

IN THE NAVY

PN1246 NAVY nomination of Henry J. Kennedy, which was received by the Senate and appeared in the Congressional Record of November 14, 2017.

PN1302 NAVY nomination of John A. Mills, which was received by the Senate and appeared in the Congressional Record of December 1, 2017.

PN1513 NAVY nomination of Eric C. Correll, which was received by the Senate and appeared in the Congressional Record of January 19, 2018.

PN1584 NAVY nomination of Jamal L. Headen, which was received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1585 NAVY nominations (44) beginning PATRICK P. ARRIGO, and ending OLIVER C. ZUFELT, which nominations were received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1586 NAVY nomination of Jessica M. Ferraro, which was received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1587 NAVY nomination of Vijay M. Ravindra, which was received by the Senate and appeared in the Congressional Record of February 5, 2018.

PN1589 NAVY nomination of Elisabeth S. Stephens, which was received by the Senate and appeared in the Congressional Record of February 5, 2018.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

ARMS SALES NOTIFICATION

Mr. 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. 18-02, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Ukraine for defense articles and services estimated to cost \$47 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,
GREGORY M. KAUSNER
(For Charles W. Hooper, Lieutenant
General, USA, Director.)

Enclosures.

TRANSMITTAL NO. 18-02

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 Ukraine.

(ii) Total Estimated Value:
Major Defense Equipment* \$29.5 million.
Other \$17.5 million.
Total \$47.0 million.

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

Major Defense Equipment (MDE):
Two hundred ten (210) Javelin Missiles.
Thirty-seven (37) Javelin Command Launch Units (CLU) (includes two (2) CLUs to be used as spares).

Non-MDE: Also included are Basic Skill Trainers (BST); United States Government (USG) and contractor technical assistance, transportation, training and other related elements of logistics and program support.

(iv) Military Department: Army (UP-B-UBT).

(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: March 1, 2018.

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

POLICY JUSTIFICATION

Ukraine—Javelin Missiles and Command Launch Units

The Government of Ukraine has requested to buy two hundred ten (210) Javelin Missiles and thirty-seven (37) Javelin Command Launch Units (CLUs) (includes two (2) Javelin CLUs to be used as spares). Also included are Basic Skill Trainers (BST); United States Government and contractor technical assistance, transportation, training and other related elements of logistics and program support. The total estimated cost is not to exceed \$47 million.

This proposed sale will contribute to the foreign policy and national security of the United States by improving the security of Ukraine. The Javelin system will help Ukraine build its long-term defense capacity to defend its sovereignty and territorial integrity in order to meet its national defense requirements. Ukraine will have no difficulty absorbing this system into its armed forces.

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

The prime contractors will be Raytheon/Lockheed Martin Javelin Joint Venture of Orlando, Florida and Tucson, Arizona. However, these missiles are being provided from U.S. Army stocks and the CLUs will be obtained from on-hand Special Defense Acquisition Fund (SDAF)-purchased stocks. There are no known offset agreements proposed in conjunction with this potential sale.

Implementation of this proposed sale will require U.S. Government and/or contractor

representatives to travel to Ukraine temporarily in order to conduct training.

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

TRANSMITTAL NO. 18-02

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 Javelin Weapon System is a medium-range, man portable, shoulder-launched, fire and forget, anti-tank system for infantry, scouts, and combat engineers. The system weighs 49.5 pounds and has a maximum range in excess of 2,500 meters. The system is highly lethal against tanks and other systems with conventional and reactive armors. The system possesses a secondary capability against bunkers.

2. Javelin's key technical feature is the use of fire-and-forget technology which allows the gunner to fire and immediately relocate or take cover. Additional special features are the top attack and/or direct fire modes, an advanced tandem warhead and imaging infrared seeker, target lock-on before launch, and soft launch from enclosures or covered fighting positions. The Javelin missile also has a minimum smoke motor thus decreasing its detection on the battlefield.

3. The Javelin Weapon System is comprised of two major tactical components, which are a reusable Command Launch Unit (CLU) and a round contained in a disposable launch tube assembly. The CLU incorporates an integrated day-night sight that provides a target engagement capability in adverse weather and countermeasure environments. The CLU may also be used in a stand-alone mode for battlefield surveillance and target detection. The CLU's thermal sight is a second generation Forward Looking Infrared (FLIR) sensor. To facilitate initial loading and subsequent updating of software, all onboard missile software is uploaded via the CLU after mating and prior to launch.

4. The missile is autonomously guided to the target using an imaging infrared seeker and adaptive correlation tracking algorithms. This allows the gunner to take cover or reload and engage another target after firing a missile. The missile has an advanced tandem warhead and can be used in either the top attack or direct fire modes (for target undercover). An onboard flight computer guides the missile to the selected target.

5. The Javelin Missile System hardware and the documentation are UNCLASSIFIED. The missile software which resides in the CLU is considered SENSITIVE. The sensitivity is primarily in the software programs which instruct the system how to operate in the presence of countermeasures. The overall hardware is also considered sensitive in that the infrared wavelengths could be useful in attempted countermeasure development.

6. 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.

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

8. All defense articles and services listed on this transmittal are authorized for release and export to the Government of Ukraine.

REMEMBERING JOHN TUNNEY

Mrs. FEINSTEIN. Mr. President, today I wish to honor a former Member of this Chamber, Senator John Tunney, whose seat I now hold.

Senator Tunney passed away on January 12 in Brentwood, CA, at the age of 83. His family and friends will gather on Monday to celebrate his life.

The son of a world heavyweight boxing champion, Senator Tunney was born in New York in 1934. After graduating from Yale in 1956, he went on to study law at the University of Virginia.

While attending law school, he was roommates with Senator Ted Kennedy, and the two became lifelong friends.

After graduating in 1959, he began his career in public service as a JAG lawyer in the Air Force. He was eventually stationed in California, where he settled after leaving the military.

He first ran for Congress in 1964, winning a House seat representing Riverside and Imperial Counties. After three terms in the House, when he was only 36 years old, John challenged Senator George Murphy in 1970.

It was highly contested election. Senator Murphy shared the ballot with his good friend, then-Governor Ronald Reagan, who was seeking reelection.

Despite the Governor's popularity, Senator Tunney was able to win and by a wider margin of victory than the Governor. That campaign would serve as the inspiration for Robert Redford's movie, "The Candidate."

Ever the statesmen, Senator Murphy went to Sacramento to meet with Governor Reagan immediately after the election. The two pledged to work together for the betterment of California.

That willingness to reach across the aisle allowed Senator Tunney to be an effective legislator during his career in the Senate.

A champion of civil rights and environmental causes, he passed several major bills, including the Noise Pollution Act in 1972 and an extension of the Voting Rights Act in 1975.

He also authored the landmark Antitrust Procedures and Penalties Act, commonly referred to as the Tunney Act. The antitrust bill gave the Justice Department oversight of corporate mergers and acquisitions.

Senator Tunney also played a key role in keeping the United States out of the Angolan civil war, pushing to end the Pentagon's covert operations there.

As a freshman Senator, he authored more than 38 bills, a record few of us here today could claim in our first term.

That success can be attributed in part to the talented staff he hired, including future Congresswoman Jane Harman and Hadley Roff, who later served on my own staff.

Despite his successful record, Senator Tunney lost his reelection bid to S.I. Hayakawa during the anti-incumbent wave that followed Watergate.

Upon leaving office, he continued to practice law, becoming a partner at

Manatt, Phelps, Rothenberg & Tunney in Los Angeles.

He also served on the boards of several nonprofits, including Living With Wolves and UCLA's Hammer Museum.

After retiring, Senator Tunney spent most of his time in Idaho, enjoying poetry, reading, fishing, skiing, and hiking with his family.

Senator Tunney is survived by his second wife, Kathinka Osborne Tunney, his six children and stepchildren, and two grandsons.

After his defeat in 1976, Senator Tunney famously said, "When you get into public life, you've got to be prepared to take your knocks."

On behalf of all Californians, I am grateful he was willing to take those knocks and thankful for his life of public service.

10TH ANNIVERSARY OF KOSOVO INDEPENDENCE

Mr. CARDIN. Mr. President, I wish briefly to note that Saturday, February 17th, marked the 10th anniversary of the independence of Kosovo. I want to congratulate the people of Kosovo on reaching their aspirations for statehood 10 years ago and to support their current aspirations to be part of a democratic, integrated, and peaceful Europe. I urge the government and people of Kosovo to use this anniversary as an occasion to strengthen their commitments to democracy and human rights, to seek reconciliation with their neighbors, and to undertake and fully implement the reforms necessary to move forward in these areas.

In 1998, the situation in Kosovo was markedly different. Still a province of Serbia, with its autonomy unilaterally revoked and its ethnic Albanian majority harshly repressed, Kosovo erupted in conflict. After years of passive resistance to Serbian rule, the people of Kosovo had enough and began to clamor for their rights. Early international efforts to restore peace were unsustainable, and with U.S. leadership, the North Atlantic Treaty Organization, NATO, Alliance was compelled to intervene militarily the following year, placing Kosovo under the administration of the United Nations, UN, and opening the question of its status.

The violent chaos of 1998 and 1999—marked by horrific war crimes, massive displacement of populations, and ultimately the death of an estimated 12,000 or more people—made subsequent efforts to reach agreement on Kosovo's status a challenge, and only in February 2008 could Kosovo assert independent statehood based on a plan developed by the respected Finnish politician, Martti Ahtisaari.

This last decade has seen continued challenges as Kosovo has tried to achieve greater recognition of its independence abroad and to develop its democratic political institutions and economy at home. Perhaps the most important and positive development

has been the direct dialogue since 2012 between Serbian and Kosovo officials in Brussels, under European Union, EU, auspices. These talks have sought to normalize relations between Belgrade and Pristina and to achieve practical progress that would improve the lives and protect the rights of the people in and from Kosovo. Some agreements have been reached, but implementation has been difficult. This work continues.

As a Member of Congress, both House and Senate, I have been a witness to Kosovo's history. As a member of the U.S. Helsinki Commission for more than two decades and a member of the Senate Foreign Relations Committee since coming to this Chamber in 2007, I have visited Kosovo and participated in numerous hearings on developments there. I have met with its leaders, as well as those of Serbia and other neighbors, and engaged in critical debates on issues ranging from military intervention and peacekeeping operations to diplomatic recognition and bilateral support for the country's democratic and economic development.

As Kosovo moves into a second decade of statehood, I urge those countries that have not yet recognized its independence to do so now, particularly those in the European Union. Kosovo's independence is a reality, and full EU recognition will help pave the way to Kosovo's European integration as it continues to take the necessary steps to strengthen its democratic institutions, respect human rights, and adhere to the rule of law. Progress in these areas is desperately needed and something we should all want. Withholding recognition accomplishes nothing.

While I make this call urging Kosovo's recognition, I want also to urge Kosovo's political leaders not to wait for outside incentives, but to see progress as in Kosovo's own interest and to make this progress now. Nothing will strengthen support for Kosovo and its integration into Europe in the years to come more than its efforts to take responsibility now for doing the right thing.

In this regard, I encourage the Kosovo Government to make clear its commitment to democracy. The political turmoil in the country has raised questions about the strength of this commitment.

I hope to see steps in Kosovo to boost respect for human and property rights of members of minority communities, whether Serb, Roma, Turk, Bosniak, or any of the others who live in Kosovo. This has been one area where progress has been sadly lacking with regard to what we would expect.

I also urge the Kosovo Government to make progress on justice for past atrocities by supporting the work of the special court established for that purpose and respecting its decisions and judgements. Upholding the rule of law for crimes that individuals in Kosovo have committed will boost Kosovo as a nation and contribute to a