of commercial inland waterways. These ports and waterways serve a combined 40 States and transport much of our country's waterborne cargo.

The new authorizations that this bill provides are critically needed. Much of the infrastructure that the Corps is responsible for across the country now exceeds its useful lifespan. As a result, we have an enormous construction backlog of needed infrastructure investments. The latest estimates from the Army Corps indicate that the overall construction backlog is in the neighborhood of \$96 billion, while the annual budget of the Army Corps hovers around \$4.6 billion. Think of that—\$96 billion on the one hand and \$4.6 billion on the other hand. Those two numbers reflect the extraordinary challenge the Army Corps faces—a challenge we begin to address with this legislation. This bill addresses that backlog by providing new tools that will allow the government to partner with the Corps and leverage existing re-

sources to make sure we get the most bang for our buck.

This legislation also increases local participation, transparency, and accountability in developing the Army Corps' annual budget. It is my hope that enhanced local participation will allow for a more transparent and long-term look at the Corps' activities and help build a greater groundswell of support for increased appropriations to fund the agency's initiatives.

The measure before us also authorizes critical Corps of Engineers disaster programs. When disaster strikes, the Federal Government often steps in and helps, as it did last year in Puerto Rico, Florida, Louisiana, Texas, and this year in the Carolinas. A large part of that help is provided by the Army Corps of Engineers—something that may come as a surprise to Americans who don't realize the critical role the Corps plays in responding to all sorts of emergencies.

In addition, this bill includes new authorities to help protect communities and ecosystems in coastal States like Delaware and Maryland and States across our country from some of the worst impacts of extreme weather events. This measure includes provisions that allow communities to recover more quickly, too, when disaster does strike and facilitates rebuilding facilities in ways that are more resilient to future storms.

This legislation also makes key changes in emergency response, post-disaster recovery, and resiliency efforts so that the Army Corps thinks long-term instead of short-term when it selects solutions that it will implement. But the bill goes even further. It enables the Corps to pursue the best possible solutions to make communities more resistant to storm damage, whether those solutions are a traditionally constructed levee or a natural alternative, like the reconstructed dunes we are using along the Delaware coast and other places too.

Earlier this year, NOAA announced that the total cost for extreme weather and climate events in 2017 exceeded \$300 billion. That is a new U.S. annual record—\$300 billion in 1 year, last year. It is not a matter of if the next extreme weather event is coming, it is a matter of when. As storm events, such as Hurricane Florence, grow more powerful and prevalent, threatening American lives and infrastructure, the passage of this bill—a bill that will help protect coastal communities from the risk of flooding—has never been more important.

In addition to strengthening key Corps programs, this bill also addresses key programs at EPA for major drinking water and wastewater needs across our country. For the first time in over 20 years, this bill reauthorizes the Drinking Water State Revolving Loan Fund, too. That program provides Federal assistance to help communities with clean drinking water. It does so through no-interest, low-interest, and



forgivable loans that help communities in a variety of ways gain access to capital that would otherwise be unavailable. It is my hope that one day we can eventually add grants back into this program for communities that need the help the most, but that is probably a longer conversation somewhere down the line.

The ongoing crisis in Flint that we are now seeing play out in far too many communities across our country is tragic but avoidable if we invest in water infrastructure more wisely. This bill makes it clear that we have learned our lesson, and we are beginning to take some steps to address this enormous challenge.

Some of our colleagues may recall that earlier this year Senator DUCKWORTH and I hosted a drinking water roundtable here on Capitol Hill. The image of her holding up in her hand a baby bottle with formula made from contaminated drinking water is an image that is hard for me to forget.

This bill authorizes more resources for EPA to make sure that every parent, no matter what their ZIP Code is, where they live, can be confident that the water coming out of the tap at home or at their children's school is safe for their kids to drink. Toward that end, this legislation not only reauthorizes the safe drinking water revolving loan program, it nearly doubles its funding. By fiscal year 2021, the program will grow from the current authorization of \$1 billion to almost \$2 billion.

Perhaps most notably, especially in light of the avoidable devastation and tragedy we saw in the wake of Hurricanes Maria and Harvey, this bill authorizes \$100 million to repair drinking water systems damaged by storms and creates a new program that helps protect drinking water systems from extreme weather events.

This legislation allows States that detect contaminants in drinking water to provide assistance to residents who depend on private water wells. This provision should matter to every Member of Congress whose residents rely significantly on wells for their water consumption needs, and we have them in every single State across America. I don't know about other States, but one in six Delawareans depends on private wells for their drinking water. It is not fair that if contaminants end up in their water through no fault of the resident, the resident has to find a way to rectify that situation on their own. Without this bill, these taxpayers get no support, and that is not right.

This bill goes way beyond addressing emergency situations. It provides a framework for updating and expanding water infrastructure systems throughout our country at both the EPA and the Army Corps of Engineers.

As I mentioned earlier, the bill authorizes \$50 million for technical assistance to help schools and daycare centers deal with lead contamination in their drinking water and another \$5

million per year in grants for modernizing, testing, and replacing the lead components that are causing the water contamination. This provision is going to be particularly helpful in places like Chicago and Baltimore, where there are schools operating with no usable drinking water fountains.

Oftentimes, our water infrastructure is the forgotten leg of the infrastructure stool. We rightly worry about the infrastructure we can see, such as bridges, highways, airports, and railroads, but our water infrastructure—our pipes, shipping channels, flood control structures; the infrastructure we don't see but rely on every day—is also in desperate need of investment in many parts of America.

Before I yield the floor today, I want to again thank our chairman, Senator BARRASSO, and our Senators from Maryland and Oklahoma who are the cochairs of the Infrastructure Subcommittee of Environment and Public Works and other members of our committee and frankly those who are not fortunate enough to serve on our committee. I thank them for their hard work throughout this process.

I thank our colleagues over in the House—Congressmen Shuster, DeFazio, Walden, and Pallone—who were great partners of ours. When we work together as Democrats and Republicans in both Chambers, we are stronger, and when we are stronger here, we are stronger across our country.

Finally, I thank the Assistant Secretary of the U.S. Army Corps of Engineers, R.D. James, who has made this legislation a priority for the Army Corps and for the administration. He and his team worked with us to craft a bill that I think we can all be proud of, and I am.

I want to mention again that as smart as JOHN BARRASSO and I and the other Senators who serve on our committee and here in the Senate are, this bill wouldn't be before us if we didn't have some very smart people on our staffs. One is sitting right here next to me today, and some others are standing behind me. I see over on the Republican majority side some terrific members of staff who work under the leadership of our chairman. I want to take a moment to take my hat off—I wish I were wearing my hat. If I were, I would take it off to all of you, as well.

Let me end today with an African proverb that I think is particularly relevant. It goes something like this: If you want to go fast, travel alone. If you want to go far, travel together.

By working together, we crafted legislation that is both substantive and needed. This proposal stands as a timely example of how we can set aside our differences and get meaningful work done for the people who sent us here and expected us to accomplish really important things like this on their behalf.

The underlying bill before us is one that delivers a lot of good to the American people. At the same time, it rep-

resents good public policy that is fiscally responsible. It is deserving of the support of our colleagues in the Senate. I hope they will join us in supporting its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I would like to sincerely thank my ranking member and partner in this bipartisan bill, Senator CARPER. You could not have asked for a better colead moving this legislation forward. I agree with exactly the sentiments expressed by the senior Senator from Delaware that America's Water Infrastructure Act could not have happened without a lot of hard work from a number of dedicated legislators, as well as dedicated staff.

I also thank the chairman and ranking member of our Transportation and Infrastructure Subcommittee, Chairman INHOFE, Ranking Member CARDIN, and their staffs for their important contributions and their strong support.

As Senator CARPER mentioned the House, I thank our colleagues there and partners in this effort, Chairman SHUSTER and Ranking Member DEFALZIO of the Transportation and Infrastructure Committee; Chairman WALDEN and Ranking Member PALLONE of the Energy and Commerce Committee, along with their staff. They did a significant amount of heavy lifting to get this important water infrastructure bill to the finish line.

Finally, I thank the staff of the Environment and Public Works Committee for their tireless work on the legislation. Senator CARPER mentioned them from both sides of the aisle.

On my staff, I thank Richard Russell, Brian Clifford, Andrew Harding, Lizzy Olsen, Pauline Thorndike, Craig Thomas, and Mike Danlak, and my chief of staff, Dan Coonsman.

On the minority staff, I thank Mary Frances Repko, John Kane, Andrew Rogers, Christina Baysinger, Skylar Bayer, Ashley Morgan, and Avery Mulligan. It would not have happened without all of their hard work, dedication, and commitment to this piece of legislation.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HEALTHCARE

Mr. WYDEN. Mr. President, while it is perhaps not in line with official and genuine Senate protocol, I also want to use this opportunity to congratulate my good friend in the Chair on the wonderful events of last weekend for his family.

Mr. President, I have come to the floor to discuss my colleague Senator

BALDWIN's resolution that would protect the millions of Americans in Wisconsin and Oregon and all across the land who are faced with preexisting health conditions.

This has been an area I have focused on since my days as codirector of the Oregon Gray Panthers because preexisting conditions is kind of fancy lingo that people talk about as it relates to healthcare policy, but really what it is all about is, if you have cancer or diabetes or heart disease or asthma or any one of a score of healthcare conditions, before the Affordable Care Act, you were just in a world of hurt, literally and figuratively. In effect, the healthcare system then was for the healthy and the wealthy. If you were healthy, there was nothing to worry about—no preexisting condition. If you were wealthy, you just paid the bills, but if you had preexisting conditions, as millions and millions of Americans have, then you were really out of luck.

So then, along came the Affordable Care Act. I had written a piece of legislation, the Healthy Americans Act, with seven Democrats and seven Republicans as cosponsors. It had airtight, loophole-free protection for Americans against discrimination if they had preexisting conditions. That provision from the Healthy Americans Act, to a very great extent, made its way into the Affordable Care Act. That is why millions of Americans were able to go to bed at night with a sense of comfort and a sense that if they did have healthcare conditions, the insurance companies wouldn't be able to just clobber them with higher costs. Unfortunately, we have the Trump administration's wanting to bring back the days when healthcare was for the healthy and wealthy and allow discrimination against people with preexisting conditions.

The flip side of the preexisting condition coin is junk insurance—selling junk insurance that really isn't worth a whole lot more than the paper it is written on. Boy, do I know something about junk insurance because that is how I started my time in public service, when senior citizens were sold 15 to 20 policies. Again, the rip-offs were built in. Back then, if you had one policy and you had another policy that offered similar coverage, they canceled each other out, and the senior got nothing. It was junk insurance. If we go back to the days when they discriminated against people with preexisting conditions, we are going to have junk insurance all over again.

I am going to begin with the Trump administration's record on this.

First of all, if you are a scam artist who is peddling junk plans, the Trump administration has your back. If you are a person with a preexisting condition, the Trump administration is advancing policies that will make both your health and your wallet in far worse shape. Now, the Trump officials get up and talk about the benefits of short-term plans. They will use buzz

words like "flexibility" and "patient-centered care," but I want everybody to be clear that it is junk insurance, plain and simple. It is putting a whole lot of lipstick on a frog.

These junk insurance plans the Trump administration has revived represent the very worst of industry tricks and abuses. They punish Americans who really need healthcare. If you are young, if you are healthy, and if you are wealthy, as I have said, there is nothing to worry about. With junk plans, you have a glide path to put scams on those with preexisting conditions like heart disease, cancer, and mental illness. They exist to prey on older Americans—on women, on the less fortunate—particularly a group that I have thought was the heart of where healthcare reform ought to go—to the folks between 55 and 65.

As I have indicated, junk plans are not new. Congress and the American people have rejected them before. I mentioned my history with the Oregon Gray Panthers. Big, thick stacks of legalese that nobody could understand were always hyped to the seniors. They were going to fill the gaps in Medicare. It was called Medigap. Back then, it was really just A and B. It didn't have D and Medicare Advantage and all kinds of other things. It was just A and B.

You had seniors frightened that the gaps in Medicare were going to consume any savings they might have. So every time a fast-talking salesperson came through, a senior would buy a policy. When I was the director of the Gray Panthers, it was common to go to seniors' homes, and they would actually go to a closet and pull out a shoebox full of these worthless policies. I really fear we are looking at going back to those days.

The fact is that Congress finally cracked down on those Medigap rip-offs. I had an opportunity to be a part of that effort as a Member of the other body, the House, but a lot of people got hurt in the process.

Junk insurance was not just a problem for seniors. A few years ago, the Affordable Care Act was designed, as I mentioned, in terms of the Healthy Americans Act, to make sure that junk insurance would be eliminated across the board. Across the board, we would say in our country, we are going to have ironclad, loophole-free guarantees that no American would ever face discrimination over a preexisting condition.

By the way, that used to be a bipartisan proposition. The fact is that still serving in this body are a number of my colleagues on the Republican side who are cosponsors of the Healthy Americans Act, with that ironclad, loophole-free protection for those with preexisting conditions. So it is not as if somebody just kind of brought this up as a partisan issue. It was bipartisan then. Republican Members of this body, distinguished colleagues, were cosponsors of that Healthy Americans Act

proposition. Now the Trump administration is trying to turn back the clock. It wants to make junk plans great again—a forced march back to those days that I described that were only for the healthy and the wealthy.

The open enrollment plan for health insurance is coming up very quickly. The Trump administration has cut it in half so that it is going to last only a few weeks this year. That means, during the holidays, when Americans are traveling, shopping, and spending time with family, they will also have to make some judgments about health insurance. Because of the Trump administration's actions, these junk insurance policies are going to be peddled at the same time as insurance that would actually cover, meaningfully, the healthcare that our people need.

What they are going to be doing with these Trump changes is making life easy for the scam artists but a nightmare for so many Americans who, day in and day out, walk an economic tightrope just trying to pay for essentials. These rip-off artists under the Trump plan are going to have a green light to steal the money Americans pay in premiums and for other expenses. According to a recent study, sometimes as much as \$2 out of every \$3 is wasted on overhead with these administrative costs and junk insurance profits in these flawed policies that the Trump administration wants to foist off on Americans.

The disastrous effects of junk insurance aren't limited to those who get conned into buying it. By bringing junk plans back, the Trump administration, in effect, goes out and swings a wrecking ball into the private health insurance markets in our country. It raises costs across the board, and Americans waste their hard-earned dollars.

Senator BALDWIN has a resolution, and I commend my colleague from Wisconsin on her effort on this. She came and talked with me about this early on, as the ranking Democrat on the Senate Finance Committee. We have jurisdiction over something like \$1 trillion worth of health spending. I really appreciate the expertise and the passion that Senator BALDWIN has brought to this issue, and we saw it in her very first presentation on what she wanted to do. Her resolution is the Senate's best opportunity to put a stop to the scams that I have described. It would throw the Trump administration's junk insurance rules out, and with Senator BALDWIN's proposal, it would restore the protections that millions of Americans count on each day.

The Democrats in the Senate are going to stand up for Americans with preexisting conditions, and I hope colleagues on the other side will join us. I recognize that the Trump administration will not, but my hope is that we will have colleagues on the other side supporting us for Senator BALDWIN's resolution.

In addition, as if this were not enough of an injury foisted on vulnerable Americans, the Trump administration has put forward a nominee for a seat on the Sixth Circuit Court of Appeals who made healthcare sabotage one of his top priorities at the Trump Justice Department. Chad Readler, currently the Deputy Assistant Attorney General, in my view, is the wrong choice to be a Federal judge.

Earlier this year, the Trump administration decided it just wanted to get out of the business of enforcing the rules that protect Americans with pre-existing conditions. In fact, it had to argue in court that it could abandon that essential part of the Affordable Care Act, which was still the law of the land the last time I looked. Who did the administration turn to when it needed to cook up a dubious legal argument that it had no obligation to enforce the law of the land? Chad Readler. In fact, three career attorneys from the Department of Justice looked at his argument, and they actually withdrew from the case. Three career lawyers from the Department of Justice refused to participate.

The Judiciary Committee held a hearing on Mr. Readler's nomination earlier this month. His nomination could be sent to the floor of the Senate in the coming weeks, but it ought to be clear that this is a nominee who is not an impartial individual who has the judicial temperament Americans expect. He is not somebody who ought to be handed a seat on the Federal bench and have the power to sign off on the Trump administration's agenda of healthcare sabotage.

I close with this. The Senate has an opportunity to stand up this week for the millions of vulnerable Americans who have these preexisting conditions, for the millions of Americans who under the Affordable Care Act can go to bed at night knowing that if they have preexisting conditions, they are not going to lose everything. I am serious when I talk about losing everything. Once you go back to discriminating against people with preexisting conditions, you are going to go back to job lock and all of the problems we saw associated with discrimination. If you were in Montana or if you were in Oregon and had a preexisting condition and you got offered a better job on the other side of town, you couldn't go get it because you would not be able to get coverage because there was discrimination against people with preexisting conditions.

This week the Senate is going to have an opportunity to stand up to the Trump administration and go to bat for the millions and millions of Americans who are watching this debate who have preexisting conditions and who are just counting on this body not to turn back the clock and leave them vulnerable again. Senator BALDWIN's resolution would prevent the Trump administration from bringing back the worst abuses of junk insurance. If it

doesn't pass this week, this will be an issue that, in my view, will come up again and again and again until it is fixed.

Finally, the Readler nomination, in my view, ought to be stopped in its tracks. The Senate ought to tell the administration that it is not going to rubberstamp judicial nominees who have proven, demonstrable track records of twisting the law in a way that harms the most vulnerable of our citizens.

I note that the majority leader is here.

I yield the floor.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. BOOKER. Mr. President, I was necessarily absent for rollcall vote No. 224, on the motion to invoke cloture on the House message to accompany S. 3021.

On vote No. 224, had I been present, I would have voted yea. •

#### ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-16, concerning the Air Force's proposed

Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$40.4 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18-16

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: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment\* \$24.1 million.

Other \$16.3 million.

Total \$40.4 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

One thousand twenty (1,020) Mk-82 500 lb. bombs.

One thousand two (1,002) Mk-83 1000 lb. bombs.

Six hundred (600) Mk-84 2000 lb. bombs.

Non-MDE: Also included in the sale are general purpose bomb components and fuzes, support and test equipment, publications and technical documentation, personnel training and training equipment, transportation, facilities and construction, U.S. Government and contractor technical and logistics support services, and other related elements of logistic and program support.

(iv) Military Department: Air Force (KU-D-AAC).

(v) Prior Related Cases, if any: KU-P-AAV (Navy/1992)—\$22M.

(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: August 2, 2018.

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

#### POLICY JUSTIFICATION

##### Kuwait—Munitions

The Government of Kuwait has requested to buy one thousand twenty (1,020) Mk-82 500 lb. bombs, one thousand two (1,002) Mk-83 1000 lb. bombs and six hundred (600) Mk-84 2000 lb. bombs. Also included in the sale are general purpose bomb components and fuzes, support and test equipment, publications and technical documentation, personnel training and training equipment, transportation, facilities and construction, U.S. Government and contractor technical and logistics support services, and other related elements of logistic and program support. The estimated cost is \$40.4 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a regional partner which is an important force for political stability and economic progress.

The proposed sale will improve Kuwait's capability to meet current and future threats within the region. Kuwait intends to use these munitions with its current fleet of F/A-18 aircraft. Kuwait will have no difficulty absorbing these munitions and support into its armed forces.

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

The U.S. Air Force will award contracts when necessary to provide the defense articles ordered if items ordered are not available from U.S. stock or are considered lead-

time away. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of additional U.S. Government or contractor representatives to Kuwait.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-33, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Latvia for defense articles and services estimated to cost \$200 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 18-33

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: Government of Latvia.

(ii) Total Estimated Value:

Major Defense Equipment\* \$85 million.

Other \$115 million.

Total \$200 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Four (4) UH-60M Black Hawk Helicopters in standard USG configuration with designated unique equipment and Government Furnished Equipment (GFE).

Ten (10) T700-GE-701D Engines (8 installed and 2 spares).

Ten (10) Embedded Global Positioning Systems/Inertial Navigation Systems (8 installed and 2 spares).

Non-MDE: Also included is one (1) Aviation Mission Planning System, five (5) Talon Forward Looking Infrared Radar (FLIR) (4 production and 1 spare), ten (10) AN/ARC-201D/E (8 production and 2 spares), ten (10) AN/ARC-231 radios (8 production and 2 spares), five (5) AN/APX-123A Identification Friend or Foe (IFF) transponder (4 production and 1 spare), five (5) AN/ARC-220 Radio (4 production and 1 spare), twenty (20) AN/AVS-6 Helmet Mounted Night Vision Devices, aircraft warranty, air worthiness support, spare and repair parts, support equipment, communication equipment, publications and technical documentation, personnel training and training equipment, ground support equipment, site surveys, tool and test equipment, U.S. Government and contractor technical and logistics support services, and other related elements of logistics and program support.

(iv) Military Department: Army (LG-B-UDM).

(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: August 3, 2018.

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

#### POLICY JUSTIFICATION

##### Latvia—LH-60M Black Hawk Helicopters

The Government of Latvia has requested to buy four (4) UH-60M Black Hawk helicopters in standard USG configuration with designated unique equipment and Government Furnished Equipment (GFE), ten (10) T700-GE-701D engines (8 installed and 2 spares), ten (10) Embedded Global Positioning Systems/Inertial Navigation Systems (8 installed and 2 spares). Also included is one (1) Aviation Mission Planning System, five (5) Talon Forward Looking Infrared Radar (FLIR) (4 production and 1 spare), ten (10) AN/ARC-201D/E (8 production and 2 spares), ten (10) AN/ARC-231 radios (8 production and 2 spares), five (5) AN/APX-123A Identification Friend or Foe (IFF) transponder (4 production and 1 spare), five (5) AN/ARC-220 Radio (4 production and 1 spare), twenty (20) AN/AVS-6 Helmet Mounted Night Vision Devices, aircraft warranty, air worthiness support, spare and repair parts, support equipment, communication equipment, publications and technical documentation, personnel training and training equipment, ground support equipment, site surveys, tool and test equipment, U.S. Government and contractor technical and logistics support services, and other related elements of logistics and program support. The estimated total case value is \$200 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a NATO ally. These UH-60 helicopters will allow for interoperability with U.S. and NATO forces in rapid response to a variety of missions, and quick positioning of troops with minimal helicopter assets.

The sale of these UH-60 helicopters to Latvia will significantly increase its capability to provide troop lift, border security, anti-terrorist, medical evacuation, search and rescue, re-supply/external lift, and combat support in all weather. Latvia intends to use these helicopters to modernize its armed forces and expand its existing Army architecture in its efforts to provide multi-mission support in the region. Latvia will have no difficulty absorbing these helicopters into its armed forces.

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

The prime contractors will be Sikorsky Aircraft Company in Stratford, Connecticut; and General Electric Aviation Company (GEAC) in Lynn, Massachusetts. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale may require the assignment of an additional three U.S. Government and five contractor representatives in country full-time to support the delivery and training for approximately two-to-five years.

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

TRANSMITTAL NO. 18-33

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 UH-60M aircraft is a medium lift four bladed aircraft which includes two T-700-GE 701D Engines. The aircraft has four Multifunction Display (MFD), which provides aircraft system, flight, mission, and communication management systems. The instrumentation panel includes four Multifunction Displays (MFDs), two Pilot and Co-

Pilot Flight Director Panels, and two Data Concentrator Units (DCUs). The Navigation System will have Embedded GPS/INS (EGIs), and two Advanced Flight Control Computer Systems (AFCC), which provide 4 axis aircraft control.

2. The H764-G EGI provides GPS and INS capabilities to the aircraft. The EGI will include Selective Availability Anti-Spoofing Module (SAASM) for secure GPS PPS if required. The EGI contains sensitive technology.

3. The AN/ARC-231, Very High Frequency/Ultra High Frequency (VHF/UHF), Line-of-Sight (LOS) Radio with frequency agile modes, Electronic counter-countermeasures (ECCM), UHF Satellite Communications (SATCOM), Demand Assigned Multiple Access (DAMA), Integrated Waveform (IW), Air Traffic Control (ATC) channel spacing is operator selectable in 5, 8.33, 12.5, and 25kHz steps. The antennas associated with this radio contain sensitive technology.

4. The AN/APX-123A, Identification Friend or Foe (IFF) Transponder, is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the Remote Control Unit (or other appropriate control unit), the transponder provides identification, altitude, and surveillance reporting in response to interrogations from airborne, ground-based, and/or surface interrogators. This item contains sensitive technology.

5. The AN/ARC-201D/E, Single Channel Ground to Air Radio System (SINCARS), is a tactical airborne radio subsystem that provides secure, anti-jam voice and data communication. The integration of COMSEC and the Data Rate Adapter (DRA) combines three Line Replaceable Units into one and reduces overall weight of the aircraft.

6. The AN/ARN-149, Automatic Direction Finder (ADF) Receiver, is a low frequency radio that provides automatic compass bearing on any radio signal within the frequency range of 100 to 2199.5 kHz as well as navigation where a commercial AM broadcast signal is the only available navigation aid.

7. The AN/ARN-153, Tactical Airborne Navigation (TACAN) System, is a full featured navigational system that supports four modes of operation: receive mode; transmit receive mode; air-to-air receive mode; and air-to-air transmit-receive mode. The TACAN provides a minimum 500-watt transmit capability with selecting range ratios of 30:1 or 4:1 which is accomplished through the automatic gain control (AGC) enable/disable switch, the 1553 bus, or the RNAV (ARINC) input bus.

8. The AN/ARN-147, Very High Frequency (VHF) Omni Ranging/Instrument Landing System Receiver, that provides internal MIL-STD-1553B capability and is MIL-E-5400 class II qualified. It meets international operability requirements by providing 50-kHz channel spacing for 160-VOR and 40-localizer/glideslope channels.

9. The TALON Forward Looking Infrared Radar (TALON FLIR) is a compact multi-sensor thermal imaging system utilized for personnel recovery. Search and rescue missions are supported with the thermal imaging, daylight camera, and laser rangefinder payloads. Includes Joystick Control Unit (JCU).

10. AN/ARC-220, High Frequency (HF) Radio multifunctional, fully Digital Signal Processing (DSP) high frequency radio for rotary wing applications. Provides embedded Automatic Link Establishment (ALE), serial tone data modem, text messaging, GPS position reporting and anti-jam (ECCM) functions is Embedded ECCM and data modem.

11. EBC-406 (Emergency Locator Transmitter) is loaded with country unique codes (at delivery in country) that aid in the recovery of a down aircraft/personnel with a

loud beeping tone and flashing LED. The ELT transmits on 406.028 MHz, the civil 121.5 MHz, and the military 243.0 MHz emergency frequencies.

12. AN/AVS-6 (Helmet mounted Night Vision Goggles) is a lightweight, binocular, night vision imaging system developed by the US Army specifically for helicopter flying. The system can be mounted to a variety of aviator helmets, including the SPH-4B, HGU-56P, HGU-55/P, HGU-55/G, HGU-26/P and Alpha. A 25mm eye relief eyepieces easily accommodate eyeglasses. Low-profile battery pack improves aviator head mobility and increases battery life. Other features include flip-up/flop-down capability, simple binocular attachment, individual interpupillary adjustment, tilt, vertical and fore-aft adjustments to fit all aviators.

13. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

14. A determination has been made that Latvia can provide substantially the same degree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

15. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Latvia.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-29, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Mexico for defense articles and services estimated to cost \$41.6 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18-29

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: Government of Mexico.

(ii) Total Estimated Value:

Major Defense Equipment \* \$14.0 million.

Other \$27.6 million.

Total \$41.6 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Six (6) Evolved Seasparrow Tactical Missiles (ESSM).

Two (2) Evolved Seasparrow Telemetry Missiles.

Non-MDE: Also included are one (1) MK56 VLS launcher (8-cell), eight (8) MK30 canisters, eight (8) MK783 shipping containers, spare and repair parts, support and test equipment, publications and technical documentation, training, USG/Contractor technical and engineering support services, and technical assistance.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any:

MX-P-AAG (57mm and 25mm ammunition).

MX-P-AAN (Rolling Airframe Missile).

MX-P-AAO (Harpoon Block II Missile).

MX-P-AAS (MK54 Torpedo).

MX-P-SAA (MH-60R Helicopter and support).

(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: August 8, 2018.

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

#### POLICY JUSTIFICATION

##### Mexico—Evolved Seasparrow Missiles

The Government of Mexico has requested to buy six (6) Evolved Seasparrow tactical missiles (ESSM) and two (2) Evolved Seasparrow telemetry missiles. Also included are one (1) MK56 VLS launcher (8-cell), eight (8) MK30 canisters, eight (8) MK783 shipping containers, spare and repair parts, support and test equipment, publications and technical documentation, training, USG/Contractor technical and engineering support services, and technical assistance. The total estimated value is \$41 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a strategic regional partner. The sale of these shipboard systems to Mexico will significantly increase and strengthen Mexico's maritime capabilities. Mexico intends to use these defense articles and services to modernize its armed forces and expand its existing naval and maritime support of national security requirements.

Mexico intends to use the weapons systems on its Sigma 10514 Class ship. The systems will provide enhanced capabilities in effective defense of critical sea lanes. The proposed sale of these systems and support services will increase the Mexican Navy's maritime partnership potential and align its capabilities with existing regional navies. Mexico has not purchased these systems previously. Mexico will have no difficulty integrating this equipment into its armed forces.

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

The principal contractor will be Raytheon Missile Systems, Tucson, Arizona. There are no known offset agreements in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government and/or contractor representatives to Mexico.

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

TRANSMITTAL NO. 18-29

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 sale of Evolved Seasparrow missiles (ESSM) under this FMS case will result in the transfer of classified missile equipment to Mexico. Both classified and unclassified defense equipment and technical data will be transferred. The missile includes the guidance section, warhead section, transition section, propulsion section, control section and Thrust Vector Control (TVC) of which the guidance section and transition section are classified CONFIDENTIAL. Standard missile documentation to be provided under this FMS case will include:

a. Parametric documents (CONFIDENTIAL).

b. Missile Handling/Maintenance Procedures (UNCLASSIFIED).

c. General Performance Data (CONFIDENTIAL).

d. Firing Guidance (CONFIDENTIAL).

e. Dynamics Information (Confidential).

2. The sale of the Evolved Seasparrow Missiles (ESSM) under this FMS case will result in the transfer of sensitive technological information and/or restricted information contained in the missile guidance section. Certain operating frequencies and performance characteristics are classified SECRET because it could be used to develop tactics and/or countermeasures to reduce or defeat the missile effectiveness.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, primarily performance characteristics, engagement algorithms, and transmitter specific frequencies, the information could be used to develop countermeasures that might reduce weapon system effectiveness.

4. A determination has been made that the recipient country can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Mexico.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-32, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$105 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA Director).

Enclosures.

TRANSMITTAL NO. 18-32

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: The Government of the Netherlands.

(ii) Total Estimated Value:

Major Defense Equipment \* \$0 million.

Other \$105 million.

Total \$105 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Foreign Military Sales Case NE-B-WHJ, implemented on December 29, 2016, was below congressional notification threshold at \$65.5 million for the Recapitalization (RECAP) of the four (4) Netherlands Patriot Fire Units. The Netherlands has requested the case be amended to include the Launching Stations in the RECAP program. This amendment will push the current case above the notification threshold and thus requires notification of the entire case.

Major Defense Equipment (MDE): None.

Non-MDE: RECAP of four (4) Patriot Fire Units to include Radar Sets (RS). Radar Digital Processors (RDP), Engagement Control

Stations (ECS), Information and Coordination Central (ICC), Modem Man Stations (MMS), Launching Stations, and Post Deployment Build (PDB)-8 upgrades along with parts, tools, technical and engineering assistance, support services, testing, and other related elements of logistics and program support, which will produce fire units at the Configuration 3+ capability.

(iv) Military Department: Army (NE-B-WHJ).

(v) Prior Related Cases, if any: NE-B-WFX, NE-B-WEC, NE-B-WGF.

(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: September 5, 2018.

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

#### POLICY JUSTIFICATION

##### The Netherlands—Patriot Recapitalization (RECAP)

The Netherlands has requested Recapitalization (RECAP) of four (4) Netherlands Patriot Fire Units. RECAP includes Radar Sets (RS), Radar Digital Processors (RDP), Engagement Control Stations (ECS), Information and Coordination Central (ICC), Modem Man Stations (MMS), Launching Stations, and Post Deployment Build (PDB)-8 upgrades along with parts, tools, technical and engineering assistance, support services, testing, and other related elements of logistics and program support, which will produce fire units at the Configuration 3+ capability. The total estimated program cost is \$105 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO Ally, which is an important force for political stability and economic progress in the European region.

This sale improves the Netherlands' capability to meet current and future enemy threats. The Netherlands will use the enhanced capability to strengthen its homeland defense and deter regional threats, and provide direct support to coalition and security cooperation efforts. The Netherlands will have no difficulty absorbing this upgraded equipment and support into its armed forces.

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

U.S. Government personnel will conduct the RECAP at Letterkenny Army Depot. The purchaser typically requests offsets. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Netherlands.

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

#### TRANSMITTAL NO. 18-32

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 Patriot Air Defense System contains CONFIDENTIAL hardware components, SECRET tactical software and CRITICAL/SENSITIVE. Patriot ground support equipment and Patriot missile hardware contain CONFIDENTIAL components and the associated launcher hardware is UNCLASSIFIED. The services requested represent significant technological advances for the Netherlands.

The Patriot Air Defense System continues to hold a significant technology lead over other surface-to-air missile systems around the world.

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

3. A determination has been made that the Government of the Netherlands can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in 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 have been authorized for release and export to the Netherlands.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-38, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost \$3.135 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA Director).

Enclosures.

#### TRANSMITTAL NO. 18-38

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: Government of Japan.

(ii) Total Estimated Value:

Major Defense Equipment\* \$1.961 billion.

Other \$1.174 billion.

Total \$3.135 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Nine (9) E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) Aircraft.

Twenty eight (28) T56-A-427A Engines (18 installed and 10 spares).

Twelve (12) Multifunction Information Distribution System/Joint Tactical Radio System (MIDS/JTRS) Terminals (9 installed and 3 spares).

Ten (10) APY-9 Radars (9 installed and 1 spare).

Eleven (11) AN/AYK-27 Integrated Navigation Control and Display Systems (INCDS) (9 installed and 2 spares).

Thirty (30) LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with Embedded Airborne Selective Availability Anti-Spoofing Module (SAASM) Receiver (18 installed and 12 spares).

Non-MDE: Also included are aircraft ancillary equipment, modifications, spare and repair parts, support equipment, publications and technical documentation, software, personnel training and training equipment, ferry services, U.S. Government and contractor logistics, engineering, and technical

support services, and other related elements of logistics and program support.

(iv) Military Department: Navy (JA-P-SCW).

(v) Prior Related Cases, if any: JA-P-SCJ, JA-P-SCL, JA-P-SCM and JA-P-SCQ.

(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: September 7, 2018.

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

#### POLICY JUSTIFICATION

##### Japan—E-2D Advanced Hawkeye Airborne Early Warning and Control Aircraft

The Government of Japan has requested to buy nine (9) E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) aircraft, twenty-eight (28) T56-A-427A engines (18 installed and 10 spares), twelve (12) Multifunction Information Distribution System/Joint Tactical Radio System (MIDS/JTRS) terminals (9 installed and 3 spares), ten (10) APY-9 Radars (9 installed and 1 spare), eleven (11) AN/AYK-27 Integrated Navigation Control and Display Systems (INCDS) (9 installed and 2 spares), thirty (30) LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with Embedded Airborne Selective Availability Anti-Spoofing Module (SAASM) Receiver (18 installed and 12 spares), and twelve (12) AN/ALQ-217 Electronic Support Measures (ESM, 9 installed and 3 spares). Also included are: aircraft ancillary equipment, modifications, spare and repair parts, support equipment, publications and technical documentation, software, personnel training and training equipment, ferry services, U.S. Government and contractor logistics, engineering, and technical support services, and other related elements of logistics and program support. The total estimated program cost is \$3.135 billion.

This proposed sale will support the foreign policy and national security of the United States. Japan is one of the major political and economic powers in East Asia and the Western Pacific and is a key partner of the United States in ensuring peace and stability in that region. It is vital to U.S. national interests to assist Japan in developing and maintaining a strong and effective self-defense capability.

The proposed sale of E-2D AHE aircraft will improve Japan's ability to effectively provide homeland defense utilizing an AEW&C capability. Japan will use the E-2D AHE aircraft to provide AEW&C situational awareness of air and naval activity in the Pacific region and to augment its existing E-2C Hawkeye AEW&C fleet. Japan will have no difficulty absorbing these aircraft into its armed forces.

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

The principal contractor will be Northrop Grumman Corporation Aerospace Systems in Melbourne, Florida.

There are no known offset agreements proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the Purchaser and the prime contractor.

Implementation of this proposed sale will not require any additional U.S. Government or contractor personnel in Japan. However, U.S. Government or contractor personnel in-country visits will be required on a temporary basis in conjunction with program technical and management oversight and support requirements.

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



TRANSMITTAL NO. 18-38

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 E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) provides detection and surveillance of regional surface and aircraft platforms through the use of the APY-9 radar, APX-122A Identification Friend or Foe (IFF), and ALQ-217 Electronic Support Measures (ESM) systems. The E-2D AHE provides area surveillance and detection, air intercept control, air traffic control, search and rescue assistance, communication relay and automatic tactical data exchange. The E-2D AHE is classified SECRET.

2. The APY-9 radar is a mechanically rotated, electronically scanned array, which utilizes Space Time Adaptive Processing technology to provide 360-degree detection and surveillance in high clutter environments. It is able to provide simultaneous detection and surveillance of surface and air units. The APY-9 radar is classified SECRET.

3. The MIDS JTRS (5) terminal provides enhanced Link 16 functionality, namely Concurrent Multi-netting with four channels (CMN-4) and Concurrent Contention Receive (CCR). CMN-4 is a Link 16 enhancement that increases the terminal capability from receiving only one Tactical Digital Information Link-J (TADIL-J) message packing structure per time slot to receive as many as four simultaneous message packing structures per time slot, each transmitted on a unique Link 16 net. The capability for current Link 16 terminals to receive only one TADIL-J message packing structure per time slot imposes complex network design constraints and prohibits network designers from making full use of the Link 16 spectrum capacity. CMN-4 relaxes these restrictions allowing for greater network planning flexibility and achieves a fourfold increase in receive message throughput for Link 16 terminals with this capability. CMN-4 is backwards compatible with JTIDS and MIDS-LVT, although legacy terminals would not be able to experience the increased throughput. CCR described the Link 16 terminal's ability to receive multiple messages in the same net within the same time slot. The MIDS-JTRS device itself is CCI and is not classified. The COMSEC keying material which is loaded into the device for IFF Mode 4/5 operations is classified SECRET.

4. The APX-122A IFF Interrogator and APX-123A IFF Transponder are identification systems designed for command and control. They provide the ability to distinguish friendly aircraft, vehicles, or forces, and to determine their bearing and range from the Interrogator. These devices have embedded COMSEC which contains SENSITIVE encryption algorithms and keying material. The APX-122A IFF Interrogator and APX-123A IFF Transponder devices themselves are CCI and are not classified. The COMSEC keying material which is loaded into the devices for IFF Mode 4/5 operations is classified SECRET.

5. The ALQ-217 Electronic Support Measures (ESM) system is used to detect, intercept, identify, locate, record, and/or analyze sources of radiated electromagnetic energy to support classification of unknown surface and airborne units. The ALQ-217 is classified SECRET.

6. The AN/AYK-27 Integrated Navigation Control and Display System serves as the network manager and the human machine interface for the E-2D navigation system. The AN/AYK-27 is an UNCLASSIFIED system.

7. The LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with embedded airborne Selective Availability Anti-Spoofing Module (SAASM) Receiver (ASR) system provides position, navigation and timing information to the E-2D via the Global Positioning Satellite system and an inertial measuring unit. The LN-251 is UNCLASSIFIED.

8. If a technologically advanced adversary obtained knowledge of the specific hardware or software in the proposed sale, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

9. A Special Security Agreement (SSA) will be in place in order to provide additional security requirements for implementation by the Government of Japan to protect the advanced capabilities this aircraft provides. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

10. All defense articles and services listed in this transmittal have been authorized for release and export to Japan.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-34, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$2.1 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18-34

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: Republic of Korea.

(ii) Total Estimated Value:

Major Defense Equipment\* \$1.54 billion.

Other \$56 billion.

Total \$2.10 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Six (6) P-8A Patrol Aircraft, which includes:

Nine (9) Multifunctional Information Distribution System Joint Tactical Radio System 5 (MIDS JTRS) (one (1) for each aircraft, one (1) for the Tactical Operations Center, and two (2) spares).

Forty-two (42) AN/AAR-54 Missile Warning Sensors (six (6) for each aircraft and six (6) spares).

Fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs) (two (2) for each aircraft and two (2) spares).

Non-MDE includes: Commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared (IR) MX-20HD; AN/AAQ-2(V)1 Acoustic System; AN/APY-10 Radar; ALQ-240 Electronic Support Measures; AN/ALE-47 Counter Measures Dispensing System; support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineer-

ing, and logistics technical assistance; foreign Liaison officer support, contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, logistics, support equipment and services.

(iv) Military Department: Navy (KS-P-SEJ).

(v) Prior Related Cases, if any: N/A.

(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 Annex Attached.

(viii) Date Report Delivered to Congress: September 13, 2018.

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

#### POLICY JUSTIFICATION

Korea-P-8A Aircraft and Associated Support

The Republic of Korea (ROK) has requested to buy six (6) P-8A Patrol Aircraft, which includes: nine (9) Multifunctional Information Distribution System Joint Tactical Radio Systems 5 (MIDS JTRS 5) (one (1) for each aircraft, one (1) for the Tactical Operations Center (TOC) and two (2) as spares); fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigations Systems (EGIs) (two (2) for each aircraft and two (2) as spares); and forty-two (42) AN/AAR-54 Missile Warning Sensors (six (6) for each aircraft and six (6) as spares). Also included are commercial engines; Tactical Open Mission Software (TOMS); Electro-Optical (EO) and Infrared (IO) MX-20HD; AN/AAQ-2(V)1 Acoustic System; AN/APY-10 Radar; ALQ-240 Electronic Support Measures; AN/ALE-47 Counter Measures Dispensing System; support equipment; operation support systems; maintenance trainer/classrooms; publications; software, engineering, and logistics technical assistance; foreign liaison officer support; contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training, logistics, support equipment and services. The total estimated program cost is \$2.1 billion.

The ROK is one of the closest allies in the INDOPACOM Theater. The proposed sale will support U.S. foreign policy and national security objectives by enhancing Korea's naval capabilities to provide national defense and significantly contribute to coalition operations.

The ROK procured and has operated U.S.-produced P-3 Maritime Surveillance Aircraft (MSA) for over 25 years, providing interoperability and critical capabilities to coalition maritime operations. The ROK has maintained a close MSA acquisition and sustainment relationship with the U.S. Navy over that period. The proposed sale will allow the ROK to modernize and sustain its MSA capability for the next 30 years. As a long-time P-3 operator, the ROK will have no difficulty transitioning its MSA force to P-8A.

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

The prime contractor will be The Boeing Company, Seattle, WA. Additional contractors include: ASEC; Air Cruisers Co LLC; Arnprior Aerospace, Canada; AVOX Zodiac Aerospace; BAE; Canadian Commercial Corporation (CCC)/EMS; Compass; David Clark; DLS or ViaSat, Carlsbad, CA; DRS; Exelis, McLean, VA; GC Micro, Petaluma, CA; General Dynamics; General Electric, UK; Harris; Joint Electronics; Lockheed Martin; Martin Baker; Northrop Grumman Corp, Falls Church, VA; Pole Zero, Cincinnati, OH; Raytheon, Waltham, MA; Raytheon, UK; Rockwell Collins, Cedar Rapids, IA; Spirit

Aero. Wichita, KS; Symmetries Telephonics, Farmingdale, NY; Terma, Arlington, VA; Viking; and WESCAM.

The purchaser typically requests offsets. There are no known offset agreements proposed in connection with this potential sale. Any offset agreement will be defined in negotiations between the Purchaser and the prime contractor.

Implementation of this proposed sale will require approximately three (3) U.S. government personnel and ten (10) contractor personnel to support the program in country.

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

#### TRANSMITTAL NO. 18-34

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 P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P-3C as the Navy's long-range Anti-Submarine Warfare (ASW), Anti-Surface Warfare (ASuW), Intelligence, Surveillance and Reconnaissance (ISR) aircraft. The overall highest classification of the P-8A weapon system is SECRET. The P-8A mission systems hardware is largely UNCLASSIFIED, while individual software elements (mission systems, acoustics, ESM, EWSP, etc.) are classified up to SECRET.

##### 2. P-8A mission systems include:

a. Tactical Open Mission Software (TOMS). TOMS functions include environment planning, tactical aids, weapons planning aids, and data correlation. TOMS includes an algorithm for track fusion which automatically correlates tracks produced by on board and off board sensors.

b. Electro-Optical (EO) and Infrared (IR) MX-20HD. The EO/IR system processes visible EO and IR spectrum to detect and image objects.

c. AN/AAQ-2(V)1 Acoustic System. The Acoustic sensor system is integrated within the mission system as the primary sensor or the aircraft ASW missions. The system has multi-static active coherent (MAC) 64 sonobuoy processing capability and acoustic sensor prediction tools.

d. AN/APY-10 Radar. The aircraft radar is a direct derivative of the legacy AN/APS-137(V) installed in the P-3C. The radar capabilities include GPS Selective Availability Anti-Spoofing Module (SAASM), SAR and ISAR imagery resolutions, and periscope detection mode.

e. ALQ-240 Electronic Support Measures (ESM). This system provides real time capability for the automatic detection, location, measurement, and analysis of RF-signals and modes. Real time results are compared with a library of known emitters to perform emitter classification.

f. Electronic Warfare Self Protection (EWSP). The P-8A aircraft EWSP consists of the ALQ-213 Electronic Warfare Management System (EWMS), AN/AAR-54 Missile Warning Sensors and AN/ALE-47 Countermeasures Dispensing System (CMDs). The EWSP includes threat information. Technical data and documentation to be provided are UNCLASSIFIED.

g. Multifunctional Information Distribution System-Joint Tactical Radio System 5 (MIDS JTRS 5) is an advanced Link-16 Command, Control, Communications, and Intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and vice, among air, ground, and sea elements. The MIDS JTRS 5 terminal hardware, publica-

tions, performance specifications, operational capability, parameters, vulnerabilities to countermeasures, and software documentation are classified CONFIDENTIAL. The classified information to be provided consists of that which is necessary for the operation, maintenance, and repair (through intermediate level) of the data link terminal, installed systems, and related software.

h. The Embedded Global Positioning System (EGI)-Inertial Navigation System (INS)/LN-25I is a sensor that combines Global Positioning System (GPS) and inertial sensor inputs to provide accurate location information for navigation and targeting. The EGI-INS/LN-25I is UNCLASSIFIED. The GPS cryptovariable keys needed for highest GPS accuracy are classified up to SECRET.

3. If a technologically advanced adversary were to obtain access of the P-8A specific hardware and software elements, systems could be reverse engineering to discover USN capabilities and tactics. The consequences of the loss of this technology, to a technologically advanced or competent adversary, could result in the development of countermeasures or equivalent systems, which could reduce system effectiveness or be used in the development of a system with similar advanced capabilities.

4. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Republic of Korea.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-35, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Republic of Korea for defense articles and services estimated to cost \$501 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.  
Enclosures.

#### TRANSMITTAL NO. 18-35

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(1) Prospective Purchaser: Republic of Korea.

(ii) Total Estimated Value:

Major Defense Equipment \* \$365 million.

Other \$136 million.

Total \$501 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Sixty-four (64) Patriot Advanced Capability-3 (PAC-3) Missile Segment Enhancement (MSE) Missiles.

Non-MDE: Also included are two (2) PAC-MSE Test Missiles, range and test programs, publications and technical documentations, training equipment, spare parts, personnel training, U.S. Government and contractor technical, engineering, and logistics support

services, and other related elements of logistics and program support.

(iv) Military Department: Army (KS-B-ZGT).

(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 Annex Attached.

(viii) Date Report Delivered to Congress: September 13, 2018.

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

#### POLICY JUSTIFICATION

Korea—Patriot Advanced Capability-3 (PAC-3) Missile Segment Enhancement (MSE) Missiles

The Republic of Korea (ROK) has requested to buy sixty four (64) Patriot Advanced Capability-3 (PAC-3) Missile Segment Enhancement (MSE) Missiles. Also included are two (2) PAC-MSE Test Missiles, range and test programs, publications and technical documentations, training equipment, spare parts, personnel training, U.S. Government and contractor technical, engineering, and logistics support services, and other related elements of logistics and program support. The total estimated program cost is \$501 million.

The ROK is one of the closest allies in the INDOPACOM Theater. The proposed sale will support U.S. foreign policy and national security objectives by meeting Korea's legitimate security and defense needs.

The ROK will use the Patriot missile system to improve its missile defense capability, defend its territorial integrity and deter threats to regional stability. The proposed sale will increase the defensive capabilities of the ROK Military to guard against hostile aggression and shield the allies who train and operate within South Korea's borders. The ROK should have no difficulty absorbing this system into its armed forces.

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

The prime contractor will be Lockheed-Martin, Dallas, Texas. There are no known offset agreements expected to be proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to the Republic of Korea.

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

#### TRANSMITTAL NO. 18-35

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 Patriot Air Defense System contains classified CONFIDENTIAL hardware components, SECRET tactical software and critical/sensitive technology. The Patriot Advanced Capability-3 (PAC-3) Missile Segment Enhancement (MSE) hardware is classified CONFIDENTIAL and the associated launcher hardware is UNCLASSIFIED. With the incorporation of the PAC-3 MSE missiles, the Patriot system will continue to hold a significant technology lead over other surface-to-air missile systems in the world.

2. The PAC-3 MSE sensitive/critical technology is primarily in the area of design and production know-how and primarily inherent in the design, development and/or manufacturing data related to certain components.

3. Information on system performance capabilities, effectiveness, survivability, missile seeker capabilities, select software/software documentation and test data are classified up to and including SECRET.

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

5. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale supports the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

6. All defense articles and services listed in this transmittal have been authorized for release and export to the ROK.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-05, concerning the U.S. Army's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$99 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18-05

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: Government of Egypt.

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$99 million.

Total \$99 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Forty-six thousand (46,000) 120MM Target Practice—Tracer (M831A1) and 120MM Target Practice, Cone Stabilized, Discarding Sabot—(M865) Rounds.

Ten thousand (10,000) 120MM 4th-Generation Kinetic Energy-Tungsten (KE-W) A4 Armor-Piercing Fin-Stabilized Discarding Sabot with Tracer (APFSDS-T) Rounds.

Non-MDE: Also included are four thousand five hundred (4,500) 120MM Insensitive Munitions High Explosive with Tracer (IM HE-T) tank rounds, field implementation, testing inspections, spares and repair parts, support and test equipment, field support publications and technical data, U.S. government and contractor engineering and logistics support services, personnel training and training equipment, quality assurance team support services, preparation of ammunition for shipment, ammunition delivery, component improvement program and repair, other associated equipment and support, and other related elements of logistical and program support.

(iv) Military Department: Army (EG-B-VHH, EG-B-NGB, EG-B-VGS).

(v) Prior Related Cases, if any: EG-B-VAX, EG-B-NFP, EG-B-NFX, EG-B-UWB.

(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: September 17, 2018.

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

#### POLICY JUSTIFICATION

##### Egypt—120MM Tank Rounds

The Government of Egypt has requested to buy forty-six thousand (46,000) 120MM Target Practice—Tracer (M831A1) and 120MM Target Practice, Cone Stabilized, Discarding Sabot—(M865) rounds and ten thousand (10,000) 120MM 4th-Generation Kinetic Energy-Tungsten (KE-W) A4 Armor-Piercing Fin-Stabilized Discarding Sabot with Tracer (APFSDS-T) rounds. Also included are four thousand five hundred (4,500) 120MM Insensitive Munitions High Explosive with Tracer (IM HE-T) tank rounds, field implementation, testing inspections, spares and repair parts, support and test equipment, field support publications and technical data, U.S. government and contractor engineering and logistics support services, personnel training and training equipment, quality assurance team support services, preparation of ammunition for shipment, ammunition delivery, component improvement program and repair, other associated equipment and support, and other related elements of logistical and program support. The estimated cost is \$99 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country that continues to be an important strategic partner in the Middle East.

The proposed sale will improve Egypt's capability to meet current and future threats and provide greater security for its critical infrastructure. Egypt will use the 120MM IM HE-T cartridges to maintain a strategic munitions inventory for its M1A1 tank fleet and in support of operations against militants affiliated with the Islamic State of Iraq and Syria in the Sinai. They will use the target practice rounds to train M1A1 crews in proper crew procedures in a training environment using munitions that cost a fraction of tactical rounds and have nearly zero explosive or penetrating capability. Egypt has been producing this type of ammunition under an existing coproduction agreement for approximately 15 years. Egypt intends to use the APFSDS-T rounds to replace older model 120MM KE-W, KE-W A1, and KE-W A2 ammunition to maintain a strategic munitions inventory for its M1A1 tank fleet. Egypt will have no difficulty absorbing these munitions into its armed forces.

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

The prime contractor involved in this program is General Dynamics Ordnance and Tactical Systems, St. Petersburg, FL. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will involve multiple trips to Egypt involving up to six (6) U.S. Government and contractor representatives over a period of up to 5 years.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No.

18-36, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of the United Kingdom for defense articles and services estimated to cost \$90 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 18-36

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: The Government of the United Kingdom.

(ii) Total Estimated Value:

Major Defense Equipment \*\$80 million.

Other \$10 million.

Total \$90 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Three (3) SEAL Delivery Vehicles (SDV) MK 11 Shallow Water Combat Submersibles (SWCS).

Non-MDE: Also included are spares; handling equipment; test equipment; operator manuals and technical documentation; U.S. Government and contractor engineering, training, technical, and logistical support services; and other related elements of logistics and program support.

(iv) Military Department: Navy (UK-P-SAO).

(v) Prior Related Cases, if any: (Predecessor SDV MK 8 Mod 1) UK-P-MVJ, UK-P-BQO, UK-P-BSM, UK-P-BSP, UK-P-LIP, UK-P-GXV, UK-P-MVY, UK-P-GYY, UK-P-BTN, UK-P-BTM, UK-P-TGJ, and UK-P-FBL.

(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: September 19, 2018.

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

#### POLICY JUSTIFICATION

United Kingdom—SEAL Delivery Vehicle (SDV) MK 11 Shallow Water Combat Submersibles (SWCS)

The Government of the United Kingdom (UK) has requested to buy three (3) SEAL Delivery Vehicles (SDV) MK 11 Shallow Water Combat Submersibles (SWCS). Also included are spares; handling equipment; test equipment; operator manuals and technical documentation; U.S. Government and contractor engineering, training, technical, and logistical support services; and other related elements of logistics and program support. The total estimated program cost is \$90 million.

This proposed sale will support U.S. foreign policy and national security objectives of the United States by improving the security of a NATO ally which has been, and continues to be, an important partner on critical foreign policy and defense issues.

The proposed sale of the SDV MK 11 SWCS will continue UK's maritime partnership, interoperability, and regional security capability. The UK has a proven track record of successfully deploying predecessor system. The UK will have no difficulty absorbing this system 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 Teledyne Brown Engineering, Inc. (TBE), Huntsville,

Alabama. There are no known offset agreements expected to be proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by USG and contractor representatives to participate in program and technical reviews, plus training and maintenance support in country as required.

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

TRANSMITTAL NO. 18-36

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 SEAL Delivery Vehicle (SDV) MK 11 Shallow Water Combat Submersibles (SWCS) is a free-flooding combat submersible mobility platform suitable for transporting and deploying forces and their payload for a variety of missions. The SDV MK 11 SWCS will provide increased volume, allowing for increased payload and personnel-carrying capacity. Additionally, performance in range, speed, maneuverability, and organic sensor capabilities will be enhanced over the existing SDV MK 8 Mod 1. The highest classification of the hardware in the proposed sale is SECRET. The highest classification of the technical documentation in the proposed sale is SECRET. The highest classification of the software to be exported is 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 Government of the United Kingdom can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale 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 Kingdom.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-37, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of the United Kingdom for defense articles and services estimated to cost \$75 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
*Lieutenant General, USA, Director.*

Enclosures.

TRANSMITTAL NO. 18-37

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: The Government of the United Kingdom.

(ii) Total Estimated Value:

Major Defense Equipment\* \$57 million.

Other \$18 million.

Total \$75 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): Fifty (50) MK 15 Phalanx Close-In Weapon System (CIWS) Block IB Baseline 2 Upgrade Kits.

Non-MDE: Also included are support equipment, test equipment, initial spare parts, technical documentation, training, and engineering technical assistance, and other related elements of logistics and program support.

(iv) Military Department: Navy (UK-P-LWD).

(v) Prior Related Cases, if any: UK-P-BRB, UK-P-FBH, UK-P-FBR, UK-P-GAH, UK-P-JZO, UK-P-KAX, UK-P-KPM, UK-P-KPQ, UK-P-LFK, UK-P-LGP, UK-P-LHD, and UK-P-LHO.

(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: September 19, 2018.

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

#### POLICY JUSTIFICATION

##### United Kingdom—Phalanx Baseline 2 Radar Upgrade Kits

The Government of the United Kingdom (UK) has requested to buy fifty (50) MK 15 Phalanx Close-in Weapon System (CIWS) Block IB Baseline 2 Upgrade Kits. Also included are support equipment, test equipment, initial spare parts, technical documentation, training, and engineering technical assistance, and other related elements of logistics and program support. The total estimated program cost is \$75 million.

This proposed sale will support U.S. foreign policy and national security objectives of the United States by improving the security of a NATO ally which has been, and continues to be, an important partner on critical foreign policy and defense issues.

The proposed sale of the Phalanx Baseline 2 Radar Upgrade Kits will be used for close-in ship self-defense against air and surface threats onboard the UK's naval combatants and auxiliaries. The UK, which already has earlier versions of the MK 15 Phalanx in its inventory, will have no difficulty absorbing these upgrades and support 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 Raytheon Missile Systems, Tucson, AZ. 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 as required.

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

TRANSMITTAL NO. 18-37

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 MK15 Phalanx Close-in Weapon System (CIWS) consists of a rapid-fire, computer-controlled radar and gun system mounted on a turret designed to defeat anti-ship missiles; small surface craft; low, slow aircraft; rockets; and mortars. The weapon

system automatically carries out search, detection, target threat evaluation, tracking, firing, and kill loop fire control that uses advanced radar and computer technology to locate, identify, and direct a system of armor piercing projectiles to the target. The Phalanx Block IB Baseline 2 Radar Upgrade Kits converts the system's radar from an analog to digital suite, significantly improving obsolescence of hardware. Some performance in range, speed, maneuverability, and organic sensor capabilities will be enhanced over the existing UK Phalanx system. These kits will allow for the UK to upgrade its current Block IB Baseline 1 systems via approved in-country Depot-Level Maintenance Facility (DLMF) capability. The highest classification of the hardware in the proposed sale is SECRET. The highest classification of the technical documentation in the proposed sale is SECRET. The highest classification of the operational software to be exported is 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 Government of the United Kingdom can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale 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 Kingdom.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-09, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$330 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
*Lieutenant General, USA, Director.*

Enclosures.

TRANSMITTAL NO. 18-09

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: Taipei Economic and Cultural Representative Office in the United States (TECRO).

(ii) Total Estimated Value:

Major Defense Equipment\* \$0.0 million.

Other \$330.0 million.

Total \$330.0 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions, under a Cooperative Logistics Supply Support Arrangement for stock replenishment supply of standard spare parts,

and repair/replace of spare parts in support of the F-16, C-130, F-5, Indigenous Defense Fighter (IDF), all other aircraft systems and subsystems, and other related elements of logistics and program support.

(iv) Military Department: Air Force (TW-D-KDT).

(v) Prior Related Cases, if any: TW-D-KDS, TW-D-KDR.

(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: September 24, 2018.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-22, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Bahrain for defense articles and services estimated to cost \$300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

#### TRANSMITTAL NO. 18-22

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: Government of Bahrain

(ii) Total Estimated Value:

Major Defense Equipment \* \$295 million.

Other \$5 million.

TOTAL \$300 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

One hundred twenty (120) Guided Multiple Launch Rocket System (GMLRS) M31

Unitary Rocket Pods (Six (6) rockets per pod for a total of seven hundred twenty

(720) One hundred ten (110) Army Tactical Missiles System (ATACMS) M57 T2K Unitary Missiles.

Non-MDE:

Also included are publications, personnel training and training equipment, software development, U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Army (BA-B-UKF).

(v) Prior Related Cases, if any: BA-B-UIV (GMLRS); BA-B-UJK (ATACMS).

(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: September 28, 2018.

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

#### POLICY JUSTIFICATION

Bahrain—M31 Guided Multiple Launch Rocket System (GMLRS) Unitary and Army Tactical Mission System (ATACMS) T2K Unitary Missile

The Kingdom of Bahrain has requested to buy one hundred twenty (120) Guided Mul-

tiples Launch Rocket System (GMLRS) M31 Unitary Rocket Pods (six (6) rockets per pod for a total of seven hundred twenty (720); and one hundred ten (110) Army Tactical Missiles System (ATACMS) M57 T2K Unitary missiles. Also included are publications, personnel training and training equipment, software development, U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The overall total estimated value is \$300 million.

This proposed sale will enhance the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO Ally that has been, and continues to be an important force for political stability and economic progress in the Middle East. The proposed sale of the M31 GMLRS Unitary Rocket Pods and ATACMS T2K Unitary Missile will improve Bahrain's capability to meet current and future threats and provide greater security for its critical oil and natural gas infrastructure, and significant national events. Bahrain will use the enhanced capabilities to strengthen its homeland defense and deter regional threats. Bahrain will have no difficulty absorbing these rocket pods 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 Lockheed Martin Missile and Fire Control in Grand Prairie, TX. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. or contractor representatives in Bahrain.

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

#### TRANSMITTAL NO. 18-22

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 GMLRS M31 Unitary is the Army's primary munition for units fielding the High Mobility Artillery Rocket Systems (HIMARS) and Multiple Launcher Rocket Systems (MLRS) M270A1 Rocket and Missile Launcher platforms. The M31 Unitary is a solid propellant artillery rocket that uses Global Positioning System (GPS)-aided inertial guidance to accurately and quickly deliver a single high-explosive blast fragmentation warhead onto point targets at ranges from 15-70 kilometers. The rockets are fired from a launch pod container that also serves as the storage and transportation container for the rockets. Each rocket pod holds six (6) total rockets.

2. The GMLRS Unitary employs a multi-mode fuze consisting of an Electronic Safe and Arm Fuze (ESAF) and a Frequency-Modulating Continuous Wave—Directional Doppler Ranging (FMCW-DDR) height of burst sensor. The weapon has three fuzing modes point detonating, post-impact time delay, and proximity height of burst—which are all accomplished automatically via a launcher/fire control system electrical interface prior to launch. The height of burst sensor is not integrated with the fuze, but provides fire pulse input and interfaces with a mechanical fuze.

3. GMLRS hardware and operational software are UNCLASSIFIED. System performance characteristics are classified CONFIDENTIAL. Components of the GMLRS system are considered highly resistant to reverse engineering and the impact of loss or

diversion of the end item hardware would have minimum adverse impact.

4. The M57 ATACMS Unitary is a conventional, semi-ballistic missile which utilizes a 500-lb high explosive unitary warhead. It has a range of 70-270km and increased accuracy and lethality due to a GPS/PPS-aided guidance system. The ATACMS T2K is an upgraded missile variant which redesigned previous variants' components to compensate for obsolescence issues and lowered per-unit cost. Critical technologies on the M57 include the GPS antenna, laser-ring gyroscopes production processes involved in the Inertial Measurement Unit (IMU), and lithium thermal batteries used in missile guidance and control. ATACMS missile hardware and operational software are UNCLASSIFIED. Data table and mission critical data generator special applications software are classified CONFIDENTIAL. Performance and accuracy/lethality data are classified up to the SECRET level. System response time and trajectory data are classified CONFIDENTIAL.

5. The Army's FMCW-DDR height of burst technology is comprised of components and software requiring special production skills and is deemed state of the art. The sensitive aspects of the technology reside primarily the design, development, production, and manufacturing data for the related components (integrated circuits and flex cable assembly) and in the methodology required to integrate those components onto the flex cable assembly to process embedded data (the software, algorithm, and operating parameters). The sole technology aspect of the FMCW-DDR present in the M31 proximity height of burst sensor is the signal processing algorithm (i.e. processing techniques) modified specifically for use in the M31. The disclosure of know-how, software, and other associated documentation for this sensitive technology is not authorized under this sale.

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

7. A determination has been made that Bahrain can provide substantially the same degree of protection of this technology as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

8. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Bahrain.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-42, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense articles and services estimated to cost \$300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,  
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18-42

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: Government of Canada.

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$300 million.

Total \$300 million.

(iii) Description and Quantity, or Quantities of Articles or Services under Consideration for Purchase: Canadian Manned Airborne, Intelligence, Surveillance and Reconnaissance (C/MAISR) Platform.

Major Defense Equipment (MDE):

None.

Non-MDE: Three (3) King Air 350ER (extended range) aircraft with customer unique post-modifications for Intelligence, Surveillance and Reconnaissance (ISR) operations; three (3) WESCAM MX-15D Electro-Optical & Infrared Imaging Sensors; three (3) AN/AAR-47B(V)2 Missile and Laser Warning System (MWS); three (3) AN/ALE-47 Countermeasure Dispenser Systems (CMDS); three (3) VORTEX® Dual RF Ku LOS Transceivers; three (3) COMSEC Modules (KGV-135A); two (2) APM-424(V)5 Transponder Test Sets; five (5) KIV-77 Mode 4/5 crypto applique computers for IFF; three (3) AN/APX-119 IFF Digital Civil and Military Transponders; six (6) ARC-210 Multi-mode Voice and Data Transceivers; three (3) KG-250X NSA-Certified Type 1 Inline Network Encryptors (INE); technical data; mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, publications, MWO/ECPs, technical assistance, repair and return, training; and transportation of aircraft, and other related elements of logistics and program support.

(iv) Military Department: Army (CN-B-UBC).

(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: October 3, 2018.

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

#### POLICY JUSTIFICATION

Canada—King Air 350ER ISR Aircraft (Manned Airborne, Intelligence, Surveillance and Reconnaissance (MAISR) Platform)

The Government of Canada has requested to buy three (3) King Air 350ER (extended range) aircraft with customer unique post-modifications for Intelligence, Surveillance and Reconnaissance (ISR) operations; three (3) WESCAM MX-15D Electro-Optical & Infrared Imaging Sensors; three (3) AN/AAR-47B(V)2 Missile and Laser Warning System (MWS); three (3) AN/ALE-47 Countermeasure Dispenser Systems (CMDS); three (3) VORTEX® Dual RF Ku LOS Transceivers; three (3) COMSEC Modules (KGV-135A); two (2) APM-424(V)5 Transponder Test Sets; five (5) KIV-77 Mode 4/5 crypto applique computers for IFF; three (3) AN/APX-119 IFF Digital Civil and Military Transponders; six (6) ARC-210 Multi-mode Voice and Data Transceivers; three (3) KG-250X NSA-Certified Type 1 Inline Network Encryptors (INE); technical data; mission equipment, communication and navigation equipment, special tools and test equipment, ground support equipment, airframe and engine spare parts, publications, MWO/ECPs, technical assistance, repair and return, training; and

transportation of aircraft, and other related elements of logistics and program support. Total estimated program cost is \$300 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the military capability of Canada, a NATO ally that is an important force for ensuring political stability and economic progress and a contributor to military, peacekeeping and humanitarian operations around the world.

The proposed sale improves Canada's capability to meet current and future threats; strengthen its homeland defense and the combined defense of North America; and support coalition partners overseas. This proposed sale will improve interoperability with U.S. forces and other regional allies. Canada will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be Beechcraft (Textron Aviation), Wichita, Kansas. The Government of Canada is expected to negotiate an offset agreement with Beechcraft, in accordance with Canada's Industrial and Technological Benefits (ITB) Policy, before signing the Letter of Offer and Acceptance (LOA).

Implementation of this proposed sale will require the assignment of contractor representatives to Canada on an intermittent basis over two years to provide in service contractor support.

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

TRANSMITTAL NO. 18-42

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 King Air 350ER (extended range) fixed-wing aircraft has been identified as Non-SME (Significant Military Equipment). It is a pressurized, twin-engine turboprop commercial aircraft configured as a cantilever low-wing monoplane with a T-tail and aft ventral fin. It has retractable tricycle landing gear with dual wheels on each main unit. The 350 series incorporates a 34-inch stretch of the King Air 300 fuselage and has one additional window per side. The wingspan has been increased by 3 feet over that of the model 300, and 24-inch graphite composite winglets have been added to the wingtips to reduce drag at higher angles of attack as in takeoff and climb out. The 350ER will feature the enhanced PT6A-67A engines and a Rockwell-Collins Proline Fusion cockpit. This aircraft (before modification) is generally offered to the public with no special restrictions.

2. Mission equipment:

a. The WESCAM MX-15D Electro-Optical & Infrared Imaging Sensor is a small Multi-Sensor, Multi-Spectral Imaging System with Inertial Measurement Unit (IMU) and Embedded with Global Positioning Systems (GPS) Standard Positioning Service (SPS). The WESCAM MX-15 camera system contains an LN-200 IMU manufactured by Northrop Grumman in the U.S., which is captured under (Missile Technology Control Regime) MTCR Annex, Category II—Item 9.A.6. The IMU is also ITAR controlled under USML Category XII(d), and in Canada it is controlled under Canada's Export Control List (ECL) under 6-9.A.6. WESCAM MX-15 is embedded with GPS SPS. SPS is a three-dimensional position and time determination capability provided to a user equipped with a minimum capability GPS SPS receiver in accordance with GPS national policy. Options

requested include: high definition (HD) IR sensor, laser spot tracker (LST), electro-optic narrow (EON) spotter with short-wave infrared (SWIR) imager, image blending function combining imagery from the IR sensor and the EO sensor (daylight or low-light) into a single image, and a hand controller for remote control. A bore sight module required to field calibrate the laser designator/range-finder beam will be provided as ground support equipment.

b. The AN/AAR-47B(V)2 Missile and Laser Warning System (MWS) is designed to protect helicopters and "low-slow" aircraft from infrared homing missiles. It passively detects attacking missiles while minimizing false alarms. When an attacking missile is detected, the AN/AAR-47B(V)2 displays a threat quadrant alert, sounds a warning tone to the aircrew, and can be configured to automatically actuate an installed countermeasures dispenser. In addition to the missile warning capability of the original AN/AAR-47B, the -V2 incorporates laser detecting and warning capability. The version offered includes the Smart Dispense capability. The AN/AAR-47B(V)2 hardware highest classification is UNCLASSIFIED. The AN/AAR-47B(V)2 is Significant Military Equipment.

c. The AN/ALE-47 Countermeasure Dispenser System (CMDS) provides an integrated, threat-adaptive, reprogrammable, computer controlled capability for dispensing expendable decoys. These include chaff, flares, Radio Frequency (RF) expendables and others. The AN/ALE-47 system enhances aircraft survivability in sophisticated threat environments. The system is designed to provide the capability of automatic or pilot commanded response, and works alone or in coordination with other countermeasures defensive systems to defeat Air Interceptor (AI), Anti-Aircraft Artillery (AAA), and Surface-to-Air Missiles (SAMs). The AN/ALE-47 is Significant Military Equipment.

d. The VORTEX® Dual RF Ku LOS Transceiver provides real-time, full-motion video and other data for situational awareness, targeting, Battle Damage Assessment (BDA), surveillance, relay, and other situations where eyes-on-target are required. VORTEX® can transmit and receive analog and/or digital data simultaneously. VORTEX® is interoperable with ROVER®, CDL, virtually all UAVs, targeting pods and other waveforms. VORTEX® can simultaneously transmit common data to multiple platforms using two different channels in one or two different bands. VORTEX® is able to receive on two different channels in one or two different bands from a single source. This band and channel diversity provides link redundancy, better reception and resiliency to platform shading, multipath interference, line-of-sight blockages and RF interference. VORTEX® is STANAG 7085 certified.

e. The KGV-135A is a high-speed, general purpose encryptor/decryptor module. It is used for wide-band data encryption embedded into high performance systems such as the VORTEX®. It has increased bandwidth and COMSEC operating modes in a compact multi-chip module. The KGV-135 operates at speeds of 2 Kbps to 700 Mbps and uses standard interface logic levels and key protocols. It is an NSA-certified INFOSEC product.

f. The APM-424(V)5 Transponder Test Set is used to test the transponder and interrogator performance of the AN/APX-119 IFF Digital Civil and Military Transponder. The Transponder Test Modes are 1,2,3/A, C, S (EHS/ELS), 4, and Mode 5 (Level 1 and 2). The Interrogator Test Modes are 1, 2, 3/A, C, S, 4, Mode 5, TCAS, ETCAS (Level 1 and 2). The APM-424(V)5 supports the KIV-77 Mode 4/5 crypto applique computer for IFF.



g. The KIV-77 Mode 4/5 crypto applique computer for IFF is Type 1 certified by the National Security Agency and provides information assurance for both legacy Mode 4 and new Mode 5 IFF equipment. The KIV-77 is used to store the classified keys and is also used with the APM-424(V)5 Transponder Test Set to support flight-line testing of the AN/APX-119 IFF Digital Civil and Military Transponder.

h. The AIN/APX-119, Identification Friend or Foe (IFF) Digital Civil and Military Transponder, is a small transponder installed on more than 50 different military platforms for the U.S. Department of Defense and multiple international users. This transponder enables aircraft to operate seamlessly throughout international, civil, and military airspace, meeting all IFF and ATC requirements. When installed in conjunction with platform antennas and the RCU (or other appropriate control unit), the transponder provides identification, altitude and surveillance reporting in response to interrogations from airborne, ground-based and/or surface interrogators. The transponder provides operational capabilities for Mark XII Identification Friend or Foe (IFF) capabilities of Modes 1, 2, 3/A, C and 4&5 and Mode S (levels 1, 2, and 3 capable). Additionally, the AN/APX-119 also provides automated ID, position and latitude of the aircraft, and is compatible with the Traffic Alert and Collision Avoidance System (TCAS) II equipment. The AN/APX-119 is designed to provide military aircraft with a secure combat identification capability to help reduce fratricide and enhance battlespace awareness, while providing safe access to civilian airspace. The AN/APX-119 is Significant Military Equipment.

i. The AN/ARC-210 Gen 5 is a secure communication system that provides Line-of-Sight (LOS) communications and Beyond Line-of-Sight (BLOS) satellite communications (SATCOM), as well Voice and data communications capabilities. In addition to Satellite Communications, the AN/ARC-231(V)(C) provides Secure/Electronic Counter-Counter Measures (ECCM) communications in the following waveform, The Single Channel Ground and Airborne System (SINCGARS) and the HAVE QUICK (HQ) I and II. The AN/ARC-210 functions by transmitting and receiving the Radio Frequency (RF) in the 30 MHz-941 MHz range. The Receiver Transmitter provides communication in Frequency Modulation (FM), Very High Frequency—Amplitude Modulation Air Traffic Control Band (VHF AM ATC), Very High Frequency—Frequency Modulation Public Service & Maritime Band, Ultra High Frequency—Amplitude Modulation (UHF AM) HAVEQUICK/Ground-Air Band, Ultra high Frequency Satellite (UHF SATCOM) Band and Ultra High Frequency—Frequency Modulation (UHF FM) Public Service Band. The ARC-210 is used on over 180 platforms worldwide for the transfer of networked or point-to-point data, voice and imagery. The ARC-210 military airborne transceivers provides an embedded, fully programmable INFOSEC capability under the National Security Agency's (NSA) Cryptographic Modernization Initiative. The ARC-210 is Significant Military Equipment.

j. The KG-250X NSA-Certified Type 1 Inline Network Encryptor (INE) provides high-speed HAIPE IP network encryption for advanced network security for coalition allies and Department of Homeland Security. It is MIL-STD-810G Rugged for Tactical and Mobile Applications. It is particularly useful at high altitudes to deliver reliable network encryption, (200 Mbps Aggregate), for airborne missions. The KG-250X is remotely rekeyable from a physically secure location with HAIPE-to-HAIPE over-the-air/net key-

ing. The KGV-250X also improves performance over high-latency links with embedded TCP/IP acceleration and is software upgradeable. The KG-250X is NSA certified for TS/SCI and below.

k. The Technical Data to support the operations, maintenance, and Training for all aircraft communications, ASE, COMSEC, and ISR related equipment will be detailed enough (e.g., minimum Level II Engineering drawings) to allow support contractors and operators to independently conduct all ILS activities, implement obsolescence management, and support required Airworthiness activities. All aircraft operations and maintenance manuals are available to the public and have no ITAR restrictions. Technical Data for the mission equipment outlined above will be provided only to the level required to support operation, maintenance, and training. Maintenance is limited to the level required to provide immediate diagnostics and replacement or limited repair. No Technical Data or intellectual property sufficient in detail to support depot repair operations will be provided. The Technical Data for the mission equipment is Significant Military Equipment.

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 that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Canada can provide substantially the same degree of protection of this technology as the U.S. Government. This proposed sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Canada.

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. BOB CORKER,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18-41, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Iraq for defense articles and services estimated to cost \$82.50 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 18-41

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: Government of Iraq.

(ii) Total Estimated Value:

Major Defense Equipment \* \$00.20 million.  
Other \$82.30 million.

Total \$82.50 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Five (5) Armed Bell

407GX Helicopters configured with the following equipment:

Major Defense Equipment (MDE):

Five (5) M240 7.62mm Machine Guns.

Non-MDE: Also included are five (5) RF-7850A Secure Communications Radios, five (5) AN/AAR-60 MILDS Automatic Plume Detectors, five (5) AN/ALE-47 Airborne Countermeasure Dispensing Systems, five (5) M3P .50 Caliber Machine Guns, five (5) M260 Rocket Launchers (APKWS Configuration), five (5) MX-15Di EO/IR Sensors, five (5) GAU-19 .50 Caliber Machine Guns, five (5) Pathfinder Mission Management Systems, five (5) ARES Weapon Management Systems, five (5) Mission Configurable Armament Systems (MCAS), night vision compatible lighting systems, aircraft intercommunications systems (ICS), cockpit and seat armor kits, and bifurcated exhaust infrared suppressor systems, operating manuals, spare parts, maintenance and operator training for radio systems, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Army (IQ-B-AEA).

(v) Prior Related Cases, if any: IQ-B-VPN.

(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: October 3, 2018.

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

#### POLICY JUSTIFICATION

##### Iraq—Armed Bell 407GX Helicopters

The Government of Iraq has requested to buy five (5) Armed Bell 407GX helicopters configured with five (5) M240 7.62mm Machine Guns. Also included are five (5) RF-7850A Secure Communications Radios, five (5) AN/AAR-60 MILDS Automatic Plume Detectors, five (5) AN/ALE-47 Airborne Countermeasure Dispensing Systems, five (5) M3P .50 Caliber Machine Guns, five (5) M260 Rocket Launchers (APKWS Configuration), five (5) MX-15Di EO/IR Sensors, five (5) GAU-19 .50 Caliber Machine Guns, five (5) Pathfinder Mission Management Systems, five (5) ARES Weapon Management Systems, five (5) Mission Configurable Armament Systems (MCAS), night vision compatible lighting systems, aircraft intercommunications systems (ICS), cockpit and seat armor kits, and bifurcated exhaust infrared suppressor systems, operating manuals, spare parts, maintenance and operator training for radio systems, technical and logistics support services, and other related elements of logistical and program support. The total estimated program cost is \$82.5 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a strategic partner. The addition of five Bell 407GX helicopters will help compensate for the combat loss of seven IA407 helicopters in recent years and increase the Iraqi Security Forces' combat effectiveness against ISIS and other terrorist elements in Iraq. The 407GX variant—an upgrade from the current IA407 configuration—includes Advanced Precision Kill Weapon System (APKWS) launchers. Providing Iraq with this capability supports U.S. security goals by furthering the Iraqi Army Aviation Command's ability to counter terrorism and protect critical infrastructure. Iraq will have no difficulty absorbing this equipment into its armed forces. The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Bell, Fort Worth, TX; L3 WESCAM, Burlington, Ontario, Canada; Dillon, Scottsdale, AZ;

Tekfusion Global, Williamsburg, VA; Harris, Melbourne, FL; and Fulcrum Concepts, Mattaponi, VA. There are no known offset agreements associated with this proposed sale.

Implementation of this proposed sale will require approximately 17 contractor representatives to travel to Iraq in support of this effort. The GOI desires Contractor Logistics Support (CLS) presence in country.

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

TRANSMITTAL NO. 18-41

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 Bell 407GX Multi-Role Helicopter weapon system contains communications and target identification equipment, navigation equipment, aircraft survivability equipment, displays, and sensors. The airframe itself does not contain sensitive technology, however the pertinent equipment listed below will be either installed on the aircraft or included in the sale:

a. The Harris Falcon III RF-7850A Secure Communication Radio is a Multi-Channel Airborne Networking Radio that offers multi-channel and multiband capabilities. It integrates into a wide variety of platforms to support multiple missions, waveforms and modes of operation and provides two wide-band channels. The Harris Multi-channel Airborne Radio extends battlefield networks Beyond-Line-Of-Sight through tactical VHF/UHF networks to provide extended range and secure air-to-air and air-to-ground communications. The Harris Falcon III hardware is a commercial variant radio and the highest level of information that would be released in support of this transfer is at the UNCLASSIFIED level.

b. The AN/AAR-60 MILDS Automatic Plume Detector is a Missile Launch Detection System (MILDS)/Airborne Missile Protection System (AMPS) or AMPS-M and is based on the off-the-shelf product MILDS AN/AAR-60 UV-Sensor Units and features a MILDS Control and Display Unit (MCDU), an Inertial Measurement Unit (IMU) and Smart Dispensers (SD). The MILDS AMPS represents a complete Missile Protection System and will be used for stand alone installation and operation of an integrated missile warning and Counter Measures dispensing in helicopters. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

c. The M3P .50 Cal machine gun is a fully automatic .50 Cal (12.7x99mm NATO) machine gun specifically designed to be axially or coaxially mounted in pod or open-air gun configurations for airborne, land or sea weapon system applications. The M3P is a world exclusivity by FN Herstal and offers high firing rate for short time on target: 1,025 ± 75 RPM. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

d. The M260 Rocket Launcher with APKWS capability is a seven tube rocket launcher with a remote fuze setting function. Once the target is located, single or multiple pairs of the Hydra 70 APKWS folding-fin rockets can be launched toward the target when a predetermined time signal is sent to the electronic time fuze. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

e. The M240 is a general-purpose machine gun that uses 7.62 mm NATO ammunition. It can be mounted on a bipod, tripod, aircraft, or vehicle. The M240 is a belt-fed, air-cooled, gas-operated, fully automatic machine gun

that fires from the open bolt position. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

f. The MX-15Di EO/IR sensor is a multi-sensor imaging/lasing that can provide medium-altitude; Covert Intelligence, Surveillance & Reconnaissance (ISR), Armed Reconnaissance, CSAR and Target Designation missions. MX-15Di has HD imaging resolution from Electro-Optical (EO) and Infrared (IR) cameras, Short-wave IR imaging, Laser rangefinder/designator 3 laser illuminator. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

g. The GAU-19 machine is a low-cost weapon system that is designed to accept standard NATO .50 caliber M9-linked ammunition with a rate of fire of 1300 rounds per minute. The weapon provides highly effective firepower against area suppression and point targets, as well as being ideally suited for utility, scout and attack helicopters. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

h. The Pathfinder Mission Management System (MMS) is a modular customizable system that provides command and control of onboard navigation, communication, and peripheral electronic equipment. During target engagements, locations and range to target is passed from Pathfinder to the weapons management system. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

i. The ARES Weapons Management System (WMS) is a modular weapons management system that uses the aircraft's EO/IR monitor as the WMS interface using a touchscreen graphical user interface (GUI). The system is fully integrated with the MX-15Di sensors critical EO/IR functions that can be controlled through the user interface. The system provides aircraft steering commands and targeting overlays to guide the pilot into the proper launch constraints by consolidating mission execution tasks. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

j. The Mission Configurable Armament System (MCAS) is a plank type weapons mounting system. The MCAS was developed as a lightweight, high strength, multi-purpose, multi-airframe weapons platform utilizing up to 6 weapon stations. The highest level of information release in support of this transfer is at the UNCLASSIFIED level.

k. The AN/ALE-47 is a software reprogrammable dispenser for chaff and flares. It provides for either automatic or aircrew commanded response dispense capabilities. Specific dispense routines are sensitive and are specifically withheld from Iraq. The export version uses a country unique "look-up decision tree" for determining dispense routines. This software when loaded into the AN/ALE-47 is classified CONFIDENTIAL. Increased risk of exploitation is significantly reduced given that the software is in executable form only (i.e. binary code) and the actual dispense routines can be gained through visual observation, which is true for all coalition platforms flying in Iraq.

2. If a technologically advanced adversary obtained knowledge of the specific hardware or software in the proposed sale, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

3. A determination has been made that the recipient government can provide substantially the same degree of protection for the technology being released as the U.S. Gov-

ernment. This sale supports the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Iraq.

DISCHARGE PETITION—S.J. RES. 63

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S.J. Res. 63, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury, Secretary of Labor, and Secretary of Health and Human Services relating to "Short-Term, Limited Duration Insurance" and further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Charles E. Schumer, Richard J. Durbin, Jack Reed, Maria Cantwell, Jeff Merkley, Cory A. Booker, Ron Wyden, Michael F. Bennet, Tammy Baldwin, Sherrod Brown, Tammy Duckworth, Benjamin L. Cardin, Sheldon Whitehouse, Edward J. Markey, Patrick J. Leahy, Debbie Stabenow, Bill Nelson, Gary C. Peters, Richard Blumenthal, Thomas R. Carper, Margaret Wood Hassan, Robert Menendez, Jon Tester, Chris Van Hollen, Angus King, Patty Murray, Doug Jones, Claire McCaskill, Joe Donnelly, Mazie Hirono, Mark R. Warner, Amy Klobuchar, Dianne Feinstein, Tina Smith, Elizabeth Warren, Kamala D. Harris, Bernard Sanders, Christopher A. Coons, Kirsten E. Gillibrand, Tom Udall, Martin Heinrich, Brian Schatz, Catherine Cortez Masto, Tim Kaine, Christopher Murphy, Robert P. Casey, Jr., Jeanne Shaheen.

TRIBUTE TO ANTHONY MCCLAIN

Mr. TESTER. Mr. President, today I wish to honor my staff director on the Senate Veterans' Affairs Committee Anthony McClain.

Tony quietly works behind the scenes, fighting for our Nation's veterans, Active Duty, National Guard, and Reserve servicemembers.

In recognition of his selfless service, the National Guard Association has awarded him the Patrick Henry Award for his "exceptionally strong support for the National Guard."

This award is presented to civilians who have distinguished themselves by superior service over an extended period of time in support of the Armed Forces.

I cannot think of a more deserving individual.

Since Tony began working in the Senate in 2004, he has worked hard to improve the lives of National guardsmen and their families. He cut his teeth as legislative assistant to Senator Blanche Lincoln, then I was lucky enough to personally hire him in 2010.

In my office, he wrote landmark legislation to expand guardsmen's access to a quality education, and he went to the mat for the Montana National Guard time and again.

Tony helped improve mental health services for guardsmen by writing legislation that strengthens access to counseling at VA facilities.

He has written several bills that break down barriers for guardsmen to utilize G.I. Bill education benefits.

When the Montana National Guard needs help with keeping their equipment and resources in fighting shape, Tony is an ally they can rely on. He helped secure additional aircraft, infrastructure, and critical upgrades such as firefighting equipment or the recently authorized C-130 apron expansion.

I could go on and on, but Tony's track record is clear.

Tony's ability to negotiate, compromise, see opportunity, and seize it is second to none. He manages and motivates his team to excel, and as a result, the lives of millions of guardsmen, Reservists, airmen, and veterans are better.

As Senators, we get to stand on the Senate floor and pass legislation. People like Tony make it look easy, but trust me it is not.

For that, Tony deserves our heartfelt gratitude. So today, on behalf of Montana and this Nation, I rise to honor Anthony McClain's service and to say, "Job well done, my friend."

#### ADDITIONAL STATEMENTS

##### REMEMBERING RICHARD GRAY

• Ms. DUCKWORTH. Mr. President, today I wish to honor the life of Richard Gray.

Richard, 89, died in his sleep on Wednesday, May 16, 2018, at his Gold Coast home in Chicago.

Richard was the dean of Chicago art dealers, a collector, and benefactor whose wide-ranging intellect, taste, and support helped many of the city's most celebrated cultural institutions.

Richard prevailed in the bidding wars that brought Sue, the famed T. rex, to the Field Museum, and he helped preserve the Farnsworth House, the architectural jewel in Plano, IL, designed by Ludwig Mies van der Rohe.

He dealt in works by Magdalena Abakanowicz, Willem de Kooning, David Hockney, Roy Lichtenstein, Louise Nevelson, Picasso, Jackson Pollock, and Mark Rothko. Today, the Richard Gray Gallery which he opened in 1963, operates from 875 N. Michigan and Manhattan. The gallery has a warehouse on West Carroll Avenue in Chicago and also deals in Old Masters.

He and his wife, the former Mary Kay Lackritz, were supporters of the Chicago Humanities Festival, the Art Institute of Chicago, the Arts Club of Chicago, the Chicago Symphony Orchestra, the Goodman Theatre, WFMT, WTTW, and the Smart Museum of Art at the University of Chicago, among other institutions.

He was born at Woodlawn Hospital, the middle of seven kids of Pearl and Edward Gray. His father, a native of

Siedliszcze, Poland, came to America alone as a teenager and helped to start a business in Providence, RI, cleaning buildings in that then-sooty city, eventually coming to Chicago.

Richard studied architecture at the University of Illinois Urbana-Champaign.

Richard is survived by his wife Mary, his son Paul and his wife Dedrea, his daughter Jennifer, his son Harry, brothers Robert and Melvin, five grandchildren, and a great-grandchild.

Richard was a lover of the arts and a dear friend. I am proud to stand here today to honor his legacy. •

#### 90TH ANNIVERSARY OF THE ABBE MUSEUM

• Mr. KING. Mr. President, today I wish to recognize the Abbe Museum in Bar Harbor, ME, which is celebrating its 90th year of serving the public. The Abbe Museum was founded by Dr. Robert Abbe, a prominent New York physician, known for pioneering the use of radiation therapy, who spent his summers in Bar Harbor. Dr. Abbe assembled a collection of early Native American artifacts from the Frenchman Bay area and persuaded others with similar collections to join with him to establish a museum to protect and display these important objects for public education and enjoyment.

The Abbe Museum was founded in 1926 and opened to the public on August 14, 1928. It was first opened as a private museum at Sieur de Monts Spring in Lafayette National Park, later renamed Acadia National Park. That same year, the Abbe became the first institution in Maine to also sponsor archaeological research. Today, the museum continues to conduct excavations throughout the State and is now the main repository for archaeological collections from the midcoast region.

While the initial focus was archaeology, the Abbe soon expanded to include ethnographic materials from the 17th to the 20th centuries. Three years after opening, Mary Cabot Wheelwright donated an important collection of Native American baskets and other objects. Since then, other major basket collections have been given to the museum, and it is now home to the largest and best documented collection of Maine Indian basketry. The Abbe also houses collections that document 12,000 years of Native American culture and history in the State, and its conservation program has been nationally recognized as a model for other museums to follow.

Education and local involvement is also an important part of the work at the Abbe. The Abbe has developed a number of publications to share its knowledge with a larger audience. They offer many resources for local students and educators, including a summer camp for children ages 7-12, opportunities for local school groups to visit the museum, and an educator hub to help teachers bring Wabanaki his-

tory and culture into their classrooms. Recently, Native Americans have become increasingly involved in all aspects of the museum, including as members of the board of trustees.

In 2013, the Abbe was honored as the first Smithsonian Affiliate in the State of Maine. Being a part of this prestigious network, the Abbe Museum now works closely with the Smithsonian Institution to serve the public through custom developed education programs, traveling exhibitions, and collaborative research. This partnership has allowed the Abbe to take advantage of the resources of the Smithsonian Institution and bring collections that have special significance to Maine where they can be accessed by the Wabanaki communities.

I am proud to recognize the Abbe Museum for their work over the last 90 years. They have played an important role in educating the people of Maine about the Wabanaki history of our land and expanding our knowledge through research and exploration. I want to thank all those who have been involved with the Abbe Museum over the last 90 years, and I look forward to their continued success for many years to come. •

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Health, Education, Labor, and Pensions, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 63. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury, Secretary of Labor, and Secretary of Health and Human Services relating to "Short-Term, Limited Duration Insurance".

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2418. A bill to direct the Federal Communications Commission to promulgate regulations that establish a national standard for determining whether mobile and broadband services available in rural areas are reasonably comparable to those services provided in urban areas (Rept. No. 115-345).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRUZ (for himself and Mr. PAUL):

S. 3560. A bill to allow individuals to choose to opt out of the Medicare part A benefit; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Mr. LEAHY):

S. 3561. A bill to support entrepreneurs serving in the National Guard and Reserve,

and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CARDIN:

S. 3562. A bill to amend the Small Business Act to modify the method for prescribing size standards for business concerns; to the Committee on Small Business and Entrepreneurship.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself, Mr. CASSIDY, Ms. SMITH, Mr. ROBERTS, Mr. MURPHY, Mr. CARPER, Mr. WHITEHOUSE, Mr. DURBIN, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, and Ms. COLLINS):

S. Res. 670. A resolution recognizing the tenth anniversary of the enactment of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 569

At the request of Ms. CANTWELL, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 569, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 1042

At the request of Mr. ISAKSON, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1042, a bill to amend the Internal Revenue Code to exclude Segal Americorps Education Awards and related awards from income.

S. 1143

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1143, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 2138

At the request of Ms. WARREN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2138, a bill to authorize the creation of a commission to develop voluntary accessibility guidelines for electronic instructional materials and related technologies used in postsecondary education, and for other purposes.

S. 2432

At the request of Mr. YOUNG, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2432, a bill to amend the charter of the Future Farmers of America, and for other purposes.

S. 2621

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2621, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes.

S. 2671

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2671, a bill to protect our Social Security system and improve benefits for current and future generations.

S. 2679

At the request of Ms. DUCKWORTH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2679, a bill to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 2764

At the request of Mr. RUBIO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2764, a bill to amend and enhance the High Seas Driftnet Fishing Moratorium Protection Act to improve the conservation of sharks, and for other purposes.

S. 2957

At the request of Mr. WARNER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2957, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 3257

At the request of Mr. CRUZ, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3257, a bill to impose sanctions on foreign persons responsible for serious violations of international law regarding the protection of civilians during armed conflict, and for other purposes.

S. 3333

At the request of Ms. CANTWELL, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 3333, a bill to provide lasting protection for inventoried roadless areas within the National Forest System.

S. 3427

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a co-

sponsor of S. 3427, a bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers.

S. 3504

At the request of Mr. CORNYN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 3504, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons.

S. 3530

At the request of Mr. REED, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3530, a bill to reauthorize the Museum and Library Services Act.

S. 3540

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3540, a bill to provide a coordinated regional response to manage effectively the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras.

S. 3554

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3554, a bill to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

S.J. RES. 63

At the request of Ms. BALDWIN, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S.J. Res. 63, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury, Secretary of Labor, and Secretary of Health and Human Services relating to "Short-Term, Limited Duration Insurance".

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

S. RES. 665

At the request of Mr. ROBERTS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 665, a resolution designating October 2018 as "National Employee Ownership Month".

S. RES. 667

At the request of Mr. PERDUE, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 667, a resolution condemning persecution of religious minorities in the People's Republic of China and any actions that limit their free expression and practice of faith.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 670—RECOGNIZING THE TENTH ANNIVERSARY OF THE ENACTMENT OF THE PAUL WELLSTONE AND PETE DOMENICI MENTAL HEALTH PARITY AND ADDICTION EQUITY ACT OF 2008

Ms. KLOBUCHAR (for herself, Mr. CASSIDY, Ms. SMITH, Mr. ROBERTS, Mr. MURPHY, Mr. CARPER, Mr. WHITEHOUSE, Mr. DURBIN, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

## S. RES. 670

Whereas, on October 3, 2008, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (subtitle B of title V of Public Law 110-343) (referred to in this preamble as the “MHPAEA”) was signed into law;

Whereas the MHPAEA ensures that employer-based group health plans and group and individual health insurance issuers that provide mental health or substance use disorder coverage do not impose less favorable limitations on mental health or substance abuse use disorder benefits than on medical or surgical benefits;

Whereas parity protections have been found to decrease out-of-pocket costs for mental health and substance use disorder services;

Whereas, according to the Substance Abuse and Mental Health Services Administration, in 2017, 18,200,000 individuals in the United States ages 12 and older needed substance use treatment but did not receive specialty treatment in the past year;

Whereas, in the United States in 2017, an estimated 2 out of 5 adults with any mental illness and ½ of adults with serious mental illness who had unmet needs for mental health services did not receive treatment because those individuals could not afford the cost of care; and

Whereas parity in insurance coverage for behavioral health services consistent with the requirements of the MHPAEA can pro-

vide access to life-saving treatment and services: Now, therefore be it

*Resolved*, That the Senate—

(1) commemorates October 3, 2018, as the tenth anniversary of the enactment of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (subtitle B of title V of Public Law 110-343);

(2) declares access to behavioral health services a priority; and

(3) supports enforcement of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 to protect individuals in the United States who are in need of access to insurance coverage for behavioral health services.

## PRIVILEGES OF THE FLOOR

Mr. GRASSLEY. Mr. President, I ask unanimous consent that Colleen Ernst, special counsel on my Judiciary Committee staff, be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

## APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to provisions of Public Law 106-79, appoints the following Senator to the Dwight D. Eisenhower Memorial Commission: The Honorable DAN SULLIVAN of Alaska.

The Chair, on behalf of the Majority Leader, in consultation with the Chairman of the Senate Committee on Armed Services, pursuant to Public Law 115-232, appoints the following individual to serve as a member of the Cyberspace Solarium Commission: The Honorable BEN SASSE of Nebraska (Senate).

## ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, following leader re-

marks on Wednesday, October 10, Senator SCHUMER or his designee be recognized to make a motion to proceed to S.J. Res 63; further that the time until 11:30 a.m. be equally divided between the leaders or their designees for use on the joint resolution and message concurrently; further, that at 11:30 a.m., all postcloture time on the motion to concur in the House amendments be considered expired and the motion to concur with further amendment be withdrawn; finally, that following the disposition of the motion to concur, all time on S.J. Res 63 be considered expired and the Senate vote on the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY,  
OCTOBER 10, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, October 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:01 p.m., adjourned until Wednesday, October 10, 2018, at 10 a.m.