

the confirmation of Carl J. Nichols, of the District of Columbia, to be United States District Judge for the District of Columbia.

Mr. President, I was necessarily absent but, had I been present, would have voted no on rollcall vote No. 126, the confirmation of Kenneth D. Bell, of North Carolina, to be United States District Judge for the Western District of North Carolina.

BUDGET ENFORCEMENT LEVELS

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate will soon consider S. Amdt. 250 to H.R. 2157, Supplemental Appropriations Act, 2019. This measure provides appropriations to address recent natural disasters and contains spending that qualifies for cap adjustments under current statute.

This measure includes \$19,121 million in budget authority that is designated as being for emergency purposes pursuant to section 251(b)(2)(A)(i) of BBEDCA. Of that amount, \$2,693 million is for spending in the security category, and \$16,428 million is for non-security spending. CBO estimates that this budget authority will result in \$5,364 million in outlays in fiscal year 2019.

As a result of the aforementioned designations, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised security budget authority by \$2,693 million, revised non-security budget authority by \$16,428 million, and outlays by \$5,364 million

in fiscal year 2019. Further, I am increasing the budgetary aggregate for fiscal year 2019 by \$19,121 million in budget authority and \$5,364 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

REVISION TO BUDGETARY AGGREGATES	
(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)	
\$ in millions	2019
Current Spending Aggregates:	
Budget Authority .....	3,639,324
Outlays .....	3,550,009
Adjustments:	
Budget Authority .....	19,121
Outlays .....	5,364
Revised Spending Aggregates:	
Budget Authority .....	3,658,445
Outlays .....	3,555,373

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2019

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

\$ in millions	2019					
Current Allocation:						
Revised Security Discretionary Budget Authority .....						716,000
Revised Nonsecurity Category Discretionary Budget Authority .....						620,577
General Purpose Outlays .....						1,356,400
Adjustments:						
Revised Security Discretionary Budget Authority .....						2,693
Revised Nonsecurity Category Discretionary Budget Authority .....						16,428
General Purpose Outlays .....						5,364
Revised Allocation:						
Revised Security Discretionary Budget Authority .....						718,693
Revised Nonsecurity Category Discretionary Budget Authority .....						637,005
General Purpose Outlays .....						1,361,764
Memorandum: Detail of Adjustments Made Above	Regular	OCO	Program Integrity	Disaster Relief	Emergency	Total
Revised Security Discretionary Budget Authority .....	0	0	0	0	2,693	2,693
Revised Nonsecurity Category Discretionary Budget Authority .....	0	0	0	0	16,428	16,428
General Purpose Outlays .....	0	0	0	0	5,364	5,364

ARMS SALES NOTIFICATION

Mr. RISCH. 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. JAMES E. RISCH,  
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. 19-32 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Canada for defense articles and services estimated to cost \$387 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. 19-32  
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: Government of Canada.  
(ii) Total Estimated Value:  
Major Defense Equipment \* \$288 million.  
Other \$99 million.  
Total \$387 million.  
(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:  
Major Defense Equipment (MDE):  
Four hundred twenty-five (425) MK 54 Lightweight Torpedo Conversion Kits.  
Non-MDE: Also included are torpedo containers, Recoverable Exercise Torpedoes (REXTORP) with containers, Fleet Exercise Section (FES) and fuel tanks, air launch accessories for fixed wing, torpedo spare parts, training, publications, support and test equipment, U.S. Government and contractor engineering, technical, and logistics support

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

- (iv) Military Department: Navy (CN-P-AMP).
- (v) Prior Related Cases, if any: CN-P-APR.
- (vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.
- (viii) Date Report Delivered to Congress: MAY 16, 2019.

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

POLICY JUSTIFICATION

Canada—MK 54 Lightweight Torpedoes

The Government of Canada has requested to buy four hundred twenty-five (425) MK 54 lightweight torpedo conversion kits. Also included are torpedo containers, Recoverable Exercise Torpedoes (REXTORP) with containers, Fleet Exercise Section (FES) and fuel tanks, air launch accessories for fixed wing, torpedo spare parts, training, publications, support and test equipment, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The total estimated program cost is \$387 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.

Canada intends to upgrade its current inventory of MK 46 torpedoes to the MK 54 with the purchase of these kits. The MK 54 torpedo is designed to be easily upgraded from the existing MK 46 torpedo. Canada plans to utilize MK 54 Lightweight Torpedoes on its Royal Canadian Navy's Halifax class ships, the Royal Canadian Air Force's CP-140 Aurora Aircraft, and the CH-148 Maritime Helicopters. 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 for the MK 54 Torpedo is Raytheon Integrated Defense Systems, Portsmouth, Rhode Island. The Government of Canada is expected to negotiate an offset agreement with Raytheon, 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 not require the assignment of additional U.S. Government or contractor representatives to Canada. However, it is anticipated that engineering and technical support services provided by the U.S. Government may be required on an interim basis for training and technical assistance.

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

#### TRANSMITTAL NO. 19-32

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 MK 54 Torpedo is a conventional torpedo that can be launched from surface ships, and rotary and fixed wing aircraft. The MK 54 is an upgrade to the MK 46 Torpedo. The upgrade to the MK 54 entails replacement of the torpedo's sonar and guidance and control systems with modern technology. The new guidance and control system uses a mixture of commercial-off-the-shelf and custom-built electronics. The warhead, fuel tank and propulsion system from the MK 46 torpedo are re-used in the MK 54 configuration with minor modifications. There is no sensitive technology in the MK 54 or its support and test equipment. The assembled MK 54 torpedo and several of its individual components are classified CONFIDENTIAL. The MK 54 operational software is classified as SECRET. Canada has not requested nor will it be provided with the source code for the MK 54 operational software.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which 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 Canada 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.

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

#### ARMS SALES NOTIFICATION

Mr. RISCH. 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. JAMES E. RISCH,  
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. 19-31, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost \$317 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. HOPPER,  
Lieutenant General, USA, Director.  
Enclosures.

#### TRANSMITTAL NO. 19-31

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\* \$302 million.  
Other \$15 million.  
Total \$317 million.

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

Major Defense Equipment (MDE):  
One hundred sixty (160) AIM-120C-7 Advanced Medium Range Air-to-Air Missiles (AMRAAM).

One (1) AIM-120C-7 AMRAAM Guidance Section.

Non-MDE: Also included are containers, weapon support and support equipment, spare and repair parts, U.S. Government and contractor engineering, technical and logistical support services, and other related elements of logistical and program support.

(iv) Military Department: Air Force (JA-D-YCM).

(v) Prior Related Cases, if any: JA-D-YAO, JA-D-YAK, JA-D-YAI, JA-D-YAH.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 16, 2019.

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

#### POLICY JUSTIFICATION

Japan—AIM-120C-7 Advanced Medium-Range Air-to-Air Missiles (AMRAAM)

The Government of Japan has requested to buy one hundred sixty (160) AIM-120C-7 Advanced Medium Range Air-to-Air Missiles (AMRAAM), and one (1) AIM-120C-7 AMRAAM guidance section. Also included are containers, weapon support and support equipment, spare and repair parts, U.S. Government and contractor engineering, technical and logistical support services, and other related elements of logistical and program support. The total estimated program cost is \$317 million.

This proposed sale will support the foreign policy and national security of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Asia-Pacific 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 these missiles will provide Japan a critical air defense capability to assist in defending the Japanese homeland and U.S. personnel stationed there. Japan will have no difficulty absorbing these additional missiles 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 is Raytheon Missile Systems, Tucson, Arizona. There are no known offset arrangements 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 sale will not require the assignment of U.S. Government or contractor representatives in Japan.

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

#### TRANSMITTAL NO. 19-31

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 proposed sale will involve the release of sensitive technology to the Government of Japan related to the AIM-120C-7 Advanced Medium Range Air-to-Air Missile (AMRAAM). The AIM-120C-7 AMRAAM is a radar guided missile featuring digital technology and micro-miniature solidstate electronics. AMRAAM capabilities include look-down/shoot-down, multiple launches against multiple targets, resistance to electronic countermeasures, and interception of high flying, low flying, and maneuvering targets. The AMRAAM All Up Round is classified CONFIDENTIAL. The major components and subsystems are classified from UNCLASSIFIED to CONFIDENTIAL, and technology data and other documentation are classified up to SECRET.

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. The sensitive technology being released under this notification is subject to the security criteria established in National Disclosure Policy (NDP-1) for the Government of Japan. 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 Japan.