

felt better and doctors gave her the all-clear, she checked right back into work right on the frontlines.

I want to thank all of my Senate colleagues as we continue to perform our essential responsibilities to serve citizens like Miss Krause and so many other American heroes all across our country. Of course, much of the work before us relates to the pandemic itself. Our committees of jurisdiction are attacking COVID-19 and its effects from every angle.

This week, Chairman ALEXANDER and our colleagues on the HELP Committee will hold a major hearing on smart and safe ways for Americans to get back to work and back to school. They will hear expert testimony from the very top leaders: Dr. Fauci, Dr. Redfield, Dr. Hahn, and Admiral Giroir from HHS.

Chairman CRAPO and the Banking Committee will hear from representatives from the Federal Reserve and the FDIC on financial regulation. Obviously, that is an essential topic as the government continues to push out billions and billions of dollars in emergency liquidity following the CARES Act.

With huge numbers of Americans working, teaching, and learning from home and with telemedicine more important than ever, the Commerce Committee will hear from experts about access to broadband internet during the crisis.

The Judiciary Committee will hold an important hearing on issues of legal liability during this unprecedented time. It is crucial that as we continue to fight the pandemic itself, we ensure it is not followed up by a second job-killing epidemic of frivolous lawsuits. This would be just about the worst time in living memory to let trial lawyers line their pockets at the expense of the rest of our country. The Senate is going to play a strong role in ensuring that does not happen.

While our committees are working away, here on the floor, we will start this week by confirming two more qualified nominees to important posts that should not remain empty at this time. We will begin with Brian Montgomery of Texas, named by President Trump to serve as Deputy Secretary of Housing and Urban Development. Then we will turn to Troy Edgar of California to be Chief Financial Officer at the Department of Homeland Security.

I understand some of my distinguished Democratic colleagues complain that the full Senate should not have to spend more time on these sorts of uncontroversial executive branch nominees. I agree. But as long as their own Democratic leadership continues to hold important posts open for as long as possible in order to just spite the White House, as long as the minority continues to break from longstanding Senate precedent to obstruct even the least controversial nominees, then, frankly, they will have to continue to show up and vote on them. The floor votes they say they dislike are the direct result of their own tactics.

We are also going to take up important legislation this week. While COVID-19 rightly dominates headlines around the world, the United States of America also faced many serious threats before this virus began to spread, and they are still with us today.

Later this week, we will turn back to reauthorizing important authorities under the Foreign Intelligence Surveillance Act. This is urgent because the House refused to take up the Senate's short-term extension of important counterterrorism and counterintelligence authorities before they left town. House Democrats let these tools expire, so we must act quickly to clean up their mess and renew these authorities, which our government needs to fight terrorists and check the agents of China and Russia.

The bipartisan bill we will take up was negotiated exhaustively by House Republicans and the Attorney General of the United States. Determined advocates for reform after the shameful abuses of 2016 sat down with determined defenders of the good parts of these tools, and they hammered out a strong compromise. The legislation will introduce more daylight and more accountability into the FISA process where appropriate, but it will ensure that the embarrassments of 2016 do not jeopardize these essential national security tools altogether.

I hope the Senate will be able to dispatch the amendments that we will consider and pass this important legislation on a bipartisan basis to keep the American people safe.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development.

Mr. MCCONNELL. 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.

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.

#### CORONAVIRUS

Mr. SCHUMER. Mr. President, the United States has well over a million confirmed cases of COVID-19. We are quickly, unfortunately, approaching 80,000 fatalities.

Alongside this great crisis of public health, this shocking and heart-breaking loss of life, there is a looming economic catastrophe. There are now more than 30 million newly unemployed Americans, over one-tenth of the population in the United States and the highest number since the Great Depression. Many believe this number underestimates the real total.

Once this crisis is over, there is no guarantee that these millions of newly unemployed Americans will be able to resume their old jobs. How many people will find new jobs? At what salary? Even the most optimistic scenarios predict a period of extended high unemployment. Others suggest we are looking at the kernels of a second Great Depression.

Here on the Senate floor, for the second week in a row, we are living in the alternative reality of Republican Leader MCCONNELL's making. He has scheduled no legislative business here on the floor related to COVID-19—none—no measures for the unemployed, no relief for renters or homeowners, no legislation to increase testing capacity, no proposals to help State and local governments retain teachers, firefighters, busdrivers, and police officers.

Looking at the Senate calendar, you would never know that we are working in the midst of a national crisis. It looks like any other session—a few executive nominations, hearings on rightwing judges, and legislation from previous months that the leader should not have delayed. It is just totally, totally divorced from reality.

Despite the obvious health risks, Senators are ready to do our jobs. Why don't we actually do our jobs and focus on COVID-19? For the sake of common sense and the good of the Nation, the Senate should be focused on COVID-19. We should be holding multiple serious oversight hearings every week. Several of my colleagues on the other side, including the Republican leader, have said they want to see how the legislation we have already passed is working before doing anything else. At the same time, the Republican majority is slow-walking the hearing process.

Finally, after a lot of Democratic pressure from myself and many others, the leader is sort of eking out, week by week, hearings. We have just heard that we will hear from Powell and Mnuchin on the 19th. That will be almost 2 months after a bill that let \$4 trillion of lending authority be released before there is a hearing.

Why didn't we hold a hearing 3 weeks ago, 5 weeks ago, or last week? It is

just outrageous. How can the Republican Senators say we want to see how this is working and not have a whole bunch of hearings to exam how it is working, instead of squeezing them out under direct pressure from us Democrats?

Now, tomorrow, in the Health, Education, Labor, and Pensions Committee there will be a hearing conducted remotely with Dr. Fauci. This is the kind of hearing we need, not once a week but several a day. The American people need to hear from experts in a fair, open, and truthful setting.

Until now, we have mostly heard from the members of the Coronavirus Task Force through the distorted lens of the White House press conference, where the President often prevents them from answering fully, interrupts their responses, or even contradicts their fact-based advice.

This will be one of the first opportunities for Dr. Fauci to tell the American people the unvarnished truth without the President lurking over his shoulder.

Dr. Fauci, let it rip.

But it shouldn't be this one committee hearing tomorrow, and it shouldn't be Dr. Fauci alone testifying, or even with the two he is testifying with. This is the routine oversight business of Congress, and we are now in a crisis. It should occur in every committee every week. There should be testimony from administration officials, ranging from Dr. Birx to Secretary Mnuchin, to Secretary DeVos and others.

We should also be debating another major emergency relief bill. As we speak, more and more businesses are going under, more and more people are losing their jobs, and more and more families don't have enough food to feed their children or are sitting for hours in car lines to get to food banks.

Speaker PELOSI and I completely agree. The new bill should be big, and it should be bold, and that is what the House is working on right now, while the Senate, under Leader MCCONNELL's leadership, dithers.

Already, however, we have heard that congressional Republicans are telling everyone they want to slow down. Leader MCCONNELL says he wants to hit the pause button. President Trump and administration officials are saying we might not need to do anything more to help the country. This would be a catastrophic mistake.

At the outset of the Great Depression, President Hoover was also reluctant to use national resources to attack the problem. He, too, was ideologically opposed to a vigorous and strong response from the Federal Government. President Hoover's failure was likely responsible for extending the length and deepening the severity of the Great Depression.

If President Trump and our Republican colleagues go the way of Herbert Hoover, if they oppose or slow-walk government intervention to save the

economy that is hurtling downward, I fear the Nation could suffer a similar fate—a second depression. We must avoid that at all costs. Now is not the time for timidity. Now is not the time for small thinking. Now is the time for action—big, bold, continued action.

There are so many issues that deserve our attention. On a daily basis, President Trump talks about the need to reopen our country. Well, President Trump, the only way we can safely reopen the country is if we have testing. To finally beat this disease, we need testing. To reopen businesses safely, we need testing. To reopen schools and sporting events, we need testing. To contain a resurgence in the fall or early next year, we need testing. Testing is, by far, the No. 1 priority from a public health standpoint and, maybe, from an economic standpoint as well.

For many countries, mastering the challenge of testing and contact tracing their population was their first priority. Here in the United States, unfortunately, the Trump administration is still trying to catch up. Three months ago—3 months ago—President Trump said: "Anybody that wants a test can get a test." That is still not even close to being true.

Americans have gotten sick, and because they could not get tested, they never knew if they contracted COVID and never knew if they passed it on to loved ones, colleagues, workers, or friends. For many who could get tested, they had to wait weeks for an answer, long after the disease had run its course and potentially spread to others.

We may never know the full extent of the human consequences that resulted from President Trump's administration's failure to rapidly develop a testing plan in the early days of coronavirus, but we do know that countries that did it successfully—such as South Korea, Germany, Australia, and New Zealand—were able to deal with the virus much better than we have. And to think the United States, which has always been the leader in public health, is lagging behind these other countries because of the President's denial and ineptitude should bother every single American, no matter what your politics.

Congress provided \$25 billion in the most recent relief legislation to increase testing capacity and contact tracing, and we are going to need to do more. If President Trump is so keen on speeding up the process of reopening the country, we should endorse what Democrats have urged him to do: Create a national testing regime immediately.

On one final matter, education, in the CARES Act, Congress provided a little over \$30 billion to help States, school districts, and higher education systems respond to the coronavirus after many schools were forced to close or to move to remote learning. We need more money than that, of course, and I think Democrats in both Houses agree.

It has come to our attention that Secretary DeVos has been using a portion of the existing funding not to help States or localities cope with the crisis but to augment her push for voucher-like programs, a prior initiative that had nothing to do with COVID-19.

We have also learned that Secretary DeVos has added restrictions to the fund that weren't included in the law, including guidance that DACA recipients cannot receive aid. Shameful—there is no other word for it. Secretary DeVos is exploiting emergency relief funding to further her own rigid ideological agenda and deprive students of desperately needed Federal assistance. The Secretary of Education should reverse course immediately.

Subsequently, DeVos should testify in Congress as soon as possible. As someone who has habitually skipped congressional hearings, Secretary DeVos has a lot to answer for. If our students had the same attendance record as Secretary DeVos, they would have flunked out of school. Secretary DeVos needs to come clean about how her Department is exploiting congressional relief efforts intended to help schools recover and reopen.

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

The PRESIDING OFFICER (Ms. ERNST). Without objection, it is so ordered.

#### CORONAVIRUS

Mr. CORNYN. Madam President, as our Nation's war against the coronavirus has waged on, the Senate has taken decisive action to provide the resources we need to win the fight. We sent critical equipment to our frontline healthcare workers, and we have expanded testing resources nationwide. We provided loans to small businesses in order to protect jobs, and we sent direct financial assistance to the Americans who are struggling the hardest to make ends meet. These four bills—now law—passed by Congress have addressed both the public health crisis at the heart of the pandemic and the ensuing economic fallout.

Now, with the States beginning to gradually reopen their economies, we are staring down the barrel of a second epidemic, one generated by opportunistic lawsuits, crushing legal fees, and drawn-out court battles.

According to a database compiled by law firm Hunton Andrews Kurth, more than 950 such lawsuits have already been filed in the United States. We have seen suits against healthcare workers, nursing homes, colleges, governments, retailers—you name it. As our economy begins to reopen, unfortunately, so will the legal floodgates. The litigation epidemic is shaping up to be a big one.

Now, don't get me wrong, lawyers aren't all bad. I confess to being one myself. And there will no doubt be some meritorious claims. But many suits potentially serve as the cash cow—a chance to shake down a business for a nuisance settlement due to the cost alone of defending a lawsuit, even if you win.

With a pandemic that has affected more than 1 million Americans, you better believe there are some preparing for a gold rush. You can hear the TV commercials now asking if you or a loved one was impacted by the coronavirus, encouraging you to call a 1-800 number to see if you could be entitled to some money.

Imagine you are a nurse who is being sued by the family of a patient who tragically passed away at your hospital. Even though you acted in good faith and you took every precaution to save the life of the patient, you could get pulled into a nightmarish legal fight over a case that ends up having no merit in the first place.

Let's say you are a small business owner who closed your doors at the start of the pandemic, but then you applied for the loans, and you have done everything in your power to stay afloat until you could reopen. When that time comes, you take every precaution. Your employees wear masks, you reduce the number of customers so as to provide for social distancing, you regularly clean your store, and you have hand sanitizer available for all employees and customers. But then somebody says that they contracted the virus in your store and that they are going to sue you. Well, I have no doubt that, unless we provide for some limitations, there will be businesses that will say: Why bother? Why take on the risk? It is just not worth it.

We know small businesses provide the lion's share of the jobs in our economy, and they can get roped into spending all their savings—what is left—to defend or settle a nuisance lawsuit. And the fear of these consequences could worsen the toll this crisis has already taken on our economy.

We simply cannot allow a flood of frivolous lawsuits to harm our incredible healthcare workers or stunt our economic recovery. As we speak, I am working with colleagues on legislation to address the anticipated lawsuit bonanza.

Let me be clear. Not all lawsuits are created equal. Without a doubt, there will be legitimate claims as a result of reckless wrongdoing in the wake of this pandemic. Those are the types of cases we want to make sure are heard.

Last week, the Utah Daily Herald reported that one business required staff who tested positive for the COVID-19 to report to work anyway. Almost half of the business's employees tested positive. You don't have to be Perry Mason or Matlock—I realize I am dating myself here—to see that this is an egregious violation of Federal guidelines.

There is no desire to impede the effort to hold bad actors accountable, period. That is my guiding principle. The problem is with the expected onslaught of frivolous claims, which will do nothing more than harm the very people already hurt by this virus.

Just because a lawsuit is baseless doesn't mean it will be quick, easy, or cheap to resolve, and we can't put our healthcare workers in a situation where, after battling this virus for months on end, they then have to battle a false claim in court.

Future legislation should include liability protections for our frontline workers and small businesses that are complying with the very government regulations designed to protect against the spread of the virus.

More than a dozen Governors have already provided liability protections to healthcare workers, but we can't just depend on the States to uphold these protections. We can't wait for the dam to break. Congress must act to provide the shield for the healthcare workers who have done everything in their power to save lives during this unprecedented crisis.

Again, to state the obvious, this would not interfere with liability for intentional or grossly negligent conduct. As I said before, no one wants to put a stop to meritorious lawsuits. We want to prevent baseless claims from tying up our courts, destroying jobs, and holding our economy hostage.

There are several ways to accomplish this, but we need to focus on a solution that provides clarity for our businesses and prevents gamesmanship in the courts.

Michael Krauss is a law professor at George Mason University who specializes in tort law. He has pointed out that employees can get workers' compensation benefits if they become sick or disabled on the job. In other words, employees will be covered by existing workers' compensation laws. We are talking about third-party claims, not employees. Defending lawsuits, no matter how far-fetched, is expensive, and litigation costs alone can make the difference between the destruction and survival of a business.

Professor Krauss said that in his opinion, the ideal statute would say: "If you do the following, you may not be sued." He said that could include a list of requirements, like wearing masks. There could be specific regulations for restaurants, meatpackers, or other industries.

Any liability limitations will only protect the individuals and companies that comply with Federal guidelines and seek to keep their workers and the public safe.

My colleagues and I have been in discussions about the best way to do this, and we are actively developing a proposal that I hope will gain bipartisan support. There are fair and reasonable ways to deal with this. We have seen this before. This is not a novel concept. Whether it is the response to the Y2K

paranoia around the turn of the century or the attacks of 9/11, there are many more examples where Congress has, on a bipartisan basis, responded to a national emergency and provided these sorts of commonsense legal protections.

As we continue to work to support the American people during the crisis we are facing today, we can't ignore the onslaught of lawsuits that could soon bankrupt small businesses and strangle our recovering economy. Congress must act to ensure America doesn't wake up from this pandemic only to find itself in a legal nightmare that we could have and should have prevented.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

RUSSIA

Mr. GRASSLEY. Madam President, in the last several weeks, a lot of information relating to the FBI's Russia investigation has been declassified and made public. That is in large part thanks to action taken by Attorney General Barr and action taken by Acting Director Grenell at DNI on declassification of a lot of things that should have been declassified a long time ago. Their acts of transparency are finally shining a light on the dark corners of the Federal Government. The public's business ought to be public. There is too much overclassification in the Federal Government. Barr and Grenell are doing what they ought to do, and I hope they keep it up.

In the last several weeks, we have also seen a lot of denial from some quarters in the media about the information that has been released.

Also last week, former President Obama said the rule of law is at risk because of the Justice Department's dismissal of the Flynn case. Contrary to what President Obama believes or the media might say, I believe the opposite is true. The rule of law is at risk if the Federal Government can get away with violating the Constitution to do what they did to Lieutenant General Flynn.

When it comes to those violations and other misconduct by former government officials, Obama and the mainstream media pundits all seem to be silent all of a sudden. I have heard no comment from Mr. Obama about the independent inspector general's findings that Andrew McCabe lied under oath to Federal investigators multiple times or about how Department of Justice prosecutors falsely told the court that they had produced all Brady material to Flynn. I didn't hear them when the Federal Government surveilled an American citizen connected to the Trump campaign without probable cause and based on intelligence that the FBI knew was questionable at best. There is too much silence on something that now is so obvious.

Since 2017, I have aggressively pursued the Flynn investigation to find out more about why the FBI decided to

interview Flynn, make him a subject of an investigation, and then why the Justice Department eventually charged him. From the beginning, I wanted to know the facts of the case, and from the beginning, none of what I found looked right. Having done good government oversight for over 40 years, I know a government foul-up when I see it.

The public knows a lot more than they did in 2017 when the news first broke about this Flynn case. For example, we know that on January 4, 2017, the FBI wrote a closing memorandum on Flynn, who was code-named “Cross-fire Razor” by the FBI. That memorandum said the intelligence community could find no derogatory information on the general.

On the very same day the FBI was ready to close the Flynn case, Peter Strzok asked another FBI agent something like this: “Hey, if you haven’t closed Razor, don’t do it yet.” So Strzok obviously had another agenda. The case was still open at that moment, and Strzok asked that it be kept open “for now.” Strzok then quickly messaged Lisa Page, saying that Razor still happened to be open because of some oversight and said: “Yeah, our utter incompetence actually helps us. 20 percent of the time . . .”

During the course of my oversight activities of the FBI, I have uncovered and made public large amounts of Strzok’s and Page’s messages. When reviewing all the faults and disasters of the Russia investigation, these text messages are very, very important. They are the free expression of these top FBI employees’ mindset, unencumbered by rules or decorum. They give us a look at what the drivers of the Russia investigation actually believed.

In August 2016, just after the FBI opened the Russia investigation, Page said: “Trump’s not ever going to become president, right? Right!?” She is the one who edited Flynn’s 302 summary along with Strzok, which contradicted the original 302. Strzok responded to the Page quote that I just gave about whether Trump would ever become President this way: “No. No he won’t. We’ll stop it.” Their animus towards Trump helps to explain why they cut corners and why they didn’t follow regular protocol in running their inquiry.

On January 5, 2017, the day after Strzok moved to keep the Flynn case open, President Obama met with Director Comey, Deputy Attorney General Sally Yates, Vice President Biden, and National Security Advisor Susan Rice. At that meeting, they briefed President Obama on the Russia investigation. It is unclear to what extent they discussed the details of the investigation amongst each other, but given all that we know now regarding the fake foundation to the inquiry, it is time we asked: What did Obama and Biden know, and when did they know it?

During the course of my oversight, I acquired an email from Susan Rice.

She sent herself an email on Obama’s last day in office, January 20, 2017. That email memorialized the alleged contents of the January 5, 2017, meeting with Obama that I previously referred to. As I noted in 2018 when I made the email public, I found it very odd that among her activities in the final moments of the final day of the Obama administration, that she would write herself an email about a meeting that happened several weeks prior about this investigation. According to Rice, Obama wanted everything done “by the book.”

Of course, we now know that never happened. She also said, in part: “The President”—as in Obama—“asked Comey to inform him if anything changes in the next few weeks that should affect how we share classified information with the incoming team.”

Then, 1 week later, on January 12, 2017, somebody in the Obama administration leaked the Flynn-Kislyak call to the Washington Post that, for the very first time, ignited rumors about Flynn’s association with Russians and a possible violation of the arcane Logan Act.

Now, wasn’t this really a perfectly timed leak—one that would help to create a fake foundation to interview Flynn?

Well, guess what happened. Twelve days later, on January 24, 2017, Strzok interviewed Flynn in the White House. Prior to that interview, Comey chose not to follow normal protocols to inform the White House that the FBI intended to interview an employee. Now, we all know that the FBI would normally work through the White House counsel to have discussions for approval and who would be present at that interview.

You have seen it on television several times this weekend: Comey bragging about getting away with skirting the rules. When he was asked in a 2018 interview about how he did it, Comey said—and this is what showed up in these last weekends:

I sent them—

Meaning he sent the FBI agents to interview.

I sent them. Something I probably wouldn’t have done or even gotten away with in a more organized investigation, a more organized administration.

According to Comey’s former assistant, Comey said: “We just decided, you know, screw it,” in reference to their breaking protocol with the White House.

Now, I referred to an email that said the President wanted to do this by the book. Well, what I just described to you is hardly “by the book.” Flynn was never told during this interview what he was being secretly interrogated for, and the whole thing was done without Flynn having an attorney present. In fact, I think I recall they even told him he didn’t need an attorney.

Now, we know that the FBI had no real investigative purpose to interview Flynn. We also know, based upon FBI

notes, that agents apparently interviewed Flynn to trick him in a lie so that they could prosecute him or get him fired. That prosecuting him or getting him fired are very clear in some notes that we got from the FBI, handwritten notes.

Keep in mind that the FBI had prepared to close this case weeks before, except it didn’t quite get closed because Strzok came in and said: Can we keep it open—or something to that effect.

The FBI already had the transcript of the Flynn-Ambassador Kislyak call. They knew exactly what was discussed. So what was the point of interviewing Flynn if they already had the transcript?

Well, lucky for Strzok, the FBI had not technically closed the Flynn case. So he figured yet they could lay a trap for Flynn, and they did lay a trap.

In doing so, they didn’t warn him that he was under investigation. They went around the Justice Department, and I made it very clear how they bypassed the White House on interview protocols, because Comey was bragging on television about that.

Under Comey’s leadership, the FBI abused government powers in ways that our Founders and Framers feared most, because they had had enough of George III. They weren’t going to let it happen again in the United States. That is why they wrote the Constitution the way they did.

The Russia investigation, in other words, is a textbook example of what not to do. At every step of the investigation, the government sought evidence to advance it, never got the evidence that they needed to advance it, and advanced the investigation anyway.

That is pretty clearly an abuse of power.

Let’s recall that Comey also leaked his memos of his private discussions with President Trump to get the special counsel, Mueller, appointed. Comey is pretty smart. He had a plan. It worked. That plan worked to get Mueller appointed. Mueller did his work for 2 years, and it cost the taxpayers \$30 million. In the end, Mueller found no collusion and no obstruction, which is exactly the same information that the House Intelligence Committee’s 50-plus depositions told us. Those were done way back—not way back but a little way back—in 2017. Mueller finished his job in 2019. That is more than \$30 million just to reinvent the wheel.

Now, with respect to Comey, I think it is monumentally important to point out a piece of his testimony from 2017, before the House Intelligence Committee. Comey said the following:

. . . we had an open counterintelligence investigation on Mr. Flynn, and it had been open since the summertime, and we were very close to closing it. In fact, I had—I think I had authorized it to be closed at the end of December, beginning of January.

Now, Comey leaked his memos so that the public would know the President allegedly said to him that he

hoped Comey would let the whole Flynn thing go. That is what the hook was to getting a special counsel appointed.

Not once in Comey's memos did he mention that by the time that conversation occurred, he had already authorized the Flynn case to be closed. Don't you think that is a material fact that would put the proper context on his interactions with Trump?

Attorney General Barr is exactly right. What the FBI did to Flynn cannot be justified by any angle of review. What the FBI did is to flout the rules, the law, and the Constitution. Entrapment is unconstitutional.

That is where the outrage ought to be—not on the dismissal of the case but on facts that the case was brought in the first place and a good man's life was destroyed.

Mueller had all these facts. He had documents. He had the Brady material. He had the FBI notes and contradictory 302 summaries. He had the emails. He had all the information that showed Flynn was set up, targeted, and pressured to plead guilty in a secret side deal between the Mueller team and his former lawyers, only because he was running out of money and the government was coming after his son.

Flynn did what maybe a lot of people would do when your family is at stake. Flynn did what he did to save his family from financial ruin and his son from reputational ruin. He did what any father would do for his family.

If it can happen to Flynn, it can happen to you. It can happen to any American, and, in some ways, this also happened to a person named Carter Page and with the illegal surveillance on Carter Page.

You know, in this business of self-government and this business of constitutional safeguards, we still are in a constant battle between liberty and tyranny, and we have seen some tyranny in regard to Flynn. My fellow Americans, let's use the Russia investigation and all of its shortcomings to forever guard against the tyranny of the Federal Government.

On one last thing, people are constantly phoning our offices and wanting to know when all the people who did the injustice to Flynn are going to be prosecuted, because they think there are two standards of justice. You know, they announced yesterday that McCabe isn't going to be prosecuted. But Flynn was entrapped to be prosecuted, and how wrong that is. A lot of people want justice brought to the people who did the injustice, and I think they ought to be prosecuted.

But even more important than prosecuting him, it is about time that these facts get out so the public knows the injustice that is going on within our government, within the FBI, in the highest levels of the FBI.

We aren't finding fault with the people in the FBI who are doing what needs to be done to bring law and order to our country, but when we have these

unusual, illegal, unconstitutional, corrupt things that happened to Flynn, it ought to wake up the American people. It ought to wake up those of us in government to make sure it never happens again.

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. BOOZMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NATIONAL POLICE WEEK

Mr. BOOZMAN. Madam President, I rise today to recognize the National Police Week in honor of the men and women who serve and protect our communities. The individuals called to uphold the rule of law do so in times of crisis, and they serve their families, friends, and neighbors at a moment's notice. They are selfless public servants who courageously face danger head-on.

Law enforcement officers respond to calls for help while not knowing what challenges they will face. We are in a unique time right now and experiencing unprecedented challenges in our country. Law enforcement officers are working to protect citizens while also safeguarding themselves against the unseen enemy of COVID-19.

The disease has forced departments in Arkansas and all over the country to change protocols in order to prevent the spread of the disease, but that hasn't stopped the resolve, the determination, and the passion of officers to defend the community. Despite this new challenge, they continue to serve with the same level of professionalism and integrity.

We are working to provide departments and agencies with additional resources to safeguard these public safety officers. I am pleased the Department of Justice recently awarded Arkansas near \$7 million so we can better serve the safety needs of officers in the State and get them personal protective equipment—gloves, masks, and sanitizer—that they need in order to perform their job safely. This funding is vital as the calls for assistance keep coming and police officers continue to respond to these emergencies.

I want to thank our law enforcement officers for their bravery today and always. It takes a special person to put their life on the line every day to protect our communities. We are fortunate to have some of the very best in Arkansas.

National Police Week is a time that we honor the sacrifices of individuals who selflessly serve their community and give their lives, if necessary, while in the line of duty. We preserve their legacies by adding their names to the National Law Enforcement Officers Memorial in Washington, DC, to serve as a reminder of their sacrifices.

This year, the names of 307 fallen officers will be added to the memorial, including five Arkansans. The names of Game Warden Ollie Mitts, Deputy Sheriff George Rogers, Deputy Sheriff Ulyss Baldwin, Fayetteville Police Officer Stephen Carr, and Stone County Sergeant Michael Stephen, Sr. are new to the memorial. We will remember forever them as heroes.

I am a proud cosponsor of the Senate resolution marking National Police Week because we must always remember the brave officers whose lives were cut short because of their public duty and recognize those who continue to selflessly serve to keep us safe.

I am proud to honor the individuals who are called to serve and protect and will advocate for policies that provide our communities and officers with the resources they need to protect themselves.

Thank you to the officers in Arkansas and those all across the country for upholding the law, protecting the community, and saving lives.

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.

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

The PRESIDING OFFICER (Mr. BOOZMAN). Without objection, it is so ordered.

#### PROTECTING HUMAN RIGHTS DURING PANDEMIC ACT

Mrs. BLACKBURN. Mr. President, to all of my colleagues and to our staff here in the Chamber, those who are mothers, I hope they had a wonderful Mother's Day weekend, and it is a joy to return to work today. I will tell you, I am really blessed to have some of those moms. They are policy experts, and they are a part of my staff. I listen a lot to what they have to say.

Like with all of our staff, I admire their dedication and their focus—especially now and especially when it comes to discussing how this COVID crisis is affecting their children, how they are learning and how they are utilizing technology to communicate and practicing distance learning and hearing what schools are doing as they are all going through a learning curve. We are all going through a learning curve on how to utilize technology.

The thing that is so significant, as I talked to so many of these working moms and dads, what we realize and they realize and what they highlight with me is that embodied in this technology, we have a lot of dangers that exist and vulnerabilities that are being created to the privacy of our children.

Long before students were forced to attend classes via webcam, Congress began taking a hard look at how the companies providing digital classrooms were protecting what I term the "virtual you"—you and your presence online—how they were protecting that virtual you of underage users.

As it turns out, what we found in the work that we were doing—some of it I did while I was in the House, as chairman of the Subcommittee on Communications and Technology of Energy and Commerce, and some of that work I continued here. But back in 2015, as we started doing a deeper dive on what was happening with protecting privacy and presence online, the Electronic Frontier Foundation filed a complaint with the FTC against Google, alleging that their Google for Education platform was exploiting students' personal information and potentially exposing it to third parties.

Think about this. The Google for Education program—kids were logging on, and they were using this. Google—what were they doing? Data mining. What were they doing with what they were data mining, which is your information? They were then sharing that with third parties. And guess what. You didn't know. The parents didn't know, and the children didn't know. What we found out was that one wrong click, and any program administrator could expose a student's virtual you to potential outside websites. A 2017 report from the Electronic Frontier Foundation confirmed and expanded on these concerns. Even free products can come at the cost of student privacy.

Last month, Google donated 4,000 Chromebooks to students in rural California—4,000 Chromebooks. That sounds like a very generous donation, a way to help close that digital divide, a way to connect students to the internet, to open up the world and bring the world in to them. The problem is that this year, the State of New Mexico sued Google over a similar program, alleging that Google was using Chromebooks to track students. Well, how about that? Here you go. Here is a free Chromebook. Use it. But what happens? All of that research work you were doing via Google is being data-mined, tracked, and shared.

We need to be wary of these free programs because what we now know is that when it is free, you and your information and your child's information is tracked, it is data-mined, and it is shared. That means that you and your information are the product—the freebie, if you will. The Chromebook is simply the way, the mechanism to take your information from you and allow Google or Big Tech to have it, and then they sell it to somebody over here who is going to do what with it? Guess what. They are going to be marketing back to you. That data is a valuable resource, and what do they do once they have data-mined it? They are going to sell it to whoever is willing to pay the highest price so they can use it and market back to you and your kids something that they want you to buy. Now, that is what is happening.

I am sure everyone remembers the video platform Zoom. Many of us have probably used it in meetings even today. Zoom was thrust into the spotlight as we started this COVID crisis,

and after watchdogs uncovered not only a research and development presence in China but protocols that allowed data, including—now, I want you to listen to this. This is one of those buyer beware things—user beware. We are talking about Zoom. What was discovered was that Zoom allowed data, including screen captures and video—that means you on screen; you, your face, and video; what you are saying; the presentation you are making; the question you are asking—all of that to flow in and out of China.

Schools, corporations, and even Senate offices have all been forced to question this platform, to give up this platform and to find some other way to communicate. We know that many of our children are going to school in Zoom classrooms every day. In our churches, our choirs are singing on Zoom, and sermons are being delivered on Zoom.

The rise in mandatory use of technology by students prompted me, along with Senators MARKEY, HAWLEY, BLUMENTHAL, CASSIDY, and DURBIN, to ask the FTC to launch a major investigation into how these platforms are protecting student privacy. What we are wanting to know is, what are you doing to put that wall there so that the information of these underage users, these children, is not going to be shared? What are you doing to make certain that their faces, their images, their voices, and their questions are not going to be captured? Can you imagine anything more frightening than to think your child is sitting in a Zoom classroom, and this data is flowing to China, and somebody is capturing these images, and then that is going to be shared with somebody you don't know. You don't know what they are going to do with it, and you don't know why they want it, and you, as a parent, have chosen to completely stay off social media because you don't want that kind of intrusion into your child's life.

Don't you think that these corporations ought to figure this out, that this is an area of concern for moms and dads and grandmoms and granddads, to protect these children? Oh, but it doesn't matter to China, does it? All China is interested in is making a buck off the American consumer. They feel like, if you use our service, we have got that right. I think we need to be sending a message to them.

Both the education technology and the digital advertising industries are notoriously opaque about their privacy policies. I am joined by other members of the Judiciary Committee Tech Task Force in having conversations with many of these companies, and I will tell you, we have made some progress. I have been pleased with many of the companies' willingness to share with us some of these policies and to look for ways that we can protect unsuspecting consumers and our precious children.

Since the FTC is preparing to consider revisions to the Children's Online

Privacy Protection Act, COPPA, now is the perfect time. It is the necessary time for a deep dive into the data collection and processing practices of these firms.

You know what, sometimes we hear the phrase "Oh, let's do it for the children." "This is for the children." "We have to do this or that for the children." Let me tell you something right now: This is one of those things that are absolutely for the children, to protect them online so that Big Tech and some of these China-owned companies—and bear in mind, colleagues, if you are doing business in China and if you are a company in China, who are you owned by? Who do you answer to? You answer to the Chinese Communist Party. I will tell you right now, I do not want them to have images of our children, data on where they sit, where they go to school, and what their interests are.

These privacy policies have to be reviewed. We want to make absolutely sure that the FTC has all the facts they need to be certain we keep children safe online. Section 6 of the FTC Act empowers them to do this. I urge agency officials to make use of that authority. This is an imperative. The pandemic has shown us that it only takes a little disruption to prompt bad actors to take advantage of a situation.

Here in the U.S., even during a pandemic, we have the right to challenge laws that we feel are unjust. But in many places around the world, the pandemic has provided an opportunity for oppressive regimes to enact so-called emergency laws that restrict human rights without justification or oversight. China and Russia—two of the big offenders—have used the crisis to ramp up their use of surveillance to restrict privacy and freedom of movement. "We have to do it. We have a pandemic." That is what they say.

In Bolivia and the Philippines, government officials are using the pandemic as an excuse to silence their legislative bodies and punish critics. "Oh, leave it to us. We are going to be able to solve this. You don't need to weigh in." That is what they are saying.

In Cambodia, Venezuela, Belarus, Egypt, Turkey, South Africa, and many other countries, officials are following China's playbook and preventing the journalists from publishing news that contradicts official propaganda. "Don't bother with the truth. We are going to make up a version of the truth and then that is what we are going to tell people. Don't listen to anything else. Listen to us. We have truth coming at you. We are making it up as we go." That is what they are saying.

The way they are using surveillance to limit freedom and to craft a message is something that should frighten everyone. It is all happening under the guise of "combating COVID-19."

So last week, Senator MARKEY and I filed a bill that will help address these

abuses. I thank Senator MARKEY for the great work he does on human rights and also the work he and I did on the House on online privacy.

The Protecting Human Rights During Pandemic Act would require the State Department and the U.S. Agency for International Development—or USAID—to take actions to prevent human rights abuses in the name of coronavirus response. The bill authorizes funding through 2025 for programs that support human rights defense during and in the aftermath of harmful responses to the pandemic. Congress would receive strategic plans from the State Department and USAID detailing how those funds are being put to use, as well as regular reports on human rights violations perpetrated in the name of pandemic response.

The spread of COVID-19 has forced businesses, families, and governments to take extraordinary measures to protect human life. Some have proven effective; unfortunately, others are missing the mark. We still have much to do in terms of pandemic response, and we continue to work on it every day. But I encourage my colleagues not to let the severity of our situation distract from our responsibility to set an example for the rest of the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

NOMINATION OF BRIAN D. MONTGOMERY

Mr. CRAPO. Mr. President, I rise today to urge my colleagues to confirm Brian Montgomery as the next Deputy Secretary of the U.S. Department of Housing and Urban Development. Mr. Montgomery is among the most respected voices in the housing market, as well as one of the most experienced. His breadth of experience includes service as the head of the Federal Housing Administration—or FHA—during the Bush administration, the Obama administration, and the Trump administration.

Mr. Montgomery guided FHA through the 2008 financial crisis and has provided steadfast leadership at the FHA through the ongoing COVID-19 pandemic, arguably the two most turbulent times for the housing market in a generation.

Prior to the COVID-19 outbreak, he oversaw the return of FHA's insurance fund to its strongest financial position since fiscal year 2007, while continuing to provide affordable homeownership opportunities to tens of thousands of first-time homebuyers each year. Since the outbreak, he has worked to make sure that FHA performs its traditional countercyclical role of maintaining liquidity and credit access in the mortgage market where traditional sources of home financing may have dried up.

For over a year now, Mr. Montgomery has also served in the capacity of Acting Deputy Secretary at HUD, where he has managed the day-to-day operations of the Department under Secretary Ben Carson. Mr. Montgomery knows the Department inside

and out and has been intimately involved in carrying out HUD's mission to create strong, sustainable, inclusive communities and quality affordable housing opportunities for millions of Americans.

He has been described by the National Multifamily Housing Council as "a housing policy veteran with deep expertise and experience across a wide variety of policy areas." The National Association of Homebuilders has noted that "throughout his government and private sector career, Brian has proven himself to be both an expert in affordable housing policy, as well as an outstanding Federal agency administrator and communicator."

This confirmation vote comes at a critical time. In the wake of COVID-19, we have already seen a huge number of mortgage borrowers enter forbearance, while many landlords are struggling to make ends meet, and countless renters are unsure where their next rent payment will come from. Homeless shelters are at or near capacity and facing novel issues related to social distancing, and the homeless community, who may be particularly exposed to the risk of contracting COVID-19, is leaning on HUD for help.

HUD has a central role to play in addressing these challenges and more. The CARES Act acknowledges this important role, entrusting HUD with over \$12 billion in additional funding to provide immediate relief and to address emerging issues. Bold leadership is especially needed during this critical time for HUD, and Mr. Montgomery is a trusted voice who fits the mold perfectly.

Fifteen years ago, this body confirmed Mr. Montgomery on a voice vote to serve as FHA Commissioner. Two years ago, we confirmed him as FHA Commissioner, again, on a strong bipartisan vote of 74-23.

I support Brian Montgomery, and I urge my colleagues to join me today in voting "yes" on his nomination.

Thank you.

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

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

CLOTURE MOTION

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 nomination of Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development.

Mitch McConnell, Jerry Moran, James Lankford, John Barrasso, James E.

Risch, Steve Daines, David Perdue, Shelley Moore Capito, Tom Cotton, Cory Gardner, Marsha Blackburn, John Cornyn, Kevin Cramer, Tim Scott, Thom Tillis, Roger F. Wicker, Mike Crapo.

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 nomination of Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Florida (Mr. RUBIO), the Senator from Nebraska (Mr. SASSE), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea" and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 60, nays 29, as follows:

[Rollcall Vote No. 85 Ex.]

YEAS—60

Barrasso	Fischer	Murkowski
Bennet	Gardner	Murphy
Blackburn	Graham	Paul
Blunt	Grassley	Perdue
Boozman	Hawley	Portman
Braun	Hoeven	Risch
Burr	Hyde-Smith	Roberts
Capito	Inhofe	Romney
Carper	Johnson	Rounds
Cassidy	Jones	Scott (FL)
Collins	Kennedy	Scott (SC)
Coons	King	Shelby
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Loeffler	Tester
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Warner
Enzi	Menendez	Wicker
Ernst	Moran	Young

NAYS—29

Baldwin	Gillibrand	Schatz
Blumenthal	Harris	Schumer
Booker	Hassan	Shaheen
Brown	Heinrich	Smith
Cantwell	Hirono	Stabenow
Casey	Kaine	Udall
Cortez Masto	Klobuchar	Van Hollen
Duckworth	Peters	Warren
Durbin	Reed	Wyden
Feinstein	Rosen	

NOT VOTING—11

Alexander	Merkley	Sasse
Cardin	Murray	Toomey
Leahy	Rubio	Whitehouse
Markey	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 60, the nays are 29. The motion is agreed to.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

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 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. 19-74 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$2.3 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. 19-74

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 \* \$2.0 billion.  
Other \$3 billion.

Total \$2.3 billion.  
(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):  
Eighty-eight (88) T700-GE-701D Engines (86 remanufactured, 2 spares).

Forty-seven (47) AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAR-11 Modernized Pilot Night Vision Sensors (MTADS/PNVS) (43 remanufactured, 2 new, 2 spares)

Forty-five (45) AAR-57 Common Missile Warning Systems (CMWS) (43 new, 2 spares).

Ninety-two (92) Embedded Global Positioning Systems/Inertial Navigation (EGI) (86 new, 6 spares).

Non-MDE: Also included are AN/AVR-2B Laser Detecting Sets, AN/APX-119 transponders, Identify Friend or Foe (IFF), AN/APN-209 radar altimeters, AN/ARN-149 Automatic Direction Finders, UHF/VHF radio, tactical AN/ARC-201E radio, APR-39 Radar Warning Sets, Improved Data Modems IDM-401, Enhanced Image Intensifiers EI2, Hellfire launchers M299, 2.75 inch 19 tube rocket launchers, M230 automatic guns, M230 spare gun barrels, MT06 initiators, cartridge actuated JAU-59, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. government and contractor engineering, technical, and logistics support services, and other related elements of logistics support.

(iv) Military Department: Army (EG-B-VGC).

(v) Prior Related Cases, if any: EG-B-UTN, EG-B-UZR, EG-B-VGO, EG-B-VGJ, EG-B-VBT

(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 7, 2020.

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

POLICY JUSTIFICATION

Egypt—AH-64E Refurbished Apache Attack Helicopters and Related Equipment and Support

The Government of Egypt has requested to buy equipment to refurbish forty-three (43) AH-64E Apache attack helicopters. This includes: eighty-eight (88) T700-GE-701D engines (86 remanufactured, 2 spares); forty-seven (47) AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAR-11 Modernized Pilot Night Vision Sensors (MTADS/PNVS) (43 remanufactured, 2 new, 2 spares); forty-five (45) AAR-57 Common Missile Warning Systems (CMWS) (43 new, 2 spares); and ninety-two (92) Embedded Global Positioning System/Inertial Navigation Systems (EGI) (86 new, 6 spares). Also included are AN/AVR-2B Laser Detecting Sets, AN/APX-119 transponders, Identify Friend or Foe (IFF), AN/APN-209 radar altimeters, AN/ARN-149 Automatic Direction Finders, UHF/VHF radio, tactical AN/ARC-201E radio, APR-39 Radar Warning Sets, Improved Data Modems IDM-401, Enhanced Image Intensifiers EI2, Hellfire launchers M299, 2.75 inch 19 tube rocket launchers, M230 automatic guns, M230 spare gun barrels, MT06 initiators, cartridge actuated JAU-59, training devices, helmets, simulators, generators, transportation, wheeled vehicles and organization equipment, spare and repair parts, support equipment, tools and test equipment, technical data and publications, personnel training and training equipment, U.S. govern-

ment and contractor engineering, technical, and logistics support services, and other related elements of logistics support. The estimated total cost is \$2.3 billion.

This proposed sale will support 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.

Egypt intends to use these refurbished AH-64 helicopters to modernize its armed forces to address the shared U.S.-Egyptian interest in countering terrorist activities emanating from the Sinai Peninsula, which threaten Egyptian and Israeli security and undermine regional stability. This sale will contribute to Egypt's military goal to update its capability while further enhancing greater interoperability between Egypt, the U.S., and other allies. Egypt will have no difficulty sustaining these refurbished aircraft.

The proposed sale will not alter the basic military balance in the region.

The principal contractors involved in this program are the Boeing Company, Meza, AZ, and Lockheed Martin Corporation, Orlando, FL. 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 Egypt.

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

TRANSMITTAL NO. 19-74

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 highest classification of the AH-64 Apache Attack Helicopter AH-64 Apache helicopter is CONFIDENTIAL and the highest classification of data and information is SECRET. The AH-64 Apache 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 AN/ASQ-170 Modernized Target Acquisition and Designation Sight/AN/AAQ-11 Pilot Night Vision Sensor (MT ADS/PNVS) provides day, night, and limited adverse weather target information, as well as night navigation capabilities. The PNVS provides thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area, while TADS provides the co-pilot gunner with search, detection, recognition, and designation by means of Direct View Optics (DVO), EI(2) television, and Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations.

b. The AAR-57 Common Missile Warning System (CMWS) detects energy emitted by threat missiles in-flight, evaluates potential false alarm emitters in the environment, declares validity of threat and selects appropriate countermeasures. The CMWS consists of an Electronic Control Unit (ECU), Electro-Optic Missile Sensors (EOMSs), and Sequencer and Improved Countermeasures Dispenser (ICMD).

c. The AN/APR-39 Radar Signal Detecting Set is a system that provides warnings of radar-directed air defense threats and allows appropriate countermeasures. This is the 1553 databus-compatible configuration.

d. The AN/AVR-2B Laser Warning Set is a passive laser warning system that receives,