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No. 110

## Senate

(Legislative day of Thursday, June 27, 2019)

The Senate met at 5 a.m., on the expiration of the recess, and was called to order by the Honorable RON JOHNSON, a Senator from the State of Wisconsin.

### PRAYER

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

Let us pray.

Almighty God, our shelter and strength, thoughts about You keep us from fear. We praise You for Your mercy, grace, power, and might.

Guide our lawmakers. Lead them away from rivalries, irrelevancies, and trivialities to a unity of idealism, purpose, and faith. May they strive to produce a moral renewal that will bring to our Nation and world justice, peace, and righteousness. Let all they do be well done.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 28, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RON JOHNSON, a Sen-

ator from the State of Wisconsin, to perform the duties of the Chair.

CHUCK GRASSLEY,  
President pro tempore.

Mr. JOHNSON thereupon assumed the Chair as Acting President pro tempore.

### AMENDMENT NO. 883 TO S. 1790, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020—Continued

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of Senate amendment No. 883, which the clerk will report.

The senior assistant legislative clerk read as follows:

Udall Amendment No. 883, to prohibit unauthorized military operations in or against Iran.

### VOTE ON AMENDMENT NO. 883

The ACTING PRESIDENT pro tempore. The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Mr. SASSE assumed the Chair.)

(Mr. ROMNEY assumed the Chair.)

(Mr. KENNEDY assumed the Chair.)

(Mr. HAWLEY assumed the Chair.)

(Mr. SCHUMER assumed the Chair.)

(Mr. REED assumed the Chair.)

(Mr. UDALL assumed the Chair.)

(Mr. REED assumed the Chair.)

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Missouri (Mr. BLUNT), the Senator from Indiana (Mr. BRAUN), the Senator from North Carolina (Mr. BURR), the Senator from North Dakota (Mr. CRAMER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting, the Senator from Oklahoma (Mr. INHOFE) would have voted “nay” and the Senator from Florida (Mr. SCOTT) would have voted “nay.”

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The result was announced—yeas 50, nays 40, as follows:

[Rollcall Vote No. 189 Leg.]

### YEAS—50

Baldwin	Heinrich	Reed
Bennet	Hirono	Rosen
Blumenthal	Jones	Sanders
Booker	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lee	Smith
Casey	Manchin	Stabenow
Collins	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Moran	Warner
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Harris	Paul	Wyden
Hassan	Peters	

### NAYS—40

Alexander	Graham	Risch
Barrasso	Grassley	Romney
Boozman	Hawley	Rubio
Capito	Hoeben	Sasse
Cassidy	Hyde-Smith	Scott (SC)
Cornyn	Isakson	Shelby
Cotton	Johnson	Sullivan
Crapo	Kennedy	Thune
Cruz	Lankford	Tillis
Daines	McConnell	Toomey
Enzi	McSally	Wicker
Ernst	Murkowski	Young
Fischer	Perdue	
Gardner	Portman	

### NOT VOTING—10

Blackburn	Coons	Rounds
Blunt	Cramer	Scott (FL)
Braun	Inhofe	
Burr	Roberts	

The PRESIDING OFFICER (Mr. KAINE). On this vote, the yeas are 50, and the nays are 40.

Under the previous order, the 60-vote threshold having not been achieved, the amendment is not agreed to.

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



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The amendment (No. 883) was rejected.

### MORNING BUSINESS

#### 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)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0L-19. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 15-26 of April 28, 2015.

Sincerely,

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

TRANSMITTAL NO. 0L-19

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Prospective Purchaser: Government of Australia.

(ii) Sec. 36(b)(B)(5)(A) AECA Transmittal No.: 15-26; Date: April 28, 2015; Military Department: Navy.

(iii) Description: On April 28, 2015, Congress was notified by Congressional certification transmittal number 15-26 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of follow-on sustainment support and services in support of three (3) Hobart Class Destroyers. The sustainment efforts include AEGIS computer software and hardware updates, system integration and testing, tools and test equipment, spare and repair parts, support equipment, publications and technical documentation, personnel training and training equipment, aircrew trainer devices upgrades, U.S. Government and contractor technical assistance, and other related elements of logistics and program support. The estimated cost was \$275 million.

This transmittal reports Australia's request to purchase upgrade kits for their Multifunctional Information Distribution

System (MIDS) Low Volume Terminal (LVT) equipment installed on the Hobart Class Destroyers. The MIDS LVT Block Upgrade 2 (BU2) kits provide a suite of hardware, software and firmware updates for the MIDS LVT units to provide a more robust security and enhanced throughput (higher data rate). The total case value will remain \$275 million.

(iv) Significance: This proposed upgrade to the MIDS LVT will contribute to the modernization of the Royal Australian Navy Hobart Class destroyers, improve the Royal Australian Navy's capability to conduct self-defense and regional security missions, and enhance its interoperability with the U.S. and other NATO members.

(v) Justification: The proposed sale will improve Australia's capability in current and future coalition efforts. Australia will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense.

(vi) Sensitivity of Technology: The Multifunctional Information Distribution System-Low Volume Terminal (MIDS-LVT) is an advanced Link-16 command, control, communications, and intelligence (C3I) system incorporating high-capacity, jam-resistant, digital communication links used for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. The terminal hardware, publications, 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.

(vii) Date Delivered to Congress: June 27, 2019.

#### 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)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0E-19. This notification relates to enhance-

ments or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-11 of April 27, 2017.

Sincerely,

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

TRANSMITTAL NO. 0E-19

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Prospective Purchaser: Government of Australia.

(ii) Sec 36(b)(B)(5)(A) AECA Transmittal No.: 17-11; Date: April 27, 2017; Military Department: Navy.

(iii) Description: On April 27, 2017, Congress was notified by Congressional certification transmittal number 17-11 of the possible sale under Section 36(b)(1) of the Arms Export Control Act of up to seventy (70) AGM-88B High Speed Anti-Radiation Missiles (HARM) Tactical Missiles, up to forty (40) AGM-88E Advanced Anti-Radiation Guided Missiles (AARGM) Tactical Missiles; up to sixteen (16) CATM-88B HARM Captive Air Training Missiles (CATM); up to sixteen (16) CATM-88E AARGM CATM; up to twenty-five (25) AGM-88B Control Sections; up to twenty-five (25) AGM-88E Guidance Sections; up to twenty (20) AGM-88E Control Sections; up to twenty (20) AGM-88E Guidance Sections; up to forty eight (48) Telemetry/Flight Termination Systems; U.S. Government and contractor engineering, technical and logistics support services; and other associated support equipment and services. The total estimated cost is \$137.6 million. Major Defense Equipment (MDE) constituted \$100 million of this total.

This transmittal reports an additional configuration of AGM 88-C High Speed Anti-Radiation Missiles (HARM) Tactical Missiles, in addition to the AGM-88B and AGM-88E HARMs previously notified. The "C" configuration missiles would replace up to twenty (20) of the "B" configuration missiles. The MDE value will remain \$100 million. The total case value will remain \$137.6 million.

(iv) Significance: This proposed upgrade to the HARM AGM 88-C will contribute to the modernization of the Royal Australian Air Forces (RAAF) fighter aircraft, improve the RAAF's capability to conduct self-defense and regional security missions, and enhance its interoperability with the U.S. and other NATO members.

(v) Justification: The addition of the AGM-88C to the RAAF inventory will further expand the RAAF's anti-radiation strike capability. AGM-88C procurement will provide capability for Australia to defend its interests at home and abroad.

(vi) Sensitivity of Technology: The major hardware improvement from the AGM-88B to the AGM-88C was a new WDU-37/B warhead with 12800 tungsten alloy fragments and a revised explosive charge.

(vii) Date Delivered to Congress: June 27, 2019.

#### 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