

in our private meetings or in his public testimony where he addressed this issue head-on. He said that as a former Army officer and someone who went to West Point and graduated at the top of his class—did I say that earlier? Anyway, he went to West Point, and he is someone who actually believes very strongly in soft power and believes that military actions ought to be the last resort, not the first resort. I think that is true with almost anybody who has been in the military—certainly people who have been in combat. I made the comparison to what Colin Powell said when he was nominated, which was very similar to that. What General Mattis says today is very similar to that.

I believe Mike Pompeo has the opportunity not only to help with regard to these crisis issues we are facing around the world—North Korea, Syria, what is happening in Iran, what is happening in Ukraine—I think he is someone who has the ability to improve the morale at the State Department at a critical time. In fact, I am convinced of it. Having talked to some people at the State Department—as you know, many of the career civil service people have been feeling as though they weren't being consulted. Mike Pompeo is a listener, and he has talked about what he did at the CIA. He talked about the fact that God gave us only one mouth but two ears. In other words, we are supposed to be listening and taking in the input and then helping to lead as a servant leader listening to people. I think that is the kind of leader Mike Pompeo is.

My hope is that he will be confirmed and that he will earn the trust some of us have shown in him by doing exactly that at the State Department—getting the diplomats in the State Department engaged and empowered, making sure that we are taking every step possible with regard to diplomacy before turning to military action anywhere in the world, and working with our military and with the White House and with the Congress to have a U.S. foreign policy that is effective in keeping the peace.

Yes, we need a strong military because by having a strong military, by having a strong defense, we maximize the chance for peace, but we also have to have a strong diplomacy arm that is out there ensuring that we take every measure we possibly can to use soft diplomacy. I think diplomacy is something that Mike Pompeo has shown that he is committed to.

So my hope is that we will have positive votes on Rick Grenell as Ambassador to Germany and Mike Pompeo later this week, that we can have bipartisan support for these two, and that they, in turn, will earn the trust this body has shown in them.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

ARMS SALES NOTIFICATION

Mr. 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. 18-14, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$110 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. 18-14

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: The Government of the Netherlands.

(ii) Total Estimated Value:
Major Defense Equipment* \$0.5 million.
Other \$109.5 million.

Total \$110.0 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of the Netherlands has requested to buy defense articles and services in support of continuation of a Continental United States (CONUS) based Royal Netherlands Air Force F-16 Formal Training Unit.

Major Defense Equipment (MDE):

Up to twenty-seven (27) GBU-12 Inert Paveway IIs.

Non-MDE: Also included are PGU-27 Inert training rounds, Impulse Cartridges, MJU-7/B Flares, RR-188 Chaff, BDU-33/B and BDU-50/B training munitions, fuel and air refueling support, airlift services, base operating support, facilities, publications and technical documentation, pilot training, personnel training and training equipment, weapon system and software support, U.S. Government and contractor technical, engineering, and logistics personnel services, and other related elements of logistics and program support.

(iv) Military Department: Air Force (NE-D-NZW).

(v) Prior Related Cases, if any: NE-D-NXZ-\$149.3 million; 19 Sep 13.

(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: None.

(viii) Date Report Delivered to Congress: April 24, 2018.

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

POLICY JUSTIFICATION

The Netherlands—F-16 Formal Training Unit at Tucson Air National Guard Base (ANGB), Arizona

The Government of the Netherlands has requested to buy defense articles and services in support of continuation of a Continental United States (CONUS) based Royal Netherlands Air Force F-16 Formal Training Unit, to include up to twenty-seven (27) GBU-12 Inert Paveway IIs. Also included are PGU-27 Inert training rounds, Impulse Cartridges, MJU-7/B Flares, RR-188 Chaff, BDU-33/B and BDU-50/B training munitions, fuel and air refueling support, airlift services, base operating support, facilities, publications and technical documentation, pilot training, personnel training and training equipment, weapon system and software support, U.S. Government and contractor technical, engineering, and logistics personnel services, and other related elements of logistics and program support. The estimated program value is \$110 million.

This proposed sale will support the foreign policy and national security objectives of the United States by improving the security of a NATO Ally which is an important force for political stability and economic progress in Europe.

This potential sale will continue to improve the Royal Netherlands Air Force's (RNLAf) ability to develop mission-ready and experienced pilots to support its F-16 aircraft inventory. The well-established pilot proficiency training program at Tucson Air National Guard Base will train pilots in F-16 operations, tactics, techniques, and procedures. This training will enhance the RNLAf's ability to continue contributions to Overseas Contingency Operations and to NATO air policing operations, as well as, to possible future coalitions operations. The Netherlands will have no difficulty absorbing this training.

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

There is no prime contractor involved in this proposed sale. The Tucson Air National Guard will provide instruction, flight operations, and maintenance support and facilities with defense articles anticipated to come from U.S. stocks, as needed. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government personnel or contractor representatives to the Netherlands.

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

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. 18-12, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the Netherlands for defense articles and services estimated to cost \$70 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. 18-12

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 Netherlands

(ii) Total Estimated Value:

Major Defense Equipment * \$60 million.

Other \$10 million.

Total \$70 million.

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

Major Defense Equipment (MDE):

Three thousand five hundred (3,500) M1156 Precision Guided Kit (PGK).

Non-MDE: Also included are six (6) PGK settable trainers; two (2) PGK cut away models; one hundred (100) M76 PGK fuze wrenches; ten (10) Extended Length Artillery Projectile Extractors (ELAPEs); PGK technical data and publications; U.S. Government engineering and technical support services; and other related elements of logistics and program support.

(iv) Military Department: Army (NE-B-WKA).

(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: April 24, 2018.

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

POLICY JUSTIFICATION

Netherlands—M1156 Precision Guided Kits

The Netherlands has requested to buy three thousand five hundred (3,500) M1156 Precision Guided Kits. Also included are six (6) PGK settable trainers; two (2) PGK cut away models; one hundred (100) M76 PGK fuze wrenches; ten (10) Extended Length Artillery Projectile Extractors (ELAPEs); PGK technical data and publications; U.S. Government engineering and technical support services; and other related elements of logistics and program support. The estimated total cost is \$70 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of the Netherlands which is an important force for political stability and economic progress in Europe. It is important to the U.S. national interests to assist the Netherlands to develop and maintain a strong and ready self-defense capability. The Netherlands has been a consistent coalition partner supporting the United States in various coalition combat operations to include counter-ISIS, Stabilization Force in Iraq, and Afghanistan.

The proposed sale of PGK will provide a precision guided capability to 155mm artillery projectiles and improve Netherlands's capability to meet current and future enemy threats. The Netherlands will use the enhanced capability to strengthen its homeland defenses, deter regional threats, and provide direct support to coalition and security cooperation efforts. The Netherlands will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment will not impact the basic military balance in the region. The principal contractor will be Orbital ATK. There are no known offset agreements proposed in connection with this potential sale. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor. Implementation of this sale will not require the assignment of any additional U.S. or contractor representatives to the Netherlands.

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

TRANSMITTAL NO. 18-12

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 M1156 Precision Guidance Kit (PGK) is a Global Positioning System (GPS) Precise Positioning Service (PPS) guided 155mm artillery projectile fuze. This effort includes the qualification of PGK on the Assegai M1711 Insensitive High Explosive (IHE) Base Bleed (BB) projectile with modular charges DM92 Charge 6 and PGK on the Assegai M1712 IHE Boat Tail (BT) projectile with modular charges DM92 Charges 5 and 6, both fired from the Netherlands' PzH 2000 self-propelled howitzer.

2. The M1156 utilizes the Enhanced Portable Electronic Fuze Setter (EPEFS) to set the PGK and the Portable Electronic Fire Control System (PEFCS) both purchased previously under a previous Excalibur FMS case. The PEFCS contain an Improved Platform Integration Kit (MK) to load GPS coordinates. Both the PGK and PEFCS contain the Selective Availability Anti-Spoofing Module (SAASM). The PGK has 90% commonality with the Army's XM395 Accelerated Precision Mortar Initiative (APMI). The PGK (the end-item) is unclassified. Transfer of the PGK may reveal information up to SECRET.

3. The M1156 utilizes the Army's M782 Multi-Option for Artillery (MOFA) Proximity Height of Burst (HOB) Technology. The HOB sensor is comprised of components with technologies deemed as state of the art, requiring specialized production skills. The sensitive/critical technology is primarily in the design, development, production and manufacturing of the components (integrated circuits and assembly), and the integration methodology required to integrate those components onto an assembly to process embedded (the software-algorithm-working parameters). The HOB technology is classified SECRET.

4. Disclosure of this technology could result in an adversary developing counter-

measures, thus lessening the effect of the projectile. Disclosure of test data, countermeasures, vulnerability/susceptibility analyses and threat definition could all aid reverse engineering and could be used by an adversary for possible use against U.S. and Coalition forces. Compromise could jeopardize the U.S. forces inventory through jammer development by adversaries. The risk of compromise has been assessed as moderate. Risk is reduced for fuze/munitions if adequately controlled and protected in storage and on the battlefield. Risk is mitigated by the prevention of disclosure of sensitive classified information (the know-how, software, and associated documentation).

5. 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.

6. A determination has been made that the Netherlands can provide 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.

7. All defense articles and services listed in this transmittal have been authorized for release and export to the Netherlands.

VOTE EXPLANATION

Mr. NELSON. Mr. President, I was necessarily absent for the April 23, 2018, vote on the motion to invoke cloture on Calendar No. 624, the nomination of Stuart Kyle Duncan to be U.S. Circuit Judge for the Fifth Circuit. I would have voted nay.

FIFTH ANNIVERSARY OF THE RANA PLAZA FACTORY COLLAPSE IN BANGLADESH

Mr. MENENDEZ. Mr. President, 5 years ago today, the Rana Plaza building collapsed in Bangladesh, tragically killing more than 1,100 people and injuring thousands more. Rana Plaza, a bustling multistory commercial building in Dhaka, had housed several ready-made garment factories, as well as banks and other businesses. When cracks appeared in the building facade the day prior to its collapse and some stores in the building accordingly closed up shop, owners of the garment factories inside Rana Plaza rather told their workers not to worry and ordered them to return for work the next day, but this was not a time for business as usual. Thousands of garment workers, the majority of them enterprising young women achieving new levels of financial independence for themselves and their families, filed back into the building the next morning. Thousands of them never made it back out. The world was rightly stunned and horrified by the images of the lifeless bodies of hundreds of young women being pulled from the rubble of this man-made disaster.

The Rana Plaza tragedy could have been avoided, and it demonstrated that "business as usual" in Bangladesh's