

old . . . Cannon, was broken up . . . just short of physical violence," noted the Washington Post on August 19, 1950.

While meeting in conference, Senator McKellar had sharply commented on Cannon's personality, using language peppered with words such as blind, stupid, and pig-headed.

Infuriated, Cannon sprang from his chair, rushed towards McKellar, and shouted, "I've taken all I'm going to [take]." Startled but defiant, McKellar snatched the gavel and tried to rap it on Cannon's head.

"In the nick of time," the Post reported, a staff member "grabbed Cannon" and "two senators seized the gavel from McKellar."

Peace was restored . . . for the moment.

A decade later, another chairman of the Appropriations Committee—Senator Carl Hayden of Arizona—fought so bitterly with old Clarence Cannon that the two houses of Congress had to establish neutral ground.

Like McKellar, Hayden was an old hand at appropriations. With 50 years of congressional service behind him, his skillful management of spending bills had earned him the label, "the third senator from every state."

But Hayden's notable length of service had not prepared him for Clarence Cannon. In the House since 1923, Cannon knew his way around bicameral disputes.

This was a battle of the titans on Capitol Hill.

"Government agencies are frantically going broke," wrote a reporter in June of 1962, just because two members of Congress "keep yelling at each other."

For months, Cannon and Hayden had delayed action on legislation while they argued over seemingly petty issues.

The press dubbed it the "Battle of the Octogenarians," but underlying this crisis was a dispute as old as Congress itself.

Was the Senate truly the "upper house"?

Fueling the argument was a long-simmering House resentment of the Senate's general air of superiority, an attitude which had resulted in some rather high-handed practices.

For example, for nearly two centuries, all conference committees had been chaired by senators, and such meetings had always been held on the Senate side of the Capitol.

In 1962, the House decided to challenge this old custom of senatorial privilege. Leading the charge was Appropriations Chairman Clarence Cannon.

Defending the Senate's prerogatives—Carl Hayden.

Cannon informed Hayden that he refused to make the trek to the Senate side of the Hill for conference meetings. From now on, he insisted, senators had to walk to the House side—at least half of the time! Furthermore, he demanded that he be allowed to chair half of the conferences.

Hayden countered. In that case, he insisted, the Senate would initiate half of all appropriations bills.

The resulting stalemate lasted for months. Meeting after meeting produced no agreement. The appropriations process remained stalled well past the end of the fiscal year, while government agencies scrambled for funds.

Finally, Carl Hayden called for a truce. He suggested a special meeting to be held on neutral ground and turned to Senate Majority Leader Mike Mansfield for a solution.

Needless to say, Mansfield was anxious to end the battle. He searched for a proper meeting space. Finally, he opened EF-100, a small room located off the crypt, in the exact center of the Capitol.

"I even agreed to have it surveyed," Mansfield explained, "so that the conference table would not be so much as an eighth of an inch more on one side than the other."

Presented with this option, Chairman Cannon agreed to meet in conference, but stood firm in his demands to co-chair meetings.

To end the crisis, and probably urged on by Mansfield, Carl Hayden relented. The Senate sacrificed a few of its cherished privileges, and government operations returned to normal.

Pundits dismissed the battle as a tempest in a teapot, but more astute observers recognized that this high-profile battle was another chapter in an on-going struggle over the shared constitutional powers of the Senate and the House.

Finally, this evening I would like to highlight an important but mostly forgotten milestone in this committee's history.

Since 1867, about 300 senators have served on the committee. Of those 300, a mere dozen have been women. The first woman to serve was, of course, Margaret Chase Smith of Maine, who joined the committee in 1953.

As you all know, in 2012, Senator Barbara Mikulski—the second woman to serve on the committee—became the first woman to chair it.

Those are both major milestones in Senate history.

Here's one more.

Way back in 1911, a woman served as chief clerk to the Senate Appropriations Committee.

Her name was Leona Wells. She joined the Senate's clerical staff in 1901 and remained on the payroll for 25 years. I believe her to be the first woman to hold a top committee position in the Senate.

Born in Illinois in 1877, Wells moved to Wyoming when she turned 21, because this young suffragist could cast a vote in Wyoming. There she met Senator Francis E. Warren, whose patronage brought her to Washington.

As chair of the Military Affairs Committee, Senator Warren appointed Wells to the committee's clerical staff. When he became chairman of Appropriations in 1911, he brought Wells with him, giving her the position of chief clerk—although it appears that the Senate never officially gave her that title.

At the time, Leona Wells was unusual—a well-paid professional woman on Capitol Hill. In fact, she was so unusual that she attracted media attention.

Leona Wells "is probably the most envied woman in government service," reported the Boston Globe in an article titled "Uncle Sam's Highest Salaried Woman."

Not only did she earn a good salary, the Globe noted, but she is "the first woman employee of the Senate to be placed in charge of the affairs of a big committee."

Wells scouted new territory for female staff, but one area remained off limits—the Senate Chamber. When Chairman Warren was on the floor doing committee business, Wells had to wait outside.

Male committee clerks freely entered the chamber, but the Senate was not yet ready to admit a female staffer. Instead, as the Globe reported, Wells waited "just outside the swing doors of the chamber . . . and kept the door an inch or two ajar that she might hear everything that went on inside."

Leona Wells is largely forgotten now, but her service on the Appropriations Committee opened a door so other women could follow. Her story is also part of this committee's history.

This has been an all-too-brief summary of the history of this important committee, but I hope it will serve as a reminder.

Just like Francis Warren or Carl Hayden or even Leona Wells, all of you—chairs, vice chairs, members, and staff—are part of the history of the Committee on Appropriations.

## 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. 16-68, concerning the Department of the Navy's proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$175 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

TRANSMITTAL NO. 16-68

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

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

(ii) Total Estimated Value:

Major Defense Equipment \* \$100 million.

Other \$75 million.

Total \$175 million.

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

Major Defense Equipment (MDE):

One hundred sixty-eight (168) MK-54 Lightweight Torpedo (LWT) Conversion Kits.

Non-MDE includes: Shipping containers, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any: FMS Cases TW-P-AJX and TW-P-AKB.

(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: June 29, 2017.

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

## POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—MK-54 Lightweight Torpedo (LWT) Conversion Kits

TECRO has requested a possible sale of MK-54 Lightweight Torpedo (LWT) Conversion Kits. This request provides the recipient with MK-54 LWTs in support of their LWT program. This sale will include LWT containers, torpedo support, torpedo spare parts, publications, training, weapon system support, engineering and technical assistance for the upgrade and conversion of one hundred sixty eight (168) MK-46 Mod 5 Torpedoes to the MK-54 Lightweight Torpedo (LWT) configuration. The total estimated program cost is \$175 million.

This proposed sale is consistent with United States law and policy, as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic and security interests by supporting the recipient's continuing efforts to modernize its armed forces and enhance its defensive capabilities. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The recipient 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.

There will be various contractors involved in this case.

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

It is estimated that during implementation of this proposed sale, a number of U.S. Government and contractor representatives will be assigned to the recipient or travel there intermittently during the program.

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

## TRANSMITTAL NO. 16-68

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

## Annex Item No vii

## (vii) Sensitivity of Technology:

1. The MK 54 Lightweight Torpedo (LWT) has been in service in the U.S. Navy (USN) since 2004. The version offered in this sale is the MK54 Mod 0 of the system. The purchaser currently does not have this weapon system in its inventory. The proposed sale consists 168 MK-54 Mod 0 LWT conversion kits, containers, spare and repair parts, weapon system support and integration, personnel training, training equipment, test equipment, U.S. Government and contractor engineering, technical and logistical support services and other related elements of logistical support.

a. Although the MK 54 Mod 0 LWT is considered state-of-the-art-technology, there is no Critical Program Information associated with the MK 54 Mod 0 LWT hardware, technical documentation or software. The highest classification of the hardware to be exported is SECRET. The highest classification of the technical manual that will be exported is CONFIDENTIAL. The technical manual is required for operation of the MK 54 Mod 0 LWT. The highest classification of the software to be exported is SECRET.

2. Loss of hardware, software, publications or other items associated with the proposed

sale to a technologically advanced or competent adversary, poses the risk of the destruction of the countermeasures or replication and/or improvements to the adversary's Undersea Weapon Systems, weakening U.S. defense capabilities.

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

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

5. All defense articles and services listed in this transmittal have been authorized for release and export to the government of Taipei Economic and Cultural Representative Office (IECRO) in the United States.

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. 16-69, concerning the Department of the Navy's proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$250 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

## TRANSMITTAL NO. 16-69

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

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

(ii) Total Estimated Value:

Major Defense Equipment\* \$150 million.

Other \$100 million.

Total \$250 million.

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

Major Defense Equipment (MDE):

Forty-six (46) MK 48 Mod 6AT Heavyweight Torpedoes (HWT).

Non-MDE includes: Shipping containers, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

(iv) Military Department: Navy.

(v) Prior Related Cases, if any: None.

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

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

(viii) Date Notification Delivered to Congress: June 29, 2017.

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

## POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—MK 48 Mod 6AT Heavyweight Torpedo (HWT)

Taiwan has requested a possible sale of forty-six (46) MK 48 Mod 6AT Heavyweight Torpedoes (HWT). This sale will include HWT containers, torpedo support, torpedo spare parts, publications, training, weapon system support, engineering and technical assistance. The total estimated program cost is \$250 million.

This proposed sale is consistent with United States law and policy, as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic and security interests by supporting the recipient's continuing efforts to modernize its armed forces and enhance its defensive capabilities. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The recipient will have no difficulty absorbing this equipment into its armed forces.

There are no prime contractors associated with this case as all materials will be procured from U.S. Navy stocks. There are no known offset agreements proposed in connection with this potential sale.

It is estimated that during implementation of this this proposed sale a number of U.S. Government and contractor representatives will be assigned to the recipient or travel there intermittently during the program.

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

## TRANSMITTAL NO. 16-69

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

## Annex Item No vii

## (vii) Sensitivity of Technology:

1. The MK 48 Heavy Weight Torpedo (HWT) has been in service in the U.S. Navy (USN) since 1972. This sale furnishes the MK 48 Mod 6 Advanced Technology (AT) version of the system. The purchaser currently does not have this weapon system in its inventory. The proposed sale consists of 46 HWTs, containers, spare and repair parts, weapons system support and integration, personnel training, training equipment, test equipment, U.S. Government and contractor engineering, technical and logistics support services and other related elements of logistical support

a. There is no Critical Program Information associated with the MK 48 Mod 6AT HWT hardware, technical documentation or software. The highest classification of the hardware to be exported is SECRET. The highest classification of the technical manual that will be exported is CONFIDENTIAL. The technical manual is required for operation of the MK 48 Mod 6AT HWT. The highest classification of the software to be exported is SECRET. The MK 48 Mod 6AT HWT meets Anti-Tampering requirements.

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

3. A determination has been made that the recipient country can provide substantially

the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives in the Policy justification.

4. All defense articles and services listed in this transmittal have been authorized for release and export to Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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. 16-67, concerning the Department of the Navy's proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$125 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

TRANSMITTAL NO. 16-67

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

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office (TECRO) in the United States

(ii) Total Estimated Value:

Major Defense Equipment \$100 million.  
Other \$25 million.

TOTAL \$125 million.

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

Major Defense Equipment (MDE):

Sixteen (16) Standard Missile-2 (SM-2) Block IIIA All-Up Rounds (AUR) Forty-seven (47) MK 93 MOD 1 SM-2 Block IIIA Guidance Sections (GSs).

Five (5) MK 45 MOD 14 SM-2 Block IIIA Target Detecting Device (TDDs) Shrouds.

Non-MDE includes: Seventeen (17) MK 11 MOD6 SM-2 Block IIIA Autopilot Battery Units (APBUs) maneuverability upgrades on the GSs, sixty-nine (69) section containers and sixteen (16) AUR containers, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

(iv) Military Department: Navy (LHT).

(v) Prior Related Cases if any: FMS Cases TW-P-LGQ.

(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: June 29, 2017.

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

#### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—SM-2 Block IIIA Standard Missiles and Components

TECRO has requested a possible sale of sixteen (16) Standard Missile-2 (SM-2) Block IIIA All-Up Rounds (AUR), forty-seven (47) MK 93 MOD 1 SM-2 Block IIIA Guidance Sections (GSs), and five (5) MK 45 MOD 14 SM-2 Block IIIA Target Detecting Devices

(TDDs) Shrouds. This request also includes Seventeen (17) MK 11 MOD6 SM-2 Block IIIA Autopilot Battery Units (APBUs) maneuverability upgrades on the GSs, sixty-nine (69) section containers and sixteen (16) AUR containers, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services. The total estimated program cost is \$125 million.

This proposed sale is consistent with United States law and policy, as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic and security interests by supporting the recipient's continuing efforts to modernize its armed forces and enhance its defensive capabilities. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The SM-2 Block IIIA missiles and components proposed in this purchase will be used to supplement existing inventories of SM-2 Block IIAs to be used for self-defense against air and cruise missile threats on-board their destroyer-class surface ships. The recipient will have no difficulty absorbing this equipment into its armed forces.

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

The prime contractor will be Raytheon Missiles Systems Company of Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

It is estimated that during implementation of this proposed sale, a number of U.S. Government and contractor representatives will be assigned to the recipient or travel there intermittently during the program.

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

TRANSMITTAL NO. 16-67

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 STANDARD Missile-2 (SM-2) Block IIIA with or without a conventional warhead, whether a tactical or inert (training) configuration, is classified CONFIDENTIAL. Missile component hardware includes: Guidance Section (classified CONFIDENTIAL), Target Detection Device (classified CONFIDENTIAL), Warhead (UNCLASSIFIED), Rocket Motor (UNCLASSIFIED), Steering Control Section (UNCLASSIFIED), Safe and Arming Device (UNCLASSIFIED), and Autopilot Battery Unit (classified CONFIDENTIAL).

2. SM-2 operator and maintenance documentation is considered CONFIDENTIAL. Shipboard operation/firing guidance is considered CONFIDENTIAL. Pre-firing missile assembly/pedigree information 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 recipient can provide substantially the same degree of protection for the sensitive tech-

nology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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. 16-73, concerning the Department of the Air Force proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$185.5 million. After this letter is delivered to our 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. 16-73

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

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

(ii) Total Estimated Value:

Major Defense Equipment\* \$83.5 million.  
Other \$102.0 million.

Total \$185.5 million.

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

Major Defense Equipment (MDE):

Fifty-six (56) AGM-154C Joint Standoff Weapons (JSOWs).

Non-MDE includes: JSOW integration, captive flight vehicles, dummy training missiles, missile containers, spare and repair parts, support and test equipment, Joint Mission Planning System updates, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Air Force (QBZ).

(v) Prior Related Cases, if any: None.

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

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

(viii) Date Report Delivered to Congress: June 29, 2017.

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

#### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—AGM-154C Joint Standoff Weapon (JSOW) Missiles

TECRO requested a possible sale of fifty-six (56) AGM-154C JSOW Air-to-Ground Missiles. This request also includes: JSOW integration, captive flight vehicles, dummy training missiles, missile containers, spare and repair parts, support and test equipment, Joint Mission Planning System updates, publications and technical documentation, personnel training and training

equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The total estimated program cost is \$185.5 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The recipient 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.

Currently, market research is being conducted to determine the viability of a qualified contractor in accordance with Federal Acquisition Regulations. The purchaser typically requests offsets, but any offsets will be determined between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives outside the United States.

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

#### TRANSMITTAL NO. 16-73

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 AGM-154C Joint Standoff Weapon (JSOW) is a low observable, 1,000 lb. class, inertial navigation and global positioning satellite guided family of air-to-ground glide weapons. JSOW consists of a common airframe and avionics that provides for a modular payload assembly to attack stationary and moving massed flight-armored and armored vehicle columns, surface-to-air, soft to hard, relocatable, and fixed targets. JSOW provides combat forces with an all-weather, day/night/multiple kills per pass, launch and leave, and standoff capability.

2. The highest classification of the hardware to be exported is SECRET. The highest classification of the technical documentation to be exported is SECRET, but no radar cross-section and infrared signature data nor U.S.-only tactics or tactical doctrine will be disclosed. The highest classification of the software to be exported is SECRET; however, no software source code will be disclosed. All reprogramming of missile microprocessor memories must be accomplished by U.S. Government personnel or U.S. Government approved contractors.

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. 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.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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. 16-75, concerning the Department of the Air Force proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$400 million. After this letter is delivered to our 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. 16-75

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

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

(ii) Total Estimated Value:  
Major Defense Equipment (MDE)\* \$0 million.

Other \$400 million.

Total \$400 million.

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

Non-MDE includes: Follow-on sustainment package for the Surveillance Radar Program (SRP) that includes contractor logistics support (sustainment); engineering services and technical updates to address equipment obsolescence; transportation and material costs associated with contractor repair and return services; spare and repair parts; support and test equipment; publications and technical documentation personnel training and training equipment; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (QAP).

(v) Prior Related Cases, if any: TW-D-DAH—\$831 million—27 Oct 2004; TW-D-QAI—\$370 million—25 May 2012.

(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: June 29, 2017.

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

#### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—Surveillance Radar Program (SRP) Operation and Maintenance Support

TECRO requested a possible sale of SRP Operations and Maintenance follow-on sustainment package that includes, contractor logistics support (sustainment); engineering services and technical updates to address equipment obsolescence; transportation and material costs associated with contractor repair and return services; spare

and repair parts; support and test equipment; publications and technical documentation personnel training and training equipment; U.S. Government and contractor engineering; technical and logistics support services; and other related elements of logistical and program support. The total estimated program cost is \$400 million.

This proposed sale is consistent with United States law and policy as expressed in Public Law 96-8.

This proposed sale contributes to the foreign policy and national security of the United States by helping to improve the security and defensive capability of the recipient, which has been and continues to be an important force for political stability, military balance, and economic progress in the region.

The proposed sale improves the recipient's capability to provide early warning against current and future airborne threats. The SRP is a key component to the recipient's Command, Control, Communications, Computers, Intelligence Surveillance and Reconnaissance architecture. It will use the requested updates and sustainment as a defensive deterrent to regional threats and to strengthen its homeland defense. This potential sale will not introduce new capabilities, but will continue a similar sustainment package to one currently in place.

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

Currently, market research is being conducted to determine the viability of a qualified contractor in accordance with Federal Acquisition Regulations. The purchaser typically requests offsets, but any offsets will be determined between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives outside the United States.

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

#### TRANSMITTAL NO. 16-75

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 purchaser currently owns an Early Warning Radar (EWR) that serves as a critical element to its Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance (C4ISR) infrastructure. The radars provide a robust capability to detect, acquire, and track theater ballistic missiles, air breathing targets, and cruise missile threats. The system is able to operate in severe clutter and jamming environments amid high levels of background radio frequency interference. The follow on sustainment package requested will not introduce new capabilities.

2. The highest classification of the hardware to be exported is UNCLASSIFIED. The highest classification of the technical documentation to be exported is SECRET. There are technical manuals as well as Engineering Change Proposals, drawings, and specifications required as part of the sustainment updates. Components requiring depot level maintenance will be shipped to the U.S. for servicing. The highest level of software to be exported 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 which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. 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.

5. All defense articles and services listed in this transmittal are authorized for release and export to the Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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. 16-74, concerning the Department of the Air Force proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$147.5 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

TRANSMITTAL NO. 16-74

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

(ii) Total Estimated Value:

Major Defense Equipment\* \$47.5 million.

Other \$100.0 million.

Total \$147.5 million.

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

Major Defense Equipment (MDE):

Fifty (50) AGM-88B High-Speed Anti-Radiation Missiles (HARMs).

Ten (10) AGM-88B Training HARMs.

Non-MDE includes: HARM integration, LAU-118A Launchers, missile containers, spare and repair parts, support and test equipment, Joint Mission Planning System update, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support.

(iv) Military Department: Air Force (QBZ).

(v) Prior Related Cases, if any: None.

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

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

(viii) Date Report Delivered to Congress: June 29, 2017.

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

#### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—AGM-88B High-Speed Anti-Radiation Missiles (HARM)

TECRO requested a possible sale of fifty (50) AGM-88B HARMs and ten (10) AGM-88B Training HARMs. This request also includes: HARM integration, LAU-118A Launchers, missile containers, spare and repair parts, support and test equipment, Joint Mission

Planning System update, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The total estimated program cost is \$147.5 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The recipient 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.

Currently, market research is being conducted to determine the viability of a qualified contractor in accordance with Federal Acquisition Regulations. The purchaser typically requests offsets, but any offsets will be determined between the purchaser and the contractor.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives outside the United States.

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

TRANSMITTAL NO. 16-74

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. AGM-88B High-Speed Anti-Radiation Missile (HARM) is a supersonic air-to-surface missile designed to seek and destroy enemy radar-equipped air defense systems. HARM has a proportional guidance system that hones in on enemy radar emissions through a fixed antenna and seeker head in the missile nose. The missile consists of four sections: guidance section, warhead, control section, and rocket motor.

2. The highest classification of the hardware to be exported is SECRET. The highest classification of the technical documentation to be exported is SECRET, but no radar cross-section and infrared signature data nor U.S.-only tactics or tactical doctrine will be disclosed. The highest classification of the software to be exported is SECRET; however, no software source code will be disclosed. All reprogramming of missile microprocessor memories must be accomplished by U.S. Government personnel or U.S. Government approved contractors.

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

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

5. All defense articles and services listed in this transmittal are authorized for release and export to the Taipei Economic and Cultural Representative Office (TECRO) in the United States.

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. 16-70, concerning the Department of the Navy proposed Letter(s) of Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$80 million. After this letter is delivered to our office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

TRANSMITTAL NO. 16-70

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

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office (TECRO) in the United States

(ii) Total Estimated Value:

Major Defense Equipment\* \$ 0 million.

Other \$ 80 million.

Total \$ 80 million.

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

Non-MDE Includes: AN/SLQ-32(V)3 Electronic Warfare System upgrade hardware, software, support equipment and parts, publications, training, engineering and technical assistance.

(iv) Military Department: Navy (LHW).

(v) Prior Related Cases, if any: FMS Cases TW-P-SDV, TW-P-GNT, and TW-P-GOU.

(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: June 29, 2017.

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

#### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office (TECRO) in the United States—AN/SLQ-32(V)3 Upgrade

TECRO has requested a possible sale to upgrade the AN/SLQ-32(V)3 Electronic Warfare Systems in support of four

(4) ex-KIDD Class (now KEELUNG Class) destroyers. This sale will include AN/SLQ-32(V)3 upgrade hardware, software, support equipment and parts, publications, training, engineering and technical assistance. The total estimated program cost is \$80 million.

This proposed sale is consistent with United States law and policy, as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic and security interests by supporting the recipient's continuing efforts to

modernize its armed forces and enhance its defensive capabilities. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance and economic progress in the region.

The proposed sale will improve the recipient's capability in current and future defensive efforts. The recipient will use the enhanced capability as a deterrent to regional threats and to strengthen homeland defense. The proposed sale will improve operational readiness and enhance the electronic warfare capability onboard the ex-KIDD Class destroyers. The recipient will have no difficulty in absorbing this equipment into its armed forces.

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

The prime contractor will be Raytheon Missiles Systems Company of Tucson, Arizona. There are no known offset agreements proposed in connection with this potential sale.

It is estimated that during implementation of this proposed sale, a number of U.S. Government and contractor representatives will be assigned to the recipient or travel there intermittently during the program.

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

#### TRANSMITTAL NO. 16-70

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

#### Annex Item No vii

##### (vii) Sensitivity of Technology:

1. The AN/SLQ-32(V)3 is an electronic warfare system providing shipboard identification and cataloging of the electronic signature of missiles and aircraft. The system consists of sensors and computers which process electronic signals within parameters established in a threat library. The customer currently has an earlier version of this equipment in inventory.

a. The AN/SLQ-32(V)3 upgrade consists of hardware, technical documentation, and software. The highest classification of the hardware to be exported is SECRET. The highest classification of software to be exported is SECRET.

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

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

4. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Taipei Economic and Cultural Representative Office (TECRO) in the United States.

#### MARKETPLACE CERTAINTY ACT

Mrs. SHAHEEN. Mr. President, I am expressing sentiments for myself and on behalf of Senators WYDEN and MURRAY, as a fair reading of the Affordable Care Act, ACA, makes clear, S. 1462, the Marketplace Certainty Act, is not necessary to provide a permanent appropriation for the payment of cost-

sharing reductions under the ACA. The ACA already prescribes that such payments are to be made from such a permanent appropriation pursuant to 31 U.S.C. 1324. This is because an essential component of the ACA's system for ensuring the availability of affordable health insurance coverage is its two-part package of subsidies: tax credits and cost-sharing reductions. Whereas the premium tax credits make it more affordable for an individual to purchase health insurance, the cost-sharing reductions make healthcare more affordable by reducing the often daunting costs, such as copayments and deductibles, that even those with health insurance must pay to obtain healthcare, ACA, sections 1401, 1402, 26 U.S.C. 36B, 42 U.S.C. 18071. The ACA directs the Secretary of the Treasury to "establish" a single, integrated "program" to "make advance payment" of both subsidies to insurance companies, who are accordingly mandated to reduce individuals' premium payments to insurers, and their cost-sharing obligations to healthcare providers. To assure insurers and covered individuals that these equally essential funds will both be available, the act provides that requisite payments are to be jointly made from a permanent appropriation, 31 U.S.C. 1324, rather than be subject to the year-to-year whims of the annual appropriations process.

Despite the fact that the current permanent appropriation in section 1324 plainly covers these cost-sharing reduction payments, pending litigation brought by the House Republican leadership—which is currently being held in abeyance in the D.C. Circuit Court of Appeals—and the current administration's mixed signals as to whether it will continue to make these payments required by law, could generate instability in individual insurance markets. S. 1462 removes all basis for any further questions about what is already clear from a fair reading of the ACA as a whole: both subsidies are to be funded from the same permanent appropriation. In addition, the amendment includes provisions that will strengthen the existing subsidy provisions, and, in light of developments since the ACA was enacted in 2010, make insurance more affordable for beneficiaries and help stabilize State-level individual insurance markets.

#### NOMINATION OBJECTION

Ms. DUCKWORTH. Mr. President, I intend to object to proceeding to the nomination of Steven Gill Bradbury, of Virginia, to be General Counsel for the Department of Transportation.

#### LGBTQ PRIDE MONTH

Mr. CARDIN. Mr. President, today I wish to recognize LGBTQ Pride Month, a time to openly acknowledge and celebrate the contributions lesbian, gay, bisexual, transgender, and queer or questioning individuals have made to

our Country and the progress they have made over the years toward equality and civil rights.

Pride, equality, freedom—these values are at the core of Pride Month for LGBTQ individuals and families in Maryland and across the United States. Every American deserves the same freedoms, the same opportunities and the same protections under the law to love whom they love.

Respect, dignity, hope—LGBTQ Americans have helped drive the innovation and bold ideas that make America exceptional. They have stood sentry in our military, made scientific advances, created jobs from Main Street to Wall Street, made all of America laugh and cry, and so much more. LGBTQ individuals have enriched our communities and made us a stronger nation.

Fear, apprehension, caution—those of us who defend civil rights every day understand that these are discouraging and uncertain times. It pains me to say the full admission of lesbian, gay, bisexual, transgender, and queer or questioning individuals into society has yet to be granted. The open expression of one's sexual orientation and gender identity has been—and oftentimes still is—wrought with discrimination and hardship.

Despite the highs of Windsor and Obergefell, the LGBTQ community feels the pain of the senseless shooting at Pulse nightclub 1 year ago, blatant discrimination in States like North Carolina, and the incomprehensible abandonment of transgender students in schools, and the decades of injustice that reach back far beyond Stonewall. The results of last year's Presidential election brought an unwanted chill to the winds of momentum that had swept through the LGBTQ community. Insensitive language from the current administration adds an ominous cloud over the potential for future progress.

To all of my lesbian, gay, bisexual, transgender, and queer or questioning sisters and brothers, I say this: You are not alone. I support you. I will fight alongside you. We will not allow extremism to take away the inherent rights afforded to each and every one of us. Equality and liberty will prevail over any who would use hate and bigotry to frighten or intimidate others.

I have joined with nearly half of the U.S. Senate as a sponsor of the Equality Act, S. 1006, historic, comprehensive Federal legislation that would ensure full Federal nondiscrimination equality for LGBTQ individuals by adding sexual orientation and gender identity to other protected classes, such as race or religion, in existing Federal laws. Despite major advances in equality for LGBTQ Americans, including nationwide marriage equality, the majority of States still do not have explicit LGBTQ nondiscrimination protection laws. The Equality Act would fill in the gap by explicitly banning discrimination in a host of areas, including employment, housing, public