

in on whether the use of the filibuster on a Supreme Court nominee makes you a hero or makes you a bum.

Should we not consider a strategy by which, on ordinary issues of policy, the filibuster is restricted to final passage of a bill rather than having obstruction with each amendment and obstruction with the motion to proceed to a bill, so that we can spend our time debating bills rather than debating whether to debate bills? And what goes hand in hand with moving the filibuster only to final passage is a clear way for amendments to be offered by Members on both sides of the aisle that are relevant to a bill, that are germane to a bill. If we have the ability to clearly debate amendments, we will be closer to being a deliberative body and therefore maybe even the possibility of becoming a great deliberative body or even the world's greatest deliberative body once again. But when we are paralyzed and unable to get bills to the floor or when they are on the floor but we are unable to propose amendments, we won't be there. These two things go hand in hand.

These are all ideas I advocated for when I was in the majority. Today I stand here in the minority arguing for these same fundamental changes. They will strengthen the success of this body for the majority and the minority and strengthen our ability to work together to produce legislation that addresses the big issues facing this Nation.

Let's be clear. There is no mandate for the Trump agenda, no mandate for dismantling health care for millions of Americans. There is no mandate for increasing air and water pollution, no mandate for tax giveaways to the richest Americans, no mandate for increasing the disparity in compensation between ordinary workers and the best off, the most powerful, and the most privileged.

We will indeed, as our Democratic leader noted, hold the President-elect accountable. The President-elect said, "I am going to drain the swamp," but he has proposed turning the economy over to Goldman Sachs, to the banking world, and he has proposed turning over our foreign policy to Exxon, the fossil fuel world. That is the opposite of draining the swamp. We will hold the President-elect accountable.

The President-elect said he was going to fight for working people. Well, proposing a Secretary of Labor who is against working people getting fair compensation is inconsistent, to say the least, with a pledge to fight for working people. We will hold the President-elect accountable.

There is much work to be done, but if we hold as our North Star the vision that we are here as a legislative body to fight for the vision of "we the people," policies that lift up all Americans, give an opportunity for every American to thrive, then perhaps we will find a course in which we can work together in a bipartisan fashion to make America greater and greater.

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

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

#### ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-40, concerning the Department of the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$37 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,

J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 16-40

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: Kuwait  
(ii) Total Estimated Value:  
Major Defense Equipment \* \$36 million.  
Other \$1 million.  
Total \$37 million.

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

Major Defense Equipment (MDE):  
Two hundred and fifty (250) Joint Direct Attack Munition (JDAM). Tail Kits for 500-pound bombs

Two hundred and fifty (250) JDAM Tail Kits for 1,000-pound bombs

Two hundred and fifty (250) JDAM Tail Kits for 2,000-pound bombs

Non-MDE includes: Two (2) 500-pound and two (2) 2,000-pound load Build Trainers,

spares, support equipment, repair and return, and other associated logistical support.

(iv) Military Department: Air Force, KU-D-YAC (A3).

(v) Prior Related Cases if any: KU-D-YAB (A2), 15 Jun 2015 (\$7.6M).

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

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

(viii) Date Report Delivered to Congress: December 20, 2016.

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

#### POLICY JUSTIFICATION

Kuwait—Joint Direct Attack Munition (JDAM) Tail Kits

The Government of Kuwait has requested a possible total sale of seven hundred and fifty (750) JDAM Tail Kits (two hundred and fifty (250) for 500-pound bombs, two hundred and fifty (250) kits for 1,000-pound bombs, and two hundred and fifty (250) kits for 2,000-pound bombs). Sale also includes two (2) 500-pounds and two (2) 2,000-pounds JDAM Load Build Trainers spares, support equipment, repair and return, and other associated logistical support. The estimated cost is \$37 million.

This proposed sale contributes to the foreign policy and national security of the United States by improving the security of a Major Non-NATO Ally which continues to be an important force for political stability and economic progress in the Middle East. Kuwait plays a large role in U.S. efforts to advance stability in the Middle East, providing basing, access, and transit for U.S. forces in the region.

This proposed sale improves Kuwait's capability to deter regional threats and strengthens its homeland defense. Kuwait will be able to absorb this additional equipment and support into its armed forces.

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

The proposed sale does not require the assignment of any additional U.S. Government or contractor representatives to Kuwait.

The sole-source contractor is the original equipment manufacturer, Boeing, Chicago, Illinois. There are no known offset agreements proposed in connection with this potential sale.

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

TRANSMITTAL NO. 16-40

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. Joint Direct Attack Munition (JDAM) is a guidance tail kit that converts unguided free-fall bombs into accurate, adverse weather "smart" munitions. With the addition of a new tail section that contains an inertial navigational system and a global positioning system guidance control unit, JDAM improves the accuracy of unguided, general-purpose bombs in any weather condition. JDAM can be launched from very low to very high altitudes in a dive, toss and loft, or in straight and level flight with an on-axis or off-axis delivery. JDAM enables multiple weapons to be directed against single or multiple targets on a single pass. The JDAM All Up Round and all of its components are UNCLASSIFIED; technical data for JDAM is classified up to SECRET.

2. If a technologically advanced adversary obtains knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or

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

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. The benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-57, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Norway for defense articles and services estimated to cost \$1.75 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,

J.W. RIXEY,  
Vice Admiral, *USN, Director.*

Enclosures.

TRANSMITTAL NO. 16-57

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 Norway.

(ii) Total Estimated Value:

Major Defense Equipment \* \$1.40 billion.

Other \$ .35 billion.

Total \$1.75 billion.

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

Major Defense Equipment (MDE):

Five (5) P-8A Patrol Aircraft, each includes: Commercial Engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IO) MX-20HD, AN/AAQ-2(V)1 Acoustic System, AN/APY-10 Radar, ALQ-240 Electronic Support Measures

Eleven (11) Multifunctional Distribution System Joint Tactical Radio Systems (MIDS JTRS)

Eight (8) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N

Eight (8) System Processors for AN/AAQ-24(V)N

Forty-two (42) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N

Fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs)

Two thousand (2,000) AN/SSQ-125 Multi-Static Active Coherent (MAC) Source Sonobuoys

Non-MDE includes:

Spare engine, support equipment, operational support systems for Tactical Operations Center and Mobile Tactical Operations Center (ToC/MTOC), training, maintenance trainer/classrooms, publications, software, engineering and logistics technical assistance, Foreign Liaison Officer support, contractor engineering technical services, repair and return, transportation, aircraft ferry, and other associated training and support.

(iv) Military Department: Navy (SAN).

(v) Prior Related Cases, if any: This would be Norway's fast purchase of the P-8A Patrol

Aircraft. Norway has one related P-8A case, NO-P-GEN, which provides P-8A study and technical analysis support.

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

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

(viii) Date Report Delivered to Congress: December 20, 2016.

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

POLICY JUSTIFICATION

Norway—P-8A Aircraft and Associated Support

Norway has requested a possible sale of up to five (5) P-8A Patrol Aircraft, each includes: Commercial Engines, Tactical Open Mission Software (TOMS), Electro-Optical (EO) and Infrared (IO) MX-20HD, AN/AAQ-2(V)1 Acoustic System, AN/APY-10 Radar, ALQ-240 Electronic Support Measures. Also included are eleven (11) Multifunctional Distribution System Joint Tactical Radio Systems (MIDS JTRS); eight (8) Guardian Laser Transmitter Assemblies (GLTA) for the AN/AAQ-24(V)N; eight (8) System Processors for AN/AAQ-24(V)N; forty-two (42) AN/AAR-54 Missile Warning Sensors for the AN/AAQ-24(V)N; fourteen (14) LN-251 with Embedded Global Positioning Systems (GPS)/Inertial Navigation Systems (EGIs); and two thousand (2,000) AN/SSQ-125 Multi-Static Active Coherent (MAC) Source Sonobuoys; spares; spare engine; support equipment; operational support systems; training; maintenance trainer/classrooms; publications; software; engineering and logistics technical assistance; Foreign Liaison Officer support; contractor engineering technical services; repair and return; transportation; aircraft ferry; and other associated training and support. The total estimated program cost is \$1.75 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a NATO ally which has been, and continues to be, an important force for political stability throughout the world. The proposed sale will allow Norway to maintain its Maritime Patrol Aircraft (MPA) capability following retirement of its P-3C MPA. This sale will strengthen collective NATO defense and enhance Norway's regional and global allied contributions.

Norway has procured and operated U.S. produced P-3 Orion MPAs for over 40 years, providing critical capabilities to NATO and coalition maritime operations. Norway has maintained a close MPA acquisition and sustainment relationship with the U.S. Navy over this period. The proposed sale will allow Norway to recapitalize, modernize, and sustain its MPA capability for the next 30 years. As a long-time P-3 operator, Norway will have no difficulty transitioning its MPA force to the P-8A and absorbing these aircraft into its armed forces.

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

The prime contractor involved in this sale is The Boeing Company, Seattle, WA. Additional contractors include: Air Cruisers Co, LLC; Arnprior Aerospace, Canada; AVOX Zodiac Aerospace; BAE; Canadian Commercial Corporation (CCC)/EMS; Compass David Clark; DLS/ViaSat, Carlsbad, CA; DRIS; Exelis, McLean, VA; GC Micro, Petaluma, CA; General Electric, UK; Harris; Joint Electronics; Marlin Baker; Northrop Grumman Corp, Falls Church, VA; Pole Zero, Cincinnati, OH; Raytheon, Waltham, MA; Raytheon, UK; Rockwell Collins, Cedar Rapids, IA; Spirit Aero, Wichita, KS; Symmetries Telephonics, Farmingdale, NY; Terma,

Arlington, VA; Viking; and WESCAM. Norway does require an offset agreement.

Any offset agreement will be defined in negotiations between the purchaser and the prime contractor.

Implementation of the proposed sale will require approximately five (5) contractor personnel to support the program in Norway.

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

TRANSMITTAL NO. 16-57

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The P-8A aircraft is a militarized version of the Boeing 737-800 Next Generation (NG) commercial aircraft. The P-8A is replacing the P-3C as the Navy's long-range antisubmarine warfare (ASW), anti-surface warfare (ASuW), intelligence, surveillance and reconnaissance (ISR) aircraft capable of broad-area, maritime, and littoral operations. The overall highest classification of the P-8A weapon system is SECRET. The P-8A mission systems hardware is largely unclassified, while individual software elements (mission systems, acoustics, ESM, etc.) are classified up to SECRET.

2. P-8A mission systems include:

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

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

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

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

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

f. Electronic Warfare Self Protection (EWSP). The aircraft EWSP consists of the ALQ-213 Electronic Warfare Management System (EWMS), ALE-47 Countermeasures Dispensing System (CMDS), and the AN/AAQ-24 Directional Infrared Countermeasure (DIRCM)/AAR-54 Missile Warning Sensors (MWS). The EWSP includes threat information.

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

4. A determination has been made that the recipient government can provide substantially the same degree of protection, for the

technology being released as the U.S. Government Support of the P-8A Patrol Aircraft to the Government of the Norway is necessary in the furtherance of U.S. foreign policy and national security objectives.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-71, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Philippines for defense articles and services estimated to cost \$25 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,

J.W. RIXEY,  
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 16-71

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 the Philippines

(ii) Total Estimated Value:

Major Defense Equipment\* \$20 million.

Other \$5 million.

TOTAL \$25 million.

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

Major Defense Equipment (MDE):

Two (2) AN/SPS-77 Sea Giraffe 3D Air Search Radars.

Non-Major Defense Equipment (MDE): Support services, including installation services, operator training, system operational testing, and documentation.

(iv) Military Department: Navy (LFK).

(v) Prior Related Cases, if any:

PI-P-SBV—\$4.7M, Excess Defense Article (EDA) transfer of ex-USCG cutter Hamilton, now PF-15, BRP Gregorio Del Pilar.

PI-P-SBW—\$15.1M, EDA transfer of ex-USCG cutter Dallas, PF-16, now BRP Ramon Alcaraz.

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

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

(viii) Date Report Delivered to Congress: December 12, 2016.

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

POLICY JUSTIFICATION

The Philippines—AN/SPS-77 Sea Giraffe 3D Air Search Radars

The Government of the Philippines has requested a possible sale of two (2) AN/SPS-77 Sea Giraffe 3D Air Search Radars, support services, including installation services, operator training, system operational testing, and documentation. The total estimated program cost is \$25 million.

The Philippines seeks to increase its Maritime Domain Awareness (MDA) capabilities in order to improve monitoring of its vast territorial seas and Exclusive Economic Zones (EEZ). An effective Philippine MDA capability strengthens its self-defense capabilities and supports regional stability and

U.S. national interests. This sale is consistent with U.S. regional objectives and will further enhance interoperability with the U.S. Navy, build upon a longstanding cooperative effort with the United States, and provide an enhanced capability with a valued partner in a geographic region of critical importance to the U.S. government.

The AN/SPS-77 Air Search Radars will be used to provide an enhanced ability to detect and track air contacts. The radars will be installed on two Hamilton-class cutters acquired through the Excess Defense Articles (EDA) program. The Philippines will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be VSE and Saab. 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 U.S. or contractor representatives to the Philippines. U.S. contractors, under U.S. government oversight, will be in the Philippines for installation and associated support of this new radar on these Philippine Navy ships.

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

TRANSMITTAL NO. 16-71

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. A completely assembled AN/SPS-77 radar, which is a commercial product that is outfitted on USN LCS class ships, will be tailored for release to the Philippine Navy under this program. The operating characteristics and capability of this system as it will be delivered to the Philippines Navy will be UNCLASSIFIED.

2. AN/SPS-77 operation and maintenance documentation, software, and support is UNCLASSIFIED.

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

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

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-66, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the Government of Kuwait for defense articles and services estimated to cost \$1.7 billion. After this letter is delivered to your office, we plan to issue a news re-

lease to notify the public of this proposed sale.

Sincerely,

JAMES WORM,  
Acting Deputy Director.  
(For J.W. Rixey, Vice Admiral, USN,  
Director).

Enclosures.

TRANSMITTAL NO. 16-66

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

(i) Prospective Purchaser: Government of Kuwait.

(ii) Total Estimated Value:

Major Defense Equipment \$ .04 billion.

Other \$1.66 billion.

Total \$1.70 billion.

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

Major Defense Equipment (MDE):

Two hundred and forty

(240) .50 Cal M2A1 Machine Guns.

Four hundred and eighty

(480) 7.62mm M240 Machine Guns.

Two hundred and forty

(240) AN/VRC-92E SINGARS Radios.

One thousand and eight five (1,085) AN/PVS-7B Night Vision Goggles.

Non-MDE includes:

Incorporation of cooling system/thermal management systems; Common Remotely Operated Weapons Station (CROWS) II—Low Profile Stabilized Weapon Stations; special armor; 120mm gun tubes; 2nd generation Forward Looking Infrared (FLIR) sights; embedded diagnostics; gunner's primary sights; Counter Sniper and Anti-Materiel Mount (CSAMM) hardware; upgrade/maintenance of engines and transmissions; depot level support; training devices; 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 (UXA)

(v) Prior Related Cases, if any:

FMS Case KU-B-JAT (9 July 1993, \$1.9 billion).

FMS Case KU-B-UKO (20 July 2001, \$44.3 million).

FMS Case KU-B-UKN (23 July 2001, \$42 million).

FMS Case KU-B-ULB (19 May 2006, \$36.8 million).

FMS Case KU-B-ULX (20 July 2011, \$34.8 million).

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

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

(viii) Date Report Delivered to Congress: December 12, 2016.

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

POLICY JUSTIFICATION

Government of Kuwait—Recapitalization of 218 M1A2 Tanks and Related Equipment and Support

The Government of Kuwait has requested a possible sale in support of its recapitalization of 218 M1A2 tanks, to include two hundred and forty (240) .50 Cal M2A1 machine guns; four hundred and eighty (480) 7.62mm M240 machine guns; two hundred and forty (240) AN/VRC-92E SINGARS radios; and one thousand and eight five (1,085) AN/PVS-7B Night Vision Goggles. Also included is the incorporation of cooling system/thermal management systems; Common Remotely Operated Weapons Station (CROWS) II—Low Profile Stabilized Weapon Stations; special

armor; 120mm gun tubes; 2nd generation Forward Looking Infrared (FLIR) sights; embedded diagnostics; gunner's primary sights; Counter Sniper and Anti-Materiel Mount (CSAMM) hardware; upgrade/maintenance of engines and transmissions; depot level support; training devices; 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. Total estimated program cost is \$1.7 billion.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country which has been and continues to be an important force for political stability and economic progress in the Middle East.

Kuwait intends to use this equipment to recapitalize its fleet of M1A2 full track tanks in order to modernize and extend the service of the tanks. Kuwait will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractors involved in this program are: General Dynamics Land Systems, Sterling Heights, MI; Joint Services Manufacturing Center (JSMC), Lima, OH; Kongsberg Defense Systems, Alexandria, VA, and Johnstown, PA; Raytheon, McKinney, TX; Meggitt Defense Systems, Irvine, CA; Palomar, Carlsbad, CA; Northrop Grumman, West Falls Church, VA; DRS Technologies, Arlington, VA; Lockheed Martin, Bethesda, MD; Honeywell, Morristown, NJ; Miltope, Hope Hull, AL. There are no known offset agreements proposed in connect with this potential sale.

Implementation of this proposed sale is estimated to require five to seven contractors and twenty-five to thirty U.S. Government representatives to Kuwait.

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

#### TRANSMITTAL NO. 16-66

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. Components considered to contain sensitive technology in the proposed sale are as follows:

a. M1A2 Thermal Imaging System (TIS)—The TIS constitutes a target acquisition system which, when operated with other tank systems gives the tank crew a substantial advantage over the potential threat. The TIS provides the crew with the ability to effectively aim and fire the tank main armament system under a broad range of adverse battlefield conditions. The hardware itself is UNCLASSIFIED. The engineering design and manufacturing data associated with the detector and infrared (IR) optics and coatings are considered sensitive. The technical data package is UNCLASSIFIED with the exception of the specifications for target acquisition range which is CONFIDENTIAL and hardening data is classified up to SECRET. The consequences of such compromise would increase potential enemy capabilities to neutralize effectiveness of the tank main armament system by denying the crew ability to acquire targets.

b. Special Armor—Major components of special armor are fabricated in sealed modules and in serialized removable subassemblies. Special armor vulnerability data for both chemical and kinetic energy rounds are

classified SECRET. Engineering design and manufacturing data related to special armor are also classified SECRET. The consequences of such compromise of classified information would be the capability to neutralize or defeat the armor. The sale or transfer of armor modules are done on a government-to-government basis. This serves to minimize, but not eliminate, the danger of compromise.

c. 120mm Gun—the gun is composed of a 120mm smoothbore gun (cannon) manufactured at Watervliet Arsenal; "long rod" APFSDS warheads; and combustible cartridge case ammunition. There may be a need to procure/produce new gun cannon tubes from Watervliet Arsenal. New cannons inducted at Anniston Army Depot would be inspected according to established criteria and shipped to Lima Army Tank Plant for tank upgrade process. Gun production and technology are generally known. Disclosure of gun production and technology specific to the 120mm (advance materials and tolerances) would degrade the advantage.

d. AGT-1500 Gas Turbine Propulsion System—The use of a gas turbine propulsion system in the M1A2 is a unique application of armored vehicle power pack technology. The hardware is composed of the AGT-1500 engine and transmission and is not UNCLASSIFIED. Manufacturing processes associated with the production of turbine blades, recuperator, bearings and shafts, and hydrostatic pump and motor are proprietary and therefore commercially competition sensitive. Unauthorized release and exploitation of sensitive propulsion information would adversely impact U.S. commercial interests. Acquisition of production data by a potential enemy could enhance its ability to design and produce gas turbine engine propulsion system with application to land vehicles.

e. Compartmentation—A major survivability feature of the M1 tank is the compartmentation of fuel and ammunition. Compartmentation is the positive separation of the crew and critical components from combustible materials such that in the event that the fuel or ammunition is ignited or deteriorated by an incoming threat round, the crew is fully protected. Sensitive information includes the performance of the ammunition compartments as well as the compartment design parameters. The design of the compartments cannot be protected, however the guidelines, parametric inductions and test data used to develop the compartments do not have to be disclosed to permit a sale.

f. Common Remotely Operated Weapons Station—Low Profile (CROWS-LP)—The CROWS-LP (M153A2E1) is a commanders' weapon station. It allows for under armor operation of weapons—M2HB, M2A1, M250B, and M240. The CROWS-LP is an updated version of the M153A2 CROWS that is approximately 10 inches shorter; the CROWS-LP M153A2E1 increases visibility over the weapon station. The fire control system of the CROWS-LP allows the "first-burst" on target capability from stationary and moving platforms. The CROWS-LP ingratiate a day camera (VIM-C), thermal camera (TIM 1500), and laser range finder (STORM/STORM-PD). Engineering design and manufacturing data would provide potential enemy with the means to increase small arms fire control from under armor. The consequences of this would be improved enemy equipment in the field and decrease technological fire control advantages.

2. The M1 tank will include the following communications suite: Defense Advanced Global Positioning System (GPS) Receiver (DAGR); AN/VAS-5 Driver's Vision Enhancer (DVE) and Rear View Sensor System (RVSS); and Single Channel Ground and Airborne Radio System (SINCGARS).

a. Defense Advanced Global Positioning System (GPS) Receiver (DAGR)—DAGR is a lightweight (less than two pounds) hand-held or host platform-mounted, dual frequency, Selective Availability Anti-Spoofing Module (SAASM) based, Precise Positioning Service (PPS) device. The DAGR provides real-time positioning, velocity (ground speed), navigation, and timing (PVNT) information, in standalone (dismounted) and mounted (ground facilities, sea, air, and land vehicles) configurations. The DAGR can support missions involving land-based war-fighting and non-war fighting operations. The DAGR can also be used as a secondary or supplemental aid to aviation-based missions which involve operations in low-dynamic aircraft, and as an aid to navigation in water-borne operations. DAGR AN/PSN-13(A) is fitted with the Selective Availability Anti-Spoofing Module (SAASM) 3.7 and can accept cryptographic keys for increased PVNT accuracy and protection from intentional false or spoofed satellite signals. The AN/PSN-13(A) DAGR does not output classified information. If a technology advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to identify ways of countering the detection capabilities of the DAGR or improve the performance of their GPS receivers; however, information available for the SAASM would not be obtainable. SAASM is a tamper-resistant security module. The remaining hardware used in the DAGR is considered mature and available in other industrial nation's comparable performance thresholds.

b. Drivers Vision Enhancer (DVE) AN/VAS-5 and Rear View Sensor System (RVSS)—The AN/VAS-5 and RVSS are un-cooled thermal imaging systems developed for use while driving Combat Vehicles and Tactical Wheeled Vehicles. DVE and RVSS allow for tactical vehicle movement in support of operational missions in all environment conditions (day/night and all weather) and provides enhanced driving capability during limited visibility conditions (darkness, smoke, dust, fog, etc.). The DVE program provides night vision targeting capabilities for armored vehicles and long-range night vision reconnaissance capability to the warfighter. Engineering design and manufacturing data would provide a potential enemy with the means to upgrade the quality of efficiency of thermal devices production. The consequences of this would be improved enemy equipment of the field. Technical information regarding DVE and RVSS, including UNCLASSIFIED information, should generally not be considered for release.

The highest level of information that must be disclosed for production, operation or sale of the end item is UNCLASSIFIED/FOR OFFICIAL USE ONLY.

c. Single Channel Ground and Airborne Radio System (SINCGARS)—The AN/VRC-92E and RT-1702 SINCGARS provides war-fighting commanders and troops with a highly reliable, secure, easily maintained Combat Net Radio (CNR) that has both voice and data handling capability in support of command and control operations. SINCGARS, with the Internet Controller, provides the communications link for the digitized force. SINCGARS is a radio fielded to tactical field elements. It facilitates the transmission of voice and/or data information, which allows for the conducting of a myriad of missions across the operational continuum. SINCGARS is available for the dismounted soldier, ground and aviation platforms. Training will vary for the radio (RT-1702) and spare and repair parts for the RT-1702 model are not supported by the Standard Army Supply Systems. There is sensitive or restricted information contained in the AN/

VRC-92E or software. There would be adverse consequences of the AN/VRC-92E and software were to be lost to a technically advanced adversary. If a technology advances adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to identify ways of countering the Electronic Counter-Counter Measures (ECCM). The hardware used in the AN/VRC-92E and RT-1702 is considered mature.

3. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

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

#### REMEMBERING HUBERT PRICE, JR.

Mr. PETERS. Mr. President, today I wish to recognize community activist and former Michigan State representative Hubert Price, Jr., of Pontiac, MI.

Mr. Price was born on September 28, 1946, to parents Ruth and Hubert Price, Sr. He was a lifelong resident of the city of Pontiac, graduating from Pontiac Central High School in 1964 and going on to attend Michigan State University. He became actively involved in his community and civil rights at a young age.

During a time when many of this country's citizens suffered through institutionalized practices of segregation, Pontiac was not immune. African-American residents were relegated to the southern side of the city, as they were restricted from obtaining housing on the northern side. Mr. Price was instrumental in the push for open housing ordinances, which would create opportunities for all residents.

As the National Democratic County Officials' president, Mr. Price spoke at the 1992 Democratic National Convention, DNC, which was held at Madison Square Garden in New York City. He expounded upon the government's role in safeguarding the rights and protections that are due to all citizens. In addition to his DNC address, he also served as a moderator for a panel on public sector employment programs.

As State representative from 1994 to 2000, Mr. Price diligently served the 43rd district of Michigan. He was the minority vice chair of the appropriations committee. He also was vice chair of the following subcommittees: higher education, family, independence agency, and supplementals.

Improving the lives of youth in the community was of the utmost importance to Mr. Price. When he led the celebration of Pontiac's 150th birthday, Mr. Price commemorated the celebration by creating the sesquicentennial motto: "To honor the past, recognize the present and build the future." Building that future included encouraging and providing youth with opportunities to grow within the commu-

nity. As a county commissioner, Mr. Price secured summer jobs for Pontiac youth and minorities in Oakland County. After his service as a county commissioner, he continued to dedicate himself to youth development. In 2012, he participated in Oakland Community College's Symposium on Good Governance, Leadership & Community Engagement, where he discussed his experiences in leadership.

Mr. Price was known for his gregarious personality and could answer practically any question regarding the city of Pontiac's history. Even in his retirement, Mr. Price continued to be actively engaged in the community. He most recently served as a member of the master plan steering committee from 2013 to 2014 and was part of the group that helped prepare the 2014 Pontiac Master Plan Update. In 2015, he joined the Oakland County sheriff's efforts to ease tensions between Pontiac residents and the Oakland County Sheriff's Office. He, along with 25 other community leaders, formed the sheriff's relations team, which helped open lines of communication in the community.

Mr. Price is survived by his wife of 40 years, Carolyn, his children, grandchildren, and many relatives and friends.

I cannot express enough the impact Mr. Hubert Price, Jr., had on the city of Pontiac and the State of Michigan. He was truly a treasure to our community and was influential locally and nationally. His passion, knowledge, and leadership will be missed. He served the city of Pontiac with his whole heart and relentlessly followed his vision for a better tomorrow. It is my hope that his spirit of advocacy continues to live on and his tremendous legacy inspires the next generation of leaders to make a difference in their communities.

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT, 114TH CONGRESS

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 13, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bills:

S. 546. An act to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 612. An act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

S. 1635. An act to authorize the Department of State for fiscal year 2016, and for other purposes.

S. 2854. An act to reauthorize the Emmett Till Unsolved Civil Rights Crime Act of 2007.

S. 2943. An act to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 2971. An act to authorize the National Urban Search and Rescue Response System.

H.R. 960. An act to designate the Department of Veterans Affairs community-based outpatient clinic in Newark, Ohio, as the Daniel L. Kinnard VA Clinic.

H.R. 3218. An act to designate the facility of the United States Postal Service located at 1221 State Street, Suite 12, Santa Barbara, California, as the "Special Warfare Operator Master Chief Petty Officer (SEAL) Louis 'Lou' J. Langlais Post Office Building".

H.R. 4618. An act to designate the Federal building and United States courthouse located at 121 Spring Street SE in Gainesville, Georgia, as the "Sidney Oslin Smith, Jr. Federal Building and United States Courthouse".

H.R. 4887. An act to designate the facility of the United States Postal Service located at 23323 Shelby Road in Shelby, Indiana, as the "Richard Allen Cable Post Office".

H.R. 5676. An act to designate the facility of the United States Postal Service located at 6300 N. Northwest Highway in Chicago, Illinois, as the "Officer Joseph P. Cali Post Office Building".

H.R. 5687. An act to eliminate or modify certain mandates of the Government Accountability Office.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on December 14, 2016, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2015, the Secretary of the Senate, on December 13, 2016, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mrs. COMSTOCK) had signed the following enrolled bills:

H.R. 875. An act to provide for alternative financing arrangements for the provision of certain services and the construction and maintenance of infrastructure at land border ports of entry, and for other purposes.

H.R. 4465. An act to decrease the deficit by consolidating and selling Federal buildings and other civilian real property, and for other purposes.

H.R. 4680. An act to prepare the National Park Service for its Centennial in 2016 and for a second century of promoting and protecting the natural, historic, and cultural resources of our National Parks for the enjoyment of present and future generations, and for other purposes.

H.R. 5065. An act to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water, and juice on airplanes, and for other purposes.

H.R. 5150. An act to designate the facility of the United States Postal Service located